

**ZONING COMMITTEE
RECOMMENDATION
February 27, 2008**

Rezoning Petition No. 2007-076

Property Owner: Novant Health, Inc. and BB&T

Petitioner: Novant Health, Inc

Location: Approximately 6.40 acres bounded by E. 3rd Street, E. 4th Street, Queens Road, and S. Caswell Road

Center, Corridor or Wedge: Corridor

Request: O-2, office to MUDD-O, mixed use development district – optional

Action: The Zoning Committee voted unanimously to recommend a **ONE-MONTH DEFERRAL** of this petition.

Vote:

Yeas:	Howard, Johnson, Lipton, Loflin , Rosenburgh, and Sheild
Nays:	None
Absent:	Randolph

Summary of Petition

This petition proposes to rezone 6.4 acres for the redevelopment of the site as part of the Presbyterian Hospital complex. The proposal accommodates approximately 775,667 square feet of additional hospital and medical office facilities, as well as a 12-level parking deck. A 148,424 square foot medical tower exists on the site and will remain. The proposed FAR is 3.31, excluding structured parking. The petition includes an optional provision for building height.

Zoning Committee Discussion/Rationale

Staff reviewed the petition including phasing and elevations and noted the following changes since the public hearing:

- The 4th street sidewalk has been increased to 8'.
- The Caswell sidewalk has been increased to 6'.
- The setback dimensions from the curb will be added to the site plan.
- Note #9 will be revised to indicate that the removal of trees as a part of Phase 2 will be subject to the tree ordinance is applicable.

- The storm water note will be revised per Storm Water Service's request.
- The note regarding the relocation of the monument will be clarified.

Staff stated that one outstanding issues related to the elevations of the parking deck remained. The elevations were not available at the public hearing and staff received them Friday afternoon. Staff has concerns related to the elevations especially in phase 2 when the deck is extended to 12 stories. Staff asked the petitioner to the following note to the site plan:

In addition to the normal review of building elevations for compliance with MUDD design standards, the Planning Department staff will also review the submitted elevations to verify that the architectural treatments will soften the deck's scale, mass, and appearance from 3rd Street. The goal of this review is to ensure a façade that creates the illusion of more than one building. Items that will be reviewed include: changes in building materials, cornices, and rooflines; building openings; and other architectural treatments.

The petitioner did not agree to add this language and proposed alternate language that did not give staff approval. Staff is concerned as the MUDD review looks at the pedestrian level and does not address the upper levels of the development. In an effort to avoid holding the petition up, staff asked for approval of the final design. The petitioner has not agreed to add the note. Staff reviewed the design issues associated with the parking deck elevations.

The Commission asked where staff is without the issues being resolved. Staff replied that without the requested note, staff would recommend a one-month deferral in order to address the design issues.

Statement of Consistency

Upon a motion made by Commissioner Loflin and seconded by Commissioner Sheild, the Zoning Committee unanimously found this petition to be consistent with the *Central District Plan* and reasonable and in the public interest.

The Commission suspended the rules to ask the petitioner's agent about the outstanding issues, specifically the blank walls, openings, elevations on the upper floors and the bridges. Walter Fields indicated that with the exception of the upper floors the other issues are covered by the MUDD ordinance. Staff indicated that the upper deck should look more like several buildings than just one. A Commissioner asked if they could extend the middle feature on the ground level to the upper floors. Mr. Fields introduced Mr. Stephen Burke Vice President of Real Estate for Novant Health. He responded that the building does not have a façade design. The building could be made to look more like multiple buildings. The objection is to the language in the proposed note has moved more toward design requirements than zoning requirements.

Mr. Fields was asked about the pedestrian bridges. He explained that one bridge is within the confines of the development and it does not go over a public street. The City Council has to approve the air rights for the bridge over 4th Street so there is additional opportunity for comment. Mr. Burke indicated that there was concern at the charette about a horizontal connection versus an angled connection and that the bridges would be treated architecturally instead of just having glass walls. He further indicated that it is Novant's intent to do that.

The Commission noted that they had not heard a lot on this petition until today and that there were no negative comments at the public hearing. One Commissioner further stated that his uneasiness is that there just has not been the degree of specificity on elevations needed for staff to become comfortable with the petition. Have we given the petitioner adequate notice of the level of detail needed? Staff responded that the charrette process noted the mass and scale of the parking deck and that this was very early on in the rezoning process. In addition, staff only received the elevations of the parking deck Friday, so staff has been working to get comments back to the petitioner.

Vote

Upon a motion made by Commissioner Sheild and seconded by Commissioner Lipton, the Zoning Committee voted unanimously to recommend a ONE-MONTH DEFERRAL of this text amendment.

One Commissioner asked the petitioner's agent what impact a deferral would have on them. Mr. Field's indicated that they would rather resolve the issue out and receive a recommendation today. However, if staff will provide a list of issues, they would like to focus on those things that staff is most concerned about.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.