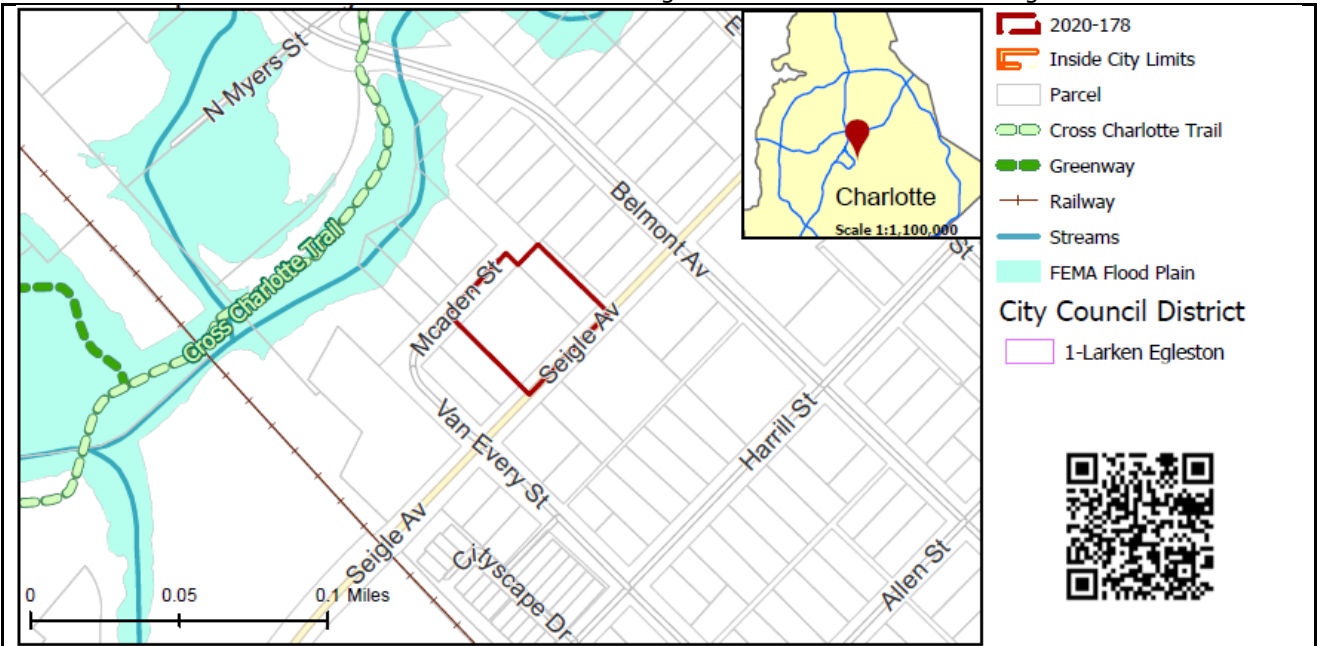


REQUEST

Current Zoning: MUDD-O/I-2 (mixed-use development, optional & industrial)
Proposed Zoning: MUDD-O and MUDD-O SPA (mixed-use development, optional and mixed-use development, optional, site plan amendment)

LOCATION

Approximately 0.7 acres located SW of the intersection of Belmont Avenue and Seigle Avenue in the Belmont neighborhood.



SUMMARY OF PETITION

The petition proposes a rezoning/site plan amendment that would allow for an existing building to be repurposed and permit up to 15,000 SF (10,500 SF in addition to existing building footprint) of limited non-residential uses permitted within the MUDD district.

**PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE**

Teresa M. Orsini
Teresa M. Orsini
Russell Fergusson

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Virtual Community Meeting: 12

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Belmont Area Revitalization Plan's* (2003) recommendation for multi-family/office/retail for the majority of the site but **inconsistent** with a small portion of the area recommended only for multi-family uses.

Rationale for Recommendation

- The request for mixed-use zoning at this location is contextually appropriate considering the location is proximal to recent residential infill projects and other mixed-use and business locations.

- The petition’s proposed adaptive reuse of the site’s existing structure accomplishes the plan’s recommendation of taking a preservation-oriented approach to development in the Belmont community.
- While a portion of this property is zoned industrial, it is unlikely that this area develops under its existing zoning entitlements due to development trends in the area.
- The petition is in alignment with the plan’s land use and development goals and objectives in that it attempts to provide retail while protecting residential areas. As this is a request for non-residential infill, no homes will be removed as a result of this petition.

The approval of this petition will revise the adopted future land use as specified by the *Belmont Area Plan* for a portion of the site from multi-family to multi-family/office/retail for the site.

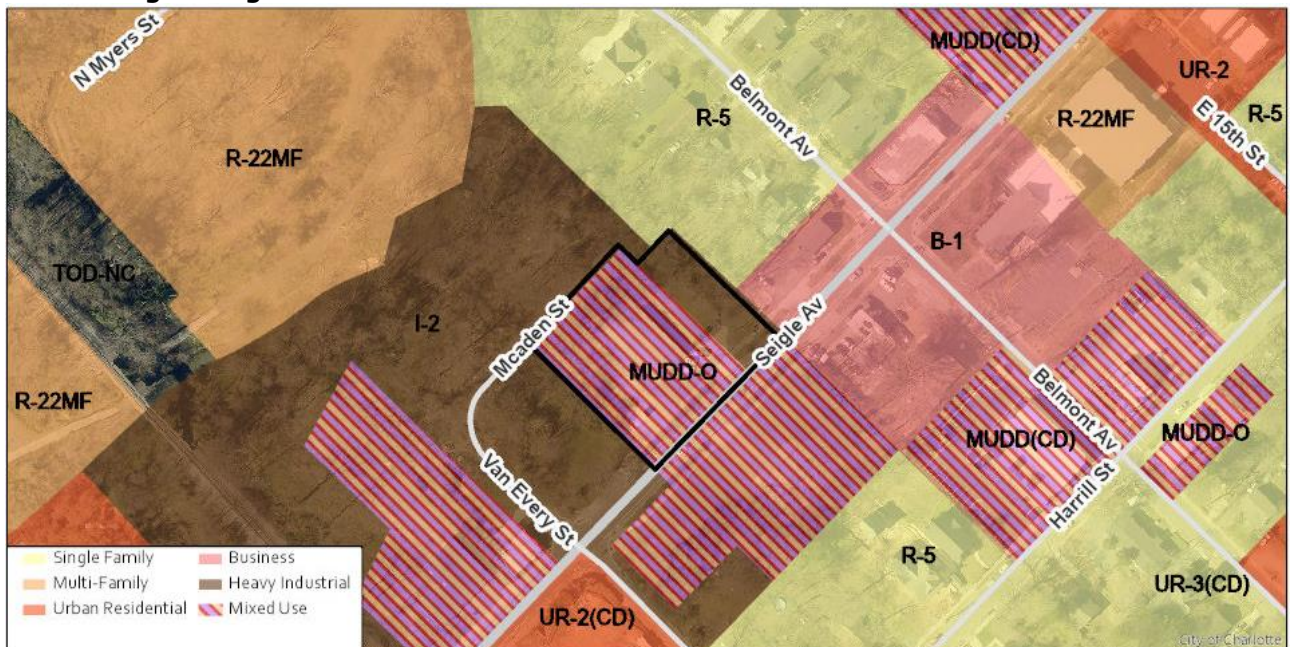
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

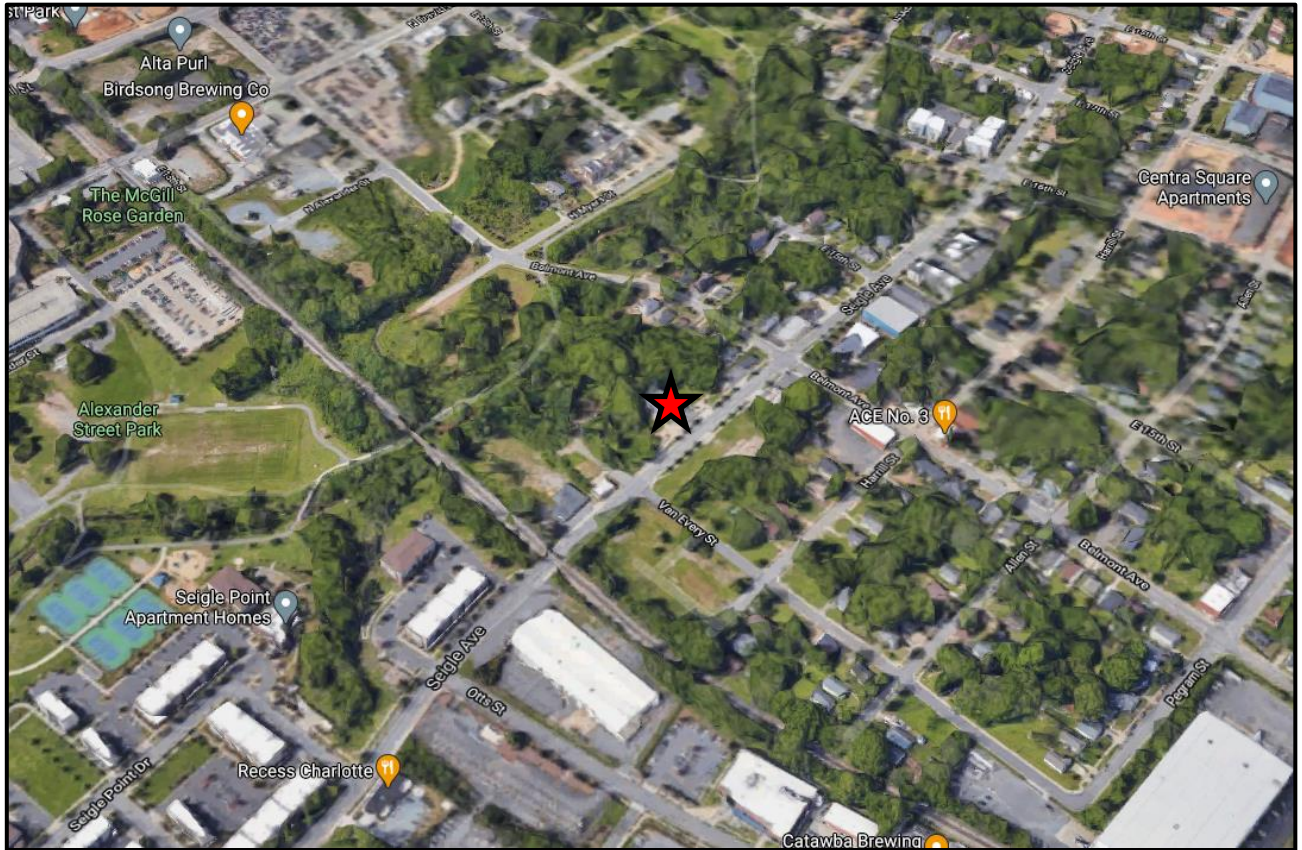
- Allows the development of up to 15,000 SF of non-residential uses allowed in the MUDD district. This square footage includes the adaptive reuse of an existing structure.
- Prohibits automotive service stations and adult establishments at the site.
- Commits to a maximum height for any additions/new construction of 40 feet.
- Illustrates areas for potential patio use surrounding the primary building and notes that those areas may be utilized for outdoor amenities associated with EDEE uses and/or building expansion.
- Requests optional provisions that include:
 - Allowable parking between the street and the front of the building.
 - Meeting screening requirements by providing a green screen/living wall a minimum of 3-foot in height.
- Commits to architectural standards that include:
 - A prohibition of vinyl as a primary building material except when used for windows, soffits, trim.
- Full-cutoff lighting for all new lighting fixtures except that decorative lighting may be provided.

• **Existing Zoning and Land Use**



The subject property is located along an area of Seigle Avenue in the Belmont community. Immediate surrounding zoning includes MUDD, single family residential, business, and multi-family residential.

Recent entitlement projects adjacent to the subject property include the adaptive reuse of former industrial structures and residential infill projects.



General location of subject property denoted by red star.

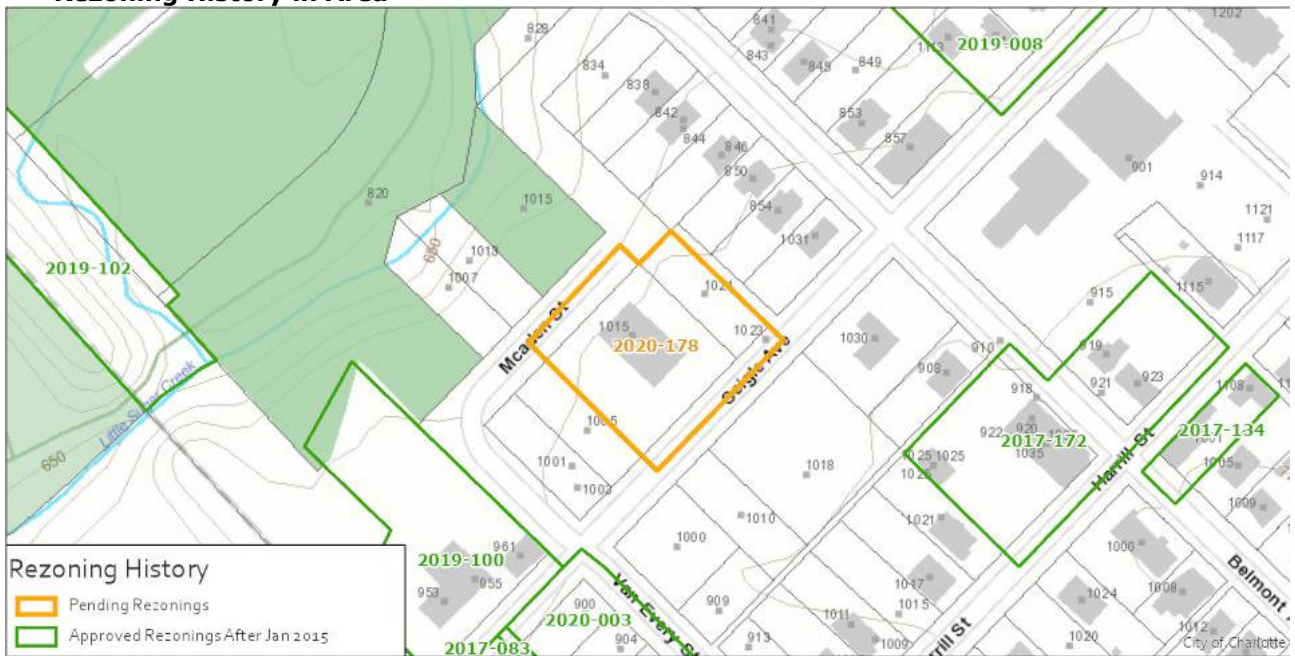


Streetview from Seigle Avenue looking east toward the subject property. The structure in the background of the photo will be adaptively reused as a part of this project.



Looking east at the intersection of Seigle Avenue and Belmont Avenue. This intersection is just north of the subject property and three of the four corners are occupied current or former commercial structures.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-069	Site plan amendment from 2019-102 to permit some adjustments to site plan which provides attached single	Approved

	family dwelling units and some office space within an existing structure.	
2020-003	Request for an urban residential district to provide for up to 6 attached single family dwelling units.	Approved
2019-102	City-sponsored rezoning for parcels viewed as candidates for TOD based on proximity to transit.	Approved
2019-100	Petition to permit a mixed-use development with single family attached dwelling units and office/retail space within existing structures.	Approved
2019-008	Request for MUDD(CD) zoning to accommodate up to 28 residential units.	Approved
2017-172	City-sponsored rezoning of two parcels from B-1 to MUDD(O).	Approved
2017-134	Rezoning to MUDD to permit retail and residential uses.	Approved
2017-083	Rezoning to permit a townhome community along Van Every St.	Approved

• **Public Plans and Policies**



- The *Belmont Area Revitalization Plan* (2003) recommends multi-family for a small portion of the site and multi-family/office/retail for much of the site.
- **TRANSPORTATION SUMMARY**
 - The site is on a City-maintained, minor thoroughfare road (Seigle Avenue). The site also abuts a 50-foot wide unimproved right-of-way (Mcaden Street). The proposed project will maintain the same number of daily vehicle trips as provided under the entitlement for the adaptive reuse project. The petitioner commits to dedicating 30-foot right-of-way from the Seigle Avenue centerline. Further details are listed below.
 - **Active Projects:**
 - There are no active projects near the site.
 - **Transportation Considerations**
 - No outstanding issues.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 55 trips per day (based on 4,500 SF office).
 - Entitlement: 220 trips per day (based on 15,000 SF non-residential uses; 2,700 SF warehouse uses).
 - Proposed Zoning: 170 trips per day (based on 15,000 SF non-residential uses).

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:** See advisory comments at www.rezoning.org
- **Charlotte Department of Solid Waste Services:** See advisory comments at www.rezoning.org
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer 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
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** See advisory comments at www.rezoning.org
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** See advisory comments at www.rezoning.org
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Site and Building Design

1. Clarify in restricted uses that residential units will not be allowed. The permitted uses section makes it unclear as to whether residential uses will be permitted. **ADDRESSED**
2. Please move the commitment to preserve existing building out of the optional provisions and into the Architectural section of the conditional notes. Please utilize clearer language that the building shall be preserved. **ADDRESSED**
3. Please illustrate building envelopes for potential building expansion listed in conditional notes. This approach could be utilized to clarify the requested technical revision (9) below. **ADDRESSED**
4. Remove parking provision in Transportation section (note 2). Shall be provided per ordinance. **ADDRESSED**
5. Illustrate screening in areas outlined in site plan staff comments along the eastern and western property boundary. **ADDRESSED**
6. Amend the minimum height of the proposed green screen to 4 feet in height; provide detail of green screen. **ADDRESSED**
7. Please clarify that parking will comply with ordinance requirements and parking shall not be permitted between the street and any additional buildings/additions/improvements made to the site. Staff is comfortable only with permitting parking between the street and the existing building. **RESCINDED**

REQUESTED TECHNICAL REVISIONS

Site and Building Design

8. Adjust site development table to reflect parking required per ordinance and proposed building area up to 15,000 SF. **ADDRESSED**
9. Please clarify/reword notes 3 & 4 in optional provisions to more clearly reflect the provisions being asked for patio/parking areas. This revision should also note or cross-reference the above outstanding issue 7 regarding the location of parking in front of any future improvements/additions. **ADDRESSED**
10. As parking is not permitted within potential patio area and/or parking envelope A, please remove reference to parking in that area. **ADDRESSED**

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: William Linville (704) 336-4090