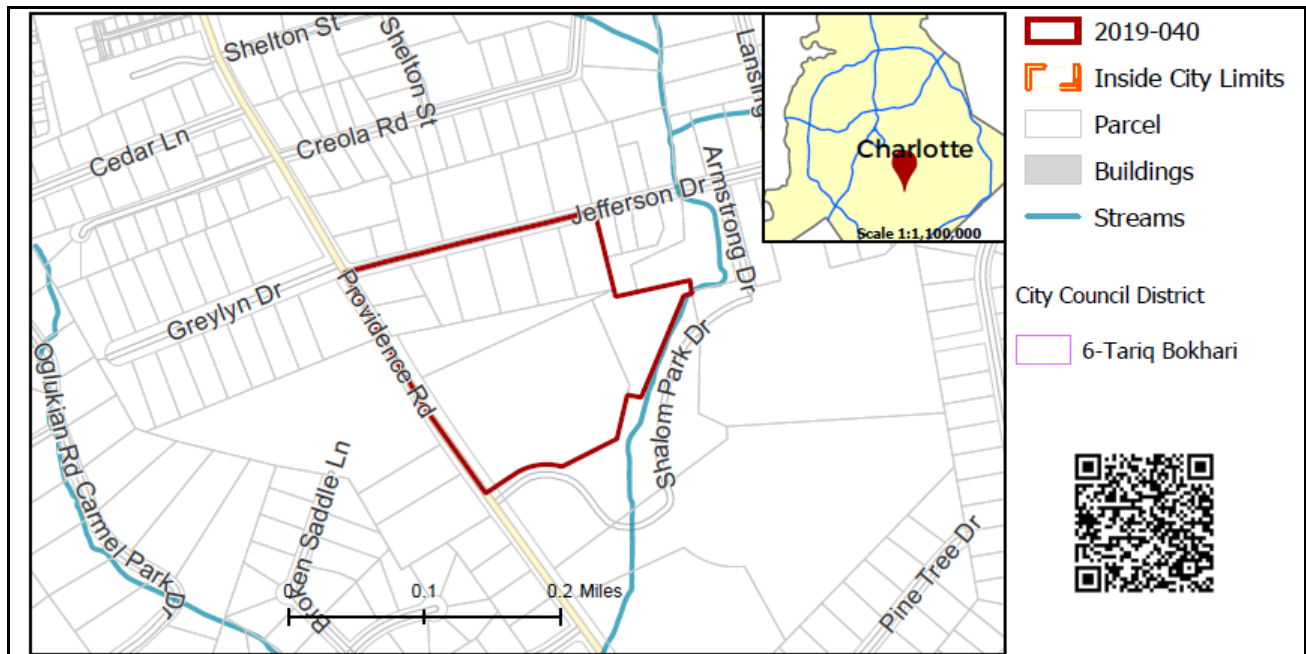


## REQUEST

Current Zoning: R-3 (single family residential) and R-I (religious institution)  
Proposed Zoning: INST(CD) (institutional conditional) and INST (institutional)

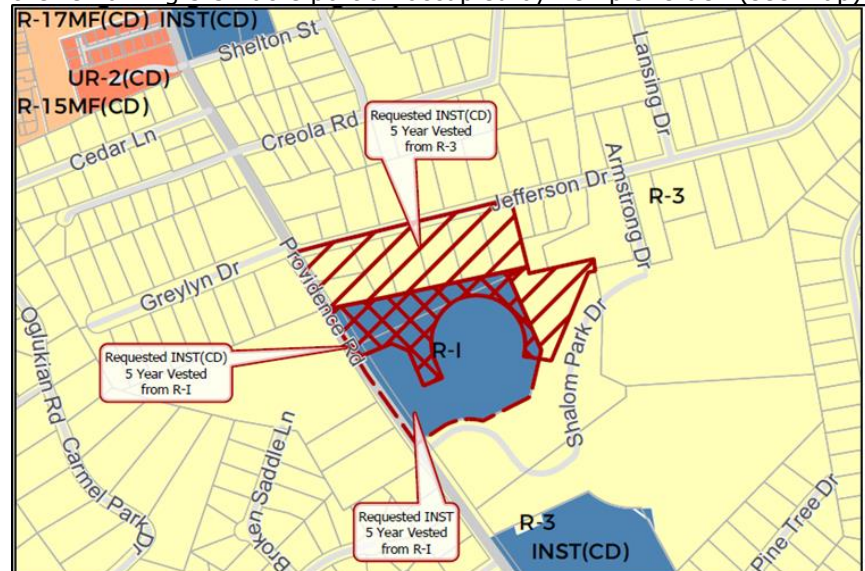
## LOCATION

Approximately 17.17 acres located on the east side of Providence Rd, south of Jefferson Drive, south of Fairview Rd / Sardis Rd.



## SUMMARY OF PETITION

The petition proposes to rezone and redevelop 6 single family dwellings on a 7.51 acre portion of the site to INST(CD) for adult care center/ senior living. Proposes to allow all uses in the INST district for the remaining 3.51 acre portion occupied by Temple Israel. (see map)



**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**  
**COMMUNITY MEETING**

The Foundation of Shalom Park, Inc. and Temple Israel, Inc.  
 Aldersgate at Shalom Park, Inc.  
 Nick Tosco, Poyner Spruill LLP  
 Meeting is required and has been held. Report available online.  
 Number of people attending the Community Meeting: First meeting  
 (required per Ordinance) - 121. Second meeting - 39

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *South District Plan* recommendation for institutional use for the portion of the site currently zoned R-I and a small portion currently zoned R-3 next to Shalom Park Drive. The petition is **inconsistent** with the recommendation for single family residential for the 7 parcels currently zoned R-3 on Providence Road and Jefferson Drive.

Rationale for Recommendation

- The *South District Plan* recognized the existing institutional uses on the site and abutting to the south and southeast.
- Area plans do not typically recommend locations for future institutional uses.
- The proposed senior care/ living community is proposed to integrate, as a unified development, with the adjacent institutional uses. (Temple Israel, Levine Jewish Community Center, and Temple Bethel)
- Petition provides commitments that address compatibility with surrounding single family uses along Jefferson Drive through the following:

Limits Height

- Buildings 4 & 5 limited to 3 stories over parking, up to 48 feet to account for sloping grade and parking entrances.
- Buildings 2 & 3 limited to 3 & 4 stories over parking, up to 38 48 feet at 40-foot setback line and 60-foot maximum to account for sloping grade and parking entrances.
- Assisted living/ memory care and commons building to 2 stories, up to 35 feet for assisted living/ memory care building and 40 feet for commons building.

Provides Buffers and Landscaping

- 50-foot buffer along northeast corner of site abutting single family.
- Additional plantings within setback along Jefferson Drive.

Access Provisions

- Access to site through existing driveways and access points. No new curb cuts on Providence Road and Jefferson Drive.
- Multi-use path on Providence Road and meandering planting strip and sidewalk along Jefferson Drive and extension of sidewalk beyond the site to Armstrong Drive.

Evaluate Jefferson Park's street network to identify opportunities for traffic calming during permitting.

The approval of this petition will revise the adopted future land use, for the 7 parcels currently zoned R-3, as specified by the *South District Plan*, from current single family residential up to 3 dwelling units per acre to institutional use.

## PLANNING STAFF REVIEW

### • Proposed Request Details

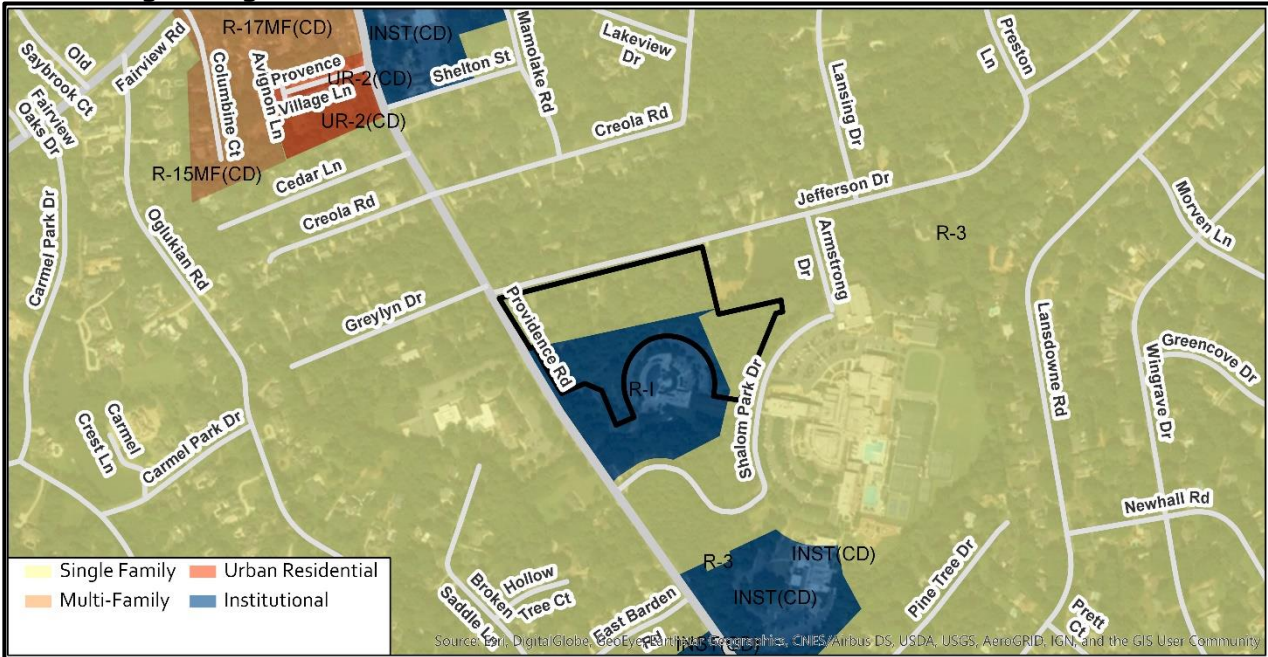
- The 3.51 acre portion of the rezoning proposed for R-I to INST is a conventional request and would allow all uses in the INST district. R-I is an old conditional zoning approved in 1991. The district doesn't exist in the current Zoning Ordinance. The conditional plan allowed for the development of the existing building, parking and open spaces around the building. For reference this portion is developed with Temple Israel.

The site plan accompanying this petition contains the following provisions:

- The 7.51 acre portion of rezoning proposed for INST(CD) would allow the development of an adult care center containing 126 independent living units (IL), up to 24 assisted living/ memory care beds (AL/MC) and a common amenity building (Commons). A maximum of 7 buildings allowed.
- Specifies the site to be designed as a unified development in combination with the adjacent institutional uses. There will be cross access for pedestrians and vehicles and sharing of facilities.
- Provides architectural standards related to allowed building materials, limitations on expanses of blank walls and minimum transparency for facades facing Providence Road.
- Clarifies that allowed independent living units internal to the site may be located on the parking/garage level of buildings 2, 3, and 4.
- Limits building heights as follows:
  - IL Building 1 - 60 feet (4 stories over parking).
  - IL Buildings 2 & 3 - ~~38~~ 48 feet at the 40-foot setback line, maximum of 60 feet to account for sloping grade and parking entrances (3 & 4 stories over parking).
  - IL Building 4 - 36 feet at the 40-foot setback line, maximum of 48 feet to account for sloping grade and parking entrances (3 stories over parking).
  - IL Building 5 - 48 feet to account for sloping grade and parking entrances (3 stories over parking).
  - AL/MC Building - 35 feet (2 stories).
  - Commons Building - 40 feet (2 stories).
- Provides a 50-foot Class C buffer at the northeast corner of the site abutting single family zoning. Specifies planting commitments above & beyond base Ordinance requirements.
- Commits to additional screen plantings within the 40-foot setback along Jefferson Drive.
- Constructs an 8-foot planting strip and 12-foot multi-use path along the site frontage of Providence Road. Constructs a meandering 8-foot planting strip and 8-foot sidewalk along the site frontage of Jefferson Drive.
- Commits to construct a 5-foot sidewalk along Jefferson Drive extending from the eastern edge of the site to Armstrong Drive behind a standard curb and gutter.
- Upgrades existing sidewalk ramps at the entrance to Temple Israel on Providence Road.
- Commits to working with CDOT during permitting to evaluate Jefferson Park's street network to identify opportunities for traffic calming.
- Provides a minimum of 10,000 square feet of amenitized open space to include landscaping, seating areas and/or hardscape elements.
- Limits the height of freestanding lighting to 21 feet and specifies lighting, excluding street lights and low decorative lights, will be fully capped and shielded.



### • Existing Zoning and Land Use



A portion of the site was rezoned by petition 1991-035 from R-15 to R-I, a conditional district. The rezoning allowed the construction of Temple Israel. The surrounding land uses are predominately single family homes. There are several institutional uses in the immediate vicinity. North of the site, near the intersection of Providence Road and Fairview Road are institutional, multi-family and single family attached developments.



Property along Jefferson Drive, north of the site, are developed with single family homes.



Property along Jefferson Drive, east of the site, are developed with single family homes.



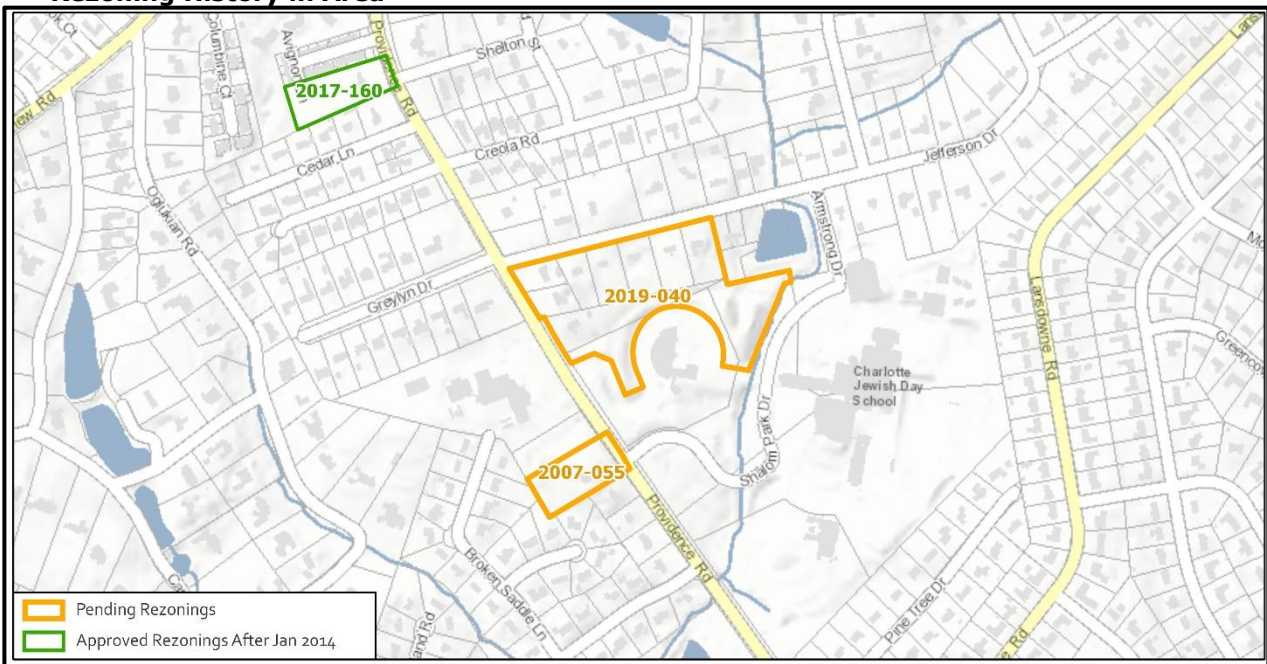


Property to the east and south of the site is developed with an institutional campus including Temple Israel, Levine Jewish Community Center and Temple Bethel.



West of the site, on Providence Road is an institutional use and single family homes on Greylyn Drive.

#### • Rezoning History in Area



Petition Number	Summary of Petition	Status
2007-055	Proposed to change 1.82 acres on west side of Providence Road from R-3 to UR-2(CD) (urban residential, conditional) to allow up to 18 townhomes for a density up to 10 units per acre.	Indefinite Deferral



2017-160	Rezoned 2.08 acres on the west side of Providence Road, north of the site, south of Fairview Road from R-3 to UR-2(CD) to allow up to 14 townhomes for a density of 6.7 units per acre.	Approved
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#### • Public Plans and Policies



- The *South District Plan* recommends institutional use for the portion of the site developed with existing institutional uses. The plan also recommends institutional use for the abutting existing institutional uses.
- The *South District Plan* recommends single family residential less than or equal to 3 dwelling units per acre for the single family parcel front on Providence Road and Jefferson Drive.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is at the intersection of Providence Road, a state maintained major thoroughfare, and Jefferson Drive. The petitioner has agreed to construct 8-foot planting strips, a 12-foot multi-use path along Providence Road frontage and 8-foot sidewalk along Jefferson Drive, while maintaining the existing trees. The petitioner will also be making ADA accommodations at the Shalom Park entrance.
  - No outstanding issues.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 70 trips per day (based on 7 single family dwelling units).
      - Entitlement: 200 trips per day (based on 17 single family dwelling units).
    - Proposed Zoning: 320 trips per day (based on 126 independent living units and 24 assisted living beds).

#### DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Petitions for adult care center/ senior living do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Jefferson Drive and via an existing 8-inch distribution main located along Providence Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via existing 8-inch gravity sewer mains located along Jefferson Drive and Providence Road and via an existing 12-inch gravity sewer main located within the rezoning boundary. No outstanding issues.

- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** Advisory - GWS records of registered water supply wells were found for parcel 187-072-08 (Petition 2019-040). Water supply wells should be protected during site development by flagging and fencing or be permanently abandoned in accordance with the Mecklenburg County Groundwater Well Regulations prior to site development commencing. No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

## OUTSTANDING ISSUES

### Site and Building Design

1. ~~Provide building stepbacks, reducing the building height for the portion of buildings 2 and 3 along Jefferson Drive.~~ Addressed
2. ~~Provide additional cross-sectional views for building 4 (B2—east/west closer to Jefferson Drive) and (B3—north/south from single family across Jefferson Drive).~~ Addressed
3. ~~Amend note 5a to specify that "the width of the buffer shall not be reduced with a fence or wall."~~ Addressed

### Environment

4. ~~Delete the label for "30' PCO buffer" along the stream and amend the label from the 50' SWIM buffer to read "50' SWIM/ PSCO buffer."~~ Addressed
5. ~~Show and label "Potential 30' PCSO buffer" running northwest to southeast near building 5. See City GIS data below.~~ Addressed



6. ~~Remove Note 6b (Stormwater detention) in its entirety.~~ Addressed
7. ~~Clearly show tree save areas and calculations on site map. Site is in a wedge and commercial areas will be required to provide 15% tree save area based on gross acreage. 15% of 11.02 acres = 1.65 acres tree save area. Single family detached areas must provide 10% minimum tree save area.~~ Addressed

## REQUESTED TECHNICAL REVISIONS

### Site and Building Design

8. ~~Amend note 4b to change the word "apartments" to "independent living units".~~ Addressed
9. ~~Amend notes 5b, c, d, and f to specify that the items will be completed prior to issuance of the certificate of occupancy for the first new building on the site.~~ Addressed
10. ~~Remove the labels "50' building height sideyard" from sheet RZ-2 as the conditional notes are more restrictive and specific.~~ Addressed

See Attachments (applications, department memos, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)