



Charlotte-Mecklenburg Planning, Design, & Development

DATE: December 12th, 2018

TO: Donald Moore
Zoning Supervisor

FROM: Taiwo Jaiyeoba
Planning Director

SUBJECT: Administrative Approval for Petition No. 2011-045 Catholic Diocese of Charlotte Housing Corporation

Attached is the revised site plan for the petition above. This request allows the modification of the proposed site plan as listed below. Since these changes do not alter the intent of the development and meets the requirements of the Charlotte Zoning Ordinance Section 6.207 Alterations to Approval, minor changes, I am administratively approving this plan. Please use these plans when evaluating requests for building permits and certificates of occupancy.

- Allow modification to the layout of the proposed multi-family buildings.

Staff supports of the request because:

- The site plan complies with the conditional notes and still meets the intent of the original approval by the City Council.

Note: All other Zoning, Subdivision, Tree Ordinances and conditional requirements still apply.



design resource group

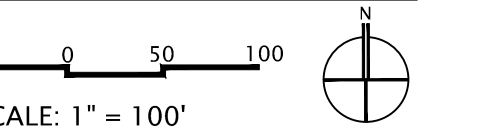
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SOUTH TRYON PROPERTY
SOUTH TRYON STREET, CHARLOTTE, NORTH CAROLINA

CATHOLIC DIOCESE OF CHARLOTTE
1123 SOUTH CHURCH STREET
CHARLOTTE, NORTH CAROLINA 28203
(704) 370-3248

REZONING PETITION
FOR PUBLIC HEARING
PETITION # 2011-045



PROJECT #: 318-001
DRAWN BY: BS
CHECKED BY: DM

**TECHNICAL
DATA SHEET**

APRIL 25, 2011

- REVISIONS:
- 6/17/11 PER NEIGHBORHOOD COMMENTS AND CMPC COMMENTS
 - 7/22/11 PER NEIGHBORHOOD COMMENTS AND CMPC COMMENTS
 - 10/19/11 ADMINISTRATIVE AMENDMENT
 - 11/16/11 CMPC COMMENTS

RZ - 1.0

DEVELOPMENT DATA

- Acreage: ± 20.60
- Tax Parcel #: 201-351-76 and 77
- Existing Zoning: R-3 and R-12(CD)
- Proposed Zoning: Institutional (CD) (along with a five (5) year vested right period)
- Existing Uses: Vacant
- Tree Save %: A minimum of 20% of the Site will be provided as tree save areas.

Proposed Uses: Up to 240 senior independent living units; 13 disabled adult independent living units; a 25,000 square foot adult care center; along with accessory uses and structures as allowed by the Institutional zoning district, all as more specifically described and restricted below. In the event Petitioner builds less than 240 senior independent living units, each remaining number of units not constructed may be allocated to disabled adult independent living units not to exceed a total of 37 disabled adult independent living units on the site.

Maximum Building Height: 50 feet but not to exceed three stories as defined by the Ordinance and as further restricted below and on the technical data sheet.

- Parking:** Parking will be provided at the following ratios:
- Senior independent living units: .50 spaces per unit.
 - Disabled adult independent living units: .25 spaces per unit.
 - Adult Care Center: as required by the Ordinance.
 - Accessory uses and structures will not be required to provide parking (e.g. the chapel)

1. General Provisions:

a. These Development Standards form a part of the rezoning plan associated with this INST (CD) petition to accommodate development on approximately 20.6 acres located on South Tryon Street as more particularly shown on the rezoning plan (the "Site"). Development of the Site will be governed by the attached plans and the Development Standards (together with the plans referred to as the "Rezoning Plan") as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan (including these Development Standards) establish more stringent standards, the regulations established under the Ordinance for the Institutional (INST) Zoning Classification shall govern development on the Site within the Development Areas generally depicted on the Rezoning Plan as Development Area A, Development Area B and Development Area C. For the reasons set forth below, this Petition includes the vesting of the approved Rezoning Plan for the Site for five (5) years.

b. The layout of the development, the exact alignments of points of access; the numbers, the size, configuration and placements of buildings and parking areas; and the depictions of such site elements on the Rezoning Plan are graphic representations of the proposed development which may be subject to change during the design/development/construction phases. Consequently, except as otherwise expressly specified on the Rezoning Plan, these elements may therefore be subject to alterations or modifications, during the design/development/construction phases, as long as the building and parking improvements are located within the Building/Parking Envelope set forth on the Rezoning Plan and subject to compliance with the accompanying Development Standards and Section 6.207 of the Ordinance. For the purposes of Sections 6.206 and 6.207 of the Ordinance, accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site; and it is understood that up to 10 principal buildings may be located on the Site in connection with permitted uses. Parking layouts for surface parking may be modified to accommodate changes during the design/development/construction phases to the extent permitted by the Ordinance and subject to the requirements and conditions of the Development Standards.

c. To the extent of any conflict between the matters contained in other areas of the Rezoning Plan and the matters set forth in the Development Standards, the Development Standards shall govern.

d. **Planned/Unified Development:** The petitioner reserves the right to subdivide the property without having to provide frontage on a public street as part of a Planned Development and as allowed for multi-family dwellings in section 12.101.(2) of the Ordinance; and

e. The Petitioner and/or owner of the Site reserve the right to subdivide the Site and create lots within the interior of the Site without regard to any such internal separation standards, provided, however, all such yards and separation standards along the exterior boundary of the Site shall be adhered to.

f. **Vesting:** Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. §160A-385.1, due to the nature of the development, the size and phasing, the level of investment, the timing of the development and certain economic cycles and market conditions this Petition includes vesting of the approved Rezoning Plan and conditional zoning district associated with this Petition for a five (5) year period

g. **Amendments to the Rezoning Plan:** Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

h. **Binding Effect of the Rezoning Application:** If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns. References to Petitioner shall also include owners of portions or all of the Site

2. Permitted Uses & Development Area Limitation:

- The portion of the Site generally depicted as Development Area A may be developed with up to 13 disabled adult independent living units. The proposed accessory chapel may also be located within this Development Area.
- The portion of the Site generally depicted as Development Area B may be developed with up to 200 senior independent living units as defined below.
- The portion of the Site generally depicted as Development Area C may be developed with an adult care center with up to 25,000 gross

square feet as defined by the ordinance or with up to 40 senior independent living units.

d. A chapel with up to a 100 seats may be constructed in Development Area A or B. The chapel need not be located on its own parcel but will be located on a parcel that contains residential living units and will be available to all residents of the Site. For the purposes of the Ordinance, the chapel will be considered an allowed accessory use and is not required to provide additional parking.

c. Accessory uses and structures as allowed in the Institutional zoning district will be allowed in each of the Development Areas.

f. As part of the development of the senior independent living units the Petitioner will provide some or all of the following amenities: community kitchen, library/media/computer room, laundry facilities, community room, porch, courtyard, patio, outdoor seating areas and walking paths. A minimum of 5% of the building square footage, exclusive of hallways, of each development phase of senior independent living units will be developed with some of these types of amenities.

For the purposes of this Petition Senior Independent Living units will be defined as a unit that is designed for and restricted to occupancy by households who have at least one member who is 55 years of age or older.

3. Transportation and Transportation Improvement Phasing:

- Access to the Site will be from South Tryon Street via a private street as generally depicted on the Rezoning Plan.
- Access to parcels and uses located internally within the Site will be via a private street that will be constructed on the Site as generally depicted on the Rezoning Plan.

c. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns and parking layouts.

d. Subject to approval of the North Carolina Department of Transportation ("NCDOT") and the City Department of Transportation ("CDOT"), the following roadway improvements will be constructed in two phases.

Phase One:

A final certificate of occupancy will not be issued for the first building constructed on the Site until the following improvements are completed:

- The extension of the existing westbound right turn deceleration lane located along the Site's frontage from 100 feet to 240 feet to tie into the proposed access from S. Tryon Street into the Site.
- Construction of an additional westbound right turn deceleration lane with 150 feet of storage and a 110 foot taper along S. Tryon Street. This additional lane will tie into the extension of the existing westbound right turn deceleration lane.

Phase Two:

A final certificate of occupancy will not be issued for the second building constructed on the Site until the following improvement is completed:

- Construction of an eastbound direction crossover within the existing median of S. Tryon Street with 150 feet of storage and a 175 foot taper.

Right-of-way Acquisition: It is possible that the Petitioner will have to acquire off-site right-of-way to complete some these roadway improvements. If after three (3) reasonable efforts have been made by the Petitioner to acquire such right-of-way on market rate terms, such efforts to be expended over a period of 90 days, the Petitioner has not been successful, the City of Charlotte will assist in the acquisition of right-of-way in accordance with its standard policies. In such event, the Petitioner will reimburse the City for the all the costs associated with this right-of-way acquisition.

4. Architectural Standards:

a. The attached elevations associated with the building to be located within Development Area A are included to reflect the architectural style and quality of the building that will be constructed (the actual building so constructed may vary in minor ways from these illustrations as long as the general architectural concepts and intent illustrated is maintained). The buildings constructed on Development Areas B and C will be architecturally compatible with the building constructed on Development Area A. Compatibility will be achieved by the use of similar architectural styles, building material and colors.

b. The building constructed on the Site will utilize a combination of some of the following building materials; stone, simulated stone, synthetic stone, pre-cast stone, precast concrete, brick, fiber cement siding (such as hard-plank), stucco, synthetic stucco and wood. Vinyl as a building material would only be used on windows and or soffits.

c. The number of buildings illustrated on the Schematic Site Plan may be increased as described above. The location of the proposed 100 seat chapel may be shifted from where it is illustrated on the Schematic Site Plan to an other location within Development Area B or to Development Area A, including attaching it or incorporating it into an elderly multi-family housing building.

d. New dumpster areas and recycling areas within the Development Areas will be enclosed by a solid wall with one side being a decorative gate. The wall used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the building within Development Area. If one or more sides of a dumpster area adjoin a side or rear wall of a building within Development Area, then the side or rear wall may be substituted for a side.

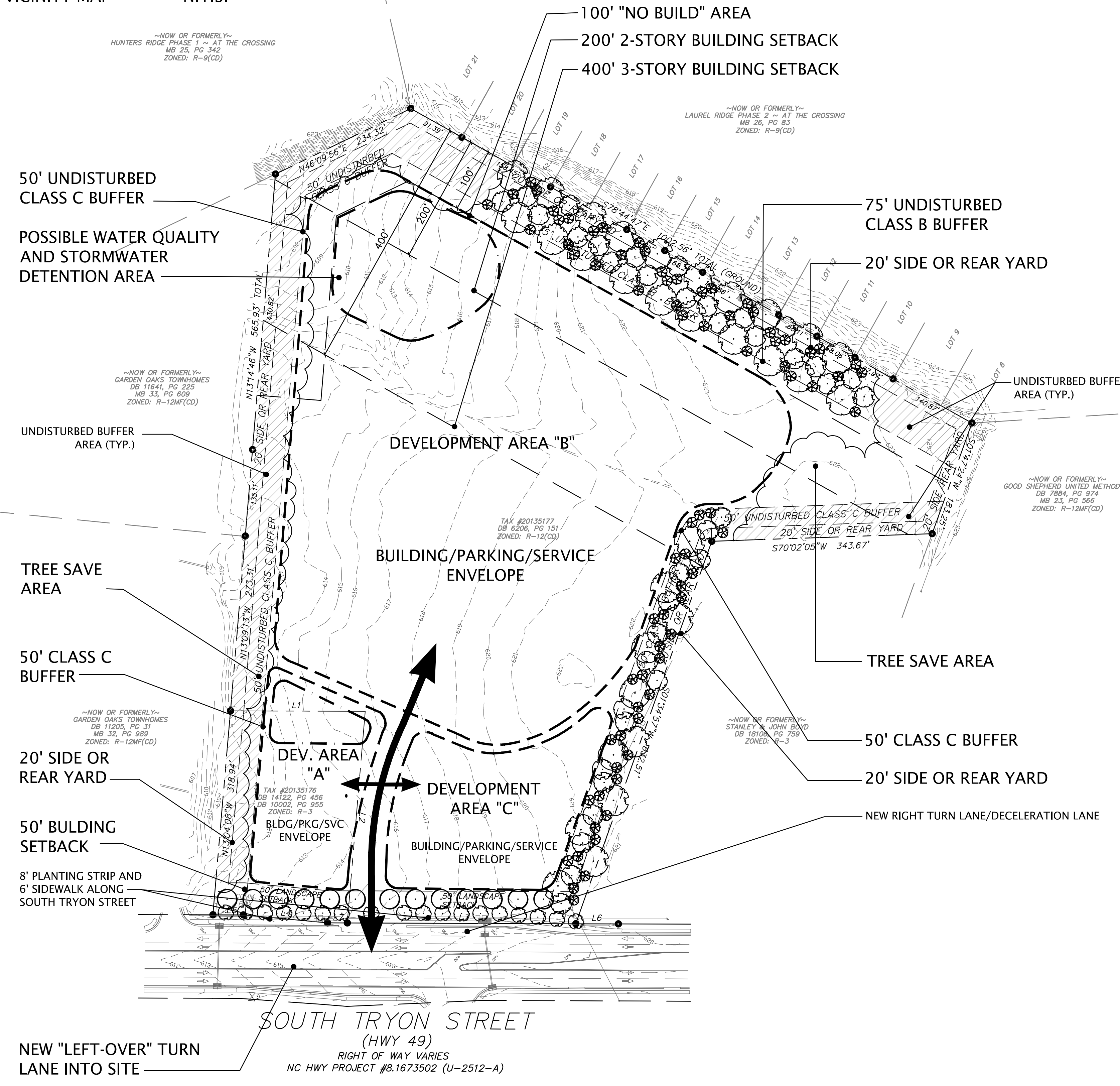
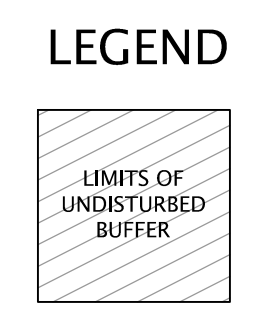
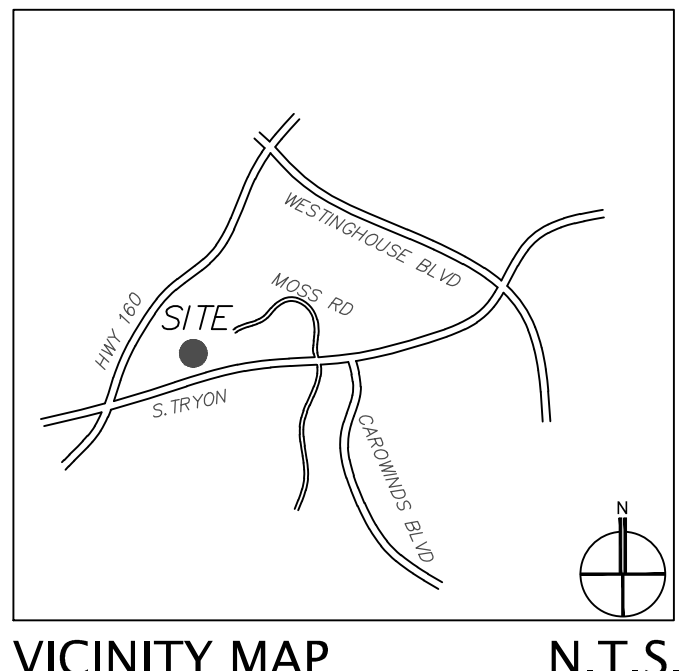
e. Above ground backflow preventers on the Site will be screened from public view and will be located outside of the required setbacks.

5. Streetscape, Landscaping, Setbacks and Buffers:

- Street trees, landscaping, buffers and screening will be provided as required by the Tree Ordinance and the Zoning regulations.
- A minimum of 20% of the Site will be set aside as Tree Save Areas as defined by the Tree Ordinance.

**Attached to Administrative
Approval**

Solomon A. Fortune **Solomon A. Fortune**



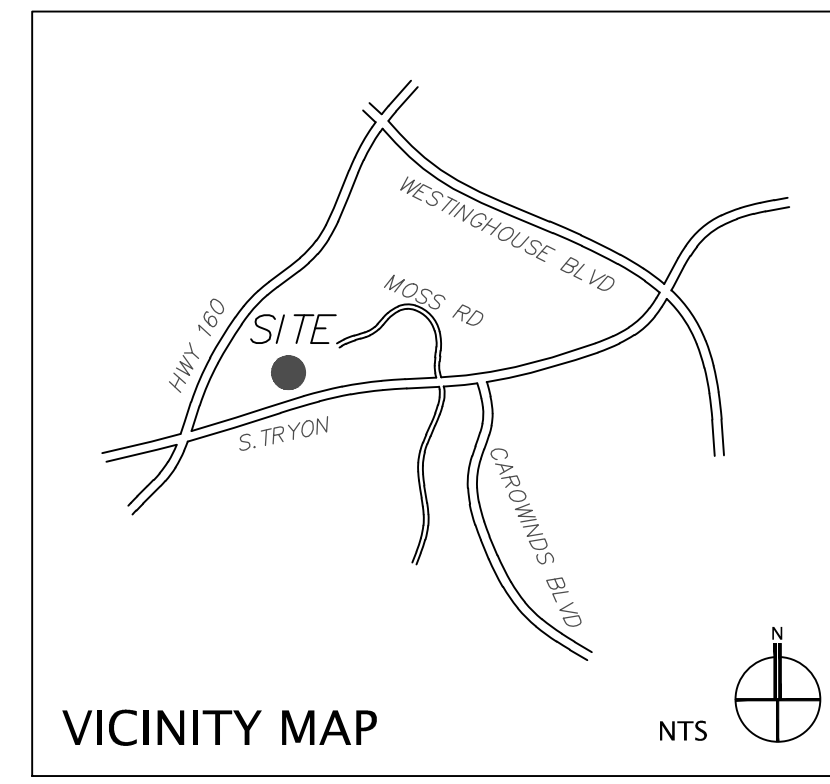
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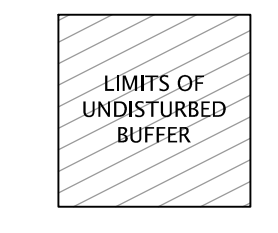
design resource group

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LEGEND



SOUTH TRYON STREET PROPERTY
 SOUTH TRYON STREET, CHARLOTTE, NORTH CAROLINA
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 1123 SOUTH CHURCH STREET
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 (704) 370-3248

POSSIBLE WATER QUALITY AND STORM WATER DETENTION AREA

UNDISTURBED BUFFER AREA (TYP.)

IMPROVED OPEN SPACE

3 STORY BUILDING (PHASE 2B)

27' SETBACK FROM BACK OF CURB, TYPICAL BOTH SIDES

POSSIBLE WATER QUALITY AND STORM WATER DETENTION AREA

TREE SAVE AREA

DISABLED ADULTS INDEPENDENT LIVING UNITS (13 DWELLING UNITS TOTAL)

8' PLANTING STRIP AND 6' SIDEWALK ALONG SOUTH TRYON STREET

POSSIBLE ACCESSORY USE CHAPEL WITH UP TO 100 SEATS

UNDISTURBED BUFFER AREA (TYP.)

IMPROVED OPEN SPACE, // OUTDOOR ACTIVITY AREA

3 STORY BUILDING (PHASE 2A)

UP TO 240 SENIOR INDEPENDENT LIVING UNITS

ADULT CARE CENTER -OR- SENIOR INDEPENDENT LIVING UNITS

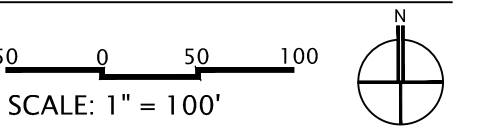
27' SETBACK FROM BACK OF CURB REQUIRES A USEABLE ENTRANCE FRONTING STREET, OTHERWISE BUILDING MUST MEET 40' SETBACK

NEW RIGHT TURN LANE/DECELERATION LANE

Attached to Administrative Approval

Solomon A. Fortune SC
Solomon A. Fortune

REZONING PETITION FOR PUBLIC HEARING PETITION #2011-045



PROJECT #: 318-001
DRAWN BY: BS
CHECKED BY: DM

ALTERNATE SCHEMATIC SITE PLAN

APRIL 25, 2011

- REVISIONS:
- 6/17/11 PER NEIGHBORHOOD COMMENTS AND CMPC COMMENTS
 - 7/22/11 PER NEIGHBORHOOD COMMENTS AND CMPC COMMENTS
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RZ - 2.1

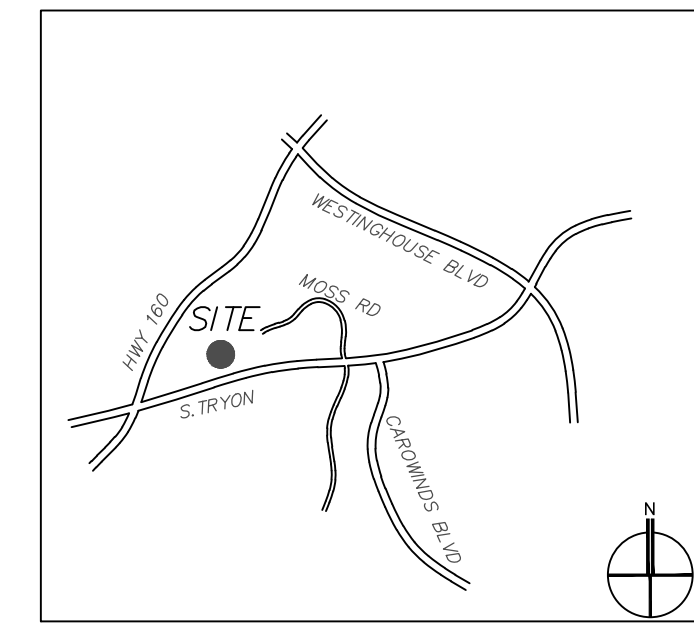
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VICINITY MAP

N.T.S.



DISABLED ADULT INDEPENDENT LIVING UNITS - BUILDING ELEVATION (FRONT)



DISABLED ADULT INDEPENDENT LIVING UNITS - BUILDING ELEVATION (SIDE)

The attached elevations associated with the building are included to reflect the architectural style and quality of the building that will be constructed (the actual building so constructed may vary in minor ways from these illustrations as long the general architectural concepts and intent illustrated is maintained).

The building constructed on the Site will utilize a combination of some of the following building materials; stone, simulated stone, synthetic stone, pre-cast stone, precast concrete, brick, fiber cement siding (such as hardi-plank), stucco, synthetic stucco and wood. Vinyl as a building material would only be used on windows and or soffits.

SOUTH TRYON PROPERTY

SOUTH TRYON STREET, CHARLOTTE, NORTH CAROLINA

CATHOLIC DIOCESE OF CHARLOTTE

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 (704) 370-3248

REZONING PETITION
 FOR PUBLIC HEARING
 PETITION #2011-045

PROJECT #: 318-001
 DRAWN BY: BS
 CHECKED BY: DM

RENDERED
 BUILDING
 ELEVATIONS

APRIL 25, 2011

- REVISIONS:
1. 6/17/11 PER NEIGHBORHOOD COMMENTS AND CMPC COMMENTS
 2. 7/22/11 PER NEIGHBORHOOD COMMENTS AND CMPC COMMENTS
 3. 10/19/18 ADMINISTRATIVE AMENDMENT
 4. 11/16/18 CMPC COMMENTS



ARCHITECTS, INC

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Attached to Administrative
Approval

Solomon A. Fortune \$F
Solomon A. Fortune

NO.	ITEM	MANUFACTURER	COLOR
(1)	ARCHITECTURAL SHINGLE /30 YEAR	TOMCO	BLACK
(2)	METAL ROOF	TBD	FOREST GREEN
(3)	BRICK VENEER	PALMETTO - QUEEN SIZE	SAVANNAH RIVER
(4)	BRICK ROWLOCK	PALMETTO	SAVANNAH RIVER
(5)	BRICK SOLDER COURSE	PALMETTO	SAVANNAH RIVER
(6)	COLOR THROUGH FIBER CEMENT LAP SIDING	HARDIE	HEATHERED MOSS
(7)	COLOR THROUGH FIBER CEMENT LAP SIDING	HARDIE	HAWAII BEIGE
(8)	COLOR THROUGH FIBER CEMENT VERTICAL SIDING	HARDIE	HEATHERED MOSS
(9)	COLOR THROUGH FIBER CEMENT SIDING - SHAKES	HARDIE	HAWAII BEIGE
(10)	FIBER CEMENT TRIM + BRACKETS	HARDIE	WHITE
(11)	4" TRIMAT ROWLOCK/TRANSITION, 4" EDGE TRIM, 6" @ GABLE, 9" @ HORIZ. GABLE BASE, 6" @ DOOR		
(12)	GABLE CAP BRACKET		STAINED WOOD BROWN
(13)	DECORATIVE BRACKETS		STAINED WOOD BROWN
(14)	POWDER COATED ALUMINUM RAILINGS (OR VINYL)	CARFARO	SILVER

NOTE: 2X6 SUB FASCIA TO BE WRAPPED WITH ALUMINUM COIL AND SOFFITS TO BE PERFORATED ALUMINUM AND SOLID ALUMINUM IN LOCATIONS AS PER CODE
 **ALL BRICK COLORS AND SIDING COLORS RETURN BACK TO MAIN WALL. DO NOT CHANGE COLORS AT OUTER CORNER EDGE OR STOP BRICK AT OUTER CORNER EDGE. ANY QUESTIONS OR DISCREPANCIES PLEASE NOTIFY ARCHITECT.



2 BUILDING LEFT ELEVATION
SCALE: 3/32" = 1'-0"



1 BUILDING FRONT ELEVATION
SCALE: 3/32" = 1'-0"



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BUILDING ELEVATIONS

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Guardian Angel Villa
Senior Apartments
Charlotte, North Carolina
Guardian Angel Villa, LLC

60% Check Set 10/03/2018

Drawn By	PDS	
Checked By	PDS	
Date	10/03/2018	
#	Issue History	Date

Project Number
18208
Sheet
A2.04



design resource group

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REZONING PETITION
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PROJECT #: 318-001
DRAWN BY: BS
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BUILDING ELEVATIONS

OCTOBER 19, 2018

REVISIONS:
11/16/18 PER CMPC COMMENTS



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Guardian Angel Villa
 Senior Apartments
 Charlotte, North Carolina
 Guardian Angel Villa, LLC

60% Check Set 10/03/2018

Drawn By	PDS	
Checked By	PDS	
Date	10/03/2018	
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Project Number
18208
 Sheet
A2.05

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PROJECT #: 318-001
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BUILDING ELEVATIONS

11/16/18

REVISIONS:

RZ - 4.1

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Attached to Administrative
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Solomon A. Fortune \$F
Solomon A. Fortune

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18	COLOR THROUGH FIBER CEMENT VERTICAL SIDING	HARDIE	HEATHERED MOSS
19	COLOR THROUGH FIBER CEMENT SIDING - SHAKES	HARDIE	HEATHERED MOSS
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22	SABLE CAP BRACKET		STAINED WOOD/BROWN
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