

REQUEST	Current Zoning: I-1 (light industrial) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 1.25 acres located on the east side of South Tryon Street between Fairwood Avenue and Remount Road. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to allow the infill redevelopment of a site outside of New Bern Transit Station area with up to 105,000 square feet for warehousing within an enclosed building and 3,000 square feet of office and retail.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	The Grant Girls, LLC CIP Construction Company Keith MacVean & Jeff Brown / Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 6

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to site design and transportation.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>New Bern Transit Station Area Plan</i> recommendation for mixed use transit supportive development.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The subject site is within ½ mile walk of the New Bern Transit Station on the LYNX Blue Line. • The proposal allows for all indoor warehouse storage and ground floor active uses in the MUDD (mixed use development) district except convenience stores, check cashing establishments, EDEE Type 1 and 2, and residential uses. • The proposal provides a use to support residential development in the transit station area. • A substantial portion of the property will be used for indoor self-storage. The MUDD zoning district is necessary to accommodate the indoor storage use, which will provide pedestrian activity and an appropriate building form on South Tryon Street, the western edge of the station area. • The proposal also commits to the appropriate ground-floor activation and streetscape standards to support the pedestrian-oriented environment envisioned for transit supportive development. • The maximum allowed building height will be five stories not to exceed 65 feet and a 40 foot buffer is provided adjacent to the residential development. The development will be in scale with the buildings in the surrounding area.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Allows up to 105,000 square feet for warehousing within an enclosed building for self-storage uses.
 - Also allows 3,000 square feet on the ground floor for other non-residential uses as permitted in the MUDD (mixed use development) district. Excludes eating/drinking/entertainment establishments type 1 and 2, convenience stores, and check cashing uses.
 - 16-foot setback along South Tryon Street with sidewalk/ hardscape with trees in grates.
 - Building height limited to 65 feet and five stories.
 - Building elevations with details.

- Building materials to be a combination of brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, wood, architectural concrete, decorative metal panels, decorative block and/or wood. Vinyl as a building material may only be used on windows, soffits and handrails/railings.
- 40-foot buffer adjacent to the residential property along the eastern property line.
- Attached lighting limited to 16 feet in height and detached lighting limited to 15 feet.
- Commitment that parking will not be leased for special events.
- Requested optional provisions:
 - To allow a 16-foot setback from the future back of curb along South Tryon Street. The adopted area plan calls for a 24 foot setback.
 - To allow two wall signs limited to 10 percent or 200 square feet. The normal requirements are 10 percent of wall area or 100 square feet.
 - To require only 20 spaces for the proposed use. The normal MUDD standards require one space per 600 square feet of building area.
- **Existing Zoning and Land Use**
 - The subject site is zoned I-1 (light industrial) and developed with industrial/ warehouse uses.
 - The property to the north and south are zoned I-1 (light industrial) and developed with industrial/ warehouse uses.
 - The property to the east is zoned TOD-M (transit oriented development – mixed-use) and TOD-MO (transit oriented development – mixed-use, optional) and developed with residential townhomes and industrial uses.
 - The property to the west is zoned R-22MF (multi-family) and B-1 (neighborhood business) and developed with residential and retail and office 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 where this site is located. These rezonings have supported the transition of the area from a primarily industrial district to a walkable transit supportive district.
- **Public Plans and Policies**
 - The *New Bern Transit Station Area Plan* (2008) recommends transit oriented development for this site.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located on a major thoroughfare near a signalized intersection with another major thoroughfare. The site plan commits to the future curblines and hardscape as envisioned by the area plan. However, CDOT continues to request the commitment to construction of the future curblines location to accommodate on-street parking and bike facilities across the site frontage.
 - See Outstanding Issues, Notes 3 through 6.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 910 trips per day (4,542 square feet based on industrial uses).
 - Entitlement: 910 trips per day (4,542 square feet based on industrial uses).
 - Proposed Zoning: 280 trips per day (105,000 square feet based on warehousing in an enclosed building).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte Water:** The site has water system availability for the rezoning boundary via an existing eight-inch water main located along South Tryon Street and sewer via an existing eight-inch gravity sewer main located along South Tryon Street.
- **Engineering and Property Management:**
 - **Arborist:** No trees can be removed or planted in the right of way of any state maintained street without permission of NC Department of Transportation and the City Arborist’s office. Trees must be planted to meet NCDOT planting guidelines. Contact Laurie Reid (704-336-5753) at

the City Arborist's office for a tree planting permit before planting trees in the NCDOT right of way once plans have been approved by the City.

- **Erosion Control:** No issues.
- **Land Development:** No issues.
- **Storm Water Services:** No issues.
- **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Park and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. Verify that façade facing South Tryon Street complies with the MUDD standards for no blank walls. Per the elevations it appears the brick column with signage is longer than 20 feet.
2. Provide a 40-foot Class "B" buffer adjacent to the residential townhomes.

Transportation

3. The petitioner should revise the site plan and conditional note(s) to reflect constructing new curb and gutter (with bike lanes and recessed parking) in the future locations as depicted in the *New Bern Transit Station Area Plan*. Curb extensions as shown do not adequately accommodate bike lane.
4. The petitioner should revise the site plan to add a note specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests right-of-way set at back of sidewalk/building face or the petitioner should revise the site plan to add a conditional note specifying the area outside the 40-foot from centerline right-of-way line and building setback line will be designated as a Sidewalk Utility Easement (SUE).
5. The petitioner should revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued or phased per the site's development plan.
6. The petitioner should revise the site plan to add a note specifying the proposed northern site driveway will align properly with an existing driveway on the west side of South Tryon Street.

Attachments Online at www.rezoning.org

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

Planner: Solomon Fortune (704) 336-8326