# REZONING CASE #RZ-16-03

**REQUEST:**

From: AG, Agricultural

To: RS-40, Residential Single-family

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 on the west side of Bridgehead Road, approximately 1900 feet south of Oak Ridge Road, in Oak Ridge Township. Being Guilford County Tax Parcels 0167806 and 0167835, approximately 29.3 acres. Owned by Gregory H. and Mary B. Campbell, and the heirs of Richard Parker Barrow. The property is located in the Greensboro (GW-III) Watershed and the Oak Ridge Extraterritorial Jurisdiction (ETJ).

**SUMMARY OF REQUEST:** The applicant proposes a major residential subdivision with access off of Bridgehead Road. Since this is not a conditional use request, the applicant will not be bound to any proposed development plan that may be presented as part of the request.

**LAND USE:**
Existing Land Use: Agricultural
Requested Land Use: Major residential subdivision.
- North: Agricultural
- South: One residence/ wooded
- East: Rural residential
- West: Wooded

**RECOMMENDATION OF THE OAK RIDGE LAND USE PLAN:** The Oak Ridge Land Use Plan recommends this area as Low Density Residential.

Objective 1.2 recommends RS-40 zoning for development on tracts outside the town core with marginal environmental, agricultural, historic, or community open space values.

**CONDITIONAL USE DISTRICT REZONING ANALYSIS:** N/A

**HISTORIC PROPERTIES:** There are no inventoried historic structures on this property.

**UTILITIES AND COMMUNITY SERVICES:**

Availability of Public Water and Sewer: Yes ____ No __X__
Fire Protection District: Oak Ridge
Miles from Fire Station: Approximately 3 miles
Schools: Oak Ridge Elementary, Northwest Middle, Northwest High

**TRANSPORTATION:**

Existing Conditions: Traffic counts from 2013 indicate 5300 trips per day along NC 150 just west of the intersection with Bridgehead Rd.

Proposed Improvements: None at this time.

Projected Traffic Generation: If developed at maximum allowable density, 29 single-family homes could be expected to generate roughly 290 trips per day.

**PHYSICAL CHARACTERISTICS:**

Topography: Generally flat to gently sloping.

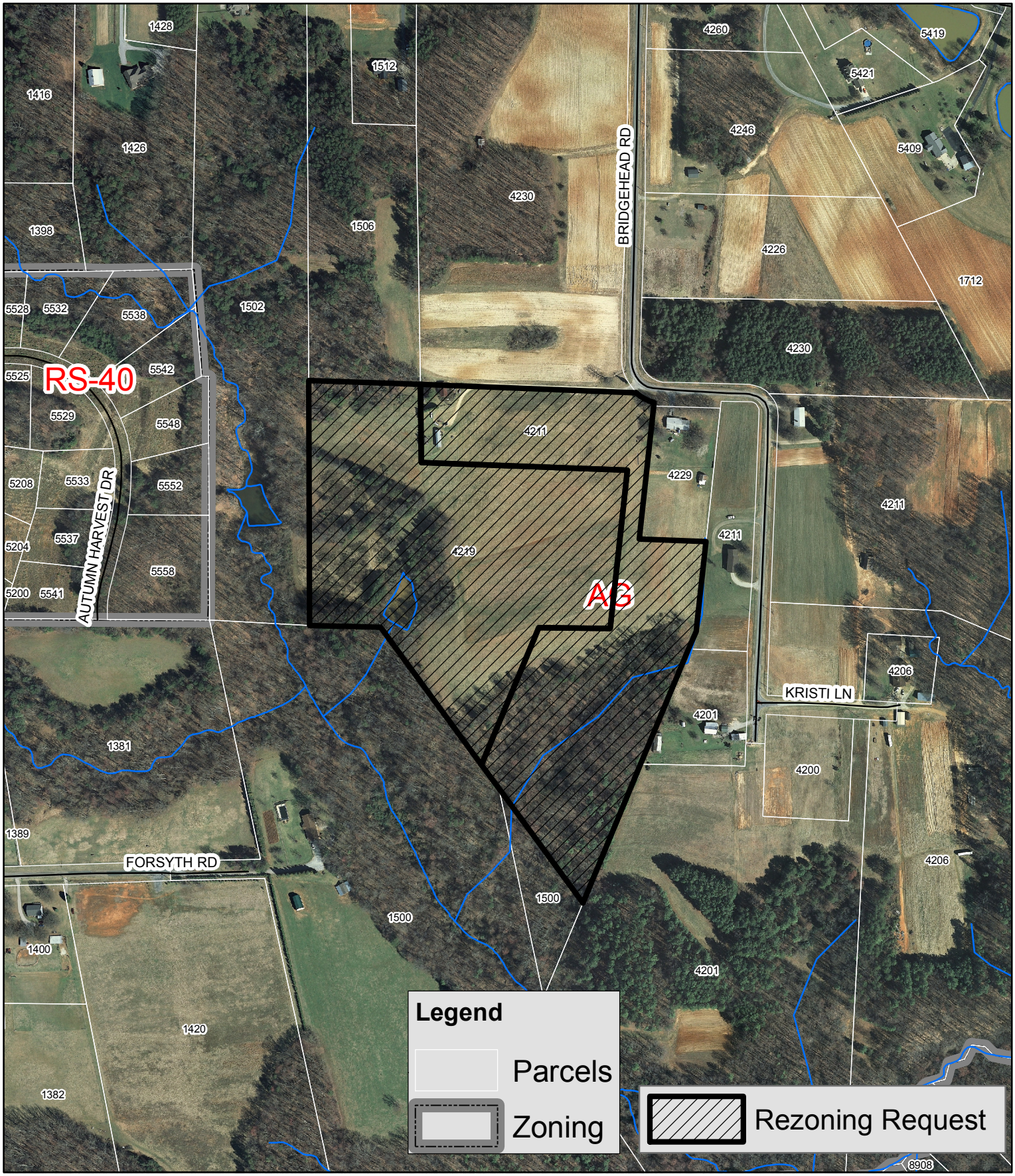
Regulated Floodplain: None

Stream Location and Classification: Several jurisdictional streams are located on the property.

Watershed: Greensboro (GW-III) Watershed.

**COMMUNITY OUTREACH:**

The applicant will provide prior to the public hearing.




# Rezoning Case # 16-03
# AG to RS-40

N

Scale: 1":400'

# REZONING CASE #RZ-16-03

**STAFF RECOMMENDATIONS:**

The Oak Ridge Land Use Plan specifically recommends RS-40 zoning for development on tracts outside the town core with marginal environmental, agricultural, historic, or community open space value. During the public hearings for Rezoning Case #RZ-15-04, in which the applicant applied for Rural Preservation District (RPD) zoning, it became apparent that there were no significant environmental or historic resources on this tract, and there would be very little public value in any dedicated open space.

Staff recommends **approval**.

**PLANNING AND ZONING BOARD RECOMMENDATIONS:**

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

**VOTE:**

| | |
|---|---|
| Simpson | ___ |
| Baker | ___ |
| Stoudemire | ___ |
| Leybourne | ___ |
| Paslaru | ___ |
| Stafford | ___ |
| Gardner | ___ |

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

To be provided after Planning and Zoning Board hearing.

**TOWN COUNCIL RECOMMENDATIONS:**
Motion to Approve/Deny by:
Seconded by:
Vote ____ to _____ in favor of the motion.

**ROLL CALL VOTE:**

| | |
|---|---|
| Sullivan | _____ |
| McClellan | _____ |
| Kinneman | _____ |
| Stone | _____ |
| Nodine | _____ |

**MOTION**
**TO APPROVE**
**ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG to 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 development 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 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 development 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 .]