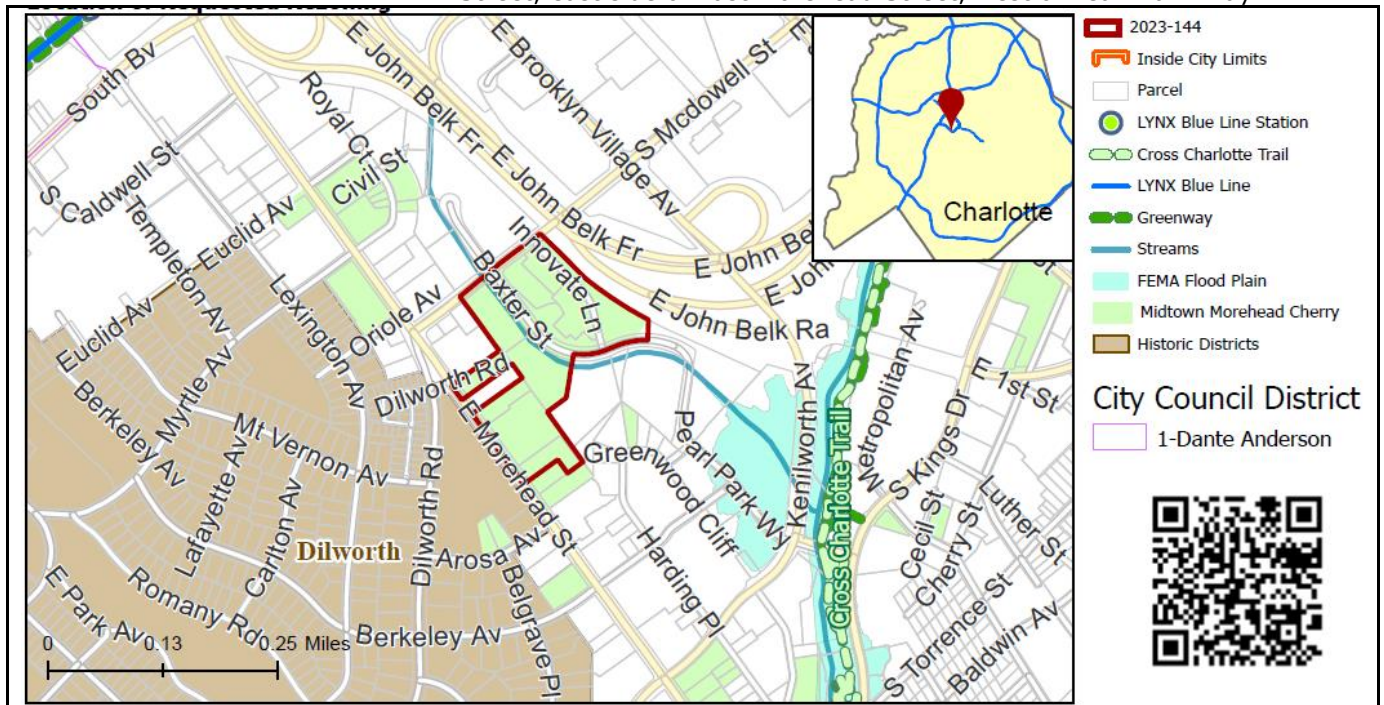


**REQUEST**

Current Zoning: MUDD-O (mixed-use development district, optional)  
 Proposed Zoning: MUDD-O SPA (mixed-use development district, optional, site plan amendment) with 5-years vested rights

**LOCATION**

Approximately 14.28 acres located on the north and south side of Baxter Street, east side of East Morehead Street, west of Pearl Park Way.



**SUMMARY OF PETITION**

The petition proposes a site plan amendment to approved rezoning petition 2021-092.

**PROPERTY OWNER**

Lookout NC Properties, LLC; LB Acquisitions, LLC; The Pearl Innovation District Management Company; Pearl Education Owner, LLLP; and Pearl R1 Owner, LLLP

**PETITIONER**

Atrium Health, Inc.

**AGENT/REPRESENTATIVE**

John Carmichael, Robinson, Bradshaw & Hinson, P.A.

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
 Number of people attending the Community Meeting: 10

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for Regional Activity Center and Community Activity Center.

Rationale for Recommendation

- The modifications presented in this petition to the previously approved conditional plan are minor and would not significantly change the nature of development that was originally approved in petition 2021-092.
- The intent of this site plan amendment is to allow revisions to the parking minimums, setbacks, and proposed signage. No changes to the allowable uses on the site are being proposed.
- This petition’s requested changes to the proposed signage would allow flexibility from the sign ordinance for signs located in Development Area A.

These signs would not face East Morehead Street and the greater Dilworth neighborhood.

- Proposed changes to setbacks in this petition would not hinder pedestrian connectivity throughout the site. The reduction in the required setback to the new proposed street designated as Section H-H would maintain the minimum 12-foot setback on the ground level but modify the setback for all other floors to zero feet.
- This site has access to multiple forms of transportation that alleviate the need for personal automobile usage. Sequentially, a slight reduction in the minimum parking standards with this petition is appropriate.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
  - 1: 10 Minute Neighborhoods
  - 4: Trail & Transit Oriented Development
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities
  - 8: Diverse & Resilient Economic Opportunity

## PLANNING STAFF REVIEW

- **Background**

- The site was rezoned as petition 2021-092, otherwise known as The Pearl. This is a multi-phased mixed-use project that includes residential components, commercial uses, offices, and institutions.

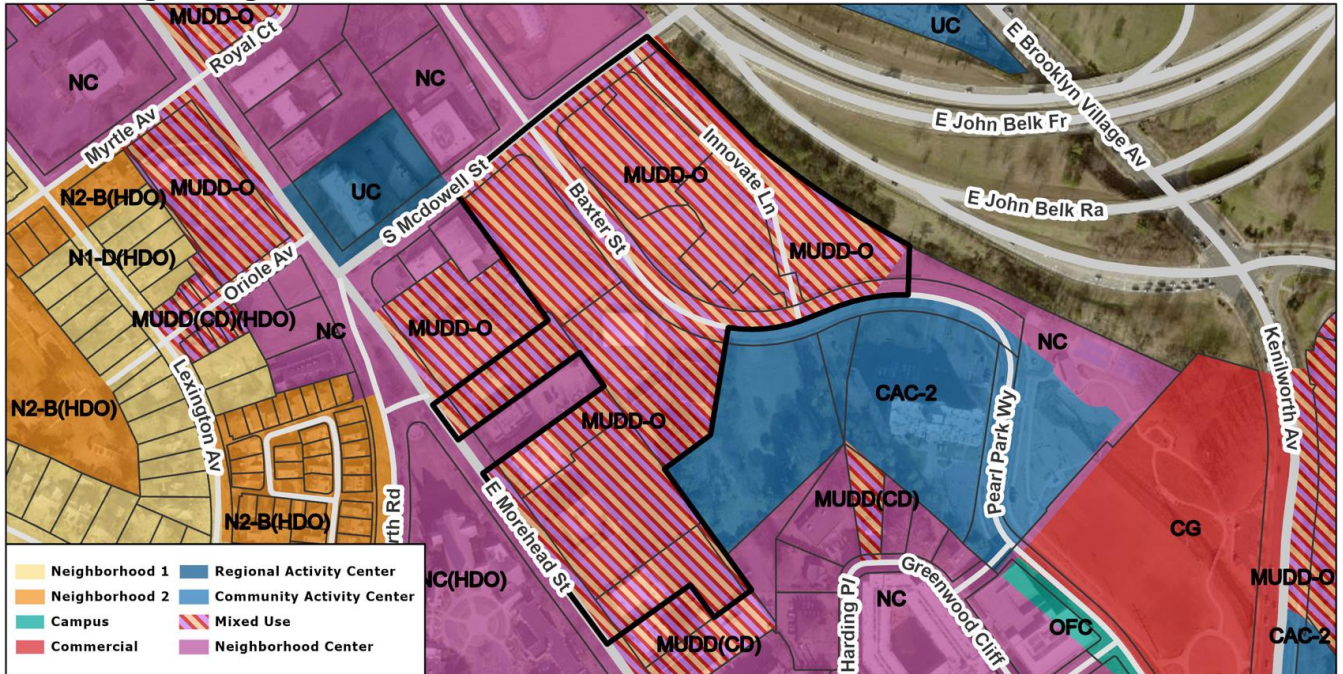
- **Proposed Request Details**

The site plan amendment contains the following changes:

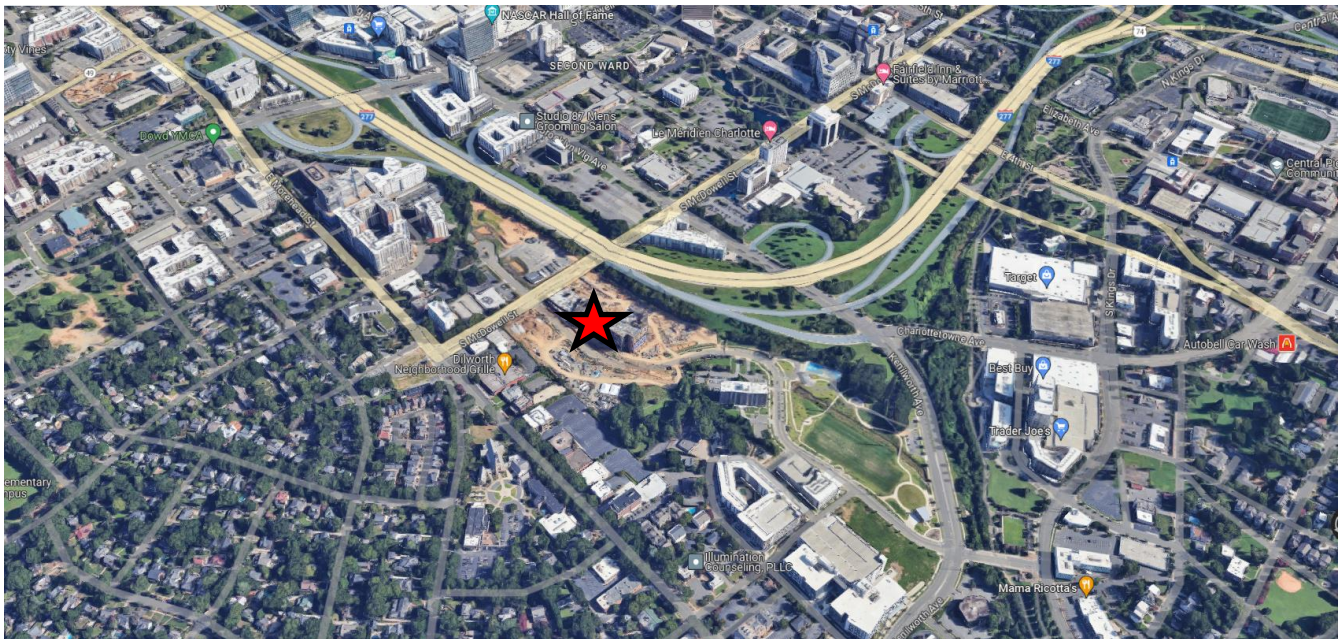
- Modifies the required parking as follows:
  - Reduces parking minimums for residential uses from 1 space per dwelling unit to 0.75 spaces per dwelling unit.
  - Reduces parking minimums for hotel/motel uses from 0.5 spaces per room to 0.25 spaces per room.
  - Reduces parking minimums for all other uses from 1 space per 600 square feet to 1 space per 1,000 square feet.
- Proposes two monument signs with a maximum height of 7' and a maximum sign area per side of 182 square feet in Development Area A.
- ~~Proposes one skyline sign in Development Area A with a maximum sign area of 1,520 square feet and one skyline sign in Development Area A with a maximum sign area of 850 square feet. Neither sign may face East Morehead Street.~~ Proposes two signs on the westerly facing façade of the medical school building in Development area A with a maximum size of 750 square feet for each sign. Proposes two logo signs on the easterly facing façade of the medical school building in Development Area A with a maximum size of 400 square feet for each sign. Proposes a tenant sign on the northerly facing façade of a parking deck in Development Area A with a maximum size of 325 square feet.
- Modifies the minimum setback from new proposed street, Section H-H, so that the ground floor maintains a 12' setback from the back of curb but all other floors of the building may have a setback of 0' from the back of curb. ~~This minimum setback of 0' for upper floors for Section H-H shall not apply if the Street is a public street.~~
  - In the event that the floors above the ground floor are less than 12' from the back of curb, the structural support columns for the upper floors may be located within the 12' minimum ground floor setback.
  - In the event that the floors above the ground floor are less than 12' from the back of curb, the minimum clearance between the adjacent sidewalk and the upper floors of the building shall be 15'.
  - In the event that the floors above the ground floor are less than 12' from the back of curb, street trees will not be required to be installed in the planting strip, however, shrubs will be installed.



• Existing Zoning



- The site is currently zoned MUDD-O and is in an area with MUDD, CAC-2, UC, NC, CG, OFC, N2, and N1 zoning.



- The subject site is denoted with a red star and is in an area with multi-family residential, single family residential, commercial, office, institutional, and mixed-uses.



- The site is bound on its north side by Interstate 277.





- East of the site are a number of mixed-use and residential developments in progress. Along the site's boundary on East Morehead Street there are several offices and residential developments.



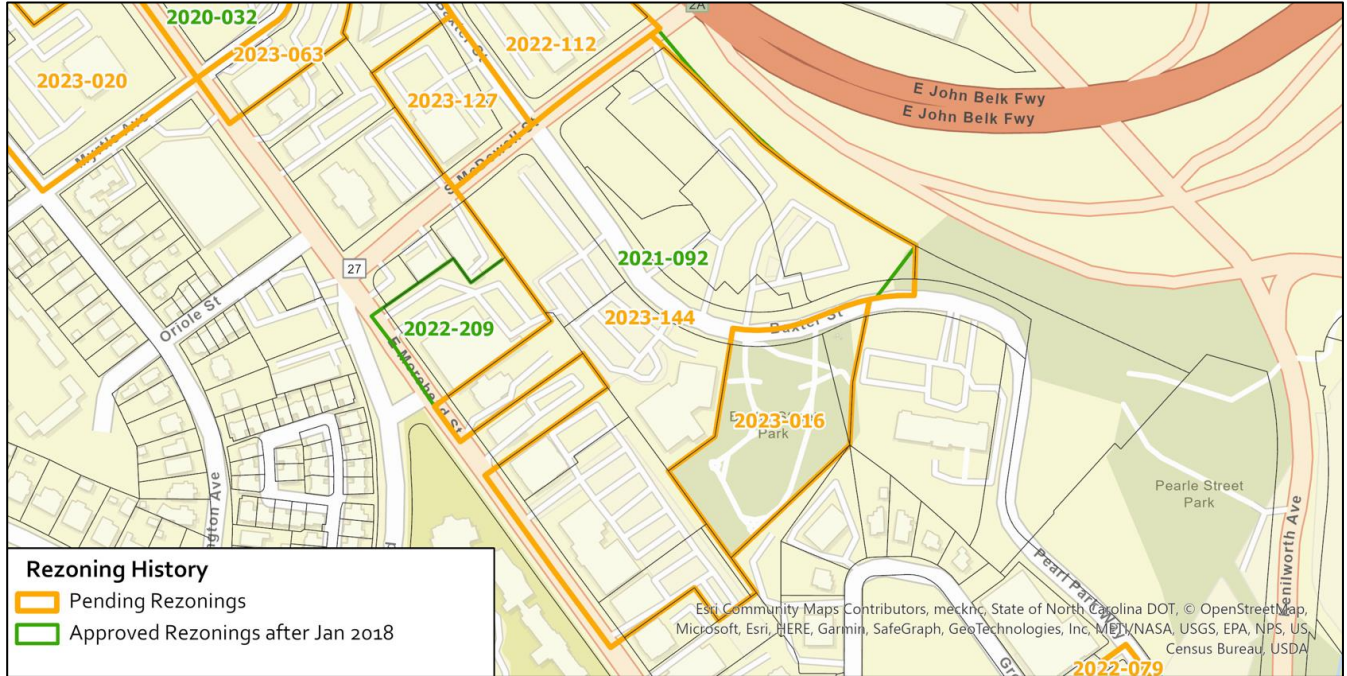
- South of the site are residential, commercial, and institutional uses on the edge of the Dilworth neighborhood.



- West of the site are existing office uses among a number of projects under construction.

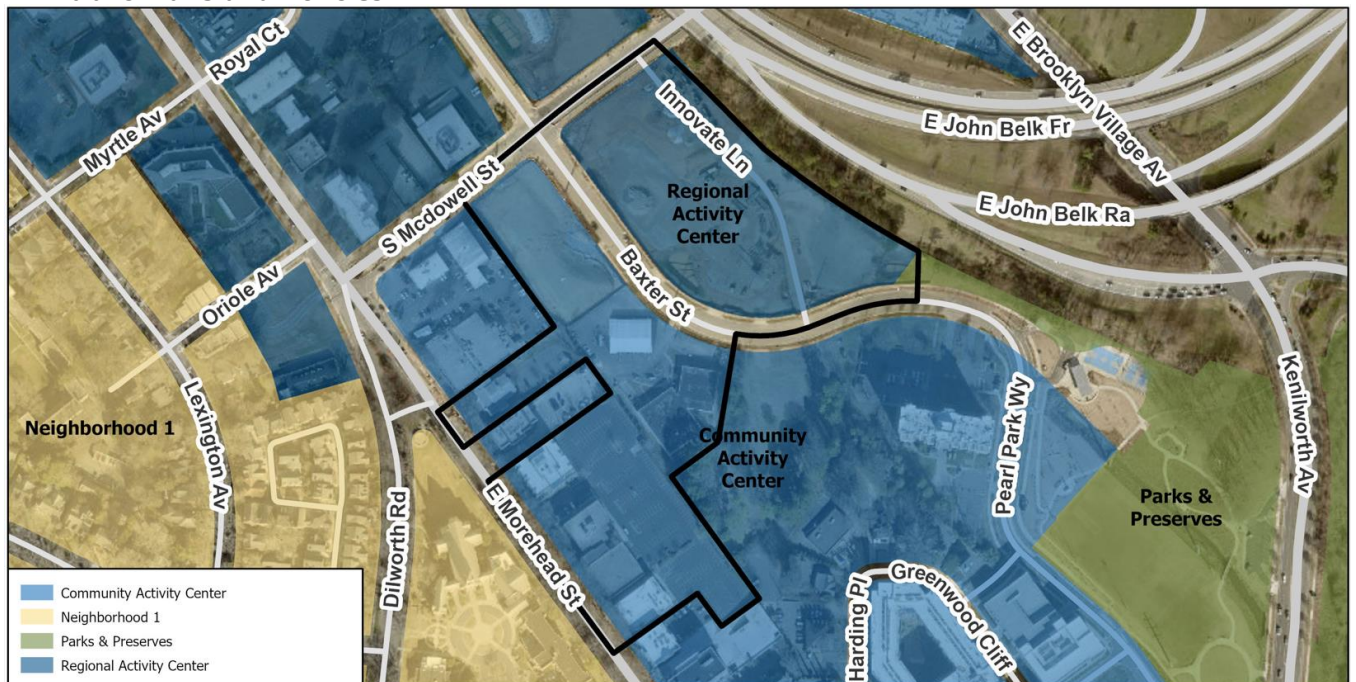


• **Rezoning History in Area**



| Petition Number | Summary of Petition   | Status   |
|-----------------|---|----------|
| 2020-032        | Rezoned 1.38 acres from MUDD-O to MUDD-O SPA.                           | Approved |
| 2021-092        | Rezoned 14.28 acres from B-2, MUDD-O, B-1, MUDD(CD), and O-2 to MUDD-O. | Approved |
| 2022-079        | Rezoning 2.23 acres from NC and OFC to MUDD-O.                          | Pending  |
| 2022-112        | Rezoning 4.54 acres from NC to UMUD.                                    | Pending  |
| 2022-209        | Rezoned 1.62 acres from B-1 to MUDD-O.                                  | Approved |
| 2023-016        | Rezoning 3.11 acres from CAC-2 to MUDD-O.                               | Pending  |
| 2023-020        | Rezoning 3.14 acres from NC to MUDD-O.                                  | Pending  |
| 2023-063        | Rezoned 0.998 acres NC to UE.   | Approved |
| 2023-127        | Rezoning 1.29 acres from NC to UE.                                      | Pending  |

• **Public Plans and Policies**



- The 2040 Policy Map (2022) calls for Regional Activity Center and Community Activity Center.

- **TRANSPORTATION SUMMARY**

- The site is located at the intersection of South McDowell St, a City-maintained local street, and East Morehead Street, a City-maintained Avenue. The site will be subject to transportation improvements in accordance with approved rezoning 2021-092. The changes requested within this SPA for parking, signage, and setback do not impact public street design, and there are no additional comments from CDOT.
- **Active Projects:**
  - CIP – Uptown Cycle Link
    - Project ID: PMES211697
    - Location Description: S. Mint Street and N. Pine Street from W. Palmer Street to 6th Street; W. Hill Street from S. Tryon Street to S. Mint Street; Davidson Street from E. 4th Street to E. 6th Street; and a new connector from S. Cedar Street to Graham Street
    - Project Description: Construct a network of dedicated, separate bike lanes in the center city, linking together other bikeways into and across the center city, making the overall network more continuous and navigable.
    - Project Type: Pedestrian and Bike
    - Project Phase: Planning
    - Anticipated Completion Date Year: 2024
    - PM: Kristie Kennedy - kristie.kennedy@charlottenc.gov
    - Project Impact: Creates Complete Street
    - Project URL: <https://www.charlottenc.gov/Growth-and-Development/Projects/Uptown-CycleLink>
- **Transportation Considerations**
  - No outstanding issues.
- **Vehicle Trip Generation:**
  - Current Zoning:
  - Existing Use: 2,102 trips per day (existing office uses).
  - Entitlement: 8,135 trips per day (based on RZP 2021-092).
  - Proposed Zoning: 8,135 trips per day (based on no proposed changes to uses in RZP 2021-092).

## DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** This site plan amendment does not propose changes to the uses permitted in RZP 2021-092. When this project was assessed as petition 2021-092, it was found that development allowed with the proposed zoning may produce 184 students.
  - The proposed development as assessed in petition 2021-092 was projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Dilworth Sedgefield Elementary from 68% to 83% (based on 2021 school utilization figures)
      - The current utilization percentage for Dilworth Sedgefield Elementary is 55%.
    - Sedgefield Middle from 72% to 77% (based on 2021 school utilization figures)
      - The current utilization percentage for Sedgefield Middle is 67%
    - Myers Park High from 121% to 122 % (based on 2021 school utilization figures)
      - The current utilization percentage for Myers Park High is 123%
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along Baxter St and a 12-inch water distribution main along S McDowell St. Charlotte Water has accessible sanitary sewer system infrastructure for the northern rezoning boundary via an existing 8-inch gravity sewer main located along S McDowell St. Charlotte Water has accessible sanitary sewer system infrastructure for the southern rezoning boundary via an existing 15-inch gravity sewer main located inside the southern boundary. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.

- **Urban Forestry / City Arborist:** No outstanding issues.

**OUTSTANDING ISSUES**

Environment

1. ~~Remove item (c) from Section 3. regarding modifications to the setback. Exemptions from required street trees are not an allowed.~~ **Addressed**

Site and Building Design

2. ~~Clarify whether the signs proposed in the optional provisions meet the definition of skyline signs or wall signs. Modify as needed.~~ **Addressed**
- 

**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Holly Cramer (704) 353-1902