

# City of Charlotte

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



## **Zoning Agenda**

**Tuesday, January 17, 2017**

**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. Meeting Agenda**
- 2. Dinner Meeting Agenda**
  - 1. Agenda Review - Tammie Keplinger**

[Council Dinner Agenda FINAL](#)

- 3. Follow Up Report**

[Follow-Up Report for 1-17-17 meeting \(2\)](#)

***5:30 P.M. ZONING MEETING, COUNCIL CHAMBERS*****Council appointment to fill Council District 5 Vacancy****HISTORIC LANDMARK DECISION****4. Charles E. Barnhardt House*****Update: Request to Defer (to March 20, 2017)***

The property known as the "Charles E. Barnhardt House" (listed under Tax Parcel Number 09504315 as of September 1, 2016 and including the interior and exterior of the house and a portion of the land of Tax Parcel Number 09504315) as an Historic Landmark.

**Property Owner:** Country Club Lane LLC

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

**ZONING DECISIONS****5. Rezoning Petition: 2016-115 by Crescent Communities**

***Update: Requesting deferral to (February 20, 2017)***

**Location:** Approximately 37.54 acres located on the south side of West Mallard Creek Church Road between Senator Royall Drive and Claude Freeman Drive.  
(Council District 4 - Phipps)

**Current Zoning:** RE-3(O) (research, optional)

**Proposed Zoning:** RE-3(O) SPA (research, optional, site plan amendment)

**Zoning Committee Recommendation:**

The Zoning Committee voted 7-0 to **DEFER** this petition to the January 25, 2017 Zoning Committee Work Session.

[2016-115 reco 01-04-2017](#)

[2016-115 vicinity map](#)

[2016-115 rezoning map revised](#)

**6. Rezoning Petition: 2016-132 by Richter Development, LLC**

***Update: Requesting Deferral to (February 20, 2017)***

**Location:** Approximately 2.01 acres located on the east side of Sardis Road between Coventry Row Court and Timber Lane. (Council District 6 - Smith)

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

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

**Staff Recommendation:**

The Zoning Committee voted 7-0 to **DEFER** this petition to the January 25, 2017 Zoning Committee Work Session.

[2016-132 reco 1-4-17 final](#)

[2016-132 vicinity map](#)

[2016-132 rezoning map](#)

## 7. 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 a new public hearing** for this petition due to the changes made to the rezoning proposal.

[2016-097 reco 1-4-17 final](#)

[2016-097 vicinity map revised](#)

[2016-097 rezoning map](#)

## 8. Rezoning Petition: 2016-117 by ATAPCO UEP Inc.

**Location:** Approximately 4.51 acres located on the west side of North Tryon Street between East McCullough Drive and Ken Hoffman Drive. (Council District 4 - Phipps)

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

**Proposed Zoning:** TOD-M (CD) (transit oriented development - mixed-use, conditional)

**Zoning Committee Recommendation:**

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

**Staff Recommendation:**

Staff agrees with the recommendation of the Zoning Committee.

**Statement of Consistency:**

- The Zoning Committee found this petition to be consistent with the *University City Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends office, hotel, civic and/or retail uses and deems residential uses appropriate if developed as part of a mixed use development with ground floor retail or other commercial 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:
  - This property is located along North Tryon Street in an existing business park, adjacent to the McCullough Street station on the LYNX Blue Line Extension; and
  - The area in which the site is located is beginning to transition from single-use, auto-dependent sites to more integrated, mixed-use form of development, and the proposed urban development supports this transition; and
  - The multi-family project will provide a housing option in close proximity to transit as well as to an employment district; and
  - Although the majority of the building square footage is planned for residential uses, a portion of the ground floor will be designated for retail uses which will provide goods and services for area residents, employees, and transit riders; and
  - The petition enhances the station area's walkability and connectivity by providing new pedestrian connections and improved street network at desired block lengths between the existing streets; and
  - The building design will further support pedestrian activity by including ground floor entrances, nonresidential ground floor uses, and urban open space along North Tryon Street.

[2016-117 Reco 01-04-17 final](#)

[2016-117 vicinity map](#)

[2016-117 rezoning map](#)

[2016-117 RevisedSitePlan 12-22-2016](#)

## 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 revised](#)

[2016-123 revisedsite plan 011017](#)

## 10. Rezoning Petition: 2016-128 by Mt. Island Promenade, LLC

**Location:** Approximately 125.13 acres located on the southeast corner at the intersection of Brookshire Blvd and Mount Holly-Huntersville Road. (Council District 2 - Austin)

**Current Zoning:** R-3(LWPA) (single family residential, Lake Wylie Protected Area), NS (LWPA) (neighborhood services, Lake Wylie Protected Area), and BD (CD) (LWPA) (distributive business, conditional, Lake Wylie Protected Area)

**Proposed Zoning:** CC (LWPA) (commercial center, Lake Wylie Protected Area), MUDD-O (LWPA) (mixed use development district, optional, Lake Wylie Protected Area), and NS SPA (LWPA) (neighborhood services, site plan amendment, Lake Wylie Protected Area), with five year vested rights

**Zoning Committee Recommendation:**

The Zoning Committee Recommendation for this petition will be distributed through the Council Manager Memo on Friday, January 13. Staff will also place a hard copy of the recommendation in each Councilmember's office Friday afternoon and notify you when Legistar has been updated.

[2016-128 vicinity map](#)

[2016-128 rezoning map revised \(2\)](#)

[2016-128 RevSite Plan 01-11-17](#)

[2016-128 reco 01-04-17 final.pdf](#)



## 11. Rezoning Petition: 2016-138 by Southminster, Inc.

**Location:** Approximately 25.4 acres located on the east side of Park Road between Smithfield Church Road and Arbor Pointe Drive. (Council District 6 - Smith)

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

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

**Zoning Committee Recommendation:**

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition as modified and subject to a commitment to the construction of an eight-foot planting strip and six-foot sidewalk along the entire frontage of Smithfield Church Road or portion of Park Road.

**Staff Recommendation:**

Staff agrees with the recommendation of the Zoning Committee.

**Statement of Consistency:**

- The Zoning Committee found this petition to be consistent with the South District Plan, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends institutional uses for the subject property.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The site is developed with a continuing care retirement community and has been rezoned several times over the years for expansions; and
  - The requested petition is for a minor expansion of the facility, increasing independent units from 332 to 379 and healthcare beds from 110 to 127; and
  - The expansion will be accommodated by redevelopment of a portion of the site where ten existing cottages and a wing of the existing dependent care building currently are located; and
  - The proposed expansion is designed to be compatible with surrounding single family development by:
    - Locating the proposed healthcare addition internal to the site, connected to the existing dependent care building, and away from single family homes;
    - Maintaining the previously approved maximum building height of four stories for the healthcare addition;
    - Limiting the maximum building height of the "villa" style buildings to three stories;
    - Enhancing the required buffer where the proposed villa on the southern edge of the site is closest to the neighboring single family homes;
    - Establishing the required 50-foot buffer when the proposed parking structured is constructed on the southeastern corner of the site; and
    - Removing existing surface parking serving the cottages and dependent care building, to be redeveloped, and providing new parking below grade.

[2016-138 reco 1-4-17 final](#)

[2016-138 vicinity map](#)

[2016-138 rezoning map](#)

[20016-138 Southminster Fourth Sub 1-9-17](#)

## 12. Rezoning Petition: 2016-140 by Michael Adams

**Location:** Approximately 6.63 acres located on the southwest corner at the intersection of Rocky River Road and East W.T. Harris Boulevard. (Council District 4 - Phipps)

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

**Proposed Zoning:** NS SPA (neighborhood services, site plan amendment and BD (CD) (distributive business, conditional 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 consistent with the *Newell Small Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends office and retail uses, as amended by rezoning petition 2003-055.
- 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 current zoning allows up to 10,000 square feet of retail uses on this site in addition to up to 30,000 square feet of office uses. Of the total square footage allowed, approximately 4,500 square feet of retail uses has been constructed as a gas station and no office uses have been constructed. Proposed office and retail uses represent minor changes in type and square footage from the uses currently permitted; and
  - The petition provides retail services to several nearby residences and a direct pedestrian connection as an extension of the established sidewalk from Corriente Court; and
  - Self-storage uses are only permitted in select zoning districts but have been deemed compatible with surrounding uses of low intensity, such as residential and retail uses; and
  - Building facades abutting streets are providing a minimum of one entrance, buildings fronting public streets provide 25% glass or windows, and design elements are utilized to break up expanses of solid wall over 20 feet in length.

[2016-140 Reco 01-10-17 final](#)

[2016-140 vicinity map](#)

[2016-140 rezoning map revised4](#)

[2016-140 RevSitePlan 01-09-2017](#)

### 13. Rezoning Petition: 2016-141 by RENC CH, LLC

**Location:** Approximately 41.5 acres located on the south side of Wallace Road between Woodberry Road and East Independence Boulevard. (Council District 5 - Autry)

**Current Zoning:** R-3(single family residential), UR-2(CD) (urban residential, conditional), B-2 (general business), B-2(CD) (general business, conditional)

**Proposed Zoning:** B-2 (CD) (general business, conditional) and B-2(CD) SPA (general business, 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 the portion of the site fronting East Independence Boulevard to be consistent with the *Independence Boulevard Area Plan*, while the remainder of the site is inconsistent with the *Independence Boulevard Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The *Independence Boulevard Area Plan* recommends a mix of office and retail uses for the portion of the site fronting East Independence Boulevard; and
  - The *Independence Boulevard Area Plan* recommends institutional and residential uses up to 12 units per acre for the majority of the site along Wallace 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 subject property fronts Independence Boulevard and the majority of the frontage is developed with automotive dealerships; and
  - The remainder of the property is located between the existing dealerships and the proposed alignment of the proposed light rail along the Independence Boulevard Corridor (i.e. LYNX Silver Line); and
  - Due to the location between the commercial uses on Independence Boulevard and the future LYNX Silver Line, the area is no longer conducive for residential uses as shown in the *Independence Boulevard Area Plan*; and
  - Although a portion of the proposal is inconsistent with the area plan, the proposed building and parking expansion will support the continued viability of existing business on Independence Boulevard; and
  - In addition, the proposal will support future development of the LYNX Silver Line by reserving and dedicating right-of-way for the transit alignment.

[2016-141 Reco 01-04-17 final](#)

[2016-141 vicinity map](#)

[2016-141 rezoning map revised](#)

[2016-141 REVSitePlan 010317 added dev notes](#)

## 14. Rezoning Petition: 2016-144 by MV Residential Development, LLC

**Location:** Approximately 3.06 acres located on the west side of North Davidson Street between East 21st Street and East 22nd Street. (Council District 1 - Kinsey)

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

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

**Zoning Committee Recommendation:**

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

**Staff Recommendation:**

Staff agrees with the recommendation of the Zoning Committee.

**Statement of Consistency:**

- The Zoning Committee found this petition to be consistent with the *Blue Line Extension Transit Station Area Plans*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends transit supportive uses for this site, and is also consistent with the recommendation for active ground floor uses on North Davidson Street.
- 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 within ½ mile of the Parkwood Transit Station and near the Cross Charlotte Trail alignment and is included in a larger area envisioned to be redeveloped with transit supportive development; and
  - The proposed transit oriented development zoning is more consistent with the vision for the area than the current industrial zoning; and
  - The project will include active ground floor uses along North Davidson Street, in close proximity to the Cross Charlotte Trail alignment; and
  - The project will enhance the pedestrian environment along the public street frontages by installing new sidewalks and planting strips along public street frontages, and providing building entrances that connect directly to the public sidewalks.

[2016-144 Reco 01-04-17 final](#)

[2016-144 vicinity map](#)

[2016-144 rezoning map](#)

[2016-144 RevSitePlan 12-22-2016](#)

## 15. Rezoning Petition: 2016-147 by Mallard Creek Associates #1, LLC

**Location:** Approximately 10.8 acres located on the northwest corner at the intersection of Providence Road, Fairview Road and Sardis Road. (Council District 6 - Smith)

**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 *South District Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends mixed residential and retail/commercial uses as amended by the prior rezoning 2015-046.
- 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 essentially the same as the site plan approved in the prior rezoning, with the addition of an underground self-storage component, a slight increase in the number of dwelling units, an increase in the number of allowed stories for a portion of the multi-family building, additional site plan area intended for tree save and buffer purposes, and modification of the streetscape along a portion of the private street; and
  - Aside from the addition of the self-storage facility and the slight increase of six dwelling units from 195 to 201, all previously approved development entitlements remain the same; and
  - The increase in the number of stories from five to six is only for a portion of the multi-family building that is at a minimum 100 feet from the nearest single family lot; and
  - The buffers are consistent with those approved with the prior rezoning and protect abutting single family; and
  - The reduced planting strip is along a private street, which abuts the service area for the proposed retail/grocery building. The reduction accommodates the loading, service and mechanical equipment area which will be screened with a wall.

[2016-147 reco 1-4-17 final](#)

[2016-147 vicinity map](#)

[2016-147 rezoning map](#)

[2016-147 RevSitePlan 1-9-17](#)

## 16. Rezoning Petition: 2016-148 by Michael L. Lavelle

**Location:** Approximately 0.9 acres located on the southeast corner at the intersection of Elm Lane and Williams Pond Lane. (Council District 7 - Driggs)

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

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

**Zoning Committee Recommendation:**

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

**Staff Recommendation:**

Staff agrees with the recommendation of the Zoning Committee.

**Statement of Consistency:**

- The Zoning Committee found this petition to be consistent with the *South District Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends retail land use as amended by the prior rezoning.
- 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 outparcel is a part of a commercial center approved by rezoning petition 2006-081; and
  - The approved site plan for the overall center allows commercial, office, and eating/drinking/entertainment establishments; however, it limits the use of the subject outparcel to a financial institution; and
  - The proposed request expands the allowable uses for the subject outparcel to include office and retail uses as well as a financial institution, and prohibits the following:
    - auto-oriented retail uses;
    - convenience stores;
    - gasoline sales; and
    - drive-through windows other than those associated with a financial institution; and
    - The proposed changes do not alter the character of the overall center as:
    - The proposed building occupies the same area as a previously approved financial institution;
  - The proposed building is generally the same size with a slight increase of only 100 square feet; and
  - The building height is reduced from 48 feet to 35 feet.

[2016-148 reco 1-4-17 final](#)

[2016-148 vicinity map](#)

[2016-148 rezoning map](#)

[2016-148 RevSitePlan 12-22-2016](#)

## 17. Rezoning Petition: 2016-149 by Steele Creek (1997), LLC

**Location:** Approximately 11.73 acres located on the southeast corner at the intersection of South Tryon Street between Steele Creek Road and Hoover Creek Boulevard. (Council District 3 - Mayfield)

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

**Proposed Zoning:** CC SPA (commercial center, site plan amendment) and 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 *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The petition is consistent with the adopted mixed use (residential/office and/or retail) land use 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:
  - This site was previously rezoned by petition 2011-082 to allow the development of a mixed office and retail center located in within the Rivergate Mixed Use Activity Center; and
  - The proposed site plan amendment modifies the square footage and number of buildings located on the site; however, the initial design intent which is to create a walkable development has been maintained; and
  - The proposed uses, which are not being modified, are consistent with the adopted area plan; and
  - The development enhances the area street network by creating an internal system of private and public streets with access points onto Old Steele Creek Road and Steele Creek Road.

[2016-149 reco 01-04-17 final](#)

[2016-149 vicinity map](#)

[2016-149 rezoning map revised2](#)

[2016-149 RevSitePlan 01-05-2017](#)

## 18. Rezoning Petition: 2017-001 by Epes Transport System, Inc.

**Location:** Approximately 11.9 acres located on the south side of Spector Drive near the intersection of Statesville Road and Spector Drive. (Council District 2 - Austin)

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

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

**Zoning Committee Recommendation:**

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

**Staff Recommendation:**

Staff agrees with the recommendation of the Zoning Committee.

**Statement of Consistency:**

- The Zoning Committee found this petition to be consistent with the Northeast District Plan, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends industrial land use property.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The petition allows all uses in the I-2 (general industrial) district; and
  - The site is located in an area with industrial and intense government/institutional uses; and
  - The more intense uses allowed in the I-2 (general industrial) district are compatible with the industrial character of the area; and
  - The site abuts properties in I-1 (light industrial) and I-2 (general industrial) zoning; and
  - There are no residential land uses in the immediate area.

[2017-001 reco 1-4-17 final](#)

[2017-001 vicinity map](#)

[2017-001 rezoning map revised](#)



**ZONING HEARINGS****19. Rezoning Petition: 2016-143 by City of Charlotte  
Transportation Department/Planning Department*****Update: Petitioner Requesting Withdrawal***

**Description:** To modify the references of the Charlotte-Mecklenburg Thoroughfare Plan, by changing the name to the Charlotte Thoroughfare Map.

[2016-143 Slip Sheet WITHDRAWAL](#)

**20. Rezoning Petition: 2016-MV001 (Motor Vehicle) by City of  
Charlotte Transportation Department/Planning Department*****Update: Petitioner Requesting Withdrawal***

**Description:** To modify the references of the Charlotte-Mecklenburg Thoroughfare Plan, by changing the name to the Charlotte Thoroughfare Map in Chapter 14 of the City Code Motor Vehicles and Traffic.

[2016-MV001 Slip Sheet WITHDRAWAL](#)

**21. Rezoning Petition: 2016-S001 (Subdivision) by City of  
Charlotte Transportation Department/Planning Department*****Update: Petitioner Requesting Withdrawal***

**Description:** To modify the references of the Charlotte-Mecklenburg Thoroughfare Plan, by changing the name to the Charlotte Thoroughfare Map in the Subdivision Ordinance.

[2016-S001 Slip Sheet WITHDRAWAL](#)

**22. Rezoning Petition: 2017-004 by Trinity Episcopal School*****Update: Petitioner Requesting Deferral (to February 20, 2017)***

**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 (urban residential) and UR-2(CD)(urban residential, conditional)

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

[2017-004 Slip Sheet](#)

## 23. Rezoning Petition: 2016-150 by CW Development

### ***Update: Petitioner Requesting Deferral (to February 20, 2017)***

**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)

[2016-150 Slip Sheet 2](#)

## 24. 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)

**Staff Recommendation:**

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

[2016-146 staff 01-17-2017 final final](#)

[2016-146 vicinity map](#)

[2016-146 rezoning map](#)

[2016-146 RevSitePlan 12-20-2016](#)

## 25. Rezoning Petition: 2017-005 by OMS Piper Station, LLC

**Location:** Approximately 1.95 acres located on the east side of Rea Road south of I-485 and north of Piper Station Drive. (Council District 7 - Driggs)

**Current Zoning:** B-1SCD (business shopping center district)

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

**Staff Recommendation:**

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

[2017-005 staff 1-17-17 final final](#)

[2017-005 vicinity map](#)

[2017-005 rezoning map revised](#)

[2017-005 RevSitePlan 12-20-2016](#)

[Previously Approved Cover Page](#)

[2017-005 prevApprovedPlan 1989-017C](#)

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

**Description:** 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.

**Staff Recommendation:**

Staff recommends approval of this petition.

[2014-053 staff 1-17-17 final final](#)

[2014-053 matrix revised](#)

[2014-53 amendment rev 40](#)

## 27. Rezoning Petition: 2016-151 by Charlotte-Mecklenburg Planning Department

**Description:** To 1) change the number of days in which an appeal must be filed with the Zoning Board of Adjustment from 60 days to 30 days, and 2) require transcripts prepared by the petitioner to be received by the ZBA prior to the appeal hearing.

**Staff Recommendation:**

Staff recommends approval of this petition.

[2016-151 staff 1-17-17 final final](#)

[2016-151 matrix](#)

[2016-151 amendment rev 1](#)

## 28. Rezoning Petition: 2012-074 by John Adams

**Location:** Approximately 9.55 acres located at the northeast corner of John Adams Road and West Mallard Creek Church Road. (Council District 4 - Phipps)

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

**Proposed Zoning:** B-1 (CD) (neighborhood business, conditional) and B-1(CD) SPA (neighborhood business, conditional, site plan amendment)

**Staff Recommendation:**

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

[2012-74 staff 01-17-17 final](#)

[2012-074 vicinity map](#)

[2012-074 rezoning map revised6](#)

[2012-074 RevSitePlan 12-20-2016](#)

[Previously Approved Cover Page](#)

[2012-74 prev approved plan 1999-040C](#)

## 29. 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) with five year vested rights.

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of outstanding issues related to vested rights, building elevations, screening, and other requested technical revisions.

[2016-124 staff 1-17-17 final final](#)

[2016-124 vicinity map](#)

[2016-124 rezoning map revised3](#)

[2016-124 RevSitePlan 12-20-2016](#)

[Previously Approved Cover Page](#)

[2016-124 prevApprovedplan 2007-068](#)

## 30. Rezoning Petition: 2017-003 by Heist Brewery

**Location:** Approximately 2.27 acres located on the north side of Woodward Avenue between Statesville Avenue and Vanderbilt Road and south of Carter Avenue. (Council District 1 - Kinsey)

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

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

**Staff Recommendation:**

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

[2017-003 staff 1-17-17 final final](#)

[2017-003 vicinity map](#)

[2017-003 rezoning map revised](#)

[2017-003 RevSitePlan 12-20-2016](#)

### 31. Rezoning Petition: 2017-006 by Stream Realty Partners

**Location:** Approximately 11.05 acres located on the south east corner of the intersection of Highland Creek Parkway and Eastfield Road. (Council District 4 - Phipps)

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

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

**Staff Recommendation:**

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

[2017-006 staff 1-17-17 final final](#)

[2017-006 vicinity map](#)

[2017-006 rezoning map](#)

[2017-006 RevSitePlan 12-20-2016 Clean](#)

[Previously Approved Cover Page](#)

[2017-006 approved site plan - approved 2008-068](#)

### 32. Rezoning Petition: 2017-007 by NRP Properties, LLC

**Location:** Approximately 6.97 acres located north of the intersection of North Tryon Street and Old Concord Road between Northchase Drive and Austin Drive. (Council District 4 - Phipps)

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

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

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of outstanding issues related to the street extension, traffic signal, right-of-way dedication, building entrances, treatment for the BMP, and roof details. building design, and the environment.

[2017-07 staff 1-17-17 final final](#)

[2017-007 vicinity map](#)

[2017-007 rezoning map revised 2](#)

[2017-007 RevSitePlan 12-20-2016](#)

### 33. Rezoning Petition: 2017-008 by NRP Properties, LLC

**Location:** Approximately 5.48 acres located on the east side of Northchase Drive north of North Tryon Street. (Council District 4 - Phipps)

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

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

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of outstanding issues related to dedication of right-of-way, transportation notes, and treatment of the storm water facility along with other technical revisions.

[2017-08 Staff 01-17-17 final final](#)

[2017-008 vicinity map](#)

[2017-008 rezoning map](#)

[2017-008 RevSitePlan 12-20-2016](#)

[Previously Approved Cover Page](#)

[2017-08 approved site plan 1988-085](#)

### 34. Rezoning Petition: 2017-010 by David and Dawn Young

**Location:** Approximately 2.18 acres located on the east side of Shopton Road and south of Pinecrest Drive. (Outside City Limits)

**Current Zoning:** R-3 AO (single family residential, airport noise disclosure overlay district) and I-2(CD) AO (general industrial, conditional, airport noise disclosure overlay district)

**Proposed Zoning:** I-2(CD) AO (general industrial, conditional, airport noise disclosure overlay district) and I-2(CD) SPA AO (general industrial, conditional, site plan amendment, airport noise disclosure overlay district)

**Staff Recommendation:**

Staff recommends approval of this petition.

[2017-010 1-17-17 final-Final](#)

[2017-010 vicinity map](#)

[2017-010 rezoning map revised 5](#)

[2017-010 RevSitePlan 12-20-2016](#)

[Previously Approved Cover Page](#)

[2017-010 site plan approved 2005-134](#)

### 35. Rezoning Petition: 2017-009 by NRP Properties, LLC and Drakeford Company

**Location:** Approximately 2.970 acres located on the west side of West WT Harris Boulevard between Mount Holly-Huntersville Road and Lake Spring Avenue. (Council District 2 - Austin)

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

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

**Staff Recommendation:**

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

[2017-009 staff 1-17-17 final final](#)

[2017-009 vicinity map](#)

[2017-009 rezoning map revised](#)

[2017-009 Rev](#)

[Previously Approved Cover Page](#)

[2017-009 approved site plan 2007-145](#)

### 36. Rezoning Petition: 2017-014 by Humane Society of Charlotte, Inc.

**Location:** Approximately 17.57 acres located south of the Southern Railway and on the north east corner at the intersection of Parker Drive and Berryhill Road. (Council District 3 - Mayfield)

**Current Zoning:** R-4 (single-family) and I-1(light industrial)

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

**Staff Recommendation:**

The Staff Analysis for this petition will be distributed through the Council Manager Memo on Friday, January 13. Staff will also place a hard copy of the analysis in each Councilmember's office Friday afternoon and notify you when Legistar has been updated.

Hard copies of other materials, listed below, are being distributed with the City Council Rezoning Agenda Notebook.

[2017-014 vicinity map](#)

[2017-014 rezoning map](#)

[2017-014 RevSitePlan 12-20-2016](#)

[2017-014 staff 01-17-21-217 final final.pdf](#)

### 37. Rezoning Petition: 2017-033 by Spectrum Properties

**Location:** Approximately 29.01 acres located on the north side of Mallard Creek Road between Ridge Road and Odell School Road. (Outside City Limits)

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

**Proposed Zoning:** CC SPA (commercial center, site plan amendment)

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of outstanding issues related to a needed administrative approval, removal of the street network, required buffers and several requested technical revisions.

[2017-033 staff 01-17-17 final final](#)

[2017-033 vicinity map](#)

[2017-033 rezoning map](#)

[2017-033 site plan](#)

[Previously Approved Cover Page](#)

[2017-033 Previously Approved Site Plan \(1\)](#)

### 38. 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 outstanding issues related to clarification of building height and minor technical revisions related to site and building design.

[2017-015 staff 1-17-17 final-final](#)

[2017-015 vicinity map](#)

[2017-015 rezoning map](#)

[2017-015 RevSitePlan 12-20-2016](#)

[Previously Approved Cover Page](#)

[2017-015 prevApprovedPlan 1977-011](#)



### 39. Rezoning Petition: 2017-011 by Pappas Properties, LLC

**Location:** Approximately 0.93 acres located at the southwest corner of Pearl Park and near the northwest corner of the intersection at Kenilworth Avenue and Greenwood Cliff. (Council District 1 - Kinsey)

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

**Proposed Zoning:** O-2 PED (office, pedestrian overlay district)

**Staff Recommendation:**

Staff recommends approval of this petition.

[2017-011 staff 01-17-17 final final](#)

[2017-011 vicinity map](#)

[2017-011 rezoning map](#)

### 40. Rezoning Petition: 2017-020 by Steve Young

**Location:** Approximately 4.97 acres located on the northeast corner of the intersection of Nations Ford Road and Old Hebron Road. (Council District 3 - Mayfield)

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

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

**Staff Recommendation:**

Staff recommends approval of this petition.

[2017-020 staff 1-17-17 final-final](#)

[2017-020 vicinity map](#)

[2017-020 rezoning map revised](#)