

City of Charlotte

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



Zoning Minutes

Monday, July 15, 2019

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, July 15, 2019 at 5:09 p.m. in CH-14 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding.

Present: 11 - Mayor Vi Lyles, 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, and Council Member Braxton Winston II

Absent: 1 - Mayor Pro Tem Julie Eiselt

15-11420 Charlotte-Mecklenburg Government Center Restaurant Lease Amendment

A motion was made by Council Member Driggs and seconded by Council Member Bokhari to amend Section 2 of the lease agreement between the City of Charlotte ("City") and Showmars Government Center, LLC ("Showmars") to reduce the monthly rental payment owed to the City by Showmars from \$3,000 per month to \$500 per month for the remainder of the initial five-year lease term. The reduction shall not apply to any additional lease term that may be requested by Showmars pursuant to Section 23 or any other applicable provision of the lease agreement. The motion carried by the following vote:

Yea: 8 - Council Member Ajmera, Council Member Scott Bokhari, Council Member Driggs, Council Member Egleston, Council Member Harlow, Council Member Mitchell, Council Member Newton, and Council Member Phipps

Nay: 2 - Council Member Mayfield, and Council Member Winston II

1. [15-11334](#) Meeting Agenda

This agenda item was for information only.

2. [15-11335](#) Dinner Meeting Agenda

This agenda item was for information only.

3. [15-11336](#) Follow Up Report

This agenda item was for information only.

RECESS

The meeting recessed at 5:36 p.m. 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, July 15, 2019 at 5:41 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding.

INTRODUCTIONS**INVOCATION**

Council Member Phipps 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

Samuel Spencer, Chairperson, introduced the members of the Zoning Committee and said the Committee will meet Tuesday, July 30, 2019 at 5:30 p.m. in the Charlotte Mecklenburg Government Center to discuss and make recommendations on the petitions that have public hearings tonight.

DEFERRALS

4. [15-11359](#) Rezoning Petition: 2018-128 by James Pouitier

 A motion was made by Council Member Egleston and seconded by Council Member Newton to Defer the decision on this Rezoning Petition to September 16, 2019. The motion carried unanimously.
5. [15-11363](#) Rezoning Petition: 2018-167 by Verde Homes, LLC

 A motion was made by Council Member Egleston and seconded by Council Member Newton to Defer the decision on this Rezoning Petition to September 16, 2019. The motion carried unanimously.
6. [15-11360](#) Rezoning Petition: 2019-006 by Amerco Real Estate Company

 A motion was made by Council Member Egleston and seconded by Council Member Newton to Defer the decision on this Rezoning Petition to September 16, 2019. The motion carried unanimously.
12. [15-11386](#) Rezoning Petition: 2018-163 by SunCap Property Group, LLC

 A motion was made by Council Member Egleston and seconded by Council Member Newton to Defer the decision on this Rezoning Petition to September 16, 2019. The motion carried unanimously.

14. [15-11368](#) Rezoning Petition: 2019-008 by CoHab, LLC
- A motion was made by Council Member Egleston and seconded by Council Member Newton to Defer the decision on this Rezoning Petition to September 16, 2019. The motion carried unanimously.
15. [15-11376](#) Rezoning Petition: 2019-009 by Joseph Rhodes
- A motion was made by Council Member Egleston and seconded by Council Member Newton to Defer the decision on this Rezoning Petition to September 16, 2019. The motion carried unanimously.
- A motion was made by Council Member Egleston and seconded by Council Member Newton to Return this Rezoning Petition to the Zoning Committee for Review. The motion carried unanimously.
31. [15-10191](#) Rezoning Petition: 2018-117 by Hopper Communities, Inc.
- A motion was made by Council Member Egleston and seconded by Council Member Newton to Defer the hearing on this Rezoning Petition to September 16, 2019. The motion carried unanimously.
32. [15-11344](#) Rezoning Petition: 2019-047 by NR Pinehurst Property Owner, LLC
- A motion was made by Council Member Egleston and seconded by Council Member Newton to Defer the hearing on this Rezoning Petition to September 16, 2019. The motion carried unanimously.
33. [15-10229](#) Rezoning Petition: 2018-142 by Profit Dixon Partners
- A motion was made by Council Member Egleston and seconded by Council Member Newton to Defer the hearing on this Rezoning Petition to the August 26, 2019 Business meeting. The motion carried unanimously.
41. [15-9978](#) Rezoning Petition: 2018-073 by Moores Chapel Retail, LLC
- A motion was made by Council Member Egleston and seconded by Council Member Newton to Defer the hearing on this Rezoning Petition to September 16, 2019. The motion carried unanimously.
43. [15-11338](#) Rezoning Petition: 2019-027 by Liberty Property Trust
- A motion was made by Council Member Egleston and seconded by Council Member Newton to Defer the hearing on this Rezoning Petition to September 16, 2019. The motion carried unanimously.
45. [15-11345](#) Rezoning Petition: 2019-049 by Apollo Holding Company
- A motion was made by Council Member Egleston and seconded by Council Member Newton to Defer the hearing on this Rezoning Petition to September 16, 2019. The motion carried unanimously.

DECISIONS

7. [15-11372](#) Rezoning Petition: 2016-112 by Argos Real Estate Advisors, Inc.
- A motion was made by Council Member Harlow and seconded by Council Member Winston to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.
8. [15-11366](#) Rezoning Petition: 2018-110 by Mattamy Homes
- A motion was made by Council Member Mayfield and seconded by Council Member Ajmera to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.
9. [15-11362](#) Rezoning Petition: 2018-127 by Blue Azela-Providence, LLC
- A motion was made by Council Member Bokhari and seconded by Council Member Ajmerato Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.
10. [15-11374](#) Rezoning Petition: 2018-151 by EBA Crystal Real Estate, LLC
- A motion was made by Council Member Mayfield and seconded by Council Member Egleston to Recuse Council Member Mitchell from this decision. The motion carried unanimously.
- A motion was made by Council Member Phipps and seconded by Council Member Mayfield to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.
11. [15-11375](#) Rezoning Petition: 2018-162 by NRP Properties, LLC
- A motion was made by Council Member Phipps and seconded by Council Member Harlow to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.
13. [15-11367](#) Rezoning Petition: 2019-005 by Ardent Acquisitions, LLC
- A motion was made by Council Member Mayfield and seconded by Council Member Mitchell to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.
16. [15-11377](#) Rezoning Petition: 2019-018 by Canopy CLT
- A motion was made by Council Member Egleston and seconded by Council Member Harlow to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.

17. [15-11378](#) Rezoning Petition: 2019-019 by Stanchion Asset Partners
- A motion was made by Council Member Phipps and seconded by Council Member Winston to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.**
18. [15-11379](#) Rezoning Petition: 2019-021 by McKinney Holdings NC II, LLC
- A motion was made by Council Member Phipps and seconded by Council Member Driggs to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.**
19. [15-11364](#) Rezoning Petition: 2019-023 by Sinacori Builders
- A motion was made by Council Member Bokhari and seconded by Council Member Harlow to Adopt the Zoning Committee's Statement of Consistency as Council's own and to 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, Council Member Harlow, Council Member Mitchell, Council Member Newton, Council Member Phipps, and Council Member Winston II
- Nay:** 1 - Council Member Mayfield
20. [15-11380](#) Rezoning Petition: 2019-033 by HK Cedarvale, LLC
- A motion was made by Council Member Mitchell and seconded by Council Member Harlow to Adopt the Zoning Committee's Statement of Consistency as Council's own and to 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, Council Member Harlow, Council Member Mayfield, Council Member Mitchell, Council Member Newton, and Council Member Phipps
- Nay:** 1 - Council Member Winston II
21. [15-11381](#) Rezoning Petition: 2019-034 by United Community School
- A motion was made by Council Member Phipps and seconded by Council Member Driggs to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.**
22. [15-11365](#) Rezoning Petition: 2019-040 by Aldersgate at Shalom Park Inc.
- A motion was made by Council Member Bokhari and seconded by Council Member Egleston to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.**

23. [15-11369](#) Rezoning Petition: 2019-042 by Sanctuary Development, LLC
- A motion was made by Council Member Phipps and seconded by Council Member Winston to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.
24. [15-11370](#) Rezoning Petition: 2019-043 by Diamondback Acquisitions
- A motion was made by Council Member Mayfield and seconded by Council Member Driggs to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.
25. [15-11371](#) Rezoning Petition: 2019-044 by Panthers Stadium
- A motion was made by Council Member Harlow and seconded by Council Member Egleston to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.
26. [15-11382](#) Rezoning Petition: 2019-045 by Moores Chapel Holdings, LLC
- A motion was made by Council Member Mayfield and seconded by Council Member Driggs Not to Refer this Rezoning Petition back to the Zoning Committee for review. The motion carried unanimously.
- A motion was made by Council Member Mayfield and seconded by Council Member Newton to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition, as modified. The motion carried unanimously.
27. [15-11383](#) Rezoning Petition: 2019-046 by Spectrum Development Company
- A motion was made by Council Member Mayfield and seconded by Council Member Winston to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.:
28. [15-11384](#) Rezoning Petition: 2019-052 by Beaver Creek CRE LLC
- A motion was made by Council Member Newton and seconded by Council Member Egleston to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.
29. [15-11385](#) Rezoning Petition: 2019-059 by Win Development, LLC
- A motion was made by Council Member Phipps and seconded by Council Member Winston to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.

HEARINGS

30. [15-11387](#) Rezoning Petition: 2019-038 by Dave Hegnauer
- The following speaker(s) addressed City Council regarding this Rezoning Petition:
- Keith Merritt
David Hegnauer
- A motion was made by Council Member Egleston and seconded by Council Member Newton to Close the Public Hearing. The motion carried unanimously.
34. [15-11339](#) Rezoning Petition: 2019-028 by HHHunt
- The following speaker(s) addressed City Council regarding this Rezoning Petition:
- Keith MacVean
James Lee
Jan Wringeling
AnnMarie Holden
Michael Ballard
Nancy Hough
- A motion was made by Council Member Driggs and seconded by Council Member Newton to Close the Public Hearing. The motion carried unanimously.
35. [15-11340](#) Rezoning Petition: 2019-029 by Crescent Communities
- The following speaker(s) addressed City Council regarding this Rezoning Petition:
- Elizabeth McMillian
Bridget Grant
Paul Shipley
- A motion was made by Council Member Egleston and seconded by Council Member Winston to Close the Public Hearing. The motion carried unanimously.
36. [15-11341](#) Rezoning Petition: 2019-030 by Continental 475 Fund, LLC
- The following speaker(s) addressed City Council regarding this Rezoning Petition:
- Collin Brown
Bob McCaigue
Lori Diggs
James Gilley
David Willard
- A motion was made by Council Member Mayfield and seconded by Council Member Egleston to Close the Public Hearing. The motion carried unanimously.

37. [15-11349](#) Rezoning Petition: 2019-055 by Movement Resources
- The following speaker(s) addressed City Council regarding this Rezoning Petition:
- John Carmichael
Barbara Robinson
- A motion was made by Council Member Mayfield and seconded by Council Member Driggs to Close the Public Hearing. The motion carried unanimously.
38. [15-11350](#) Rezoning Petition: 2019-058 by Housing Authority of the City of Charlotte
- The following speaker(s) addressed City Council regarding this Rezoning Petition:
- John Carmichael
Connie Staudinger
Jeff Pharr
Darryl Gaaston
- A motion was made by Council Member Egleston and seconded by Council Member Winston to Close the Public Hearing. The motion carried unanimously.
39. [15-11352](#) Rezoning Petition: 2019-063 by VLE Partners, LLC
- The following speaker(s) addressed City Council regarding this Rezoning Petition:
- John Carmichael
- A motion was made by Council Member Egleston and seconded by Council Member Newton to Close the Public Hearing. The motion carried unanimously.
40. [15-11353](#) Rezoning Petition: 2019-064 by Novant Health
- A motion was made by Council Member Mitchell and seconded by Council Member Egleston to Recuse Mayor Lyles from this Zoning Hearing. The motion carried unanimously.
- 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 Egleston to Close the Public Hearing. The motion carried unanimously.
42. [15-11342](#) Rezoning Petition: 2019-022 by Metrolina Builders, Inc.
- 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.** [15-11343](#) Rezoning Petition: 2019-039 by Dependable Development, Inc.
- The following speaker(s) addressed City Council regarding this Rezoning Petition:
- Shawun Gasparini
Ruel Smith
- A motion was made by Council Member Mayfield and seconded by Council Member Mitchell to Close the Public Hearing. The motion carried unanimously.
- 46.** [15-11346](#) Rezoning Petition: 2019-050 by Land Growth, LLC
- The following speaker(s) addressed City Council regarding this Rezoning Petition:
- Christopher Raab
- A motion was made by Council Member Bokhari and seconded by Council Member Egleston to Close the Public Hearing. The motion carried unanimously.
- 47.** [15-11347](#) Rezoning Petition: 2019-053 by Hopper Communities
- 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 Driggs to Close the Public Hearing. The motion carried unanimously.
- 48.** [15-11348](#) Rezoning Petition: 2019-054 by Cebron W. Hester
- The following speaker(s) addressed City Council regarding this Rezoning Petition:
- Daniel Marsha
- A motion was made by Council Member Mayfield and seconded by Council Member Mitchell to Close the Public Hearing. The motion carried unanimously.
- 49.** [15-11351](#) Rezoning Petition: 2019-060 by 4400 Park Road, LLC
- The following speaker(s) addressed City Council regarding this Rezoning Petition:
- Walter Fields
- A motion was made by Council Member Bokhari and seconded by Council Member Mayfield to Close the Public Hearing . The motion carried unanimously.

50. [15-11354](#) Rezoning Petition: 2019-065 by Charlotte Douglas International Airport

There being no speakers, either for or against, a motion was made by Council Member Mayfield and seconded by Council Member Egleston to Close the Public Hearing. The motion carried unanimously.

51. [15-11355](#) Rezoning Petition: 2019-066 by FCP

There being no speakers, either for or against, a motion was made by Council Member Egleston and seconded by Council Member Driggs to Close the Public Hearing. The motion carried unanimously.

52. [15-11356](#) Rezoning Petition: 2019-067 by JD Brooks

There being no speakers, either for or against, a motion was made by Council Member Egleston and seconded by Council Member Winston to Close the Public Hearing. The motion carried unanimously.

ADJOURNMENT

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

The meeting adjourned at 10:10 p.m.