REZONING CASE #RZ-16-04

REQUEST:

From: RS-30, Residential Single-family and PI, Public and Institutional

To: CU-TC-R, Conditional Use- Town Core- Residential

District Descriptions:

The RS-30, residential single-family district, is primarily intended to accommodate low density single-family detached dwellings on large lots in areas without access to public water and wastewater services. The overall gross density in RS-30 areas will typically be 1.3 unit per acre or less.

The PI, public and institutional district is intended to accommodate mid- and large-sized public, semipublic and institutional uses which have a substantial land use impact or traffic generation potential. It is not intended for smaller public and institutional uses customarily found within residential areas.

The TC-R, Town Core- Residential district is primarily intended to accommodate single-family detached, single-family attached, twin-homes, townhouses, cluster housing, and similar residential uses. The overall gross density in TC-R areas shall be limited to maximum of two units per acre.

Conditions proposed:

USES: Single-family detached residential.

DEVELOPMENT CONDITIONS:

1. Maximum of thirteen lots.

PROPERTY LOCATION AND DESCRIPTION: The property is located on the north side of Oak Ridge Road, approximately 200 feet west of Zack Road in Oak Ridge Township. Being Guilford County Tax Parcels 0162860, 0163177, and 0163221, approximately 15.9 acres. Owned by Oak Ridge Society Foundation Inc. The property is located in the Scenic Corridor Overlay Zone and the Oak Ridge Historic District (part).

SUMMARY OF REQUEST: The applicant proposes a major residential subdivision of no more than thirteen single-family detached residential lots, with a minimum lot size of 20,000 square feet. Roughly 80% of the tract is currently zoned RS-30, but the remaining 20% is zoned PI which would not permit a residential use. The TC-R zone normally permits twin homes and townhomes, but they applicant has explicitly prohibited these uses from his application.

LAND USE:
Existing Land Use: Vacant/wooded
Requested Land Use: Major residential subdivision.
North: Wooded
South: Rural residential
East: Major residential subdivision
West: Wooded/ORMA

RECOMMENDATION OF THE OAK RIDGE LAND USE PLAN: The Oak Ridge Land Use Plan recommends this area as Residential and within the Town Core. Specifically, Policy 2.1.1 states: within the Town Core, clustered, mixed density, and/or attached single-family lots with densities up to two units per acre are appropriate.

CONDITIONAL USE DISTRICT REZONING ANALYSIS: The petition for rezoning includes all of the owners of the property to be included in the rezoning request. Any additional conditions offered during the public hearing must be accepted by all owners of the property being considered for rezoning.

The conditions and site-specific standards proposed by the applicant for mutual approval by the Town of Oak Ridge are limited to those that address: (a) the conformance of the development and use of the property to Town ordinances and the Town's officially adopted Comprehensive Land Use Plan; and, (b) the impacts reasonably expected to be generated by the development or use of the property.

HISTORIC PROPERTIES: Roughly 1.3 acres of the proposed site is within the Historic District. This portion of the site contains a contributing structure to the District known as the Commandant's house (constructed in 1935). No changes are proposed to the house or the portion of the site within the Historic District at this time, but any demolition, renovation, or site changes would require approval from the HPC. The HPC reviewed the request at their July 20 meeting and unanimously recommended approval of the request.

UTILITIES AND COMMUNITY SERVICES:

Availability of Public Water and Sewer: Yes ____ No __X__
Fire Protection District: Oak Ridge
Miles from Fire Station: Approximately 1.2 miles
Schools: Oak Ridge Elementary, Northwest Middle, Northwest High

TRANSPORTATION:

Existing Conditions: Traffic counts from 2013 indicate 7300 trips per day along Oak Ridge Road just west of the intersection with Zach Rd.

Proposed Improvements: None at this time.

Projected Traffic Generation: If developed at maximum allowable density, 13 single-family homes could be expected to generate roughly 130 trips per day.

PHYSICAL CHARACTERISTICS:

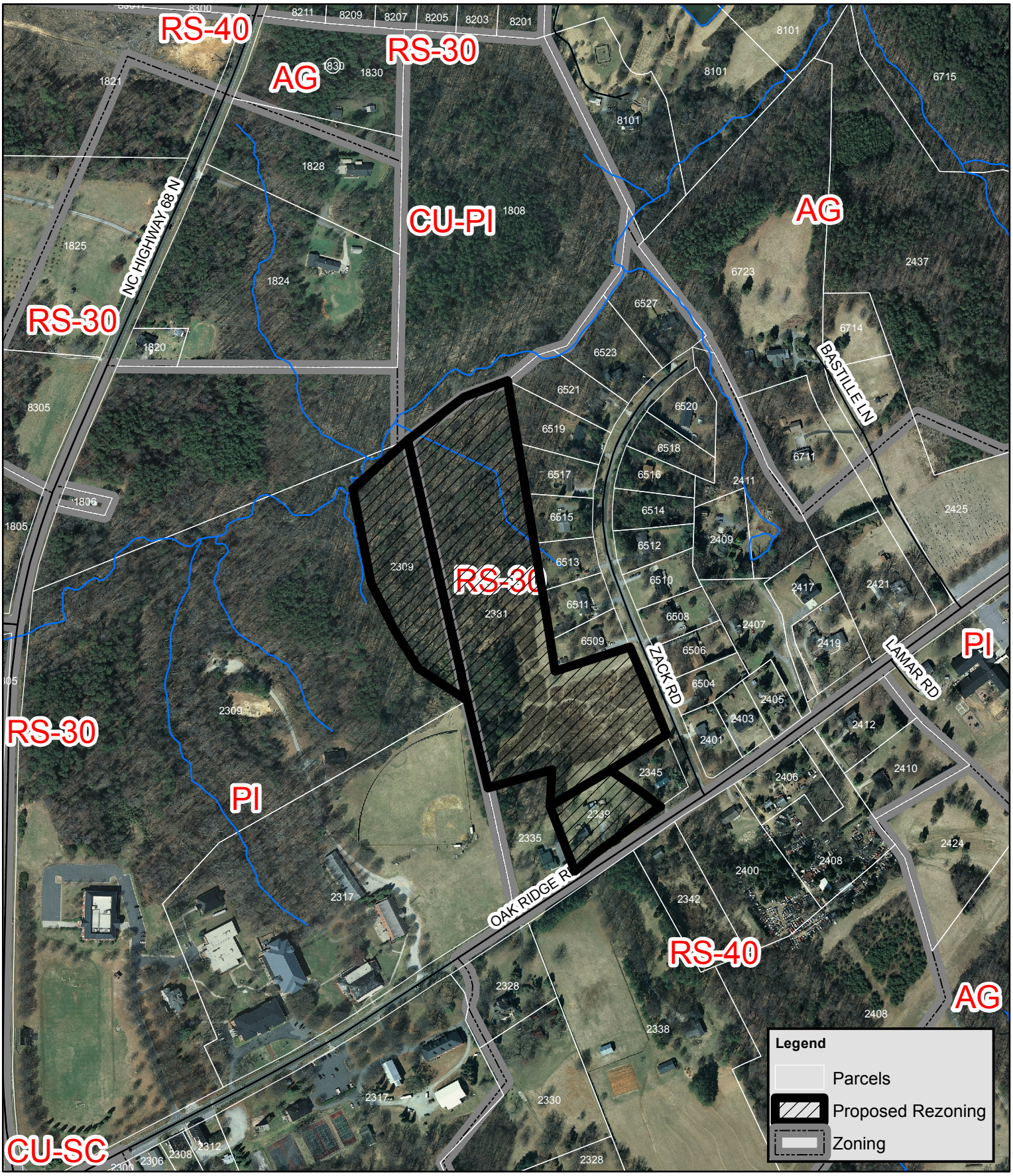
Topography: Gently rolling to moderately steep near the northern property line.

Regulated Floodplain: None

Stream Location and Classification: A perennial stream is located along and just north of the northern property line, with two short perennial/intermittent streams feeding into it. The precise location and starting points of these streams will be confirmed during preliminary plat review and appropriate buffers will be applied.

COMMUNITY OUTREACH:

Forthcoming



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N

Scale: 1":400'

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STAFF RECOMMENDATIONS:

This request is consistent with the Oak Ridge Future Land Use Plan, and is well below the maximum recommended density of two units per acre. The development should not affect the integrity of the Historic District, since most of the developable land is well off of Oak Ridge Road and should not generally be visible from the District. Tree preservation and stream buffer requirements will also help to screen and buffer the proposed development.

Furthermore, the proposed density and lot sizes will be very similar to Whitaker Estates, the neighborhood adjacent to the east, which consists of 19 lots on slightly more than 16 acres. Lot sizes in Whitaker Estates generally range between 25,000 and 30,000 square feet.

For these reasons staff recommends **approval** of the CU-TC-R rezoning request.

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: RS-30 and PI to CU-TC-R

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: RS-30 and PI to CU-TC-R

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 .]