

REQUEST	Current Zoning: MUDD-O, mixed use development district, optional Proposed Zoning: MUDD-O SPA, mixed use development district, optional, site plan amendment
LOCATION	Approximately 0.86 acres located on the north side of West Mallard Creek Church Road between Claude Freeman Drive and David Taylor Drive.
SUMMARY OF PETITION	The petition proposes to rezone 0.086 acres to allow the development of 6,000 square foot building for a retail dry cleaner with possible drive through service.
PROPERTY OWNER	Arbors Holdings, LLC
PETITIONER	TAG Ventures, LLC
AGENT/REPRESENTATIVE	Brian Upton / The Isaacs Group
COMMUNITY MEETING	Meeting is required and has been held. Report available online.
STATEMENT OF CONSISTENCY	This petition is found to be consistent with the <i>University Research Park Area Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Lathrop seconded by Commissioner Phipps).

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to recommend APPROVAL of this petition with the following modifications: 1. Added a request for an optional provision to increase the maximum square footage allowed for a dry cleaning establishment within the MUDD zoning district from 4,500 square feet to 6,000 square feet. 2. Removed signage from the building elevations.
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VOTE	Motion/Second:	Phipps/Griffith
	Yeas:	Eschert, Griffith, Johnson, Labovitz, Lathrop, and Phipps
	Nays:	None
	Absent:	Allen
	Recused:	None

ZONING COMMITTEE DISCUSSION	Staff reviewed the petition and noted all the outstanding issues had been addressed and was recommending approval. A commissioner asked about how the operation of the allowed use would work on site. Staff explained how the site would function as laid out on the site plan. Another commissioner had concern about possible traffic overflow on the private streets. Staff explained the driveway entrances have been modified and relocated during the design process to prevent a backup on the public street network. There was no further discussion of this petition.
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STAFF OPINION	Staff agrees with the recommendation of the Zoning Committee.
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FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Background**
 - The subject site was part of a larger 145-acre rezoning approved in 2002 for the Arbors Shopping Center under petition 2002-142, which allowed a total of 300,000 square feet overall for retail and office uses, in addition to 63 townhomes and 428 single family homes.
 - The optional requests allowed for an accessory service window in association with a financial institution, allowed parking between the street and building, and entry and wall signage.
 - An eight-foot planting strip and six-foot sidewalk with brick screening wall were required along Mallard Creek Church Road.

- **Proposed Request Details**

- The site plan accompanying this petition contains the following provisions:
- A proposed building allowing up to 6,000 square feet maximum.
- Four-sided elevations with proposed materials indicated.
- Eight- foot planting strip and six- foot sidewalk along Mallard Creek Church Road and the private drive.
- Three foot brick screening wall along Mallard Creek Church Road.
- Original approved notes that were changed per this rezoning will still apply.
- Optional request:
 - Allow accessory service window with a dry cleaning service.
 - Allow a dry cleaning service up to 6,000 square feet.
- **Public Plans and Policies**
 - The *University Research Park Area Plan* (2010) recommends office and retail for the subject property.
 - This request is consistent with the *University Research Park Area Plan* (2010).

Staff Recommendation (Updated)

- Staff agrees with the recommendation of the Zoning Committee.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **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 issues.
 - **Urban Forestry:** No issues.
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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.
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OUTSTANDING ISSUES

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

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Solid Waste Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services 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