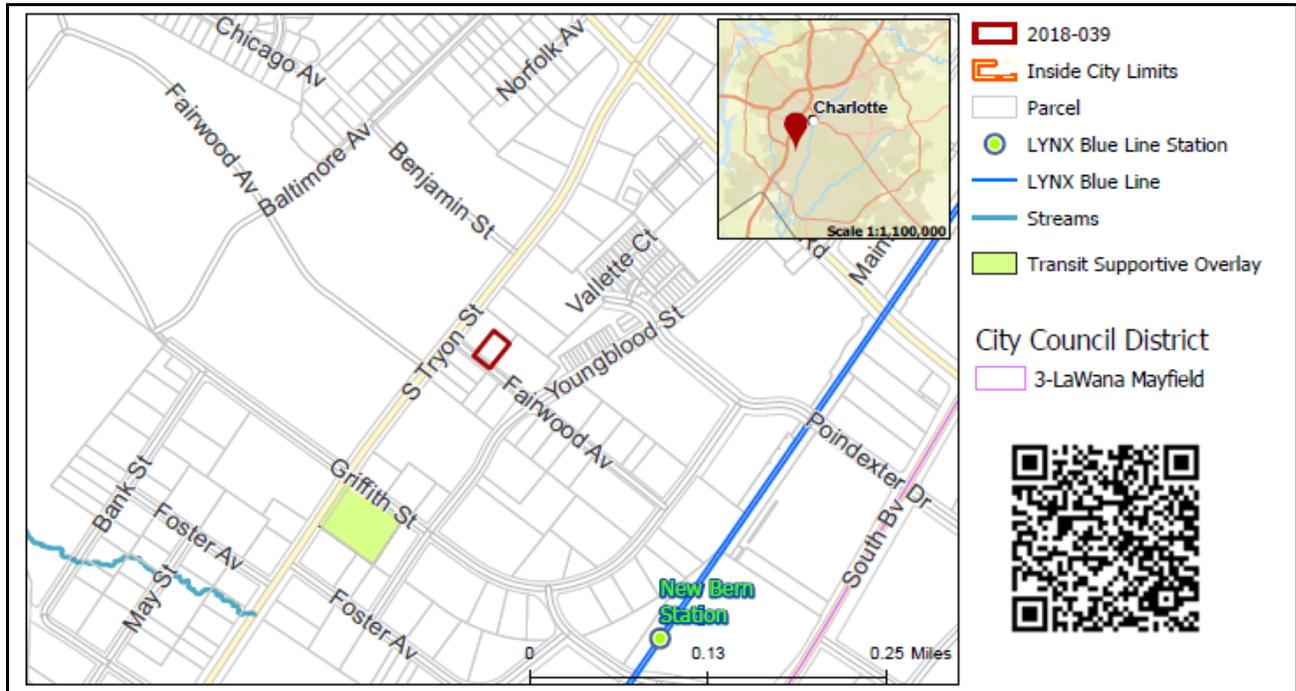


**REQUEST** Current Zoning: I-1 (light industrial)  
Proposed Zoning: TOD-M (transit oriented development – mixed-use)

**LOCATION** Approximately 0.17 acres located on the north side of Fairwood Avenue, east of South Tryon 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 0.17 acre site that is within a 1/2 mile walk of the New Bern Transit Station on the LYNX Blue Line.

**PROPERTY OWNER** Aleksandr and Pavel Gurlov  
**PETITIONER** Lischerong Enterprises & Holdings  
**AGENT/REPRESENTATIVE** Nikolaus Lischerong

**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

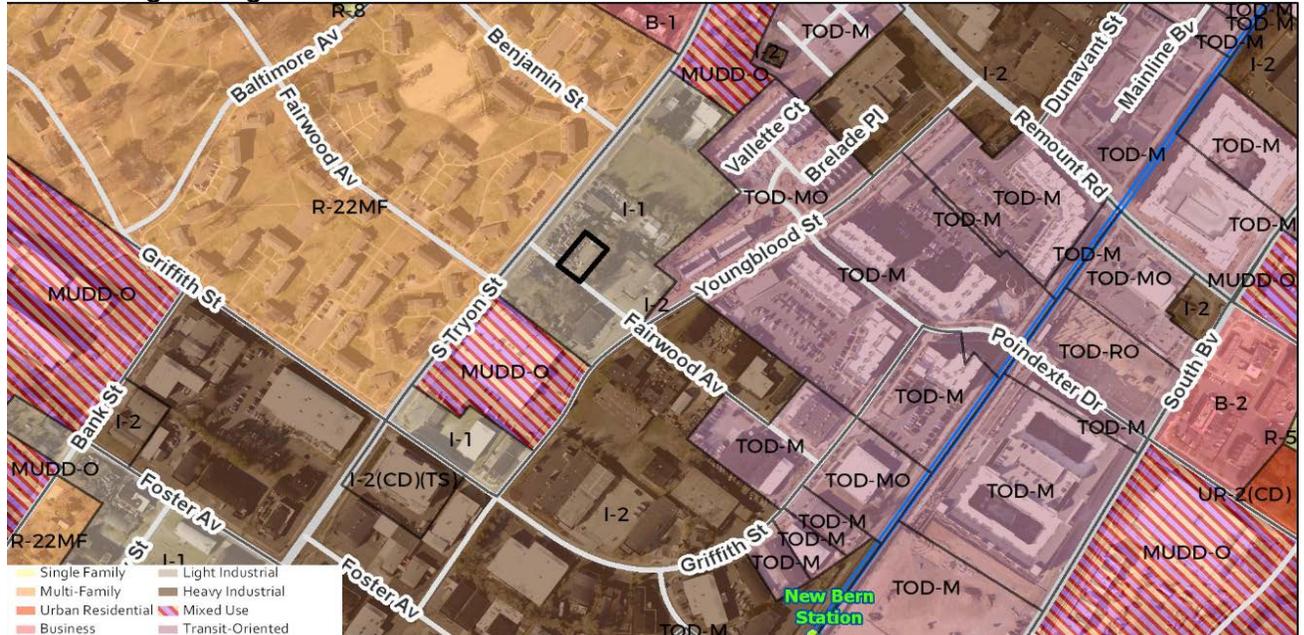
- The subject site is within a 1/2 mile walk of the New Bern Transit Station on the LYNX Blue Line.
- The proposal allows a site previously used for auto sales and repair to convert to transit supportive land uses.
- Use of conventional TOD-M (transit oriented development – mixed-use) zoning applies standards and regulations consistent with the form and intensity of transit supportive development.
- TOD (transit oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.

**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 uses.

**Existing Zoning and Land Use**



- The subject property is currently developed with an auto sales and repair shop.
- The surrounding properties are developed with office, retail, and warehouse uses.



The subject property is developed with an auto sales and repair shop.



The properties to the northwest are developed with an auto sales/repair uses.

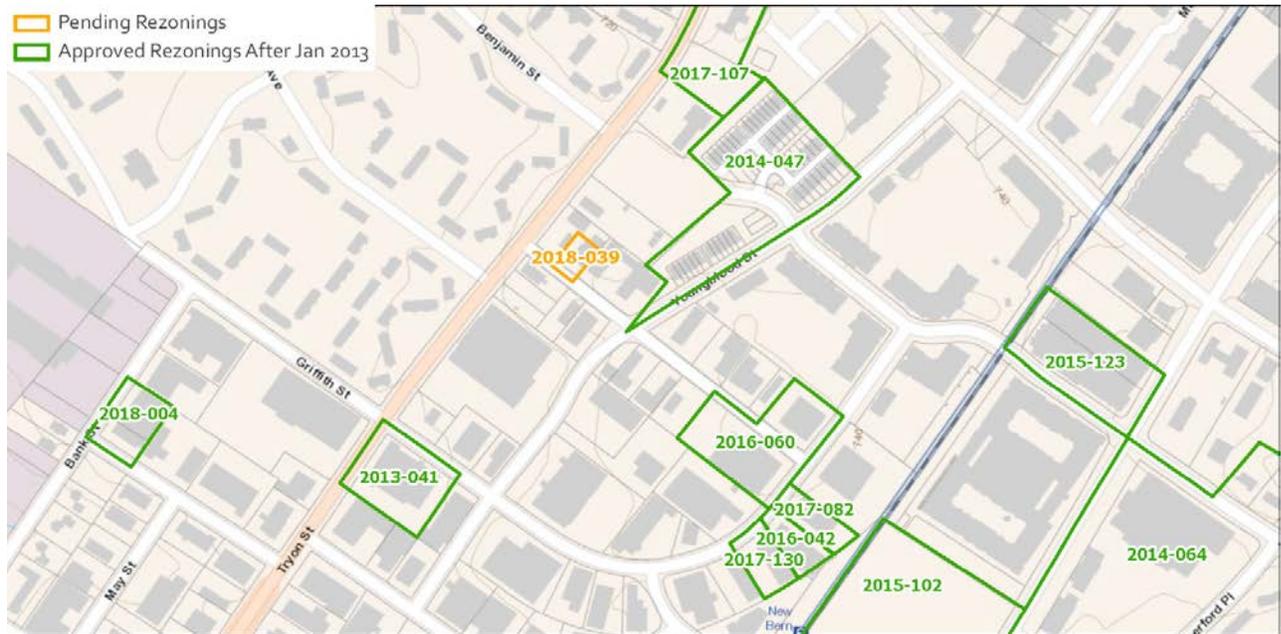


Across South Tryon Street is a multi-family housing development.



Properties to the south and east are developed with a mix of warehouse, industrial, and commercial uses.

• **Rezoning History in Area**



- Since the construction of the LYNX Blue Line, 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. 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 transit supportive uses for the subject site and surrounding properties.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on a local street within 100 feet of a major thoroughfare (South Tryon Street). CATS Blue Line New Bern Station is approximately ½ mile from the site. Additionally, CATS bus routes 25 and 30 serve South Tryon Street, with bus stops 600 feet from the site. There is existing valley gutter on the site but no sidewalk or planting strip. During permitting CDOT will work with the petitioner to install the eight-foot planting strip and eight-foot sidewalk as required by TOD-M zoning and referenced in the New Bern Transit Station Area Plan.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 10 trips per day (based on 1,980 square feet of industrial uses).

Entitlement: 10 trips per day (based on 1,980 square feet of industrial uses).

Proposed Zoning: Allows for a wide range of uses.

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing eight-inch water distribution main located along Monroe Road and sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Monroe Road.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from the public right-of-way of any existing city maintained street (Fairwood Avenue) without explicit authorization from the City Arborist or his designee. See Outstanding Issues, Note 1.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**

Environment

1. The petitioner shall submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right-of-way. Tree survey may be completed by landscape architect, surveyor, or other land development professional. **Not addressed but will be addressed before the City Council vote.**
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Locator Map
- 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
    - Erosion Control
    - Land Development
    - Storm Water
    - 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