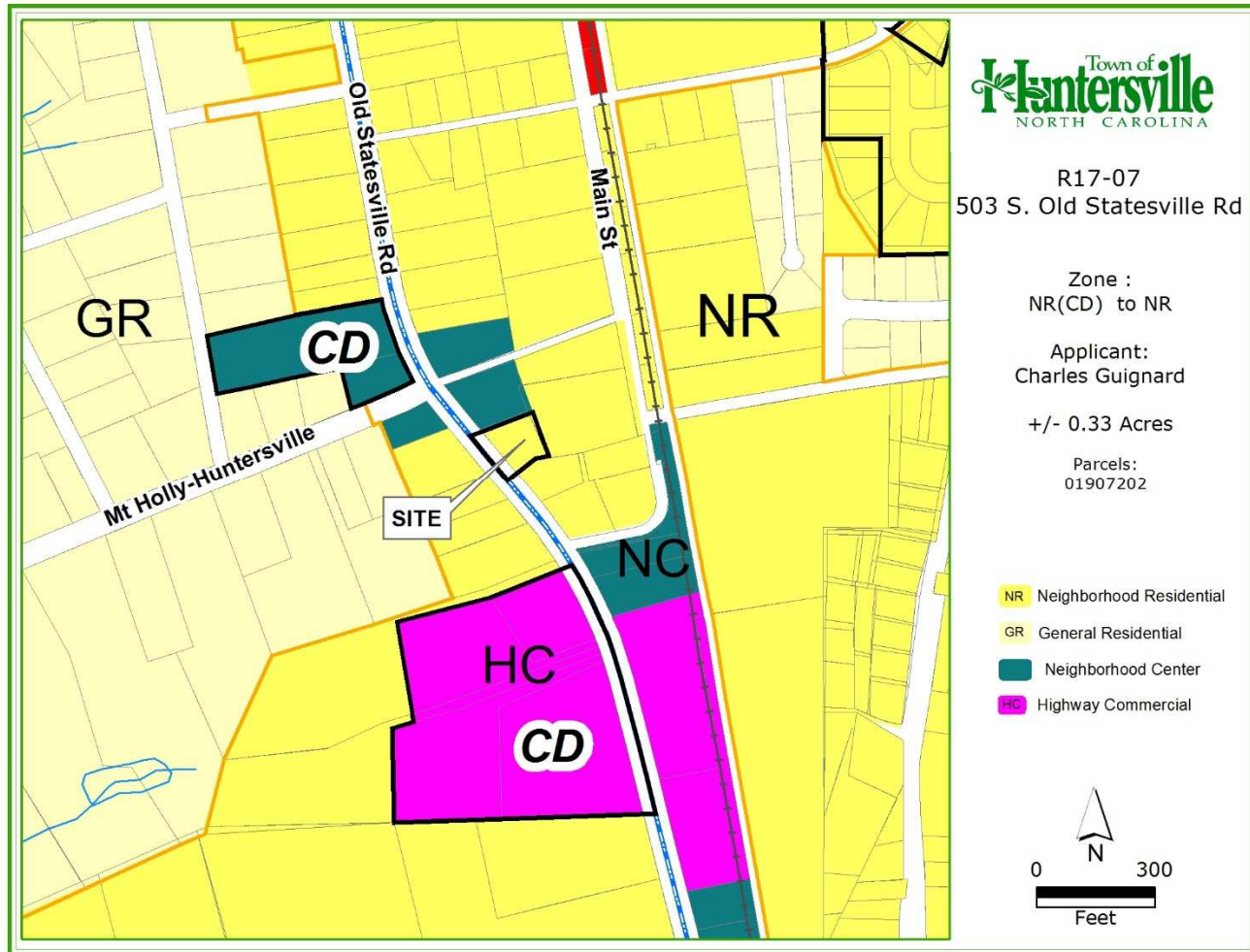


## Petition R17-07 503 South Old Statesville Road

### PART 1: SUMMARY



1. On March 17, 1992 the Board of Commissioners approved a request by Diane Maye and Walton Neil to rezone 503 S. Old Statesville Rd from R-3 to R-8MF(CD) to allow for a conversion of a Single Family home to a Duplex with the conditions that no exterior structural changes would be made. During the 1996 Zoning Ordinance rewrite the property was reclassified to Neighborhood Residential Conditional District (NR-CD), as this was the category that allowed for Duplex buildings. The applicant is requesting a general rezoning from Neighborhood Residential Conditional District (NR-CD) to Neighborhood Residential (NR), which would allow for the Duplex to remain and remove the conditions of no exterior changes. Also all uses within Neighborhood Residential (NR) would be allowed by-right if the rezoning is approved.
2. Adjoining Zoning and Land Uses.  
North: *Neighborhood Center (NC):* Old Ford Place  
South: *Neighborhood Residential (NR):* Duplex Homes  
East: *Neighborhood Residential (NR):* Single Family Home  
West: *Neighborhood Residential (NR):* Single Family Home
3. Notice for this rezoning petition was sent to adjoining property owners (via letters), a legal ad placed in the Charlotte Observer and posted rezoning signs on the property in one location.

## PART 2: TRANSPORTATION ISSUES

None

## PART 3: REZONING CRITERIA

**Current Zoning:** Neighborhood Residential Conditional District (NR-CD) allows for the Duplex unit with the conditions that there will be no exterior modifications to the building.

**Proposed Zoning:** Neighborhood Residential (NR) allows for the Duplex to remain and removes the condition that prohibits exterior modifications.

### Future Land Use:

Article 11.4.7(d) of the Zoning Ordinance states that “in considering any petition to reclassify property, the Planning Board in its recommendation and the Town Board in its decision shall take into consideration any identified relevant adopted land-use plans for the area including, but not limited to, comprehensive plans, strategic plans, district plans, area plans, neighborhood plans, corridor plans, and other land-use policy documents”.

STAFF COMMENT – The request to rezone the property from NR (CD) to NR is consistent with the following policies of the **2030 Huntersville Community Plan**:

- **Housing Policy H-1 and H-7: Focus Higher Intensity Development Generally within 2 miles of the I-77 and NC 115 Corridor.**

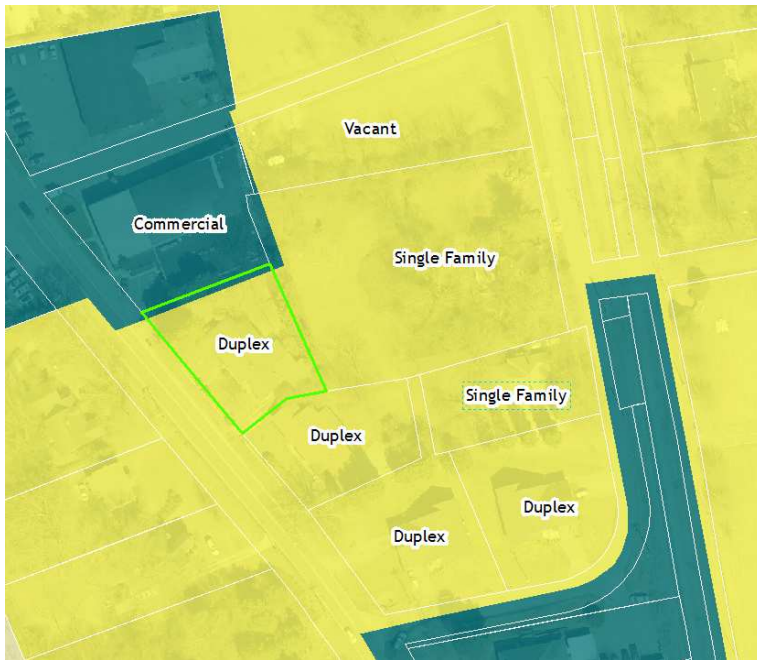
Staff comment: The subject parcel is zoned Neighborhood Residential Conditional District (NR-CD) and is located within the higher intensity zone. Neighborhood Residential allows for duplex homes; therefore the request is consistent with the future land use plan.

**Article 11 Section 11.4.7(e) of the Zoning Ordinance states that: “in considering any petition to reclassify property the Planning Board in its recommendation and the Town Board in its decision should consider:**

1. **Whether the proposed reclassification is consistent with the overall character of existing development in the immediate vicinity of the subject property.**

STAFF COMMENT:

The existing building was constructed in 1949 and converted to a Duplex in 1992. The existing development surrounding the property is Commercial, Duplexes, and Single Family Homes; therefore the request to rezone the property is consistent with the existing development of adjacent parcels (see image below).



2. **The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, transit service, parks and recreational facilities, police and fire protection, hospitals and medical services, schools, storm water drainage systems, water supplies, and wastewater and refuse disposal.**

**STAFF COMMENT:**

There is no development site plan proposal associated with the general rezoning request. Public facilities will not be impacted.

3. **Whether the proposed reclassification will adversely affect a known archeological, environmental, historical or cultural resource.”**

**STAFF COMMENT:** There are no known resources located on the property.

**Article 11 Section 11.4.7(f) of the Zoning Ordinance states that: “When considering a petition to reclassify property to a general district, the Planning Board and the Town Board shall not evaluate the petition based on any specific proposal for the use of the property or design of the site.”**

**STAFF COMMENT:** There is no development site plan proposal associated with the general rezoning request.

<b>PART 4: STAFF RECOMMENDATION</b>
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The request to rezone the parcel from Neighborhood Residential Conditional District to Neighborhood Residential is consistent with the 2030 Community Plan and the surrounding development; therefore staff recommends approval of the request.

<b>PART 5: PUBLIC HEARING COMMENTS</b>
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Public Hearing to be held on August 7, 2017.

<b>PART 6: PLANNING BOARD RECOMMENDATION</b>
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Planning Board hearing is scheduled for August 22, 2017

<b>PART 7: ATTACHMENTS/ENCLOSURES</b>
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Attachments

- A – Rezoning Application
- B – Neighborhood Residential Zoning Uses
- C - Site Plan
- D - 1992 Rezoning Plan and Letter

**PART 8: CONSISTENCY STATEMENT - R 17-07 503 S. Old Statesville Rd.**

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed rezoning application R17-07; 503 S. Old Statesville Rd., the Planning staff recommends approval as it is consistent with Housing Policies H-1 and H-7 of the 2030 Community Plan. The property is also located within the high intensity development area and the proposed density is consistent with surrounding developments (see Part 3).</p> <p>With those provision, it is reasonable and in the public interest to approve the General Rezoning Plan because the request is consistent with the 2030 Community Plan and is in keeping with the surrounding development.</p>	<p>APPROVAL: In considering the proposed rezoning application R17-07; 503 S. Old Statesville Rd., the Planning Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>.</p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>	<p>APPROVAL: In considering the proposed rezoning application R17-07; 503 S. Old Statesville Rd., the Town Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>.</p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>
	<p>DENIAL: In considering the proposed rezoning application R17-07; 503 S. Old Statesville Rd., the Planning Board recommends denial based on <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and not in the public interest to amend the approved Rezoning Plan because... (Explain)</u></p>	<p>DENIAL: In considering the proposed rezoning application R17-07; 503 S. Old Statesville Rd., the Town Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>.</p> <p><u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>