

REQUEST	Current Zoning: R-3 and R-4 (single family residential) Proposed Zoning: R-5(CD) (single family residential, conditional) with five-year vested rights.
LOCATION	Approximately 9.54 acres located east of Interstate 485 between Caldwell Road and Farmington Ridge Parkway. (Outside City Limits)
SUMMARY OF PETITION	The petition proposes to develop vacant acreage located near the Mecklenburg County line to allow 41 single family detached dwellings, at a density of 4.3 units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Thomas Pearson, Michael Hinshaw, Robert and Roberta Caldwell Marc Eisenbeis Marc Houle, Yarbrough-Williams & Houle
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none"> • The Zoning Committee found this petition to be inconsistent with the <i>Rocky River Road Area Plan</i> based on information from the staff analysis and the public hearing, and because; <ul style="list-style-type: none"> • The plan recommends single family residential at a density of up to four dwelling units per acre. • However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • The vacant site is located directly between two established single family detached neighborhoods, continues stubbed streets from both developments, and has lot widths consistent to the adjacent (single family residential) zoning to the north; and • The petition will provide single family detached dwellings that are similar in scale and character to the surrounding detached dwellings, and slightly exceed the recommended density of four dwelling units per acre; and • The petition provides a public street connection to Caldwell Road, future Farmington Ridge Parkway in Cabarrus County, and internal street connections to abutting subdivisions;

By a 6-0 vote of the Zoning Committee (motion by Majeed seconded by McClung).

ZONING COMMITTEE ACTION	The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.
------------------------------------	---

VOTE	Motion/Second: McClung/ Majeed
	Yeas: Fryday, Majeed, McClung, McMillan, Spencer and Sullivan
	Nays: None
	Absent: None
	Recused: None

ZONING COMMITTEE DISCUSSION

Staff noted that this petition is inconsistent with the *Rocky River Road Area Plan*, and there are no outstanding issues. Members of the committee questioned the small tree save area, and the lack of open space reflected on the site plan. Staff responded that the site will have to comply with the ordinance requirement regarding tree save regardless of what is shown on the site plan, and added that open space is not required for the proposed single family use. A committee member questioned the rationale for recommending an increase in density above that recommended in the adopted area plan. Staff explained that the petition slightly lacked the required acreage to allow utilization of the cluster provision under the existing R-3 and R-4 zoning districts. In addition, the resultant density of 4.3 units per acre slightly exceeds the requested 4.0 density, the petition provides street connections and extensions, and it provides lot widths consistent with the abutting R-4 zoning to the north.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Total of 41 single family detached dwellings.
- Utilizing R-5(CD) (single family residential, conditional) but site designed to meet R-4 (single family residential) cluster provisions for lot width and lot area.
- Public street connection to Caldwell Road, and future Farmington Ridge Parkway in Cabarrus County. Internal street connections to abutting subdivisions.
- Vinyl siding prohibited as a siding material but may be used for soffit trim including window and door trim.
- Principal roof pitch no less than 5:12.
- Landscaped entry along Caldwell Road.
- No driveways serving individual residences provided on Caldwell Road.
- Providing a six-foot sidewalk along Caldwell Road.
- Right-of-way along the entire Caldwell Road frontage of 30 feet from the centerline of the existing right-of-way will be dedicated and conveyed to NCDOT if not already present.
- Installation of a southbound left-turn lane on Caldwell Road to access the site.
- All transportation improvements will be approved and constructed or bonded before issuance of the site's first building certificate of occupancy.

- **Public Plans and Policies**

- The *Rocky River Road Area Plan* (2006) recommends single family residential uses at a density of up to four dwelling units per acre.
- The plan calls for the area to offer a variety of housing types that balance density with quality open space, promote connectivity and whose overall character reflects the vision of the Rocky River area.

- **TRANSPORTATION CONSIDERATIONS**

- The site is along a minor thoroughfare outside of the City limits. The current site plan continues the interconnected neighborhood street network and commits to installing a southbound left-turn lane and completing a sidewalk connection along the site's Caldwell Road frontage.

- **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 330 trips per day (based on 28 single family detached dwellings).

Proposed Zoning: 460 trips per day (based on 41 single family detached dwellings).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.

-
- **Charlotte Fire Department:** No on-street parking on roads less than 26 feet clear width.
 - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 11 students, while the development allowed under the proposed zoning will produce 21 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 10 students.
 - The proposed development is projected to increase the school utilization (without mobile classroom units) over existing conditions as follows:
 - Reedy Creek Elementary from 121% to 124%.
 - The proposed development is not projected to increase the school utilization (without mobile classroom units) over existing conditions:
 - Northridge Middle remains at 104%; and
 - Rocky River High remains at 92%.
 - **Charlotte Water:** Charlotte Water has system availability for the rezoning boundary via existing eight-inch water distribution mains located along Robs Road and Merrie Rose Avenue, in addition to an existing 12-inch main along Caldwell Road. Sewer system is available via existing eight-inch gravity sewer mains along Merrie Rose Avenue and Caldwell Road.
 - **Engineering and Property Management:**
 - **Arborist:** No issues.
 - **Erosion Control:** No issues.
 - **Land Development:** No issues.
 - **Storm Water Services:** No issues.
 - **Urban Forestry:** Site must comply with Tree Ordinance. NCDOT maintained streets (Caldwell Road) require NCDOT planting permit for Tree Ordinance required trees planted in right-of-way. Allowable planting distance from lane of travel is dictated by NCDOT Guidelines. Site is in a Wedge, and single family sites with less than five percent existing tree canopy required to show five percent replanted tree save area onsite.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
-

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

Planner: Sonja Strayhorn Sanders (704) 336-8327