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.

STAFF RECOMMENDATION
Staff recommends approval of this petition.

Plan Consistency
The petition is consistent with the New Bern Transit Station Area Plan recommendation for mixed use transit supportive development

Rationale for Recommendation
- The subject site is within a 1/2 mile walk of the New Bern Transit Station on the LYNX Blue Line.
- The proposal allows for all uses in the TOD-M (transit oriented development – mixed use) district which includes office, residential, retail, and civic uses.
- 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.
- TOD (transit oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.
- The proposed change will support the transition of the area from an industrial district to a walkable transit supportive district.

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, retail, eating/drinking/entertainment establishments and civic.

- Existing Zoning and Land Use
  - The subject properties are currently developed with industrial warehouse buildings.
  - The surrounding properties are zoned I-2 (general industrial) and TOD-M (transit oriented development – mixed use) and are developed with office, retail, warehouse, restaurant and entertainment uses.
  - See “Rezoning Map” for existing zoning in the area.

- Rezoning History in Area
  - Since the construction of the LYNX Blue Line and the New Bern light rail station, there have been a number of rezonings to conventional TOD-M (transit oriented development – mixed use) and TOD-MO (transit oriented development – mixed use, optional), in the area surrounding this site and in the New Bern Station Area. These rezonings have supported the transition of the area from an industrial district to a walkable transit supportive district.

- 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.
- **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.

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

- Application
- Site Plan
- Locator Map
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Fire Department Review
  - Charlotte Water
  - 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

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