



Zoning Committee

Zoning Committee Recommendation

Rezoning Petition 2022-079

March 5, 2024

REQUEST

Current Zoning: OFC (office flex campus) and NC (neighborhood center)
Proposed Zoning: MUDD-O (mixed-use development district, optional)

LOCATION

Approximately 2.23 acres located at the southwest intersection of Pearl Park Way and Kenilworth Avenue, east of Harding Place. (Council District 1 - Anderson)

PETITIONER

Well Pappas Corporate Parcel Owner, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

To Approve:

This petition is found to be **inconsistent** the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* calls for Community Activity Center.

However, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- This rezoning site is located between the Cherry and Dilworth neighborhoods in an area that is populated with moderately dense developments such as medical office campuses, retail, and multi-family residential products. Given the transitional nature of this area between lower density single family and neighborhood center development to the south and large-scale, Regional Activity Center projects to the north and west near Uptown, any rezonings in this area should be considerate of the existing context but allow densification where appropriate.
- The plan's outlined variety of retail, office, and residential development suits the Community Activity Center's encouraged uses, and the proposed building form for Development Area 2, which is two-thirds of the site, would not exceed the maximum building scales of the CAC zoning districts. Although largely consistent

with the Community Activity Center Place Type, the overall scale of the project, and particularly Development Area 1, more closely align with the type of development seen in the Regional Activity Center Place Type. The application of the Regional Activity Center Place Type here is supported by the site's general proximity to the densest urban cores of the City. Additionally, the conditions of the plan build in several community benefits and building commitments that help to justify the change in Place Type.

- The subject site is not adjacent to any incompatible place types or sensitive land uses such as single family residential areas.
- Development at this site would be adequately serviced by multiple forms of transportation. There are several existing bus stops within a half-mile walk of the rezoning. The Cross Charlotte Trail segment that is within the Little Sugar Creek Greenway can also easily be accessed from this site. This 30-mile trail and greenway network provides critical linkages between recreation facilities, neighborhoods, and urban nodes.
- This rezoning commits to several community benefits that may support the goals of the *2040 Comprehensive Plan* such as electric vehicle (EV) charging stations and parking spaces, National Green Building Silver Standards (NGBS) and Leadership in Energy and Environmental Design (LEED) Silver Standards, various transportation and pedscape improvements, and a contribution to the Charlotte Affordable Housing Trust Fund.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 3: Housing Access for All
 - 4: Trail & Transit Oriented Development
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities
 - 7: Integrated Natural & Built Environments
 - 8: Diverse & Resilient Economic Opportunity

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Community Activity Center to Regional Activity Center for the site.

Motion/Second: Sealey / Neeley

Yeas: Neeley, Russell, Sealey, Welton, Whilden, Winiker

Nays: None

Absent: Lansdell

Recused: None

**ZONING COMMITTEE
DISCUSSION**

Staff provided a summary of the petition and noted that it is inconsistent with the *2040 Policy Map*.

There was no further discussion of this petition.

PLANNER

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