

REQUEST	Current Zoning: Various Proposed Zoning: Apply the Pedestrian Overlay District (PED) to the underlying various zoning districts.
LOCATION	Approximately 374 acres located on the southwest side of I-277 beginning at Caldwell Street following south along Morehead Street then continuing north along North Kings Drive to East 3 rd Street ending at Queens Road.
SUMMARY OF PETITION	The petition proposes to establish a Pedestrian Overlay district in accordance with the recently adopted <i>Midtown Morehead Cherry Area Plan</i> .
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Various Charlotte-Mecklenburg Planning Department N/A
COMMUNITY MEETING	Meeting is not required.
STATEMENT OF CONSISTENCY	This petition is found to be consistent with the <i>Midtown Morehead Cherry Area Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Zoutewelle seconded by Commissioner Dodson).

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to recommend APPROVAL of this petition.
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VOTE	Motion/Second: Allen/Zoutewelle Yeas: Allen, Dodson, Firestone, Rosenburgh, and Zoutewelle Nays: None Absent: Griffith and Phipps Recused: None
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ZONING COMMITTEE DISCUSSION Staff began the presentation by providing the Committee with an overview of the notification and meeting processes and schedules for public input and involvement as related to the recently adopted *Midtown Morehead Cherry Area Plan*. Staff also informed the Commissioners of another meeting with Mr. Melissaris, the owner of the property at 209 S. Kings Drive who spoke at the June 25th City Council public hearing meeting. Staff then presented the petition to the Commissioners. There was no discussion of this petition.

STAFF OPINION Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- Background**
The *Midtown Morehead Cherry Area Plan* was adopted by City Council on February 27, 2012, and recommends the subject property for mixed use pedestrian oriented development. This area is part of an emerging walkable urban district, and the adopted plan calls for higher density pedestrian oriented uses as allowed in the Pedestrian Overlay District (PED).

An important element of the PED is the height restriction it places on properties adjacent to single family residential area. Some of the property within the proposed PED Overlay has already been developed or rezoned on a site-by-site basis for MUDD (mixed use development district) development, similar in concept to the proposed PED. These MUDD sites, while included within this overlay, would continue to have development rights per their approved conditional plans.

Prior to this request, the last approval by City Council for the application of PED was in 2005, as recommended in the *West Morehead Land Use and Pedscape Plan* (2004). Approval of rezoning petition 2005-144 resulted in the application of PED to the approximately 57 acres located generally along West Morehead and Bryant Streets, bounded by I-77, Stewart Creek, and the Wesley Heights residential neighborhoods.

- **Proposed Request Details**
 - This is a conventional rezoning petition with no associated site plan.
 - **Public Plans and Policies**
 - The *Midtown Morehead Cherry Area Plan* (2012) recommends mixed use pedestrian oriented development for the subject area. The intent is to establish a Pedestrian Overlay zoning district, in order to promote a mixture of uses in a pedestrian-oriented setting of moderate intensity, to support economic development along business corridors, and to provide protection for adjoining established neighborhoods. This petition is consistent with the *Midtown Morehead Cherry Plan*.
 - **Staff Recommendation (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Solid Waste Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No comments received.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - There is no site plan associated with this conventional rezoning request.
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OUTSTANDING ISSUES

- No issues.

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Solid Waste Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review

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