

COMMUNITY MEETING REPORT  
Petitioner: Medical Facilities of North Carolina, Inc.  
Rezoning Petition No. 2008-117

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to the provisions of the City of Charlotte Zoning Ordinance. Two community meetings were held by the Petitioner with regard to this rezoning petition.

**PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:**

A representative of the Petitioner mailed a written notice of the date, time and location of the first Community Meeting to the individuals and organizations set out on Exhibit A-1 attached hereto by depositing such notice in the U.S. mail on July 29, 2008. A copy of the written notice is attached hereto as Exhibit A-2. A representative of the Petitioner mailed a written notice of the date, time and location of the second Community Meeting to the individuals and organizations set out on Exhibit A-3 on October 22, 2008. A copy of the written notice is attached hereto as Exhibit A-4.

**DATE, TIME AND LOCATION OF MEETING:**

The first Community Meeting was held on Thursday, August 14, 2008 at 7:00 p.m. at the Westview Christian Church located at 5414 Freedom Drive. The second Community Meeting was held on Thursday, November 6, 2008 at 7:00 at the Westview Christian Church.

**PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):**

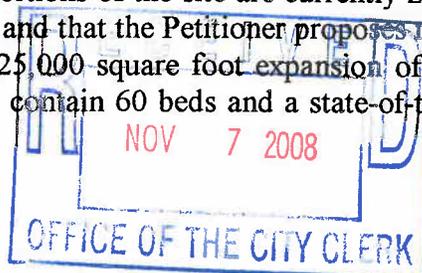
The Community Meetings were attended by those individuals identified on the sign-in sheets attached hereto as Exhibit B. The Petitioner's representatives at the initial Community Meeting were Gary Henderson and Jamie Cicali of the Petitioner, Glenn Morris of Burton Engineering and Collin Brown of K&L Gates. The Petitioner's representative at the second Community Meeting was Collin Brown of K&L Gates.

**SUMMARY OF ISSUES DISCUSSED:**

*August 14 Meeting*

Collin Brown opened the meeting by introducing Jamie Cicali, Gary Henderson, Glenn Morris and himself. Collin Brown stated that this is the Community Meeting in connection with Rezoning Petition No. 2008-117. Collin Brown then provided the schedule of events in connection with the Rezoning Petition.

Collin Brown stated that the site subject to this Rezoning Petition contains approximately 9 acres, and is located on the east side of Toddville Road between Paw Creek and Freedom Drive. He explained that portions of the site are currently zoned R-3 (LLWPA), R-9MF (LLWPA) and R-17MF (LLWPA) and that the Petitioner proposes rezoning to the INST (CD)(LLWPA) district to accommodate a 25,000 square foot expansion of the existing skilled nursing facility, which expansion area will contain 60 beds and a state-of-the-art rehabilitation facility. Collin Brown



explained various elements of the site plan including the location of proposed water quality areas, parking and dumpster areas and buffers.

Jamie Cicali explained the capacity and operations of the existing structure and explained how the expansion would impact operations and services.

Collin Brown explained that the Charlotte Department of Transportation ("CDOT") has requested that the Petitioner extend the existing unnamed 60 foot street located along a portion of the site's southern boundary to the western boundary of the property and construct a new street connection between the extended portion of the unnamed street and Pinebrook Circle. He indicated that the Petitioner was opposed to these street improvements and that they would continue to discuss this matter with CDOT.

The floor was then opened to questions from the individuals in attendance at the meeting.

Mrs. Robbins indicated that she lives on Lewhaven Drive and asked how their neighborhood would be impacted by the proposed street extensions. Mr. Brown explained that if the Petitioner complies with CDOT's request, the existing unnamed street would be extended through the site to connect with Pinebrook Circle, which connects to Lewhaven Drive. He indicated that Pinebrook Circle would no longer end in a dead-end but that Lewhaven residents could use Pinebrook to access Toddville Road via the proposed extension of the unnamed street.

Mrs. Rozzelle indicated that she owns the lot known as tax parcel number 059-104-01. She stated that she has been paying taxes on the property for many years but that it is virtually worthless because it has no access to an improved street. She indicated that she would be pleased if the unnamed street was improved and extended to her property.

Collin Brown closed the meeting by reminding attendees that the Petitioner has not agreed to provide the street improvements requested by CDOT. He stated that the Petitioner would host another community meeting if street improvements were incorporated into the rezoning petition.

### *November 6 Meeting*

The second community meeting was attended by Virginia Rozelle, an adjoining property owner, and her grandson, Michael Helms. Due to the small number of attendees the Petitioner's agent, Collin Brown, did not make a presentation, instead he discussed the site plan modifications with Ms. Rozelle and Mr. Helms. Collin Brown explained that the Petitioner has agreed to extend the unnamed street to the western boundary of the property subject to the availability of necessary right-of-way in the vicinity of Ms. Rozelle's property. Collin Brown indicated that CDOT has agreed to reimburse the Petitioner for the cost of constructing a street connection from the extended portion of the unnamed street to Pinebrook Circle.

Mrs. Rozelle and Mr. Helms proposed that the Petitioner buy Mrs. Rozelle's property. Mr. Helms indicated that if the Petitioner were to purchase Mrs. Rozelle's lot and the lot to the west of her, then those parcels would no longer be landlocked and the Petitioner would not have to extend the unnamed street. Mrs. Rozelle agreed that this would be a good solution as it would resolve the problem of the land locked properties without requiring expensive street improvements.

Collin Brown agreed that such a proposal would probably be preferable to the Petitioner if they would not be required to provide the proposed street improvement. However, he indicated that he believed that CDOT would likely require the proposed street extension and connection to Pinebrook even if the Rozelle and Cepeda properties were owned by the Petitioner. Therefore, he indicated that he would communicate the proposal to the Petitioner and CDOT, but that he did not think that a purchase would be likely.

Respectfully submitted, this 7<sup>th</sup> day of November, 2008.

Medical Facilities of North Carolina, Inc., Petitioner

cc: Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Commission  
Mr. Tom Drake, Charlotte-Mecklenburg Planning Commission  
Mr. Tim Manes, Charlotte-Mecklenburg Planning Commission  
Ms. Brenda Freeze, Clerk to City Council

**NOTICE TO INTERESTED PARTIES  
OF FOLLOW-UP COMMUNITY MEETING**

**Subject:** Follow-Up Community Meeting -- Rezoning Petition No. 2008-117 filed by Medical Facilities of North Carolina, Inc. seeking to rezone an approximately 9 acre parcel of land located on the east side of Toddville Road between Paw Creek Road and Freedom Drive from the R-3 (LLWPA), R-9MF (LLWPA) and R-17MF (LLWPA) zoning districts to the INST(CD) (LLWPA) zoning district

**Date of Meeting:** Thursday, November 6, 2008 at 7:00 p.m.

**Place of Meeting:** Westview Christian Church Sanctuary  
5414 Freedom Drive  
Charlotte, NC 28214

**Petitioner:** Medical Facilities of North Carolina, Inc.

We are assisting Medical Facilities of North Carolina, Inc. (the "Petitioner") in connection with a Rezoning Petition it has filed with the Charlotte-Mecklenburg Planning Commission seeking to rezone an approximately 9 acre parcel of land located on the east side of Toddville Road between Paw Creek Road and Freedom Drive from the R-3 (LLWPA), R-9MF (LLWPA) and R-17MF (LLWPA) zoning districts to the INST(CD) (LLWPA) zoning district to accommodate a 25,000 square foot expansion of an existing skilled nursing facility, which expansion area will contain 60 beds and a state-of-the-art rehabilitation facility.

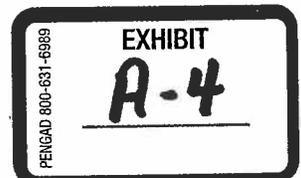
The Petitioner will hold a Follow-Up Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Commission's records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the site.

Accordingly, on behalf of the Petitioner, we give you notice that representatives of the Petitioner will hold a Follow-Up Community Meeting regarding this Rezoning Petition on Thursday, November 6, 2008 at 7:00 p.m. in the Sanctuary of Westview Christian Church located at 5414 Freedom Drive. Representatives of the Petitioner look forward to sharing this rezoning proposal with you and to answering any questions you may have with respect to this matter.

In the meantime, should you have any questions or comments, don't hesitate to call John Carmichael at (704) 331-7509 or Collin Brown at (704) 331-7531.

K&L Gates, Agent for the Petitioner

cc: Warren Turner, Charlotte City Council District 3  
Solomon Fortune, Charlotte-Mecklenburg Planning Commission  
Andy Kelderhouse, Medical Facilities of North Carolina, Inc.  
Andrew Dameron, Charlotte Health Care Center  
Glenn Morris, Burton Engineering  
Rev. Anthony Giezendanner, Westview Christian Church  
Collin W. Brown, Esq.



**Medical Facilities of North Carolina, Inc., Petitioner  
Rezoning Petition No. 2008-117**

**Community Meeting  
Sign-in Sheet  
August 14, 2008  
7:00 P.M.**

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1.	Collin W. Brown	214 N. Teyon St.	704-331-7531	collin.brown@kflor.com
2.	Margaret Hopkins	5230 Lewharen Dr.		
3.	Ernest Hopkins	5230 Lewharen Dr.		
4.	Carlisle Robbins	5148 Lewharen Dr	704 3995225	
5.	Jamie Cicca	CHCC	704 394 4001	
6.	Gary Henderson	CHCC	704 394 4001	
7.	Lacey Boone	9426 Robert Burns Ct	704-549-1186	
8.	Kay Boone	"		
9.	Virginia Rozzelle	5945 Redmond Rd	704-566-1505	
10.	Lewis (CWB)	1721 Toddville RD		
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EXHIBIT  
**B**

Medical Facilities of North Carolina, Inc., Petitioner  
Rezoning Petition No. 2008-117

Community Meeting Sign-in Sheet  
Westview Christian Church  
Thursday, November 6, 2008  
7:00 P.M.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1.	Collin Brown			
2.	VIRGINIA ROZZELLE	5945 REDMAN RD	764-566-1505	
3.	(MICHAEL HELMS - GRANDSON)		764-369-9719	
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