

City of Charlotte

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



Zoning Agenda

Monday, March 21, 2016

Council Chambers

City Council Zoning Meeting

*- Mayor Jennifer W. Roberts -
- Mayor Pro-Tem Vi Lyles -
Al Austin - John Autry
Ed Driggs - Julie Eiselt
Claire Fallon - Patsy Kinsey
LaWana Mayfield - James Mitchell
Greg Phipps - Kenny Smith*

5:00 P.M. DINNER MEETING, CH-14

1. Dinner Meeting Agenda

1. Agenda Review - Tammie Keplinger

[Dinner Agenda - final](#)

2. Follow Up Report

[Follow-Up Report_Final](#)

HISTORIC LANDMARK DECISION

3. Edward M. Rozzell House Property

A decision to be made by the City Council on the Question of designating the property known as "Edward M. Rozzell house Property" (listed under Tax Parcel Number 03122258 as of December 22, 2015) as an Historic Landmark.

Property Owner: United State of America

Location: 11601 Old Rozzelles Ferry Road Charlotte, North Carolina

[Edward](#)

4. Sloan-Porter House

A decision to be made by the City Council on the Question of designating the property known as the "Sloan-Porter House" (listed under Tax Parcel Number 11317102 as of December 31, 2015) as an Historic Landmark.

Property Owner: Brian S. Clarke, and Christine Elizabeth Mille Clarke

Location: 10124 Walkers Ferry Road Charlotte, North Carolina

[Sloan](#)

ZONING DECISIONS**5. Rezoning Petition: 2015-037 by Dominick Ristaino**

Update: Requesting Deferral (to April 18, 2016)

Location: Approximately 0.46 acres located on the north side of West Boulevard between South Tryon Street and Wickford Place. (Council District 3 - Mayfield)

Current Zoning: R-5 (HD) (single family residential, historic district overlay)

Proposed Zoning: O-1(CD) (HD) (office, conditional, historic district overlay)

Zoning Committee Recommendation

The Zoning Committee voted 7-0 to **DEFER** this petition to their March 30, 2016 Zoning Committee Work Session.

[2015-037 reco 02-24-2016 final](#)

[2015-037 vicinity map](#)

[2015-037 rezoning map revised](#)

6. Rezoning Petition: 2015-093 by 1351 Woodlawn (Melrose), LLC

Update: Requesting Deferral (to April 18, 2016)

Location: Approximately 2.9 acres located on the south side of Drexel Place and north side of Woodlawn Road near the intersection of Park Road and Drexel Place and Park Road and Woodlawn Road. (Council District 1 - Kinsey)

Current Zoning: R-4 (single family residential) and UR-3(CD) (urban residential, conditional)

Proposed Zoning: MUDD-O (mixed use development, conditional).

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to **DEFER** this petition until their March 30, 2016 meeting.

[2015-093 reco 02-24-2016 Final](#)

[2015-093 vicinity map](#)

[2015-093 rezoning map](#)

7. Rezoning Petition: 2015-111 by North Wendover Partners, LLC

Update: Requesting Deferral (to April 18, 2016)

Location: Approximately 2.48 acres located on the southwest corner at the intersection of North Wendover Road and Melchor Avenue. (Council District 1 - Kinsey)

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 **DEFER** this petition to the March 30, 2016 Zoning Committee Work Session.

[2015-111 reco 02-24-16 Final](#)

[2015-111 vicinity map](#)

[2015-111 rezoning map](#)

8. Rezoning Petition: 2016-004 by Selwyn Property Group Investments, LLC

Update: Petitioner Requesting Deferral (to May 16, 2016)

Location: Approximately 2.23 acres located on the west side of Park Road between Wyndcrofte Place and Hillside Avenue. (Council District 1 - Kinsey)

Current Zoning: R-4 (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 as modified.

[2016-004 reco 01-27-2016 final updated for 3-21-16 agenda](#)

[2016-004 vicinity map](#)

[2016-004 rezoning map revised2](#)

9. Rezoning Petition: 2016-019 by Johnson C. Smith University

Update: Petitioner Requesting Deferral (to April 18, 2016)

Location: Approximately 1.601 acres located on the northeast corner at the intersection of Campus Street and Mill Road. (Council District 2 - Austin)

Current Zoning: B-1(PED) (neighborhood business, pedestrian overlay), R-22MF (multi-family residential), & R-22MF (PED) (multi-family residential, pedestrian overlay)

Proposed Zoning: MUDD-O (mixed use development, optional) & MUDD-O (PED) (mixed use development, optional, pedestrian overlay)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition as modified.

[2016_019_reco_03-07-2016_final_rev](#)

[2016-019_vicinity_map](#)

[2016-019_rezoning_map_revised](#)

10. Rezoning Petition: 2016-026 by Hopper Communities

Update: Requesting Deferral (to April 18, 2016)

Location: Approximately 4.56 acres located on the north side of Wesley Heights Way and generally bounded by Sumter Avenue, Auten Street, Duckworth Avenue and Wesley Heights Way. (Council District 2 - Austin)

Current Zoning: R-8 (single family residential) & UR-3(CD) PED-O (urban residential conditional, pedestrian overlay, optional)

Proposed Zoning: UR-3(CD) PED-O (urban residential conditional, pedestrian overlay, optional) & UR-3(CD) SPA PED-O (urban residential conditional, site plan amendment, pedestrian overlay)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to **DEFER** this petition to the March 30, 2016 Zoning Committee Work Session.

[2016-026_reco_03-07-2016-final](#)

[2016-026_vicinity_map](#)

[2016-026_rezoning_map_revised](#)

11. Rezoning Petition: 2015-058 by Childress Klein

Location: Approximately 7.1 acres located on the southwest corner at the intersection of Morrison Boulevard and Sharon Road. (Council District 6 - Smith)

Current Zoning: R-3 (single family residential) & B-1SCD (business shopping center district)

Proposed Zoning: MUDD-O (mixed use development, optional) with 5-Year Vested Rights

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:

Staff disagrees with the recommendation of the Zoning Committee because the network required street connecting Morrison Boulevard to Coltsgate Road should be open air without buildings above it. The street should be indistinguishable from a public street.

Statement of Consistency:

- The Zoning Committee found this petition to be inconsistent with the *SouthPark Small Area Plan*, based on information from the staff analysis and the public hearing, and because:
 - The plan recommends institutional use for this 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 plan calls for institutional uses, reflecting the existing use as a church. The proposed development includes a church along with a mixture of other land uses; and
 - The vision articulated in the *SouthPark Small Area Plan* calls for the SouthPark area to transition from a suburban shopping and business environment to a town center composed of a balanced mixture of land uses; and
 - In addition, the *Centers, Corridors and Wedges Growth Framework* identifies SouthPark as a Mixed Use Activity Center, a priority area for intensification and urban, pedestrian-oriented development; and
 - While the proposed rezoning is inconsistent with the specific land uses recommended in the *SouthPark Small Area Plan*, the proposal is consistent with the larger vision articulated in the plan and in the *Centers, Corridors and Wedges Growth Framework*, as well as recent development which has included a greater mix of uses than called for in the plan; and
 - The site plan for this proposal includes a vertical mix of uses and provides active residential and nonresidential uses that are located on the ground floors of buildings and oriented to the sidewalk network; and
 - The site plan includes a new private street through the subject property, that when coupled with the adjacent rezoning (petition 2016-059) provides a connection from Morrison Boulevard to Coltsgate Road. The connection is important to providing alternative route choices in the SouthPark area.

[2015-058 reco 2-24-16 final](#)

[2015-058 vicinity map](#)

[2015-058 rezoning map](#)

[2015-058 - Rezoning Exhibit Petition 2015-58](#)

12. Rezoning Petition: 2015-059 by Childress Klein

Location: Approximately 1.53 acres located on the north side of Coltsgate Road between Sharon Road and Cameron Valley Parkway. (Council District 6 - Smith)

Current Zoning: R-3 (single family residential)

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

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:

Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *SouthPark Small Area Plan*, based on information from the staff analysis and the public hearing, and because:
 - The plan recommends office or office-residential mixture for this 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 vision articulated in the *SouthPark Small Area Plan* calls for the SouthPark area to transition from a suburban shopping and business environment to a town center composed of a balanced mixture of land uses; and
 - In addition, the *Centers, Corridors and Wedges Growth Framework* identifies SouthPark as a Mixed Use Activity Center, a priority area for intensification and urban, pedestrian-oriented development; and
 - The petition proposes a mixture of residential and office use that is consistent with the area plan; and
 - The petition provides architectural design commitments for the ground floor, street facing facades that encourage pedestrian activity and complement the pedestrian environment; and
 - The site plan includes a new private street through the subject site that, when coupled with the adjacent rezoning, provides a connection from Morrison Boulevard to Coltsgate Road, considered essential to the function of the adjacent rezoning proposal and important to providing alternative route choices in the area.

[2015-059 reco 2-24-16 Final](#)

[2015-059 vicinity map](#)

[2015-059 rezoning map](#)

[\(160316\) NCC152078 - Rezoning Documents Petition 2015-59](#)

13. Rezoning Petition: 2015-116 by Hwy. 521 Partners, LLC

Location: Approximately 13.22 acres located on the southwest corner at the intersection of Providence Road West and Johnston Road. (Council District 7 - Driggs)

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

Proposed Zoning: CC (commercial center)

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:

Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be inconsistent with the *South District Plan*, based on information from the staff analysis and the public hearing, and because:
 - The plan recommends, as amended by prior rezonings, mixed nonresidential uses including a financial institution with accessory drive-through window, office uses, and a hotel.
- 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 prohibition of retail uses in the prior rezonings was largely based upon a lack of vehicular access from Johnston Road. The current applicant has obtained tentative approval from the NCDOT for vehicular access from Johnston Road at mid-site and commits to making the connection; and
 - The proposed development will include a mix of uses, including office, retail, a bank, and a hotel. The retail component is limited to less than 45,000 square feet; and
 - All uses will be connected to each other with a pedestrian network; and
 - Although there are existing retail uses nearby, they are located on the north side of the Providence Road West/Johnston Road intersection and this development will provide retail services more easily accessed from the south side of the intersection.

[2015-116 reco 3-7-16 final](#)

[2015-116 vicinity map](#)

[2015-116 rezoning map](#)

[2015-116 RevisedSitePlan 03-15-2016](#)

14. Rezoning Petition: 2015-126 by Parkwood Residences, LLC

Location: Approximately 3.63 acres located on the southeast corner at the intersection of North Brevard Street and East 21st Street. (Council District 1 - Kinsey)

Current Zoning: I-1 (light industrial) & I-2 (general industrial)

Proposed Zoning: TOD-R (O) (transit oriented development - residential, optional) with 5-Year Vested Rights

Zoning Committee Recommendation:

The Zoning Committee voted 6-1 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:

Staff agrees with the recommendation of the majority of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be 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 development.
- 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 residential building is designed to allow nonresidential ground floor uses along Parkwood Avenue, as recommended in the transit station area plan.
 - The incorporation of nonresidential uses on this and other nearby sites will support the goal of having a range of pedestrian-friendly uses in the area closest to the Parkwood Transit Station.
 - The site is within ¼ mile walk distance from the Parkwood Transit Station, and is included in a larger area envisioned to be redeveloped with transit supportive development.
 - The proposed transit oriented development zoning is more consistent with the vision for the area than the current industrial zoning.
 - The proposed development has been designed to be pedestrian friendly and includes up to 335 multi-family units near the Parkwood Transit Station.

[2015-126_ZC_Reco_02-24-16_final_final](#)

[2015-126_vicinity_map](#)

[2015-126_rezoning_map_revised2](#)

[2015-126_RevisedSitePlan_02-18-2016\(2\)](#)

15. Rezoning Petition: 2016-008 by City Center Hotel, Inc.

Location: Approximately 8.64 acres located on the west side of Collins Aikman Drive between McCullough Drive and West W.T. Harris Boulevard. (Council District 4 - Phipps)

Current Zoning: O-2 (CD) (office district, conditional) & B-2 (CD) (general business, conditional)

Proposed Zoning: B-2 (CD) (general business, conditional) 5-Year Vested Rights & B-2 (CD) SPA (general business, conditional site plan amendment) 5-Year Vested Rights

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:

Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found the proposed hotel and office uses to be consistent with the *University City Area Plan*, and the proposed retail uses to be inconsistent with the *University City Area Plan*, based on information from the staff analysis and the public hearing, and because:
 - The plan recommends residential, office, institutional, and hotel uses
- 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 proposed uses, except for the retail, are consistent with the *University City Area Plan*.
 - The residential component has been deleted.
 - The proposed retail is allowed by the current conditional zoning petition that governs the site.
 - Site provides pedestrian connectivity from each building to the street and to other hotels, in addition to between the Pike Road hammerhead and Collins Aikman Drive.
 - The petitioner provided a schematic site plan that illustrates the building locations relative to the street and parking lots along with sidewalks for pedestrian connectivity.

[2016-08_ZC Reco_3-7-16_Final final](#)

[2016-008 vicinity map](#)

[2016-008 rezoning map revised](#)

[2016-008 Revised Site Plan_03-07-16](#)

16. Rezoning Petition: 2016-010 by Fourstore, LLC

Location: Approximately 4.3 acres located on the southeast corner at the intersection of West Mallard Creek Church Road and Legranger Road. (Council District 4 - Phipps)

Current Zoning: R-4 (single family residential)

Proposed Zoning: BD (CD) (distributive business, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:

Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be inconsistent with the *Northeast District Plan*, based on information from the staff analysis and the public hearing, and because:
 - The plan recommends research for the subject property.
- 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 adjacent to the on-ramp to I-85 from West Mallard Creek Road, as well as a Duke Power substation; and
 - Although the *Northeast District Plan* recommends research use for this property, the site is not located within the University Research Park and is isolated from other properties used for research; and
 - The updated concept for the research park per the *University Research Park Area Plan* is to include "a diversity of uses that contribute to the creation of a more vibrant place".

[2016-010 reco 02-24-2016 Final](#)

[2016-010 vicinity map](#)

[2016-010 rezoning map](#)

[2016-010 RevisedSitePlan 02-18-2016](#)

17. Rezoning Petition: 2016-021 by Charlotte-Douglas International Airport

Location: Approximately 2.02 acres located on the southeast corner at the intersection of Boyer Street and Withrow Road near Billy Graham Parkway. (Council District 3 - Mayfield)

Current Zoning: R-17MF (multi-family residential)

Proposed Zoning: I-2 (general industrial)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *Southwest District Plan*, based on information from the staff analysis and the public hearing, and because:
 - The plan recommends office/industrial land uses for the subject property.
- 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 adopted plan recommends office/industrial land uses; and
 - The rezoning site is generally surrounded by undeveloped land, warehouse, industrial, and retail land uses on properties located in business, and industrial districts, as well as a few scattered residential units zoned multi-family; and
 - The site is located northwest of the Charlotte-Douglas International Airport and is located within the "Combined 1996 Noise Exposure Map/Noise Compatibility Program Noise Contours" which identifies the day/night average sound level at 65 decibels which are not conducive to residential development; and
 - Uses allowed in the I-2 (general industrial) district, such as warehouse distribution, manufacturing, and other non-residential uses, are least affected by the airport noise. Residential uses are not permitted in the I-2 (general industrial) district.

[2016-021 reco 03-07-2016 Final](#)

[2016-021 vicinity map](#)

[2016-021 rezoning map](#)

18. Rezoning Petition: 2016-022 by Philip W. McLamb

Location: Approximately 1.02 acres located on the north side of Central Avenue near the intersection of Landis Avenue and Central Avenue. (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** of this petition.

Staff Recommendation:

Staff agrees with the recommendation of the Zoning Committee.

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 Central Avenue, which is a commercial corridor; 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 opportunities for goods and services to the residents of the Plaza Midwood neighborhood; and
 - This section of Central Avenue is evolving from a primarily auto-oriented corridor to a more walkable district, especially near The Plaza; and
 - This petition proposes improvements such as widening the sidewalk along Central Avenue and preservation of existing trees along the street. These commitments will support walkability.

[2016-22_ZC_Reco_03-7-16_Final](#)

[2016-022_vicinity_map](#)

[2016-022_rezoning_map_revised2](#)

[2016-022_RevisedSitePlan_01-15-2016](#)

19. Rezoning Petition: 2016-023 by American Towers, LLC

Location: Approximately 2.8 acres located on the east side of Newell Farm Road near the intersection of Old Concord Road and Newell Farm Road. (Council District 4 - Phipps)

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

Proposed Zoning: I-1(CD) SPA (light industrial, conditional, site plan amendment)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:

Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be inconsistent with the *Newell Area Plan*, based on information from the staff analysis and the public hearing, and because:
 - The plan recommends office/business park uses.
- 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 proposed telecommunications tower is considered a utility use, and future locations for this use type are not typically addressed in area plans; and
 - Area plans and other policy documents do not typically identify future appropriate locations for utility uses or provide specific design guidance; and
 - The adopted future land use of the surrounding parcels is office/business park, and a telecommunications tower would be generally compatible with the future land uses in the immediate vicinity; and
 - The proposal also accommodates an area for a future street connection that will serve as a parallel route to Old Concord Road and W.T. Harris Boulevard.

[2016-23_ZC_Reco_3-7-16_Final](#)

[2016-023_vicinity_map](#)

[2016-023_rezoning_map_revised](#)

[2016-23_RevisedSitePlan-03-07-16](#)

20. Rezoning Petition: 2016-027 by Linda Pistone

Location: Approximately 95.67 acres located on the east side of Statesville Road and west side of Old Statesville Road near the intersection of Statesville Road and Old Statesville Road. (Council District 2 - Austin)

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

Proposed Zoning: I-1 (light industrial)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be inconsistent with the *Northeast District Plan*, based on information from the staff analysis and the public hearing, and because:
 - The plan recommends retail as amended by rezoning petition 2009-052.
- 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 surrounding land uses are primarily industrial/warehouse distribution centers, and the *Northeast District Plan* supports redevelopment of the area for light industrial and/or business park uses to enhance this area as a major employment center; and
 - The area is part of the North Growth Corridor as per the *Centers Corridors & Wedges Growth Framework*, and is served by I-77, major highways, and railroads. These major transportation facilities support the industrial and warehouse/distribution uses allowed in the I-1 (light industrial) district; and
 - While the proposed I-1 district is not consistent with the current plan recommendation for retail, which resulted from rezoning petition 2009-052, this industrial district is consistent with the recommended industrial land use originally identified in the *Northeast District Plan*, for this site and the surrounding industrial area.

[2016-027 reco 03-07-2016 Final](#)

[2016-027 vicinity map](#)

[2016-027 rezoning map](#)

21. Rezoning Petition: 2016-031 by Domenic Polzella

Location: Approximately 7 acres located on the east side of Bob Beatty Road near the intersection of Old Statesville Road and Bob Beatty Road. (Council District 4 - Phipps)

Current Zoning: I-1 (light industrial)

Proposed Zoning: B-2 (general business)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be inconsistent with the *Northlake Area Plan*, based on information from the staff analysis and the public hearing, and because:
 - The plan recommends a mix of office, industrial, and warehouse distribution land uses.
- 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 between property zoned I-1 (light industrial) and B-1(CD) (neighborhood business, conditional). To the rear of the site are single family homes zoned R-9PUD (planned unit development, residential); and
 - Rezoning the site from I-1 (light industrial) to B-2 (general business) will eliminate the potential of having a variety of types of incompatible light industrial uses locating adjacent to single family residential uses; and
 - Office and retail uses allowed in the B-2 (general business) district are also permitted in the I-1 (light industrial) district. Such uses are compatible with the business zoning to the south of the subject property along Bob Beatty Road.

[2016-031_reco_03-07-2016-Final](#)

[2016-031_vicinity_map](#)

[2016-031_rezoning_map_revised](#)

22. Rezoning Petition: 2016-032 by NR Pinehurst Owner, LLC

Location: Approximately 36.1 acres located on the west side of Providence Road between Cloister Drive and Knob Oak Lane. (Council District 6 - Smith)

Current Zoning: R-17MF (CD) (multi-family residential, conditional)

Proposed Zoning: MUDD-O (mixed use development, optional) 5 year-vested rights

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:

Staff agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *South District Plan*, based on information from the staff analysis and the public hearing, and because:
 - The plan, as amended by the prior rezoning, recommends residential land use at 17 dwelling units per acre.
- 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 is consistent with the land use and density recommended by the area plan; and
 - The petition fully screens the proposed parking structure with residential uses; and
 - The petition provides "eyes on the street" by providing additional units facing the street; and
 - The petition provides graphics and conceptual renderings that depict the design intent for the building, retaining walls, screen walls and landscaping along Providence Road and these provide a pedestrian friendly experience, and mitigate the building mass and length along Providence Road.

[2016-032 reco 3-7-16 Final](#)

[2016-032 vicinity map](#)

[2016-032 rezoning map revised](#)

[2016-032 RevisedSitePlan 03-14-2016](#)

23. Request for Resubmittal - 2014-110

[01-Request for Resubmission of Rezoning Petition - Final](#)

[02-VanLandingham reconsideration](#)

[03-4344 01_VanLandingham Rezoning Package](#)

ZONING HEARINGS**24. Rezoning Petition: 2016-016 by FCD-Development, LLC*****Update: Petitioner Requesting Deferral (to April 18, 2016)***

Location: Approximately 4.3 acres located on the northwest corner at the intersection of North Davidson and East 26th Street. (Council District 1 - Kinsey)

Current Zoning: I-2 (general industrial)

Proposed Zoning: TOD-M (transit oriented development, residential) 5-Year Vested Rights & TOD-M (O) (transit oriented development, residential, optional) 5-Year Vested Rights

[0cf7efce-7800-4bf5-9103-72fe9bb428f9](#)

25. Rezoning Petition: 2016-024 by Greystar GP II, LLC***Update: Petitioner Requesting Deferral (to April 18, 2016)***

Location: Approximately 6.01 acres located on the west side of Randolph Road between Sloane Square Way and Rutledge Avenue. (Council District 6 - Smith)

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

Proposed Zoning: UR-2(CD) 5-Year Vested Rights (urban residential, conditional)

[Deferral Until April 2016](#)

26. Rezoning Petition: 2016-039 by MPV Properties, LLC***Update: Petitioner Requesting Deferral (to April 18, 2016)***

Location: Approximately 3.48 acres located on the east side of South Tryon Street between Wright's Ferry Road and Grandiflora Drive. (Council District 3 - Mayfield)

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

Proposed Zoning: O-1(CD) (office, conditional) 5-Year Vested Rights

[Deferral Slip Sheet for March](#)

27. Rezoning Petition: 2016-017 by Rockwell Capital, LLC

Location: Approximately 2.71 acres located on the southeast corner at the intersection of Euclid Avenue and Atherton Street, also abutting Marshall Place. (Council District 1 - Kinsey)

Current Zoning: R-5 (single family residential) & B-2 (general business)

Proposed Zoning: UR-3(CD) (urban residential, conditional)

Staff Recommendation:

Staff does not recommend approval of this petition in its current form due to density and encroachment into the Dilworth neighborhood.

[2016-017 staff 03-21 16-Final final](#)

[2016-017 vicinity map](#)

[2016-017 rezoning map rev](#)

[2016-017 RevisedSitePlan 01-15-2016](#)

28. Rezoning Petition: 2016-007 by City of Charlotte

Location: Approximately 12.5 acres located on the east side of Wilora Lake Road between Justin Forest Drive and Hollyfield Drive. (Council District 5 - Autry)

Current Zoning: B-1SCD (business shopping center), O-15(CD) (office, conditional) & MUDD-O (mixed use development, optional)

Proposed Zoning: R-4 (single family residential)

Staff Recommendation:

Staff recommends approval of this petition.

[2016-07 staff analysis 03-21-16 Final final](#)

[2016-007 vicinity map](#)

[2016-007 rezoning map revised3](#)

29. Rezoning Petition: 2016-015 by FCD-Development, LLC

Location: Approximately 1.68 acres located on the northwest corner at the intersection of East 7th Street and North Caswell Road. (Council District 1 - Kinsey)

Current Zoning: NS (neighborhood services)

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.

[2016-015 staff 03-21-2016 Final final](#)

[2016-015 vicinity map](#)

[2016-015 rezoning map revised](#)

[2016-015 Revised Site Plan](#)

[Previously Approved Cover Page](#)

[2016-015 Previously approved site plan 1993-025AAMar1998](#)

30. Rezoning Petition: 2016-014 by Blanchard Family (NC) LLC

Location: Approximately 4.5 acres located on the east side of Carmel Road between Shadowlake Dr Hills Drive from R-3 to UR-2(CD). (Council District 6 - Smith)

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.

[2016-014 staff 3-21-16 Final final](#)

[2016-014 vicinity map](#)

[2016-014 rezoning revised](#)

[2016-014 RevisedSitePlan 02-19-2016](#)

31. Rezoning Petition: 2016-018 by Chen Development, LLC

Location: Approximately 1.45 acres located on the southwest corner at the intersection of South Sharon Amity Road and Woodlark Lane. (Council District 6 - Smith)

Current Zoning: R-17MF (multi-family residential)

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

Staff Recommendation:

Staff does not recommend approval of this petition in its current form as the current site plan does not provide screening adjacent to the neighboring single family homes and does not incorporate sufficient design features.

[2016-018 staff 3-21-16 final-final](#)

[2016-018 vicinity map](#)

[2016-018 rezoning map](#)

[2016-018 Revised Site Plan](#)

32. Rezoning Petition: 2016-025 by BNA Homes, LLC

Location: Approximately 9.52 acres located on the east side of Wright's Ferry Road near the intersection of South Tryon Street and Wright's Ferry Road. (Council District 3 - Mayfield)

Current Zoning: R-3 (single family residential)

Proposed Zoning: R-12MF (CD) (multi-family residential, conditional) & BD (CD) (distributive business, conditional)

Staff Recommendation:

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

[2016-025 staff 3-21 16- final final](#)

[2016-025 vicinity map](#)

[2016-025 rezoning map](#)

[2016-025 Revised Site Plan](#)

33. Rezoning Petition: 2016-028 by Stor-All Properties, Inc.

Location: Approximately 4.09 acres located on the north side of South Tryon Street between Wright's Ferry Road and Grandiflora Drive. (Council District 3 - Mayfield)

Current Zoning: R-3 (single family residential)

Proposed Zoning: BD (CD) (distributive business, conditional) 5-year Vested Rights

Staff Recommendation:

Staff recommends denial of this petition.

[2016-028 staff 3-21 16 final final](#)

[2016-028 vicinity map](#)

[2016-028 rezoning map revised](#)

[2016-028 RevisedSitePlan 02-19-2016](#)

34. Rezoning Petition: 2016-029 by White Point Paces Properties, LLC

Update: Petitioner Requesting Deferral (to April 18, 2016)

Location: Approximately 11.85 acres located on the east and west side of North Brevard Street and generally surrounded by Parkwood Avenue, Belmont Avenue, East 16th Street, and North Brevard Street. (Council District 1 - Kinsey)

Current Zoning: R-8 (single-family residential), R-22MF (multi-family residential), and I-2 (general industrial)

Proposed Zoning: TOD-M (O) (transit oriented development-mixed use, optional) 5-Year Vested Rights

[Deferral Slip Sheet for March](#)

35. Rezoning Petition: 2016-030 by Johnson Development Associates, Inc.

Location: Approximately 5.0 acres located on the south side of Mockingbird Lane between Park Road and Hedgemore Drive. (Council District 6 - Smith)

Current Zoning: MUDD (CD) (mixed use development, conditional)

Proposed Zoning: MUDD-O (mixed use development, optional) 5-Year Vested rights

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to building entrance design, parking deck lighting, screening for cars and lighting on all levels of the parking deck and requested technical revisions.

[2016-030 staff 3-21-16 final final](#)

[2016-030 vicinity map](#)

[2016-030 rezoning map](#)

[2016-030 RevisedSitePlan 02-19-2016](#)

36. Rezoning Petition: 2016-037 by Dr. Michael Berglass, DDS

Location: Approximately 0.44 acres located on the south side of Central Avenue between Crystal Road and Cyrus Drive. (Council District 1 - Kinsey)

Current Zoning: UR-C (CD) (urban residential-commercial, conditional)

Proposed Zoning: UR-C (CD) SPA (urban residential-commercial, conditional, site plan amendment)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of requested technical revisions.

[2016-37 Staff 3-21-16 Final final](#)

[2016-037 vicinity map](#)

[2016-037 rezoning map revised](#)

[2016-037 RevisedSitePlan 02-18-2016](#)

[Previously Approved Cover Page](#)

[2016-37 prev site plan 2008-157](#)

37. Rezoning Petition: 2015-094 by Charlotte-Mecklenburg Planning Department

Location: A Text Amendment to the City of Charlotte Zoning Ordinance to 1) extend the validity period for a Historic District certificate of appropriateness from six months to twelve months from the date of issuance; and 2) modify the certificate of appropriateness renewal process.

Staff Recommendation:

Staff recommends approval of this petition.

[2015-94 staff 3-21-16 Final 3-15 sm-3-16](#)

[Untitled Extract Pages](#)

[2015-94 amendment rev 2-8-16](#)

38. Rezoning Petition: 2016-035 by City of Charlotte

Location: Approximately 0.1 acres located on the east side of North Tryon Street at the intersection of North Tryon Street and J W Clay Boulevard. (Council District 4 - Phipps)

Current Zoning: INST (institutional)

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

Staff Recommendation:

Staff recommends approval of this petition.

[2016-35 Staff 3-21-16 Final final](#)

[2016-035 vicinity map](#)

[2016-035 rezoning map revised](#)

[2016-035 RevisedSitePlan 02-18-2016](#)

39. Rezoning Petition: 2016-054 by Aldersgate UMRC, Inc.

Location: Approximately 91.31 acres located on the south side of Shamrock Drive across from Glenville avenue and Eastway Drive across from Dunlavin Way.
(Council District 1 - Kinsey)

Current Zoning: INST (CD) (institutional, conditional)

Proposed Zoning: INST (CD) SPA (institutional, conditional, site plan amendment)

Staff Recommendation:

Staff recommends approval of this petition.

[2016-54 Staff 3-21-16 Final final](#)

[2016-054 vicinity map](#)

[2016-054 rezoning map revised](#)

[2016-054 site plan](#)

[Previously Approved Cover Page](#)

[2016-54 prev site plan 2014-067](#)

40. Rezoning Petition: 2016-033 by Randall C. Voyles & Brian Yow

Location: Approximately 0.30 acres located on the north side of West 5th Street between Flint Street and Frazier Avenue. (Council District 2 - Austin)

Current Zoning: UR-1(CD) (urban residential, conditional)

Proposed Zoning: UR-1 (urban residential)

Staff Recommendation:

Staff recommends approval of this petition.

[2016-033 staff 03-21-16 final final](#)

[2016-033 vicinity map](#)

[2016-033 rezoning map revised](#)

41. Rezoning Petition: 2016-034 by Robert Keziah

Location: Approximately 7.75 acres located at the end of Distribution Center Drive off Statesville Avenue near the intersection of Interstate 77 and Interstate 85.
(Council District 2 - Austin)

Current Zoning: R-4 (single-family residential)

Proposed Zoning: I-1 (light industrial)

Staff Recommendation:

Staff recommends approval of this petition.

[2016-034 staff 03-21 16 Final final](#)

[2016-034 vicinity map](#)

[2016-034 rezoning map](#)

42. Rezoning Petition: 2016-036 by ESC Fitness, LLC

Location: Approximately 0.45 acres located on the southeast corner at the intersection of Clanton Road and Dewitt lane. (Council District 3 - Mayfield)

Current Zoning: I-2 (general industrial)

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

Staff Recommendation:

Staff recommends approval of this petition.

[2016-036 staff 03-21-2016 final final](#)

[2016-036 vicinity map](#)

[2016-036 rezoning map](#)

43. Rezoning Petition: 2016-042 by GriffBrew Investments, LLC

Location: Approximately 0.37 acres located on the east side of Griffith Street between New Bern Street and Poindexter Drive. (Council District 3 - Mayfield)

Current Zoning: I-2 (general industrial)

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

Staff Recommendation:

Staff recommends approval of this petition.

[2016-042 staff 03-21-16 Final final](#)

[2016-042 vicinity map](#)

[2016-042 rezoning map](#)

44. Rezoning Petition: 2016-048 by DCC Parcel B Plus, LLC

Location: Approximately 0.29 acres located on the northeast corner at the intersection of West Worthington Avenue and Hawkins 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 petition.

[2016-048 staff 03-21 16 final final](#)

[2016-048 vicinity map](#)

[2016-048 rezoning map](#)

45. Rezoning Petition: 2016-052 by Rollins Leasing, LLC

Location: Approximately 8.32 acres located at the end of Keeter Drive near the intersection of Little Rock Road and Keeter Drive. (Council District 3 - Mayfield)

Current Zoning: I-2(LLWPA) (Airport Noise Overlay) (general industrial, Lower Lake Wylie Protected Area, Airport Noise Overlay)

Proposed Zoning: I-1(LLWPA) (Airport Noise Overlay) (light industrial, Lower Lake Wylie Protected Area, Airport Noise Overlay)

Staff Recommendation:

Staff recommends approval of this petition.

[2016-052 staff 03-21 16 final final](#)

[2016-052 vicinity map](#)

[2016-052 rezoning map](#)