City of Charlotte

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

Zoning Agenda

Monday, April 16, 2018

Council Chambers

City Council Zoning Meeting

- Mayor Vi Lyles -
- Mayor Pro-Tem Julie Eiselt -
Dimple Ajmera - Tariq Bokhari
Ed Driggs - Larken Egleston
Justin Harlow - LaWana Mayfield
James Mitchell - Matt Newton
Greg Phipps - Braxton Winston
DINNER MEETING

1. Meeting Agenda

2. Dinner Meeting Agenda
   1. Agenda Review - Tammie Keplinger

Dinner Agenda April_Final

3. Follow Up Report

Follow-Up Report April 2018 final
4. **Wilmore Elementary School**

A Public Hearing on the Question of adopting an ordinance for the property known as the "Wilmore Elementary School" (listed under Tax Parcel Number 11907801 including the exterior and interior of the building and the land associated with tax parcel) as an Historic Landmark.

**Property Owner:** Charlotte-Mecklenburg Board of Education  
**Location:** 428 West Boulevard, Charlotte, North Carolina

Wilmore School RCA 2.0  
Wilmore Cover  
Wilmore Ord  
Wilmore School SR  
Wilmore HLC Vote  
Wilmore Elementary School SHPO  
Wilmore Dept Review Findings

**ZONING DECISIONS**

5. **Rezoning Petition: 2017-097 by Charlotte-Douglas International Airport**

*Update: Petitioner requesting deferral of decision to May 21, 2018*

**Location:** Approximately 168.12 acres located along the north side of Shopton Road, southeast of Pinecrest Drive and west of Beam Road. (Council District 3 - Mayfield)

**Current Zoning:** R-3 AIR (single family residential, Airport Noise overlay) and BD(CD) AIR (distributive business, conditional, Airport Noise overlay)  
**Proposed Zoning:** I-1(CD) AIR (light industrial, conditional, Airport Noise Overlay) with five year vested rights

**Zoning Committee Recommendation:**  
The Zoning Committee voted 6-0 to **DEFER** this petition to their next meeting scheduled for May 1, 2018.

2017-097_reco 4-3-18_Final
6. **Rezoning Petition: 2017-183 by Hopper Communities, Inc.**

*Update: Petitioner requesting deferral of decision to May 21, 2018*

**Location:** Approximately 3.01 acres located on the north side of Runnymeade Lane, east of Selwyn Avenue. (Council District 6 - Bokhari)

**Current Zoning:** R-3 (single family residential)  
**Proposed Zoning:** UR-2 (CD) (urban residential, conditional)

**Zoning Committee Recommendation:**  
The Zoning Committee voted 6-0 to DEFER this petition to their next meeting scheduled for May 1, 2018.

7. **Rezoning Petition: 2017-186 by the Drakeford Co.**

*Update: Petitioner requesting deferral of decision to May 21, 2018*

**Location:** Approximately 0.87 acres located on the north side of West Kingston Avenue, west of South Tryon Street. (Council District 3 - Mayfield)

**Current Zoning:** R-22MF HD (multi-family residential, historic district overlay)  
**Proposed Zoning:** UR-2(CD) HD (urban residential, conditional, historic district overlay), with five-year vested rights)

**Zoning Committee Recommendation:**  
The Zoning Committee voted 6-0 to DEFER this petition to their next meeting scheduled for May 1, 2018.

8. **Rezoning Petition: 2017-135 by Redwood USA**

**Location:** Approximately 20.54 acres located on the south side of Ridge Road, north of I-485. (Council District 4 - Phipps)

**Current Zoning:** R-3 (single family residential)  
**Proposed Zoning:** R-8MF(CD) (multi-family residential, conditional)

**Zoning Committee Recommendation:**  
The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.

**Staff Recommendation:**  
Staff recommends approval of this petition.

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2017-183_reco_04-03-2018_final  
2017-186_reco_04-03-2018_final  
2017-135_reco_04-03-2018_final  
2017-135_Final Analyses 4-16-18_Final  
2017-135_RevSitePlan_03-26-2018
9. **Rezoning Petition: 2017-144 by Double L Investments of Charlotte, LP**

   **Location:** Approximately 2.37 acres located on the west side of Hoskins Avenue Drive, south of South Hoskins Road. (Council District 2 - Harlow)

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

   **Zoning Committee Recommendation:**
   The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

   **Staff Recommendation:**
   Staff recommends approval of this petition.

   2017-144_reco_04-03-2018_final
   2017-144_FinalAnalyses_04-16-18_final
   2017-144_RevSitePlan_03-26-2018

10. **Rezoning Petition: 2017-161 by Central Piedmont Community College**

    **Location:** Approximately 1.76 acres located on the southeast of Charlottetowne Avenue, between Elizabeth Avenue and East 5th Street. (Council District 1 - Egleston)

    **Current Zoning:** B-2 (general business), O-2 (office), and NS (neighborhood service)
    **Proposed Zoning:** MUDD-O (mixed use development, optional) with five-year vested rights

    **Zoning Committee Recommendation:**
    The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

    **Staff Recommendation:**
    Staff recommends approval of this petition.

    2017-161_reco_04-03-2018_final
    2017-161_Final_staff_04-16-2018_final
    2017-161_RevSitePlan_04-04-2018
11. **Rezoning Petition: 2017-164 by Pedcor Investments**

   **Location:** Approximately 17.27 acres located on the north side of Alleghany Street and south side of Scott Futrell Drive. (Council District 3 - Mayfield)

   **Current Zoning:** I-1 AIR (light industrial, Airport Noise overlay)
   **Proposed Zoning:** R-12MF(CD) AIR (multi-family residential, conditional, Airport Noise overlay)

   **Zoning Committee Recommendation:**
   The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

   **Staff Recommendation:**
   Staff recommends approval of this petition.

   2017-164_reco_04-03-2018_final
   2017-164_Final Analysis_4-16-18_done
   2017-164_RevSitePlan_03-26-2018

12. **Rezoning Petition: 2017-171 by Century Communities**

   **Location:** Approximately 36.7 acres located on the south side Ardrey Kelly Road, west of Wade Ardrey Road and east of Travis Gulch Drive. (Council District 7 - Driggs)

   **Current Zoning:** R-3 (single family residential)
   **Proposed Zoning:** MX-2 (INNOV) (mixed use, innovative) with five-year vested rights

   **Zoning Committee Recommendation:**
   The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

   **Staff Recommendation:**
   Staff recommends approval of this petition.

   2017-171_ZCreco_4-3-18_final
   2017-171_Finalstaff_4-16-18_done
   2017-171_RevSitePlan_03-26-2018
13. **Rezoning Petition: 2017-185 by High Family Partnership I, LP**

**Location:** Approximately 11.75 acres located on the east side of David Taylor Drive, north of West Mallard Creek Church Road. (Council District 4 - Phipps)

**Current Zoning:** O-1(CD) (office, conditional)
**Proposed Zoning:** UR-2(CD) (urban residential, conditional)

**Zoning Committee Recommendation:**
The Zoning Committee voted 5-2 to recommend **APPROVAL** of this petition.

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


**Location:** Approximately 2.44 acres located at the intersection of Hawkins Street and Rampart Street, east of South Tryon. (Council District 3 - Mayfield)

**Current Zoning:** I-2 (general industrial)
**Proposed Zoning:** TOD-M (transit oriented development-mixed use)

**Zoning Committee Recommendation:**
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

**Staff Recommendation:**
Staff recommends approval of this petition.

15. **Rezoning Petition: 2017-193 by Mazen Chakra**

**Location:** Approximately 4.61 acres located west of Plaza Road Extension, east of I-485 at the Mecklenburg/Cabarrus County Line. (Outside City Limits)

**Current Zoning:** R-3 (single family residential)
**Proposed Zoning:** R-8MF (multi-family residential)

**Zoning Committee Recommendation:**
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

**Staff Recommendation:**
Staff recommends approval of this petition.
16. **Rezoning Petition: 2017-196 by RI Charlotte Property, LP**

**Location:** Approximately 2.5 acres located on the west side of North Tryon Street, south of East W.T. Harris Boulevard. (Council District 4 - Phipps)

**Current Zoning:** O-6(CD) (office, conditional)

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

**Zoning Committee Recommendation:**
The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.

**Staff Recommendation:**
Staff recommends approval of this petition.

17. **Rezoning Petition: 2017-197 by The Woda Group, Inc.**

**Location:** Approximately 7.05 acres located on the east side of South Tyron Street, north of Shopton Rd. West. (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 5-0 to recommend APPROVAL of this petition.

**Staff Recommendation:**
Staff does not recommend approval of this petition due to the lack of a buffer for the adjacent property to the southwest and the increased density.
18. **Rezoning Petition: 2017-198 by WaterWalk Real Estate Services, LLC**

**Location:** Approximately 5.75 located on the south side of West Arrowood Road., west of I-77. (Council District 3 - Mayfield)

**Current Zoning:** B-D(CD) (distributive business, conditional) and I-1 (light industrial)

**Proposed Zoning:** O-2(CD) (office, conditional)

**Zoning Committee Recommendation:**
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

**Staff Recommendation:**
Staff recommends approval of this petition.

19. **Rezoning Petition: 2017-199 by Crescent Communities, LLC**

**Location:** Approximately 3.50 acres bounded by East Stonewall Street., South Tyron Street., South College Street and East Hill Street. (Council District 1 - Egleston)

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

**Proposed Zoning:** UMUD-O (uptown mixed use, optional) and UMUD-O SPA (uptown mixed use, 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.
20. **Rezoning Petition: 2017-200 by Hornet Moving, LLC**

*Location:* Approximately 1.62 acres located on the north side of West Craighead Road, east of North Graham Street. (Council District 1 - Egleston)

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

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

**Zoning Committee Recommendation:**
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

**Staff Recommendation:**
Staff recommends approval of this petition.

2017-200_reco_04-03-2018_final
2017-200_final_041618_done
2017-200_Revsiteplan_040218


*Location:* Approximately 27.47 acres located on the east side of East W.T. Harris Boulevard, south of Delta Landing Road, north of Albemarle Road. (Council District 5 - Newton)

*Current Zoning:* R-3 (single family residential) and R-20MF(CD) (multi-family residential, conditional)

*Proposed Zoning:* R-12MF(CD) (multi-family residential, conditional) with five-year vested rights

**Zoning Committee Recommendation:**
Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

**Staff Recommendation:**
Staff recommends approval of this petition.

2017-201_reco_04-03-2018_final
2017-201_final_analyses_041618_done
2017-201_RevSitePlan_03-26-2018
Previously Approved Cover Page
2017-201_prevapp1985-046_approved_site_plan_color
ZONING HEARINGS

22. Rezoning Petition: 2017-050 by Circa Investments, LLC

Update: Petitioner is requesting deferral to June 18, 2018

Location: Approximately 0.77 acres located south of Crescent Avenue and north of South Laurel Avenue, between Providence Road and Willoughby Street. (Council District 1 - Egleston)

Current Zoning: B-1 (neighborhood business) and O-2 (office)
Proposed Zoning: NS (neighborhood services)

2017-050 Circa Investments LLC June 18th deferral

23. Rezoning Petition: 2017-112 by Sweetgrass Residential Partners, LLC

Update: Staff is requesting deferral to May 21, 2018

Location: Approximately 28 acres located off South Tryon Street, east of Youngblood Road and west of Birnamwood Lane. (Council District 3 - Mayfield)

Current Zoning: R3 (single family residential)
Proposed Zoning: NS (neighborhood services) with five-year vested rights

2017-112 Sweetgrass Residential Partners, LLC May 21st deferral

24. Rezoning Petition: 2017-132 by Mattamy Homes

Location: Approximately 21.0 acres located on the south side of West Mallard Creek Church Road and east of David Taylor Drive. (Council District 4 - Phipps)

Current Zoning: R-3 (single family residential) and RE-2 (research)
Proposed Zoning: UR-2(CD) (urban residential, conditional) with five-year vested rights

Staff recommendation:
Staff recommends approval of this petition upon resolution of outstanding issues related to transporation.

PH 2017-132_4-16-18_done
2017-132_REV_03-19-2018
25. **Rezoning Petition: 2017-133 by Mattamy Homes**

**Location:** Approximately 38 acres located on the north side of Governor Hunt Road east of Mallard Creek Road. (Council District 4 - Phipps)

**Current Zoning:** RE-1 (research)

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

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of outstanding issues related to transportation.

2017-133 staff PH 04-16-2018 done
2017-133 REV 03-19-2018

26. **Rezoning Petition: 2017-177 by NAI Southern Real Estate**

**Location:** Approximately 3.4 acres bounded by East 3rd Street., East 4th Street and the southeast side of Baldwin Avenue. (Council District 1 - Egleston)

**Current Zoning:** MUDD-O (mixed use development, optional) and O-2 (office district)

**Proposed Zoning:** MUDD-O (mixed use development, optional) and MUDD-O SPA (mixed use development, optional, site plan amendment) with five-year vested rights

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design, transportation, and requested technical revisions.

2017-177 staff PH 04-16-2018 done
2017-177 RevSitePlan 03-14 2018
Previously Approved Cover Page
2017-177 previously approved plan 2002-066 approved site plan

27. **Rezoning Petition: 2017-192 by C4 Investments, LLC**

**Update:** **Petitioner is requesting deferral to June 18, 2018**

**Location:** Approximately 8.7 acres located on the east side of W.T. Harris Boulevard, west of Old Lawyers Road, south of Albemarle Road. (Council District 5 - Newton)

**Current Zoning:** B-1S(CD) (business shopping center (old district), conditional) and O-1 (office)

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

2017-192 C4 Investments, LLC June deferral
28. **Rezoning Petition: 2018-005 by Meritage Homes of the Carolinas, Inc.**

   **Location:** Approximately 141.9 acres located on the south side of Camp Stewart Road, east of Interstate 485 current side of Larkhaven Gold Course. (Outside City Limits)

   **Current Zoning:** R-3 (single family residential)
   **Proposed Zoning:** R-5(CD) (single family residential, conditional)

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

   2018-005 PHstaff_04-03-2018_done
   2018-005_RevSitePlan_03-14-2018


   **Update: Staff is requesting deferral to May 21, 2018**

   **Location:** Approximately 6.27 acres located on the east side of Penninger Circle, south of Mallard Creek Road. (Council District 2 - Harlow)

   **Current Zoning:** INST(CD) (institutional, conditional)
   **Proposed Zoning:** RE-1(CD) (research, conditional)

   2018-013 Westcore May Deferral

30. **Rezoning Petition: 2018-015 by NVR, Inc.**

   **Location:** Approximately 66.50 acres located on the north side Cindy Lane, east of interstate 77 and west of Statesville Road. (Council District 2 - Harlow)

   **Current Zoning:** R-4 (single family residential) and UR-2(CD) (urban residential, conditional)
   **Proposed Zoning:** UR-2(CD) (urban residential, conditional) and 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 environment, site and building design, and a technical item relating to housing.

   2018-015 PHstaff_04-03-2018_done
   2018-015_RevSitePlan_03-14-2018
   Previously Approved Cover Page
   2018-015_Approved_2016-092
   Previously Approved Cover Page
   2018-015_Approved_2015-082
Rezoning Petition: 2017-138 by AGS Hotels NC, LLC

**Location:** Approximately 5.07 acres located south of Cascade Point Boulevard, north of Billy Graham Parkway and east of West Tyvola Road. (Council District 3 - Mayfield)

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

**Proposed Zoning:** I-1(CD) SPA (light industrial, conditional, site plan amendment) with five-year vested rights.

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of outstanding issues related to site design and technical revisions.

Rezoning Petition: 2017-179 Davis Development, Inc.

**Location:** Approximately 19.52 acres located on the north side of Mallard Creek Road, east of I-485. (Outside City Limits)

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

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

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, infrastructure, and minor technical items.

Rezoning Petition: 2017-203 by South End West Syndicate, LLC

**Location:** Approximately 0.75 acres located at the intersection of South Tryon Street and West Worthington Avenue, south of West Boulevard. (Council District 3 - Mayfield)

**Current Zoning:** B-1 (neighborhood business) and R-8 (single family residential)

**Proposed Zoning:** TOD-R(O) (transit oriented development-residential, optional)

**Staff Recommendation:**
Staff does not recommend approval of this petition in its current form.
34. **Rezoning Petition: 2017-182 by QuickTrip**

**Location:** Approximately 11.96 acres located on the west side of West W.T. Harris Boulevard, north of Interstate 485. (Council District 2 - Harlow)

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

**Proposed Zoning:** B-2(CD) (general business, conditional) and BD(CD) (distributive business, conditional) with five-year vested rights

**Staff Recommendation:**
Staff does not recommend approval of this petition.

35. **Rezoning Petition: 2017-205 by Pope & Land Enterprises, Inc.**

**Update:** Staff is requesting deferral to May 21, 2018

**Location:** Approximately 23.38 acres located on the north side of West Tyvola Road, south of Yorkmont Road. (Council District 3 - Mayfield)

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

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

36. **Rezoning Petition: 2018-001 by Apollo Holding Company, LLC**

**Location:** Approximately 4.65 acres located on the north side of West Tyvola Road, east of South Stream Boulevard, south of Billy Graham Boulevard. (Council District 3 - Mayfield)

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

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

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of outstanding issues related to design and environment.
37. **Rezoning Petition: 2018-004 by Lischerong Enterprises & Holdings, LLC**

   **Location:** Approximately 0.51 acres located at the intersection of Foster Avenue and Bank Street, west of South Tryon Street. (Council District 3 - Mayfield)

   **Current Zoning:** I-2 (general industrial)
   **Proposed Zoning:** I-2(TS) (general industrial, transit supportive overlay)

   **Staff Recommendation:**
   Staff recommends approval of this conventional petition.
   
   2018-004 PHstaff_04-16-2018_done

38. **Rezoning Petition: 2017-204 by Ed Zepsa**

   **Update:** Staff is requesting deferral to May 21, 2018

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

   **Current Zoning:** I-2 (general industrial)
   **Proposed Zoning:** MDD-O (mixed use development, optional)

   2017-204 Ed Zespa May 21st deferral

39. **Rezoning Petition: 2018-008 by The Drakeford Company/Saussy Burbank, LLC**

   **Location:** Approximately 0.72 acres located at the intersection of Kelly Street and Dallas Avenue, west of North Sharon Amity Road. (Council District 5 - Newton)

   **Current Zoning:** R-5 (single family residential)
   **Proposed Zoning:** UR-2(CD) (urban residential, conditional)

   **Staff Recommendation:**
   Staff recommends approval of this petition.

   2018-008 PHstaff_04-03-2018 done
   2018-008_RevSitePlan_03-14-2018
40. **Rezoning Petition: 2018-010 by Harrison Tucker & John Perovich**

   **Location:** Approximately 0.25 acres located on the north side of East 21st Street, east of North Brevard Street. (Council District 1 - Egleston)

   **Current Zoning:** I-2 (general industrial)
   **Proposed Zoning:** TOD-M (transit oriented development-mixed use)

   **Staff Recommendation:**
   Staff recommends approval of this petition.
   
   2018-010_PHstaff_03-27-2018_done

41. **Rezoning Petition: 2018-012 by Harrison Tucker & John Perovich**

   **Location:** Approximately 0.16 acres located at the intersection of North Davidson Street and East 17th Street. (Council District 1 - Egleston)

   **Current Zoning:** R-8 (single family residential)
   **Proposed Zoning:** UR-2(CD) (urban residential, conditional)

   **Staff Recommendation:**
   Staff does not recommend approval of this petition in its current form.
   
   2018-012_PHstaff_04-03-2018_done
   2018-012_RevSitePlan_03-14-2018

42. **Rezoning Petition: 2018-014 by Novant Health, Inc.**

   **Update:** Staff is requesting deferral to July 16, 2018

   **Location:** Approximately 18.95 acres located on the west side of Johnston Road, north of Marvin Road. (Council District 7 - Driggs)

   **Current Zoning:** INST (institutional) and INST(CD) (institutional, conditional)
   **Proposed Zoning:** O-2(CD) (office, conditional)

   2018-014 Novant Health July Deferral