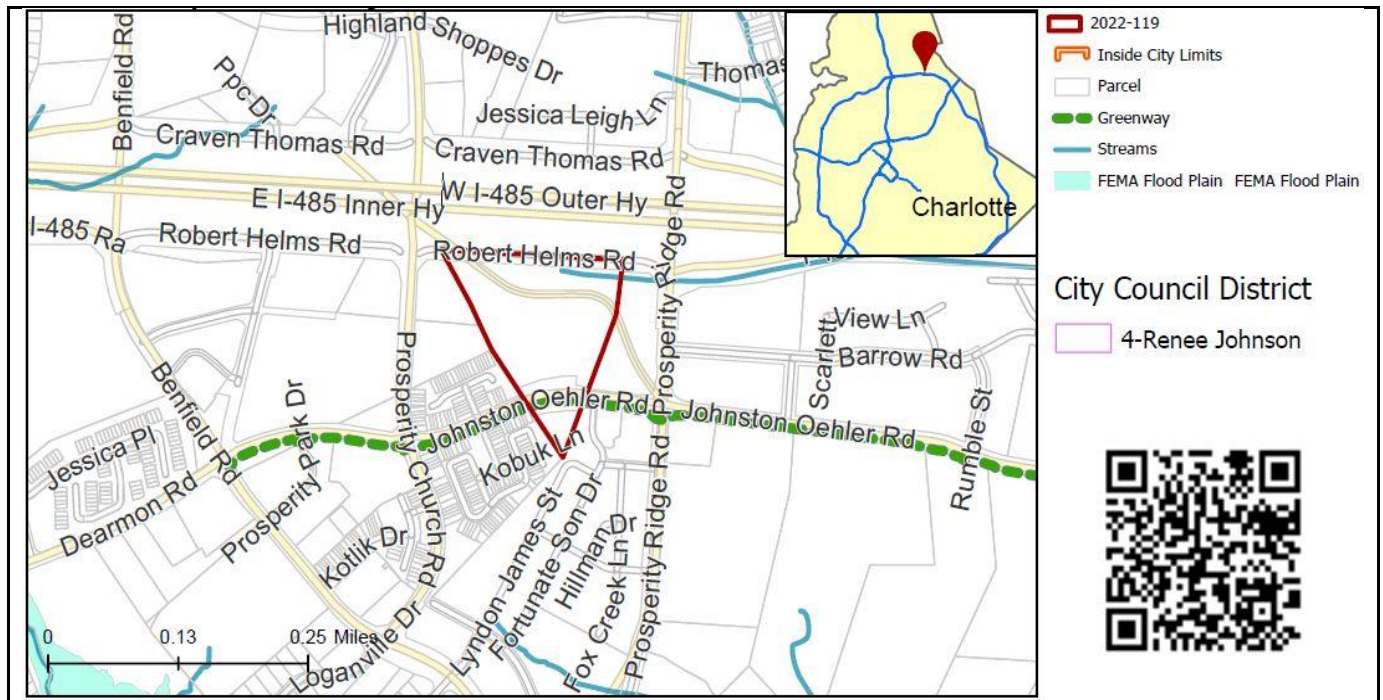


**REQUEST**

Current Zoning: R-3 (single-family residential)  
Proposed Zoning: UR-3(CD) (urban residential)

**LOCATION**

Approximately 9.2 acres located on the north and south side of Johnston Oehler Road and south side of Robert Helms Road, east of Prosperity Church Road



**SUMMARY OF PETITION**

The petition proposes development of a vacant site for up to 285 multi-family residential dwelling units.

**PROPERTY OWNER**

Trust of Robert B. and Helen M. Helms

**PETITIONER**

Blackburn Communities, LLC

**AGENT/REPRESENTATIVE**

Walter Fields Group

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 20

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for the Community Activity Center Place Type.

Rationale for Recommendation

- This petition is appropriate and compatible with the Community Activity Center Place Type as it increases the amount and variety of housing in an area within a 15-minute walk to elementary, middle, and high schools, multiple grocery stores and other retail opportunities.
- Approval of this petition would result in zoning that is better aligned to the Community Activity Center Place Type than the existing single-family zoning district.

- The proposal includes architectural standards:
  - All principal and accessory building will comprise of brick, natural stone, stucco, and other durable materials, limiting the use of vinyl.
  - Building elevations will be designed with articulation of the façades through projections, recesses, offsets, and banding, etc.
  - Buildings will be designed with recognizable architectural features facing public and network required streets.
  - Blank walls will be limited to 20 feet in all direction along public streets.
- The proposal includes site design standards such as providing 8 foot sidewalks and 8 foot planting strips along public streets and prohibiting individual garages from directly accessing public streets.
- The proposal limits all buildings to mid-rise height, not to exceed 70 feet.
- The petitioner commits to coordinating with the appropriate agencies regarding a proposed overland connector as part of the Clark Creek Greenway Project
- The site is within a half mile walk of the CATS number 53x express bus providing transit access to Northlake and Uptown and the 53 local bus providing a connection between Huntersville and the JW Clay Park and Ride, adjacent to UNC Charlotte with transfers to the Lynx Blue Line.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods
  - 4: Trail & Transit Oriented Development
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities
  - 7: Integrated Natural & Built Environments.

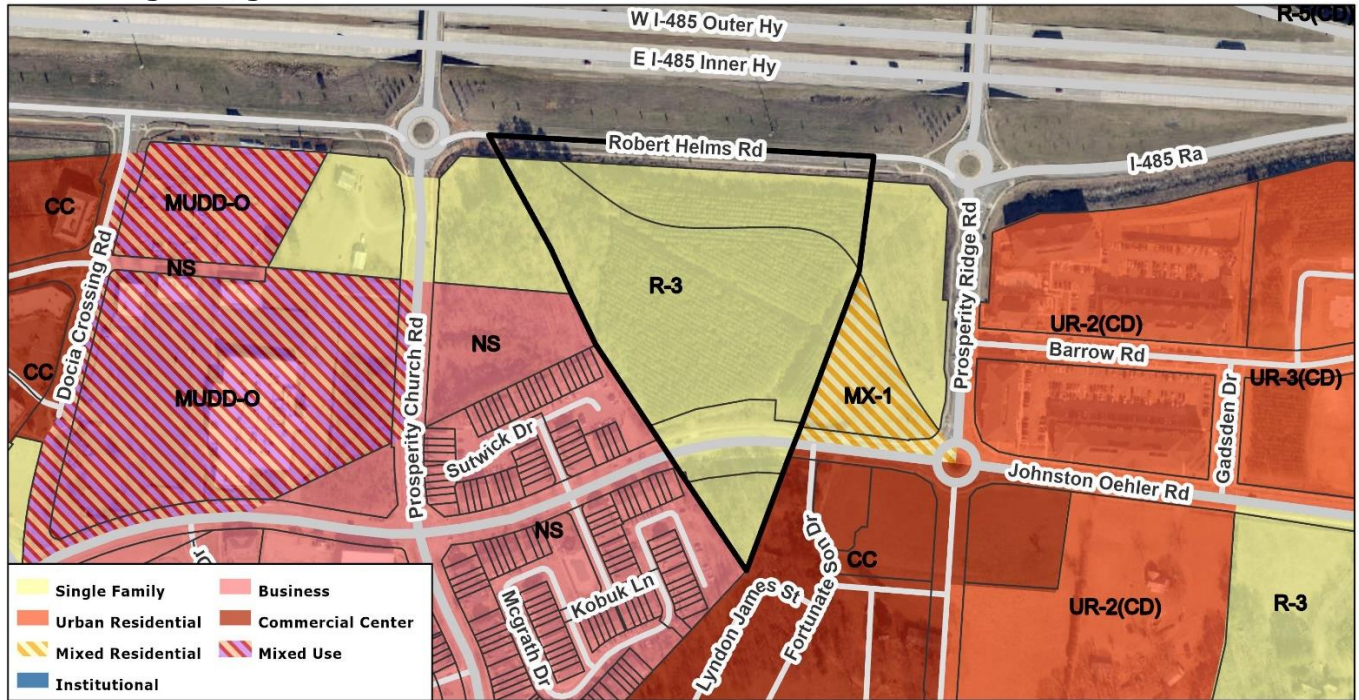
## PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

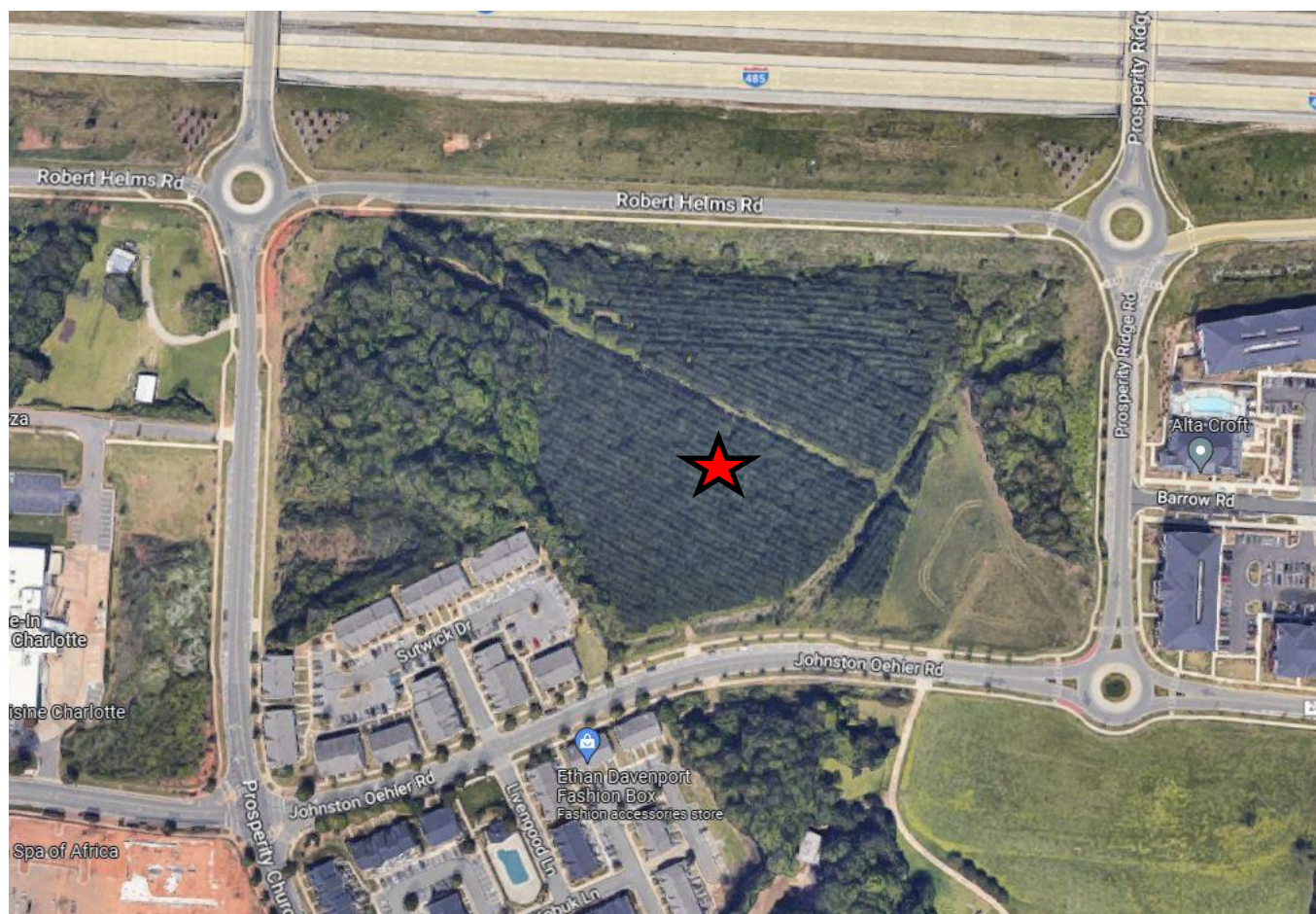
- Permits the development of up to 285 multi-family residential dwelling units in apartments, townhomes, and carriage homes, at a rate of 31 dwelling units per acre.
- Vehicular access to the site is proposed to be provided from Oehler Road and a new public street as generally depicted on the associated site plan. Additional pedestrian access is proposed to Robert Helms Road.
- Architectural design standards related to principal and accessory building materials, roof pitches, articulation of the façades, screening, emphasis on architectural design fronting public street, and limiting blank walls.
- Limits the building height to a maximum of 70 feet.

- Existing Zoning**



- The property is currently zoned R-3 single-family residential and is abutting other properties zoned R-3, Neighborhood Services, Commercial Center, and Mixed-Use.

Existing Zoning	Translated Zoning	Recommended Place Type
R-3 (single-family residential)	N1-A (neighborhood 1 district)	CAC (community activity center)



The site (indicated by red star above) is located on the north and south sides of Johnston Oehler Road. South of Robert Helms Road and I-485, east of Prosperity Church Road, and west of Prosperity Ridge Road. The site is surrounded by multi-family developments and undeveloped land.



View of the site from the north at Robert Helms Road. The site is currently undeveloped.



View of the townhome development located at the corner of Prosperity Church Road at Johnston Oehler Road east of the site.



View of the multi-family development located at the corner of Prosperity Ridge Road at Johnston Oehler Road west of the site.

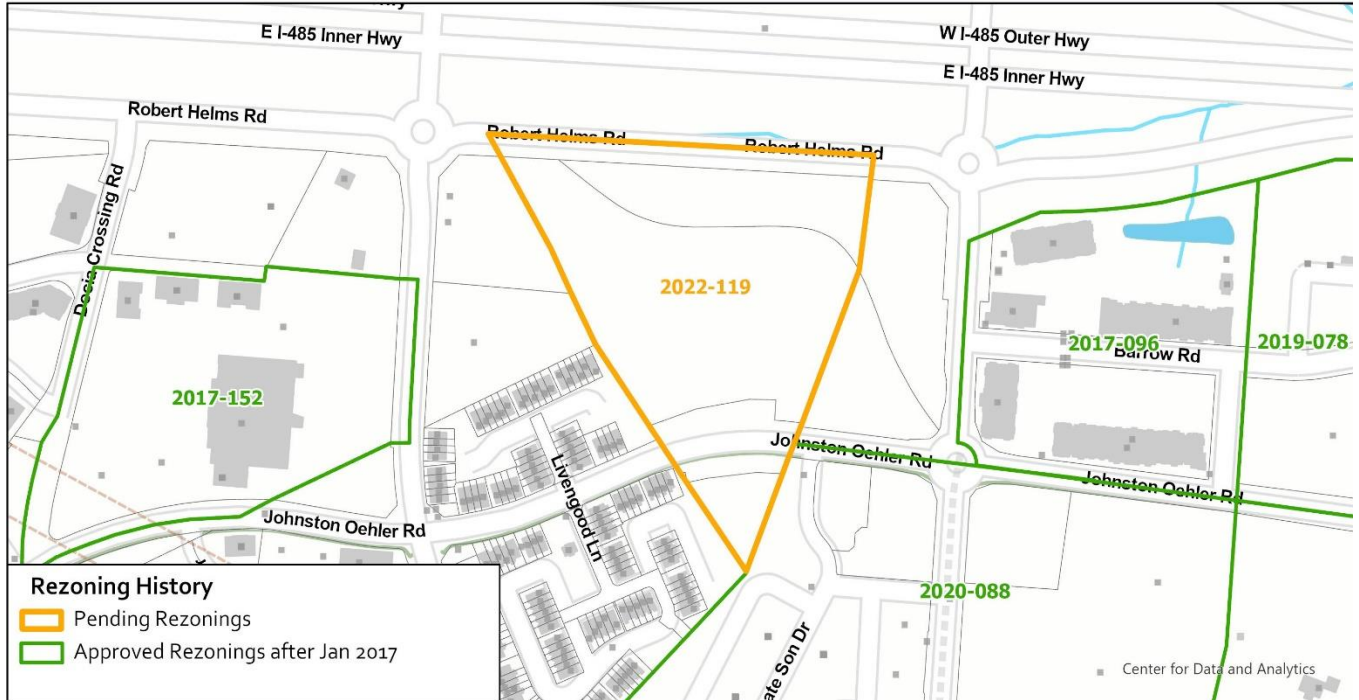


View of the townhome development located along Johnston Oehler Road southwest of the site.



View of the multi-family development, currently under construction, located on Johnston Oehler Road southeast of the site.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-096	8.96 acres located on the northeast side at the intersection of Prosperity Ridge Road and Johnston Oehler Road, south of Interstate 485, to UR-2(CD) SPA from UR-2(CD).	Approved
2017-152	8.914 acres located on the north side of Johnston Oehler Rd, east side of Docia Crossing Rd and west side of Prosperity Church Rd to MUDD-O from NS	Approved
2019-078	41.91 acres located on the north side of Johnston Oehler Rd, east of Prosperity Ridge Rd, south of I-485, to UR-3(CD) from R-3.	Approved
2020-088	29.75 acres located on the west side of Hood Rd, south of Plaza Rd. Extension to R-6 from R-3.	Approved

- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Community Activity Center place type for the site.

- **TRANSPORTATION SUMMARY**

- The petition is located on the south side of Robert Helms Road, a State-maintained local street west of Prosperity Ridge Road, a City-maintained minor throughfare. A Traffic Impact Study (TIS) is not required for this site due to the site not generating 2500 daily trips and/or not triggering any other City TIS requirements. Site plan and/or conditional note revisions are needed to commit to site plan entrance revisions to Robert Helms Road and reverse angle parking being revised to parallel on-street parking.
- **Active Projects:**
  - Craven Thomas Road/Robert Helms Road Streetscape (Prosperity Village CNIP)
    - Make streetscape improvements along Craven Thomas Road and Robert Helms Road. Improvements may include a multi-use trail, landscaping, resting areas, lighting, and gateway identification monuments/artwork.
- **Transportation Considerations**
  - See Outstanding Issues, Notes 1-7
- **Vehicle Trip Generation:**
  - Current Zoning:
  - Existing Use: Vacant
  - Entitlement: R-3 305 trips per day (based on 27 dwelling units).
  - Proposed Zoning: UR-3(CD) 1,915 trips per day (based on 279 MF and 6 SF attached dwellings).

## DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)

- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 14 students, while development allowed with the proposed zoning may produce 35 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 21.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Parkside Elementary from 68% to 70%
    - Ridge Road Middle from 115% to 116%
    - Mallard Creek High from 122% to 123%.
- **Charlotte Water:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Urban Forestry / City Arborist:** No outstanding issues.

## OUTSTANDING ISSUES

### Transportation

1. Revise site plan by dimensioning and labeling all ROW along Robert Helms Road and Johnston Oehler Road from the roadway centerline.
2. Revise site plan and conditional note(s) to commit to existing on-street parking by adding an ADA stall to Johnston Oehler Road and Robert Helms Road.
3. Revise site plan and conditional note(s) to remove the site entrance on Robert Helms Road per NCDOT comments.
4. Revise site plan and conditional note(s) to extend all public infrastructure along the public roadway extension to the property line.
5. Revise site plan and conditional note(s) to callout the roadway extension roadway cross section per CLDSM.
6. Revise site plan and conditional note(s) by revising on-street parking space along the proposed public roadway extension to be installed as parallel parking stalls. One stall shall be an ADA compliant stall. Note: the proposed internal public road extension cannot be accepted for City maintenance until it is connected to the public roadway system by another public street connection.
7. Add a conditional note specifying "All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes."

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**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Maxx Oliver (704)-336-3818