



## Legislation Text

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**File #:** 17-449, **Version:** 1

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### **TITLE:**

Request-to-set Public Hearings for Voluntary Annexation and Conditional Rezoning at 905 & 921 Homestead Road

**PURPOSE:** The Town has received petitions to voluntarily annex and to rezone property at 905 and 921 Homestead Road, also known as the Hutchins property. The requested rezoning to R-10-Conditional (R-10-CZ) would allow subsequent submittal of an application to develop an Architecturally Integrated Subdivision (AIS). The Board must receive public comment before considering these petitions. Resolutions setting public hearings are provided for the Board's use.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Christina Moon - 919-918-7325; Patricia McGuire - 919-918-7327; Bob Hornik - 919-929-3905; Marty Roupe - 919-918-7333

**INFORMATION:** The Town has received petitions for voluntary annexation and rezoning from Parker Louis, LLC related to two parcels, totaling just under 4.8 acres, along the south side of Homestead Road. The rezoning petition seeks to amend the zoning map for these properties from R-15 to R-10-Conditional (R-10-CZ) for the purpose of developing a twenty-lot Architecturally Integrated Subdivision (AIS). The parcels, shown on the attached vicinity map (*Attachment B*) may be more specifically identified as Orange County PIN #9779-27-6322 and 9779-27-8209. Should the Board approve the rezoning, the applicants would follow with an application for a Conditional Use Permit.

Materials submitted by the applicant (*Attachments C and D*) include the formal petition for annexation, petition for change of zoning and answers to the four-part question seven, a short narrative of the project, and a conceptual site plan. Draft conditions are provided as (*Attachment E*), and it is anticipated that these may be further refined during advisory board review and the public hearing process.

The Board of Aldermen must receive public comment before taking action on a petition for voluntary annexation (*Attachment G*) before adopting map amendments to the Land Use Ordinance. Planning Board review of the map amendment is also needed. Section 15-141.4 of the Land Use Ordinance, Conditional Zoning Districts, describes the procedure for the Board to consider a conditional rezoning and Section 15-322 describes the role of the Planning Board and other advisory boards in the review of rezonings (*Attachment F*).

The process for considering the petitions would be to hold both public hearings sequentially on the same night. The Board would open the hearing for the annexation first, followed by the rezoning.

**FISCAL & STAFF IMPACT:** The petitioner has submitted materials and fees, where applicable, for reviewing and processing these requests, including envelopes for mailed notice. Staff time will be necessary for public notice and agenda preparation for the public hearings.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen consider the attached resolution (*Attachment A-1*) setting a public hearing on April 24, 2018 on the voluntary annexation petition and the attached resolution (*Attachment A-2*) setting a public hearing on April 24, 2018 on the map amendment and referring the petition for change of zoning to the Planning Board and other advisory boards as appropriate.