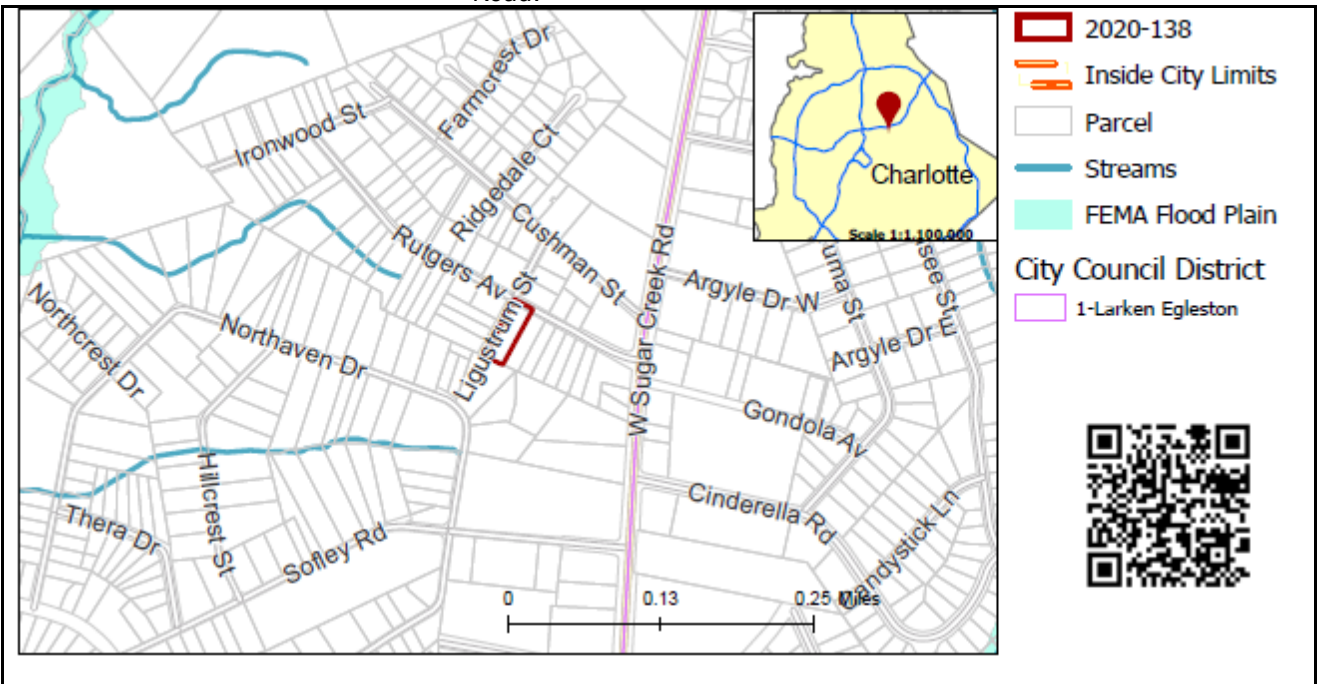


REQUEST

Current Zoning: R-4 (single family residential)
 Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 0.472 acres located along the south side of Rutgers Avenue, the east side of Ligustrum Street, and west of Sugar Creek Road.



SUMMARY OF PETITION

The petition proposes redevelopment of the site to allow a new duplex and the retention of an existing duplex with a density of 8.4 dwelling units per acre.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

Nevins Holdings Group, LC
 Rosemary Burt
 Rosemary Burt

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 transportation.

Plan Consistency

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 12 dwelling units per acre.

Rationale for Recommendation

- This petition proposes to construct an additional duplex on the site, for a total of four dwelling units and a density of 8.4 dwelling units per acre (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 much less dense than the General Development Policies support of up to 17 dwelling units per acre.
- The construction of an additional duplex in this area is appropriate for the character of the neighborhood, as several other duplexes are present along Ligustrum street.
- While inconsistent with the *Central Area Plan* recommendation of single-family residential up to 4 DUA, this petition is appropriate in fulfilling the area plan's goals to increase the supply compatible infill housing, especially in vacant and underutilized properties.

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

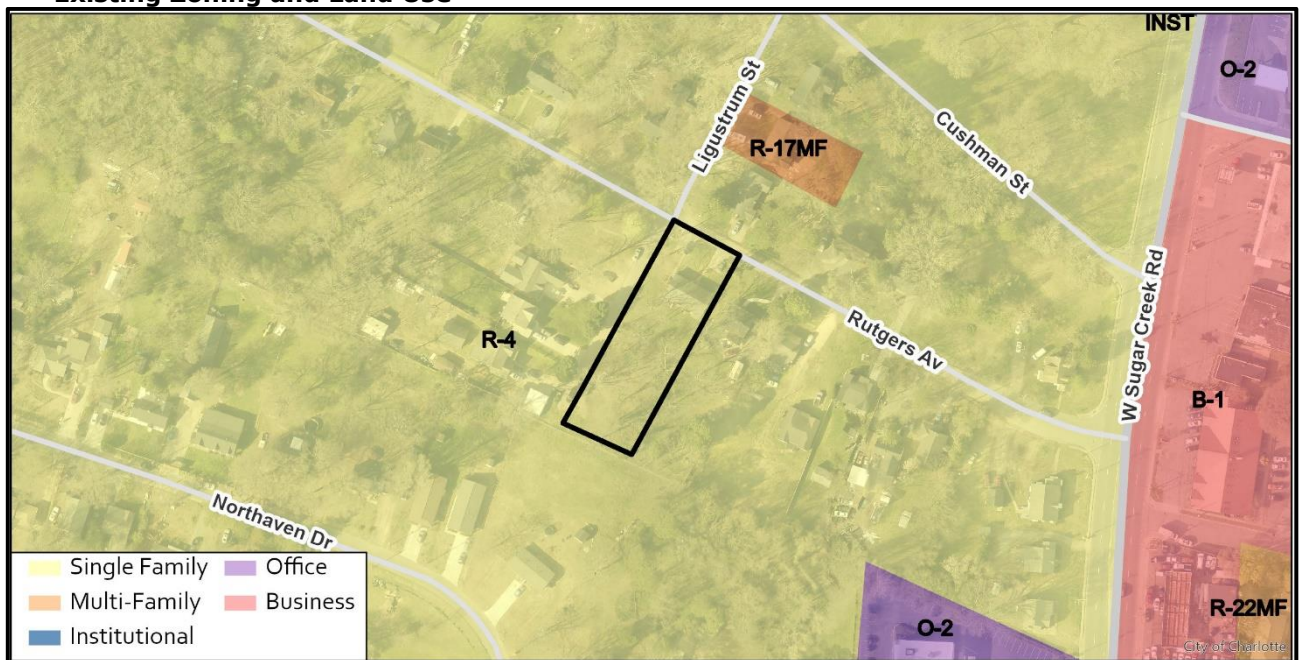
PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows construction of a new duplex and retains the existing duplex for a total of 4 units.
- Commits to a 6-foot side walk along Ligustrum Street and Rutgers Avenue.
- Dedicates right-of-way along Ligustrum Street.
- Provides a privacy fence for a portion of the eastern property line.
- Provides a vegetative screen between the two duplexes.

- **Existing Zoning and Land Use**



The subject property contains an existing duplex. The surrounding land uses include single family dwelling units and multi-family dwelling units.



The subject property denoted with a red star.



The existing duplex.



The property to the west along Ligustrum Street is developed with single-family homes.



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



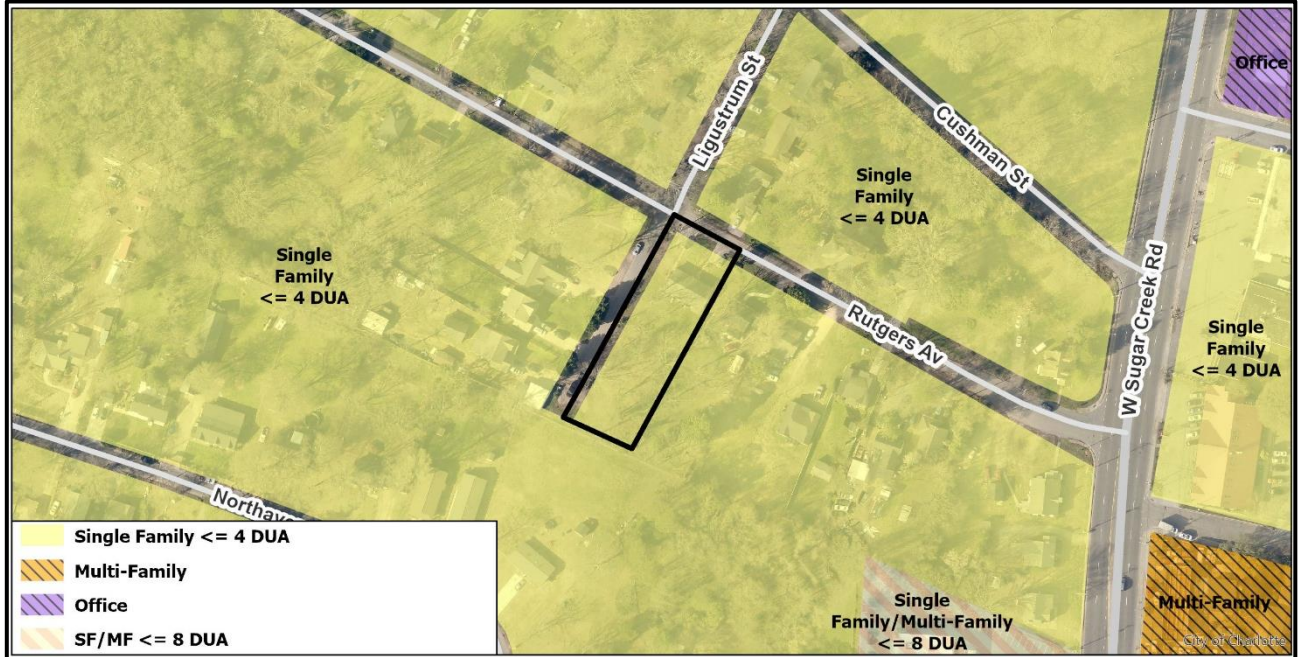
The property to the north along Rutgers Avenue is developed with a duplex.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-154	Rezoned 4.48 acres to allow up to 50 multi-family dwelling units and retention of an existing single-family dwelling unit for reuse as a civic facility.	Approved
2020-031	Rezoned 3.1 acres to allow all uses permitted in the Institutional zoning district.	Approved

- **Public Plans and Policies**



- The *Central District Plan (1993)* calls for Single Family Residential up to 4 DUA for this site.
- 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 up to 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	3
Land Use Accessibility	3
Connectivity Analysis	2
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 adjacent to Rutgers Avenue (City-maintained, local street) and Ligustrum Street (City-maintained, local street). Site plan revisions are needed to meet ordinance requirements and the outstanding items including, but not limited to providing an 8-foot minimum planting strip along Rutgers Avenue and Ligustrum Street and providing two accessible ramps at the intersection of Rutgers Avenue and Ligustrum Street to meet accessibility requirements.
- **Active Projects:**
 - There are no active projects in the immediate area.
- **Transportation Considerations**
 - See Outstanding Issues, Notes 1-4.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 15 trips per day (based on 1 duplex).
 - Entitlement: 15 trips per day (based on 1 duplex).
 - Proposed Zoning: 30 trips per day (based on 2 duplexes).

DEPARTMENT COMMENTS (see full department reports online)

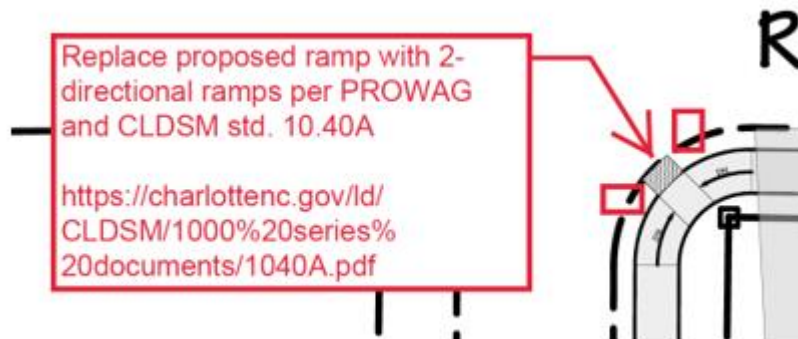
- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.

- **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 zero students. Therefore, the net increase in the number of students generated from existing zoning to proposed is zero students.
 - 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. remains at 98%.
 - Garinger High remains at 122%
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Rutgers Ave. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Rutgers Ave. See advisory comments at www.rezoning.org
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** See advisory comments at www.rezoning.org
 - **Urban Forestry:** See Outstanding Issues, Note 5. Addressed
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, on Rutgers Avenue and Ligustrum Street, per Chapter 19 of the City Code and required within Chapter 9 of the Zoning Ordinance.
2. Add site plan note(s) specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued. CDOT requests rights of way set at 2 feet behind back of sidewalk where feasible. Addressed
3. Add site plan note specifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes. Addressed
4. Revise site plan and conditional note(s) to commit to providing two accessible ramps at the intersection corner of Rutgers Avenue and Ligustrum Street. Addressed



REQUESTED TECHNICAL REVISIONS

Environment

5. Add note that site must comply with the City of Charlotte tree Ordinance. Addressed

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

Planner: Michael Russell (704) 353-0225