Zoning Agenda

Monday, February 17, 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
5:00 P.M. DINNER MEETING, CH-14

1. Meeting Agenda

2. Dinner Meeting Agenda
   1. Agenda Review - Dave Pettine

3. Follow-Up Report

2. Dinner Meeting Agenda
   1. Agenda Review - Dave Pettine

3. Follow Up Report
5:30 P.M. ZONING MEETING, COUNCIL CHAMBERS

ZONING DECISIONS

34. Rezoning Petition: 2019-009 by Joseph Rhodes

Update: Petitioner has requested deferral to March 16, 2020

Location: Approximately 16.0 acres located on the east side of Beatties Ford Road, north of Trinity Road and south of Lakeview Road. (Council District 2 - Graham)

Current Zoning: R-3 (single family residential) and B-2 (general business)
Proposed Zoning: R-8MF(CD) (multi-family 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.

2019-009_reco_DONE
2019-009_Final_12-16_done
2019-009_RevSitePlan_10-23-2019

35. Rezoning Petition: 2019-106 by Darren Vincent

Update: Petitioner has requested deferral to March 16, 2020

Location: Approximately 0.89 acres located on the east side of Driwood Court, north of Mallard Creek Road and south of Prosperity Church Road. (Council District 4 - Johnson)

Current Zoning: NS (neighborhood service)
Proposed Zoning: NS SPA (neighborhood service, site plan amendment)

Zoning Committee Recommendation:
The Zoning Committee voted 7:0 to recommend APPROVAL of this petition.

Staff Recommendation:
Staff recommends approval of this petition.

2019-106_reco_done
2019-106_Final_staff_done
2019-106_RevSitePlan_11-25-2019
4. Rezoning Petition: 2019-069 by Harrison Tucker - CoHab, LLC

Location: Approximately 0.9 acres on the west side of E. 36th St, north of North McDowell St. and south of North Alexander St. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential)
Proposed Zoning: NS (neighborhood services)

Public Hearing Date: December 16, 2019 - Item #29

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

Staff Recommendation:
Staff recommends APPROVAL of this petition.

5. Rezoning Petition: 2019-080 by Seahawk Partner Holdings, LLC

Location: Approximately 11.15 acres located on the west side of Commonwealth Avenue and east of Char Meck Lane, north of Monroe Road. (Council District 5 - Newton)

Current Zoning: R-8MF (multi-family residential) and R-5 (single family residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional) with 5-years vested rights

Public Hearing Held: December 16, 2019 - Item #30

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

Staff Recommendation:
Staff recommends APPROVAL of this petition.
6. **Rezoning Petition: 2019-105 by The Greenstone Group, LLC**

   **Location:** Approximately 5.14 acres located on the west side of Benfield Road, south of Summer Creek Lane and north of Interstate 485, west of Prosperity Church Road. (Council District 4 - Johnson)

   **Current Zoning:** R-4 (single-family residential)
   **Proposed Zoning:** NS (neighborhood services)

   **Public Meeting Held:** January 21, 2020 - Item #24

   **Zoning Committee Recommendation:**
   The Zoning Committee voted 5:0 to recommend APPROVAL of this petition.

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

   2019-105_ZC_Reco_DONE
   2019-105_Final_Staff_DONE
   2019-105_RevSitePlan_01-31-2020

7. **Rezoning Petition: 2019-121 by Jamario Rickenbacker**

   **Location:** Approximately 1.15 acres located on the north side of West Boulevard, west of Holabird Lane. (Council District 3 - Watlington)

   **Current Zoning:** B-1(CD) (neighborhood business, conditional)
   **Proposed Zoning:** UR-C (urban residential - commercial)

   **Public Hearing Held:** January 21, 2020 - Item #28

   **Zoning Committee Recommendation:**
   The Zoning Committee voted 5:0 to recommend APPROVAL of this petition.

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

   2019-121_ZC_Reco_DONE
   2019-121_Final_staff_DONE

**Location:** Approximately 1.99 acres located on the south side of Bryant Street, east of South Summit Avenue, west of Interstate 77. (Council District 2 - Graham)

**Current Zoning:** I-1 PED (light industrial, pedestrian overlay)
**Proposed Zoning:** I-1 PED-O (light industrial, pedestrian overlay, optional)

**Public Hearing Held:** January 21, 2020 - Item #29

**Zoning Committee Recommendation:**
The Zoning Committee voted 5:0 to recommend **APPROVAL** of this petition.

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


**Location:** Approximately 0.55 acres located at the southern intersection of Charles Avenue and Whiting Avenue. (Council District 1 - Egleston)

**Current Zoning:** R-5 (single family residential)
**Proposed Zoning:** R-8 CD (single family residential, conditional)

**Public Hearing Held:** January 21, 2020 - Item #31

**Zoning Committee Recommendation:**
The Zoning Committee voted 5:0 to recommend **APPROVAL** of this petition.

**Staff Recommendation:**
Staff recommends **APPROVAL** of this petition.
10. **Rezoning Petition: 2019-139 by JDSI, LLC**

   **Location:** Approximately 5.3225 acres located along the eastern portion of W.T. Harris Boulevard at its intersection with Wallace Avenue, north of Albemarle Road. (Council District 5 - Newton)

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

   **Public Meeting Held:** January 21, 2020 - Item #32

   **Zoning Committee Recommendation:**
   The Zoning Committee voted 5:0 to recommend **APPROVAL** of this petition.

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

11. **Rezoning Petition: 2019-140 by C Investments 5, LLC**

   **Location:** Approximately 2.22 acres located on the north side of Providence Road West, west of Rothesay Drive, east of Lancaster Highway. (Council District 7 - Driggs)

   **Public Hearing Held:** January 21, 2020 - Item #27

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

   **Zoning Committee Recommendation:**
   The Zoning Committee voted 5:0 to recommend **APPROVAL** of this petition.

   **Staff Recommendation:**
   Staff recommends **APPROVAL** of this petition.
12. Rezoning Petition: 2019-141 by Mark Bolous

Location: Approximately 0.44 acres located on the west corner of N. Sharon Amity Road and Castleton Road. (Council District 5 - Newton)

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

Public Hearing Held: January 21, 2020 - Item #33

Zoning Committee Recommendation:
The Zoning Committee voted 5:0 to recommend APPROVAL of this petition.

Staff Recommendation:
Staff recommends APPROVAL of this petition.


Location: Approximately 0.33 acres located at the southern intersection of N. Tryon Street and Liddell Street, .2 miles northeast of Brookshire Freeway (I-277). (Council District 1 - Egleston)

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

Public Meeting Held: January 21, 2020 - Item #34

Zoning Committee Recommendation:
The Zoning Committee voted 5:0 to recommend APPROVAL of this petition.

Staff Recommendation:
Staff recommends APPROVAL of this petition.


Location: Approximately 23.57 acres located on the west side of North Tryon Street, south of Sir Anthony Drive, north of West Mallard Creek Church Road. (Council District 4 - Johnson)

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

Zoning Committee Recommendation:
The Zoning Committee voted 5:0 to recommend APPROVAL of this petition.
15. **Rezoning Petition: 2019-148 by Branful, LLC**

Location: Approximately 1.55 acres located on the west side of West Sugar Creek Road, south of Wilson Lane, south of Interstate 85. (Council District 1 - Egleston)

Current Zoning: B-1(CD) (neighborhood business, conditional) and NS (neighborhood services)

Proposed Zoning: NS (neighborhood services) and NS SPA (neighborhood services, site plan amendment)

Public Hearing Held: January 21, 2020 - Item #36

Zoning Committee Recommendation:
The Zoning Committee voted 5:0 to recommend **APPROVAL** of this petition.

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


Location: Approximately 11.63 acres located on Johnston-Oehler Rd, east of Oehler Bridge Drive, south of Interstate 485. (Council District 4 - Johnson)

Current Zoning: R-3 (single family residential)

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

Public Hearing Held: January 21, 2020 - Item #37

Zoning Committee Recommendation:
The Zoning Committee voted 5:0 to recommend **APPROVAL** of this petition.

Staff Recommendation:
Staff recommends **APPROVAL** of this petition.
17. **Rezoning Petition: 2019-153 by 650 South Tryon Development**

**Location:** Approximately 0.64 acres bounded by S. Tryon Street and W. Hill Street east of John Belk Freeway. (Council District 2 - Graham)

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

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

**Public Meeting Held:** January 21, 2020 - Item #38

**Zoning Committee Recommendation:**
The Zoning Committee voted 5:0 to recommend APPROVAL of this petition.

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

2019-153_ZC_Reco_DONE

2019-153_Final_Staff_DONE

2019-153_RevSitePlans_01-27-2020
ACTIVE TRANSPORTATION PROJECTS

18. Active Transportation Projects

- District1_ActiveProjects
- District2_ActiveProjects
- District3_ActiveProjects
- District4_ActiveProjects
- District5_ActiveProjects
- District6_ActiveProjects
- District7_ActiveProjects
ZONING HEARINGS

19. Rezoning Petition: 2018-114 by Seahawk Partner Holdings, LLC

Location: Approximately 0.178 acres located on the eastern side of Thomas Avenue, north of Central Avenue in the Plaza-Midwood Neighborhood. (Council District 1 - Egleston)

Current Zoning: R-5 (residential)
Proposed Zoning: NS (neighborhood services)

Staff Recommendation:
Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to site and building design.

2018-114_PH_Staff_DONE
2018-114_RevSitePlan_01-14-2020

20. Rezoning Petition: 2019-111 by Hive Fitness, LLC

Location: Approximately 0.69 acres located on the south side of Southside Drive, west of Old Pineville road, and east of Yancey Road. (Council District 3 - Watlington)

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


Location: Approximately 454.24 located on the north side of Ballantyne Commons Pkwy., south of I-485 on both sides of Johnston Road. (Council District 7 - Driggs)

Current Zoning: BP (CD) (business park, conditional) & O-3 (CD) (office, conditional)
Proposed Zoning: MUDD-O (mixed use development, optional)

22. Rezoning Petition: 2019-142 by Kennedy Howard

Location: Approximately 0.27 acres located on the southeast corner of Tuckaseegee Road and Enderly Road from B-1 to MUDD-0. (Council District 3 - Watlington)

Current Zoning: B-1 (neighborhood business)
Proposed Zoning: MUDD-O (mixed use development district-optional)

Staff Recommendation:
Staff Recommends APPROVAL of this petition upon resolution of requested technical revisions related to transportation

2019-142_PH_staff_DONE
2019-142_RevSitePlan_01-14-2020
23. **Rezoning Petition: 2019-152 by Spectrum Companies**

**Location:** Approximately 27.410 acres located off Carolyn Lane and Joe Whitener Road with frontage and access to University City Boulevard. (Council District 4 - Johnson)

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

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

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

2019-152 PH Staff DONE
2019-152_RevSitePlan_01-16-2020


**Location:** Approximately 0.18 acres located on the south side of Central Avenue, east of Pecan Avenue and west of Thomas 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)

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

2019-155 PH Staff DONE
2019-155_RevSitePlan_01-14-2020


**Location:** Approximately 8.5 acres located on the south side of Polk and White Road, west of Mallard Creek Road. (Council District 4 - Johnson)

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

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

**Staff Recommendation:**
Staff recommends **APPROVAL** of this petition upon resolution of outstanding issues related to transportation and environment, and requested technical revisions.

2019-157-PH_staff_DONE
2019-157_RevSitePlan_01-14-2020

Location: Approximately 3.6 acres located on the south side of E. Woodlawn Road, east of Murrayhill Road. (Council District 6 - Bokhari)

Current Zoning: R-4 (single family residential) & UR-2 (CD) (urban residential, conditional)
Proposed Zoning: UR-2 (CD) (urban residential, conditional) & 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 site and building design, and environment.

2019_158_PH_Staff_DONE
2019-158_RevSitePlan_01-14-2020
2007-005 approved site plan

27. Rezoning Petition: 2019-159 by Ed Zepsa

Location: Approximately 0.95 acres located on the west side of Nations Crossing Road, south of Verbena Street. (Council District 3 - Watlington)

Current Zoning: MUDD (CD) (mixed use development, conditional)
Proposed Zoning: TOD-TR (transit oriented development-transition)

Staff Recommendation:
Staff recommends APPROVAL of this petition.

2019-159_PH_DONE

28. Rezoning Petition: 2019-161 by Crescent Communities, LLC

Location: Approximately 2.4 acres bounded by S. Tryon Street and W. Hill Street east of John Belk Freeway. (Council District 1 - Egleston)

Current Zoning: UMUD-O (uptown mixed use, optional)
Proposed Zoning: UMUD-O SPA (uptown mixed use, optional, site plan amendment)

Staff Recommendation:
Staff recommends APPROVAL of this petition upon resolution of the outstanding technical item.

2019-161_PH_Staff_DONE
2019-161_RevSitePlan_01-14-2020
29. **Rezoning Petition: 2019-162 by Kenneth Simmons**

*Location:* Approximately 2.88 acres located along the northern side of Old Concord Road near its intersection with N. Tryon Street and in close proximity to the LYNX Blue Line’s Old Concord Road transit station. (Council District 4 - Johnson)

*Current Zoning:* I-2 (industrial)

*Proposed Zoning:* TOD-TR (transit-oriented development, transitional)

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

2019-162 PH_Staff_DONE

30. **Rezoning Petition: 2019-164 by PDAN Holdings, LLC**

*Location:* Approximately 1.1 acres located on the north side of Johnston Oehler Road, west of Oehler Bridge Drive. (Council District 4 - Johnson)

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

*Proposed Zoning:* R-8MF (CD) (multi-family, conditional)

*Staff Recommendation:* Staff Recommends **APPROVAL** of this petition upon resolution of outstanding issues related to transportation and site design.

2019-164-PH_staff_DONE

2019-164_RevSitePlan_01-14-2020

31. **Rezoning Petition: 2019-165 by Wood Partners**

*Location:* Approximately 4.0 acres located on the north side of West Morehead Street, between Millerton Avenue and Morton Street. (Council District 3 - Watlington)

*Current Zoning:* I-1 (Light Industrial), R-5 (Single Family Residential), R-22MF Multi Family Residential), and O-2 (office)

*Proposed Zoning:* TOD-CC (Transit Oriented Development - Community Center)

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

2019-165 PH_Staff_DONE
32. Rezoning Petition: 2019-167 by Grubb Management, LLC

**Location:** Approximately 0.7 acres (two lots) located on the south side of State Street and north side of Katonah Avenue. (Council District 2 - Graham)

**Current Zoning:** I-2 (General Industrial) and R-8 (Single Family Residential)

**Proposed Zoning:** MUDD-O (Mixed Use Development, Optional)

**Staff Recommendation:**
Staff **DOES NOT RECOMMEND APPROVAL** of this petition in its current form.

2019-167 PH_Staff_DONE
2019-167_RevSitePlan_01-14-2020


**Location:** Approximately 15.9 acres located on the east side of Ridge Road, at Odell School Road, south of Mallard Creek Road. (Outside City Limits)

**Current Zoning:** CC (commercial center)

**Proposed Zoning:** CC SPA (commercial center, site plan amendment) with five-years vested rights

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

2019-169-PH_staff_DONE
2019-169_RevSitePlan_01-14-2020
2000-132 Approved Site Plan