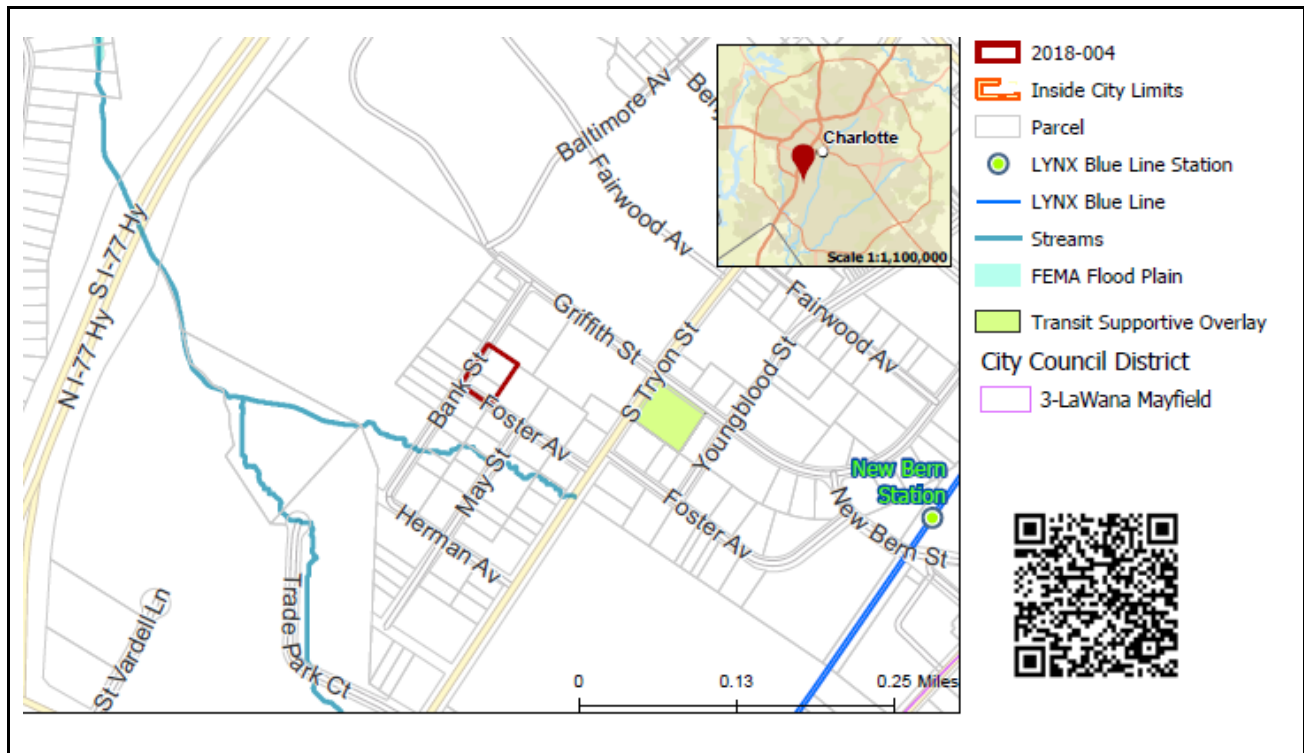


**REQUEST**

Current Zoning: I-2 (general industrial)  
Proposed Zoning: I-2 TS (general industrial, transit supportive)

**LOCATION**

Approximately 0.51 acres located at the intersection of Foster Avenue and Bank Street, west of South Tryon Street.  
(Council District 3 - Mayfield)



**SUMMARY OF PETITION**

The petition proposes to apply the transit supportive overlay to the identified properties located just outside of the ½ mile walk from the LYNX Blue Line New Bern Station stations.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

Vance R. Deal Jr. and Jerry Clyde Deal  
Lischerong Enterprises & Holdings, LLC  
Caren Wingate

**COMMUNITY MEETING**

Meeting is not required.

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this conventional petition.

Plan Consistency  
The petition is consistent with the *New Bern Transit Station Area Plan*.

Rationale for Recommendation

- The proposal will add the TS (transit supportive overlay) to the base zoning for the site included in this petition. The base zoning for the sites is currently I-2 (general industrial).
- The proposed overlay will accommodate the continued existence and some expansion of existing businesses located on the subject sites.
- In addition, the overlay district will allow reuse and redevelopment of the subject properties, and most of the uses in the base zoning districts will be permitted.
- While the application of TS (transit supportive overlay) will make only minimal changes to the uses that will be allowed on these sites, TS will change the form of new development.

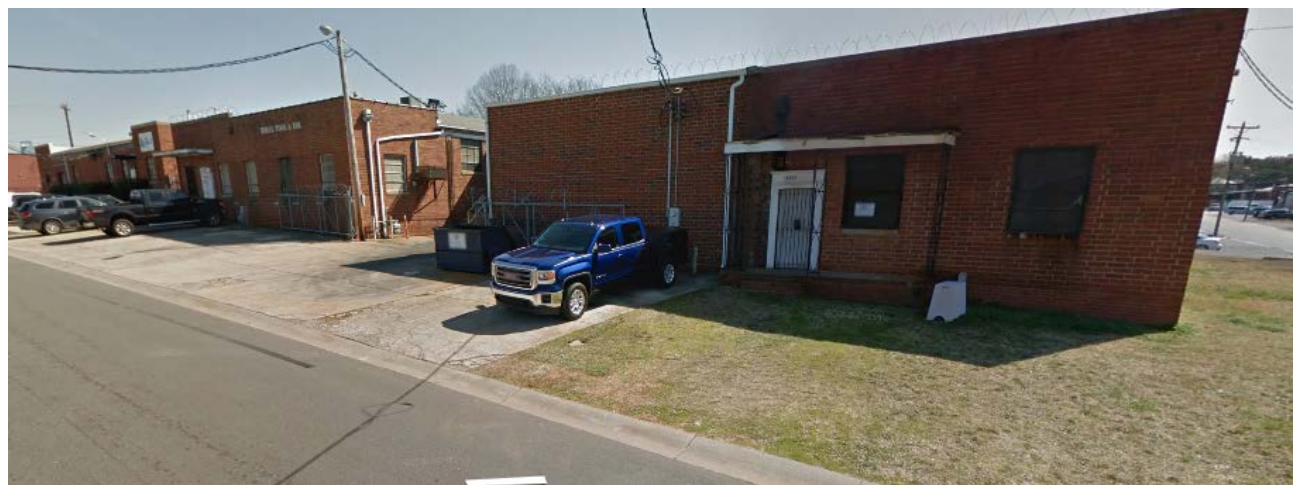
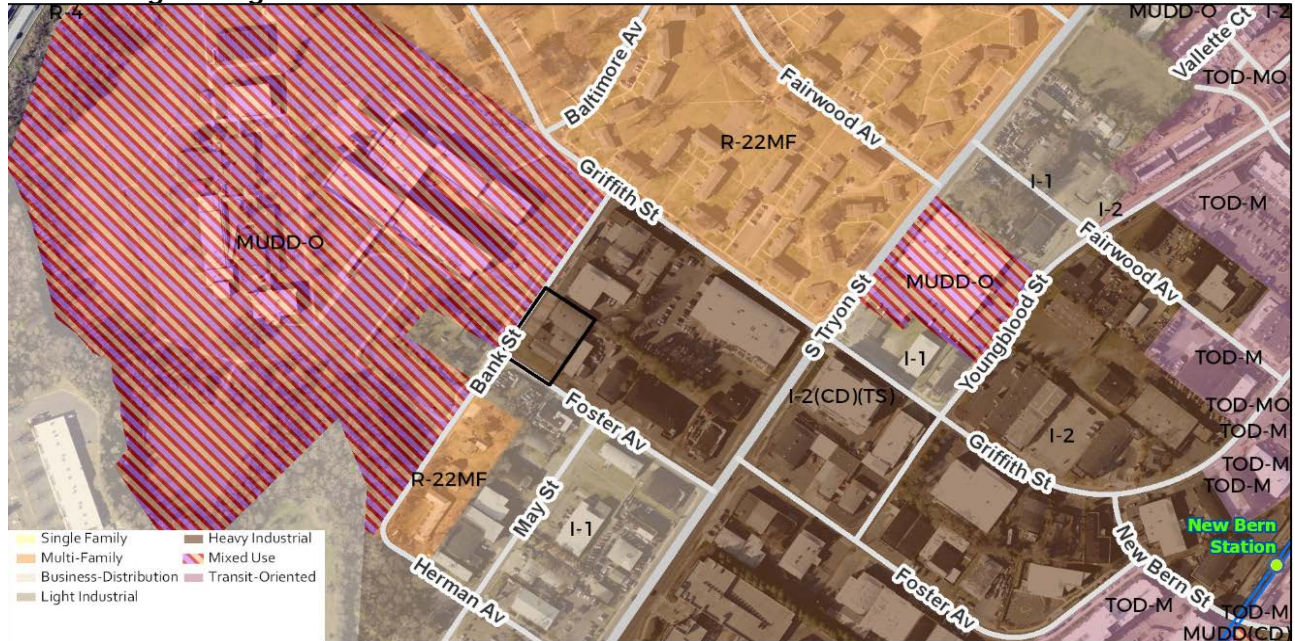
- The TS district will ensure that future development is designed to be more transit supportive, by applying pedestrian oriented site design standards to the underlying business and industrial zoning districts.
- This will allow the gradual transition of the area to an urban transit supportive district, which is appropriate for an area located close to two rapid transit stations and the Uptown area.

**PLANNING STAFF REVIEW**

**Proposed Request Details**

- This conventional request applies all the standards of the TS (Transit Supportive Overlay).
- Most of the uses allowed in the underlying zoning districts are still allowed with the application of the TS (Transit Supportive Overlay). In addition, application of the overlay will allow residential use on the properties with underlying industrial zoning. Residential uses are already allowed on the properties with underlying business zoning.
- The TS (Transit Supportive Overlay) also has development and design standards that replace those of the underlying district. These include development standards for setbacks and yards, height, development intensity, parking and loading, and screening. Urban design standards address street walls, base of high rise buildings, top of buildings, building entrance, orientation, parking structures, signs, and streetscape requirements.

**Existing Zoning and Land Use**



The subject property is zoned I-2 (general industrial) and developed with a warehouse use.



Located across Bank Street is a school.



Properties to the south are developed with light industrial and residential uses.



Properties to the north are developed with industrial uses.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-039	Pending rezoning seeking to rezone 0.17 TOD-M (transit oriented development – mixed-use) to allow all uses in the district.	Pending
2013-041	Rezoned 1.02 to I-2 (TS-O), general industrial, transit supportive overlay, optional to allow the development of 115,000 square foot indoor storage facility.	Approved
2014-047 2016-060	There have been multiple rezonings in the immediate area for transit oriented development.	Approved

• **Public Plans and Policies**



- The *New Bern Transit Station Area Plan* (2008) recommends office, industrial and warehouse for the subject properties.

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- **TRANSPORTATION CONSIDERATIONS**

- The site is located at the unsignalized intersection of two local streets, approximately ½ mile from the New Bern Transit Station and within one block of three local bus routes. CDOT will work with the petitioner in permitting to define the future curbline along public street frontages and obtain the eight-foot planting strip/amenity zone and six-foot sidewalk as specified in the *New Bern Transit Station Area Plan*. The streetscape will replace existing on-site parking. Most but not all of the surrounding local streets are wide enough to support on-street parking.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 50 trips per day (based on 14,080 square feet of warehouse).
      - Entitlement: 50 trips per day (based on 14,080 square feet of warehouse).
    - Proposed Zoning: Allows for a wide variety 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:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Bank Street and has sanitary sewer system infrastructure accessible for the rezoning boundary via existing 8-inch gravity sewer main located along Bank Street.
- **Engineering and Property Management:**
  - **Arborist:** Trees cannot be removed from or planted in the right-of-way of all City of Charlotte maintained streets. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right-of-way on a City of Charlotte maintained street; species must be approved before planting.
  - **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 comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

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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 Parks and Recreation Review
  - Transportation Review

**Planner:** Solomon Fortune (704) 336-8326