



Zoning Committee

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<b>REQUEST</b>	Current Zoning: INST(CD) (institutional, conditional) and INST (institutional) Proposed Zoning: O-2(CD) (office, conditional)
<b>LOCATION</b>	Approximately 18.95 acres located on west side of Johnston Road north of Marvin Road. (Council District 7 - Driggs)
<b>PETITIONER</b>	Novant Health, Inc.

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**ZONING COMMITTEE  
ACTION/ STATEMENT  
OF CONSISTENCY**

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition, as modified and adopt the consistency statement as follows:

This petition is found to be consistent with the *South District Plan* for the portion of the site currently zoned INST (institutional); however, inconsistent with the *South District Plan* for the portion of the site currently zoned INST(CD) (institutional, conditional) based on the information from the staff analysis and the public hearing and because:

- The plan recommends institutional uses for the portion of the site currently zoned INST (institutional); and
- The plan recommends religious uses for the portion of the site currently zoned INST(CD) (institutional, conditional) as approved by a previous rezoning.

However, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The majority of the site is zoned institutional and currently allows the proposed health institution; and
- The portion of the site adjacent to multi-family residential is conditionally zoned with a limitation for religious uses. The proposed request would unify the zoning and provide a service to the surrounding community; and
- The proposed health institution and proposed medical office use integrates into the mixture of uses established in the area that includes residential, religious institutions, hotel, retail and general office uses; and
- The proposal provides additional street connectivity by extending Ballancroft Parkway from its current terminus, providing a connection from Providence Road West southward to Marvin Road.

Motion/Second: Samuel / Gussman  
 Yeas: Fryday, Gussman, Ham, McClung, McMillan,  
 Samuel, and Watkins  
 Nays: None  
 Absent: None  
 Recused: None

## ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent with the *South District Plan* for the portion of the site currently zoned INST (institutional); however, inconsistent with the *South District Plan* for the portion of the site currently zoned INST(CD) (institutional, conditional).

A commissioner asked about the previous conditional rezoning. Staff explained that a portion of the larger site where the church is located was rezoned at a later date to a conditional zoning that limited the use to religious uses, it is unclear why it was done that way considering the remainder of the larger site is conventionally zoned institutional.

A commissioner asked if the ground was consecrated. Staff replied that as far as they were aware there is not any documentation that would indicate consecration. The commissioner also mentioned concerns regarding traffic and asked if there were limited hours of operation. Staff stated there was not a restriction on the hours of operation of the uses.

A commissioner asked what five stories meant. Staff explained that as it was presented there was not a maximum height in feet other than what was allowed under the Zoning Ordinance for the institutional zoning district. The commissioners suspended the rules to allow the petitioner to address the maximum building height. Keith MacVean, agent for the petitioner, responded that the petitioner would commit to a maximum building height of five-stories not to exceed 75-feet. Staff noted that a nearby hotel underdevelopment to the north is around the same height.

The commissioners had several questions related to the helicopter pad. Staff noted that the helicopter would be an accessory use to the hospital and the petitioner has committed that the pad would be located on the roof. The commissioners suspended the rules to allow the petitioner to respond how the maximum height in feet worked with the proposed helicopter pad and any structures that serve the pad. Staff noted that the definition of height does exclude elements such as stair and elevator towers and parapets. Matt Stiene, representing the petitioner, stated that there would not be any accessory structures around the helicopter pad in order to provide landing clearance. Mr. Stiene went on to say that they would meet the intent of the Zoning Ordinance for height and there would be a stair/elevator tower would serve the helicopter pad.

A commissioner asked about the FAA requirements. Staff explained that the reason that was mentioned is because during the process someone had called asking about those

requirements. The petitioner would have to comply with any FAA requirements outside of the rezoning.

A commissioner noted that they felt the proposed use would be a good addition to the area. There was no further discussion of this petition.

**PLANNER**

John Kinley (704) 336-8311