

## MEMORANDUM

TO: Roger L. Stancil, Town Manager

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

SUBJECT: Receipt of Highland Woods Neighborhood Petition to Begin Phase Two of the Neighborhood Conservation District Initiation Procedures

DATE: January 11, 2010

### PURPOSE

Adoption of the attached resolution would accept a petition submitted by residents of the Highland Woods Neighborhood to begin Phase Two of the Neighborhood Conservation District initiation procedures and refer the petition to the Planning Board for review.

### BACKGROUND

#### **Neighborhood Conservation District Initiation Procedures**

Section 3.6.5 of the Land Use Management Ordinance states that the procedures to initiate the designation of a Neighborhood Conservation District shall consist of two (2) phases. The informational phase, Phase One, must be completed in order to begin Phase Two of the initiation procedures.

The purpose of dividing the initiation procedures into two phases is to involve the Planning Board from the beginning of the entire process; to provide information about the Neighborhood Conservation District designation before the development process is begun; and to seek Council direction at the beginning the development process.

Phase Two of the Neighborhood Conservation District initiation procedures can be initiated “by the Town Council; by property owners representing 51% of the land area within the proposed district, upon submittal and acceptance of a petition by the Town Council; or by 51% of property owners in a proposed district upon submittal and acceptance of a petition by the Town Council.”

#### **Highland Woods Neighborhood Conservation District Initiation Status**

On June 8, 2009, the Council accepted and referred to the Planning Board a petition to initiate the informational phase, Phase One, of the Neighborhood Conservation District procedures for the Highland Woods neighborhood. Phase One included a Neighborhood Conservation District information packet sent to all property owners and identified renters and a Public Information Meeting held on October 7, 2009.

On November 23, 2009, we received a petition to begin Phase Two of the Neighborhood Conservation District initiation procedures for the Highland Woods neighborhood. Please see

Attachment 1 for a copy of the neighborhood's petition, and Attachment 2 for a map of the Highland Woods neighborhood described by the petition. We have evaluated the petition and determined that it meets the procedural conditions of the Land Use Management Ordinance described above with 76% of the owners of property represented by signature.

### **DISCUSSION**

Acceptance of the petition by the Council would begin Phase Two of the Neighborhood Conservation District initiation procedures. As stated in the Land Use Management Ordinance, Phase Two consists of a Neighborhood Conservation District Feasibility Review led by the Planning Board.

The purpose of the Feasibility Review is to involve stakeholders in the design of the Neighborhood Conservation District development process. The Planning Board would consider the following issues during the Feasibility Review:

- Community goal(s): the objective for the Neighborhood Conservation District;
- Level of urgency: a description of current development activity in the neighborhood and a potential schedule for the Neighborhood Conservation District development process;
- Participation structure: the use of either a consensus structure or a Council appointed committee structure to organize neighborhood participation in the development process; and
- Initial boundary: a preliminary map of properties to be included in the Neighborhood Conservation District.

Notification of the Neighborhood Conservation District Feasibility Review is to be sent to all property owners located within the petition boundary and within 500 feet of the boundary.

Upon completion of the Feasibility Review, the Planning Board is to make a recommendation to the Council about the development of a Neighborhood Conservation District for the Highland Woods neighborhood. The Council would receive the Planning Board's recommendation and take action to begin or not begin the development of a Neighborhood Conservation District for the neighborhood.

### **NEIGHBORHOOD CONSERVATION DISTRICT ACTIVITY**

Currently, there are three neighborhoods at different stages of the Neighborhood Conservation District initiation procedures (please see chart below).

In October of 2009, the Council accepted a petition to begin Phase Two of the Neighborhood Conservation District initiation procedures for the Glen Lennox Area Neighborhood. Subsequently, the Planning Board discussed the petition and scheduled the Glen Lennox Area Neighborhood Feasibility Review for February 2, 2010.

Also in October of 2009, the Hidden Hills neighborhood held its Neighborhood Conservation District public information meeting and thereby completed the informational phase, Phase One, of the Neighborhood Conservation District initiation procedures.

If the Council accepts the Highland Woods Phase Two petition and refers it to the Planning Board, we recommend that the Council seek the Planning Board's feedback about how to manage coinciding neighborhood requests for Neighborhood Conservation District initiation and development.

Table 1: Neighborhood Conservation District Activity

	<b>Neighborhood Conservation District Initiation Procedures</b>	<b>Glen Lennox Area Neighborhood</b>	<b>Highland Woods Neighborhood</b>	<b>Hidden Hills Neighborhood</b>
<b>Phase One</b>	Public Information Meeting and Information Packet	✓	✓	✓
<b>Phase Two</b>	1. The Council receives Phase Two petition and refers to the Planning Board	✓	<i>(Tonight)</i>	
	2. Planning Board Schedules Feasibility Review	✓		
	3. Phase Two petition is returned to the Council for final consideration and action			

### **RECOMMENDATION**

We recommend that the Council adopt the attached resolution accepting the petition to begin Phase Two of the Neighborhood Conservation District Initiation Procedures for the Highland Woods neighborhood and referring the petition to the Planning Board for review.

We also recommend that the Council ask the Planning Board for feedback about how to manage coinciding neighborhood requests for Neighborhood Conservation District initiation and development.

### **ATTACHMENTS**

1. Town of Chapel Hill Neighborhood Conservation District Process Phase Two Petition from the Highland Woods Neighborhood (p. 5).
2. Map of the Highland Woods Neighborhood Conservation District Petition Boundary (p. 11).