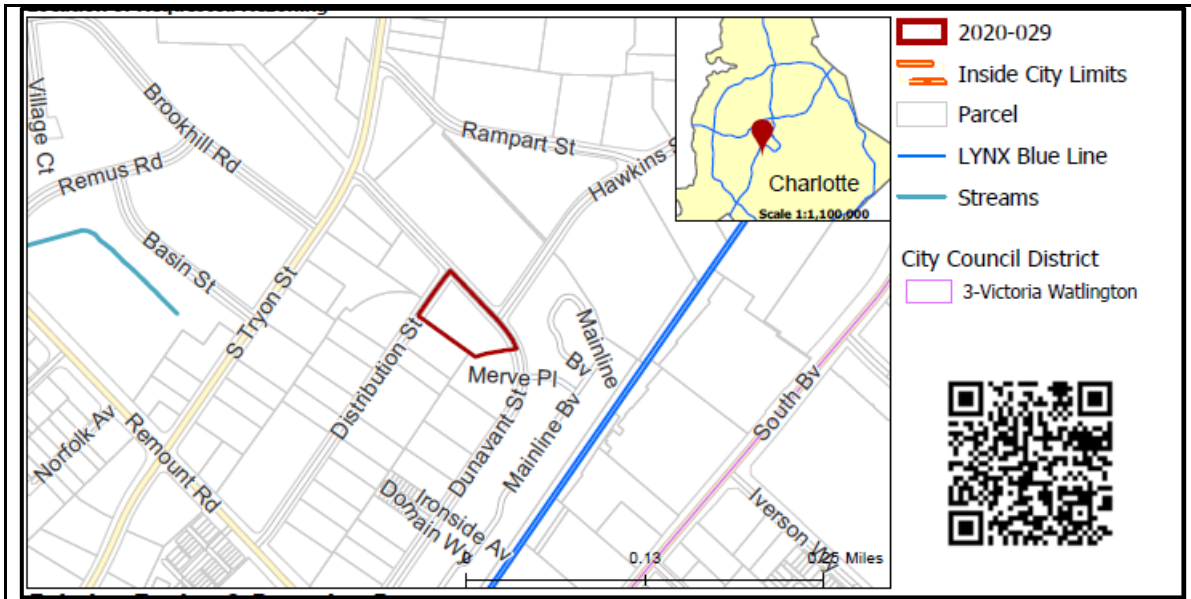


**REQUEST**

Current Zoning: TOD-M(O) (transit oriented development – mixed use, optional)  
Proposed Zoning: TOD-NC (transit oriented development-transit neighborhood center)

**LOCATION**

Approximately 1 acre located at the intersection of Distribution street and Dunavant Street, east of Tryon Street.



**SUMMARY OF PETITION**

The petition proposes to allow all uses in the TOD-NC (transit oriented development-transit neighborhood center) on a parcel developed with a one story office/industrial building located between South Boulevard and South Tryon Street.

**PROPERTY OWNER  
PETITIONER**

2301 Distribution LLC  
JACo Acquisitions, LLC

**AGENT/REPRESENTATIVE**

Collin Brown & Brittany Lins

**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 TOD mixed use, as amended by petition 2018-130.

Rationale for Recommendation

- The subject site is within a ½ mile walk of the New Bern Transit Station on the LYNX Blue Line.
- The proposal allows a site previously used for industrial/office purposes to be reused or redeveloped with a transit supportive project.
- Use of conventional TOD-NC 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 TOD-NC district may be applied to parcels within 1-mile walking distance of an existing rapid transit station.

**PLANNING STAFF REVIEW**

• **Proposed Request Details**

This is a conventional rezoning petition, which applies to all the standards, regulations and uses in the TOD-NC (transit oriented development-transit 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 an office/industrial building and is surrounded by industrial/office/warehouse and residential uses on acreages in various districts, including TOD-UC.
- The site was rezoned from I-2 to TOD-M(O) via petition 2018-130 in order to allow the reuse of an existing building with a possible 4,000-square foot expansion for all uses in the TOD-M (transit oriented development – mixed use) district.

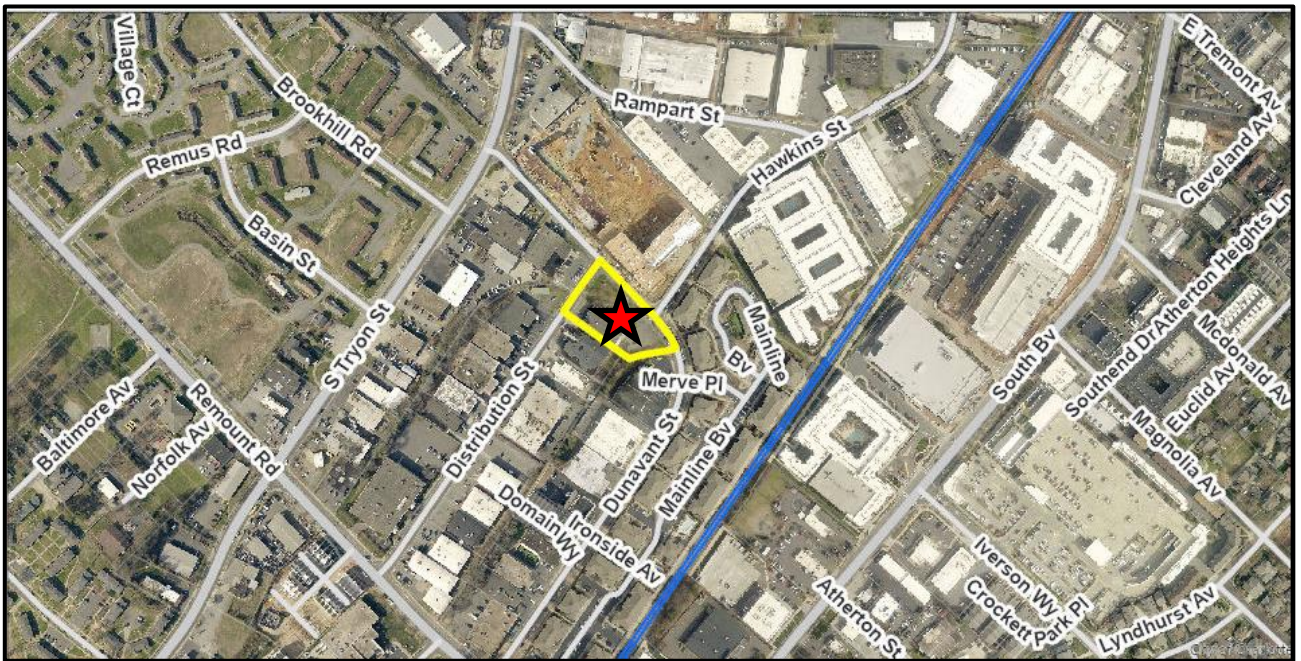


The subject site is developed with an office/industrial/warehouse.





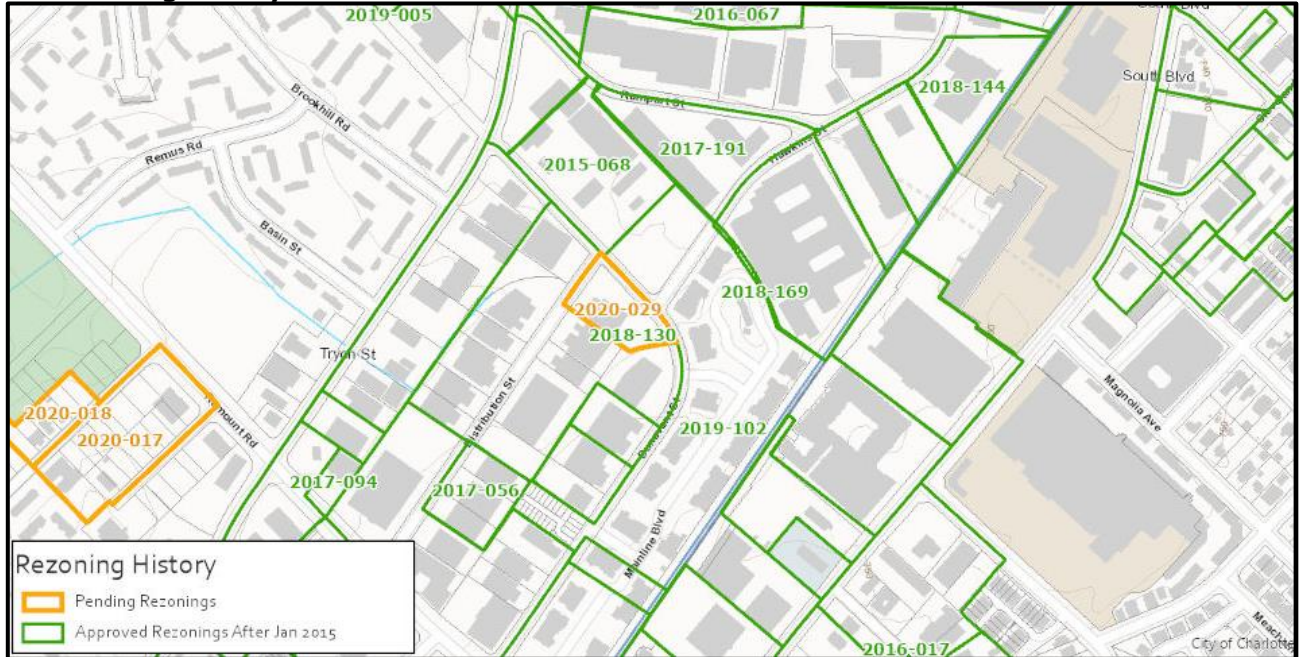
South are multifamily residential uses, offices, and office/warehouses.



The subject site (denoted by the red star) is surrounded by a mix of residential and non-residential uses.

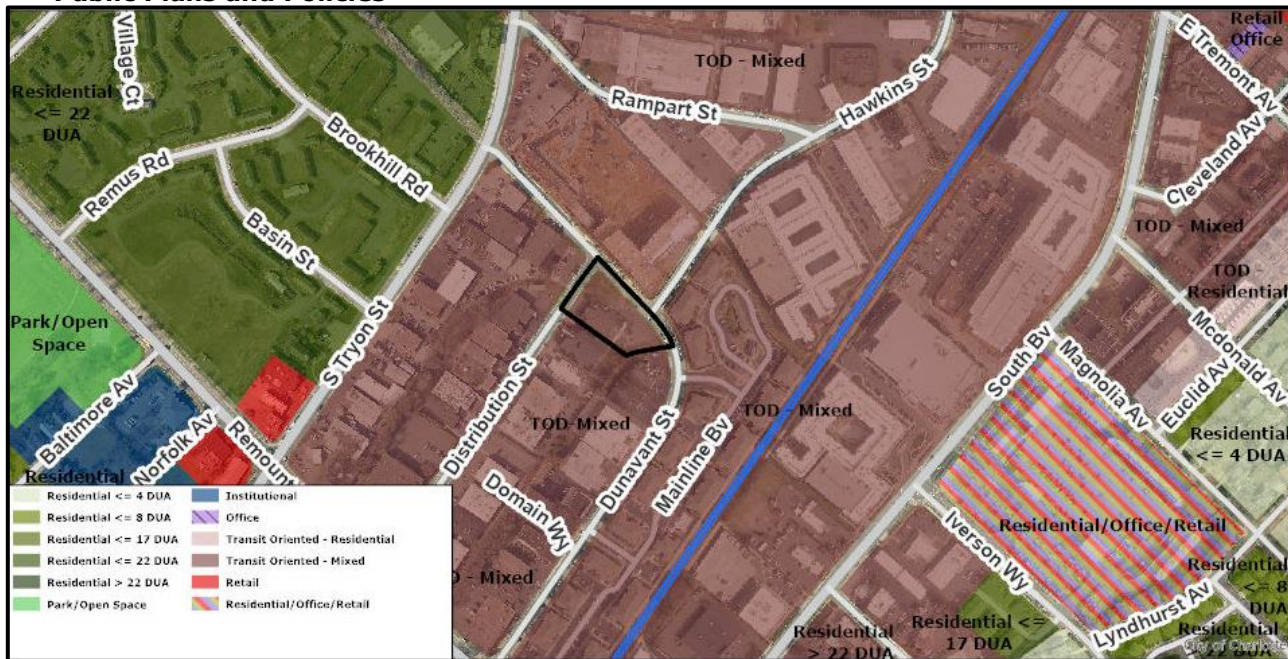


• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-018	Rezoning 0.917 acres from R-22MF to UR-2(CD) to allow a townhouse development.	Pending
2020-017	Rezoning 2.75 acres from R-22MF to MUDD(CD) to allow up to 274 multi-family residential units.	Pending
2019-102	Rezoned 1,771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC or TOD-TR.	Approved
2019-005	Rezoned 5.58 acres from I-2(CD) to UR-2(CD) to allow a townhouse development	Approved
2018-169	Amendment to zoning ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations.	Approved
2018-144	Rezoned 2.21 acres from MUDD-O to TOD-M(O) to allow the redevelopment of the commercial building and surface parking for all uses in the TOD-M (transit oriented development – mixed use district).	Approved
2017-191	Rezoned 2.44 acres from I-2 to TOD-M (transit oriented development - mixed-use) for all uses allowed in the district.	Approved
2017-094	Rezoned 0.35 acres from I-1 to TOD-M (transit oriented development - mixed-use) for all uses allowed in the district.	Approved
2017-056	Rezoned 1.33 acres from I-2 to TOD-M (transit oriented development - mixed-use) for all uses allowed in the district.	Approved
2016-067	Rezoned 8.36 acres from I-2 to TOD-MO (transit oriented development – mixed-use, optional) to allow the development of 402 residential units and 2,500 square feet of non-residential uses.	Approved
2016-017	Rezoned 2.71 acres from R-5 and B-2 to UR-3(CD) to allow the redevelopment of nine existing single family homes and two commercial sites with up to 61 dwelling units.	Approved

• **Public Plans and Policies**



- The *New Bern Transit Station Area Plan (2008)* recommends transit oriented mixed use, as amended by petition 2018-130.

• **TRANSPORTATION SUMMARY**

- The site is located on a local road and is located approximately 1/2 of a mile from the New Bern LYNX Blue Line Station. CDOT will work with the petitioner during permitting to implement the streetscape in accordance with city ordinance to support the transit-oriented district requested by the petitioner.

• **ACTIVE PROJECTS NEAR THE SITE:**

- South Tryon Corridor Implementation
  - The project will implement pedestrian hybrid beacons, bulb-outs, and pavement markings at various locations along South Tryon Street between Clanton Road and Carson Boulevard.
  - Construction: TBD; real estate acquisition to finish end Q1 2020
- SouthEnd Ped/Bicycle Connector
  - This planning study will determine the cost and feasibility of constructing a new transit station between Tremont Ave and Remount Rd and also a pedestrian/bicycle crossing in the same area.
  - Construction: TBD; planning to finish end Q1 2020

• **TRANSPORTATION CONSIDERATIONS**

- A traffic impact study is not necessary for the complete review of this petition. If during the permitting process the site generates more than 2,500 daily trips, then a traffic study will be required.
- No outstanding issues.
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 100 trips per day (10,694 square feet of light industrial)
    - Entitlement: Too many uses to determine trip generation
  - Proposed Zoning: Too many uses to determine (0.95 acres of TOD-NC).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Fire Department:** No outstanding issues.

- **Charlotte-Mecklenburg Schools:** The development could generate an unknown number of students based on the range of possible uses.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Dilworth (Sedgefield Campus K-12) at 66%
    - Dilworth (Latta Campus 3-5) at 64%
    - Sedgefield Middle at 73%
    - Myers Park High at 125%
- **Charlotte Water:** Water service is accessible for this rezoning boundary. The proposed rezoning is located in an area that Charlotte Water has determined to have limited sanitary sewer system capacity. Sanitary sewer service will be dependent on the completion of a public infrastructure project—Charlotte Water’s Remount Project. This project was identified to support current and future customers, and any proposed sanitary sewer flow shall be coordinated to discharge after completion of said project. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Dunavant Street.
- **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:** See advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org) regarding air quality and ground water services information.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org).**

**Planner:** Claire Lyte-Graham (704) 336-3782