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<b>REQUEST</b>	Current Zoning: R-3, single family residential and R-12(CD), single family residential Proposed Zoning: INST(CD), institutional conditional, with five-year vested rights
<b>LOCATION</b>	Approximately 20.60 acres located on the north side of South Tryon Street across from Savannah Club Drive.
<b>SUMMARY OF PETITION</b>	The petition proposes to allow an age restricted multi-family development consisting of up to 240 elderly dwelling units, 13 disabled dwelling units, a 25,000-square foot adult care center, and an accessory 100-seat chapel.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of the outstanding site plan issues. The petition is inconsistent with the <i>Southwest District Plan</i> and the draft <i>Steele Creek Area Plan</i> . However, area plans frequently do not specify locations for institutional uses and the proposed development is compatible with surrounding uses.
<b>PROPERTY OWNER</b>	The Roman Catholic Diocese of Charlotte and Mauricio W. West, Diocesan Administrator of the Roman Catholic Church of Charlotte
<b>PETITIONER</b>	Catholic Diocese of Charlotte Housing Corporation
<b>AGENT/REPRESENTATIVE</b>	Keith MacVean and Jeff Brown, King and Spalding, LLP
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.

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#### **PLANNING STAFF REVIEW**

- **Background**
  - The subject property was part of a larger 250-acre tract that was rezoned by Petition 80-05c to B-1SCD, R-15(CD), R-12(CD) and R-20MF(CD) for the development of commercial uses, public oriented facilities, and single family and multi-family residential dwelling units. The subject property was included in a 92-acre portion of the overall site that allowed up to 86 single family dwelling units at a density of 2.93 dwelling units per acre.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

  - Up to 200 multi-family elderly dwelling units with an option to allow 40 additional multi-family elderly dwelling units if the adult care center is not constructed.
  - Maximum of 13 multi-family disabled units.
  - A 25,000-square foot adult care center.
  - A 100-seat chapel.
  - Access to the site via a private street off South Tryon Street.
  - Extension of the existing westbound right turn deceleration lane located along the frontage on South Tryon Street.
  - Construction of an additional westbound right turn deceleration lane along South Tryon Street, which will tie into the proposed extension.
  - Building materials consisting of stone, precast concrete, brick, fiber cement siding, stucco, and wood.

- Typical building elevations.
  - A 50-foot landscape setback along South Tryon Street planted with two rows of trees and foundation plantings.
  - A 50-foot undisturbed Class C buffer along the eastern and western property boundaries.
  - A 75-foot undisturbed Class B buffer along the northern property boundary.
  - A 6-foot sidewalk and 8-foot planting strip to be provided along South Tryon Street and both sides of the private street providing access to the site.
  - Terraced building setbacks based on number of stories along the northern property line abutting residential uses.
  - Detached lighting not to exceed 25 feet in height with full cut-off fixtures.
  - Pedestrian scale lighting throughout the site.
  - **Existing Zoning and Land Use**
    - The subject properties are vacant. Parcels to the north are zoned R-9(CD) and developed with single family dwellings. Attached residential units and a school exist in R-3, R-8MF(CD) and R-12MF(CD) zoning to the west and a church, and vacant property exists to the east in R-3 and R-15MF(CD) zoning. Single family and attached residential units occupy properties to the south zoned R-3, R-8(CD) and R-12MF(CD), in addition to a vacant NS zoned parcel.
  - **Rezoning History in Area**
    - Petition 2007-024 rezoned 72 acres located on the southwest corner of South Tryon Street and Moss Road from R-3 to NS to allow up to 34,000 square feet of office uses in two buildings, one of which is a 5,000 square foot bank with a drive-thru window.
  - **Public Plans and Policies**
    - The *Southwest District Plan* (1992) recommends single family residential uses up to three dwelling units per acre.
    - The draft *Steele Creek Area Plan* recommends residential land uses up to eight dwelling units per acre.
    - The petition is inconsistent with both the *Southwest District Plan* and the draft *Steele Creek Area Plan*.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Charlotte Department of Transportation:** No issues.
    - **Vehicle Trip Generation:**  
Current Zoning: 2,400 trips per day.  
Proposed Zoning: 950 trips per day.
    - **Connectivity:** 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.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
  - **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 city's tree canopy by exceeding the minimum Tree Ordinance requirements for tree save area.

#### **OUTSTANDING ISSUES**

- The petitioner should:
    1. Delineate location of parking on the private street.
    2. Amend Note 1(d) to reference Section 12.101(2) of the City of Charlotte Zoning Ordinance.
    3. Add a note that the accessory chapel will remain a part of a parcel containing multi-family units.
    4. Amend Note 8a to state that signage will comply with the Zoning Ordinance.
    5. Remove all notes on the site plan associated with income levels.
    6. Prohibit storm water detention ponds from being located within the 50-foot landscape setback along South Tryon Street.
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#### **Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review

**Planner:** Sonja Sanders (704) 336-8327