

REQUEST	Current Zoning: R-3, single family residential Proposed Zoning: INST(CD), institutional, conditional
LOCATION	Approximately 13.98 acres on the east side of the intersection of Mallard Creek Road and Penninger Circle, across from Mason Drive.
SUMMARY OF PETITION	The petition proposes a 236-unit nursing home consisting of 176 dependent living units and 60 independent living units with associated services and amenities.
PROPERTY OWNER	Strawberry Corvette, LLC; Jerry T. Caskey; Richard and Linda Caskey
PETITIONER	Patrick N. Dillon
AGENT/REPRESENTATIVE	N/A
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to DEFER this petition until the March 2, 2011 Zoning Committee meeting.
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VOTE	Motion/Second:	Dodson/Fallon
	Yeas:	Dodson, Fallon, Firestone, Phipps, and Rosenburgh
	Nays:	None
	Absent:	Lipton and Walker
	Recused:	None

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

Proposed Request Details: The site plan accompanying this petition contains the following provisions:

- Two phases, each with one three-story building of 118 units. Elevations are provided. Ground floor dining facility with a full service kitchen, 24-hour nursing staff, indoor amenities, and outdoor open space provided for each building.
- A four-foot planting strip and five-foot sidewalk proposed along Mallard Creek Road to comply with the NCDOT designed widening.
- An eight-foot planting strip and five-foot sidewalk proposed along Penninger Circle.
- Tree save areas generally limited to the setbacks along the public street frontages.
- A total of 148 parking spaces.
- Decorative fencing around majority of the perimeter of the site.
- Gated access.
- 40-foot setbacks off both streets.

Public Plans and Policies

The *Northeast District Plan* (1996) recommends residential uses at up to eight dwelling units per acre for this location.
This petition is inconsistent with the *Northeast District Plan*.

DEPARTMENT COMMENTS (see full department reports online)

Charlotte Area Transit System: No issues.

Charlotte Department of Neighborhood & Business Services: No comments received.

Charlotte Department of Solid Waste Services: The site plan needs to show locations for solid waste and recycling centers.

Charlotte Department of Transportation: No issues.

Vehicle Trip Generation:

Current Zoning: 500 trips per day.

Proposed Zoning: 680 trips per day.

Connectivity: No issues.

Charlotte Fire Department: No issues.

Charlotte-Mecklenburg Schools: Not applicable.

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*.

Tree save areas exceed minimum ordinance requirements.

OUTSTANDING ISSUES

The petitioner should:

1. Modify the site plan to reflect compliance with the Tree Ordinance since this may affect the number of parking spaces shown on the site plan.
 2. Establish a minimum age restriction for the independent living units in the development.
 3. Correct the site plan annotation that the setback on Penninger Circle is measured from the existing right-of-way.
 4. Show potential recycling centers.
 5. Specify class of buffer.
 6. Include detail of fence.
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Attachments Online at www.rezoning.org

Application

Pre-Hearing Staff Analysis

Site Plan

Community Meeting Report

Charlotte Area Transit System Review

Charlotte Department of Solid Waste 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

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