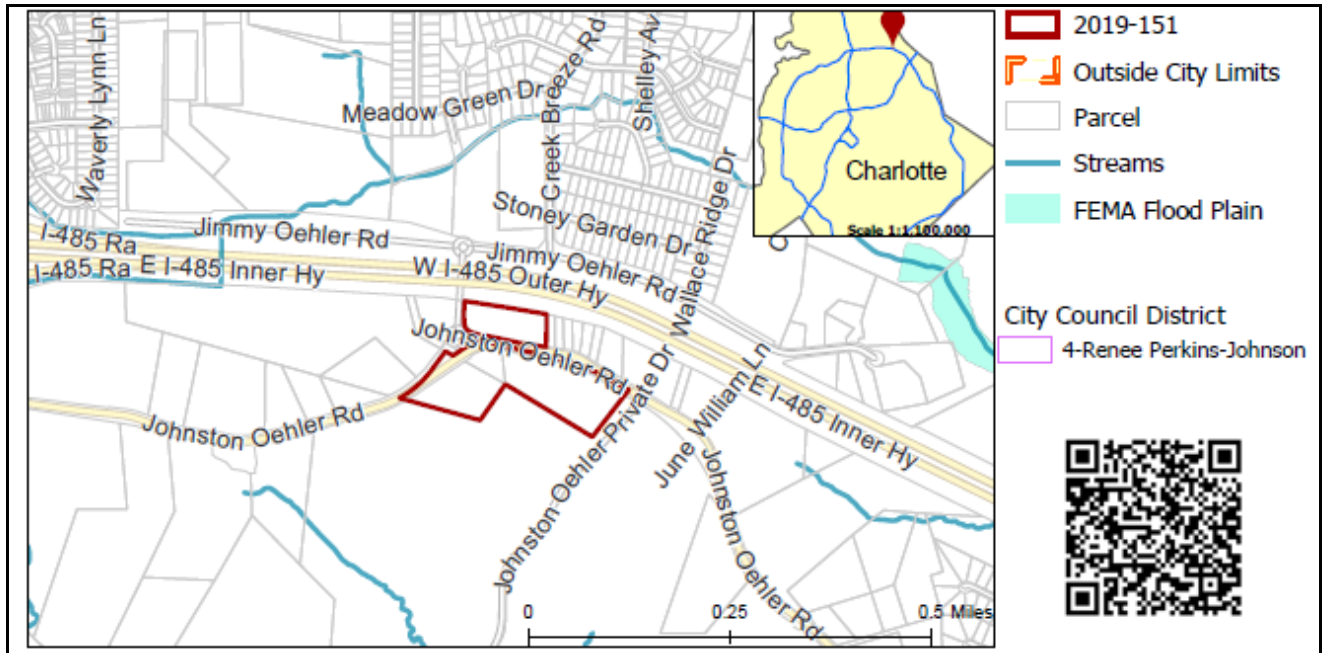


**REQUEST**

Current Zoning: R-3 (single-family residential)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 11.63 acres located on Johnston-Oehler Rd, east of Oehler Bridge Drive, south of Interstate 485.



**SUMMARY OF PETITION**

The petition proposes to allow development of up to 124 residential townhouse units. The Site is made up of two areas, one area is located on the north side of Johnson Oehler Road and adjacent to Interstate 485, the second area is located on the south side of Johnson Oehler Road and adjacent to Mallard Creek High School.

**PROPERTY OWNER  
PETITIONER  
AGENT/REPRESENTATIVE  
COMMUNITY MEETING**

Various  
Longbranch Development  
Keith MacVean, Moore & Van Allen

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 8

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Prosperity Hucks Area Plan (2015)* recommendation for residential uses up to four dwelling units per acre.

Rationale for Recommendation

- At 10.7 dwelling units per acre, this petition is denser than what the adopted area plan recommends. However, the petition commits to attached dwelling units with a maximum height of two stories.
- Attached dwelling units with a two-story height limit would provide an appropriate transition between the single-family development

to the east and the recently rezoned urban residential district to the west and Mallard Creek High School to the south.

- The petition commits to enhancing the pedestrian environment, particularly through the creation of a pedestrian crosswalk on Johnston Oehler Road and multi-use path connecting the site to Mallard Creek Regional Park, which will improve safety and connectivity in the surrounding area.

The approval of this petition will revise the adopted future land use as specified by the *Prosperity Hucks Area Plan* (2005), from residential uses up to four dwelling units per acre to residential uses at or less than 12 dwelling units per acre for the site.

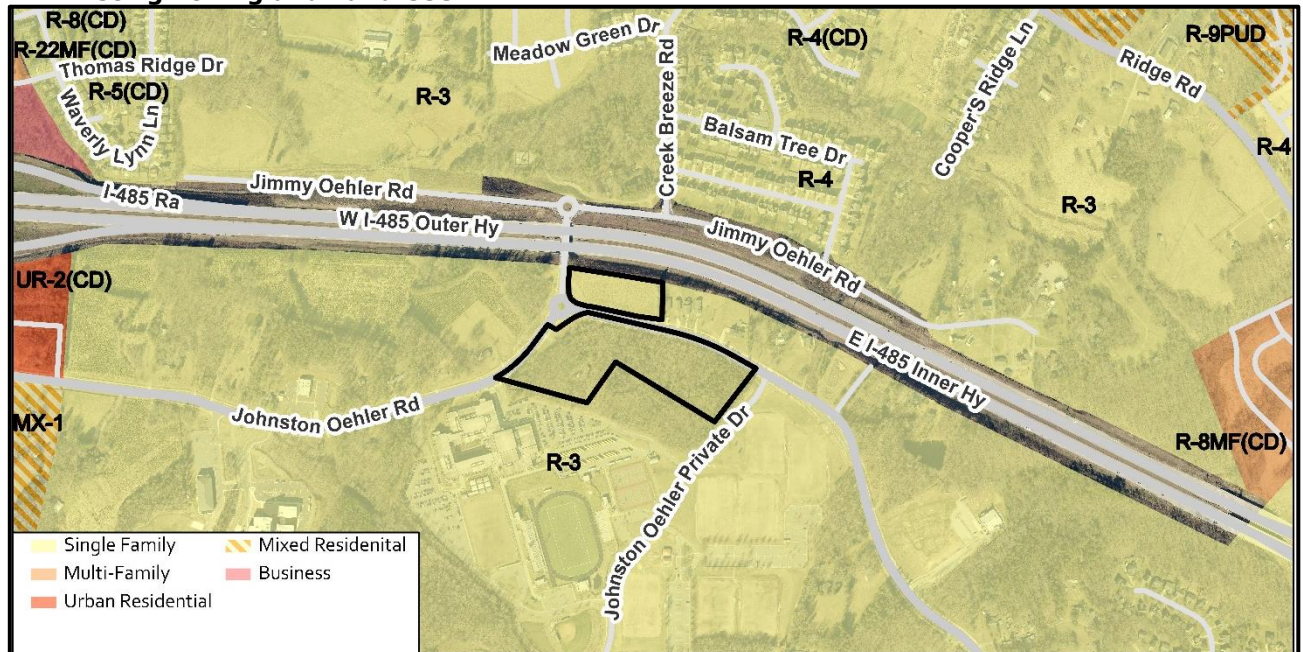
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 124 attached dwelling units.
- Provides a 10-foot wide multi-use path to connect the site to Mallard Creek Regional Park.
- Provides a 5-foot sidewalk network along the sites internal private streets.
- Access to the site will be from Johnston Oehler Road. The western most access to Johnston Oehler Road will be limited to right-in/right-out.
- Provides a pedestrian cross-walk across Johnston Oehler Road to allow residents on the north side of Johnston Oehler Road to cross to the southern side.
- Commits to dedicate via a fee simple conveyance 35-feet of right-of-way from the center line of Johnston Oehler Road.
- Commits to a 36-foot Class C Buffer with wall or fence will be provided an along the Site's perimeter where the site abuts existing single-family homes.
- Commits to improve the right-of-way area located between the site and the existing roundabout into an improved open space area with amenities.
- Provides decorative pedestrian scale lights along the internal private drives.
- Limits maximum height to two stories.
- Provides sidewalks to connect all residential entrances to sidewalks along public or private streets.
- Commits to the following building materials: a combination of brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, vinyl, stucco, EIFS, decorative block and/or wood. Aluminum as a building material may only be used on windows, soffits and on handrails/railings. The proposed roofing materials will be architectural asphalt shingles, metal type roofing materials may also be used.

### • Existing Zoning and Land Use





The subject site is zoned R-3 (single-family residential), it is undeveloped except for one home. The Site is made up of two areas, one area is located on the north side of Johnson Oehler Road and adjacent to Interstate 485, the second area is located on the south side of Johnson Oehler Road and adjacent to Mallard Creek High School. The surrounding land use is single-family residential and a school.



The subject property (denoted by the red star) is undeveloped except for one home.



The property to the south along Johnston Oehler Road is developed with Mallard Creek High School.

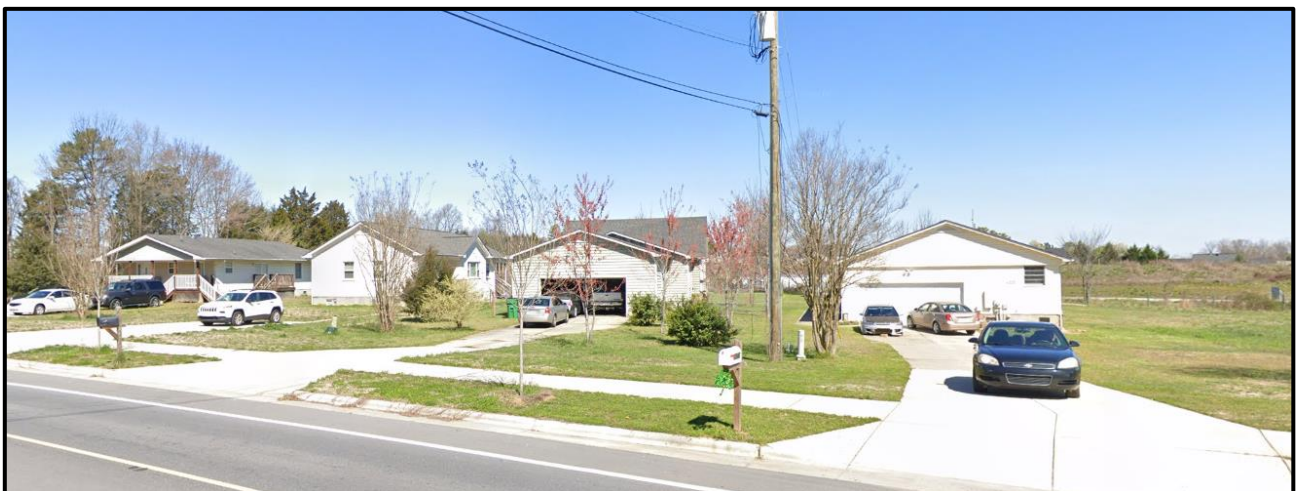




The property is bounded by Interstate 485 to the north.



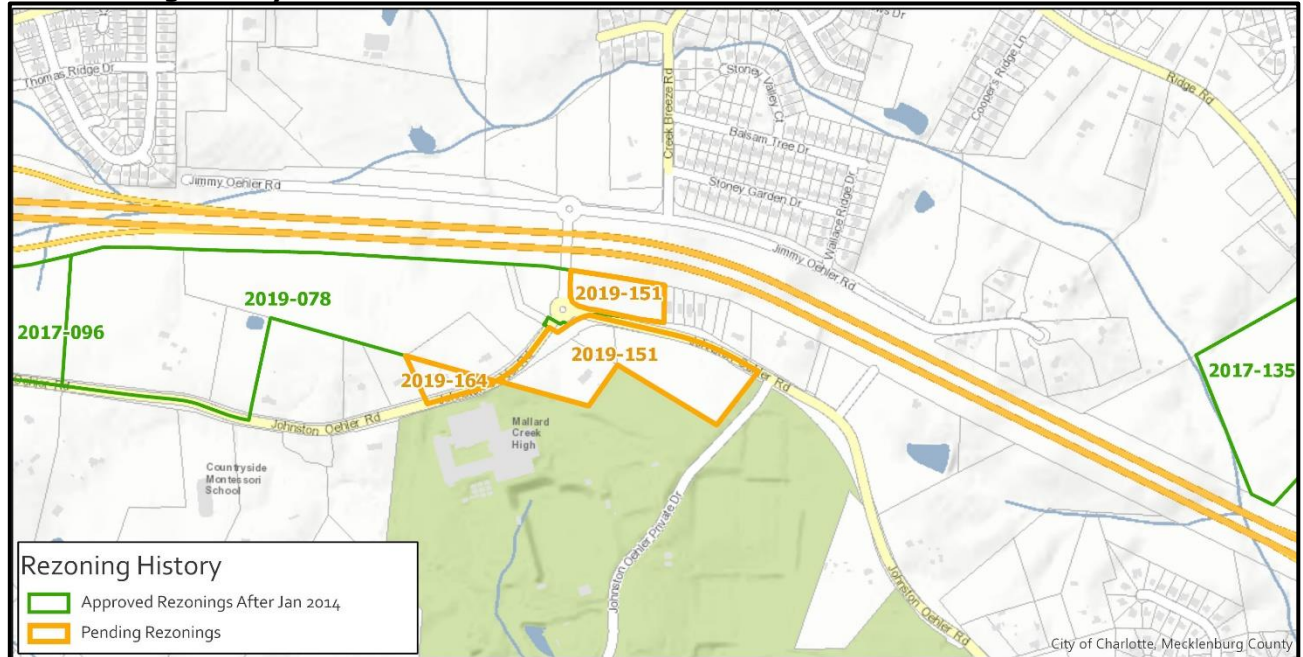
The property to the west is currently undeveloped. However, Petition 2019-078 rezoned 41.9 acres to allow 440 multi-family units with a minimum of 120 senior housing units, and a child care center.



The property to the east along Johnston Oehler Road is developed with single-family homes.

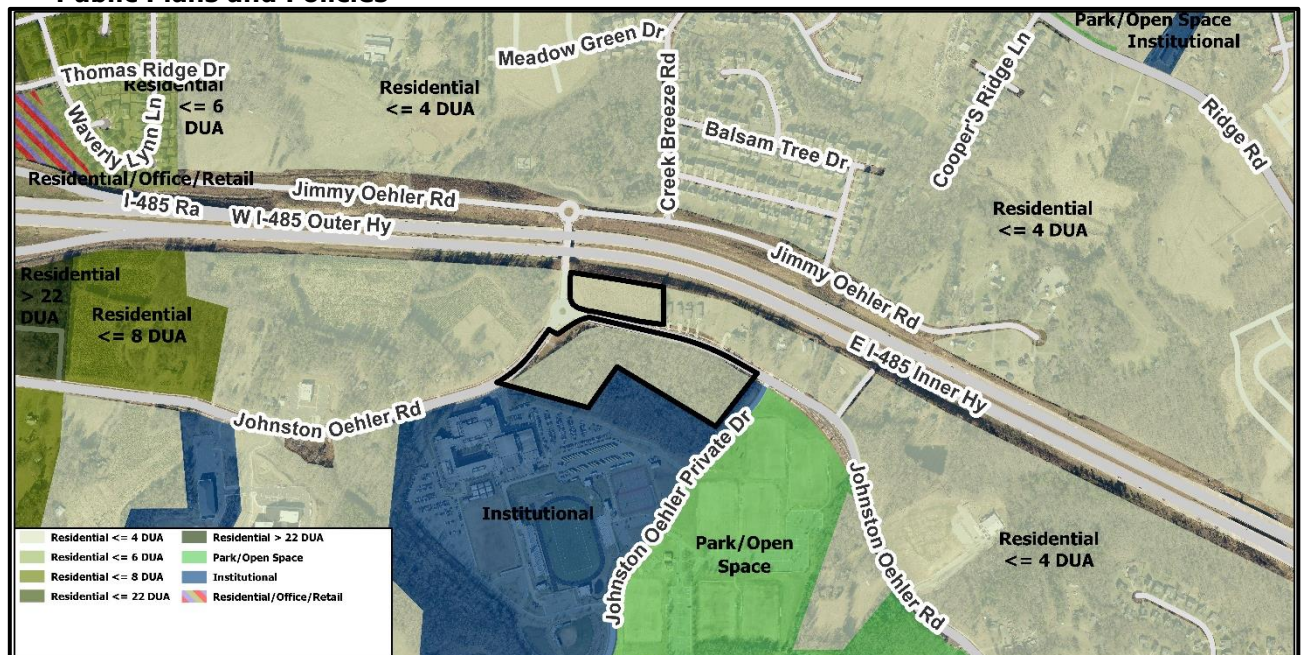


### • Rezoning History in Area



Petition Number	Summary of Petition	Status
2017-096	Rezoned 8.96 acres to allow up to 260 multi-family units at a density of 29 units per acre.	Approved
2017-135	Rezoned 20.54 acres to allow up to 102 multi-family units at a density of 4.97 units per acre.	Approved
2019-078	Rezoned 41.9 acres to allow 440 multi-family units with a minimum of 120 senior housing units, and a child care center.	Approved
2019-164	Proposes to rezone 1.1 acres to allow up to 8 attached single-family units.	Pending

### • Public Plans and Policies



- The *Prosperity Hucks Area Plan (2015)* recommends residential uses up to four dwelling units per acre for this site.

- **TRANSPORTATION CONSIDERATIONS**

- The site is located on a minor thoroughfare road. The petitioner should revise the site plan to meet City ordinance requirements and the outstanding items listed below. The petitioner is committing to creating Multi-Use Path connection to Mallard Creek Regional Park and adjusting existing medians for safer driveway accesses. CDOT is requesting the petitioner update note 3. D. under Transportation so that the gates are limited to private access only, and not to public or private streets. Street connectivity provides increase transportation network, and installing gates on streets reduces network efficiency.
- ~~See Requested Technical Revisions, notes 2 and 3.~~ Addressed
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 10 trips per day (based on 1 single-family dwelling).
    - Entitlement: 390 trips per day (based on 34 single-family dwellings).
  - Proposed Zoning: 900 trips per day (based on 124 townhomes).

**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 Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 18 students, while the development allowed under the proposed zoning may produce 37 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 19 students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Parkside Elementary from 54% to 56%
    - Ridge Road Middle from 118% to 118%
    - Mallard Creek High from 121% to 121%.
  - **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing eight-inch water distribution main located along Johnston Oehler Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing eight-inch gravity sewer main located along Johnston Oehler Road. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No comments submitted.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** ~~See Requested Technical Revisions, Note 4.~~ Addressed
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** ~~See Outstanding Issues, note 1~~ Addressed

**OUTSTANDING ISSUES**

Environment

- ~~1. This petition is adjacent to Mallard Creek Regional Park and CMS School. We request the petitioner provide pedestrian and bicycle connectivity to the park and the school.~~ Addressed

**REQUESTED TECHNICAL REVISIONS**

Transportation

- ~~2. Revise the site plan to add a 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.~~ Addressed
- ~~3. Update conditional note 3d to state the gates will not be installed on public or private streets because it will limit street connectivity. Street connectivity is important to the overall transportation network and should not be restricted with gates.~~ Addressed

Environment

~~4. Label the storm drainage easement(s) on the northern property (PID 029-301-34).~~ Addressed

Site and Building Design

~~5. Amend note 2b to clarify if land is for sale, if so, then show the lot lines.~~ Addressed

~~6. Remove reference to USDG in note 3g. State it will meet subdivision regulations.~~ Addressed

7. Remove note 5f. Addressed

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Michael Russell (704) 353-0225