

**ZONING AMENDMENT STAFF REPORT****Date: November 20, 2008****NAME**

Crossroads, LLC

**LOCATION**

East terminus of Blue Ridge Boulevard, extending to the West termini of Old Dobbin Drive and Harness Way, and extending to the North terminus of Valley Dale Drive.

**CITY COUNCIL  
DISTRICT**

District 6

**PRESENT ZONING**

B-1, Buffer Business District, and R-2, Two-Family Residential District

**PROPOSED ZONING**

R-1, Single-Family Residential

**AREA OF PROPERTY**

4.5± Acres

**CONTEMPLATED USE**

Rezoning from B-1, Buffer Business District, and R-2, Two-Family Residential District, to R-1, Single-Family Residential District, to allow the construction of a single family residential subdivision.

**It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.**

**TIME SCHEDULE  
FOR DEVELOPMENT**

Immediately.

**ENGINEERING  
COMMENTS**

Must comply with all storm water and flood control ordinances. Need to capture as much drainage as practicable on the proposed Old Dobbin Drive to alleviate any potential drainage problems on the existing Old Dobbin Drive drainage system. Any work performed in the right of way will require a right of way permit. Need to verify that there is sufficient capacity for the receiving drainage system(s) to accept drainage from this property.

**TRAFFIC ENGINEERING  
COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Final approval for all driveways, proposed and existing will be given upon submittal of final plans.

**URBAN FORESTRY****COMMENTS**

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).

**FIRE DEPARTMENT****COMMENTS**

Fire hydrants shall be provided per Section 508.5.1 of the 2003 IFC. Access to building shall be provided per Section 503.1.1 & 503.2.1 of the 2003 IFC.

**REMARKS**

The applicant is requesting rezoning from B-1, Buffer Business District, and R-2, Two-Family Residential District, to R-1, Single-Family Residential District, to allow the construction of a single family residential subdivision.

The site is bounded to the North, South, East and West by dwellings in R-1, Single-Family Residential and R-2, Two-Family Residential Districts.

As stated in Section 64-9. of the Zoning Ordinance, the intent of the Ordinance and corresponding Zoning Map is to carry out the comprehensive planning objective of sound, stable and desirable development. While changes to the Ordinance are anticipated as the city grows, the established public policy is to amend the ordinance only when one or more of the following conditions prevail: 1) there is a manifest error in the Ordinance; 2) changing conditions in a particular area make a change in the Ordinance necessary and desirable; 3) there is a need to increase the number of sites available to business or industry; or 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

R-1, Single-Family Residential districts are composed of both developed and largely undeveloped areas. The developed areas contain mainly one-family dwellings and small open areas, usually subdivided, where residential development seems likely to occur. It is anticipated that most of the large undeveloped areas will ultimately be developed for residential use. The district regulations are designed to protect the residential character of the developed areas by prohibiting all commercial activities; to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

Regarding the zoning application, the entire site appears to be depicted as residential on the General Land Use Component of the Comprehensive Plan, which is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the General Land Use Component allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

The applicant states that the anticipated use is “a single-family residential subdivision”, hence the rezoning to the more restrictive R-1, Single-Family Residential district. The site is to be

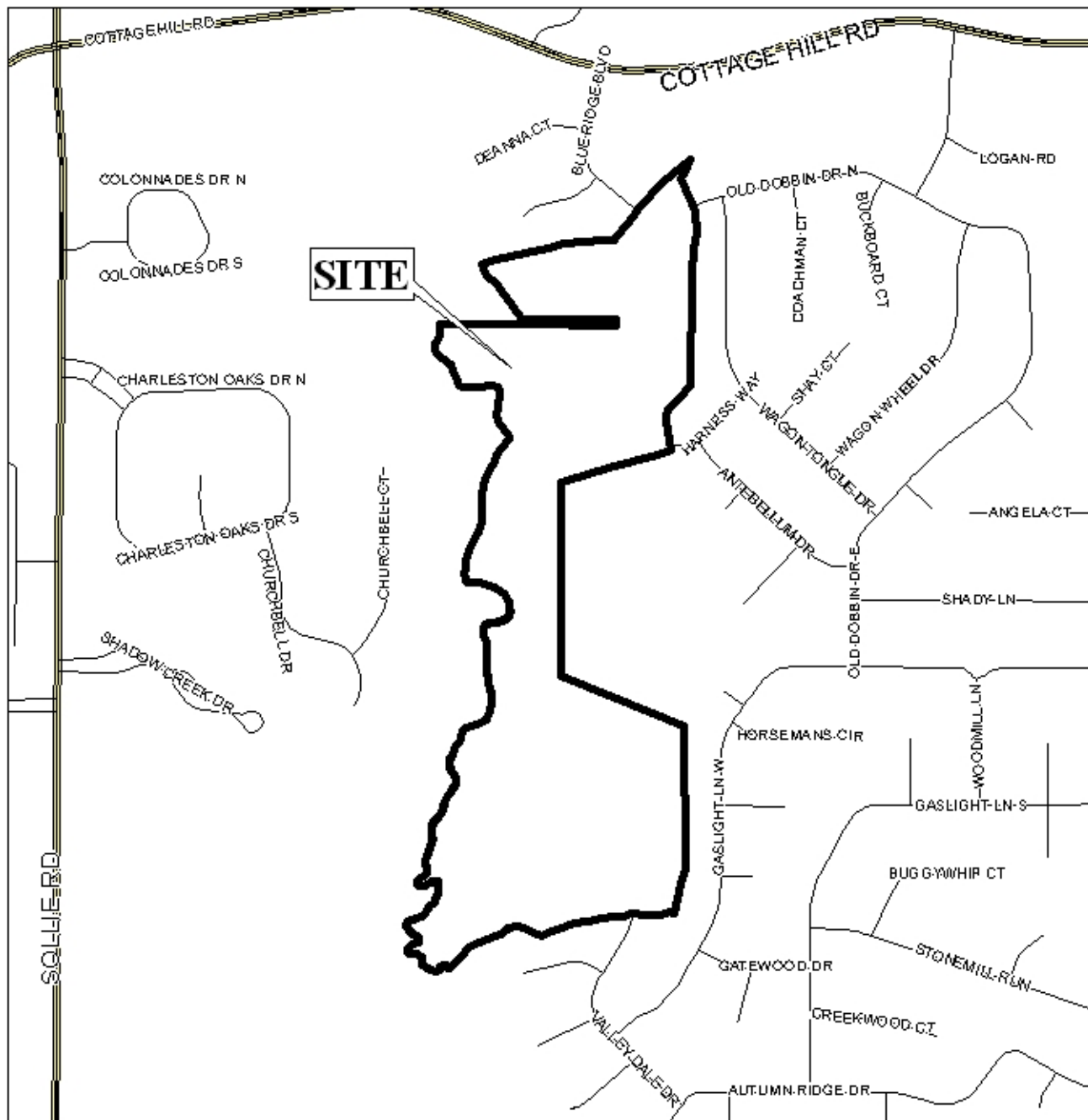
developed in phases, with 22 lots in phase 1 (Agenda Item #1 Amelia Woods Subdivision). The remainder of the property will be developed upon completion of the first phase.

**RECOMMENDATION**

**Rezoning:** Based upon the preceding, this request is recommended for Approval, subject to the following conditions:

1. compliance with Engineering comments (*Must comply with all storm water and flood control ordinances. Need to capture as much drainage as practicable on the proposed Old Dobbin Drive to alleviate any potential drainage problems on the existing Old Dobbin Drive drainage system. Any work performed in the right-of-way will require a right-of-way permit. Need to verify that there is sufficient capacity for the receiving drainage system(s) to accept drainage from this property.*); and
2. full compliance with all municipal codes and ordinances.

# LOCATOR MAP

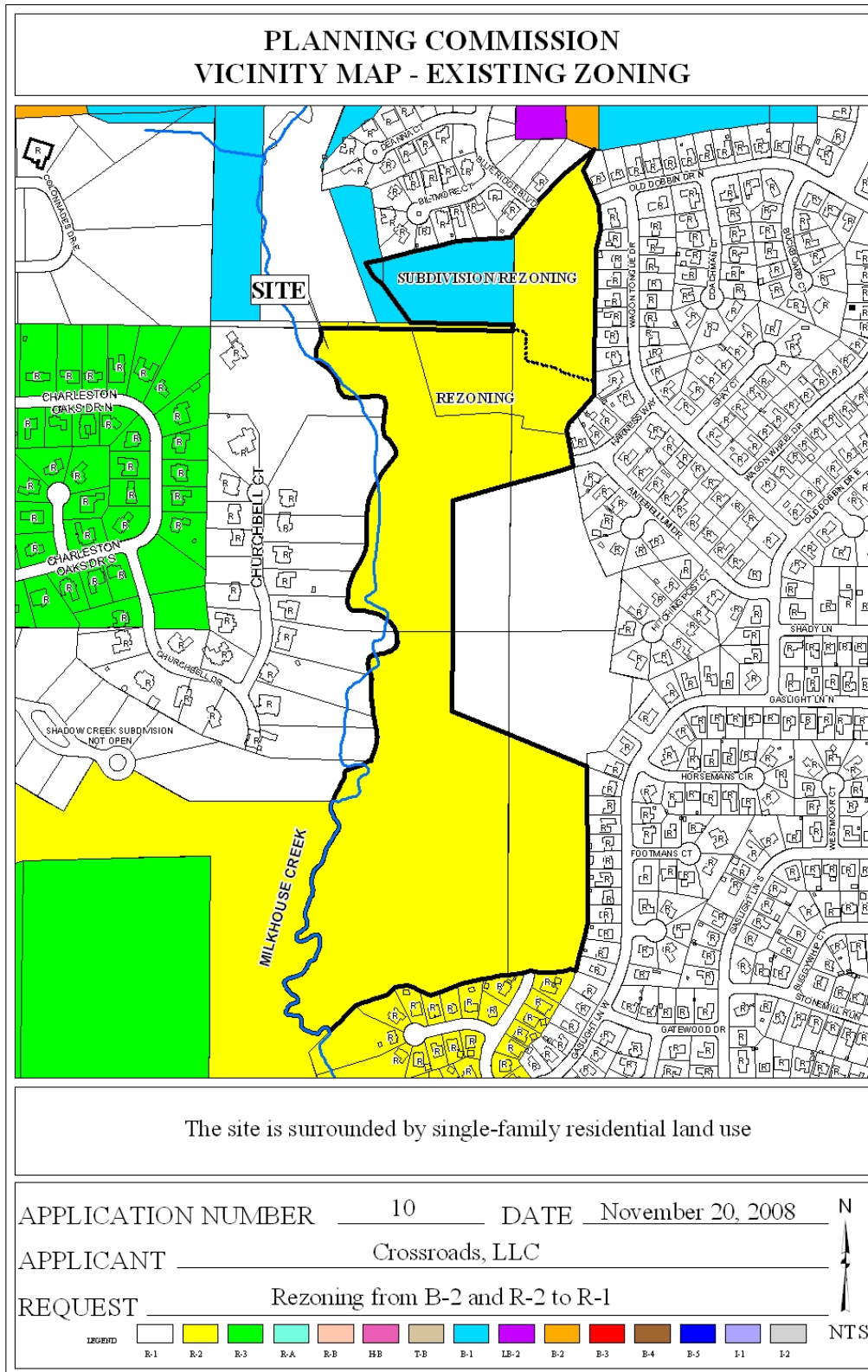


APPLICATION NUMBER 10 DATE November 20, 2008

APPLICANT Crossroads, LLC

REQUEST Rezoning from B-2 and R-2 to R-1

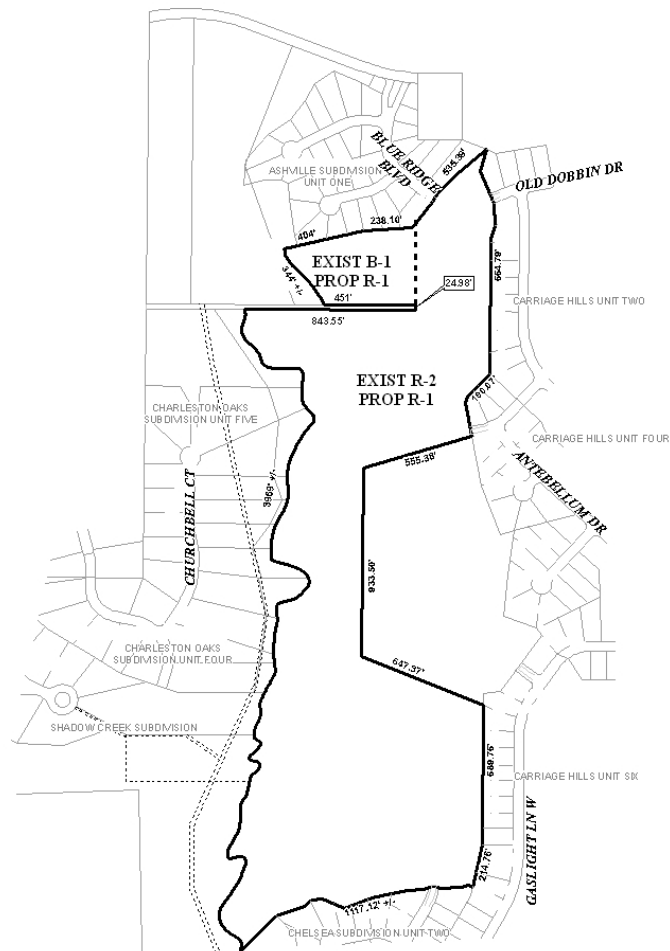








## SITE PLAN



The site plan illustrates the existing and proposed zoning districts

APPLICATION NUMBER 10 DATE November 20, 2008  
 APPLICANT Crossroads, LLC  
 REQUEST Rezoning from B-1 and R-2 to R-1

