



ZONING AMENDMENT STAFF REPORT

Rezoning Case Number: **ZCR1067**

Applicant: **Douglas and David Short**

Current Zoning: RG Proposed Zoning: MR

Tax Parcel ID Number(s): 5030-20-91-8301; 5040-03-01-1108

Nature of the Request

Overview: [Report date August 13, 2010] The rezoning petition was filed on August 10, 2010; the proposal is to reclassify two contiguous parcels totaling about 3.88 acres, for multifamily residential purposes. The rezoning if adopted would retain general residential character and intended land use, but would alter the types of dwelling and structure permitted; presently under the RG zoning all types of single-family dwellings are permitted, whereas the MR district would allow only duplex and multi-family residences. The property is currently improved with a single-family residence and accessory outbuildings; the house if it remains would become a nonconforming use under MR zoning. Surrounding properties have similar single-family residential uses consistent with the RG zoning district description. The property is located on NC Highway 89, also named Westfield Road, east of Mount Airy and about 1000 feet from the Mount Airy ETJ and public water access.

General Use Rezoning

Conditional Rezoning

If the nature of the request is a Conditional Rezoning, the following uses shall be permitted in this proposed conditional zoning district:

n/a

The following development conditions have been offered by the applicant:

n/a

Property Specifics

Property Owner: Douglas Short, David Short

Property Location: 142 Shortview Way, off Westfield Road, near Harris Street intersection, east of Mount Airy

Township: Mount Airy **Acreage:** 3.88

Deed Book: 1121 **Page:** 1001

Zoning History of Parcel(s): Has been zoned RG since 2001.

Character of the Area

Overview: The area is residential and rural/suburban in character. Predominant land use is single-family residential, low to medium density, with significant open space, woods and farmland; scattered non-residential uses.

Existing Land Use(s) on the Property: The property has a principle single-family dwelling of 2,426 square feet as appraised by the Surry Tax Department. Accessory buildings include an older unoccupied dwelling and barn of 700-750 square feet each.

Surrounding Land Use(s) and Zoning:

Location	Land Use	Zoning
North	Woods, open land, residential, agricultural	RA, RG
South	Woods, open land, residential, agricultural	RA, RG
East	Woods, open land, residential, agricultural	RA, RG
West	Woods, open land, residential, agricultural	RA, RG, ETJ

Historic Properties: None in the immediate area.

Infrastructure and Community Facilities

Public Schools:

District	Enrollment	Existing Capacity
Franklin	646	908
Meadowbrook Middle	465	650
North Surry High	1042	1025

Fire District: Bannertown

Water and Sewer Services:

Private Well Private Septic Public Water Public Sewer

Public Water/Sewer Provider: None

Public Water/Sewer Planning: Water main extends east from Mount Airy along Westfield Road to within about 1000 feet west of the subject property. 20-year water-sewer capital improvement plan shows water service extension to the property by 2027 and sewer service extended roughly to within 1000 feet of the property by 2027. Applicant Douglas Short has discussed application with the county water/sewer coordinator to extend public water to the property. Prospects for extension are uncertain as of this report date, 08/23/2010.

Transportation:

Property Access: Property is currently accessed by Harris Street, which extends south from NC89/Westfield Road, 1000 east of the Mount Airy ETJ. NC Highway 89 ADT at this location is shown below:

ADT: 5600 trips per day **Year:** 2008

Proposed Improvements: none. Harris Street and Shortview Way are private roads. NCDOT staff did not have detailed comment on compliance or driveway permitting, because no specific development proposal has been advanced. General indication was that development of the property may be limited by existing access. Access directly from Hwy 268 is possible, which would require NCDOT driveway permit.

Projected Traffic Generation: minor

Thoroughfare Plan Consistency: NC Highway 89 at this location is classified as a minor arterial. Multi-family development at this location would be limited and would not significantly increase ADT.

Environmental Assessment

Topography: Rolling.

Flood Hazard: n/a

Streams: No **Perennial:** No

Wetlands: Unknown

Watershed: None

Watershed Development Density: n/a

Land Use Planning Consistency

Applicable Land Use Plan(s): Land Use Plan 2015

Future Land Use Classification(s): Rural Growth/Suburban Area

Consistency Principle(s):

Land Use Plan 2015

5.3.8 Encourage high quality development.

5.4.5.2 Compact development should be encouraged in order to reduce unnecessary waste of space and cost of services.

5.4.7.2 Medium-density residential development within areas designated as Rural Growth Areas on the Future Land Use Map should be limited to housing that promotes a strong and established tax base; these areas should see the highest rate of growth in the County's planning jurisdiction.

5.4.7.9 The County should encourage multi-family housing complexes to serve the needs of young professionals

Meeting Summaries

Applicant Douglas Short met with staff on June 4, 2010; met briefly with staff again in July 2010; and discussed development options with staff by telephone periodically in early August 2010. The applicant was advised of his option to pursue either a general use rezoning or a conditional rezoning with a more specific and planned development proposal. The applicant chose to forego site planning at this time and to apply for the general MR reclassification. The applicant was advised that the existing home on the property would become a nonconforming use under a reclassification of the property to MR, with conditional use requirements to rebuild or expand the home should it be necessary or desired. The applicant was advised that new multi-family development on the property may be limited or complicated by uncertain water/sewer availability, location of the existing home, land area, and layout of the property. It was determined that airport overlay restrictions do not undercut residential structure height limits at this

location. The highest elevation on the property is 1,225 feet, and the lowest elevation of the overlay's restrictive horizontal and conical zones is 1,398 feet, so only towers would be restricted by this property's proximity to the Mount Airy Municipal Airport.

Recommendation

The RG and MR zoning districts are similar in types and number of uses allowed. Both zoning districts permit a relatively small number of uses (29), having about two-thirds of those uses in common. The MR district is defined to allow for greater residential density and more compact development, and to require a higher building quality than the RG district, which allows manufactured housing. So the MR district is generally more consistent with the Land Use Plan elements listed above; if located appropriately MR can be more favorable for encouraging quality development and increased tax base in the Plan's targeted Rural Growth Areas (which include the subject property) than the RG district.

Some features of the subject property may resist intensive development. Depending on the specific project, multi-family development may be limited by the available land area, water supply and soil conditions, if public water or sewer cannot be accessed. The existing house and outbuildings would also complicate site planning. High-rise development would not be allowed in MR (50-foot building height limit).

Ordinance criteria for Planning Board review (Article 4, Section 3):

- ~Will the proposal place all property similarly situated in the area in the same category, or in appropriate complementary categories?
- ~Is there convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group?
- ~Is there convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change? (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state that they intend to make of the property involved.)
- ~Is there convincing demonstration that the character of the neighborhood will not be materially or adversely affected by any use permitted in the proposed change?
- ~Is the proposal in accord with the Land Use Plan and sound planning principles?

Attachment(s)

Map, pictures, use list