City of Charlotte

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

Zoning Agenda

Monday, November 20, 2017

Council Chambers

City Council Zoning Meeting

- Mayor Jennifer W. Roberts -
- Mayor Pro-Tem Vi Lyles -
Dimple Ajmera - Ed Driggs
  Julie Eiselt - Claire Fallon
Carlenia Ivory - Patsy Kinsey
LaWana Mayfield - James Mitchell
  Greg Phipps - Kenny Smith
5:00 P.M. DINNER MEETING, CH-14

1. Meeting Agenda

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

Dinner Agenda November final final

3. Follow Up Report

Follow-Up Report November 2017_final final
5:30 P.M. ZONING MEETING, COUNCIL CHAMBERS

ZONING DECISIONS

   
   *Deferral - 1 month due to election year laws (December 18, 2017)*

   **Location:** Approximately 76.77 acres located on the north side of Brown-Grier Road near the intersection of Steele Creek Road and Brown-Grier Road. (Council District 3 - Mayfield)

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

   **Zoning Committee Recommendation:** The Zoning Committee voted 6-0 to DEFER this petition to the Zoning Committee Work Session on December 5, 2017.

5. Rezoning Petition: 2017-059 by Saturday Night, LLC
   
   *Requesting Deferral to December 18, 2017*

   **Location:** Approximately 3.78 acres located on the north side of Bellhaven Boulevard between Interstate 485 and Bellhaven Circle. (Council District 2 - Ivory)

   **Current Zoning:** R-3 (LWPA) (single family residential, Lake Wylie watershed - overlay, protected area)
   **Proposed Zoning:** I-1(CD) (LWPA) (light industrial, conditional, Lake Wylie watershed - overlay, protected area)

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

6. Rezoning Petition: 2017-101 by Optimist Park Partners, LLC
   
   *Deferral - 1 month due to election year laws (December 18, 2017)*

   **Location:** Approximately 2.17 acres located on the north and south sides of East 16th Street, and east of the intersection of East 16th Street and Parkwood Avenue. (Council District 1 - Kinsey)

   **Current Zoning:** R-22MF (multi-family residential), R-8 (single family residential), B-2 (general business), and B-1 (neighborhood business)
   **Proposed Zoning:** TOD-R(O) (transit oriented development-residential, optional)

   **Zoning Committee Recommendation:** The Zoning Committee voted 6-0 to DEFER this petition to the Zoning Committee Work Session on December 5, 2017.
7. **Rezoning Petition: 2016-109 by Royal Panthera, LLC**

   **Location:** 3.3 acres located north of interstate 85 and south of Tuckaseegee Road across from Toddville Road. (Council District 3 - Mayfield)

   **Current Zoning:** R17MF AIR (multi-family residential, airport noise overlay)
   **Proposed Zoning:** O-2(CD) AIR (office, conditional, airport noise overlay)

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

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

   **Statement of Consistency:**
   The proposed rezoning is consistent with the *Westside Strategic Plan*, based on information from the staff analysis and the public hearing, and because:

   - The petition is consistent with the office/business park land use recommendation for the site, as per the *Westside Strategic Plan*.

   Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:

   - The property is located north of Charlotte-Douglas International Airport and within the “Combined 1996 Noise Exposure/Noise Compatibility Program Noise Contours” which identifies the day/night average sound level at 65 decibels, and which is not conducive to residential development; and
   - The proposed hotel use is consistent with the office/business park land use recommended for this site as per the Westside Strategic Plan and is more compatible with the airport functions than multi-family residential; and
   - The rezoning proposes improvements to the site which include landscaping along Queen City Drive which is a frontage road for Interstate 85 and buffers adjacent to the existing single family homes; and
   - The proposal also commits to an internal street that advances the City’s goal for additional street network.

   [2016-109_reco_11-1-2017_final]
   [2016-109_staff_11-20-2017_post_final]
   [2016-109_map_final]
   [2016-109_RevSitePlan_10-24-2017]
8. **Rezoning Petition: 2017-071 by Saussy Burbank, LLC**

**Location:** Approximately 1.5 acres located on the north side of East 36th Street between Spencer Street and Charles Avenue. (Council District 1 - Kinsey)

**Current Zoning:** R-22MF (multi-family residential) and R-5 (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.

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

**Statement of Consistency**
The proposed rezoning is inconsistent with the the Blue Line Extension Transit Station Area Plans, based on information from the staff analysis and the public hearing, and because:

- The plan recommends low density residential uses for these properties.

However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:

- The subject property is located on East 36th Street, which is a thoroughfare that serves as a feeder to the proposed transition station located on East 36th Street; and
- The proposal has buildings fronting East 36th Street, and Spencer Street with parking behind; and
- Buildings are sensitive to and consistent with established adjacent single family detached dwellings as they have larger setbacks, usable porches and stoops, architectural elements that minimize garages, parking via internal driveways, and similar heights; and
- Proposed uses are compatible with surrounding residential and institutional uses.

2017-71_reco_11-01-17final
2017-71_POSTStaff_112017_final
2017-071_map_final (revised)
2017-71_REVsiteplan_111317
9. **Rezoning Petition: 2017-074 by Fine Plaza, LLC**

**Location:** Approximately 1.36 acres located on the east side of Duncan Avenue between Drummond Avenue and The Plaza. (Council District 1 - Kinsey)

**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** as presented by staff, with one outstanding issue remaining.

**Staff Recommendation:**
Staff disagrees with the recommendation of the Zoning Committee and believes that there should be a commitment to replace all inadequate sidewalks and planting strips along the site frontage before Council approval.

**Statement of Consistency:**
The Zoning Committee found this petition to be consistent with the *Central District Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends retail uses.

Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:

- The site is located on The Plaza, and this section of the street is a commercial corridor that serves surrounding neighborhoods; and
- This project proposes to repurpose the existing building for uses allowed in the MUDD (mixed use development) district; and
- The retail and office uses that would be allowed by MUDD (mixed use development) zoning could provide goods and services to the residents of the adjoining neighborhoods; and
- Some parking is being provided on site, though reuse of the existing building limits the area for parking. However, limited parking in this location is appropriate as the property is located in a commercial corridor surrounding by walkable neighborhoods; and
- This proposal calls for enhancement of the pedestrian environment in front of this building. Specifically, existing parking along The Plaza will be replaced with outdoor seating and service areas, four existing driveway cuts on The Plaza will be removed, and remaining parking for the site will be located to the sides and rear of the building.

2017-74_Reco_100317
2017-074 Map
2017-074_RevSitePlan_11-03-2017
10. **Rezoning Petition: 2017-083 by CapRock LLC**

   *Deferral - 1 month due to election year laws (December 18, 2017)*

   **Location:** 1.16 acres located between Seigle Avenue and Harrill Street, west of Van Every Street. (Council District 1 - Kinsey)

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

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

11. **Rezoning Petition: 2017-104 by Cambridge Properties, LLC**

   *Deferral - 1 month due to election year laws (December 18, 2017)*

   **Location:** Approximately 25.6 acres located on the south side of McKee Road between Providence Hills Drive and Carrington Forest Lane. (Council District 7 - Driggs)

   **Current Zoning:** R-3 (single family residential)
   **Proposed Zoning:** R-5(CD) (single family residential, conditional)

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

**Location:** Approximately 1.37 acres located at the northwest intersection of West 1st Street and South Cedar Street, north of West Morehead Street. (Council District 2 - Ivory)

**Current Zoning:** MUDD (mixed use development)

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

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

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

**Statement of Consistency:**
The proposed rezoning is consistent with the *West Morehead Corridor Vision and Concept Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends institutional uses and park/opens space.

Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:

- The plan recommendation for institutional uses recognized the established institutional use, the Charlotte Rescue Mission, and the recommendation for office retail and multi-family reflected for the existing vacant lot; and
- Key plan recommendations for the subject site and surrounding properties include: preservation and reuse of older buildings; development of similar building types on vacant property; and enhancement of the pedestrian environment; and
- The reuse of the existing building for an eating/drinking/entertainment establishment is consistent with the adopted plan's recommendation for preservation of older buildings; and
- The proposed eating/drinking/entertainment establishment supports the mission and objectives of the established institutional use and is compatible with the recommendation for a mix of residential, office and retail uses on the subject parcel and surrounding properties; and
- The proposed urban open space is consistent with the recommendation for park/open space and improves the pedestrian environment.

2017-106_Reco_11-01-2017_final
2017-106_staff_11-20-2017_post_final
2017-106_map_final
2017-106_RevSitePlan_10-24-2017
13. Rezoning Petition: 2017-111 by Lincoln Harris, LLC

Location: Approximately 2.13 acres located on South Church Street, north of John Belk Freeway and south of East Stonewall Street. (Council District 2 - Ivory)

Current Zoning: UMUD (uptown mixed use)
Proposed Zoning: UMUD-O (uptown mixed use, optional)

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

Staff Recommendation:
Staff recommends approval of this petition.

Statement of Consistency:
The proposed rezoning is consistent with the Charlotte Center City 2020 Vision Plan, based on information from the staff analysis and the public hearing, and because:

- While this plan does not make a specific land use recommendation for the site, it recognizes Center City’s continuing role as the central economic engine and diversified employment hub of the region.

Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:

- The petition proposes to increase the allowed signage for an existing uptown building to permit additional wall signage; and
- Three sign areas, equal to 270 square feet, are proposed for the four sides of the top parapet on the 33-story building currently under construction; and
- One sign area, equal to 600 square feet, is proposed along Hill Street.
- The proposed signage will have limited impact due to its location above the ground-floor and its size in comparison to the building; and
- All other signage will conform to the UMUD zoning district standards.

2017-111_reco_11-01-2017_final
2017-111_staff_11-20-2017_post_final
2017-111 Map final
2017-111_RevSitePlan_10-24-2017
14. **Rezoning Petition: 2017-113 by Kolter Homes, LLC**

**Location:** Approximately 8.3 acres located on the east side of Cresswind Boulevard, north of Albemarle Road, east of I-485 and west of Rocky River Church Road. (Council District 5 - Ajmera)

**Current Zoning:** MX-1(INNOV) (mixed use, innovative standards)

**Proposed Zoning:** NS (neighborhood services)

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

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

**Statement of Consistency:**
The proposed rezoning is consistent with the *Albemarle Road/I-485 Interchange Study*, based on information from the staff analysis and the public hearing, and because:

- The petition is consistent with the adopted plan, as amended by previous rezoning petition 2015-101.

Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:

- The current zoning, as approved by rezoning petition 2015-101, allows an amenity site for a community clubhouse, passive/active open spaces, picnic shelters, gazebos, ball fields, maintenance buildings and outdoor recreation uses. However, the petition did not include indoor recreation as a permitted use; and
- Indoor recreation is not allowed in the MX-1 (mixed use) district. Therefore, NS (neighborhood services) district is proposed; and
- No other changes are proposed to the approved plan other than to allow an indoor swimming pool; and
- An indoor swimming pool will serve the up to 850 detached age restricted dwelling units allowed in Development Area A.
15. Rezoning Petition: 2017-114 by Bainbridge Companies

**Location:** Approximately 26.26 acres located on J.N. Pease Place, north of Ben Craig Drive and east of Mallard Creek Road. (Council District 4 - Phipps)

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

**Proposed Zoning:** R-12MF(CD) (multi-family 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 upon resolution of outstanding issues related to transportation and site design.

**Statement of Consistency:**
The proposed rezoning is inconsistent with the University Research Park Area Plan, based on information from the staff analysis and the public hearing, and because:

- The petition is inconsistent with the office land use recommendation for this site as per the University Research Park Area Plan.

However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:

- The site is within the University Research Park Mixed Use Activity Center, and the overall intent of the University Research Park Area Plan is to encourage the introduction of a variety of complementary infill developments throughout the Research Park; and
- The proposed residential development, while not consistent with the adopted office land use for the site or the density per the General Development Policies, is consistent with the overall intent for the University Research Park Mixed Use Activity Center; and
- The proposed moderate intensity residential use will provide additional housing options within the University Research Park, which is currently predominantly developed with office uses; and
- As part of the proposed development, Ben Craig Drive will be extended, supporting the City’s goal of enhanced street connectivity; and
- The proposed site plan also includes a connection to the Mallard Creek Greenway, supporting the intent of the developing greenway system to be used for transportation and/or recreation.

2017-114_reco_11-1-2017_final
2017-114_staff_11-20-2017_post_final
2017-114_map_final
2017-114_RevSitePlan_11-08-2017
16. **Rezoning Petition: 2017-115 by CapRock, LLC**

**Location:** Approximately 4.64 acres located on the east side of Eastway Drive, south of North Tryon Street and north of the Blue Line Extension. (Council District 1 - Kinsey)

**Current Zoning:** B-2 (general business)

**Proposed Zoning:** TOD-R(CD) (transit oriented development-residential, conditional, with five-year vested rights)

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

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

**Statement of Consistency:**
The proposed rezoning is consistent with the Blue Line Extension Transit Station Area Plan and the plan’s height policy recommendation, based on information from the staff analysis and the public hearing, and because:

- The plan recommends transit supportive uses.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The site is between ¼ and ½ mile walk distance from the Old Concord Transit Station; and
  - The proposal provides up to 132 senior multi-family housing units within a transit station area; and
  - The petition proposes to redevelop a vacant infill site, thereby minimizing environmental impacts while accommodating growth; and
  - The proposed development will support future area connectivity by providing a public street connection to abutting property located to the west of the site; and
  - Development on this site will provide a transition between the commercial uses along North Tryon Street and the lower density residential development adjacent to the site across Eastway Drive; and
  - Given the proximity to the adjacent neighborhood across Eastway Drive, the building should adhere to the adopted policy and limit building height to 50-feet.
17. **Rezoning Petition: 2017-116 by JKS Management 1600 Montford, LLC**

**Location:** Approximately 0.82 acres located on the south side of Montford Drive, east of Park Road. (Council District 6 - Smith)

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

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

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

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

**Statement of Consistency:**
The proposed rezoning is consistent with the *Park Woodlawn Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends a mix of higher intensity uses (retail and/or office) in a pedestrian friendly form for the area in which the site is located; and

Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:

- The site is located in the Park/Woodlawn Mixed Use Activity Center, which is a priority area to accommodate future growth in an urban, pedestrian-oriented development form; and
- The proposal is consistent with the design guidelines in the adopted area plan, and supports specific recommendations from the plan for walkability by placing a building along the Montford Drive street frontage with street level entrances and activity, and locating parking and circulation primarily behind the building, and
- The proposal is consistent with the plan’s Montford Drive streetscape concept and supports the City’s future Montford Drive streetscape improvement project by enhancing the pedestrian environment by providing a 20-foot setback from back of curb along Montford Drive, incorporating a 12-foot walkway and eight-foot amenity zone with street trees, and installing on-street parallel parking along the full street frontage; and
- The proposal preserves and improves an unnamed street segment along the site’s west edge with on-street parallel parking, sidewalk and planting. This street segment is under study for a possible future extension southward to Abbey Place, and if constructed, this connection would improve the area street network, and
- This petition is consistent with other recent, nearby rezonings to MUDD (mixed use development) to accommodate and achieve the urban, pedestrian-oriented form envisioned by the adopted plan.

*2017-116_ZCreco_11-1-17_final*

*2017-116_staff_10-16-17_Post_final*

*2017-116_map_final*

*2017-116_RevSitePlan_11-03-2017*
18. **Rezoning Petition: 2017-120 by Flywheel Group**

**Location:** Approximately 8.3 acres located on the west side of East Sugar Creek Road at the intersection of Raleigh Street, north the Blue Line Extension. (Council District 1 - Kinsey)

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

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

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

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

**Statement of Consistency:**
The proposed rezoning is consistent with the *Blue Line Extension Transit Station Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends transit supportive uses through new development and redevelopment.

Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:

- The subject site is located at the Sugar Creek Transit Station on the LYNX Blue Line Extension; and
- The proposed rezoning allows a site zoned for industrial use to be redeveloped with transit supportive uses; and
- The proposal allows for all uses in the TOD-M (transit oriented development - mixed-use) district, which include office, residential, retail, and civic uses; and
- The realignment of Raleigh Street at Sugar Creek Road and commitments for the Cross Charlotte Trail will improve both the pedestrian and vehicular travel patterns; and
- Design standards beyond the ordinance requirements will enhance the quality of the built environment at a transit station.

*2017-120_reco_110117_final*

*2017-120_staff_101617_post hearing_final*

*2017-120 map final*

*2017-120 REVsiteplan_110717*
19. **Rezoning Petition: 2017-123 by Harris Teeter, LLC**

**Location:** Approximately 0.53 acres located on the south side of University City Boulevard, east of East W.T. Harris Boulevard. (Council District 4 - Phipps)

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

**Proposed Zoning:** B-2(CD) (general 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.

**Statement of Consistency:**
The proposed rezoning is consistent with the *University City Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends office, retail, and civic/institutional uses for the site.

Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:

- The proposed retail use is located in the existing Town Center Plaza shopping center, fronts a major thoroughfare, and is near the signalized intersection of University City Boulevard and W.T. Harris Boulevard; and
- The proposed use is consistent with the land use recommendation for retail uses; and
- Vehicular access is provided via existing driveways on University City Boulevard. This result in limited driveway conflicts, which is important to the function and safety of the multi-use path recommended along University City Boulevard and W.T. Harris Boulevard; and
- Pedestrian access will be enhanced via an off-site sidewalk connection to existing sidewalk along University City Boulevard.

2017-123 reco 110117_final
2017-123 Staff 112017 POST ANALYSIS_final
2017-123 map final
2017-123 REVsiteplan 111317
20. **Rezoning Petition: 2017-124 by Stockbridge 77 Corporate Park, LLC**

**Location:** Approximately 2.77 acres located off Saint Vardell Lane, north of Clanton Road, east of Interstate. (Council District 3 - Mayfield)

**Current Zoning:** B-D (distributive business)

**Proposed Zoning:** B-2(CD) (general 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.

**Statement of Consistency:**
The proposed rezoning is inconsistent with the *Scaleybark Transit Station Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends office, industrial, or warehouse-distribution uses for the site.

However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:

- The subject site is located in an existing office/industrial business park; and
- The proposal will maintain the existing building and parking on the site, ensuring that it is in character with the other sites in the business park; and
- While the proposed zoning is inconsistent with the adopted plan’s land use recommendation, the proposal allows a range of commercial business uses, such as indoor recreation, wholesale businesses, government buildings, clinics, and laboratories, which are compatible with the uses in the established business park; and
- The proposal also prohibits more auto oriented uses, such as retail, restaurants, gasoline sales, automobile repair shops, bakeries retail, and residential uses on the subject site.

2017-124_reco_11-01-2017_final
2017-124_staff_11-20-2017_post_final
2017-124_Map_final
2017-124_RevSitePlan_10-25-2017
21. **Rezoning Petition: 2017-125 by Eastgroup Properties**

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

**Current Zoning:** R-3(AIR) (single family residential, airport noise overlay) and I-1(CD) (AIR) (light industrial, conditional, airport noise overlay)

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

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

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

**Statement of Consistency:**
The proposed rezoning is consistent with the *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The petition is consistent with the industrial/warehouse-distribution adopted land use for this site as per the *Steele Creek Area Plan*, and as amended by rezoning petition 2016-009.

Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:

- The property is located north of Charlotte-Douglas International Airport and within the "Combined 1996 Noise Exposure/Noise Compatibility Program Noise Contours" which identifies the day/night average sound level at 65 decibels, and which is not conducive to residential development; and
- The rezoning for the largest portion of the property is consistent with the adopted industrial land uses recommended for the site; and
- The smaller portion of the site zoned R-3, is recommended for office/industrial land uses by the Steele Creek Area Plan, and includes an existing auto/body repair shop that is a legal non-conforming use; and
- The proposed development expands an existing warehouse/distribution industrial park along Steele Creek Road, Shopton Road, and Interstate 485 and is compatible with the uses in the surrounding area.
ZONING HEARINGS

22. Rezoning Petition: 2017-050 by Circa Investments, LLC

**Requesting Deferral to December 18, 2017**

**Location:** Approximately 0.77 acres located south of Crescent Avenue and north of South Laurel Avenue, between Providence Road and Willoughby Street. (Council District 1 - Kinsey)

**Current Zoning:** B-1 (neighborhood business) and O-2 (office)

**Proposed Zoning:** NS (neighborhood services)

2017-050 Circa Investments, LLC

23. Rezoning Petition: 2017-141 by Beacon Partners

**Requesting Deferral to December 18, 2017**

**Location:** Approximately 39.7 acres located on the west side of Old Statesville Road, north of Gibbon Road. (Council District 2 - Ivory)

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

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

2014-141 Beacon Partners

24. Rezoning Petition: 2017-095 by Lincoln Harris, LLC

**Location:** 75 acres located between Ardrey Kell Road and Golf Links Drive, West of Providence Road. (Council District 7 - Driggs)

**Current Zoning:** MUDD-O (mixed use development, optional) and B-2(CD) (general business, conditional).

**Proposed Zoning:** MUDD-O SPA (mixed use development, optional, site plan amendment) with five year vested rights.

**Staff Recommendation:**
Staff recommends approval of this petition upon resolution of outstanding issue related to transportation notes and a requested technical revision.

2017-095_PHstaff_11-20-92_done

2017-095 new vicinity and rezoning map

2017-095_RevSitePlan_09-12-2017

Previously Approved Cover Page

2017-095_PrevApprovedPlan_2015-022AAJan2017-complete
25. **Rezoning Petition: 2017-102 by David Weekley Homes**

**Location:** Approximately 3.63 located on the north side of Rea Road between Colony Road and Chadwyck Farms Drive. (Council District 7 - Driggs)

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

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

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

- 2017-102 Phústaff _11-20-17 done
- 2017-102 Map Final
- 2017-102 RevSitePlan _10-17-2017

26. **Rezoning Petition: 2017-108 by Arden Group, LLC**

**Location:** Approximately 14.2 acres located along McFarlene Boulevard, and south of University City Boulevard. (Council District 4 - Phipps)

**Current Zoning:** I-1 (light industrial) and B-2(CD) (general business, conditional)

**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.

- 2017-108 Phústaff _112017 done
- 2017-108 Map
- 2017-108 RevSitePlan _10-17-2017
- Previously Approved Cover Page
- 2017-108 Prev approved plan 2013-052

27. **Rezoning Petition: 2017-121 by Flywheel Group**

**Location:** Approximately 19.12 acres located on the north side at the end of Raleigh Street, east of East Sugar Creek Road. (Council District 1 - Kinsey)

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

**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 transportation, land use and site and building design.

- 2017-121 staff _11-020-17 final
- 2017-121 map revised
- 2017-121 RevSitePlan _09-12-2017
28. **Rezoning Petition: 2017-127 by Craig Smith**

   **Location:** Approximately 1.49 acres located on the north side of Raleigh Street, east of Sugar Creek Road. (Council District 1 - Kinsey)

   **Current Zoning:** I-2 (general industrial)
   **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 transportation and infrastructure.

   2017-127_PH_staff_analysis_112017_done
   2017-127 map
   2017-127_RevSitePlan_10-17-2017

29. **Rezoning Petition: 2017-130 by TwentyNine Fifteen Operations, LLC**

   **Location:** Approximately 0.42 acres located on the south side of Griffith Street, east of New Bern Street. (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 conventional petition.

   2017-130_staff_11-20-17-final
   2017-130 map final

30. **Rezoning Petition: 2017-131 by Saussy Burbank, LLC**

   **Location:** Approximately 0.70 acres located on the west side of Sharon Road, north of Hazleton Drive. (Council District 6 - Smith)

   **Current Zoning:** R-3 (single family residential)
   **Proposed Zoning:** UR-2(CD)(urban residential, conditional), 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 transportation along with several technical issues.

   2017-131-PH_staff_11-20-17_done-14
   2017-131 map
   2017-131_RevSitePlan_10-17-2017
31. **Rezoning Petition: 2017-134 by 813 Belmont, LLC**

**Location:** Approximately 0.16 acres located at the intersection of the Harrill Street and Belmont Avenue. (Council District 1 - Kinsey)

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

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

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

32. **Rezoning Petition: 2017-140 by Midwood-Overlook, LLC**

**Location:** Approximately 0.49 acres located at the southwest corner of Central Avenue and Iris Drive. (Council District 1 - Kinsey)

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

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

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