City of Charlotte

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

Zoning Agenda

Tuesday, January 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 January

3. Follow Up Report

   The Follow Up Report Insert
5:30 P.M. ZONING MEETING, COUNCIL CHAMBERS
HISTORIC LANDMARK RESOLUTIONS

4. **Charlotte Firefighting Apparatus**
   A Resolution of the City Council of the City of Charlotte calling for a Public Hearing to be held by the City Council 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 Firefighting Apparatuses Cover](#)  
[Charlotte Firefighting Apparatuses Resolution](#)

5. **Highland Mill No.1**
   A Resolution of the City Council of the City of Charlotte calling for a Public Hearing to be held by the City Council 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 Cover](#)  
[Highland Mill No 1 Res](#)

6. **Wilmore Elementary School**
   A Resolution of the City Council of the City of Charlotte calling for a Public Hearing to be held by the City Council on the Question of adopting an ordinance for the property known as the "Wilmore" (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 Cover](#)  
[Wilmore Res](#)
ZONING DECISIONS

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

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 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:
Staff recommends approval of this petition.

2017-108_reco_010418_done
2017-108_finalstaff_011618_done
2017-108_RevSitePlan_01-02-2018

8. Rezoning Petition: 2017-143 by JDSI, LLC

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)

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

Staff Recommendation:
Staff recommends approval of this petition.

2017-143_reco_01-04-2018_done
2017-143_FinalStaff_01-16-2018 done
9. **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)

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

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

   - 2017-149_reco_01-04-2018_done
   - 2017-149_FinalStaff_01-04-18-done
   - 2017-149_RevSitePlan_01-03-2018 (2)

10. **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

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

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

   - 2017-150_reco_01-04-2018_done
   - Final_Staff 2017-150_CLG_done
   - 2017-150_RevSitePlan_01-02-2018
11. **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)

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

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

12. **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.

13. **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)

   **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.

15. **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)

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

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


**Location:** Approximately 0.86 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)

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

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

17. Rezoning Petition: 2017-132 by Mattamy Homes

   Update: Petitioner requesting deferral to February 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

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

   Update: Petitioner requesting deferral to February 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

19. Rezoning Petition: 2017-169 by City of Charlotte Solid Waste Services

   Update: Petitioner requesting deferral to February 19, 2018

   Summary of petition:
   1) Add and modify definitions; and
   2) Amend the requirements regarding solid waste containers, compactors, recycle containers, solid waste and recycling handling areas and service entrances to align with revisions to Chapter 10 of the Municipal Code, adopted by City Council on September 11, 2017, effective January 1, 2018.

20. 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 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)

   Staff Recommendation:
   Staff recommends approval of this petition.
21. **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)

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

2017-151_PHexSitePlan_12-11-2017
2017-151_PHexSitePlan_12-11-2017
2017-151_Previously approved site plan 2004-022

22. **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

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

2017-171_PHstaff_1-16-18_done
2017-171_RevSitePlan_12-11-2017

23. **Rezoning Petition: 2017-146 by North State Development, LLC**

**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)

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

2017-146_PHstaff_1-16-18_done
2017-146_RevSitePlan_12-11-2017
24. **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)

**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_PHstaff_1-16-18_done
2017-147_RevSItePlan_11-14-2017
Previously Approved Cover Page
2017-147_ApprovedPlan_2016-084


**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)

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of minor technical items.

2017-148_staff_1-16-18_done_TK
2017-148_Rev_12-08-2017
Previously Approved Cover Page
2013-021AADec2014 sht1
2013-021AADec2014 sht2

26. **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

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of outstanding issues related to the buffer adjacent to single family homes, transportation improvements, and possible stormwater upgrades.

2017-160_staff_1-16-18_done
2017-160_RevSitePlan_12-11-2017
27. **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)

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

   2017-162_PH_staff_01-16-2017_done
   2017-162_RevSitePlan_12-11-2017
   Previously Approved Cover Page
   Previously approved plan for 2017-162

28. **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)

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

   2017-166-01-16-18_done
   2017-166_RevSitePlan_12-11-2017
   Previously Approved Cover Page
   Previous plan for 2017-166 -2005-070AAMarch2017

29. **Rezoning Petition: 2017-167 by Beaver Creek CRE, LLC**

   **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)

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

   2017-167_phstaff_011618_done
   2017-167_RevSitePlan_12-12-2017
30. **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)

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

2017-170_PH_01-16-2018 done

31. **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)

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

2017-173_PH_01-08-2017 done

2017-173_RevSitePlan_12-14-2017

32. **Rezoning Petition: 2017-174 by Lindsay Dorrier, II**

**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.

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

2017-174_Pre-hearing Staff Analysis 1-16-18 SM 1-9 LH1-9. SM1-9 LH1-10 SM 1-10 FINAL

2017-174 Text Amendment