

# **City of Charlotte**

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



## **Zoning Agenda**

**Monday, March 20, 2017**

**Council Chambers**

### **City Council Zoning Meeting**

*- Mayor Jennifer W. Roberts -  
- Mayor Pro-Tem Vi Lyles -  
Dimple Ajmera - Al Austin  
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. Meeting Agenda**
- 2. Dinner Meeting Agenda**
  - 1. Agenda Review - Tammie Keplinger**

[Council Dinner Agenda DRAFT-TK](#)

- 3. Follow Up Report**

[Follow-Up Report for 3-20-17 meeting revfinal](#)

***5:30 P.M. ZONING MEETING, COUNCIL CHAMBERS*****HISTORIC LANDMARK DECISION****4. Charles E. Barnhardt House*****Update: Requesting Deferral to (May 17, 2017)***

A decision to be made by the City Council on the Question of designating the property known as the "Charles E. Barnhardt House" (listed under Tax Parcel Number 09504315 as of September 1, 2016) as an Historic Landmark.

**Property Owner:** Country Club Lane LLC

**Location:** 2733 Country Club Lane in Charlotte, North Carolina

**ZONING DECISIONS****5. Rezoning Petition: 2016-134 by CapRock, LLC*****Update: Requesting deferral to (April 17, 2017)***

**Location:** Approximately 5.81 acres located on the north side of Joy Street between Ashley Road and Wilson Avenue. (Council District 3 - Mayfield)

**Current Zoning:** B-1(neighborhood business) and R-12MF (multi-family, residential)

**Proposed Zoning:** UR-2(CD) (urban residential, conditional), five-year vested rights

**Zoning Committee Recommendation:**

The Zoning Committee voted 6-0 to **DEFER** this petition until the April 4, 2017 Zoning Committee Work Session.

[2016-134 reco 03-01-2017 final](#)

[2016-134 vicinity map](#)

[2016-134 rezoning map revised2](#)

**6. Rezoning Petition: 2017-017 by NODA Terrace, LLC*****Update: Requesting deferral to (April 17, 2017)***

**Location:** Approximately 0.23 acres located on the southeast corner of the intersection of North Davidson Street and East 37th Street. (Council District 1 - Kinsey)

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

**Proposed Zoning:** UR-3(CD) SPA (urban residential, conditional, site plan amendment)

**Zoning Committee Recommendation:**

The Zoning Committee voted 6-0 to **DEFER** this petition until the April 4, 2017 Zoning Committee Work Session.

[2017-17 ZC Reco 03-02-017 final](#)

[2017-017 vicinity map](#)

[2017-017 rezoning map](#)

## 7. Rezoning Petition: 2014-053 by Charlotte-Mecklenburg Planning Department

**Summary of Petition:** The petition proposes to:

- 1) modify the name of mobile food vending service;
- 2) allow the use in additional zoning districts, with prescribed conditions, as either a principal or accessory use; and
- 3) modify the prescribed conditions for mobile food vending.

**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 *Centers, Corridors and Wedges Growth Framework* goals, based on information from the staff analysis and the public hearing, and because:
  - The amendment expands the employment base and broadens the economy to include emerging industries;
  - The mobile food vending regulations protect existing neighborhoods;
  - The use and regulations create walkable places that are vibrant and have a variety of activities.
- 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 text amendment:
  - Balances the mobile food vending industry interests with the community interests; and
  - Expands the zoning districts where mobile food vendors can locate allowing new mobile food vending opportunities for vendors and customers; and
  - Reduces the separation distances required to residential uses by building upon the separation distances established for similar uses such as eating/drinking/entertainment establishments; and
  - Expands the initial permit validity period to 365 consecutive days, thereby reducing the number of permits or permit extensions required per year on each site; and
  - Adds new provisions allowing the gathering of four or more mobile food vendors (also known as rallies) on sites, allowing mobile food vending organizers to plan social events which add to the vibrancy of the area, and to create walkable places; and
  - Adds new provisions allowing mobile food vending special events in residential and institutional districts as an accessory use on non-residential lots, and to allow such uses as schools and religious institutions the opportunity to host mobile food vending events on their site; and
  - Modifies the parking requirements to provide additional parking for customers, thereby reducing the parking impacts on surrounding areas.

[2014-053 reco 3-1-17 final](#)

[2014-053 matrix revision 3](#)

[2014-53 amendment rev 42](#)

## 8. Rezoning Petition: 2016-097 by Simonini Saratoga Foxcroft, LLC

**Location:** Approximately 6.32 acres located on the east side of Sharon Lane between Providence Road and Heathmoor Lane. (Council District 6 - Smith)

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

**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 in information from the staff analysis and the public hearing, and because:
  - The plan recommends residential land use; and
  - The proposed density increase over three units per acre is supported by the criteria in the 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 subject site is located adjacent to the Cotswold Mixed Use Activity Center and abuts a large institutional land use (St. Gabriel Catholic Church); and
  - The proposed development provides a transition between the institutional use and the adjacent established single family residential development located north and west of the site; and
  - The site plan is limited to a maximum of 24 duplex (single family attached) dwelling units in up to 12 buildings at a density of 3.8 units per acre; and
  - The proposed density is supported by the *General Development Policies*, which indicate a potential for a density up to 12 dwelling units per acre; and
  - The proposal meets the criteria described in the district plan for an increase in density from three to four units per acre. The proposal meets these criteria as follows:
    - Location: The site is within ½ mile of the Cotswold Mixed Use Activity Center, which includes a concentration of retail and office development.
    - Water and Sewer: Charlotte Water will serve the subject site with water and sewer.
    - Open space: The duplex units are clustered in order to provide a "central green." In addition, a tree save area is provided along the Sharon Lane frontage.
    - Streetscape Amenities: The proposal provides a 24-foot planting strip (extra width for a future bike lane) and a six-foot sidewalk along Sharon Lane. The project also provides an internal private street with sidewalks and a minimum of six, on-street, visitor parking spaces; and
    - Compatibility: The proposed development includes a number of elements to make the new housing compatible with the existing neighborhood along Sharon Lane. These include large setbacks consistent with the established setback on Sharon Lane; a 40-foot rear yard abutting the single family development to the west; and building and architectural commitments, including elevations and height limitations, which result in structures which resemble large single family homes.

[2016-097 reco 3-1-17 final](#)

[2016-097 vicinity map revised](#)

[2016-097 rezoning map revised labels](#)

[2016-097 RevSitePlan 3-10-2017](#)

## 9. Rezoning Petition: 2016-123 by Harbor Baptist Church

**Location:** Approximately 9.81 acres located on the east side of Reedy Creek Road and Interstate 485 at the end of Saddlehorse Lane near the intersection of Gelding Drive and Saddlehorse Lane. (Outside City Limits)

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

**Proposed Zoning:** INST (CD) (institutional, conditional)

**Zoning Committee Recommendation:**

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

**Staff Recommendation:**

Staff disagrees with the recommendation of the Zoning Committee.

**Statement of Consistency:**

- The Zoning Committee found this petition to be inconsistent with the *Rocky River Road Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends residential uses up to 12 units per acre; however, area plans typically do not designate all locations for institutional uses. The proposed site plan is also inconsistent with the area plan's recommendation to extend Saddlehorse Lane to Reedy Creek Road.
- 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 institutional use is not generally inconsistent with the area plan; and
  - There are two existing entrances to the abutting neighborhood from Harrisburg Road and Robinson Church Road; and
  - The creation of a public multi-use walking path is within the public interest.

[2016-123 Reco 01-04-17 final](#)

[2016-123 vicinity map2](#)

[2016-123 rezoning map revised2](#)

[2016-123 Revised Site Plan](#)

## 10. Rezoning Petition: 2016-124 by Chris Ogunrinde

**Location:** Approximately 1.50 acres located on the northwest corner at the intersection of Freedom Drive and Wesley Village Road. (Council District 3 - Mayfield)

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

**Proposed Zoning:** MUDD-O SPA (mixed use development, optional, site plan amendment)

**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 *Bryant Park Land Use & Streetscape Plan*; however, inconsistent with the specific limitation from the previously approved conditional plan for building size and height because:
  - The plan recommends a mix of residential, office, and/or retail uses; and
  - The proposal increases the building height from 65 feet to 90 feet and the maximum building size from 20,000 square feet to 76,000 square feet.
- 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 was part of a larger development plan, rezoned under petition 2007-068, which was consistent with the *Bryant Park Land Use & Streetscape Plan*. The 2007 rezoning reserved the subject site for 20,000 square feet of retail and/or office use with a maximum building height of 65 feet served by surface parking; and
  - The proposed rezoning will amend the entitlements for this challenging site. With utilities remaining in the former Thrift Road right-of-way on the western side of the property, the proposed site plan places surface parking in this area where buildings are not feasible; and
  - The site is appropriate for the proposed mid-rise, mixed use building due to its urban location along a major thoroughfare; and
- Additionally, the site is approximately 300 feet from the nearby single family homes in the Wesley Heights neighborhood and separated by the buffer created by Stewart Creek and the Stewart Creek Greenway; and
  - The proposed building will provide a visual anchor for the emerging FreeMoreWest area.

[2016-124 reco 3-1-17 final](#)

[2016-124 vicinity map](#)

[2016-124 rezoning map revised3](#)

[2016-124 RevSitePlanZC 02-23-2017](#)



## 11. Rezoning Petition: 2016-146 by Barringer Capital, LLC

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

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

**Proposed Zoning:** TOD-RO (transit oriented development-residential, optional)

**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 *South End Transit Station Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends mixed-use transit supportive development for the area in which the site is located.
- 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 within a 1/4 mile walk of the East/West Boulevard Transit Station on the LYNX Blue Line; and
  - The proposal allows a site previously used for industrial/office purposes to be redeveloped with a residential transit supportive project; and
  - The site plan supports increased connectivity by providing a new north/south street between Tremont Avenue and the site's northern boundary; and
  - The proposal supports pedestrian and streetscape design by placing usable open space near the front of the site with units designed to front along West Tremont Avenue; and
  - This petition will help support the transition of the area to a more walkable transit district.

[2016-146 reco 03-01-2017 final](#)

[2016-146 vicinity map](#)

[2016-146 rezoning map](#)

[2016-146 RevSitePlanZC 02-23-2017](#)

## 12. Rezoning Petition: 2017-018 by Robert Puckett and Steven Mozeley

**Location:** Approximately 5.96 acres located on the northwest quadrant of the intersection of Old Plank Road and Brookshire Boulevard. (Council District 2 - Austin)

**Current Zoning:** R-3 (LWPA) (single family, Lake Wylie Protected Area) and O-1(CD) (LWPA) (office, conditional, Lake Wylie Protected Area)

**Proposed Zoning:** BD (CD) (LWPA) (distributive business, conditional, Lake Wylie Protected Area) with five-year vested rights

**Zoning Committee Recommendation:**

The Zoning Committee voted 7-0 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 *Northwest District Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends office and residential uses 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 subject property is located at the intersection of Brookshire Boulevard and Plank Road, and the majority of the site is currently zoned for office use; and
  - The properties to the north and south of the site are zoned predominately for non-residential uses; and
  - A low impact commercial use, such as self-storage, is appropriate for this site because:
    - a) The site plan associated with the proposed development visually buffers the site from Brookshire Boulevard and the residential properties located on the eastern side of the highway through the use of a fence with screening shrubs. This treatment is in addition to the preservation of the trees within the right-of-way along the Brookshire Boulevard frontage;
    - b) Along the western side of the property, a creek along with a 57-foot buffer will provide protection for the adjacent single family properties; and
    - c) The proposed buildings fronting on Old Plank Road are designed to look like office buildings, with windows, changes in materials and architectural features to break up building walls. These buildings will screen the more traditional storage buildings.

[2017-018 reco 03-01-2017 final](#)

[2017-018 vicinity map](#)

[2017-018 rezoning map](#)

[2017-018 RevSitePlanZC 02-23-2017](#)

### 13. Rezoning Petition: 2017-022 by Shayna Jerrell

**Summary of Petition:** The petition proposes to modify the definition of outdoor recreational uses regarding street frontage requirements for temporary structures.

**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 *Centers, Corridors and Wedges Growth Framework* policy guidance, based on information from the staff analysis and the public hearing, and because:
  - The amendment protects existing neighborhoods.
- 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 existing definition for outdoor recreational uses currently limits temporary enclosures for swimming pools to:
    - 1) six months in a calendar year,
    - 2) no more than 30 feet in height, and
    - 3) frontage on a thoroughfare;
  - Eliminates the requirement that the lot on which the enclosure is located must front on a thoroughfare; and
  - Allows neighborhood swim clubs that may not be located on a major or minor thoroughfare to operate in colder weather with a temporary enclosure; and
  - Will not negatively impact residential neighborhoods because the prescribed conditions for outdoor recreational uses that abut a residential area require a 100-foot separation distance and a "Class C" buffer to mitigate any negative impacts on abutting properties.

[2017-022 reco 3-3-17 final](#)

[2017-022 matrix](#)

[2017-022 amendment](#)

## 14. Rezoning Petition: 2017-024 by Mosaic Development Group

**Location:** Approximately 3.68 acres located on the west side of Bingham Drive between North Tryon Street and Curtiswood Drive. (Council District 1 - Kinsey)

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

**Proposed Zoning:** UR-2(CD) SPA (urban residential, conditional, site plan amendment) with five 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 inconsistent 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 office and retail 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:
  - Although the proposed residential use is inconsistent with the plan recommendation for office and retail, the subject property is currently zoned for residential development; and
  - Development on this site will provide a transition between the commercial uses along North Tryon Street and the lower density residential development to the south of the site; and
  - The primary building on the site is designed to be compatible with the abutting residential, with a height limit of three stories and 50 feet, consistent with the area plan's height recommendation. The development is also separated from the abutting residential by a creek; 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.

[2017 24 ZC Reco 030117 final](#)

[2017-024 vicinity map](#)

[2017-024 rezoning map revised](#)

[2017-024 RevSitePlanZC 02-23-2017](#)

## 15. Rezoning Petition: 2017-027 by Charlotte-Mecklenburg Housing Partnership

**Location:** Approximately 3.804 acres located on the west side of Statesville Avenue between Newland Road and Moss Lane. (Council District 2 - Austin)

**Current Zoning:** R-22MF (multi-family residential) and UR-2(CD) (urban residential, conditional)

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

**Zoning Committee Recommendation:**

The Zoning Committee voted 6-0 to recommend **APPROVAL** if 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 and consistent with the *Central District Plan* and the *General Development Policies*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends multi-family dwellings for the portion of the site proposed to be rezoned to allow retail uses; and
  - The plan recommends residential dwelling units for the portion of the site for which seven residential dwelling units are proposed; and
  - The *General Development Policies* support a residential density of 12.15 units per acre.
- However, this petition was found to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:
  - This petition is part of Brightwalk, which is a new urban neighborhood located off of Statesville Avenue; and
  - The proposed rezoning will amend the entitlements for the site, replacing 75 age-restricted multi-family dwellings and 37 multi-family units with seven residential dwellings and 20,000 square feet of non-residential uses; and
  - Although the proposed nonresidential uses are inconsistent with the area plan recommendation for multi-family dwellings, the area within Brightwalk which was previously rezoned for non-residential development has subsequently been developed with residential uses; and
  - The proposed retail component will provide walkable, neighborhood oriented commercial uses for Brightwalk; and
  - The rezoning also accommodates the future realignment of Newland Road and Norris Avenue, which would improve connectivity in the community.

[2017 27 ZC Reco 03-01-17 final](#)

[2017-027 vicinity map](#)

[2017-027 rezoning map revised](#)

[2017-027 RevSitePlanZC 02-23-2017](#)

## 16. Rezoning Petition: 2017-028 by TAG Ventures, LLC

**Location:** Approximately 0.77 acres on the southeast corner at the intersection of Ridge Road and Brice Knoll Lane. (Council District 4 - Phipps)

**Current Zoning:** CC (commercial center)

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

**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 and inconsistent with the *Prosperity Hucks Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends a mix of uses including retail/service, office, and institutional uses for the area in which this site is located; and
  - The proposed drive-through facilities are inconsistent with the plan recommendation for no additional drive-through facilities at this location.
- 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:
  - This property is located in the Prosperity Village Area which is intended to be a walkable, mixed-use activity center; and
  - The area plan does not support an additional drive-through facility at this location because, typically, a drive-through use would not support pedestrian activity; and
  - However, in this case the proposed building has been designed to be pedestrian oriented and minimize the impact of the accessory drive-through by:
    - a) Placing the use with a drive-through in a multi-tenant building;
    - b) Providing a canopy for the drive-through area to give the appearance of extending the building along the street;
    - c) Committing to a screen wall on Ridge Road to separate the sidewalk from the vehicular area; and
    - d) Placing the building at the back of sidewalk and prohibiting maneuvering between the building and street; and
  - As designed, the proposed retail development will provide neighborhood services for nearby residents.

[2017-028 reco 03-01-2017 final](#)

[2017-028 vicinity map](#)

[2017-028 rezoning map revised 2](#)

[2017-028 RevSitePlanZC 02-23-2017](#)

**ZONING HEARINGS****17. Rezoning Petition: 2016-077 by Innkeeper Motor Lodge, Inc.**

**Location:** Approximately 5.52 acres located south of Interstate 485, near the intersection of WT Harris Boulevard, Treyburn Drive and Interstate 485. (Council District 2 - Austin)

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

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

**Staff Recommendation:**

Staff does not recommend approval of this petition.

[2016-077 staff 03-20-2017 final final final](#)

[2016-077 vicinity map](#)

[2016-077 rezoning map](#)

[2016-077 RevSitePlan 02-21-2017](#)

[Previously Approved Cover Page](#)

[2016-077 previously approved plan 1993-024C approved site plan](#)

**18. Rezoning Petition: 2016-150 by CW Development**

**Location:** Approximately 4.13 acres located on the west side of Old Providence Road near the intersection of Old Providence Road and Old Providence Lane.  
(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, transportation and other minor requested technical revisions.

[2016-150 staff 3-20-17 final-final](#)

[2016-150 vicinity map](#)

[2016-150 rezoning map](#)

[2016-150 RevSitePlan 11-21-2016](#)

## 19. Rezoning Petition: 2017-016 by Selwyn Property Group

**Location:** Approximately 13.18 acres located on the west side of East Independence Boulevard generally surrounded by Monroe Road, Idlewild Road, Independence Boulevard and Long Avenue. (Council District 5 - Ajmera)

**Current Zoning:** R-4 (single family residential), O-1 and O-2 (office), B-1(CD) (neighborhood business, conditional) and B-2 (general business)

**Proposed Zoning:** MUDD-O (mixed use development, optional) and NS (neighborhood services)

**Staff Recommendation:**

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

[2017-16 Staff analysis 03-20-17 final final](#)

[2017-016 vicinity map](#)

[2017-016 rezoning map revised 3](#)

[2017-016 RevSitePlan 02-21-2017](#)

## 20. Rezoning Petition: 2017-002 by James Miller and Trang T. Miller

**Location:** Approximately 0.39 acres located on the southwest corner at the intersection of Monroe Road and Ross Moore Avenue. (Council District 5 - Ajmera)

**Current Zoning:** O-2 (office)

**Proposed Zoning:** B-1(CD) (neighborhood business, conditional), five-year vested rights

**Staff Recommendation:**

Staff recommends approval of the petition upon resolution of outstanding issues related to transportation, site and building design, environment, and minor technical revisions.

[2017-02 Staff analysis 03-20-17 final final](#)

[2017-002 vicinity map](#)

[2017-002 rezoning map](#)

[2017-002 RevSitePlan 02-21-2017](#)

## 21. Rezoning Petition: 2017-021 by RED Partners

**Update: Staff requesting deferral (to April 17, 2017)**

**Location:** Approximately 7 acres north of Little Avenue on the west side of Carmel Road. (Council District 6 - Smith)

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

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

[2017-021 Slip Sheet](#)



## 22. Rezoning Petition: 2017-026 by Belk Gambrell Enterprises, LLC

**Location:** Approximately 1.19 acres located on the north side of Fairview Road between Park Road and Wintercrest Lane. (Council District 6 - Smith)

**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 outstanding issues related to setback, right-of-way, and driveway location.

[2017-026 staff 2-20-17 final final](#)

[2017-026 vicinity map](#)

[2017-026 rezoning map revised](#)

[2017-026 RevSitePlan 01-23-2017](#)

[Previously Approved Cover Page](#)

[2017-026 approvedplan 2007-053](#)

## 23. Rezoning Petition: 2017-015 by Manna Capital, LLC

**Location:** Approximately 1.07 acres located on the north side of Rexford Road near the intersection of Roxborough Road and Rexford Road. (Council District 6 - Smith)

**Current Zoning:** O-15(CD) (office, conditional)

**Proposed Zoning:** MUDD (CD) (mixed use development, conditional)

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of the technical issues related to site and building design.

[2017-015 staff 3-20-17 final final](#)

[2017-015 vicinity map](#)

[2017-015 rezoning map](#)

[2017-015 RevSitePlan 02-21-2017](#)

[Previously Approved Cover Page](#)

[2017-015 approved plan 1977-011](#)

## 24. Rezoning Petition: 2016-076 by The Drakeford Company

**Location:** Approximately 1.35 acres located on the southwest corner of the intersection of Holt Street and East 36th Street. (Council District 1 - Kinsey)

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

**Proposed Zoning:** UR-2(CD) TS (urban residential, conditional, transit supportive overlay)

**Staff Recommendation:**

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

[2016-76 staff analysis 03-20-17 final final final](#)

[2016-076 vicinity map](#)

[2016-076 rezoning map revised](#)

[2016-076 RevSitePlan 02-21-2017](#)

## 25. Rezoning Petition: 2017-031 by Lat Purser & Associates

**Location:** Approximately 1.146 acres located on the southeast corner at the intersection of North Davidson Street and East 24th Street. (Council District 1 - Kinsey)

**Current Zoning:** I-1 (light 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, site design and layout.

[2017-31 staff analysis 03-20-17 final final](#)

[2017-031 vicinity map](#)

[2017-031 rezoning map revised 2](#)

[2017-031 RevSitePlan 02-21-2017](#)

## 26. Rezoning Petition: 2017-019 by Steele-Trojan Properties, LLC

**Location:** Approximately 15.481 acres northwest of Steele Creek Road and east of Outlets Boulevard along Trojan Drive. (Outside City Limit and Council District 3 - Mayfield)

**Current Zoning:** R-3(LLWPA) (single family residential, Lower Lake Wylie Protected Area) and CC (commercial center, Lower Lake Wylie protected area)

**Proposed Zoning:** O-2(CD) LLWPA (office, conditional, Lower Lake Wylie Protected Area) and NS LLWPA (neighborhood services, Lower Lake Wylie Protected Area)

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, design, and environmental issues.

[2017-019 staff 3-20-17 final final](#)

[2017-019 vicinity map revised](#)

[2017-019 rezoning map revised 2](#)

[2017-019 RevSitePlan 02-21-2017](#)

[Previously Approved Cover Page](#)

[2017-019 Approved Site Plan 2013-001](#)

## 27. Rezoning Petition: 2017-029 by DC Property, LLC

**Location:** Approximately 7.713 acres located east of Toddville Road between Brooktree Drive and CSX Way. (Council District 3 - Mayfield)

**Current Zoning:** I-2(CD) LLWPA (general industrial, conditional, Lower Lake Wylie Protected Area)

**Proposed Zoning:** I-2(CD) SPA LLWPA (general industrial, conditional, site plan amendment, Lower Lake Wylie Protected Area)

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and environmental concerns.

[2017-029 staff 3-20-17 final final](#)

[2017-029 vicinity map](#)

[2017-029 rezoning map revised](#)

[2017-029 RevSitePlan 02-21-2017](#)

[Previously Approved Cover Page](#)

[2017-029 approved site plan 1994-077](#)

## 28. Rezoning Petition: 2017-030 by DC Property, LLC

**Location:** Approximately 7.972 acres at the end of Tar Heel Road between Brooktree Drive and Bond Street and east of Toddville Road. (Council District 3 - Mayfield)

**Current Zoning:** I-2(CD) LLWPA (general industrial, conditional, Lower Lake Wylie Protected Area)

**Proposed Zoning:** I-2(CD) SPA LLWPA (general industrial, conditional, site plan amendment, Lower Lake Wylie Protected Area)

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and buffers.

[2017-030 staff 3-20-17 final final](#)

[2017-030 vicinity map](#)

[2017-030 rezoning map revised](#)

[2017-030 RevSitePlan 02-21-2017](#)

[Previously Approved Cover Page](#)

[2017-030 approved site plan 1994-077 - Copy](#)

## 29. Rezoning Petition: 2017-032 by Alliance Residential Company

**Location:** Approximately 10.04 acres at the northwest corner at the intersection of Wilkinson Boulevard and Suttle Avenue. (Council District 3 - Mayfield)

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

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

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and urban design.

[2017-032 staff 3-20-17 final final](#)

[2017-032 vicinity map](#)

[2017-032 rezoning map](#)

[2017-032 RevSitePlan 02-21-2017](#)

### 30. Rezoning Petition: 2017-034 by Saussy Burbank, LLC

**Location:** Approximately 1.6 acres located on the west side of Suttle Avenue between Wilkinson Boulevard and Isom Street. (Council District 3 - Mayfield)

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

**Proposed Zoning:** MUDD (CD) (mixed use development, conditional), five-year vested rights

**Staff Recommendation:**

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

[2017-034 staff 3-20-17 final final](#)

[2017-034 vicinity map](#)

[2017-034 rezoning map revised](#)

[2017-034 RevSitePlan 02-21-2017](#)