

REQUEST	Current Zoning: R-3, single family residential, and INST(CD), institutional, conditional Proposed Zoning: UR-C(CD), urban residential, conditional
LOCATION	Approximately 2.08 acres located on the west side of Park South Drive between Royal Crest Drive and Fairview Road. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes a unified development for a nursing home consisting of an existing adult care center and up to 12 new dependent living units in two single story buildings.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Center for Healthy Living, Inc. dba The Ivey and ADC Holdings, LLC Center for Healthy Living Inc. dba The Ivey Babak Emadi
COMMUNITY MEETING STATEMENT OF CONSISTENCY	Meeting is required and has been held. Report available online. The existing adult care center facility is found to be consistent with the <i>South District Plan</i> while the undeveloped portion is found to be inconsistent with the residential land use recommended by the <i>South District Plan</i> but is reasonable and in the public interest, based on information from the staff analysis and the public hearing by a 6-0 vote of the Zoning Committee (motion by Commissioner Allen seconded by Commissioner Labovitz).

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Amended proposed zoning site plan to reflect UR-C(CD) (urban residential-commercial, conditional). 2. Specified proposed square footage of Buildings A and B as 4,700 square feet each. 3. Specified the width of existing sidewalk and planting strip proposed to remain along Park South Drive as 4'9" and 4' respectively. 4. Removed the reference to proposed pedestrian gate has been. Staff has rescinded the request to provide details of the gate. 5. Specified and labeled the existing buffer as 20 feet in width and the proposed buffer as 14 feet in width and meeting Class C buffer standards. Provided a planting schedule for the proposed buffer that specifies the number and species of proposed planting material. 6. Amended Note 11b to state that existing signage at Parcel 1 may be modified as allowed per the zoning ordinance. 7. Addressed CDOT comments by removing the on street parking along Park South Drive and amending Note 5c to specify "dedicated" 35 feet of right-of-way along public street frontage measured from the center line of Park South Drive.
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VOTE	Motion/Second:	Labovitz/Allen
	Yeas:	Allen, Dodson, Eschert, Labovitz, Ryan and Zoutwelle
	Nays:	None
	Absent:	Low and Walker
	Recused:	None

ZONING COMMITTEE DISCUSSION	Staff provided an overview of the current status of the petition, stating that there are no outstanding issues. A Commissioner questioned whether there was a wall along the frontage on Park South Drive. The petitioner responded that the pedestrian gate has been removed, and there is no wall proposed along the frontage. However, a fence that
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allows vision into the site will be provided and is required due to the nature of the proposed facility.

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

- **Background**
 - Approximately 1.35 acres of the subject property were rezoned from R-3 (single family residential) to INST(CD) (institutional, conditional) via Petition 2005-146 to allow a 16,000-square foot adult care center.
 - Petition 2012-040 sought to rezone 0.65 acres of the subject property from R-3 (single family residential) to MUDD(CD) (mixed use development, conditional) to allow a 108-room hotel. This petition was withdrawn.
 - **Proposed Request Details**
 - The site plan accompanying this petition contains the following provisions:
 - Unified development for a nursing home facility consisting of an existing 12,850-square foot adult care center and two new single story nursing home structures containing six dependent living units each.
 - Internal connectivity provided by sidewalks and a covered walkway.
 - Circular vehicular drop-off area provided between the two proposed buildings.
 - Access to the site via a shared driveway on Park South Drive.
 - Building materials consisting of stone, brick, wood shakes/shingles, cementitious siding, metal roofing and architectural asphalt shingles.
 - Buffers along rear of both lots abutting the residential zoning and uses.
 - Existing fencing to remain except along shared property lines between the two parcels.
 - Proposed gated pedestrian entrance from public sidewalk along Park South Drive.
 - Existing sidewalk and planting strip to remain along a portion of frontage on Park South Drive, in order to preserve an existing 24-inch tree.
 - Detached lighting limited to 20 feet in height.
 - **Public Plans and Policies**
 - The *South District Plan* (1993) recommends single family residential up to three units per acre for the portion of the site zoned R-3 (single family residential), and institutional land uses on the portion zoned INST(CD) (institutional, conditional), as amended by a previous rezoning on the site.
 - The proposed rezoning is inconsistent with the residential land use recommendation on a portion of the site but consistent with the institutional land use recommendation on the remainder of the site as set forth in the *South District 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 Solid Waste Services:** No issues.
- **Transportation:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** Not applicable.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte-Mecklenburg Utilities:** No issues.

- **Engineering and Property Management:** 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*.
 - The petition minimizes impacts to the natural environment by reusing an existing building and building on an infill lot.
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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 Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Solid Waste Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Sonja Sanders (704) 336-8327