

REQUEST	Current Zoning: R-3 (LWPA), single family residential, Lake Wylie watershed overlay, protected area Proposed Zoning: MUDD-O (LWPA), mixed use development district, optional, Lake Wylie watershed overlay, protected area
LOCATION	Approximately 4.99 acres located on the eastern side of Gum Branch Road at the intersection of Gum Branch Road and Old Gum Branch Road. (Council District 2 - Mitchell)
SUMMARY OF PETITION	The petition proposes an indoor/outdoor pet services facility along with a single family dwelling.
STAFF RECOMMENDATION	Staff does not recommend approval of this petition. The petition is inconsistent with the <i>Northwest District Plan</i> .
PROPERTY OWNER	Ralph and Gail Wood
PETITIONER	Ralph Wood
AGENT/REPRESENTATIVE	Collin W. Brown, K&L Gates, LLP
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Background**
The subject site is in violation of the Zoning Ordinance. The property is currently being utilized as an indoor/outdoor pet services facility, which is not a permitted use in the existing R-3 zoning district.
- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - An indoor/outdoor pet services facility not to exceed 15,000 square feet and one single family dwelling unit.
 - Maximum building height of 40 feet and two stories.
 - Minimum of 70 percent of the site to be maintained as open space.
 - Detached lighting limited to 25 feet in height.
 - All new lighting shall utilize full cut-off type lighting fixtures.
 - Optional provisions include:
 - Reduce the separation requirement between outdoor pet services and residential zoning districts from 300 feet to 100 feet.
 - Eliminate the requirement for a five-foot wide sidewalk connection from the building/use out to the public sidewalk along Gum Branch Road.
 - Allow parking and maneuvering between the building/use and the setback along Gum Branch Road.
- **Existing Zoning and Land Use**
The subject property is occupied with a single family dwelling unit along with an indoor/outdoor pet services facility that is in violation of the existing R-3 zoning. Interstate 485 is located west of the subject rezoning across Gum Branch Road. The site is surrounded by single family uses zoned R-3.
- **Rezoning History in Area**
There have been no rezonings in the immediate area in recent years.
- **Public Plans and Policies**
 - The *Northwest District Plan* (1990) recommends single family residential with a density not to exceed four dwelling units per acre.
 - The petition is inconsistent with the *Northwest District Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** Modify the tractor trailer parking identified on the site plan as being for short-term parking only and customer parking. The trailers currently on the property are hardwired from a nearby electrical source and are considered accessory structures for storage. These accessory structures are not permitted and an additional note must be provided on the site plan indicated these structures will be removed.
 - **Transportation:** No issues.
 - **Vehicle Trip Generation:**
Current Zoning: 190 trips per day.
Proposed Zoning: 500 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No comments received.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **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.

OUTSTANDING ISSUES

- Inconsistent with adopted plan.
 - The petitioner should:
 1. Address Neighborhood and Business Services, Code Enforcement Division's comment regarding the removal of tractor trailers currently being utilized as accessory structures for storage.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Shad Spencer (704) 353-1132