

Note: A sufficient protest petition has been submitted on this request.

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| REQUEST | Current Zoning: R-3, single family residential Proposed Zoning: INST(CD), institutional, conditional |
| LOCATION | Approximately 5.05 acres located on the northeast corner at the intersection of Sardis Road and Chevron Drive. |
| SUMMARY OF PETITION | The petition proposes development of an age-restricted community consisting of 54 for sale senior independent living units with associated amenities. |
| PROPERTY OWNER | Sardis Road Land Company, LLC |
| PETITIONER | Daniel Schwarz, Sardis Road Land Company, LLC |
| AGENT/REPRESENTATIVE | John Carmichael, Robinson Bradshaw & Hinson, P.A. |
| COMMUNITY MEETING | Meeting is required and has been held. Report available online. |
| STATEMENT OF CONSISTENCY | This petition is found to be inconsistent with the <i>South District Plan</i> but to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Phipps seconded by Commissioner Zoutewelle). |

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| ZONING COMMITTEE ACTION | <p>The Zoning Committee voted unanimously to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Listed hardi plank siding as a building material, as referenced on the building elevations. 2. Specified the parking ratio as 1.5 spaces per unit, for a total of 81 parking spaces. 3. Provided specifics on architectural features that will be provided on duplex units to create appearance of a building front. Specifically, all facades facing Sardis Road or Chevron Drive will be articulated with a door, porch, and windows to match the inner facing front facades of these buildings. 4. Added a note that the brick wall to be extended along Chevron Drive will not exceed five feet in height. 5. Removed all notes related to general ordinance requirements such as compliance with the landscaping provisions of the ordinance, tree ordinance, no detention in buffers, and signs. 6. Removed Note #3 under "Binding Effect of the Rezoning Documents and Definitions". 7. Labeled and provided square footage calculations for all proposed tree save areas, which total 36.7 percent 8. Amended Note 1 under "Permitted Uses" to state that the site may only be devoted to an age restricted senior living community comprised of a maximum of 54 for sale independent living units and related common areas and amenities, and to any accessory uses that are permitted under the Ordinance in the Institutional zoning district. 9. Note 7 under "Transportation" has been amended to add that the internal sidewalks may meander to save existing trees. 10. Note 3 under "Architectural Standards" has amended to add the following: More specifically, each duplex style building will be constructed of brick or stone (30 percent minimum masonry) and cementitious board or hardi-plant, stucco or synthetic stucco. Window styles, dormer styles and architectural shutters shall be similar in character to the windows, dormers and architectural shutters on Building A and Building B. Roofs will be architectural grade fiberglass shingles on a combination of hipped and gabled roofs. All facades facing Sardis Road or Chevron Drive will be articulated with a door, porch and windows to match the inner facing front facades of these buildings. |
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11. Note 5 under "Transportation" states that the parking areas underneath Building A and Building B shall be screened from abutting properties by masonry walls of a height that is sufficient to shield the abutting properties from headlights. However, in no event shall the height of such walls be less than four feet.
12. Note 6 under "Transportation" states that as depicted on the Rezoning Plan, a masonry wall with a minimum height of four feet and shrubs shall be installed along the eastern terminus of the driveway between Building A and Building B to shield the abutting properties from headlights.
13. Note 8 under "Transportation" states that sidewalks located along the internal street may be located at the back of curb adjacent to the on-street vehicular parking spaces as depicted on the Rezoning Plan.
14. Note 2 under "Streetscape and Landscaping" states that the street trees may be planted 50 feet on center on average.
15. Note 1 under "Environmental Features" states that in addition to the trees located within the tree save areas, the Petitioner shall preserve those trees designated on the Rezoning Plan for preservation. With respect to those trees located outside of the tree save areas and designated for preservation, the Petitioner shall engage a certified arborist to prepare and implement a tree protection and preservation plan for these trees, and a copy of the tree protection and preservation plan must be submitted to the Charlotte-Mecklenburg Planning Department prior to commencing any grading activities on the Site.

VOTE

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| Motion/Second: | Zoutewelle/Fallon |
| Yeas: | Allen, Fallon, Griffith, Johnson, Phipps, and Zoutewelle |
| Nays: | None |
| Absent: | None |
| Recused: | None |

ZONING COMMITTEE DISCUSSION

Staff reviewed the petition and noted there were no outstanding issues. Staff noted that a sufficient protest petition had been submitted on this case.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

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:
 - Maximum of 54 senior independent living units consisting of duplexes, multi-family style buildings and two condominium units.
 - Occupancy restrictions require regular occupancy by at least one person 55 years of age or older.
 - Site may only be devoted to an age restricted senior living community comprised of a maximum of 54 for sale independent living units and related common areas and amenities, and to any accessory uses that are permitted under the Ordinance in the Institutional zoning district.
 - Reuse of an existing brick building as an amenity building and two condominium units.
 - Access provided to Sardis Road and Chevron Drive via a gated internal private street.
 - Tree save area consisting of 36.7 percent.
 - Open space consisting of 50 percent.

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- Conceptual building elevations.
 - Building materials consisting of brick, cementitious board and architectural shingles. Vinyl siding shall not be permitted as an exterior building material except on the soffits of buildings and vinyl windows may be installed.
 - Duplex units limited to two stories.
 - The rear of duplex buildings located along Chevron Drive will have the appearance of a building front.
 - Multi-unit buildings shall not exceed 2.5 stories (maximum 40 feet along the front elevation and a maximum of 53 feet along the rear elevation) with parking underneath and underground.
 - A nature trail and walking path.
 - An 8-foot planting strip and 5-foot sidewalk along Chevron Drive.
 - Existing 5-foot planting strip along Sardis Road to remain.
 - Existing brick wall to remain along Sardis Road and to be extended along Chevron Drive.
 - Pedestrian and bicycle connectivity to Sardis Road and Chevron Drive provided along internal private street.
 - Pedestrian scale free-standing lighting not to exceed 20 feet in height.
 - Hardi plank siding as a building material, as referenced on the building elevations.
 - Parking ration of 1.5 spaces per unit, for a total of 81 parking spaces.
 - All facades facing Sardis Road or Chevron Drive will be articulated with a door, porch, and windows to match the inner facing front facades of these buildings.
 - Brick wall to be extended along Chevron Drive will not exceed five feet in height.
 - Internal sidewalks may meander to save existing trees.
 - Each duplex style building will be constructed of brick or stone (30 percent minimum masonry) and cementitious board or hardi-plank, stucco or synthetic stucco.
 - Window styles, dormer and architectural shutters shall be similar in character to the windows, dormers and architectural shutters on Building A and Building B. Roofs will be architectural grade fiberglass shingles on a combination of hipped and gabled roofs.
 - Parking areas underneath Building A and Building B shall be screened from abutting properties by masonry walls of a height that is sufficient to shield the abutting properties from headlights. In no event shall the height of such walls be less than four feet.
 - A masonry wall with a minimum height of four feet and shrubs shall be installed along the eastern terminus of the driveway between Building A and Building B to shield the abutting properties from headlights.
 - Sidewalks located along the internal street may be located at the back of curb adjacent to the on-street vehicular parking spaces as depicted on the Rezoning Plan.
 - Street trees may be planted 50 feet on center on average.
 - In addition to the trees located within the tree save areas, the Petitioner shall preserve those trees designated on the Rezoning Plan for preservation. With respect to those trees located outside of the tree save areas and designated for preservation, the Petitioner shall engage a certified arborist to prepare and implement a tree protection and preservation plan for these trees, and a copy of the tree protection and preservation plan must be submitted to the Charlotte-Mecklenburg Planning Department prior to commencing any grading activities on the Site.
- **Public Plans and Policies**
 - The *South District Plan* (1993) recommends single family residential dwellings at a maximum density of three dwelling units per acre.
 - The petition is inconsistent with the *South District Plan*.
 - **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.
- **Charlotte Department of 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 comments received.
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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*.
 - Minimizes impacts to the natural environment by reusing an existing building.
 - Provides for efficient water use by proposing a rain garden.
 - Facilitates the use of alternative modes of transportation by providing a nature trail/walking path.
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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 Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

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