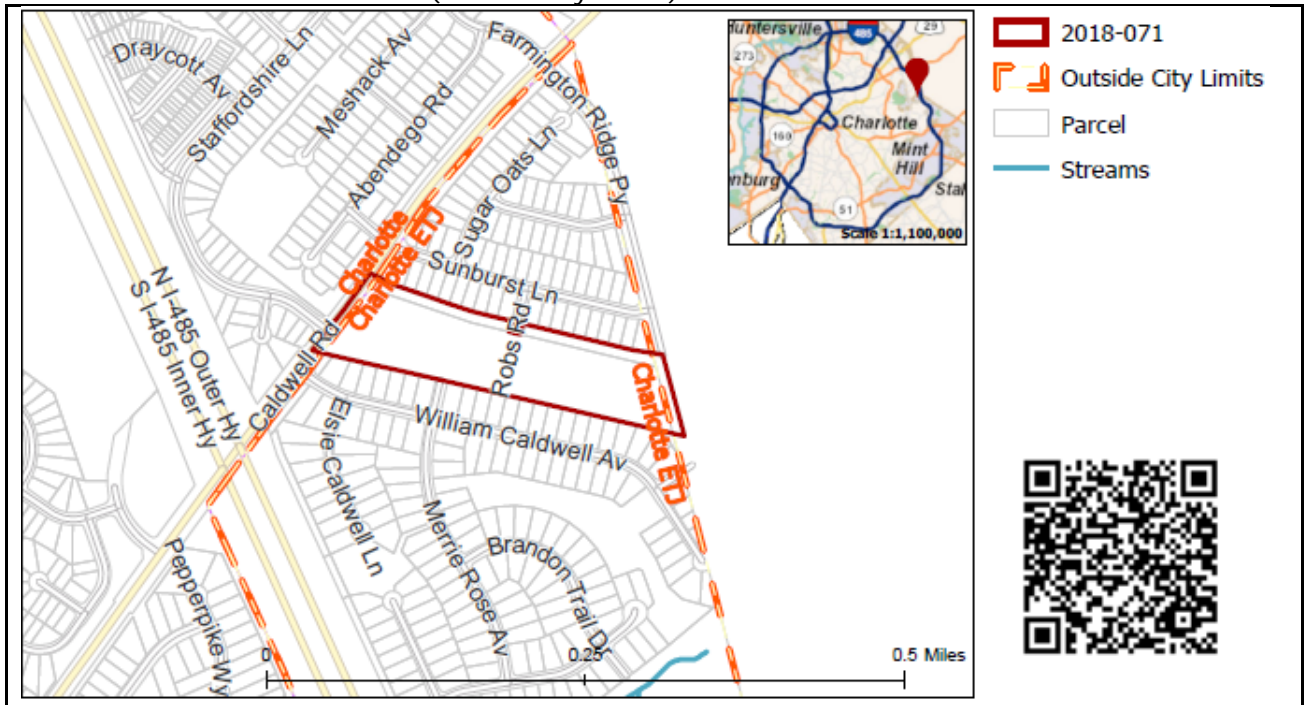


**REQUEST** Current Zoning: R-5(CD) (single family residential, conditional) with five-year vested rights.  
Proposed Zoning: R-5(CD) SPA (single family residential, conditional, site plan amendment) with five-year vested rights.

**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 a site plan amendment to correct yard requirements listed on the previous site while retaining the 41 single family detached dwelling units, at a density of 4.3 units per acre.

**PROPERTY OWNER** Dependable Development Inc.  
**PETITIONER** Dependable Development Inc.  
**AGENT/REPRESENTATIVE** Vince Keene

**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.

Plan Consistency  
The petition is consistent with the *Rocky River Road Area Plan* recommendation for single family residential uses at a density of up to five dwelling units per acre per previous petition 2017-085.

Rationale for Recommendation

- The petition proposes a minor change from the previously approved rezoning that will clarify yard requirements.
- The proposed single family development is located directly between two established single family detached neighborhoods.
- The petition will provide a single family connection from the single

family development to the north which has lot widths consistent with the proposed development and the single family development to the south, maintaining the single family character of the area.

- The new development will extend stub streets from both adjacent developments.
- The development will also support connectivity by providing a public street connection to Caldwell Road and future Farmington Ridge Parkway in Cabarrus County.

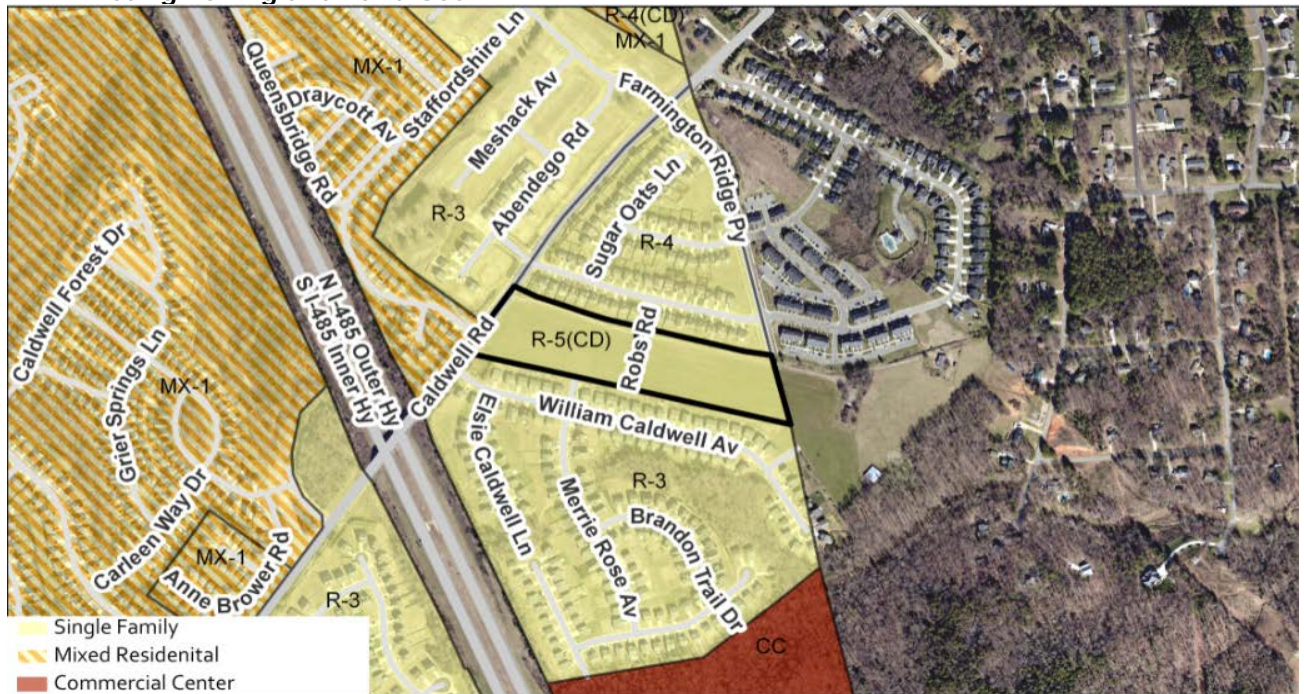
**PLANNING STAFF REVIEW**

**Proposed Request Details**

The site plan amendment contains the following changes:

- Reflect minimum rear yard requirement as 35 feet instead of 45 feet.
- Reflect corner side yard requirement as 13 feet instead of 10 feet.

**Existing Zoning and Land Use**



- Petition 2017-85 rezoned the subject property to R-5(CD) (single family residential, conditional) to allow 41 single family detached dwelling units, at a density of 4.3 units per acre.
- The subject property is vacant.
- Properties on three sides of Caldwell Road are developed with single family detached, and single family attached dwellings.



The subject property is vacant.



Properties to the north are developed with detached single family homes and attached single family homes.



Properties to the south are developed with single family homes.

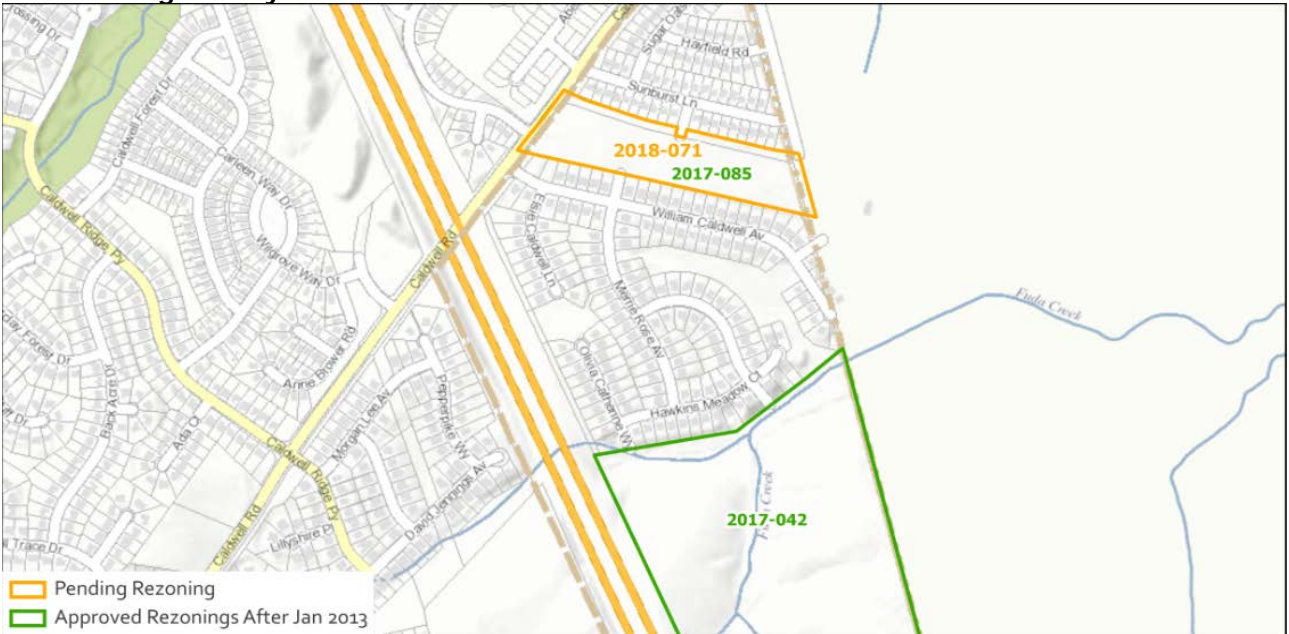


Properties to the west are developed with single family homes.



Properties to the east are developed with single family homes and undeveloped land.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-42	Rezoned 77.31 acres to CC (commercial center) and the establishment of CC (commercial center) to allow up to 191,000 square feet of nonresidential uses i along with up to 515 residential dwelling units.	Approved

• **Public Plans and Policies**



- The *Rocky River Road Area Plan* (2006) recommends single family residential uses at a density of five dwelling units per acre per previous rezoning 2017-085.
- 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: 460 trips per day (based on 41 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 outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No on-street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** No comments submitted.
- **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. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. A Willingness to Serve application has been received and is currently under review. Correspondence will be maintained with the applicant.

- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from the right-of-way without authorization from the City Arborist. The location of structures/driveways/other items illustrated on the site plan are conceptual in nature and do not confirm or imply authorization by the city to remove any city trees located in the street right-of-way, nor does City Council approval of the rezoning site plan. No trees can be planted in the right-of-way of Caldwell Road without permission of NCDOT and the City Arborist's office. If trees are to be planted, they must meet NCDOT planting guidelines. A tree planting permit shall be obtained from NCDOT, in coordination with the Arborist's office prior to planting trees in the NCDOT right-of-way following plan approval by the city.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** ~~See Outstanding Issues Note 4.~~
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

## OUTSTANDING ISSUES

### Land Use

1. ~~Remove request for five-year vested rights.~~ Addressed
2. ~~Amend existing zoning from R-3 and R-4 to R-5(CD).~~ Addressed
3. ~~Amend proposed zoning to reflect R-5(CD) SPA.~~ Addressed

### Environment

4. ~~Show tree save area and tree save calculations on site map. Site is in a wedge and will be required to provide 15% tree save area based on gross acreage, which equates to 1.43 acres. As it appears that there are no existing trees present on this site, therefore, replanting to the 15% minimum is required.~~ Rescinded by Urban Forestry. Tree save has been met for the site.

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## Attachments Online at [www.rezoning.org](http://www.rezoning.org)

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Housing and Neighborhood Services Review
  - Charlotte Fire Department 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