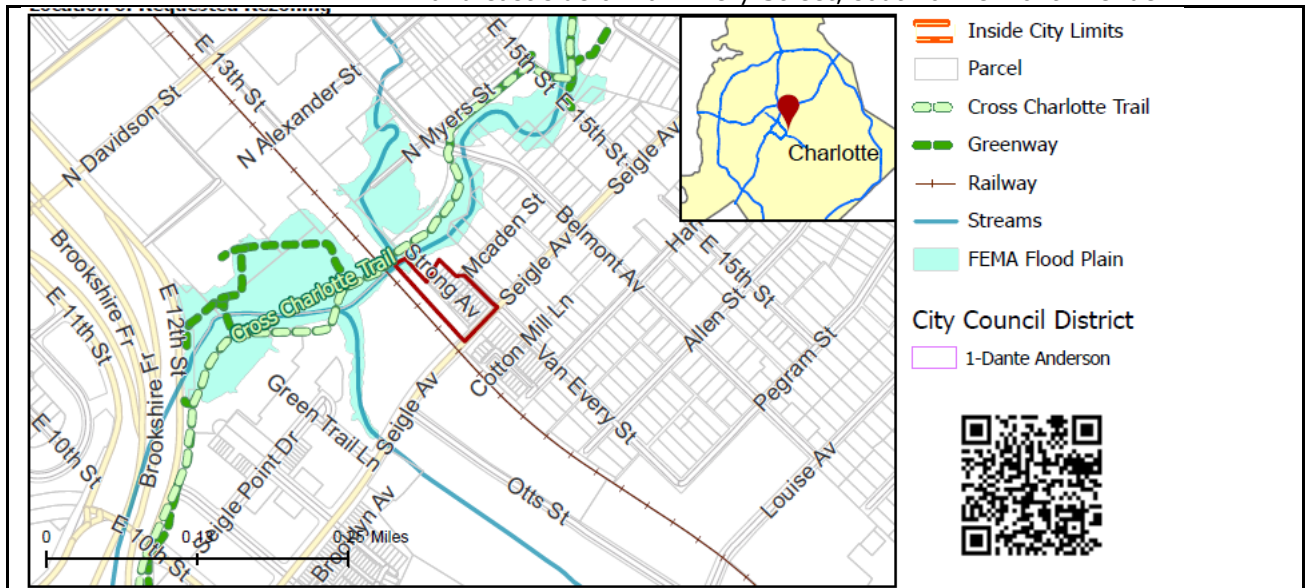


## REQUEST

Current Zoning: UR-C(CD) (urban residential-commercial, conditional) and ML-2 (manufacturing and logistics-2)  
Proposed Zoning: UR-C(CD) SPA (urban residential-commercial, conditional, site plan amendment)

## LOCATION

Approximately 1.32 acres located along the west side of Seigle Avenue and east side of Van Every Street, south of Belmont Avenue.



## SUMMARY OF PETITION

The petition proposes to amend an approved replan to modify the rezoning boundary, reduce the number of residential units, increase non-residential square footage, establish a project phase line, removes language pertaining to the 100-foot rail corridor, and add language pertaining to surface water management.

## PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE COMMUNITY MEETING

Skyline Townes LLC  
Wade Miller – Skyline Townes LLC  
Paul Pennell – Urban Design Partners PLLC  
Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 0 (petitioner also made presentation before the Belmont Neighborhood Association)

## STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design and environment.

### Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for the Neighborhood 2 Place Type.

### Rationale for Recommendation

- Neighborhood 2 places are higher density housing areas that provide a variety of housing types alongside neighborhood-serving shops and services.
- The petition's proposed amendments do not alter the uses from those approved in petition 2020-105 (residential, retail, and/or office).

- The petition could facilitate the following 2040 Comprehensive Plan Goals:
  - 1: 10 Minute Neighborhoods
  - 2: Neighborhood Diversity & Inclusion
  - 3: Housing Access for All
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities
  - 7: Integrated Natural & Built Environments, and
  - 9: Retain Our Identity & Charm

## PLANNING STAFF REVIEW

### • Background

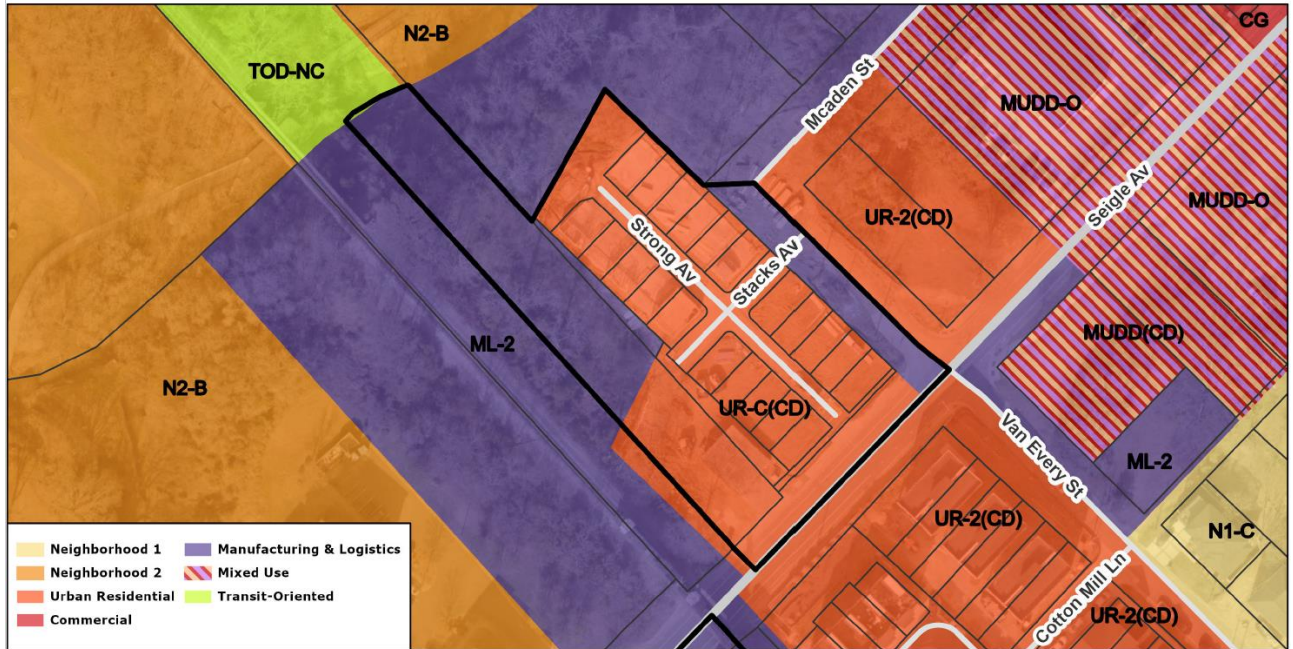
- Rezoning petition 2020-105 rezoned the subject site from MUDD-O (mixed-use development, optional) to UR-C(CD) (urban residential-commercial, conditional) to allow up to 24 attached units within four buildings and 3,900 square feet of non-residential uses, including 1,300 square feet of non-residential uses within an existing building. The requested site plan amendment reduces the total number of units, increases the non-residential square footage, eliminates the existing building, establishes a phase line, and adds language pertaining to the Surface Water Improvement and Management (SWIM) Buffer.
- Rezoning petition 2022-029 has been in deferral status to allow the petitioner and CSX Railroad to resolve a land swap agreement resulting in an adjustment in an increase in acreage and adjustment of the rezoning boundary line.

### • Proposed Request Details

The site plan amendment contains the following changes:

- Adjusts rezoning boundary and increases acreage from .95 acres to 1.32 acres.
- Increases the non-residential square footage from 3,900 square feet to 6,000 square feet.
- Amends language pertaining to existing building to specify structure will be demolished and replaced. New structure will be a maximum of two stories and up to 6,000 square feet.
- Adds a Phase Line on the site plan illustrating Future Phase and Initial Phase boundaries of proposed project.
- Modifies parking area layout and increases number of spaces from nine to 13.
- Identifies proposed common open space.
- Adjusts potential tree save area location.
- Removes development note stating: "The activities of Petitioner within the 100' Rail Corridor claimed by CSX Transportation, Inc. ("CSX") and delineated on the site plan as "Existing 100' Rail R/W" (the "Rail Corridor") shall be subject to any existing rights of CSXT within the Rail Corridor".
- Retains following development standards:
  - Allows up to 22 single family attached residential units (townhomes—now constructed).
  - Allows one residential unit to be reserved for sale utilizing the City of Charlotte Community Heroes Homeownership Program.
  - Commits to the following transportation improvements:
    - Eight-foot sidewalks and eight-foot planting strips along Seigle Avenue and Van Every Street.
    - Dedicates 30 feet of right-of-way along Seigle Avenue.
    - Extends Van Every Street within the existing Van Every Street right-of-way.
  - Commitments to following Architectural and Design Standards:
    - Combination of building materials, including the following: glass, brick, stone, simulated stone, pre-cast stone, pre-cast concrete, synthetic stone, cementitious siding, EIFS, metal or wood.
    - Prohibits vinyl as a primary exterior building material, except for trim, soffits, architectural detailing, and insulation.
    - Incorporates a porch, patio or stoop adjacent right-of-way for units directly adjacent Seigle Avenue and fronting Van Every Street.
    - Provides entrances facing street with a sidewalk connection for units fronting Seigle Avenue and Van Every Street.
    - Limits blank walls to 20 feet adjacent public streets on all building levels.
    - Connection of residential units to adjacent streets via walkways.

- **Existing Zoning and Land Use**

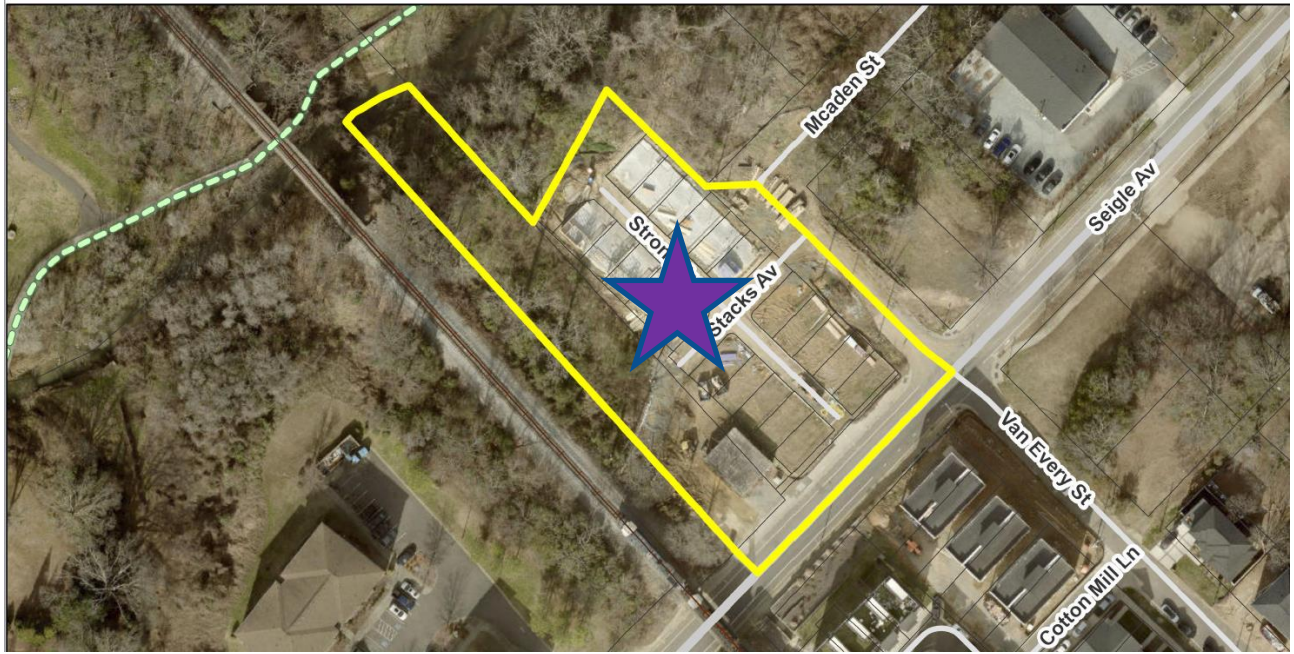


- The rezoning site is developed with vacant warehouse buildings and constructed in 1963 is surrounded by a mix of residential, industrial, and vacant acreage on properties in various zoning districts. The Cross Charlotte Trail runs northwest of the site.
- Rezoning petition 2020-105 rezoned the site from MUDD-O to UR-C(CD) to allow 24 attached units within four buildings and office/retail uses through adaptive reuse of an existing building.
- Rezoning petition 2019-100 rezoned the site from I-2 to MUDD-O to allow up to 12 residential units in three building and 8,300 square feet of non-residential uses in two existing buildings.



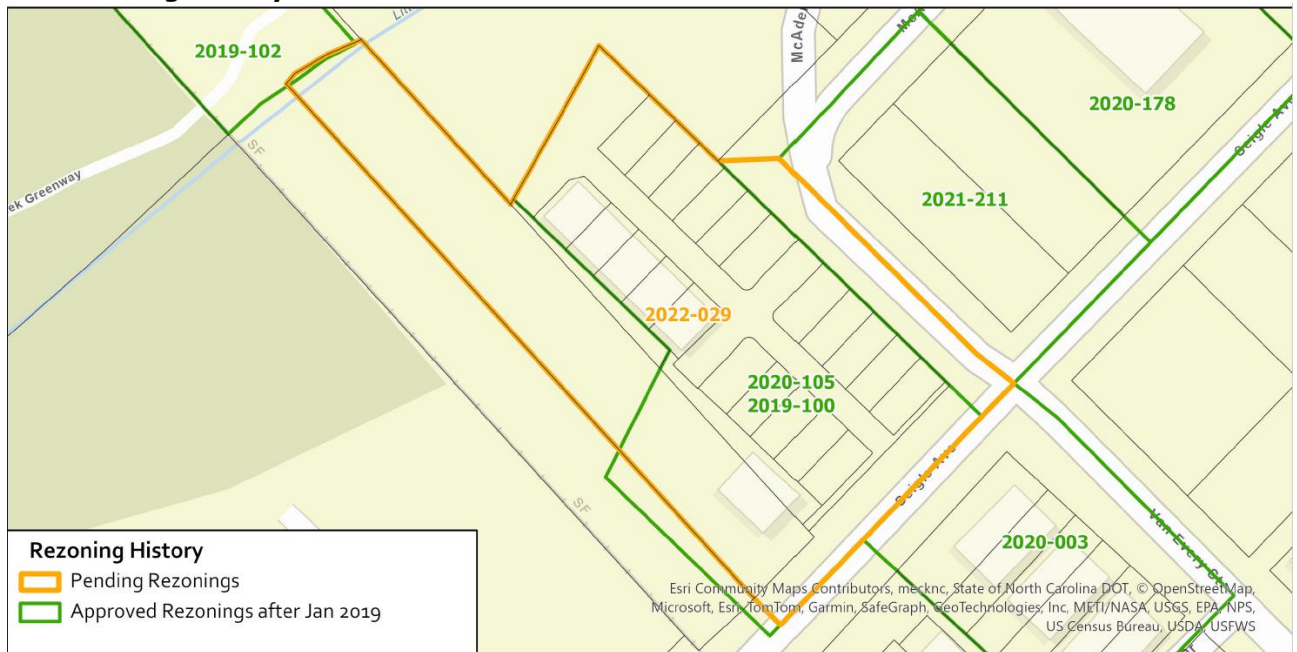
A portion of the site is developed with recently constructed townhomes and a warehouse building constructed in 1963. The remainder of the site is vacant.





The site (denoted by purple star) is surrounded by a mix of residential, industrial, vacant, and recreation uses.

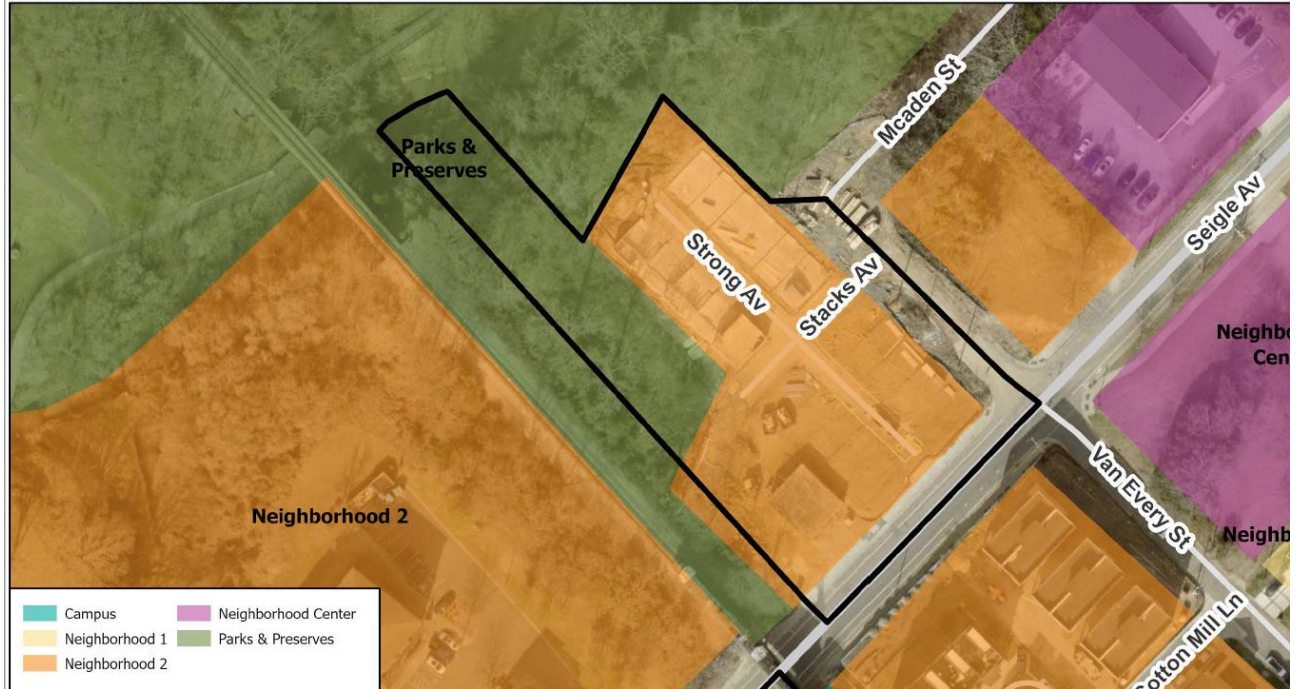
- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-211	Rezoned 0.35 acres from I-2 to UR-2(CD) to allow up to 10 single family attached units.	Approved
2020-178	Rezoned 0.7 acre from MUDD-O and I-2 to MUDD-O SPA to allow 15,000 sq ft of non-residential uses.	Approved
2020-105	Rezoned 0.95 acre from MUDD-O to UR-C(CD) to allow 3,900 sq ft of non-residential uses and 22 single family attached units.	Approved
2020-003	Rezoned 0.3 acre from I-2 to UR-2(CD) to allow three duplex residential units.	Approved
2019-102	Rezoned 1771.18 acres to one of four transit-oriented development (TOD) districts.	Approved

2019-100	Rezoned 1.01 acres from I-2 to MUDD-O to allow adaptive reuse two existing structures and create up to 4 additional structures for residential and non-residential uses.	Approved
2017-083	Rezoned 1.16 acres from I-2 to UR-2(CD) to allow 19 townhomes.	Approved

- **Public Plans and Policies**



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

- **TRANSPORTATION SUMMARY**

- The site is located on Seigle Avenue, a City-maintained minor thoroughfare, and Van Every Street, a City-maintained local street. A Traffic Impact Study (TIS) is not needed for this site. All CDOT comments have been addressed.
- **Active Projects:**
  - No active project in the area.
- **Transportation Considerations**
  - ⊖ No outstanding issues.
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 45 trips per day (based on 4,119 sq ft warehouse).
    - Entitlement: 970 trips per day (based on 12 dwelling units; 13,800 sq ft retail; petition 2019-100).
  - Proposed Zoning: 605 trips per day (based on 22 dwelling units; 6,000 sq ft retail; site plan).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **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:** This development may add one student to the schools in this area.
  - 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 75%
    - Eastway Middle remains at 110%
    - Garinger High remains at 115%.
    - See advisory comments at [www.rezoning.org](http://www.rezoning.org)

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Seigle Ave. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Seigle Ave. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** 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.
- **Stormwater Services Land Development Engineering:** Buffer is to be measured from field-located top of bank of stream, not as shown on GIS. Please verify. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Urban Forestry / City Arborist:** No outstanding issues.

#### **OUTSTANDING ISSUES**

##### Site and Building Design

1. There is a discrepancy on the site plan with regard to acreage. Site Development Data specifies 1.32 acres while General Provisions Note 1 specifies 1.27 acres.
2. Parking lots for more than 10 automotive vehicles and parking decks, excluding new and used automotive sales lots and parking areas for detached, duplex, triplex or quadraplex dwellings on a single lot; (Ref. Sec. 12.303). This will be applicable to parking area abutting railroad right-of-way. In addition, petitioner should consider screening commercial parking area from residential units.
3. Please confirm vicinity map matches rezoning boundary modification.
4. Please confirm Architectural and Design Standards Note 3.a as Permitted Uses Note 1.a states the existing building will be demolished.

##### Environment

5. Show tree save calculations. Any tree save that is being replanted must be done at 150%.

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

**Planner:** Claire Lyte-Graham (704) 336-3782