

<b>REQUEST</b>	Current Zoning: B-2 (general business) Proposed Zoning: O-2 PED (office, pedestrian overlay)
<b>LOCATION</b>	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)
<b>SUMMARY OF PETITION</b>	The petition proposes to rezone a portion of Pearl Street Park and vacant land to allow all uses in the O-2 PED (office, pedestrian overlay) zoning district. The acreage is located within close proximity to the Metropolitan development in Midtown.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Mecklenburg County Pappas Properties, LLC Walter Fields
<b>COMMUNITY MEETING</b>	Meeting is not required.

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Midtown, Morehead, Cherry Area Plan</i> recommendation for a mix of office and residential uses for the area in which the subject property is located.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The subject property is part of Pearl Street Park and adjoins non-residential properties fronting on Greenwood Cliff.</li> <li>• A conventional rezoning is consistent with the adjacent properties in the area and is appropriate as the park, including the subject property, is zoned B-2 (general business) and the properties along Greenwood Cliff are zoned O-2 PED (office, pedestrian overlay).</li> <li>• The request will also extend the Midtown Morehead Cherry Pedestrian Overlay District to include the subject property.</li> <li>• The extension of the overlay will provide development standards that encourage high quality design and mixed use development, and also support walkability.</li> </ul>
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**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
This is a conventional rezoning petition with no associated site plan. Uses allowed in the O-2 (office) district include single and multi-family residential, general offices, medical and dental offices, financial institutions, laboratories, religious institutions, schools and colleges.
- **Existing Zoning and Land Use**
  - A portion of the site is Pearl Street Park and the remaining acreage is vacant and the entire site is zoned B-2 (general business).
  - North of the site are Charlottetowne Avenue and Interstate 277/Highway 74.
  - Northwest of the site is property zoned MUDD (mixed use development) and developed with multi-family housing.
  - To the east are Pearl Street Park, retail and office uses zoned B-1 PED (neighborhood business, pedestrian overlay), B-2 (general business), MUDD (mixed use development), and MUDD-O (mixed use development, optional).
  - To the east and southeast are Pearl Street Park, and a mix of offices, retail, residential and vacant land zoned B-1 (neighborhood business), B-2 (general business), B-1 PED (neighborhood business, pedestrian overlay), MUDD (mixed use development), and MUDD-O (mixed use development, optional).
  - Southwest of the site are single family residences, multi-family homes and offices zoned O-2 PED (office, pedestrian overlay).

- See “Rezoning Map” for existing zoning in the area.
- **Rezoning History in Area**
  - Rezoning petition 2015-079 rezoned approximately 0.30 acres located on the southeast corner at the intersection of South Kings Drive, Metropolitan Avenue, and Baxter Street from UR-C(CD) PED (urban residential - commercial, conditional, pedestrian overlay) and B-1 PED (neighborhood business, pedestrian overlay) to B-1(CD) PED (neighborhood business, conditional, pedestrian overlay) in order to allow the medical office currently under construction.
  - Rezoning petition 2014-109 rezoned approximately 1.99 acres located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street from UR-C(CD) PED (urban residential - commercial, conditional, pedestrian overlay), B-1 PED (neighborhood business, pedestrian overlay) and R-8 (single family residential) to B-2 PED-O (general business, pedestrian overlay, optional), UR-C PED-O (urban residential – commercial, pedestrian overlay, optional) and R-8MF PED-O (multi-family residential, pedestrian overlay, optional), with five-year vested rights to allow a mixed use development including a 275,000-square foot building, a 221,000-square foot parking structure with up to 7,000 square feet of commercial uses on the street level, and up to eight single family attached dwelling units.
  - Petition 2014-030 was a MUDD-O SPA (mixed use development, optional, site plan amendment) for approximately 1.3 acres located on the southeast corner at the intersection of Metropolitan Avenue, South Kings Drive, and Baxter Street for a portion of the Metropolitan planned development to allow a 285-foot high building containing a maximum of 155 multi-family dwelling units and/or a 175-room hotel.
- **Public Plans and Policies**
  - The *Midtown, Morehead, Cherry Area Plan* (2012) recommends a mix of office and residential uses for the area in which the subject property is located.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is in the alignment of the potential transportation network improvements to extend Pearl Park Way to connect with Baxter Street and McDowell Street.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on vacant land).
      - Entitlement: 1900 trips per day (based on 13,900 square feet of retail uses).
    - Proposed Zoning: 300 trips per day (based on 13,900 square feet of general office uses).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** The site does not have has water system availability for the rezoning boundary, and the closest water main is approximately 350 feet south at the intersection of Kenilworth Avenue and Greenwood Cliff. A 24-inch sewer main is located along the rezoning boundary.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Locator Map
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Storm Water Services Review

- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

**Planner:** Solomon Fortune (704) 336-8326