

REQUEST Proposed Zoning: MUDD-O SPA, mixed use development district, optional, site plan amendment

LOCATION Approximately 1.19 acres located on the eastern side of the intersection at South Boulevard and Ideal Way.

SUMMARY OF PETITION The petition proposes a site plan amendment to allow a 31,200 square foot veterinarian clinic/animal hospital and all other nonresidential uses permitted in MUDD. The two requested optional provisions will allow a reduction in the number of required parking spaces and permit vehicular maneuvering between the building and the setback along Euclid Avenue to access the utility area.

PROPERTY OWNER Richard E. Killough and Richard B. Killough
PETITIONER Long Animal Hospital
AGENT/REPRESENTATIVE Robert Young/Robert G. Young, Inc.

COMMUNITY MEETING Meeting is required and has been held. Report available online.

STATEMENT OF CONSISTENCY This petition is found to be consistent with the *New Bern Transit Station Area Plan* and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Lipton seconded by Commissioner Fallon).

ZONING COMMITTEE ACTION The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition with the following modifications:

1. Note #1 has been modified to indicate that alterations to the site plan may be made in accordance with Section 6.207, not Section 6.206 (2).
2. The last sentence of Note 1 regarding minor and incidental changes has been removed from the site plan.
3. Notes that were general ordinance requirements or were not applicable have been removed from the site plan.
4. The site plan has been modified to reference the petition number.

VOTE

Motion/Second:	Lipton/Walker
Yeas:	Dodson, Fallon, Lipton, Phipps, Rosenburgh, and Walker
Nays:	None
Absent:	Firestone
Recused:	None

ZONING COMMITTEE DISCUSSION

Staff reviewed the petition and indicated all outstanding issues had been addressed.

A Commissioner presented information regarding the previous rezoning petition on the subject site and the site across Euclid Avenue. It was noted that those previous rezonings were controversial.

A Commissioner had a concern regarding the elevation of the development along Euclid Avenue. It was suggested that additional landscaping along that façade be provided. In closing, the Commissioner indicated that the Dilworth Community Development Association (DCDA) is in support of the rezoning 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**• Background**

The site plan approved in 2007 (rezoning petition 2006-129) allows for 175 residential units at an overall density of 146 dwelling units per acre and 15,000 square feet of retail uses. The optional provision allows balconies to project up to four feet into the twenty-four foot setback along South Boulevard.

• Proposed Request Details

The site plan amendment contains the following provisions:

- A 31,200 square foot veterinarian clinic/animal hospital with associated related uses. All other nonresidential uses permitted within the MUDD zoning district are also allowed.
- Building will be two stories and a basement.
- Additional right-of-way along the site's South Boulevard, Ideal Way and Euclid Avenue frontages will be dedicated and conveyed prior to the issuance of any building permit. These measurements include:
 - 59 feet from the centerline of South Boulevard,
 - 48 feet from the centerline of Ideal Way, and
 - 31.5 feet from the centerline of Euclid Avenue.
- Building elevations are included as part of the conditional site plan and indicate the predominant exterior building material as brick.
- Free-standing lighting fixtures will be limited to 25 feet in height and will be capped or shielded.
- Pursue air rights agreement to allow the proposed building's roof projection into the South Boulevard right-of-way.
- An eight-foot planting strip and eight-foot sidewalk will be established behind on-street parking along both South Boulevard and Ideal Way.
- An eight-foot planting strip and six-foot sidewalk will be provided behind on-street parking along Euclid Avenue.
- Two optional requests to allow the following variations from the minimum standards of the MUDD section of the City of Charlotte Zoning Ordinance:
 - Reduce the number of required parking spaces from 52 spaces to 45 spaces.
 - Permit vehicular maneuvering/parking space between the building and the setback along Euclid Avenue to access the generator/transformer utility area.
- **Public Plans and Policies**
 - The *New Bern Transit Station Area Plan* (2008) recommends a mix of transit oriented development. This can occur through spreading a mixture of uses across the defined station area while also encouraging mixed use development within a structure.
 - The petition is consistent with the *New Bern Transit Station Area Plan*.
- **Staff Recommendation (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
-

OUTSTANDING ISSUES

- No issues.
-

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

Planner: Shad Spencer (704) 353-1132