

# **City of Charlotte**

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



## **Zoning Agenda**

**Monday, February 17, 2020**

**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 Malcolm Graham  
Council Member Renee Johnson  
Council Member James Mitchell  
Council Member Matt Newton  
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

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

- 1. 5:00 P.M. DINNER MEETING, CH-14**
  - 1. Meeting Agenda**
  - 2. Dinner Meeting Agenda**
    - 1. Agenda Review - Dave Pettine**
  - 3. Follow-Up Report**
- 2. Dinner Meeting Agenda**
  - 1. Agenda Review - Dave Pettine**
- 3. Follow Up Report**

**5:30 P.M. ZONING MEETING, COUNCIL CHAMBERS****ZONING DECISIONS****4. Rezoning Petition: 2019-069 by Harrison Tucker - CoHab, LLC**

**Location:** Approximately 0.9 acres on the west side of E. 36th St, north of North McDowell St. and south of North Alexander St. (Council District 1 - Egleston)

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

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

**Public Hearing Date:** December 16, 2019 - Item #29

**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

Site Plan

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

**Location:** Approximately 11.15 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-8MF (multi-family residential) and R-5 (single family residential)

**Proposed Zoning:** UR-2(CD) (urban residential, conditional) with 5-years vested rights

**Public Hearing Held:** December 16, 2019 - Item #30

**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

Site Plan

## 6. Rezoning Petition: 2019-105 by The Greenstone Group, LLC

**Location:** Approximately 5.14 acres located on the west side of Benfield Road, south of Summer Creek Lane and north of Interstate 485, west of Prosperity Church Road. (Council District 4 - Johnson)

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

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

**Public Meeting Held:** January 21, 2020 - Item #24

**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

## 7. Rezoning Petition: 2019-121 by Jamario Rickenbacker

**Location:** Approximately 1.15 acres located on the north side of West Boulevard, west of Holabird Lane. (Council District 3 - Watlington)

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

**Proposed Zoning:** UR-C (urban residential - commercial)

**Public Hearing Held:** January 21, 2020 - Item #28

**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

## 8. Rezoning Petition: 2019-123 by Magnus Capital Partners

**Location:** Approximately 1.99 acres located on the south side of Bryant Street, east of South Summit Avenue, west of Interstate 77. (Council District 2 - Graham)

**Current Zoning:** I-1 PED (light industrial, pedestrian overlay)

**Proposed Zoning:** I-1 PED-O (light industrial, pedestrian overlay, optional)

**Public Hearing Held:** January 21, 2020 - Item #29

**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

## 9. Rezoning Petition: 2019-138 by Roma Homes

**Location:** Approximately 0.55 acres located at the southern intersection of Charles Avenue and Whiting Avenue. (Council District 1 - Egleston)

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

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

**Public Hearing Held:** January 21, 2020 - Item #31

**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

**10. Rezoning Petition: 2019-139 by JDSI, LLC**

**Location:** Approximately 5.3225 acres located along the eastern portion of W.T. Harris Boulevard at its intersection with Wallace Avenue, north of Albemarle Road. (Council District 5 - Newton)

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

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

**Public Meeting Held:** January 21, 2020 - Item #32

**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

**11. Rezoning Petition: 2019-140 by C Investments 5, LLC**

**Location:** Approximately 2.22 acres located on the north side of Providence Road West, west of Rothesay Drive, east of Lancaster Highway. (Council District 7 - Driggs)

**Public Hearing Held:** January 21, 2020 - Item #27

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

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

**Zoning Committee Recommendation:**

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

**Staff Recommendation:**

Staff recommends **APPROVAL** of this petition.

**Attachments:**

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

**12. Rezoning Petition: 2019-141 by Mark Bolous**

**Location:** Approximately 0.44 acres located on the west corner of N. Sharon Amity Road and Castleton Road. (Council District 5 - Newton)

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

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

**Public Hearing Held:** January 21, 2020 - Item #33

**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: 2019-143 by Tara Ellerbe-Elite**

**Location:** Approximately 0.33 acres located at the southern intersection of N. Tryon Street and Liddell Street, .2 miles northeast of Brookshire Freeway (I-277). (Council District 1 - Egleston)

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

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

**Public Meeting Held:** January 21, 2020 - Item #34

**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



**14. Rezoning Petition: 2019-144 by York Acquisitions, LLC**

***Update: Petitioner has requested deferral to March 16, 2020***

**Location:** Approximately 23.57 acres located on the west side of North Tryon Street, south of Sir Anthony Drive, north of West Mallard Creek Church Road. (Council District 4 - Johnson)

**Current Zoning:** R-3 (single-family residential) and R-12(CD) (single-family residential, conditional)

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

**Zoning Committee Recommendation:**

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

**15. Rezoning Petition: 2019-148 by Branful, LLC**

**Location:** Approximately 1.55 acres located on the west side of West Sugar Creek Road, south of Wilson Lane, south of Interstate 85. (Council District 1 - Egleston)

**Current Zoning:** B-1(CD) (neighborhood business, conditional) and NS (neighborhood services)

**Proposed Zoning:** NS (neighborhood services) and NS SPA (neighborhood services, site plan amendment)

**Public Hearing Held:** January 21, 2020 - Item #36

**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

**16. Rezoning Petition: 2019-151 by Longbranch Development**

**Location:** Approximately 11.63 acres located on Johnston-Oehler Rd, east of Oehler Bridge Drive, south of Interstate 485. (Council District 4 - Johnson)

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

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

**Public Hearing Held:** January 21, 2020 - Item #37

**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

**17. Rezoning Petition: 2019-153 by 650 South Tryon Development**

**Location:** Approximately 0.64 acres bounded by S. Tryon Street and W. Hill Street east of John Belk Freeway. (Council District 2 - Graham)

**Current Zoning:** UMUD-O (uptown mixed use, optional)

**Proposed Zoning:** UMUD-O SPA (uptown mixed use, optional, site plan amendment)

**Public Meeting Held:** January 21, 2020 - Item #38

**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

ACTIVE TRANSPORTATION PROJECTS

**18. Active Transportation Projects**

## ZONING HEARINGS

### 19. Rezoning Petition: 2018-114 by Seahawk Partner Holdings, LLC

**Location:** Approximately 0.178 acres located on the eastern side of Thomas Avenue, north of Central Avenue in the Plaza-Midwood Neighborhood. (Council District 1 - Egleston)

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

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

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

### 20. Rezoning Petition: 2019-111 by Hive Fitness, LLC

**Update: Petitioner is requesting deferral to March 16, 2020**

**Location:** Approximately 0.69 acres located on the south side of Southside Drive, west of Old Pineville road, and east of Yancey Road. (Council District 3 - Watlington)

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

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

### 21. Rezoning Petition: 2019-115 by Northwood Development, LLC

**Update: Petitioner is requesting deferral to March 16, 2020**

**Location:** Approximately 454.24 located on the north side of Ballantyne Commons Pkwy., south of I-485 on both sides of Johnston Road. (Council District 7 - Driggs)

**Current Zoning:** BP (CD) (business park, conditional) & O-3 (CD) (office, conditional)

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

**22. Rezoning Petition: 2019-142 by Kennedy Howard**

**Location:** Approximately 0.27 acres located on the southeast corner of Tuckaseegee Road and Enderly Road from B-1 to MUDD-0. (Council District 3 - Watlington)Choose an item.

**Current Zoning:** B-1 (neighborhood business)

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

**Staff Recommendation:**

Staff Recommends **APPROVAL** of this petition upon resolution of requested technical revisions related to transportation

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

**23. Rezoning Petition: 2019-152 by Spectrum Companies**

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

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

**Site Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

**24. Rezoning Petition: 2019-155 by Plaza Midwood Charlotte 2 LP**

**Location:** Approximately 0.18 acres located on the south side of Central Avenue, east of Pecan Avenue and west of Thomas Avenue. (Council District 1 - Egleston)

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

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

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

**25. Rezoning Petition: 2019-157 by ABP Development LLC**

**Location:** Approximately 8.5 acres located on the south side of Polk and White Road, west of Mallard Creek Road. (Council District 4 - Johnson)

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

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

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

**26. Rezoning Petition: 2019-158 by MPV Properties**

**Location:** Approximately 3.6 acres located on the south side of E. Woodlawn Road, east of Murrayhill Road. (Council District 6 - Bokhari)

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

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

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

Previously Approved Site Plan

**27. Rezoning Petition: 2019-159 by Ed Zepa**

**Location:** Approximately 0.95 acres located on the west side of Nations Crossing Road, south of Verbena Street. (Council District 3 - Watlington)

**Current Zoning:** MUDD (CD) (mixed use development, conditional)

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

**Staff Recommendation:**

Staff recommends **APPROVAL** of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

**28. Rezoning Petition: 2019-161 by Crescent Communities, LLC**

**Location:** Approximately 2.4 acres bounded by S. Tryon Street and W. Hill Street east of John Belk Freeway. (Council District 1 - Egleston)

**Current Zoning:** UMUD-O (uptown mixed use, optional)

**Proposed Zoning:** UMUD-O SPA (uptown mixed use, optional, site plan amendment)

**Staff Recommendation:**

Staff recommends **APPROVAL** of this petition upon resolution of the outstanding technical item.

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

**29. Rezoning Petition: 2019-162 by Kenneth Simmons**

**Location:** Approximately 2.88 acres located along the northern side of Old Concord Road near its intersection with N. Tryon Street and in close proximity to the LYNEX Blue Line's Old Concord Road transit station. (Council District 4 - Johnson)

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

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

**Staff Recommendation:**

Staff recommends **APPROVAL** of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

**30. Rezoning Petition: 2019-164 by PDAN Holdings, LLC**

**Location:** Approximately 1.1 acres located on the north side of Johnston Oehler Road, west of Oehler Bridge Drive. (Council District 4 - Johnson)

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

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

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

**31. Rezoning Petition: 2019-165 by Wood Partners**

**Location:** Approximately 4.0 acres located on the north side of West Morehead Street, between Millerton Avenue and Morton Street. (Council District 3 - Watlington)

**Current Zoning:** I-1 (Light Industrial), R-5 (Single Family Residential), R-22MF Multi Family Residential), and O-2 (office)

**Proposed Zoning:** TOD-CC (Transit Oriented Development - Community Center)

**Staff Recommendation:**

Staff recommends **APPROVAL** of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

**32. Rezoning Petition: 2019-167 by Grubb Management, LLC**

**Location:** Approximately 0.7 acres (two lots) located on the south side of State Street and north side of Katonah Avenue. (Council District 2 - Graham)

**Current Zoning:** I-2 (General Industrial) and R-8 (Single Family Residential)

**Proposed Zoning:** MUDD-O (Mixed Use Development, Optional)

**Staff Recommendation:**

Staff **DOES NOT RECOMMEND APPROVAL** of this petition in its current form.

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

**33. Rezoning Petition: 2019-169 by Thompson Thrift Development Inc.**

**Location:** Approximately 15.9 acres located on the east side of Ridge Road, at Odell School Road, south of Mallard Creek Road. (Outside City Limits)

**Current Zoning:** CC (commercial center)

**Proposed Zoning:** CC SPA (commercial center, site plan amendment) with five-years vested rights

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

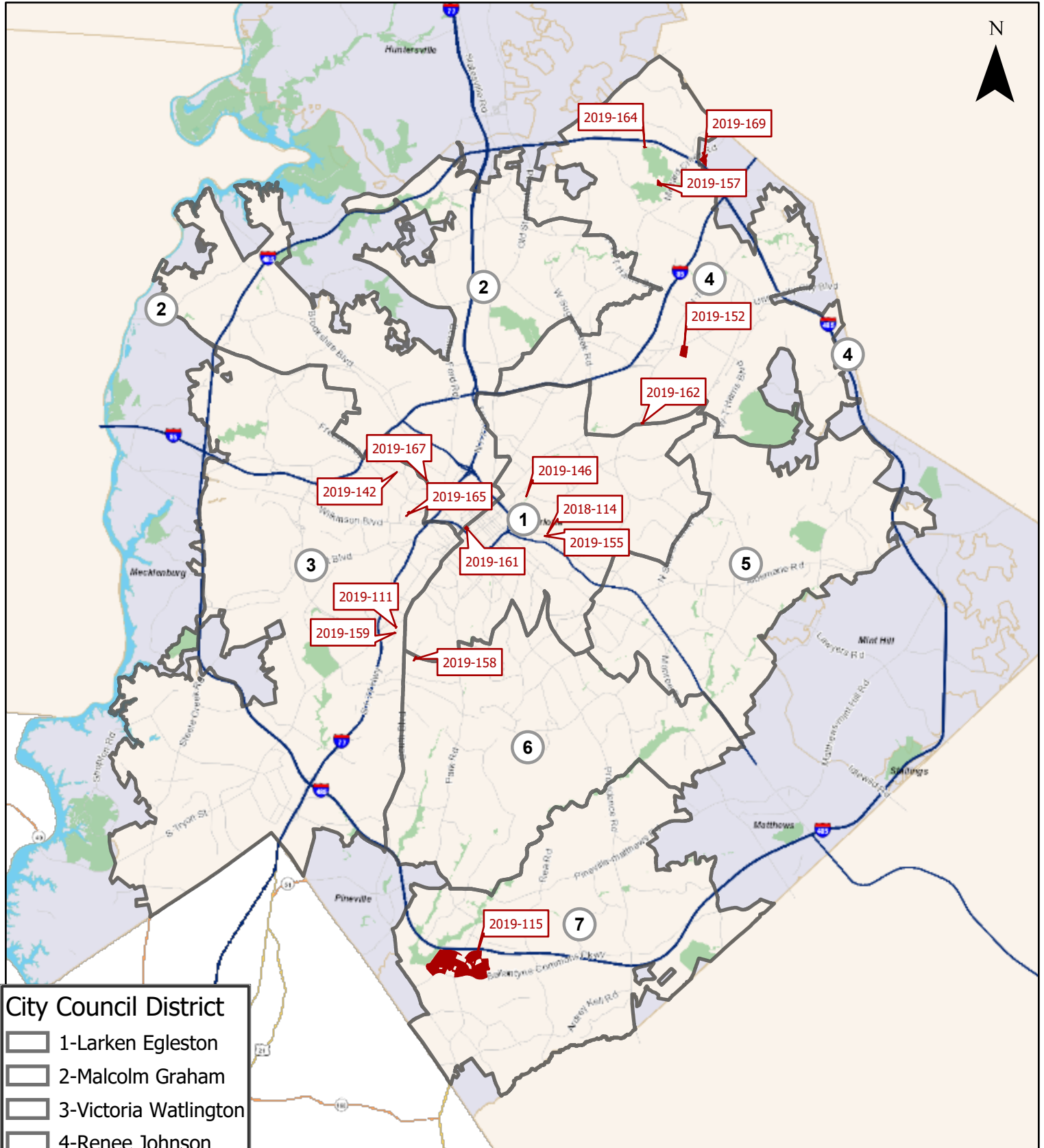
Site Plan








Previously Approved Site Plan



# February 2020 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 2/10/2020

0 2 4 8 Miles





**Agenda Date: 2/17/2020**

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**Agenda #: 1. File #: 15-12820 Type: Dinner Briefing**

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

### **1. Meeting Agenda**

### **2. Dinner Meeting Agenda**

#### **1. Agenda Review - Dave Pettine**

### **3. Follow-Up Report**



**Agenda Date: 2/17/2020**

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**Agenda #: 2. File #: 15-12821 Type: Dinner Briefing**

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## **Dinner Meeting Agenda**

### **1. Agenda Review - Dave Pettine**



# City of Charlotte

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

**Agenda Date:** 2/17/2020

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**Agenda #:** 3. **File #:** 15-12822 **Type:** Dinner Briefing

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## **Follow Up Report**