

Charlotte-Mecklenburg

Historic Landmarks Commission

Subject: **Rezoning Petition Comments**

To: Charlotte Planning, Design & Development
From: Charlotte-Mecklenburg Historic Landmarks Commission
HLC Staff Contact: Tommy Warlick
Date: February 23, 2023

Petition #/Petitioner: 2022-175/Rocky River Holdings LLC

Parcel ID #: 10505103

Location of Property: Approximately 38.25 acres located along the north side of Rocky River Road, west of Back Creek Church Road, and southeast of John Russell Road.

Existing Zoning: R-3

Proposed Zoning: R-8(CD)

Background Information

The parcel in question is an open pasture of approximately 38.25 acres that lies directly across Rocky River Road from the circa 1908 Eugene Hodges House and Farm, a local historic landmark since 1992. Indeed, the parcel was once part of the Hodges family's 185-acre tract of pasturage, cultivated fields, and wooded fence lines. In its ordinance granting landmark designation for the Hodges House and Farm, the Mecklenburg County Board of Commissioners determined that the entire tract was "an unusually pristine example of the early 20th century agricultural environment which once was predominant in Mecklenburg County." That pristine agricultural environment has been maintained by three generations of the Hodges family, whose ongoing agricultural operations were acknowledged by the Board of Commissioners as "a substantial contribution to the cultural richness of Charlotte and Mecklenburg."¹

According to a study conducted by the Charlotte-Mecklenburg Historic Landmarks Commission ("HLC"), the historically rural setting and built environment of the century-old house and farm – comprised of the surrounding acres of wide open spaces located on both sides of Rocky River

¹ Dan L. Morrill and Nora M. Black, "Eugene Wilson Hodges Farm House," Charlotte-Mecklenburg Historic Landmarks Commission Survey and Research Report, January 27, 1990, 3, <http://landmarkscommission.org/wp-content/uploads/2018/05/Hodges-Farm-SR.pdf>, accessed February 21, 2023; Mecklenburg County Board of Commissioners, "Ordinance – Eugene Wilson Hodges House and Farm," Mecklenburg County Ordinance Book 6950, pages 516-519, July 13, 1992, <http://landmarkscommission.org/wp-content/uploads/2017/06/Hodges-Eugene-W-Hse-Farm-Ord.pdf>, accessed February 21, 2023.

2100 Randolph Road
Charlotte, North Carolina 28207

A Department of



MECKLENBURG COUNTY
North Carolina

Road – “constitutes one of the county’s largest farmsteads today, and thus *contributes significantly to the persistent rural character of its setting in the area east of the Newell community.*”²

Consistent with that rural character, the parcel in question is currently zoned for “*suburban single family living*” (R-3). The proposed rezoning would redefine that classification as “*urban single family living*” (R-8), allowing the introduction of up to 193 attached triplex and quadraplex dwelling units, all to the material detriment of that pristine early twentieth-century agricultural environment. The reclassification of the parcel from suburban residential to urban residential, with the accompanying twofold density increase in dwelling units per acre and loss of the protection of regulatory prescribed conditions, would ignore what HLC determined to be “the fragility of this rural landscape,” leaving little semblance to the historic house and farm’s longstanding rural environment.³

Impact Under Current Zoning

The current zoning for the parcel would not permit the proposed use.

Impact of the Proposed Rezoning/Development

The proposed rezoning would significantly expand the permitted density of the parcel’s development from three dwelling units per acre to eight dwelling units per acre while also unilaterally redefining the character of the century-old setting and built environment of the Hodges House and Farm landmark from “suburban single family living” (R-3) to an “urban single family living” (R-8) district consisting primarily of attached triplex and quadraplex units. The proposed rezoning would also nullify all prescribed conditions currently applicable to the parcel for the protection and retention of the suburban character of R-3 properties such as this rural parcel.

Recommendation

Approval of Rezoning Petition #2022-175 would have a materially adverse impact on the century-old setting and built environment of the Hodges House and Farm, the adjoining historically and architecturally significant landmark property that stands as one of the last remaining operational examples of Mecklenburg County’s early twentieth-century rural agricultural traditions. It is recommended that the subject tax parcel not be rezoned, and instead retain its current R-3 zoning classification to allow for suburban residential development sensitive to the rural landscape’s fragility and scarcity. Alternatively, it is recommended that: (1) any rezoning remain consistent with the property’s current status as a “suburban single family living” district with fewer permitted dwelling units per acre than contemplated by the proposed development; (2) all currently applicable prescribed conditions be continued in effect to maintain that suburban residential character; and (3) that any development incorporate additional proactive measures (including by way of example only additional open spaces located along the entirety of the Rocky River Road corridor) consistent with and sensitive to the rural landscape’s fragility and scarcity.

² Morrill and Black, “Eugene Wilson Hodges Farm House,” 4 (italics added).

³ City of Charlotte Zoning Ordinance § 9.201 (italics added); Morrill and Black, “Eugene Wilson Hodges Farm House,” 6.