



## Legislation Text

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**File #:** 17-545, **Version:** 1

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### **TITLE:**

Public Hearing for Conditional Rezoning at 905 & 921 Homestead Road

**PURPOSE:** The purpose of this item is for the Board to provide an opportunity for public comment on a request to rezone property at 905 and 921 Homestead Road to R-10-CZ.

**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 a request from Parker Louis, LLC (Adam and Omar Zinn) to amend the official zoning map for two parcels, located along the south side of Homestead Road, from R-15 (Residential, 15,000 square feet per dwelling unit) to R-10-CZ (Residential, 10,000 square feet per dwelling unit, conditional) for the purpose of developing a twenty-lot Architecturally Integrated Subdivision (AIS). Totalling just under 4.8 acres combined, the parcels are shown on the attached vicinity map (*Attachment C*) and may be more specifically identified as Orange County PINs 9779-27-6322 and 9779-27-8209. Should the Board approve the rezoning, the Zinns would follow with an application for a Conditional Use Permit (CUP).

Materials submitted by the applicant include the petition for change of zoning and answers to the four-part question seven, a short narrative of the project, and a conceptual site plan (*Attachments D, E and F*). Proposed conditions are incorporated into the draft ordinance for rezoning (*Attachment B*) and are referenced in the staff memo. The applicants held a neighborhood information meeting on the project on September 15, 2017 and have provided the NIM form; NIMs are not required for conditional rezonings. The applicant has also submitted a petition for voluntary annexation, which is being considered as a separate agenda item.

The Board of Aldermen must receive public comment before adopting map amendments to the Land Use Ordinance. 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. Excerpts from the LUO are included in the staff memo.

The rezoning proposal was presented at the Joint Review meeting on May 3<sup>rd</sup>. At the meeting, the applicant provided information regarding a possible alternative design that included a minor modification to the east-west internal street intended to protect the large Oak tree on the adjacent property to the west. The image is included as part of the illustrative site plan, (*Attachment E-2*). Advisory board comments are provided (*Attachment I*).

**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 finding consistency (*Attachment A*), and the draft ordinance for the rezoning (*Attachment B*).