CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2019-099
Pre-Hearing Staff Analysis
October 21, 2019

REQUEST	Current Zoning: I-2 (general industrial) Proposed Zoning: TOD-NC (transit oriented development - neighborhood center)
LOCATION	Approximately 2.329 acres located on the southwest corner of South Tryon Street and Griffith Street.

SUMMARY OF PETITION	The petition proposes to allow all transit supportive uses per TOD-NC (transit oriented development - neighborhood center) zoning for a 2.329-acre site that is within a ½-mile walk of the New Bern Transit Station on the LYNX Blue Line.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Northbrook Properties Townes Mozer Townes Mozer
COMMUNITY MEETING	Meeting is not required.

STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is **inconsistent** with the recommended office/industrial-warehouse-distribution land uses in the *New Bern Transit Station Area Plan*. <u>Rationale for Recommendation</u> • The subject site is within ½-mile walk of the New Bern Transit Station on the LYNX Blue Line. • The plan notes that the block on which the subject property is located could be converted to TOD if all properties are consolidated for development. While this consolidation has not occurred, TOD development has advanced in the direction of this parcel significantly since plan adoption.

- Use of conventional TOD-NC (transit oriented development - neighborhood center) zoning applies standards and regulations to create the desired form and intensity of transit supportive development, 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 approval of this petition will revise the adopted future land use as specified by the *New Bern Transit Station Area Plan*, from office/industrial-warehouse-distribution uses to transit oriented development for the site.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  This is a conventional rezoning petition, which applies all the standards, regulations and uses in the TOD-NC (transit oriented development-neighborhood center) zoning district. Uses allowed in the TOD-NC district include residential, commercial, institutional, and government uses.

- **Existing Zoning and Land Use**

- The site is developed with a brewery and is surrounded by a mix of residential, retail, office, warehouse, and institutional uses in various zoning districts.

The subject site is developed with a brewery.

An apartment development is located to the north.

East are retail and office/warehouse uses.

South are retail and warehouse uses.

The site is surrounded by surrounded by a mix of residential, retail, office, warehouse, and institutional uses.

- **Rezoning History in Area**

Petition Number	Summary of Petition	Status
2018-169	Amendment to the Zoning Ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations. These 4 new districts are the first phase of the City's Unified Development Ordinance (UDO).	Approved
2018-039	Rezoned 0.17 acres from I-1 to TOD-M to allow all transit supportive uses per conventional TOD-M.	Approved
2018-004	Rezoned 0.51 acres from I-2 to I-2 TS to apply the transit supportive overlay to identified properties.	Approved
2017-130	Rezoned 0.42 acres from I-2 to TOD-M to allow all transit supportive uses per conventional TOD-M.	Approved
2017-107	Rezoned 1.25 acres from I-1 to MUDD-O to allow the infill development of a site with up to 105,000 square feet for warehousing within an enclosed building and 3,000 square feet of office and retail.	Approved
2017-082	Rezoned 0.39 acres from I-2 to TOD-M to allow all transit supportive uses per	Approved
2016-060	Rezoned 1.50 acres from I-2 to TOD-M to allow all transit supportive uses per conventional TOD-M.	Approved
2016-042	Rezoned 0.37 acres from I-2 to TOD-M to allow all transit supportive uses per conventional TOD-M.	Approved
2015-102	Rezoned 4.69 acres from I-2 to TOD-M to allow redevelopment of the Pepsi Bottling Company plant for transit supportive uses to be developed under conventional TOD-M.	Approved
2014-047	Rezoned 3.21 acres from I-2 and TOD-M(CD) to TOD-MO allow the construction of a minimum of 37 and a maximum of 54 for-sale single family attached dwelling units,	Approved

- **Public Plans and Policies**

- The *New Bern Transit Station Area Plan* (2008) recommends office/industrial-warehouse-distribution land uses on the subject site.

- **TRANSPORTATION CONSIDERATIONS**
  - The site is on a major thoroughfare and at a signalized intersection. CATS bus routes 2 and 16 run along S Tryon Street and the New Bern Blue Line Station is approximately ¼ mile from the site. There is existing curb and gutter on both South Tryon Street and Griffith Street and back of curb sidewalk along South Tryon Street. CDOT will work with the petitioner during permitting to upgrade the streetscape in accordance with TOD standards.
  - No outstanding issues.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: No trip generation code for this land use (based on existing brewery).
    Entitlement: 50 trips per day (based on 34,950 square foot warehouse).
    Proposed Zoning: Too many uses to determine (based on 2.44 acres of TOD-NC).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** To improve pedestrian access to and from the New Bern Light Rail Station and other transit services the plan recommends completing sidewalks, planting strips and other amenities along the subject block (Map 4, page 17).
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at www.rezoning.org regarding need for affordable housing in the City of Charlotte.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org regarding fire hydrant location and access road design.
- **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 8-inch water distribution main located along Griffith Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along South Tryon Street. See advisory comments at www.rezoning.org.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **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:** See advisory comments at www.rezoning.org regarding air quality and ground water.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

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