

**ZONING COMMITTEE
RECOMMENDATION
November 29, 2006**

Rezoning Petition No. 2006-134

Property Owner: Charlotte Retirement Residence LLC

Petitioner: Charlotte Retirement Residence LLC

Location: Approximately 9.2 acres on the west side of Carmel Road between Asherton Drive and Windwood Circle

Request: Change from R-3 (with special use permit for nursing home) to INST(CD) conditional institutional district

Action: The Zoning Committee unanimously recommended **APPROVAL** of this petition based upon the following modifications:

- A 70-foot Class “B” buffer has been added between most of the proposed addition and the abutting single family residences.

Vote:

Yeas:	Carter, Cooksey, Loflin, Randolph, Ratcliffe, Sheild and Simmons
Nays:	None
Absent:	None

Summary of Petition

This petition seeks to expand an existing retirement center from 93 suites to 131 suites. The site plan accompanying this petition includes the following provisions:

- Supplemental plantings will be added to establish a 46-foot Class “C” buffer around most of the site. Where the existing driveway prevents this, a five-foot brick wall will be constructed with supplemental plantings that extend above the wall.
- The new wing will be three stories in height but not in a solid building façade paralleling the property line. New parking will be constructed between the new building and Carmel Road. Some of the old parking aisle will be deleted, adding green space closer to Carmel Road.
- A new five-foot sidewalk will be installed behind an eight-foot planting strip along Carmel Road. Additional plantings will be added to screen the parking lot.
- Right-of-way will be dedicated totaling 50 feet from the centerline of Carmel Road.

Zoning Committee Discussion/Rationale

Staff reviewed the petition noting that the assisted living facility was originally approved as a Special Use Permit but this expansion required a rezoning since there was no mechanism to modify a Special Use Permit since we no longer issue them.

Statement of Consistency

A motion was made by Ms. Carter to find this petition consistent with the South District Plan and to be reasonable and in the public interest. The motion was seconded by Mr. Simmons and was approved by a vote of 6-1, with Mr. Cooksey casting the negative vote. A discussion followed and it was Mr. Cooksey's position that the South District Plan map called for multi-family and this was an institutional use. Staff explained that the assisted living facility was already in place when the South District Plan was adopted and the intent of the plan was to recognize the existing use. Since an assisted living facility is a sort of multi-family use staff was not concerned by the apparent map inconsistency.

Vote

Upon a motion made by Mr. Simmons and seconded by Mr. Loflin the Zoning Committee voted unanimously to recommend approval of this petition with the noted modifications.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.