City of Charlotte

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

Zoning Agenda

Monday, May 18, 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.  5:30 P.M. CHARLOTTE-MECKLENBURG GOVERNMENT CENTER, CH-14 (VIRTUAL MEETING)

2.  Follow Up Report

   May Follow-Up Report - FINAL
DECISIONS


   **Location:** Approximately 4.63 acres located on the east side of the intersection of Freedom Drive, Ashley Drive and Tuckasegee Road. (Council District 3 - Watlington)

   **Current Zoning:** B-1SCD AIR (business shopping center district, airport noise overlay)
   **Proposed Zoning:** BD (CD) AIR (distributive business, conditional, airport noise overlay) and B-2 (CD) AIR (general business, conditional, airport noise overlay)

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

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

4. Rezoning Petition: 2019-126 by Harrison Tucker

   **Location:** Approximately 0.397 acres, having frontages along a portion of E. 17th Street and N. Davidson Street general situated along the northern portion of N. Davidson Street between E. 17th Street and E. 18th Street in the Optimist Park Community. (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 6-1 to recommend APPROVAL of this petition.

   **Staff Recommendation:**
   Staff recommends approval of this petition.
5. **Rezoning Petition: 2019-156 by Parkwood Plaza**

**Location:** Approximately 0.52 acres located at 1118 Parkwood Avenue, adjacent to Pegram Street in the Belmont neighborhood. (Council District 1 - Egleston)

**Current Zoning:** R-5 (single family residential)  
**Proposed Zoning:** UR-3 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.

2019-156 ZC reco done  
2019-156_FinalStaff_DONE  
2019-156_RevSitePlan_2020_5_12


**Location:** Approximately 2.55 acres located at 3000 N. Tryon Street, west of its intersection with 36th Street. (Council District 1 - Egleston)

**Current Zoning:** I-2 (industrial)  
**Proposed Zoning:** TOD-UC (transit-oriented development, urban center)

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

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

2019-171 ZC reco done  
2019-171_FinalStaff_DONE

7. **Rezoning Petition: 2019-172 by Sharon Academy Properties, LLC**

**Location:** Approximately 4.12 acres located on the northeast corner of Tyvola Road and Wedgewood Drive, west of Marion Diehl Park Drive. (Council District 6 - Bokhari)

**Current Zoning:** R-4 (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.

2019-172 ZC reco done  
2019-172_FinalDONE

Location: Approximately 78.68 acres on the east side of Steele Creek Road, south of Byrum Drive and West Boulevard. (Council District 3 - Watlington)

Current Zoning: R-3 AIR (single-family residential, 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 11.48 acres located on the east side of Rozzelles Ferry Road, west of West Trade Street, near Judson Avenue and Zebulon Avenue. (Council District 2 - Graham)

Current Zoning: I-2(CD) (general industrial, conditional)
Proposed Zoning: UR-C(CD) (urban residential - commercial, conditional)

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 6.54 acres located on the east side of Northlake Centre Parkway, north of Northlake Mall Drive. (Council District - Outside City Limits)

   **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.
   2019-181 reco_done
   2019-181 Final Staff_DONE
   2019-181_RevSitePlan_2020_5_13

11. **Rezoning Petition: 2019-183 by Rhyno Partners Coffee, LLC**

   **Location:** Approximately 0.241 acres located on the west side of The Plaza, north of Commonwealth Avenue. (Council District 1 - Egleston)

   **Current Zoning:** B-2 PED (general business, pedestrian overlay)
   **Proposed Zoning:** B-2 PED(O) (general business, pedestrian overlay-optional)

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

   **Staff Recommendation:**
   Staff recommends approval of this petition.
   2019-183 reco_done
   2019-183 Final_DONE
   2019-183_Rev_04-27-2020
12. Rezoning Petition: 2019-185 by Freedom Communities

**Location:** Approximately 1.67 acres located on the south side of Tuckaseegee Road, east of Gaston Street and west of Karendale Avenue. (Council District 3 - Watlington)

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

**Proposed Zoning:** UR-C(CD) (urban residential, commercial, conditional district)

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

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

13. Rezoning Petition: 2020-036 by Charlotte Planning, Design and Development

**Location:** Approximately 0.56 acres west of Pecan Avenue, north of Independence Boulevard, south of Central Avenue. (Council district 1 - Egleston)

**Current Zoning:** None

**Proposed Zoning:** B-2(PED) (general business, pedestrian overlay district)

**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

14. Active Transportation Projects

District1_ActiveProjects
District2_ActiveProjects
District3_ActiveProjects
District4_ActiveProjects
District5_ActiveProjects
District6_ActiveProjects
District7_ActiveProjects
HEARINGS

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

*Update: Petitioner is requesting deferral to June 15, 2020*

*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)

16. Rezoning Petition: 2019-166 by Canopy CLT

*Update: Petitioner has withdrawn this petition*

*Location:* Approximately 1.6 acres located on the east side of Providence Road, south of Creola Road, north of Jefferson Drive. (Council District 6 - Bokhari)

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

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

17. Rezoning Petition: 2019-168 by Suncrest Real Estate and Land

*Update: Petitioner is requesting deferral to June 15, 2020*

*Location:* Approximately 22.87 acres located on the north side of Oakdale Road between Miranda Road and Interstate 485. (Council District - Outside City limits)

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

*Proposed Zoning:* MX-2 (CD) LWPA (mixed use, conditional, Lake Wylie Protected Area)

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

*Update: Petitioner is requesting deferral to June 15, 2020*

*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)
19. Rezoning Petition: 2020-002 by The Drakeford Company

*Update: Petitioner is requesting deferral to June 15, 2020*

**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

20. 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.

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

21. 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).

**Staff Recommendation:**
Staff recommends APPROVAL of this petition.
22. **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

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

   2019-114 PH_05_18-2020_DONE
   2019-114_RevSitePlan_02-11-2020

24. **Rezoning Petition: 2019-177 by Encore Real Estate**

   **Location:** Approximately 7.0 acres located on the northeast corner of Prosperity Church Road and Old Ridge Road. (Council District 4 - Johnson)

   **Current Zoning:** UR-2(CD) (urban residential, conditional) and NS (neighborhood services)

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

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

   2019-177 Pre-hearing_DONE
   2019-177_RevSitePlan_04-14-2020

25. **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

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

   2020-027 Pre Hearing DONE
   2020_027_SitePlan_2020_01_27
26. **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)

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

2020-003 Pre Hearing DONE
2020_003_RevSitePlan_2020_03_16

27. **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 Ashford Woods Lane. (Council District 3 - Watlington)

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

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

2020-010_PH_Staff_DONE

28. **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)

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

2020-029_PH_DONE


**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)

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

2019-170 Pre Hearing DONE
2019-170_RevSitePlan_2020_03_17
30. **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)

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

   2020-008 PH Staff_DONE
   2020_008_RevSitePlan_2020_3_16

31. **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)

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

   2020-015 PH_DONE_REV
   2020_015_SitePlanRev_2020_4_13

32. **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)

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

   2020_011_Pre_Hearing_DONE
   2020_011_RevSitePlan_2020_3_16
33. **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)

   **Staff Recommendation:**
   Staff recommends APPROVAL of this petition.
   
   2020-020_PH_Staff_DONE

34. **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)

   **Staff Recommendation:**
   Staff recommends approval of this petition.
   
   2020-024_PH_Staff_DONE
   2020_024_SitePlanRev_2020_4_16

35. **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 requested technical revisions related to transportation.
   
   2020-025_Pre_Hearing_Staff_DONE
   2020_025_SitePlanRev_2020_3_16

36. **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)

   **Staff Recommendation:**
   Staff recommends APPROVAL of this petition.
   
   2020_028_Pre_Hearing_DONE
37. 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)

Staff Recommendation:
Staff recommends APPROVAL of this petition.

2020-031 PH STAFF DONE