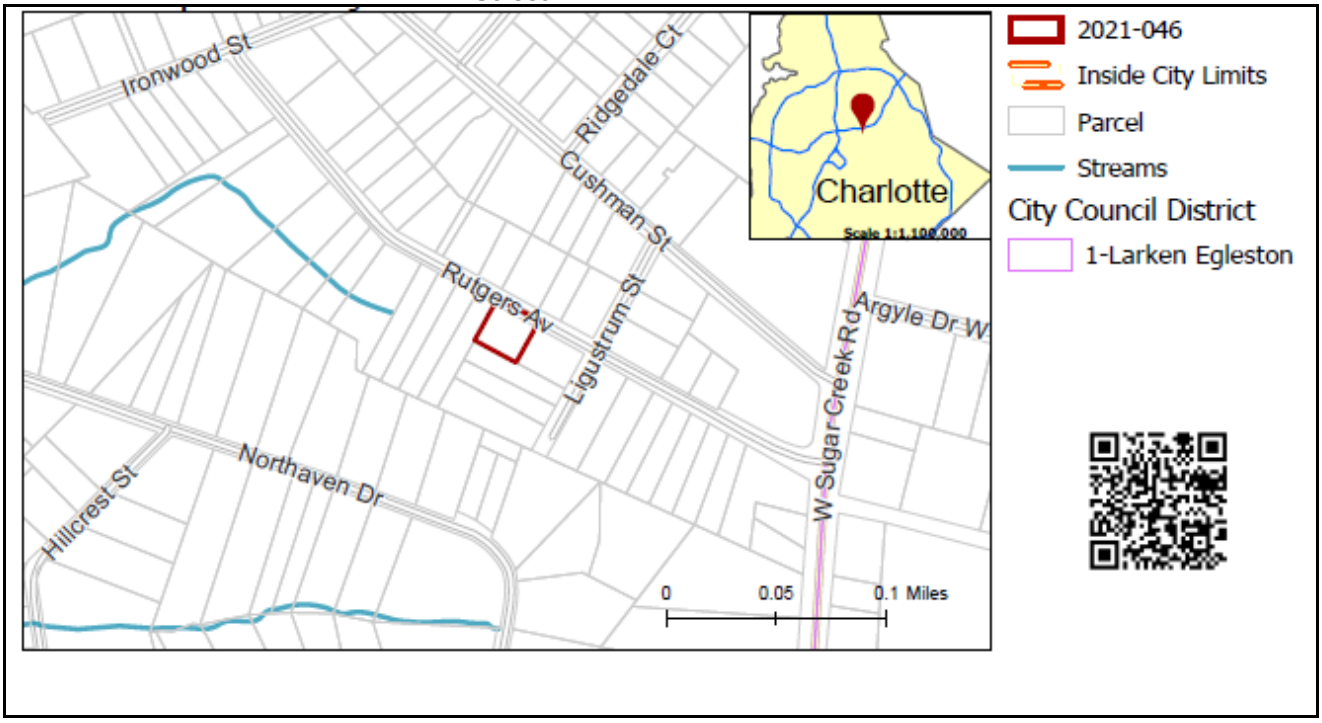
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2021-046
Post-Hearing Staff Analysis
July 6, 2021

REQUEST	Current Zoning: R-4 (single family residential) Proposed Zoning: UR-1(CD) (urban residential, conditional)
LOCATION	Approximately 0.26 acres located along the south side of Rutgers Avenue, west of West Sugar Creek Road, and north of North Tryon Street.



SUMMARY OF PETITION	The petition proposes to allow up to three single family detached dwelling units and any accessory uses in the UR-1 zoning district for a density of 11.39 dwelling units per acre.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Aloha Properties SC, LLC Alenky Family Foundation David W. Murray, The Odom Firm, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1

STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition **is inconsistent** with the *Central District Plan (1993)* land use designation of single family residential up to 4 dwelling units per acre, but **consistent** with the *General Development Policies*, which supports the requested residential density up to 17 dwelling units per acre (DUA). <u>Rationale for Recommendation</u> • This petition proposes to subdivide parcel 08705203 to build a maximum of three single family dwelling units, for a density of 11.39 DUA.

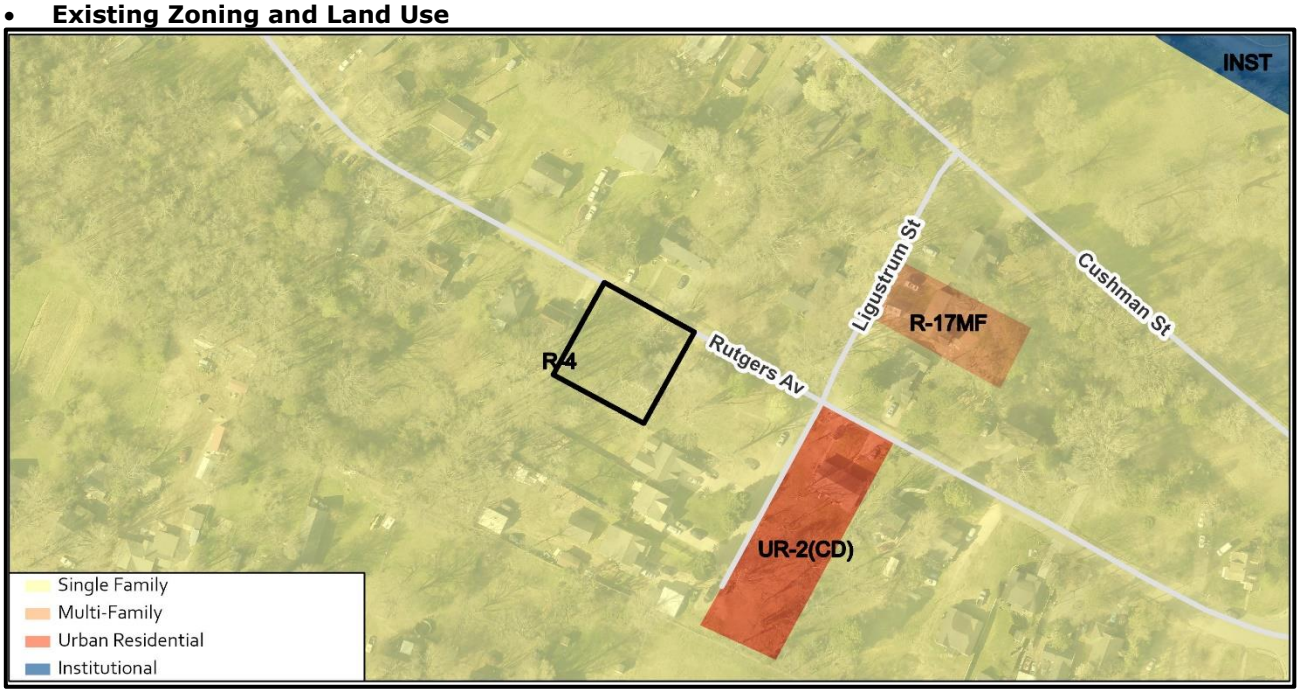
- The *General Development Policies* (GDP) provide policy guidance for evaluating proposed residential densities greater than four units per acre. The petition's request for residential up to 12 DUA is less dense than the *General Development Policies* support of up to 17 dwelling units per acre.
- This petition helps to fulfill the *Central District Plan (1993)* goal of increasing the supply of compatible infill housing, especially in vacant and underutilized properties.
- This petition proposes single family detached housing, which is appropriate and compatible with the character of the surrounding single-family neighborhood that contains primary detached housing.

The approval of this petition will revise the adopted future land use, as specified by the *Central District Plan (1993)*, from Single Family <= 4 DUA to Residential <= 12 DUA for the site.

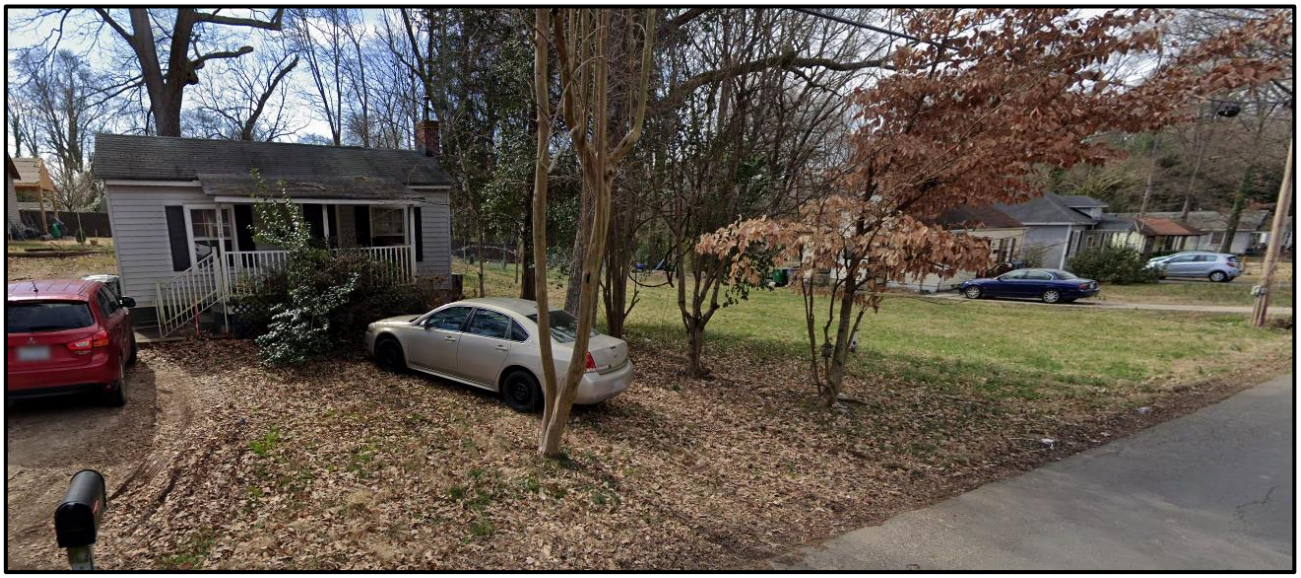
PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allows up to three single family detached dwelling units.
  - Provides an 8-foot planting strip, 6-foot sidewalk, and right-of-way dedication along the site frontage.
  - Commits to match the setback of existing homes on the same block frontage.
  - Provides walkways to connect all residential entrances to sidewalks along public and private streets.
  - Architectural details:
    - Usable porches and stoops will form a predominant feature of the building design and be located on the front and/or side of the building.
    - Garage doors visible from public or private streets will minimize the visual impact 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.
    - Pitched roofs, if provided, will be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.

- **Existing Zoning and Land Use**

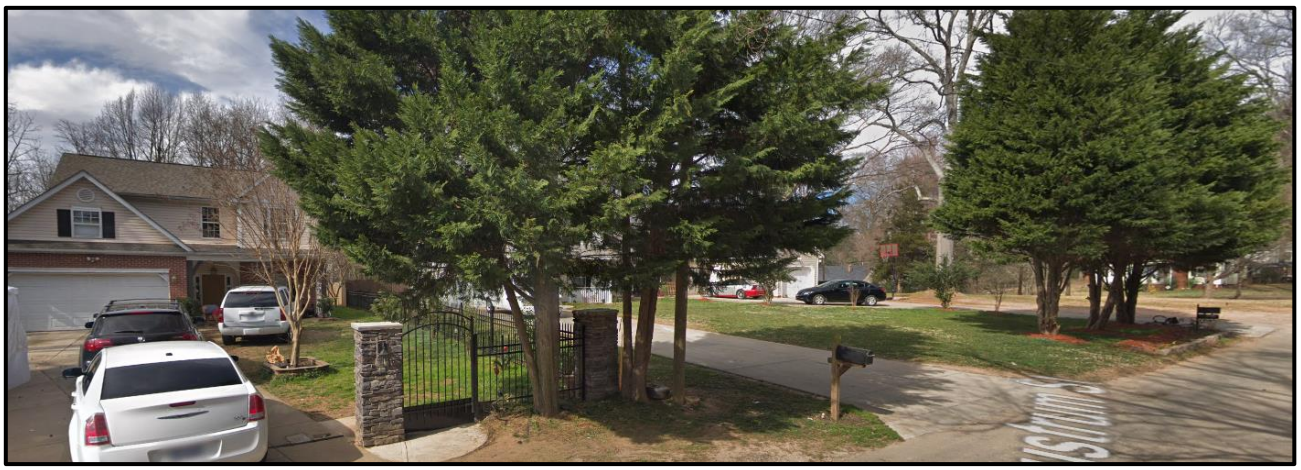


The surrounding land uses include single family and multifamily uses.



The subject property is developed with a single-family home.

The property to the north along Rutgers Avenue is developed with a single-family home.



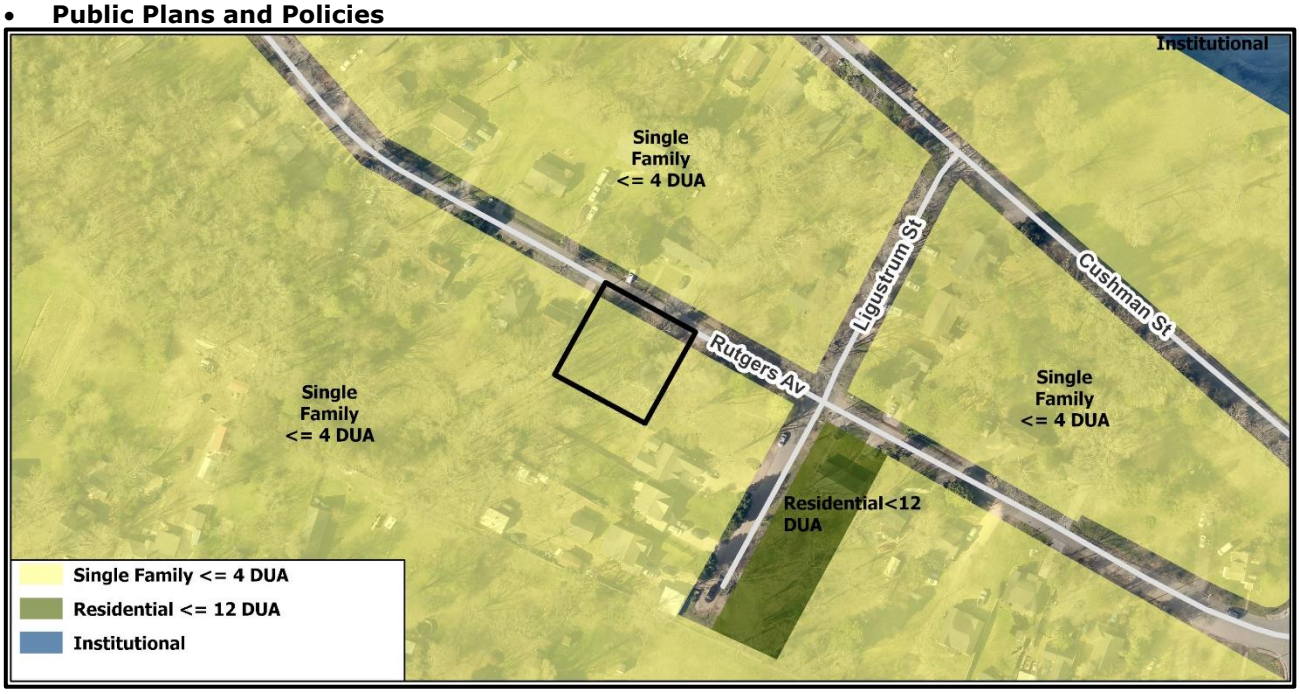
The property to the south and east along Ligustrum Street is developed with single-family homes.

The property to the west along Rutgers Avenue is developed with single-family homes.

- **Rezoning History in Area**

Petition Number	Summary of Petition	Status
2020-031	Rezoned 3.1 acres to a conventional district (INST) in order to allow all uses permitted by right and under prescribed conditions.	Approved
2020-138	Rezoned 0.47 acres to allow a new duplex and the retention of an existing duplex.	Approved

- **Public Plans and Policies**



- The *Central District Plan (1993)* calls for Single Family up to 4 DUA.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the General Development Policies locational criteria for consideration of over 12 dwellings per acre as illustrated in the table below.

Assessment Criteria	**Density Category – up to 12 dua**
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	3
Connectivity Analysis	3
Road Network Evaluation	1
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 12	**Total Points: 14**

- **TRANSPORTATION SUMMARY**
  - The site is located on Rutgers Avenue, a City-maintained local street that stems off Sugar Creek Road. The petitioner has committed to providing an 8-foot planting strip, 6-foot sidewalk, and right-of-way dedication along the rezoning site frontage, in accordance with City Ordinances. All CDOT items are addressed.
  - **Active Projects:**
    - None
  - **Transportation Considerations**
    - No outstanding issues.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 10 trips per day (based on 1 single family dwelling).
    Entitlement: 10 trips per day (based on 1 single family dwelling).
    Proposed Zoning: 15 trips per day (based on 3 single family dwelling units).

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

- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate zero students, while the development allowed under the proposed zoning may produce one student. Therefore, the net increase in the number of students generated from existing zoning to proposed is one student.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Highland Renaissance Academy remains at 74%.
    - Martin Luther King, Jr. Middle remains at 94%.
    - Garinger High remains at 117%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Rutgers Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Rutgers Avenue. See advisory comments at www.rezoning.org
- **City Arborist:** No comments submitted.
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **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:** No outstanding issues.

REQUESTED TECHNICAL REVISIONS

Site and Building Design

~~1. Remove the word "attached" in development note B. 2.~~ Addressed

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

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