



<b>REQUEST</b>	Current Zoning: R-3(LLWPA), R-9MF (CD)(LLWPA), and R-17MF(LLWPA), single family residential Lower Lake Wylie Protected Area, multi-family residential conditional Lower Lake Wylie Protected Area, and multi-family Lower Lake Wylie Protected Area. Proposed Zoning: INST(CD)(LLWPA), institutional conditional Lower Lake Wylie Protected Area
<b>LOCATION</b>	Approximately 9.05 acres located on the east side of Toddville Road between Paw Creek Road and Freedom Drive.
<b>CENTER, CORRIDOR OR WEDGE</b>	Wedge
<b>SUMMARY OF PETITION</b>	This petition proposes to allow a 65,000 square foot expansion of an existing nursing facility. This facility will add 60 new beds bringing the overall total of the site to 180 beds.
<b>Property Owner</b>	Charlotte Health Care Center, Inc and Medical Facilities of America LXVII Limited Partnership
<b>Petitioner Agent/Representative</b>	Medical Facilities of North Carolina, Inc Collin Brown
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

<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 site plan clearly delineates the boundaries of the rezoning in a heavy dark line on the site plan.</li> <li>2. The site plan has been redrawn with the north part of the site at the top.</li> <li>3. A note was added to include a 24-foot buffer along those portions of the site's "northern boundary line that are adjacent to the adjoining religious institution.</li> <li>4. Notes # 3 and # 4 have been amended to reflect that only "required" sidewalks are permitted in the buffer and have eliminated the use of a berm to reduce buffer width.</li> <li>5. Notes #5 and #6 have been amended to indicate that parking, maneuvering and detention/water quality facilities may not be located within any buffer or setback.</li> <li>6. Staff has determined that right-of-way for the unnamed 60-foot street along the site's southern boundary already exists.</li> <li>7. A minimum five-foot sidewalk and eight-foot planting strip along all street frontages will be provided.</li> <li>8. A note has been added that the petitioner will submit a Solid Waste Management Plan prior to initiating land clearing, demolition and/or construction activities.</li> <li>9. A note has been added that the unnamed public street will be constructed to the office/commercial narrow street cross section.</li> <li>10. The site plan now reflects proposed zoning of Institutional CD.</li> <li>11. Elevations have been submitted.</li> </ol>
--------------------------------	--

<b>VOTE</b>	Motion/Second: Yeas: Nays: Absent: Recused:	Randolph/Griffith Allen, Griffith, Howard, Johnson, Lipton, Randolph, and Rosenburgh None None None
<b>ZONING COMMITTEE DISCUSSION</b>	Staff reviewed the petition noting that all outstanding issues had been addressed as noted above. The petition is consistent with adopted plans.	
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be consistent with the <i>Northwest District Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Johnson seconded by Commissioner Allen)	
<b>STAFF OPINION</b>	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

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- The addition of a 65,000 square foot structure that will house 60 new beds.
- 71 new parking spaces.
- A 48 foot undisturbed class C buffer along the north edge adjacent to the single family structure.
- A new public street that ties into Pinebrook Circle.

- **Public Plans and Policies**

- The *Northwest District Plan* (1990) recommends single family land uses at a density of up to four dwelling units per acre. However, district plans frequently do not specify locations for institutional uses.
- This petition is an expansion of an existing use and is consistent with the intent of the district plan.

- **STAFF RECOMMENDATION (Updated)**

- Staff recommends approval of this petition.
- 

#### PUBLIC INFRASTRUCTURE UPDATES (see full department reports online)

- **CDOT:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **CATS:** No comments received.
  - **Connectivity:** No issues.
  - **Schools:** CMS does not comment on non-residential petitions.
- 

#### ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** No issues.
  - **LUESA:** No issues.
  - **Site Design:** No issues.
-

---

## OUTSTANDING ISSUES

No issues.

---

### Attachments Online at [www.rezoning.org](http://www.rezoning.org)

- Application Form
- CDOT Review
- Community Meeting Report
- Fire Department Review
- LUESA Review
- Pre-Hearing Staff Analysis
- Site Plan
- Storm Water Review

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