

**REQUEST** Current Zoning: I-2 (general industrial)  
Proposed Zoning: TOD-M (transit oriented development – mixed-use)

**LOCATION** Approximately 1.5 acres located on the west side of Griffith Street between Poindexter Drive and Youngblood Street.  
(Council District 3 - Mayfield)

**SUMMARY OF PETITION** The petition proposes to allow all transit supportive uses per conventional TOD-M (transit oriented development – mixed-use) zoning for a 1.5 acre site that is within a 1/2 mile walk of the New Bern Transit Station on the LYNX Blue Line. Uses allowed in the TOD-M (transit oriented development – mixed-use) district include office, residential, retail, and civic uses.

**PROPERTY OWNER** James A. and Norva Fagan & Sterling Development Company  
**PETITIONER** Triple C Brewing Company, LLC  
**AGENT/REPRESENTATIVE** Jeff Brown & Keith MacVean/ Moore & Van Allen, PLLC

**COMMUNITY MEETING** Meeting is not required.

**STATEMENT OF CONSISTENCY**

- The Zoning Committee found this petition to be consistent with the *New Bern Transit Station Area Plan*, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends mixed-use transit supportive development for this site.
- Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:
  - The subject site is within a 1/2 mile walk of the New Bern Transit Station on the LYNX Blue Line; and
  - The proposal allows a site previously used for industrial/office to convert to transit supportive land uses; and
  - Use of conventional TOD-M (transit oriented development – mixed-use) zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary; and
  - TOD (transit oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening;

By a 5-0 vote of the Zoning Committee (motion by Eschert seconded by Majeed).

**ZONING COMMITTEE ACTION** The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition.

**VOTE**

Motion/Second: Eschert / Wiggins  
Yeas: Eschert, Labovitz, Majeed, Sullivan, and Wiggins  
Nays: None  
Absent: Dodson  
Recused: Lathrop

**ZONING COMMITTEE DISCUSSION** Staff noted that this was a conventional request with no associated site plan that allows all uses in the ordinance for this district. Staff also stated that this petition is consistent with the *New Bern Transit Station Area Plan*. There was no further discussion of this petition.

**STAFF OPINION** Staff agrees with the recommendation of the Zoning Committee.

**FINAL STAFF ANALYSIS**  
**(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))**

**PLANNING STAFF REVIEW****• Proposed Request Details**

- This is a conventional rezoning petition, which applies all the standards, regulations and uses in the TOD-M (transit oriented development – mixed-use) zoning district. Uses allowed in the TOD-M district include office, residential, retail, and civic uses.

**• Public Plans and Policies**

- The *New Bern Transit Station Area Plan* (2008) recommends transit supportive uses for the subject site and surrounding properties.
- The petition supports the *General Development Policies-Environment* by redeveloping an infill site, thereby minimizing further environmental impacts while accommodating growth.

**• TRANSPORTATION CONSIDERATIONS**

- CDOT supports intensification around light rail transit stations. This site is in close proximity to the New Bern light rail transit station. This site will be required to install sidewalks along its property frontage; however, there will be gaps in the sidewalk system between this site and the light rail platform until additional redevelopment occurs. CDOT does not have any concerns or outstanding issues with this petition.
- **Vehicle Trip Generation:**  
Current Zoning: 230 trips per day (based on 29,500 square feet of industrial uses).  
Proposed Zoning: Allows for a wide variety of uses.

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

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Charlotte Fire Department:** No comments received.
  - **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Charlotte Water:** No issues.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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**REQUESTED TECHNICAL REVISIONS****Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review