

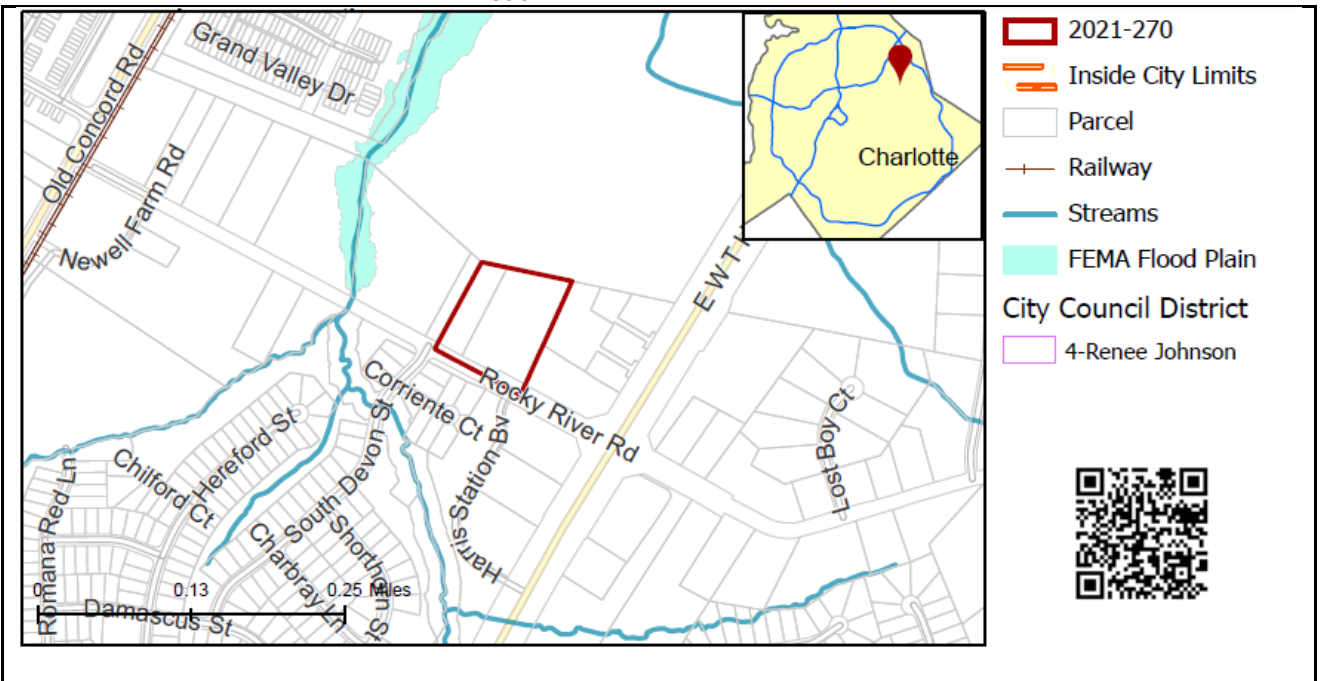
REQUEST

Current Zoning: R-3 (single family residential, up to three units per acre)

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

LOCATION

Approximately 4.09 acres located on the north side of Rocky River Road, west of East W.T. Harris Boulevard, and east of Old Concord Road.



SUMMARY OF PETITION

The petition proposes to allow up to 48 single family attached (townhome) dwelling units at a density of 11.74 units per acre on a parcel partially developed with a single family home and the remaining acreage vacant, located near the intersection of Rocky River Road and E. W.T. Harris Boulevard.

PROPERTY OWNER

Alan Fink

PETITIONER

The Drakeford Company

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: 4

**STAFF
RECOMMENDATION**

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

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map (2022) recommendation for the Neighborhood 1 (N1) Place Type.

Rationale for Recommendation

- The petition is consistent with the Charlotte Future 2040 Comprehensive Plan Goals #1: 10-Minute Neighborhood, #5: Safe & Equitable Mobility, #6: Healthy, Safe & Active Communities, and #9: Retain Our Identity & Charm.

- The site is currently developed as a single family residence.
- The rezoning site directly abuts Place Types N1, Neighborhood Center, and Manufacturing and Logistics.
- This is an appropriate area of transition from N1 to Neighborhood Center.
- The proposal for residential development is in character with existing residential uses in the area.
- The proposed townhome community furthers the goal to strive for all neighborhoods to have a diversity of housing options.

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.

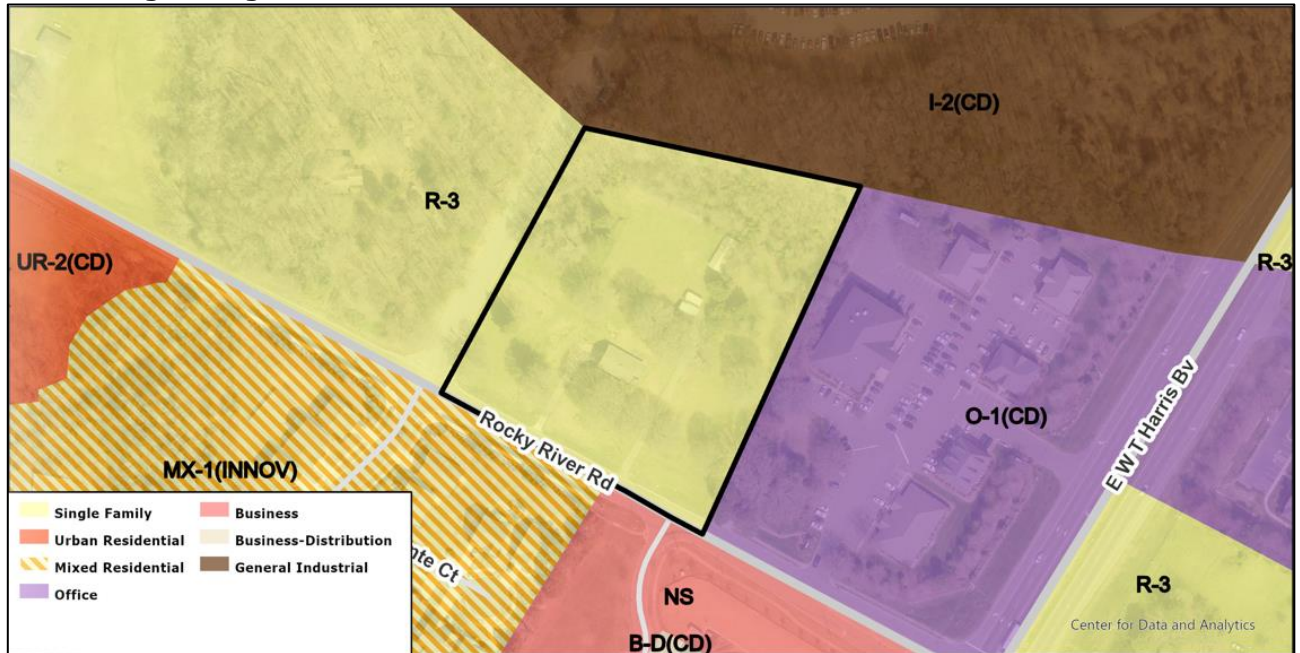
PLANNING STAFF REVIEW

• **Proposed Request Details**

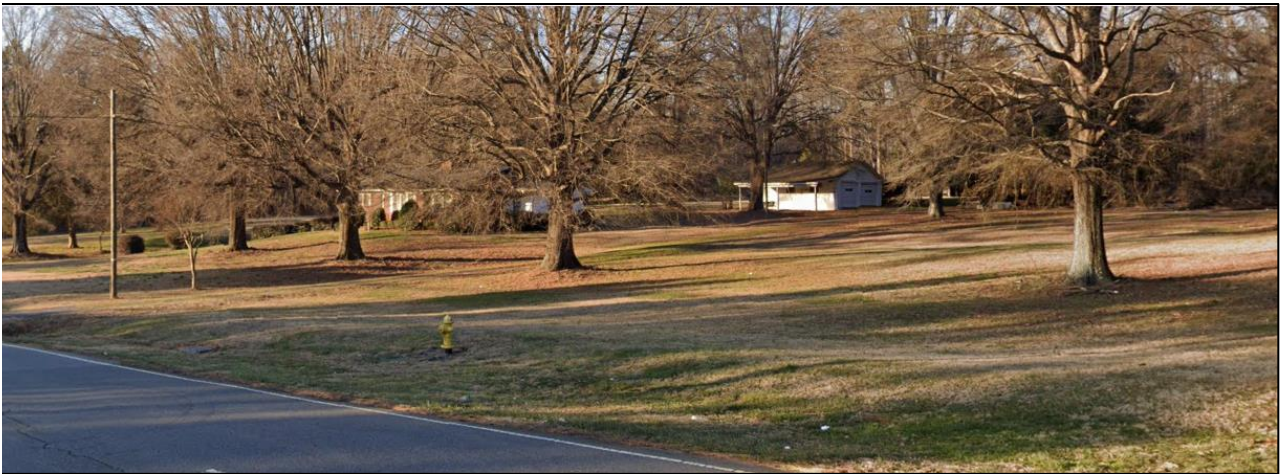
The site plan accompanying this petition contains the following provisions:

- Allow up to 48 single-family attached (townhomes) dwelling units at a density of 11.74 units per acre.
- Limit building height to 50 feet.
- Propose internal network of private alleys with six-foot sidewalks and possible guest parking, served by a private street accessing Rocky River Road.
- Propose a minimum 12-foot wide multi-use path and 8-foot wide planting strip along Rocky River Road.
- Propose a left turn lane into the site off Rocky River Road, creating a 3-lane section along the site's frontage.
- **Commits to installing ADA curb ramps at the proposed street intersections, as generally depicted on the rezoning plan.**
- Prohibit concrete masonry units not architecturally finished as an exterior building material.
- Note that building facades adjacent to Rocky River Road will either include a front-facing façade, be screened with fencing or landscaping, or provide blank wall provisions limiting the maximum blank wall expanse to 10 feet on all building levels.
- Limit number of units per building to 5 or fewer.
- Provide a minimum 15-foot wide Class C buffer along property line abutting parcel zoned industrial, with a fence, and a minimum 10-foot wide Class C buffer.
- Provide amenitized open space areas as Possible UCOS A and Possible UCOS B. Amenities in these areas may include, but not be limited to, seating, walkways or paths, and/or enhanced landscaping.
- Identify possible water quality location at the front of the site, adjacent Rocky River Road.
- **Commits to providing enhanced landscaping along water quality areas as generally depicted on the rezoning Plan where abutting public streets or single family residential properties.**
- **Adds note stating the petitioner will relocate the existing storm drainage infrastructure to a location to be determined during permitting, as reasonably feasible and not to unreasonably delay the permitting process.**

- Existing Zoning and Land Use



The site is developed with a single family residence and remainder vacant land and is surrounded by a mix of single family residential neighborhoods, townhomes, office, retail, industrial uses, and vacant land zoned R-3, MX-1 (Innov), UR-2(CD), NS, B-D(CD), and I-2(CD).



The site is developed with a single family residence and vacant land.



North retail and industrial uses (above) and multi-family residential developments (below).



East are office and retail uses.



West are lower density single family homes.

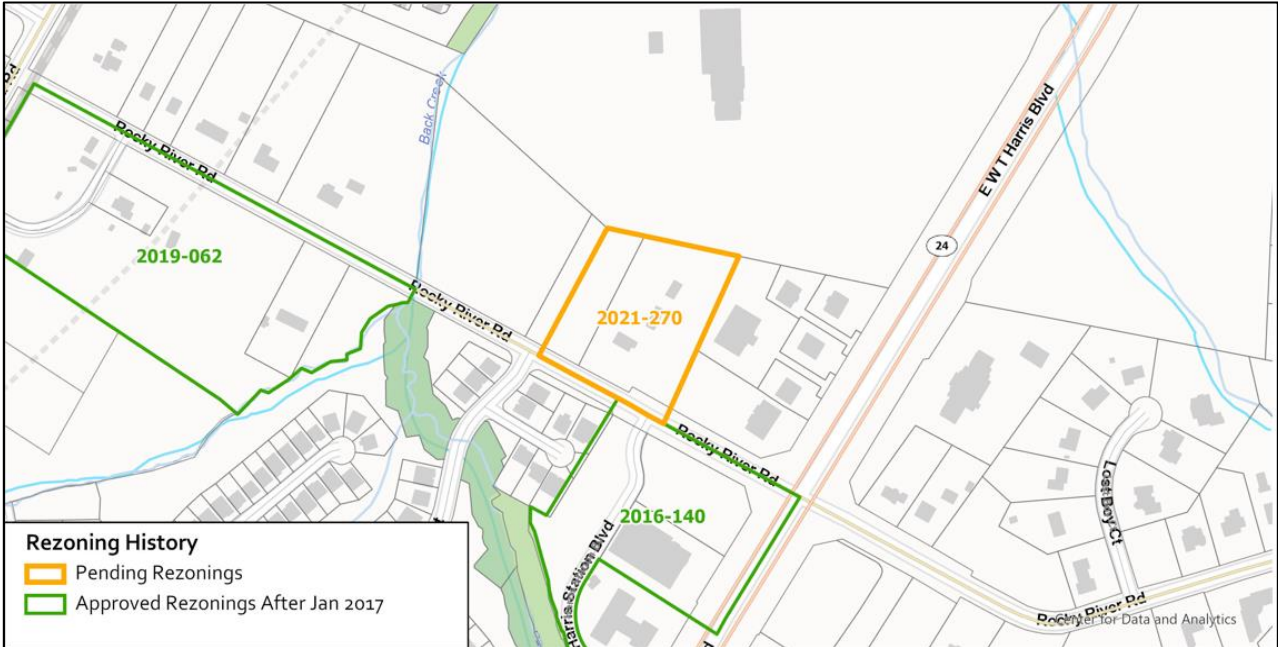


South is a single family residential subdivision.



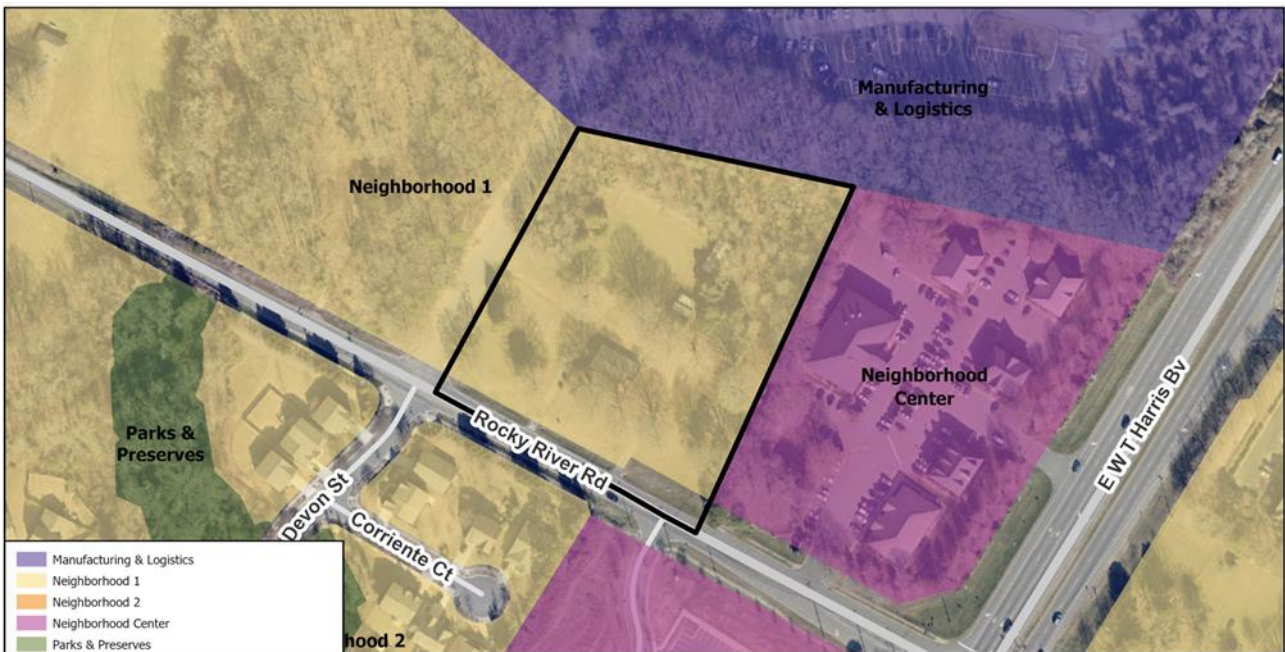
The site (denoted by the purple star) is immediately surrounded by single family residential, retail, office, and industrial uses.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-062	Rezoned 13.01 acres from B-1(CD) and O-1(CD) to UR-2(CD) to allow 126 duplex units.	Approved
2016-140	Rezoned 6.63 acres from NS to NS SPA and B-D(CD) to allow a mix of retail, restaurant, office and climate controlled self-storage uses.	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 minor thoroughfare, South Devon Street, a City-maintained local street, and Harris Station Boulevard, a private local street. A Traffic Impact Study (TIS) is not needed for this site. The petitioner has committed to right-of-way dedication along Rocky River Road, constructing an 8-foot planting strip and 12-foot multi-use path along the site's frontage on Rocky River Road to meet the City's Charlotte BIKES policy, constructing a left-turn lane into the site off of Rocky River Road and constructing ADA curb ramps at proposed street intersections. Site plan revisions are needed to meet ordinance requirements and/or the outstanding items including, but not limited to removing existing storm drainage from site plan. Further details are listed below:

- **Active Projects:**

- No active projects near the site.

- **Transportation Considerations**

- See Outstanding Issues, Notes 1-2.

- **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 145 trips per day (based on 12 single family detached dwellings).

Proposed Zoning: 320 trips per day (based on 48 single family attached dwellings).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 7 students, while the development allowed under the proposed zoning may produce 9 students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Newell Elementary remains at 109%
 - Martin Luther King, Jr. Middle remains at 101%
 - Julius L. Chambers High remains at 137%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-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 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:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

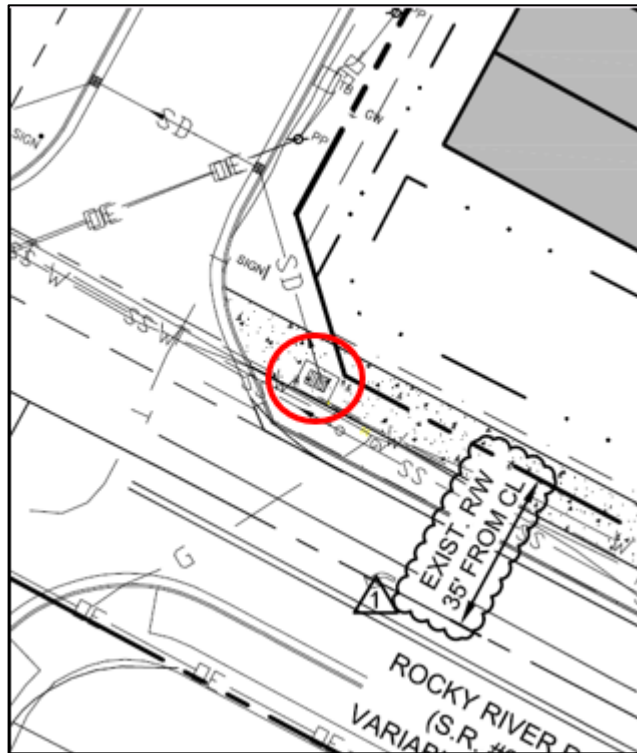
1. **Outstanding Comment from 04-12-2022: Not addressed**

Curblin:

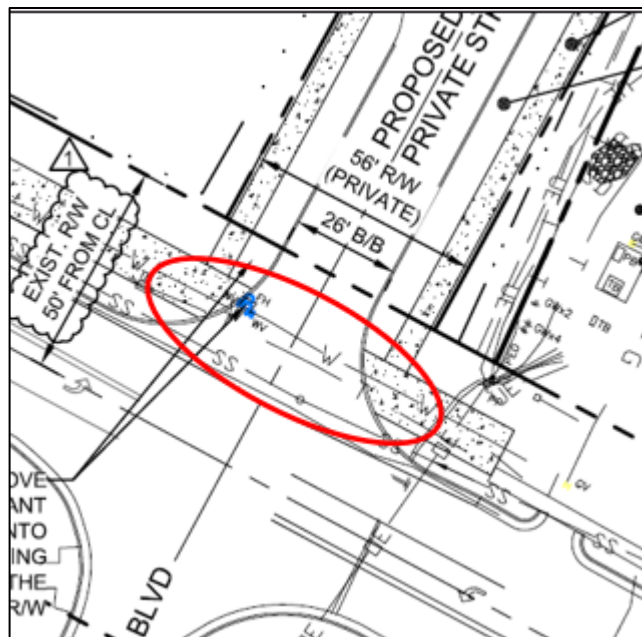
- a. Rocky River Road: Distance from centerline to back of curb: 19 feet

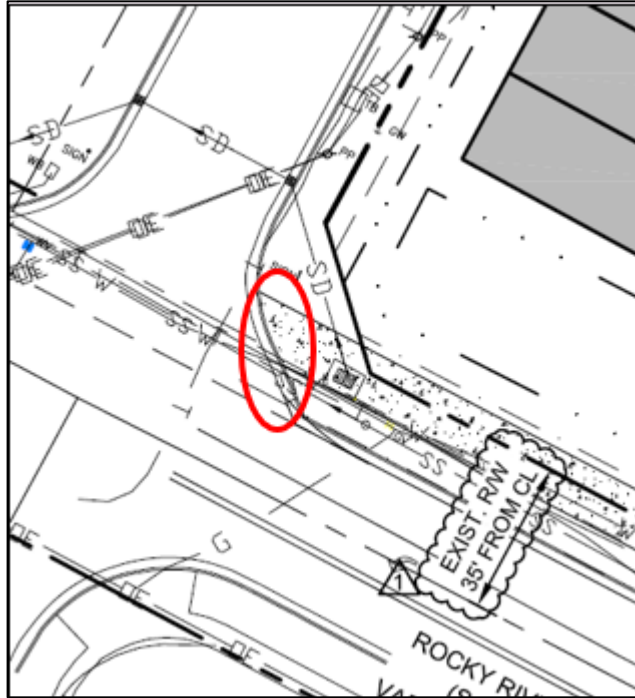
Label and dimension the curb and gutter from the centerline for each road on the site plan.

2. ~~Revise site plan and conditional note(s) to commit to relocating existing storm drainage infrastructure to location to be determined during permitting.~~ **Update to Comment (New Site Plan, 6-28-2022)** Revise site plan removing existing storm drainage from site plan that is currently showing it in the proposed multi-use path. **Not addressed**



3. Revise site plan and conditional note(s) to commit to constructing ADA curb ramps at proposed street intersections. [Addressed](#)



Site and Building Design

4. ~~Confirm there is no conflict between an existing utility easement and one of the units in Building I.~~ Addressed
5. ~~Add a note committing to enhancement of the possible water quality location with approved plantings.~~ 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 # 2021-270

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.	✓
	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>