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<b>REQUEST</b>	Current Zoning: R-3 (single family residential) Proposed Zoning: INST(CD) (institutional, conditional)
<b>LOCATION</b>	Approximately 10.1 acres located on the east side of Providence Road between Lakeside Drive and Kuykendall Road. (Council District 7 - Driggs)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the development of a three-story, 134-suite, dependent living facility with a total square footage of approximately 120,000 square feet.
<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues. The petition is inconsistent with the <i>South District Plan</i>; however, area plans do not typically provide recommendations for institutional uses, and these uses are considered on a case-by-case basis.</p> <p>Senior living facilities are an institutional use designed to fit into a residential setting, and are considered to be compatible with single family residential neighborhoods. This type of use has a low impact with respect to noise and traffic due to the nature of the residents. The concentrated building footprint of the proposed development allows for perimeter landscaping, buffers and a large undisturbed tree save area. The site's location on Providence Road, a major thoroughfare, and Kuykendall Road, a minor thoroughfare, is appropriate for an institutional use such as the proposed facility.</p>
<b>PROPERTY OWNER</b>	Margaret K. Bissell heirs (Sue Bissell Peck, Barbara Bissell Lindstedt, and William Bissell) and Roy E. Lindstedt
<b>PETITIONER</b>	Hawthorn Retirement LLC, Mark D. Lowen/Daniel S. Roach – Lenity Architecture
<b>AGENT/REPRESENTATIVE</b>	Lenity Architecture, Inc., Mark D. Lowen/Daniel S. Roach
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 27

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## **PLANNING STAFF REVIEW**

### **• Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows for the development of a dependent living facility with up to 134 suites within a 124,000 square foot building.
- Limits building height to three stories and 44 feet.
- A total of 81 parking spaces provided via surface and two garages providing six spaces each.
- Reserves 2.91 acres as an undisturbed tree save area.
- Access to site provided on Providence Road and Kuykendall Road.
- Limits service truck access to Providence Road entrance and delivery times to non-peak hours.
- Supplements the required Class "C" buffer by providing additional conifer trees along the northern property line in common with the abutting property.
- Provides step-downs in the building architecture from three stories to one and two stories, varying rooflines, patios and balconies, and asymmetrical building shape to provide a residential feel and appearance.
- Building material consisting of stucco, horizontal siding with brick, brick veneer, stone or simulated stone. Vinyl siding is prohibited as an exterior building material.
- Extensive landscaping utilizing existing and new vegetation.
- Usable outdoor open space and amenity areas.
- CATS bus waiting pad in front of site along Providence Road.
- Directs the stormwater runoff into two separate stormwater facilities, one in the front of the building and one in the rear.
- Freestanding lighting limited to 25 feet in height with full cut-off type fixtures.

- Additional pavement provided along Kuykendall Road to accommodate future transportation improvements.
- Exceeds minimum development standards by providing side and rear yards greater than the 20 feet required by the Zoning Ordinance.
- **Existing Zoning and Land Use**
  - The site includes three parcels and a portion of a fourth currently zoned R-3 (single family residential). Three parcels are vacant and one is developed with a single family home.
  - The surrounding properties are zoned R-3 (single family residential). Properties to the north, east and south are developed with single family homes. Charlotte Latin School occupies the land to the west across Providence Road.
- **Rezoning History in Area**
  - There have been no rezonings in the immediate area in recent years.
- **Public Plans and Policies**
  - The *South District Plan* (1993) recommends single family residential for the subject property.
  - The petition is inconsistent with the *South District Plan*. However, area plans do not typically recommend locations for institutional uses and these uses are considered on a case-by-case basis.

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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.
- **Transportation:** No issues.
  - **Vehicle Trip Generation:**  
Current Zoning: 350 trips per day.  
Proposed Zoning: 346 trips per day.
  - **Connectivity:** 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*.
  - Protects environmentally sensitive areas by providing a large, undisturbed tree save area that exceeds the minimum Zoning Ordinance standards. Splits the site's stormwater runoff into separate stormwater facilities and creek drainage basins.
  - Minimizes impacts to the natural environment by concentrating the building footprint and parking areas close to the front of the site allowing the rear of the property to be left undeveloped.
  - Facilitates the use of alternative modes of transportation by providing a CATS bus stop along Providence Road.

**OUTSTANDING ISSUES**

- The petitioner should:
  1. Amend note 2a to refer to Section 9.503 and specify the type of "Home for the Aged" units as dependent units.

2. Amend note 4a to specify a maximum proposed building height of 45 feet.
3. Remove note 5c.
4. Amend Note 6a to reflect the amount of tree save provided as specified in the Development Data on sheet 2/3.
5. Provide additional building articulation and step downs along the southeastern and northern building façades.
6. Revise the Site Section A-A to reflect the current site design.
7. Delete reference to Lots A and B in the data table and amend site acreage under the data table to show the proposed acres to remain R-3 and proposed acres to be rezoned.
8. Amend the Providence/Kuykendall perspective drawing to reflect any preserved trees and landscaping provided as shown on the Preliminary Landscape Plan.
9. Clarify the prohibition of the use of vinyl by stating if the prohibition will or will not include soffits and windows.
10. Remove the signs from the preliminary landscape plan and all renderings, as signs will be permitted separately.
11. Show the required eight-foot planting strip along Providence Road on the Preliminary Landscape Plan.
12. Amend note 8a to limit the height of freestanding lights to 20 feet.
13. Clarify "non-peak hours" by providing times.
14. Show the proposed CATS waiting pad on the Preliminary Landscape Plan.
15. Remove the "Undisturbed Natural Area" label located on the lower edge of the Preliminary Landscape Plan at the Kuykendall driveway.
16. Clarify the conflict between the "Undisturbed Natural Area" labels and the 46-foot Class "C" buffer that is being planted along the northern property line in common with the abutting property.
17. Label the feature around and extending from the covered well to the sidewalk along Kuykendall Road shown on the lower right hand corner of the Preliminary Landscape Plan.
18. Amend site plan to reflect a required 50-foot Class C buffer instead of the 46-foot Class C buffer shown.
19. Remove unneeded sheets in the site plan packet.

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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Community Meeting Report
- Locator Map
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business 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:** John Kinley (704) 336-8311