

REQUEST	Current Zoning: MX-2, mixed-use residential Proposed Zoning: INST(CD), institutional, conditional
LOCATION	Approximately 17.48 acres located on the south side of Providence Road West between Community House Road and Old Ardrey Kell Road.
SUMMARY OF PETITION	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.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Liberty Healthcare Properties of Mecklenburg County, LLC Liberty Healthcare Properties of Mecklenburg County, LLC John Carmichael, Robinson, Bradshaw & Hinson
COMMUNITY MEETING STATEMENT OF CONSISTENCY	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).

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

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

- 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