

REZONING PETITION
FOR PUBLIC HEARING
2019-078

REZONING PETITION

JOHNSTON OEHLER SITE
CHARLOTTE, NORTH CAROLINA

CHARTER PROPERTIES, INC.
1520 SOUTH BOULEVARD, SUITE 215
CHARLOTTE, NC 28203
704.377.4172

SCHEMATIC
SITE PLAN

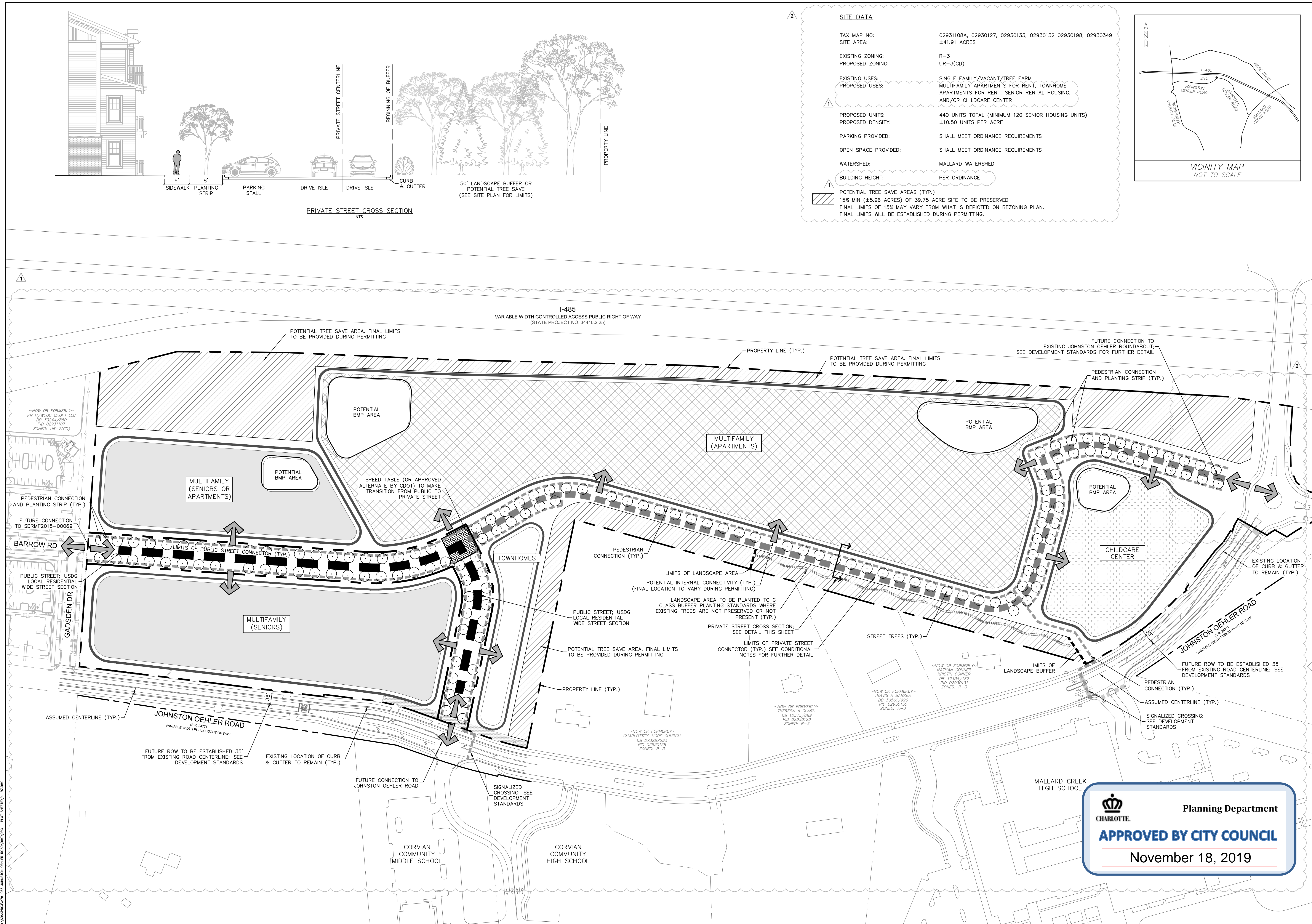
50 0 50 100
SCALE: 1" = 100'

PROJECT #: 278-033
DRAWN BY: JO
CHECKED BY: NB

MAY 3, 2019

REVISIONS:
1. 08.12.19 PER REVIEW COMMENTS
2. 09.12.19 PER SITE UPDATES
3. 10.25.19 PER SITE UPDATES

RZ1.0



SITE DATA

TAX MAP NO: 02931108A, 02930127, 02930133, 02930132, 02930198, 02930349
SITE AREA: ±41.91 ACRES

EXISTING ZONING: R-3
PROPOSED ZONING: UR-3(CD)

EXISTING USES: SINGLE FAMILY/VACANT/TREE FARM
PROPOSED USES: MULTIFAMILY APARTMENTS FOR RENT, TOWNHOME APARTMENTS FOR RENT, SENIOR RENTAL HOUSING, AND/OR CHILDCARE CENTER

PROPOSED UNITS: 440 UNITS TOTAL (MINIMUM 120 SENIOR HOUSING UNITS)
PROPOSED DENSITY: ±10.50 UNITS PER ACRE

PARKING PROVIDED: SHALL MEET ORDINANCE REQUIREMENTS

OPEN SPACE PROVIDED: SHALL MEET ORDINANCE REQUIREMENTS

WATERSHED: MALLARD WATERSHED

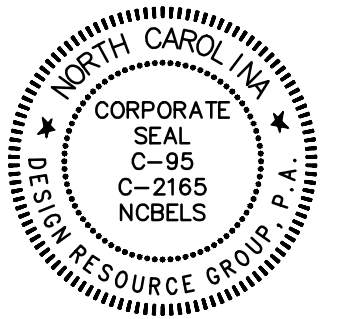
BUILDING HEIGHT: PER ORDINANCE

POTENTIAL TREE SAVE AREAS (TYP.)
15% MIN (±5.96 ACRES) OF 39.75 ACRE SITE TO BE PRESERVED.
FINAL LIMITS OF 15% MAY VARY FROM WHAT IS DEPICTED ON REZONING PLAN.
FINAL LIMITS WILL BE ESTABLISHED DURING PERMITTING.

PRIVATE STREET CROSS SECTION
NTS

VICINITY MAP
NOT TO SCALE

Charlotte
Planning Department
APPROVED BY CITY COUNCIL
November 18, 2019



REZONING PETITION
 FOR PUBLIC HEARING
 2019-078

REZONING PETITION

JOHNSTON OEHLER SITE
 CHARLOTTE, NORTH CAROLINA

CHARTER PROPERTIES, INC.
 1520 SOUTH BOULEVARD, SUITE 215
 CHARLOTTE, NC 28203
 704-377-4172

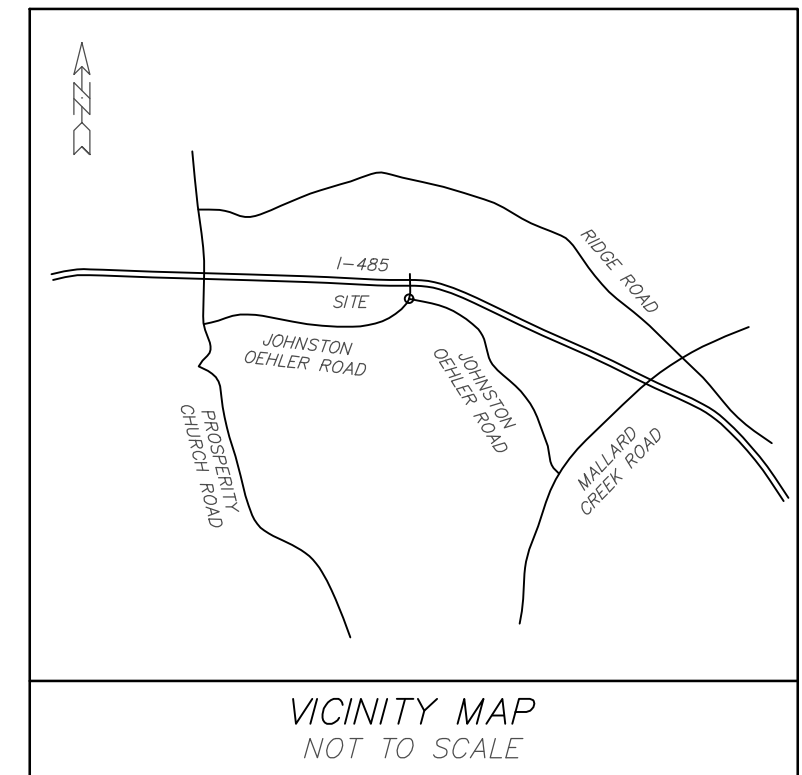
TECHNICAL
DATA SHEET



PROJECT #: 278-033
 DRAWN BY: JO
 CHECKED BY: NB

MAY 3, 2019

REVISIONS:
 1. 08.12.19 PER REVIEW COMMENTS
 2. 09.12.19 PER SITE UPDATES
 3. 10.25.19 PER SITE UPDATES



SITE DATA	
TAX MAP NO:	02931108A, 02930127, 02930133, 02930132 02930198, 02930349
SITE AREA:	±41.91 ACRES
EXISTING ZONING:	R-3
PROPOSED ZONING:	UR-3(CD)
EXISTING USES:	SINGLE FAMILY/VACANT/TREE FARM
PROPOSED USES:	MULTIFAMILY APARTMENTS FOR RENT, TOWNHOME APARTMENTS FOR RENT, SENIOR RENTAL HOUSING, AND/OR CHILDCARE CENTER
PROPOSED UNITS:	440 UNITS TOTAL (MINIMUM 120 SENIOR HOUSING UNITS)
PROPOSED DENSITY:	±10.50 UNITS PER ACRE
PARKING PROVIDED:	SHALL MEET ORDINANCE REQUIREMENTS
OPEN SPACE PROVIDED:	SHALL MEET ORDINANCE REQUIREMENTS
WATERSHED:	MALLARD WATERSHED
BUILDING HEIGHT:	PER ORDINANCE

DEVELOPMENT STANDARDS

GENERAL PROVISIONS:

a. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS TECHNICAL DATA SHEET (SITE PLAN) AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS SITE PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.2 OF THE ZONING ORDINANCE.

b. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, BICYCLE PARKING, AND SITE DEVELOPMENT, MAY APPLY TO THE DEVELOPMENT OF THIS SITE. THESE ARE NOT ZONING REGULATIONS, ARE NOT ADMINISTERED BY THE ZONING ADMINISTRATOR, AND ARE NOT SEPARATE ZONING CONDITIONS IMPOSED BY THIS SITE PLAN. UNLESS SPECIFICALLY NOTED IN THE CONDITIONS FOR THIS SITE PLAN, THESE OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THIS SITE AS DEFINED BY THOSE OTHER CITY ORDINANCES.

c. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER", "OWNERS", "PETITIONER" OR "PETITIONERS," SHALL, WITH RESPECT TO THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.

PURPOSE:

THE PURPOSE OF THIS PETITION IS TO PROVIDE FOR THE DEVELOPMENT OF A MIXED-USE COMMUNITY WITH SENIOR HOUSING, MULTIFAMILY HOUSING, AND A CHILDCARE CENTER. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS TO REZONE THE SITE TO THE UR-3(CD) CLASSIFICATION.

PERMITTED USES:

USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION WILL BE SENIOR HOUSING, MULTIFAMILY DWELLING HOUSING, A CHILDCARE CENTER, AND RELATED ACCESSORY USES AS ARE PERMITTED IN THE UR-3 DISTRICT.

INCIDENTAL AND ACCESSORY USES FOR THE MULTIFAMILY APARTMENT PORTION OF THE SITE MAY INCLUDE WITHOUT LIMITATION, A LEASING AND MANAGEMENT OFFICE, AND AMENITIES SUCH AS A FITNESS CENTER, MAIL KIOSK/PACKAGE DELIVERY AREA, CLUBHOUSE, SWIMMING POOL, DOG PARK, PLAYGROUND, POCKET PARK AND OUTDOOR GLL AND GATHERING AREAS.

TRANSPORTATION:

a. THE SITE WILL HAVE A PUBLIC STREET CONNECTION TO BARROW RD ON WEST SIDE OF THE SITE AND A PUBLIC STREET CONNECTION TO JOHNSTON OEHLER RD ALONG THE SOUTH SIDE OF THE SITE TO LINE UP WITH THE EXISTING CORVIAN COMMUNITY MIDDLE SCHOOL DRIVEWAY AS DEPICTED ON THE REZONING PLAN.

b. THE SITE WILL HAVE ACCESS VIA A DRIVEWAY TO JOHNSTON OEHLER ROAD TRAFFIC CIRCLE ON EASTERN SIDE OF SITE VIA PRIVATE STREET CONNECTION. CONNECTION TO TRAFFIC CIRCLE PENDING FINAL PARCEL ACQUISITION FROM THE CITY OF CHARLOTTE (TAX PARCEL# 02930349)

c. PARKING AREAS ARE GENERALLY INDICATED ON THE REZONING PLAN FOR THE SITE.

d. THE FUTURE RIGHT OF WAY OF JOHNSTON OEHLER RD SHALL BE ESTABLISHED 35' FROM EXISTING ROAD CENTERLINE ALONG THE SITES FRONTAGE TO THE EXTENT THAT SUCH RIGHT OF WAY DOES NOT EXIST.

e. THE LIMITS OF THE PRIVATE ROAD ONSITE AS SHOWN ON THE REZONING PLAN SHALL HAVE A PUBLIC ACCESS EASEMENT. NO GATES WILL BE PERMITTED ALONG THIS PRIVATE ROAD.

f. A PEDESTRIAN CONNECTION SHALL BE PROVIDED ON THE EAST SIDE OF THE SITE CONNECTING THE INTERNAL PRIVATE STREET TO THE JOHNSTON OEHLER ROAD SIDEWALK ACROSS FROM MALLARD CREEK HIGH SCHOOL AS DEPICTED ON THE REZONING PLAN. THE EXACT LOCATION OF THIS PEDESTRIAN CONNECTION SHALL BE DETERMINED DURING PERMITTING AND MAY VARY FROM WHAT IS DEPICTED ON THE REZONING PLAN.

g. INSTALLATION OF AN EAST BOUND LEFT TURN LANE ON JOHNSTON OEHLER RD FOR THE PUBLIC STREET DRIVEWAY ACCESS OPPOSITE OF THE CORVIAN MIDDLE SCHOOL AS NOTED ON THE REZONING PLAN.

h. UPGRADING CONSTRUCTION OF SIDEWALK RAMPS AND ACCESSIBLE PEDESTRIAN SIGNALS AT THE INTERSECTIONS OF JOHNSTON OEHLER RD AND PROSPERITY CHURCH RD. PEDESTRIAN RAMP AND PEDESTRIAN SIGNAL UPGRADES ARE ONLY FOR PEDESTRIAN ACCOMMODATIONS THAT HAVE NOT BEEN RECENTLY UPDATED TO LATEST ACCEPTABILITY STANDARDS. PETITIONER IS RESPONSIBLE FOR IMPROVEMENTS THAT CAN BE ACHIEVABLE AND CONSTRUCTED WITHIN THE EXISTING RIGHT-OF-WAY LIMITS DIRECTLY RELATED TO INTERSECTION.

i. UPGRADING CONSTRUCTION OF SIDEWALK RAMPS AND ACCESSIBLE PEDESTRIAN SIGNALS AT THE INTERSECTIONS OF PROSPERITY CHURCH RD AND BENFIELD RD. PEDESTRIAN RAMP AND PEDESTRIAN SIGNAL UPGRADES ARE ONLY FOR PEDESTRIAN ACCOMMODATIONS THAT HAVE NOT BEEN RECENTLY UPDATED TO LATEST ACCEPTABILITY STANDARDS. PETITIONER IS RESPONSIBLE FOR IMPROVEMENTS THAT CAN BE ACHIEVABLE AND CONSTRUCTED WITHIN THE EXISTING RIGHT-OF-WAY LIMITS DIRECTLY RELATED TO INTERSECTION.

j. INSTALLATION OF A SIGNALIZED PEDESTRIAN CROSSING ON JOHNSTON OEHLER RD IN FRONT OF MALLARD CREEK HIGH SCHOOL AS DEPICTED ON REZONING PLAN. FINAL ALLOWANCE TO BE DETERMINED BY CDOT DURING PERMITTING.

k. INSTALLATION OF A SIGNALIZED PEDESTRIAN CROSSING ON JOHNSTON OEHLER RD IN FRONT OF THE CORVIAN COMMUNITY SCHOOLS AS DEPICTED ON REZONING PLAN. FINAL ALLOWANCE TO BE DETERMINED BY CDOT DURING PERMITTING.

l. THE PETITIONER SHALL DEDICATE FEE SIMPLE OF ALL RIGHTS-OF-WAY TO THE CITY BEFORE THE SITES FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. THE RIGHTS-OF-WAY SHALL BE SET 2' BEHIND BACK OF SIDEWALK ALONG PUBLIC STREETS WHERE FEASIBLE. A SIDEWALK UTILITY EASEMENT WILL BE UTILIZED IN LOCATIONS WHERE RIGHT-OF-WAY IS NOT ESTABLISHED 2' BEHIND PUBLIC SIDEWALKS.

m. ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE SITE'S FIRST CERTIFICATE OF OCCUPANCY IS ISSUED ON THE PORTION OF THE REZONING PLAN LABELED MULTIFAMILY (APARTMENTS).

ARCHITECTURAL STANDARDS:

THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE DISTRICT REGULATIONS OF THE ZONING ORDINANCE FOR THE UR-3 DISTRICT AND BY THE FOLLOWING STANDARDS.

a. PREFERRED EXTERIOR BUILDING MATERIALS: WITH RESPECT TO EACH PRINCIPAL AND ACCESSORY BUILDING THAT ABUTS A NETWORK REQUIRED PUBLIC OR PRIVATE STREET, THE FACADE OF SUCH BUILDING THAT FACES SUCH NETWORK STREET SHALL CONTAIN A MINIMUM OF 20% BRICK, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO OR OTHER MATERIAL APPROVED BY THE PLANNING DIRECTOR.

b. PROHIBITED EXTERIOR BUILDING MATERIALS:

- (i) VINYL SIDING (BUT NOT VINYL HAND RAILS, WINDOWS, SOFFITS, DOORS OR DOOR TRIM).
- (ii) CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.

c. BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING:

- (i) BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FACADE TO ALL NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE).
- (ii) BUILDINGS SHALL FRONT A MINIMUM OF 50% OF THE TOTAL NETWORK REQUIRED STREET FRONTAGE (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE OR NATURAL AREAS, TREE REPLANTING AREAS AND STORM WATER FACILITIES).
- (iii) PARKING LOTS SHALL NOT BE LOCATED BETWEEN ANY NETWORK REQUIRED PUBLIC OR PRIVATE STREET AND A BUILDING.

d. BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:

(i) BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FACADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF 2 FEET EXTENDING THROUGH AT LEAST A FULL FLOOR.

(ii) BALCONETS SHALL NOT BE USED AT THE STREET LEVEL ALONG NETWORK REQUIRED PUBLIC OR PRIVATE STREETS. PATIOS AND PORCHES, IF ANY, SHALL MAKE A CONNECTION TO THE SIDEWALK.

e. ARCHITECTURAL ELEVATION DESIGN – ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:

(i) BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FACADE FEATURES WHICH MAY INCLUDE, BUT NOT BE LIMITED TO, A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS.

(ii) BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FACADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS. SUCH BASE MAY BE EXECUTED THROUGH USE OF THE PREFERRED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FACADE FEATURES AND COLOR CHANGES.

(iii) BUILDING ELEVATIONS FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS, BUT TO LIMITED TO, BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.

f. ROOF FORM AND ARTICULATION – ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:

(i) LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE, BUT NOT BE LIMITED TO, GABLES, HIPS, DORMERS OR PARAPETS.

(ii) FOR PITCHED ROOFS, THE MINIMUM ALLOWED IS 4:12 EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS.

(iii) ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST STREET.

(g) THE PETITIONER WILL CONSTRUCT A PRIVACY FENCE AS PART OF THE BUFFER ALONG THE LOT LINE OF THE EXISTING SINGLE FAMILY HOMES AND WILL MAINTAIN THAT FENCE AS LONG AS THE LOT IS OCCUPIED BY A SINGLE FAMILY HOME. IF THE SINGLE FAMILY HOME IS REMOVED OR THE PROPERTY IS REZONED TO ACCOMMODATE NON-SINGLE FAMILY USES BEFORE OR AFTER THE DEVELOPER'S PROJECT IS CONSTRUCTED, THE PETITIONER RESERVES THE RIGHT TO NOT CONSTRUCT SUCH FENCE OR REMOVE THE FENCE WITHOUT ANY FURTHER ADMINISTRATIVE ACTION.

STREETSCAPE AND LANDSCAPING:

A 50' LANDSCAPE AREA TO MEET C CLASS PLANTING STANDARDS WILL BE LOCATED ALONG THE SOUTHERN PROPERTY LINE ADJACENT TO TAX PARCEL #S 02930129, 02930130 AND 02930131 AS DEPICTED ON THE REZONING PLAN. TREE SAVE AREAS MAY BE LOCATED WITHIN THE ESTABLISHED 50' LANDSCAPE AREA IN PLACE OF C CLASS TREE PLANTINGS WHERE FEASIBLE DURING PERMITTING.

ENVIRONMENTAL FEATURES:

a. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

b. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE.

c. THE DEVELOPMENT OF THE SITE SHALL BE CONSIDERED TO BE A PLANNED/UNIFIED DEVELOPMENT. ACCORDINGLY, THE TREE SAVE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE SHALL BE CALCULATED AND SATISFIED OVER THE ENTIRE SITE RATHER THAN WITHIN EACH INDIVIDUAL DEVELOPMENT AREA. AS A RESULT, EACH INDIVIDUAL DEVELOPMENT AREA SHALL NOT BE REQUIRED TO MEET THE TREE SAVE REQUIREMENTS OF THE ORDINANCE PROVIDED THAT THE SITE AS A WHOLE MEETS SUCH TREE SAVE REQUIREMENTS.

d. THE TREE SAVE AREAS DEPICTED ON THE REZONING PLAN ARE CONCEPTUAL AND THE ACTUAL LOCATIONS OF THE TREE SAVE AREAS ON THE SITE MAY VARY FROM WHAT IS DEPICTED ON THE REZONING PLAN. THE ACTUAL LOCATION OF THE TREE SAVE AREAS SHALL BE DETERMINED DURING THE SITE PLAN APPROVAL AND PERMITTING PROCESS.

PARKS, GREENWAYS, AND OPEN SPACE:

RESERVED

FIRE PROTECTION:

RESERVED

SIGNAGE:

RESERVED

LIGHTING:

a. FREESTANDING LIGHTING ON THE SITE WILL UTILIZE FULL CUT-OFF LUMINARIES.

PHASING:

RESERVED

INITIAL SUBMISSION- 4-2-19, 1.0

REVISED PER STAFF AND COMMUNITY COMMENTS 8-12-19

REVISED PER STAFF ANALYSIS- 10-25-19