City of Charlotte

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

Zoning Agenda

Monday, March 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
DINNER MEETING

1. 4:00 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 March.pdf

3. Follow Up Report

   Follow-Up Report March 2018 Final.pdf
4. **Charlotte Firefighting Apparatus**

A decision to be made by the City Council on the Question of designating 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

5. **Highland Mill No.1**

A decision to be made by the City Council on the Question of designating 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

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 11907801) as an Historic Landmark.

**Property Owner:** Charlotte-Mecklenburg Board of Education  
**Location:** 428 West Boulevard, Charlotte, North Carolina
7. **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.

   2017-153_reco_010418_done
   2017-153_Final Staff Analysis_011618_done.pdf

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

   **Location:** Approximately 0.20 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)

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

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

   2017-163_reco_03-07-2018_km0309_done
   2017-163_Final staff_031918_done
   2017-163_RevSitePlan_01-17-2018

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

   **Update:** Petitioner requesting deferral to May 21, 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.

   2017-167_reco_done
10. **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.

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

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

- 2017-169 Reco 3-6-18_km0309-done
- 2017-169 Final Staff Analysis 3-19-18_done
- 2017-169 Text Amendment 2-7-18
- 2017-169 Matrix rev1

11. **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(CD) (mixed use development, conditional)

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

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

- 2017-172 reco_03-07-2018_done
- 2017-172 FINAL staff_031918_done
- 2017-172 RevSitePlan_02-26-2018
12. 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)

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

Staff Recommendation:
Staff recommends approval of this petition.

2017-175_reco_03-07-2018_TK
2017-175_Finalstaff_03-19-18_done


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)

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

Staff Recommendation:
Staff recommends approval of this petition.

2017-178_reco_3-6-18_TK_km0309 - Copy
2017-178_Finalstaff_3-19-18_done
2017-178_RevSitePlan_02-26-2018
14. 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)

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

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

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2017-181_reco_03-07-2018_km0309_done
2017-181_final_staff_031918_done
2017-181_RevSitePlan_02-26-2018
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15. 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)

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

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

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2017-184_reco_03-08-2018_done_3F.pdf
Final_2017-184-3-19-18_done
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16. **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)

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

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

17. **Rezoning Petition: 2017-187 by Maga Development LLC**

**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)

**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: 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)

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

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

2017-189 reco_3-6-18_km0309-TK done
2017-189_Finalstaff_3-19-18_done
2017-189_RevSitePlan_03-02-18

19. **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)

**Zoning Committee Recommendation:**
The Zoning Committee voted 4-2 to recommend **APPROVAL** of this petition.

**Staff Recommendation:**
Staff does not recommend approval of this petition upon resolution of outstanding issues related to density.

2017-190 reco_03-07-2018_km0312_TK done
2017-190_final staff_030618_done
2017-190_RevSitePlan_02-26-2018
ZONING HEARINGS
Hearings


*Update: Petitioner requesting deferral to April 16, 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 April Deferral


*Update: Petitioner requesting deferral to May 21, 2018*

**Location:** Approximately 66.9 acres located on the north side of Albemarle Road and west of I-485. (Outside City Limits)

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

**Proposed Zoning:** NS (neighborhood services) and MX-1 (mixed use)

2017-180 JS Helms Family Properties May deferral

22. Rezoning Petition: 2017-097 by Charlotte-Douglas International Airport

**Location:** Approximately 168.12 acres located along the north side of Shopton Road, southeast of Pinecrest Drive and west of Beam Road. (Council District 3 - Mayfield)

**Current Zoning:** R-3 AIR (single family residential, Airport Noise overlay) and BD(CD) AIR (distributive business, conditional, Airport Noise overlay)

**Proposed Zoning:** I-1(CD) AIR (light industrial, conditional, Airport Noise Overlay) with five year vested rights

**Staff Recommendation:**
Staff recommends approval of this petition upon the resolution of the outstanding issues related to transportation, buffers and one environmental issue.

2017-097_staff-02-28-2018_done.pdf

2017-097_Revised_02-16-2018

Previously Approved Cover Page.pdf

2017-097_Approved Plan 1982-032C.PDF
23. Rezoning Petition: 2017-132 by Mattamy Homes

*Update: Petitioner is requesting a deferral to April 16, 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

[Deferral Sheet.pdf](#)

24. Rezoning Petition: 2017-133 by Mattamy Homes

*Update: Staff is requesting a deferral to April 16, 2018*

**Location:** Approximately 38 acres located on the north side of Governor Hunt Road east of Mallard Creek Road. (Council District 4 - Phipps)

**Current Zoning:** RE-1 (research)

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

[Deferral sheet.pdf](#)

25. 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 the requested technical revisions.

[2017-171_PHstaff_3-19-18_done](#)

[2017-171_RevSitePlan_02-13-2018](#)

[2017-171 Site Plan Previously Approved](#)

[2017-171_PreviouslyHeard_1-16-18](#)
26. Rezoning Petition: 2017-183 by Hopper Communities, Inc.

**Location:** Approximately 3.01 acres located on the north side of Runnymeade Lane, east of Selwyn Avenue. (Council District 6 - Bokhari)

**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 design, landscaping, and buffers adjacent to single family homes.

2017-183_PreH_staff_03-19-2018_done.pdf
2017-183_RevSitePlan_02-13-2018

27. Rezoning Petition: 2017-192 by C4 Investments, LLC

**Location:** Approximately 8.7 acres located on the east side of W.T. Harris Boulevard, west of Old Lawyers Road, south of Albemarle Road. (Council District 5 - Newton)

**Current Zoning:** B-1SCD (business shopping center (old district)) and O-1 (office)

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

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

2017-192_staff_031918_done.pdf
2017-192_RevSitePlan_02-13-2018

Previously Approved Cover Page
2017-192_prev_approved 1985-064 approved site plan

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

**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

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

2017-161_PH_staff_03-19-2018_done.pdf
2017-161_RevSitePlan_02-13-2018

Previously Approved Cover Page
2017-161_previously approved plan 1997-086 approved site plan
29. **Rezoning Petition: 2017-201 by K Sade Ventures**

   **Location:** Approximately 27.47 acres located on the east side of East W.T. Harris Boulevard, south of Delta Landing Road, north of Albemarle Road. (Council District 5 - Newton)

   **Current Zoning:** R-3 (single family residential) and R-20 MF(CD) (multi-family residential, conditional)
   **Proposed Zoning:** R-12MF(CD) (multi-family residential, conditional) with five-year ested rights

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

   - [2017-201_staff_031918_done.pdf](2017-201_staff_031918_done.pdf)
   - [Previously Approved Cover Page](2017-201 Prev approved 1985-046 approved site plan color)

30. **Rezoning Petition: 2017-135 by Redwood USA**

   **Location:** Approximately 20.54 acres located on the south side of Ridge Road, north of I-485. (Council District 4 - Phipps)

   **Current Zoning:** R-3 (single family residential)
   **Proposed Zoning:** R-8MF(CD) (multi-family residential, conditional)

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

   - [PH 2017-135_staff_2-28-18done.pdf](PH 2017-135_staff_2-28-18done.pdf)

31. **Rezoning Petition: 2017-144 by Double L Investments of Charlotte, LP**

   **Location:** Approximately 3.74 acres located on the west side of Hoskins Avenue Drive, south of South Hoskins Road. (Council District 2 - Harlow)

   **Current Zoning:** B-1 (neighborhood business)
   **Proposed Zoning:** B-D(CD) (distributive business, conditional)

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

   - [2017-144_phstaff_03-19-18_done rev 1.pdf](2017-144_phstaff_03-19-18_done rev 1.pdf)
32. **Rezoning Petition: 2017-164 by Pedcor Investments**

**Location:** Approximately 17.27 acres located on the north side of Alleghany Street and south side of Scott Futrell Drive. (Council District 3 - Mayfield)

**Current Zoning:** I-1 AIR (light industrial, Airport Noise overlay)

**Proposed Zoning:** R-12MF(CD) AIR (multi-family residential, conditional, Airport Noise overlay)

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

[2017-164_PH_staff_3-1-18_done.pdf](2017-164_PH_staff_3-1-18_done.pdf)

33. **Rezoning Petition: 2017-186 by Drakeford Co.**

**Location:** Approximately 0.87 acres located on the north side of West Kingston Avenue, west of South Tryon Street. (Council District 3 - Mayfield)

**Current Zoning:** R-22MF HD (multi-family residential, historic district)

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

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

[2017-186_RevSitePlan_02-13-2018](2017-186_RevSitePlan_02-13-2018)

34. **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_RevSitePlan_01-17-2018](2017-188_RevSitePlan_01-17-2018)
35. Rezoning Petition: 2017-191 by Charlie Markey

Location: Approximately 2.44 acres located at the intersection of Hawkins Street and Rampart Street, east of South Tryon. (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.

2017-191_PH_staff_03-19-2018_done.pdf

36. Rezoning Petition: 2017-193 by Mazen Chakra

Location: Approximately 4.61 acres located west of Plaza Road Extension, east of I-485 at the Mecklenburg/Cabarrus County Line. (Outside City Limits)

Current Zoning: R-3 (single family residential)
Proposed Zoning: R-8MF (multi-family residential)

Staff Recommendation:
Staff recommends approval of this petition.

2017-193_PHstaff_3-19-18_done.pdf

37. Rezoning Petition: 2017-196 by RI Charlotte Property, LP

Location: Approximately 2.5 acres located on the west side of North Tryon Street, south of East W.T. Harris Boulevard. (Council District 4 - Phipps)

Current Zoning: O-6(CD) (office, conditional)
Proposed Zoning: MUDD-O (mixed use development, optional)

Staff Recommendation:
Staff recommends approval of this petition.

2017-196_PHstaff 03-01-2018_done.pdf
2017-196_RevSitePlan_02-13-2018
Previously Approved Cover Page
2017-196_Prev approved 1991-049 approval
Previously Approved Cover Page
2017-196_Prev 1984-008C_approved_site_plan
38. **Rezoning Petition: 2017-197 by Woda Group, Inc.**

**Location:** Approximately 7.05 acres located on the east side of South Tryon Street., north of Shopton Road West. (Council District 3 - Mayfield)

**Current Zoning:** R-3 (single family residential)
**Proposed Zoning:** R-12MF(CD) (multi-family residential, conditional)

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

- 2017-197_RevSitePlan_02-13-2018

39. **Rezoning Petition: 2017-198 by WaterWalk Real Estate Services, LLC**

**Location:** Approximately 5.75 acres located on the south side of West Arrowood Road, west of I-77. (Council District 3 - Mayfield)

**Current Zoning:** B-D(CD) (distributive business, conditional) and I-1 (light industrial)
**Proposed Zoning:** O-2(CD) (office, conditional)

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of outstanding issues related to the 12-foot trail along Arrowood Road.

- 2017-198_PH_staff_3-19-18_DONE.pdf
- 2017-198_RevSitePlan_02-13-2018
- Previously Approved Cover Page
- 2017-198 Approved Plan 1984-028C

40. **Rezoning Petition: 2017-199 by Crescent Communities, LLC**

**Location:** Approximately 3.50 acres bounded by E. Stonewall Street, South Tryon Street, South College Street and East Hill Street. (Council District 1 - Egleston)

**Current Zoning:** UMUD (uptown mixed use) and UMUD-O (uptown mixed use, optional)
**Proposed Zoning:** UMUD-O (uptown mixed use, optional) and UMUD-O SPA (uptown mixed use, optional, site plan amendment)

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

- 2017-199_RevSitePlan_02-13-2018
- Previously Approved Cover Page
- 2017-199 previously approved plan 2014-079
41. Rezoning Petition: 2017-200 by Hornet Moving, LLC

Location: Approximately 1.62 acres located on the north side of West Craighead Road, east of North Graham Street. (Council District 1 - Egleston)

Current Zoning: I-1 (light industrial)
Proposed Zoning: I-2(CD) (general industrial, conditional)

Staff Recommendation:
Staff recommends approval of this petition.

2017-200 PHstaff 03-01-2018_done.pdf
2017-200_RevSitePlan_02-13-2018

42. Rezoning Petition: 2017-205 by Pope & Land Enterprises, Inc.

Update: Staff is requesting a deferral to April 16, 2018

Location: Approximately 23.38 acres located on the north side of W. Tyvola Road, south of Yorkmont Road. (Council District 3 - Mayfield)

Current Zoning: MUDD-O (mixed use development, optional)
Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment)

Deferral Sheet.pdf