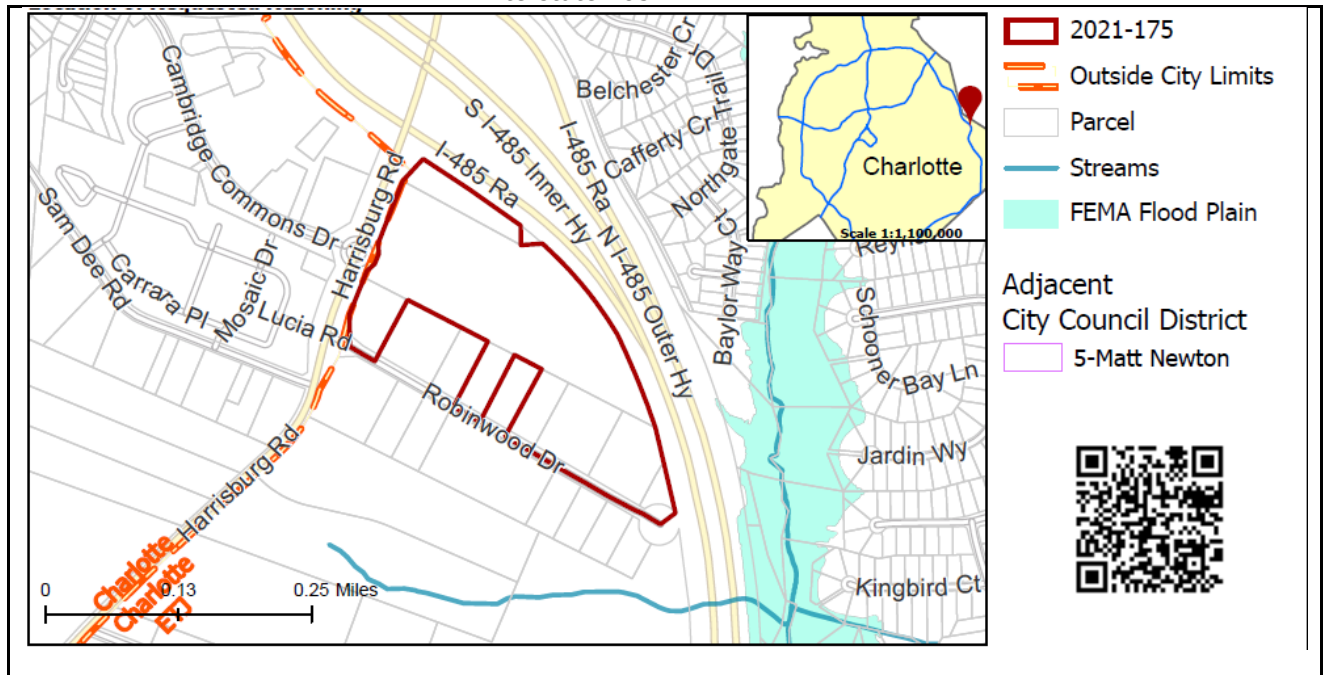


REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: R-12MF(CD) (multi-family residential, conditional)

LOCATION

Approximately 26.84 acres bound by the east side of Harrisburg Road, north side of Robinwood Drive, and southwest side of Interstate 485.



SUMMARY OF PETITION

The petition proposes to allow up to 295 multi-family residential dwelling units at a density of 11 units per acre and a public park on vacant land located at the Interstate 485/Harrisburg Road interchange.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE
COMMUNITY MEETING

Green Street Land Co. LLC
Green Street Land Co. LLC
Keith MacVean/Moore Van Allen

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 **consistent** with the *Rocky River Area Plan's (2006)* recommendation for residential uses up to 12 dwelling units per acre (DUA) for a portion of the site but **inconsistent** with the recommendation for residential uses up to 4 DUA for the remainder of the site.

Rationale for Recommendation

- While parcels along Robinwood Road are inconsistent with the Rocky River Area Plan's recommendation for residential uses up to 4 DUA, the proposal for these development areas (townhome units, a public park, and open space) contribute to the plan's

vision to offer “a balanced mix of land uses and housing opportunities that utilize high-quality design principles for new development”.

- The petition also fulfills the area plan’s recommendation for “moderate density increase to allow varying densities near the I-485/Harrisburg Road Interchange”.
- At 11 DUA, the petition is less dense than the recommended maximum density of 12 DUA.
- The petition commits to enhancing the pedestrian environment, through the construction of a 12-foot multi-use path, two 8-foot planting strips, and a 6-foot sidewalk.

The approval of this petition will revise the adopted future land use as specified by the Rocky River Area Plan, from residential uses up to 4 DUA for to residential uses up to 12 DUA for a portion of the site.

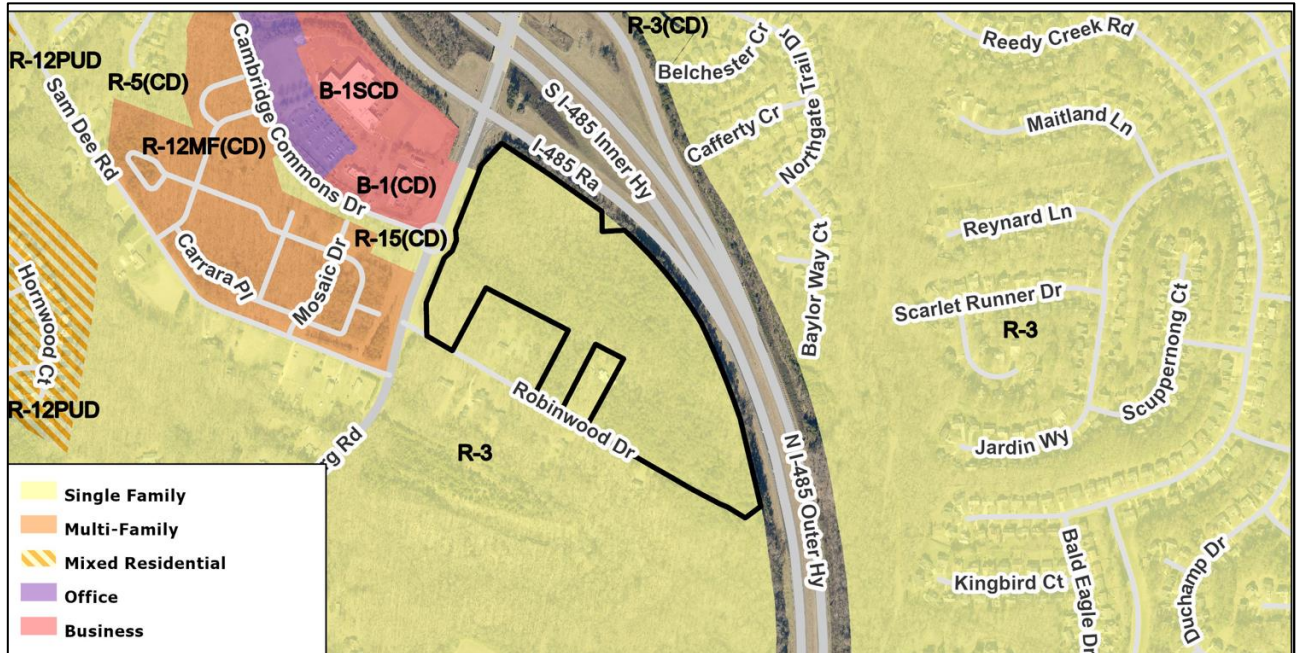
PLANNING STAFF REVIEW

• Proposed Request Details

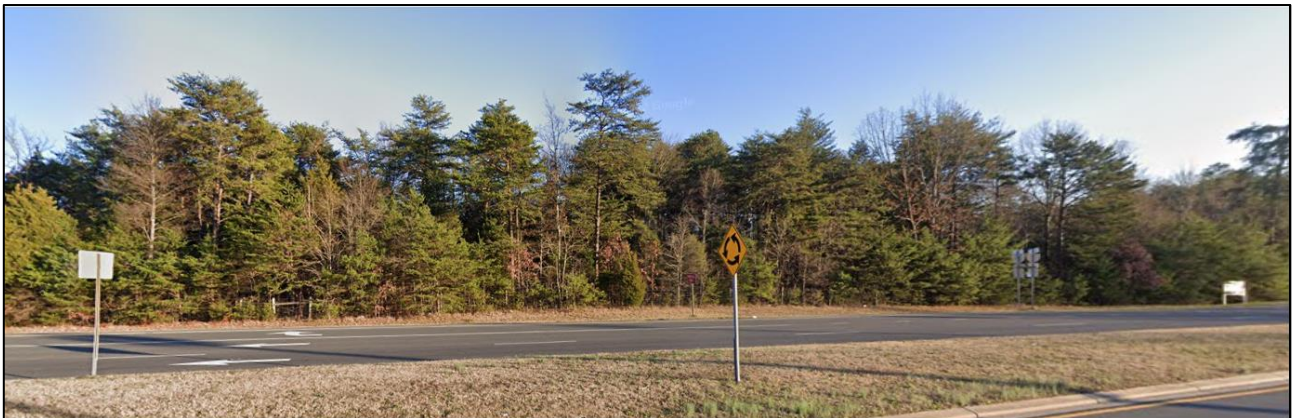
The site plan accompanying this petition contains the following provisions:

- Proposes a multi-family residential development with park and open space in Development Areas 1, 2, and 3.
- Up to 295 multi-family residential dwelling units in Development Areas 1 and 2 at a density of 11 units per acre.
- Limits Development Area 2 to a maximum of 15 townhome style units.
- Identifies a potential amenity area/clubhouse in Development Area 1.
- Notes maximum building height will be per ordinance.
- Limits a portion of Development Area 3 (approximately 0.85 acres) to be dedicated and conveyed to Mecklenburg County for use as a public park. Land to be dedicated and conveyed may not include tree save areas for the remainder of the site.
- Adds note stating Petitioner will provide a 30-foot access easement to Mecklenburg County for the construction of a trail from Private Street A to the area to be dedicated to Mecklenburg County for a public park.
- Proposes tree save and a minimum of 8,000 square feet of open space improved with at least 3 of the following elements in Development Area 3: walking paths, landscaping, seating areas, and structures appropriate to the proposed open space area.
- A 50-foot Class C buffer along property boundaries abutting single family use or zoning. Buffer may be reduced with a fence or berm per ordinance.
- Reserves the right to request an Alternative Buffer approval per Section 12.304 for the portion of the Site abutting Parcel #11107104, as this parcel is unbuildable and providing a buffer would serve no purpose.
- Adds note stating existing accessory structure that is part of 5100 Robinwood that encroaches on the site may be either relocated (removed) or may remain in its current location if it is located outside of the required buffer.
- Notes access will be via Proposed Private Road Street A at the existing traffic circle and Robinwood Drive.
- Proposes a right-turn lane into the site from Harrisburg Road.
- Installs a 12-foot multi-use path and 8-foot planting strip along Harrisburg Road.
- Installs a 6-foot sidewalk and 8-foot planting strip along proposed Private Road Street A and along frontages on Robinwood Drive.
- Commits to constructing two PROWAG compliant ADA curb ramps at the intersection of Robinwood Drive and proposed Private Street A.
- Adds a note stating Petitioner will construct a pedestrian crosswalk on Private Street A near its intersection with Harrisburg Road.
- Adds note stating Petitioner would work to provide a pedestrian crossing on Harrisburg Road.
- Provides a minimum of 3 EV ready parking spaces (an EV-Ready space is defined as: Installation of electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt accessible to a parking space).
- Proposes a combination of the following building materials: brick, stone, precast stone, precast concrete, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.

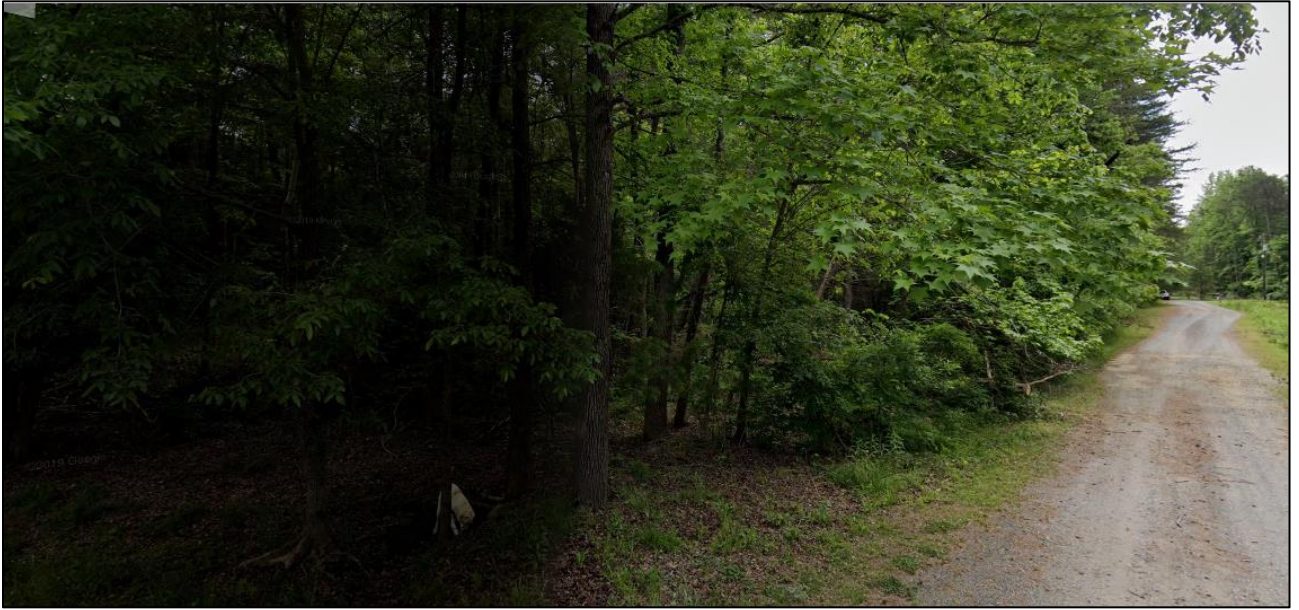
- Requires buildings exceeding 120 feet in length to include modulations of the building massing/façade plane (recess, projection, architectural treatment). Modulations must be a minimum of 10 feet wide and extend or recess a minimum of 5 feet, extending through all floors.
 - Designs building elevations with recognizable vertical bays or articulated architectural features which may include but not be limited to a combination of exterior wall offsets, projections, and/or recesses, pilasters, and change in materials.
 - Buildings will be designed with a recognizable architectural base.
 - Building elevations facing existing public street or the new private street will not have expanses of blank walls greater than 10 feet.
 - 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.
- **Existing Zoning and Land Use**



The site is currently vacant and is surrounded predominantly by single family neighborhoods, vacant land, and retail uses on parcels in various zoning districts. The site is bordered to the north by I-485.



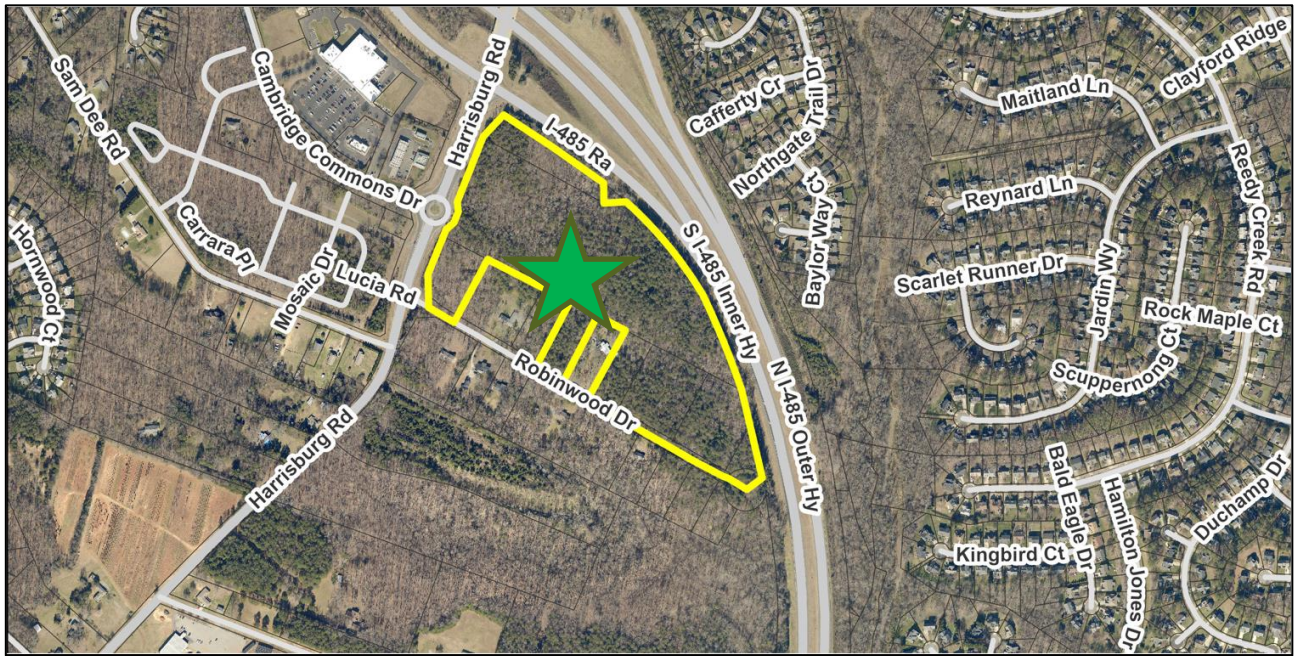
The site is currently vacant (above and below).



Single family homes and vacant land are located along Robinwood Drive.

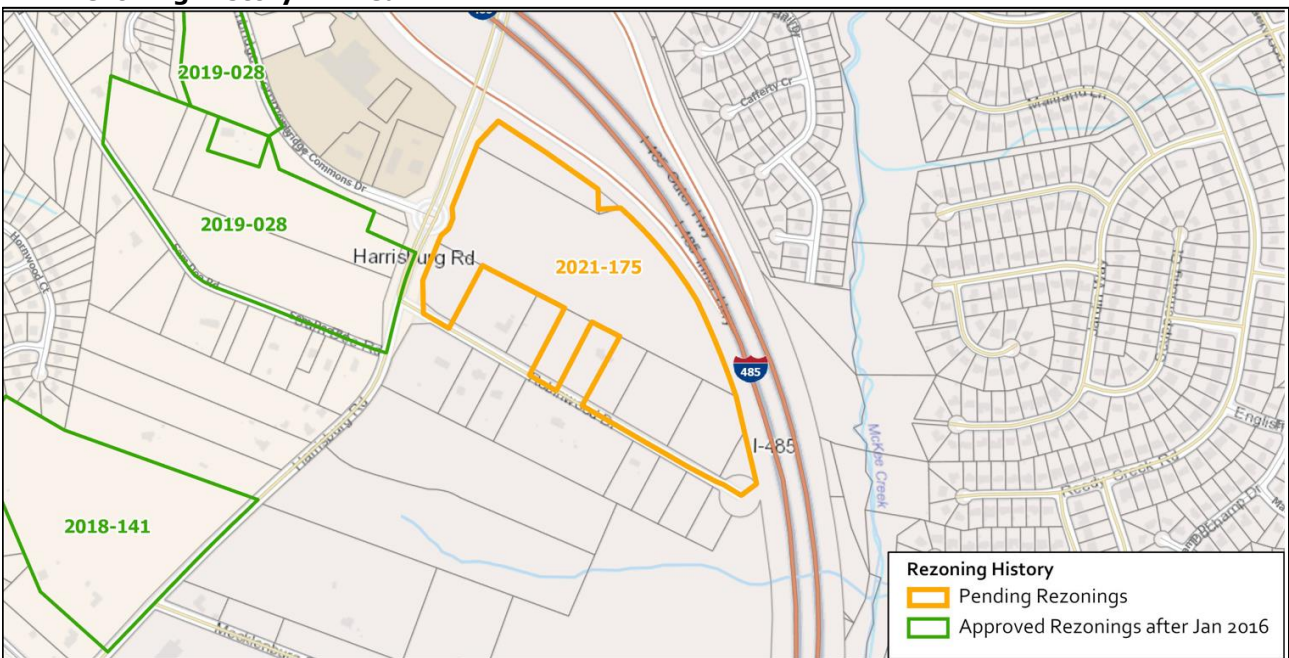


West across Harrisburg Avenue and at the traffic circle are retail uses.



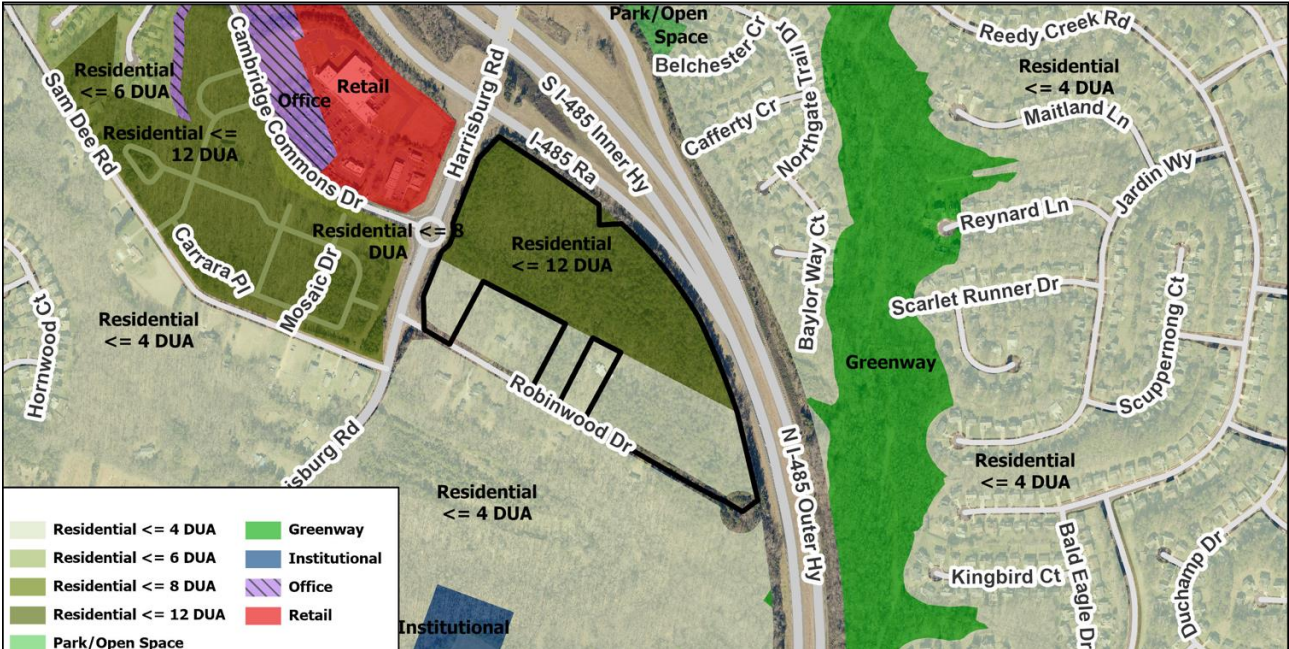
The rezoning site (denoted by green star) is predominantly surrounded by single family residential neighborhoods and vacant land.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-028	Rezoned 26.71 acres from R-3 and O-15(CD) to R-12MF and R-12MF(CD) to allow 308 multi-family units.	Approved
2018-141	Rezoned 17.9 acres from R-3 to R-4.	Approved

- **Public Plans and Policies**



- The Rocky River Area Plan recommends residential uses up to 12 DUA for a portion of the site and residential uses up to 4 DUA for the remainder of the subject parcel.

- **TRANSPORTATION SUMMARY**

- The site is adjacent to Harrisburg Road, a State-maintained major thoroughfare, Robinwood Drive, a private local street, and I-485, a State-maintained freeway. A Transportation Technical Memorandum (TTM) was completed for this petition due to the site creating a fourth leg to the existing roundabout located at Harrisburg Road and Cambridge Commons Drive. The TTM was submitted to NCDOT & CDOT for review on September 16, 2021. The petitioner has committed to retaining 2 northbound through lanes and constructing a slip right lane into the development at the roundabout.

The petitioner has committed to dedicating right-of-way along the site's frontage, installing curb and gutter along Harrisburg Road and Robinwood Drive, constructing an 8-foot planting strip and 12-foot multi-use path along Harrisburg Road in accordance with the Council-Adopted Charlotte WALKS and BIKES Policies, constructing an 8-foot planting strip and 6-foot sidewalk along Robinwood Drive, and retaining the existing 2 northbound through lanes and adding a slip right lane into the development at this existing roundabout. CDOT has no outstanding issues.

- **Active Projects:**

- N/A

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 850 trips per day (based on 80 single family dwellings).

Proposed Zoning: 1,610 trips per day (based on 295 apartments).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 14 students, while the development allowed under the proposed zoning may produce 80 students

- The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Clear Creek Elementary from 93% to 100%
 - Northeast Middle from 77% to 79%
 - Rocky River High from 81% to 82%.
- **Charlotte Water:** Water service is accessible for this rezoning boundary. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The development will need to donate pipeline infrastructure to CLTWATER to serve this parcel.

Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water distribution main located along Harrisburg Rd.

Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The closest available sewer main is approximately 500 feet west of the rezoning boundary on Cambridge Commons Dr. A developer donated project will be required in cases there is not direct service. 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:** No comments submitted.

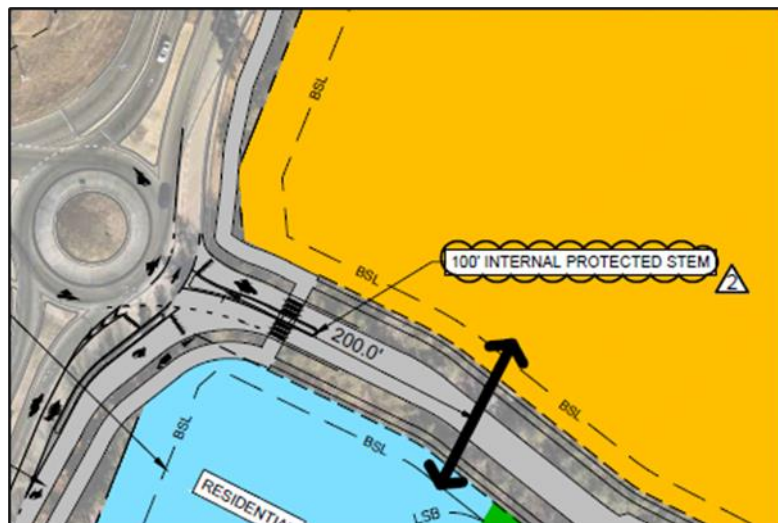
OUTSTANDING ISSUES

Transportation

1. ~~Revise site plan to show multi-use path terminating at property line along Harrisburg Rd with no connection to the roadway.~~ Addressed



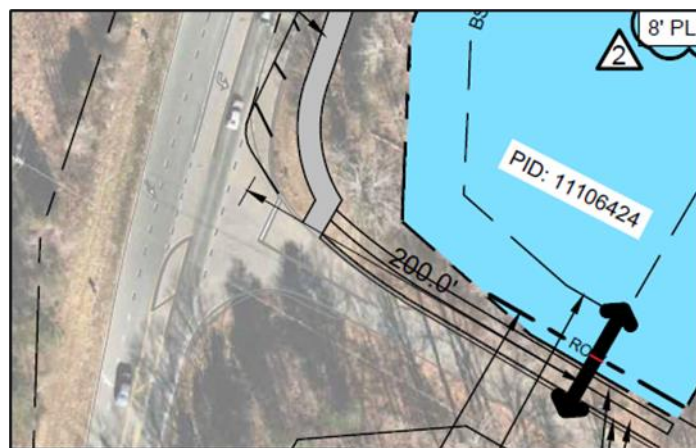
2. ~~Revise site plan and add conditional note(s) shifting the crosswalk on proposed Private Street A closer to the Harrisburg Road intersection. Conditional note should state that this crossing may require signalization (Rapid Rectangular Flashing Beacon - RRFB) and will be reviewed during the permitting process by CDOT and NCDOT.~~ Addressed



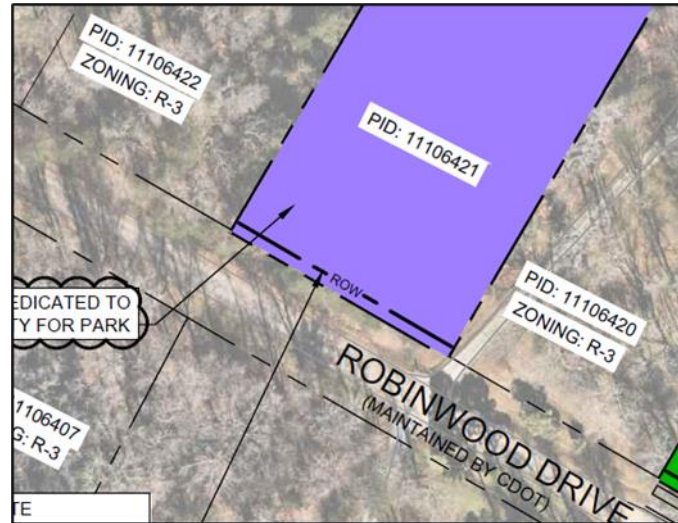
3. ~~Revise site plan and add conditional note(s) committing to constructing two PROWAG compliant ADA curb ramps at the intersection of Robinwood Drive and proposed Private Road A. Remove proposed sidewalk from roadway and add shading to all proposed sidewalk on site plan.~~
Addressed



4. ~~Revise site plan to show multi use path and sidewalk connecting at Harrisburg Road and Robinwood Drive intersection with no connection to the roadway.~~ Addressed



5. ~~Revise site plan to commit to constructing curb & gutter, planting strip and sidewalk along frontage of area to be dedicated to Mecklenburg County for park.~~ Addressed



Site and Building Design

6. ~~Under Legend, confirm purple area dedicated to Mecklenburg County for Park is part of Area 3 as specified in the development notes.~~ Addressed
7. ~~Confirm if Environmental Features Note 8.c. should reference one acre or .85 acre with respect to the future park.~~ Addressed
8. ~~Confirm required Class C buffer locations abutting existing single family use or zoning and ensure clearly labeled on site plan sheets.~~ Addressed
9. ~~New Outstanding Comment Due to Revised Site Plan: Please remove Note 4.f. from the site plan.~~ Addressed. Added new note 4.f. stating accessory structure that encroaches on the site may be either relocated (removed) or may remain in its current location if it is located outside of the required buffer.

Environment

10. ~~In order for the future park to serve the residents of this development, MCPR will need additional land to the new street ROW north of the park land for a trail connection. This trail connection can be dedicated either in fee or easement and may overlap tree save.~~ Addressed.

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





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










Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-175

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	X
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	X
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>