

<b>REQUEST</b>	Current Zoning: INST(CD) (institutional, conditional) Proposed Zoning: INST(CD) SPA (institutional, conditional, site plan amendment)
<b>LOCATION</b>	Approximately 1.23 acres located on the east side of Sardis Road across from Wilby Drive. (Council District 6 - Smith)
<b>SUMMARY OF PETITION</b>	The petition proposes to add medical office and research center as an allowed use as part of an existing adult day care facility.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Mohammad R. Bolouri Mohammad R. Bolouri N/A
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be inconsistent with the <i>South District Plan</i> , based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The plan recommends an adult day care facility as an institutional use.</li> </ul> <p>However, this petition is found to be and to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The proposed addition of medical office/research uses will have a negligible impact; and</li> <li>• The proposed uses are an extension of the existing adult day care facility with no exterior changes to the existing structure;</li> </ul> <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Nelson).</p>

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted 7-0 to recommend <b>APPROVAL</b> of this petition with the following modifications: <ol style="list-style-type: none"> <li>1. Noted on site plan the acreage of the parcel.</li> <li>2. Noted the proposed zoning on the site plan: INST (CD) SPA.</li> <li>3. Amended Survey Note 8 to indicate that the required minimum lot size in the institutional district is 15,000 square feet.</li> <li>4. The parking tabulation provided on the site plan has been adjusted to reflect required parking for medical offices at one space per 200 square feet, and adult care centers at one space per employee plus one space per six adults.</li> <li>5. Modified the site plan to note that the facility will have a minimum 1,500 square feet of adult day care use, and 3,500 square feet of medical office.</li> <li>6. Site plan has been amended to specify a minimum 1,500 square feet will be devoted to the adult day care use.</li> <li>7. Added language provided by Storm Water Services pertaining to the location and size of storm water management systems.</li> </ol>
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<b>VOTE</b>	Motion/Second:	Ryan/Walker
	Yeas:	Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan, and Walker
	Nays:	None
	Absent:	None
	Recused:	

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**ZONING COMMITTEE DISCUSSION**

Staff reviewed this petition with the Zoning Committee, noting that all outstanding issues had been addressed by the petitioner. Staff specifically identified modifications pertaining to commitment to a minimum square footage for the adult day care operation, and revisions to parking calculations to accurately reflect the new use. A Committee member requested clarification regarding the square footage of the adult day care, and staff noted the petitioner had committed to a minimum 1,500 square feet. There was no further discussion of this petition.

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

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

**PLANNING STAFF REVIEW****• Background**

- Rezoning petition 2009-050 rezoned the subject property from R-3 (single family residential) to INST (CD) (institutional, conditional) in order to allow the establishment of an adult day care center with approximately 80 clients and related personnel. The approved rezoning allowed up to 7,500 square feet of building area on the site, with the first floor building footprint not to exceed 5,000 square feet, and up to 2,500 square feet permitted on the second floor.

**• Proposed Request Details**

The site plan amendment contains the following changes:

- Adds medical office and research center as a permitted use.
- Commits to a minimum 1,500 square feet for the proposed medical office/research use.
- Modifies parking calculations to reflect new medical office/research use in addition to existing adult day care facility.

**• Public Plans and Policies**

- The *South District Plan* (1993) recommends institutional, as amended by rezoning petition 2009-050. Prior to this rezoning, the Plan recommended single family residential and greenway on the subject site.
  - The petition is inconsistent with the *South District Plan*, but the proposed medical office/research use is an extension of the existing adult day care facility and the two uses complement each other.
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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.
  - **Transportation:** No issues.
  - **Charlotte Fire Department:** No comments received.
  - **Charlotte-Mecklenburg Schools:** No issues.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Charlotte-Mecklenburg Utilities:** No issues.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
  - **Urban Forestry:** 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
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

**Planner:** Claire Lyte-Graham (704) 336-3782