
REQUEST	Current Zoning: INST(CD) (institutional, conditional) Proposed Zoning: INST(CD) SPA (institutional, conditional, site plan amendment)
LOCATION	Approximately 25.4 acres located on the east side of Park Road between Smithfield Church Road and Arbor Pointe Drive. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes an amendment to the approved site plan for the existing Southminster senior living community located in the Quail Hollow area. The site plan amendment will allow the redevelopment of ten existing cottages and a wing of the existing dependent care building to accommodate an additional 47 independent living units and 17 healthcare beds.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Southminster, Inc. Southminster, Inc. John Carmichael, Robinson Bradshaw & Hinson, P.A.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4.
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none">• The Zoning Committee found this petition to be consistent with the <i>South District Plan</i>, based on information from the staff analysis and the public hearing, and because:<ul style="list-style-type: none">• The plan recommends institutional uses for the subject property.• Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:<ul style="list-style-type: none">• The site is developed with a continuing care retirement community and has been rezoned several times over the years for expansions; and• The requested petition is for a minor expansion of the facility, increasing independent units from 332 to 379 and healthcare beds from 110 to 127; and• The expansion will be accommodated by redevelopment of a portion of the site where ten existing cottages and a wing of the existing dependent care building currently are located; and• The proposed expansion is designed to be compatible with surrounding single family development by:<ul style="list-style-type: none">• Locating the proposed healthcare addition internal to the site, connected to the existing dependent care building, and away from single family homes;• Maintaining the previously approved maximum building height of four stories for the healthcare addition;• Limiting the maximum building height of the "villa" style buildings to three stories;• Enhancing the required buffer where the proposed villa on the southern edge of the site is closest to the neighboring single family homes;• Establishing the required 50-foot buffer when the proposed parking structured is constructed on the southeastern corner of the site; and• Removing existing surface parking serving the cottages and dependent care building, to be redeveloped, and providing new parking below grade;

By a 7-0 vote of the Zoning Committee (motion by Majeed seconded by Wiggins)

ZONING COMMITTEE ACTION

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition with the following modifications and subject to a commitment to the construction of an eight-foot planting strip and six-foot sidewalk along the entire frontage of Smithfield Church Road or portion of Park Road:

The following issues have been addressed:

Site and Building Design

1. Specified the maximum height of 48 feet at the eave (65 feet at the peak) for the proposed villa A1 (adjacent to the single family homes). Specified the height in stories for the other villa buildings.
2. Provided a sidewalk connection from the proposed villas on the northern portion of the site to the sidewalk along Smithfield Church Road.
3. Committed to revise all setback lines depicted on the site plan to reflect the setback measured from the right-of-way line and from the new 50-foot right-of-way along Park Road.

Transportation

4. Revised the site plan to add a note specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued.
5. Provided 50 feet of right-of-way (measured from centerline of road) to be dedicated as a part of this rezoning.
6. Committed to revise the site plan and added a conditional note to contribute \$10,000 towards funding the design and implementation of a Pedestrian Hybrid Crossing Signal on Park Road between Smithfield Church Road and Arbor Pointe Drive. The funding contribution will be available for a period of three years, if the CDOT does not begin construction of the crossing signal after that period the contribution will be refunded.
7. Revised the site plan to add a note specifying all transportation improvements will be constructed and approved before the site's first building certificate of occupancy is issued or phased per the site's development plan.

Technical Revisions

Land Use

8. Added structured parking to Note 2 under "Permitted Uses."

Site and Building Design

9. Clarified Note 4A and added additional notes 4B-E under "Architectural Standards" to match the cross-section and describe the heights of the buildings.
10. Simplified and consolidated "Architectural Standards" Notes D through J.
11. Amended Note 5C under "Streetscape/landscaping" committing to an enhanced buffer to replace the words "enhance that portion" with "provide enhanced landscaping within the portion."
12. Amended the rezoning site plan to identify areas where the full 50-foot buffer will be maintained and established.
13. Identified on the site plan that areas of the existing surface parking lot in the southeast corner of the site will be removed and the 50-foot buffer will be established.
14. Identified on the site plan the solid, dark lines along Park Road and the double, solid line along Smithfield Church Road.
15. Added a note that the existing pedestrian crossing on Smithfield Church Road will be connected to the sidewalk along the south side of Smithfield Church.
16. Removed the wide pedestrian entry shown on the eastern side of the healthcare building.
17. Changed the maximum detached light height from 18 feet to 21 feet to match industry standards.

	<p>18. Amended the building elevations for the villas.</p> <p>19. Identified and showed the existing pedestrian crossing on Smithfield Church Road.</p>
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VOTE

Motion/Second: Wiggins / Majeed
 Yeas: Eschert, Labovitz, Lathrop, Majeed, Wiggins, Watkins, Spencer
 Nays: None
 Absent: None
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and the changes since the public hearing, and also indicated that this petition is consistent with the *South District Plan* recommendation for institutional use. Staff noted the petitioner had committed to addressing all issues except the requested for the construction of a planting strip and sidewalk along Park Road or Smithfield Church Road.

CDOT staff noted the petitioner had agreed to provide \$10,000 in funding towards the design and construction of the pedestrian crossing signal along Park Road, and the funding will be available for a three-year period. If construction hasn't begun within that period the contribution will be returned.

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 amendment contains the following changes:

- Replaces ten cottage style buildings, associated parking, and a surface parking lot with seven villa style buildings. Specifies the maximum height of 48 feet at the eave (65 feet at the peak) for the proposed villa A1 (adjacent to the single family homes). Limits the height of the other villas to three stories with one level of parking under the buildings with portions of the parking being below grade. Parking access will be located at grade.
- Replaces a wing of the existing dependent care building with a healthcare wing containing any combination of assisted living, skilled nursing and hospice beds. Limits the maximum height of the addition to four stories and provides parking under the building, below grade.
- Proposes the following changes to the allowed number of units and beds.

Use	Entitled	Existing built	Proposed Total	Increase over entitled/ existing built
Independent dwelling units	332	259	379	47/ 120
Healthcare beds	110	95	127	17/ 32

- Proposes replacing an existing surface parking lot located in the southeast corner of the site with a structured parking facility with one level of parking below grade and a level at grade.
- Provides a conceptual elevation with proposed building materials identified for one façade of the villas and commits that all other villa facades will be substantially similar.
- Provides a conceptual elevation with proposed building materials identified for the eastern elevation of the healthcare addition and commits that all other facades of the healthcare addition will be substantially similar.
- Provides a cross-section depicting the southern elevation of the southernmost villa showing the relationship between the building and grade.
- Maintains the existing buffer variances approved by the Zoning Board of Adjustment along the southern and eastern boundary lines and adjacent to the Quail Hollow Presbyterian Church.
- Commits to establishing the required 50-foot buffer in the areas where changes will be made to the surface parking lot to accommodate the structured parking facility at the southeast corner of the site at the time the structured parking facility is constructed.

- Commits to providing additional tree planting within a portion of the 50-foot buffer between the proposed southernmost villa and the adjacent single family homes south of the site.
- Commits to the construction of a new bus waiting pad along Park Road.
- Commits to providing \$10,000 of funding to CDOT for the design and construction of a pedestrian crossing signal along Park Road, available for a period of three-years. If CDOT does not begin construction of the crossing signal at the end of the three-year period the contribution will be refunded.
- Provides a network of internal sidewalks and connections to the public sidewalk as depicted on the site plan.
- Commits that all newly installed lighting, excluding street lights and low decorative lighting, will be fully capped, shielded and downwardly directed. Limits the maximum height of any newly installed freestanding lighting to 21 feet. Specifies that any lighting attached to new structures and additions will be decorative.
- **Public Plans and Policies**
 - The *South District Plan* (1992) recommends institutional use for the subject parcel, recognizing the site's long-term use as a continuing care retirement community.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located at the signalized intersection of a six-lane major thoroughfare with bike lanes and a three-lane major collector adjacent to a three schools. This community has contacted CDOT requesting a pedestrian crossing to the high school for volunteer activities. While the high school entrance drive is directly across the street from this community, the nearest signalized crossings are approximately 900 feet in either direction. CDOT safety staff has determined that a pedestrian hybrid beacon is the appropriate crossing treatment to allow safer crossings for pedestrians.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 1120 trips per day (based on 259 independent units, 95 healthcare beds).
 - Entitlement: 1470 trips per day (based on 342 independent units, and 110 healthcare beds).
 - Proposed Zoning: 1640 trips per day (based on 379 independent units, 115 healthcare beds).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Not applicable.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability via an existing eight-inch water distribution main located along Smithfield Church Road and an existing 12-inch water distribution main located along Park Road. Charlotte Water currently does not have sewer system availability for the parcels under review. The closest available sewer main is approximately 450 feet north of parcel 209-51-113 on Park Road.

Note: Charlotte Water indicates that their comment for sewer availability does not take into account any lateral connections that may service the site.

- **Engineering and Property Management:** The proposed site development and redevelopment depicted on the rezoning plans will be subject to the Charlotte Post-Construction Stormwater Ordinance. Upon approval of the proposed rezoning petition, no further grandfathering of development/redevelopment on the site will be allowed on the basis of rezoning approvals prior to July 1, 2008.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No comments received.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Pre-Hearing Staff Analysis

- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Transportation Review

Planner: John Kinley (704) 336-8311