

REZONING CASE #RZ-16-01

REQUEST:

From: AG, Agricultural District

To: RS-40, Residential Single-family District

District Descriptions:

The AG, agricultural district, is primarily intended to accommodate uses of an agricultural nature, including farm residences and farm tenant housing. It also accommodates scattered non-farm residences on large tracts of land. It is not intended for major residential subdivisions.

The RS-40, residential single-family district, is primarily intended to accommodate single-family detached dwellings on large lots in areas without access to public water and wastewater services. The overall gross density in RS-40 areas will typically be 1.0 unit per acre or less.

PROPERTY LOCATION AND DESCRIPTION: The property is located at 1830 Oak Ridge Road, on the south side of Oak Ridge Road approximately 1100 feet west of Williard Road, in Oak Ridge Township. Being Guilford County Tax Parcel #0165486, approximately 10.12 acres. Located in the Greensboro (GW-III) Watershed, Scenic Corridor Overlay Zone. Owned by: Ann P. Berrier. Applicant: Mark Disney.

SUMMARY OF REQUEST: RS-40 zoning would allow the applicant to develop a residential subdivision served by a new public road.

LAND USE:

Existing Land Use: One vacant residence

Requested Land Use: Major residential subdivision.

North: Residential

South: Residential

East: Residential

West: Residential

RECOMMENDATION OF THE OAK RIDGE LAND USE PLAN: The Oak Ridge Future Land Use Plan identifies this area as residential. Objective 1.2 states "recommend RS-40 zoning for development on tracts outside the town core with marginal environmental, agricultural, historic, or community open space values." The tract is mostly hidden from view of 150, contains no streams or wetlands, and does not connect to any existing or proposed public open space or trails. The residence on the property is in severe disrepair.

CONDITIONAL USE DISTRICT REZONING ANALYSIS: N/A

HISTORIC PROPERTIES: The site contains a log house included in Guilford County's Historic inventory. The structure dates from the late 1800s.

UTILITIES AND COMMUNITY SERVICES:

Availability of Public Water and Sewer: Yes _____ No X
Fire Protection District: Oak Ridge
Miles from Fire Station: Approximately 1.4 miles
Schools: Oak Ridge Elementary, Northwest Middle, Northwest High

TRANSPORTATION:

Existing Conditions: Traffic counts from 2013 show roughly 7900 trips per day just east of this location.

Proposed Improvements: None at this time.

Projected Traffic Generation: If developed at its maximum allowable density, this development could generate up to an additional 100 trips per day.

PHYSICAL CHARACTERISTICS:

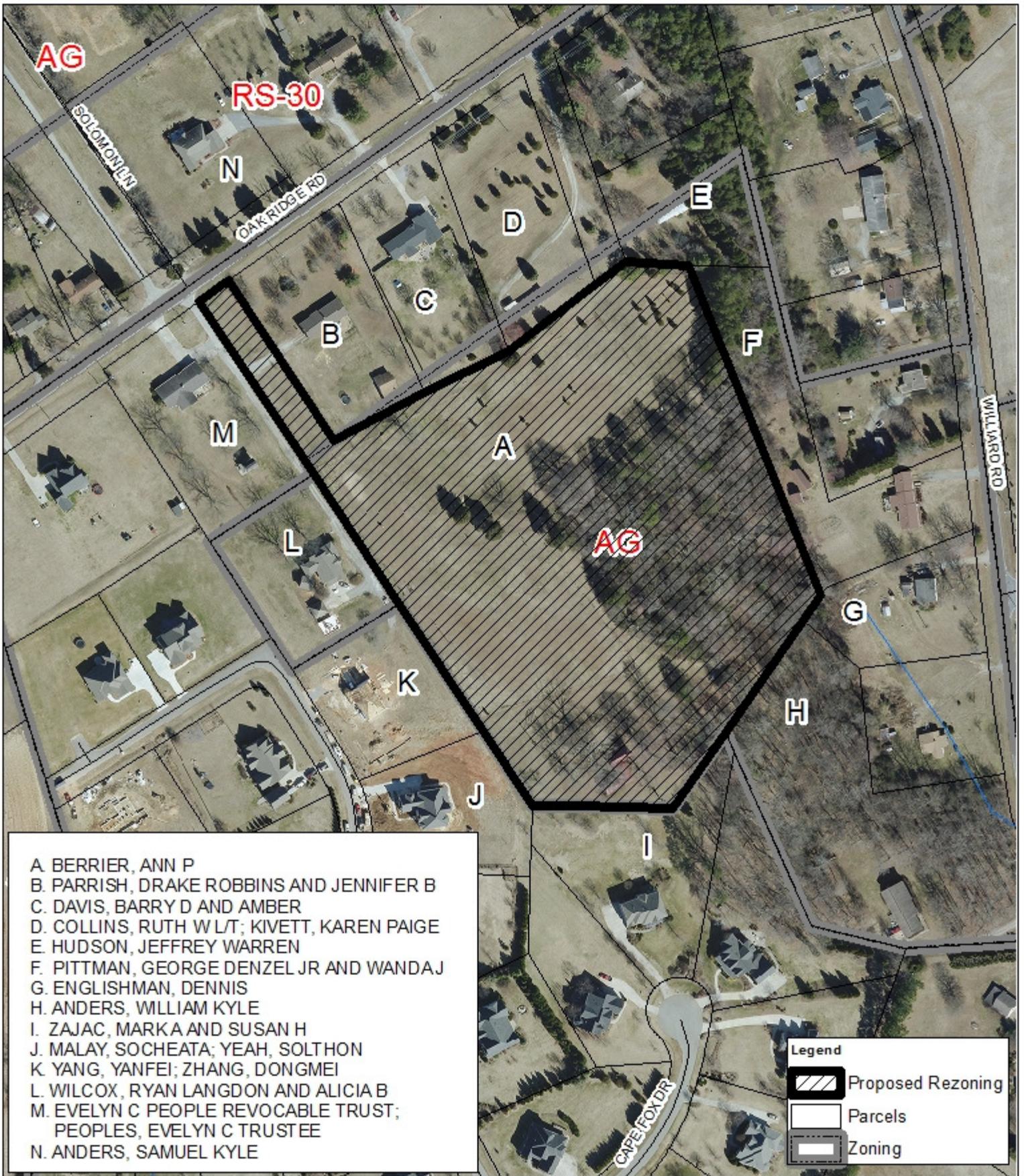
Topography: Level to gently rolling

Regulated Floodplain: None

Stream Location and Classification: None

Watershed: Greensboro (GW-III)

COMMUNITY OUTREACH: The applicant has personally contacted many of the adjacent property owners.



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Scale: 1"=200'

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STAFF RECOMMENDATIONS: Staff recommends **approval**. The request is consistent with the Oak Ridge Future Land Use Plan and matches existing zoning and typical lot sizes in the vicinity.

PLANNING AND ZONING BOARD RECOMMENDATIONS:

Motion to Approve by: Ms. Stoudemire
Seconded by: Mr. Leybourne
Vote 6 to 0 in favor of the motion.

VOTE:	Baker	yes
	Leybourne	yes
	Paslaru	yes
	Stafford	yes
	Stoudemire	yes
	Wilson	yes

WRITTEN RECOMMENDATION ADDRESSING COMPREHENSIVE LAND USE PLAN CONSISTENCY AND OTHER APPROPRIATE MATTERS:

The request is consistent with the Future Land Use Plan, and is consistent with zoning of surrounding neighborhoods.

TOWN COUNCIL DECISION:

Motion to Approve/Deny by:
Seconded by:
Vote ____ to ____ in favor of the motion.

VOTE:	Sullivan	_____
	McClellan	_____
	Kinneman	_____
	Nodine	_____
	Stone	_____

**MOTION
TO APPROVE
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG to amended RS-40

I make a motion that the proposed zoning amendment be approved based on the following:

1. *The proposed zoning amendment is consistent with the adopted Future Land Use Plan of the Town of Oak Ridge.* The Planning Board has provided the Council with its written statement that the proposed zoning amendment is consistent with the comprehensive plan, and the Council concurs and adopts the Planning Board's finding of consistency by reference. In addition, the Council further finds that the proposed zoning amendment is consistent with the comprehensive plan because:_____.

AND

2. *The proposed zoning amendment is reasonable.* The Council considers the proposed zoning amendment to be reasonable because:

A. The report of the Town staff finding the proposed zoning amendment to be reasonable is adopted by reference.

B. The Council further finds that the proposed zoning amendment is reasonable because:_____.

AND

3. *The proposed zoning amendment is in the public interest.* The Council considers the proposed zoning amendment to be in the public interest because:

A. The report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.

B. The Council further finds that the proposed zoning amendment is in the public interest because:_____.

[Call for second etc .]

**MOTION
TO REJECT
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG to amended RS-40

I make a motion that the proposed zoning amendment be rejected based on the following:

1. *The proposed zoning amendment is not consistent with the adopted Future Land Use Plan of the Town of Oak Ridge.* The Planning Board has provided the Council with its written statement that the proposed zoning amendment is not consistent with the comprehensive plan, and the Council concurs and adopts the Planning Board's finding of inconsistency by reference. In addition, the Council further finds that the proposed zoning amendment is inconsistent with the comprehensive plan because:_____.

AND/OR

2. *The proposed zoning amendment is not reasonable.* The Council considers the proposed zoning amendment to be unreasonable because:

A. The report of the Town staff finding the proposed zoning amendment to be unreasonable is adopted by reference.

B. The Council further finds that the proposed zoning amendment is unreasonable because:_____.

AND/OR

3. *The proposed zoning amendment is in the public interest.* The Council considers the proposed zoning amendment to be against the public interest because:

A. The report of the Town staff finding the proposed zoning amendment to be against the public interest is adopted by reference.

B. The Council further finds that the proposed zoning amendment is against the public interest because:_____.

[Call for second etc .]