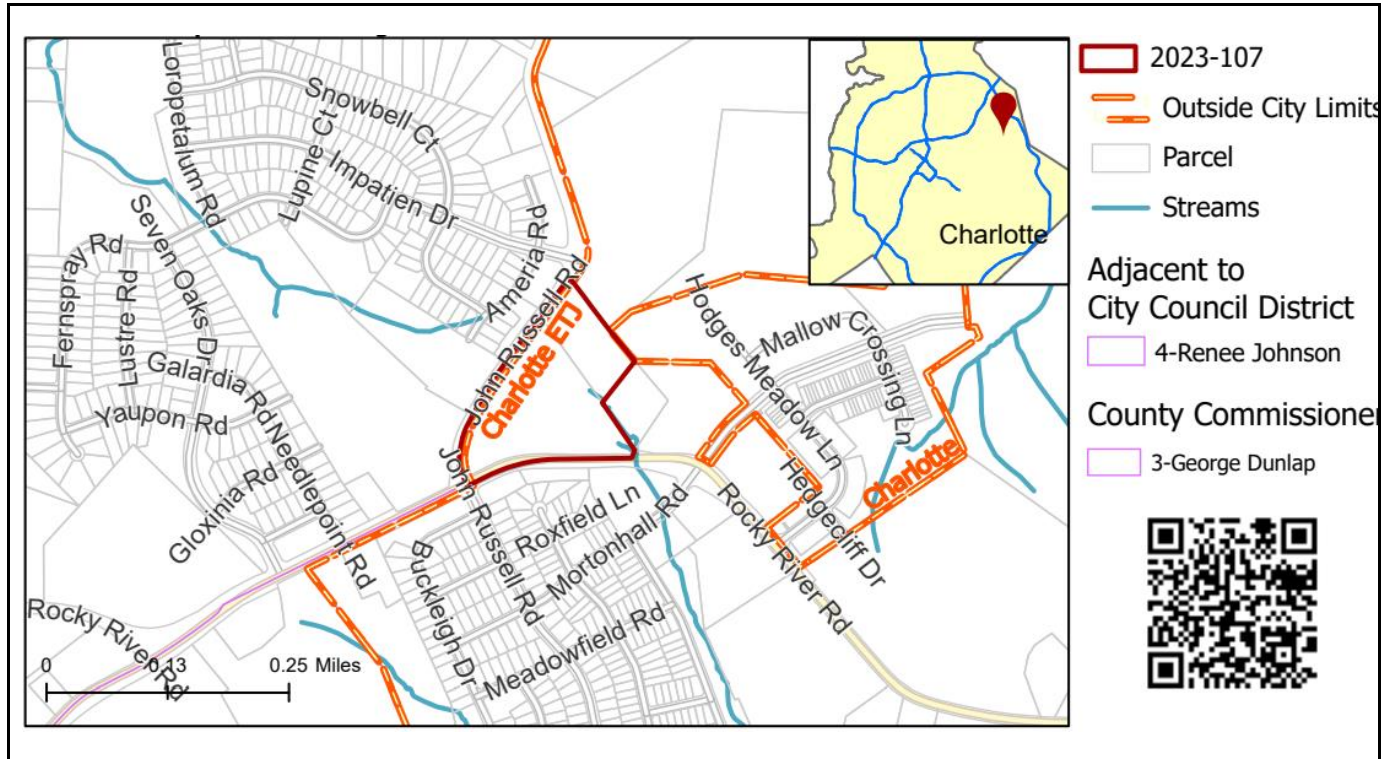


REQUEST

Current Zoning: NS (neighborhood services)
Proposed Zoning: N2-A(CD) (neighborhood 2-A, conditional)

LOCATION

Approximately 12.3 acres located along the north side of Rocky River Road and the east side of John Russell Road.



SUMMARY OF PETITION

The petition proposes a residential community of up to 115 multi-family attached townhome style units and up to 9,000 square feet of non-residential uses.

PROPERTY OWNER

Baucom Real Estate Limited Partnership

PETITIONER

Penmith Holdings, LLC

AGENT/REPRESENTATIVE

Paul Pennell, Urban Design Partners

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 9

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and environment.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for the Manufacturing & Logistics Place Type.

Rationale for Recommendation

- This petition proposes to add to the variety of housing options in the area contributing to housing access.
- Though this petition is inconsistent with the Policy Map recommendation, the proposed uses are in line with the context of the surrounding residential uses.

- This petition proposes to contribute streetscape improvements along its frontage on Rocky River Road and John Russell Road to include accessible sidewalk ramps, crosswalks, and pedestrian signalization.
- The petition also proposes a 12-foot multi-use path and a minimum 8-foot landscape strip along Rocky River Road and John Russell Road.
- This petition plans to include a minimum of 5,100 square feet of amenity and open space and shall provide two of the following amenity features including but not limited to: community pool, open air pavilion, grilling area, splash pad, elevated hardscape patio/seating area and elevated landscape plantings.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from the Manufacturing & Logistics Place Type to the Neighborhood 2 Place Type for the site.

PLANNING STAFF REVIEW

• **Background**

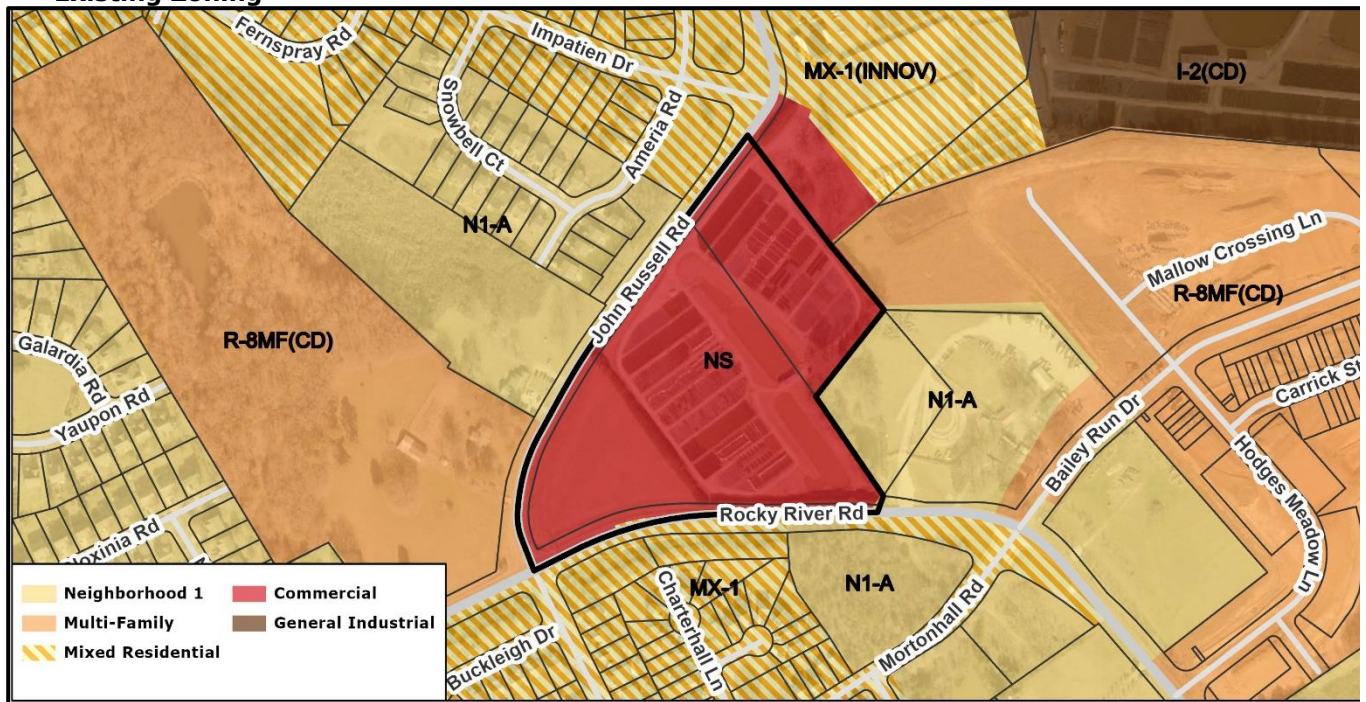
- The site was rezoned from R-3 to NS in 2005. It remains undeveloped.
- The current NS zoning would allow up to 100,000 square-feet of floor area in 5 buildings.
- The site called for small mixed use development that may include retail, restaurants, and offices.

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 115 multi-family attached residential units.
- Allows up to 9,000 square-feet of non-residential uses.
- Dedicates land for right of way to NCDOT fee simple measured 27-feet from the centerline of John Russell Road and 38-feet from the centerline of Rocky River Road.
- Provides accessible sidewalk ramps, crosswalks, and pedestrian signalization at intersection of Rocky River Road and John Russell Road.
- Provides A 12-foot multi-use path and a minimum 8-foot landscape strip along Rocky River Road and John Russell Road.
- Provides 8-foot sidewalk and a minimum 8-foot landscape strip along proposed public Road 1 and proposed Public Road 2.
- Provides supplemental plantings around the potential SCM at Rocky River Road and John Russell Road.
- Provides architectural details including building materials.
- Provides two amenity areas. Amenity Area 1 shall be a minimum of 5,100 square feet and shall provide two of the following amenity features including but not limited to: community pool, open air pavilion, grilling area, splash pad, elevated hardscape patio/seating area and elevated landscape plantings. Amenity Area 2 shall be a minimum of 1,800 square feet and shall provide one of the following amenity features including but not limited to: dog park, picnic pavilion, children's playground, community garden.

- Existing Zoning



- The surrounding uses include single family homes, multi-family homes, and commercial uses.



The subject property is denoted with a red star.



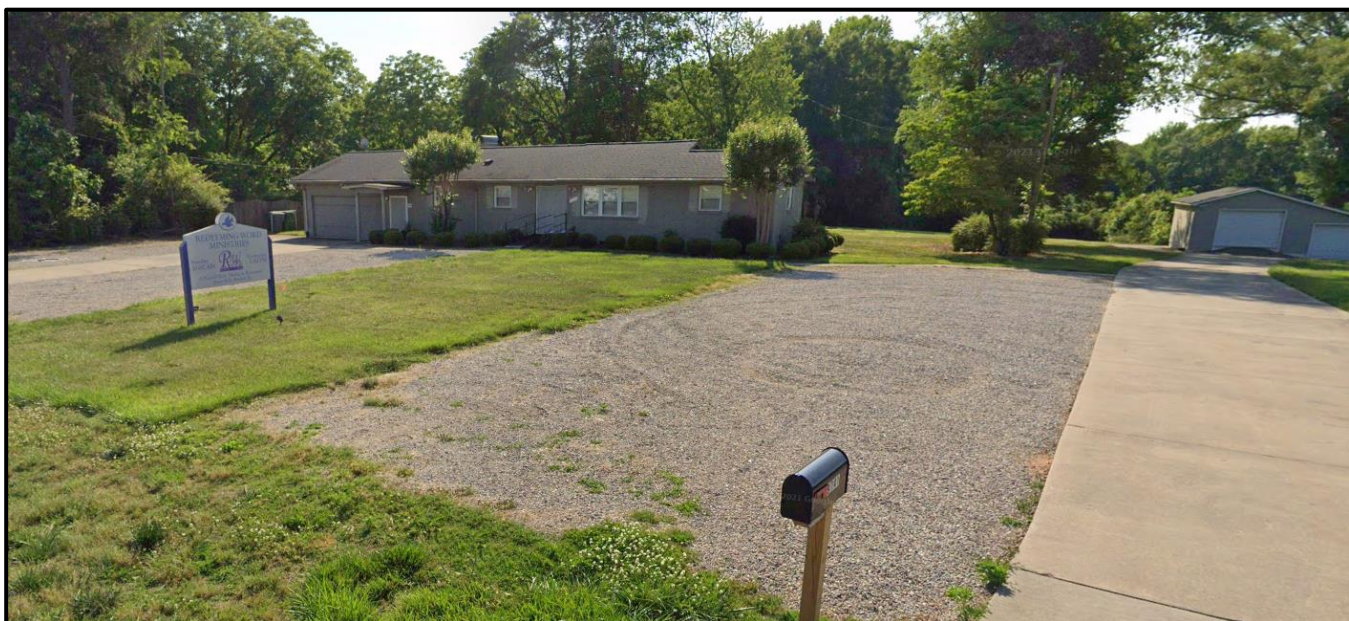
The property to the south across Rocky River Road is developed with single family homes.



The property to the north along John Russell Road is Baucom Nursery.

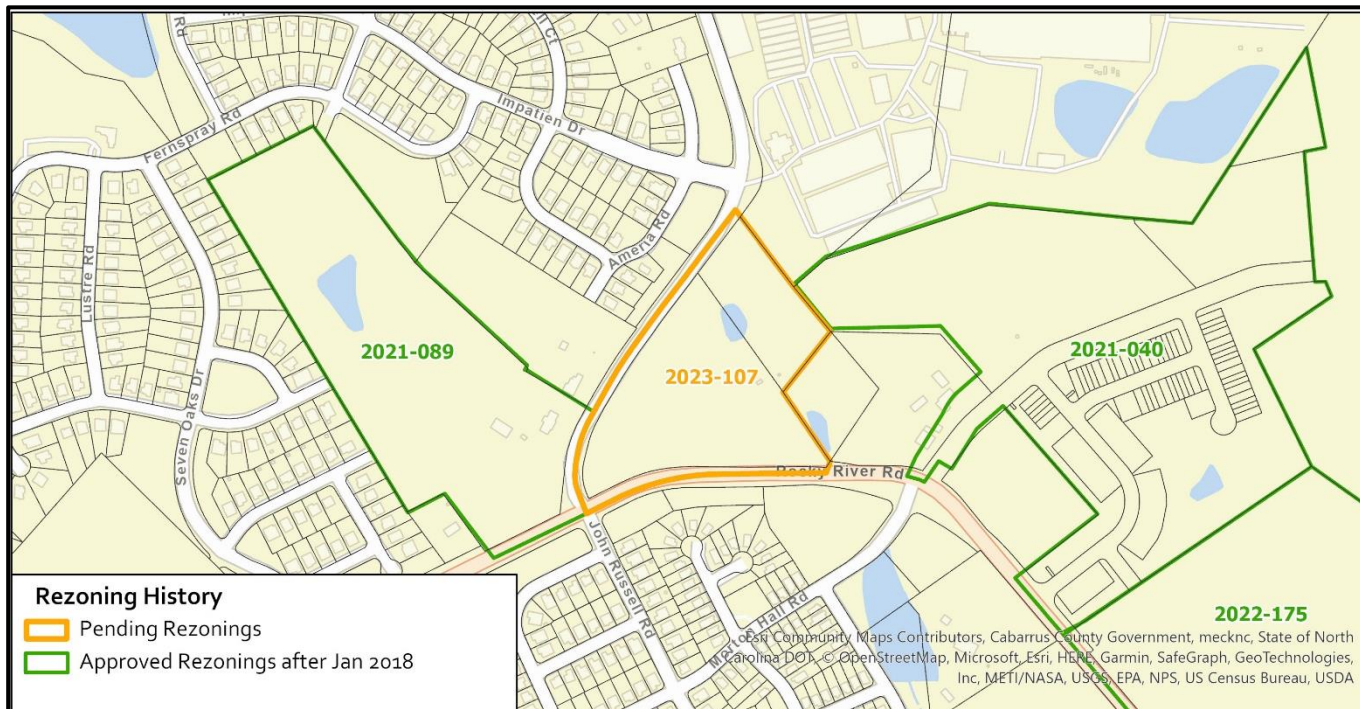


The property to the east along Bailey Run Drive is under construction for a townhome community.



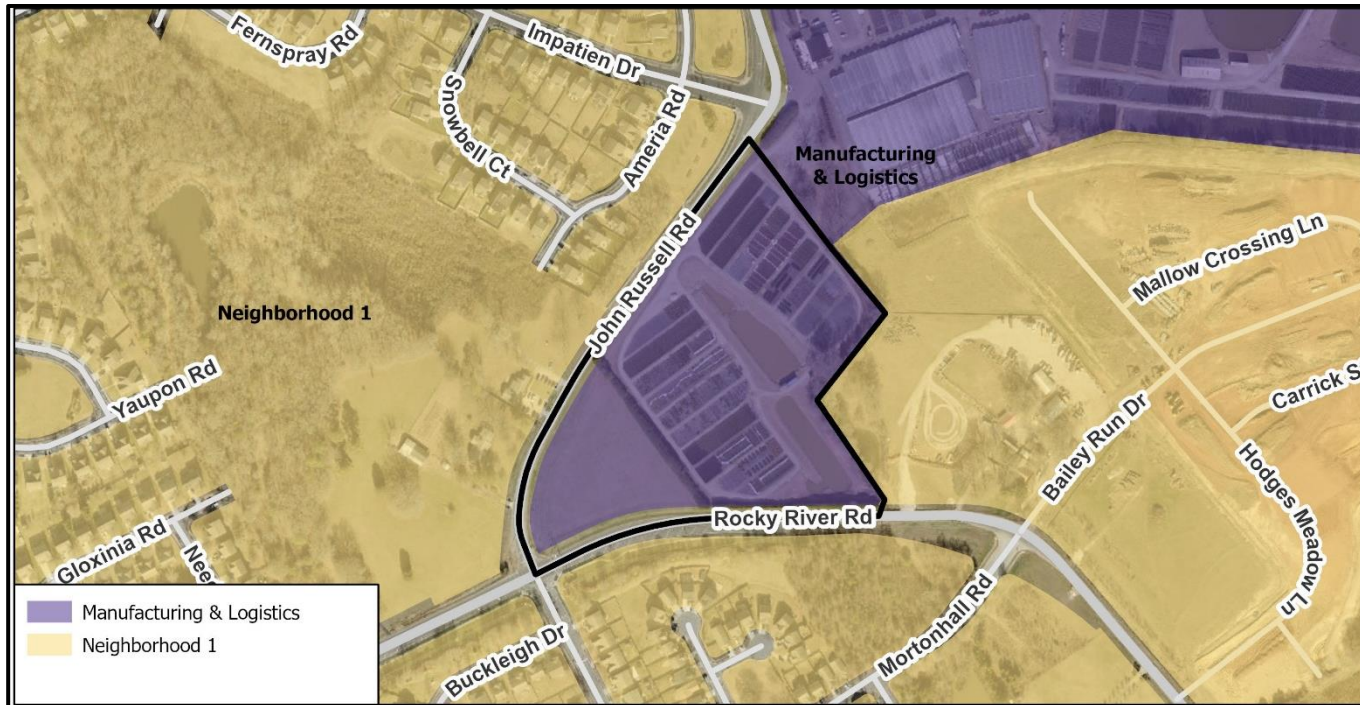
The property to the west along John Russell Road is a religious institution.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-040	Rezoned 41.5 acres from R-3 to R-8MF(CD) to allow up to 200 single family attached (townhome) dwelling units.	Approved
2021-089	Rezoned 21.3 acres from R-3 to R-8MF(CD) to allow up to 75 townhouse style units.	Approved
2022-175	Rezoned 38.2 acres from R-3 to R-8MF(CD) to allow up to 200 townhome style units.	Approved

Public Plans and Policies



- The 2040 Policy Map (2022) recommends the Manufacturing and Logistics Place Type for this site.

- **TRANSPORTATION SUMMARY**

- The site is located on Rocky River Road a State-maintained, arterial road and John Russell Road a State-maintained arterial road. A Comprehensive Transportation Review (CTR) is required for this site due to the site falling within the low intensity development thresholds. Based on the 1,120 daily trips this will trigger Tier 1 (3 points) multimodal assessment. Site plan and/or conditional note revisions are needed to commit to adding and revising conditional notes including but not limited to right-of-way and curb line, pedestrian crossing facility at the intersection of Rocky River Road and John Russell Road, and access requirements on Rocky River Road and John Russell Road in coordination with NCDOT. Further details are listed below.

- **Active Projects:**

- N/A

- **Transportation Considerations**

- See Outstanding Issues, Notes 1-8

- **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 9,110 trips per day (based on 100,000 square foot shopping center).

Proposed Zoning: 1,113 trips per day (based on 115 multi-family dwelling units and 9,000 square feet of retail).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** Development allowed with the proposed zoning may produce 19 students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - JW Grier Elementary remains at 114%.
 - Northridge Remains at 109%.
 - Rocky River High remains at 92%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along John Russell Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main along Rocky River Road. See advisory comments at www.rezoning.org
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** See Outstanding Issues, Notes 9-10

OUTSTANDING ISSUES

Transportation

1. Please label and dimension the curb and gutter from the centerline for each road on the site plan.
2. Please revise site plan to show correct dedicated right of way for each road with proper labeling and dimensioning.
3. Add a conditional note specifying "A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual, group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements."
4. Revise site plan and conditional note(s) to commit to installing ramps, crosswalks, and pedestrian signalization at intersection of Rocky River Road and John Russell Road in coordination with CDOT and

- NCDOT. Please revise conditional note and site plan to show that this will be done for the entire intersection and not just the northeast corner of the intersection.
5. Revise site plan and conditional note(s) to commit to making the access right-in and right-out access only on Rocky River Road, constructing a dedicated right-turn lane into the site with 100-feet of storage and installing a 4 foot concrete monolithic island on Rocky River Road in coordination with NCDOT. Please revise site plan and conditional notes to commit to the access and roadway improvements mentioned above from NCDOT. Please add labeling on site plan to reflect this access type.
 6. Revise site plan and conditional note(s) to commit to making the access full movement on John Russell Road, constructing left and right turn lanes into the site on John Russell Road with 150-feet of storage and the appropriate tapers, and constructing a three-lane road section if proposed right turn and existing right turn lane taper onto Rocky River Road are within 100 feet of each other in coordination with NCDOT. Please revise site plan and conditional notes to commit to the access and roadway improvements mentioned above from NCDOT. Please add labeling on site plan to reflect this access type.
 7. Revise site plan and conditional note(s) to commit to completing intersection sight distance survey in coordination with NCDOT. Please revise site plan and conditional notes to commit to the access and roadway improvements mentioned above from NCDOT.
 8. Add a conditional note specifying "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 approved by CDOT and explicitly described in site plan notes. Please add the conditional note mentioned above.

Environment

9. Provide a heritage tree survey.
10. No structure (dumpster) shall be allowed within 10-feet of the tree save area.

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org

Planner: Michael Russell (704) 353-0225