



# Charlotte-Mecklenburg Planning Department

**DATE:** October 5, 2020

**TO:** Sonja Sanders  
Zoning Supervisor

**FROM:** Taiwo Jaiyeoba  
Planning Director

**SUBJECT:** Administrative Approval for Petition No. 2019-151 Longbranch Development

Attached is the revised site plan for the petition above. This request allows the modification of the proposed site plan as listed below. Since these changes do not alter the intent of the development and meets the requirements of the Charlotte Zoning Ordinance Section 6.207 Alterations to Approval, minor changes, I am administratively approving this plan. Please use these plans when evaluating requests for building permits and certificates of occupancy.

- Modification to the plan to not require a fence to adjacent existing institutional use.

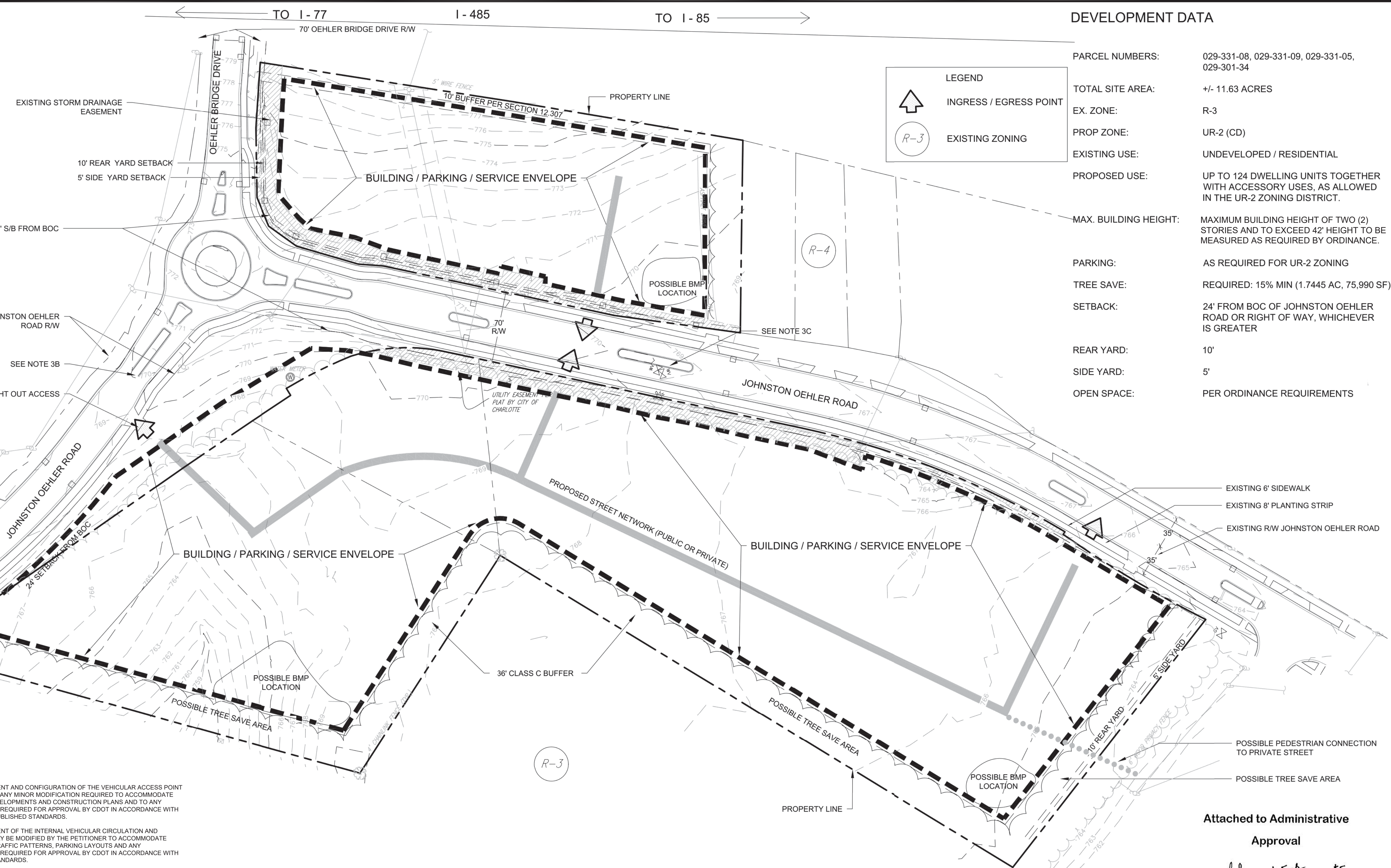
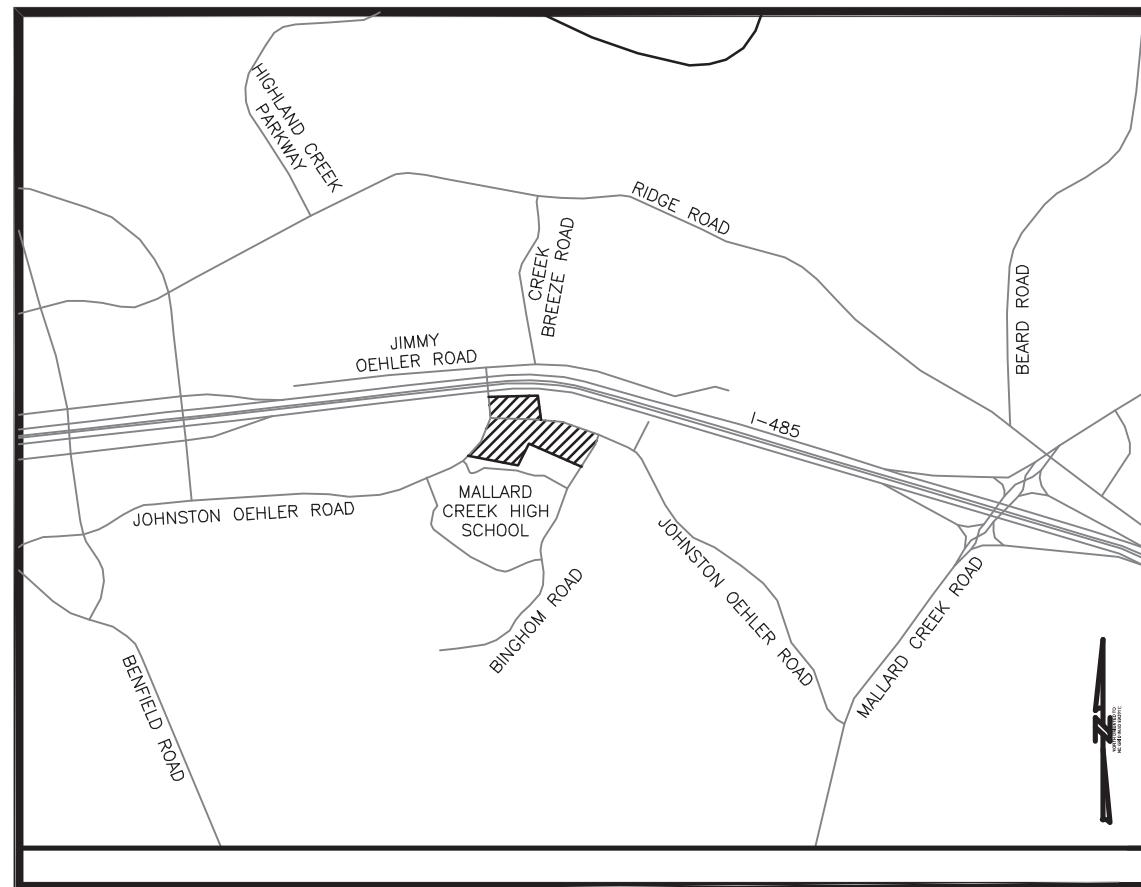
Staff supports of the request because:

- The site plan complies with the conditional notes and still meets the intent of the original approval by the City Council.

**Note:**

**All other Zoning, PCSO, Subdivision, Tree Ordinances and conditional requirements still apply.**

**Signage was not reviewed as part of this request.**



DEVELOPMENT DATA	
PARCEL NUMBERS:	029-331-08, 029-331-09, 029-331-05, 029-301-34
TOTAL SITE AREA:	+/- 11.63 ACRES
EX. ZONE:	R-3
PROP ZONE:	UR-2 (CD)
EXISTING USE:	UNDEVELOPED / RESIDENTIAL
PROPOSED USE:	UP TO 124 DWELLING UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE UR-2 ZONING DISTRICT.
MAX. BUILDING HEIGHT:	MAXIMUM BUILDING HEIGHT OF TWO (2) STORIES AND TO EXCEED 42' HEIGHT TO BE MEASURED AS REQUIRED BY ORDINANCE.
PARKING:	AS REQUIRED FOR UR-2 ZONING
TREE SAVE:	REQUIRED: 15% MIN (1,7445 AC, 75,990 SF)
SETBACK:	24' FROM BOC OF JOHNSTON OEHLER ROAD OR RIGHT OF WAY, WHICHEVER IS GREATER
REAR YARD:	10'
SIDE YARD:	5'
OPEN SPACE:	PER ORDINANCE REQUIREMENTS

**REZONING NOTES:**

**1. GENERAL PROVISIONS:**

A. SITE LOCATION: THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY LONGBRANCH DEVELOPMENT ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON APPROXIMATELY 11.63 ACRE SITE LOCATED ALONG JOHNSTON OEHLER ROAD (THE "SITE").

B. ZONING DISTRICTS/ORDINANCE: DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"), UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS. THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR UR-2 ZONING CLASSIFICATION SHALL GOVERN.

C. GRAPHICS AND ALTERATIONS: THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED IN THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.

SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS, THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

1. MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDMENT PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHT SET FORTH IN THE ORDINANCE.

**2. PERMITTED USES & DEVELOPMENT AREA LIMITATION:**

A. THE SITE MAY BE DEVELOPED WITH UP TO 124 RESIDENTIAL DWELLING UNITS, TOGETHER WITH ACCESSORY USES ALLOWED IN THE UR-2 ZONING DISTRICT.

B. THE PROPOSED RESIDENTIAL BUILDINGS AND DWELLING UNITS WILL BE DESIGNED AS SINGLE-FAMILY ATTACHED DWELLING UNITS (TOWNHOMES). EACH UNIT WILL HAVE 400 SQUARE FEET OF PRIVATE OPEN SPACE OR 10% OF THE SITE SHALL BE PROVIDED AS USABLE OPEN SPACE AS ALLOWED BY THE ORDINANCE. UNITS MAY BE RENTED OR SOLD.

C. PARKING SPACES OR PARKING LOTS WILL NOT BE LOCATED BETWEEN ANY OF THE PROPOSED BUILDINGS AND JOHNSTON OEHLER ROAD, HOWEVER, PARKING SPACES OR PARKING LOTS MAY BE LOCATED TO THE SIDE OF THE PROPOSED BUILDINGS.

**3. ACCESS AND TRANSPORTATION:**

A. ACCESS TO THE SITE WILL BE FROM JOHNSTON OEHLER ROAD IN A MANNER GENERALLY DEPICTED ON THE REZONING PLAN. VEHICULAR ACCESS TO OEHLER BRIDGE DRIVE WILL NOT BE ALLOWED.

B. THE PROPOSED WESTERN MOST ACCESS TO JOHNSTON OEHLER ROAD WILL BE LIMITED TO RIGHT-IN/RIGHT-OUT. THE PETITIONER WILL EXTEND THE EXISTING MEDIAN ON JOHNSTON OEHLER ROAD TO PROHIBIT LEFT TURN MOVEMENT INTO AND OUT OF THIS DRIVEWAY.

C. THE PETITIONER WILL REMOVE THE EXISTING MEDIANS LOCATED ON THE EASTWEST PORTION OF JOHNSTON OEHLER ROAD AND WILL RE-STRIPPE AREA FOR A TWO-WAY LEFT TURN LANE TO ALLOW FOR MORE STORAGE INTO THE TWO PROPOSED DRIVEWAYS. THE PETITIONER WILL WORK WITH CDOT TO CREATE A PEDESTRIAN CROSSWALK ON JOHNSTON OEHLER ROAD TO ALL RESIDENTS ON THE NORTH SIDE OF JOHNSTON OEHLER ROAD TO CROSS TO THE SOUTHERN SIDE.

D. THE PETITIONER RESERVES THE RIGHT TO INSTALL GATES AT THE PROPOSED DRIVEWAY CONNECTIONS TO JOHNSTON OEHLER ROAD, SUBJECT TO CDOT APPROVAL. GATES MAY BE INSTALLED IF THE PROPOSED INTERNAL PRIVATE DRIVE STREET IS NOT CONSIDERED A NETWORK REQUIRED STREET AND DOES NOT PROVIDE CONNECTIVITY TO THE ADJOINING PARCELS. THE DESIGN AND LOCATION OF THE PROPOSED GATES WILL BE SUBMITTED TO CDOT FOR REVIEW AND APPROVAL AS PART OF THE LAND DEVELOPMENT APPROVAL PROCESS FOR THIS SITE.

E. THE SITE'S FRONTAGE ON JOHNSTON OEHLER ROAD HAS ALREADY BEEN IMPROVED WITH A SIDEWALK AND A PLANTING STRIP. THE PETITIONER WILL MAINTAIN THESE EXISTING IMPROVEMENTS.

F. THE PETITIONER WILL PROVIDE A 10-FOOT-WIDE MULTI-USE PATH TO CONNECT THE SITE TO MALLARD CREEK REGIONAL PARK AS GENERALLY DEPICTED ON THE REZONING PLAN. THIS CONNECTION MAY BE GATED TO RESTRICT ACCESS TO RESIDENTS ONLY. CONNECTION TO THE PARK SHALL NOT BE REQUIRED IF THE ADJACENT PROPERTY OWNER (MECKLENBURG COUNTY) DOES NOT ALLOW THE CONNECTION.

G. THE SITE'S INTERNAL STREET WILL BE BUILT AS A PRIVATE OR PUBLIC STREET AND WILL BE CONSTRUCTED TO MEET THE SUBDIVISION REGULATIONS. THE PETITIONER RESERVES THE RIGHT TO REQUEST THE ELIMINATION OF A PORTION OF THE SIDEWALK LOCATED ON THE SOUTHERN EDGE OF THE INTERNAL PRIVATE STREET AS NOTED ON THE REZONING PLAN.

H. ALONG THE SITE'S INTERNAL PRIVATE STREET A SIDEWALK, A MINIMUM OF FIVE (5) FEET WIDE, WILL BE PROVIDED ON ONE OR BOTH SIDES OF THE PROPOSED PRIVATE STREET AS GENERALLY DEPICTED ON THE REZONING PLAN. SIDEWALKS ARE NOT REQUIRED ALONG THE PROPOSED INTERNAL ALLEYS.

I. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT IS SUBJECT TO ANY MINOR MODIFICATION REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENTS AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

J. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.

K. THE PETITIONER WILL DEDICATE VIA A FEE SIMPLE CONVEYANCE 35 FEET OF RIGHT-OF-WAY FROM THE CENTER LINE OF JOHNSTON OEHLER ROAD, IF NOT ALREADY IN PLACE, BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.

L. THE ROADWAY IMPROVEMENTS REQUIRED BY THE DEVELOPMENT OF THE SITE MUST BE SUBSTANTIALLY COMPLETED PRIOR TO THE ISSUANCE OF THE 30TH CERTIFICATE OF OCCUPANCY FOR THE SITE, SUBJECT TO THE ABILITY OF THE PETITIONER TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME THE 31ST CERTIFICATE OF OCCUPANCY IS ISSUED.

**4. ARCHITECTURAL STANDARDS, COURT YARDS/AMENITY AREAS:**

A. MAXIMUM HEIGHT OF THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE LOCATED ON SITE SHALL BE TWO (2) STORIES.

B. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: 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.

C. THE END UNITS WILL HAVE MULTIPLE WINDOWS ON THE END FACADES AND A COMBINATION OF LANDSCAPING MATERIALS TO CREATE VISUAL INTEREST AND AVOID BLANK WALLS.

D. THE PROPOSED GARAGE DOORS UTILIZED THROUGHOUT THE SITE WILL BE DECORATIVE STYLE DOORS. GARAGE DOORS VISIBLE FROM JOHNSTON OEHLER ROAD OR INTERNAL PRIVATE STREET WILL MINIMIZE VISUAL IMPACT BY PROVIDING ARCHITECTURAL TREATMENTS SUCH AS TRANSLUCENT WINDOWS OR PROJECTING ELEMENTS OVER THE GARAGE DOOR OPENING.

E. THE RESIDENTIAL DWELLING UNITS WITH FRONTAGE ON JOHNSTON OEHLER ROAD WILL HAVE THE APPEARANCE OF A FRONT DOOR ORIENTATION RATHER THAN A BACK PATIO DESIGN TO JOHNSTON OEHLER ROAD. EACH UNIT WILL HAVE A DOOR ORIENTED TOWARD JOHNSTON OEHLER ROAD THAT WILL ALSO BE CONNECTED TO JOHNSTON OEHLER ROAD VIA AN INDIVIDUAL SIDEWALK THAT WILL PROVIDE A PEDESTRIAN CONNECTION TO THE PROPOSED SIDEWALK ON JOHNSTON OEHLER ROAD.

F. RESIDENTIAL DWELLING UNIT ENTRANCES ALONG JOHNSTON OEHLER ROAD, SHALL BE AT OR SLIGHTLY ABOVE GRADE AND SHALL BE HIGHLY VISIBLE AND ARCHITECTURALLY TREATED AS A PROMINENT PEDESTRIAN ENTRANCE THROUGH A COMBINATION OF AT LEAST FOUR (4) OF THE FOLLOWING FEATURES: (i) DECORATIVE PEDESTRIAN LIGHTING/SCENES; (ii) ARCHITECTURAL DETAILS CARRIED THROUGH TO UPPER STORIES; (iii) COVERED PORCHES, CANOPIES, AWNINGS OR SUNSHADES; (iv) ARCHWAYS; (v) TRANSFORM WINDOWS; (vi) TERRACED OR RAISED PLANTERS THAT CAN BE UTILIZED AS SEAT WALLS; (vii) STOOP OR STAIRS; AND/OR (viii) CONTRASTING PAVEMENT FROM PRIMARY SIDEWALK.

G. ON THE INTERIOR OF THE SITE END UNITS THAT ABUT THE INTERNAL PRIVATE STREETS WILL HAVE MULTIPLE WINDOWS ON THE END FACADES AND A COMBINATION OF LANDSCAPING MATERIALS TO CREATE VISUAL INTEREST AND AVOID A BLANK STREET WALL.

H. THE PROPOSED BUILDINGS SHALL BE LIMITED TO SIX (6) UNITS OR LESS. HOWEVER, TO ALLOW A UNIT SHIFT AS GENERALLY DEPICTED ON THE REZONING PLAN, THE BUILDING LOCATED AT THE NORTHERN END OF THE SITE, ALONG JOHNSTON OEHLER ROAD, MAY HAVE UP TO SEVEN (7) UNITS.

I. METER BANKS WILL BE SCREENED FROM ADJOINING PROPERTIES AND FROM JOHNSTON OEHLER ROAD. CONDITIONED UPON LOCAL SERVICE PROVIDERS' ACCEPTANCE OF SUCH SCREENING TREATMENT.

J. HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AND FROM VIEW OF ADJACENT PROPERTIES AT GRADE.

K. THE SITE WILL CONTAIN PASSIVE OR ACTIVE AMENITIES IN THOSE LOCATIONS MORE PARTICULARLY IDENTIFIED ON THE REZONING PLAN.

L. BIKE RACKS, BENCHES AND OTHER SPECIALTY EQUIPMENT WILL BE INSTALLED NEAR THE DESIGNATED AMENITY AREAS OF THE COMMUNITY. SUCH SPECIALTY EQUIPMENT SHALL BE USED TO ENHANCE THE PEDESTRIAN EXPERIENCE.

M. SIDEWALKS WILL BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PUBLIC OR PRIVATE STREETS.

N. TO PROVIDE PRIVACY, ALL RESIDENTIAL ENTRANCES WITHIN 12 FEET OF THE SIDEWALK ALONG JOHNSTON OEHLER ROAD MUST BE RAISED FROM THE AVERAGE SIDEWALK GRADE A MINIMUM OF 24 INCHES.

**5. STREETScape, BUFFERS, YARDS, AND LANDSCAPING:**

A. A SETBACK OF 24 FEET AS MEASURED FROM THE FUTURE BACK OF CURB WILL BE PROVIDED ALONG JOHNSTON OEHLER ROAD AS GENERALLY

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NORTH CAROLINA  
PROFESSIONAL  
SEAL  
17582  
JAMES E. BREWER  
REGISTERED PROFESSIONAL ENGINEER

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NO.	DATE	REVISION	BY

PLANNING REVIEW

JOHNSTON OEHLER TOWNHOMES

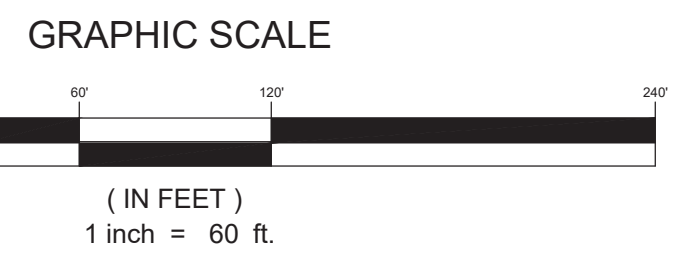
CHARLOTTE, NC

PACE DEVELOPMENT GROUP

PROJECT INFORMATION

PROJECT MANAGER:	DEB
DESIGNED BY:	JWF
DRAWN BY:	MSS
PROJECT NUMBER:	1002.400
ORIGINAL DATE:	09/15/2020

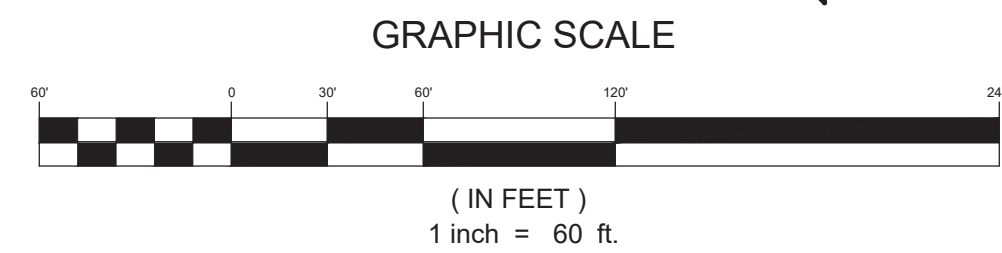
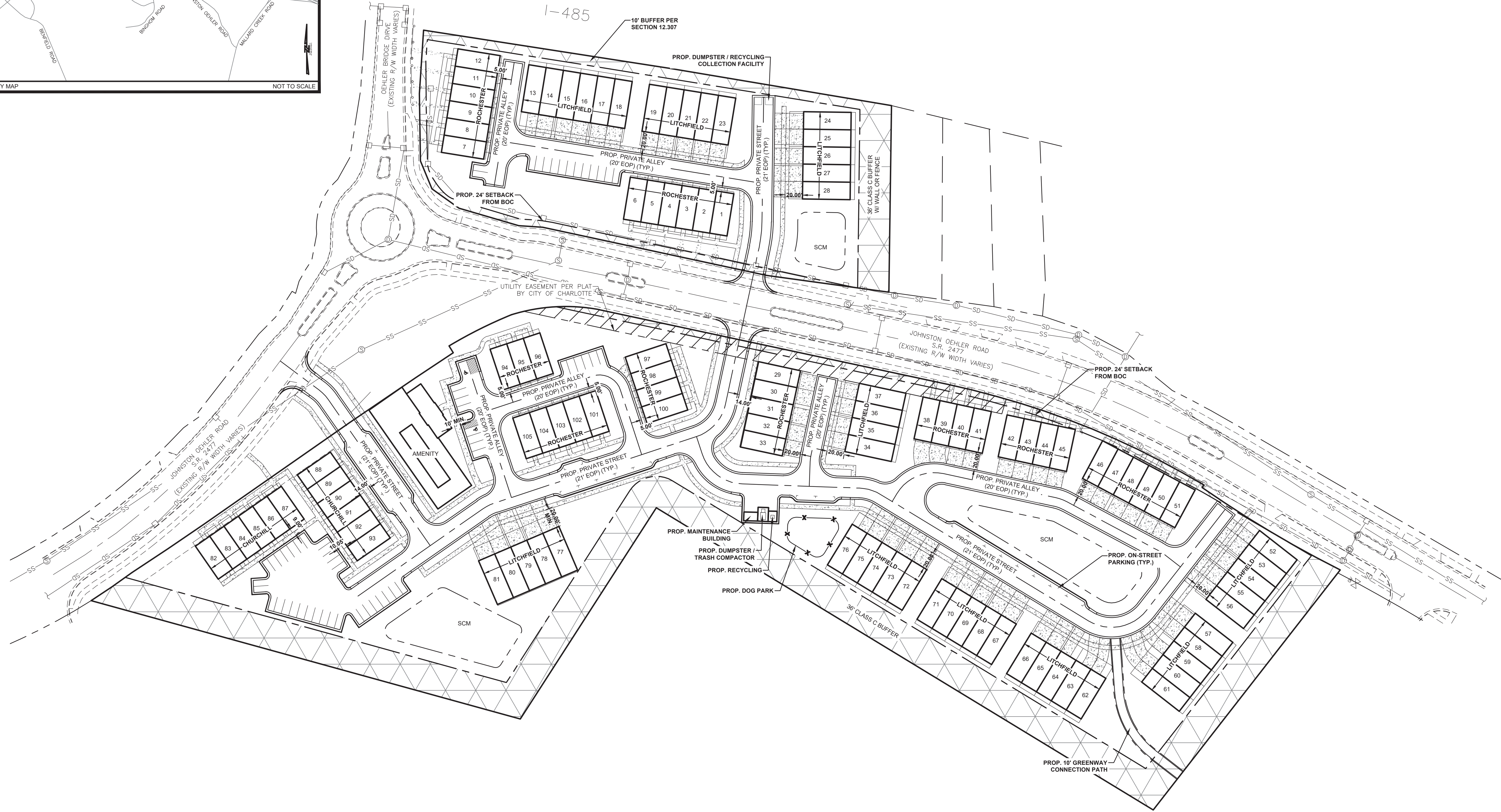
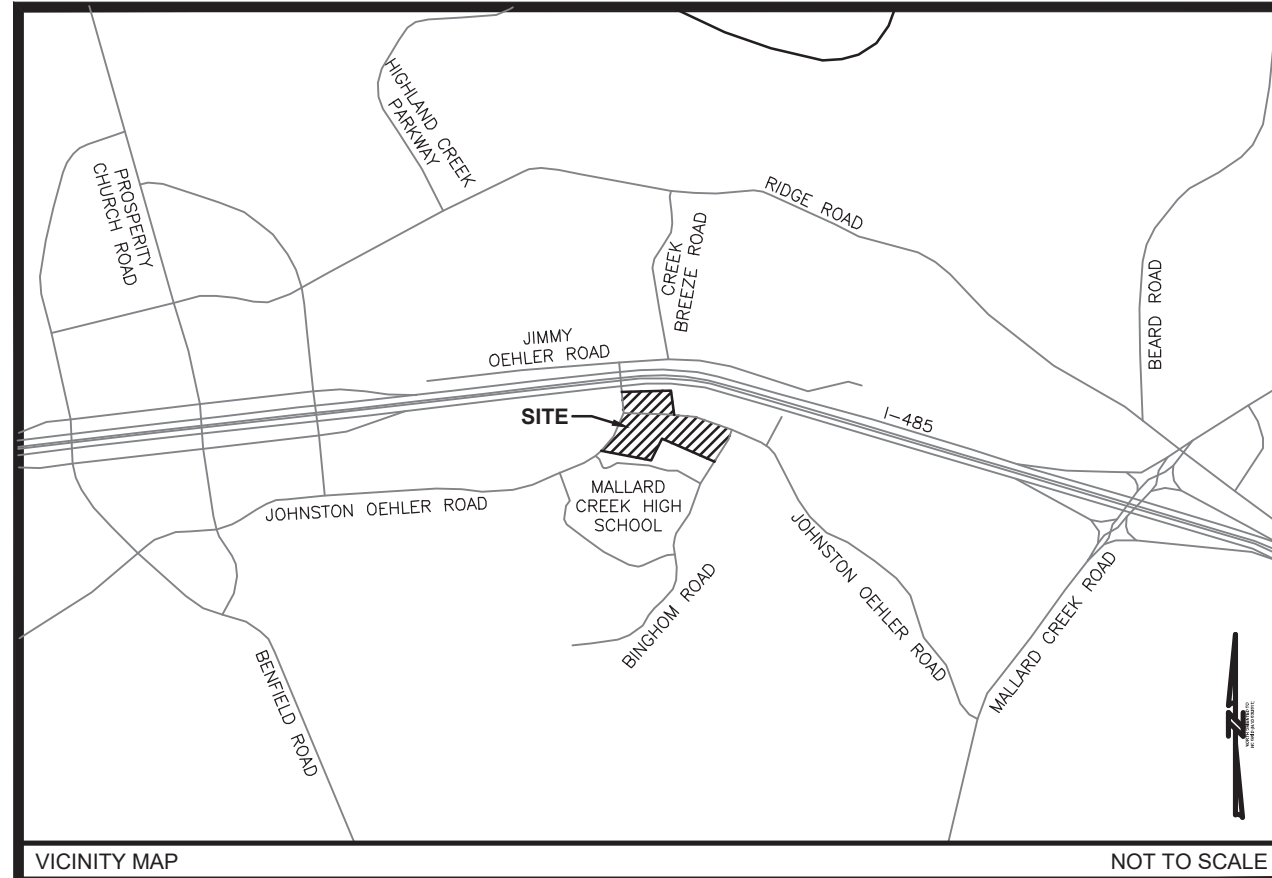
SHEET: **RZ-1.0**



Attached to Administrative Approval

*Solomon A. Fortune*

Solomon A. Fortune



NO.	DATE	REVISION	BY

OVERALL SITE PLAN  
JOHNSTON OEHLER TOWNHOMES  
PACE DEVELOPMENT GROUP  
CHARLOTTE, NC

PROJECT INFORMATION	
PROJECT MANAGER:	DEB
DESIGNED BY:	JWF
DRAWN BY:	MSS
PROJECT NUMBER:	1002.400
ORIGINAL DATE:	07/09/2020
SHEET:	<b>C-2.0</b>