

STAFF REPORT
Community Development Department
Petition Number: SE-14-019

To: Charlotte County Board of Zoning Appeals
From: Shaun Cullinan, Zoning Official
Prepared By: Ken Quillen, AICP, Planner III
Report Date: November 5, 2014 **BZA meeting date: November 12, 2014**

Requested Action/General Information:

Edward Johnson, agent for Sterling House of Englewood, is requesting a modification of a special exception (file number SE-97-13) to allow an additional Adult Congregate Living Facility (ACLF) in a Residential Multifamily-15 (RMF-15) zoning district. The property is located at 550 Rotonda Boulevard West in Rotonda (see attached **Area Map**). The attached **Zoning Map** shows the zoning of this property, which is Residential Multifamily-15. This property has a High Density Residential Future Land Use Map (FLUM) designation.

Section 3-9-33 (**Exhibit A-1**), the Residential Multifamily (RMF) zoning district, allows "Adult congregate living facilities in accordance with section 3-9-63.1" (**Exhibit A-2**) as a special exception in the RMF zoning districts. As such, a special exception for an ACLF was requested for subject property in 1997 (file number SE-97-13), which was granted by the Board of Zoning Appeals (BZA) on April 9, 1997. The attached **Notice of Approval** (**Exhibit B**) is evidence of this special exception approval and the existing ACLF was constructed that same year.

The attached **Existing Site Plan**, labeled **Exhibit C-1**, shows the existing Adult Congregate Living Facility, located on this 9.3-acre parcel, and the southerly portion of subject property where the new building will be located. The **Proposed Site Plan**, labeled **Exhibit C-2**, shows the proposed ACLF to the south of Sterling House and other improvements located on subject property. The maximum building height allowed in the RMF-15 zoning district is 60 feet. The existing ACLF (Sterling House) consists of 42 units and 42 beds, while the new building is one-story and contains 32 units with 34 beds. The applicant has also submitted the attached **Floor Plan**, (**Exhibit C-3**), of the new building, which shows 32 studio units and two companion units.

Although the underlying zoning of RMF-15 would allow 139 dwelling units on this 9.3-acre parcel, ACLF's are not restricted to the same density because units do not have individual kitchens and residents might not have personal vehicles for transportation. Since this type of use is reviewed and approved as a special exception the density is set, or determined, by the BZA.

This development proposes to continue using the existing access drive off of Rotonda Boulevard West and adding 16 parking spaces along the south side of the existing parking lot. The new building is located to the south and adjacent to these new parking spaces. The final details of this development, including the design of the building and parking lot, access, traffic circulation, wastewater and storm water systems must be reviewed and approved according to the Site Plan Review process.

The applicant has also submitted the attached **Narrative** (**Exhibit D**) explaining why they believe this special exception should be granted. The Community Development Department's Environmental Specialist has performed a cursory environmental review and their comments are in the attached **Memorandum** (**Exhibit E**) dated October 27, 2014.

Findings: The six standards for approval for a Special Exception according to Section 3-9-7(f) of the Charlotte County Zoning Code are as follows:

1. The requested special exception is either explicitly permitted by the regulations in the zoning district for which it is requested or is permitted by reasonable implication within that district.

Finding: Adult Congregate Living Facilities are allowed by special exception in the RMF zoning districts according to Section 3-9-33(e) of the Zoning Code.

2. The requested special exception is compatible with existing uses surrounding immediately adjacent and contiguous to the land on which the requested special exception would exist.

Finding: No evidence has been submitted showing that the proposed structure would be compatible with surrounding residential uses. Since no architectural plans have been submitted with this application staff cannot comment on the compatibility of the proposed one-story structure. As such, staff recommends that approval be subject to compliance with architectural design standards for residential buildings.

Direction	Existing Land Uses	Existing Zoning	Future Land Use Map Designation
North	Vacant lots and Multifamily Condominiums	RMF-15	High Density Residential
South	Vacant land	RMF-15	High Density Residential
East	Churches and apartments	RMF-15	High Density Residential
West	Vacant land	RMF-5	Low Density Residential

3. Adequate access shall be provided for ingress and egress to the proposed use in a manner that minimizes hazards and congestion on streets and roads.

Finding: Access is proposed by one existing access drive which will be reviewed during the Site Plan Review process prior to issuance of any building permits.

4. Adequate provision has been made for buffers, landscaping, trees, open space, storm water or other improvements associated with the proposed use.

Finding: All applicable code requirements, including parking and landscaping will be enforced during the Site Plan Review process for the proposed new Adult Congregate Living Facility.

5. The requested Special Exception is consistent with the Charlotte County Comprehensive Plan and Land Development Regulations.

Finding: This proposed Adult Congregate Living Facility (ACLF) would be consistent with the Comprehensive Plan, which plans for multifamily residential uses, including ACLFs, which may be permitted by special exception in the RMF zoning district.

6. The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety or general welfare.

Finding: Staff believes that the proposed Adult Congregate Living Facility (Assisted Living Facility) would not be detrimental to or endanger the public health, safety or general welfare of the surrounding properties if the architectural design of the building is made compatible with surrounding residential uses.

ANALYSIS AND CONCLUSIONS:

After review of the site and the application requesting this special exception for an Adult Congregate Living Facility (Assisted Living Facility) staff believes the proposed development does meet all six criteria for granting a special exception.

If the Board of Zoning Appeals decides to approve the requested special exception staff recommends the following conditions be adopted, as conditions of approval, to ensure the use is in compliance with the purpose and intent of the Zoning Code. The conditions are as follows:

1. The special exception, as approved by the Board of Zoning Appeals, is for an Adult Congregate Living Facility (Assisted Living Facility) for a maximum of 32 units and 34 beds that is in substantial conformance with the Site Plans submitted by the applicant for this request.
2. The exterior architectural appearance of the building shall be similar in appearance to the existing ACLF located on subject property.
3. Any major changes or additions to this special exception shall require a modification of the special exception. Minor changes or additions, such as accessory uses or structures, may be approved by the Zoning Official.
4. The site plan presented by the applicant as part of the petition is for illustrative purposes only. All permitting procedures and codes are applicable to the construction and operation of the proposed Adult Congregate Living Facility (Assisted Living Facility).
5. Site Plan Review approval is required prior to issuance of any building permits for the proposed new Adult Congregate Living Facility (Assisted Living Facility) and all off-street parking and landscaping requirements of code must be met for the proposed development.

Please be advised that the final decision regarding the petition rests with the Board of Zoning Appeals, and will be decided upon after consideration of all the evidence introduced at the hearing.

Attachments: Staff Report (3), Location Map, Zoning Map, Aerial Photograph, Section 3-9-33, Section 3-9-63.1, Notice of Approval (SE-97-13), Existing Site Plan, Proposed Site Plan, Floor Plan, Narrative and Environmental Specialist Memorandum (2)



Community Development

CHARLOTTE COUNTY

Location Map for SE-14-019

Charlotte County Government

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This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents. Created By: Land Information-D. Vance 6205 Date Saved: 10/24/2014 2:30:16 PM

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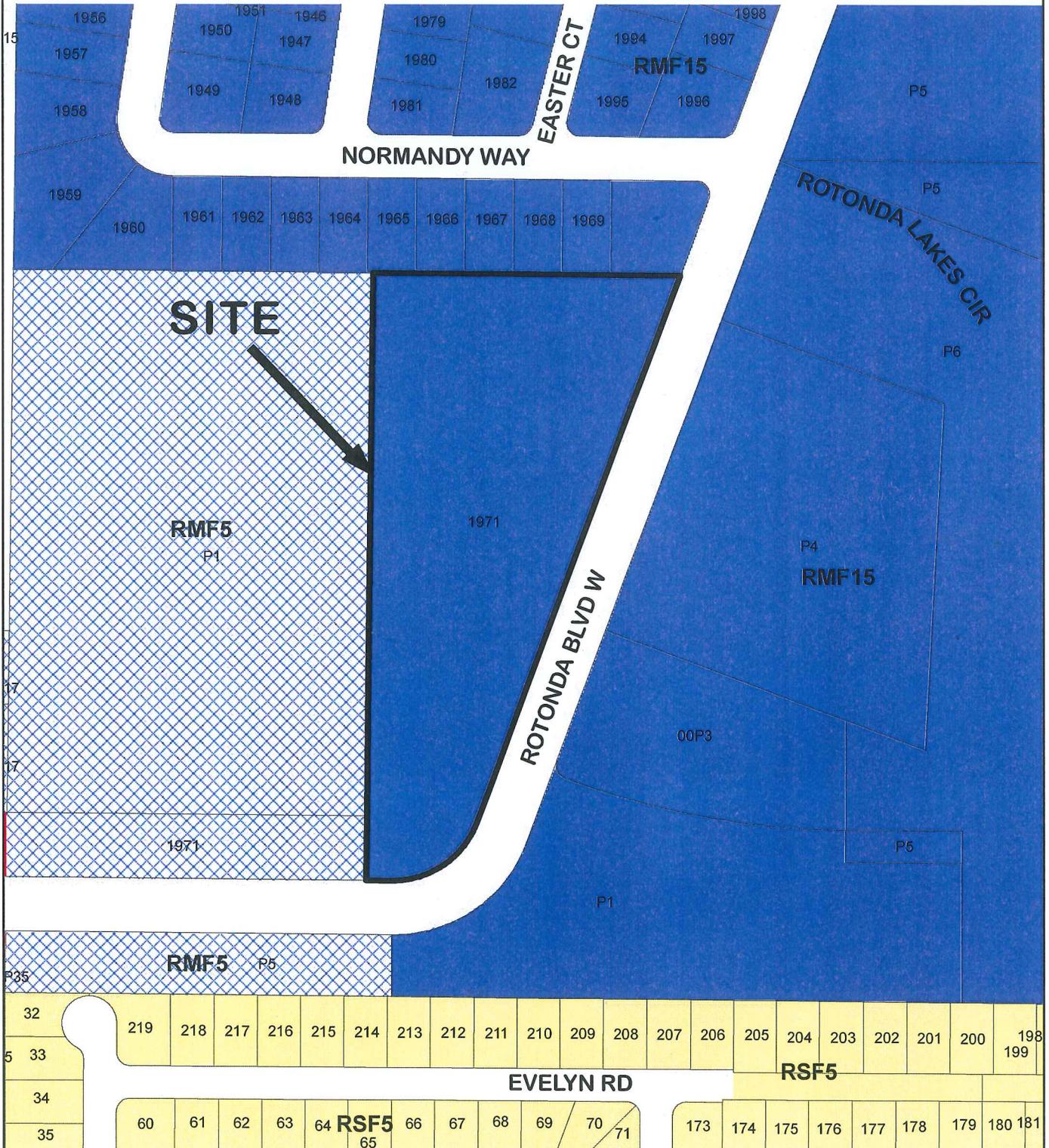
CHARLOTTE COUNTY

Zoning Map for SE-14-019

Charlotte County Government

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Community Development

CHARLOTTE COUNTY

Aerial View for SE-14-019

Charlotte County Government

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Sec. 3-9-33. - Residential, multifamily (RMF).

- (a) *Intent.* The residential, multifamily (RMF) districts are intended to be low-or high-density residential districts with emphasis on multifamily use.
- (b) *Permitted principal uses and structures.* The following uses and structures are permitted in this district:
 - (1) All principal uses and structures permitted in RSF districts.
 - (2) Two-family dwellings.
 - (3) Multiple-family dwellings.
 - (4) Cluster houses.
 - (5) Townhouses.
 - (6) Patio houses.
- (c) *Permitted accessory uses and structures.* Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are also permitted in this district.
- (d) *Prohibited uses and structures.* Any use or structure not expressly or by reasonable implication permitted herein or permitted by special exception shall be unlawful in this district, including mobile homes and private clubs not otherwise permitted, or permitted by special exceptions.

(e) *Special exceptions.* (For procedure see section 3-9-7 (), "Special exceptions.") The following are special exceptions in this district:

- (1) Yacht clubs, country clubs in conjunction with golf courses and golf courses, including executive or par-3 golf courses, but not including miniature golf courses or practice driving ranges not associated with a golf course, provided that any required parking area or building is located at least fifty (50) feet from adjacent property zoned for residential use.
- (2) Houses of worship, in accordance with section 3-9-78 ()
- (3) Elementary, middle and high schools.
- (4) Home occupations in accordance with section 3-9-80.1 ()
- (5) Group home facilities, child and adult day care facilities.
- (6) Essential services and emergency services.
- (7) Resort marinas.

(8) Adult congregate living facilities in accordance with section 3-9-63.1 ()

- (9) Nursing homes.
- (10) Rooming and boarding houses.
- (11) Such other uses as determined by the zoning official or his/her designee to be:
 - a. Appropriate by reasonable implication and intent of the district.
 - b. Similar to another use either explicitly permitted in that district or allowed by special exception.
 - c. Not specifically prohibited in that district.

The board of zoning appeals shall review a favorable determination of the zoning official under this provision at the time the special exception application is presented to it. An unfavorable determination of the zoning official or his/her designee shall be appealable pursuant to section 3-9-6 () of these regulations.

(f) *Development standards.* The following development standards shall apply in this district:

	RMF-3.5	RMF-5	RMF-7.5	RMF-	RMF-12	RMF-15
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Minimum lot requirements:

**Section 3-9-33
(Exhibit A-1)**

Sec. 3-9-63.1. - Adult congregate living facilities.

This section provides minimum regulations and standards for adult congregate living facilities (ACLF's).

(a) Location.

- (1) Adult congregate living facilities shall be principal permitted uses within the RMF-T, OMI, CG and CT districts.
- (2) Adult congregate living facilities providing services for three (3) or less residents unrelated to the owner or administrator by blood or marriage shall be permissible only by special exception within the AE, AG, AE-10, RE, RSF, RMF and MHC districts.
- (3) Adult congregate living facilities providing services to four (4) or more residents unrelated to the owner or administrator by blood or marriage shall be permissible only by special exception within the AE, AE-10, AG, RMF and MHC district.
- (4) Adult congregate living facilities shall be prohibited in the AC district.
- (5) No adult congregate living facility in a residential zone shall be located less than one thousand five hundred (1,500) feet from an established, existing ACLF in a residential zone, as documented by the zoning department. The distance shall be measured on a straight line connecting the closest point of the property lines of these ACLF's. Adult congregate living facilities which are in existence on the effective date of this section, which have been licensed by the state and which are presently located within one thousand five hundred (1,500) feet of another ACLF, shall not be considered nonconforming.

(b) Development standards.

- (1) All adult congregate living facilities shall meet the development standards applicable to the zoning district in which they are located.
- (2) For an ACLF in a residential district, no external evidence of such use, distinguishing the living facility from a regular dwelling, shall be visible from adjacent properties, public or private.
- (3) The requirements and standards of the state department of health and rehabilitative services shall be met.
- (4) There shall be one (1) parking space per four (4) beds in accordance with section 3-9-90 ()
- (5) Adult congregate living facilities shall be subject to the sign regulations for residential structures within the zoning district in which the facility is located.
- (6) Evidence of current state department of health and rehabilitative services licensure must be shown.
- (7) When any property ceases to be used as an adult congregate living facility, after being granted a special exception for such use, and such use ceases for a period of time exceeding three hundred sixty-five (365) days, then the approval shall be void and the use shall be terminated.

Section 3-9-63.1
(Exhibit A-2)

Charge \$6-
Zoning # 116
BCC
1 extra name

IMAGED
SS

B

NOTICE OF APPROVAL

**FOR
SPECIAL EXCEPTION TO THE CHARLOTTE COUNTY ZONING CODE**

Pursuant to Charlotte County Code Section 3-9-7 (f), this is to acknowledge the approval of the special exception application which was heard by the Charlotte County Board of Zoning Appeals.

Applicant: Joseph W. Capra for the Sterling House Corporation, 1856 Port St. Lucie Boulevard Port St. Lucie, FL 34952

Owner: Cape Cave Corporation 4005 Cape Haze Drive, Cape Haze, Florida 33947

Location: Lot 1971 Rotonda Heights, also known as Rotonda West Boulevard, Englewood, Florida. The property contains 7.80 acres more or less. *550-600 Rotonda Blvd. West*

Petition SE -97-13

Approval Date April 9, 1997

Requested Special Exception:

To allow an Extended Care Facility (ACLF) in the RMF-15 (Residential Multi-Family 15 dwelling units per acre) zoning district.

Conditions placed on the approval:

None

Please be advised that any special exception granted shall expire three (3) years after the date of approval unless the use allowed by the special exception is in existence and actively occurring on the subject property prior to the date of expiration. Any such special exception which ceases to exist and actively occur on the subject property shall expire three years from the effective date of this regulation unless good faith commencement of the special exception has begun prior to expiration. Prior to expiration, the applicant or property owner may request an extension from the Board of Zoning Appeals. Such extension may be granted to the applicant or owner upon showing of good cause. Any non-conforming special exception shall be subject to the requirements of Section 3-9-10 of the Zoning Regulations with regard to non-conforming uses.

Upon granting of this special exception by the Board of Zoning Appeals, a copy of this notice shall be filed in the Public Records of Charlotte County.

Prepared By: *Byron J. Wallace*
Byron J. Wallace
Acting Planning & Zoning Division Manager

FILED AT
MIRROCK BRANCH
9 APR 22 PM 4:32
BARBARA T. SCOTT
CLERK OF THE CIRCUIT COURT
CHARLOTTE COUNTY
FLORIDA

The foregoing instrument was acknowledged before me this 14th day of April 1997 by Byron J. Wallace, who is personally known to me and who did not take an oath.

Vivian Myrna Ziegler Notary Public Signature

Vivian Myrna Ziegler Notary Printed Signature

Clerk Typist III Title

CC 541667 Commission Number

BJW/vmz/D-97-59

cc: Cape Cave Corp.

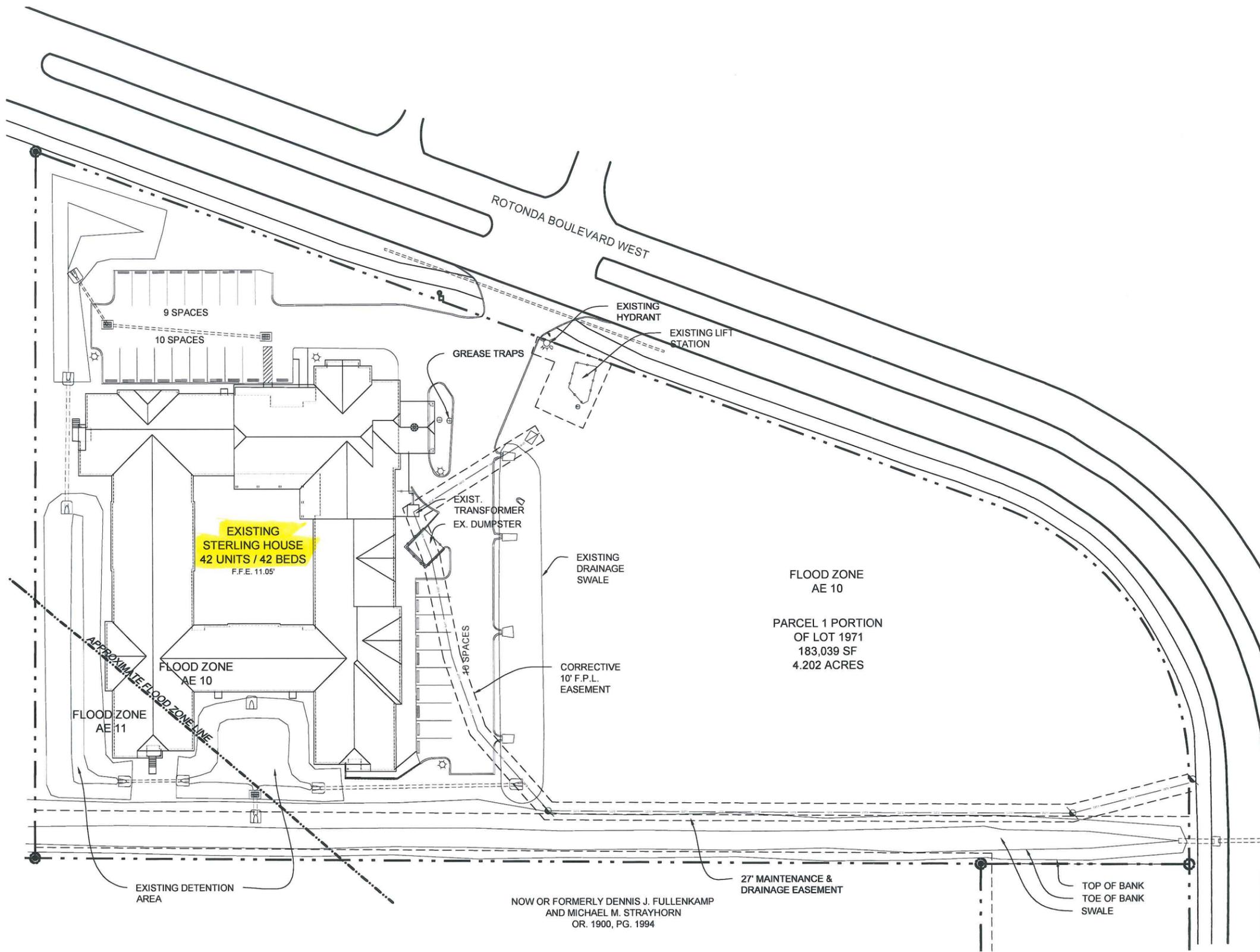
**Notice of Approval
(Exhibit B)**

OFFICIAL NOTARY SEAL
VIVIAN MYRNA ZIEGLER
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC541667
MY COMMISSION EXP. MAR 2003

4116
Zoning
★

Recording \$6.00
INDEX FEE \$1.00
Recorded By: Judy Meisner D.C.

FILE: 481770 OR BOOK/PAGE: 1527/1885
RECORDED: 4/23/97 10:26:22
BARBARA T. SCOTT, CLERK OF THE CIRCUIT COURT - CHARLOTTE COUNTY



EXISTING PROJECT STATISTICS	
SITE	
PARCEL	(TBD)
SIZE	4.202 ACRES/ 183,039 SF
ZONING	(TBD)
SETBACKS	- FRONT, - SIDE, - BACK (TBD)
PARKING SPACES <small>X SPACES PER UNIT REQUIRED PER CODE</small>	29 SPACES
BUILDING	
BUILDING TYPE	STERLING HOUSE
LICENSURE TYPE	(TBD)
BUILDING ELEVATION	(TBD)
CONST. TYPE	(TBD)
OCCUPANCY	(TBD)
SPRINKLER SYSTEM	(TBD)

EXISTING LIVING UNIT STATISTICS		
STERLING HOUSE	UNITS	42
	BEDS	42
CAMPUS TOTALS	UNITS	42
	BEDS	42

EXISTING SQUARE FOOT ANALYSIS		
EXISTING SQUARE FOOTAGE	GSF / UNIT	GROSS SQUARE FEET
EXISTING STERLING HOUSE	614 SF/UNIT	25,798 SF
TOTAL EXISTING	614 SF/UNIT	25,798 SF



PLANNING
DESIGN
CONSTRUCTION

PDC MIDWEST, INC.
1130 JAMES DRIVE, SUITE 106
HARTLAND, WISCONSIN 53029
T. 262-367-7770 F. 262-367-7712
WWW.PDCMIDWEST.COM

PROJECT
**STERLING HOUSE
& CLARE BRIDGE
OF ENGLEWOOD**

550 ROTONDA BLVD. W.
WEST ROTONDA, FL 33947

OWNER
NATIONWIDE HEALTH
PROPERTIES, LLC
111 WESTWOOD PLACE SUITE 200
BRENTWOOD, TN 37027



STATUS
OWNER REVIEW

PROJECT NO.	DATE
14014/5	6-25-14
DRAWN BY	CHECKED
JMP	PDJ

**Existing Site Plan
(Exhibit C-1)**

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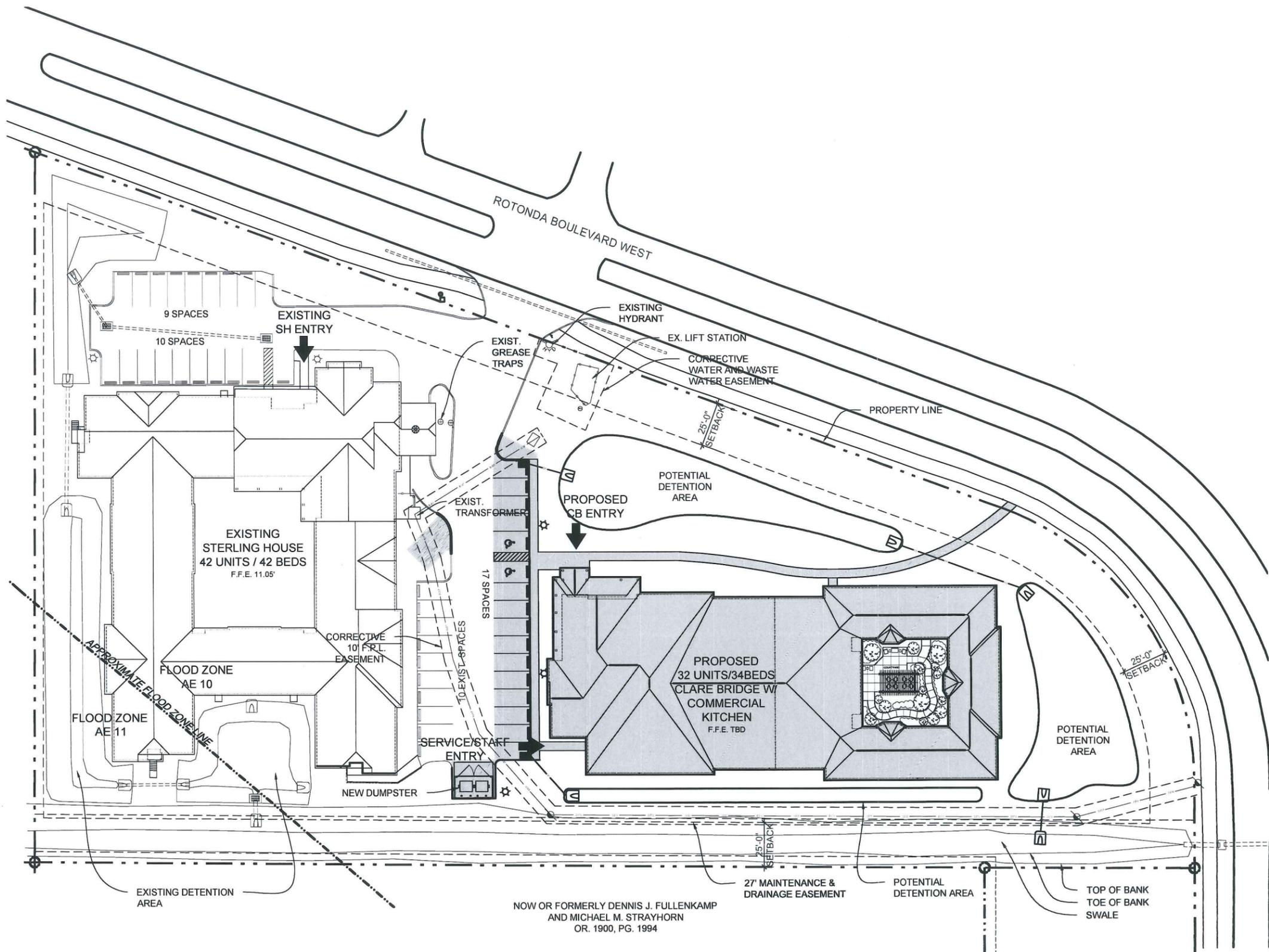
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NOT FOR CONSTRUCTION
SD PROGRESS SET



EXISTING SITE PLAN
1"=60' @ 11x17 FORMAT





PROPOSED PROJECT STATISTICS		
SITE		
PARCEL	(TBD)	
SIZE	4.202 ACRES/ 183,039 SF	
ZONING	(TBD)	
SETBACKS	- FRONT, - SIDE, - BACK (TBD)	
PARKING SPACES - SPACES REQUIRED BY CODE	29 EXISTING + 16 NEW = 45 TOTAL PARKING SPACES	
BUILDING/SITE RATIO	SF / SF = % (TBD)	
GREEN SPACE RATIO	(TBD)	
BUILDING		
BUILDING TYPE	STERLING HOUSE	CLARE BRIDGE
LICENSURE TYPE	(TBD)	ALF
BUILDING ELEVATION	11.05'	(TBD)
CONST. TYPE	(TBD)	VA
OCCUPANCY	(TBD)	I-2
SPRINKLER SYSTEM	(TBD)	NFPA 13

PROPOSED LIVING UNIT STATISTICS					
		EXISTING	REMOVED	NEW	TOTAL
STERLING HOUSE	UNITS	42	0	0	42
	BEDS	42	0	0	42
CLARE BRIDGE	UNITS	0	0	32	32
	BEDS	0	0	34	34
CAMPUS TOTALS	UNITS	42	0	32	74
	BEDS	42	0	34	76

PROPOSED SQUARE FOOT ANALYSIS		
EXISTING SQUARE FOOTAGE	GSF / UNIT	GROSS SQUARE FEET
EXISTING STERLING HOUSE	614 SF/UNIT	25,798 SF
TOTAL EXISTING	614 SF/UNIT	25,798 SF
DEMOLITION		
EXISTING STERLING HOUSE	-	0 SF
TOTAL DEMOLITION	-	0 SF
RENOVATION		
EXISTING STERLING HOUSE RENO	-	0 SF
TOTAL RENOVATION	-	0 SF
FINISH UPGRADES		
EXISTING STERLING HOUSE	0 SF/UNIT	0 SF
TOTAL FINISH UPGRADES	-	0 SF
PROPOSED SQUARE FOOTAGE		
PROPOSED CLARE BRIDGE	702 SF/UNIT	22,454 SF (+456)
TOTAL PROPOSED	702 SF/UNIT	22,454 SF
PROPOSED CAMPUS TOTALS		
STERLING HOUSE TOTAL	614 SF/UNIT	25,798 SF
CLARE BRIDGE TOTAL	702 SF/UNIT	22,454 SF
CAMPUS TOTAL	652 SF/UNIT	48,252 SF

UTILITY REQUIREMENTS	
WATER / FIRE PROTECTION / DOMESTIC	--- CONFIRMED
SEWER	--- CONFIRMED
ELECTRICAL	--- AMP CONFIRMED
GAS	
CAT / TELEPHONE	



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PROJECT
**STERLING HOUSE
& CLARE BRIDGE
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550 ROTONDA BLVD. W.
WEST ROTONDA, FL 33947

OWNER
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PROPERTIES, LLC**
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BRENTWOOD, TN 37027



STATUS
OWNER REVIEW

PROJECT NO. 14014/5
DATE 6-25-14
DRAWN BY JMP
CHECKED PDJ

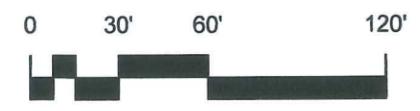
**Proposed Site Plan
(Exhibit C-2)**

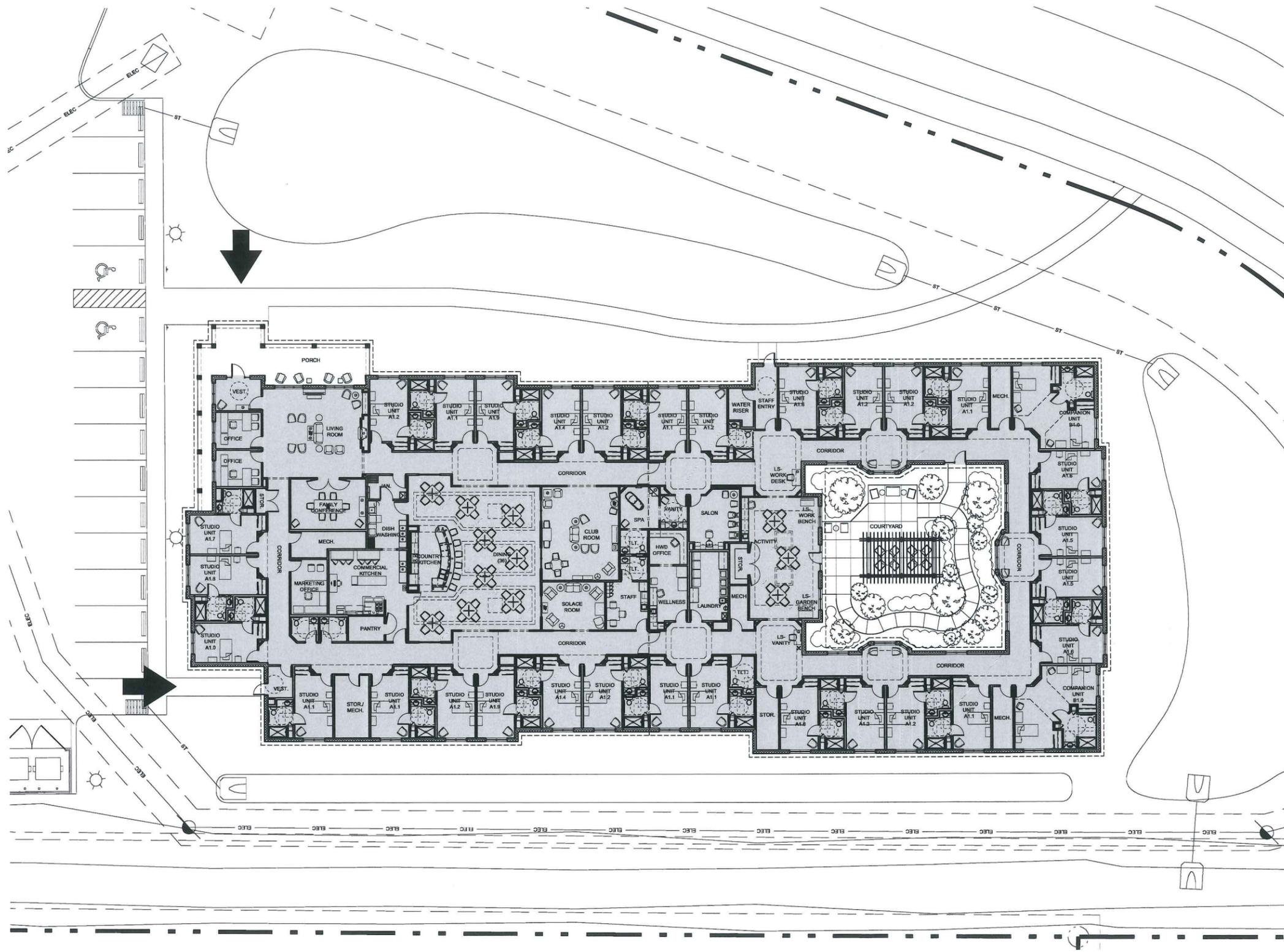
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PROPOSED SITE PLAN
1"=60' @ 11x17 FORMAT





PROPOSED PROJECT STATISTICS		
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BUILDING/SITE RATIO	SF / SF = -% (TBD)	
GREEN SPACE RATIO	(TBD)	
BUILDING		
BUILDING TYPE	STERLING HOUSE	CLARE BRIDGE
LICENSURE TYPE	(TBD)	ALF
BUILDING ELEVATION	11.05'	(TBD)
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TOTAL DEMOLITION	-	0 SF
RENOVATION		
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TOTAL RENOVATION	-	0 SF
FINISH UPGRADES		
EXISTING STERLING HOUSE	0 SF/UNIT	0 SF
TOTAL FINISH UPGRADES	-	0 SF
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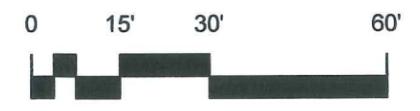
STATUS
OWNER REVIEW

PROJECT NO.	DATE
14014/5	6-25-14
DRAWN BY	CHECKED
JMP	PDJ

**Floor Plan
(Exhibit C-3)**



**PROPOSED CLARE
BRIDGE PLAN**
1" = 30'-0" @ 11x17 FORMAT



copyright © 2014

A1.2

NOT FOR CONSTRUCTION
SD PROGRESS SET



September 19, 2014

Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948

Clare Bridge of Englewood Narrative

The existing property, Parcel 1 a portion of Lot 1971 of Rotonda Heights at 550 Rotonda Blvd West, Rotonda West Florida contains a 42 unit 42 bed Sterling House used for assisted living services. The existing Sterling House was constructed in the late 1990's. The approximate size of this parcel is 4.2 acres. The property is located in the Charlotte County jurisdiction it is zoned RMF-15, Residential Multi Family, the present Sterling House is allowed under a special exception granted in 1999. The southern triangular portion of the property has heavy tree cover and is presently vacant and available for expansion

The proposed project consists of the design and construction of a standalone 32 unit 34 bed Clare Bridge Community for memory care residence. The Clare Bridge shall be a secure community. The exterior finishes of the proposed Clare Bridge shall match the existing Sterling House by incorporating pitched shingled roofs, horizontal siding, and matching windows. The functional floor plan of the Clare Bridge shall include a Living Room, Activity Room, Media Room, and Dining Room with Country Kitchen, Resident SPA, Laundry, Life enrichment coordinator, and Wellness office.

The site design includes a parking lot expansion to provide 17 additional parking stalls for staff and visitors. Fire department access and a new dumpster enclosure shall also be provided.

ARCHITECTURE

The current landscaping at the building foundation and site shall remain at all undisturbed areas. New building foundation landscaping and site shall be provided at the new Clare Bridge to coordinate with existing conditions. The new enclosed courtyard shall include landscaping and furniture. The landscaping shall emphasize the use of native species that reflect the character of the native landscape.

PLANNING

INTERIORS

CONSTRUCTION

DEVELOPMENT

The proposed Clare Bridge, under the current Comp Plan and Zoning Code is a use that shall run thru the Special Exception process to allow an ACLF (assisted living facility) on the site in this zoning district.

Respectfully,

Edward Johnson, AIA ALA
Project Architect

**Narrative
(Exhibit D)**



MEMORANDUM

Date: October 27, 2014
To: Ken Quillen, Planner III
From: Jamie Scudera, Environmental Specialist
Subject: SE-14-019, Sterling House of Englewood, 550 Rotonda Boulevard West

The Zoning Environmental Review Section has conducted a cursory review (additional wildlife or environmental reviews may be required by state or federal agencies) of the above referenced petition for compliance with Environmental, Tree and Landscaping codes/ordinances and offers the following comments:

- ❖ A GIS aerial review, Scrub Jay territory search and FDEP Map Direct wetland search was conducted by staff. The property consists of a partially developed lot with an existing ACLF on the northern portion of the site. The subject property is undeveloped and contains environmentally sensitive upland and potential wetland habitats utilized by species listed by the Florida Fish and Wildlife Conservation Commission (FWC) and U.S. Fish and Wildlife Service (FWS).
- ❖ A listed species assessment and FLUCCS map will need to be conducted prior to the issuance of county permits and land clearing activities. If listed species are documented on site all required U.S. Fish and Wildlife Service (FWS) and Florida Fish and Wildlife Conservation Commission (FWCC) permits (if applicable) must be provided to staff prior to the issuance of county permits and land clearing activities.

If this petition is approved, the following conditions will be reviewed for compliance upon Site Plan Review and the issuance of any county permit or land improvement activities:

- ❖ All applicable county, state and federal authorizations or permits, and mitigation will be required, if necessary.

(Exhibit E-1)

- ❖ If this proposal moves forward, it will be reviewed for compliance with:

Chapter 3-2:

Article IX. *TREE REQUIREMENTS*

**All heritage trees (per Section 3-2-190) must remain preserved.

Chapter 3-5:

Article IV, *CLEARING, FILLING AND SOIL CONSERVATION*;

Article XV, *SURFACE WATER AND WETLAND PROTECTION*;

Article XV, *UPLAND BUFFER ZONE*;

Article XVIII, *LANDSCAPING AND BUFFERS*.

- ❖ The project must also comply with the Charlotte County Smart Charlotte 2050 Comprehensive Plan with particular attention paid to the Natural Resources (ENV) and Coastal Planning (CST) Goals, Objectives and Policies.

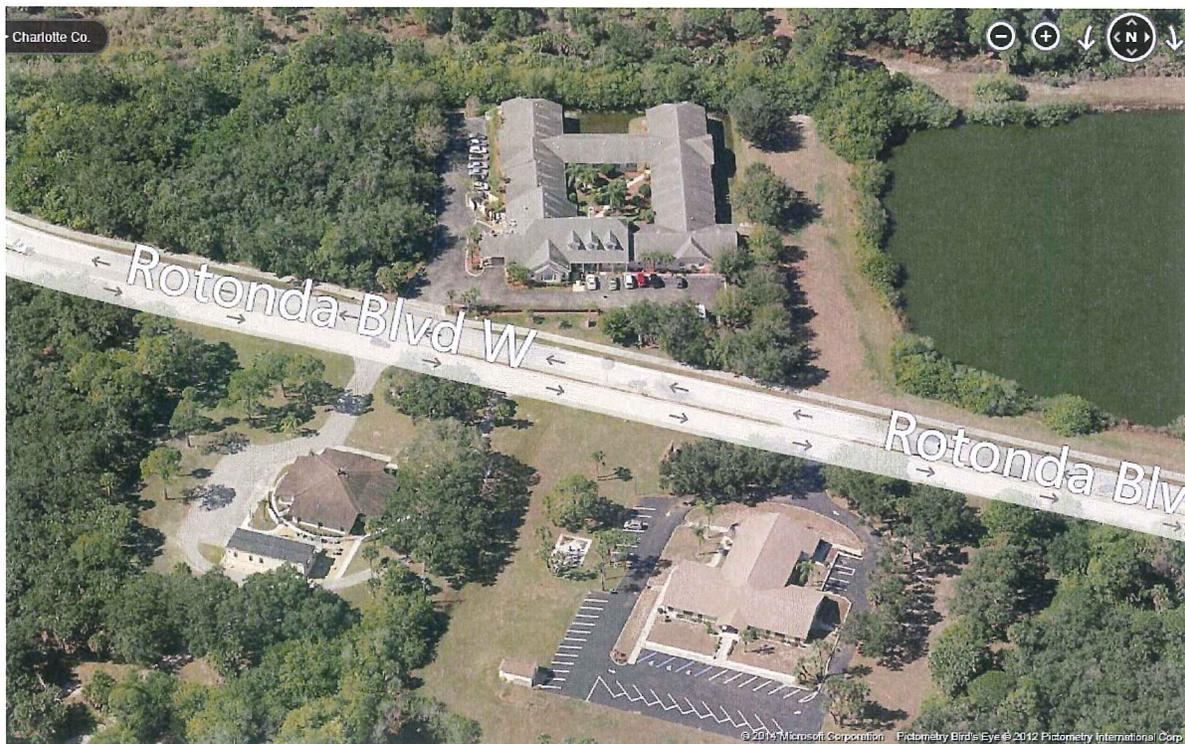
If there are any questions pertaining to this review please feel free to contact me in the zoning office at (941) 743-1290.

JS

(Exhibit E-2)



Google Street View, May 2011



Bing - Bird's Eye View, 2012

Aerial Photograph of Existing ACLF

(550 Rotonda Boulevard West)

(Exhibit F)