

## **\*PRE-HEARING STAFF ANALYSIS\***

### **Rezoning Petition No. 2006 -11**

<b>Property Owners:</b>	Various
<b>Petitioner:</b>	Homeowners of Hermitage Court
<b>Location:</b>	South of Dartmouth Place and west of Providence Road in the Myers Park Neighborhood
<b>Request:</b>	Add an HD-O (Historic District Overlay) District to the existing R-3, R-5, R22MF and R-6MF (CD) Districts, creating the Hermitage Court Local Historic District

### **Summary**

A number of property owners along Hermitage Court approached the Historic District Commission staff at the Charlotte-Mecklenburg Planning Commission in the summer of 2005 to inquire about how Charlotte's Historic District program works and how it could protect the historic character and integrity of their street. In response to this request, HDC staff met with a large group of Hermitage Court homeowners on three occasions to explain in detail the working of the HDC, the implications of Local Historic Designation, and the process for becoming a Local Historic District.

The proposed Hermitage Local Historic District contains roughly 40 individual properties. The street, located within the Myers Park neighborhood, is wholly contained within the Myers Park National Register Historic District. The listing for Myers Park on the National Register of Historic Places contains an inventory of the buildings on this street, and of the 35 inventory listings on Hermitage Court, all but two are listed as contributing properties to the historic character of the street. With the exception of two later multi-family projects, the homes in the proposed Local Historic District all were constructed between 1913 and 1925, and include some of the oldest homes in the neighborhood.

The Local Historic District designation would include the stone gates at either end of the street, one at Hermitage Court and Providence Road, and the other at Hermitage Court and Hermitage Road.

On December 14<sup>th</sup>, 2005, The Charlotte Historic District Commission reviewed the proposed Hermitage Court Local Historic District, and voted unanimously to endorse the proposed designation. As required by local and state statute, HD staff has requested a review of the proposed district from the NC State Historic Preservation Office in Raleigh. It is anticipated that there will be an assessment report from the state prior to the February 20<sup>th</sup> public hearing on this request.

## **Existing Zoning and Land Use**

Currently, the approximately 51 acre area being considered for Local Historic District designation is zoned for residential use. The majority of the area is zoned R-5, with one lot being R-3. There are two individually zoned multi-family sites within the proposed district: a quadraplex zoned R22-MF and an infill project from the 1980's that is zoned R-6MF(CD).

The overlay of Historic District zoning would have no impact on the allowable uses on any property in the district. NC State Statutes specifically state that Local Historic Districts can not be used to determine allowable land uses.

## **Rezoning History of Site**

In the early 1960's, when Charlotte adopted its first comprehensive zoning ordinance, Hermitage Court, along with other broad sections of Myers Park, was designated for redevelopment with office, commercial and multi-story residential uses. After a long political battle that included the creation of the Myers Park Homeowners Association, this section of the neighborhood was rezoned in 1976 to the largely single family districts that are in place today.

## **Public Plans and Policies**

### **Central District Plan**

The Central District Plan specifically calls for the preservation of existing housing stock where appropriate, and for the preservation of historic and architecturally significant structures.

The planning strategies listed to achieve these goals include:

“Identify neighborhoods that may be eligible and appropriate for historic district designation”

The Central District Plan also recommends that this area remain in primarily single family residential use.

## **Public Infrastructure**

There would be no public infrastructure impacts from this request.

### **Consistency and Conclusion**

There is no existing public policy or adopted plan that would be contradicted by the creation of the Hermitage Court Local Historic District.

The Charlotte Zoning Ordinance defines purpose of a local historic district as follows:

The purpose of a local historic district is to encourage the restoration, preservation, rehabilitation, and conservation of historically, architecturally, and archaeologically significant areas, structures, buildings, sites, and objects and their surroundings from potentially adverse influences which may cause the decline, decay, or total destruction of important historical, architectural, and archaeological features, which are a part of the City's heritage, and to review new construction design to ensure compatibility with the character of the district. The historic district will be applied as an overlay zoning district which will overlap other general or specialized zoning districts to ensure the compatibility and appropriateness of exterior design within the historic district. (Charlotte Zoning Ordinance Section 10.201)

This request was filed by a large group of property owners in the proposed Hermitage Court Local Historic District, and the proposed district clearly meets the legal definition of a Local Historic District continued in both local and state statutes. The area is part of the Myers Park National Register Historic District, and has a very high degree of its original character in place. For these reasons, this petition is appropriate for approval.