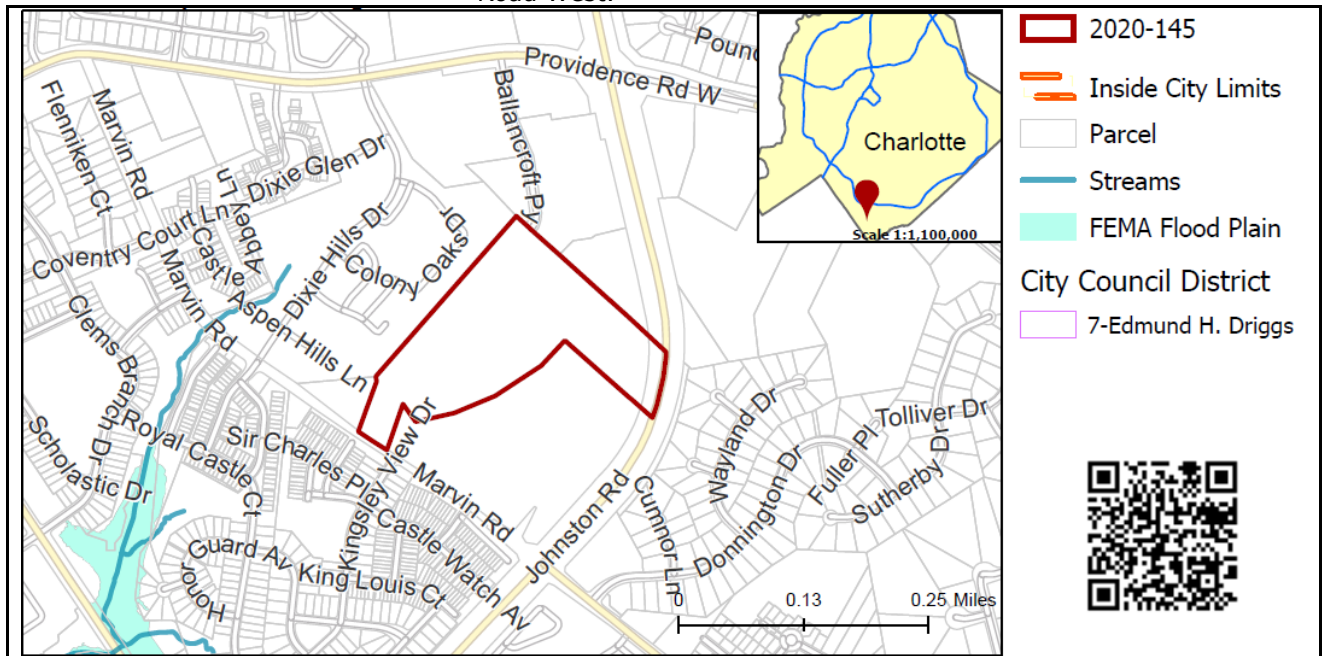


**REQUEST**

Current Zoning: O-2(CD) (office, conditional)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 18.95 acres located on the north side of Marvin Road, the west side of Johnston Road, and south of Providence Road West.



**SUMMARY OF PETITION**

The petition proposes to develop a residential community with up to 455 units including a mixture of townhomes and multi-family units and a mixture of market rate and affordable age restricted units at density of up to 24 units per acre.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

Novant Health, Inc.  
Crescent Communities  
Collin Brown/Brittany Lins, Alexander Ricks

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 6.

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *South District Plan* recommendation for office use as amended by petition 2018-014. However, the *General Development Policies* support residential at a density over 17 units per acre for this site.

Rationale for Recommendation

- The previous rezoning allowed for a hospital and medical office which is now planned and approved for the east side of Johnston Road. Prior to the hospital rezoning the site was recommended for institutional use.

- While the plan does not call for residential uses on the site, the proposed residential is compatible with the surrounding multi-family and non-residential uses.
- The proposal would introduce residential dwelling units to the area along Ballancroft Parkway which includes a mixture of retail, office, hotel and institutional uses creating a mixed use node.
- The proposal completes the connection of Ballancroft Parkway between Providence Road West and Marvin Road.

The approval of this petition will revise the adopted future land use as specified by the *South District Plan*, from office use to residential use greater than 22 DUA for the site.

## PLANNING STAFF REVIEW

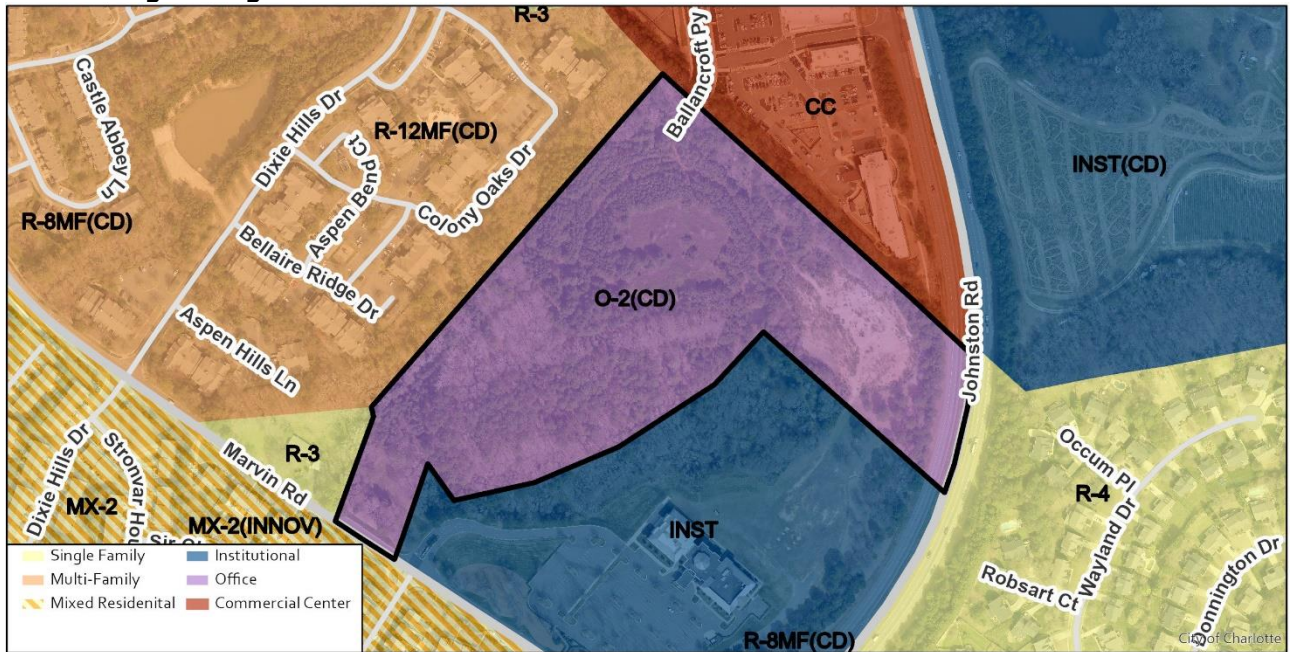
### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to 455 residential units:
  - Maximum of 60 single family attached (townhome units)
  - Up to 395 multi-family residential units. A minimum of 70 multi-family units will be dedicated as age restricted (55+) senior affordable housing units ranging from 30% to 100% AMI with an average not to exceed 80% AMI contingent upon affordable housing tax credit approval and financing. The affordable commitment may be removed if not accepted into the housing tax credit program within 2 application cycles.
- Splits the site into several development areas. Parcels A1 and A2 on the southern portion of the site allow townhomes and Parcels B1, B2 and C on the northern portion of the site allows multi-family residential uses, ~~and Parcel D on the eastern edge of the site allows only open space.~~
- Limits building height to 75 feet.
- Provides transportation improvements including:
  - Extends Ballancroft Parkway and connects to Marvin Road.
  - Turn lanes on Marvin Road at Ballancroft intersection.
  - Pedestrian refuge island on Marvin Road at Ballancroft Parkway connection.
  - Proposed right-in/out access at new public street connecting to Johnston Road with deceleration lane on Johnston Road.
  - Street stub to adjacent property to the west of the site.
- Commits to architectural standards for both townhomes and multi-family units.
- Provides a minimum of 15,000 square feet of amenity space throughout the site. Proposes required tree save areas around the perimeter of the site.
- Freestanding lighting fully capped and shielded and limited to 21 feet in height.



- Existing Zoning and Land Use



The site was originally zoned for institutional use by the adjacent church. Petition 2018-014 rezoned the site for hospital and medical office use. There is a mixture of uses in the area including single family attached, detached residential, multi-family residential, institutional, hotel, and commercial uses.



The site (red star) is vacant with multi-family uses to the west, commercial uses to the north, Johnston Road to the east, and a church to the south.





The site 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.



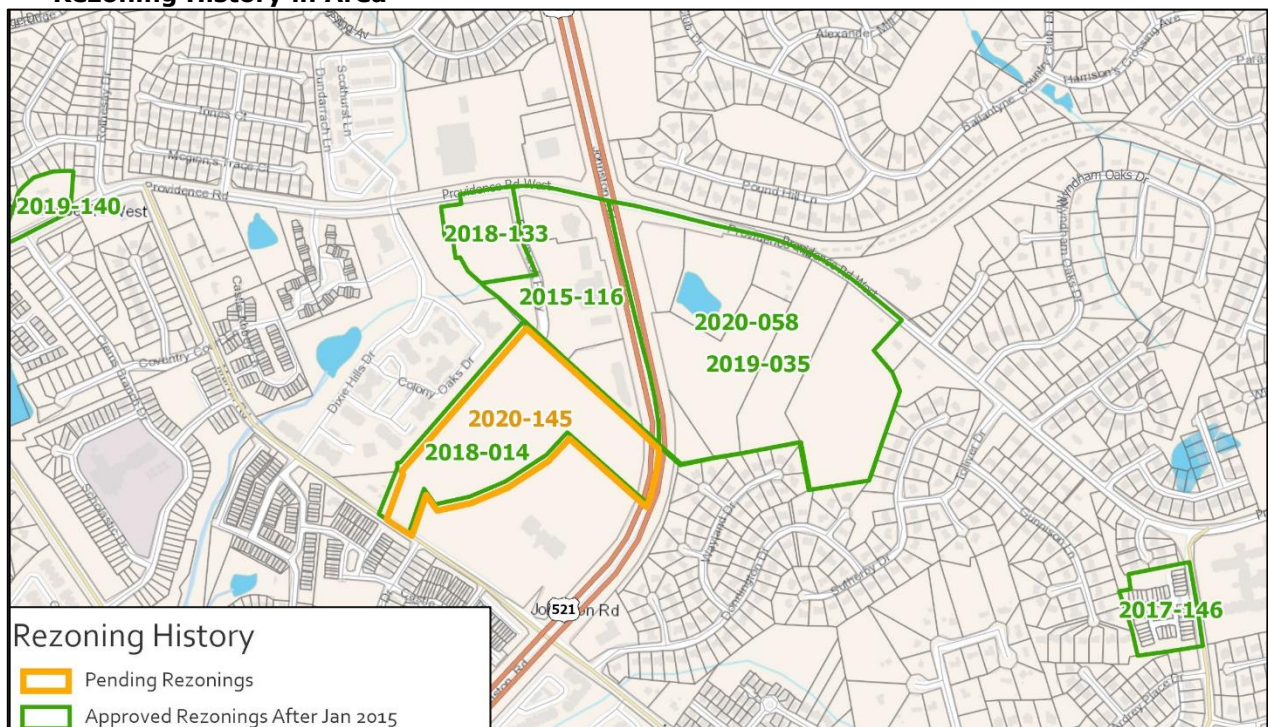


Abutting properties to the west are developed with multi-family dwellings.



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

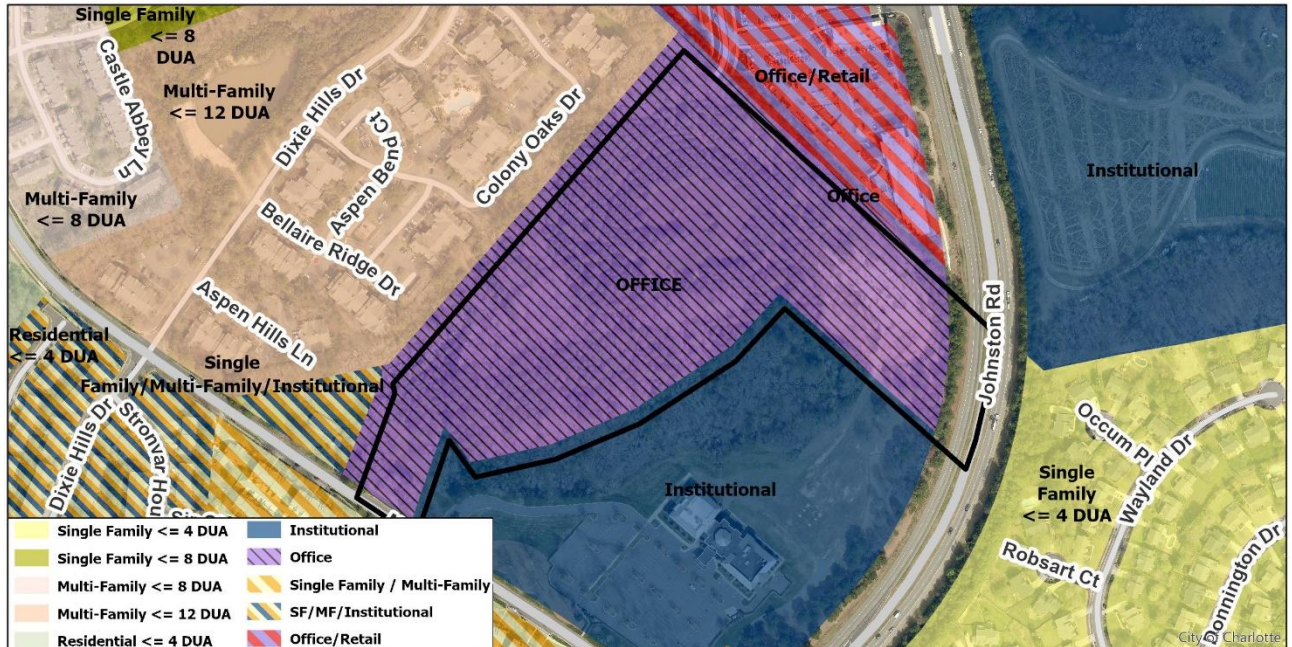
- **Rezoning History in Area**





Petition Number	Summary of Petition	Status
2015-116	13.22 acres north of the site at the intersection of Providence Road West and Johnston Road to CC (commercial center) to allow a mixture of commercial uses.	Approved
2017-146	4.35 acres east of the site on Old Ardrey Kell Road, south of Providence Road West to UR-2(CD)	Approved
2018-014	Prior rezoning for the site to O-2(CD) for a hospital and medical office use.	Approved
2018-133	4.28 acres north of the site on Providence Road West, east of Ballancroft Parkway to NS (neighborhood service) to allow a police station.	Approved
2019-035	40.43 acres east of the site across Johnston Road to INST(CD) (institutional, conditional) to allow a hospital and medical office use.	Approved
2019-140	2.2 acres west of the site to UR-2(CD) to allow townhomes.	Approved
2020-058	40.43 acres east of the site across Johnston Road to INST(CD) SPA (institutional, conditional, site plan amendment) to amend the plan for a hospital and medical office use	Approved

#### • Public Plans and Policies



- The *South District Plan* (1993) recommends office use as amended by petition 2018-014 which proposed a hospital and medical office use.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for consideration of over 17 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – over 17 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	5
Connectivity Analysis	2
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 14</b>	<b>Total Points: 14</b>

#### • TRANSPORTATION SUMMARY

- The site is located on Johnston Road/Hwy 521 (State-maintained, Class 2 Limited Access Thoroughfare), Marvin Road (State-maintained, minor thoroughfare), and Ballancroft

Parkway (City-maintained, local road). A Traffic Impact Study (TIS) will be required by NCDOT for the complete review of this petition in order to assess the traffic impacts to the existing corridor and evaluate the control access break along the State-maintained route. As such, this petition may progress prior to the completion of the TIS, provided all other comments are successfully addressed. However, should the outcome of NCDOT review substantially change the site plan for any reason, the petitioner will work with CDOT and other City staff to update the plan accordingly. The current site plan commits to providing public and private streets per Chapter 20 of City Code. The site plan also proposes off-site transportation improvements on the Marvin Road intersections at Johnston Road and at Dixie Hills Drive. Lastly, the site plan commits to an 8-foot planting strip, and 8-foot sidewalk along Public Roads 'A', 'B', and Private Road 'C' in accordance with Chapter 20 and the Charlotte WALKS Policy. CDOT comments have been successfully resolved.

- **Active Projects:**

- NCDOT Lancaster Highway / Johnston Road (US 521), NCDOT TIP #U-6109
  - Road widening project expanding US 521 to six lanes from Ballantyne Commons Pkwy to South Carolina State Line
  - State Transportation Improvement Program (STIP) with construction scheduled for 2026
- Charlotte-Mecklenburg Police Department South Division Office
  - A Police Station constructed by the end 2021, north of the Novel Ballantyne project.
  - Includes construction of CATS bus pad, curb/gutter and sidewalk along site frontage on south side of Providence Road W. to Ballancroft Parkway.
- Marvin Road Sidewalk
  - Pedestrian and Bike project located on Marvin Road from Johnston Road to Audrey Kell Road. A 12' Shared use path is the recommended bicycle facility.
  - City of Charlotte will construct the project between 2016 and 2021.

- **Transportation Considerations**

- ~~See Outstanding Issues, Notes 1, 2 and 3.~~ Addressed

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant land).

Entitlement: 4,400 trips per day (based on 50 bed hospital and 100,000 SF of medical office).

Proposed Zoning: 2,480 trips per day (based on 455 residential units).

#### 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](http://www.rezoning.org)
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 132 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 132 students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Ballantyne Elementary from 123% to 132%
    - Community House Middle from 154% to 157%
    - Ardrey Kell High from 161% to 162%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Marvin Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Marvin Road. No outstanding issues.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** ~~See Requested Technical Revisions, Note 4.~~ Addressed
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** ~~See Requested Technical Revisions, Notes 5 and 6.~~ Addressed

- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

### OUTSTANDING ISSUES

#### Transportation

1. ~~Add a site plan note(s) specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued.~~ Addressed
2. ~~Add a site plan note specifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~ Addressed
3. ~~Remove note, III. Transportation, 5. f. New comment based on revised plan.~~ Addressed

#### Site and Building Design

4. ~~Ensure that parcel D created by the new Public Street C meets all lot standards for the UR-2 district or remove the parcel.~~ Addressed, changed the area to be part of the dedicated ROW instead of creating a parcel.

### REQUESTED TECHNICAL REVISIONS

#### Environment

5. ~~Add the following note "The existing storm water detention facility serving Grace Christian Church and located in this general area, shall be preserved or replaced with an equivalent facility by the Petitioner."~~ Addressed
6. ~~Remove map layers within proposed tree save areas.~~ Addressed
7. ~~Clarify in site development data that the tree save is to be provided "and preserved."~~ Addressed

#### Land Use

8. ~~Clarify in note II. Permitted Uses that age restricted means 55+.~~ Addressed

#### Site and Building Design

9. ~~Amend note 3d. under Architectural standards to say "wall plane and additional architectural treatments..."~~ Addressed, by listing additional treatments.
10. ~~Amend note 5 under Architectural standards to say "amenity areas shall include..."~~ Addressed
11. ~~Clarify in notes II under Permitted uses and 3h under Architectural standards that the petitioner will be responsible for providing documentation and calculations during permitting.~~ Addressed.

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

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