

BOARD OF ALDERMEN
AGENDA ITEM ABSTRACT

ITEM NO. **B(2)**

MEETING DATE: Tuesday, May 18, 2004

**TITLE: REQUEST-TO-SET: Public Hearing on Rezoning of Bright, Wheeler,
Fowler Property**

DEPARTMENT: PLANNING	PUBLIC HEARING: YES __ NO <u>X</u>
ATTACHMENTS: A. Resolution B. Map showing property location C. Rezoning Petition D. Excerpt of Section 15-135 of the Land Use Ordinance	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327

PURPOSE

Don Fraley of M/I Homes, contract purchaser, has submitted a petition to rezone 17 acres of a 49-acre tract owned by the Bright, Wheeler, and Fowler families from Rural Residential to Residential, 20,000 square feet per unit. The Administration recommends that the Board of Aldermen set a public hearing for review of this matter on June 22, 2004 and refer the petition to Planning Board for recommendations.

INFORMATION

The Bright, Wheeler, Fowler property is currently split zoned. A map showing the location of the property, the current zoning district boundaries, and the jurisdictional boundaries in the vicinity is attached (*Attachment B*). The 17-acre portion of the property is located north and east of Buckhorn Branch, a tributary of Bolin Creek and south of the tracts purchased by the County for park and school development. The petitioner is requesting that the zoning of the 17-acre portion of the tract be changed from R-R to R-20. The remainder of the 49-acre tract is zoned R-20. The petition (*Attachment C*) includes the following comments in support of the requested rezoning:

- The uses within R-20 are consistent with those in the R-R zoning district.
- The property is peculiarly suited for the requested rezoning since half of the property is currently zoned R-20 and the change would allow higher density development adjacent to the proposed county park and school site.
- The rezoning would have no negative impacts on adjoining property values.
- The property was annexed in January 2004 and is more suitable to development at the R-20 density level rather than R-R, where less intensive development is expected.

The principal change associated with this rezoning is the increase in permitted density. The density in the Rural Residential (R-R) is 43,560 square feet per dwelling unit and in the R-20 is 20,000 square feet per dwelling unit. An excerpt of Section 15-135, Residential Districts Established, describing these zones is attached (*Attachment D*). There are some changes in permitted uses, as well. These changes are summarized in the following table.

	Residential	Education	Recreation	Institution	Animal	Emerg Svcs	Ag	Misc	Utility	Cemetery/ Crematori um	Comm. G'house
R-R	23*	4*	4*	1*	2*	4	4*	2*	2*	1*	2*
R-20	22	3	3	0	0	4	3	0	1	0	1
Add'l Use(s)	*Temporary Home for Homeless	*College and related facilities	*Riding Stable	*Nursing Care Institution	*Vet, Kennel	-	Ag w/ livestock	*Airport, Landfill	CATV satellite station	*Cemeter y	On- premises sales

It is necessary for the Board of Aldermen to hold public hearings, submit the petition and application for Planning Board recommendations and receive comment before making a decision. The Board of Aldermen will likely also wish to request recommendations from the Transportation Advisory Board, Environmental Advisory Board, Appearance Commission, and Northern Transition Area Advisory Committee. A public hearing date of June 22, 2004 has been identified.

FISCAL IMPACT

Public hearing costs are covered by application fees and the provision of materials (envelopes, stamps, et cetera) by the applicant.

ADMINISTRATION'S RECOMMENDATION

The Administration recommends that the Board of Aldermen adopt the resolution (*Attachment A*) that sets a public hearing date of June 22, 2004 and refers the rezoning petition to the Planning Board for review.

Attachment A

A RESOLUTION CALLING A PUBLIC HEARING ON WINMORE VILLAGE MIXED USE CONDITIONAL USE DISTRICT AND WINMORE VILLAGE MIXED USE ARCHITECTURALLY INTEGRATED SUBDIVISION

WHEREAS, the Carrboro Board of Aldermen must receive public comment on requests for rezonings and applications for conditional use permits; and

WHEREAS, Winmore Land Management, LLC has submitted a petition for rezoning and an application for a conditional use permit for the Winmore Village Mixed Use development.

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen calls a public hearing on May 27, 2003 to receive public comment on these requests;

BE IT FURTHER RESOLVED that the rezoning petition and the application for a conditional use permit be referred to the Planning Board for recommendations.

This is the 6th day of May in the year 2003.