

BOARD OF ALDERMEN
AGENDA ITEM ABSTRACT

ITEM NO. B(3)

MEETING DATE: June 22, 2004

**TITLE: Public Hearing: rezoning petition for a portion of the Bright, Wheeler,
Fowler tract**

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <u>X</u> NO <u> </u>
ATTACHMENTS: A. Rezoning Ordinance B. Rezoning Petition C. Map – location of Bright, Wheeler, Fowler property D. Staff Report E. Certification Letter F. Planning Board recommendation	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327

PURPOSE

The Town has received and accepted a petition for rezoning a 17.5 acre portion of 49-acre tract located on the eastern side of Old NC 86 north of the Calvander intersection from R-R to R-20.

INFORMATION

Don Fraley of M/I Homes, contract purchaser, has submitted a petition to rezone a portion of the Bright, Wheeler, Fowler property located off Old NC 86 (*Attachments B and C*). M/I Homes has been working with the John R. McAdams Company to create a development plan for the site. Town staff reviewed a concept plan for the property in the winter of 2003. Since the requested rezoning constitutes a minor map amendment, it is not possible for the Board to consider the particulars of a development plan in evaluating the appropriateness of the rezoning. Rather, the Board of Aldermen must decide whether the rezoning advances the community's health, safety, and welfare.

A staff report has been prepared (*Attachment D*).

Notice requirements have been met, per Section 15-323 of the Land Use Ordinance. A letter certifying the mailed notice for property owners and residents within 1,000 feet of the property is attached (*Attachment E*). The rezoning request was reviewed by the Planning Board on June 10 and June 17 and a recommendation is attached (*Attachment F*).

FISCAL IMPACT

The subject property is located within the Town limits. The density under R-20 is over twice that permitted in the R-R and the development yield would increase with rezoning of the 17.5-acre portion of the tract. The increased density could result in a greater tax base potential than is available under the current zoning.

ADMINISTRATION'S RECOMMENDATION

The Administration recommends that the Board of Aldermen adopt the ordinance that rezones a portion of the Bright, Wheeler, Fowler tract from R-R to R-20.