

REZONING CASE #14-05-ORPL-02087

REQUEST: Rezone approximately 18 acres from AG (Agricultural) to CU-RS-40 (Conditional Use- Residential Single-Family).

Condition: To be developed with a maximum of 15 residential lots.

APPLICANT(S)/PROPERTY OWNER(S): Susan Dee Teeter

PROPERTY LOCATION AND DESCRIPTION: Located on the north side of Haw River Road, approximately 300 feet east of Pepper Road, in Oak Ridge Township. Being Guilford County Tax Parcel 0164838, approximately 17.99 acres.

LAND USE:

Existing Land Use: Undeveloped

Requested Land Use: Major residential subdivision

Zoning History of denied cases: Case# 07-08-ORPL-06359 withdrawn prior to public hearings.

Surrounding Uses:

North: Cascades Open Space Preserve

South: Major residential subdivision (Smoke Ridge Estates)

East: Residential

West: Cascades Open Space Preserve

RECOMMENDATION OF THE OAK RIDGE LAND USE PLAN:

The Oak Ridge Future Land Use Plan shows this area as low density residential. The Oak Ridge Pedestrian Plan recommends a future trail connecting Haw River Road with the Cascades Open Space Preserve.

Discussions with the applicant have indicated their willingness to provide a public trail easement from Haw River Road to the Open Space Preserve, in accordance with the adopted Pedestrian Plan. This condition will be presented at the P&Z Board meeting. Subject to this additional condition, the request as submitted is consistent with the Oak Ridge Future Land Use Plan.

CONDITIONAL USE DISTRICT REZONING ANALYSIS: The petition for rezoning has been made by the owners of all the property to be included in the rezoning request.

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: There are no historic structures located on this site.

UTILITIES AND COMMUNITY SERVICES:

Availability of Public Water and Sewer: Yes _____ No X
Fire Protection District: Oak Ridge
Miles from Fire Station: Approximately 2.4 miles
Schools: Oak Ridge Elementary, Northwest Middle, Northwest High

TRANSPORTATION:

Existing Conditions: Traffic counts for this location are not available.

Proposed Improvements: None at this time.

Projected Traffic Generation: Based on the maximum number of lots (15), up to 150 trips per day could be generated by this development.

PHYSICAL CHARACTERISTICS:

Topography: The property is relatively flat at Haw River Road, then begins a steep descent toward the back half of the property.

Regulated Floodplain and Wetlands: N/A

Stream Location and Classification: An intermittent stream is located in the rear of the property, flowing northward into the Cascade Open Space Preserve.

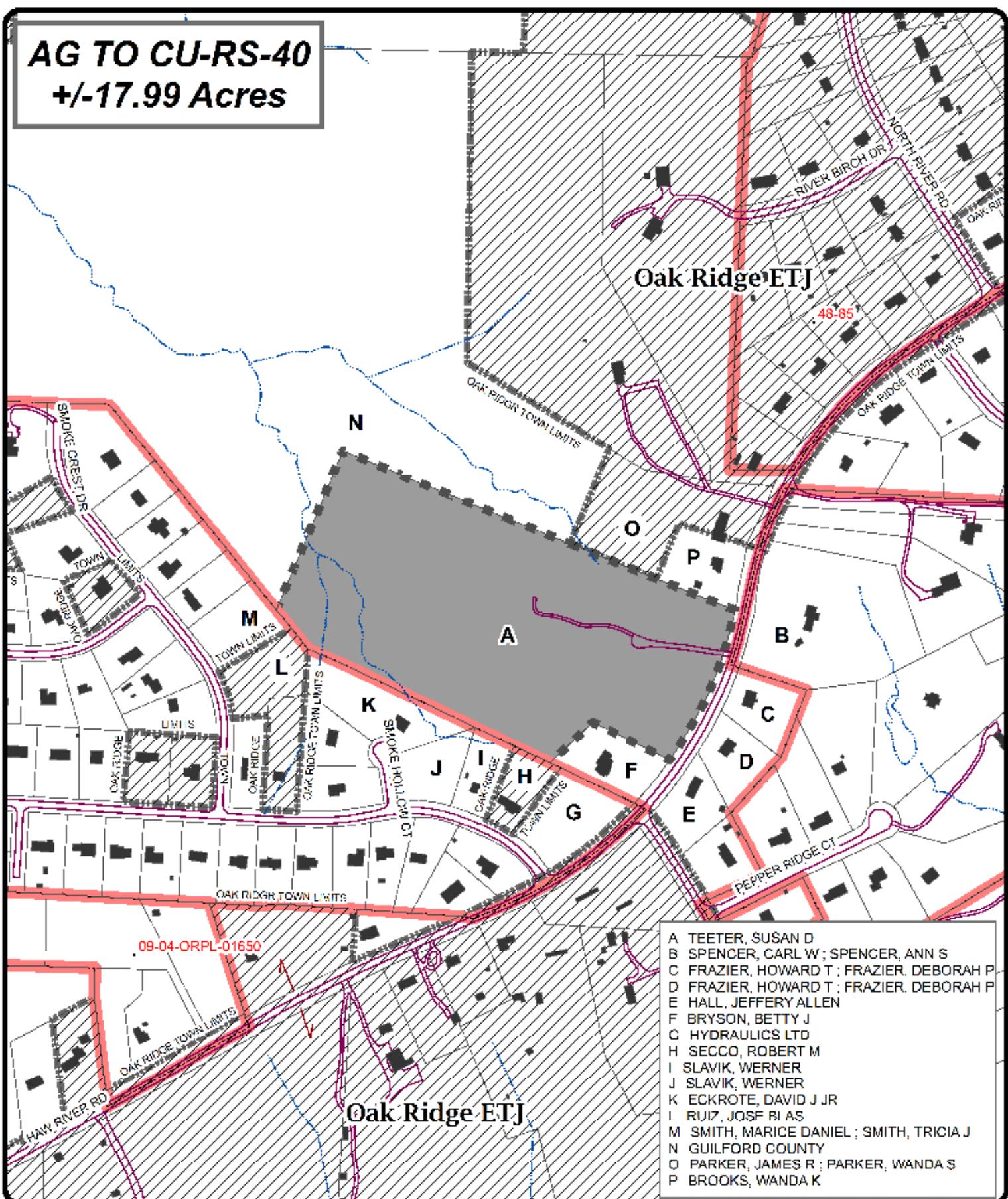
Watershed: The property is not located within a water supply watershed.

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STAFF RECOMMENDATIONS:

The request as presented is in an area identified for low-density development, and is therefore consistent with the Oak Ridge Future Land Use Plan. Staff recommends **approval**.

**AG TO CU-RS-40
+/-17.99 Acres**



- A TEETER, SUSAN D
- B SPENCER, CARL W ; SPENCER, ANN S
- C FRAZIER, HOWARD T ; FRAZIER, DEBORAH P
- D FRAZIER, HOWARD T ; FRAZIER, DEBORAH P
- E HALL, JEFFERY ALLEN
- F BRYSON, BETTY J
- G HYDRAULICS LTD
- H SECCO, ROBERT M
- I SLAVIK, WERNER
- J SLAVIK, WERNER
- K ECKROTE, DAVID J JR
- L RUIZ, JOSE B I AS
- M SMITH, MARICE DANIEL ; SMITH, TRICIA J
- N GUILFORD COUNTY
- O PARKER, JAMES R ; PARKER, WANDA S
- P BROOKS, WANDA K

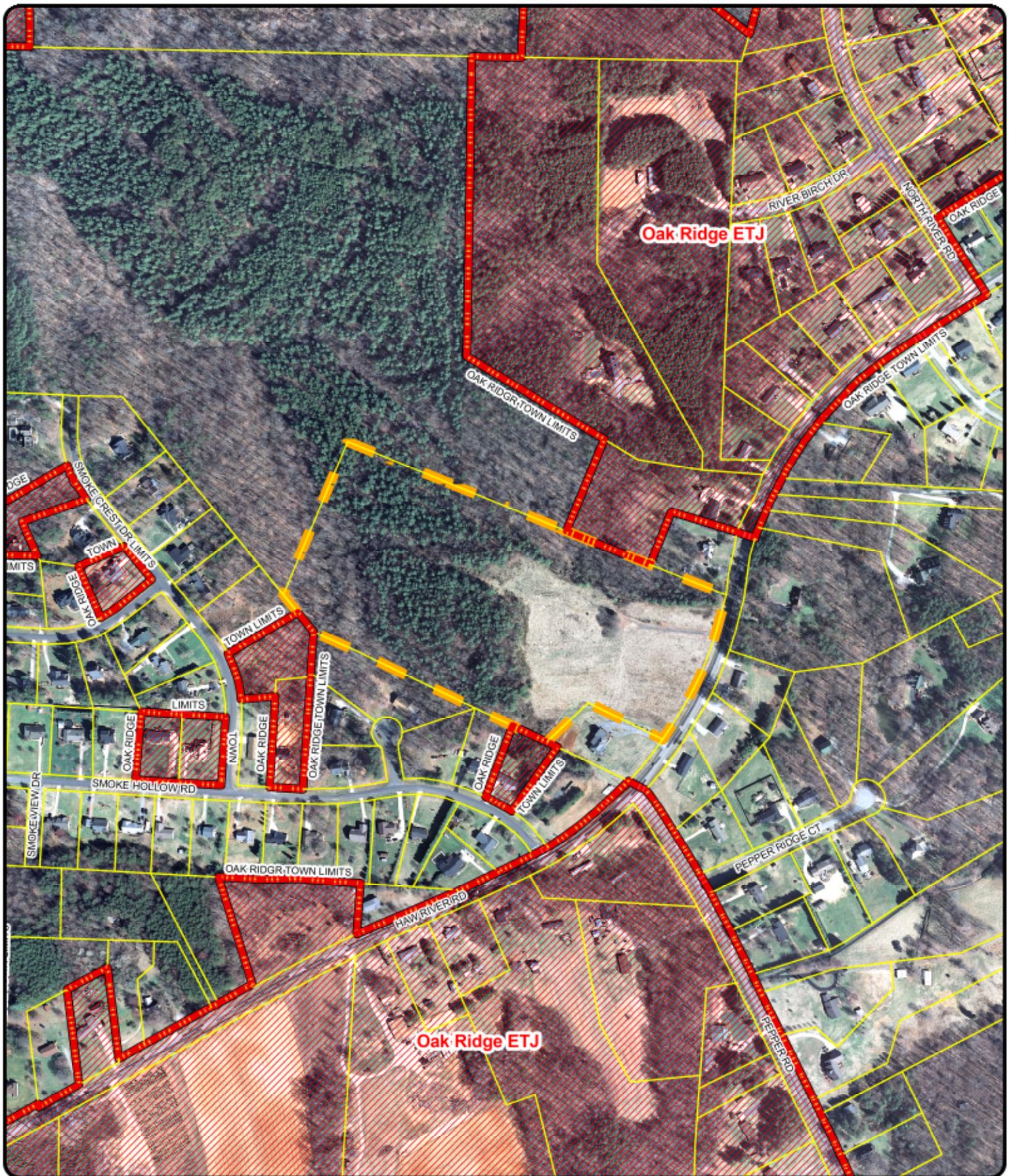


JURISDICTION:
TOWN OF OAK RIDGE
Guilford County
Planning & Development
Department

Rezoning Case #
14-05-ORPL-02087
Township: OAK RIDGE
Scale: 1" = 400'

Map:
0164838





CASE #14-05-ORPL-02087

1 inch = 410 feet



PUBLIC COMMENTS:

PLANNING AND ZONING BOARD RECOMMENDATIONS:

Motion to Approve/Deny by:

Seconded by:

Vote ____ to ____ in favor of the motion.

P&Z BOARD VOTE:

Nodine	_____
Simpson	_____
Stoudemire	_____
Leybourne	_____
Baker	_____
Stafford	_____
Gardner	_____

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

To be provided after the public hearing.

TOWN COUNCIL DECISION:

Motion to Approve/Deny by:

Seconded by:

Vote ____ to ____ in favor of the motion.

TOWN COUNCIL VOTE:

Combs	_____
Sullivan	_____
McClellan	_____
Kinneman	_____
Stone	_____

**MOTION
TO APPROVE
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG to CU-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 CU-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 .]