

Facts to Consider Regarding the Current Rezoning Request

As many of you know there is a Rezoning Request to be heard by the Town Council on Tuesday, August 8, 2023. The Town Council will hold a public hearing to answer questions and hear comments regarding the request. There is a lot of misinformation being circulated and discussed, so here are some facts for you to consider:

***The Rezoning Request that is under consideration will cause a maximum increase of 15 single family dwellings over the zoning that is currently in place.** The proposed zoning would relocate the development rights of High Density Residential (HDR) (zoning already in place) from a heavily forested tract to the old golf course which is a meadow with better topography, currently zoned Recreational/Business.

***Should the Town Council approve this request, it is only a zoning change.** There are still **many steps to be made before any building or ground preparation could begin** as specified by the Town's Unified Development Ordinances (UDO) as well as the many forms and permits that are required by the county where the property is located.

***Definitions and relevant information**

- High Density Residential **HDR** allows **six (6) homes per acres.**
- Medium Density Residential (**MDR**) allows **three (3) homes per acre.**
- Low Density Residential (**LDR**) allows **one (1) home per acre.**
- Please consult page 32 in UDO for permitted uses for the above Density districts.
- Please consult UDO Articles 8,9,10 with regard to Design Standards for Subdivisions

***No condos are allowed** according to the Town's UDO.

***The applicant for the Rezoning Request is offering to donate 2 acres to the Town to help alleviate parking issues for Otter Falls. Along with this he will give an easement along Otter Creek for a trail that will connect to the existing trail at Otter Falls.**

For a summary of **all actions taken on this request so far**, please review the following:

July 19, 2022: - Planning Board - Rezoning Request from Leonard & Denise Cottom

- Rezone 17.32 acres of HDR to MDR - property adjacent to Hanging Rock Villas; Reduce total number of single-family homes from 104 to 52
- Rezone 25.5 acres from RB to MDR - property located west of above-mentioned 17.32 acres; 3 homes per acre for total of 112 single family homes
- Rezone 21.32 acres from RB to HDR - property between Avery/Watauga line and the above-mentioned 25.5 acres; 6 single family homes per acre for a total of 128 dwellings
- **Total property requested to be Rezone 76.12 acres; possible 292 dwellings; net increase of 240 dwellings**
- REQUEST TABLED FOR MORE INFORMATION
 - **August 16, 2022; - Planning Board** - Reopened the tabled request for 3 rezoning applications
- Board requests traffic analysis & more info regarding impact of 240 dwellings on infrastructure capacity. **Zoning Requests tabled** until information is provided

September 20, 2022 - Planning Board - Re-opened tabled matter

- Rezoning application has been revised
 - Change 17.32 acres of HDR to LDR; lowers current 104 dwellings to 17 dwellings
 - Lower proposed MDR from 52 to 17
 - **Brings total of 240 dwellings to 205; reduction of 35 dwelling units**
- Board Actions (after lengthy discussion)
 - **Approved** zoning request for 17.32 acres from HDR to LDR
 - **Deny** zoning request for 25.5 acres of RB to MDR
 - **Deny** zoning request for 21.3 acres from RB to HDR
- Board suggest they would be in favor of an even acre for acre swap
 - Motion (3A) approved 15.32 acres (17.32 less 2 acres applicant stated would be given to Town for Otter Falls parking) to be Rezoned from RB to HDR; changes total acreage of rezoning to 31.5 with total density of 107 dwellings; net increase 3 dwellings
 - Applicant did not concur with this recommendation at the meeting
- Board forwarded applicant's rezoning request to Town Council for Public Hearing to be set
 - Favorable recommendation for 17.32 acres of LDR
 - Unfavorable recommendation for 25.5 acres of MDR
 - Unfavorable recommendation for 21.3 acres of HDR

December 13, 2022 - Town Council Meeting & Public Hearing

- Applicant presented rezoning request
 - Rezoning of 25.5 acres from RB to MDR was withdrawn
 - Agreed to Planning Board motion (9/20/22) reducing HDR from 21.3 to even exchange to LDR
- Council hears public comments
- Council remands matter back to Planning Board for a new map removing 25.5 acres of MDR and reducing 21.3 acres of HDR
- Matter tabled until Planning Board provides this information

January 17, 2023 - Planning Board

- New map presenting showing proposed changes
- New members present on Board asked for more time to consider proposal and for a site visit
- **Matter tabled**

April 18, 2023 - Planning Board

- Reviewed new map and heard presentation from Denise Cottom
 - Requested actual 17.32 acres swap not 15.32 acres
- Board asks applicant to provide a revised application with exact acreage and zoning being requested
- **Matter tabled** until application is revised

June 20, 2023 - Planning Board

- Board reviews revised application
 - 17.32 acres from HDR to LDR
 - 17.32 acres from RB to HDR
 - Relocate development rights of HDR from heavily forested area to old golf course meadow with better topography
 - **Net gain of residential dwellings (excluding 2 acres donated for Otter Falls parking) will be a maximum of 15 single family dwellings**
- Board favorably recommended request to Town Council for a public hearing to be set (Vote passed 4-2)