City of Charlotte

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

Zoning Agenda

Monday, November 19, 2018

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 Justin Harlow
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Matt Newton
Council Member Greg Phipps
Council Member Braxton Winston II
DINNER MEETING

1. Meeting Agenda

2. Dinner Meeting Agenda
   1. Agenda Review - Tammie Keplinger

   Dinner Agenda November

3. Follow Up Report

   November Follow-Up 11-19-18_TK_SM - done
HISTORIC LANDMARKS

4. **Reginald Armistice Hawkins House**

   *Update: Requesting deferral to February 18, 2018*

   A Public Hearing 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

5. **Rezoning Petition: 2017-195 by Boulevard Real Estate Advisors, LLC**

   *Update: Petitioner requesting deferral to December 17, 2018*

   **Location:** Approximately 19.78 acres located on both sides of Nations Crossing Road, south of East Woodlawn Road, east of I-77. (Council District 3 - Mayfield)

   **Current Zoning:** I-2 (general industrial)  
   **Proposed Zoning:** TOD-M(O) (transit oriented development - mixed use, optional) with five-year vested rights

   **Zoning Committee Recommendation:**  
   The Zoning Committee voted 6-0 to DEFER this petition to their December 4, 2018 meeting.  
   [2017-195_Reco_10-30-18-final]


   *Update: Petitioner is requesting deferral to December 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)

   **Zoning Committee Recommendation:**  
   The Zoning Committee voted 7-0 to DEFER this petition to their December 4, 2018 meeting.  
   [2018-011 reco 110218-done]
7. Rezoning Petition: 2018-049 by Revolve Residential

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

**Location:** Approximately 2.57 acres bounded by Charles Avenue, Whiting Avenue, Spencer Street, and Clemson Avenue, north of Matheson Avenue. (Council District 1 - Egleston)

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

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

2018-049_Reco_10-2-18_done_REV_done

8. Rezoning Petition: 2017-023 by Madison Capital Group, LLC

**Location:** Approximately 16.23 acres on the east side of Steele Creek Road and south of across from Shopton Road West and Dixie River Road. (Council District 3 - Mayfield)

**Current Zoning:** R-3 (single family residential)
**Proposed Zoning:** MUDD-O (mixed use development district, optional) and NS (neighborhood services), 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.

2017-023 reco 10-30-18_TK-done
2017-023_RevSitePlan_11-09-2018

9. Rezoning Petition: 2017-137 by Northlake Real Estate Investors, LLC

**Location:** Approximately 10.44 acres located on the west side of Reames Road, south of West W.T. Harris Boulevard. (Council District 2 - Harlow)

**Current Zoning:** R-3 (single family residential)
**Proposed Zoning:** B-2(CD) (distributive business, conditional)

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

Staff Recommendation:
Staff recommends approval of this petition.

2017-137 reco 10-30-2018_kmcs_done
Final 2017-137_10-30-2018 done-TK-done
2017-137_RevSitePlan_11-13-2018

   **Location:** Approximately 3.70 acres located on the south side of West Boulevard, east of Wilmore Drive. (Council District 3 - Mayfield)

   **Current Zoning:** R-5 HD-O (single family residential, historic district overlay) and R-22MF HD-O (multi-family residential, historic district overlay)

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

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

   **Staff Recommendation:**
   Staff recommends approval of this petition.
   
   2017-168_reco_10-30-2018-TK-done
   2017-168_Finalstaff_11-19-2018-done
   2017-168_RevSitePlan_11-02-2018

11. **Rezoning Petition: 2018-003 by Boulevard Real Estate Advisors, LLC**

   **Location:** Approximately 0.74 acres located on the north side of West Tremont Avenue, between South Tryon Street and Hawkins Street. (Council District 3 - Mayfield)

   **Current Zoning:** TOD-R(O) (transit oriented development - residential, optional)

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

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

   **Staff Recommendation:**
   Staff recommends approval of this petition.
   
   2018-003_Reco_10-30-18-TK-done
   2018-003_Finalstaff_11-19-2018.done_TK-done
   2018-003_RevSitePlan_11-05-2018

**Update: Requesting deferral to December 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.

2018-012_reco 7-2-18 done

13. Rezoning Petition: 2018-054 by Blue Heel Development

**Location:** Approximately 9.2 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)

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

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

2018-054 Final 11-19-18 CLG11-8_done  
2018-054_Rev_10-25-2018

14. Rezoning Petition: 2018-077 by R2 Development

**Location:** Approximately 7.69 acres located on the west side of Steele Creek Road, south of Hamilton Road. (Outside City Limits)

**Current Zoning:** R-3 (single family residential)  
**Proposed Zoning:** UR-1(CD) (urban residential, conditional)

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

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

2018-077_Reco_10-2-18 done  
Final Hearing 2018-077 11-19-2018_done  
2018-077_RevSitePlan_09-27-2018
15. **Rezoning Petition: 2018-078 by Monte Ritchey/Conformity Corp.**

*Updated: Petitioner is requesting deferral to December 17, 2018*

**Location:** Approximately 0.74 acres located at the end of Waco Street and Ellison Street, near South Kings Drive. (Council District 1 - Egleston)

**Current Zoning:** R-6 (single family residential)

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

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


**Location:** Approximately 3.22 acres located on the west side of John Adams Road, north of West Mallard Creek Church Road. (Council District 4 - Phipps)

**Current Zoning:** O-1(CD) (office, conditional)

**Proposed Zoning:** O-1 (office)

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

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

17. **Rezoning Petition: 2018-081 by Profile Homes**

**Location:** Approximately 4.35 located off South Tryon Street, south of Steele Creek Road. (Council District 3 - Mayfield)

**Current Zoning:** R-3 (single family residential) and B-D(CD) (distributive business, conditional)

**Proposed Zoning:** R-12MF(CD) (multi-family 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.
18. **Rezoning Petition: 2018-082 by City of Charlotte**

**Location:** Approximately 3.02 located off Ken Hoffman Drive, east of North Tryon Street, south of W.T. Harris Blvd. (Council District 4 - Phipps)

**Current Zoning:** O-2 (office), MUDD-O (mixed use development, optional) and INST (institutional)

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

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

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

2018-082 reco_10-30-18-TK-done
2018-082_Final_111918-done
2018-082_RevSitePlan_10_22-2018

19. **Rezoning Petition: 2018-084 by Amicus Partners, PLLC**

**Location:** Approximately 42.05 acres located at the southeast intersection of Plaza Road Extension and Hood Road. (Council District 5 - Newton)

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

**Proposed Zoning:** R-4 (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 petition.

2018-084 reco_10-30-18_TK-done
2018-084_Final Staff 11-19-18_TK-done

20. **Rezoning Petition: 2018-087 by Midwood-Overlook, LLC**

**Location:** Approximately 0.22 acres located at the intersection of Central Avenue and Iris Drive. (Council District 1 - Egleston)

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

**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.

2018-087 reco_10-30-18-TK-done
2018-087_Final staff_111918-done
2018-087_RevSitePlan_11-07-2018

**Location:** Approximately 0.23 located on East 15th Street between North Davidson Street and North Alexander Street. (Council District 1 - Egleston)

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

**Proposed Zoning:** UR-C (urban residential - commercial)

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

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

2018-089 reco 10-30-18_TK_done
2018-089_Final_111918-done

22. **Rezoning Petition: 2018-090 by Fourstore, LLC**

**Location:** Approximately 1.1 acres located on the west side of Providence Road, south of Interstate 485. (Council District 7 - Driggs)

**Current Zoning:** R-3 (single family 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.

2018-090 reco 10-30-18-TK-done
2018-090_FinalStaff_11-19-18-TK-done
2018-090_RevSitePlan_10-29-18

23. **Rezoning Petition: 2018-091 by SCBP Developer, LLC**

**Location:** Approximately 8.65 acres located on the east side of Steele Creek Road, north of South Tryon Street. (Council District 3 - Mayfield)

**Current Zoning:** O-1(CD) (office, conditional)

**Proposed Zoning:** O-1(CD) SPA (office, 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.

2018-091 Reco 10-30-18 CLG11-TK-done
2018-091_Final 11-19-18 CLG11-8 - TK-done
2018-091_RevSitePlan_10_22-2018

Location: Approximately 2.03 acres located on the east side of Elm Lane, south of Williams Pond Road. (Council District 7 - Driggs)

Current Zoning: R-12MF(CD) (multi-family residential, conditional)
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.

2018-094_reco_10-30-18-TK-done
2018-094_FinalStaff_11-19-18-TK-done
2018-094_RevSitePlan_10-22-2018
HEARINGS

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

*Update: Petitioner is requesting deferral to May 20, 2019*

*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 May 20 2019 deferral


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

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

2017-186 Drakeford Co. December Deferral

27.  Rezoning Petition: 2017-206 by BWN Investments, LLC

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

*Location:* Approximately 3.35 acres located on the east side of East W.T. Harris Boulevard, at the intersection of Lawyers Road, north of Albemarle Road. (Council District 5 - Newton)

*Current Zoning:* R-17MF (multi-family residential)
*Proposed Zoning:* B-2(CD) (general business, conditional)

2017-206 BWN Investments, LLC December 17 Deferral


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

*Location:* Approximately 0.76 acres located on the east side of Craig Avenue, north of North Sharon Amity Road. (Council District 5 - Newton)

*Current Zoning:* R-17MF (multi-family residential)
*Proposed Zoning:* O-2(CD) (office, conditional)

2018-058 White Oak Management December 17 Deferral
29. **Rezoning Petition: 2018-072 by Thunderbyrd, LLC**

**Location:** Approximately 7.68 acres located on the south side of Miranda Road, west of Primm Road.  
(Outside City Limits)

**Current Zoning:** R-3 LWPA (single family residential, Lake Wylie Protected Area)  
**Proposed Zoning:** R-5(CD) LWPA (single family residential, conditional, Lake Wylie Protected Area)

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

2018-072 PH_11-19-2018 done  
2018-072_RevSitePlan_10-18-2018

30. **Rezoning Petition: 2018-099 by Shea Homes**

**Location:** Approximately 3.59 acres located on the north side of East 36th Street between Holt Street and Spencer Street. (Council District 1 - Egleston)

**Current Zoning:** R-5 (single family residential) and R-8MF(CD) (multi-family residential, conditional)  
**Proposed Zoning:** MUDD(CD) (mixed use development, conditional)

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

2018-99 Staff_111918 done  
2018-099_RevSitePlan_10-18-2018  
Previously Approved Cover Page  
2018-99 prev approved 1999-105

31. **Rezoning Petition: 2018-086 by Jacob Norris**

**Location:** Approximately 0.30 located at the intersection of The Plaza and McClintock Road. (Council District 1 - Egleston)

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

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

2018-086_PHstaff_11-19-18 done  
2018-086_RevSitePlan_10-24-2018
32. **Rezoning Petition: 2018-088 by OMS BCP, LLC**

   **Location:** Approximately 1.27 acres located on the north side of Ballantyne Commons Parkway, east of Rea Road. (Council District 7 - Driggs)

   **Current Zoning:** O-1(CD) (office, conditional)

   **Proposed Zoning:** O-1(CD) SPA (office, conditional, site plan amendment)

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

   [2018-088_staff_11-19-18_done]
   [Previously Approved Cover Page]
   [2018-088_approvedsiteplan_2013-014]


   **Location:** Approximately 1.43 acres located on the west side of Nations Ford Road, north of West Tyvola Road. (Council District 3 - Mayfield)

   **Current Zoning:** R-4 (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 transportation and environment, and technical revisions.


   **Location:** Approximately 10.54 acres located between South Tryon Street and John Price Road across from Nevada Boulevard. (Council District 3-Mayfield)

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

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

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

35. **Rezoning Petition: 2018-098 by Cygnus Construction, LLC**

**Location:** Approximately 0.20 acres located at the intersection of Parkwood Avenue and East 15th Street. (Council District 1 - Kinsey)

**Current Zoning:** R-8 (single family residential)

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

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


**Location:** Approximately 0.33 acres located at the intersection of East Sugar Creek Road and Anderson Street, south of The Plaza. (Council District 1-Egleston)

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

**Proposed Zoning:** R-8(CD) (single family residential, conditional)

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

37. **Rezoning Petition: 2018-107 by JDSI, LLC**

**Location:** Approximately 6.29 acres located on the east side of East W.T. Harris Boulevard and the end of Susan Drive, north of Hickory Grove Road. (Council District 5-Newton)

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

**Proposed Zoning:** R-8 (single family residential)

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

38. **Rezoning Petition: 2018-095 by WeWork Companies**

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

**Location:** Approximately 0.82 acres located at the corner of North Tryon Street and West 4th Street. (Council District 2 - Austin)

**Current Zoning:** UMUD (uptown mixed use)

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

2018-095 WeWork Companies December 17 Deferral

*Update: Petitioner is requesting a two month deferral January 22, 2019*

**Location:** Approximately 0.24 acres located on Odum Avenue, southeast of the intersection of Rozzelles Ferry Road and Honeywood Avenue. (Council District 2 - Harlow)

**Current Zoning:** B-2 (general business)  
**Proposed Zoning:** I-2 (general industrial)  

[2018-102 Audies Moore January 22 2019 Deferral]


**Location:** Approximately 3.25 acres located on the west side of Mallard Creek Road, south of Governor Hunt Road. (Council District 4 - Phipps)

**Current Zoning:** INST(CD) (institutional, conditional)  
**Proposed Zoning:** 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 transportation, environment, and technical items.

[2018-104 PH 11-19-2018 done]  
[2018-104_RevSitePlan_11-09-2018]  
[Previously Approved Cover Page]  
[2018-104 Appr1999-028]

41. Rezoning Petition: 2018-083 by Chick-fil-A

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

**Location:** Approximately 0.88 located on the south side of Woodlawn Road, east of Park Road. (Council District 6 - Bokhari)

**Current Zoning:** B-1 (neighborhood business)  
**Proposed Zoning:** B-2(CD) (general business, conditional)

[2018-083 Chick fil A December 17 Deferral]

42. Rezoning Petition: 2018-101 by Llewellyn Development, LLC

**Location:** Approximately 2.7 acres located on the south side of McKee Road, east of Kuykendall Road. (Council District 7 - Driggs)

**Current Zoning:** R-3 (single family residential)  
**Proposed Zoning:** R-6 (single family residential)

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

[2018-101_staff_11-19-18_done]
43. Rezoning Petition: 2018-103 by Griffin Industrial Reality

**Update:** Staff will provide information on petition 2018-103 Friday, November 16, 2018

**Location:** Approximately 35.91 acres located on the west side of Old Statesville Road, north of Hucks Road. (Outside City Limits)

**Current Zoning:** R-4 (single family residential)
**Proposed Zoning:** I-2(CD) (general industrial, conditional)

44. Rezoning Petition: 2018-067 by NVR, Inc

**Location:** Approximately 18.06 acres located on the north side of Mallard Creek Road. (Outside City Limits)

**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 and building design, transportation, and environment.

45. Rezoning Petition: 2018-109 by Eastgroup Properties, LP

**Location:** Approximately 24.23 acres located on the west side of Sandy Porter Road, north of I-485. (Outside City Limits)

**Current Zoning:** I-1(CD) AIR (light industrial, conditional, airport noise overlay)
**Proposed Zoning:** I-1(CD) SPA AIR (light industrial, conditional, site plan amendment, airport noise overlay)

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of the outstanding issue pertaining to environment.