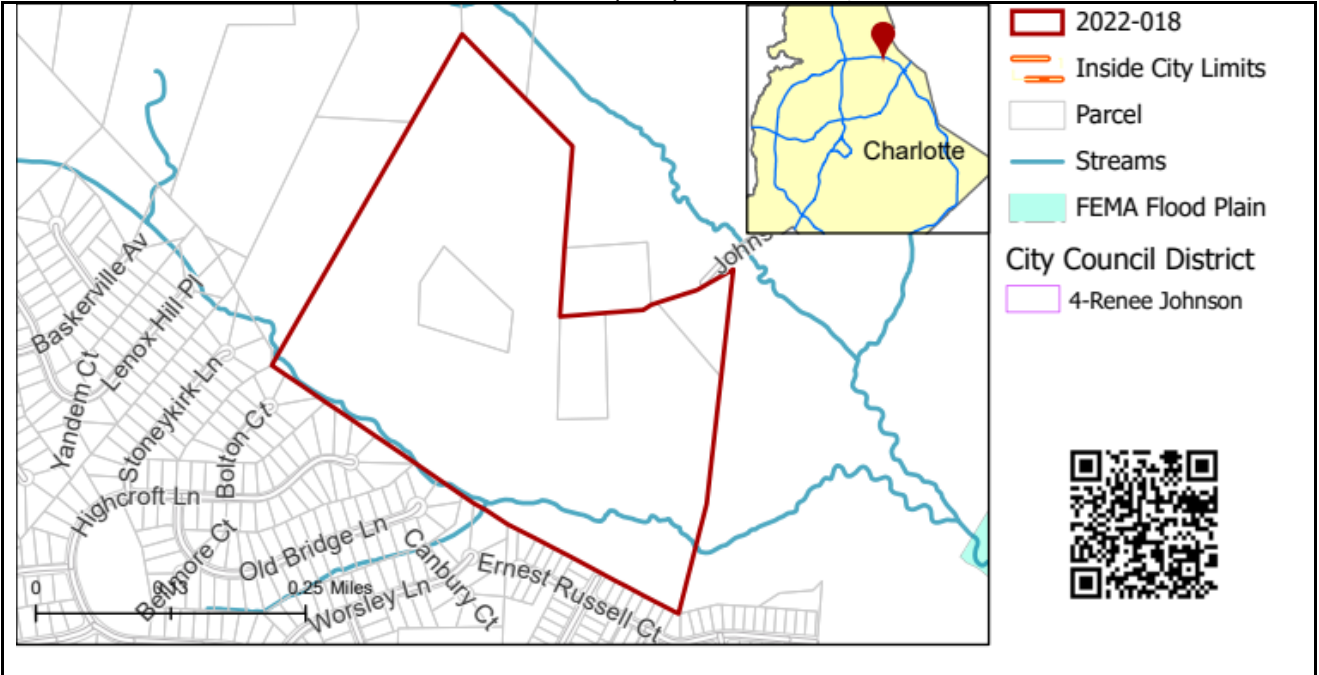


REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: MX-2 (mixed use district)

LOCATION

Approximately 72.20 acres located south of Johnston Oehler Road, east of Prosperity Church Road, and west of Mallard Creek Road.



SUMMARY OF PETITION

The petition proposes a residential community of up to 268 townhouse style dwelling units on mostly vacant land.

PROPERTY OWNER

Oehler Family Farms, LLC

PETITIONER

MCRT SFR Investments, LLC

AGENT/REPRESENTATIVE

Bridget Grant, Moore & Van Allen, PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 5

**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 recommendation for Neighborhood 1.

Rationale for Recommendation

- The petition adds to the variety of housing options in the area.
- The petition is compatible with the existing residential uses and the Campus place type uses adjacent to the site.
- The petition proposes 268 units at less than 4 units per acre, which is compatible with the surrounding Neighborhood 1 place type.
- The existing environmental features, including tributaries, wetlands, and streams, serve as a natural buffer between the existing single-family neighborhoods to the south of the site.

- The petition commits to enhanced building design features such as usable porches and/or stoops when possible.
- The petition commits to providing a sidewalk and a crosswalk network that links all the principal buildings on the site.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities
 - 7: Integrated & Natural Built Environments

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from the Neighborhood 1 recommended Place Type to the Neighborhood 2 Place Type for the site.

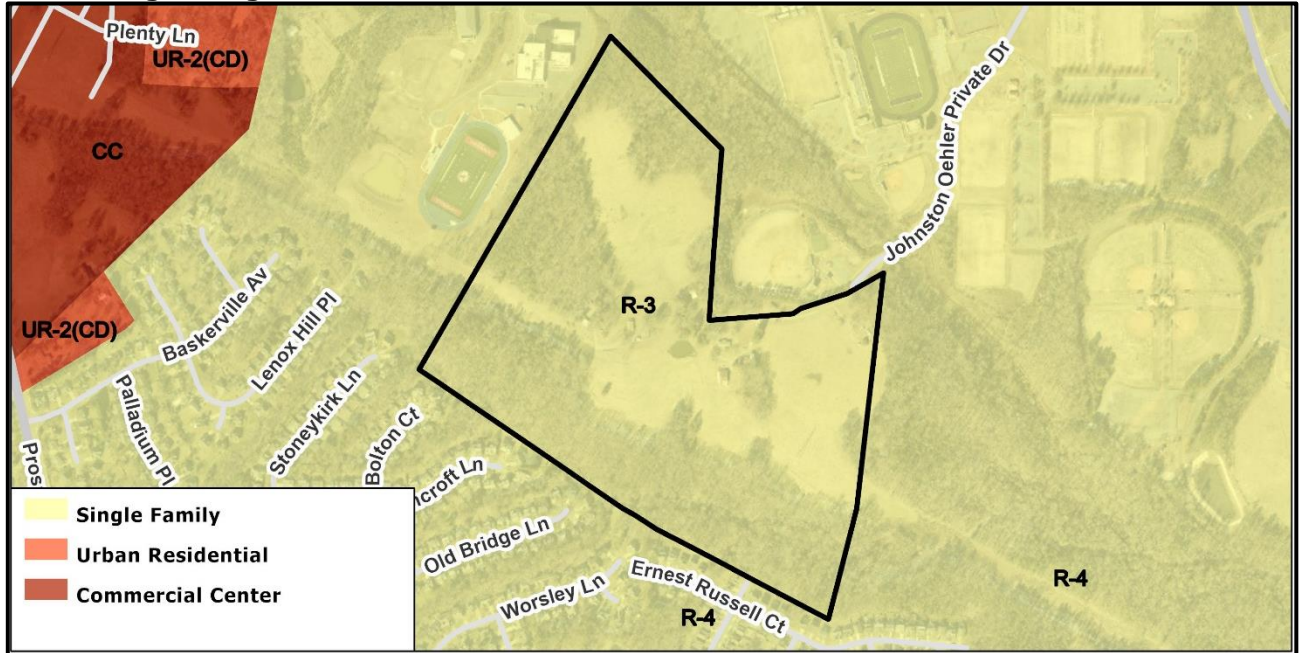
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 268 townhouse units with a density of 3.7 dwelling units per acre.
- Converts Johnston Oehler Drive into an improved public street from site boundary to the intersection with Johnston Oehler Road.
- Provides a 10-foot multi-use path, 6-foot sidewalk, and 8-foot planting strip along Johnston Oehler Drive.
- Access to the site will be provided from Johnston Oehler Drive and a connection to Oak Street.
- Provides a stub for future connection in the northern part of the site.
- Proposes transportation improvements on Mallard Creek Road and Johnston Oehler Road including pedestrian signals, improved curb ramps and flashing beacons.
- Provides 8-foot planting strip and 6-foot sidewalks along all public roads within the site.
- Provides a 50-foot Class C buffer around the perimeter of the site.
- The petition proposes common open space that includes potential amenities such as dog parks, seating areas, play areas and other amenities that encourage outdoor gathering.
- Architectural Details:
 - Building materials will include a combination of brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, EIFS, stucco, and wood.
 - To provide privacy, all residential entrances within 15 feet of the sidewalk must be raised from the average sidewalk grade a minimum of 24 inches.
 - Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
 - Usable porches and stoops shall form a predominant feature of the building design and be located on the front and/or side of the building. Usable front porches should be covered and be at least 6 feet deep. Stoops and entry-level porches may be covered but should not be enclosed.
 - All corner/end units that face a public or private street shall have a porch or stoop that wraps a portion of the front and side of the unit or provide blank wall provisions that limit the maximum blank wall expanse to 10 feet on all building levels.

- Existing Zoning and Land Use



- Surrounding land uses include single family homes, schools, parks, and sports facilities.

Existing Zoning	Translated Zoning	Recommended Place Type
R-3 (single family residential)	N1-A (neighborhood 1)	N1 (neighborhood 1)



The subject property is denoted with a red star.



The property to the south along Old Bridge Court is developed with single family homes.

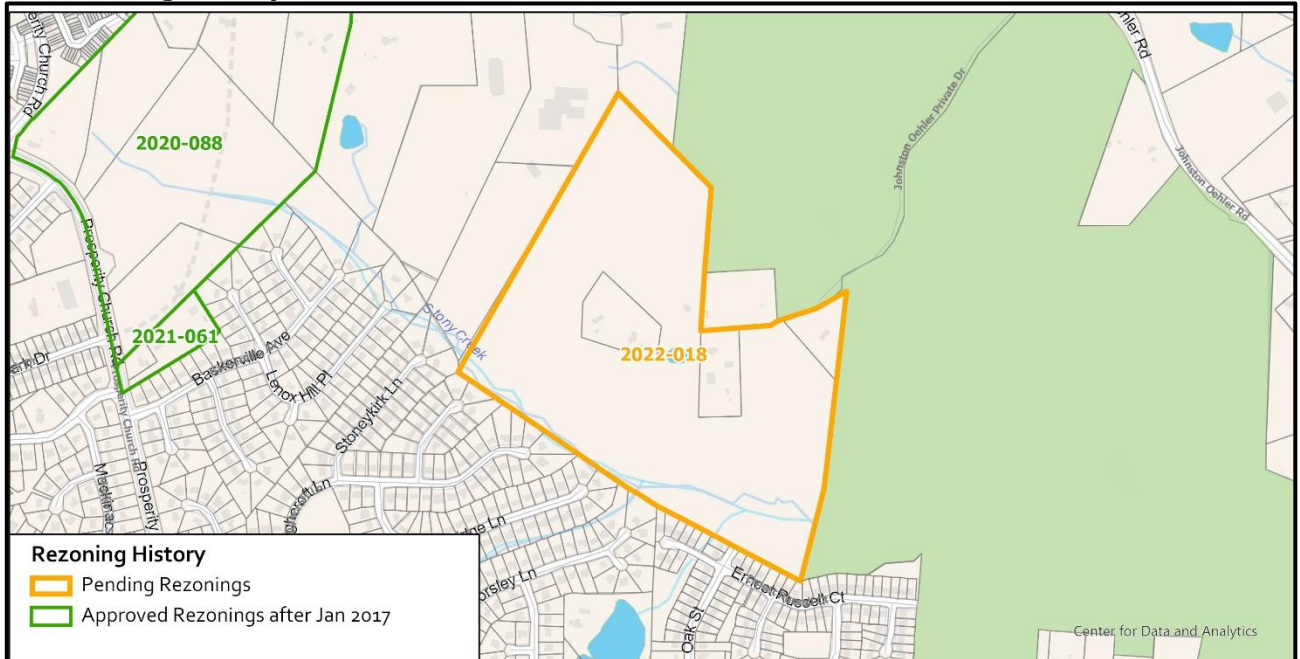


The property to the north and east along Johnston Oehler Road is Mallard Creek High School.



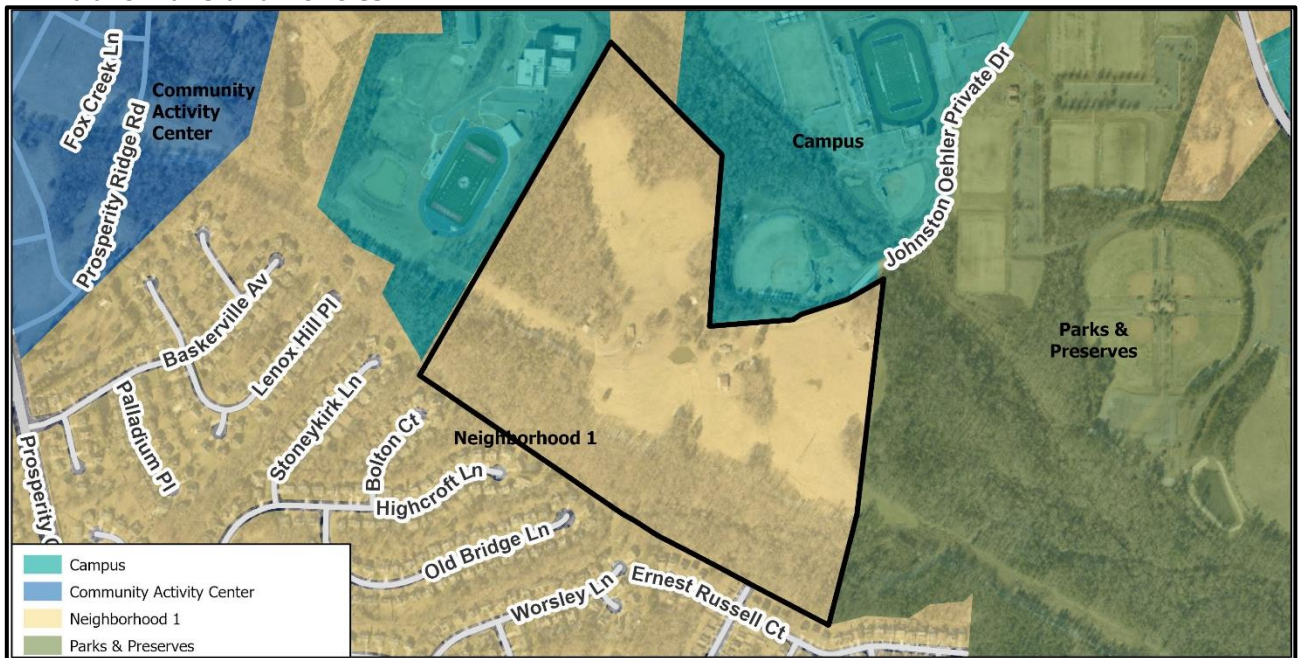
The property to the west along Johnston Oehler Road is the Corvian Schools.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-088	Rezoned 58.04 acres to allow up to 300 multi-family dwelling units and 132 single-family dwelling units(townhomes), and a maximum 145,000 square feet of commercial and retail uses.	Approved
2021-061	Rezoned 3.05 acres to allow up to 24 townhome units.	Approved

- Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Neighborhood 1 place type for this site.

- **TRANSPORTATION SUMMARY**

- This Petition is located adjacent to Johnston Oehler Private Drive, a privately maintained road, and south of Johnston Oehler Road, a CDOT maintained minor thoroughfare. A Traffic Impact Study (TIS) is needed for this site. The petitioner submitted TIA to CDOT on 7-25-2022 and the CDOT provided comments on 8-23-2022. A revised TIA was submitted, and CDOT approved the TIA on 9-9-2022. CDOT has coordinated with the petitioner to provide a new RRFB at the intersection of Johnston Oehler Road and Johnston Oehler Private Drive, and new APS pushbuttons and ramp upgrades at the intersection of Johnston Oehler Road and Mallard Creek Road. Site plan revisions are needed to meet ordinance requirements and/or the outstanding items including, but not limited to the updating the typical section for the existing Johnston Oehler Private Drive to 15-foot lanes.
- **Active Projects:**
- N/A
- **Transportation Considerations**
 - See Outstanding Issues, Note 1
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 30 trips per day (based on 3 single family dwelling units).
 - Entitlement: 2,050 trips per day (based on 216 single family dwelling units).
 - Proposed Zoning: 1,990 trips per day (based on 268 multi family dwelling units).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 110 students, while development allowed with the proposed zoning may produce 52 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is zero students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Parkside Elementary from 68% to 73%.
 - Ridge Road Middle from 115% to 117%.
 - Mallard Creek High remains at 122%.
- **Charlotte Water:** Charlotte Water currently does not have water system accessible for the rezoning boundary under review. The closest water distribution main is approximately 150 feet south of the rezoning boundary along Bolton Court. A developer donated project will be required in cases there is not direct service. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 12-inch gravity sewer main located along the southeast section of the parcels. 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:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUESTransportation

1. Revise the typical section for existing Johnston Oehler Private Drive to 15-foot lanes. Use the latest CLDSM standard (revision 19) to create the modified typical section.

Additional Information (department memos, site plans etc.) online at www.rezoning.org
Planner: Michael Russell (704) 353-0225