

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.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The existing adult care center facility is consistent with the <i>South District Plan</i> . The remainder of the site is inconsistent with the residential land use recommended by the <i>South District Plan</i> . However, area plans frequently do not specify locations for institutional uses. The proposed institutional use is compatible with the surrounding institutional and residential development.
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	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 7

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 This petition was withdrawn.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.

- **Existing Zoning and Land Use**
 - A portion of the subject property is developed with a 12,850-square foot adult care center and the remainder is vacant. Properties on the west side of Park South Drive are zoned MUDD-O, (mixed use development, optional), R-8MF(CD) (multi-family residential, conditional) and R-22MF(CD) (multi-family residential, conditional), with R-3 (single-family residential) on parcels located behind the site. These properties are developed with single family and multi-family residential dwellings, and an assisted living facility. Properties on the east side of Park South Drive are zoned MUDD(CD) (mixed use development, conditional), O-3(CD) (office, conditional), and O-1, (office) and are developed with retail, offices, hotels, and a duplex/triplex/townhome site.
 - **Rezoning History in Area**
 - Petition 2010-070 and Petition 2009-035 rezoned properties on the south side of Fairview Road to MUDD(CD) (mixed use development, conditional) and MUDD-O (mixed use development, optional) to allow up to 17,000 square feet of bank, retail, office or restaurant uses, and 213 elderly housing units and 10,000 square feet of ground floor commercial uses, respectively.
 - **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:** Amend Note 11A to state that existing signage may remain or be removed.
 - **Charlotte Department of Solid Waste Services:** No issues.
 - **Transportation:** CDOT has the following comments:
 - Remove the pavement markings indicating on-street parking on Park South Drive.
 - Dedicate 35 feet of right-of-way along the site's frontage on Park South Drive measured from the existing street centerline.
 - **Vehicle Trip Generation:**
 - Current Zoning: 460 trips per day.
 - Proposed Zoning: 480 trips per day.
 - **Connectivity:** 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.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** A wetlands determination letter is required prior to the public hearing and has been submitted.
 - **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.

OUTSTANDING ISSUES

- The petitioner should:
 1. Amend proposed zoning site plan to reflect UR-C(CD) (urban residential – commercial, conditional).
 2. Specify proposed square footage of Buildings A and B.
 3. Specify width of existing sidewalk and planting strip proposed to remain along Park South Drive.
 4. Provide details of proposed gate.
 5. Specify and label width of existing and proposed buffers.
 6. Amend Note 11b to state that existing signage at Parcel 1 may be modified as allowed by the zoning ordinance.
 7. Address CDOT comments.
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Attachments Online at www.rezoning.org

- Application
- 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

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