

MEMORANDUM

TO: Planning Board

FROM: J.B. Culpepper, Planning Director
Rae Buckley, Housing and Neighborhood Services Senior Planner

SUBJECT: Follow-up Report Regarding Phase One of the Neighborhood Conservation District Process for the Glen Lennox Area Neighborhood

DATE: March 3, 2009

PURPOSE

The purpose of this memorandum is to provide the Planning Board a follow up report about the informational phase, Phase One, of the Neighborhood Conservation District process for the Glen Lennox Area Neighborhood.

As part of this report, we transmit a Report from the Dispute Settlement Center about the February 8, 2009, 'Forum on the Proposed Glen Lennox Neighborhood Conservation District: Informational Discussion.'

We recommend that the Planning Board take action to consider Phase One of the Neighborhood Conservation District process for the Glen Lennox Area Neighborhood to be complete.

BACKGROUND

On June 25, 2008, the Council adopted a resolution to initiate the informational phase, Phase One, of the Neighborhood Conservation District Process for the Glen Lennox Area Neighborhood. The resolution included an instruction to the Planning Board and the Planning Department "to structure the process in a manner that will facilitate a constructive dialogue between the property owners and the neighbors beyond just the Public Information Meeting described in the Land Use Management Ordinance."

On August 19, 2008, the Planning Board approved a plan for the informational phase, Phase One, of the Neighborhood Conservation District process for the Glen Lennox Area Neighborhood. The plan included an informational mailing and Public Information Meeting as well as a Planning Board request "that the Council, as part of the informational phase, financially support the Council's objective for a facilitated, constructive dialogue between the property owners of the neighborhood in Phase One of the consideration of a Neighborhood Conservation District."

On September 4, the Town mailed a Glen Lennox Area Neighborhood Conservation District Information Packet and Notification of a Public Information Meeting to property owners within

the Glen Lennox Area Neighborhood and within 500 feet of the neighborhood. The mailing was also sent to residents of the Glen Lennox apartments.

On September 22, 2008, in response to a petition from the Planning Board, the Council adopted a resolution authorizing staff to hire the Dispute Settlement Center of Orange County to facilitate a constructive dialogue for the residents and property owners of the Glen Lennox Area Neighborhood.

On September 23, 2008, the Town held a Glen Lennox Area Neighborhood Public Information Meeting to provide the residents an opportunity to learn about the Neighborhood Conservation District designation and development process.

On October 23, 2008, the Town hired the Dispute Settlement Center of Orange County to facilitate a constructive dialogue among residents of the Glen Lennox Area Neighborhood.

In November and December of 2008, Andy Sachs of the Dispute Settlement Center held informational interviews with Planning Board members and Town staff as well as residents, tenants, property owners, and stakeholders in the Glen Lennox Area Neighborhood.

On January 11, 2009, Andy Sachs convened a 14-person planning group to plan a constructive dialogue event for the Glen Lennox Area Neighborhood. The planning group agreed on a plan and broad goals for a meeting to be called, "Forum on the Proposed Glen Lennox Neighborhood Conservation District: Information Discussion."

On February 8, 2009, the Forum was held at the Church of the Holy Family. Please see Attachment 1 for the Dispute Settlement Center's Facilitator's Report about the Forum and Attachment 2 for the Facilitator's Evaluation of the Forum.

DISCUSSION

According to the Land Use Management Ordinance, Phase One of the Neighborhood Conservation District process is to consist of a Town sponsored Public Information Meeting to provide general information about Neighborhood Conservation Districts including a review of existing Neighborhood Conservation Districts and an explanation of the rezoning process.

For the Glen Lennox Area Neighborhood, the Council instructed the Planning Board and the Planning Department to "structure the process in a manner that will facilitate a constructive dialogue between the property owners and the neighbors beyond just the Public Information Meeting described in the Land Use Management Ordinance."

We believe it is the purview of the Planning Board to consider if the Council and Land Use Management Ordinance conditions for Phase One of the Neighborhood Conservation District Process for the Glen Lennox Area Neighborhood have been met and to decide if Phase One is complete.

NEXT STEPS

If the Planning Board decides that Phase One of the Neighborhood Conservation District process is complete, Phase Two of the Neighborhood Conservation District could be initiated by Town Council; by property owners representing 51% of the land area within the proposed district, upon submittal and acceptance of a petition to the Town Council; or by 51% of property owners in a proposed district upon submittal and acceptance of a petition to the Town Council.

According to the Land Use Management Ordinance, Phase Two of the Neighborhood Conservation District process is to consist of a Planning Board Feasibility Review and Town Council action on whether to develop a Neighborhood Conservation District for the proposed neighborhood.

RECOMMENDATION

We recommend that the Planning Board vote to consider Phase One of the Neighborhood Conservation District process for the Glen Lennox Area Neighborhood complete.

ATTACHMENTS

1. February 13, 2009, Facilitator's Report regarding the Forum on the Proposed Glen Lennox Neighborhood Conservation District: Informational Discussion
2. February 18, 2009, Facilitator's Evaluation of the Forum on the Proposed Glen Lennox Neighborhood Conservation District: Informational Discussion