REZONING CASE #RZ-16-04 (revised)

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: None

DEVELOPMENT CONDITIONS:

1. Will provide a thirty (30) foot undisturbed buffer, except for drainage devices and utilities, adjacent to Lots 16-21 of Whitaker Estates Section 2.
2. Will provide a twenty (20) foot natural or landscaped buffer along the northern and western property lines of Guilford County Tax Parcel #0163171 (2345 Oak Ridge Road) except as prohibited by NCDOT sight easements.

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 zoning change to accommodate a residential development consistent with TC-R

requirements. Without conditions limiting the type of uses or maximum number of units, the development could include a variety of different housing types, including single-family detached and single-family attached units (townhomes, twin homes) of up to two units per acre.

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 Future Land Use Plan recommends this area as Residential and within the Town Core, which is where the TC-R District was designed to be applied. 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 CU-TC-R 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: Traffic generation depends on the type of unit chosen for development. Single-family detached dwelling units typically generate 10 trips per day, whereas attached single-family units (townhomes/twin homes) typically generate 5 to 6 trips per day. Therefore 15 single-family detached dwellings and 30 twin homes could be expected to generate roughly the same amount of trips per day.

PHYSICAL CHARACTERISTICS:

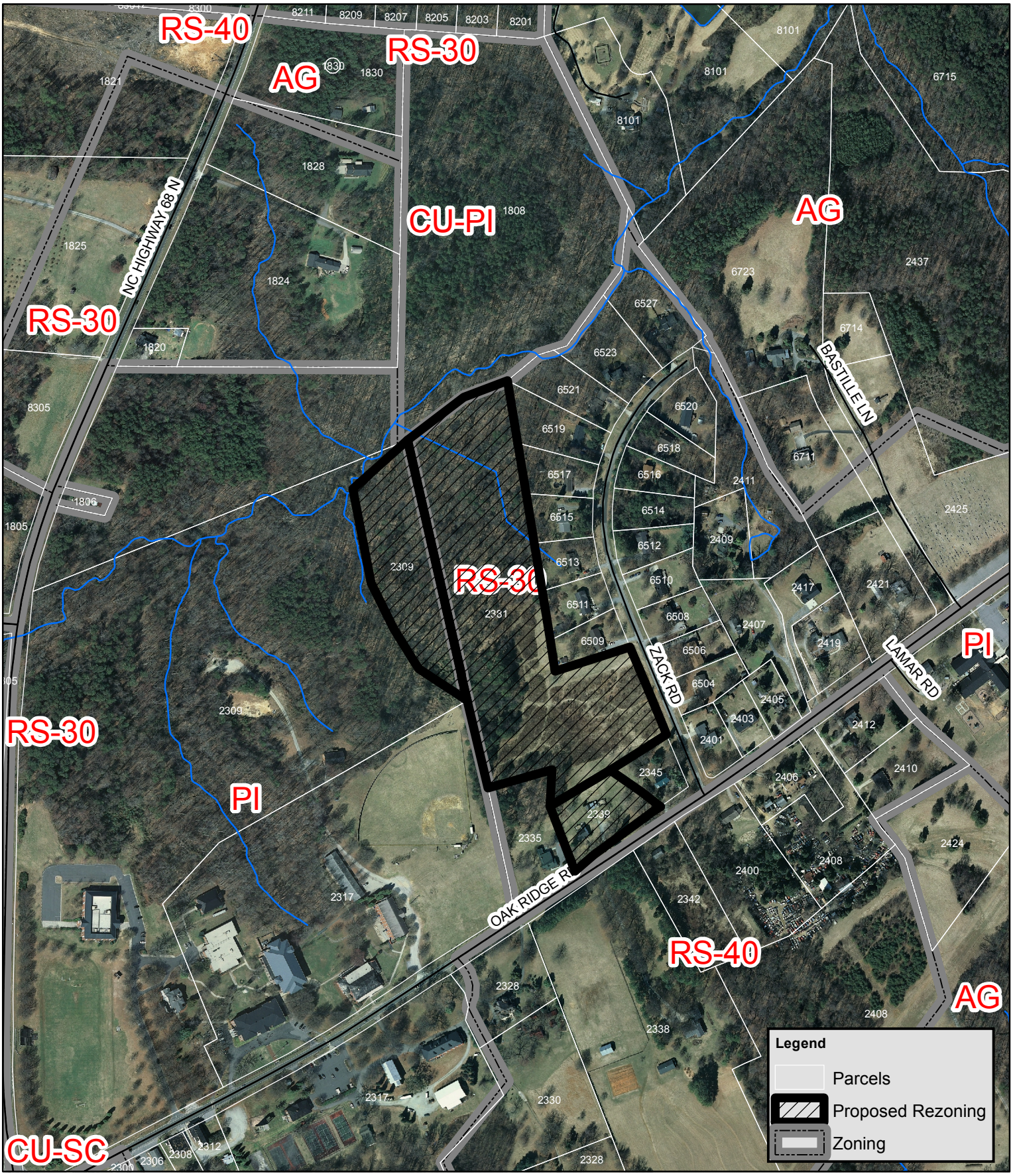
Topography: Gently rolling to moderately steep near the northern property line.

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:

For this revised proposal, the applicant held neighborhood meetings on September 14 and September 19. The applicant held a second meeting in an effort to alleviate concerns that insufficient notice was given for the initial meeting. The applicant will provide more details.



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RS-30 and PI to CU-TC-R

N

Scale: 1":400'

REZONING CASE #RZ-16-04 (revised)

STAFF RECOMMENDATIONS:

This request is consistent with the recommendations of the Oak Ridge Future Land Use Plan. Specifically, the request will help to implement Objective 2.1, which encourages "a variety of housing options to accommodate the housing needs of all Oak Ridge residents." 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, as well as the proposed zoning condition, will also help to screen and buffer the proposed development.

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

PLANNING AND ZONING BOARD RECOMMENDATIONS:

Motion to Approve by: Ms. Paslaru
Seconded by: Mr. Stafford
Vote 4 to 1 in favor of the motion.

VOTE:

Simpson	yes
Paslaru	yes
Stoudemire	yes
Stafford	yes
Wilson	no

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

The Planning and Zoning Board referenced the staff recommendation in stating that the proposed rezoning is consistent with the adopted Future Land Use Plan and is reasonable and in the public interest.

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

ROLL CALL VOTE:

Sullivan	_____
McClellan	_____
Kinneman	_____
Nodine	_____
Stone	_____

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 .]