

City of Charlotte

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



Zoning Agenda

Monday, June 15, 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*

**REMOTE MEETING
REMOTE MEETING**

**1. 5:00 P.M. CHARLOTTE-MECKLENBURG GOVERNMENT
CENTER, CH-14 (VIRTUAL MEETING)**

2. Follow Up Report

[June Follow-Up Report - Final](#)

DECISIONS

3. Rezoning Petition: 2020-044 by Charlotte Planning, Design & Development Department - Text Amendment

Summary of Petition:

- 1) Modify the TOD requirements to provide greater flexibility, address unintended consequences, provide consistency between sections, add missing standards, update selected standards, revise administrative authority, correct inaccuracies, and update section references.
- 2) Modify and PED applicability regulations as related to TOD.
- 3) Update, delete, and add definitions and graphics.

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_044_ZC_Reco_DONE](#)

[2020-044_Final_Staff_DONE](#)

[2020-044_text_amendment_revision_4_-_6-8-20_final_5_for_pdf](#)

[Annotated_Changes_to_TOD_revision_3_6-8-2020](#)

4. Rezoning Petition: 2019-113 by The Charlotte-Mecklenburg Hospital Authority - Text Amendment

Summary of petition:

This Text Amendment adds "helistops, limited" as an accessory use allowed with one prescribed condition in the mixed-use development district (MUDD).

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2019-113_ZC_Reco_DONE](#)

[2019-113_Final_DONE](#)

[2019-113_Text_Amendement_rev._2](#)

5. Rezoning Petition: 2019-114 by The Charlotte Mecklenburg Hospital Authority

Location: Approximately 70 acres bounded by Scott Avenue, East Morehead Street, and Little Sugar Creek. (Council District 1 - Egleston)

Current Zoning: O-2 (office), O-6 (CD) (office, conditional), B-1 (neighborhood business), B-2 (general business), R-6 (single family residential), and R-22MF (multi-family residential)

Proposed Zoning: MUDD-O (mixed use development, optional) with 5-year vested rights

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2019-114 ZC Reco DONE](#)

[2019-114 Final Staff DONE](#)

[2019-114 RevSitePlan 06-08-2020](#)

6. Rezoning Petition: 2019-115 by Northwood Development, LLC

Location: Approximately 454.24 acres 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends **APPROVAL** of this petition.

[2019-115 Zoning Committee Recommendation](#)

[2019 115 Staff Analysis](#)

[2019 115 Site Plan Revisions](#)

[2019-115 Follow-Up Report](#)

7. Rezoning Petition: 2019-170 by James Doyle

Location: Approximately 0.37 acres located at the eastern intersection of The Plaza and Shamrock Drive in the Plaza-Shamrock neighborhood. (Council District 1 - Egleston)

Current Zoning: B-1 (neighborhood business)

Proposed Zoning: NS (neighborhood services)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2019_170_ZC_Reco_DONE](#)

[2019_170_Final_Staff_DONE](#)

[2019-170_RevSitePlan_2020_5_26](#)

8. Rezoning Petition: 2019-174 by 2901, LLC

Location: Approximately 1.12 acres located on the south side of Coltsgate Road, east of Sharon Road, north of Fairview Road. (Council District 6 - Bokhari)

Current Zoning: O-6(CD) (office)

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.

[2019_174_ZC_Reco_DONE](#)

[2019_174_Final_DONE](#)

[2019_174_RevSitePlan_2020_5_29](#)

9. Rezoning Petition: 2020-003 by Fairview Builders

Location: Approximately 0.3 acres located at the southern intersection of Seigle Avenue and Van Every Street in the Belmont neighborhood. (Council District 1 - Egleston)

Current Zoning: I-2 (heavy industrial)

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.

[2020_003_ZC_Reco_DONE](#)

[2020_003_Final_Staff_DONE](#)

[2020-003_RevSitePlan_2020_05_22](#)

10. Rezoning Petition: 2020-008 by RK Investments Charlotte, LLC

Location: Approximately 4.97 acres located on the western side of Reames Road, east of Potomac Boulevard, and west of Interstate 77. (Council District 2 - Graham)

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.

[2020-008_ZC_Reco_DONE](#)

[2020-008_Final_Staff_DONE](#)

[2020-008_RevSitePlan_2020_6_5](#)

11. Rezoning Petition: 2020-010 by Christ the King Lutheran Church

Location: Approximately 15.8 acres located south of Tryon Street, west of Steelescrot Parkway, and north of Asheford Woods Lane. (Council District 3 - Watlington)

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

Proposed Zoning: INST (institutional)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020-010 ZC Reco DONE](#)

[2020-010 Final Staff DONE](#)

12. Rezoning Petition: 2020-011 by Souvik Ghosal

Location: Approximately 1.35 acres located west of Margaret Wallace Road, northeast of Glen Lyon Drive. (Council District 5-Newton)

Current Zoning: R-4 (single family)

Proposed Zoning: UR-1 (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.

[2020 011 ZC Reco DONE](#)

[2020 011 Final Staff DONE](#)

[2020 011 RevSitePlan 2020 5 28](#)

13. Rezoning Petition: 2020-015 by McShane Partners, LLC

Location: Approximately 0.23 acres located on the eastern side of Park Drive, southeast of the intersection of Lamar Avenue and 7th Street. (Council District 1 - Egleston)

Current Zoning: R-43MF (multifamily residential)

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.

[2020-015 ZC Reco DONE](#)

[2020-015 Final Staff DONE](#)

[2020-015 Rev 05-26-2020](#)

14. Rezoning Petition: 2020-020 by RIAB Properties, LLC

Location: Approximately 2.962 acres located south of Arrowood Road, north of Hanson Road, and east of Microsoft Way. (Council District 3 - Watlington)

Current Zoning: BD (CD) (business distributive, conditional), I-1 (light industrial), and R-3 (single family residential)

Proposed Zoning: O-2 (general office)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020-020 ZC Reco DONE](#)

[2020-020 Final Staff DONE](#)

15. Rezoning Petition: 2020-024 by Dominion Realty Partners, LLC

Location: Approximately 1.827 acres located south of Fairview Road, east of Barclay Downs Drive, and west of Sharon Road. (Council District 6 - Bokhari)

Current Zoning: O-1 (office)

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.

[2020_24_ZC_Reco_DONE](#)

[2020_24_Final_Staff_DONE](#)

[2020_024_SitePlanRev_2020_4_16](#)

16. Rezoning Petition: 2020-027 by the City of Charlotte and Crosland Southeast

Location: Approximately 78 acres of the former Eastland Mall site, located near the eastern intersection of N. Sharon Amity Road and Central Avenue. (Council District 5 - Newton)

Current Zoning: B-1 SCD, CC, MUDD-O, and B-1 (CD)

Proposed Zoning: MUDD-O (mixed use development, optional; and MX-2 (innov) (mixed residential, innovative) 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.

[2020_027_ZC_Reco_DONE](#)

[2020_027_Final_Staff_DONE](#)

[2020_027_RevSitePlan_2020_06_10](#)

17. Rezoning Petition: 2020-028 by Nyesha Weaver

Location: Approximately 5.33 acres located at the intersection of Monroe Road on the western side of the property and Wallace Road on the north side of the property. (Council District 5 - Newton)

Current Zoning: R-3 (single family residential)

Proposed Zoning: INST (institutional)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_028_ZC_Reco_DONE](#)

[2020_028_Final_Staff_DONE](#)

18. Rezoning Petition: 2020-029 by JACO Acquisition

Location: Approximately 1 acre located at the intersection of Distribution Street and Dunavant Street, east of Tryon Street. (Council District 3 - Watlington)

Current Zoning: TOD-M(O) (transit oriented development - mixed use, optional)

Proposed Zoning: TOD-NC (transit oriented development - transit neighborhood center)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020-029_ZC_Reco_DONE](#)

[2020-029_Final_Staff_DONE](#)

19. Rezoning Petition: 2020-031 by The Creek Kids Zone

Location: Approximately 3.1 acres located on the western side of Sugar Creek Road, north of Cushman Street, and south of Merlane Drive. (Council District 1 - Egleston)

Current Zoning: INST (CD) (institutional, conditional)

Proposed Zoning: INST (institutional)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020-031_ZC_Reco_DONE](#)

[2020-031_Final_Staff_DONE](#)

ACTIVE TRANSPORTATION PROJECTS

20. Active Transportation Projects

[District1_ActiveProjects](#)

[District2_ActiveProjects](#)

[District3_ActiveProjects](#)

[District4_ActiveProjects](#)

[District5_ActiveProjects](#)

[District6_ActiveProjects](#)

[District7_ActiveProjects](#)

HEARINGS**21. Rezoning Petition: 2019-179 by Ronald Staley, Jr. of Verde Homes, LLC**

Location: Approximately 1 acre located near the SE intersection of Parkwood Avenue and Hawthorne Lane in the Plaza Midwood community. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential) & R-22MF (multi-family residential)

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

22. Rezoning Petition: 2020-042 by Boulevard Real Estate Advisors, LLC**Update: Petitioner is requesting deferral to July 20, 2020**

Location: Approximately 1.21 acres located on the north side of East Woodlawn Road between Brandywine Road and Selwyn Avenue. (Council District 1 - Egleston)

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

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

23. Rezoning Petition: 2020-081 by University City Partners - Text Amendment**Summary of Petition:**

This Text Amendment proposes to modify the setbacks in the RE-1 and RE-2 zoning districts.

[2020-081 Public Hearing Staff DONE](#)

[2020-081 Text Amendment](#)

24. Rezoning Petition: 2019-146 by ALB Architecture, PA

Location: Approximately .17 acres located at the eastern corner of N. Davidson Street and E. 19th Street in the Optimist Park community. (Council District 1 - Egleston)

Current Zoning: R-8 (single family residential)

Proposed Zoning: UR-1 (CD) (urban residential, conditional) & UR-C (CD) (urban residential commercial, conditional)

Staff Recommendation:

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

[2019 146 Public Hearing Staff DONE](#)

[2019-146 RevSitePlan 02-11-2020](#)

25. Rezoning Petition: 2019-160 by Meritage Homes of the Carolinas, Inc.

Location: Approximately 80.78 acres located on the north side of Pleasant Grove Road between Hutcheson Lane and Kelly Road. (Outside City Limits)

Current Zoning: R-3 LWPA (single-family residential, Lake Wylie Protected Area)

Proposed Zoning: MX-2 (Innov) LWPA (mixed use, innovative standards, Lake Wylie Protected Area) with five years vested rights

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and land use.

[2019-160 Public Hearing Staff DONE](#)

[2019-160 RevSitePlan 2020 5 12](#)

26. 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 Public Hearing Staff DONE](#)

[2019-167 RevSitePlan 2020 5 12](#)

27. Rezoning Petition: 2019-182 by Carolina Center for Recovery, LLC

Location: Approximately 9.9 acres located on the west side of Statesville Road, across from Gibbon Road, east side of Interstate 77.

Current Zoning: I-1 (light industrial)

Proposed Zoning: INST (CD) (institutional, conditional)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of technical issues related to site design.

[2019-182 Public Hearing Staff DONE](#)

[2019-182 RevSitePlan 03-16-2020](#)

28. Rezoning Petition: 2020-032 by Bridgewood Houston Property Company, L.P.

Location: Approximately 1.379 acres bounded by Royal Court and Morehead Street, southeast of Euclid Avenue. (Council District 1 - Egleston)

Current Zoning: MUDD-O PED (mixed use development district, optional, pedestrian overlay)

Proposed Zoning: MUDD-O PED SPA (mixed use development district, optional, pedestrian overlay, site plan amendment)

Staff Recommendation:

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

[2020-032 Public Hearing Staff DONE](#)

[2020-032 rev 05-11-2020](#)

[2020-032 approved 2008-025](#)

29. Rezoning Petition: 2020-050 by Charlotte-Mecklenburg Housing Partnership

Location: Approximately 10 acres located on the west side of Park Road, south of Marsh Road, and north of Hillside Avenue. (Council District 1 - Egleston)

Current Zoning: INST (CD) (institutional, conditional)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020-050 Public Hearing Staff DONE](#)

[2020-050 rev 05-11-2020](#)

[2020-050 approved 2004-036](#)

30. Rezoning Petition: 2020-002 by The Drakeford Company

Location: Approximately 0.55 acres located on the northeastern side of Vail Avenue, south of Deacon Avenue, and southeast of Dotger Avenue. (Council District 1 - Egleston)

Current Zoning: R-22MF (multifamily residential)

Proposed Zoning: UR-2 (CD) (urban residential, conditional) with 3-year vested rights

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to design, environment, and technical revision.

[2020-002 Public Hearing Staff DONE](#)

[2020 002 RevSitePlan 2020 3 16](#)

31. Rezoning Petition: 2020-004 by Boulevard Real Estate Advisor, LLC

Location: Approximately 0.76 acres located on the south side of Freeland Lane, east of Tryon Street, and west of South Boulevard. (Council District 3 - Watlington)

Current Zoning: R-8 (single family residential)

Proposed Zoning: TOD-TR (transit-oriented development - transit transition)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020-004 Public Hearing DONE](#)

32. Rezoning Petition: 2020-006 by JFW Realty, Inc. and 501 Associates, LLC

Location: Approximately 0.759 acres located on the northern side of East Morehead Street, south of John Belk Freeway, and east of South Boulevard. (Council District 1 - Egleston)

Current Zoning: B-1 PED (neighborhood business, pedestrian overlay) and UMUD (uptown mixed-use district, pedestrian overlay)

Proposed Zoning: TOD-UC (transit-oriented development - urban center, pedestrian overlay)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020-006 Public Hearing Staff DONE](#)

33. Rezoning Petition: 2020-009 by Ballantyne Country Club, Inc.

Location: Approximately 2.54 acres along the western side of Johnston Road, and east of Nolen Lane. (Council District 7 - Driggs)

Current Zoning: MX-1 (mixed use)

Proposed Zoning: MX-1 SPA (mixed use, site plan amendment)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_009 Public Hearing SA DONE](#)

[2020_009 SitePlanRev 2020_4_13](#)

34. Rezoning Petition: 2020-012 by Bowman Sumner, LLC

Location: Approximately 21.92 acres located on the south side of Eastfield Road, north of Interstate 485, and west of Browne Road. (Outside City Limits)

Current Zoning: R-3 (single family residential)

Proposed Zoning: MX-1 INNOV (mixed use, innovative)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to transportation, environment and technical revisions related to land use.

[2020-012 Public Hearing Staff DONE](#)

[2020_012_SitePlanRev_2020_4_13](#)

35. Rezoning Petition: 2020-016 by Nolan Elanz

Location: Approximately 1.89 acres located in the southeast quadrant of the intersection of Church Street and Bland Street. (Council District 3 - Watlington)

Current Zoning: MUDD-O (mixed use development district)

Proposed Zoning: TOD-UC (transit-oriented development - urban center)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020-016 Public Hearing SA DONE](#)

36. Rezoning Petition: 2020-018 by Hopper Communities

Location: Approximately 0.917 acres located west of Baltimore Road, south of Remount Road, and east of Interstate 77. (Council District 3 - Watlington)

Current Zoning: R-22MF (multi-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 transportation, environment, and technical items.

[2020-018 Public Hearing Staff DONE](#)

[2020-018_rev_04-13-2020](#)

37. Rezoning Petition: 2020-026 by Union at Tryon, LP (advertised as Annex of Charlotte, LLC)

Location: Approximately 7.5 acres located between Shopping Center Drive and Hampton Church Road, east of N. Tryon Street in the University City neighborhood. (Council District 4 - Johnson)

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

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

Staff Recommendation:

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

[2020_026_Public_Hearing_Staff_DONE](#)

[2020-026_RevSitePlan_2020_05_11](#)

38. Rezoning Petition: 2020-030 by OZF Properties, LLC

Location: Approximately 1.46 acres located south of Greenland Avenue, bound on the east side of Monument Street, and Remount Road on the west side. (Council District 3 - Watlington)

Current Zoning: R-5 (single family residential)

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

Staff Recommendation:

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

[2020-030_Public_Hearing_Staff_DONE](#)

[2020_030_SitePlan2ndRevision](#)

40. Rezoning Petition: 2020-025 by SunCap Property Group

Location: Approximately 25.97 acres located along the eastern side of Milhaven Lane, south of Sunset Road, and west of Statesville Road. (Council District 2 - Graham)

Current Zoning: CC (commercial center)

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

Staff Recommendation:

Staff recommends approval of this petition upon resolution of technical issues related to transportation.

[2020-025_Public_Hearing_Staff_DONE](#)

[2020_025_SitePlanRev_2020_3_16](#)

41. Rezoning Petition: 2020-040 by Alenky Signature Homes, LLC

Location: Approximately 0.398 acres located on the eastern side of Commonwealth Avenue, the northern side of Goodwin Avenue and south of Woodland Drive. (Council District 1 - Egleston)

Current Zoning: R-4 (single family residential)

Proposed Zoning: R-8 (single family residential)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020-040 Public Hearing Staff DONE](#)

42. Rezoning Petition: 2020-064 by Truist Bank

Location: Approximately 2.34 acres bounded by the northeast side of 5th Street, southeast of North Tryon Street, southwest of East 6th Street, and northwest of North College Street. (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 outstanding issues related to requested technical revisions.

[2020-064 Public Hearing Staff DONE](#)

[2020-064 site plan](#)