

REQUEST Current Zoning: I-2 (general industrial)
Proposed Zoning: TOD-M (transit oriented development - mixed-use)

LOCATION Approximately 4.69 acres located on the northwest corner at the intersection of South Boulevard and New Bern Street.
(Council District 3 - Mayfield)

SUMMARY OF PETITION The petition proposes to allow redevelopment of the Pepsi Bottling Company plant for transit supportive uses to be developed under conventional TOD-M (transit oriented development – mixed-use) zoning.

PROPERTY OWNER Charlotte Bottling, LLC
PETITIONER Lennar Multifamily Communities
AGENT/REPRESENTATIVE Collin Brown & Bailey Patrick, Jr. / K & L Gates

COMMUNITY MEETING Meeting is not required.

STATEMENT OF CONSISTENCY This petition is found to be consistent with the *New Bern Transit Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends transit supportive uses for the subject property.

Therefore, this petition is found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because the proposed request:

- Allows all uses in the TOD-M (transit ordinated development – mixed-use) district; and
- The subject site is immediately adjacent to the New Bern Transit Station on the LYNX Blue Line; and
- The proposal allows a site previously used for an industrial facility to convert to transit supportive land uses; and
- Use of conventional TOD-M (transit oriented development – mixed-use) zoning applies all the standards and regulations to create the desired form and intensity of transit supportive development; and
- A conditional site plan is not necessary to ensure compliance with the area plan land use recommendations or to address site specific issues.

By a 7-0 vote of the Zoning Committee (motion by Commissioner Dodson seconded by Commissioner Nelson).

ZONING COMMITTEE ACTION The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition.

VOTE

Motion/Second:	Dodson/Wiggins
Yeas:	Dodson, Eschert, Labovitz, Lathrop, Nelson, Sullivan, and Wiggins
Nays:	None
Absent:	None
Recused:	None

ZONING COMMITTEE DISCUSSION Staff presented this item and noted that this was a conventional rezoning with no site plan and all uses in the TOD-M (transit oriented development - mixed-use) district would be allowed. There was no further discussion of the petition.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
This is a conventional rezoning petition with no associated site plan.
 - **Public Plans and Policies**
 - The *New Bern Transit Station Area Plan* (2008) recommends mixed use transit supportive development.
 - The petition supports the *General Development Policies-Environment* by redeveloping an infill site at a transit station, thereby minimizing further environmental impacts while accommodating growth.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Transportation Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Engineering and Property Management Review
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Urban Forestry Review

Planner: Solomon Fortune (704) 336-8326