

City of Charlotte

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



Zoning Agenda

Monday, June 20, 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 6-20-16 Final](#)

2. Follow Up Report

[Follow-Up Report Final](#)

5:30 P.M. ZONING MEETING, COUNCIL CHAMBERS**ZONING DECISIONS****3. Rezoning Petition: 2015-037 by Dominick Ristaino*****Update: Petitioner Requesting New Public Hearing***

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-O) (single family residential, historic district overlay)

Proposed Zoning: B-1 (HD-O) (neighborhood business, historic district overlay)

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 to send this petition back to City Council for a new public hearing.

[2015-037 reco 05-25-2015 final](#)

[2015-037 vicinity map](#)

[2015-037 rezoning map](#)

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

Update: Requesting deferral due to full Council not being present for the vote on this sufficiently protested petition.

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 5-0 to recommend **APPROVAL** of this petition as modified.

Staff recommendation:

Staff disagrees with the recommendation of the Zoning Committee as the scale, mass and encroachment into the single-family area is inconsistent with the adopted area plan.

Statement of Consistency:

Due to an incomplete consistency statement provided to and passed by the Zoning Committee, staff recommends that Council adopt an updated version of the consistency statement if voting to approve this petition. The updated version corrects the portion of the statement by the Zoning Committee that addresses consistency with the *Park Woodlawn Area Plan* but does not change their rationale for recommending approval.

[Consistency Statements 2015-093](#)

[2015-093_reco_04-27-2016_final](#)

[2015-093_vicinity_map](#)

[2015-093_rezoning_map](#)

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

Update: Requesting deferral due to full Council not being present for the vote on this sufficiently protested petition.

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 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 on information from the staff analysis and the public hearing, and because:
 - The petition is consistent with the residential use recommended by the *South District Plan*. In addition, the site meets the criteria set forth in the *General Development Policies* for consideration of an increase in density up to 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 property is located on a segment of Wendover with multi-family, office, and government uses. Immediately east of the site is an existing multi-family development that also has access from Wendover Road; and
 - The site is separated from existing single family residential units by a stream and a fairly significant grade change; and
 - The proposed driveway location aligns with a potential future extension of Cascade Circle from Billingsley Road to Wendover Road; and
 - Access to the site is limited to the single driveway reducing the number of potential driveways along this heavily traveled portion of Wendover Road.

[2015-111 reco 3-30-16 final](#)

[2015-111 vicinity map](#)

[2015-111 rezoning map](#)

6. Rezoning Petition: 2016-066 by JWM Family Enterprises, Inc.

Update: Requesting Deferral (to July 18, 2016)

Location: Approximately 5.32 acres located on the southwest corner at the intersection of Roxborough Road and Rexford Road. (Council District 6 - Smith)

Current Zoning: O-1 (office) & O-15 (CD) (office, conditional)

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

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 to **DEFER** this petition to the June 29 Zoning Committee Work Session.

[2016-066 reco 5-25-16 final](#)

[2016-066 vicinity map](#)

[2016-066 rezoning map](#)

7. Rezoning Petition: 2016-070 by Woodfield Acquisitions, LLC

Update: Requesting Deferral (to July 18, 2016)

Location: Approximately 21.68 acres located north of Madison Square Place and near the intersection of Madison Square Place and Northlake Centre Parkway. (Council District 2 - Austin)

Current Zoning: R-3 (single family residential) & CC (commercial center)

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

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 to **DEFER** this petition to the June 29 Zoning Committee Work Session.

[2016-070 reco 5-25-16 final](#)

[2016-070 vicinity map](#)

[2016-070 rezoning map](#)

8. Rezoning Petition: 2016-024 by Greystar GP II, LLC

Update: Petitioner Requesting a one week deferral to (June 27, 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) (urban residential, conditional), with five-year vested rights

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 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 recommendation for institutional use for the R-3 (single family residential) portion of the site. The R-8MF (CD) (multi-family residential, conditional) portion of the site is consistent with the multi-family use recommended by the plan but inconsistent with the density of 7.25 units per acre as amended by a previous rezoning petition. However, the proposed density is aligned with the General Development Policies, which support consideration of a density over 17 dwellings per acre, based on information from the staff analysis and the public hearing, and because:
 - The proposal is for multi-family residential use at a density of 26.28 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 subject site is located on a major thoroughfare on the southern edge of the Cotswold Mixed Use Activity Center, a priority area to accommodate future growth in an urban, pedestrian-oriented development form. The proposal has buildings along the street frontage with parking behind, and provision for good pedestrian connections to the sidewalk/multi-use trail system; and
 - The Centers, Corridors, Wedges Growth Framework recommends moderate (up to 22 dwelling units per acre) to high (over 22 dwelling units per acre) density residential within Mixed Use Activity Centers. The proposed density is 26.28 units per acre; and
 - The proposed use is compatible with nearby uses on Randolph Road, both within and outside of the Activity Center; and
 - The site design provides a transition to the established neighborhood through the use of the following:
 - Yards (115-foot rear yard, 50-foot side yard along northern property line, and 26-foot side yard along southern property line); and
 - Buffers (45-foot buffer with a fence along the majority of the rear property line, a 26-foot buffer with a fence along the southern property lines, and 15-foot buffer with a fence along the northern property line); and
 - Building heights (limited to three stories and not to exceed 40 feet).

[2016-024 reco 5-25-16 final](#)

[2016-024 vicinity map](#)

[2016-024 rezoning map](#)

[2016-024 RevisedSitePlan 06-1-2016](#)

9. 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: 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 with the *Briar Creek/Woodland/Merry Oaks Small Area Plan*, based on information from the staff analysis and the public hearing, and because:
 - The plan was updated by rezoning petition 2008-157, which approved the use of the site for dental office uses in the existing residential structure.
- 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 directly fronts Central Avenue and is currently used as a dental office; and
 - Proposed building expansion and additional parking will be located behind the existing structure and will not change the character of the development as seen from Central Avenue; and
 - Building expansion is designed to blend with architectural style and residential character of the existing structure; and
 - The dental office will continue to serve the surrounding neighborhood; and
 - Brick monument style sign will be compatible in scale and material with the surrounding residential structures.

[2016-37 reco 052516 final](#)

[2016-037 vicinity map](#)

[2016-037 rezoning map revised2](#)

[2016-037 Revised Site Plan 052316](#)

10. Rezoning Petition: 2016-041 by Horizons at Steele Creek, LLC

Location: Approximately 3.22 acres located at the end of Calawood Way near the intersection of Steele Creek Road and Calawood Way. (Council District 3 - Mayfield)

Current Zoning: R-3 (LLWPA) (single family residential, Lower Lake Wylie Protected Area)

Proposed Zoning: R-17MF (CD) (LLWPA) (multi-family residential, 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 agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be inconsistent with the *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because:
 - The plan recommends residential at up to four dwelling units per acre.
- 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 directly west of the Horizons at Steele Creek multi-family project, which includes 288 units and is under construction; and
 - This proposal is for a minor addition of 48 units to the existing multi-family development, resulting in a total of 336 units; and
 - Because the subject property abuts the Horizons at Steele Creek multi-family complex on one side, is bounded by streets on two other sides, and is only 3.22 acres, single family residential development on this site would be challenging and the proposed expansion of the Horizons at Steele Creek multi-family project is a reasonable use of this property; and
 - The proposed R-17MF(CD) (multi-family residential, conditional) zoning will be consistent with the zoning of the existing Horizons at Steele Creek development; and
 - The proposed expansion of the Horizons at Steele Creek complex will provide for an additional vehicular access point to the site via the extension of Calawood Way; and
 - Over 40% of the site will be preserved for tree save, and the tree save area will buffer the three existing single family parcels from the site.

[2016-041_reco_05-25-2016_final](#)

[2016-041%20rezoning%20map](#)

[2016-041_vicinity_map](#)

[2016-041_RevisedSitePlan_05-19-2016](#)

11. Rezoning Petition: 2016-079 by NoDa Greenway One, LLC & NoDa Greenway Two, LLC

Location: Approximately 18.3 acres located on the west side of East Craighead Road between North Davidson Street and North Tryon Street. (Council District 1 - Kinsey)

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

Proposed Zoning: TOD-M (CD) (transit oriented development-mixed use, conditional) with five-year vested rights.

Staff Recommendation:

Staff does not recommend approval of this petition in its current form due to the lack of clear transportation commitments and the number of additional outstanding and technical issues.

[2016-79 Staff 06-20-16 final \(4\)](#)

[2016-079 vicinity map](#)

[2016-079 rezoning map](#)

[2016-079 RevisedSitePlan 05-23](#)

[Previsously Approved Cover Page](#)

[2016-79 Prev approved site plan 1995-050](#)

12. Rezoning Petition: 2016-049 by Loves Travel Stop & Country Store

Location: Approximately 10.22 acres located on the southeast corner at the intersection of Sam Wilson Road and West Pointe Drive. (Outside City Limits)

Current Zoning: B-2 LLWPA (general business, Lower Lake Wylie Protected Area) and CC LLWPA (commercial center, Lower Lake Wylie Protected Area)

Proposed Zoning: I-2(CD) LLWPA (general industrial, 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 agrees with the recommendation of the Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be consistent with the *Catawba Area Plan*, based on information from the staff analysis and the public hearing, and because:
 - The plan recommends retail land uses for this site.
- Therefore, 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:
 - The truck stop use, while only allowed in the I-2 (general industrial) zoning district, is in essence a retail use; and
 - The site is in a Growth Corridor, and is surrounded by existing industrial uses, or areas recommended for office/industrial land uses in the adopted area plan; and
 - The rezoning site sits at a major interchange (Interstate 85), making its location appropriate for a retail use as recommended by the area plan.

[2016-049 reco 05-25-2016 final-2](#)

[2016-049 vicinity map](#)

[2016-049 rezoning map](#)

[2016-049 Revisedsite plan 5-24-2016](#)

13. Rezoning Petition: 2016-050 by Marnicaly at UNCC, LLC

Location: Approximately 2.59 acres located on the west side of Old Concord Road between Suther Road and John Kirk Drive in the University City area. (Council District 4 - Phipps)

Current Zoning: INST (institutional)

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 *Northeast District Plan*, based on information from the staff analysis and the public hearing, and because:
 - The plan recommends multi-family residential uses for this site; and
 - The petition meets the *General Development Policies* locational criteria for consideration of up to 11 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 subject property is surrounded by multi-family housing on the west side of Old Concord Road; and
 - The site is within close proximity to UNC Charlotte's main campus and the Carolina's Medical Center University Hospital and could offer a conveniently located housing choice for students and employees; and
 - The design of the site respects the character of Old Concord Road, by providing generous setbacks; and
 - The proposal also includes a 12-foot wide multi-use path along the Old Concord Road frontage intended for use by bicyclists and pedestrians; and
 - The site plan proposes a new street off of Old Concord Road, setting up a future street network for an area, between Old Concord Road and University City Boulevard, that is generally lacking in connectivity.

[2016-50_ZC_052516_final](#)

[2016-050_vicinity_map](#)

[2016-050_rezoning_map](#)

[2016-050_RevisedSitePlan_05-27-2016](#)

14. Rezoning Petition: 2016-057 by FedEx Ground Package System, Inc.

Location: Approximately 16.5 acres located on the west side of Toddville Road, north of Freedom Drive. (Council District 3 - Mayfield)

Current Zoning: R-17MF (LLWPA) (multi-family residential, Lower Lake Wylie protected area)

Proposed Zoning: I-2(CD) (LLWPA) (general industrial, conditional, Lower Lake Wylie Protected Area), with five-year vested rights.

Zoning Committee Recommendation:

The Zoning Committee voted 4-2 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:

Staff agrees with the recommendation of the majority Zoning Committee.

Statement of Consistency:

- The Zoning Committee found this petition to be inconsistent with the *Northwest District Plan* recommendation for single family residential uses up to four units per acre, based on information from the staff analysis and the public hearing, and because:
 - The plan recommends single family residential uses at up to four units per acre 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 proposed rezoning will allow a primarily vacant site to be used for employee and tractor trailer truck parking for the nearby FedEx facility; and
 - The subject property is located adjacent to industrial uses and the Mount Holly Road /Highway 16 Industrial Activity Center on the north and east, and residential development on the south and west; and
 - The site layout has been designed to minimize impacts on abutting residential development by locating the parking on the portion of the site furthest away from the nearby residential properties, and by providing significant natural buffers and screening between the parking and residential uses; and
 - The proposal will support the expansion of the existing FedEx facility, which is growing in part due to the improved access to I-85 via the recently widened Freedom Drive; and
 - The character of the area has changed since the plan was adopted in 1990, and the use is consistent and compatible with the existing development pattern which has a greater emphasis on industrial/warehouse uses in the area.

[2016-057 reco 5-25-16 final 2](#)

[2016-057 vicinity map](#)

[2016-057 rezoning map revised](#)

[2016-057 RevisedSitePlan 06-6-2016](#)

15. Rezoning Petition: 2016-059 by Renaissance West Community Initiative

Location: Approximately 1.25 acres located on the north side of West Boulevard between Billy Graham Parkway and Leake Street. (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.

Consistency Statement:

- 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 a mix of multi-family residential, institutional, and office uses as amended by the previous rezoning 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 proposal is a minor site plan amendment to allow the proposed child development center in the Renaissance West development to increase from 17,500 square feet to 25,000 square feet; and
 - The proposed square footage is compatible with surrounding institutional and residential land uses; and
 - The larger child development center is consistent with the initial multi-use concept for the Renaissance West development and does not change the character of the project.

[2016-059 reco 05-25-2016 final](#)

[2016-059 vicinity map](#)

[2016-059 rezoning map](#)

[2016-059 RevisedSitePlan 05-19-2016](#)

16. Rezoning Petition: 2016-086 by ECP NoDa, LLC

Location: Approximately 1.123 acres located south of the Norfolk Southern Railroad and north of North Davidson Street, off of North Davidson Street between East 33rd Street and East 36th Street. (Council District 1 - Kinsey)

Current Zoning: B-1 (neighborhood business) I-2 (general industrial), and MUDD (mixed use development)

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

Staff Recommendation:

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

[2016-086 staff 06-20-16 final \(3\)](#)

[2016-086 vicinity map](#)

[2016-086 rezoning map revised](#)

[2016-086 RevisedSitePlan 05-23-2016](#)

17. Rezoning Petition: 2016-079 by NoDa Greenway One, LLC & NoDa Greenway Two, LLC

Location: Approximately 18.3 acres located on the west side of East Craighead Road between North Davidson Street and North Tryon Street. (Council District 1 - Kinsey)

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

Proposed Zoning: TOD-M (CD) (transit oriented development-mixed use, conditional) with five-year vested rights.

Staff Recommendation:

Staff does not recommend approval of this petition in its current form due to the lack of clear transportation commitments and the number of additional outstanding and technical issues.

[2016-79 Staff 06-20-16 final \(4\)](#)

[2016-079 vicinity map](#)

[2016-079 rezoning map](#)

[2016-079 RevisedSitePlan 05-23](#)

[Previously Approved Cover Page](#)

[2016-79 Prev approved site plan 1995-050](#)

18. Rezoning Petition: 2016-068 by YMCA of Greater Charlotte, Inc.

Location: Approximately 1.03 acres located on the east side of South Caldwell Street between Templeton Avenue and Lexington Avenue. (Council District 1 - Kinsey)

Current Zoning: O-2 (office)

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

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition as modified.

Staff Recommendation:

Staff agrees with the recommendation of the Zoning Committee.

Consistency Statement:

- 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 plans recommend mixed-use transit supportive development for the area in which it 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 located across South Caldwell Street from Pritchard Memorial Baptist Church and the Dowd YMCA; and
 - The proposed deck will serve both of these institutional uses; and
 - The subject site is also located within a ¼ mile walk of the Carson Boulevard Transit Station on the LYNX Blue Line; and
 - The proposal allows a site being used for surface parking to convert to structured parking. Structured parking is a more appropriate form of parking in a transit station area; and
 - The proposed parking structure will also include ground floor active uses along South Caldwell Street and Lexington Avenue. These uses will support the transition of the area into a more walkable urban environment.

[2016-068 reco 05-25-2016 final](#)

[2016-068 vicinity map](#)

[2016-068 rezoning map revised](#)

[2016-068 revised site plan 6-2-2016](#)

19. Rezoning Petition: 2016-069 by White Point Paces Properties, LLC

Location: Approximately 0.83 acres located on the southeast corner at the intersection of Belmont Avenue and North Caldwell Street. (Council District 1 - Kinsey)

Current Zoning: I-2 (general industrial)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff agrees with the recommendation of the Zoning Committee.

Consistency Statement:

- The Zoning Committee found this petition to be consistent with the *Blue Line Transit Station Area Plan*, based on information from the staff analysis and the public hearing, and because:
 - The *Blue Line Extension Transit Station Area Plans* recommends transit supportive uses for the subject 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 subject site is within a ½ mile walk of the Parkwood Transit Station on the Blue Line Extension; and
 - The proposed rezoning allows a vacant site zoned for industrial use to be developed with transit supportive uses; and
 - Use of conventional TOD-M (transit oriented development - mixed-use) zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary; and
 - TOD standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances and screening; and
 - The plan for the area does not have a specific height limit and the TOD-M standards will provide a height transition between nearby single family homes and taller buildings.

[2016-69_ZC_052516_final](#)

[2016-069_vicinity_map](#)

[2016-069_rezoning_map](#)

20. Rezoning Petition: 2016-071 by Aston Properties, Inc.

Location: Approximately 3.28 acres located on the north side of West Tyvola Road and east of City Park Drive. (Council District 3 - Mayfield)

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

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

Consistency Statement:

- The Zoning Committee found this petition to be consistent with the *Southwest District Plan* recommendation for a mix of residential/office/retail uses for the overall City Park Development as amended by rezoning petition 2007-082 and inconsistent with the specific limitation on uses with associated drive-through service windows, and design standards for drive-through service window and vehicular maneuvering locations established under the previous rezoning, based on information from the staff analysis and the public hearing, and because:
 - The proposal allows commercial uses on the site; and
 - The proposal allows drive-through service windows associated with one eating/drinking/entertainment establishment and one neighborhood food and beverage service use as specified in the optional provisions; and
 - The location of one proposed drive-through service window and lanes will be between the building and public street.

- However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
 - The subject property is located on West Tyvola Road, a major thoroughfare, and City Park Drive, at the entrance to the City Park development; and
 - The current zoning for the site allows commercial uses with drive-through accessory windows, but limits the specific types of uses with drive-through windows, and does not allow vehicular maneuvering between the uses and the streets; and
 - The proposed site plan amendment does not increase the number of uses with drive-through windows but simply expands the type of uses allowed to have drive-through windows to include two eating/drinking/entertainment establishments, one of which will have limited food preparation; and
 - The proposed site plan amendment also allows maneuvering for the drive-through service lane on the parcel located on West Tyvola Road and Potomac River Parkway, consistent with the highway oriented environment on West Tyvola Road; and
 - The pedestrian oriented design, with buildings along the street and parking to the side or rear, is maintained on City Park Drive and National Avenue, the priority pedestrian-oriented streets; and
 - The site plan also includes a rain garden, outdoor seating and multi-purpose path, located on City Park Drive and National Avenue within Parcel 4, that further support the pedestrian environment.

[2016-071 reco 5-25-16 final](#)

[2016-071 vicinity map](#)

[2016-071 rezoning map](#)

[2016-071 RevisedSitePlan 05-19-2016](#)

21. Rezoning Petition: 2016-072 by DV XV, LLC

Location: Approximately 0.43 acres located on the north side of South Colonial Avenue between Queens Road and Providence Road. (Council District 1 - Kinsey)

Current Zoning: O-1 (office)

Proposed Zoning: O-2 (office)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff agrees with the recommendation of the Zoning Committee.

Consistency Statement:

- 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 a mix of residential and office uses for the subject 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 property is located within ¼ mile of Presbyterian Hospital and Mercy Hospital; and
 - Conventional zoning is appropriate as the eastern portion of the parcel is zoned O-2 (office). Rezoning the subject property will create consistent zoning across the entire parcel; and
 - The proposed request is consistent with the office zoning of the surrounding properties; and
 - The proposed increase in development intensity is appropriate for this urban site located within ¼ mile of two large hospitals.

[2016-072 reco 05-025-16 final](#)

[2016-072 vicinity map](#)

[2016-072 rezoning map](#)

22. Rezoning Petition: 2016-078 by South End Gold, LLC

Location: Approximately 0.14 acres located on the north side of West Palmer Street between South Graham Street and South Mint Street. (Council District 3 - Mayfield)

Current Zoning: I-2 (general industrial)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff agrees with the recommendation of the Zoning Committee.

Consistency Statement:

- The Zoning Committee found this petition to be consistent with the South End Transit Station Area, 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 1/2 mile walk of the Carson Boulevard Transit Station on the LYNX Blue Line and
 - The proposal allows a site being used for industrial/office use to convert to transit supportive land uses; and
 - Use of conventional TOD-M (transit oriented development - mixed-use) zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary; and
 - TOD (transit oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.

[2016-078_reco_05-25-2016_final](#)

[2016-078_vicinity_map](#)

[2016-078_rezoning_map](#)

Rezoning Petition: 2016-081 by Michael Adams**23. Rezoning Petition: 2016-016 by Clarke Allen**

Update: Community Meeting Report was not submitted. Defer (to July 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 - mixed use) & TOD-M (O) (transit oriented development-mixed use, optional)

[No Community Meeting](#)

24. Rezoning Petition: 2016-061 by Ministerio Internacional Nueva Vida, Inc.

Location: Approximately 20 acres located on the northeast corner at the intersection of Wilora Lake Road and Venedale Road. (Council District 5 - Autry)

Current Zoning: R-3 (single family residential)

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

Staff Recommendation:

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

[2016_061_staff_062016_final_final](#)

[2016-061_vicinity_map](#)

[2016-061_rezoning_map_revised](#)

[2016-61_Site Plan REV 032316](#)

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

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

Current Zoning: NS (neighborhood services)

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.

[2016-015 staff 06-20-2016 final \(2\)](#)

[2016-015 vicinity map](#)

[2016-015 rezoning map revised](#)

[2016-015 RevisedSitePlan 05-19-2016](#)

[Previously Approved Cover Page](#)

[2016-015 Previously Approved](#)

26. Rezoning Petition: 2016-082 by Taylor/Theus Holdings, Inc.

Location: Approximately 5.67 acres located on the northwest corner at the intersection of Ardrey Kell Road and Community House Road. (Council District 7 - Driggs)

Current Zoning: R-3 (single family residential)

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

Staff Recommendation:

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

[2016-082 staff 06-20-16 final final](#)

[2016-082 vicinity map](#)

[2016-082 rezoning map](#)

[2016-082 RevisedSitePlan 05-23-2016](#)

27. Rezoning Petition: 2016-074 by McKinney Holdings NC II, LLC

Location: Approximately 15 acres located on the east side of North Tryon Road between Sandy Avenue and Rocky River Road. (Council District 4 - Phipps)

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

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

Staff Recommendation:

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

[2016-074 staff 06-20-16 Final \(2\) gj](#)

[2016-074 vicinity map revised4](#)

[2016-074 rezoning map revised2](#)

28. Rezoning Petition: 2016-075 by The Drakeford Company

Location: Approximately 0.55 acres located on the northwest corner at the intersection of Central Avenue and Chatham Avenue. (Council District 1 - Kinsey)

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

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

Staff Recommendation:

Staff recommends approval upon resolution of outstanding issues regarding site and building design, and transportation.

[2016-075 staff 06-20-16 Final final](#)

[2016-075 vicinity map](#)

[2016-075 rezoning map revised](#)

[2016-075 RevisedSitePlan 05-23-2016](#)

29. Rezoning Petition: 2016-073 by NoDa 3215, LLC

Location: Approximately 0.151 acres located on the west side of North Davidson Street between East 35th Street and East 36th Street. (Council District 1 - Kinsey)

Current Zoning: B-1 (neighborhood business)

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

Staff Recommendation:

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

[2016-73 Staff Analysis 06-20-16 Final final](#)

[2016-073 vicinity map](#)

[2016-073 rezoning map](#)

[2016-073 RevisedSitePlan 05-23-2016](#)

30. Rezoning Petition: 2016-079 by NoDa Greenway One, LLC & NoDa Greenway Two, LLC

Location: Approximately 18.3 acres located on the west side of East Craighead Road between North Davidson Street and North Tryon Street. (Council District 1 - Kinsey)

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

Proposed Zoning: TOD-M (CD) (transit oriented development-mixed use, conditional) with five-year vested rights.

Staff Recommendation:

Staff does not recommend approval of this petition in its current form due to the lack of clear transportation commitments and the number of additional outstanding and technical issues.

[2016-79_Staff_06-20-16_final\(4\)](#)

[2016-079_vicinity_map](#)

[2016-079_rezoning_map](#)

[2016-079_RevisedSitePlan_05-23](#)

[Previously Approved Cover Page](#)

[2016-79 Prev approved site plan 1995-050](#)

31. Rezoning Petition: 2016-086 by ECP NoDa, LLC

Location: Approximately 1.123 acres located south of the Norfolk Southern Railroad and north of North Davidson Street, off of North Davidson Street between East 33rd Street and East 36th Street. (Council District 1 - Kinsey)

Current Zoning: B-1 (neighborhood business) I-2 (general industrial), and MUDD (mixed use development)

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

Staff Recommendation:

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

[2016-086_staff_06-20-16_final\(3\)](#)

[2016-086_vicinity_map](#)

[2016-086_rezoning_map_revised](#)

[2016-086_RevisedSitePlan_05-23-2016](#)

32. Rezoning Petition: 2016-067 by Pollack Shores Real Estate Group, LLC

Location: Approximately 8.36 acres located on the south 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-M (O) (transit oriented development-mixed use, optional)

Staff Recommendation:

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

[2016-067_sta_06-20-2016_final_\(3\)](#)

[2016-067_vicinity_map](#)

[2016-067_rezoning_map](#)

[2016-067_RevisedSitePlan_05-23-2016](#)

33. Rezoning Petition: 2016-081 by Michael Adams

Location: Approximately 1.79 acres located on the northeast corner at the intersection of Nations Ford Road and Tyvola Road. (Council District 3 - Mayfield)

Current Zoning: CC (commercial center)

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

Staff Recommendation:

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

[2016-081_staff_06-20-16_final_final](#)

[2016-081_vicinity_map](#)

[2016-081_rezoning_map](#)

[2016-081_RevisedSitePlan_05-23-2016](#)

[Previsously Approved Cover Page](#)

[2016-081 Approved Site Plan_1997-015](#)

34. Rezoning Petition: 2016-020 by Ridgeland Recreational Vehicles, Inc.

Location: Approximately 1.93 acres located south of Interstate 85 and north of Lakebrook Road, west of Sam Wilson Road. (Outside City Limits)

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

Proposed Zoning: I-1(CD) LWPA (light industrial, conditional, Lake Wylie Protected Area)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of requested technical revisions related to the square footage, buffers, and signage.

[2016-020 staff 02-15-2016 final \(3\)](#)

[2016-020 vicinity map](#)

[2016-020 rezoning map](#)

[2016-020 RevisedSitePlan 05-23-2016](#)

[Previously Approved Cover Page](#)

[2016-020 Approved Site Plan 1985-017C](#)

35. Rezoning Petition: 2016-043 by Essex Homes

Location: Approximately 0.67 acres located on the south side of West Summit Avenue between Merriman Avenue and Wilmore Drive. (Council District 3 - Mayfield)

Current Zoning: I-2 (general industrial)

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

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to buffers, screening and technical issues.

[2016-043 staff 06-20-2016 final final](#)

[2016-043 vicinity map](#)

[2016-043 rezoning map](#)

[2016-043 RevisedSitePlan 03-21-2016](#)

36. Rezoning Petition: 2016-084 by QuikTrip Corporation

Location: Approximately 1.85 acres located on the northeast corner at the intersection of Brookshire Boulevard and North Hoskins. (Council District 2 - Austin)

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

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

Staff Recommendation:

Staff does not recommend approval of this petition because the proposal expands commercial use and zoning into an established neighborhood and because of significant transportation issues.

[2016-084 staff 6-20-16 final \(3\)](#)

[2016-084 vicinity map](#)

[2016-084 rezoning map](#)

[2016-084 RevisedSitePlan 05-23-2016](#)

[Previously Approved Cover Page](#)

[2016-084 approved site plan color 1996-025](#)