City of Charlotte

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

Zoning Agenda

Monday, December 18, 2017

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

1. Meeting Agenda

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

   Dinner Agenda December_final

3. Follow Up Report

   Dec Followup report - combined

5:30 P.M. ZONING MEETING, COUNCIL CHAMBERS
2018 City Council Meeting Schedule

Action:
Approve the 2018 City Council and Budget Meeting Schedule.

Staff Resource(s):
Stephanie Kelly, City Clerk’s Office

Explanation
- North Carolina General Statute § 143-318.12 requires that the City Clerk maintain on file a schedule of the City Council’s regular meetings and that the approved schedule shall be posted to the City’s website. If a schedule is duly adopted and filed, no further notice of regular meetings is necessary.
- The 2018 City Council Retreat and Council Budget Meeting dates have been included on this proposed schedule of meetings, as well as other meetings of state and national organizations in which the City has membership.
- Proposed Modifications to 2018 Meeting Schedule:
  - 1st Monday to become a Strategy Session
  - Transfer Public Forums to begin at 6:30 pm, preceding Council Business meetings (2nd and 4th Mondays)
  - Modify title of “Dinner Briefing” to “Action Review” (2nd and 4th Mondays)
  - Zoning and Business Meetings remain unchanged
  - Meeting on Tuesday after a Monday holiday (e.g. Tuesday, January 2)

ZONING DECISIONS

4. Rezoning Petition: 2017-108 by Arden Group, LLC

Update: Defer to January 16, 2018

Location: Approximately 14.2 acres located along McFarlene Boulevard, and south of University City Boulevard. (Council District 4 - Phipps)

Current Zoning: I-1 (light industrial) and B-2(CD) (general business, conditional)
Proposed Zoning: MUDD-O (mixed use development, optional) with five-year vested rights

Zoning Committee Recommendation
The Zoning Committee voted 4-2 to DEFER this petition to January 4, 2018.

Location: Approximately 76.77 acres located on the north side of Brown-Grier Road near the intersection of Steele Creek Road and Brown-Grier Road. (Council District 3 - Mayfield)

Current Zoning: R-3 (single family residential)
Proposed Zoning: R-12MF(CD) (multi-family residential, conditional, 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.


Location: Approximately 5.4 acres located at the southeast corner of the intersection of Pineville-Matthews Road and Providence Road. (Council District 7 - Driggs)

Current Zoning: O-15(CD) (office, conditional)
Proposed Zoning: MUDD-O (mixed use development district, optional)

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

Staff Recommendation:
Staff recommends approval of this petition.
7. **Rezoning Petition: 2017-059 by Saturday Night, LLC**

   **Location:** Approximately 3.78 acres located on the north side of Bellhaven Boulevard between Interstate 485 and Bellhaven Circle. (Council District 2 - Harlow)

   **Current Zoning:** R-3 (LWPA) (single family residential, Lake Wylie watershed - overlay, protected area)
   **Proposed Zoning:** I-1(CD) (LWPA) (light industrial, conditional, Lake Wylie watershed - overlay, protected area)

   **Zoning Committee Recommendation:**
   The Zoning Committee voted 6-1 to recommend **APPROVAL** of this petition.

   **Staff Recommendation:**
   Staff recommends approval of this petition upon resolution of outstanding issues related to land use and one technical item.

   2017-059_new format-reco
   2017-059_final staff_12-18-17_complete
   2017-059 Map
   2017-059_RevSitePlan_09-25-2017

8. **Rezoning Petition: 2017-083 by CapRock LLC**

   **Location:** Approximately 1.16 acres located between Seigle Avenue and Harrill Street, west of Van Every Street. (Council District 1 - Egleston)

   **Current Zoning:** I-2 (general industrial)
   **Proposed Zoning:** UR-2(CD) (urban 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.

   2017-83_reco_11-01-17_final 12.12.17
   2017-83_FinalStaff_12-18-17-complete
   2017-083 map final
   2017-083_RevSitePlan_11-08-2017
9. **Rezoning Petition: 2017-095 by Lincoln Harris, LLC**

   **Location:** Approximately 75 acres located between Ardrey Kell Road and Golf Links Drive, West of Providence Road. (Council District 7 - Driggs)

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

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

   2017-095_ZCreco_12-5-17_complete
   2017-095_Finalstaff_12-18_complete
   2017-095_new vicinity and rezoning map
   2017-095_RevSitePlan_12-8-17

10. **Rezoning Petition: 2017-101 by Optimist Park Partners, LLC**

    **Location:** Approximately 2.17 acres located on the north and south sides of East 16th Street, and east of the intersection of East 16th Street and Parkwood Avenue. (Council District 1 - Egleston)

    **Current Zoning:** R-22MF (multi-family residential), R-8 (single family residential), B-2 (general business), and B-1 (neighborhood business)

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

    **Zoning Committee Recommendation:**
    The Zoning Committee voted 5-1 to recommend APPROVAL of this petition.

    **Staff Recommendation:**
    Staff does not recommend approval of this petition in its current form due to density, which results in an inappropriate relationship to the adjoining single family residential uses.

    2017-101_reco_120517_complete
    2017-101_Final_12-18-17_complete
    2017-101_map_final
    2017-101_RevSitePlan_12-11-2017
11. **Rezoning Petition: 2017-102 by David Weekley Homes**

   **Location:** Approximately 3.63 located on the north side of Rea Road between Colony Road and Chadwyck Farms Drive. (Council District 7 - Driggs)

   **Current Zoning:** R-3 (single family residential)
   **Proposed Zoning:** UR-2(CD), with five-year vested rights

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

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

   - [2017-102 reco 12-5-17 complete]
   - [2017-102_Finalstaff_12-5-17_complete]
   - [2017-102 Map Final]
   - [2017-102_RevSitePlan_12-6-17]

12. **Rezoning Petition: 2017-104 by Cambridge Properties, LLC**

   **Location:** Approximately 25.6 acres located on the south side of McKee Road between Providence Hills Drive and Carrington Forest Lane. (Council District 7 - Driggs)

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

   - [2017-104_ZCreco_11-1-17_final]
   - [2017-104_Finalstaff_12-18-17_complete]
   - [2017-104 rezoning map revised (2)]
   - [2017-104_RevSitePlan_11-08-2017]
13. **Rezoning Petition: 2017-127 by Craig Smith**

   **Location:** Approximately 1.49 acres located on the north side of Raleigh Street, east of Sugar Creek Road. (Council District 1 - Egleston)

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

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

   **Staff Recommendation:**
   Staff recommends approval of this petition.
   - [2017-127 reco_120517_complete](#)
   - [2017-127_Final analysis_121817_complete](#)
   - [2017-127 map](#)
   - [2017-127_RevSiteplan_120417](#)

14. **Rezoning Petition: 2017-130 by TwentyNine Fifteen Operations, LLC**

   **Location:** Approximately 0.42 acres located on the south side of Griffith Street, east of New Bern Street. (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 conventional petition.
   - [2017-130 ZC reco_complete](#)
   - [2017-130_Finalstaff_12-11-2017_complete](#)
   - [2017-130 map final](#)
15. **Rezoning Petition: 2017-131 by Saussy Burbank, LLC**

   **Location:** Approximately 0.70 acres located on the west side of Sharon Road, north of Hazleton Drive. (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 recommend **APPROVAL** of this petition.

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

   - [2017-131_reco_12-5-17_complete](#)
   - [2017-131-Finalstaff_12-5-17_complete](#)
   - [2017-131 revised map](#)
   - [2017-131 RevSitePlan_12-7-17](#)

16. **Rezoning Petition: 2017-134 by 813 Belmont, LLC**

   **Location:** Approximately 0.16 acres located at the intersection of the Harrill Street and Belmont Avenue. (Council District 1 - Egleston)

   **Current Zoning:** R-5 (single family residential)
   **Proposed Zoning:** MUDD-O (mixed use development, optional)

   **Zoning Committee Recommendation:**
   The Zoning Committee vote 5-1 to recommend **APPROVAL** of this petition.

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

   - [2017-134 reco 120517 complete R1](#)
   - [2017-134_Final_12-18-17_complete](#)
   - [2017-134 map](#)
   - [2017-134_RevSitePlan_11-28-2017](#)
17. **Rezoning Petition: 2017-140 by Midwood-Overlook, LLC**

**Location:** Approximately 0.49 acres located at the southwest corner of Central Avenue and Iris Drive. (Council District 1 - Egleston)

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

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

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

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

- [2017-140_reco_120517_complete](#)
- [2017-140_final_12-18-17_complete](#)
- [2017-140_map_revised](#)
- [2017-140_REV_SITE_PLAN_120117](#)
ZONING HEARINGS


*Update: Petitioner is requesting withdrawal of this petition*

**Location:** 1.793 acres located on the northeast side at the intersection of Nations Ford Road and Tyvola Road. (Council District 3 - Mayfield)

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

2017-109 Enviro-Master Withdrawal

19. Rezoning Petition: 2017-141 by Beacon Partners

*Update: Petitioner is requesting withdrawal of this petition*

**Location:** Approximately 39.7 acres located on the west side of Old Statesville Road, north of Gibbon Road. (Council District 2 - Harlow)

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

2017-141 Beacon Partners Withdrawal

20. Rezoning Petition: 2015-027 by Charlotte Housing Authority

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

**Location:** Approximately 3.031 acres located on the southeast corner at the intersection of Cherry Street and East 1st Street. (Council District 1 - Egleston)

**Current Zoning:** R-22MF (multi-family, residential)
**Proposed Zoning:** UR-C(CD) (urban residential - commercial, conditional)

2015-027 Charlotte Housing Authority deferral

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

*Update: Petitioner is requesting deferral to January 16, 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 deferral
22. Rezoning Petition: 2017-142 by Judson Stringfellow

*Update:* Staff is requesting a deferral of this petition until January 16, 2018

- **Location:** Approximately 17.77 acres located on the west side of Gum Branch Road, north of Tom Sadler Road. (Council District 4 - Phipps)
- **Current Zoning:** R-3 LWPA (single family residential, Lake Wylie watershed - overlay, protected area)
- **Proposed Zoning:** R-4 LWPA (single family residential, Lake Wylie watershed - overlay, protected area)

2017-142 Judson Stringfellow deferral

23. Rezoning Petition: 2017-147 by QuickTrip Corporation

*Update:* Petitioner is requesting deferral to January 16, 2018

- **Location:** Approximately 2.05 acres located on the northeast corner at the intersection of Brookshire Boulevard and North Hoskins Road. (Council District 2 - Harlow)
- **Current Zoning:** B-1 (CD) (neighborhood business, conditional) and R-5 (single family residential)
- **Proposed Zoning:** B-1 (CD) (neighborhood business, conditional) and B-1 (CD) SPA (neighborhood business, conditional, site plan amendment)

2017-147 Quicktrip deferral


*Update:* Petitioner is requesting deferral to January 16, 2018

- **Location:** Approximately 3.96 acres located off Steele Creek Place Drive, south of Shopton Road and west of Gable Road. (Outside City Limits)
- **Current Zoning:** I-2 (CD) (general industrial, conditional)
- **Proposed Zoning:** I-2 (CD) SPA (general industrial, conditional, site plan amendment)

2017-148 Eastgroup Properties, LLC deferral

25. Rezoning Petition: 2017-132 by Mattamy Homes

*Update:* Petitioner is requesting deferral to January 16, 2018

- **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

2017-132 Mattamy Homes deferral
26. **Rezoning Petition: 2017-150 by Mattamy Homes**
   
   **Location:** Approximately 20.6 acres located on the north side of Galloway Road, east of Garrison Road and west of I-85. (Council District 4 - Phipps)
   
   **Current Zoning:** R-3 (single family residential)
   **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, environment, and site design, as well as a technical issue.

   - PH Staff 2017-150_12-18-17_complete2
   - 2017-150_RevSitePlan_11-14-2017

27. **Rezoning Petition: 2017-152 by Lockard Development, Inc.**
   
   **Location:** Approximately 8.91 acres located on the north side of Johnston Oehler Road, east side of Docia Crossing Road and west side of Prosperity Church Road. (Council District 4 - Phipps)
   
   **Current Zoning:** 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 site and building design and transportation and requested technical revisions.

   - 2017-152_PHstaff_12-18-17_complete
   - 2017-152_RevSItePlan_11-14-2017
   - Previously Approved Cover Page
   - 2017-152_ApprovedPlan1of2_2010-030
   - 2017-152_ApprovedPlan2of2_1997-051CAA_Feb16

28. **Rezoning Petition: 2017-149 by ABW Charlotte, LLC**
   
   **Location:** Approximately 0.53 acres located on the west side of South Boulevard, between East Kingston Avenue and East Boulevard. (Council District 3 - Mayfield)
   
   **Current Zoning:** B-1 (neighborhood business) and TOD-M (transit oriented development - mixed use)
   **Proposed Zoning:** TOD-M (O) (transit oriented development - mixed use, optional)
   
   **Staff Recommendation:**
   Staff recommends approval of this petition upon resolution of outstanding issues related to building and site design.

   - 2017-149_PHStaff_12-18-17_complete
29. **Rezoning Petition: 2017-155 by Scouts, LLC**

   **Location:** Approximately 8.69 acres located on the north side of Equipment Drive (I-85 access road), east of West Sugar Creek Road. (Council District 4 - Phipps)

   **Current Zoning:** I-1 (CD) (light industrial, conditional)
   **Proposed Zoning:** I-2 (CD) (general industrial, conditional)

   **Staff Recommendation:**
   Staff recommends approval of this petition upon resolution the requested technical revisions related to the building setback line, planting strip and sidewalks.

   ![2017-155_PHstaff_12-18-17_complete](2017-155_PHstaff_12-18-17_complete)
   ![Previously Approved Cover Page](Previously_Approved_Cover_Page)
   ![2017-155_ApprovedPlan_2008-023](2017-155_ApprovedPlan_2008-023)

30. **Rezoning Petition: 2017-156 by Mark Miller**

   **Location:** Approximately 3.81 acres located on the west side of Thrift Road and south side of Berryhill Road. (Council District 3 - Mayfield)

   **Current Zoning:** I-2 (general industrial)
   **Proposed Zoning:** MUDD-O (mixed use development, optional) with five-year vested rights

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

   ![2017-156_PHstaff_12-18-17_complete](2017-156_PHstaff_12-18-17_complete)

31. **Rezoning Petition: 2017-157 by Essex Homes Southeast, Inc.**

   **Location:** Approximately 28.4 acres located on the west side of Old Concord Road, south of Torrence Grove Church Road. (Council District 4 - Phipps)

   **Current Zoning:** R-3 (single family residential)
   **Proposed Zoning:** R-4 (single family residential)

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

   ![2017-157_PHstaff_12-18-17-complete](2017-157_PHstaff_12-18-17-complete)
32. Rezoning Petition: 2017-143 by Judson Stringfellow

Location: Approximately 1.39 acres located on the southwest corner of Eastfield Road and Arbor Creek Road. (Council District 4 - Phipps)

Current Zoning: INST (CD) (institutional, conditional)
Proposed Zoning: R-4 (single family residential)

Staff Recommendation:
Staff recommends approval of this petition.

33. Rezoning Petition: 2017-153 by JDSI, LLC

Location: Approximately 13.99 acres located on the south side of Robinson Church Road, east of Hood Road. (Council District 5 - Newton)

Current Zoning: R-3 (single family residential)
Proposed Zoning: R-6 (single family residential)

Staff Recommendation:
Staff recommends approval of this petition.

34. Rezoning Petition: 2017-158 by Roman G. Garcia

Location: Approximately 1.58 acres located on the north side of Albermarle Road, east of Blair Road. (Outside City Limits)

Current Zoning: R-12MF (multi-family residential)
Proposed Zoning: B-2 (general business)

Staff Recommendation:
Staff recommends approval of this petition.