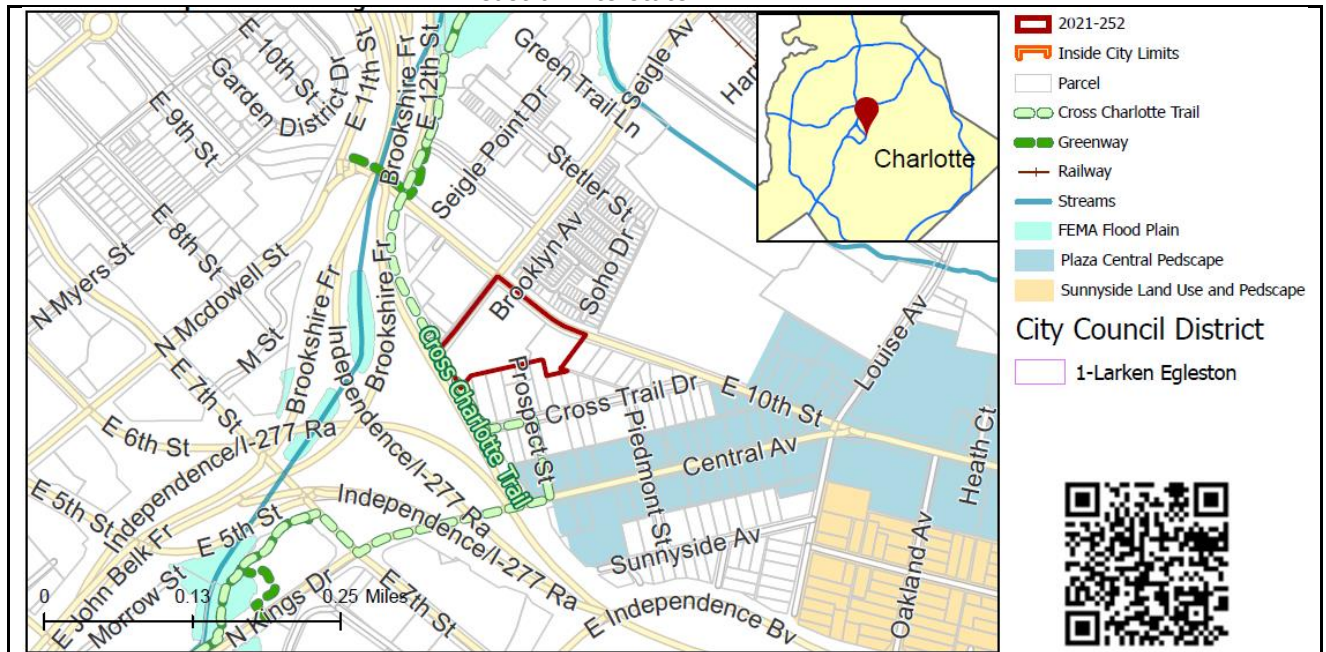


REQUEST

Current Zoning: B-2 (general business)
Proposed Zoning: MUDD(CD) (mixed use development district, conditional)

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 a multi-family development with commercial uses 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 required and has been held. Report available online.

Number of people attending the Community Meeting: 16

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and the environment.

Plan Consistency

The petition is **inconsistent** with the *Belmont Area Revitalization Plan* (2003) recommendation for institutional and single family land uses up to five dwelling units per acre (DUA) for the site.

Rationale for Recommendation

- The subject site is located along 10th Avenue where it traverses from Uptown into the Belmont and Elizabeth neighborhoods which host a number of compatible uses in the area of the petition including multi-family residential, retail, institutional, and mixed uses.
- This rezoning allows for the site to be redeveloped to residential uses with up to 5,000 square feet of various retail and neighborhood service uses on the ground floor, and up to 16,000

square feet of amenitized open space. These proposed uses allow for more diverse housing options and the opportunity for increased neighborhood services at the street level.

- The petition commits to enhancing pedestrian connections along road frontages and will provide a connection to the future Cross Charlotte Trail.
- The conditions of this rezoning include height stepbacks as well as buffers to ease transitions into the adjacent single family areas.
- The site is located within a ¼-mile of an Adopted LYNX Silver Line Station, providing transit access to future residents.

The approval of this petition will revise the adopted future land use as specified by the *Belmont Area Revitalization Plan* (2003) from institutional and single family land uses to mixed uses.

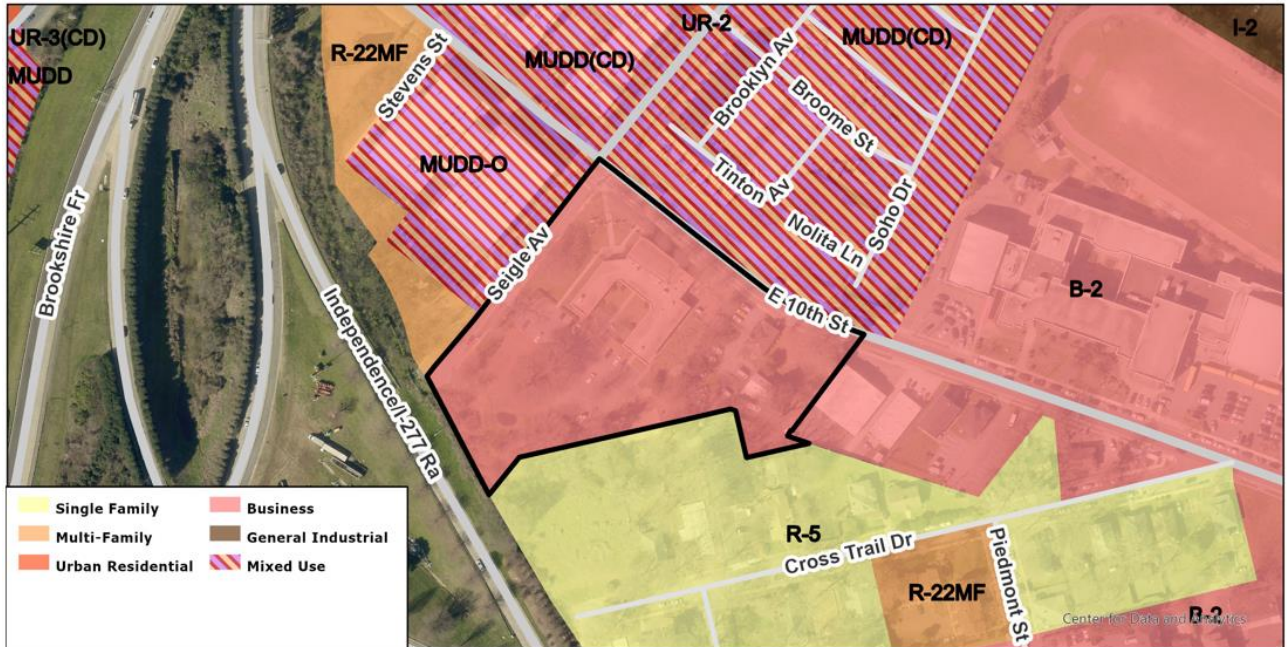
PLANNING STAFF REVIEW

• **Proposed Request Details**

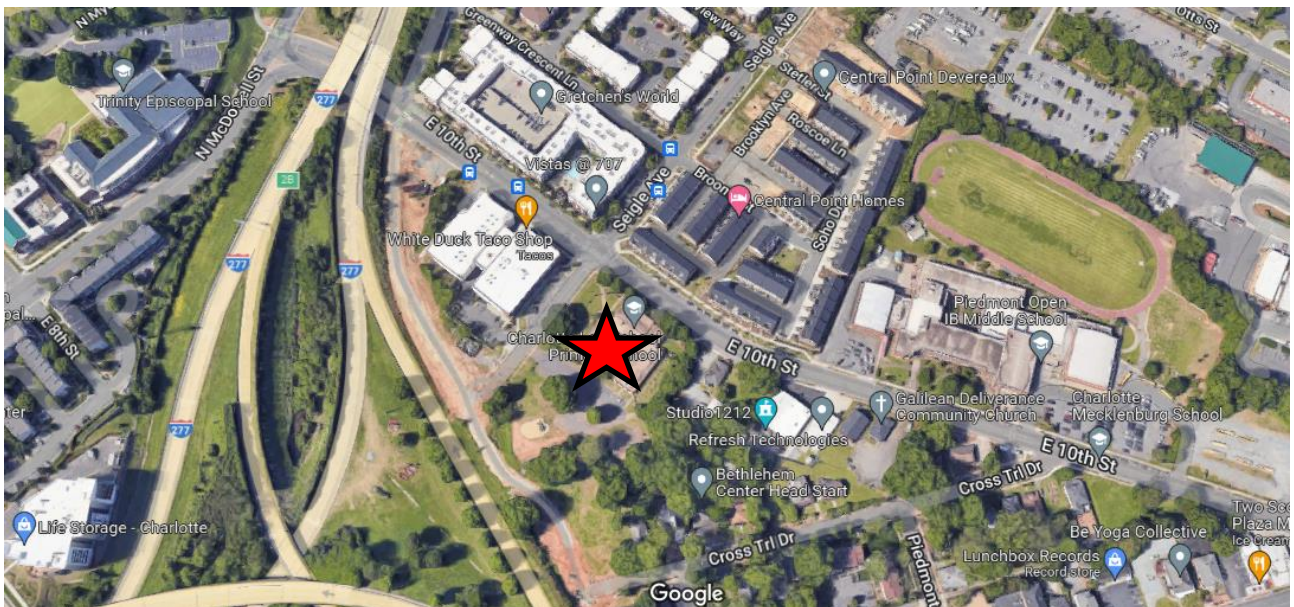
The site plan accompanying this petition contains the following provisions:

- Proposes redevelopment of the site with a maximum of 330 multi-family residential units, up to 5,000 square feet on the ground floor of retail/personal service/neighborhood services/EDEE uses as allowed in the MUDD zoning district.
- Limits building height to 55' along the rear property line abutting single family residentially zoned parcels and as the distance from the rear property line increases by one foot so does the height by one foot with an overall maximum height cap of 65' across the site.
- Commits to providing 16,000 square feet of amenitized open space areas, including a minimum of two of the following amenities: seating areas, public art, picnic tables, benches, dog facilities, fitness amenities, decorative lighting, and/or enhanced landscaping.
- Commits to install a 10' landscape area to Class C buffer standards along the portion of the property that abuts single family use parcels. In areas where outdoor amenities are located, a Class C buffer will include enhanced landscaping and screening for a minimum of 75% of evergreen planting or an opaque fence.
- Will provide a connection to the future Cross Charlotte Trail at the southwest corner of the rezoning boundary.
- Provides the following transportation provisions:
 - Vehicular access via Seigle Avenue
 - 8' sidewalk and 8' planning strip along 10th Street and Seigle Avenue street frontages.
 - The future back of curb along 10th street will be located 24' from existing centerline and along Seigle Avenue the future back of curb will be located 18.5' from existing centerline.
 - 50' by 50' sight triangle at the 10th Street and Seigle Avenue intersection.
 - Installation of ADA compliant curb ramps at the intersection of 10th Street and Seigle Avenue.
 - Reserves and dedicates 35' of right of way from centerline to CATS for the future Silver Line.
- Commits to architectural standards including the following:
 - Building length shall not exceed 430' along public street frontages.
 - Principal building materials will include a combination of glass, metal, stone, simulated stone, synthetic stone, synthetic stone, stucco, etc. Vinyl as a building material will only be allowed in minor trim and window features. A minimum of 20% of the principal building façade facing a street network will use brick, natural or synthetic stone, stucco, or other material as approved by PDD.
 - Pedestrian-oriented ground floor designs may be incorporated into facades.
 - Internal dumpster enclosures.
 - Buildings exceeding 120' in length shall include modulations of the building massing and façade plane.
 - Building elevations shall be designed to create visual interest with limitations on blank wall expanses.
 - Multi-level parking decks shall be screened to not be visible from public streets.
 - May provide a rooftop amenity area at the intersection of 10th Street and Seigle Avenue.
 - Commits to varied roof form and articulation designs.

- 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.



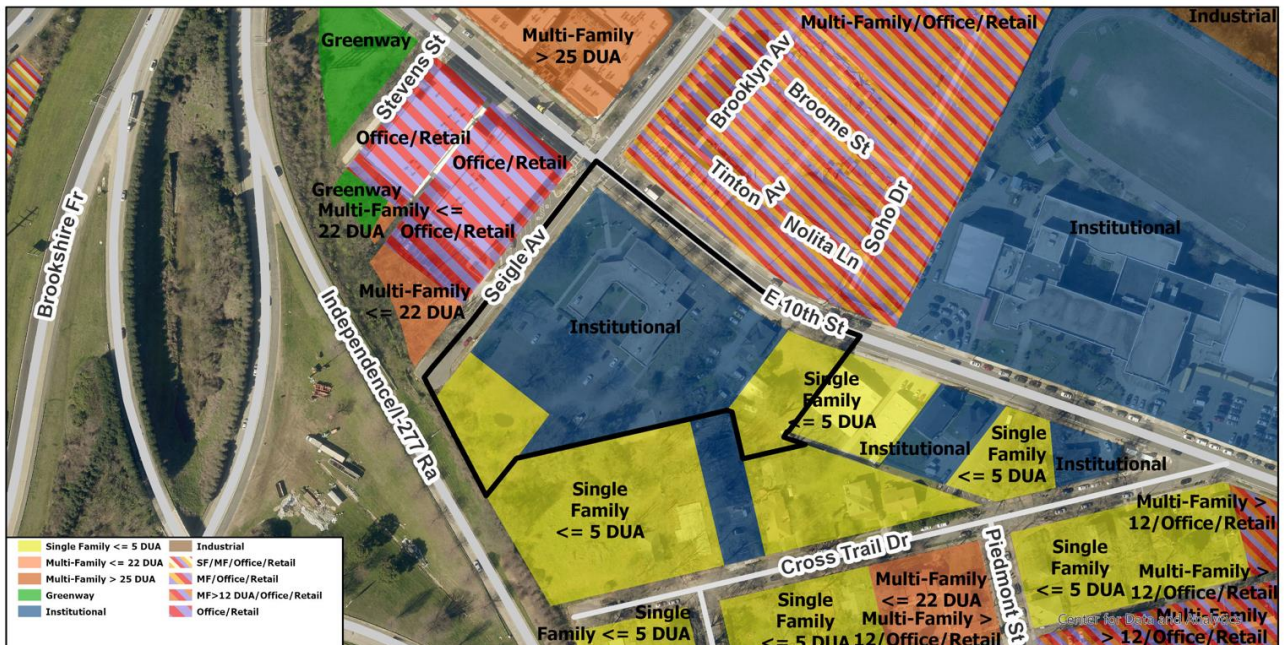
- West of the site is the mixed-use Belmont Mills development.

• 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 *Belmont Area Revitalization Plan* (2003) recommends institutional and single family land uses up to five DUA 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. A Traffic Impact Study (TIS) is not needed for this site. The petitioner commits to constructing pedestrian and bicycle facilities along the site's frontage in accordance with the Charlotte BIKES and Charlotte WALKS Plans. Site plan revisions are needed to dedicate and

label the right-of-way on 10th Street and to locate the proposed access driveway 200-ft south of the signalized intersection.

- **Active Projects:**
 - CATS Silver Line Light Rail
 - Silver Line Rail Trail
- **Transportation Considerations**
 - See Outstanding Issues, Note
- **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: 1,800 trips per day (based on 330 dwelling units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** See advisory comments at 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
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 60 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 60.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Eastover Elementary from 80% to 84%
 - Sedgefield Middle from 68% to 69%
 - Myers Park High from 120% to 120%.
- **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.

OUTSTANDING ISSUES

Transportation

1. Revise site plan and conditional notes to commit to dedicate a 40' ROW from the East 10th Street Centerline. Clearly distinguish existing ROW from proposed ROW.

Transportation

2. Relocate proposed Seigle Avenue access driveway so that it is 200' south of existing signalized intersection.

Environment

3. Add conditional notes related to storm water quality treatment and volume and peak control due to the potential to contribute to downstream flooding of Upper Little Sugar Creek.

REQUESTED TECHNICAL REVISIONS

Transportation

4. Label the dimensions of the curb and gutter from the centerline for each road on the site plan.

See Attachments (applications, department memos, maps etc.) Online at 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
	Goal 1: 10- Minute Neighborhoods 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.	✓
	Goal 2: Neighborhood Diversity & Inclusion 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.	N/A
	Goal 3: Housing Access for All 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.	N/A
	Goal 4: Trail & Transit Oriented Development (2-TOD) 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>Goal 5: Safe & Equitable Mobility</p> <p>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>Goal 6: Healthy, Safe & Active Communities</p> <p>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>Goal 7: Integrated Natural & Built Environments</p> <p>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>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>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>Goal 9: Retain Our Identity & Charm</p> <p>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>Goal 10: Fiscally Responsible</p> <p>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>