

REQUEST	Proposed Zoning: INST(CD)(LLWPA) SPA, institutional, conditional, lower Lake Wylie protected area, site plan amendment
LOCATION	Approximately 9.05 acres located on the east side of Toddville Road between Freedom Drive and Lewhaven Drive.
SUMMARY OF PETITION	The petition proposes a site plan amendment to allow a 5,000-square foot physical therapy and rehabilitation facility and a 2,000-square foot addition to the previously approved nursing home facility.
PROPERTY OWNER	Charlotte Health Care Center (68), Inc. and Medical Facilities of America LXVII Limited Partnership
PETITIONER	Medical Facilities of North Carolina, Inc.
AGENT/REPRESENTATIVE	John Carmichael/K&L Gates, LLP
COMMUNITY MEETING	Meeting is required and has been held. Report available online.
STATEMENT OF CONSISTENCY	This petition is found to be consistent with the <i>Northwest District Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Walker seconded by Commissioner Phipps).

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to recommend APPROVAL of this petition.
--------------------------------	---

VOTE	Motion/Second: Dodson/Lipton
	Yeas: Dodson, Fallon, Firestone, Lipton, Phipps, Rosenburgh, and Walker
	Nays: None
	Absent: None
	Recused: None

ZONING COMMITTEE DISCUSSION	Staff reviewed the petition and indicated the proposed changes to the previously approved conditional site plan. There were no outstanding issues at the public hearing. A Commissioner questioned if landscaping would be provided along the parking lot where it abuts the side street off Toddville Road. Staff stated evergreen shrubs would be required by the Zoning Ordinance to screen the parking from the abutting public street.
------------------------------------	---

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

- **Background**
The site plan approved in 2009 (petition 2008-117) contains the following conditions which have not been implemented:
 - A 60-bed expansion of an existing 120-bed nursing home facility that will result in a maximum 65,000 square foot nursing home facility with 180 beds.
 - A 48-foot undisturbed class C buffer along the north edge adjacent to the single family structure.
 - A new public street that ties into Pinebrook Circle.
- **Proposed Request Details**
 - The site plan amendment contains the following changes:
 - A 5,000-square foot expansion to the existing nursing home for a physical therapy and rehabilitation facility.

- An additional 2,000 square feet to the previously approved 65,000 square foot building which includes the existing building and expansion containing up to 60 new beds.
 - **Public Plans and Policies**
 - The *Northwest District Plan* (1990), as amended by rezoning petition 2008-117, recommends a nursing home facility with up to 180 beds and any accessory uses in connection with the facility.
 - This petition is consistent with the *Northwest District Plan*.
 - **Staff Recommendation (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
-

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*.
 - This site meets minimum ordinance standards.
-

OUTSTANDING ISSUES

- No issues.
-

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte Mecklenburg Schools
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

Planner: Shad Spencer (704) 353-1132