



Agenda Abstract

JOINT PUBLIC HEARING

Meeting Date: March 20, 2025
Department: Planning & Economic Services Division
Agenda Section: 4B
Public hearing: Yes
Date of public hearing: March 20, 2025

PRESENTER/INFORMATION CONTACT

Molly Boyle, Planner II

ITEM TO BE CONSIDERED

Subject: General use rezoning request for 311 W Orange Street

Attachments:

1. Rezoning application
2. Maps (vicinity, zoning, future land use, and nonconforming lots in Historic District)

Summary:

General Use Rezoning – 311 W Orange Street (PIN 9864-88-3297)	
Owner	HTKT Investments LLC
Applicant	Harris Trail and Kariem Tanany
Parcel Size	0.50 acres (21,780 sq. ft.)
Current Land Use	Undeveloped
Current Zoning	R-20 (residential district with 20,000 sq. ft. minimum lot size); Historic Overlay District
Proposed Zoning	R-10 (residential district with 10,000 sq. ft. minimum lot size); Historic Overlay District
Future Land Use designation	Urban Neighborhood

Comprehensive Sustainability Plan goals:

- Land Use and Development Goal 1: Ensure that future growth and development, including infill and redevelopment, are aligned with smart growth principles and consider infrastructure constraints such as water and wastewater system capacity.
 - Strategy: Develop and adopt plans that contribute to meeting preferred future land use and growth patterns.
 - Action: Analyze additional opportunities for infill and redevelopment and increased density in existing neighborhoods, focusing on the provision of water and sewer and other infrastructure and services.

Financial impacts:

If rezoned to R10, the property owner could subdivide the existing lot into two lots of about 10,000 sq. ft. each. No financial impacts are projected other than those associated with the addition of one new residential lot.

Staff recommendation and comments:Planning

Rezoning this parcel to R10 would be consistent with the town's adopted ordinances and plans. On the town's Future Land Use Map, the property is designated as "Urban Neighborhood," which envisions the following:

"Established residential neighborhoods that pre-date traditional zoning and land use regulation. Lot sizes and building types are varied and generally developed on a grid street pattern. The predominant type is generally low-density single-family housing with occasional business, government, park, church or school uses. Infill and redevelopment projects should enhance the unique character of the surrounding neighborhood and be of consistent scale and appearance. The opportunity to increase the residential density in a compatible manner is encouraged."

Unified Development Ordinance Section 4.1.1, *Residential Districts (R-20, R-15, R-10)* states

"The purpose of these (R-20, R-15, R-10) districts is to provide locations for moderate intensity residential neighborhoods...These districts will usually be applied where...water and sewer lines exist at the site or are to be installed as part of the development process [and where] there is direct vehicular access to a street classified as either collector or local."

The property is also located in the Historic Overlay District, where most properties are zoned R20 (20,000 sq. ft. minimum lot size). However, many lots in the Historic District predate town zoning and do not conform to the 20,000 sq. ft. minimum. There are 642 parcels in the Historic District, with 343 being less than 20,000 sq. ft. (see attached map).

Engineering/Utilities

Town Code of Ordinances Section 14-44(e), *Connection required*, states:

"For purposes of this article, water or sewer service, respectively, is not available if the building or structure to be served on the property is located more than 100 feet from an existing public water or sewer line that reasonably could serve such property. In addition, no property owner shall be required to connect to the public water or sewer system if he must first purchase an easement in which to install water or sewer lines."

The property at 311 W Orange Street is over 100 feet from an existing sewer line. The Utilities Department would allow either 1) the extension of public gravity sewer to the parcel or 2) a public water connection and private septic system. The extension of public gravity sewer to the property would be at the applicant's expense. The Utilities Department would not allow the pumping of sewage from a private system down the street.

Staff recommendation:

Planning staff supports the rezoning of this parcel to R10. Utilities has noted its concerns about the lack of frontage on existing sewer, but sewer service is possible if the applicant extends public gravity sewer to the property.

Action requested:

Hold the public hearing. After the public hearing is closed, the Planning Board may make its recommendation if prepared to do so.