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<b>REQUEST</b>	Current Zoning: R-4 (single family) and I-1 (light industrial) Proposed Zoning: MUDD-O (mixed use development, optional)
<b>LOCATION</b>	Approximately 17.57 acres located south of the Southern Railway and on the northeast corner at the intersection of Parker Drive and Berryhill Road. (Council District 3 - Mayfield)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the development of a 55,000-square foot indoor/outdoor pet services facility and an eating/drinking/entertainment establishment on a vacant lot, at the edge of the Westover Hills neighborhood and south of the Southern Railway line which parallels Wilkinson Boulevard.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Some Woman, LLC Humane Society of Charlotte, Inc. John Carmichael, Robinson Bradshaw & Hinson, P.A.
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 9
<b>STATEMENT OF CONSISTENCY</b>	<p>The Zoning Committee found this petition to be inconsistent with the <i>Central District Area Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"><li>• The plan recommends industrial and residential uses for the subject property.</li></ul> <p>However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"><li>• The subject property is at the edge of an industrial district and a portion of the property abuts the Southern Railway line which runs parallel to Wilkinson Boulevard. The property also abuts the established Westover Hills neighborhood; and</li><li>• The majority of the subject site is currently zoned I-1 (light industrial) and a small part of the property is zoned R-4 (single family residential); and</li><li>• While inconsistent with the adopted plan, the proposed development will provide a transition between the industrial district to the north and the Westover Hills neighborhood to the south. Additionally, the proposed pet services facility is less intense than some of the uses allowed in the I-1 (light industrial) district; and</li><li>• The site has been designed to minimize impacts on the abutting Westover Hills neighborhood by:<ul style="list-style-type: none"><li>• Locating the principal building and parking on the portion of the site which fronts Berryhill Road, and that part of the site does not abut the single family neighborhood;</li><li>• Utilizing the portion of the site abutting the homes in the Westover Hills neighborhood for a dog park;</li><li>• Prohibiting animal boarding in the dog park area, and instead requiring all boarding to be located inside the main building on the site, and away from the neighborhood;</li><li>• Providing a 50-foot landscaped area to screen the dog park from the adjacent single family neighborhood; and</li><li>• Accessing the site from Berryhill Road, which does not have a vehicular connection to the neighborhood. In lieu of vehicular connectivity, a pedestrian connection from the neighborhood to the site will be established;</li></ul></li></ul>

by Fryday).

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 5-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> <li>1. Note A has been modified; the portion of the note that allows patios on the second floor not to be counted towards building square footage has been removed.</li> <li>2. Building elevations for the sides of the building visible from the public street have been provided.</li> <li>3. The proposed pedestrian connection that connects Skyview Road to the site has been shown and labeled on the site plan.</li> <li>4. A detail of the proposed pedestrian connection for Skyview Road has been provided.</li> <li>5. A detail of the possible chain link fence with webbing for the proposed dog park has been shown on the site plan.</li> <li>6. The 50-foot undisturbed buffer has been labeled and a note has been added that only fence installation, dead trees and shrub removal, and supplemental planting will be allowed in the buffer.</li> <li>7. A note has been added stating that the EDEE will be located within the principal pet services building and that there will be no external signage for the EDEE.</li> <li>8. A note has been added limiting the hours of operation for the proposed dog park. The dog park will only be open during the hours of the principal pet services use. No activity will take place in the dog park between the hours of 7 P.M. and 9 A.M.</li> <li>9. A note has been added that fence enclosures for dogs will be allowed in the dog park.</li> </ol>
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<b>VOTE</b>	<p>Motion/Second: Wiggins / McClung          Yeas: Fryday, McClung, Spencer, Watkins, and Wiggins          Nays: None          Absent: Lathrop and Majeed          Recused: None</p>
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<b>ZONING COMMITTEE DISCUSSION</b>	<p>Staff presented this item noting that all outstanding issues had been addressed, and that this petition is inconsistent with the <i>Central District Area Plan</i>. A Committee member asked about the proposed café. Staff responded that an EDEE (eating/drinking/entertainment establishment) use would be allowed. There was no further discussion of this request.</p>
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<b>STAFF OPINION</b>	<p>Staff agrees with the recommendation of the Zoning Committee.</p>
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**FINAL STAFF ANALYSIS**  
 (Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
 The site plan accompanying this petition contains the following provisions:
  - 55,000-square foot building for indoor/outdoor pet services with dog park.
  - 1,500-square foot accessory eating/drinking/entertainment establishment (EDEE) type 1 or type 2, to be located within the principal pet services building.
  - Eight-foot planting strip and eight-foot sidewalk along Berryhill Road and Parker Drive.
  - 50-foot undistributed buffer area with fence adjacent to the existing single family homes along Skyview Road and Cartier Way.
  - Maximum height of the proposed structure of two stories and 40 feet.
  - Detached lighting limited to 22 feet for the principal building.
  - Detached lighting limited to 10 feet for the proposed dog park.
  - Pedestrian pathway connecting Skyview Road to the proposed site.
  - Requirement that all boarding will be in the principal building in an enclosed structure. No boarding to take place in the dog park area.
  - Fence detail.

- A condition that the only structures allowed in the dog park will be built with a roof and four support columns.
- A condition that only dogs will be allowed in the dog park.
- A condition that the proposed EDEE on the site will have no external signage.
- A note limiting the hours of operation for the proposed dog park. The dog park will only be open during the hours of the principal pet services use. No activity will take place in the dog park between the hours of 7 P.M. and 9 A.M.
- Optional Provisions for the following:
  - Site shall not be required to meet the requirement in Chapter 12 Section 541 of the City of Charlotte Zoning Ordinance that requires all outdoor uses to be located at least 300 feet from any residential zoning district or use.
- **Public Plans and Policies**
  - The *Central District Plan* (1993) recommends industrial uses for the industrially zoned portion of the site and residential uses for the residentially zoned portion of the site.
- **TRANSPORTATION CONSIDERATIONS**
  - The petitioner will provide a pedestrian bridge connection between Skyview Road and Parker Drive in lieu of extending the road. This will provide a valuable community connection to the proposed site.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on vacant land).
      - Entitlement: 640 trips per day (based on three dwelling units and 166,000 square feet of warehouse uses).
    - Proposed Zoning: 640 trips per day (based on 50,000 square feet of pet services indoor and outdoor, and 5,000 square feet of eating/drinking/entertainment establishment).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Charlotte Water:** The site has water and sewer system availability for the rezoning boundary via an existing eight-inch water main along Parker Drive and eight-inch sewer main located along Berryhill Road and Parker Drive.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No comments received.
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**REQUESTED TECHNICAL REVISIONS****Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Historic Landmarks Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review

- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Transportation Review

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