REQUEST

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

LOCATION

Approximately 1.33 acres located on the east side of Distribution Street between Remount Road and Dunavant Street.
(Council District 3 - Mayfield)

SUMMARY OF PETITION

The petition proposes to allow all transit supportive uses per TOD-M (transit oriented development – mixed use) zoning for a 1.33 acre site that is within a 1/2 mile walk of the New Bern Transit Station on the LYNX Blue Line.

PROPERTY OWNER

Vinson Enterprises Inc.

PETITIONER

Glen Nocik

AGENT/REPRESENTATIVE

Brian Dey

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 transit supportive development for the subject parcel.
  • 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 for all uses in the TOD-M (transit oriented development – mixed use) district which includes office, residential, retail, and civic 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 for this small site 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; and
    • The proposed change will support the transition of the area from an industrial district to a walkable transit supportive district;

By a 6-0 vote of the Zoning Committee (motion by Fryday seconded by Watkins).

ZONING COMMITTEE ACTION

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.

VOTE

Motion/Second: Watkins / Majeed
Yeas: Fryday, Lathrop, Majeed, McClung, Spencer, and Watkins
Nays: None
Absent: Wiggins
Recused: None

ZONING COMMITTEE DISCUSSION

Staff reviewed the petition and noted that this was a conventional request. Staff noted that this petition is consistent with the New Bern Transit Station Area Plan.
A Commissioner asked staff how the ½ mile radius is measured. Staff explained that the measurement is based on walking distance when the area plan was adopted. There was no further discussion of this petition.

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

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**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 zoning district. Uses allowed in the TOD-M district include office, residential, retail, eating/drinking/entertainment establishments and civic.

- **Public Plans and Policies**
  - The *New Bern Transit Station Area Plan* (2008) recommends mixed use transit supportive uses for the subject site and surrounding properties.

**TRANSPORTATION CONSIDERATIONS**

- The site is located along a local street within a transit station area. During permitting, CDOT will look to implement the Distribution Street cross section envisioned by the area plan.

- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 110 trips per day (based on 30,792 square feet of warehouse uses).
    - Entitlement: 110 trips per day (based on 30,792 square feet of warehouse 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 issues.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** In relation to the parcel under review, Charlotte Water has water system availability via an existing eight-inch water distribution main located along Distribution Street and sewer system availability for the rezoning boundary via an existing eight-inch gravity sewer main located along Distribution Street.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be planted in the right of way of Distribution St. without permission of the City Arborist’s office.
  - **Erosion Control:** No issues.
  - **Land Development:** No issues.
  - **Storm Water Services:** No issues.
  - **Urban Forestry:** Site must comply with the Tree Ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

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**Attachments Online at** [www.rezoning.org](http://www.rezoning.org)

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
• Department Comments
  • Charlotte Area Transit System Review
  • Charlotte Department of Neighborhood & Business Services Review
  • Charlotte Fire Department Review
  • Charlotte Water Review
  • Engineering and Property Management Review
    • City Arborist Review
    • Erosion Control
    • Land Development
    • Storm Water Services
    • Urban Forestry
  • Mecklenburg County Land Use and Environmental Services Agency Review
  • Mecklenburg County Parks and Recreation Review
  • Transportation Review

**Planner:** Solomon Fortune  (704) 336-8326