

<b>REQUEST</b>	Current Zoning: MX-2, mixed-use residential Proposed Zoning: INST(CD), institutional, conditional
<b>LOCATION</b>	Approximately 17.48 acres located on the south side of Providence Road West between Community House Road and Old Ardrey Kell Road.
<b>SUMMARY OF PETITION</b>	The petition proposes the development of a skilled nursing facility with 120 beds and 168 senior independent living units along with associated services and amenities.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Liberty Healthcare Properties of Mecklenburg County, LLC Liberty Healthcare Properties of Mecklenburg County, LLC John Carmichael, Robinson, Bradshaw & Hinson
<b>COMMUNITY MEETING STATEMENT OF CONSISTENCY</b>	Meeting is required and has been held. Report available online. This petition is found to be inconsistent with the <i>South District Plan</i> but to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion Commissioner Fallon by seconded Commissioner Griffith).

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. The underground detention areas shown on site plan have been labeled as "possible locations".</li> <li>2. The dumpster shown on site plan has been labeled as "possible dumpster location".</li> <li>3. Additional internal sidewalk connections along both sides of the driveway along Providence Road West and Old Ardrey Kell Road have been provided.</li> <li>4. Note 5 under Architectural Standards which explains how building height will be measured has been removed.</li> <li>5. Under site data table the maximum building height of 60 feet for the overall all structure has been removed.</li> <li>6. The maximum height and stories of each portion of the building has been labeled on the site plan.</li> <li>7. Under site data, the maximum number of beds has been replaced with maximum number of units allowed on the site.</li> </ol>
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<b>VOTE</b>	<table border="0"> <tr> <td>Motion/Second:</td> <td>Griffith/Allen</td> </tr> <tr> <td>Yeas:</td> <td>Allen, Fallon, Griffith, Johnson, Lipton, Zoutewelle</td> </tr> <tr> <td>Nays:</td> <td>None</td> </tr> <tr> <td>Absent:</td> <td>Phipps</td> </tr> <tr> <td>Recused:</td> <td>None</td> </tr> </table>	Motion/Second:	Griffith/Allen	Yeas:	Allen, Fallon, Griffith, Johnson, Lipton, Zoutewelle	Nays:	None	Absent:	Phipps	Recused:	None
Motion/Second:	Griffith/Allen										
Yeas:	Allen, Fallon, Griffith, Johnson, Lipton, Zoutewelle										
Nays:	None										
Absent:	Phipps										
Recused:	None										

**ZONING COMMITTEE DISCUSSION** Staff reviewed the petition and noted that all the outstanding site plan issues had been resolved. There was no further discussion of this petition.

**STAFF OPINION** Staff agrees with the recommendation of the Zoning Committee.

**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Background**
    - The subject property was a part of a larger 18.43 acre rezoning to MX-2 in 2007 (petition 2007-017).
    - The petition approved the development of 116 dwelling units and a volunteer fire station.
    - As part of the approved plan and conditional notes, storm water detention for the larger rezoning would be located on the property now being proposed for rezoning.
  - **Proposed Request Details**
    - The site plan accompanying this petition contains the following provisions:
      - Senior living development consisting of 120 skilled nursing care beds.
      - Senior living development consisting of 168 independent units.
      - Maximum of 271,000 square feet of building area.
      - Building containing skilled nursing facility limited to one story.
      - Building containing independent living units ranging in height from one story to four stories, not to exceed 60 feet at the highest point.
      - Number of maximum stories for each building listed on the site plan notes. The taller stories are located closer to the center of the site.
      - Dedication of 35.5 feet for public right-of-way along Providence Road West.
      - Eight-foot planting strip and eight-foot sidewalks provided along Providence Road West and Old Ardrey Kell Road.
      - An undisturbed 50- foot "Class C" buffer that shall include supplemental plantings provided along the southern boundary line.
      - Detached lighting not to exceed 25 feet in height.
      - Internal sidewalks provided throughout the site.
      - Tree plantings provided in the 40- foot setback along Providence Road West and Old Ardrey Kell Road.
      - Building materials consisting of brick, stone, and cementitious lap siding. Vinyl siding will not be allowed as an exterior building material.
      - Road improvements at the intersection of Old Ardrey Kell Road and Providence Road West.
  - **Public Plans and Policies**
    - The *South District Plan* (1993) as amended by rezoning petition 2007-017 recommends residential up to 6.4 dwellings per acre.
  - **Staff Recommendation (Updated)**
    - Staff recommends approval of this petition.
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**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 issues.
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**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.
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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://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 Storm Water Services Review

**Planner:** Solomon Fortune (704) 336-8326