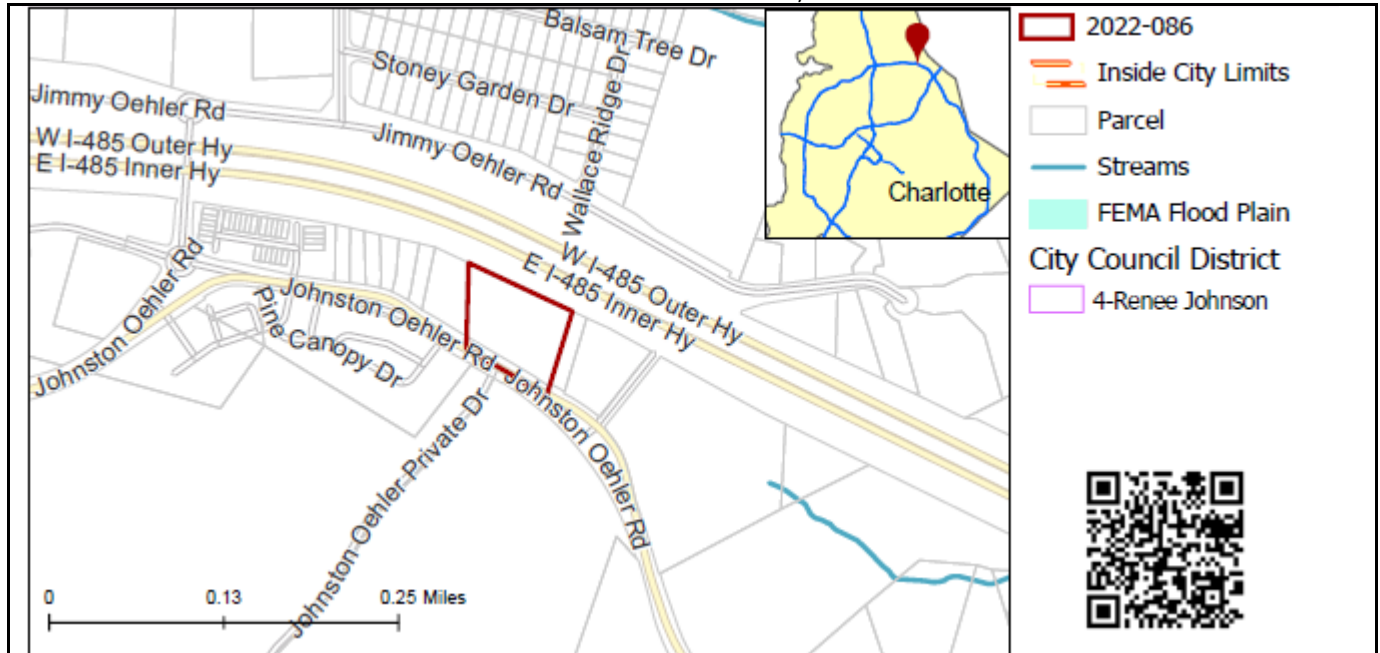


REQUEST

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

LOCATION

Approximately 2.46 acres located on the north side of Johnston Oehler Road and south side of Interstate 485, west of Mallard Creek Road.



SUMMARY OF PETITION

The petition proposes to allow a mix of quadraplexes and duplex containing up to 19 residential units on a parcel currently developed with a single family home and a barn.

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: 0

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to environment and site and building design.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for the Neighborhood 1 place type.

Rationale for Recommendation

- The petition proposes a mixture of 19 quadraplexes and duplex units on 2.46 acres, which will result in a density of 8 dwelling units per acre.
- The Neighborhood 2 Place Type is appropriate for this site given its adjacency to the Neighborhood 1, Parks & Preserves, and Campus Place Types.
- The proposal for residential uses is compatible with the existing residential uses surrounding Mallard Creek High School.
- 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

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

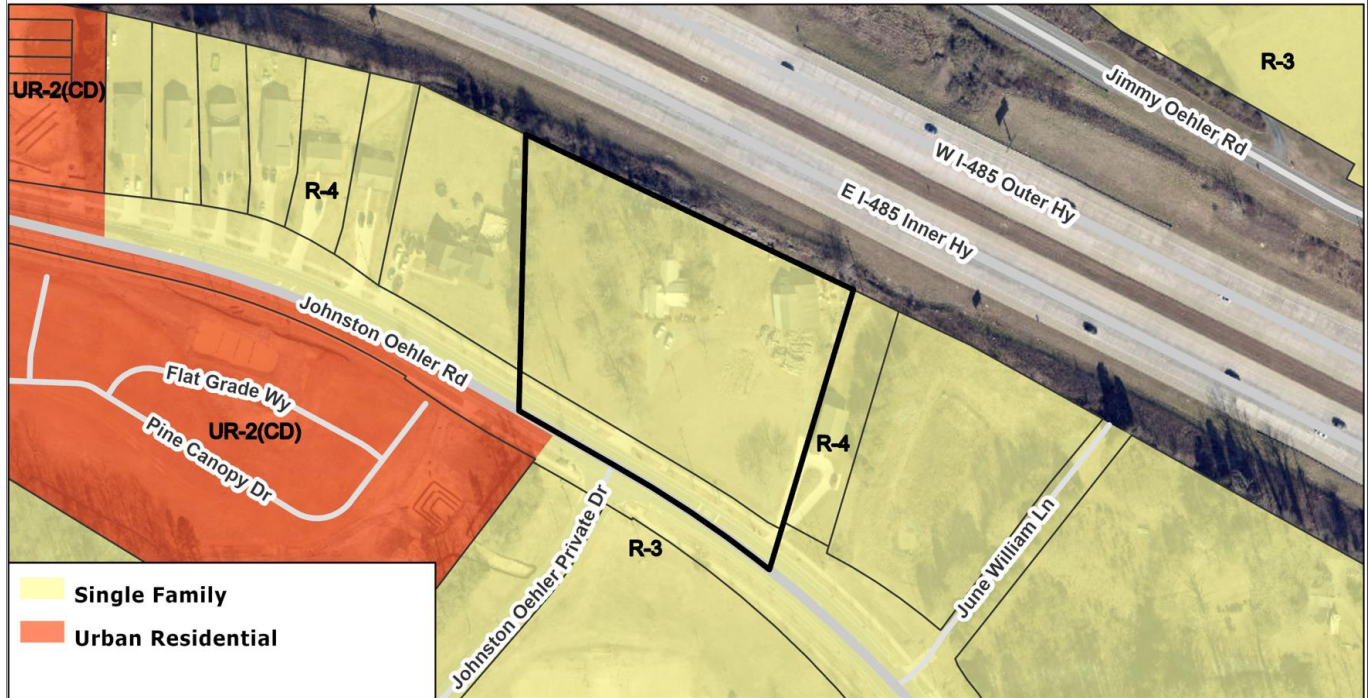
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Up to 19 (attached multi-family) residential units in a mix of quadraplexes and duplex. Site plan currently illustrates three quadraplexes and a duplex.
- Illustrates parking area in the rear of proposed units.
- Limits building height to 40 feet.
- Proposes existing barn to remain.
- Proposes a 20-foot wide internal drive connecting to Johnston Oehler Road. Proposes to connect to an existing driveway access to the east.
- Connects units to sidewalk along Johnston Oehler Road.
- Provides a 30-foot setback along Johnston Oehler Road and I-485.
- Identifies existing six-foot sidewalk and existing eight-foot planting strip along Johnston Oehler Road.
- Identifies existing bike lane along Johnston Oehler Road.
- Identifies existing turn lane on Johnston Oehler Road.
- Notes 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, when provided, shall be covered and be at least six feet deep. Stoeps and entry-level porches shall be covered, but will not be enclosed.
- Notes all corner/end units facing 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.
- Limits number of units in a building to five when townhouse and attached single family buildings front public or private network required streets.
- Minimizes visual impact of garage doors visible from public or private streets by providing a setback of 12 to 24 inches from the front wall plane and additional architectural treatments such as translucent windows or projecting elements over the garage door opening.
- Illustrates 18-foot Class Ca buffer along property lines abutting parcels zoned R-4.
- Proposes a minimum 10-foot buffer along I-485.
- Illustrates potential tree save area.

- Existing Zoning**



- The rezoning site is currently developed with a single family home and a barn and is surrounded by a mix of single family homes, apartments, townhomes, new residential development, institutional and park/recreation uses, and vacant land on parcels zoned R-3, R-4, and UR-2(CD). Interstate 485 borders the site to the north.

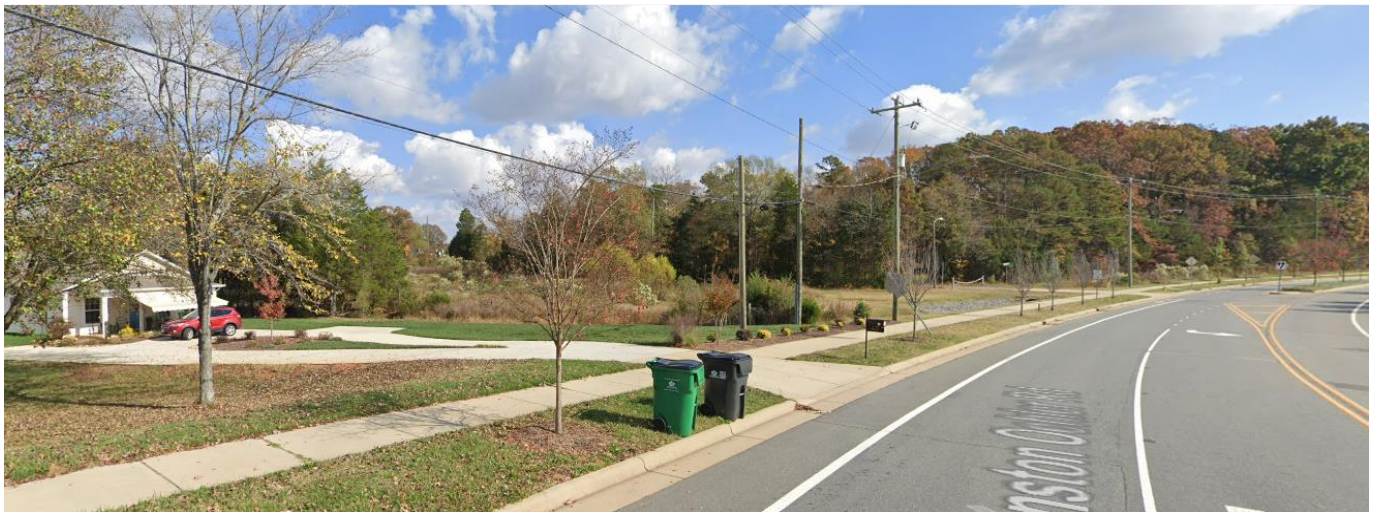
Existing Zoning	Translated Zoning	Recommended Place Type
R-3 (single family residential)	N1-A (neighborhood 1)	N1 (neighborhood 1)



The site is currently developed with a residence and a barn.



The site is bounded by I-485 to the north.



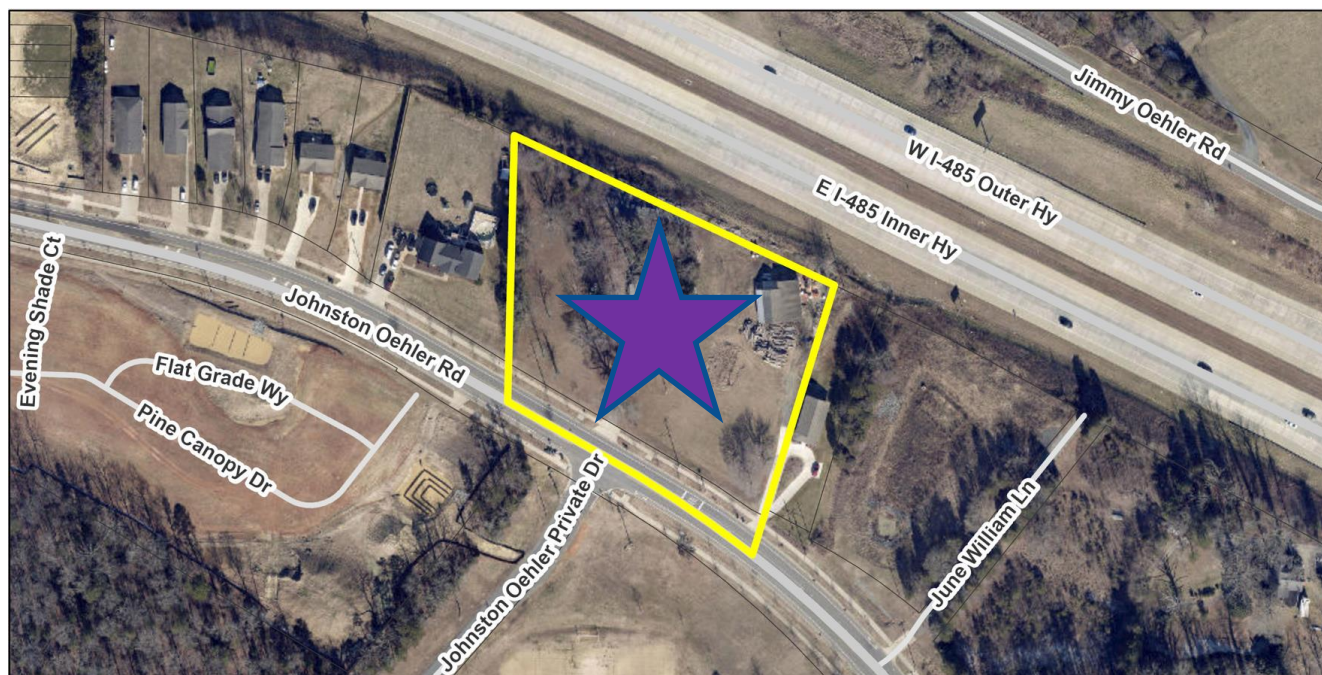
East are lower density, single family homes and vacant land.



South are Mallard Creek High School and Mallard Creek Regional Park.

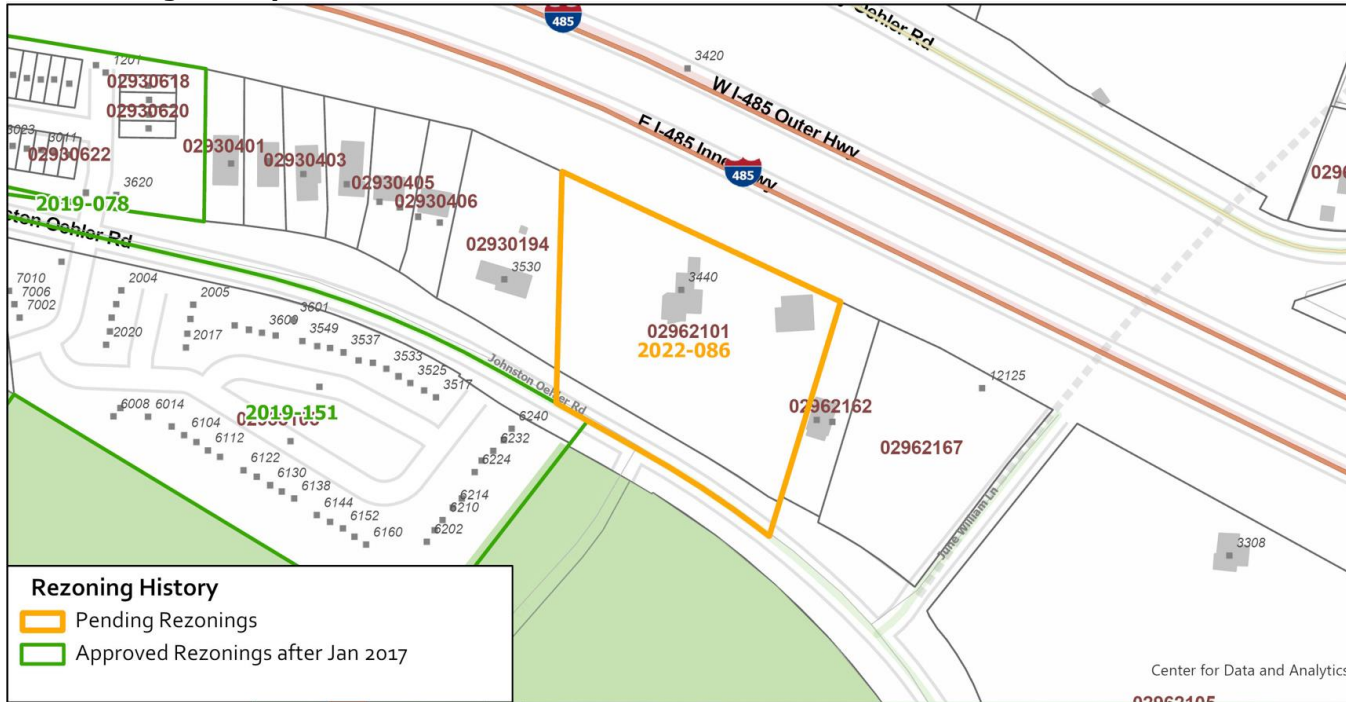


West are single family homes, townhomes, and townhome and multi-family residential communities under construction.



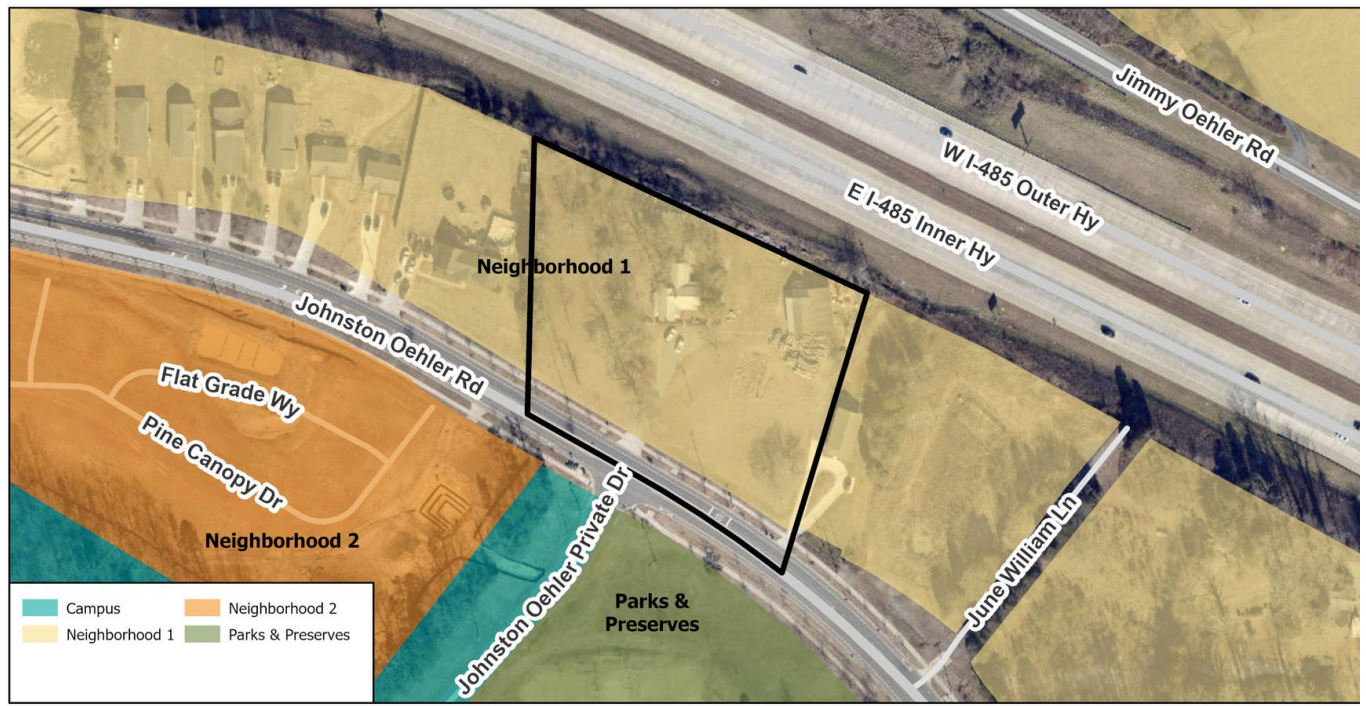
The rezoning site (denoted by purple star) is surrounded by low density single family homes, multi-family development, residential developments under construction, park, vacant land, and institutional uses.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-151	Rezoned 11.63 acres from R-3 to UR-2(CD) to allow up to 124 townhomes.	Approved
2019-078	Rezoned 41.91 acres from R-3 to UR-3(CD) to allow 440 residential units.	Approved

- **Public Plans and Policies**



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

- **TRANSPORTATION SUMMARY**

- The petition is located on the north side of Johnston Oehler Road, a city-maintained major throughfare north of Johnston Oehler Private Drive, a privately-maintained roadway. A Traffic Impact Study (TIS) is not needed for this site. CDOT has coordinated with the petitioner to dedicate ROW in order to accommodate roadway infrastructure. CDOT has no outstanding issues.
- **Active Projects:**
 - 2022-018
 - Subdivision with public roadways
 - Reconstructing Johnston Oehler Private Drive as a public roadway CLDSM U-07.
 - Currently being rezoned.
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 10 trips per day (based on one dwelling unit).
 - Entitlement: 90 trips per day (based on seven dwelling units).
 - Proposed Zoning: 220 trips per day (based on 19 dwelling units).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 4 students, while development allowed with the proposed zoning could produce 5 students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Parkside Elementary remains at 68% 000%
 - Ridge Road Middle remains at 115%
 - Mallard Creek High remains at 123%
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution mains located in Johnston Oehler Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing 8-inch gravity sewer main located in Johnston Oehler Road. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **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 comments submitted.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** See Outstanding Issues, Note 1.

OUTSTANDING ISSUES

Environment

1. Part of what is shown would not qualify as protected tree save. This will either need to be adjusted to protect existing trees and/or additional tree save would be required. **Update:** Petitioner must show acceptable tree save on rezoning plan. Replanted tree save is not an available option.

Site and Building Design

2. ~~Please clearly specify unit type (single family detached, single family attached townhomes, or multi-family) on the site plan. Please ensure all notes and data are consistent with respect to type and unit count on all sheets.~~
3. ~~Under Permitted Uses Heading, remove detached if a multi-family use is proposed. If a detached use is proposed all lots must front on a public street. Also provide acreage and lot dimensions for all lots for a detached use. Please ensure all sheets are consistent with respect to information.~~
4. ~~Increase setback to 30 feet along Johnston Oehler Road and along I-485.~~
5. ~~Connect buildings to sidewalk system along Johnston Oehler Road.~~
6. ~~Illustrate parking on site plan.~~
7. **New Comment:** The driveway connection to parcel 02962162 would not be allowed because parcel 02962162 is zoned R-4. Planned multi-family developments cannot be accessed through R-4 zoning.

Parcel 02962162 would need to be rezoned to a district that allows for Planned multi-family developments to allow for the driveway connection.

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org

Planner: Claire Lyte-Graham (704) 336-3782