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

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 Amendment 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.


   **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.

   **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_06_5
11. Rezoning Petition: 2020-010 by Christ the King Lutheran Church

Location: Approximately 15.8 acres located south of Tryon Street, west of Steelecroft 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


   **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.

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.

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.
ACTIVE TRANSPORTATION PROJECTS

20. **Active Transportation Projects**

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


   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


   **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

**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