



# PUBLIC HEARING

<b>CASE:</b>	<b>ZC17-1</b>
<b>EXISTING ZONING</b>	<b>I-G (CD)</b>
<b>PROPOSED ZONING</b>	<b>R</b>
<b>PROPERTY OWNER:</b>	<b>ALBEMARLE ROAD ASSOCIATES, LLC</b>
<b>APPLICANT</b>	<b>ALBEMARLE ROAD ASSOCIATES, LLC</b>
<b>LOCATION</b>	<b>CLEAR CREEK BUSINESS PARK</b>
<b>TAX PARCEL NUMBER</b>	<b>137-152-18, 137-152-12, 137-152-19, 137-152-20, 137-152-21, 137-152-01</b>
<b>REQUEST:</b>	<b>REZONING</b>

## **BACKGROUND INFORMATION:**

Conditional Use Rezoning (ZC01-3) was granted by the Board of Commissioners to rezone tax parcels 137-152-01 and 137-151-02 pt. to I-G (CUD) on May 10, 2001

Conditional Use Rezoning (ZC01-7) was granted by the Board of Commissioners to rezone tax parcel 137-311-04 pt. to I-G (CUD) on November 8, 2001

Conditional Use Rezoning (ZC01-8) was granted by the Board of Commissioners to rezone tax parcels 137-152-01 and 137-151-02 pt. to I-G (CUD) on November 8, 2001

Conditional Use Rezoning (ZC01-10) was granted by the Board of Commissioners to rezone tax parcel 137-311-02 pt. to I-G (CUD) on January 24, 2002

Conditional Use Rezoning (ZC01-11) was granted by the Board of Commissioners to rezone tax parcel 137-311-03 to I-G (CUD) on January 24, 2002

Conditional Use Rezoning (ZC02-1) was granted by the Board of Commissioners to rezone tax parcel 137-152-04 pt. to I-G (CUD) on September 12, 2002

Preliminary Subdivision (S05-6) approval was granted by the Planning Board on March 21, 2005

Change of Conditions (ZC05-18) was granted by the Board of Commissioners on September 8, 2005. The following conditions were deleted:

- No portion of the Clear Creek Business Park can be developed or subdivided until water and sewer is available.
- Deletion of condition which prohibits commercial access to the Clear Creek Business Park from Truelight Church Road.
- Revision to note that prohibits bus stations, power generating or transmission facilities, radio, telephone, masts, towers, blacksmiths, armories, bulk storage of flammable liquids and gases, and truck terminals to be allowed only as accessory to medical uses.

Rezoning (ZC07-6) was granted by the Board of Commissioners to rezone tax parcels 137-152-01pt 137-311-02 pt, 137-311-10 pt, 137-311-55 pt, 137-311-55 pt. 137-141-14 pt, 137-141-11 pt. to Institutional (I) on July 19, 2007

Special Use Permit (S07-3) was granted by the Board of Commissioners to allow construction of Rocky River High School on September 13, 2007

Conditional Use Permit (CUP09-1) granted to allow Britthaven assisted living facility 137-152-39  
Conditional Use Permit (CUP11-1) granted to relocate the Britthaven site to 137-152-12 pt.

ZC12-10 Clear Creek Business Park Revision was granted by the Board of Commissioners on May 9, 2013, resulting in specific conditions, development standards, approval procedures and allowable uses for the approximately 65 acre portion of Clear Creek Business Park adjacent to the railroad

**APPLICATION SUMMARY:**

The applicant is requesting approval to rezone 50.19 acres, as delineated on the attached map, from I-G (CD) to R.

**MEETING DATES:**

<b>PUBLIC HEARING</b>	<b>THURSDAY, FEBRUARY 9, 2017</b>
<b>PLANNING BOARD</b>	<b>MONDAY, FEBRUARY 20, 2017</b>
<b>BOARD OF COMMISSIONERS</b>	<b>THURSDAY, MARCH 9, 2017</b>

\*Individual, particularized conditions on rezonings to a general use district are unenforceable in North Carolina. G.S. 160A-382. All permissible uses in the R district should be considered in the decision to rezone