City of Charlotte

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

Zoning Agenda

Monday, February 19, 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
5:00 P.M. DINNER MEETING, CH-14

1. Meeting Agenda

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

3. Follow-Up Report

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

Dinner Agenda February_TK

3. Follow Up Report

Follow-Up Report January 2018
HISTORIC LANDMARK PUBLIC HEARING

4. Charlotte Firefighting Apparatus

A Public Hearing on the Question of adopting an ordinance for the property known as the "Charlotte Firefighting Apparatuses" (including the 1861 William Jeffers & Company Hand-Powered Pumper, the 1902 American Fire Company Metropolitan Steam-Powered Pumper, and the 1928 American LaFrance & Foamite Company Fire Truck) as an Historic Landmark.

Property Owner: Charlotte Fire Department
Location: 500 Dalton Avenue, Charlotte, North Carolina and 620 West 28th Street, Charlotte, North Carolina

Charlotte Fire Apparatuses RCA
Charlotte Firefighting Apparatuses Cover
Charlotte Fire Apparatuses Ord
Charlotte Fire Apparatuses SR
Charlotte Firefighting Apparatuses HLC Vote
Charlotte Fire Apparatuses SHPO

5. Highland Mill No.1

A Public Hearing on the Question of adopting an ordinance for the property known as the "Highland Mill No.1" (listed under Tax Parcel Number 08104202 including the exteriors and interiors of the buildings and the land associated with tax parcel) as an Historic Landmark.

Property Owner: White Point Paces Partners
Location: 340 East Sixteenth Street, Charlotte, North Carolina

Highland Mill No 1 RCA
Highland Mill No 1 Cover
Highland No 1 Ord
Highland Park Mill No 1 S&R
Highland Mill HLC Vote
Highland Park Mill No. 1 SHPO
Highland Mill Dept Review Findings
6. **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

**ZONING DECISIONS**

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

*Petitioner requesting deferral to March 19, 2018*

**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 vest rights.

**Zoning Committee Recommendation:**  
The Zoning Committee voted 7-0 to DEFER this petition to their March 6, 2018 meeting.

**2017-171_ZCreco_1-30-18_done**

8. **Rezoning Petition: 2017-142 by Judson Stringfellow**

**Location:** Approximately 17.77 acres located on the west side of Gum Branch Road, north of Tom Sadler Road. (Council District 2 - Harlow)

**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)

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

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

**2017-142_reco_01-31-2018_done**  
**2017-142_Finalstaff_01-31-18-done**

**Location:** Approximately 4.35 acres located on the west side of Old Ardrey Kell Road, south of Providence Road West. (Council District 7 - Driggs)

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

**Proposed Zoning:** UR-2(CD) (urban 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.

2017-146_reco_1-30-18_done
2017-146_Finalstaff_2-19-18_done
2017-146_RevSitePlan_01-25-2018

10. **Rezoning Petition: 2017-147 by QuickTrip Corporation**

**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)

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

**Staff Recommendation:**
Staff does not recommend approval of this petition as the proposal expands the parking for the previously approved commercial use and further extends commercial zoning into an established neighborhood.

2017-147_reco_1-30-18_done
2017-147_Finalstaff_2-19-18_done
2017-147_RevSitePlan_01-31-2018

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)

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

Staff Recommendation:
Staff recommends approval of this petition.

12. Rezoning Petition: 2017-151 by The Housing Partnership

Location: Approximately 3.69 acres located on Nolley Court, off of Galleria Boulevard, west of Monroe Road. (Council District 6 - Bokhari)

Current Zoning: NS (neighborhood service)
Proposed Zoning: MUDD-0 (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 upon resolution of outstanding Environmental issues.

13. 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)

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

Staff Recommendation:
Staff recommends approval of this petition.
14. **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)

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

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

- 2017-156_reco_01-04-2018_done
- 2017-156_Final-2-19-18_done
- 2017-156_RevSItePlan_01-03-2018

15. **Rezoning Petition: 2017-160 by Madison Simmons Homes & Communities, LLC**

**Location:** Approximately 2.08 acres located on the west side of Providence Road, south of Fairview Road. (Council District 6 - Bokhari)

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

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

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

- 2017-160_reco_1-30-18_done
- 2017-160_Finalstaff_2-19-18_done
- 2017-160_RevSItePlans_01-22-2018
16. Rezoning Petition: 2017-162 by Craig Calcasola

Location: Approximately 0.35 acres located on the north side of West Worthington Avenue between Wilmore Walk Drive and Wickford Place. (Council District 3 - Mayfield)

Current Zoning: UR-1(CD) (urban residential, conditional)
Proposed Zoning: UR-1(CD) SPA (urban residential, conditional, 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.

2017-162_reco_01-30-2018_done
2017-162_Final_staff_02-19-2018-done
2017-162_RevSitePlan_12-11-2017

17. Rezoning Petition: 2017-166 by KP Development, LLC

Location: Approximately 3.22 acres located on the south side of Tuckaseegee Road, west of I-85. (Council District 3 - Mayfield)

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

2017-166_reco_01-30-2018_done
Final 2017-166_02-19-2018_done
2017-166_RevSitePlan_01-29-2018
18. **Rezoning Petition: 2017-167 by Beaver Creek CRE, LLC**

   *Update: Petitioner requesting deferral to March 19, 2018*

   **Location:** Approximately 2.11 acres located on the north side of Independence Boulevard, bounded by Pierson Drive, Bamboo Street and Wilshire Place. (Council District 5 - Newton)

   **Current Zoning:** B-2 (general business)
   **Proposed Zoning:** MUDD-O (mixed use development, optional)

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

   **Staff Recommendation:**
   Staff does not recommend approval of this petition in its current form due to the requested LED and video signage increases and building heights.

19. **Rezoning Petition: 2017-170 by South 48, LLC**

   **Location:** Approximately 1.4 acres located on the east side of South Boulevard, north of Ideal Way and south of Atherton Street. (Council District 1 - Egleston)

   **Current Zoning:** B-2 (general business)
   **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.
20. **Rezoning Petition: 2017-173 by Ram Reality Advisors**

**Location:** Approximately 1.42 acres located at the corner of Hawkins Street and Doggett Street, south of Worthington Avenue. (Council District 3 - Mayfield)

**Current Zoning:** MUDD (mixed use development)

**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.

2017-173_reco_01-30-2018-done
2017-173_Final_staff_02-19-2018_done
2017-173_RevSitePlan_01-25-2018

21. **Rezoning Petition: 2017-174 by Lindsay Dorrier, III**

**Summary of Petition:**
1) add a new definition for "wineries";
2) adds "wineries" as a new use in the same urban and industrial zoning districts where breweries are currently permitted; and
3) adds the identical prescribed conditions for "wineries" as currently exists for breweries.

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

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

2017-174 ZC Reco_done
2017-174_Final Staff Analysis 2-19-18_done
2017-174 text amendment

**ZONING HEARINGS**

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

**Update:** **Petitioner is requesting deferral to April 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_April 16th deferral
23. **Rezoning Petition: 2017-132 by Mattamy Homes**  

*Update: Petitioner requesting deferral to March 19, 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 March 19th

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

*Petitioner requesting deferral to March 19, 2018*

**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  

2017-161 Central Piedmont Community College deferral March 19th

25. **Rezoning Petition: 2017-184 by Sean Brady**

**Location:** Approximately 8.56 acres located on the south side of Mount Holly-Huntersville Road, east of Rozzelles Ferry Road and west of Brookshire Boulevard. (Council District 2 - Harlow)

**Current Zoning:** R-3 LWPA (single family residential, Lake Wylie watershed-overlay, protected area)  
**Proposed Zoning:** R-12 LWPA (multi-family residential, Lake Wylie watershed-overlay, protected area)  

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

PH Staff_2017-184 done done done
26. **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)

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of outstanding issues related to density, transportation, and tree save as well as other technical issues.

2017-185_02-19-2018_done
2017-185_RevSitePlan_01-17-2018

27. **Rezoning Petition: 2017-190 by C4 Investments, LLC**

**Location:** Approximately 9.82 acres located on the east side of West Sugar Creek Road, east of Merlane Drive. (Council District 4 - Phipps)

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

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

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of outstanding issues related to density, transportation and tree save.

2017-190_PH_staff_2-19-18_done
2017-190_RevSitePlan_01-17-2018


**Location:** Approximately 79.3 acres located on the northeast side of Old Moores Chapel Road, north of Moores Chapel Road east of I-485. (District 3 - Mayfield and Outside City Limits)

**Current Zoning:** R-3 (single family residential), R-4 (single family residential), R-5 (single family residential), and R-8 LWPA (single family residential, Lake Wylie Protected Area)

**Proposed Zoning:** R-6 LWPA (single family residential, Lake Wylie Protected Area)

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

PH 2017-187_02-19-18_done
29. **Rezoning Petition: 2017-188 by Providence Group Capital, LLC**

   **Location:** Approximately 5.96 acres on the west side of Old Pineville Road, south of Freeland Lane, north of East Peterson Drive. (Council District 3 - Mayfield)

   **Current Zoning:** 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 site design, rail corridor, and technical data.

   2017-188_staff_analysis_2-19-2018_done-
   2017-188_RevSitePlan_01-17-2018

30. **Rezoning Petition: 2017-163 by Miller Development Company**

   **Location:** Approximately 0.21 located on the southeast side of North Davidson Street, south of East 36th Street. (Council District 1 - Egleston)

   **Current Zoning:** NS (neighborhood services)
   **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 site and building design.

   2017-163_PH_staff_2-19-18_done
   2017-163_RevSitePlan_01-17-2018
   Previously Approved Cover Page
   2017-163_prev_approved1998-029_approved_site_plan_sht2

31. **Rezoning Petition: 2017-179 Davis Development, Inc.**

   **Update:** *Staff is requesting deferral to March 19, 2018*

   **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)

   2017-179 Davis Development, Inc deferral
32. Rezoning Petition: 2017-169 by City of Charlotte Solid Waste Services

**Summary of petition:**
1) Add and modify definitions and update words to terms currently used by Solid Waste Services; and
2) Amend the requirements regarding solid waste containers, compactors, recycle containers, solid waste and recycling handling areas and service entrances to align with a complete update to Chapter 10 of the Municipal Code, approved by City Council on September 11, 2017, effective January 1, 2018.

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

- [2017-169 Pre-hearing Staff Analysis 2-19-18_done](#)
- [2017-169 Text Amendment 2-7-18](#)
- [2017-169 Matrix rev1](#)

33. Rezoning Petition: 2017-172 by City of Charlotte-Real Estate

**Location:** Approximately 0.84 acres located on the two northwest corners of the intersection of Harrill Street and Belmont Avenue. (Council District 1 - Egleston)

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

**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.

- [2017-172 PH staff 2-19-18_done](#)
- [2017-172 RevSitePlan_01-19-2018](#)

34. Rezoning Petition: 2017-175 by 332 West Bland Street, LLC

**Location:** Approximately 1.37 acres bounded by South Mint Street, West Bland Street and South Church Street. (Council District 3 - Mayfield)

**Current Zoning:** I-2 (general industrial)

**Proposed Zoning:** TOD-M (transit oriented development - mixed use)

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

- [2017-175_staff_analysis_1-22-2018_done](#)
35. Rezoning Petition: 2017-178 by Atlantic Coast Contractors, Inc.

**Location:** Approximately 4.34 acres located at the end of Cressida Drive, near the intersection of South Boulevard and East Westinghouse Boulevard. (Council District 6 - Bokhari)

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

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

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of the requested technical revisions.

36. Rezoning Petition: 2017-181 by Dakota Legacy Group

**Location:** Approximately 3.58 acres located on the east side of IKEA Boulevard and south of University Pointe Boulevard. (Council District 4 - Phipps)

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

**Proposed Zoning:** CC SPA (commercial center, site plan amendment)

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design and land use.

37. Rezoning Petition: 2017-189 by SL Horton Road, LLC

**Location:** Approximately 42.6 acres located at the end of Horton Road, east of Garrison Road, west of I-485. (Outside City Limits)

**Current Zoning:** R-3 AIR LLWPA (single family residential, Airport noise overlay, Lake Wylie Protected Area)

**Proposed Zoning:** I-1 (CD) AIR LLWPA (general industrial, conditional, Airport noise overlay, Lake Wylie Protected Area)

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and environment as well as several technical issues.