
REQUEST	Current Zoning: UR-C(CD) (urban residential - commercial, conditional) and B-1 (neighborhood business) Proposed Zoning: B-1(CD) PED (neighborhood business, conditional, pedestrian overlay)
LOCATION	Approximately 0.30 acres located on the southeast corner at the intersection of South Kings Drive, Metropolitan Avenue, and Baxter Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow the medical office currently under construction. The petition also proposes signage that is not allowed in the UR-C(CD) (urban residential - commercial, conditional) district.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. This petition is consistent with the <i>Midtown, Morehead, Cherry Area Plan</i> .
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Midtown Area Partners II, LLC Royden Goode Sherri Hartsell
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 10

PLANNING STAFF REVIEW

- **Background**
 - Petition 2005-060 rezoned the portion of the site located between South Kings Drive and Cecil Street from B-1 (neighborhood business) to UR-C(CD) (urban residential - commercial, conditional) to allow up to 12,000 square feet of retail and restaurant uses.
 - Petition 2012-050 established PED (pedestrian overlay district) zoning over a majority of the site along Baxter Street and South Kings Drive including the subject property.
 - **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - Allows a 5,800-square foot medical office building which is currently under construction.
 - Allows signage as permitted in the B-1 PED (neighborhood business, pedestrian overlay) zoning district.
 - **Existing Zoning and Land Use**
 - The subject property is currently under development for an office use. The surrounding properties are zoned O-2(CD) PED (office, conditional, pedestrian overlay), B-1 PED (neighborhood business, pedestrian overlay), MUDD PED (mixed use development, pedestrian overlay), MUDD-O PED (mixed-use development, optional, pedestrian overlay), and are vacant or developed with commercial structures.
 - **Rezoning History in Area**
 - There have been numerous rezonings in the area to support a variety of use for residential, office, and retail uses.
 - **Public Plans and Policies**
 - The *Midtown, Morehead, Cherry Area Plan* (2012) recommends, residential, office, and/or retail for the subject parcel.
 - This petition is consistent with the *Midtown, Morehead, Cherry Area Plan*.
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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.
 - **Transportation:** No issues.
 - **Vehicle Trip Generation:**
There is no change in the trips per day from the existing to the proposed zoning for this request.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **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*.
 - This site meets minimum ordinance standards.

OUTSTANDING ISSUES

- The petitioner should:
 1. Provide clear and legible site plan.
 2. Label and show the proposed building square footage.
 3. Show proposed building footprint, setbacks, yard requirements, and parking layout.
 4. Show and label the proposed sidewalks along the public right-of-ways.
 5. Modify and provide the "Development Summary" for the site.
 6. Add a note that signage will be allowed per the Zoning Ordinance and remove the sign details (sheet 2) from the application.
 7. Add all previously approved conditions that are applicable to the site plan.
 8. Submit an administrative request for petition 2005-060 to remove the 5,800-square foot building area from the 2005 site plan.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review

Planner: Solomon Fortune (704) 336-8326