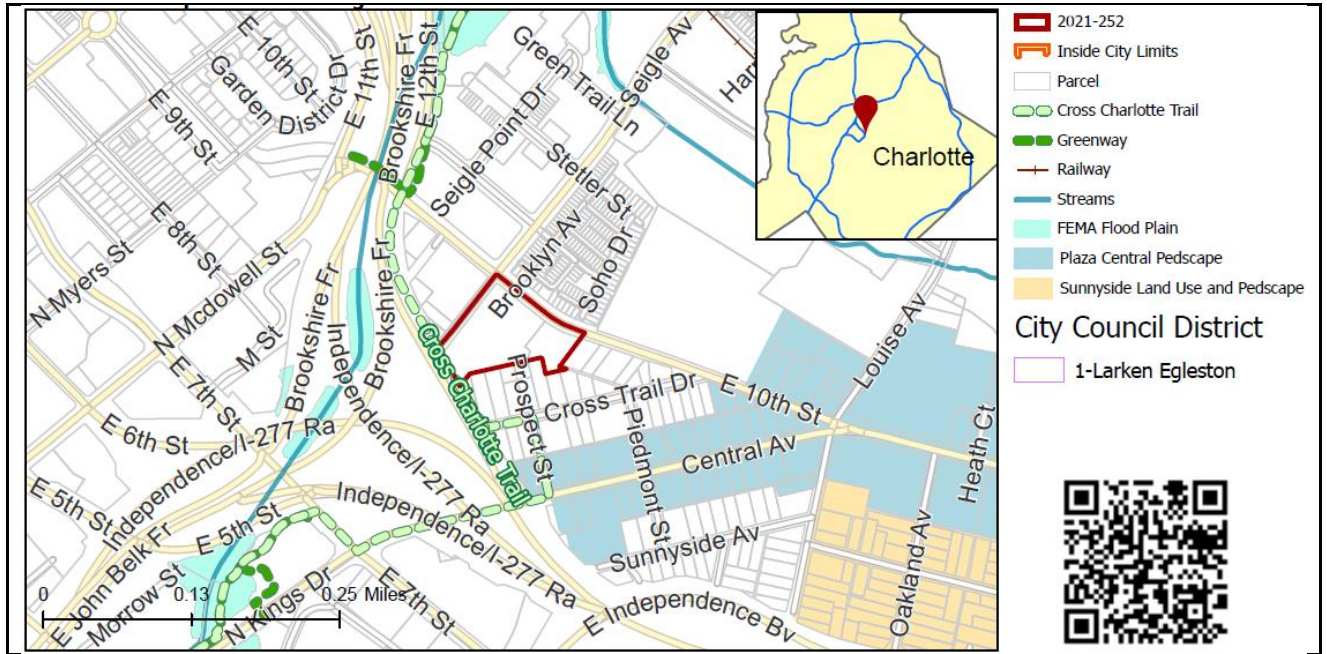


**REQUEST**

Current Zoning: B-2 (general business)  
Proposed Zoning: TOD-NC (transit oriented development – neighborhood center)

**LOCATION**

Approximately 3.10 acres located at the southwest intersection of Seigle Avenue and East 10th Street, north of Central Avenue, and east of Interstate 277.



**SUMMARY OF PETITION**

The petition proposes to allow for all uses in the TOD-NC zoning district on parcels currently developed with institutional and retail uses.

**PROPERTY OWNER**

Hill-Overlook, LLC and PBRM-Overlook Two LLC

**PETITIONER**

WP East Acquisitions, LLC

**AGENT/REPRESENTATIVE**

Collin Brown, Alexander Ricks, PLLC

**COMMUNITY MEETING**

Meeting is not required.

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *2040 Policy Map (2022)* recommendation for Neighborhood 2 at this site.

Rationale for Recommendation

- The site is within a ½-mile walk of the future Central Avenue Station along the Silver Line. The existing Sunnyside Station along the Gold Line is also within a 1-mile walk of the site.
- The TOD-NC district may be applied to parcels within a 1-mile walking distance of an existing rapid transit station or within a 1-mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location.
- The site is along the existing Cross Charlotte Trail and future Silver Line and associated Rail Trail, making it an appropriate location for TOD development that further encourages pedestrian and transit connections.

- Although inconsistent with the current Place Type recommended in the *2040 Policy Map*, the site meets a number of criteria that make it appropriate for a minor map amendment to change the recommended Place Type to Neighborhood Center. If approved, the Neighborhood Center Place Type at this location would allow for an appropriate transition between the adjacent Community Activity Center and Neighborhood 2 Place Types along the north side of 10<sup>th</sup> Street into the single family residential areas under the Neighborhood 1 Place Type that are just south of the subject site.
- The TOD-NC zoning district maintains the high level of design standards associated with the TOD-UC zoning district.
- The use of conventional TOD-NC zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.
- TOD standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.

The approval of this petition will revise the adopted future land use as specified by the *2040 Policy Map (2022)* from Neighborhood 2 to Neighborhood Center for the site.

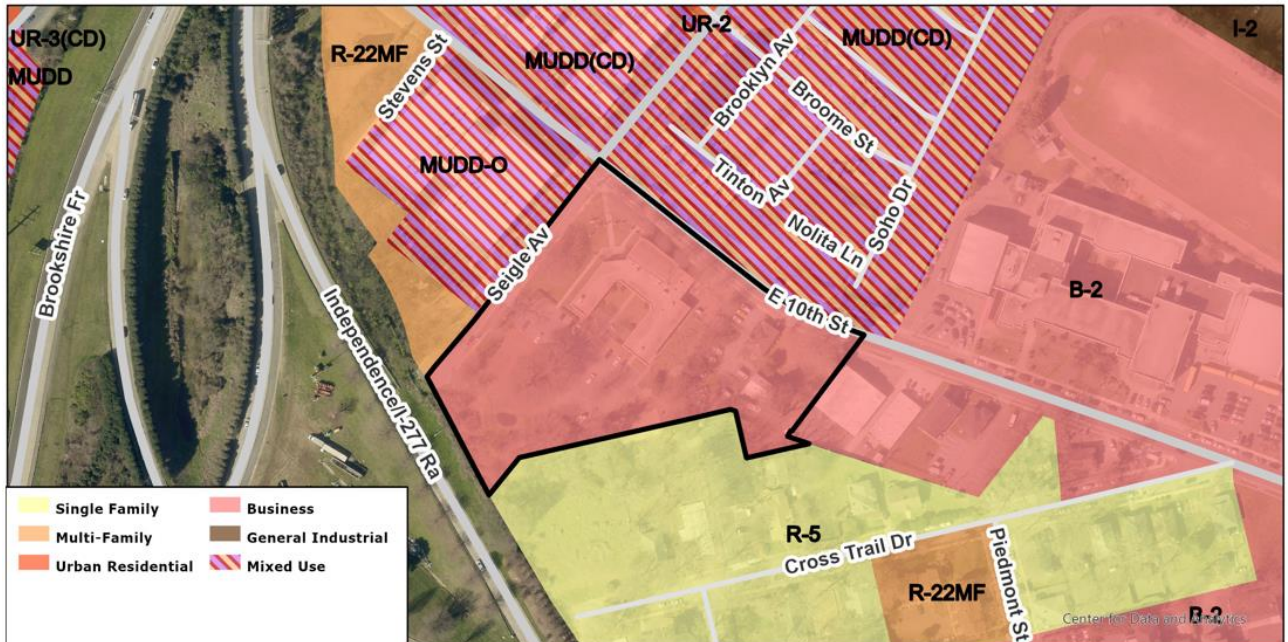
**PLANNING STAFF REVIEW**

• **Proposed Request Details**

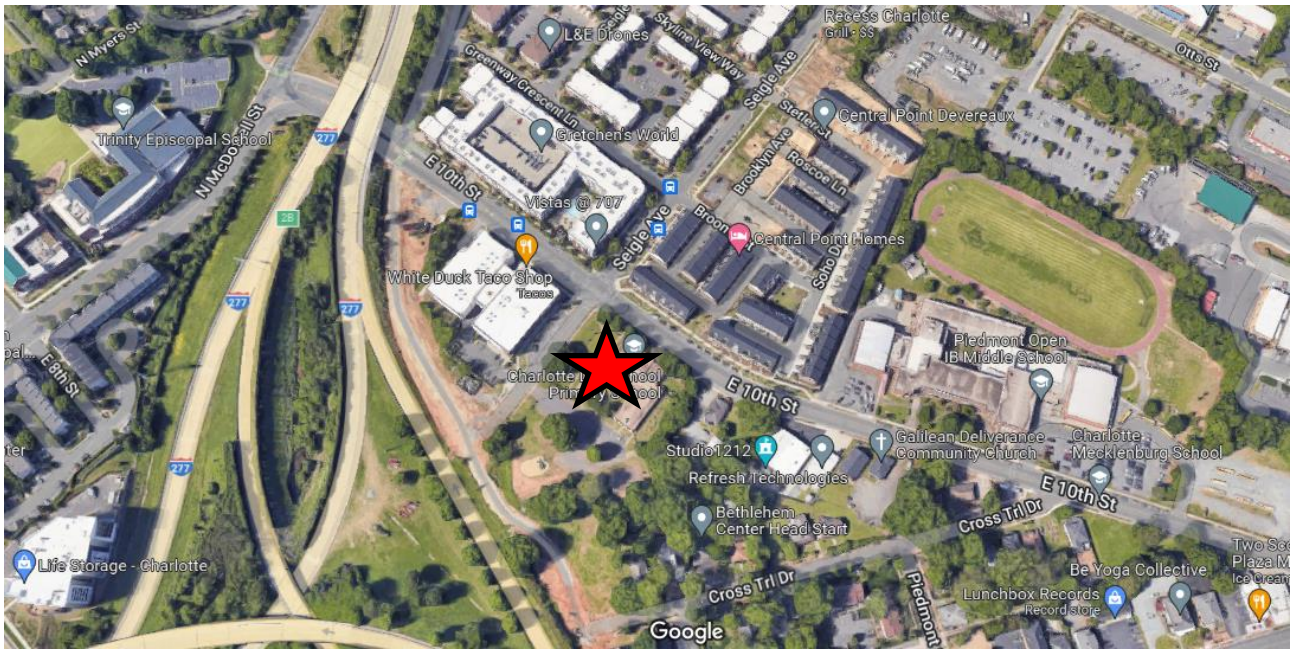
This is a conventional rezoning petition with no associated site plan.

- Allows all uses in the TOD-NC (transit oriented development – neighborhood center) zoning district.

• **Existing Zoning and Land Use**



- The site is currently zoned B-2 and is in an area with multi-family residential developments, EDEEs, institutional uses, single family residential homes, and various commercial uses.



- The subject site is denoted with a red star.



- North of the site is a townhome development.



- East of the site is a church and office uses.

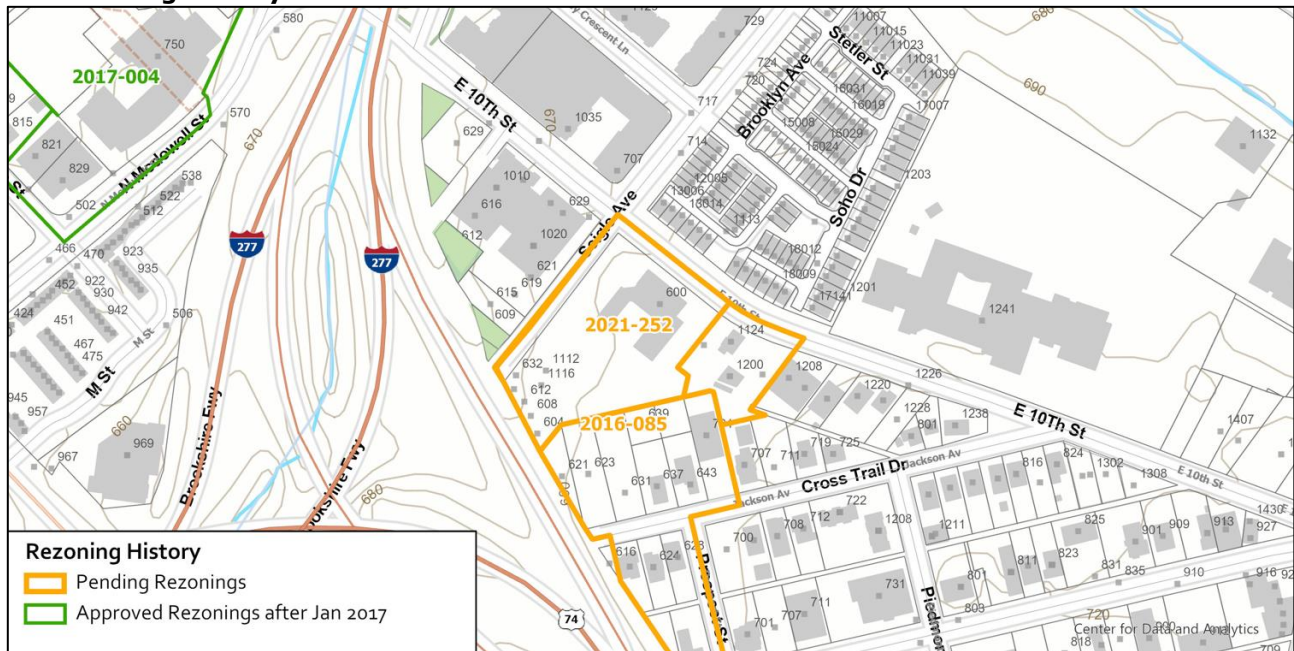


- South of the site are single family homes.



- West of the site is the mixed-use Belmont Mills development.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2016-085	Request to rezone 5.03 acres from R-5 and B-2 to MUDD-O	Withdrawn
2017-004	Rezoned 6.16 acres from UR-1 and UR-2(CD) to UR-3(CD) and MUDD(CD).	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Neighborhood 2 for the site.

• **TRANSPORTATION SUMMARY**

- The site is located at the southwest intersection of Seigle Avenue, a City-maintained Minor Thoroughfare, and East 10th Street, a City-maintained Major Thoroughfare, east of Interstate 277. This site is requesting a TOD-NC zoning and will be subject to transportation improvements in accordance with the TOD Ordinance and the adopted CDOT Streets Map. CDOT will work with the petitioner during the permitting process to pursue all options to provide additional forms of connectivity that reflect the types of development associated in the TOD-zoned areas.

• **Active Projects:**

- CATS Silver Line Light Rail
- Silver Line Rail Trail

• **Transportation Considerations**

- No outstanding issues.

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 390 trips per day (based on use as a private school with 190 students).

Entitlement: 3,575 trips per day (based on 3.1 acres of retail).

Proposed Zoning: Too many uses to determine trip generation.

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

- **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 outstanding issues.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** No outstanding issues.
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Storm Water Services:** See Outstanding Issues, Note
- **Urban Forestry / City Arborist:** No outstanding issues.

**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**







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









## Goals Relevant to Rezoning Determinations

### Rezoning Petition # 2021-252

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	<p><b>Goal 1: 10- Minute Neighborhoods</b> All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.</p>	
	<p><b>Goal 2: Neighborhood Diversity &amp; Inclusion</b> Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.</p>	<p>N/A</p>
	<p><b>Goal 3: Housing Access for All</b> Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.</p>	<p>N/A</p>
	<p><b>Goal 4: Trail &amp; Transit Oriented Development (2-TOD)</b> Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.</p>	

	<p><b>Goal 5: Safe &amp; Equitable Mobility</b> Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p><b>Goal 6: Healthy, Safe &amp; Active Communities</b> All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	
	<p><b>Goal 7: Integrated Natural &amp; Built Environments</b> Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p><b>Goal 8: Diverse &amp; Resilient Economic Opportunity</b> Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p><b>Goal 9: Retain Our Identity &amp; Charm</b> Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p><b>Goal 10: Fiscally Responsible</b> Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>