

<b>REQUEST</b>	Current Zoning: R-4 (single-family) and I-1 (light industrial)
<b>LOCATION</b>	Proposed Zoning: MUDD-O (mixed use development, optional) 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 eating/drinking/entertainment 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
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 9

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to site design.</p> <p><u>Plan Consistency</u> The requested use, which is classified as a retail use, is inconsistent with the <i>Central District Plan</i> recommendation for industrial use for the industrially zoned property. The use is also inconsistent with the <i>Central District Plan</i> recommendation for residential uses for the residentially zoned property.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The subject property is located 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.</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).</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.</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.</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>
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**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.
- Eight-foot planting strip and eight foot sidewalk along Berryhill Road and Parker Drive.
- 50-foot landscape 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.
- 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.
- 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.

**• Existing Zoning and Land Use**

- The subject property is currently vacant and undeveloped.
- To the south and east, the surrounding properties are zoned R-4 (single family residential) and developed with single family homes.
- To the north and west, properties are zoned I-1 (light industrial) and I-2 (general industrial) and developed with industrial and warehouse structures.
- See "Rezoning Map" for existing zoning in the area.

**• Rezoning History in Area**

- There have been no rezonings in the immediate area in recent years.

**• 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. Petitioner is also dedicating right-of-way for a future road connection of Skyview Road and Parker Drive.

**• 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.

**OUTSTANDING ISSUES**Site and Building Design

1. Modify Note A under Development Limitations and remove the portion of the note that allows patios on the second floor not to be counted towards building square footage.
  2. Provide annotated building elevations for the sides of the building visible from the public street.
  3. Show and label where the proposed pedestrian connection that connects Skyview Road to the site will be located.
  4. Provide a detail of the proposed pedestrian connection for Skyview Road.
  5. Provide a detail of the possible fence that may go around the entire site as described in Note 'H' under Streetscape and Landscaping.
  6. Modify the 50-foot landscape area to be a 50-foot undisturbed buffer.
  7. Add a note stating that the EDEE will be located within the principal pet services building and that there will be no external signage for the EDEE.
  8. Add limitations for operation of the dog park, including hours of operation, limitation on number of dogs, etc.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Fire Department 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