

City of Charlotte

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



Zoning Minutes

Monday, October 15, 2018

5:30 PM

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*

DINNER MEETING**CALL TO ORDER**

The City Council of the City of Charlotte, North Carolina convened for a Dinner Meeting on Monday, October 15, 2018 at 5:04 p.m. in CH-14 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding.

Present: 10 - Mayor Vi Lyles, Council Member Dimple Ajmera, Council Member Ed Driggs, Council Member Larken Egleston, Mayor Pro Tem Julie Eiselt, Council Member Justin Harlow, Council Member LaWana Mayfield, Council Member Matt Newton, Council Member Greg Phipps, and Council Member Braxton Winston II

AUN: 2 - Council Member Tariq Scott Bokhari, and Council Member James Mitchell

Closed Session

A motion was made by Council Member Egleston and seconded by Council Member Eiselt to Go into Closed Session pursuant to NC General Statute § 143-318.11 (a) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee.. The motion carried unanimously.

1. [15-9306](#)

Meeting Agenda

Due to time constraints, this agenda item was not discussed.

2. [15-9307](#)

Dinner Meeting Agenda

Due to time constraints, this agenda item was not discussed.

3. [15-9308](#)

Follow Up Report

Due to time constraints, this agenda item was not discussed.

RECESS

The meeting returned to open session at 5:54 p.m. and immediately recessed to move to the Meeting Chamber for the regularly scheduled Zoning Meeting.

ZONING MEETING**CALL TO ORDER**

The City Council of the City of Charlotte, North Carolina reconvened for a Zoning Meeting on Monday, October 15, 2018 at 5:59 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding.

Present: 12 - Mayor Vi Lyles, Council Member Dimple Ajmera, Council Member Tariq Scott Bokhari, Council Member Ed Driggs, Council Member Larken Egleston, Mayor Pro Tem Julie Eiselt, Council Member Justin Harlow, Council Member LaWana Mayfield, Council Member James Mitchell, Council Member Matt Newton, Council Member Greg Phipps, and Council Member Braxton Winston II

INTRODUCTIONS**INVOCATION**

Council Member Ajmera led the invocation.

PLEDGE OF ALLEGIANCE**EXPLANATION OF A ZONING MEETING**

Mayor Lyles explained the rules and procedures of a Zoning Meeting.

INTRODUCTION OF THE ZONING COMMITTEE

John Fryday, Chairman of the Zoning Committee introduced the Zoning Committee and said the Zoning Committee will meet Tuesday, October 30, 2018 at 5:30 p.m. in the Government Center to discuss and make recommendations on the petitions that have public hearings tonight. The public is welcome at that meeting, but please note it is not a continuation of the public hearing. Prior to that meeting the public can contact any of the members of the Zoning Committee or find out more information about the rezonings scheduled for this evening on the City's web site at charlotteplanning.org.

DEFERRALS

4. [15-9309](#) Reginald Armistice Hawkins House

A motion was made by Council Member Egleston and seconded by Council Member Mitchell to Defer the decision for this Historic Landmark designation to November 19, 2018. The motion carried unanimously.
8. [15-9319](#) Rezoning Petition: 2017-195 by Boulevard Real Estate Advisors, LLC

A motion was made by Council Member Egleston and seconded by Council Member Mitchell to Defer the decision on this rezoning petition to November 19, 2018. The motion carried unanimously.
9. [15-9320](#) Rezoning Petition: 2018-003 by Boulevard Real Estate Advisors, LLC

A motion was made by Council Member Egleston and seconded by Council Member Mitchell to Defer the decision on this rezoning petition to November 19, 2018. The motion carried unanimously.
12. [15-9318](#) Rezoning Petition: 2018-012 by Harrison Tucker & John Perovich

A motion was made by Council Member Egleston and seconded by Council Member Mitchell to Defer the decision on this rezoning petition to November 19, 2018. The motion carried unanimously.

15. [15-9327](#) Rezoning Petition: 2018-049 by Revolve Residential
- A motion was made by Council Member Egleston and seconded by Council Member Mitchell to Defer the decision on this rezoning petition to November 19, 2018. The motion carried unanimously.
25. [15-9332](#) Rezoning Petition: 2018-077 by R2 Development
- A motion was made by Council Member Egleston and seconded by Council Member Mitchell to Defer the decision on this rezoning petition to November 19, 2018. The motion carried unanimously.
26. [15-9333](#) Rezoning Petition: 2018-078 by Monte Ritchey/Conformity Corp.
- A motion was made by Council Member Egleston and seconded by Council Member Mitchell to Defer the decision on this rezoning petition to November 19, 2018. The motion carried unanimously.
28. [15-9321](#) Rezoning Petition: 2017-186 by Drakeford Co.
- A motion was made by Council Member Egleston and seconded by Council Member Mitchell to Defer the public hearing on this rezoning petition to November 19, 2018. The motion carried unanimously.
29. [15-9325](#) Rezoning Petition: 2018-058 by White Oak Management, Inc.
- A motion was made by Council Member Egleston and seconded by Council Member Mitchell to Defer the public hearing on this rezoning petition to November 19, 2018. The motion carried unanimously.
30. [15-9324](#) Rezoning Petition: 2018-067 by NVR, Inc
- A motion was made by Council Member Egleston and seconded by Council Member Mitchell to Defer the public hearing on this rezoning petition to November 19, 2018. The motion carried unanimously.
31. [15-9348](#) Rezoning Petition: 2018-083 by Chick-fil-A
- A motion was made by Council Member Egleston and seconded by Council Member Mitchell to Defer the public hearing on this rezoning petition to November 19, 2018. The motion carried unanimously.
38. [15-9337](#) Rezoning Petition: 2017-206 by BWN Investments, LLC
- A motion was made by Council Member Egleston and seconded by Council Member Mitchell to Defer the public hearing on this rezoning petition to November 19, 2018. The motion carried unanimously.
43. [15-9356](#) Rezoning Petition: 2018-086 by Jacob Norris
- A motion was made by Council Member Egleston and seconded by Council Member Mitchell to Defer the public hearing on this rezoning petition to November 19, 2018. The motion carried unanimously.

HISTORIC LANDMARKS

5. [15-9310](#) Albert Wallace Log House
- A motion was made by Council Member Egleston and seconded by Council Member Driggs to Approve this Historic Landmark ordinance. The motion carried unanimously.
6. [15-9311](#) Antioch Missionary Baptist Church Cemetery
- A motion was made by Council Member Mitchell and seconded by Council Member Newton to Approve this Historic Landmark ordinance. The motion carried unanimously.
7. [15-9312](#) Hennigan Place
- A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Approve this Historic Landmark ordinance. The motion carried by the following vote:
- Yea: 10 - Council Member Ajmera, Council Member Scott Bokhari, Council Member Driggs, Council Member Egleston, Mayor Pro Tem Eiselt, Council Member Harlow, Council Member Mayfield, Council Member Mitchell, Council Member Newton, and Council Member Winston II
- Nay: 1 - Council Member Phipps

DECISIONS

10. [15-9362](#) Rezoning Petition: 2017-043 by Northlake Systems, LLC
- A motion was made by Council Member Harlow and seconded by Council Member Mayfield to Adopt the Zoning Committee's Statement of Consistency as it appears in the agenda as Council's own and Approve this Rezoning Petition. The motion carried unanimously.
11. [15-9317](#) Rezoning Petition: 2017-205 by Pope & Land Enterprises, Inc.
- A motion was made by Council Member Mayfield and seconded by Council Member Driggs to Adopt the Zoning Committee's Statement of Consistency as it appears in the agenda as Council's own and Approve this Rezoning Petition. The motion carried unanimously.
13. [15-9363](#) Rezoning Petition: 2018-023 by Jason Idilbi
- A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Adopt the Zoning Committee's Statement of Consistency as it appears in the agenda as Council's own and Approve this Rezoning Petition. The motion carried unanimously.

14. [15-9364](#) Rezoning Petition: 2018-026 by Llewellyn Development, LLC
- A motion was made by Council Member Bokhari and seconded by Council Member Mayfield Not to Refer this rezoning petition back to the Zoning Committee for review. The motion carried unanimously.
- A motion was made by Council Member Bokhari and seconded by Council Member Mayfield to Adopt the Zoning Committee's Statement of Consistency as it appears in the agenda as Council's own and Approve this Rezoning Petition. The motion carried unanimously.
16. [15-9328](#) Rezoning Petition: 2018-056 by Wallace Lane, LLC
- A motion was made by Council Member Newton and seconded by Council Member Mayfield Not to Refer this rezoning petition back to the Zoning Committee for review. The motion carried unanimously.
- A motion was made by Council Member Newton and seconded by Council Member Harlow to Adopt the Zoning Committee's Statement of Consistency as it appears in the agenda as Council's own and Approve this Rezoning Petition. The motion carried by the following vote:
- Yea: 9 - Council Member Ajmera, Council Member Scott Bokhari, Council Member Driggs, Council Member Egleston, Mayor Pro Tem Eiselt, Council Member Harlow, Council Member Mitchell, Council Member Newton, and Council Member Phipps
- Nay: 2 - Council Member Mayfield, and Council Member Winston II
17. [15-9366](#) Rezoning Petition: 2018-059 by Boulevard Real Estate Advisors, LLC
- A motion was made by Council Member Mayfield and seconded by Council Member Driggs to Adopt the Zoning Committee's Statement of Consistency as it appears in the agenda as Council's own and Approve this Rezoning Petition. The motion carried unanimously.
18. [15-9329](#) Rezoning Petition: 2018-064 by Chick-Fil-A
- A motion was made by Council Member Phipps and seconded by Council Member Harlow Not to Refer this rezoning petition back to the Zoning Committee for review. The motion carried unanimously.
- A motion was made by Council Member Phipps and seconded by Council Member Winston to Adopt the Zoning Committee's Statement of Consistency as it appears in the agenda as Council's own and Approve this Rezoning Petition. The motion carried unanimously.
19. [15-9367](#) Rezoning Petition: 2018-065 by Raley-Miller Properties
- A motion was made by Council Member Phipps and seconded by Council Member Ajmera to Adopt the Zoning Committee's Statement of Consistency as it appears in the agenda as Council's own and Approve this Rezoning Petition. The motion carried unanimously.

20. [15-9368](#) Rezoning Petition: 2018-066 by Anthony Moore
- A motion was made by Council Member Scott Bokhari and seconded by Council Member Mayfield to Adopt the Zoning Committee's Statement of Consistency as it appears in the agenda as Council's own and Approve this Rezoning Petition. The motion carried unanimously.
21. [15-9330](#) Rezoning Petition: 2018-068 by J.R. Atkinson
- A motion was made by Council Member Phipps and seconded by Council Member Egleston to Adopt the Zoning Committee's Statement of Consistency as it appears in the agenda as Council's own and Approve this Rezoning Petition. The motion carried unanimously.
22. [15-9369](#) Rezoning Petition: 2018-070 by Florian & Oltita Balaj
- A motion was made by Council Member Mayfield and seconded by Council Member Driggs to Adopt the Zoning Committee's Statement of Consistency as it appears in the agenda as Council's own and Approve this Rezoning Petition. The motion carried unanimously.
23. [15-9370](#) Rezoning Petition: 2018-071 by Dependable Development
- A motion was made by Council Member Phipps and seconded by Council Member Mayfield to Adopt the Zoning Committee's Statement of Consistency as it appears in the agenda as Council's own and Approve this Rezoning Petition. The motion carried unanimously.
24. [15-9371](#) Rezoning Petition: 2018-074 by Elissa Mullis
- A motion was made by Council Member Ajmera and seconded by Council Member Newton to Adopt the Zoning Committee's Statement of Consistency as it appears in the agenda as Council's own and Approve this Rezoning Petition. The motion carried unanimously.
27. [15-9372](#) Rezoning Petition: 2018-079 by Three Pillars Capital, LLC
- A motion was made by Council Member Egleston and seconded by Council Member Driggs to Adopt the Zoning Committee's Statement of Consistency as it appears in the agenda as Council's own and Approve this Rezoning Petition. The motion carried unanimously.

HEARINGS

32. [15-9322](#) Rezoning Petition: 2018-011 by Harrison Tucker & John Perovich
- The following speaker(s) addressed City Council regarding this rezoning petition:
- Harrison Tucker
Russell Fergusson
- A motion was made by Council Member Egleston and seconded by Council Member Newton to Close the Public Hearing. The motion carried unanimously.

- 33.** [15-9334](#) Rezoning Petition: 2017-023 by LG Acquisitions, LLC
- The following speaker(s) addressed City Council regarding this rezoning petition:
- Collin Brown
Cooper Freeman
Phyllis Furr
Bill Harraman
Jeff Harper
Karl Froelich
Loren Schofield
Nanci De Felipe
- A motion was made by Council Member Mayfield and seconded by Council Member Ajmera to Close the Public Hearing. The motion carried unanimously.
- 34.** [15-9339](#) Rezoning Petition: 2018-081 by Profile Homes
- The following speaker(s) addressed City Council regarding this rezoning petition:
- Keith MacVean
- A motion was made by Council Member Mayfield and seconded by Council Member Ajmera to Close the Public Hearing. The motion carried unanimously.
- 35.** [15-9361](#) Rezoning Petition: 2018-094 by Hopper Communities
- The following speaker(s) addressed City Council regarding this rezoning petition:
- John Carmichael
- A motion was made by Council Member Driggs and seconded by Council Member Mayfield to Close the Public Hearing. The motion carried unanimously.
- 36.** [15-9335](#) Rezoning Petition: 2017-137 by Northlake Real Estate Investors, LLC
- The following speaker(s) addressed City Council regarding this rezoning petition:
- Keith MacVean
- A motion was made by Council Member Harlow and seconded by Council Member Eggleston to Close the Public Hearing. The motion carried unanimously.

37. [15-9336](#) Rezoning Petition: 2017-168 by J.S. & Son's Construction Co., LLC
- The following speaker(s) addressed City Council regarding this rezoning petition:
- John Carmichael
Mike Feehley
Amber Brockmeyer
Frank McMahan
James Scruggs
- A motion was made by Council Member Mayfield and seconded by Council Member Ajmera to Close the Public Hearing. The motion carried unanimously.
39. [15-9323](#) Rezoning Petition: 2018-054 by Blue Heel Development
- There being no speakers, either for or against, a motion was made by Council Member Mayfield and seconded by Council Member Winston to Close the Public Hearing. The motion carried unanimously.
40. [15-9338](#) Rezoning Petition: 2018-080 by Collin Wolff
- The following speaker(s) addressed City Council regarding this rezoning petition:
- Keith MacVean
- A motion was made by Council Member Phipps and seconded by Council Member Mayfield to Close the Public Hearing. The motion carried unanimously.
41. [15-9347](#) Rezoning Petition: 2018-082 by City of Charlotte
- The following speaker(s) addressed City Council regarding this rezoning petition:
- Jason Dolan
Ashley Love
- A motion was made by Council Member Phipps and seconded by Council Member Bokhari to Close the Public Hearing. The motion carried unanimously.
42. [15-9355](#) Rezoning Petition: 2018-084 by Amicus Partners, PLLC
- There being no speakers, either for or against, a motion was made by Council Member Newton and seconded by Council Member Phipps to Close the Public Hearing. The motion carried unanimously.

44. [15-9357](#) Rezoning Petition: 2018-087 by Midwood-Overlook, LLC
- The following speaker(s) addressed City Council regarding this rezoning petition:
- Russell Fergusson
- A motion was made by Council Member Egleston and seconded by Council Member Ajmera to Close the Public Hearing. The motion carried unanimously.
45. [15-9358](#) Rezoning Petition: 2018-089 by Andres Mera-Borja
- There being no speakers, either for or against, a motion was made by Council Member Egleston and seconded by Council Member Eiselt to Close the Public Hearing. The motion carried unanimously.
46. [15-9359](#) Rezoning Petition: 2018-090 by Fourstore, LLC
- The following speaker(s) addressed City Council regarding this rezoning petition:
- Collin Brown
- A motion was made by Council Member Driggs and seconded by Council Member Egleston to Close the Public Hearing. The motion carried unanimously.
47. [15-9360](#) Rezoning Petition: 2018-091 by SCBP Developer
- The following speaker(s) addressed City Council regarding this rezoning petition:
- John Carmichael
- A motion was made by Council Member Mayfield and seconded by Council Member Ajmera to Close the Public Hearing. The motion carried unanimously.

ADJOURNMENT

A motion was made by Council Member Egleston and seconded by Council Member Driggs to Adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 10:13 p.m.