

City of Charlotte

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



Zoning Agenda

Monday, May 18, 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*

REMOTE MEETING

**1. 5:00 P.M. CHARLOTTE-MECKLENBURG GOVERNMENT CENTER, CH-14
(VIRTUAL MEETING)**

2. Follow Up Report

DECISIONS**3. Rezoning Petition: 2019-006 by Amerco Real Estate Company**

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

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 6-1 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

4. Rezoning Petition: 2019-126 by Harrison Tucker

Location: Approximately 0.397 acres, having frontages along a portion of E. 17th Street and N. Davidson Street general situated along the northern portion of N. Davidson Street between E. 17th Street and E. 18th Street in the Optimist Park Community. (Council District 1 - Egleston)

Current Zoning: R-8 (single family residential)

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

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: 2019-156 by Parkwood Plaza

Location: Approximately 0.52 acres located at 1118 Parkwood Avenue, adjacent to Pegram Street in the Belmont neighborhood. (Council District 1 - Egleston)

Current Zoning: R-5 (single 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

6. Rezoning Petition: 2019-171 by Anthony Kuhn

Location: Approximately 2.55 acres located at 3000 N. Tryon Street, west of its intersection with 36th Street. (Council District 1 - Egleston)

Current Zoning: I-2 (industrial)

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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

7. Rezoning Petition: 2019-172 by Sharon Academy Properties, LLC

Location: Approximately 4.12 acres located on the northeast corner of Tyvola Road and Wedgewood Drive, west of Marion Diehl Park Drive. (Council District 6 - Bokhari)

Current Zoning: R-4 (single family residential)

Proposed Zoning: INST (institutional)

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

8. Rezoning Petition: 2019-176 by Charlotte-Douglas International Airport

Location: Approximately 78.68 acres on the east side of Steele Creek Road, south of Byrum Drive and West Boulevard. (Council District 3 - Watlington)

Current Zoning: R-3 AIR (single-family residential, airport noise overlay)

Proposed Zoning: I-2 AIR (general 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

9. Rezoning Petition: 2019-178 by DRB Group

Location: Approximately 11.48 acres located on the east side of Rozzelles Ferry Road, west of West Trade Street, near Judson Avenue and Zebulon Avenue. (Council District 2 - Graham)

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

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

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

10. Rezoning Petition: 2019-181 by Clay Cooper - Woda Cooper Development, Inc.

Location: Approximately 6.54 acres located on the east side of Northlake Centre Parkway, north of Northlake Mall Drive. (Council District - Outside City Limits)

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

11. Rezoning Petition: 2019-183 by Rhyno Partners Coffee, LLC

Location: Approximately 0.241 acres located on the west side of The Plaza, north of Commonwealth 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)

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: 2019-185 by Freedom Communities

Location: Approximately 1.67 acres located on the south side of Tuckaseegee Road, east of Gaston Street and west of Karendale Avenue. (Council District 3 - Watlington)

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

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

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: 2020-036 by Charlotte Planning, Design and Development

Location: Approximately 0.56 acres west of Pecan Avenue, north of Independence Boulevard, south of Central Avenue. (Council district 1 - Egleston)

Current Zoning: None

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

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

ACTIVE TRANSPORTATION PROJECTS

14. Active Transportation Projects

HEARINGS

15. Rezoning Petition: 2019-146 by ALB Architecture, PA

Update: Petitioner is requesting deferral to June 15, 2020

Location: Approximately .17 acres located at the eastern corner of N. Davidson Street and E. 19th Street in the Optimist Park community. (Council District 1 - Egleston)

Current Zoning: R-8 (single family residential)

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

16. Rezoning Petition: 2019-166 by Canopy CLT

Update: Petitioner has withdrawn this petition

Location: Approximately 1.6 acres located on the east side of Providence Road, south of Creola Road, north of Jefferson Drive. (Council District 6 - Bokhari)

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

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

17. Rezoning Petition: 2019-168 by Suncrest Real Estate and Land

Update: Petitioner is requesting deferral to June 15, 2020

Location: Approximately 22.87 acres located on the north side of Oakdale Road between Miranda Road and Interstate 485. (Council District - Outside City limits)

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

Proposed Zoning: MX-2 (CD) LWPA (mixed use, conditional, Lake Wylie Protected Area)

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

Update: Petitioner is requesting deferral to June 15, 2020

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

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

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

19. Rezoning Petition: 2020-002 by The Drakeford Company

Update: Petitioner is requesting deferral to June 15, 2020

Location: Approximately 0.55 acres located on the northeastern side of Vail Avenue, south of Deacon Avenue, and southeast of Dotger Avenue. (Council District 1 - Egleston)

Current Zoning: R-22MF (multifamily residential)

Proposed Zoning: UR-2 (CD) (urban residential, conditional) with 3-year vested rights

20. Rezoning Petition: 2020-044 by Charlotte Planning, Design & Development Department - Text Amendment**Summary of Petition:**

- 1) Modify the TOD requirements to provide greater flexibility, address unintended consequences, provide consistency between sections, add missing standards, update selected standards, revise administrative authority, correct inaccuracies, and update section references.
- 2) Modify and PED applicability regulations as related to TOD.
- 3) Update, delete, and add definitions and graphics.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis
Text Amendment
Annotated Copy of Chapter 15

21. Rezoning Petition: 2019-113 by The Charlotte-Mecklenburg Hospital Authority - Text Amendment**Summary of petition:**

This Text Amendment adds "helistops, limited" as an accessory use allowed with one prescribed condition in the mixed-use development district (MUDD).

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis
Text Amendment

22. Rezoning Petition: 2019-114 by The Charlotte Mecklenburg Hospital Authority

Location: Approximately 70 acres bounded by Scott Avenue, East Morehead Street, and Little Sugar Creek. (Council District 1 - Egleston)

Current Zoning: O-2 (office), O-6 (CD) (office, conditional), B-1 (neighborhood business), B-2 (general business), R-6 (single family residential), and R-22MF (multi-family residential)

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

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis
Site Plan

24. Rezoning Petition: 2019-177 by Encore Real Estate

Location: Approximately 7.0 acres located on the northeast corner of Prosperity Church Road and Old Ridge Road. (Council District 4 - Johnson)

Current Zoning: UR-2(CD) (urban residential, conditional) and NS (neighborhood services)

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

25. Rezoning Petition: 2020-027 by the City of Charlotte and Crosland Southeast

Location: Approximately 78 acres of the former Eastland Mall site, located near the eastern intersection of N. Sharon Amity Road and Central Avenue. (Council District 5 - Newton)

Current Zoning: B-1 SCD, CC, MUDD-O, and B-1 (CD)

Proposed Zoning: MUDD-O (mixed use development, optional; and MX-2 (innov) (mixed residential, innovative) with five-year vested rights

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis
Site Plan

26. Rezoning Petition: 2020-003 by Fairview Builders

Location: Approximately 0.3 acres located at the southern intersection of Seigle Avenue and Van Every Street in the Belmont neighborhood. (Council District 1 - Egleston)

Current Zoning: I-2 (heavy industrial)

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 technical revisions.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

27. Rezoning Petition: 2020-010 by Christ the King Lutheran Church

Location: Approximately 15.8 acres located south of Tryon Street, west of Steelescroft Parkway, and north of Asheford Woods Lane. (Council District 3 - Watlington)

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

Proposed Zoning: INST (institutional)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

28. Rezoning Petition: 2020-029 by JACO Acquisition

Location: Approximately 1 acre located at the intersection of Distribution Street and Dunavant Street, east of Tryon Street. (Council District 3 - Watlington)

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

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

29. Rezoning Petition: 2019-170 by James Doyle

Location: Approximately 0.37 acres located at the eastern intersection of The Plaza and Shamrock Drive in the Plaza-Shamrock neighborhood. (Council District 1 - Egleston)

Current Zoning: B-1 (neighborhood business)

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

30. Rezoning Petition: 2020-008 by RK Investments Charlotte, LLC

Location: Approximately 4.97 acres located on the western side of Reames Road, east of Potomac Boulevard, and west of Interstate 77. (Council District 2 - Graham)

Current Zoning: R-3 (single family residential)

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

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

31. Rezoning Petition: 2020-015 by McShane Partners, LLC

Location: Approximately 0.23 acres located on the eastern side of Park Drive, southeast of the intersection of Lamar Avenue and 7th Street. (Council District 1 - Egleston)

Current Zoning: R-43MF (multifamily residential)

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

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related land use, transportation, and site and building design.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

32. Rezoning Petition: 2020-011 by Souvik Ghosal

Location: Approximately 1.35 acres located west of Margaret Wallace Road, northeast of Glen Lyon Drive. (Council District 5-Newton)

Current Zoning: R-4 (single family)

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

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

33. Rezoning Petition: 2020-020 by RIAB Properties, LLC

Location: Approximately 2.962 acres located south of Arrowood Road, north of Hanson Road, and east of Microsoft Way. (Council District 3 - Watlington)

Current Zoning: BD (CD) (business distributive, conditional), I-1 (light industrial), and R-3 (single family residential)

Proposed Zoning: O-2 (general office)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

34. Rezoning Petition: 2020-024 by Dominion Realty Partners, LLC

Location: Approximately 1.827 acres located south of Fairview Road, east of Barclay Downs Drive, and west of Sharon Road. (Council District 6 - Bokhari)

Current Zoning: O-1 (office)

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

35. Rezoning Petition: 2020-025 by SunCap Property Group

Location: Approximately 25.97 acres located along the eastern side of Milhaven Lane, south of Sunset Road, and west of Statesville Road. (Council District 2 - Graham)

Current Zoning: CC (commercial center)

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

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

36. Rezoning Petition: 2020-028 by Nyesha Weaver

Location: Approximately 5.33 acres located at the intersection of Monroe Road on the western side of the property and Wallace Road on the north side of the property. (Council District 5 - Newton)

Current Zoning: R-3 (single family residential)

Proposed Zoning: INST (institutional)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

37. Rezoning Petition: 2020-031 by The Creek Kids Zone

Location: Approximately 3.1 acres located on the western side of Sugar Creek Road, north of Cushman Street, and south of Merlane Drive. (Council District 1 - Egleston)

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

Proposed Zoning: INST (institutional)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis



City of Charlotte

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

Agenda Date: 4/20/2020

Agenda #: 1. **File #:** 15-13141 **Type:** Dinner Briefing

**5:30 P.M. CHARLOTTE-MECKLENBURG GOVERNMENT CENTER, CH-14
(VIRTUAL MEETING)**



City of Charlotte

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

Agenda Date: 5/18/2020

Agenda #: 2. **File #:** 15-13376 **Type:** Dinner Briefing

Follow Up Report



City Council Follow-Up Report From the April 20, 2020 Zoning Meeting

2019-171 Anthony Kuhn – Located at 3000 N. Tryon Street, west of its intersection with 36th Street., across from Atando. (Council District 1 – Egleston)

How do we promote rezoning to the TOD district in a contiguous fashion?

Staff Response: Eliminating large gaps of TOD zoning around transit stations was largely accomplished with rezoning petition 2019-102. It is a reasonable expectation that existing gaps between parcels zoned TOD, such as the one created with this rezoning, will begin to fill in as market demand continues to increase around transit stations. Additionally, staff will continue to encourage TOD zoning districts to petitioners in our presubmittal meetings for areas surrounding our transit stations.