City of Charlotte

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

Zoning Agenda

Monday, July 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 July...TKdocx

3. Follow Up Report
   July Follow-Up Report 7-16-18 done
HISTORIC LANDMARK RESOLUTION

4. **Albert Wallace Log House**

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 “Albert Wallace Log House” (listed under Tax Parcel Number 11102105 including the interior and the exterior of the house, outbuildings, and the land associated with tax parcel) as an Historic Landmark.

**Property Owner:** William and Dixie Kelly  
**Location:** 9425 Robinson Church Road in Charlotte, North Carolina

5. **Antioch Missionary Baptist Church Cemetery**

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 “Antioch Missionary Baptist Church Cemetery” (listed under Tax Parcel Number 15904104 including the land and all landscape features associated with tax parcel) as an Historic Landmark.

**Property Owner:** The Trustees of the Antioch Missionary Baptist Church  
**Location:** 3712 Monroe Road in Charlotte, North Carolina

6. **Hennigan Place**

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 “Hennigan Place” (listed under Tax Parcel Numbers 23111438, 23111437, 23111403, and 23111402) as an Historic Landmark.

**Property Owner:** Snow Homeplace LLC  
**Location:** 3603 Tilley Morris Road in Charlotte, North Carolina

7. **Reginald Armistice Hawkins House**

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 “Reginald Armistice Hawkins House” (listed under Tax Parcel Number 07839808 including the interior and the exterior of the house, the land, and all landscape features associated with tax parcel) as an Historic Landmark.

**Property Owner:** Daniel and Kristin Tart  
**Location:** 1703 Madison Avenue in Charlotte, North Carolina
DECISIONS


   Update: Petitioner requesting deferral to September 17, 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 district, optional)
   Proposed Zoning: MUDD-O SPA (mixed use development, optional) with five-year vested rights

   Zoning Committee Recommendation:
   The Zoning Committee voted 5-0 to DEFER this petition to their next meeting scheduled for July 31, 2018.

   2017-205_Reco_07-02-2018_done

9. 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)

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

   Staff Recommendation:
   Staff recommends approval of this petition.

   2017-203_reco_07-02-2018_done
   2017-203_Final_07-16-2018_done
   2017-203_RevSitePlan_06-29-2018
10. **Rezoning Petition: 2017-204 by Ed Zepsa**

   **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-1 (general industrial)
   **Proposed Zoning:** Mudd(CD) (mixed use development, conditional)

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

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


   **Update:** Petitioner is requesting deferral to September 17, 2018

   **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)

   **Zoning Committee Recommendation:**
   The Zoning Committee voted 4-3 to recommend **DENIAL** of this petition.

12. **Rezoning Petition: 2018-022 by Kyle Short**

   **Location:** Approximately 1.57 acres located on the south side of East Woodlawn Road, between Old Woods Road and Fairbluff Place, east of South Boulevard. (Council District 6 - Bokhari)

   **Current Zoning:** UR-2(CD) (urban residential, conditional)
   **Proposed Zoning:** UR-2(CD) SPA (urban residential, conditional, site plan amendment)

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

   **Staff Recommendation:**
   Staff recommends approval of this petition.
13. **Rezoning Petition: 2018-023 by Jason Idilbi**

**Location:** Approximately 0.56 acres located on the south side of Spencer Street, east of East 36th Street, west of Herrin Avenue. (Council District 1 - Egleston)

**Current Zoning:** R-5 (single family residential)

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

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

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

2018-023 reco_6-5-18_done

2018-23_finalstaff_061818_done

2018-023_RevSitePlan_06-15-2018


**Location:** Approximately 2.75 acres located on the east side of Northpointe Industrial Boulevard, north of North Hoskins Road. (Council District 2 - Harlow)

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

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

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

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

2018-030_Reco_07-02-2018_done

Final 2018-030_07-16-2018_done

2018-030_RevSitePlan_04-16-2018
15. **Rezoning Petition: 2018-031 by CitiSculpt**

   **Location:** Approximately 0.49 acres located on the south side of Kenilworth Avenue, east of Harding Place. (Council District 1 - Egleston)

   **Current Zoning:** O-2 PED (office, pedestrian overlay)
   **Proposed Zoning:** MUDD-O PED (mixed use development, pedestrian overlay)

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

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

   - 2018-031_reco_07-02-2018_done
   - 2018-031_Final_staff_07-16-2018-done
   - 2018-031_RevSitePlan_06-25-2018

16. **Rezoning Petition: 2018-032 by Myers Park Methodist Church**

   **Location:** Approximately 4.62 acres located on the south side of the intersection of Providence Road and Queens Road, north of Oxford Place. (Council District 6 - Bokhari)

   **Current Zoning:** O-2(CD) (office, 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.

   - 2018-032_reco_07-02-2018_done
   - 2018-032_Final_Staff_07-16-2018_done
   - 2018-032_RevSitePlan_06-25-2018
17. **Rezoning Petition: 2018-036 by No Fear Investments, LLC**

**Location:** Approximately 0.41 acres located on the east side of Olando Street south of Norris Avenue, north of Moretz Avenue. (Council District 1 - Egleston)

**Current Zoning:** I-1 (light industrial)
**Proposed Zoning:** R-8 (single family residential)

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

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

18. **Rezoning Petition: 2018-037 by Adam Florenza**

**Location:** Approximately 12.5 acres located on the west side of Steele Creek Road, north of South Tryon Street. (Council District 3 - Mayfield)

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

**Zoning Committee Recommendation:**
The Zoning Committee voted 4-3 to recommend **APPROVAL** of this petition.

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


**Location:** Approximately 1.45 acres located on the north side of Horseshoe Lane, east of West Boulevard. (Council District 3 - Mayfield)

**Current Zoning:** I-1 AIR (light industrial, airport noise overlay)
**Proposed Zoning:** I-2 AIR (general industrial, airport noise overlay)

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

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

**Location:** Approximately 0.17 acres located on the north side of Fairwood Avenue, east of South Tryon Street. (Council District 3 - Mayfield)

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

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

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

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

2018-039_reco_07-02-2018_done

2018-039_Final_staff_07-16-2018_done


**Location:** Approximately 0.38 acres located on the north side of Monroe Road, west of Commonwealth Avenue. (Council District 5 - Newton)

**Current Zoning:** R-17MF (multi-family residential)

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

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

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

2018-040_reco_done

2018-40_FINALstaff_071618_done done

2018-041_revSitePlan_06-30-2018 - Comments

22. Rezoning Petition: 2018-041 by Saussy Burbank, LLC

**Location:** Approximately 1.27 acres located on the north side of East 36th Street, east of Spencer Street. (Council District 1 - Egleston)

**Current Zoning:** R-5 (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)

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

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

2018-041_reco_7-2-18_done

2018-41_FINALstaff_071618_done done

2018-041_revSitePlan_06-30-2018 - Comments
23. **Rezoning Petition: 2018-042 by SBBH, LLC**

**Location:** Approximately 3.15 acres located on the southeast corner of the North Graham Street and Dalton Avenue. (Council District 1 - Egleston)

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

**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 recommends approval of this petition.

2018-042_reco_done

2018-42_FINALstaff-071618_done

2018-042_RevSitePlan_06-25-2018
HEARINGS

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

*Update: Petitioner is requesting deferral to November 19, 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 Nov Deferral


*Update: Petitioner is requesting deferral to September 17, 2018*

*Location:* Approximately 0.17 acres located at the northeast corner of East 17th Street and North McDowell Street. (Council District 1 - Egleston)

*Current Zoning:* R-5 (single family residential)
*Proposed Zoning:* UR-2(CD) (urban residential, conditional) with five-year vested rights

2018-011 Harrison Tucker & John Perovich Sept Deferral


*Update: Petitioner is requesting deferral to September 17, 2018*

*Location:* Approximately 7.37 acres located off of Callabridge Court, off of Mount Holly Huntersville Road, north of Brookshire Boulevard. (Outside City Limits)

*Current Zoning:* UR-2(CD) (urban residential, conditional)
*Proposed Zoning:* UR-2(CD) SPA (urban residential, conditional, site plan amendment)

2018-045 Andy Bilmanis September deferral
27. **Rezoning Petition: 2017-050 by Circa Investments, LLC**

**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)

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

- 2017-050_staff_07-18-2018_done
- 2017-050_RevSitePlan_06-11-2018


**Location:** Approximately 30 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:** R-12MF(CD) (multi-family residential) and BD(CD) (distributive business, conditional) with five-year vested rights

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

- PH 2017-112_07-16-2018 done
- 2017-112_RevSitePlan_06-11-2018

29. **Rezoning Petition: 2018-024 by The Drakeford Company**

**Location:** Approximately 0.87 acres located on the north side of Reece Road, east of Arbor Lane, east of Park Road, north of Park Road Shopping Center. (Council District 6 - Bokhari)

**Current Zoning:** R-22MF (multi-family residential)
**Proposed Zoning:** NS (neighborhood services)

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of outstanding issues related to the proposed live work unit, and tree save and tree survey.

- 2018-024_PHStaff_07-16-2018_done
- 2018-024_RevSitePlan_05-14-2018
30. Rezoning Petition: 2018-027 by Sharon Towers

**Location:** Approximately 8.02 acres located on the west side of Sharon Road, west of the intersection of Sharon View Road. (Council District 6 - Bokhari)

**Current Zoning:** R-3 (single family residential) and INST(CD) (institutional, conditional)
**Proposed Zoning:** R-3(CD) (single family residential), MUDD-O (mixed use development, optional) and INST(CD) SPA (institutional, conditional, site plan amendment) with five-year vested rights

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

2018-027_staff_7-27-18_done
2018-027_revsiteplan_6-14-18
Previously Approved Cover Page
2018-027 approved plan 2013-071 (1)

31. Rezoning Petition: 2018-061 by MPV Properties

**Location:** Approximately 2.19 acres located on the east side of Randolph Road, south of Hodgson Road. (Council District 6 - Bokhari)

**Current Zoning:** R-3 (single family residential)
**Proposed Zoning:** NS (neighborhood services)

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

2018-061 PH staff_7-16-18_done
2018-061_RevSitePlan_06-11-2018

32. Rezoning Petition: 2018-043 by Pike Nurseries

**Location:** Approximately 5.85 acres located south of Ridge Road, west of Prosperity Church Road, east of Benfield Road, north of I-485. (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 transportation and requested technical revisions.

2018-043_staff_7-16-18_final
2018-043_RevSitePlan_06-11-2018
Previously Approved Cover Page
2018-043 approved plan 2001-070
33. **Rezoning Petition: 2018-044 by Land Investment Resources, LLC**

**Location:** Approximately 7.5 acres located on the west side of Elm Lane, south of Camfield Street. (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 an outstanding issue and requested technical revisions related to tree save calculations, tree survey and timing of completion of transportation improvements.

2018-044_staff_7-16-18_kmain0627_SM6-28_LH7-8_JK7-10 final for Kent

2018-044_RevSitePlan_06-11-2018

34. **Rezoning Petition: 2018-002 by James Schad**

**Location:** Approximately 4.5 acres located on the north side of Hickory Grove Road, east of W.T. Harris Boulevard. (Council District 5 - Newton)

**Current Zoning:** R-8 (single family residential) and B-2(CD) (general business, conditional)

**Proposed Zoning:** B-2 (CD) (general business, conditional) and B-2(CD) SPA (general business, conditional, site plan amendment) with five-year vested rights.

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

2018-02_staff_071618 done

2018-002_RevSitePlan_06-22-2018

Previously Approved Cover Page

2018-02 prev approved plan 1995-066

35. **Rezoning Petition: 2018-035 by EM & C Investments, LLC**

**Location:** Approximately 13.02 acres located on the south side of University City Boulevard, west of the Mecklenburg/Cabarrus County Line. (Outside City Limits)

**Current Zoning:** B-1SCD (business shopping center district)

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

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

2018-35_staff analysis_071618_final

2018-035_RevSitePlan_05-14-2018

Previously Approved Cover Page

2018-35 prev plan1988-026C approved site plan
36. **Rezoning Petition: 2018-050 by Somera Road, Inc.**

   **Location:** Approximately 10.63 acres located on the northeast corner of Lancaster Highway and Providence Road West. (Council District 7 - Driggs)

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

   **Staff Recommendation:**
   Staff recommends approval of this petition upon resolution of outstanding issues related to land use and provision of tree survey.

   2018-050_staff_7-16-18_JK6-25_km0626_SM6-28_LH7-9_JK7-10 final for Kent_finaled
   2018-050_RevSitePlan_06-11-2018
   Previously Approved Cover Page
   2018-050_approved_2005-156_admin_approved_plan

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

   **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)

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

   2018-014_staff_7-16-18_JK6-22_km0625_SM 6-27 LH7-10 JK7-11final for kentfinaled
   2018-014_RevSitePlan_06-11-2018
   Previously Approved Cover Page
   2018-014 approved plan 1999-008C

38. **Rezoning Petition: 2018-048 by Novant Health, Inc.**

   **Location:** Approximately 1.5 acres located on the northwest corner of Statesville Avenue and Newland Road, west of Norris Avenue. (Council District 1 - Egleston)

   **Current Zoning:** R-22MF (multi-family residential)
   **Proposed Zoning:** O-1(CD) (office, conditional)

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

   2018-48_prestaff_071618 done
   2018-048_RevSitePlan_06-11-2018

   **Location:** Approximately 0.22 acres located at the corner of South Mint Street and Spruce Street. (Council District 3 - Mayfield)

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

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

   2018-052_PHstaff_07-16-2018_done

   2018-052_RevSitePlan_06-11-2018

40. **Rezoning Petition: 2018-054 by Blue Heel Development**

   **Update:** Petitioner is requesting deferral to September 17, 2018

   **Location:** Approximately 9.8 acres located at the end of Price Lane, south of Yorkmont Road. (Council District 3 - Mayfield)

   **Current Zoning:** R-4 (single family residential)
   **Proposed Zoning:** UR-2(CD) (urban residential, conditional)

   2018-054 Blue Heel Development September deferral

41. **Rezoning Petition: 2018-055 by Riverbend Charlotte, LLC**

   **Location:** Approximately 3.19 acres located on the west side of Rozzelles Ferry Road, south of Winding River Drive. (Council District 2 - Harlow)

   **Current Zoning:** R-8MF(CD) LWPA (multi-family residential, conditional, Lake Wylie Protected Area)
   **Proposed Zoning:** R-5 LWPA (single family residential, Lake Wylie Protected Area)

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

   2018-055 PH 07-16-2018 done

   Previously Approved Cover Page

   2018-055 Approved 1998-56(C)
42. **Rezoning Petition: 2018-060 by Eid Refaey**

   **Location:** Approximately 1.04 acres located on the north side of Parkwood Avenue, east of Harrill Street, and west of Allen Street. (Council District 1 - Egleston)

   **Current Zoning:** R-5 (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, and environment.

   - 2018-060 PHstaff_7-11-18_done
   - 2018-060_RevSitePlan_06-11-2018

43. **Rezoning Petition: 2018-057 by Shea Homes**

   **Location:** Approximately 3.87 acres located on the south side of South Bruns Avenue, east of Harrill Street, and west of West Trade Street. (Council District 2 - Harlow)

   **Current Zoning:** UR-2(CD) (urban residential, conditional) and R-8 (single family residential)
   **Proposed Zoning:** 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 the environment and site and building design.

   - 2018-057 PH Staff_07-16-2018_done
   - 2018-057_RevSitePlan_06-11-2018
   - Previously Approved Cover Page
   - 2018-057_Approved_2008-026
   - 2018-057_Approved 2006-107

44. **Rezoning Petition: 2018-062 by BPR Properties**

   **Location:** Approximately 0.36 acres located on the south side of South Brevard Street, east of East 4th Street. (Council District 1 - Egleston)

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

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

   - 2018-062_PHstaff_07-16-2018_done
   - 2018-062_RevSitePlan_06-11-2018