



MEMORANDUM

TO: Mayor and City Councilors

FROM : Rich Olson, City Manager

DATE: June 24, 2013

REF: RZ 01-13 – Take action on rezoning request RZ-01-13 by Miles and Barbara Brite to rezone property on the Halstead Boulevard Extension from Residential R-15 to General Business (GB), Highway Business (HB), and Residential R-8

PREPARED BY: June C. Brooks, Planning & Community Development

Background:

At your June 10, 2013, City Council meeting, a Public Hearing was held for RZ-01-13. Miles and Barbara Brite request to rezone their 162± acre tract located on the north and south sides of Halstead Boulevard Extension from Residential R-15 (County Agriculture A-1) to General Business (GB), Highway Business (HB), and Residential R-8. At that time, the property was not annexed into the city, thereby, Council did not act on this application request.

Analysis:

The Brites request to rezone approximately 66 acres of the tract to General Business (GB), 45 areas to Highway Business (HB), and approximately 50 acres to Residential R-8. It is envisioned that the commercial portions of the site will be developed with uses such as restaurants, unique shops, small shopping centers, business and services for daily conveniences while the residential portion will provide housing which will support the commercial development along the Halstead Corridor. It was noted that there was no mention of intermingling the commercial and residential uses.

Staff met with the applicant and suggested that they consider the Conditional Zoning option for the site. Since the Conditional zoning is not appropriate for sites without firm development plans, this zoning was not appropriate due to the lack of future plans.

The Halstead Boulevard Extension Corridor Overlay District was created to develop an efficient and attractive gateway into Elizabeth City. The vision was to create a mix of uses and not a highway developed with strip shopping centers along its entire length. This rezoning request does not promote that vision and is not consistent with the Pasquotank County and Elizabeth City Joint Land Use Plan. As requested, this application adds additional commercial zoning between the commercial nodes of the Highway 17 By-Pass to the west and City Center West to the east. There are currently 490 acres of commercially zoned property on Halstead Corridor Boulevard Extension with approximately 40 acres (8.1%) that have been developed. This rezoning request would bring the commercially zoned property to 601 acres with a 93.4% vacancy rate. For this reason, planning staff recommended denial of the rezoning application.

The Planning Commission considered this application at their regularly scheduled meeting on April 2, 2013. At the meeting the applicant requested to amend their application to change the requested Residential R-15 zoning to the Residential R-8 zoning. The Planning Commission did not agree with staff and recommended approval of this rezoning request.

Recommendation:

At the April 2, 2013, meeting the Planning Commission by motion recommended approval of rezoning request RZ 01-13 to rezone approximately 66 acres of the tract to General Business (GB), 45 areas to Highway Business (HB), and approximately 50 acres to Residential R-8

As proposed, staff is of the opinion that the proposed General Business (GB) and Highway Business (HB) zonings are not conducive with the Mixed Use designation found in the joint Elizabeth City & Pasquotank County Land Use Plan and the vision for the future development of the Halstead Boulevard Corridor.

Staff does not support the addition of approximately 111 acres of commercial zoned land to the Halstead Corridor without knowing when and what type of development will occur and if the development will be what is envisioned for the area. Staff recommends denial of this application.