

OFFICIAL COMMUNITY MEETING REPORT

Petitioner: Rocky River Holdings, LLC

Rezoning Petition No. 2022-175

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning, Design and Development Staff pursuant to the provisions of the City of Charlotte Zoning Ordinance.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

A representative of the Petitioner mailed written notice of the date, time and virtual format for the Community Meeting to the individuals and organizations set out on Exhibit A attached hereto by depositing such notice in the U.S. mail on February 24, 2023. A copy of the written notice is attached hereto as Exhibit B.

DATE, TIME AND FORMAT OF MEETING:

The Virtual Community Meeting was held on Wednesday, March 8th at 5:30 p.m. via the Zoom platform.

Recipients of the notice letter were directed to RSVP for a link to the virtual meeting via email or phone to a member of the Petitioner's team. Members of the community who were unable to access the virtual meeting were directed to email or call a member of the Petitioner's team and could be provided with a copy (including a mailed paper copy, if necessary) of the meeting presentation.

MEETING PARTICIPATION:

The Virtual Community Meeting had ten (10) total attendees, including the Petitioner's team and four (4) members of the community, as listed in Exhibit C. The Petitioner was represented at the Community Meeting by Kirk Broadbooks, as well as by Petitioner's agents John Holcomb with Kimley-Horn and Collin Brown, Brittany Lins, and Lisa Larkins with Alexander Ricks PLLC.

SUMMARY OF PRESENTATION/DISCUSSION:

Mr. Collin Brown welcomed the attendee and introduced the Petitioner's team, using a PowerPoint presentation, attached hereto as Exhibit D. Mr. Brown showed aerials of the approximately 38-acre site located along the north side of Rocky River Road, west of Back Creek Church Road, and southeast of John Russell Road. The property contains an existing single-family home that will remain and is located outside of the rezoning boundary. The site is adjacent to a recently approved and currently under-construction residential townhome project by Mattamy Homes.

Mr. Brown explained that there are often many competing considerations that a developer must take into account when planning a site for development, including property owner requirements, transportation requirements, environmental constraints, council priorities, and community feedback. He mentioned that the property is owned by the Hodges family who plan to remain in the area and have interest in the property being redeveloped in a responsible manner. Mr. Brown

stated that that this property is currently zoned to the R-3 (single-family residential) zoning district. The recently-adopted 2040 Policy Map recommends the N-1 placetype for the site. The N-1 placetype generally allows low intensity residential development. Notably, the approved (effective June 2023) Unified Development Ordinance (UDO) eliminates single-family only zoning, allowing for duplexes and triplexes and sometimes quadraplexes on formerly single-family lots, including here, without requiring any discretionary approval process. The Petitioner is proposing a plan that they believe is consistent with the City's vision of eliminating single-family only zoning but at a slightly higher density than would be permitted under the current zoning and N-1 placetype designation.

The Petitioner is proposing a rezoning to the R-8(CD) zoning district with a site-specific rezoning plan for up to 194 single-family attached (townhome) residential units, for a maximum density of around five (5) dwelling units per acre (DUA). Mr. Brown displayed the pending rezoning plan, reflecting townhome buildings with a maximum of four (4) units per building, similar to the triplex and quadraplex units that are consistent with the N-1 zoning designation in the UDO. The plan shows inter-connectivity of roadways with the adjacent Mattamy neighborhood and a berm along Rocky River Road to preserve the view corridor. As mentioned, the existing single-family home is not included in the rezoning plan and intentionally programmed for natural open space and buffering around the home. The Petitioner is also setting aside right-of-way area within the site to accommodate the future Eastern Circumferential Road.

One attendee asked whether there has been a determination of whether the development would contain for-sale and/or for-rent units. In response, Mr. Brown stated that the site plan is set up with individual fee-simple lots for each townhome, which would allow for a for-sale product, unlike some rental product that is contained on one single plat to be managed like an apartment. However, it is not legal to specify for-sale vs. for-rent in a zoning document.

The meeting concluded at approximately 6:00 p.m. with no additional questions or comments from the community members.

Respectfully submitted this 13th day of March 2022.

cc: Claire Lyte-Graham, Charlotte-Mecklenburg Planning Department

Exhibit A

PLEASE NOTE THERE ARE TWO MAILING LISTS YOU NEED TO USE. SEE BOTH TABS BELOW AND MAIL TO ALL NAMES LISTED. PLEASE CONTACT US WITH ANY

2022-175	TAXPID	OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
2022-175	10505101	HERNANDEZ	SANTOS DOMINGUEZ			4440 BACK CREEK CHURCH RD		CHARLOTTE	NC	28213
2022-175	10505102	GONZALEZ	JESUS			4424 BACK CREEK CHURCH RD		CHARLOTTE	NC	28213
2022-175	10505103	HODGES FAMILY PROPERTIES LLC				3900 ROCKY RIVER RD		CHARLOTTE	NC	28215
2022-175	10505106	KELLER	VICTORIA V	ROGERS W	KELLER	4456 BACK CREEK CHURCH RD		CHARLOTTE	NC	28213
2022-175	10505107	BOSWELL	REGINA L			4101 ROCKY RIVER RD		CHARLOTTE	NC	28215
2022-175	10505110	CRISSMAN	PATRICIA H			4307 EDGEHILL CT		RALEIGH	NC	27612
2022-175	10505120	CRISSMAN	PATRICIA H			4307 EDGEHILL CT		RALEIGH	NC	28215
2022-175	10505121	CRISSMAN	PATRICIA H			4307 EDGEHILL CT		RALEIGH	NC	27612
2022-175	10505128	CRISSMAN	PATRICIA H			4307 EDGEHILL CT		RALEIGH	NC	27612
2022-175	10505131	HODGES	JUDITH ANN			3900 ROCKY RIVER RD		CHARLOTTE	NC	28215
2022-175	10505202	MATTAMY CAROLINA COPORATION				2127 ARYSLEY TOWN BLVD STE 2020		CHARLOTTE	NC	28273
2022-175	10505225	EDWARD ANDREW HODGES	TRUST	EDWARD ANDREW	HODGES	4425 CREEMORE DR		CHARLOTTE	NC	28215
2022-175	10506105	HODGES	OLIVA S (HEIR/JAMES EST)		J FRANK HODGES &ASSCO LP	3900 ROCKY RIVER RD		CHARLOTTE	NC	28215
2022-175	10506111	NGUYEN	TINH VAN		HIEP THI	3600 ROCKY RIVER RD		CHARLOTTE	NC	28215
2022-175	10506112	HODGES DAIRY INC				3900 ROCKY RIVER RD		CHARLOTTE	NC	28215
2022-175	10506113	HODGES	JAMES FRANKLIN			3900 ROCKY RIVER RD		CHARLOTTE	NC	28215
2022-175	10506114	ROCKY RIVER RETAIL INVESTORS LLC				3735-B BEAM RD		CHARLOTTE	NC	28217
2022-175	10506123	HODGES DAIRY INC				3900 ROCKY RIVER RD		CHARLOTTE	NC	28215
2022-175	10506129	ROCKY RIVER RETAIL INVESTORS LLC				3735-B BEAM RD		CHARLOTTE	NC	28217
2022-175	10515412	ROCKY RIVER RETAIL INVESTORS LLC				PO BOX 19868		CHARLOTTE	NC	28219

PLEASE NOTE THERE ARE TWO MAILING LISTS YOU NEED TO USE. SEE BOTH TABS BELOW AND MAIL TO ALL NAMES LISTED.

2022-175	ORGANIZATION_NAME	FIRST_NAME	LAST_NAME	STREET_ADDRESS	UNIT_NUM	CITY	STATE	ZIP
2022-175	Back Creek Downs Homeowners Association	Oscar	Agurs	3432 Wrangler Lane		Charlotte NC		28213
2022-175	Buckleigh	Jannette	Webb- Barnett	4718 Mortonhall Rd		Charlotte NC		28215
2022-175	Farmwood North Homeowners Association	Angela	Burns	9216 Willowglen Trail		Charlotte NC		28215
2022-175	Farmwood North Homeowners Association	Ellison L.	Clinton	8917 Crosslimber Dr		Charlotte NC		28215
2022-175	Farmwood North Homeowners Association	Leonard D.	Jones	8935 Crosslimbers Dr		Charlotte NC		28215
2022-175	Loren Farms	Shannon	Homesley	2528 Wingdale Drive		Charlotte NC		28213
2022-175	McGregor Downs Neighborhood Association	Robin	Harris	2415 McLean Rd		Charlotte NC		28213
2022-175	Old Stone Crossing	Carmine	Petruzziello	13042 Red Vulcan Ct.		Charlotte NC		28213
2022-175	Pinecrest Community Club	John	Patilio	8815 Plaza Park Dr		Charlotte NC		28215
2022-175	Reserve at Back Creek HOA	Regina	Solomon	12318 Scott Creek Drive		Charlotte NC		28213
2022-175	Reserve at Backcreek HOA	Regina	Solomon	12318 Scott Creek Drive		Charlotte North Carolina		28213
2022-175	Rocky River/Back Creek	Tom	Kelley	4429 Back Creek Church Rd		Charlotte NC		28213
2022-175	Rolling Acres Organization	Richard	Clark	4449 Creemore Dr		Charlotte NC		28213
2022-175	Seven Oaks Community Group	Miranda	Moore	1914 Yaupon Road		Charlotte NC		28215
2022-175	Seven Oaks Neighborhood	Angela	Browder	2614 Impation Drive		Charlotte NC		28215
2022-175	Seven Oaks Neighborhood	Rodney W.	Moore	1914 Yaupon Rd		Charlotte NC		28215
2022-175	The Reserve At Back Creek	Arnold	Sanders	3822 Quiet Creek Circle		Charlotte NC		28213
2022-175	Timberlands Homeowners Association	Sarah	White	4512 Brookwood Rd		Charlotte NC		28215
2022-175	Timberlands Homeowners Association	Sonya D.	Hawkins	4512 Brookwood Rd		Charlotte NC		28215
2022-175	White Oaks D.O.A.	B. Gerold	Simpson	12705 Caldwell Rd		Charlotte NC		28213
2022-175	Zechariah Alexander	Patricia	Campbell	9164 Pleasant Ridge Rd		Charlotte NC		27215

Exhibit B

February 24, 2023

Alexander Ricks PLLC
1420 E. 7th St., Suite 100
Charlotte, North Carolina 28204

VIA US MAIL

NOTICE TO INTERESTED PARTIES OF REZONING COMMUNITY MEETING

Date: Wednesday, March 8th at 5:30 p.m.
Location: Virtual Meeting, RSVP for link (details provided below)
Petitioner: Rocky River Holdings, LLC
Petition No.: 2022-175

Dear Charlotte Neighbor:

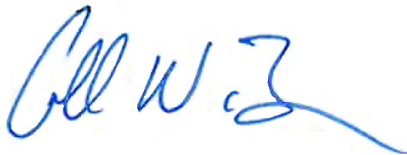
Our firm represents Rocky River Holdings, LLC (the “Petitioner”) in its proposal to rezone an approximately 38.25-acre site located along the north side of Rocky River Road, west of Back Creek Church Road, and southeast of John Russell Road. The Petitioner is requesting a rezoning from the R-3 residential zoning district to the R-8(CD) residential zoning district to accommodate its residential development plans. A property map is included for your reference.

In accordance with the requirements of the City of Charlotte Zoning Ordinance, the Petitioner will hold an Official Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this site plan amendment proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Commission’s records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the Property.

The Official Community Meeting will be held virtually in accordance with guidance provided by the Charlotte Planning Design & Development Department. We invite you to attend the virtual Official Community Meeting via Zoom on **Wednesday, March 8th at 5:30 p.m.** If you are interested in attending the live virtual presentation and discussion session at the scheduled time, **please send an email to Lisa@alexanderricks.com and you will be provided with a link to RSVP and receive access information for the virtual meeting.** Please reference the property location (“Rocky River”) in your email so we can send you the proper link.

If you expect you will be unable to access the virtual meeting and would like additional information, please contact Lisa@alexanderricks.com or call 980-498-6109 and we can make alternative arrangements for you to receive the rezoning information.

Sincerely,



Collin W. Brown

Exhibit C

Find a participant































	Brittany Lins (Host, me)	  
	Collin Brown	
	Collin Brown	 
	John Holcomb	 
	Lisa Larkins	 
	Charlie	 
	cody king	 
	Helen Sieber	 
	Joyce Newman	 
	Kirk Broadbooks	 

Exhibit D

REZONING PETITION #2022-175

@ ROCKY RIVER ROAD

ROCKY RIVER HOLDINGS LLC

Official Community Meeting

March 8, 2023

Alexander
Ricks
PLLC

MEETING AGENDA

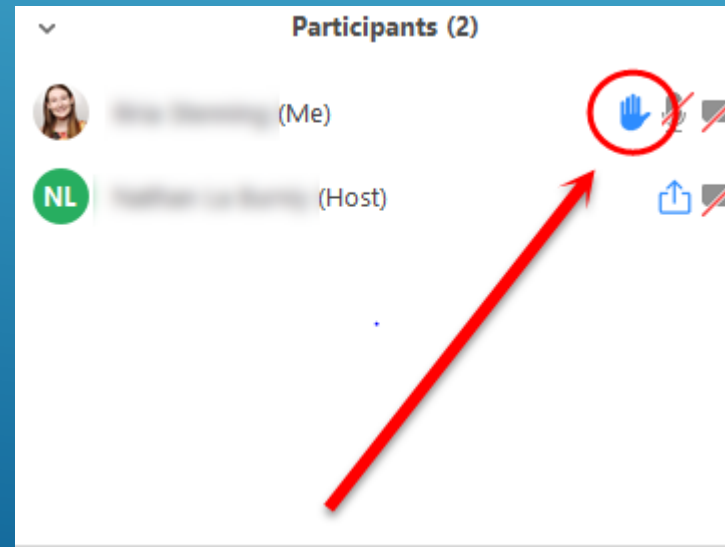
- Introductions
 - Property Location
 - Development Considerations
 - Current Zoning
 - Land Use Plan Recommendation
 - Proposed Rezoning
 - Potential Rezoning Timeline
 - Questions/Discussion
- 
- Several thin, white, parallel diagonal lines are positioned in the bottom right corner of the slide, extending from the middle of the right edge towards the bottom right corner.

AT THE END: QUESTIONS & DISCUSSION

Type your
questions



Or ask out loud



TEAM INTRODUCTIONS

Property Owner: Hodges Family Properties LLC

Petitioner: Rocky River Holdings LLC



Collin Brown &
Brittany Lins

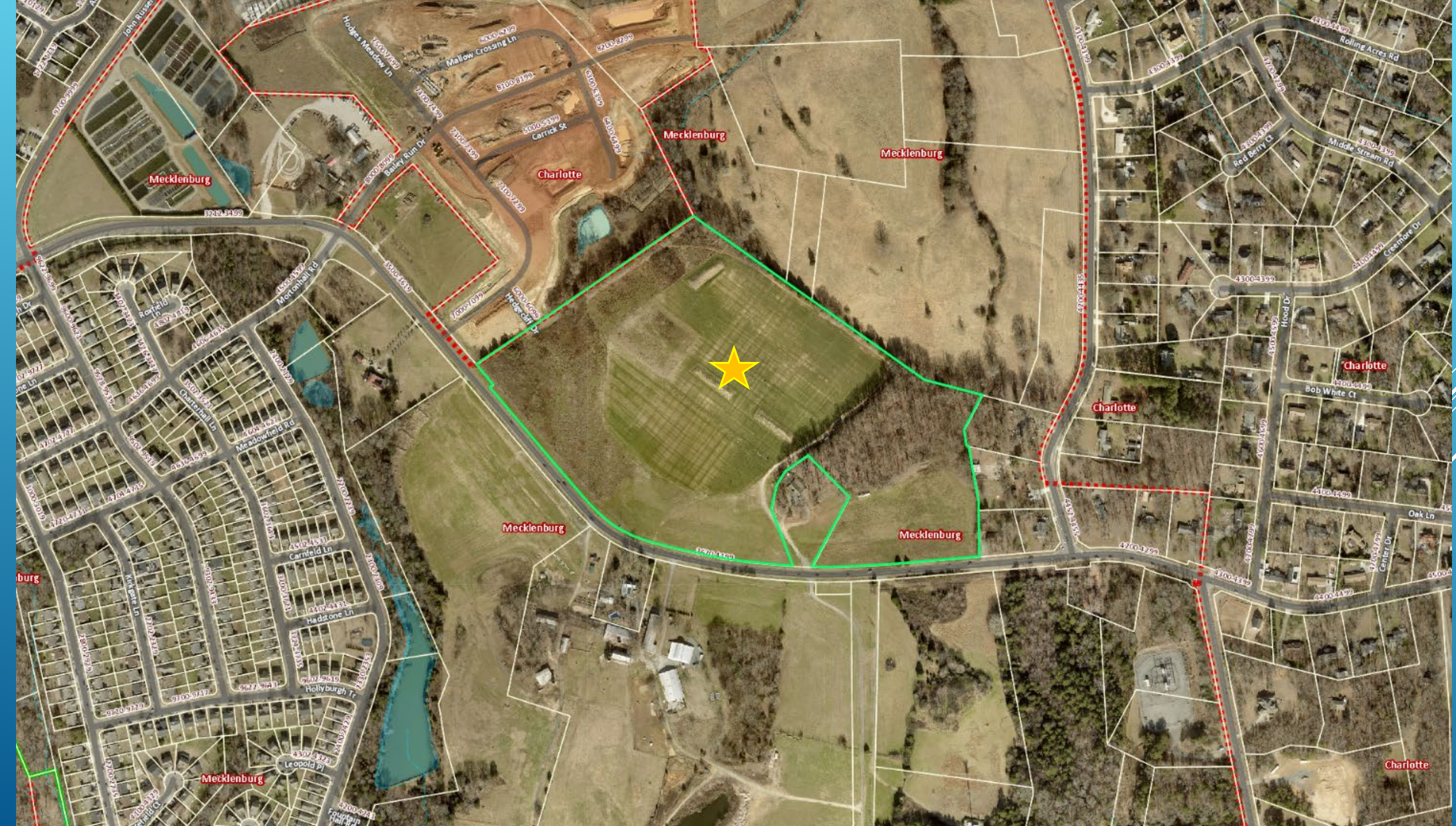


John Holcomb

PROPERTY LOCATION

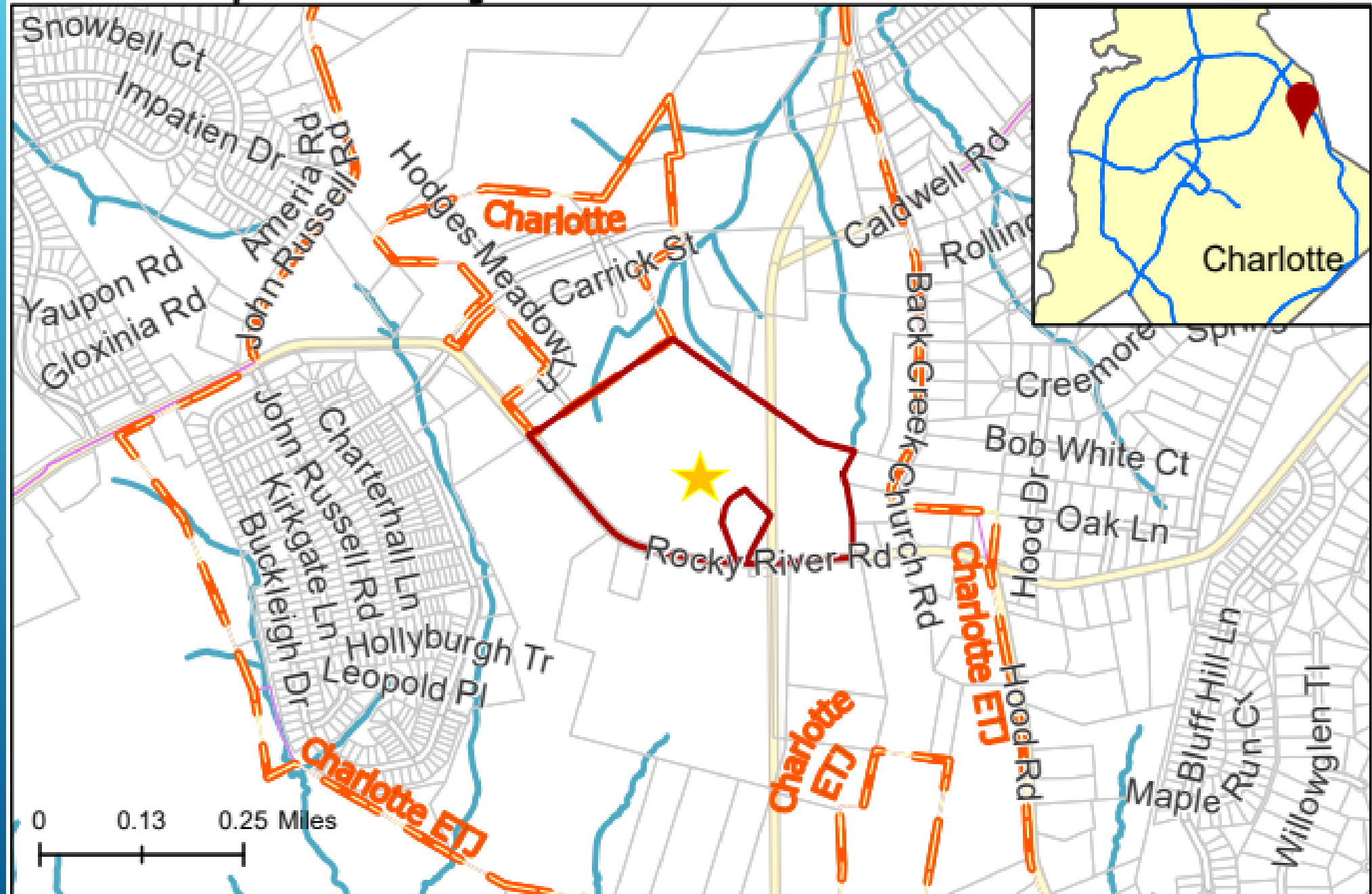
PROPERTY LOCATION





Approximately 38.25 acres

Location of Requested Rezoning



DEVELOPMENT CONSIDERATIONS



DEVELOPMENT CONSIDERATIONS

- ▶ Property Owner Requirements
- ▶ Existing Zoning
- ▶ Natural / Environmental Constraints
- ▶ Access / Transportation Requirements
- ▶ Adjacent Owner Concerns
- ▶ Ordinance / Policy Requirements (non-zoning, e.g., Stormwater, Tree)
- ▶ Adopted 2040 Plan
- ▶ City Priorities
- ▶ Adjacent Uses
- ▶ Broader Community Concerns
- ▶ Market Realities



REZONING PROCESS, GENERALLY



How to identify Conditional Rezoning:

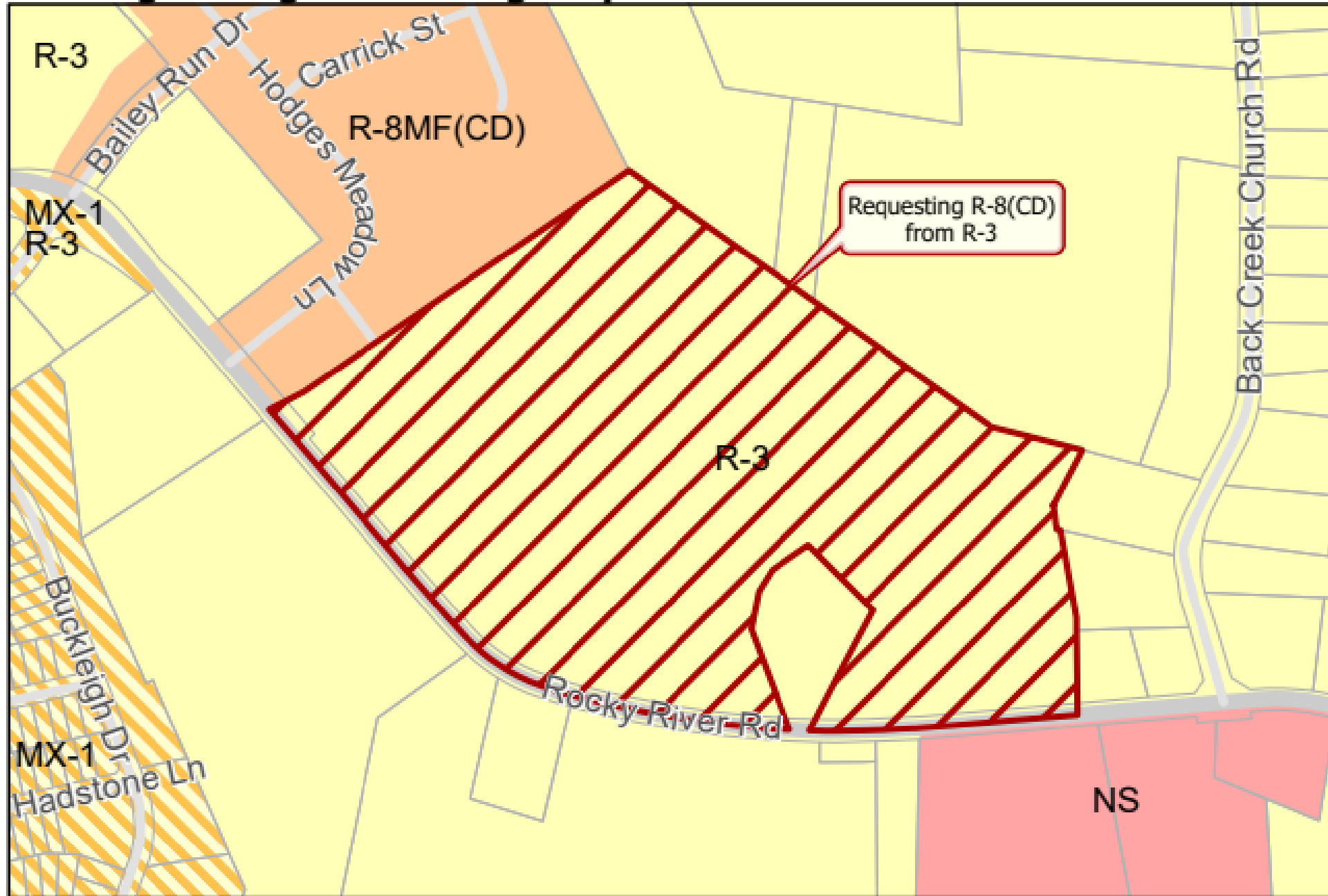
Conventional	Conditional
O-1	O-1(CD)*
TOD- UC	TOD- EX
	B-2(CD) SPA*
	NS, CC, RE-3, MX*


** Commits to standards that go beyond the base zoning ordinance requirements and are specific for each petition.*

*** Reduces or eliminates the base zoning ordinance standards, AND typically commits to other standards that go beyond the base zoning ordinance requirements. Also specific for each petition.*

EXISTING ZONING

Existing Zoning & Rezoning Request



 Requesting R-8(CD) from R-3

Zoning Classification

-  Single Family
-  Multi-Family
-  Mixed Residential
-  Business



PLAN RECOMMENDATION

CHARL^冠TTE
FUTURE

2040 COMPREHENSIVE PLAN

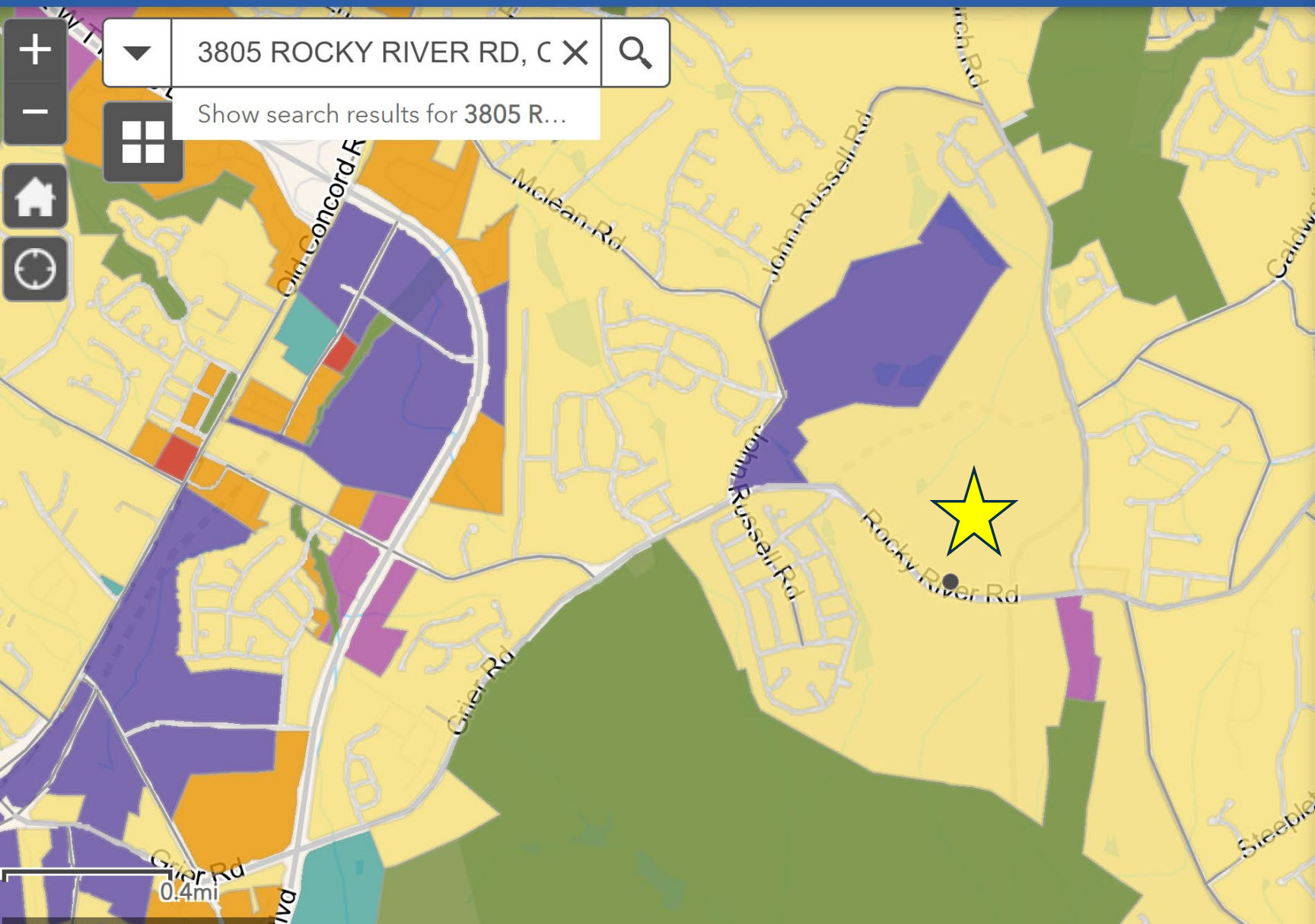
OUR CITY. OUR PLAN. OUR FUTURE.

Public Review Draft
Published October 31, 2020





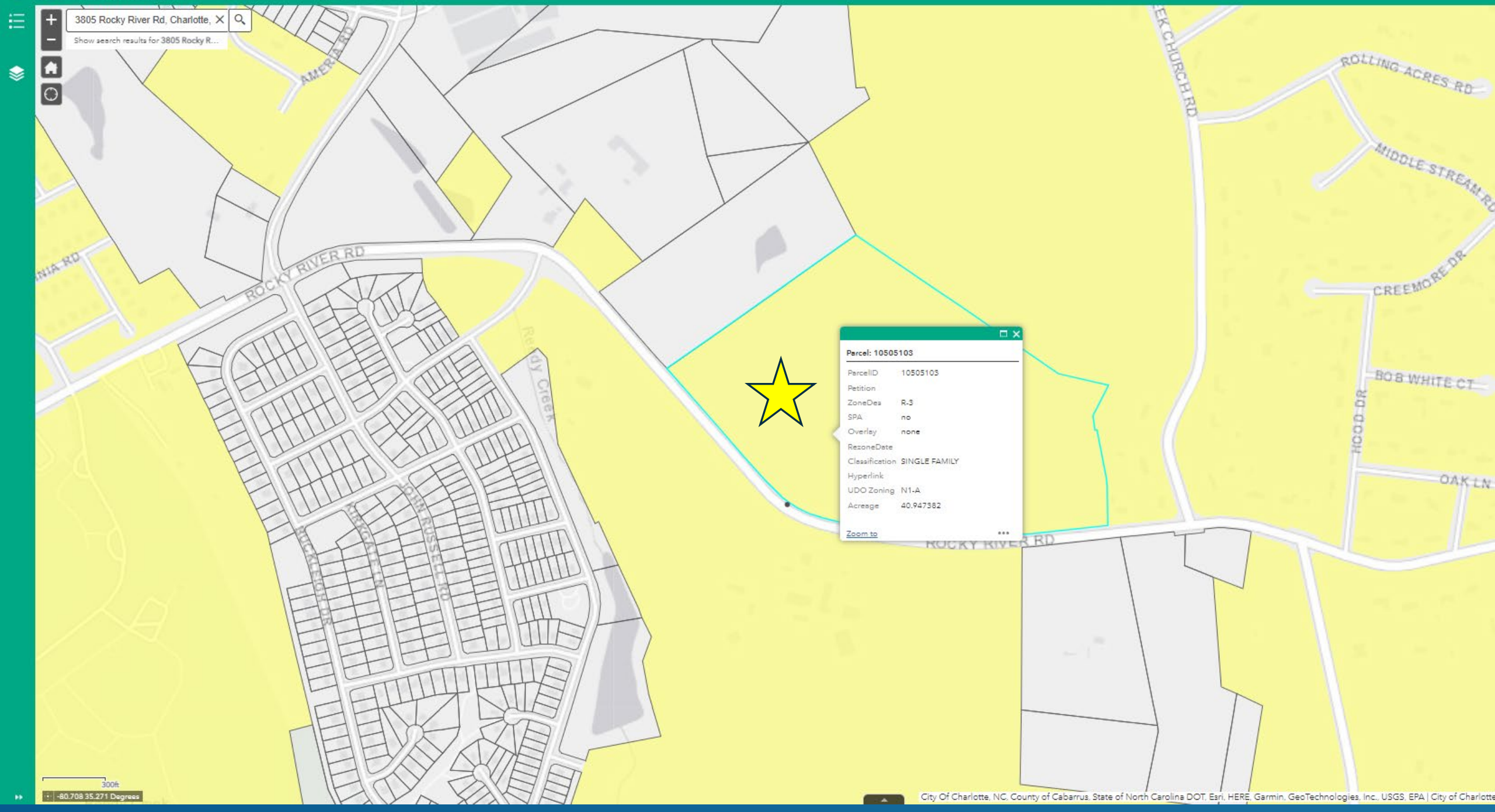
Charlotte Future 2040 Policy Map



Legend

Charlotte Future 2040 Policy Map

- Neighborhood 1
- Neighborhood 2
- Parks & Preserves
- Commercial
- Campus
- Manufacturing & Logistics
- Innovation Mixed-Use
- Neighborhood Center
- Community Activity Center
- Regional Activity Center



The N1-A through N1-E Zoning Districts allow for the development of single-family, duplex, and triplex dwellings on all lots. Additionally, quadraplex dwellings are allowed on arterial streets in these zoning districts when an affordable housing unit is provided within the dwelling. The N1-F Zoning District allows all dwelling types allowed in the N1-A through N1-E Zoning Districts, as well as small-scale townhouse and multi-family dwellings, and is intended for application typically on arterial streets within a Neighborhood 1 Place Type.



Specific standards for the Neighborhood 1 Zoning Districts address lot patterns and building form, and promote context-sensitive, compatible neighborhood development. There are **specific height requirements for duplexes and triplexes** that consider heights on adjacent properties. **Density for residential uses in the N1 districts** is regulated by the types of dwellings allowed and the minimum lot size.

The Neighborhood 1 Zoning Districts also allow for select nonresidential uses, such as places of worship and educational facilities, and for the reuse of existing neighborhood commercial establishments under prescribed conditions

This article also describes the **voluntary mixed-income bonus** that allows for an increase in the number of lots by applying the standards of the next most intense N1 zoning district. For example, development in the N1-A district could use the N1-B standards, N1-B could use the N1-C standards, etc. At least 50% of the units constructed on the additional lots must be reserved for households earning 80% AMI or less. This bonus does not have the geographic limitations that are in the current zoning ordinance.

REZONING PROPOSAL

Several thin, parallel white lines of varying lengths and orientations are positioned in the bottom right corner of the slide, creating a modern, geometric design element.

TOWNHOMES

Townhome = independently-owned attached single-family home with shared walls. Resident owns the home and small plot of land, with common areas typically owned and upkeep by an association

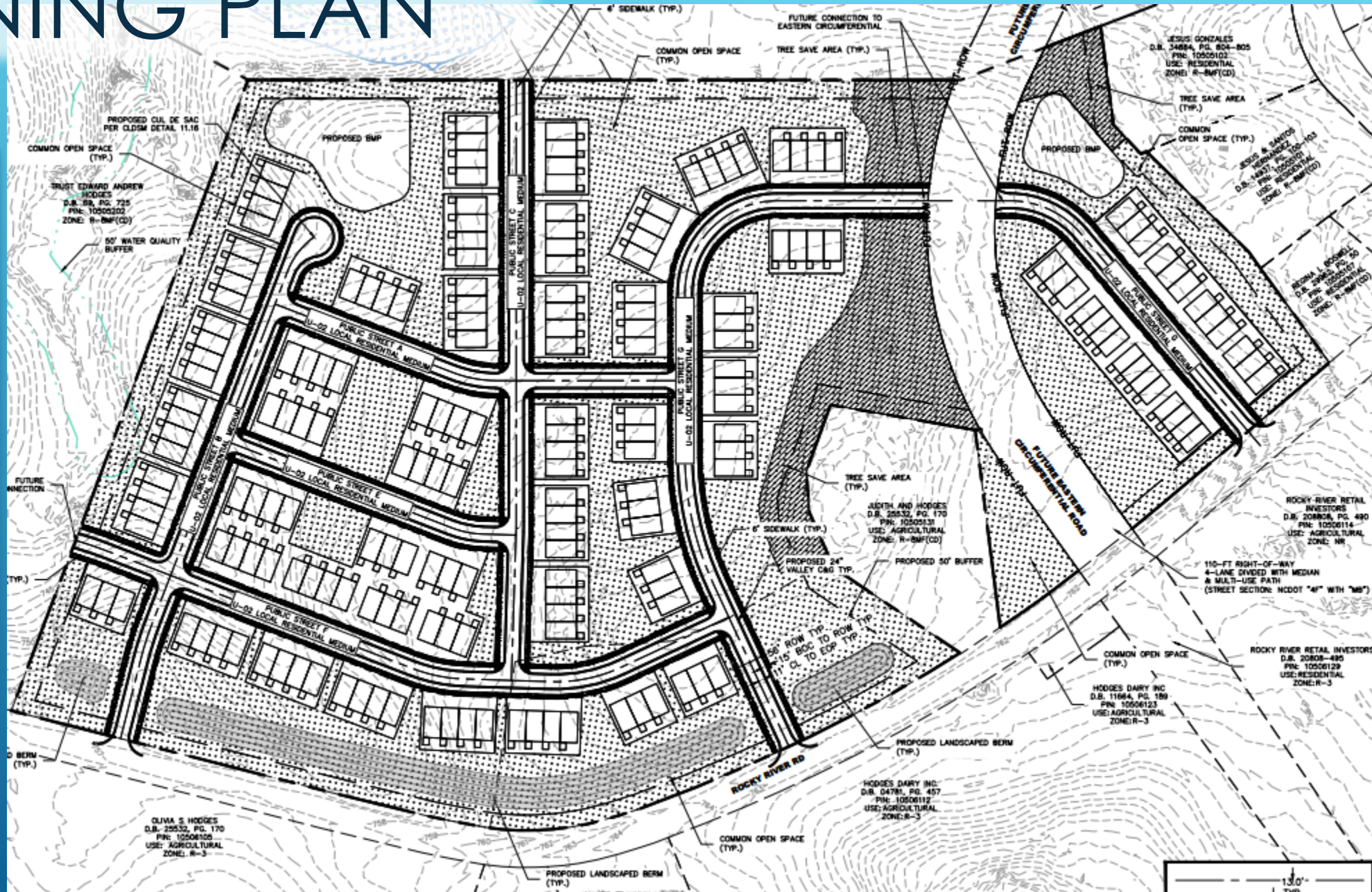


REZONING PLAN

R-8(CD)

194
Townhomes

35.69 acres
+/- 5 DUA






REZONING TIMELINE

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“BEST CASE SCENARIO”

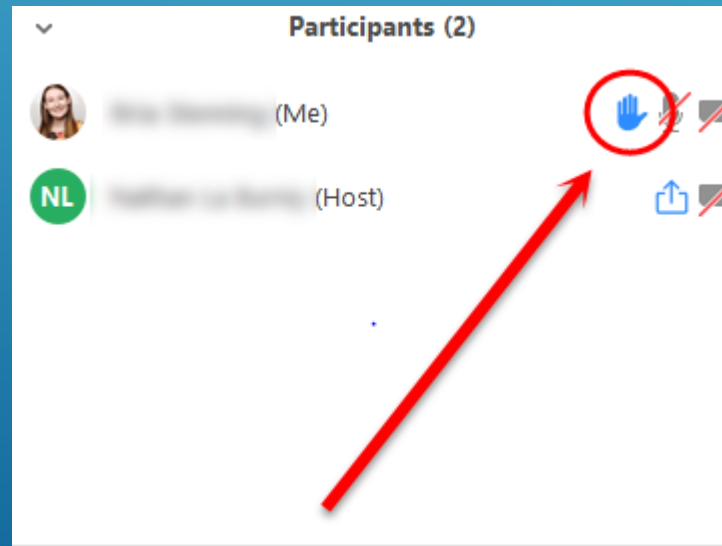
- Rezoning Application: January Cycle
 - Revised Plan Submittal: March 13th
 - Earliest Possible Public Hearing: April 17th
 - Zoning Committee: May 2nd
 - Earliest Possible Decision: May 15th
- 
- A series of three parallel white diagonal lines extending from the bottom right towards the center of the slide.

QUESTIONS & DISCUSSION

Type your
questions



Or ask out loud





THANK YOU!