

<b>REQUEST</b>	Current Zoning: <del>R-3</del> (LLWPA), R-9MF (CD)(LLWPA), and <del>R-17MF</del> (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 <del>60</del> <sup>sixty</sup> new beds bringing the overall total of the site to 180 beds.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>Northwest District Plan</i> .
<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.

**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.
- **Existing Zoning and Land Use**  
The subject property is currently zoned R-9MF (CD), R-17MF, and R-3 developed with a nursing home facility. The parcels to the north, south, east, and west are zoned R-3 and are developed with single family uses. The property to the east is also zoned R-17MF and is developed as a ~~church~~<sup>church</sup>.
- **Rezoning History in Area**  
There has been no rezoning in the immediate area in the last five years.
- **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 ~~and Staff is recommending approval.~~

**PUBLIC INFRASTRUCTURE** (see full department reports online)**Vehicle Trip Generation:**

Current Zoning: 320 trips per day.

Proposed Zoning: 480 trips per day.

**CDOT:** Requests that the unnamed public street be constructed to the office/ commercial narrow street cross-section.

**Charlotte Fire Department:** No issues.

**CATS:** No comments received.

**Connectivity:** This petition proposes a 40-foot wide public street along the southern side of the site.

**Schools:** CMS does not comment on non-residential petitions.

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

**Storm Water:** No issues.

**LUESA:** Mecklenburg County Solid Waste requests the petitioner submit a Solid Waste Management Plan prior to initiating land clearing, demolition and/ or construction activities.

**Site Design:** This site meets minimum ordinance standards.

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**OUTSTANDING ISSUES**

The petitioner should:

1. Clearly delineate the boundaries of the rezoning in a heavy dark line on the site plan. Show that Lot 2 is not included in the proposed rezoning.
  2. Show the north side of the property at the top of the page.
  3. Amend Note #2 to indicate that a 24-foot buffer will be provided along those portions of the site's "northern boundary line that are adjacent to the adjoining religious institution".
  4. Amend Notes # 3 and #4 to reflect that only "required" sidewalks are permitted in the buffer and to eliminate the use of a berm to reduce the buffer width.
  5. Amend Notes #5 and #6 to indicate that parking, maneuvering and detention/water quality facilities may not be located within any buffer or setback.
  6. Revise the site plan to reflect dedication of the right-of-way for the unnamed 60-foot street along the site's southern boundary if the right-of-way has not been dedicated[[twk1](#)].
  7. Show and label all sidewalk widths.
  8. Submit elevations, as referenced in Note # 22.
  9. Provide a minimum five foot sidewalk and eight foot planting strip along all street frontages.
  10. Add a note that the petitioner will submit a Solid Waste Management Plan prior to initiating land clearing, demolition and/ or construction activities.
  11. Add a note that the unnamed public street will be constructed to the office/ commercial narrow street cross section.
  12. Reflect proposed zoning as Institutional CD.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

Application  
CDOT Review  
Community Report  
Fire Department Review  
LUESA Review  
Storm Water Review

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