

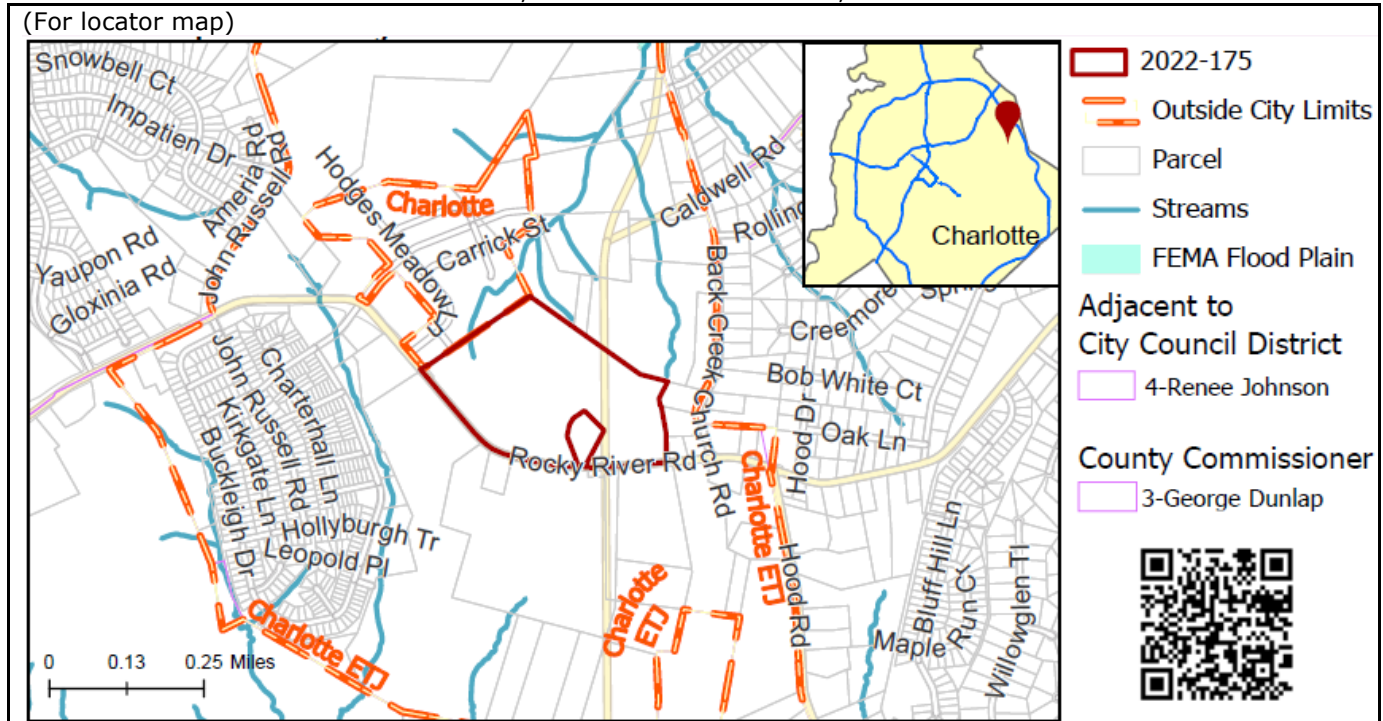
REQUEST

Current Zoning: N1-A (single family residential)
Proposed Zoning: R-8MF(CD) (multi-family residential, conditional)

LOCATION

Approximately 42.46 acres located along the north side of Rocky River Road, west of Back Creek Road, and southeast of John Russell Road.

(For locator map)



SUMMARY OF PETITION

The petition proposes to allow up to 200 single family attached (townhome) residential units on a property containing an existing single-family home that will remain and is located outside of the rezoning boundary in East Charlotte.

PROPERTY OWNER

Hodges Family Properties, LLC

PETITIONER

Rocky River Holdings LLC

AGENT/REPRESENTATIVE

Collin Brown and Brittany Lins – Alexander Ricks PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 10

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for the Neighborhood 1 Place Type.

Rationale for Recommendation

- While inconsistent with the Neighborhood 1 Place Type, the project provides a variety of housing types, such as triplexes, quadrplexes and townhomes which can help facilitate the goal of housing variety.
- The petition is proposing single family attached units with a density of approximately 6 DUA.
- This proposal remains in character with the area's general land use pattern, including the approved entitlements (2021-040) to the northwest.

- The petition proposes street improvements along Rocky River Road, including an eight-foot planting strip, a 12-foot multi-use path, and bicycle facilities.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 2: Neighborhood Diversity & Inclusion
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities
 - 7: Integrated Natural & Built Environments

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from the Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site.

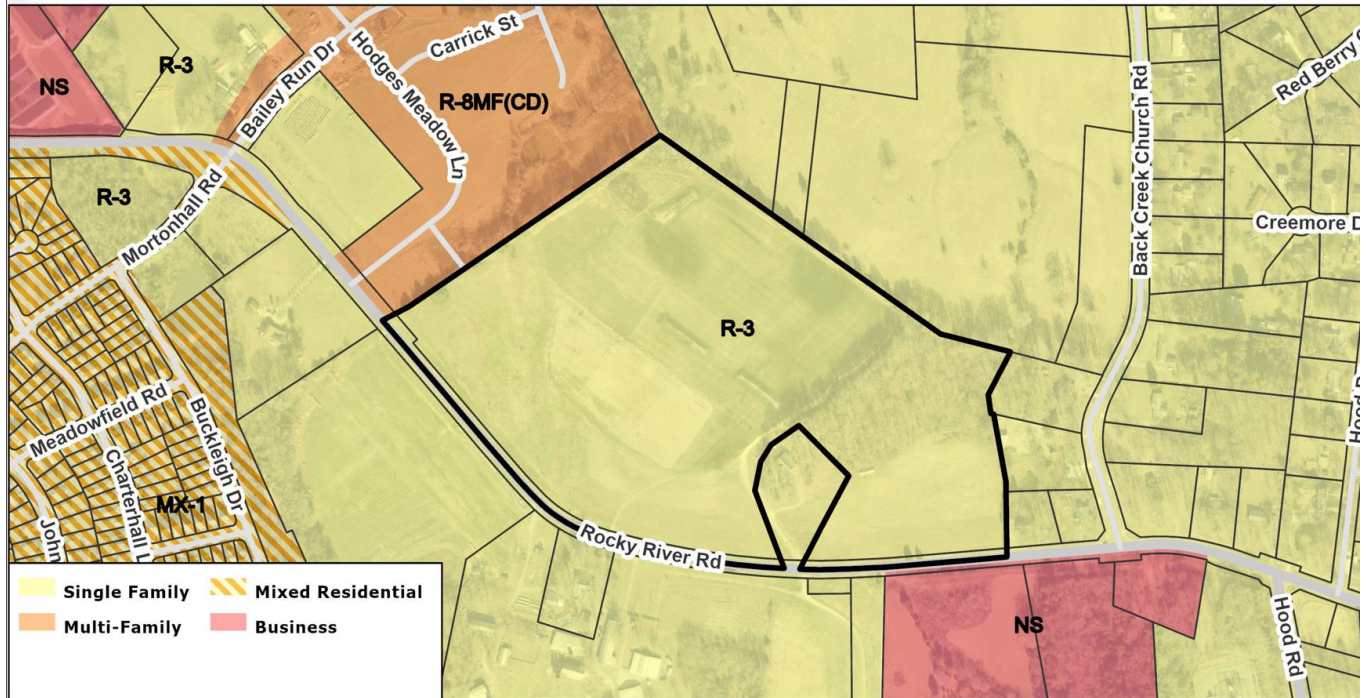
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

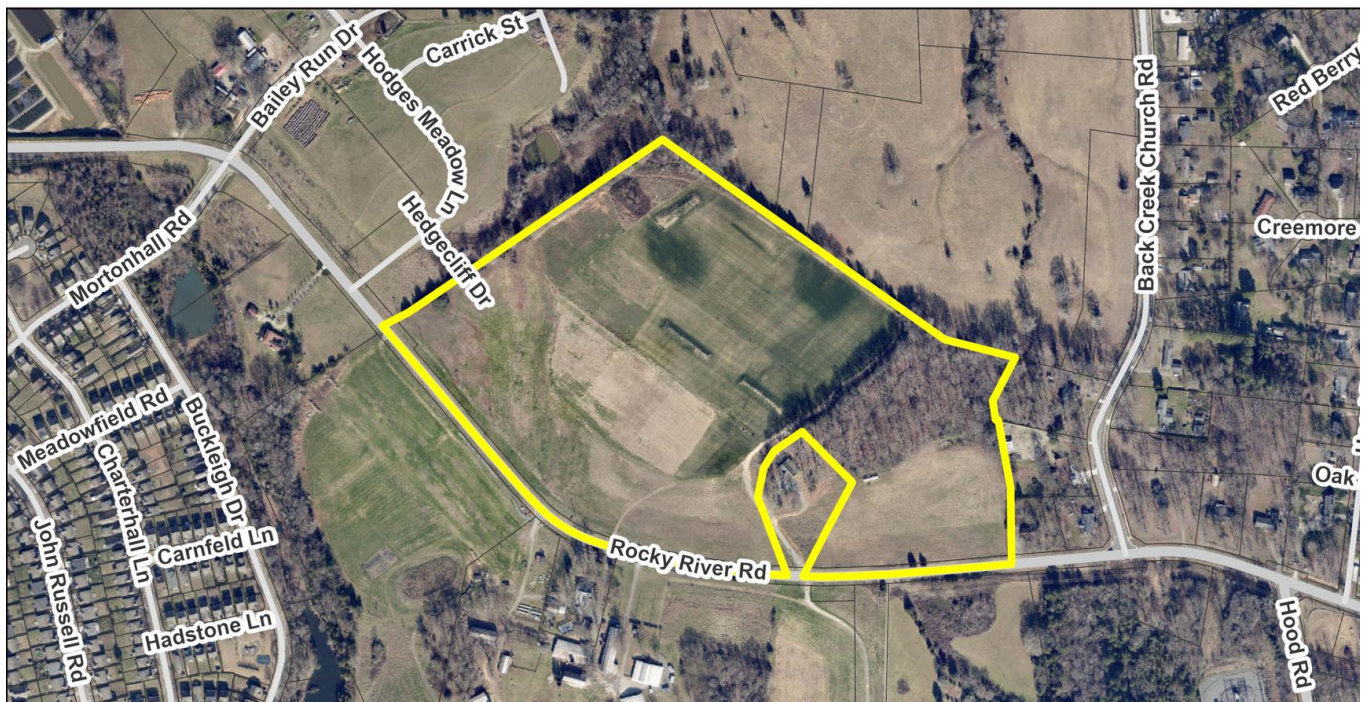
- Allow up to 200 single family attached (triplex and quadraplex) residential units and/or townhomes.
- Proposes the following transportation improvements:
 - Proposes access from Rocky River Road and Future Eastern Circumferential Road.
 - Commits to an eight-foot-wide planting strip and 12-foot wide multi-use path along Rocky River Road.
 - Construct bicycle facilities by locating the curb and gutter 30 feet from the Rocky River Road center line and installing the 12-foot multi-use path.
 - Commits to construction of a four-foot median on Rocky River Road.
 - Proposes an internal network of public streets with six-foot sidewalks and eight-foot planting strips.
 - Constructs Public Street B as a right-in/right-out access point and widen Rocky River Road to install a dedicated right turn lane into the site with 100 feet of storage in coordination with NCDOT.
 - Widens Rocky River Road to construct a dedicated left turn lane with 150 feet of storage and right turn lane with 100 feet of storage at Public Street C in coordination with NCDOT.
- Proposes the following architectural standards:
 - Proposes a combination of the following building materials: brick, natural stone, stucco, cementitious siding, fiber cement and/or other approved materials.
 - Prohibits vinyl siding, excluding vinyl handrails, windows, soffits, doors or door trim; and concrete masonry units not architecturally finished.
 - Limits the number of units per building to a maximum of four (4).
 - Limit maximum blank wall expanse to 20 feet on all building levels fronting network-required streets.
 - Provides a four-foot minimum berm along Rocky River Road.
 - Provides minimum 0.25 acres of improved open space areas with amenities includes at least one of the following enhancements: hardscape features, seating areas, benches, trail network and/or enhanced landscaping.
 - Dedicates and conveys a minimum 1.5 acres to Mecklenburg County Park and Recreation for the purpose of a public future neighborhood park.
 - Illustrates a 30-foot Class C buffer adjacent existing multi-family residential and a 50-foot Class C buffer adjacent single family residential.
 - Illustrates possible tree save area and internal walking trail.
- Petitioner shall contribute \$7,500 to CATS for bus stop improvements to include a shelter with seating at the intersection of Rocky River Road and Grier Road. Contribution shall occur prior to the issuance of the first building certificate of occupancy.
- Petitioner shall contribute \$5,000 to the Far East Neighborhood Coalition. Contribution shall occur prior to the issuance of the first building certificate of occupancy for the site.

• **Existing Zoning**



- The site is developed with a single-family home that is located outside of the rezoning boundary. The site is surrounded by residential, agricultural, park and preserve uses, and vacant land in various zoning districts.

Existing Zoning	Translated Zoning	Recommended Place Type
R-3 (single family residential)	N1 (neighborhood 1)	N1 (neighborhood 1)



The rezoning site is surrounded by a mix of single-family homes, vacant parcels, farmland, and parks and preserves.



The rezoning site wraps around an existing single-family residence not part of the request.



North are single family homes, vacant land, Back Creek Regional Park, and a nursery (above and below).

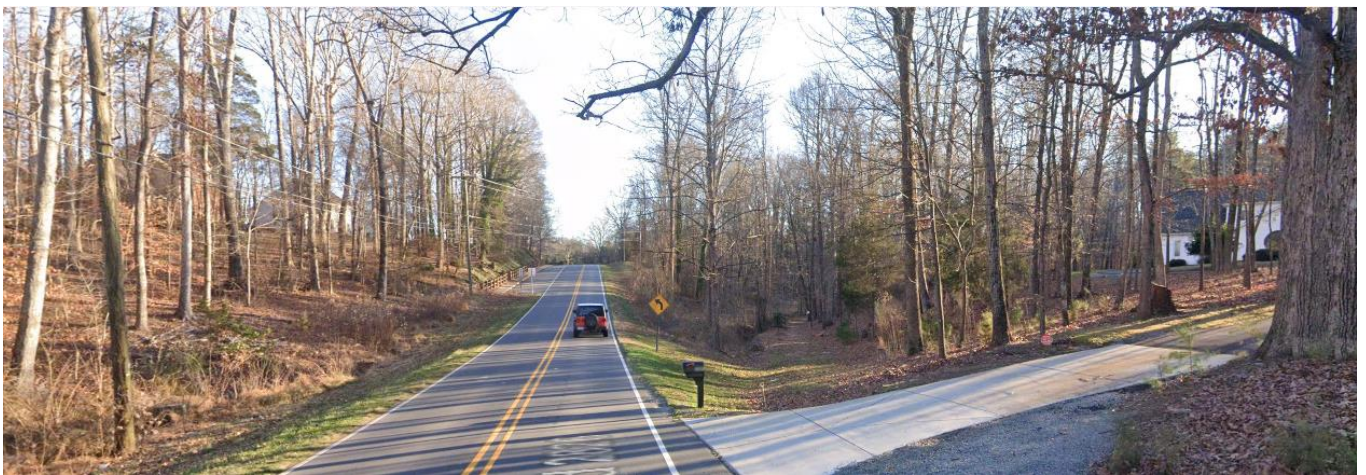




East are single family homes.



South are the Hodges Farm, vacant land, single family homes, and Reedy Creek Park (above and below).

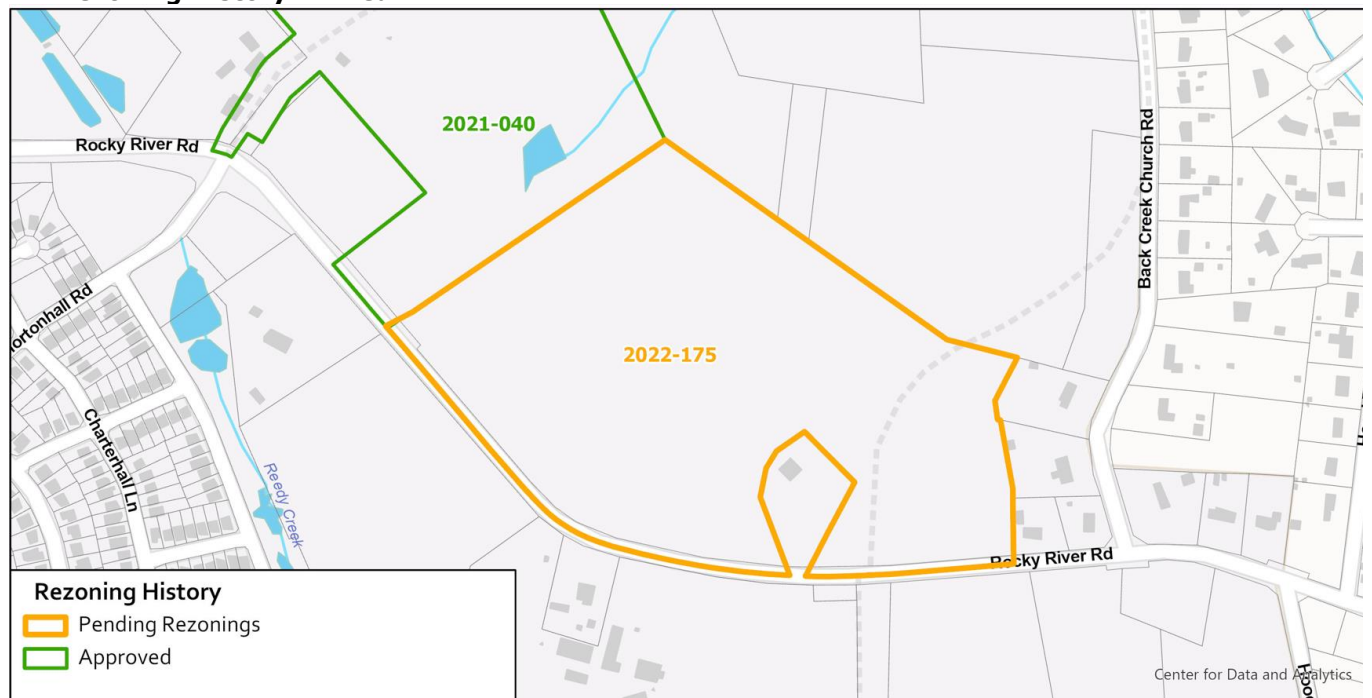




West are farmland, vacant parcels, and single-family homes (above and below).

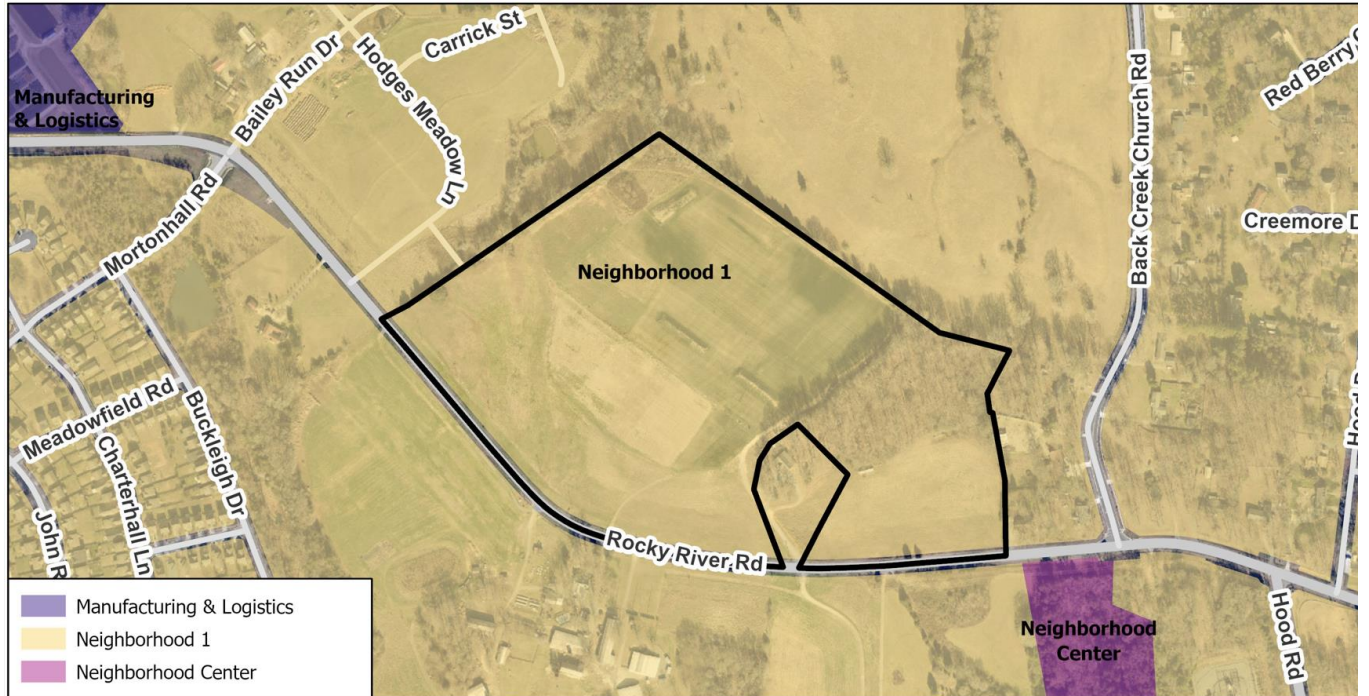


- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-040	Rezoned 41.58 acres to R-8M(CD) to allow up to 200 townhomes.	Approved

• Public Plans and Policies



- The 2040 Policy Map (2022) recommends the Neighborhood 1 Place Type for this site.
- **TRANSPORTATION SUMMARY**
 - The site is located on Rocky River Road a State-maintained, major thoroughfare road, west of Back Creek Church Road, a State-maintained local road. A Traffic Impact Study (TIS) is not required for this site due to the site generating less than 2500 daily trips. Petitioner committed to constructing Public Road A, B, and G to CLDSM U-03 standard. All outstanding CDOT comments have been addressed.
 - **Active Projects:**
 - N/A
 - **Transportation Considerations**
 - ~~See Outstanding Issues, Note 1.~~ Addressed
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (vacant; based on tax record).
 - Entitlement: 1,140 trips per day (based on 114 single family dwelling units).
 - Proposed Zoning: 1,475 trips per day (based on 200 single family attached dwelling units).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte-Mecklenburg Historic Landmarks:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 64 students, while development allowed with the proposed zoning may produce 34 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Reedy Creek Elementary from 133% to 134%
 - Northridge Middle from 113% to 114%
 - Rocky River High from 85% to 86%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water transmission main located along Rocky River Road. Charlotte Water currently does not have sanitary sewer system accessible for the rezoning boundary under review. The closest gravity sewer main is approximately 400 feet East of the rezoning boundary at Back Creek Church Road and Rocky River Road. See advisory comments at www.rezoning.org

- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** ~~See Outstanding Issues, Notes 2-3.~~ Addressed
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** ~~See Outstanding Issues, Note 4.~~

OUTSTANDING ISSUES

Transportation

1. 4-foot Median is to be constructed on Rocky River Road. Label, dimension, and commit to proposed median. Addressed

Environment

2. The proposed berm shall be removed from the park dedication area. Addressed
3. The note needs to be revised to state that the 1.5 acres proposed park shall be dedicated and conveyed to Mecklenburg County for a future neighborhood park. Addressed
4. The site data table shows 15% tree save but there is not 15% show on the plans. Site is located in a wedge so a min of 15% of the overall site is required to be shown as tree save. Addressed

Site and Building Design

5. Specify if townhomes are to be "land for sale". Addressed
6. Add townhomes to proposed use. Addressed
7. Add to site data table: density allowed, density proposed, number of units allowed, number of units proposed. Addressed
8. Future Eastern Circumferential Road. Because of the road type setback should be discussed with staff.
9. Show and label required side and rear yards based on building orientation. This applies to the overall property boundaries not the sublots. Addressed
10. The site must meet all planned multi-family requirements. Addressed
11. Setbacks and yards are based on planned multi-family requirements. Note as follows: Addressed
 - Setback along Rocky River Road = 30ft.
 - Setback along Local Streets = 27ft.
 - Setback along Future Eastern Circumferential Road = contact staff for setback prior to resubmittal of rezoning
 - Rear Yard = 40ft. or 50ft. if adjoining single family developed or zoned land
 - Side Yard = 10ft. or 20ft. if adjoining single family developed or zoned land
12. Show and label setbacks along all public streets. Addressed
13. Please clarify if this the minimum 50% open space required for R-8MF if so remove useable common. Addressed
14. Sublots cannot be in the buffers. Addressed
15. Buffers start at the setback. Addressed
16. If any buffers are being reduced it must be noted. Addressed
17. The 20-foot garage setback is measured from the back of sidewalk or right-of-way whichever is greater is a reduced setback is used along local streets. Addressed
18. Building separation is a minimum of 16 feet. Addressed
19. The 27ft. setback can be reduced to 15ft. per section 9.303(19)(f) of the zoning ordinance if all conditions of that section are met but all garages must meet the 20ft. setback. All corner lots must also meet all requirements (including an entrance doorway on both side) if the 15ft. setback is being used. If the reduced setback is to be used this information must be noted in the site data table.
20. Please clarify if the proposed pathway internal to the development is intended to have connections to the parking lot abutting the proposed public park. Rescinded
21. Development Data Table references the 50-foot Class C buffer, but not the 30-foot Class C buffer provided adjacent multi-family.
22. ~~New comment resulting from revised site plan dated 5/18/2023:~~ Previous site plans submitted state total 38.25 acres, while most recent plan states 42.46 acres. Please confirm which acreage is correct. Addressed
23. ~~New comment resulting from revised site plan dated 5/18/2023:~~ Add to Site Data Table—"15 ft. setback per Section 9.303(19)(f) of the zoning ordinance." Addressed

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

Planner: Choose an item.