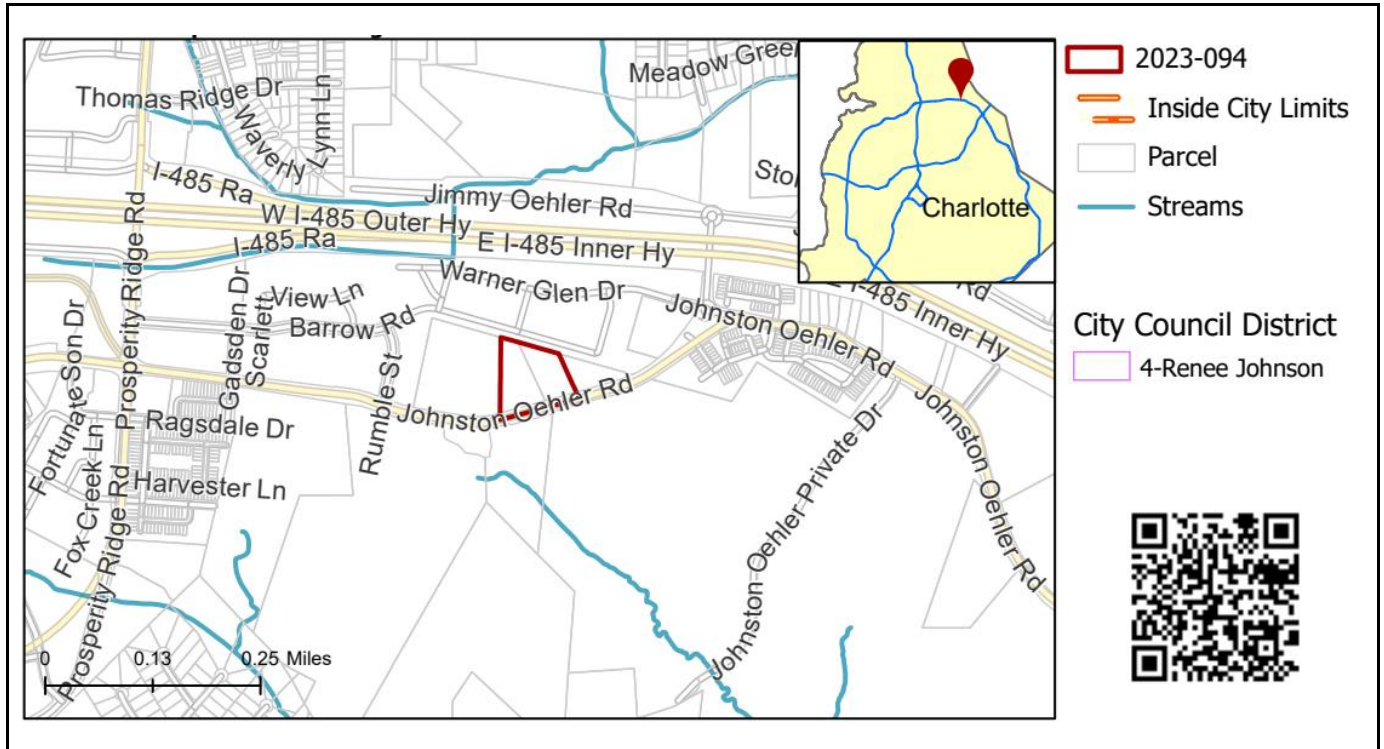


**REQUEST**

Current Zoning: N1-A (neighborhood 1-A)  
Proposed Zoning: N2-A(CD) (neighborhood 2-A, conditional)

**LOCATION**

Approximately 3.52 acres located along the north side Johnston Oehler Road and south of Barrow Road.



**SUMMARY OF PETITION**

The petition proposes to develop a residential community to allow up to 45 multi-family attached dwelling units.

**PROPERTY OWNER**

Theresa Clark

**PETITIONER**

Josh Jolley, Rosegate Holdings, LLC

**AGENT/REPRESENTATIVE**

Paul Pennell, Urban Design Partners

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 6

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *2040 Policy Map* recommendation for the Neighborhood 1 Place Type.

Rationale for Recommendation

- This petition proposes to add to the variety of housing options in the area.
- The proposed moderate density residential uses would help to align this site with the surrounding entitlements and Place Type recommendations for the area.
- The proposed site would be well served by the Community Activity Center and Campus Place Types within a ½ mile of the site contributing to the Comprehensive Plan goal of 10-minute neighborhoods.

- The petition proposes to provide an 8-foot wide planting strip and 8-foot wide multi-use path along the site’s frontage on Johnston Oehler Road as well as proposed internal pedestrian infrastructure.
- The proposed residential community of 45 units would be well served by the existing bus line that runs along Johnston Oehler Road with a stop directly adjacent to the site.
- This petition proposes a future private street connection from the site to the adjacent property East of the site.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods
  - 2: Neighborhood Diversity & Inclusion
  - 5: Safe & Equitable Mobility

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

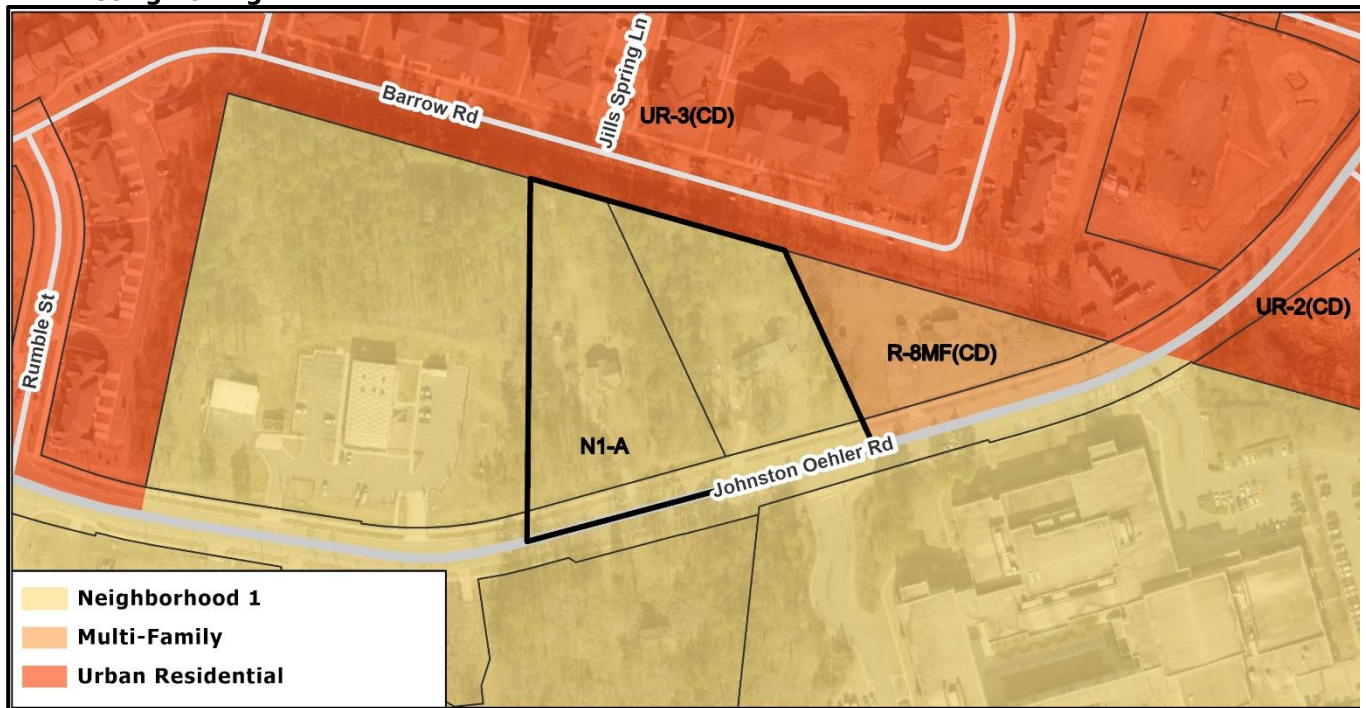
**PLANNING STAFF REVIEW**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 45 multi-family attached dwelling units.
- Provides an 8-foot wide planting strip and 8-foot wide multi-use path along the site’s frontage on Johnston Oehler Road.
- Dedicates 35-feet of right-of-way from the centerline of Johnston Oehler Road.
- Limits height to 48-feet.
- Provides a future private street connection from the site to the adjacent property East of the site.
- Provides architectural details including building materials.

• **Existing Zoning**



- The subject property is mostly undeveloped with 2 single-family homes. The surrounding land-uses include multi-family residential, two schools, single-family residential, and interstate 485 to the north.



The subject property is denoted by a red star.



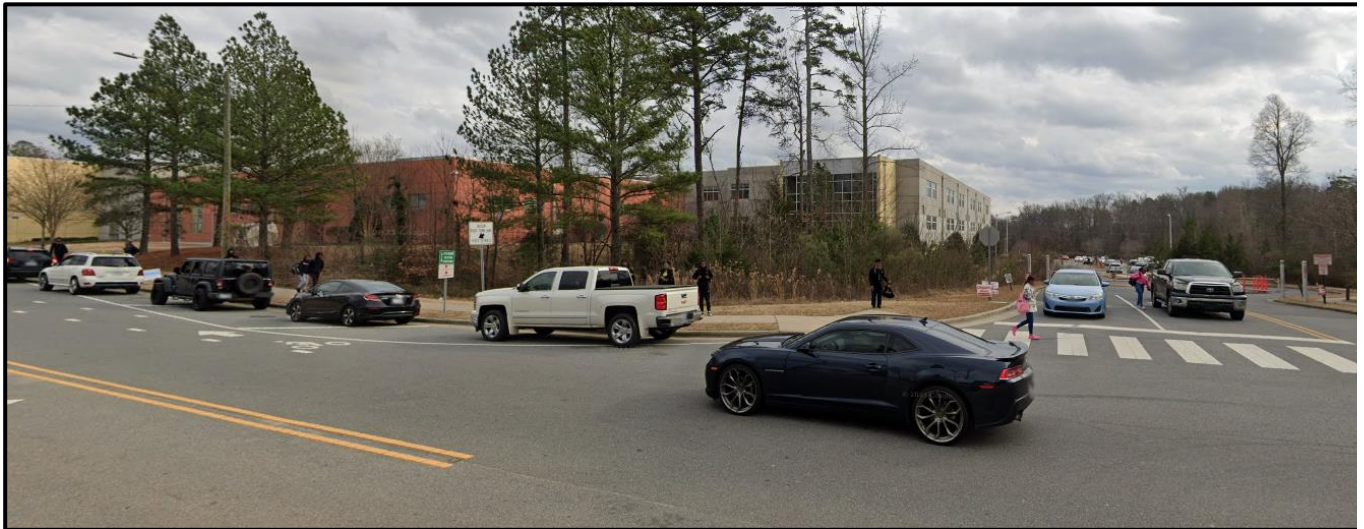
The property to the west along Johnston Oehler Road is developed with a religious institution.



The property to the east along Johnston Oehler Road is currently a single family home. Rezoning 2019-164 will allow up to eight attached single-family dwelling units.

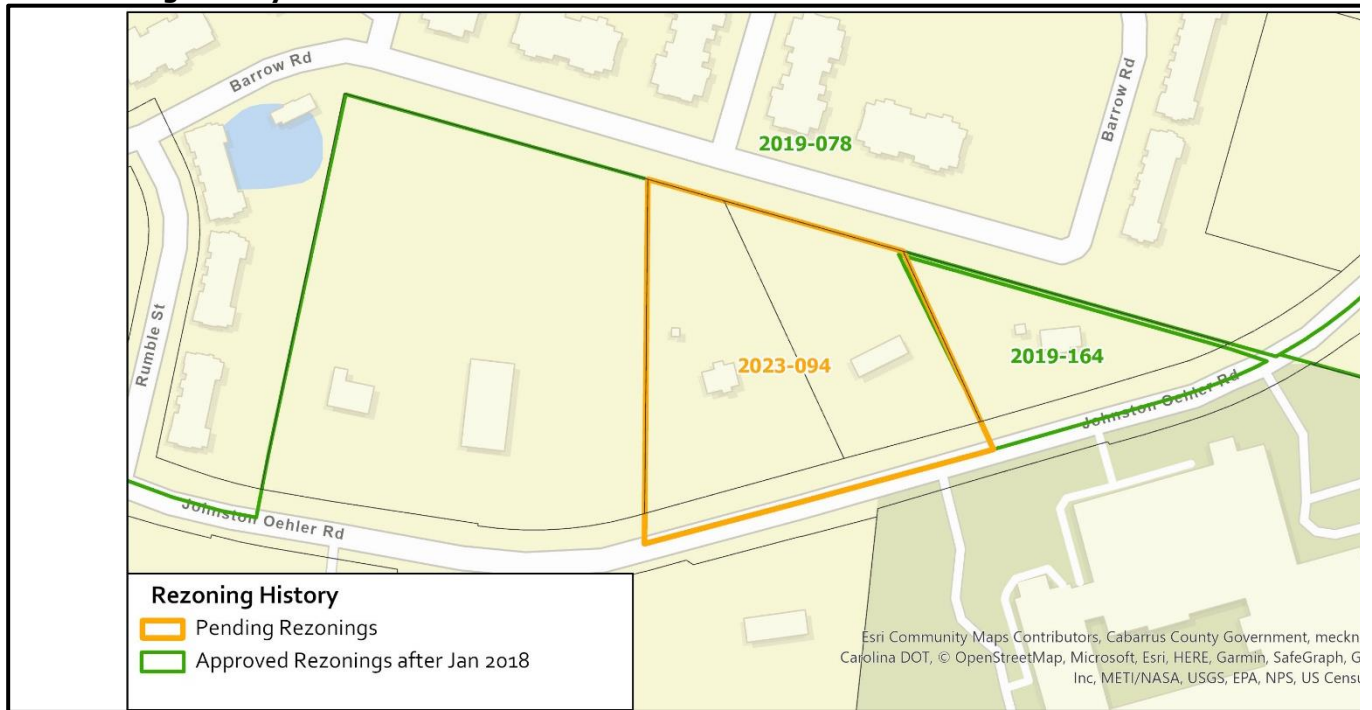


The property to the north bordering Interstate 485 is developed with apartments.



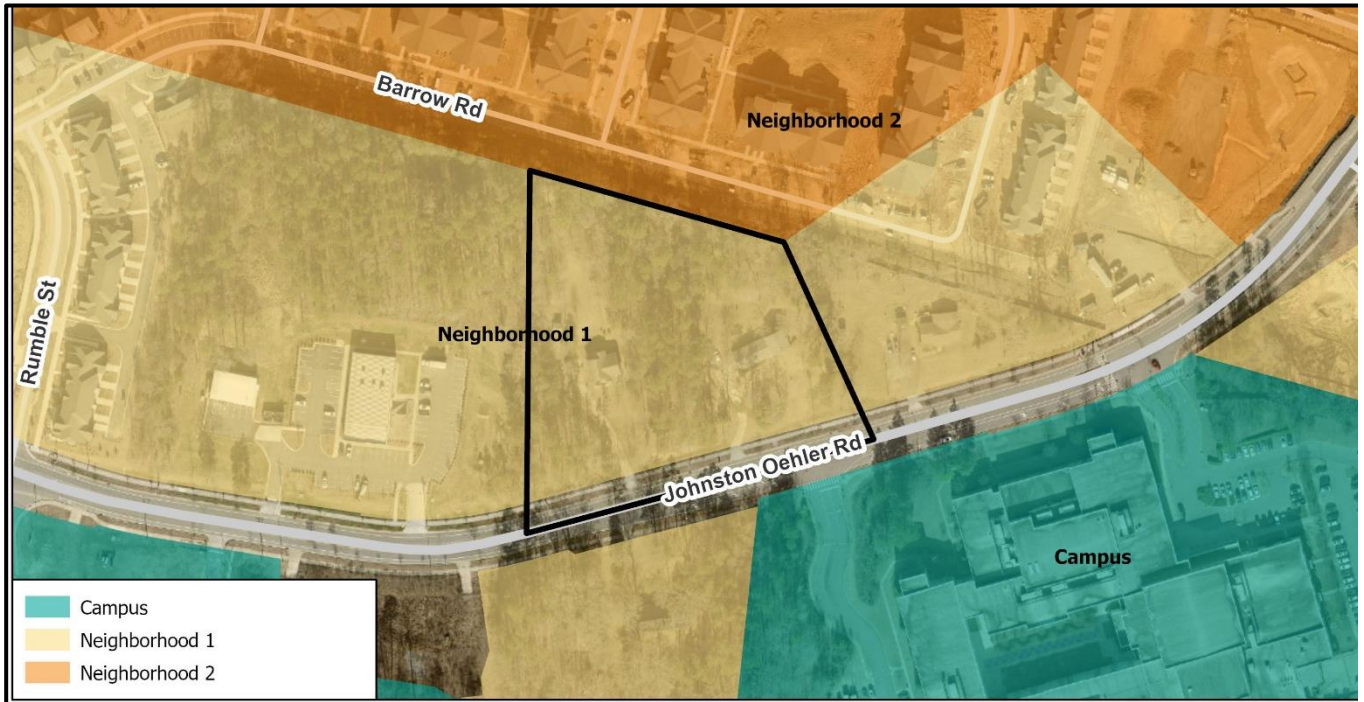
The property to the south along Johnston Oehler Road is Mallard Creek High.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-078	Rezoned 41.9 acres from R-3 to UR-3(CD) to allow up to 440 total multi-family units with a minimum of 120 senior housing units, and a childcare center.	Approved
2019-164	Rezoned 1.1 acres from R-3 to R-8MF(CD) to allow up to eight attached single-family dwelling units	Approved

• **Public Plans and Policies**



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

• **TRANSPORTATION SUMMARY**

- The site is located adjacent to Johnston Oehler Road, a City-maintained minor arterial, east of Rumble Street, a privately maintained local street. A Traffic Impact Study (TIS) is not required for the site due to the development generating site trips under ordinance thresholds and not meeting additional TIS triggers. All outstanding issues have been resolved.

- **Active Projects:**

- N/A

• **Transportation Considerations**

○ See Outstanding Issues, Notes 1-3 Addressed

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 20 trips per day (based on 2 single family detached dwelling units).

Entitlement: 125 trips per day (based on 10 single family dwelling units).

Proposed Zoning: 300 trips per day (based on 45 single family attached dwelling units).

**DEPARTMENT COMMENTS**

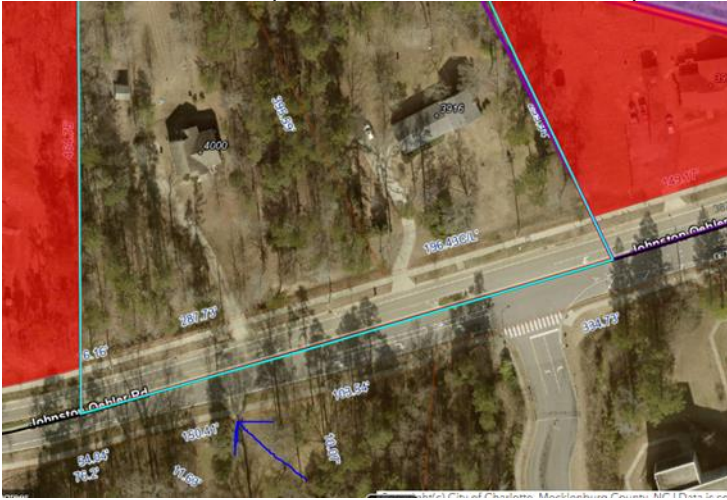
- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 5 students, while development allowed with the proposed zoning may produce 8 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 3 students.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Croft Community School remains at 72%.
    - Ridge Road Middle remains at 103%.
    - Mallard Creek High remains at 113%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main along Johnston Oehler Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Johnston Oehler Road. See advisory comments at [www.rezoning.org](http://www.rezoning.org)

- **Erosion Control:** 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.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** See Outstanding Issues, Notes 4-5-Addressed

## OUTSTANDING ISSUES

### Transportation

1. Site access is to line up with the residential driveway on the southern side of the roadway. Addressed



2. Revise site plan and conditional note(s) to commit to installing a signalized pedestrian crossing at the existing pedestrian crossing location that would allow for connection to Mallard Creek High School. Addressed
3. Remove conditional note referencing reverse angle parking. Addressed

### Environment

4. Minimum tree save width for protected area is 30-feet. Addressed
5. Tree survey required. Addressed

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

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