



ADMINISTRATIVE AMENDMENT NOTICE

May 25, 2012

This letter serves as notification that on May 25, 2012 an administrative amendment was approved for the property illustrated and described below.

Petitioner #: 2011-041

Petitioner: Liberty Healthcare Properties of Mecklenburg County

Zoning Classification (Existing): INST(CD)

Acreage & Location: Approximately 17.48 acres located on the south Providence Road West between Community House Road and Old Ardrey Kell Road.

The amendment makes a minor change to the approved Rezoning Petition to *modify the approved site layout*, in accordance with Section 6.207 of the City of Charlotte Zoning Ordinance. Adjacent property owners may appeal the approval of the administrative amendment in writing to the Zoning Committee of the Planning Commission twenty-one days from the date of this notice.

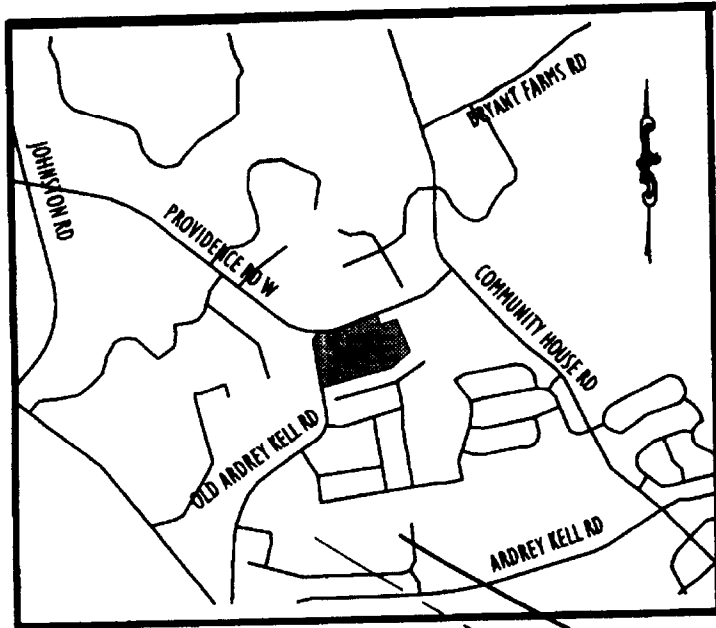
To view this Administrative Amendment Site Plan, visit our website at www.rezoning.org and click on "Administrative Amendments".

See map attached for area being covered by the Administrative Amendment.

If you have questions regarding this amendment or the appeal process, please contact me at 704-336-8326 or sfortune@ci.charlotte.nc.us

Sincerely,

Solomon Fortune, Principal Planner



VICINITY MAP

RECEIVED
JUL 22 2011
BY:

SITE SOLUTIONS
2 3 2 0
W. Morehead Street
Charlotte, NC 28208
Landscape Architecture
Site Planning
Civil Engineering
www.sitesolutionspa.com
Telephone: 704-521-9980
Facsimile: 704-521-9955
Corp. NC License: C-1398

Scale:

PRELIMINARY
NOT FOR
CONSTRUCTION

Liberty Healthcare
Management

Brightmore of Charlotte
Senior Living Community
10021 Providence Road West
Charlotte, NC

Project No: 3240
Drawn By: SS
Designed By: P.Hobbs
Checked By: P.Hobbs
Date: 4.25.2011
Revisions:
△ Revised Per Staff Comments 6.17.11
△ Revised Per Staff Comments 7.22.11

APPROVED BY
CITY COUNCIL

ATTACHED TO ADMINISTRATIVE
APPROVAL

DATED: 5-2-2012

BY: DEBRA O. CAMPBELL



50 0 25 50 100
1"=50'

Sheet Title:
Existing
Conditions
Plan

Sheet No:
RZ-1

241-091



Charlotte-Mecklenburg Planning Department

DATE: May 25, 2012

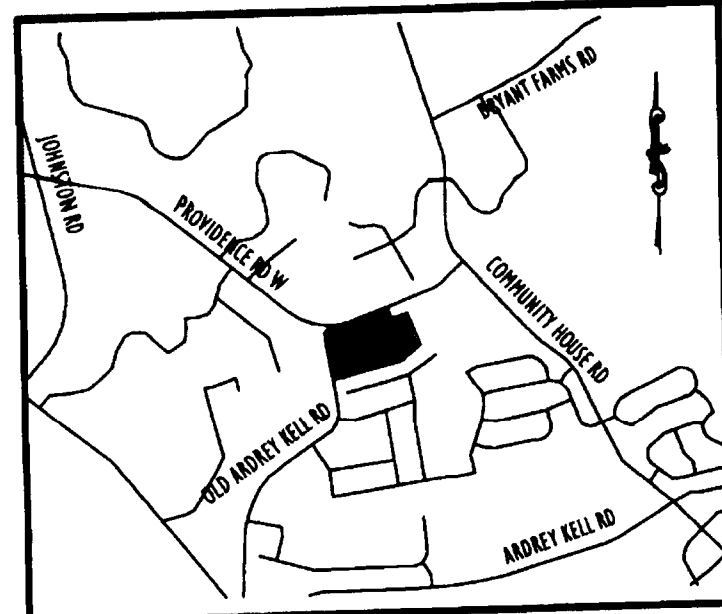
TO: Mark Fowler
Zoning Supervisor

FROM: Debra Campbell
Planning Director

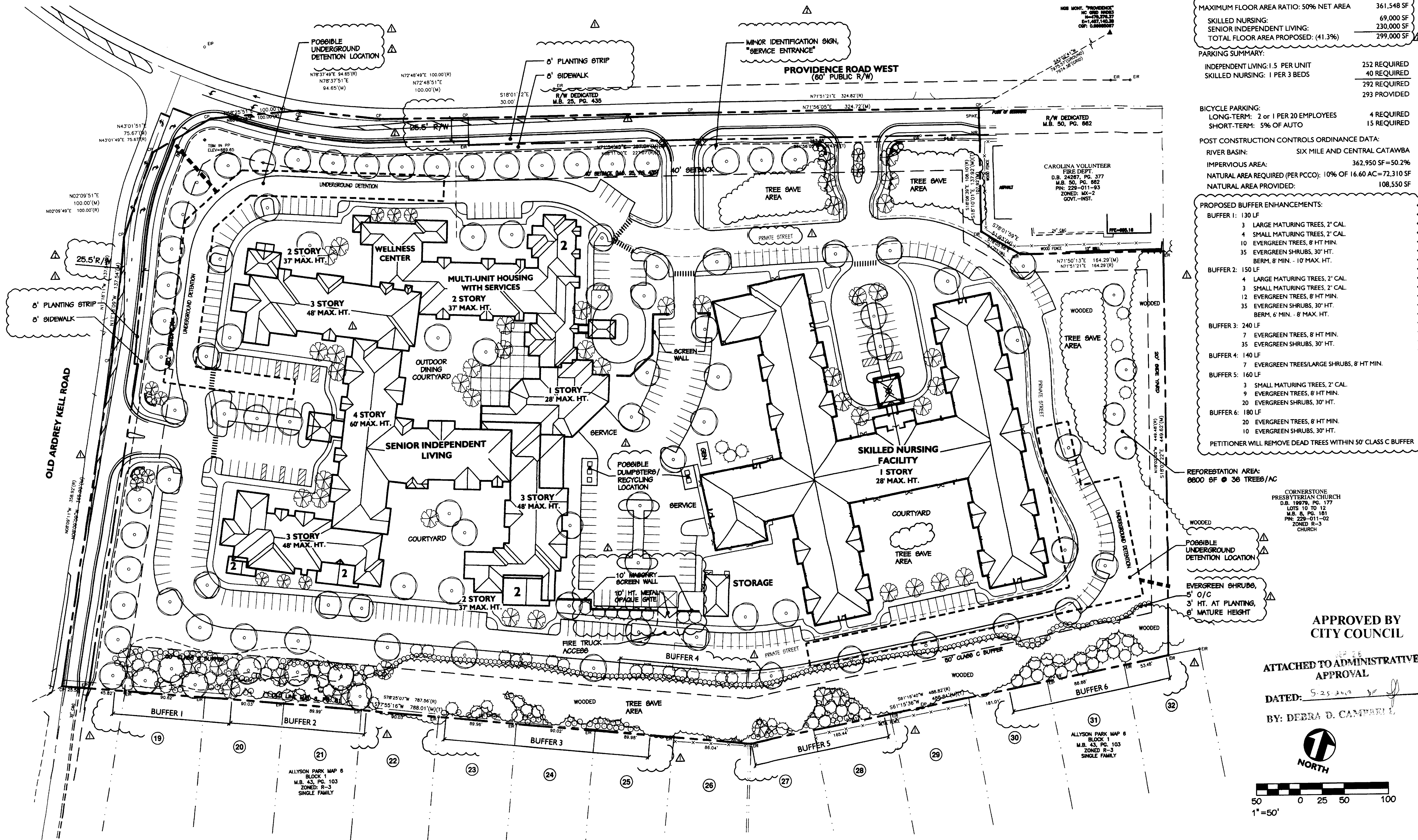
SUBJECT: Administrative Approval for Petition No. 2011-041 Liberty Properties of
Mecklenburg County

Attached are the revised site plans for the above referenced rezoning petition. The plan shows the required width of dedicated right-of-way to be 25.5 feet along the public streets. Since this change does 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.

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



VICINITY MAP



SITE DATA:

REZONING PETITION: 2011-041
 PARCEL NUMBER: 22901103, 22901104, 22901105, 22901106, 22901110, 22901115, 22901116

JURISDICTION: CITY OF CHARLOTTE
 EXISTING ZONING: MX-2
 PROPOSED ZONING: INST (CD)

GROSS SITE AREA: 17.48 AC
 NET SITE AREA: 16.60 AC
 TREE SAVE REQUIRED: 15% NET AREA: 108,464 SF
 TREE SAVE PROVIDED: 108,550 SF

PROPOSED USE:
 SKILLED NURSING: 120 BEDS
 SENIOR INDEPENDENT LIVING: 168 UNITS

MAXIMUM FLOOR AREA RATIO: 50% NET AREA 361,548 SF
 SKILLED NURSING: 69,000 SF
 SENIOR INDEPENDENT LIVING: 230,000 SF
 TOTAL FLOOR AREA PROPOSED: (41.3%) 299,000 SF

PARKING SUMMARY:
 INDEPENDENT LIVING: 1.5 PER UNIT 252 REQUIRED
 SKILLED NURSING: 1 PER 3 BEDS 40 REQUIRED
 292 REQUIRED
 293 PROVIDED

BICYCLE PARKING:
 LONG-TERM: 2 or 1 PER 20 EMPLOYEES 4 REQUIRED
 SHORT-TERM: 5% OF AUTO 15 REQUIRED

POST CONSTRUCTION CONTROLS ORDINANCE DATA:
 RIVER BASIN: SIX MILE AND CENTRAL CATAWBA
 IMPERVIOUS AREA: 362,950 SF=50.2%
 NATURAL AREA REQUIRED (PER PCCO): 10% OF 16.60 AC=27,310 SF
 NATURAL AREA PROVIDED: 108,550 SF

PROPOSED BUFFER ENHANCEMENTS:

- BUFFER 1: 130 LF**
 3 LARGE MATURING TREES, 2" CAL.
 4 SMALL MATURING TREES, 2" CAL.
 10 EVERGREEN TREES, 8' HT MIN.
 35 EVERGREEN SHRUBS, 30" HT.
 BERM, 6' MIN. - 10' MAX. HT.
- BUFFER 2: 150 LF**
 4 LARGE MATURING TREES, 2" CAL.
 3 SMALL MATURING TREES, 2" CAL.
 12 EVERGREEN TREES, 8' HT MIN.
 35 EVERGREEN SHRUBS, 30" HT.
 BERM, 6' MIN. - 8' MAX. HT.
- BUFFER 3: 240 LF**
 7 EVERGREEN TREES, 8' HT MIN.
 35 EVERGREEN SHRUBS, 30" HT.
- BUFFER 4: 140 LF**
 7 EVERGREEN TREES/LARGE SHRUBS, 8' HT MIN.
- BUFFER 5: 160 LF**
 3 SMALL MATURING TREES, 2" CAL.
 9 EVERGREEN TREES, 8' HT MIN.
 20 EVERGREEN SHRUBS, 30" HT.
- BUFFER 6: 180 LF**
 20 EVERGREEN TREES, 8' HT MIN.
 10 EVERGREEN SHRUBS, 30" HT.

PETITIONER WILL REMOVE DEAD TREES WITHIN 50' CLASS C BUFFER

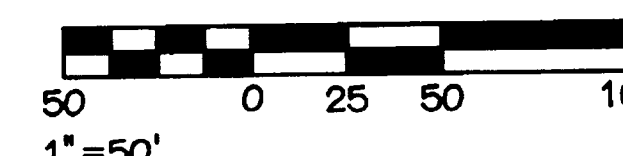
REFORESTATION AREA:
 8600 SF @ 36 TREES/AC

CORNERSTONE PRESBYTERIAN CHURCH
 D.B. 19978, PG. 177
 LOTS 10 TO 12
 M.B. 8, PG. 161
 P.W. 228-011-02
 ZONED R-3 CHURCH

APPROVED BY
 CITY COUNCIL

ATTACHED TO ADMINISTRATIVE
 APPROVAL

DATED: 5-25-2012
 BY: DEBRA D. CAMPBELL



2 3 2 0
 W. Morehead Street
 Charlotte, NC 28208

Landscape Architecture

Site Planning

Civil Engineering

www.sitesolutionspa.com

Telephone: 704-521-9880

Facsimile: 704-521-8955

Corp. NC License: C-1398

Seals:

PRELIMINARY
 NOT FOR
 CONSTRUCTION

Liberty Healthcare
 Management

Brightmore of Charlotte
Senior Living Community
 10021 Providence Road West
 Charlotte, NC

Project No: 3740
 Drawn By: SS
 Designed By: P.Hobbs
 Checked By: P.Hobbs
 Date: 4.25.2011

Revisions:
 Revised Per Staff Comments 6.17.11
 Revised Per Staff Comments 7.22.11

Sheet Title:

Schematic Plan

Sheet No:

RZ-2

DEVELOPMENT STANDARDS

General Provisions

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Liberty Healthcare Properties of Mecklenburg County, LLC to accommodate the development of a senior living community comprised of independent living units, a skilled nursing facility and related common areas, rehabilitation and recreational facilities and other support facilities on that approximately 17.48 acre site located at the southeastern corner of the intersection of Providence Road West and Old Ardrey Kell Road (the "Site").
2. Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Institutional (CD) zoning district shall govern all development taking place on the Site.
4. The exact alignments of internal driveways have not been determined and are subject to final design and engineering plans. Accordingly, minor modifications or alterations of these alignments may take place during design development and construction phases.
5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance.

Permitted Uses

- The Site may be devoted to a senior living community comprised of a maximum of 168 independent living units, a maximum 120 bed skilled nursing facility, related common areas, rehabilitation and recreational facilities, other support facilities and any accessory uses that are permitted under the Ordinance.

Transportation

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of each vehicular access point are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
2. Off street parking will meet the minimum standards established under the Ordinance.
3. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan.
4. Sidewalk connections to Providence Road West and Old Ardrey Kell Road shall be provided as generally depicted on the Rezoning Plan.
5. Prior to the issuance of a building permit for any new building to be constructed on the Site, the Petitioner shall dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) those portions of the Site immediately adjacent to Providence Road West as required to provide right of way measuring 25.5 feet or 35.5 feet from the existing centerline of Providence Road West if such right of way does not currently exist, as indicated on the section provided on sheet RZ-5.
6. Prior to the issuance of a building permit for any new building to be constructed on the Site, the Petitioner shall dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) those portions of the Site immediately adjacent to Old Ardrey Kell Road as required to provide right of way measuring 25.5 feet or 35.5 feet from the existing centerline of Old Ardrey Kell Road if such right of way does not currently exist, as indicated on the section provided on sheet RZ-5.
7. The construction entrance into the Site may not be located on Old Ardrey Kell Road.
8. Signage shall be installed by the Petitioner at the westernmost vehicular access point into the Site from Providence Road West that identifies this vehicular access point as the service and delivery entrance.
9. Subject to the approval of CDOT and NCDOT, the Petitioner shall convert the existing intersection of Old Ardrey Kell Road and Providence Road West to a "T" intersection as generally depicted on Sheet RZ-5 of the Rezoning Plan. More specifically, the Petitioner shall design and implement those improvements depicted and listed on Sheet RZ-5 of the Rezoning Plan complying with CDOT and NCDOT standards. Minor modifications to the design of the intersection improvements shall be permitted to accommodate the development site's final construction plans, to accommodate the review comments of CDOT and/or NCDOT, and to properly transition back into existing pavement sections. The Petitioner shall be responsible for all implementation costs and expenses, including design, utilities, right of way and construction of the foregoing improvements.
10. The improvements described above in paragraph 9 must be completed prior to the issuance of the first certificate of occupancy for any building located on the Site.
11. The Petitioner shall exert reasonable and good faith efforts to obtain from the relevant property owners, at its sole cost and expense, any right of way necessary to construct and install the improvements described above in paragraph 9. In the event that the Petitioner is unable to obtain any of the required right of way after exerting reasonable, good faith efforts to do so, the City may obtain the necessary right of way by negotiated purchase or through eminent domain proceedings. In the event that the City purchases any required right of way, the Petitioner shall reimburse the City for the purchase price and any expenses related thereto. In the event that the City acquires any required right of way through eminent domain proceedings, the Petitioner shall reimburse the City for any Court award of just compensation and/or damages, including interest, that the City is required to pay, and for appraisal fees, attorney's fees and other costs and expenses incurred by the City in connection therewith. Notwithstanding the foregoing, the Petitioner shall not be liable to reimburse the City for any amount that the City has agreed to pay either through a negotiated purchase or settlement of an eminent domain proceeding that is in excess of the appraised value unless the Petitioner has given its prior consent to such purchase or settlement.

Architectural Standards

1. Set out on Sheet RZ-4 of the Rezoning Plan are schematic architectural renderings of the building containing the skilled nursing facility and the building containing the independent living units that are intended to depict the general conceptual architectural style and character of these buildings. Accordingly, each facade of the building containing the skilled nursing facility shall be designed and constructed so that it is substantially similar in appearance to the schematic architectural rendering of the building containing the skilled nursing facility, and each facade of the building containing the independent living units shall be designed and constructed so that it is substantially similar in appearance to the relevant schematic architectural renderings of the building containing the independent living units. Changes and alterations which do not materially change the overall conceptual architectural style and character are permitted based upon final design/construction drawings.
2. The permitted exterior building materials for each building to be constructed on the Site shall be face brick, cementitious lap siding and trim, manufactured stone, solid vinyl or fiberglass single hung windows and architectural fiberglass shingles. Vinyl shall not be a permitted exterior building material, provided, however, that vinyl may be utilized on the soffits of the buildings to be constructed on the Site and solid vinyl single hung windows shall be permitted.
3. The maximum height of the building containing the skilled nursing facility shall be 1 story.
4. The building containing the independent living units shall range in height from a maximum of 4 stories to 1 story. The maximum height in stories of each component or segment of the building containing the independent living units is designated on Sheet RZ-2 of the Rezoning Plan by a number on the building footprint. For example, the component or segment of the building containing the independent living units designated with a "4" shall have a maximum height of 4 stories.
5. The maximum height of the 4 story component or segment of the building containing the independent living units shall be 60 feet.
6. Dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side.
7. All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
8. As provided on Sheet RZ-2 of the Rezoning Plan, the screen wall located at the southern end of the service area and parking lot located between the building containing the independent living units and the building containing the skilled nursing facility shall have a minimum height of 10 feet and shall be a masonry wall. The gates shall be metal opaque gates.

Streetscape and Landscaping

1. Petitioner shall install a minimum 8-foot planting strip and a minimum 8 foot sidewalk along the Site's frontages on Providence Road West and Old Ardrey Kell Road as generally depicted on the Rezoning Plan.
2. Landscaping will meet or exceed the requirements of the Ordinance.
3. A 50 foot Class C buffer shall be established along the Site's southern boundary line as depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the Ordinance. The width of this 50 foot Class C buffer may not be reduced.
4. The 50 foot Class C buffer shall remain undisturbed provided, however, that the Petitioner shall install supplemental plantings and a berm within portions of the 50 foot Class C buffer. More specifically the Petitioner shall install supplemental plantings in those areas of the 50 foot Class C buffer designated as Buffer 1, Buffer 2, Buffer 3, Buffer 4, Buffer 5 and Buffer 6 and a berm in those areas of the 50 foot Class C buffer designated as Buffer 1 and Buffer 2 in accordance with the following standards:
- (a) Buffer 1
- (i) 3 large maturing trees that are at least 2 inches in caliper at the time of installation;
- (ii) 4 small maturing trees that are at least 2 inches in caliper at the time of installation;
- (iii) 10 evergreen trees with a minimum height of 8 feet at the time of installation;
- (iv) 35 evergreen shrubs with a minimum height of 30 inches at the time of installation; and
- (v) a berm that will run the width of Buffer 1 and shall have a minimum height of 8 feet and a maximum height of 10 feet.
- (b) Buffer 2
- (i) 4 large maturing trees that are at least 2 inches in caliper at the time of installation;
- (ii) 3 small maturing trees that are at least 2 inches in caliper at the time of installation;
- (iii) 12 evergreen trees with a minimum height of 8 feet at the time of installation;
- (iv) 35 evergreen shrubs with a minimum height of 30 inches at the time of installation; and
- (v) a berm that will run the width of Buffer 2 and shall have a minimum height of 6 feet and a maximum height of 8 feet.
- (c) Buffer 3
- (i) 7 evergreen trees with a minimum height of 8 feet at the time of installation; and
- (ii) 35 evergreen shrubs with a minimum height of 30 inches at the time of installation.

- (d) Buffer 4
- (i) 7 evergreen trees/large shrubs with a minimum height of 8 feet at the time of installation.
- (e) Buffer 5
- (i) 3 small maturing trees that are at least 2 inches in caliper at the time of installation;
- (ii) 9 evergreen trees with a minimum height of 8 feet at the time of installation; and
- (iii) 20 evergreen shrubs with a minimum height of 30 inches at the time of installation.
- (f) Buffer 6
- (i) 20 evergreen trees with a minimum height of 8 feet at the time of installation; and
- (ii) 10 evergreen shrubs with a minimum height of 30 inches at the time of installation.
5. Notwithstanding anything contained herein to the contrary, the Petitioner shall be permitted to remove dead trees from the 50 foot Class C buffer.
6. The Petitioner shall install evergreen shrubs along the entire internal edge of the 50 foot Class C buffer as generally depicted on Sheet RZ-2 of the Rezoning Plan, and the shrubs may meander as depicted. The evergreen shrubs shall be planted 5 feet on center and shall have a minimum height of 3 feet at the time of installation and a minimum height of 6 feet at maturation.
7. Development of the Site shall comply with the City of Charlotte Tree Ordinance.

Trash Removal

Trash and recycling service/pick-up may only occur between the hours of 8 A.M. and 6 P.M. Accordingly, trash and recycling service/pick-up may not occur prior to 8 A.M. or after 6 P.M.

Environmental Features

Storm water runoff from the adjoining parcel of land designated as Tax Parcel No. 229-011-93 shall be treated in the storm water detention facilities to be installed on the Site.

Fire Protection

Fire access to each building to be constructed on the Site shall be provided by the internal drives located within the Site as depicted on the Rezoning Plan. Additionally, an additional fire access will be provided at that location designated as the "Fire Truck Access" on the Rezoning Plan. The "Fire Truck Access" shall contain grass pavers and shall be utilized by fire trucks only in the event of an emergency.

Signs

All signs installed on the Site shall comply with the requirements of the Ordinance.

Lighting

1. The maximum height of any freestanding lighting fixture (including its base) installed on the Site shall be 25 feet. All such freestanding lighting fixtures shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
2. Notwithstanding the foregoing, any freestanding lighting fixture installed on the Site that is located south of the southernmost walls of the buildings located on the Site must be a pedestrian scale light with a maximum height of 14 feet, including its base.
3. Any lighting attached to the buildings to be located on the Site shall be decorative, capped and downwardly directed. "Wall-pak" type lighting fixtures may not be installed on the buildings to be located on the Site.

Binding Effect of the Rezoning Documents and Definitions

1. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
2. Throughout these Development Standards, the terms, "Petitioner" and "owner" or "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
3. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

ATTACHED TO ADMINISTRATIVE APPROVAL

DATED: 5-25-2012 bf

BY: DEBRA D. CAMPBELL



2 3 2 0
W. Morehead Street
Charlotte, NC 28208

Landscape Architecture
Site Planning
Civil Engineering
www.sitesolutionspa.com
Telephone: 704-521-9880
Facsimile: 704-521-8955
Corp. NC License: C-1398

Seals:

PRELIMINARY
NOT FOR
CONSTRUCTION

Liberty Healthcare
Management

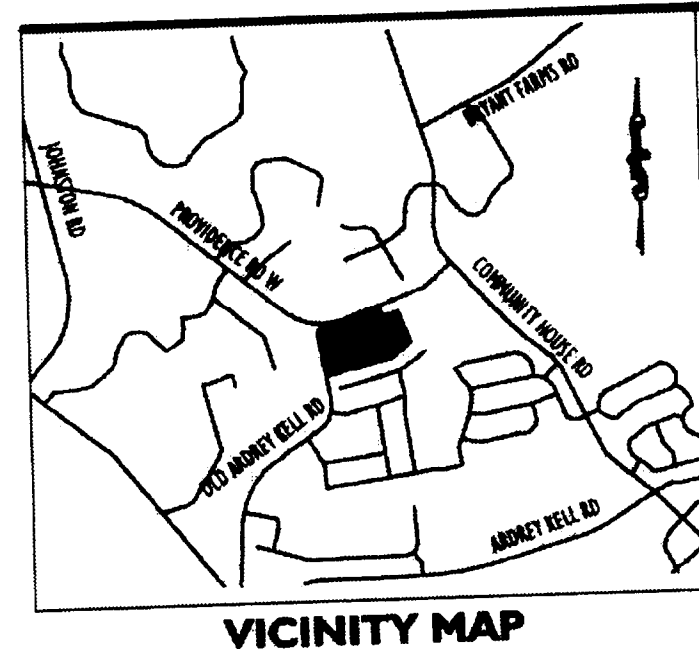
Brightmore of Charlotte
Senior Living Community
1002 I Providence Road West
Charlotte, NC

Project No: 3240
Drawn By: SS
Designed By: P.Hobbs
Checked By: P.Hobbs
Date: 4.25.2011

Revisions:
Revised Per Staff Comments 4.17.11
Revised Per Staff Comments 7.22.11
Revised R/W 5.2.12

Sheet Title:
Development
Standards

Sheet No:
RZ-3



Architectural
Fiberglass Shingles



Solid Vinyl or Fiberglass Single
Hung Windows

Manufactured Stone

Cementitious Lap
Siding & Trim

Face Brick

Independent Living Elevation

Architectural
Fiberglass Shingles



Solid Vinyl or Fiberglass
Single Hung Windows

Face Brick

Cementitious Lap
Siding & Trim

Manufactured Stone

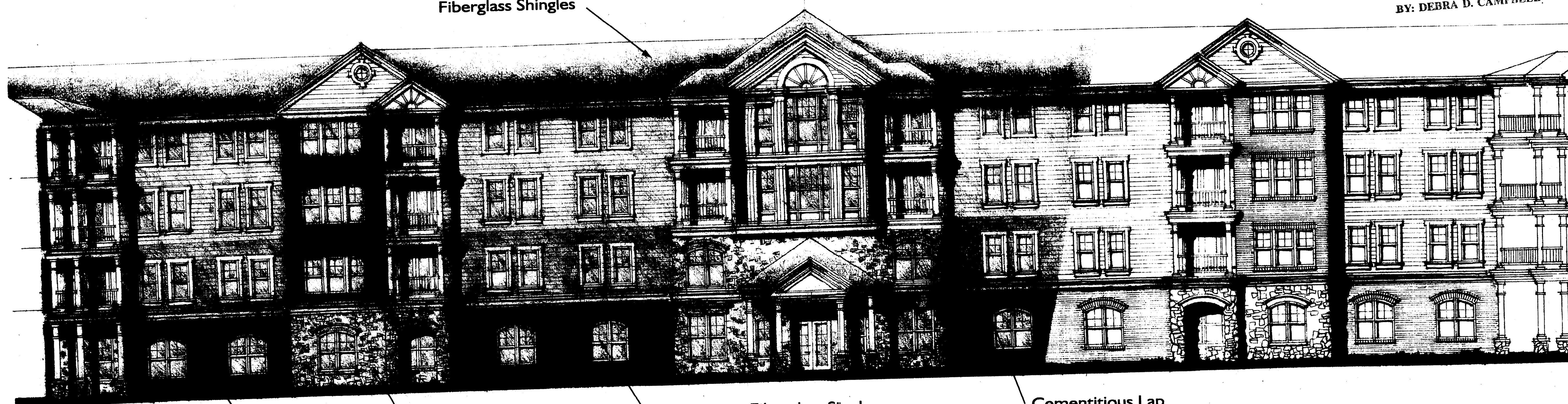
Skilled Nursing Elevation

ATTACHED TO ADMINISTRATIVE
APPROVAL

DATED: 5-25-2011 *for*

BY: DEBRA D. CAMPBELL

Architectural
Fiberglass Shingles



Face Brick

Manufactured Stone

Solid Vinyl or Fiberglass Single
Hung Windows

Cementitious Lap
Siding & Trim

Independent Living Elevation

**SITE
SOLUTIONS**

2 3 2 0
W. Morehead Street
Charlotte, NC 28208

Landscape Architecture
Site Planning
Civil Engineering
www.sitesolutionsnc.com
Telephone: 704-521-9880
Facsimile: 704-521-8955
Corp. NC License: C-1398

Seals:

PRELIMINARY
NOT FOR
CONSTRUCTION

Liberty Healthcare
Management

Brightmore of Charlotte
Senior Living Community
10021 Providence Road West
Charlotte, NC

Project No: 3240
Drawn By: SS
Designed By: P.Hobbs
Checked By: P.Hobbs
Date: 6.17.2011

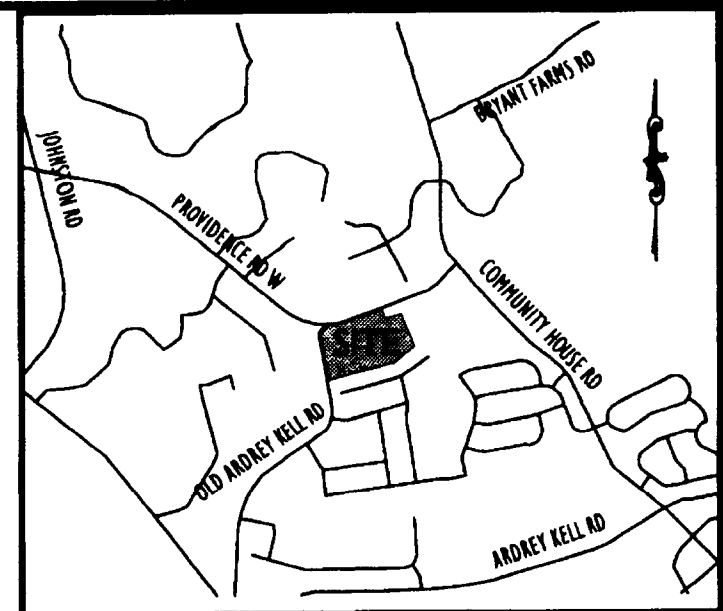
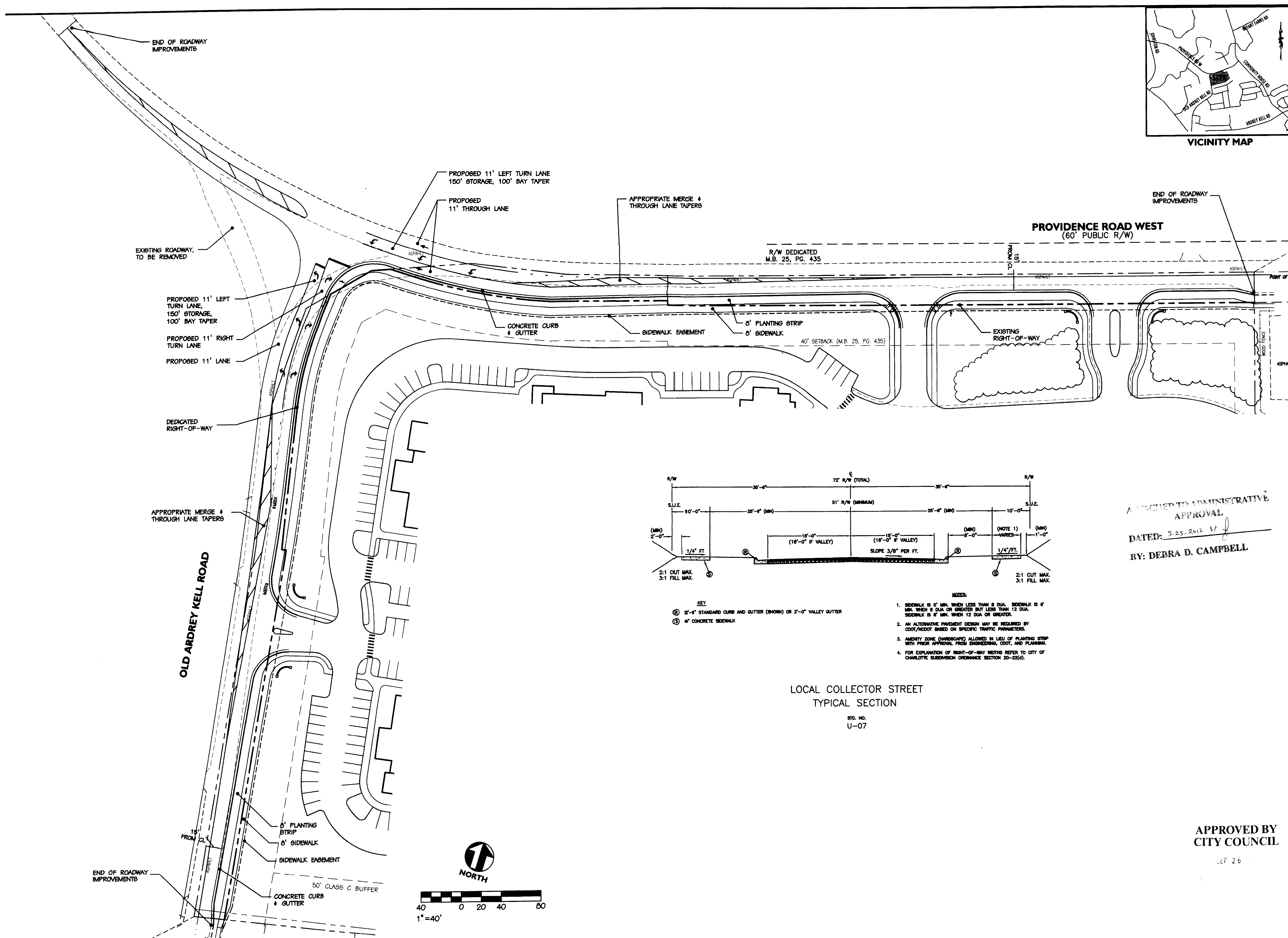
Revisions:
Revised Per Staff Comments 6.17.11

APPROVED BY
CITY COUNCIL

SEP 26 2011

Sheet Title:
**ARCHITECTURAL
ELEVATIONS**

Sheet No:
RZ-4



SITE SOLUTIONS
2 3 2 0
W. Morehead Street
Charlotte, NC 28208

Landscape Architecture
Site Planning
Civil Engineering
www.sitesolutionspa.com
Telephone: 704-521-9880
Facsimile: 704-521-8955
Corp. NC License: C-1398

Seals:
**PRELIMINARY
NOT FOR
CONSTRUCTION**

Liberty Healthcare
Management

Brightmore of Charlotte
Senior Living Community
10021 Providence Road West
Charlotte, NC

APPROVED TO ADMINISTRATIVE
APPROVAL
DATED: 5.25.2012
BY: DEBRA D. CAMPBELL

Project No: 3340
Drawn By: SS
Designed By: P.Hobbs
Checked By: P.Hobbs
Date: 4.25.2011

Revisions:
△ Revised Per Staff Comments 6.17.11
△ Revised Per Staff Comments 7.22.11

**APPROVED BY
CITY COUNCIL**

SEP 26

Sheet Title:
**Roadway
Improvements
Plan**

Sheet No:
RZ-5