



Zoning Committee

REQUEST

Current Zoning: I-1 (light industrial) and R-5 (single family residential)
Proposed Zoning: MUDD(CD) (mixed use development, conditional)

LOCATION

Approximately 8.8 acres located along the north side of Tremont Avenue, east of Toomey Avenue, and west of South Tryon Street.
(Council District 3 - Watlington)

PETITIONER

Toomey Avenue, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the *New Bern Transit Station Area Plan* and the *Central District Plan*, based on the information from the staff analysis and the public hearing and because:

- The petition is consistent with the *New Bern Transit Station Area Plan* recommendation for residential and office uses, but inconsistent with the New Bern Transit Station Area Plan's recommended industrial/warehouse/distribution land uses and multi-family residential up to 22 units per acre. The petition is also consistent with the Central District Plan's recommended residential uses, but inconsistent with the Central District Plan's recommendation for single family residential up to 5 units per acre.

However we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The project site directly abuts to the east a recently approved development allowing 325 multi-family residential units and 61,000 square feet of non-residential uses.
- The project is an infill development that will contribute to a mix of housing types.
- The proposed site plan will enhance the connectivity and walkability of the emerging mixed-use neighborhood.
- The request limits the building height to 55 feet. The site is located within 1 mile of the East/West Boulevard Transit Station along the LYNX Blue Line. TOD-NC is applicable within

1 mile of the station and allows a building height up to 75 feet.

- The parcels surrounding this site are being redeveloped from former industrial and vacant sites into a mixed-use area with office, residential and retail uses.
- The development commits to streetscape improvements and on street parking.

The approval of this petition will revise the adopted future land use as specified by the *New Bern Transit Station Area Plan* from multi-family residential up to 22 dwelling units to acre and office/industrial-warehouse-distribution and *Central District Plan* from single family residential up to 5 dwelling units per acre to residential greater than 22 dwelling units per acre, retail, and office.

Motion/Second: Blumenthal / Kelly
 Yeas: Barbee, Blumenthal, Kelly, McMillan, Samuel, and Welton
 Nays: None
 Absent: Nwasike
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff reviewed the proposed development including permitted and prohibited uses, conversion rights, transportation improvements, and architectural standards. Staff noted changes including specification of unit types, navigating landscape improvements around an existing CMUD easement. Staff identified the few outstanding issues, including clarification of buffers and labelling setbacks. Staff noted applicability at this location of TOD-NC. Per a Commissioner’s inquiry staff confirmed height of the proposed townhomes is limited to 40 feet. A Commissioner asked for confirmation on which building is proposed to be preserved as it was thought the corner store would be preserved, and staff clarified proposed reuse of the existing larger brick building. on the corner was to be preserved. A Commissioner inquired about the verbiage “if possible” regarding a connection to Irwin Creek. Staff responded accommodating the connection may be dependent upon securing easements. The Commissioner expressed desire to see more determination in securing these connections.

There was no further discussion of this petition.

PLANNER

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