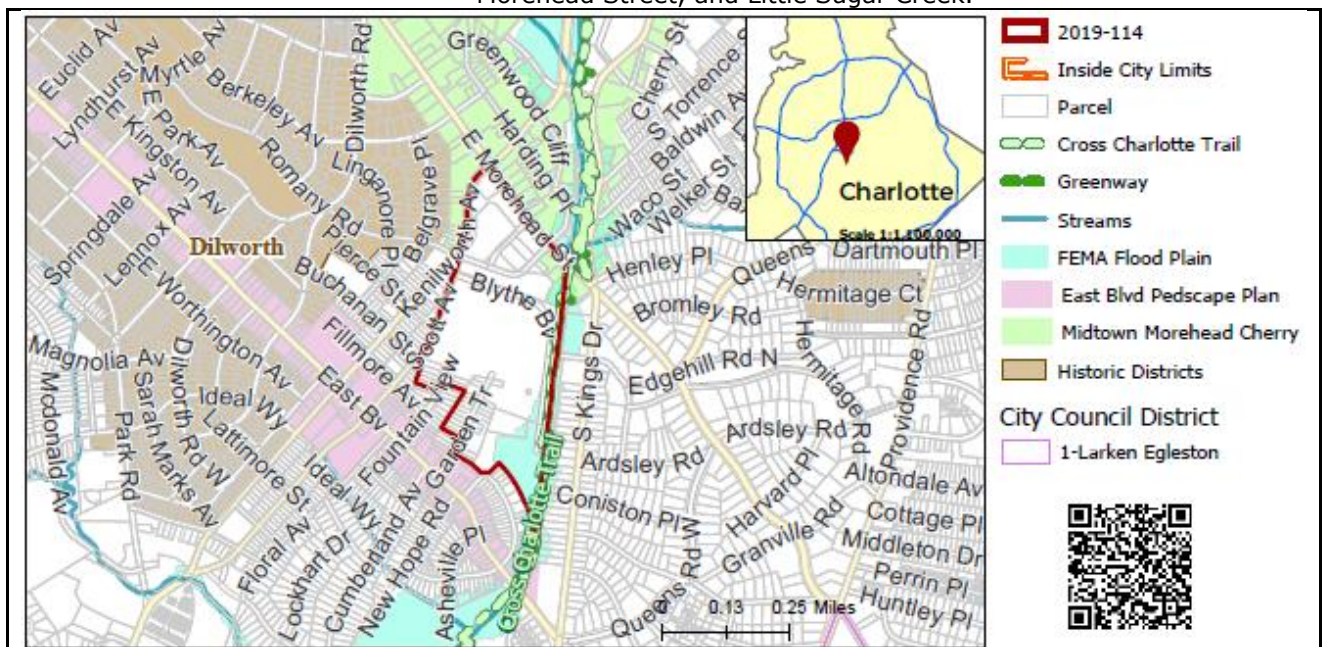


REQUEST

Current Zoning: O-2 (office), O-6(CD) (office, conditional), B-1 (neighborhood business), B-2 (general business), B-1 PED (neighborhood business, pedestrian overlay), B-2 PED (general business, pedestrian overlay), R-6 (single family residential), and R-22MF (multi-family residential)
Proposed Zoning: MUDD-O (mixed use development, optional) with 5-year vested rights

LOCATION

Approximately 70.53 69.27 acres bounded by Scott Avenue, East Morehead Street, and Little Sugar Creek.



SUMMARY OF PETITION

The petition proposes to accommodate the construction of a new hospital bed tower, a new rehabilitation hospital and the future renovation and expansion of Atrium's facilities on the site. The site is comprised of the existing CMC campus and adjacent parcels of land owned by the hospital. The adjacent parcels will be incorporated into the CMC campus. The rezoning site is bordered by East Morehead Street, Scott Avenue, and Little Sugar Creek Greenway.

PROPERTY OWNER

The Charlotte-Mecklenburg Hospital Authority, Mercy Equipment Corporation, HTA-Morehead MOB, LLC, 1717 Garden Terrace, LLC, The Charlotte-Mecklenburg Hospital Authority
John Carmichael (Robinson Bradshaw)

**PETITIONER
AGENT/REPRESENTATIVE**

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 40
(The petitioner held a second community meeting with 77 in attendance)

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

Portions of the site are consistent with the *Midtown Morehead Cherry Area Plan* recommendations for multifamily residential/office/retail, residential/office and residential/office/retail; portions of the site are

consistent with the *Dilworth Land Use and Streetscape Plan* recommendation for institutional, and greenway. Remaining portions of the site are **inconsistent** with the *Dilworth Land Use and Streetscape Plan* recommendation for residential up to 5 units per acre for some portions, residential up to 22 dwelling units per acre for other portions, and greenway for a portion.

Rationale for Recommendation

- The development proposes the updating and expansion of an existing hospital campus and associated uses.
- The development commits to several transportation improvements to support connectivity and multi-modal activities.
- The project commits to several greenway and open space improvements, including reconstruction of a portion of Little Sugar Creek Greenway.
- The project proposes a walkability plan to support improved internal circulation and enhanced external connections.
- The project proposes a 30-foot landscape buffer and/or 50-foot building setback along property lines abutting existing residential development.
- The project proposes a 10-foot landscape buffer and/or 30-foot building setback along property lines adjacent to existing residential development.
- The project proposes to step down the building height to a maximum 40 feet adjacent to existing residential development.
- The uses are generally consistent with what exists in the larger, general area.

The approval of this petition will revise the adopted future land use as specified by the *Dilworth Land Use and Streetscape Plan*, from residential up to 5 units per acre and residential up to 22 units per acre to mixed use residential/office. The *Dilworth Land Use and Streetscape Plan* recommends institutional, greenway, residential up to 5 units per acre, and residential up to 22 dwelling units per acre on portions of the site.

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Divides the site into 8 Development Areas A through H. The boundaries of each development area contain the building and parking envelopes for each development area.
- Limits the site to a total maximum of 4,975,000 square feet of gross floor area.
- Requests the following optional provisions:
 - Parking, vehicular circulation, and vehicular maneuvering space may be located between buildings and structures located on the Site and the required setbacks from all adjacent public and private streets. Optional provision shall not apply to any new building or structure located in Building Setback Envelope A-1 ~~or~~ to any new building or structure located in Development Area C-1, any new building or structure located in Development Area C-2, any new building or structure located in Development Area G-3 or any new building or structure located in Development Area G-4.
 - Valet parking service area(s) may be located between the buildings and structures located on the Site and all adjacent public and private streets. Optional provision shall not apply to any new building or structure located in Building Setback Envelope A-1 ~~or to~~ any new building or structure located in Development Area C-1, any new building or structure located in Development Area C-2, any new building or structure located in Development Area G-3 or any new building or structure located in Development Area G-4.
 - Subject to specified terms, the existing sidewalks, planting strips, street trees and streetscapes located along the Site's public street and private street frontages may remain in place.
 - The Scott Avenue Streetscape Improvements as defined on the rezoning plan may satisfy the Site's streetscape requirements along the site's entire frontage on Scott Avenue.

- The existing buildings, structures, structured parking facilities, surface parking facilities and any other existing improvements on the Site may remain in place and continue to be utilized. To the extent that any existing buildings, structures, structured parking facilities, surface parking facilities and any other existing improvements on the Site do not comply with any requirement of the MUDD zoning district, the Ordinance or this Rezoning Plan, Petitioner shall not be required to bring any such existing buildings, structures, structured parking facilities, surface parking facilities and any other existing improvements on the Site or any portions thereof into compliance with the MUDD zoning district, the Ordinance or this Rezoning Plan.
- ~~Existing buildings and structures and~~ Renovated and rehabilitated existing buildings and structures ~~and structured parking facilities~~ located on the Site shall not be required to comply with the urban design and development standards set out ~~Section 9.8506(2)(a), Section 9.8506(2)(h) and Section 9.8506(2)(i)~~ 9.8506 of the Ordinance. ~~Any New buildings or structures constructed~~ structured parking facilities, surface parking facilities and other new improvements on the Site ~~shall will~~ be required to comply with ~~these urban design and development standards (subject to any applicable~~ the requirements of the rezoning plan and the MUDD zoning district (except as modified by the Optional Provisions set herein).
- A maximum building height of 150 feet in Development Area A.
- A maximum building height of 200 feet in Development Area B.
- A maximum building height of 250 feet in Development Area D subject to the building height envelopes described in the site plan.
- ~~A maximum building height of 150 feet in Development Area H subject to the building height envelopes described in the site plan.~~
- ~~New wall signs installed on buildings or structures located on the Site may have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less.~~
- New monument signs installed on the Site ~~shall~~ may have a maximum height of ~~6~~ 7 feet and a maximum sign area of 40 feet.
- The optional provisions regarding signage are an addition/modification to the standards for signs in the MUDD zoning district and are to be used with the remainder of the MUDD standards for signs that are not modified by these optional provisions.
- Proposes the following uses and height limitations in each development as identified below:
 - Development Area A
 - Health institutions, including hospitals, clinics and similar uses; laboratories, dental, medical and optical; laboratories, within an enclosed building for applied and basic research; professional business and general offices, including clinics, medical, dental and doctors' offices; colleges or universities, including a medical college and/or a nursing school, and dormitories for the students of any such colleges or universities; multi-family and planned multi-family dwelling units; structured parking facilities as an accessory use.
 - Notes the maximum setback from Scott Avenue, Kenilworth Avenue and East Morehead Street for any new buildings or structures constructed within that portion of Development Area A designated as Building Setback Envelope A-1 shall be 20 feet from the back of the existing or future curb located along Scott Avenue, Kenilworth Avenue and East Morehead Street. No surface parking, vehicular circulation or vehicular maneuvering space shall be permitted in the setback or between any new building or structure located in Building Setback Envelope A-1 and the setback, except that driveways providing access to a parking area may be installed across these areas.
 - Limits building height to 150 feet.
 - Development Area B
 - Health institutions, including hospitals, clinics and similar uses; laboratories, dental, medical and optical; laboratories, within an enclosed building for applied and basic research; professional business and general offices, including clinics, medical, dental and doctors' offices; colleges or universities, including a medical college and/or a nursing school, and dormitories for the students of any such colleges or universities; structured parking facilities as an accessory use.
 - Limits building height to 200 feet.
 - Development Area C-1
 - Health institutions, including hospitals, clinics and similar uses; laboratories, dental, medical and optical; ~~laboratories, within an enclosed building for applied and basic research;~~ professional business and general offices, including clinics, medical, dental and doctors' offices; multi-family and planned multi-family dwelling units; single family detached and single family attached dwelling units; ~~structured parking facilities as an accessory use.~~
 - Prohibits structured parking facilities.
 - Limits building height to ~~110~~ 40 feet.

- Development Area C-2
 - Health institutions, including hospitals, clinics and similar uses; laboratories, dental, medical and optical; laboratories, within an enclosed building for applied and basic research; professional business and general offices, including clinics, medical, dental and doctors' offices; multi-family and planned multi-family dwelling units; and structured parking facilities as an accessory use.
 - Limits maximum height to 60 feet.
- Development Area D
 - Health institutions, including hospitals, clinics and similar uses; laboratories, dental, medical and optical; laboratories, within an enclosed building for applied and basic research; professional business and general offices, including clinics, medical, dental and doctors' offices; colleges or universities, including a medical college and/or a nursing school, and dormitories for the students of any such colleges or universities; structured parking facilities as an accessory use.
 - Limits the maximum height of any building or buildings (or portions thereof) located on Development Area D to 40 feet, ~~200~~ 100 feet and 250 feet.
- Development Area E
 - ~~Limits to open space and/or a tree save area (if needed for tree save). If not devoted to a tree save area, it may will only be devoted to open space.~~
 - ~~Prohibits building, structure or parking facilities, but allows landscaping, hardscape and seating elements, such as benches.~~
- Development Area F
 - ~~Limits to Allows open space and/or a tree save area (if needed for tree save). If not devoted to a tree save area, it shall only be devoted to open space.~~
 - Allows Loop Road, the planting strip and sidewalk associated with Loop Road and other improvements relating to Loop Road.
 - Prohibits building, structure or parking facilities, but allows landscaping, hardscape and seating elements, such as benches.
 - Illustrates linear park/development connections and a multi-use path connection.
 - ~~Notes that Loop Road may encroach into Development Area F for a distance of no more than one-third of the width of Development Area F. Allows portions of the new cul-de-sac to be located at the terminus of Fountain View to encroach into Development Area F.~~
- Development Area G-1
 - Allows health institutions, including hospitals, clinics and similar uses; laboratories, dental, medical and optical; laboratories, within an enclosed building for applied and basic research; professional business and general offices, including clinics, medical, dental and doctors' offices; colleges or universities, including a medical college and/or a nursing school, and dormitories for the students of any such colleges or universities; single family attached dwelling units, multi-family and planned multi-family dwelling units; dwellings, detached, duplex, triplex and quadraplex; structured parking facilities as an accessory use.
 - Limits the maximum height of any building or buildings located on Development Area G-1 to 40 feet and 60 feet.
- Development Area G-2
 - Allows open space and/or tree save areas.
 - Public and/or private streets and access drives to serve the uses on the site may be located in Development Area G-2.
 - At the option of the petitioner, some or all of the existing single family detached homes on Development Area G-2 may remain in place and continue to be devoted only to single family residential uses.
 - Underground utilities to serve the site may be located in Development Area G-2.
- Development Area G-3
 - Allows dwellings, detached, duplex, triplex and quadraplex.
 - Multi-family and planned multi-family dwelling units.
 - Single family attached dwelling units.
 - Public and/or private streets and access drives to serve the uses on the site.
 - Surface parking lot(s) to serve the uses on the site.
 - Structured parking facility to serve the uses on the site provided that a structured parking facility meets identified standards.
 - Underground utilities to serve the site may be located in Development Area G-3.
 - Limits building height to 40 feet and 60 feet.
- Development Area G-4
 - Allows dwellings, detached, duplex, triplex and quadraplex.
 - Multi-family and planned multi-family dwelling units.
 - Single family attached dwelling units.

- Public and/or private streets and access drives to serve the uses on the site.
- Underground utilities to serve the site may be located in Development Area G-4.
- Limits building height to 40 feet and 60 feet.
- Development Area H
 - Allows health institutions, including hospitals clinics and similar uses; laboratories, dental, medical and optical; laboratories, within an enclosed building for applied and basic research; professional business and general offices, including clinics, medical, dental and doctors' offices; ~~structured parking facilities as an accessory use.~~
 - Limits the maximum height of any building or buildings located on Development Area H from 40 feet, ~~to 150 feet.~~ 60 feet, and 100 feet.
 - ~~Prohibits structured parking facilities as a principal or accessory use on Development Area H.~~ Height limitations do not apply to existing buildings or structures located in Development Area H.
- Specifies that subject to standards a total maximum of 425 multi-family dwelling units may be located on the rezoning site.
- Notes that that if multi-family or planned multi-family dwelling units are developed on the rezoning site, each multi-family or planned multi-family dwelling unit shall be counted towards the maximum allowed total gross floor area at the rate of 1,000 square feet per multi-family dwelling unit.
- Proposes that a maximum of 42 detached, duplex, triplex, ~~and/or~~ quadraplex ~~and/or single family attached~~ dwelling units may be located on the rezoning site. The gross floor area of detached, duplex, triplex ~~and/or~~ quadraplex ~~and/or single family attached~~ dwelling units shall not be considered or counted towards the maximum gross floor area or density allowed on the Site set out per site plan.
- Notes helipads as an accessory use shall only be permitted in Development Area A, Development Area B and Development Area D.
- ~~Notes helipads on Development Area D may only be located on the rear (western) half of the roof of the building to be constructed on Development Area D.~~
- Design measures set forth will be incorporated into the design to be constructed on Development Area D in an effort to provide some noise abatement for the referenced helipads.
- Proposes that a parapet with a minimum height of 5 feet be installed around the perimeter of the roof of the building.
- Proposes a penthouse structure with a minimum height of 15 feet to be installed on top of the center portion of the roof of the building.
- ~~States structured parking facilities as a principal or accessory use shall not be permitted on Development Area H.~~
- Proposes the following transportation commitments:
 - Abandonment of a portion of Garden Terrace. In the event this right of way is abandoned, a vehicular connection from the Site to the remaining portion of Garden Terrace shall be maintained as generally depicted on the Rezoning Plan.
 - Abandonment of a portion of Fountain View.
 - Abandonment of a portion of an alley located on the Site.
 - Petitioner will not make a vehicular connection from the Site or the private Loop Road to Fountain View. A vehicular connection from Fountain View to the private Loop Road may be made by CDOT or others upon the redevelopment of the parcels of land located on Fountain View to non-residential or multi-family uses, ~~at which time there will be no remaining single family uses on Fountain View.~~
 - Pedestrian connections and pedestrian circulation on and through the Site will be provided as generally depicted on the rezoning plan.
 - Prior to the issuance of the first certificate of occupancy for a new building constructed in Development Area A, Petitioner will dedicate portions of Development Area A located immediately adjacent to Kenilworth Avenue required to provide right of way measuring 40 feet from the centerline of existing Kenilworth Avenue.
 - The minimum required sections for the internal private streets on the Site currently planned to be relocated or improved are set out on the Rezoning Plan. The relocation or improvement ~~to~~ ~~of~~ these private streets and the implementation of the minimum sections shall be completed prior to the issuance of the first certificate of occupancy for a new building constructed in Development Area D.
 - The minimum required section for Medical Center Drive and the new Medical Center Drive Bridge to be constructed are set out on the Rezoning Plan. The improvements to Medical Center Drive and the construction of the new Medical Center Bridge shall be completed prior to the issuance of the first certificate of occupancy for a new building constructed in Development Area D.

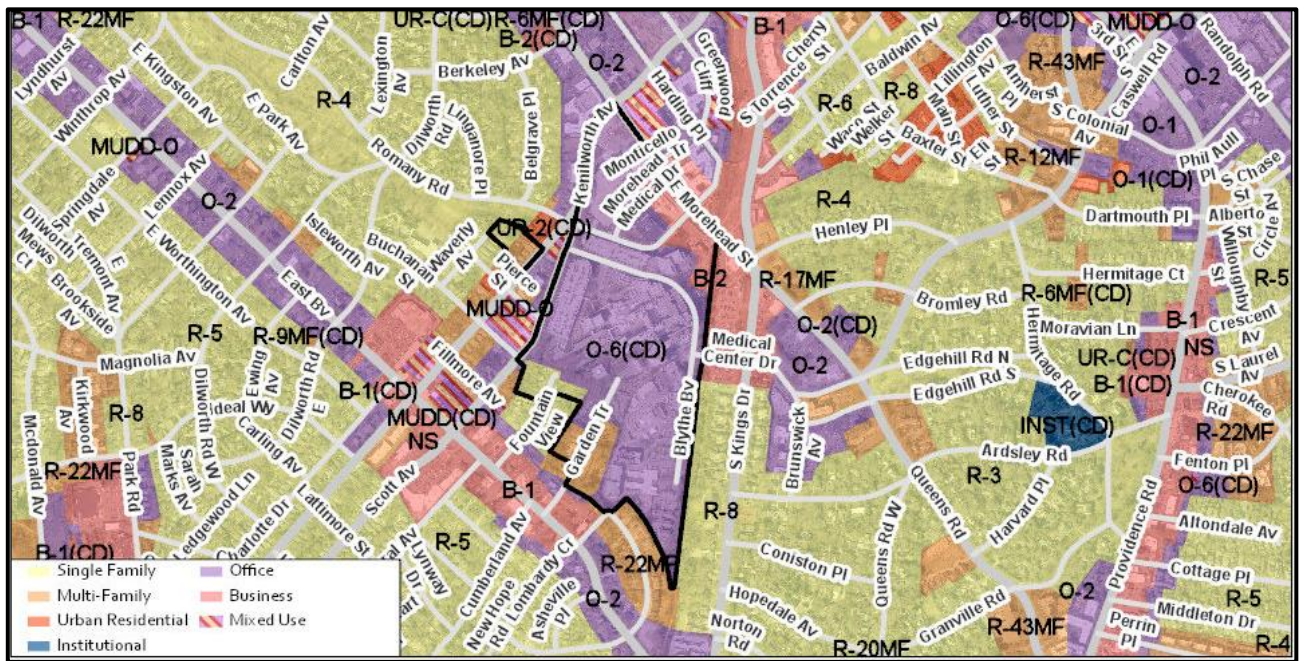
- As part of the permitting process for the first new building to be constructed in Development Area D, the petitioner will submit a wayfinding plan for the Site to CDOT for review and approval.
- ~~Prior to the issuance of the first certificate of occupancy for a new building constructed in Development Area D and subject to the approval of CDOT and any other applicable governmental agencies, the petitioner will convert Buchanan Street between Kenilworth Avenue and Scott Avenue into a two-way street. In the event that Petitioner cannot obtain all approvals and permits required to construct this improvement, then Petitioner shall have no obligation to convert Buchanan Street between Kenilworth Avenue and Scott Avenue into a two-way street.~~
- **Locates intersection of Loop Road and Scott Avenue as shown on the rezoning plan.**
- Installs a pedestrian **crossing** signal at the intersection of Loop Road and Scott Avenue to ~~assist pedestrians to cross Scott Avenue.~~ **one of the following intersections:**
- **Intersection of Loop Road and Scott Avenue; or**
- **Intersection of Scott Avenue and Buchanan Avenue.** The ultimate location of this pedestrian **crossing** signal will be determined in coordination with CDOT. This pedestrian **crossing** signal will be installed prior to the issuance of the first certificate of occupancy for a new building constructed in Development Area D.
- Pedestrian connectivity between and within the Development Areas will be established and provided during the permitting process for a Development Area. Pedestrian connections may include, without limitation, sidewalks, trails, paths and sky-bridges.
- Pedestrian scale street lights will be provided on those internal private streets (or portions thereof) that are currently planned to be relocated or improved pursuant to the Rezoning Plan. The pedestrian scale street lights shall be installed prior to the issuance of the first certificate of occupancy for a new building constructed in Development Area D.
- Identifies the development of a Transportation Demand Management Plan as set out in the Traffic Study conducted that provides a menu of various measures (i.e. the "TDM Measures") the petitioner can implement to encourage a shift in transportation modes and to achieve a vehicular trip reduction for the Site. The TDM Measures are separated into three categories, namely: Person-Commute Trip Reduction Measures, Bicycle Programs/Infrastructure and Transit Programs/Infrastructure.
- **(Phase I Buildout)** Prior to the issuance of the first certificate of occupancy for a new building constructed in Development Area D, Petitioner shall substantially complete the transportation improvements set out below. A new building in Development Area H and a new building in Development Area D comprise the **Phase 1 Buildout** referenced in the TIS.
 - East Morehead Street and Kenilworth Avenue
 - Construct an eastbound right-turn lane from East Morehead Street onto Kenilworth Avenue with 75 feet of storage.
 - Construct a northbound right-turn lane from Kenilworth Avenue onto East Morehead Street with 50 feet of storage.
 - East Morehead Street and Harding Place
 - ~~Modify the westbound left-turn lane from East Morehead Street onto Harding Place to provide a lagging-protected left-turn.~~ **Install 4-section flashing yellow arrows for the eastbound and westbound left-turn movements on East Morehead Street.**
 - East Morehead Street and Kings Drive
 - Construct an eastbound right-turn lane from East Morehead Street onto Kings Drive with 140 feet of storage.
 - Kings Drive and Medical Center Drive
 - Construct an eastbound left-turn lane from Medical Center Drive onto Kings Drive to create dual left-turn lanes with 150 feet of storage. This lane should be established by utilizing the existing second receiving lane on the western leg of the intersection.
 - Blythe Boulevard and Medical Center Drive
 - Restripe the westbound left-turn lane from Medical Center Drive onto Blythe Boulevard to provide 75 feet of storage.
 - Kings Drive and East Boulevard
 - Construct a southbound left-turn lane from Kings Drive onto Queens Road with 150 feet of storage.
 - East Boulevard and Garden Terrace
 - Construct a southbound right-turn lane from Garden Terrace onto East Boulevard with 100 feet of storage. Notwithstanding the foregoing, petitioner will not be required to construct this improvement if CDOT and/or NCDOT approves the elimination of this improvement
 - East Morehead Street and Edgehill Road/Queens Road

- Construct a northbound right-turn lane from Edgehill Road onto East Morehead Street with 100 feet of storage.
- Morehead Medical Drive and Loop Road
 - Construct an eastbound left-turn lane from Loop Road onto Morehead Medical Drive with 100 feet of storage.
 - Construct a two-way left-turn lane along Loop Road between Morehead Medical Drive and Garden Terrace.
- Garden Terrace and Loop Road
 - Construct an eastbound left-turn lane from Loop Road onto Garden Terrace with 100 feet of storage.
 - Construct a westbound left-turn lane from Loop Road onto Garden Terrace with 100 feet of storage.
 - Construct a two-way left-turn lane along Loop Road between Morehead Medical Drive and Garden Terrace.
- Scott Avenue and Parking Deck Road Right-In/Right-Out
 - Construct one ingress lane and one egress lane.
- Romany Road and Morehead Medical Drive
 - Restripe the existing intersection to meet current MUTCD standards.
- **(Phase 2 Buildout)** Prior to the issuance of the first certificate of occupancy for a new building constructed on the Site (other than a new building in Development Area H, a new building in Development Area D and a new parking structure or new parking structures on the Site), Petitioner will substantially complete the transportation improvements as identified below. A new building **or buildings** constructed on the Site (other than a new building in Development Area H, a new building in Development Area D and a new parking structure or new parking structures on the Site) comprises the Phase 2 Buildout referenced in the TIS. The transportation improvements set out below are referred to as the **"Phase 2 Transportation Improvements."**
 - East Morehead Street and Kings Drive
 - Construct a northbound left-turn lane from Kings Drive onto Morehead Street to create dual left-turn lanes with 275 feet of storage.
 - Construct a southbound left-turn lane from Kings Drive onto Morehead Street to create dual left-turn lanes with 100 feet of storage. Due to limited right of way and potential real estate impacts, discussions with NCDOT and CDOT have indicated the potential for other forms of mitigation in the future, such as alternative lane use controls or creative signal technologies.
 - East Boulevard and Garden Terrace
 - Monitor traffic volumes to determine when signal warrants are met.
 - East Morehead Street and Edgehill Road/Queens Road
 - Extend the northbound right-turn lane from Edgehill Road onto East Morehead Street to provide 150 feet of storage.
 - Romany Road and Morehead Medical Drive
 - Restripe the existing northbound approach to provide a dedicated left-turn lane and a shared through/right-turn lane. (Pending validation of the driveway width on the northbound leg of the intersection).
- Prior to the issuance of the first certificate of occupancy for a new building constructed in Development Area D, Petitioner shall install APS push-buttons and ADA-compliant pedestrian infrastructure for all crosswalks located at the following intersections, where feasible:
 - Kings Drive and Morehead Medical Center Drive.
 - East Boulevard and Kenilworth Avenue.
- Architectural and Design Standards (Multifamily Buildings-Development Area G-1, G-3 or G-4)
 - Proposes all principal and accessory buildings abutting a network required public or private street to be comprised of a minimum of 30% of that building's entire façade facing such network street using brick, natural stone (or synthetic equivalent), stucco or other approved material.
 - Prohibits vinyl siding (but not vinyl hand rails, windows, doors or door trim) and concrete masonry units not architecturally finished.
 - Proposes building placement and site design to focus on and enhance pedestrian environment by presenting a front or side façade to all network required streets; buildings fronting a minimum of 50% of total network required street frontage; prohibiting parking lots between any building and any network required street; and prohibiting driveways serving single serve units on all network required streets.
 - Designs building massing and height to break up long monolithic building forms by articulating buildings exceeding 120 feet in length.

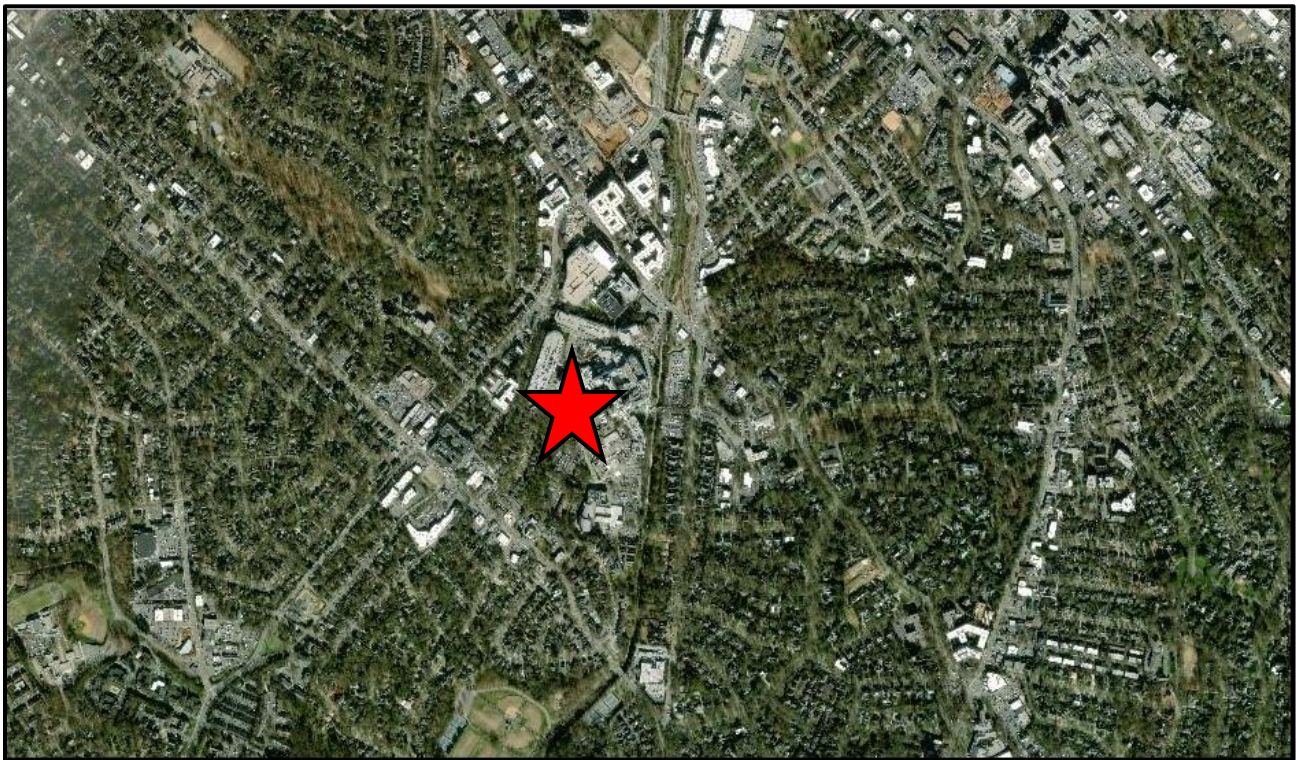
- Designs building elevations to create visual interest via vertical bays or articulated architectural façade features; recognizable architectural base on all facades facing network required streets; and prohibition of expanses of blank walls greater than 20 feet in all directions.
- Architectural and Design Standards (Single Family Attached Dwelling Units-Development Area G-1, G-3 or G-4)
 - Allows rooftop terraces to be installed on the single family attached dwelling units at the option of petitioner.
 - Proposes a combination of portions of the following building materials: brick veneer or similar masonry products, stone, manufactured stone, stucco and cementitious siding.
 - Prohibits use of vinyl, EIFS or Masonite as an exterior building material. Vinyl may be utilized on windows, doors, garage doors soffits, trim and railings. Aluminum may be used on trim and garage doors.
 - Proposes each single family attached dwelling unit will have a garage.
 - Proposes each single family attached dwelling unit (i.e. townhome, duplex, triplex, quadruplex) will be alley/rear loaded.
 - Proposes each unit will have a usable front porch or a front stoop. Usable front porches will be covered and be at least 5 feet in depth. Front stoops will not be required to have a minimum depth of 5 feet.
 - Notes corner/end units facing a public or private street will have a porch or stoop that wraps a portion of the front and side of the unit or provide blank wall provisions limiting the maximum blank wall expanse to 15 feet on all levels.
 - Notes front elevation of each single family attached dwelling unit will have windows or other architectural details that limit the maximum blank wall expanse to 15 feet on each level of the single family attached dwelling unit.
 - Limits number of units in townhome buildings adjacent to and fronting a public or private street to no more than 5 3.
- Streetscaping/Landscaping
 - Notes that except as otherwise provided below, the existing sidewalks, planting strips, street trees and streetscape located along the Site's public street and private street frontages shall remain in place. Notwithstanding the foregoing, the existing sidewalks, planting strips and street trees may be replaced by Petitioner at its option, and such improvements shall comply with the requirements of the Ordinance or the requirements set forth herein.
 - Notes petitioner will not be required to maintain the Greenway Landscape Area as it will evolve into a naturalized area. Petitioner will provide a 2 year warranty on the trees installed within the Greenway Landscape Area, such that the Petitioner will replace any trees that die or contract a disease within 2 years of the date of installation.
 - Installs a sidewalk and planting strip along that portion of the Site's frontage on Scott Avenue in accordance with the Scott Avenue Streetscape Plan set out on the Rezoning Plan (the "Scott Avenue Streetscape Improvements"). The Scott Avenue Streetscape Improvements shall be installed in accordance with the Scott Avenue Streetscape Plan. Notwithstanding the depiction of the sidewalk on the Scott Avenue Streetscape Plan, the sidewalk may meander to save existing trees.
 - Installs the above referenced Scott Avenue Streetscape Improvements prior to the completion of the relocated Loop Road section between Garden Terrace and Scott Avenue.
 - Landscape areas planted to the standards of a Class C buffer will be established along those portions of the Site's boundary lines that are more particularly depicted on the Rezoning Plan and Buffer Cross Sections.
 - Illustrates typical sections for 10' Class C buffer and 30' Class C buffer.
 - Installs new sidewalks on realigned and relocated Loop Road and Blythe Boulevard to provide a pedestrian/bicycle connection from the Greenway Trail (defined below) to Scott Avenue as generally depicted on the site plan.
 - New sidewalks and planting strips with street trees will be installed on the internal private streets to be constructed on the Site or on currently planned to be relocated or improved in accordance with the minimum sections for these private streets set out on the Rezoning Plan.
 - Illustrates a Walkability Improvement Plan.
 - Notes petitioner may change the side of Loop Road on which the 12 foot wide multi use path is to be constructed
 - Installs a planted landscape area along a portion of the eastern edge of the Little Sugar Creek Greenway as depicted on plan (subject to approval of Mecklenburg County).
 - Notes to meet the tree planting requirement, within the landscape areas that are located on the southern boundary of the site next to the adjacent lots located on Lombardy Circle

that are shown on the site plan, [Green Giant Arborvitae, Leyland Cypress and/or Southern Magnolia within these landscape areas. Existing trees located in landscape areas may count towards the tree planting requirement.](#)

- [Parks/Greenways/Open Space](#)
 - Illustrates proposed improvements to Little Sugar Creek Greenway via Greenway Improvement Exhibit Sheet RZ-4.
 - The petitioner will improve the greenway (the "Greenway") and the greenway trail (the "Greenway Trail") located along the Site's eastern boundary line in accordance with the Greenway Improvement Exhibit on the Rezoning Plan or in accordance with alternative plans approved by Mecklenburg County. The improvements to the Greenway and the Greenway Trail will be completed prior to the issuance of the first certificate of occupancy for a new building constructed on Development Area D. In the event that Petitioner cannot obtain all approvals and permits or any easements from Mecklenburg County required to improve the Greenway and the Greenway Trail, then Petitioner will have no obligation to improve the Greenway and the Greenway Trail.
 - At such times that a detour route for the Greenway Trail is required during the construction and installation of the improvements to the Greenway and the Greenway Trail, a detour route will be established along the existing sidewalk located along the western side of South Kings Drive. Appropriate signage, approved during the permitting process, will be installed to direct pedestrians and bicyclists to the detour route.
 - In order to construct and install the improvements to the Greenway and the Greenway Trail described above, the petitioner shall be required to acquire a temporary construction easement from Mecklenburg County to permit Petitioner to enter the Greenway to construct such improvements.
 - Petitioner will be required to obtain permanent easements from the owners of the Adjacent Parcels to accommodate the location of the improved Greenway Trail on the Adjacent Parcels. If Petitioner is unable to obtain the required easements from the owners of the Adjacent Parcels, then the improved Greenway Trail will not be located on the Adjacent Parcels and the relevant portion of the improved Greenway Trail will be located generally in its current location on the east side of Little Sugar Creek.
 - The improved Greenway Trail shall meet the standards and specifications of Mecklenburg County, and the final alignment of the improved Greenway Trail shall be approved by Mecklenburg County.
 - The construction documents for the improvements to the Greenway and the Greenway Trail shall be reviewed and approved by Storm Water Services during the permitting process. [Additionally, the Mecklenburg County Park and Recreation Department will review the construction documents for the greenway and greenway trail at 25%, 50%, 75% and 95% competition.](#)
 - [A pedestrian and/or a bicycle connection from the improved greenway trail to Lombardy Circle will not be installed on the site or provided from the greenway trail.](#)
 - At a minimum, the open space areas on the site depicted on the site plan will contain hardscape, landscaping, walking trails and benches.
 - Construct and install a minimum of three accessible pedestrian connections from the Site to the Greenway Trail. The final locations of the accessible pedestrian connections may vary from what is depicted on the site plan.
 - [Notes Loop Road may be located in the open space area located between Development Area F and Development Area B.](#)
- [Construction Traffic on Garden Terrace](#)
 - [Notes although construction traffic on Garden Terrace shall not be prohibited, the petitioner shall instruct its contractor to utilize other access points to and from the site for construction traffic as much as is reasonably possible. This provision shall not apply to construction activities in Development Areas G-1, G-2, G-3 and/or G-4.](#)
 - [Prohibits construction worker vehicular parking on Garden Terrace.](#)
- **Existing Zoning and Land Use**



- The site is developed with a hospital campus, associated college, offices, single family homes, and multifamily structure. The site is surrounded by a mix of uses, including residential neighborhoods, educational and religious institutions, commercial areas, and parks and recreational areas. The site lies in close proximity to Freedom Park, Latta Park, and The Metropolitan mixed use development. The site is south of I-277 and Uptown.



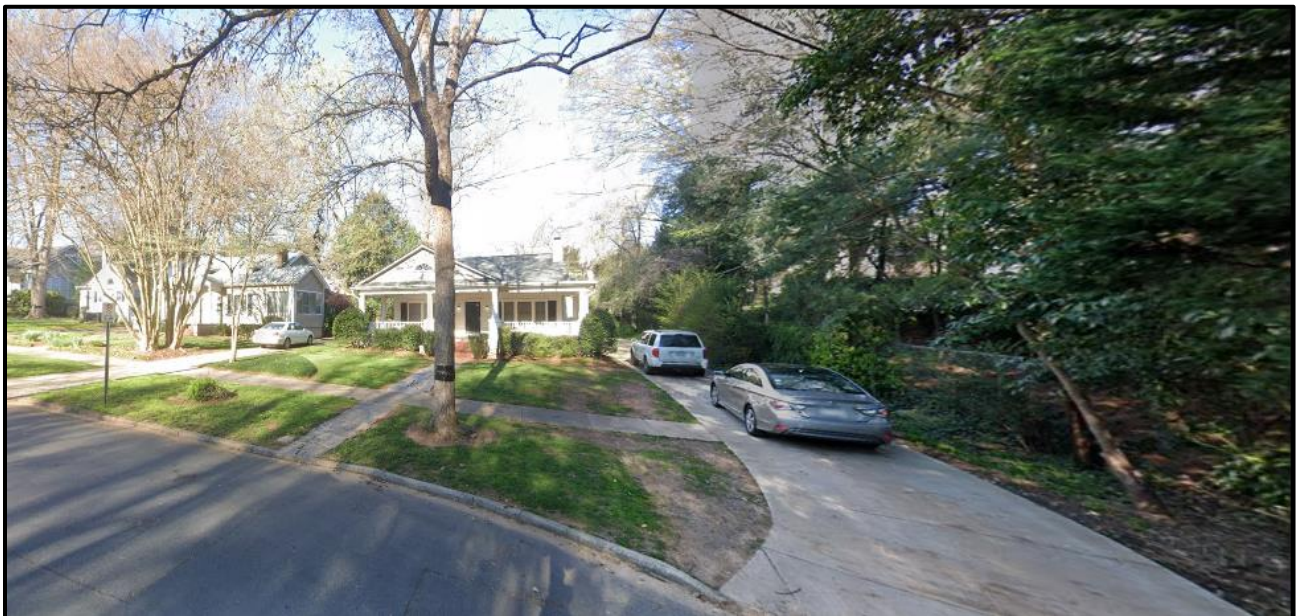
The site (indicated by the red star) is surrounded by a mix of residential and non-residential uses.



The site is developed with a hospital campus and associated offices/facilities.



The Carolinas College of Health Sciences is located on a portion of the site.



Portions of the site are developed with residential homes.



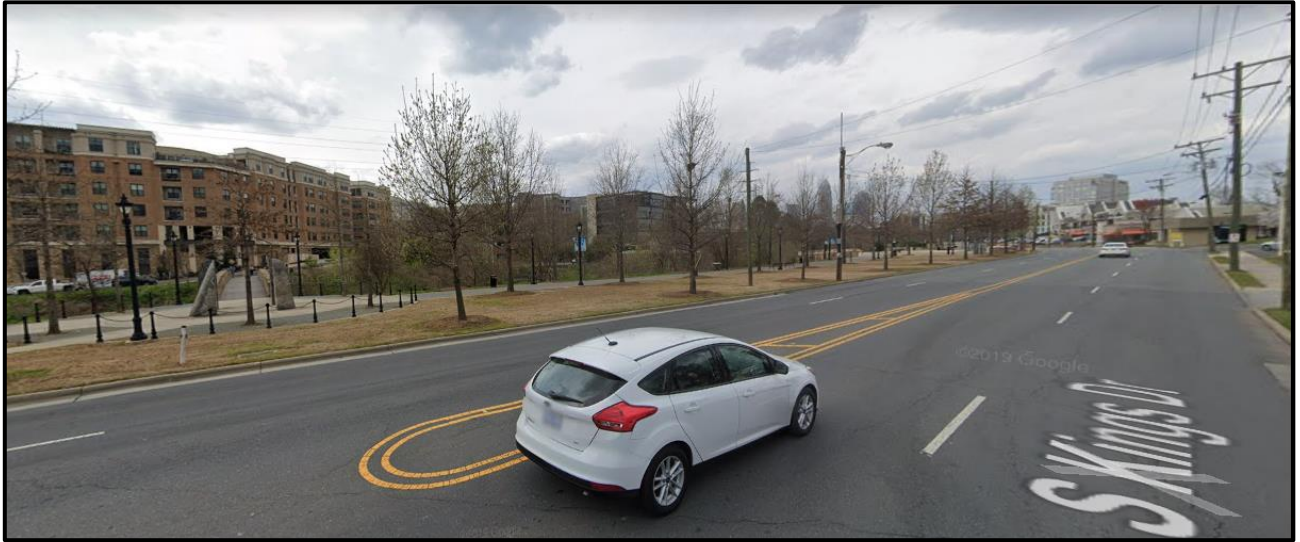
The site is bordered to the south by Little Sugar Creek Greenway.



North of the site are residential and retail uses.

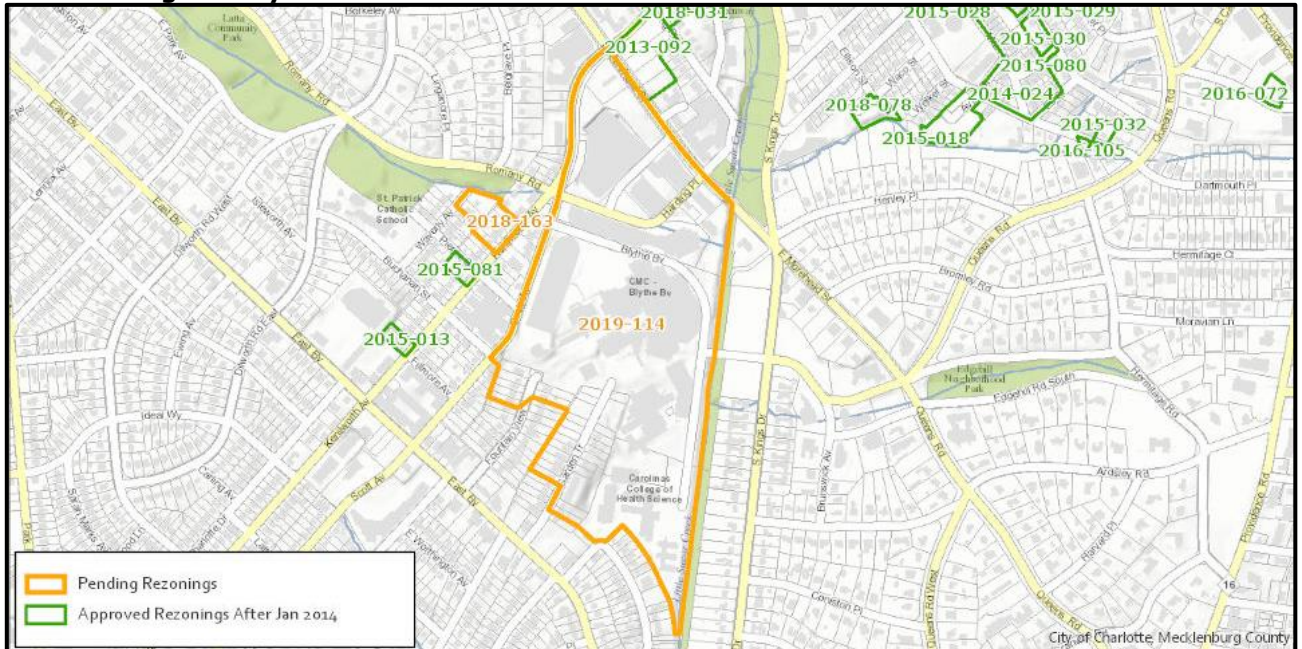


West are residential neighborhoods.



The site is surrounded by a mix of residential and non-residential uses and is located south of I-277 and Uptown.

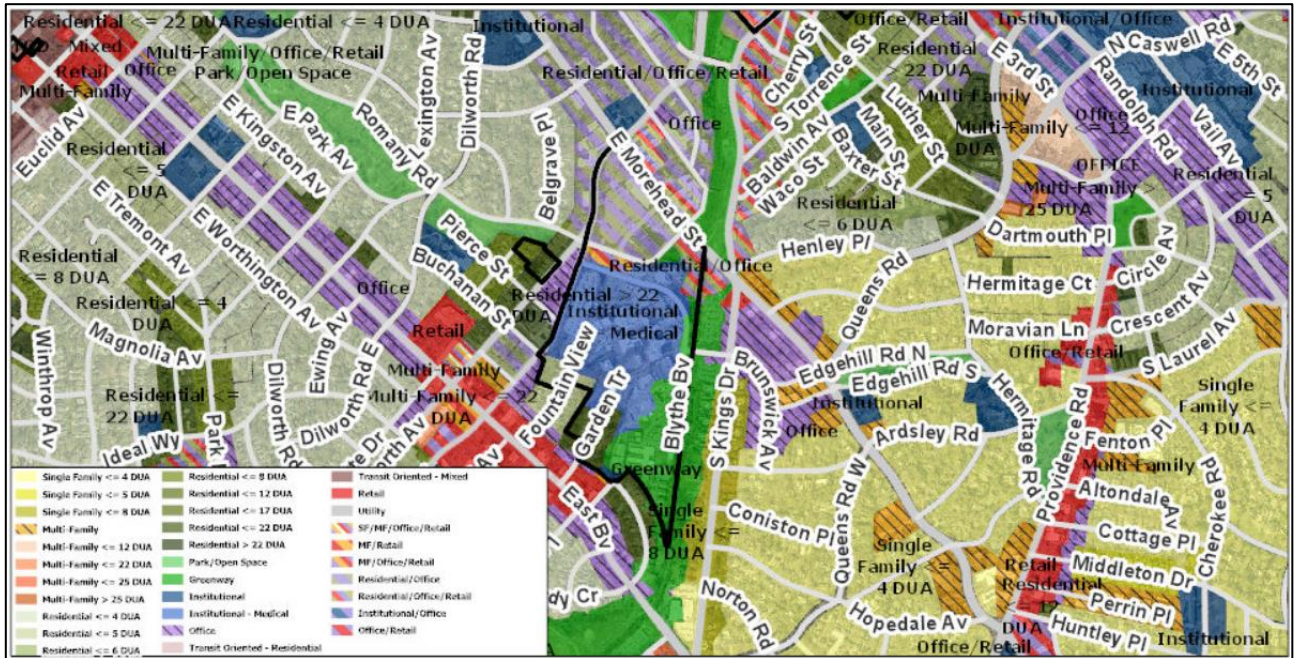
• Rezoning History in Area



Petition Number	Summary of Petition	Status
2018-163	Rezoned 1.75 acres from R-8 and R-22MF to R-8(CD) and MUDD(CD) to allow 56 multi-family units.	Approved
2018-078	Rezoned 0.74 acres from R-6 to UR-2(CD) to allow 4 single family lots.	Approved
2018-031	Rezoned 0.49 acres from O-2PED to MUDD-O PED to allow an integrated mixed-use development that may include indoor warehousing in an enclosed building (self-storage), office, retail, personal services, and entertainment uses.	Approved
2016-105	Rezoned 0.08 acres from R-6 to R-22MF to allow all uses in the R-22MF district.	Approved
2016-072	Rezoned 0.43 acres from O-1 to O-2 to allow all uses in the O-2.	Approved
2015-081	Rezoned 0.40 acres from R-22MF to UR-2(CD) to allow 8 multi-family units.	Approved

2015-080	UR-2(CD) SPA to amend the notes related to garage and parking area requirements for a project allowing 39 single family lots and 2 duplexes.	Approved
2015-032	Rezoned 0.305 acres from R-12MF to R-8(CD) to allow a quadraplex dwelling unit.	Approved
2015-030	Rezoned .0562 acres from R-8 to R-22MF(CD) to allow 8 multi-family dwelling units.	Approved
2015-029	Rezoned 0.43 acres from R-8 to R-22MF(CD) to allow up to 8 multi-family units in 2 structures.	Approved
2015-028	Rezoned 1.035 acres from R-8 to R-22MF(CD) to allow up to 22 multi-family units.	Approved
2015-013	Rezoned 0.42 acres from R-22MF and B-1 to MUDD(CD) to allow up to 9 single family detached units.	Approved

• Public Plans and Policies



- The *Midtown Morehead Cherry Area Plan* recommends multi-family residential/office/retail, residential/office, residential/office/retail, for portions of the site, with specific reference to continued development for intensive health care uses. A small portion of the site is located within the pedestrian overlay.
- The *Dilworth Land Use and Streetscape Plan* recommends institutional, greenway, residential up to 5 units per acre, and residential up to 22 dwelling units per acre on portions of the site.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is 70.53 acres generally bound by Scott Avenue (major thoroughfare, city maintained), Morehead Street (major thoroughfare, state maintained), Blythe Boulevard (private), and East Boulevard (major thoroughfare, city maintained). The petition performed a Traffic Impact Study, TIS, to mitigate the additional development traffic. The mitigations include several roadway improvements and a Transportation Demand Management (TDM) Plan. The TDM Plan will include several strategies that will reduce vehicular trips by providing multi-modal transportation options, including promoting transit options for employees and patrons. In addition, the site is proposing a comprehensive street network to improve street and sidewalk connectivity for the area. The pedestrian improvements include the widening of the Little Sugar Creek Greenway, and pedestrian lighting within the site.
 - **Active Projects:**
 - Belk Greenway Connector
 - The project will connect the Little Sugar Creek Greenway to the Irwin Creek Greenway. The connection will be created through coordination with developers and NCDOT, starting at Baxter Street, running along McDowell Street and then along the I-277 belt with connections into uptown Charlotte.
 - Winthrop Avenue Sidewalk

- The project will provide sidewalk and planting strips along Winthrop Avenue from Kingston Avenue to Myrtle Avenue near Latta Park.
- **South Boulevard Corridor Implementation**
 - The project will implement pedestrian hybrid beacons, bulb-outs, and pavement markings at various locations along South Boulevard between Clanton Road and Carson Boulevard.
- No outstanding issues.
- **Vehicle Trip Generation:**
Current Zoning:
Existing Use: 5,073 trips per day (based on 42,286 square feet college, 173,814 square feet hospital, 19 dwellings).
Entitlement: XX trips per day (based on XXX).
Proposed Zoning: 13,301 trips per day (based on traffic study 2-10-2020).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at www.rezoning.org regarding estimated need for affordable housing in Charlotte.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Not applicable.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary at all locations within the rezoning area. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. Reservation of sanitary sewer system capacity through the Charlotte Water's Capacity Assurance Program is the responsibility of the customer/development. See advisory comments at www.rezoning.org regarding capacity, service connection design requirements, possible relocations, abandonments, easements and prohibition of permanent structures within easements.
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No comments submitted.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** This property drains to Upper Little Sugar Creek, which is an impaired/degraded stream and may contribute to downstream flooding. This project has the opportunity to mitigate future impacts to this stream. See advisory comments at www.rezoning.org regarding storm water quality treatment and volume and peak control.
 - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org regarding air quality comments.
- **Mecklenburg County Parks and Recreation Department:** ~~See Outstanding Issues, Notes 3-5.~~ **Addressed**

OUTSTANDING ISSUES

Environment

1. ~~Under Note 9G add the following note: "Mecklenburg County Park and Recreation shall review the construction documents for the greenway and greenway trail at 25%, 50%, 75% and 95% completion."~~ **Addressed**
2. ~~Add the following note: "Trees in the right of way are protected per Ordinance. Mitigation will be required for any trees permitted for removal."~~ **Addressed**
3. ~~Sheet RZ-4 is referred as the location in the notes on RZ-1.1 for parks/greenways/open space. The location of the access trail at East Blvd is different on the 2 drawings.~~ **Addressed**
4. ~~The widths of proposed greenway trails should be indicated on RZ-4.~~ **Addressed**
5. ~~There is an odd reduction in the width of the greenway trail as it crosses the creek near East Blvd. Provide reason for the change in width shown.~~ **Addressed**

REQUESTED TECHNICAL REVISIONS

6. ~~Correct site plan to identify "2019-114" on all sheets.~~ **Addressed**
7. ~~Replace wording "may" with "shall" or "will" on all sheets.~~ **Addressed**
8. ~~Clarify on Sheet RZ-1.2 if proposed buffers are Class C buffers or landscape buffers to Class C standards.~~ **Addressed**
9. ~~Petitioner needs to ensure that Paragraph 1.E. language is covered under Optional Provision 2.E.~~ **Addressed**

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: Claire Lyte-Graham (704) 336-3782