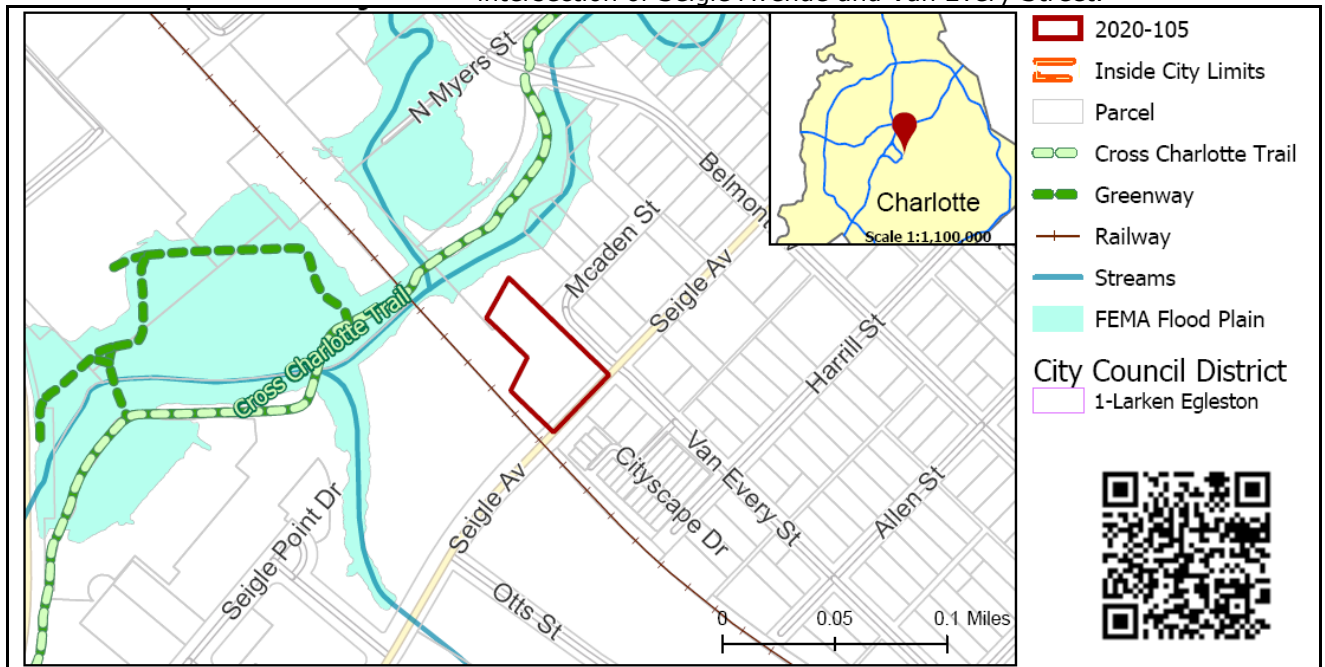


**REQUEST**

Current Zoning: MUDD-O (mixed-use development, optional)  
Proposed Zoning: UR-C(CD) (urban residential-commercial, conditional)

**LOCATION**

Approximately .95 acres located at the eastern corner of the intersection of Seigle Avenue and Van Every Street.



**SUMMARY OF PETITION**

The petition proposes to establish a residential community of 24 attached units within four total buildings with office/retail uses through the adaptive reuse of an existing building.

**PROPERTY OWNER**

White Zombie, LLC

**PETITIONER**

Matt Connolly, White Zombie, LLC

**AGENT/REPRESENTATIVE**

Paul Pennell, Urban Design Partners

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Virtual Community Meeting: 2

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Belmont Area Revitalization Plan's* (2003) recommendation for residential/office/retail uses for the site.

Rationale for Recommendation

- Per the area plan, development in this location would have a significant impact on the future of the larger Belmont community. It would help stabilize the neighborhood and create an environment attractive to new investment.
- The petition's proposed adaptive reuse of a portion of one of the existing structures at the site accomplishes the plan's recommendation of taking a preservation-oriented approach to development.

- The petition's proposed uses (residential, retail, and/or office) do not differ from those approved in petition 2019-100.
- The petition's proposed uses are compatible with surrounding residential and non-residential uses.
- The petition's commitment to improving and extending Van Every Street while make pedestrian improvements along this site's frontage contributes to the plan's recommendation of making the Belmont neighborhood more pedestrian-friendly.

## PLANNING STAFF REVIEW

### • Background

- This parcel was most recently rezoned in 2019. After receiving entitlements from 2019-100, a structural survey of the existing structures on site revealed that one building could not be saved. The current rezoning request stems from that revelation.

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

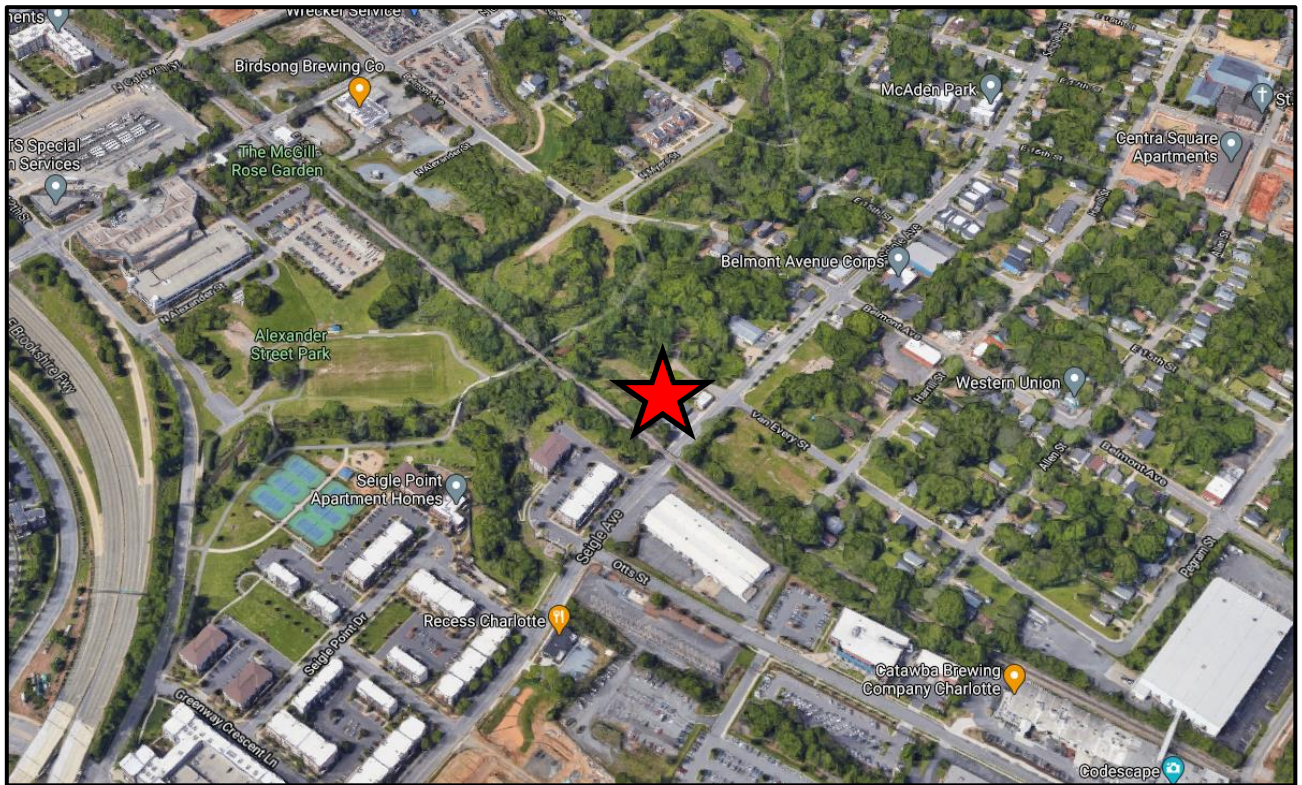
- Proposes up to 24 attached residential units within four buildings.
- Maximum height of 40'/3 stories.
- Commits to one affordable for sale unit ~~at 50% AMI or lower for a period of 15 years~~ reserved for the City of Charlotte Community Heroes Homeownership Program for a period of 20 years. In the event that the CHHP program is no longer available, the unit shall be deed restricted for a period of 20 years from the date of the initial CO to buyers earning at or below 80% AMI.
- Transportation improvements including:
  - 8-foot planting strip and 8-foot sidewalk along the site's frontage with Seigle Avenue and Van Every street.
  - Improving sidewalk ramps at the corner of Seigle Avenue and Van Every Street.
- Addresses development within the 100-foot rail corridor by noting that "The Petitioner shall coordinate with CSX in regards to proposed improvements within the 100' Rail Corridor claimed by CSX and delineated on the Site Plan as "Existing 100' Rail R/W" (the "Rail Corridor"). Petitioner may not enter or use, or install or construct any new improvements of any nature, including changing the grade or drainage pattern, within, the Rail Corridor without prior written approval from CSX."
- Architectural design standards including:
  - Commitment to rehabilitate an approximate 1,300 SF portion of an existing building for adaptive reuse while allowing for expansion and accommodation for rooftop elements.
  - Potential façade improvements to the existing structure.
  - Prohibition of vinyl as a primary building material.
  - Blank wall provisions that limit blank wall expanse to 20 feet adjacent to public streets on all building levels.
  - Walkways connected to public rights-of-way (sidewalks).
  - Residential units directly adjacent to Seigle Avenue and Van Every Street treated with a porch, patio, or stoop adjacent to the ROW.
  - On-site detached lighting limited to 20' in height.



- Existing Zoning and Land Use



The site was most recently rezoned in 2019 (2019-100) which updated the site's zoning district to mixed-use development from general industrial. It entitled the site to residential/office/retail uses. Surrounding land uses include detached single family residences, attached single family, and retail.

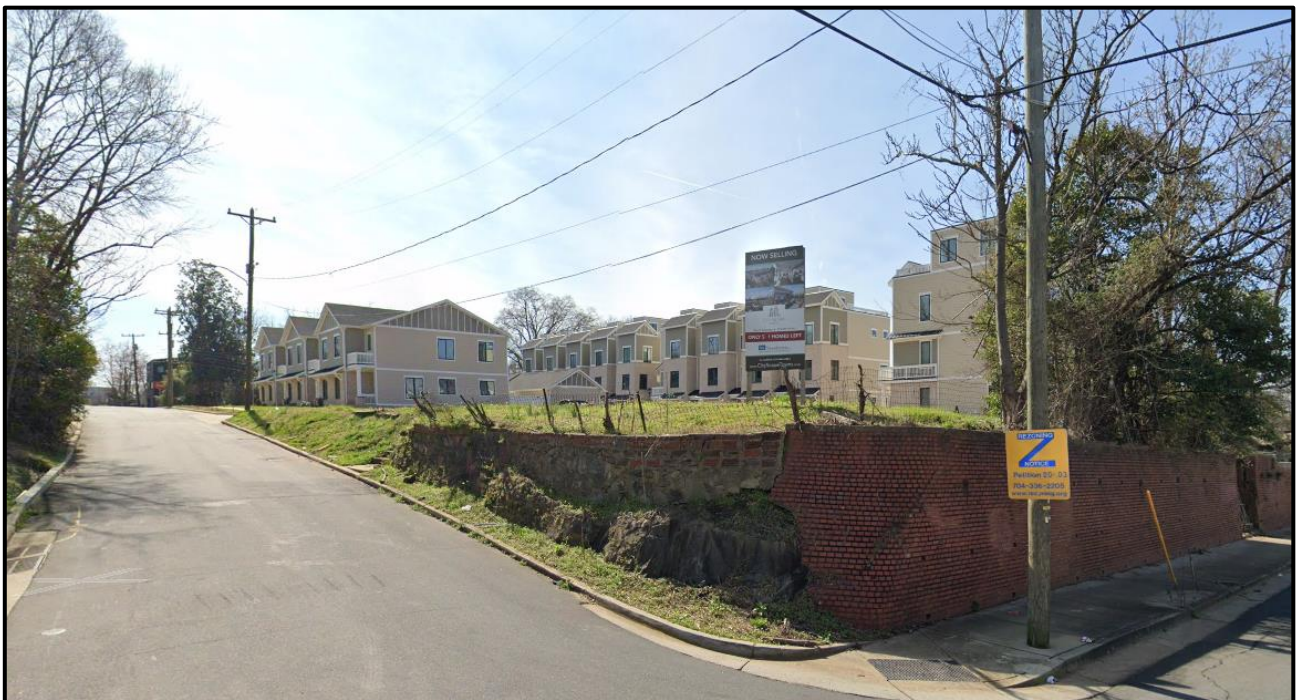


General location of site denoted by red star.



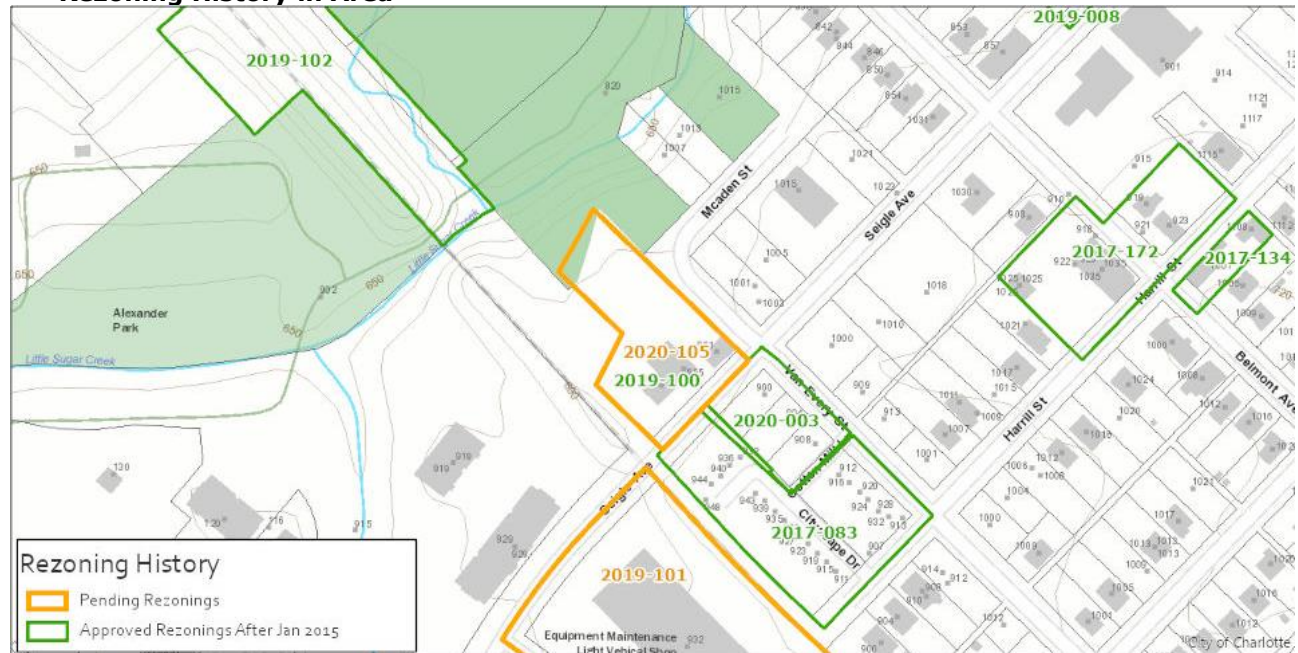


Streetview along Seigle Avenue looking west toward the subject property. A portion of the blue building in the background will be repurposed for retail/office uses.



Streetview along Seigle Avenue looking southeast across the street from the subject property. Recent rezoning at this site has resulted in the construction of a new townhome community at this location.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-003	Petition to develop vacant parcel into single-family attached residential units.	Approved
2019-008	Petition to redevelop site to accommodate 35 multi-family residential units.	Approved
2019-102	City-sponsored petition to rezone multiple parcels along the LYNX Blue Line to transit-supportive zoning districts.	Approved
2019-101	City-sponsored petition to rezone a former industrial parcel to mixed-use development (optional).	Pending
2019-100	Previous rezoning petition for this parcel that would have preserved the existing structures on the site to provide retail/office uses while adding attached residential units.	Approved
2017-172	City-sponsored petition to reuse existing commercial buildings to allow EDEEs and other uses.	Approved
2017-134	Petition to reuse existing buildings to allow EDEEs and other uses.	Approved



- **Public Plans and Policies**



- The *Belmont Area Revitalization Plan* (2003) recommends residential/office/retail for this site.
- **TRANSPORTATION SUMMARY**
  - The site is located on a minor thoroughfare and a local road. The petitioner commits to constructing an 8-foot planting strip and an 8-foot sidewalk along Seigle Avenue and Van Every Street in accordance with the Charlotte WALKS Plan. The petitioner also commits to reconstructing two curb ramps on the north quadrant of the Seigle Avenue/Van Every Street Intersection in accordance with PROWAG and the ADA law. There are no outstanding CDOT issues.
  - **Active Projects:**
    - N/A
  - **Transportation Considerations**
    - No outstanding issues.
  - **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant land use).  
Entitlement: 1,630 trips per day (based on 13,800 SF retail; 12 townhomes).  
Proposed Zoning: 280 trips per day (based on 3,900 SF retail; 24 townhomes).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate one student, while the development allowed under the proposed zoning may produce two students. Therefore, the net increase in the number of students generated from existing zoning to proposed is one student.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Villa Heights Elementary remains at 67%
    - Eastway Middle remains at 118%
    - Garinger High remains at 122%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Seigle Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing

8-inch gravity sewer main located along Seigle Avenue. See advisory comments at [www.rezoning.org](http://www.rezoning.org)

- **Engineering and Property Management:**
  - **Arborist:** No outstanding issues.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Urban Forestry:** No outstanding issues.
- **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 outstanding issues.

#### OUTSTANDING ISSUES

##### Transportation

1. ~~Per CATS request, remove 60-foot operating/active corridor from the rezoning.~~ **RESCINDED**
2. ~~Please add the following note: Petitioner may not enter or use the Rail Corridor at any time without written approval from CSX. Petitioner may not install or construct any improvements of any nature, including changing the grade or drainage pattern, within the Rail Corridor without written approval from CSX. Unauthorized entry/use of the Rail Corridor is a Class 3 Misdemeanor.~~  
**ADDRESSED**

##### Site and Building Design

3. ~~Please add note describing mitigation techniques used to prevent view of garage doors from Seigle Avenue.~~ **ADDRESSED**
4. ~~Provided minimum depth of usable stoops from back of sidewalk.~~ **ADDRESSED**

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

**Planner:** Will Linville (704) 336-4090