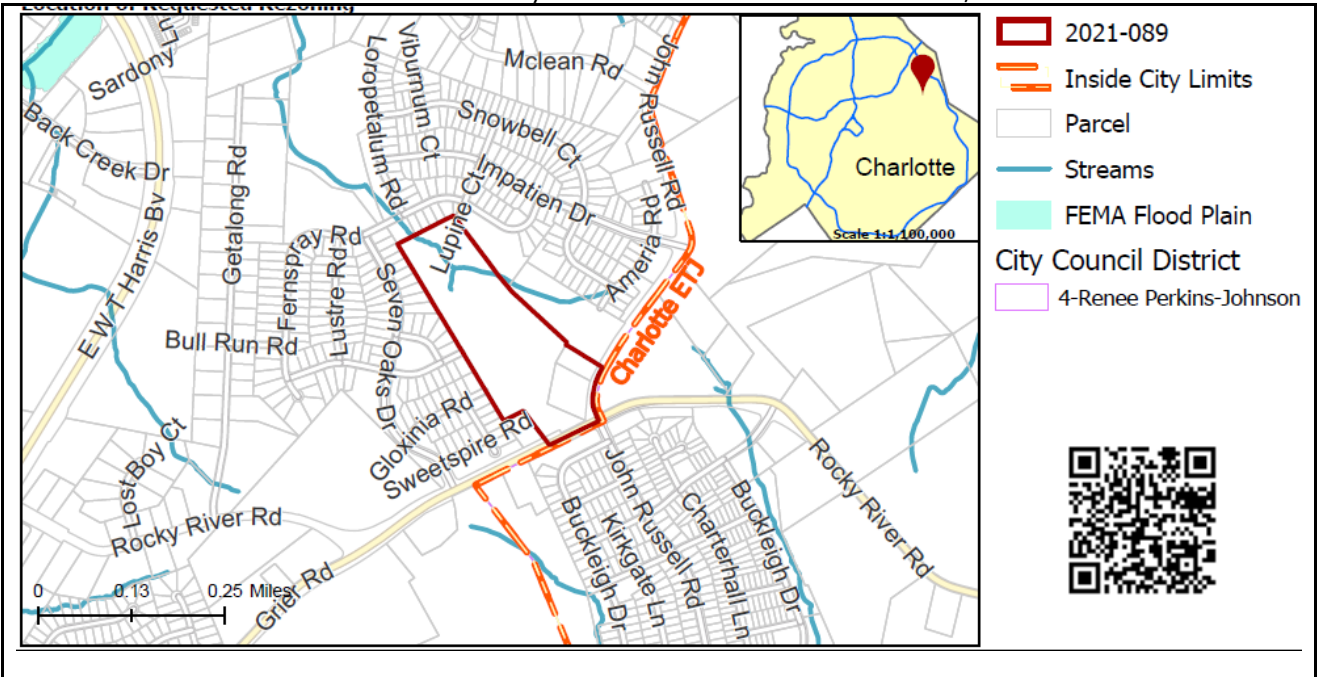


**REQUEST**

Current Zoning: R-3 (single family residential)  
Proposed Zoning: R-8MF(CD) (multifamily residential)

**LOCATION**

Approximately 21.30 acres located at the northwest intersection of Rocky River Road and John Russell Road, north of The Plaza.



**SUMMARY OF PETITION**

The petition proposes to allow up to 76 75 **for rent townhouse style apartments** at a density of 3.57 dwelling units per acre on acreage developed with a single family house with the remainder vacant. The site is located east of E. W.T. Harris Boulevard and on the north side of Grier Road/Ricky River Road.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**  
**COMMUNITY MEETING**

Debra Heuertz  
Redwood USA LLC  
Rad Schneider

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 129

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design.

Plan Consistency

The petition is **consistent** with the Newell Small Area Plan's (2002) recommendation for residential uses up to four dwelling units per acre (DUA).

Rationale for Recommendation

- The plan recommends residential uses for this site.
- The requested density remains under four DUA, which is the recommended density of the site.
- The request helps to achieve the area plan's land use goal to "encourage a range of housing types that will meet the needs of different types of households".

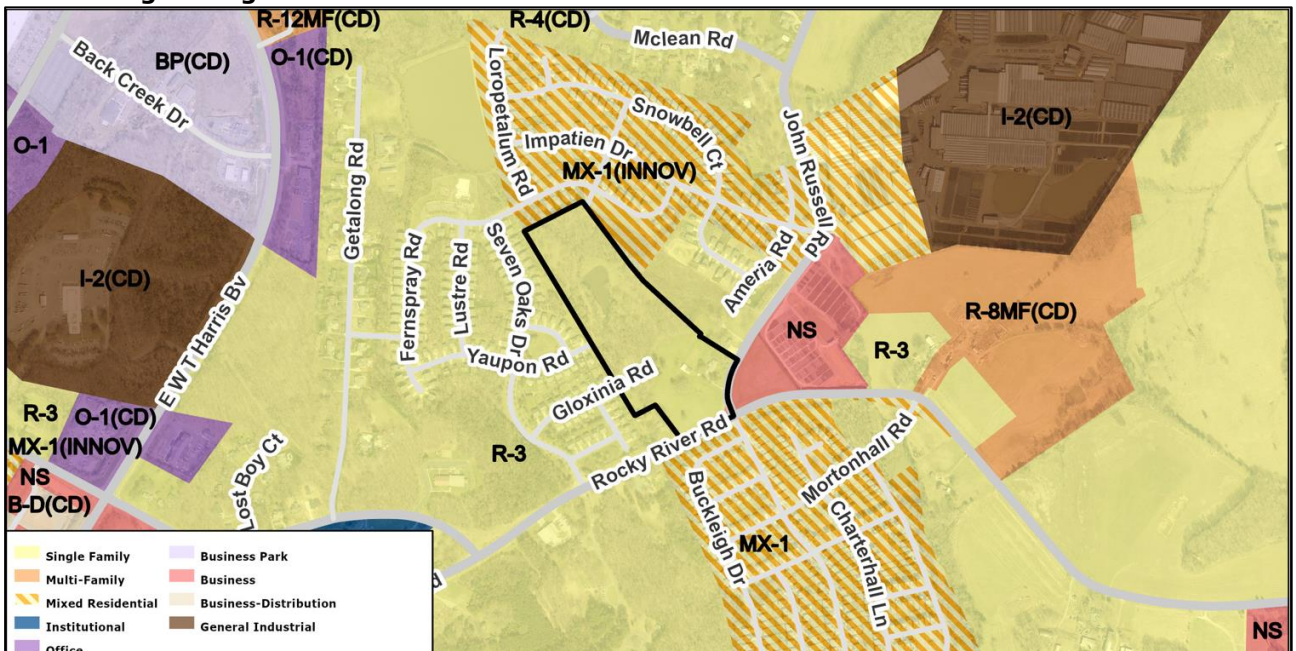
- The general land use pattern in the area includes residential developments of complementary density.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to 76 75 private alley-fed townhouse style apartments for rent (3.57 units per acre) with guest parking provided throughout site.
- Proposed 40-foot building height.
- Primary access from Rocky River Road, and extensions of Gloxinia and Yaupon Roads through the site.
- Proposed 12-foot multi-use path from Lupine Court to Yaupon Road incorporating proposed pedestrian bridges over stream crossing.
- Proposed 12-foot multi-use path along John Russell Road.
- Proposed 10-foot crosswalk/accessibility ramps at John Russell Road intersection.
- Proposed 6-foot sidewalk and 8-foot planting strip along Rocky River Road.
- Proposed right-turn lane on Rocky River Road onto Yaupon Road extension.
- Upgrade of pedestrian signal equipment at the John Russell Road and Rocky River Road intersection.
- Minimum 50-foot dedicated right-of-way from the Rocky River Road centerline, and minimum 35-foot dedicated right-of-way from the John Russell Road centerline.
- Architectural standards addressing raised entrances for privacy; garage doors; pitched roofs; walkways; and, limiting buildings to 5 units or fewer when fronting public or private network required streets.
- Proposes a 50-foot Class C buffer (reduced to 37.5 feet with a fence) along all property lines abutting parcels zoned R-3 and MX-1.
- Identifies 100-foot post construction undisturbed buffer measured from stream, existing pond, and tree save.
- Identifies area to be activated with seating, trash receptacles, pond overlook.

- **Existing Zoning and Land Use**



The site is developed with a single family residence and remaining acreage vacant and surrounded by single family residential neighborhoods, apartments, industrial, office/warehouse, and commercial uses on properties zoned R-3, R-4(CD), MX-1 (innov), R-8MF(CD), R-12MF(CD), O-1, O-1(CD), B-D(CD), and BP(CD).





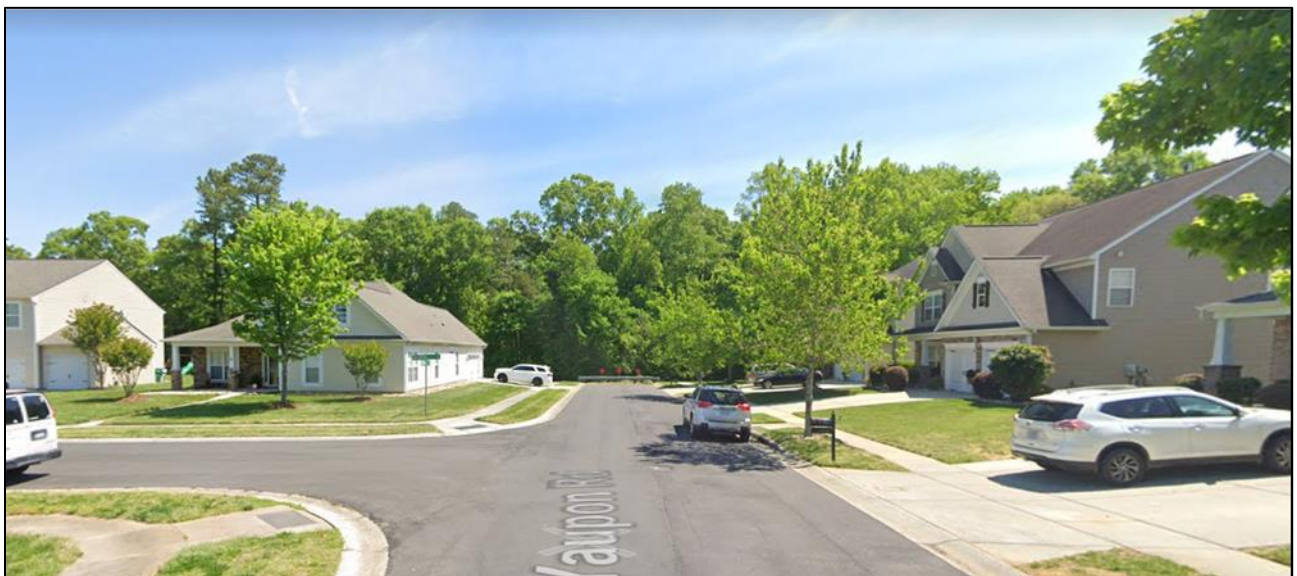
Most of the site is vacant.



A portion of the site is developed with a single family home built in 1971.



South is a single family residential neighborhood.



West is a single family residential neighborhood.





North is a single family residential neighborhood.

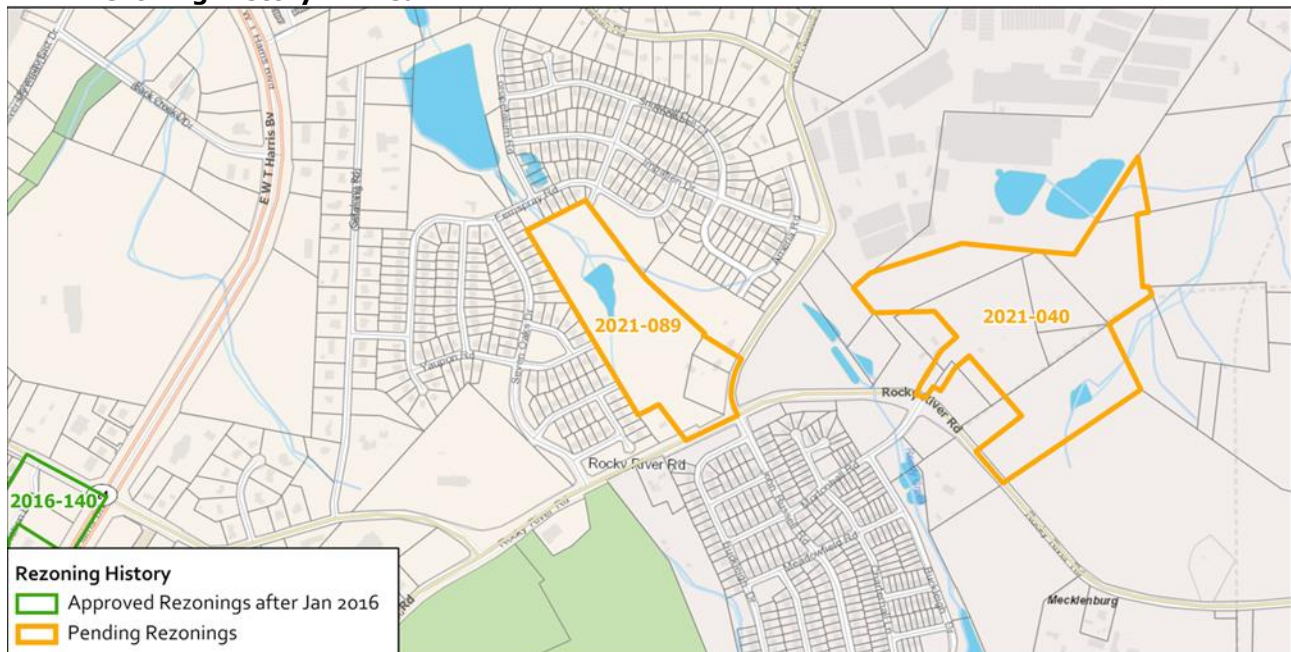


East is a nursery.



Southwest is Reedy Creek Park.

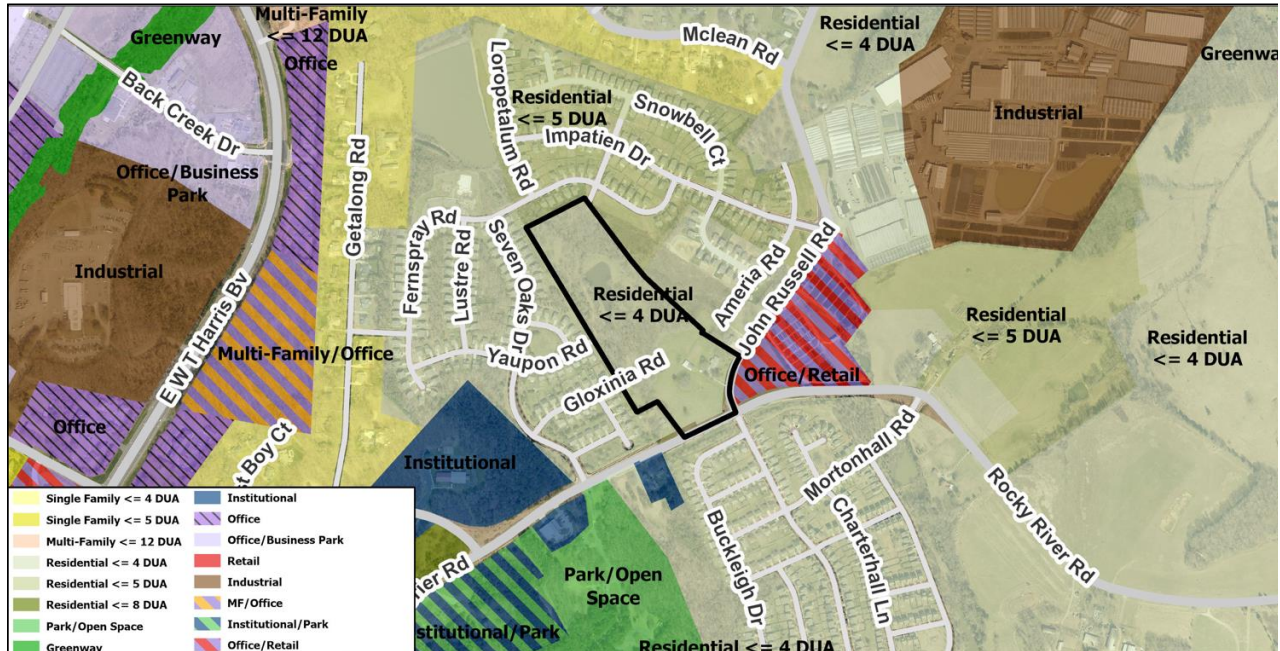
- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-040	Rezoned 41.56 acres from R-3 to R-8MF(CD) to allow 200 single family attached townhome units.	Approved
2016-140	Rezoned 6.63 acres from NS to NS SPA and BD(CD) to amend current development rights on vacant property to allow a mix of retail, restaurant, office and climate controlled self-storage uses.	Approved



- **Public Plans and Policies**



- The Newell Small Area Plan (2002) recommends residential uses up to four DUA for this site.

- **TRANSPORTATION SUMMARY**

- The site is located on Rocky River Road, a state-maintained major thoroughfare, and John Russel Road, a state-maintained minor thoroughfare. A Traffic Impact Study (TIS) is not necessary for the complete review of this petition due to the site generating less than 2,500 daily trips. If the site generates more than 2,500 daily trips, during the permitting process, then a traffic study will be required. Petitioner has committed to dedicating right-of-way along the site's frontage, providing a 100-foot right turn lane at the site's access on Rocky River Road per the NCDOT's standards, installing the curb and gutter 35 feet from the Rocky River Road centerline, constructing a 12-foot multi-use path along John Russel Road, striping the fourth crosswalk leg and upgrading the pedestrian signal equipment at the John Russel Road and Rocky River Road intersection, and providing a 6-foot sidewalk with an 8-foot planting strip along Rocky Road while filling in the sidewalk gap between the site and the existing sidewalk to the West. In lieu of a road extension from the Lupine Court Stub, and to avoid impacts to wetlands, the petitioner commits to constructing a multiuse path between Lupine Court to Yaupon Road, in accordance with City Charlotte BIKES and Charlotte WALKS Policies. This path will provide pedestrian and bicycle access from the adjacent neighborhoods to the Reedy Creek Park. CDOT has no outstanding issues.

- **Active Projects:**

- Grier Road/Rocky River Road Left-Turn Lane
  - Project will add a left turn lane from eastbound Grier Road to northbound Rocky River Road.
  - Phase: Construction (expected completion late 2021)
  - GS PM: Will Scott
  - Website: <https://charlottenc.gov/Projects/Pages/GrierRockyRiver.aspx>

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 10 trips per day (based on 1 single family dwelling).

Entitlement: 680 trips per day (based on 63 single family dwellings).

Proposed Zoning: 535 trips per day (based on 76 townhouse 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:** See Outstanding Issues, Note
- **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 35 students, while the development allowed under the proposed zoning may produce 20 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 0.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Joseph W. Grier Elementary remains at 126%
    - Northridge Middle remains at 106%
    - Rocky River High remains at 81%.
  - See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water distribution main located along Rocky River Rd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Rocky River Rd. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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:** ~~See Outstanding Issues, Note 7.~~ Addressed
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

## OUTSTANDING ISSUES

### Site and Building Design

1. Building G will trigger a 27' setback from right-of-way unless compliance with 9.303(19)(f) is met. this would require a sidewalk connection and entry out to Gloxina Road Extension on the site plan (will require elevations during review to verify door and windows on this side). Petitioner may also use 15' reduced setback on Yaupon Road Extension as long as the other units in this building have their front doors along there (as currently shown). **Not addressed**
2. ~~Under Development Data Table amend to read proposed zoning is R-8MF(CD).~~ Addressed
3. ~~Under Signage replace language with "Signage will be per ordinance."~~ Addressed
4. Clarify commitments to construct the illustrated MUP and bike facilities, as well as planting strip seen to the northwest of the site. **Not addressed**
5. ~~Confirm residential type is single family attached for sale (townhomes) and ensure correct terminology is noted on the site plan.~~ Addressed
6. Please move "CDOT notes" under Transportation heading for clarity. Addressed
7. **New Outstanding Issue:** Please contact Solid Waste to confirm space requirements for dumpster(s)/compactor and recycling.

### Environment

8. Please confirm if the path is intended to be maintained by the developer/HOA. If intended for public maintenance, please construct to County trail standards. Contact Mecklenburg County Park and Recreation with questions. Addressed

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

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
















## Goals Relevant to Rezoning Determinations

### Rezoning Petition # 2021-089

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
	<b>Goal 1: 10- Minute Neighborhoods</b> 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.	✓
	<b>Goal 2: Neighborhood Diversity &amp; Inclusion</b> 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.	✓
	<b>Goal 3: Housing Access for All</b> 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
	<b>Goal 4: Trail &amp; Transit Oriented Development (2-TOD)</b> 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><b>Goal 5: Safe &amp; Equitable Mobility</b></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><b>Goal 6: Healthy, Safe &amp; Active Communities</b></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>N/A</p>
	<p><b>Goal 7: Integrated Natural &amp; Built Environments</b></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><b>Goal 8: Diverse &amp; Resilient Economic Opportunity</b></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><b>Goal 9: Retain Our Identity &amp; Charm</b></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><b>Goal 10: Fiscally Responsible</b></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>