

REZONING CASE #RZ-17-01

REQUEST:

From: AG, Agricultural and RS-40, Residential Single-Family

To: CU-RPD, Conditional Use- Rural Preservation 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 RPD, rural preservation district, is intended to accommodate rural developments designed to preserve rural character, significant man-made features, environmentally sensitive areas, and scenic views. The district permits conservation, open space, recreational, agricultural, and residential uses that are part of a unified design.

Conditions proposed:

USES: None

DEVELOPMENT CONDITIONS:

1. Existing trail around the perimeter of parcel #0163014 to remain, except at road crossings.

PROPERTY LOCATION AND DESCRIPTION: The property is located at 2910 Oak Ridge Road, on the south side of Oak Ridge Road approximately 250 feet east of Misty Hollow Lane, on the east side of Misty Hollow Lane at its terminus, and at the terminus of Grey Fox Road, in Oak Ridge Township. Being Guilford County Tax Parcels #0163027, 0163014, 0167495, 0163300, and 0163038, approximately 73.45 acres. Located in the Greensboro (GW-III) Watershed, and Scenic Corridor Overlay Zone (part). Owned by James and Florence Burnette.

SUMMARY OF REQUEST: The applicant proposes a residential development under Rural Preservation District zoning standards. This district requires a 50% open space set-aside in exchange for smaller lots. Overall density for the proposed development will be 0.77 units/acre, or 55 lots on 71 acres.

LAND USE:

Existing Land Use: Horse farm/ wooded area with trails

Requested Land Use: Major residential subdivision

North: Residential/Church

South: Bear Creek Subdivision/ Rural residential

East: Wooded

West: Greyhound Friends

RECOMMENDATION OF THE OAK RIDGE LAND USE PLAN: The Oak Ridge Future Land Use Plan recommends this area as Residential. Please see below for relevant objectives of the Plan:

OBJECTIVE 1.1: Promote the preservation of open space, rural vistas, historic resources, and environmental assets by encouraging "conservation subdivision" design on tracts with environmental, historic, or agricultural features.

Staff comment: The applicant has proposed to preserve a central portion of the existing pasture, as well as the existing home and stable. The roundabout located just beyond the development entrance sits on a high point that will afford views of this open space area. The bulk of the preserved open space, however, is located to the rear of the property, where roughly 30 acres of woods and streams will be preserved for open space and recreation.

GOAL #4: Oak Ridge will continue to value open space preservation and tree preservation for environmental stewardship, habitat protection, passive public recreation, and for intrinsic and aesthetic benefits.

Staff comment: A significant portion of the preserved open space will remain wooded, and will preserve over a half-mile of stream corridor. This open space is part of a larger corridor of open space that includes preserved areas in the Birkhaven and Armfield subdivisions in Summerfield.

OBJECTIVE 5.2: Oak Ridge will promote street and neighborhood connectivity.

Staff comment: The proposed sketch plan provides appropriate connections and street stubs for current and future connectivity.

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: There are no inventoried historic structures on or near the property.

UTILITIES AND COMMUNITY SERVICES:

Availability of Public Water and Sewer: Yes _____ No X
Fire Protection District: Oak Ridge
Miles from Fire Station: Approximately 3.1 miles
Schools: Oak Ridge or Stokesdale Elementary, Northwest Middle, Northwest High

TRANSPORTATION:

Existing Conditions: Traffic counts at this location of NC 150 are difficult to estimate. NCDOT traffic counts along NC 150 from 2015 show 4000 trips per day just west of Summerfield Road and 7400 trips per day at ORMA, but no counts were conducted in between.

Proposed Improvements: NCDOT will evaluate potential improvements to NC 150 during their review of the proposed development.

Projected Traffic Generation: If developed at its full allowable density, this development could generate roughly 550 trips per day.

PHYSICAL CHARACTERISTICS:

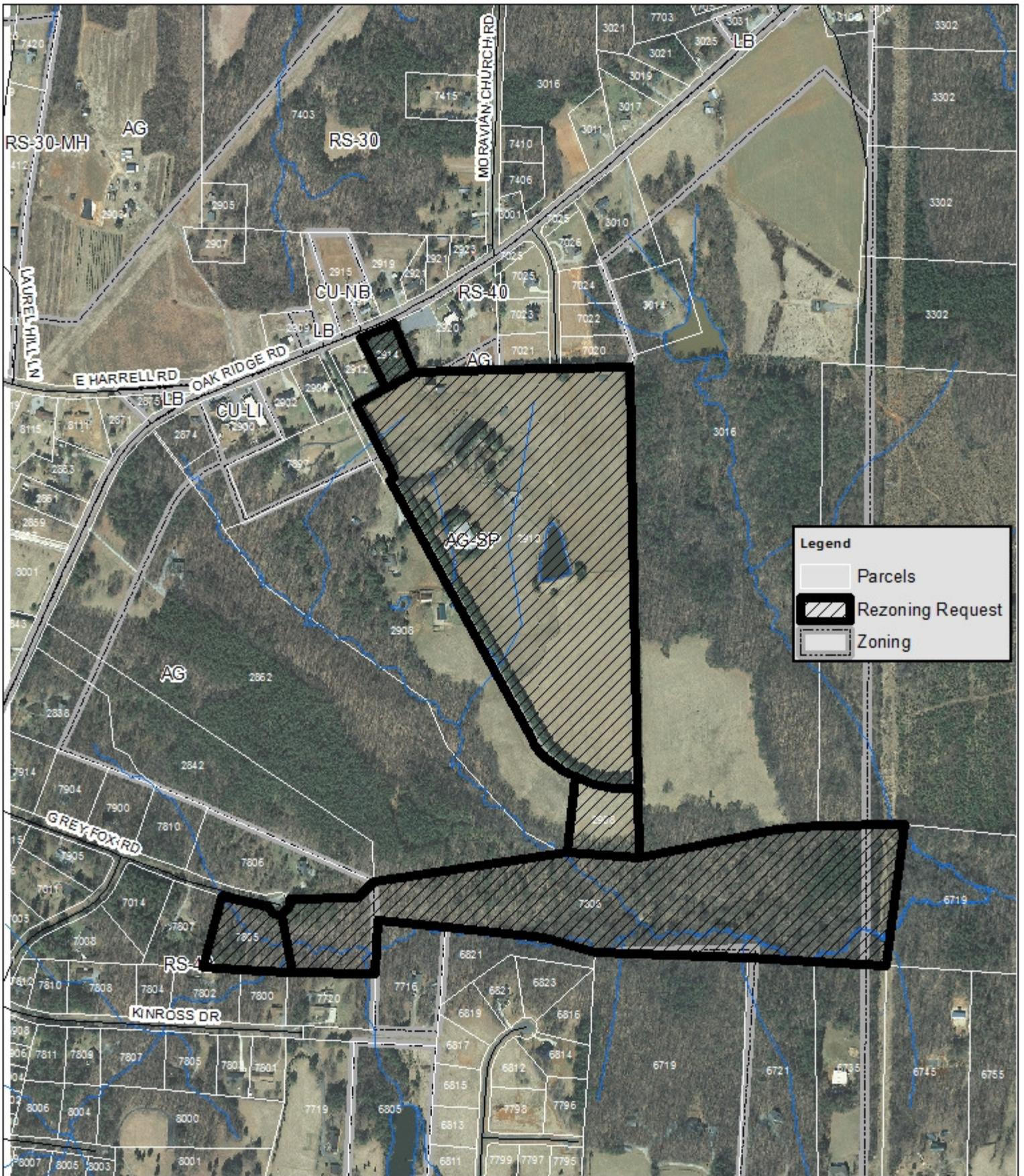
Topography: The northern half is relatively flat to gently rolling, sloping toward the south.

Regulated Floodplain: None

Stream Location and Classification: A perennial stream and a tributary are located on the wooded tract along the southern boundary of the proposed development.

COMMUNITY OUTREACH:

The applicant held an open house with neighbors on Monday, January 23 at Town Hall. Approximately 30 neighbors attended.

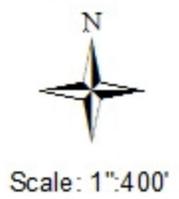


Legend

-  Parcels
-  Rezoning Request
-  Zoning



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AG-SP and RS-40 to CU-RPD



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STAFF RECOMMENDATIONS:

This request is consistent with the recommendations of the Oak Ridge Future Land Use Plan. Specifically, the development will help to implement Goal #1 of the Land Use Plan, which seeks to balance new residential development with the preservation of its environmental, agricultural, and historic resources. The development will preserve a significant portion of valuable open space that maximizes connectivity with protected areas to the east. The development provides a system of walking trails that have been well planned and maintained, and will be an asset to the neighborhood.

Alternatively, an RS-40 development at this location would not require any open space dedication, and would likely incorporate some level of residential development on the southernmost wooded tract, combined with a potential extension of Grey Fox Road. Staff believes that the open space that is proposed for preservation through the RPD requirements has value for the citizens of Oak Ridge and will help to advance the Town's stated commitment to a balance of growth and environmental stewardship.

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

PLANNING AND ZONING BOARD RECOMMENDATIONS:

Motion to Approve by: Ms. Stoudemire

Seconded by: Ms. Gardner

Vote 5 to 1 in favor of the motion.

VOTE:	Simpson	yes
	Gardner	yes
	Paslaru	yes
	Stafford	yes
	Stoudemire	yes
	Wilson	no

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

The request is consistent with the 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.

VOTE:

Sullivan	_____
McClellan	_____
Kinneman	_____
Nodine	_____
Stone	_____

**MOTION
TO APPROVE
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG and RS-40 to CU-RPD

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 and RS-40 to CU-RPD

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 .]