

REQUEST	Current Zoning: R-3, single family residential Proposed Zoning: INST(CD), institutional, conditional
LOCATION	Approximately 9.02 acres located on the north side of South Tryon Street between Wright's Ferry Road and Greybriar Forest Lane.
SUMMARY OF PETITION	The petition proposes a 110-bed dependent living facility.
PROPERTY OWNER	Roger and Phyllis Galloway & Warren and Barbara Drye
PETITIONER	Queen City Health Investors, LLC
AGENT/REPRESENTATIVE	Queen City Health Investors, LLC
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>Steele Creek Area Plan</i> but to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Griffith seconded by Commissioner Phipps).

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. Modified the throat of the driveways so they remain perpendicular to South Tryon Street past the 40-foot setback. 2. Provided a curb bulb-out at the existing NC 49 directional crossover intersection at Wright's Ferry Road to accommodate the northbound to southbound U-turn movements. 3. Provided a continuous right turn lane extending from Wright's Ferry Road to Graybriar Forest Lane. 4. Added a note regarding the sidewalk connection to Wright's Ferry Road which reads: "Developer reserves the right to request a variance from the Zoning Board of Adjustment to waive sidewalk connection to Wright's Ferry Road if sidewalk easement is not granted".
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VOTE	<table border="0"> <tr> <td>Motion/Second:</td> <td>Lathrop/Labovitz</td> </tr> <tr> <td>Yeas:</td> <td>Eschert, Griffith, Johnson, Labovitz, Lathrop, and Phipps</td> </tr> <tr> <td>Nays:</td> <td>None</td> </tr> <tr> <td>Absent:</td> <td>Allen</td> </tr> <tr> <td>Recused:</td> <td>None</td> </tr> </table>	Motion/Second:	Lathrop/Labovitz	Yeas:	Eschert, Griffith, Johnson, Labovitz, Lathrop, and Phipps	Nays:	None	Absent:	Allen	Recused:	None
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Yeas:	Eschert, Griffith, Johnson, Labovitz, Lathrop, and Phipps										
Nays:	None										
Absent:	Allen										
Recused:	None										

ZONING COMMITTEE DISCUSSION Staff presented the petition to the committee members and indicated all outstanding issues had been addressed.

One committee member questioned if there was any opposition to the rezoning request. Staff stated they were not aware of any opposition.

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:
 - A 110-bed dependent living facility.
 - Maximum building height of 40 feet and one story.
 - Building elevations provided.
 - Exterior building materials to include a mix of masonry materials and siding.

- Two driveways onto South Tryon Street limited to right in/right out movements.
 - Detached lighting will have full cut-off lighting fixtures and shall be limited to 20 feet in height.
 - No “wall-pak” type lighting will be allowed.
 - Solid waste area shall be located behind the proposed building.
 - **Public Plans and Policies**
 - The *Steele Creek Area Plan* (2012) recommends residential dwellings at a maximum density of four dwelling units per acre.
 - The petition is inconsistent with the *Steele Creek Area 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.
 - **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 issues.
 - **Urban Forestry:** No issues.
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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*.
 - This site meets minimum ordinance standards.
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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
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Historic Landmarks Review
- Charlotte-Mecklenburg Police Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Shad Spencer (704) 353-1132