

# **City of Charlotte**

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



## **Zoning Agenda**

**Monday, April 17, 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](#)

- 3. Follow Up Report**

**5:30 P.M. ZONING MEETING, COUNCIL CHAMBERS****ZONING DECISIONS****4. Rezoning Petition: 2016-077 by Innkeeper Motor Lodge, Inc.*****Update: Requesting Deferral to (May 15, 2017)***

**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)

**Zoning Committee Recommendation:**

The Zoning Committee voted 6-0 to recommend **DEFERRAL** of this petition until there May 2, 2017 meeting.

[2016-077 reco 04-04-2017 final](#)

[2016-077 vicinity map](#)

[2016-077 rezoning map](#)

## 5. 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)

**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 *Central District Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends multi-family dwellings for that 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 adopted area plan recommends multi-family residential uses as amended by Petition 2015-89 that allowed 51 multi-family dwelling units in one structure, at a density of 37.7 units per acre; and
  - The proposed development replaces current entitlements by decreasing the number of units allowed to 32 units and the overall density to 23.7 units per acre; and
  - Building height and form are consistent with recent developments along East 36th Street and are designed to be compatible with the abutting residential with a height limit of 45 feet and four stories. All parking is internal to the site; and
  - Site layout will retain an existing heritage tree located along East 36th Street.

[2016-76 Reco\\_040417-final](#)

[2016-076 vicinity map](#)

[2016-076 rezoning map revised](#)

[2016-076 RevSitePlan\\_03-27-2017](#)

## 6. Rezoning Petition: 2016-134 by CapRock, LLC

**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 recommend **APPROVAL** of this petition as modified.

**Staff Recommendation:**

Staff disagrees with the recommendation of the Zoning Committee due to the number of outstanding issues, the proposed density and the project being out of character with the surrounding residential area.

**Statement of Consistency:**

- The Zoning Committee found the majority of the proposed multi-family to be consistent with the *Central District Plan*; a small portion of the site to be inconsistent with the *Central District Plan*; and the density to be inconsistent with the *General Development Policies* (GDP), based on information from the staff analysis and the public hearing, and because:
  - The plan called for multi-family development on the majority of this site; and
  - The plan recommends retail land uses for a small portion of the site proposed for multi-family uses; and
  - The GDPs (General Development Policies) recommend up to 17 units per acre not 22.7 units per acre as proposed.
- 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 City has committed to 5,000 affordable housing units over the next three years; and
  - The urgent need for affordable housing is in the public interest; and
  - While 22 dwelling units per acre is well beyond the recommended 17 dwelling units per acre, some of the density will be utilized towards the age-restricted units which tend to be smaller in size; and
  - The proposal will result in less trips than by right development.

[2016-134 reco 04-04-2017-final](#)

[2016-134 vicinity map](#)

[2016-134 rezoning map revised2](#)

[2016-134 RevSitePlan 03-27-2017](#)

## 7. 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)

**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*, and the proposed density of 4.84 dwelling units per acre is supported by the *General Development Policies* locational criteria, and because:
  - The plan recommends residential uses at a density of up to three dwellings per acre. The plan references the residential location criteria of the General Development Policies for areas of higher density development; and
  - The petition meets the *General Development Policies* locational criteria for consideration of up to six dwellings 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 site is located between Brookdale Continuing Care Retirement Community and Gladedale Apartments to the north and a single family neighborhood to the south, and provides a transition from the institutional and multi-family uses to the single family residential neighborhood; and
  - Increasing the density from three dwelling units per acre to 4.84 dwelling units per acre allows four additional dwelling units be constructed on the site and is consistent with the adopted land use policies for the area; and
  - The proposed UR-2(CD) (urban residential, conditional) district is appropriate as it allows flexibility in site design including the preservation of an existing pond on the site; and
  - The pond will serve as an open space element and will also provide greater separation between the proposed townhomes and the existing single family home west of the site; and
  - The petition provides a site design that is compatible with the abutting the single family neighborhood by incorporating the following commitments:
    - A 40-foot building setback with an 18-foot wide landscaped area behind the sidewalk along Old Providence Lane and a 20-foot building setback with a 10-foot wide landscaped area behind the sidewalk along Old Providence Road.
    - Side and rear yards, and buffers, that are not required in the UR-1 (urban residential) district and comparable to the requirements for the abutting R-3 (single family residential) zoning.
    - Units oriented to the internal private road and not Old Providence Lane, consistent with the existing single family homes on the south side of Old Providence Lane which are oriented to side streets.

[2016-150 reco 4-4-17-final](#)

[2016-150 vicinity map](#)

[2016-150 rezoning map](#)

[2016-150 RevSitePlan 04-11-2017](#)

## 8. 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

**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 *Independence Boulevard Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The area plan recommends office and 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 subject property is located along the Monroe Road corridor, near a future pedestrian oriented retail node where the adopted area plan encourages adaptive reuse of existing residential structures; and
  - The majority of nearby properties fronting Monroe Road are developed with nonresidential office uses; and
  - The petition proposes to reuse an existing residential structure for moderate intensity nonresidential use; and
  - No building expansions are proposed and the existing trees in the front yard will be retained thereby preserving the residential character while allowing the area to transition to nonresidential use; and
  - A new planting strip and sidewalk along Monroe Road will be added and parking will be located to the rear or side of the existing structure which will support the desired pedestrian oriented development form.

[2017-02 ZC Reco 04-04-17-final](#)

[2017-002 vicinity map](#)

[2017-002 rezoning map](#)

[2017-002 RevSitePlan 03-27-2017](#)

## 9. 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)

**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 a mix of office and residential 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 *Centers, Corridors and Wedges Growth Framework* identifies SouthPark as a Mixed Use Activity Center, a priority area for urban, pedestrian-oriented development; and
  - The new office building will enhance the pedestrian environment by providing an active use oriented to the public sidewalk with parking to the rear on Rexford Road, eliminating an existing bank drive-through and existing parking between the building and street; and
  - The site plan provides a wide setback along Rexford Road to preserve existing mature trees and provide added green space. This is consistent with other recently approved rezoning's and supports the concept of a "green ribbon" along streets in the SouthPark area, as discussed in the recent Urban Land Institute study; and
  - The development provides a transition in development intensity from the existing office buildings west of the site to the residential condominium development east of the site with the following provisions:
    - Limits the maximum building height of one-story (maximum of 40-feet) and 6,650 square feet. The office building west of the site is five-stories and 76,620 square feet. The existing condominium buildings on the other side of the site are two stories and range in size from approximately 5,000 square feet up to approximately 13,000 square feet.
    - Provides a 10.5-foot wide "Class C" buffer with a minimum six-foot tall screen wall along the eastern property line abutting the condominiums.
    - Proposes the area to the rear of the site, between the office building parking lot and the condominiums, to be utilized for possible tree save.

[2017-015 reco 4 4 17-final](#)

[2017-015 vicinity map](#)

[2017-015 rezoning map](#)

[2017-015 RevSitePlan 03-27-2017](#)



## 10. 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)

**Zoning Committee Recommendation:**

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

**Staff Recommendation:**

Staff recommends approval upon resolution of the outstanding issues.

**Statement of Consistency:**

- The Zoning Committee found this petition to be consistent with the *Independence Boulevard Area Plan's*, based on information from the staff analysis and the public hearing, and because:
  - The area plan recommends mixed use 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 subject site will serve as a transition between the more auto-oriented environment around the interchange of Independence Boulevard and Idlewild Road, and the desired pedestrian oriented environment along Monroe Road; and
  - The site plan allows for a mix of uses on the site, including retail and office, as called for in the area plan; and
  - The proposed development along Monroe Road will facilitate the desired pedestrian oriented environment on that street by placing the buildings near the sidewalk, not allowing parking between the buildings and the street, establishing pedestrian connections to the buildings from the sidewalk along Monroe Road, and providing an urban open space at the corner; and
  - The proposed development along Idlewild Road is designed to be more auto-oriented, consistent with the nature of Idlewild Road in this location and the connection of an on/off ramp to Independence Boulevard; and
  - The proposed site plan supports connectivity in the area by establishing an enhanced street network with smaller blocks and pedestrian and bicycle facilities.

[2017-16\\_ZC\\_Reco\\_04-04-17-final](#)

[2017-016\\_vicinity\\_map](#)

[2017-016\\_rezoning\\_map\\_revised\\_3](#)

[2017-16\\_RevSitePlan\\_041017](#)

## 11. Rezoning Petition: 2017-017 by NODA Terrace, LLC

**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 recommend **APPROVAL** of this petition as modified.

**Staff Recommendation:**

Staff recommends approval of this petition.

**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 single family residential uses up to five units per acre.
  - The plan recommends an increased setback and lower height limitations.
  - The proposed development exceeds the 40-foot height limit set forth in the adopted area plan.
- However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The adopted plan calls for single family for the subject property; however, current entitlements per rezoning petition 2005-160 already allow 8,000 square feet of office/retail uses and eight dwelling units to be built on the subject site; and
  - The site is currently vacant and is located with ½ mile of the 36th Street Station of the LYNX Blue Line Extension; and
  - The proposed development will not remove established single family uses, and will not encroach into the abutting single family residential neighborhood; and
  - The proposed development is located adjacent to urban townhome and apartment projects in transit oriented and urban residential zoning districts along North Davidson Street; and
  - This development will provide ground floor commercial uses that could serve the nearby residents; and
  - The site design for the proposed development supports walkability in the area by locating the building at the back of the sidewalk and placing parking away from the site frontage.

[2017-17 Reco 04-04-17 final](#)

[2017-017 vicinity map](#)

[2017-017 rezoning map](#)

[2017-017 Rev Site Plan LQ](#)

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

**Zoning Committee Recommendation:**

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

**Staff Recommendation:**

Staff recommends approval of this petition upon the resolution of the outstanding issues.

**Statement of Consistency:**

- The Zoning Committee finds the majority of this petition to be inconsistent and the smaller portion of the property to be consistent with the *Dixie Berryhill Strategic Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends employment mixed-use office/retail/light industrial for the majority of the site; and
  - The plan recommends office/retail land uses for portion of the site zoned CC (commercial center) as amended by petition 2013-001.
- 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 at the Steele Creek Road/Interstate 485 Interchange between the interchange and the Charlotte Premium Outlet Mall; and
  - The Dixie Berryhill Strategic Plan anticipated office and light industrial development on this site due to its close proximity to the Airport and the I-485 Interchange; and
  - However, the approval of rezoning petition 2013-021 for the Outlet Mall, has changed the development pattern in the area to be more focused on retail service uses, instead of light industrial uses; and
  - The size of the site and its location adjacent to the Outlet Mall and the I-485 interchange, lends itself to more retail and office uses instead of light industrial which require much larger acreage; and
  - Retail services at this location are appropriate considering recent development in the area, and its proximity to the interchange and the Outlet Mall.

[2017-19 reco 04-04-2017-final](#)

[2017-019 vicinity map revised](#)

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

[2017-019 RevSitePlan 04-11-2017](#)

### 13. 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)

**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 *SouthPark Small Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends multi-family residential uses as amended by a prior rezoning petition; and
  - The prior rezoning contained a specific condition allowing office use of the existing house.
- 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 is located along Fairview Road just west of the SouthPark Mixed Use Activity Center. The Fairview Road frontage has intensified over time from single family to a mix of residential types, with single family neighborhoods directly behind; and
  - Reuse of existing residential structures for office use along major transportation routes has been seen as a way to provide a compatible transition to adjoining neighborhoods by preserving character and scale; and
  - The proposed use of the property as an office, limited to the existing building and a smaller additional structure at residential scale to the rear, provides a compatible transition from Fairview Road to the single family homes abutting the site; and
  - The existing house on the site is highly regarded in the area as a historic element, although not officially designated by any organization. This rezoning proposal will preserve the structure; and
  - The existing zoning would allow a 10-story residential structure to be built on this site. This is out of character with the adjoining single family neighborhood and with other two- to three-story multi-family residential properties along Fairview Road. If approved, this rezoning proposal will remove this potential inconsistency.

[2017-026 reco 4-4-17-final](#)

[2017-026 vicinity map](#)

[2017-026 rezoning map revised](#)

[2017-026 RevSitePlan 04-11-2017](#)

## 14. 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)

**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 *Northwest District Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends heavy industrial land uses as amended by rezoning petition 1994-077.
- 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 within the Mt. Holly Road/Brookshire Boulevard Industrial Activity Center per the *Centers, Corridors and Wedges Growth Framework*; and
  - The site is already zoned I-2 (heavy industrial) and the current site plan allows warehouse and office uses; and
  - This proposal is for a site plan amendment to the current industrial site plan and will allow a single industrial building and parking/outside storage, consistent with the Activity Center location and heavy industrial recommendation per the *Northwest District Plan*; and
  - The site is adjacent to residential development to the south, but will be separated from the abutting residential by an 88-foot wide buffer.

[2017-029 reco 04-04-2017-final](#)

[2017-029 vicinity map](#)

[2017-029 rezoning map revised](#)

[2017-029 RevSitePlan 03-27-2017](#)

## 15. 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)

**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 *Northwest District Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends heavy industrial uses as amended by rezoning petition 1994-077.
- 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 within the Mt. Holly Road/Brookshire Boulevard Industrial Activity Center per the Centers, Corridors and Wedges Growth Framework; and
  - The site is already zoned I-2 (heavy industrial) and the current site plan allows warehouse and office uses; and
  - This proposal is for a site plan amendment to the current industrial site plan and will allow a single industrial building with some office development, and parking/outside storage, consistent with the Activity Center location and heavy industrial recommendation per the Northwest District Plan; and
  - The site is adjacent to residential development to the south, but will be separated from the abutting residential by an 88-foot wide buffer.

[2017-030 reco 04-04-2017-final](#)

[2017-030 vicinity map](#)

[2017-030 rezoning map revised](#)

[2017-030 RevSitePlan 03-27-2017](#)

## 16. Rezoning Petition: 2017-031 by Lat Purser & Associates, Inc.

**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)

**Zoning Committee Recommendation:**

The Zoning Committee voted 6-0 to **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 *Blue Line Extension Transit Station Area Plans*, but does not meet the adopted streetscape within the plan based on information from the staff analysis and the public hearing, and because:
  - The area plan recommends transit oriented development for the site.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The site is currently located outside of the one-half mile walk distance to the 25th Street Transit Station on the LYNX Blue Line Extension. However, this site will be located within a one-half mile walk of the station once the 25th Street Neighborhood Improvement Project has been constructed; and
  - The proposed nonresidential uses are appropriate in a transit station area and compatible with other uses along the North Davidson Street corridor; and
  - Development proposes to retain and improve existing buildings, which will not exceed the 50-foot maximum height as recommended in the adopted area plan, and the scale and massing of these buildings is compatible with and sensitive to the existing abutting neighborhood to the rear; and
  - A rear yard and additional wooded area will also provide a transition to the neighborhood adjacent to the site; and
  - Though technically inconsistent with the recommended streetscape in the area plan, the proposed streetscape improvements along North Davidson Street will begin to provide better pedestrian connectivity from North Davidson Street to Cordelia Park and the future Cross Charlotte Trail located directly across East 24th Street; and
  - In addition, the proposed streetscape will lead to an improved and more active building façade along North Davidson Street, adding to the activity and vibrancy along this Main Street corridor.

[2017-31\\_ZC\\_Reco\\_04-04-17-final](#)

[2017-031\\_vicinity\\_map](#)

[2017-031\\_rezoning\\_map\\_revised\\_2](#)

[2017-031\\_RevSitePlan\\_03-27-2016](#)

## 17. 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

**Zoning Committee Recommendation:**

The Zoning Committee voted 5-1 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 *Bryant Park Land Use and Streetscape Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends a mix of residential, office, and retail for this site and the surrounding area.
- 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 on the former Radiator Specialty industrial property; and
  - The Bryant Park Land Use & Streetscape Plan called for the former and mostly vacant industrial site, which includes the subject property, to be redeveloped with a mix of uses to include office, multi-family and retail; and
  - The addition of multi-family development on this site will begin to create the mix of uses recommended by the area plan and will complement the County owned office building across Suttle Avenue and the charter school located north of the site; and
  - The proposed development will also help to implement the desired vehicular and pedestrian connectivity for the larger area by providing segments of two new streets and locating buildings close to the sidewalk to support walkability.

[2017-032 reco 04-04-2017-final](#)

[2017-032 vicinity map](#)

[2017-032 rezoning map](#)

[2017-032 rev 04-10-2017](#)



## 18. 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

**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 *Bryant Park Land Use & Streetscape Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends office uses for the site as amended by rezoning petition 2013-045.
- 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 Bryant Park Land Use & Streetscape Plan originally recommended a mix of residential, office, and retail for the area where the site is located, which is the former Radiator Specialty industrial site; and
  - The office land use recommendation was a result of rezoning petition 2013-045 which allowed for all uses in the O-1 (office) district on this site and on abutting property; and
  - The proposed development of townhomes on this site will support the creation of a district with a mix of residential, office and retail and will complement the County owned office building across Suttle Avenue and the charter school located north of the site; and
  - The proposed development is also designed to support walkability in the new multi-use district, with the residential units located near the public sidewalk and directly accessible from the sidewalk.

[2017-034 reco 04-04-2017-final](#)

[2017-034 vicinity map](#)

[2017-034 rezoning map revised](#)

[2017-034 RevSitePlan 03-27-2017](#)

**ZONING HEARINGS****19. Rezoning Petition: 2016-095 by Fairview Plaza Buildings, LLC**

**Location:** Approximately 1.621 acres located on the east side of Park South Drive between Fairview Road and Pine Valley Road. (Council District 6 - Smith)

**Current Zoning:** O-3(CD) (office)

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

**Staff Recommendation:**

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

[2016-095 staff 4-17-17 final final](#)

[2016-095 vicinity map](#)

[2016-095 rezoning map revised](#)

[2016-095 RevSitePlan 01-23-2017](#)

[Previously Approved Cover Page](#)

[2016-095 approvedplan 1995-017](#)

**20. Rezoning Petition: 2016-131 by Halvorsen Development Corporation**

**Location:** Approximately 1.63 acres located on the northeast corner of Ridge Road and Prosperity Church Road. (Council District 4 - Phipps)

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

**Proposed Zoning:** NS SPA (neighborhood services, site plan amendment) and NS (neighborhood services)

**Staff Recommendation:**

Staff does not recommend approval of this petition.

[2016-131 staff 4-17-17 final-final](#)

[2016-131 vicinity map](#)

[2016-131 rezoning map](#)

[2016-131 RevSitePlan 03-14-2017](#)

[Previously Approved Cover Page](#)

[2016-131 approvedplan 2008-081](#)

## 21. Rezoning Petition: 2017-041 by Charlotte Tryon Hills Partners, LLC

**Location:** Approximately 12.67 acres located on the northeast corner at the intersection of Catalina Avenue and West 24th Street, south of West 26th Street and west of North Poplar Street. (Council District 1 - Kinsey)

**Current Zoning:** R-5 (single family residential), R-22MF (multi-family residential), and I-1(light 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, land use, site and building design, and infrastructure.

[2017-41 Staff Analysis 04-17-17 final-final final](#)

[2017-041 vicinity map](#)

[2017-041 rezoning map revised 2](#)

[2017-041 RevSitePlan 03-14-2017](#)

## 22. Rezoning Petition: 2017-004 by Trinity Episcopal School

**Location:** Approximately 6.16 acres generally surrounded by East 9th Street, North Myers Street, East 8th Street, M Street, and Brookshire Boulevard. (Council District 1 - Kinsey)

**Current Zoning:** UR-1 & UR-2(CD) (urban residential) and (urban residential, conditional)

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

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of outstanding issues related to site design and requested technical revisions.

[2017-004 staff 04-17-2017 -Final](#)

[2017-004 vicinity map](#)

[2017-004 rezoning map revised2](#)

[2017-004 RevSitePlan 03-14-2017-clean](#)

[Previously Approved Cover Page](#)

[2017-004 previously approved plan](#)

## 23. Rezoning Petition: 2017-012 by The Drakeford Company

**Location:** Approximately 0.683 acres located on the north side of McClintock Road between Nandina Street and St. Julien Street. (Council District 1 - Kinsey)

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

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

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of outstanding issues related to land use, site and building design, and minor technical revisions.

[2017-12 Staff-04-17-17 final-final](#)

[2017-012 vicinity map](#)

[2017-012 rezoning map revised](#)

[2017-012 RevSitePlan 03-14-2017-clean](#)

## 24. Rezoning Petition: 2017-013 by Tim Frye

**Location:** Approximately 38.16 acres located at the end of Melynda Road, north of Piedmont and Northern Railroad between Toddville Road and Windy Valley Drive. (Council District 2 - Austin)

**Current Zoning:** R-5 (single family residential), I-1 (light industrial) and I-2 (general industrial)

**Proposed Zoning:** I-2(CD) (general industrial, conditional) with five-year vested rights

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of minor outstanding issues pertaining to hours of operation and lighting.

[2017-013 staff 4-17-17 final-final](#)

[2017-013 vicinity map](#)

[2017-013 rezoning map revised](#)

[2017-013 RevSitePlan 03-24-2017-clean](#)

## 25. Rezoning Petition: 2017-035 by Carolina Capital Investments Partners

***Update: Community Meeting Report was not submitted. Request to Defer to May 15, 2017***

**Location:** Approximately 4.39 acres located on the north side of West Tremont Avenue between South Tryon Street and Toomey Avenue. (Council District 3 - Mayfield)

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

**Proposed Zoning:** I-1 TS-O (light industrial, transit supportive overlay, optional), five-year vested rights

[No Community Meeting Insert](#)

## 26. Rezoning Petition: 2017-037 by Pulte Home Company, LLC

**Location:** Approximately 9.14 acres located on the east end of Starmount Cove Lane between Thorncliff Drive and South Boulevard. (Council District 6 - Smith)

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

**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 along with the requested technical revisions.

[2017-037 staff 4-17-17 final-final](#)

[2017-037 vicinity map](#)

[2017-037 rezoning map](#)

[2017-037 RevSitePlan 03-14-2017-clean](#)

[Previously Approved Cover Page](#)

[2017-037 approvedplan 1999-027](#)

## 27. Rezoning Petition: 2017-038 by Childress Klein Properties, Inc.

**Location:** Approximately 2.12 acres located on the east side of West Tyvola Road between Billy Graham Parkway and Cascade Pointe Boulevard. (Council District 3 - Mayfield)

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

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

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of outstanding issues related to site design along with the requested technical.

[2017-038 staff 04-17-2017 -final-final](#)

[2017-038 vicinity map](#)

[2017-038 rezoning map](#)

[2017-038 RevSitePlan 03-14-2017](#)

[Previously Approved Cover Page](#)

[2017-038 previously approved plan 1998-125](#)

## 28. Rezoning Petition: 2017-040 by White Point Partners, LLC

**Location:** Approximately 0.33 acres on the northwest corner at the intersection of West Catherine Street and South Tryon 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.

[2017-040 staff 04-17-2017 -final final](#)

[2017-040 vicinity map](#)

[2017-040 rezoning map](#)

## 29. Rezoning Petition: 2017-045 by Judson Stringfellow

**Location:** Approximately 2.968 acres located on the north side of Hewitt Drive east of Faircreek Court. (Council District 4 - Phipps)

**Current Zoning:** R-15MF (CD) (multi-family residential, conditional)

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

**Staff Recommendation:**

Staff recommends approval of this petition.

[2017-045 staff 4-17-17-final final](#)

[2017-045 vicinity map](#)

[2017-045 rezoning map revised 2](#)

[Previously Approved Cover Page](#)

[2017-045 approved plan 1991-017](#)

## 30. Rezoning Petition: 2017-046 by Mecklenburg County

**Location:** Approximately 2.82 acres located on the south side of Baxter Street between South McDowell Street and Kenilworth Avenue. (Council District 1 - Kinsey)

**Current Zoning:** B-2 (PED) (general business, pedestrian overlay)

**Proposed Zoning:** MUDD (PED) (mixed use development, pedestrian overlay)

**Staff Recommendation:**

Staff recommends approval of this petition.

[2017-046 staff 04-17-2017 -final final](#)

[2017-046 vicinity map](#)

[2017-046 rezoning map](#)

### 31. Rezoning Petition: 2017-047 by Scott Land Investments, LLC

**Location:** Approximately 6.63 acres located at the southwest intersection of Tyvola Road and Westpark Drive and east of Interstate 77. (Council District 3 - Mayfield)

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

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

**Staff Recommendation:**

Staff recommends approval of this petition.

[2017-047 staff Analysis 4-17-17 final final](#)

[2017-047 vicinity map](#)

[2017-047 rezoning map](#)

### 32. Rezoning Petition: 2017-056 by Glen Nocik

**Location:** Approximately 1.33 acres located on the east side of Distribution Street between Remount Road and Dunavant 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.

[2017-056 staff 04-17-2017 final final](#)

[2017-056 vicinity map](#)

[2017-056 rezoning map](#)

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

**Location:** Approximately 7.0 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 five-year vested rights)

**Staff Recommendation:**

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

[2017-021 staff 4-17-17 final-final](#)

[2017-021 vicinity map](#)

[2017-021 rezoning map revised](#)

[2017-021 RevSitePlan 03-21-2017](#)