

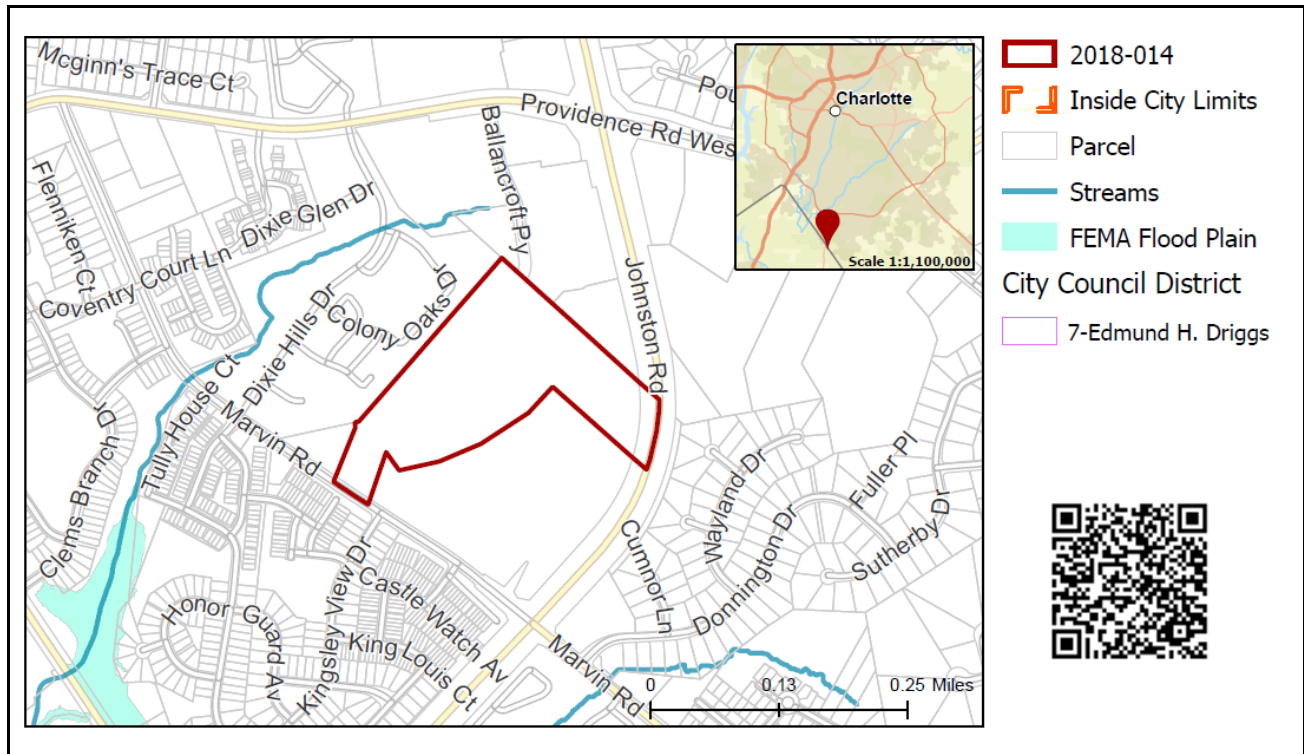
**REQUEST**

Current Zoning: INST(CD) (institutional, conditional) and INST (institutional)

Proposed Zoning: O-2(CD) (office, conditional)

**LOCATION**

Approximately 18.95 acres located on west side of Johnston Road north of Marvin Road.  
 (Council District 7 - Driggs)



**SUMMARY OF PETITION**

The petition proposes the development of a health institution with up to 50 beds and up to 100,000 square feet of medical office use.

**PROPERTY OWNER**

Grace Christian Church

**PETITIONER**

Novant Health, Inc.

**AGENT/REPRESENTATIVE**

Keith MacVean and Jeff Brown, Moore & Van Allen PLLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
 Number of people attending the Community Meeting: 5.

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The request for the portion of the site currently zoned INST (institutional) is consistent with the *South District Plan* recommendation for institutional uses.

However, the request for the portion of the site currently zoned INST(CD) (institutional, conditional) is inconsistent with the *South District Plan* recommendation for religious uses as approved by a previous rezoning.

Rationale for Recommendation

- The majority of the site is zoned institutional and currently allows the proposed health institution.

- 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.
- 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.
- 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.

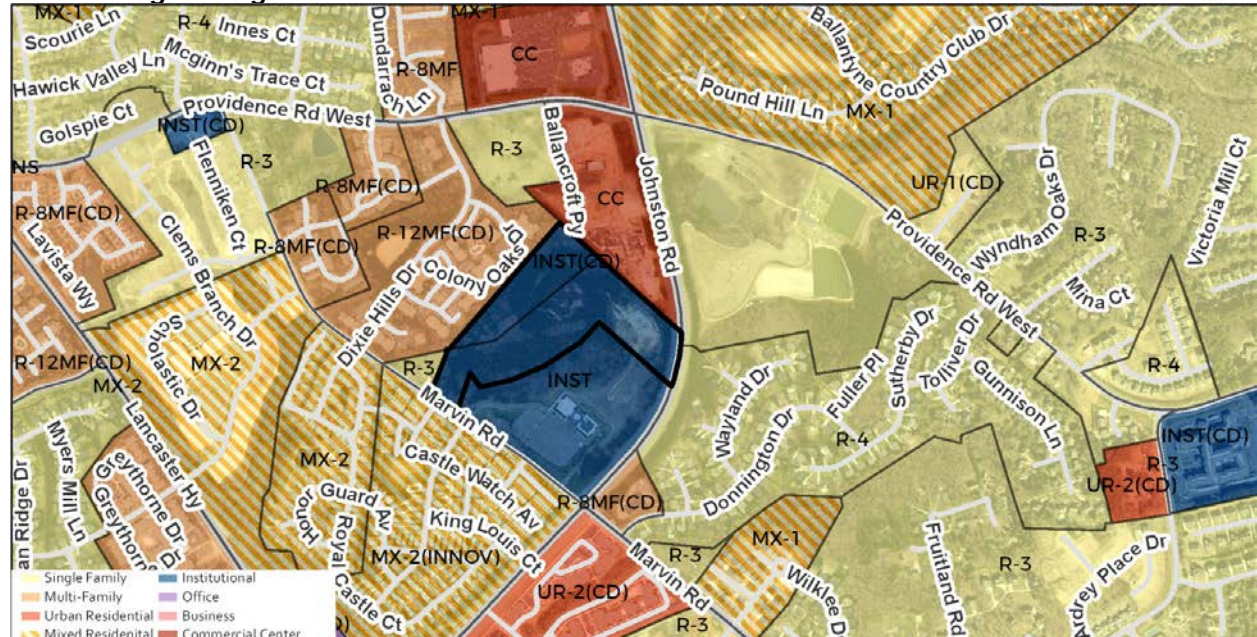
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 100,000 square feet of clinics, and medical, optical, and dental offices.
- Allows a health institution with up to 50 beds with accessory uses including a helicopter pad to be located on the roof of one of the buildings to be constructed.
- Specifies that each building will be a minimum of 22 feet in height, with a maximum building height of five-stories **and not to exceed 75 feet**.
- Provides a number of transportation improvements including:
  - Extends Ballancroft Parkway south along the western edge of the site to Marvin Road, and provides a new public street along the northern edge of the site connecting Ballancroft Parkway to Johnston Road. Provides a private street meeting public standards through the site to connect the new public street to the extension of Ballancroft Parkway.
  - Allows potential public access easement to the remainder of the church property to the east.
  - Constructs a left-turn lane from Marvin Road and proposes a potential north-bound leftover from Johnston Road into the site.
  - Modifies striping and constructs additional turn lanes and storage at Johnston Road and Providence Road West, at Johnston Road and Marvin Road, **at Marvin Road and Dixie Hills Drive**, and at Providence Road West and Marvin Road.
- Provides an eight-foot planting strip and six-foot sidewalk along Marvin Road, a 12-foot multi-use path along Johnston Road, and eight-foot planting strips and six-foot sidewalks along new public and private streets.
- Commits to architectural design standards related to front façade orientation, clear glass windows, brick and stone, blank walls, building articulation, and other design details.

### • Existing Zoning and Land Use



- The subject property is a portion of a larger parcel developed with an existing church. The subject portion is vacant with two zoning designations of which the majority is INST (institutional) and the minority INST(CD) (institutional, conditional). Rezoning petition



1999-008C limited the uses on the INST (CD) (institutional, conditional) portion of the site to only religious institutions or related accessory uses.



The subject property is vacant.



Property north of the site is developed with a mixture of retail, office, financial institution and hotel uses in the Colinayre development.



The adjacent property, to the southeast, is developed with a church.





Abutting properties to the west are developed with multi-family dwellings.

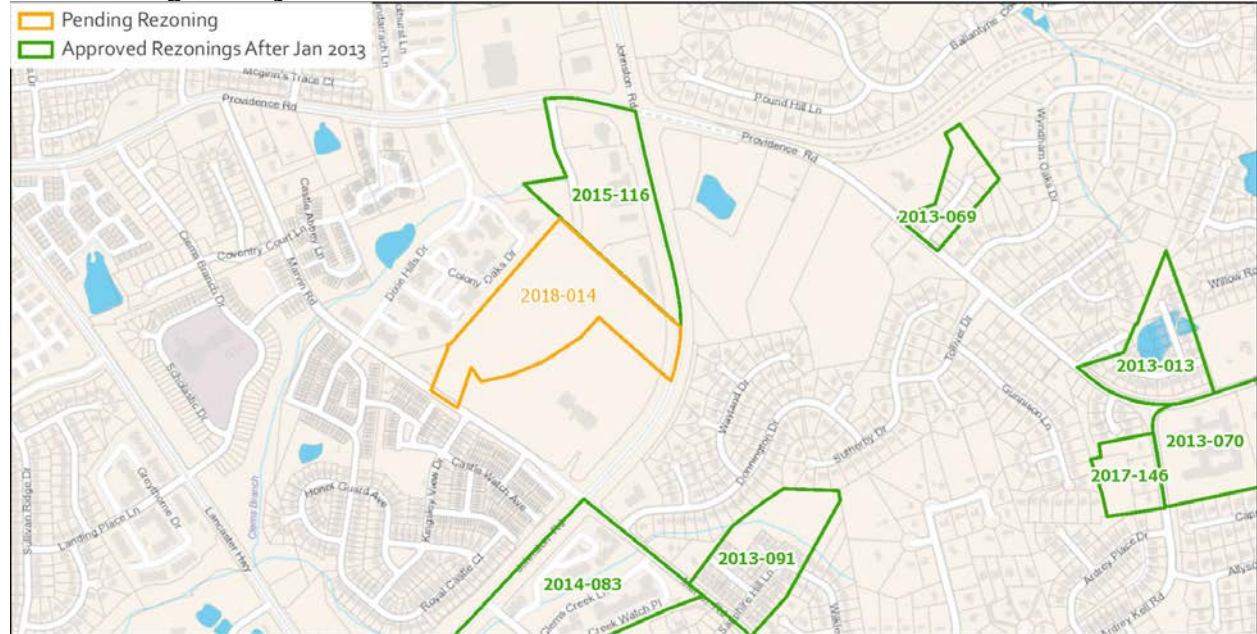


Properties to the south, across Marvin Road, are developed with a mixture of single family attached and detached dwellings.



Properties to the east, across Johnston Road, are developed with single family homes.

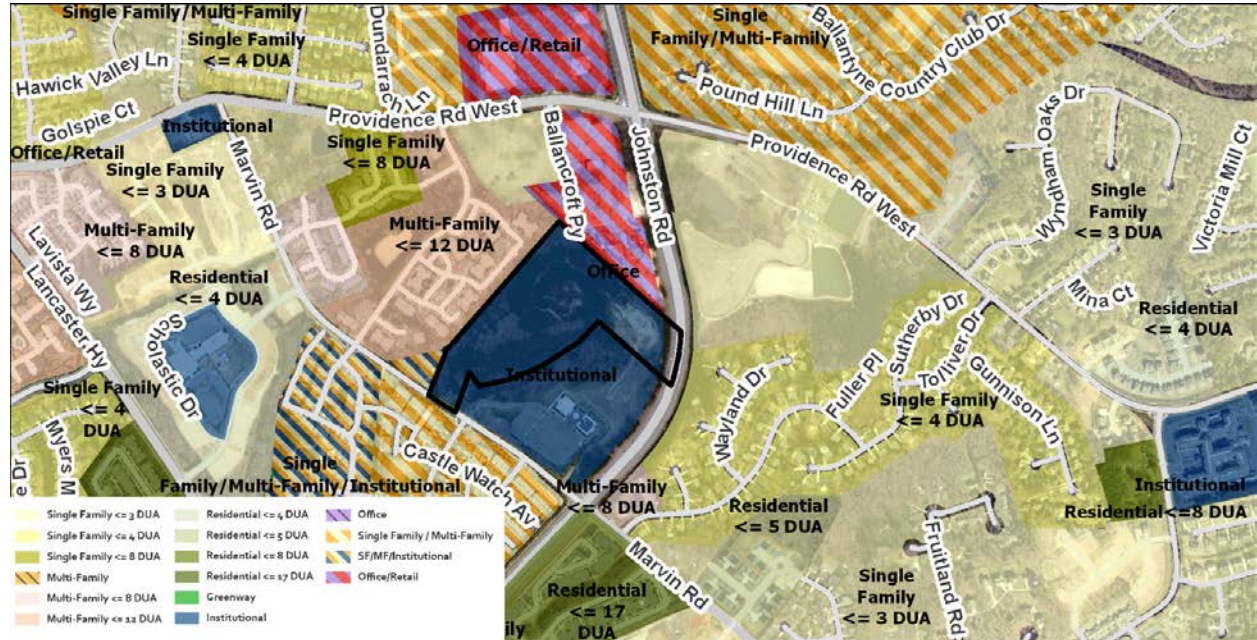
• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2015-116	Rezoned 13.22 acres north of the subject site to CC (commercial center) to allow a mixture of retail, financial institution, office and hotel uses.	Approved
2014-083	Rezoned 18.8 acres south of the site, across Johnston Road and Marvin Road to UR-2(CD) (urban residential, conditional) to allow 281 multi-family dwelling units.	Approved
2013-091	Rezoned 11.38 acres south of the site, across Johnston Road, north of Marvin Road to MX-1 (mixed use) to allow 52 single family, detached dwelling units.	Approved
2013-069	Rezoned 5 acres northeast of the site north of Providence Road West to UR-1(CD) (urban residential, conditional) to allow 19 single family, detached dwelling units.	Approved



## • Public Plans and Policies



- The *South District Plan* (1993) recommends institutional use for the site. Rezoning petition 1999-008C amended the plan for the northwestern portion of the site and limits the use to religious institutions and associated accessory uses.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on Class 2 major thoroughfare and a minor thoroughfare. The site plan commits to providing pedestrian improvements on Marvin Rd, roadway improvements on Johnston Rd and Marvin Rd. In addition, the site provides new public streets to improve network connectivity.
  - See Outstanding Issues, Note 3.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on vacant land).
      - Entitlement: Unable to determine based on the variety of uses allowed under the current zoning.
    - Proposed Zoning: 4,400 trips per day (based on a 50 bed hospital and 100,000 square feet of office uses).

## DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** No comments submitted.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via existing eight-inch water distribution mains located along Marvin Road and Ballancroft Parkway. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing eight-inch gravity sewer main located along Ballancroft Parkway.
- **Engineering and Property Management:**
  - **Arborist:** The location of structures/driveways/other items illustrated on the site plan are conceptual in nature and do NOT confirm or imply authorization by the City to remove any City trees located in street right-of-way of any public street (Marvin and Johnston Roads); City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right-of-way.

Trees cannot be removed from or planted in the right-of-way of any state maintained streets (Marvin and Johnston Rds.) without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact the City Arborist's office for a tree planting permit before planting trees in the NCDOT right-of-way once plans have been approved by the City and before planting trees in the NCDOT right-of-way.

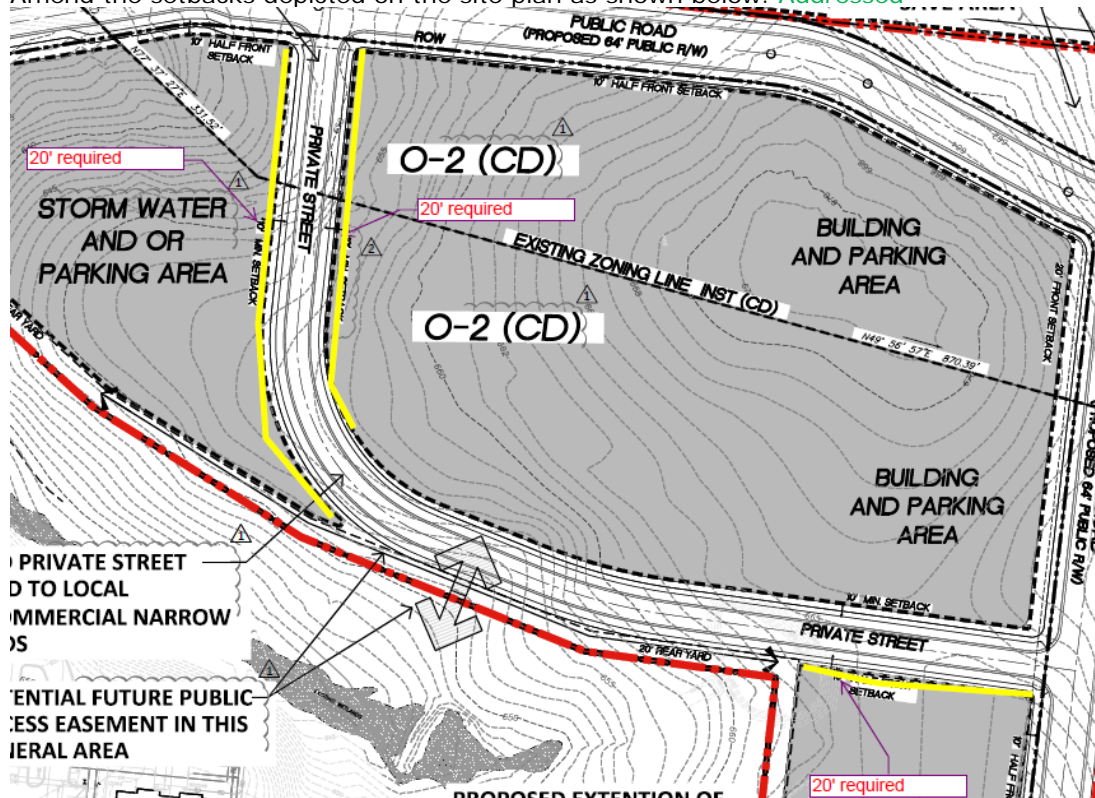
No trees can be removed from or planted in the right-of-way of any existing or newly created City maintained street without explicit authorization from the City Arborist or his designee. Contact the City Arborist's office to discuss trees species to be planted in the right-of-way of all City of Charlotte maintained street; species must be approved before planting.

- **Erosion Control:** No outstanding issues.
- **Land Development:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry:** See Requested Technical Revisions, Note 4.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

## OUTSTANDING ISSUES

### Site and Building Design

1. Amend note b under Permitted Uses & Development Area Limitation to read "Setbacks shall be provided as depicted on the site plan. Along the internal private street the setback shall be measured from the minimum right-of-way for a Local Office/Commercial Narrow Street." Addressed. The petitioner added that they may switch which internal street frontages are the half-front setback and full front setback subject to zoning administrator approval.
2. Amend the setbacks depicted on the site plan as shown below. Addressed



### Transportation

3. Petitioner has committed to building a pedestrian refuge island on Marvin Road and proposed Ballancroft Parkway in lieu of the sidewalk on Marvin Road and Johnston Road. Revise the site plan to show the pedestrian refuge island. Addressed

## REQUESTED TECHNICAL REVISIONS

### Environment

4. Show tree save calculations on plan. Show tree save area clearly on site map. Site is in a wedge and will be required to provide 15% tree save area based on gross acreage. 15% of 18.95 acres = 2.84 acres tree save. Only .5 acres is depicted as possible tree save area. Tree save must contain existing healthy tree canopy. Tree save must be 30-foot width minimum. Addressed

### Transportation

5. Modify the label for the access point on the west side of Ballancroft Parkway extension to read "Potential future connection to public road." Addressed

**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Pre-hearing Staff Analysis
- Post Hearing Staff Analysis
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Housing and Neighborhood Services Review
  - Charlotte Fire Department Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** John Kinley (704) 336-8311