

**Rezoning Petition 2013-043****ZONING COMMITTEE RECOMMENDATION****May 29, 2013**

<b>REQUEST</b>	Current Zoning: MUDD-O, mixed-use development district, optional Proposed Zoning: MUDD-O SPA, mixed-use development district, optional, site plan amendment
<b>LOCATION</b>	Approximately 6.4 acres located at the intersection of Queens Road and East 4 <sup>th</sup> Street and generally bounded by Queens Road, East 4 <sup>th</sup> Street, East 3 <sup>rd</sup> Street and South Caswell Road. (Council District 1- Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes a site plan amendment to a previously approved rezoning to allow surface parking as a permitted use with modifications to the required streetscape.
<b>PROPERTY OWNER</b> <b>PETITIONER</b> <b>AGENT/REPRESENTATIVE</b>	Novant Health, Inc. and Novant Properties, LLC Novant Health, Inc. Walter Fields
<b>COMMUNITY MEETING</b> <b>STATEMENT OF CONSISTENCY</b>	Meeting is required and has been held. Report available online. This petition is found to be consistent with the <i>Elizabeth Area Plan</i> and therefore to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Walker seconded by Commissioner Eschert).
<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. Included the approved documentation and site plan from petition 2012-053 in the site plan amendment request.</li><li>2. Update the requested language below on the site plan:<ol style="list-style-type: none"><li>a. The portion of the property that fronts along East Third Street where the deck is proposed to be constructed as indicated on the Site Plan may be used for surface parking until the parking deck is constructed. The surface parking lot will be allowed to be constructed between the existing parking deck and existing medical tower and Queens Road as an optional provision.</li><li>b. A note has been added and labeled that the existing trees along Third and Fourth Streets will be saved for the Phase I surface parking use.</li></ol></li></ol>
<b>VOTE</b>	Motion/Second: Lathrop/Labovitz Yea: Allen, Eschert, Johnson, Labovitz, Lathrop, Nealon, and Walker Nays: None Absent: None Recused: None
<b>ZONING COMMITTEE DISCUSSION</b>	Staff presented the petition to the Zoning Committee and indicated all outstanding site plan issues have been resolved. One Commissioner asked a question about the conditional note limiting the surface parking lot to five years. Staff responded that staff asked the petitioner to remove the note due to the inability to enforce the time limit of the surface parking. There was no further discussion of this petition.

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

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**FINAL STAFF ANALYSIS**  
**(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))**

**PLANNING STAFF REVIEW****• Background**

- The subject property was originally rezoned to MUDD-O under petition 2007-076. The petition allowed three new medical office buildings totaling 775,000 square feet, a 12-level parking deck totaling 148,000 square feet and the existing hospital on 3.87 acres.
- The optional provision allowed for a maximum height of 170 feet for one of the proposed medical buildings.
- Petition 2012-053 rezoned a portion of the site to allow an optional request to increase the allowed height and sign face area for a detached sign near the corner of 4<sup>th</sup> Street and South Caswell.

**• Proposed Request Details**

The site plan amendment contains the following changes:

- An additional phase has been added to the previous two phases of development. The added phase will allow the expansion of surface parking until future structures are built.
  - A note has been added that the conditions and elevations from the previous site plan will remain.
  - An optional request has been added for surface parking between the buildings and the street until future structures are constructed.
  - A CATS waiting pad has been added along 4<sup>th</sup> Street.
  - The approved documentation and site plan from petition 2012-053 has been included in the request.
  - A conditional note stating the portion of the property that fronts along East Third Street where the deck is proposed to be constructed as indicated on the Site Plan may be used for surface parking until the parking deck is constructed. The surface parking lot will be allowed to be constructed between the existing parking deck and existing medical tower and Queens Road as an optional provision.
  - A note has been added stating that the existing trees along Third and Fourth Streets will be saved for the Phase I surface parking use.
- **Public Plans and Policies**
    - The *Elizabeth Area Plan* (2011) recommends office and institutional uses for the subject parcel.
    - This petition is consistent with the *Elizabeth Area Plan*.

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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Solid Waste Services:** No issues.
- **Transportation:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No issues.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.

- **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
    - This site meets minimum ordinance standards.
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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Solid Waste Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

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