

Seals:

Corp. NC license: F-1320

Novant Health Ballantyne Medical

15825 Marvin Road
Charlotte, North Carolina

Petition No : 2018-014

Project no:

Date:

Revisions:

2018-02-23	CITY COMMENTS
2018-06-11	CITY COMMENTS
2018-07-20	CITY COMMENTS
2018-08-02	CITY COMMENTS
2018-08-09	CITY COMMENTS

Sheet Title:

REZONING NOTES

Sheet No:

RZ-2

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Novant Health, Inc.
Development Standards
08/02/18
Rezoning Petition No. 2018-014

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Site Development Data:
--**Acreage:** ± 18.95 acres
--**Tax Parcel #:** portion of 223-132-17
--**Existing Zoning:** Inst. & Inst.(CD)
--**Proposed Zoning:** O-2(CD)
--**Existing Uses:** Religious Institution
--**Proposed Uses:** Clinics and offices, medical, dental, and optical, and a health institution as permitted by right and under prescribed conditions together with accessory uses, including a helicopter landing pad, a parking structure, as allowed in the O-2 zoning district (as more specifically described and restricted below in Section 2).
--**Maximum Gross Square feet of Development:** Up to 100,000 square feet of gross floor area of clinics and offices, medical, dental, and optical. Plus a health institution with up to 50 licensed patient bedrooms.
--**Maximum Building Height:** To be five (5) stories but not to exceed 75 feet as allowed by the Ordinance. Height to be measured as required by the Ordinance.
--**Parking:** Parking will be provided as required by the Ordinance.

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1. General Provisions:
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a. Site Location. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Novant Health, Inc. ("Petitioner") to accommodate the development of a medical office complex with a variety of medical uses as allowed in the O-2 zoning district on approximately 18.95 acre site located on the west side of Hwy. 521 between Providence Road West and Marvin Road (the "Site").
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b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the O-2 zoning classification shall govern.
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c. Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

- i.

minor and don't materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

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d. Parcel Subdivision: The Petitioner may subdivide the Site. If the Site is subdivided yards, and other separation standards will not be required between the internal private lines and the Site will be treated as a unified development.
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2. Permitted Uses & Development Area Limitation:
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a. The Site may be developed with up to 100,000 square feet of gross floor area of clinics and offices, medical, dental, and optical. Plus as a health institution with up to 50 licensed patient bedrooms, together with accessory uses, including a helicopter landing pad a parking structure as allowed in the O-2 zoning district. The proposed helicopter landing pad will be located on the roof of one of the buildings constructed on the Site.
For purposes of the development limitations set forth in these Development Standards for this Petition (but not to be construed as a limitation on FAR requirements or definition set by the Ordinance), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, and all loading dock areas (open or enclosed).
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b. The setback along Hwy. 521 and Marvin Road will be 20 feet as measured from the existing right-of-way lines. Along the interior public streets, the setback will be either a 20 foot front setback, or one-half of the required front setback or 10 feet as generally depicted on the Rezoning Plan. The Petitioner will provide along the internal private street either a minimum of a 20 foot front setback, or one-half of the required front setback or 10 feet as measured from the minimum right-of-way for a Local Office/Commercial Narrow Street as generally depicted on the Rezoning Plan. The Petitioner may request a change along the internal private street and the interior public streets to the setbacks illustrated subject to the approval of the Zoning Administrator. However, the 20 foot setback provided along Marvin Road and Johnston Road will not be reduced.

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3. Transportation Improvements:
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1. Proposed Improvements:
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Improvements. The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions.
The following Transportation Improvements are also illustrated on Figure 11a on Sheet RZ-00 of the Rezoning Plan. Figure 11a on Sheet RZ-00 is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number or letter when describing an improvement corresponds to the number or letter found on Figure 11a for the proposed improvement).
- The following roadway improvements will be made by the Petitioner as part of the development of the Site as proposed by the rezoning Plan:
- a.

Johnston Road (US 521) & Providence Road W (signalized)
 - Re-mark the existing right turn lane to a 2nd westbound through lane on Providence Road W and extend 200 feet for a total of 450 feet with an appropriate bay taper.
 - Construct a new westbound right turn lane on Providence Road W with 450 feet of storage and an appropriate bay taper.

b.

Johnston Road (US 521) & Marvin Road (signalized x-over)
 - Extend the existing southbound left turn lane storage on Johnston Road (US 521) from 400 feet to 550 feet.

c.

Providence Road W & Marvin Road (unsignalized)
 - Provide a westbound left turn lane on Providence Road W with 200 feet of storage with an appropriate bay taper (pavement re-mark)
 - Provide a separate northbound left turn lane (with 150 feet of storage) and a right turn lane (termination of through lane) (both pavement remarks)

d.

Johnston Road (US 521) & Proposed X-over Access "A"
 - Construct a westbound directional x-over on Johnston Road (US 521) with 300 feet of storage with an appropriate bay taper (within the existing median).
 - Construct "A" with one ingress lane and one egress lane that terminates as a right turn lane at Johnston Road (US 521). The proposed median x-over on Johnston Road (US 521) will eliminate left exiting vehicular movements.
 - Construct a southbound right turn lane on Johnston Road (US 521) with 100 feet of storage with an appropriate bay taper.
- e.

Marvin Road & Proposed Full Movement Access "B"
 - Construct an eastbound left turn lane at Proposed Full Access "B" with 300 feet of storage. Extend the westbound left turn lane storage on Marvin Road at Dixie Hills Drive from 125 feet to 260 feet of storage (to the end of the eastbound left turn lane storage lane at Proposed Full Access "B") to create back to back left turn lanes with a minimal taper to maximize the left turn lane storage lengths on Marvin Road.
 - Construct Proposed Full Movement Access "B" with one ingress lane and two egress lanes (separate left (termination of the through lane) and right (100 feet of storage) turn lanes).
 - Construct a pedestrian refuge island along Marvin Road at Access B. Design and location to be determined during the land development process.
- ### II. Standards, Phasing and Other Provisions.
- a.

CDOT/NC DOT Standards. All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT as applicable. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the area, by way of a private/public partnership effort or other public sector project support.

b.

Substantial Completion. Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 3.1. above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 3.1.a above provided, however, in the event all roadway improvements are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.
- b.

Right-of-way Availability. It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.
- d.

Alternative Improvements. Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, and the Planning Director as applicable, provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.
4.

Access and Transportation:

a.

Access to the Site will be from Marvin Road, Hwy. 521, and the extension of Ballancroft Parkway in the manner generally depicted on the Rezoning Plan.

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b. The Petitioner will construct the extension of Ballancroft Parkway through the Site as a new public street, and will also construct a new public street extending from Hwy. 521 to Ballancroft Parkway extension in the manner generally depicted on the Rezoning Plan. These two (2) public streets will be extended as local office commercial wide streets with 64 feet of right-of-way as indicated on the cross-section on the Rezoning Plan. Instances where the sidewalk falls outside of the proposed right-of-way a sidewalk and utility easement located two (2) feet behind the right-of-way will be provided.

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c. The Petitioner will construct a private street within the Site connecting the two proposed interior public streets as generally depicted. This interior private street will have an office-commercial narrow street cross-section. A public access easement will be recorded over the private street. The adjoining property to the east will be allowed to access the private street in the future.

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d. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.

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e. The Petitioner will dedicate and convey via a fee simple deed any additional right-of-way indicated on the proposed site plan prior to the issuance of the first certificate of occupancy. Right-of-way conveyance to be located two feet behind the sidewalk or a two (2) utility easement to be provided behind the sidewalk if two (2) feet right-of-way cannot be conveyed behind the sidewalk.

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f. Any required roadway improvement will be approved and constructed prior to the issuance of the first certificate of occupancy subject to the petitioner ability to post a bond for any improvements not in place at the time of the issuance of the first certificate of occupancy.

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g. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with published standards.
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5. Streetscape, Buffers, Yards and Landscaping:

a.

Along the Site's frontage on Marvin Road the Petitioner will provide an eight (8) foot planting strip and a six (6) foot sidewalk as generally depicted on the Rezoning Plan. The sidewalk along Marvin Road will be located a minimum of 44 feet from the existing center line of Marvin Road. Along the Site's frontage on Hwy. 521 the Petitioner will install a 12 foot multi-use path outside of the right-of-way and within the 20 foot setback, the multi-use path will be located a minimum of 66 feet from the center line existing Johnston Road. The Petitioner will connect this proposed multi-use path to the sidewalk on the adjoining development to the north if possible.

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b. Along the new internal public streets, and private street an eight (8) foot planting strip and a six (6) foot sidewalks will be provided.

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c. The Petitioner will provide a sidewalk network that links each building entrance on the Site to the sidewalks along Marvin Road, Hwy. 521, and the internal public and private streets. The minimum width for this internal sidewalk will be five (5) feet.

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d. Above-ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

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e. Dumpster areas and recycling areas will be enclosed by a solid wall with one side being a decorative gate. The wall used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.
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6. Architectural Standards:

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1. Building Placement and Site Design shall focus on and enhance the Pedestrian environment on Public or Private network required streets, through the following:

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a. Buildings shall be placed so as to present a front or side façade to all streets.

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b. Facades fronting streets shall include a combination of windows and operable doors for a minimum of 60% of each frontage elevation transparent glass between 2' feet and 10' feet on the first floor. Up to 20% of this requirements may be comprised of display windows. These display windows must maintain a minimum of 3'-0" foot clear depth between window and rear wall. Windows within this zone shall not be screened with film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" feet above adjacent street sidewalk.

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c. The facades of first/ground floor of the buildings along streets shall incorporate a minimum of 30% masonry material such as brick or stone.
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d. Direct pedestrian connection should be provided between street facing doors, corner entrances features to sidewalks on adjacent streets.

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e. Building elevations shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions, or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

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f. Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall off-sets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.

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g. Buildings should be a minimum height of 22 feet.

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h. Multi-story buildings should have a minimum of 20% transparency on upper stories.
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7. Environmental Features:

a.

The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance.

b.

The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

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c. The Site will comply with the Tree Ordinance.

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8. Lighting:

a.

All new detached and attached lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

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b. Detached lighting on the Site will be limited to 31 feet in height.

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9. Amendments to the Rezoning Plan:

a.

Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

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10. Binding Effect of the Rezoning Application:

a.





If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.
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- Figure 13
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- Figure 11a
- ## TRANSPORTATION IMPROVEMENTS - FIGURE 13 & 11a

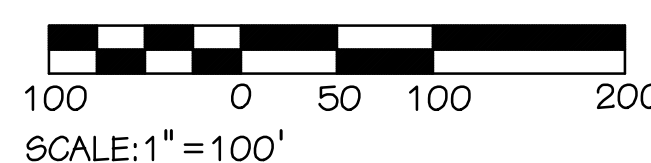


LOCAL OFFICE/COMMERCIAL NARROW STREET
TYPICAL SECTION



SITE DATA:

 Rezoning Petition:	2018-014
Parcel Numbers:	223-132-17 (PORTION OF)
Acreage:	+ 18.95 AC
Jurisdiction:	CITY OF CHARLOTTE
Existing Zoning:	INST (CD) INST
 Proposed Zoning:	O-2 (CD)
Existing Uses:	RELIGIOUS INSTITUTION
 Proposed Uses:	Clinics and offices, medical, dental, and optical, and a health institution as permitted by right and under prescribed conditions together with accessory uses, including a helicopter landing pad, a parking structure, as allowed in the O-2 zoning district (as more specifically described and restricted below in Section 2).
 Tree Save:	15% of 18.95 AC = 2.84 AC. 2.84 AC, Generally where depicted on plan but may vary. May be comprised of existing tree canopy and/or replanted areas.



Seals:

Corp. NC license: F-1320

**Novant Health
Ballantyne Medical**
15825 Marvin Road
Charlotte, North Carolina

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2018-02-23

2018-06-11

2018-07-20

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Sheet Title

REZONING SITE PLAN

Sheet No:

RZ-1