

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**3. Rezoning Petition: 2019-006 by Amerco Real Estate Company**

Location: Approximately 4.63 acres located on the east side of the intersection of Freedom Drive, Ashley Drive and Tuckaseegee 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.

[2019-006_reco_done](#)

[2019-006 Final_DONE](#)

[2019-006_RevSitePlan_02-24-2020](#)

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.

[2019-126_ZC_Reco_done](#)

[2019-126_FinalStaff_DONE](#)

[2019_126_RevSitePlan2020_05_08](#)

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](#)

6. Rezoning Petition: 2019-171 by Anthony Kuhn

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 ZCreco done](#)

[2019-172 Final DONE](#)

8. Rezoning Petition: 2019-176 by Charlotte-Douglas International Airport

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.

[2019-176_ZC_Reco_done](#)

[2019-176_Final_Staff_DONE](#)

9. Rezoning Petition: 2019-178 by DRB Group

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.

[2019-178_ZC_Reco_done](#)

[2019-178_Final_Staff_DONE](#)

[2019-178_RevSitePlan_05-05-2020](#)

10. Rezoning Petition: 2019-181 by Clay Cooper - Woda Cooper Development, Inc.

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.

[2019-185_ZC_Reco_done](#)

[2019-185_Final_Staff_DONE](#)

[2019-185_RevSitePlan_2020_4_28](#)

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.

[2020-036_reco_done](#)

[2020-036_Final_DONE](#)

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.

[2020-044 Pre Staff FINAL](#)

[2020-044 text amendment revision 1 as of 5-8-20 final for public hearing](#)

[Annotated Changes to TOD revision 1 5-8-2020 final for public hearing](#)

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.

[2019-113 PHstaff DONE May](#)

[2019-113 Text Amendment rev. 1](#)

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 Steelescrot Parkway, and north of Asheford 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](#)

29. Rezoning Petition: 2019-170 by James Doyle

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](#)