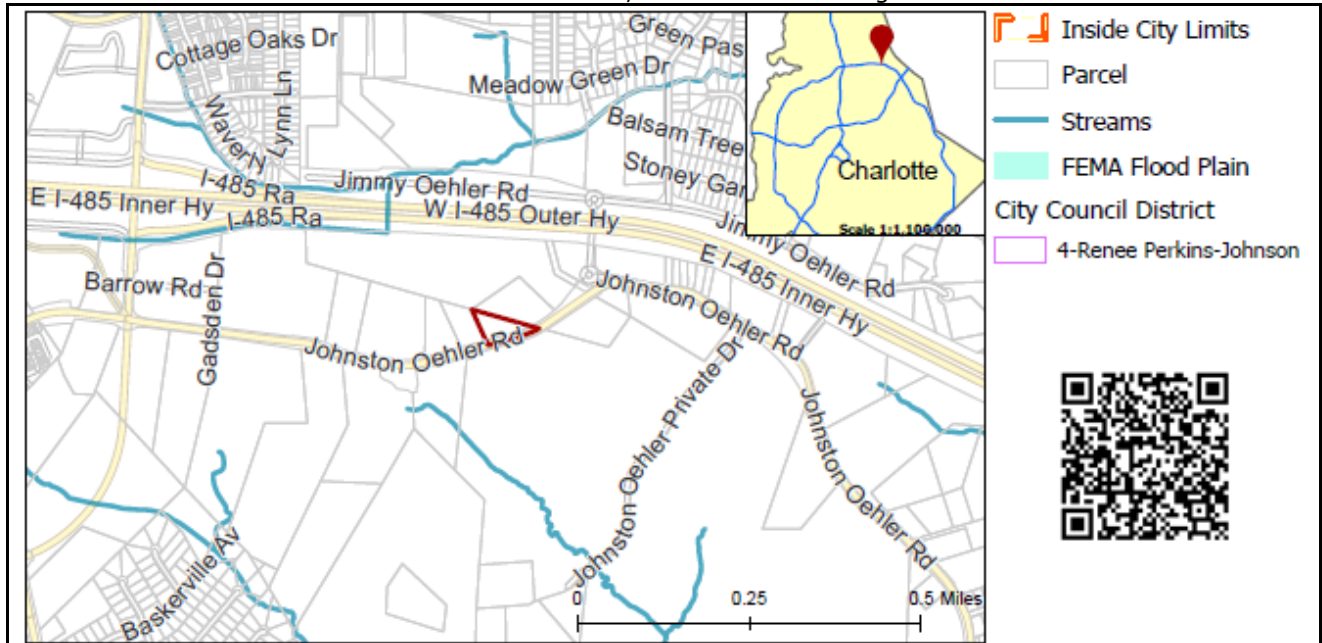


**REQUEST**

Current Zoning: R-3 (single-family residential)  
Proposed Zoning: R-8MF(CD) (multi-family, conditional)

**LOCATION**

Approximately 1.1 acres located on the north side of Johnston Oehler Road, west of Oehler Bridge Drive



**SUMMARY OF PETITION**

The petition proposes to allow up to eight attached single-family dwelling units on a parcel with an existing home.

**PROPERTY OWNER**

PDAN Holdings, LLC

**PETITIONER**

PDAN Holdings, LLC

**AGENT/REPRESENTATIVE**

Nick Tosco, Poyner Spruill, LLP

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 4

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

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

Rationale for Recommendation

- At 8 dwelling units per acre, this petition is denser than what the adopted area plan recommends. However, the plan also recommends that residential uses bordering the activity center include a mix of housing types that serve as a transition from the denser mixed-use development to the surrounding lower density neighborhoods.
- This petition is consistent with the area plan's recommendation of higher density residential at strategic locations as elements of a larger development. This site's proximity to the activity center and to I-485 make it a strategic transition to single-family homes on the outskirts of the activity center.

- The petition commits to enhancing the pedestrian environment, committing to front porch stoops on all homes, and limiting the blank wall expanse to 10 ft on all units facing a public or private street. Garage doors visible from the street should have an additional setback of 12-24 inches and additional architectural treatments to minimize the visual impact for the pedestrian.
- The petition commits to increasing connectivity by including walkways to connect all residential entrances to sidewalks along public and private streets.

The approval of this petition will revise the adopted future land use as specified by the *Prosperity Hucks Area Plan (2015)* from single family uses up to four dwelling units per acre to residential uses up to eight dwelling units per acre for the site.

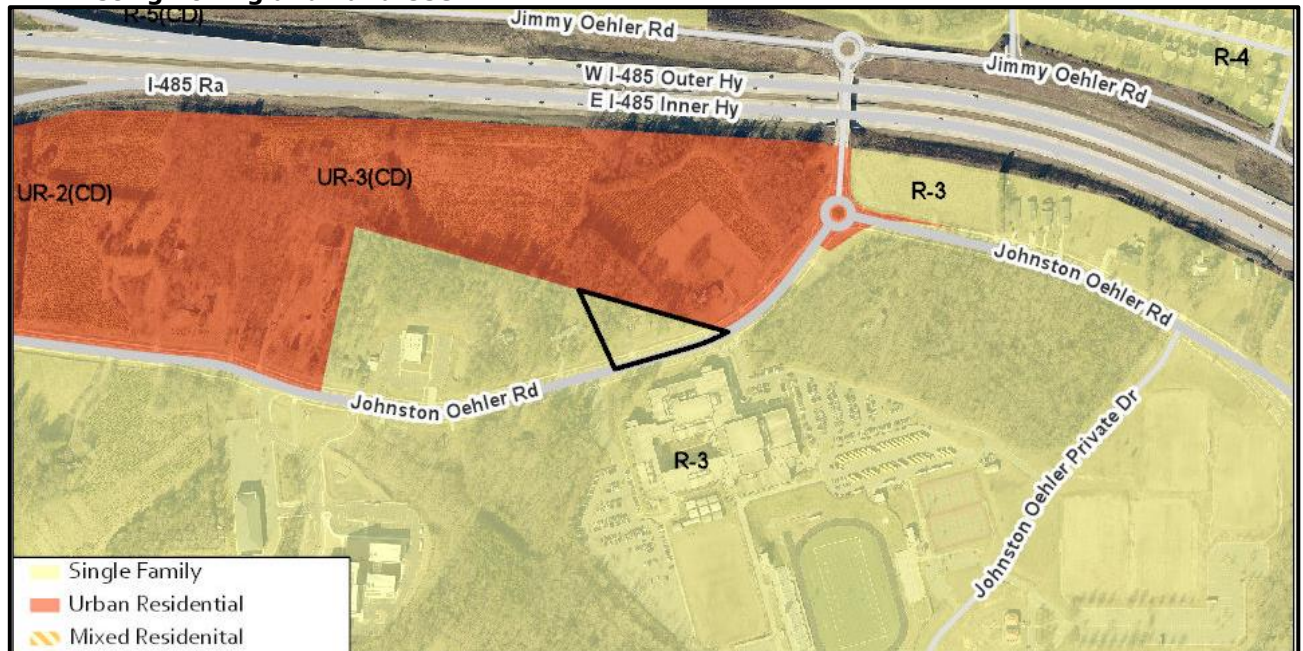
### PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows development of up to eight attached single-family dwelling units.
- Access provided by via a right-in, right-out driveway on Johnston Oehler Road.
- Will attempt to construct an internal connection to the private road on parcel 02930132 as depicted on rezoning 2019-078.
- Provides dedication and fee simple conveyance of all rights-of-way to the City.
- All new lighting will be limited to 21-feet in height.
- Provides walkways to connect all residential entrances to sidewalks along streets.
- Commits to usable porches and stoops as a predominant feature of building design.
- Commits to a setback of 12 to 24-inches for garages from the front wall plane and add additional architectural treatments to minimize visual impact.

- **Existing Zoning and Land Use**



The subject property is developed with a single-family dwelling. The surrounding land uses include single-family homes, proposed multi-family dwellings, and Mallard Creek High School.





The subject property (denoted by red star) is developed with a single-family home.



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





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



The property to the west along Johnston Oehler Road is developed with a single-family home.



The property to the north bordered by Interstate 485 is currently vacant but rezoning 2019-078 will allow 440 multi-family units.



- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-096	Rezoned 8.96 acres to allow up to 260 multi-family units.	Approved
2019-078	Rezoned 41.9 acres to allow up to 440 total multi-family units with a minimum of 120 senior housing units, and a child care center.	Approved
2019-151	Proposes to rezone 11.63 acres to allow up to 124 townhome units.	Pending

- Public Plans and Policies**



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

- **TRANSPORTATION SUMMARY**

- The site is on Johnston Oehler Road (minor thoroughfare, city maintained) and is in a wedge outside Route 4. The site is within the limits of the Prosperity Hucks Area Plan.

- **ACTIVE PROJECTS NEAR THE SITE:**

- Johnston Oehler FTM (complete)
- This project will provide infrastructure improvements to Johnston Oehler Road from Prosperity Ridge Road at I-485 to Mallard Creek Road. Project improvements will include a three lane roadway with bike lanes, curb and gutter, planning strips, sidewalks, refuge islands, roundabouts and street lighting

- **TRANSPORTATION CONSIDERATIONS**

- The site is located on a minor thoroughfare road. The petitioner commits to communicating to the adjacent property to create better connectivity for this area. CDOT is requesting the petitioner relocate their driveway as far east as possible to accommodate a full access movement to improve the overall connectivity of the area. The petitioner is suggesting a right-in and right-out access, however, the limited access may present U-turn movements issues.

— See Outstanding Issues, Notes 1 and 2 — Addressed

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 10 trips per day (based on one single-family dwelling).

Entitlement: 30 trips per day (based on three single-family dwellings).

Proposed Zoning: 60 trips per day (based on eight 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:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate two students, while the development allowed under the proposed zoning may produce two students. Therefore, the net increase in the number of students generated from existing zoning to proposed 0 students
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Parkside Elementary at 54%
    - Ridge Road Middle at 118%
    - Mallard Creek High at 121%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Johnston Oehler Road. Charlotte Water has accessible sanitary sewer system infrastructure 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 advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **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:** No outstanding issues.

**OUTSTANDING ISSUES**

Transportation

1. ~~The ideal access to Johnston Oehler Road would be to be restricted by only having an internal connection to the private street created by rezoning petition 2019-078. The reason for restricting the access is because introducing an access between two back-to-back left-turn lanes will introduce vehicular conflict points. Another option would be to relocate the access point further north on Johnston Oehler Road, and striping a short left-turn lane.~~ Addressed
2. Update conditional note A. to specify RI/RO mitigation. I.e. median restricted. Addressed

Site and Building Design

- ~~3. Setback should be a minimum of 30 feet from the edge of right of way.~~ Addressed
- ~~4. Remove references to yards on site plan. In planned multi-family developments, yards will be based on building orientation.~~ Addressed

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

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