

OAK RIDGE TOWN COUNCIL

MAY 8, 2014

PD-R REZONING  
Case No. 14-03-ORPL-01406

**LINVILLE OAKS  
HOMEOWNERS ASSOCIATION**

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Sec. 30-2. - Purpose. ✓

(a) *General purpose.* It is the purpose of this chapter to promote the health, safety, morals, and general welfare of the residents of the town through the regulations of this chapter and to the preservation of the historic district.

(b) *Zoning regulation purpose.* The zoning regulations, adopted and prescribed in this chapter, are found by the town council to be necessary and appropriate to:

- (1) Lessen congestion in the streets;
- (2) Secure safety from fire, panic and other dangers;
- (3) Provide adequate light and air;
- (4) Prevent the overcrowding of land;
- (5) Avoid undue concentration of population;
- (6) Facilitate the adequate and economic provision of transportation, water, sewage, schools, park, and other public services;
- (7) Protect water quality within watershed critical areas and/or designated municipal watersheds;
- (8) Preserve and enhance visual attractiveness and economic vitality;
- (9) Require appropriate setbacks for buildings and other structures to facilitate the safe movement of vehicular and pedestrian traffic, provide adequate fire lanes and ensure adequate distance from dust, noise and fumes created by vehicular traffic; and
- (10) Establish a zoning vested right upon the approval of a site-specific development plan pursuant to G.S. 160A-385.1.

(c) *Cluster and zero side setback regulation purpose.* The single-family dwelling cluster and zero side setback regulations, adopted and prescribed in this chapter, are found by the town council to be necessary and appropriate to:

- (1) Encourage innovation in residential development by providing efficient, attractive, flexible and environmentally sensitive design;
- (2) Lower the costs of housing by reducing the lot size and the per dwelling unit linear footage of streets, water lines, storm sewers and sanitary sewers;
- (3) Reduce the future cost of infrastructure maintenance and, therefore, the burden upon taxpayers and ratepayers;
- (4) Encourage development in areas which have major streets and utility lines in place, but are experiencing little or no development;
- (5) Protect water quality, preserve wildlife habitats, and protect natural features such as streams, lakes, wetlands, and trees; and
- (6) Reduce the amount of grading necessary for site preparation.

(d) *Planned unit development purpose.* The planned unit development regulations, adopted and prescribed in this chapter, are found by the town council to be necessary and appropriate to:

- (1) Promote all of the purposes listed in [section 30-2\(c\)](#);
- (2) Allow diversification of uses in developments intended as cohesive, unified projects;
- (3) Allow variation in the relationship of residential and nonresidential uses and structures in such cohesive, unified projects;
- (4) Reduce travel time by providing opportunities for employment and services closer to residences; and
- (5) Encourage innovation by offering flexibility in design and layout requirements to achieve a greater choice of living and working environments.



(b) *Requirements for zoning map amendments.*

- (1) *General requirements.* Any person authorized to seek an ordinance amendment shall submit an application according to a form provided by the planning department, along with other required information pursuant to appendix B to this Code in cases where sketch plans or site plans are required.
- (2) *Fee.* All fees shall be due and payable when the application is made according to the schedule of fees.
- (3) *Filing of application.*
  - a. No application for rezoning to the same district shall be filed within a one year period from the date of final action on the previous rezoning request other than a withdrawal, subject to the provisions of subsection (b)(6) of this section, prior to the public hearing on a given parcel of land or portion thereof unless the town council determines that evidence submitted to them merits consideration for a public hearing at their next meeting.
  - b. A second request for the same parcel of land or portion thereof for a different zoning district may occur within a one year period from final action on the initial request.
  - c. Under no circumstances may more than two zoning map amendments be filed for rezoning a given parcel of land or any portion thereof within any one year period.
- (4) *Notification.* The posting of signs, publishing of legal notices and other procedures as provided in article II shall be followed.
- (5) *Public hearing.* The planning and zoning board shall hold a public hearing on the application. The planning department shall present the application to the planning and zoning board, together with the planning department's recommendations, at the first regularly scheduled meeting following proper filing and notice of the application.
- (6) *Application withdrawal*
  - a. An application for amendment may be withdrawn by the applicant anytime before submission of the public notice to the newspaper announcing the public hearing.
  - b. After submission of such notice, an application may be withdrawn at the discretion of the planning and zoning board or town council at the public hearing.
  - c. No more than two withdrawals may occur on the same parcel of land or portion thereof within a one year period.
  - d. No application shall be filed on the same parcel of land or portion thereof within a one year period after the date of the second withdrawal.

(7) *Continuance.* The planning and zoning board may continue a rezoning request for up to two months provided the reason for said continuance is stated in the motion to continue. Nothing in this section shall prohibit a continuance being granted for a greater period of time provided it is mutually agreed upon by all parties concerned. Upon failure of the planning and zoning board to act on a request immediately following all proper continuances, or if no action is taken, the petitioner may take the rezoning application to the town council without a recommendation from the planning and zoning board.

(8) *Voting.*

- a. A majority vote from the planning and zoning board shall constitute a favorable recommendation of the application and shall be forwarded to the town council.
- b. Applications receiving less than a majority favorable vote or unfavorable from the planning and zoning board shall constitute an unfavorable recommendation of the application and shall be forwarded to the town council.
- c. Applications forwarded to the town council shall require a simple majority vote to be approved, except as provided for in subsection (b)(9) of this section.
- d. All votes of the planning and zoning board on zoning map amendments shall be accompanied by a written recommendation to the town council, citing consistently with the town's adopted land use plan and any other officially adopted plan that is applicable. Comment by the planning and zoning board that a proposed amendment is inconsistent with the land use plan shall not preclude consideration or approval of the proposed amendment by the town council.
- e. All votes of the town council on zoning map amendments shall be accompanied by a written statement citing consistently with the town's adopted land use plan and any other adopted planning documents.
- f. A member of the planning and zoning board or the town council shall not vote on any zoning map amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

(9) *Protest petition.*

- a. A landowner or neighboring property owner may file a protest petition with the planning and zoning board, which will review and validate the petition, and then submit the petition to the town council. Any proposed rezoning would then require a three-fourths favorable vote by the town council before a zoning amendment can be approved. Vacant seats and members who are recused from voting shall not be considered in calculation of the three-fourths majority.

- b. The property owner or landowner of a qualifying area must file the petition in writing with the town clerk at least two days, excluding Saturdays, Sundays, and holidays, before the planning and zoning board's advertised public hearing on the proposed zoning change. Where an individual property owner is married, both husband and wife must sign the petition. A "qualifying area" is defined as:
  - i. Twenty percent of the property being rezoned; and/or
  - ii. Five percent of a strip of land 100 feet wide adjacent to or across the street from the property. The 100-foot strip is measured from the property line of the parcel containing the area to be rezoned.
- c. Protest petitions may not be filed for an amendment to an adopted special use permit or conditional use district if the amendment does not change the types of uses that are permitted within the district or increase the approved density for residential development, or increase the total approved size of nonresidential development, or reduce the size of any buffers or screening approved for the district.
- d. Protest petitions can only be used to object to changes in existing zoning district boundaries.



# OAK RIDGE LAND USE PLAN

## INTRODUCTION

In April 2002 the Town of Oak Ridge formed a committee composed of citizens who expressed interest in the future development of the town. The committee met on a regular basis for eight months and formulated a plan that was forwarded to the Planning and Zoning Board and Town Council for adoption. The Land Use Plan map is shown on the reverse side. The plan document below explains how the map will be used.

## GUIDING PRINCIPLES

A variety of principles were expressed during the committee meetings. These are stated explicitly in order to provide a framework and rationale for the plan and its recommended development pattern.

- **Property Rights** – The plan is structured to give all property owners in the town an opportunity to develop their land, or to sell their land with reasonable expectations that some level of development will be approved. While zoning will continue to be used to determine what uses are permitted, no area of the town will be considered “off limits”.
- **Town Traditions** – Oak Ridge has been in existence since the mid-1800s. It has an identity, history and appearance that were studied in depth prior to adoption of the Historic District in 1995. These assets should be protected and enhanced as the town grows.
- **Agricultural Traditions** – In addition to the historic center of Oak Ridge, the town limits contain many large tracts of land that have been farmed for over 150 years. Although farming has become less viable economically, the open fields and pastures are a significant part of what makes Oak Ridge a desirable place to live.
- **Walkability** – Oak Ridge has been part of a building boom in northwest Guilford County that began in the mid 1980s and continues today. Developers have purchased large tracts of farmland and converted them to low-density subdivisions whose residents generally work in Greensboro, High Point or Winston-Salem. Traffic on the town’s road network has increased tremendously, making it difficult and dangerous to walk, bike or even take a leisurely drive around town. The committee expressed a strong desire to establish pedestrian links as a way to pull the town together.

## LAND USE CATEGORIES

The following describes the land use categories used in the plan:

- **Low Density Residential** – Areas in which the principal use of the land is for single-family subdivisions on one-acre lots served by individual septic tanks and individual or community wells.
- **Town Core** – The central area of Oak Ridge in which there is a mixture of homes, churches, schools, and businesses.
- **Commercial Town Core** – The heart of the Town Core, where all new commercial development should be located.
- **Open Space** – Floodplain areas along major streams that are required to remain open as land is developed.

## IMPLEMENTATION

The plan is very simple, but must be implemented carefully in order to achieve the goals expressed by the Land Use Committee. The following policies will aid the implementation process, provided they are consistently followed:

- **Focus development in the Town Core** – All new commercial development and all public/institutional development should be located in the Commercial Town Core. Commercial rezoning outside the Commercial Town Core should be strongly discouraged. Development within the Town Core should adhere to the following principles:

- 1) Structures should be located close to the road to promote a “village street” atmosphere.
- 2) Sidewalks should be constructed along all street frontages.
- 3) Architectural elements should conform to the Oak Ridge Historic District Guidelines.

- **Maintain rural appearance in the Low Density Residential area** – Outside the Town Core, residential development should be as unobtrusive as possible. To the extent feasible, houses in new subdivisions should not be visible from adjacent roadways. Development within the Low Density Residential area should adhere to the following principles:

- 1) Leave existing pastures and fields open. Tuck new homes behind treelines or use topography to make them less visible.
- 2) Protect existing woodlands, particularly along adjacent roadways. Clear-cutting and area grading should never be used.
- 3) Do not “enhance” the appearance of the development with non-native plantings, berms, or fences, unless the fence material is traditional and appropriate (no vinyl or solid masonry).

- **Continue to require open space dedication and walking trail connections as part of the development process** – The Land Use Plan recommends a pattern of permanent open space and walking trails for the town. These public amenities should be acquired as development takes place.

## THOROUGHFARE PLANS

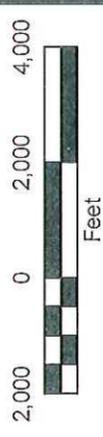
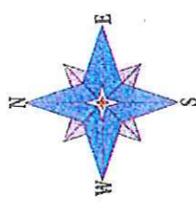
Oak Ridge has an adopted Thoroughfare Plan that places all of the roads in the town into one of the following categories: Major Thoroughfare, Minor Thoroughfare, Collector, or Local. The plan also shows future extensions to the road system that should be made as development takes place. The Thoroughfare Plan is displayed on a separate map for clarity, but should be considered as part of the Land Use Plan.

# Future Land Use

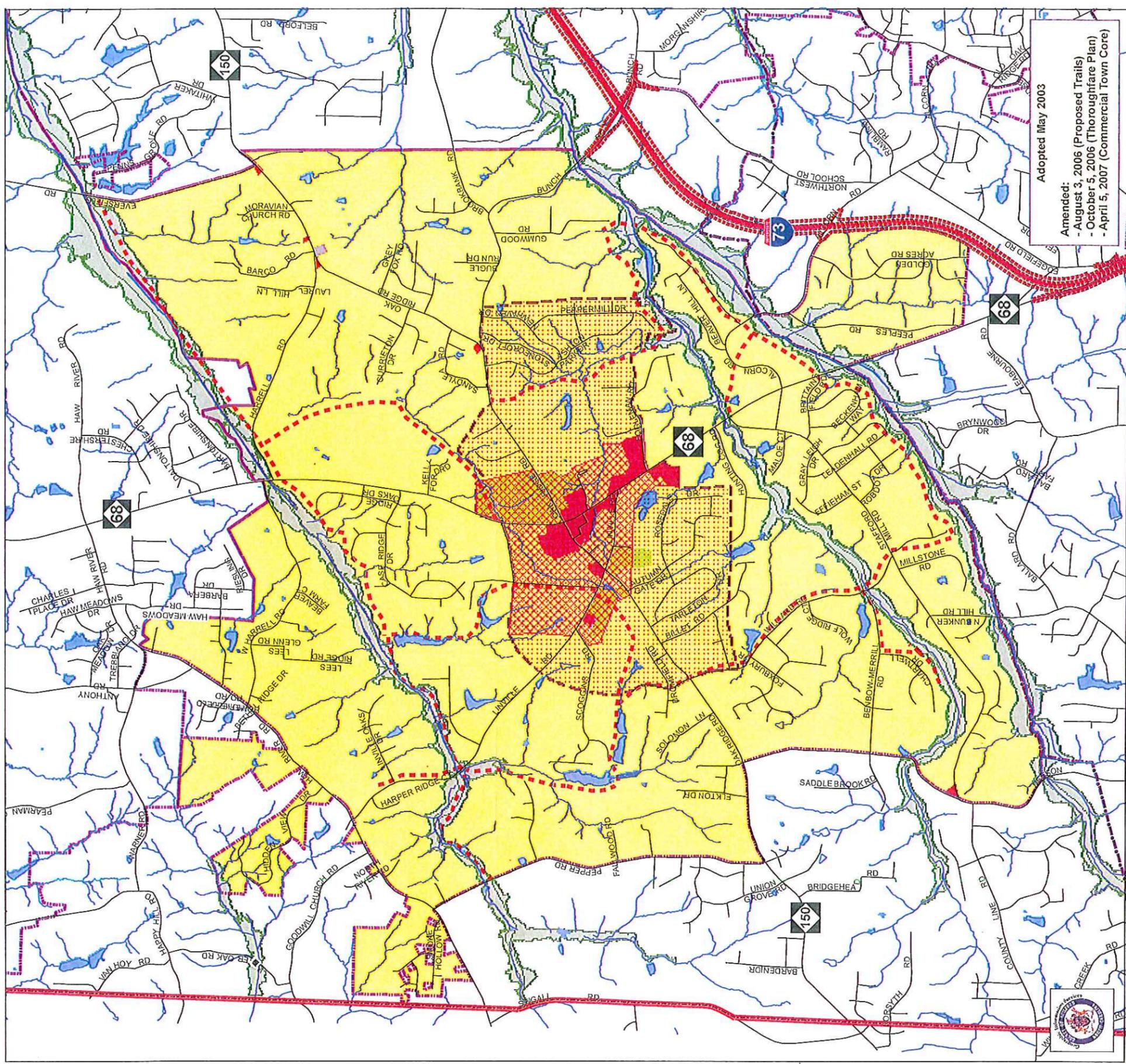


## Legend

	Commercial		Commercial Town Core		Water
	Industrial		Town Core		Streets
	Low Density Residential		Floodplain		Proposed I-73
	Public/Institutional		Piedmont Greenway		City Limits
			Proposed Trail		County Line



Produced by: C. Short, Guilford County GIS - December 1, 2009



Adopted May 2003  
 Amended:  
 - August 3, 2006 (Proposed Trails)  
 - October 5, 2006 (Thoroughfare Plan)  
 - April 5, 2007 (Commercial Town Core)





Sec. 30-330. - District descriptions.

(a) *General use districts.*

(1) *Agricultural.* 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 district is established for the following purposes:

- a. To preserve and encourage the continued use of land for agricultural, forest and open space purposes;
- b. To discourage scattered commercial and industrial land uses;
- c. To concentrate urban development in and around area growth centers, thereby avoiding premature conversion of farmland to urban uses; and
- d. To discourage any use which, because of its character, would create premature or extraordinary public infrastructure and service demands.

(2) *Rural preservation, RPD rural preservation district.* The RP, rural preservation district, is intended to accommodate a rural developments designed to preserve rural character, significant man-made features, and environmentally sensitive areas. The district permits open space, recreational, agricultural, residential, and limited neighborhood business and office uses that are part of a unified design.

(3) *Single-family residential.* In the following districts the number refers to the minimum lot size in thousands of square feet.

- a. *RS-40, residential single-family district.* 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 district is established to promote single-family detached residences where environmental features, public service capacities or soil characteristics necessitate very low density single-family development. The overall gross density in RS-40 areas will typically be 1.0 unit per acre or less.
- b. *RS-30, residential single-family district.* The RS-30, residential single-family district is primarily intended to accommodate low density single-family detached dwellings on large lots in areas without access to public water and wastewater services. The overall gross density in RS-30 areas will typically be 1.3 units per acre or less.



Sec. 30-330. - District descriptions.

(b) *Planned unit development districts.*

- (1) *PD-R planned unit development, residential.* The PD-R district is intended to accommodate a variety of housing types developed on large tracts in accordance with a unified development plan. The PD-R district also accommodates neighborhood business and office uses which primarily serve nearby residents.
- (2) *PD-M planned unit development, mixed.* The PD-M district is intended to accommodate residential, commercial and light industrial uses developed on large tracts in accordance with a unified development plan.



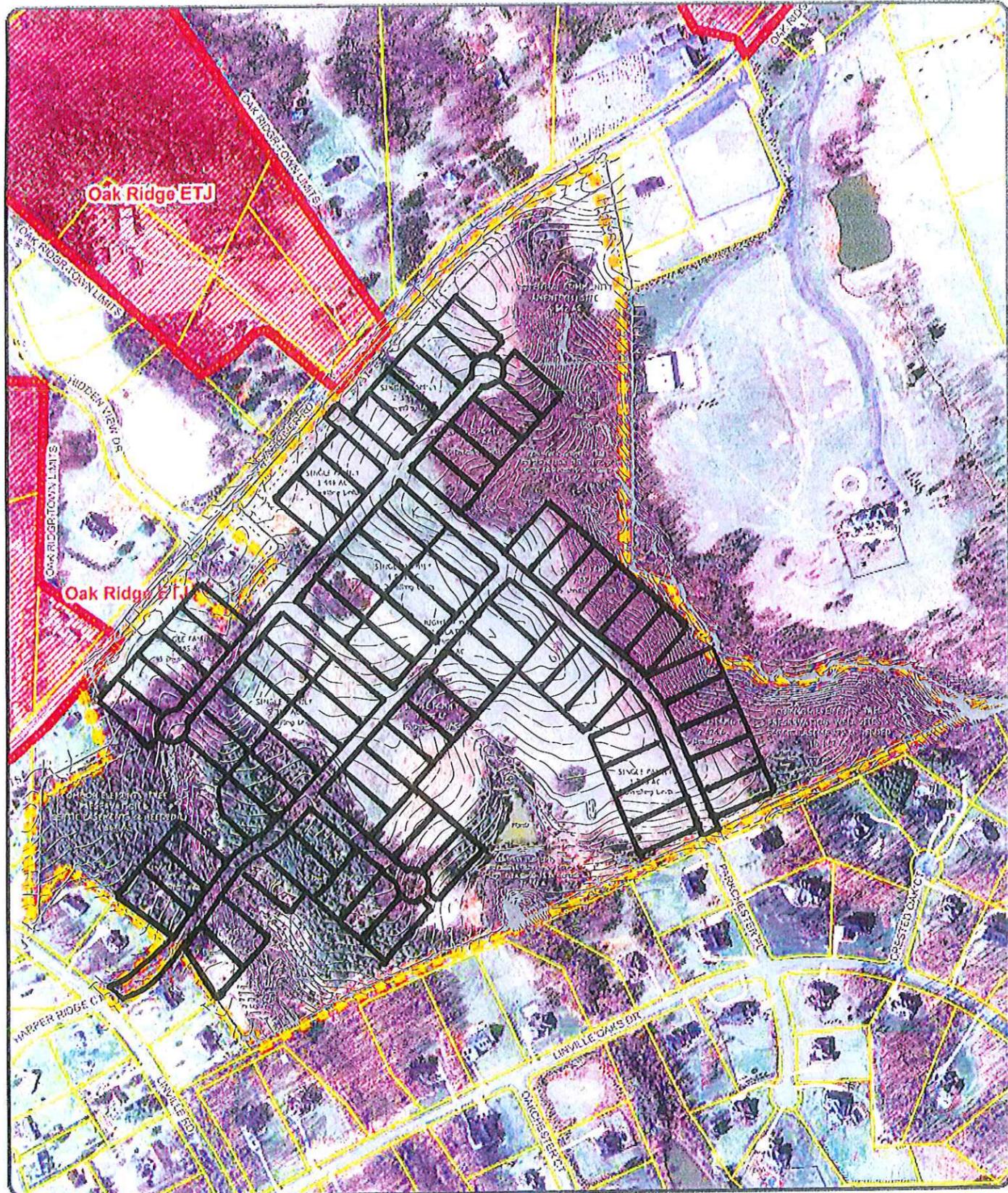
Sec. 30-658. - General. ✓

- (a) *Design.* All proposed subdivisions, including group developments, shall comply with this article, shall be designed to promote beneficial development of the community, and shall bear a reasonable relationship to the approved plans of the jurisdiction.
- (b) *Development name.* In no case shall the name of a proposed development duplicate or be phonetically similar to an existing development name in the jurisdiction unless the proposed development lies adjacent or in proximity to the existing development.
- (c) *Reasonable relationship.* All required improvements, easements, and rights-of-way (other than required reservations) shall substantially benefit the development or bear a reasonable connection to the need for public facilities attributable to the new development. Whenever a tract to be subdivided includes or adjoins any part of a thoroughfare or collector street as designated by the thoroughfare plan or collector street plan, that part of such proposed public right-of-way shall be dedication to public rights-of-way with the subdivision plat in the location and to the width recommended by the plans or this article.
- (d) *Off-site connections.* When in the opinion of the town council, it is necessary to connect streets and/or utilities off site to adjoining streets and/or utilities, said improvement may be required.

Sec. 30-860. Streets.

- (a) *Conformance with thoroughfare and collector street plans.* The location and design of streets shall be in conformance with applicable thoroughfare and collector street plans. Where conditions warrant, right-of-way widths and pavement widths in excess of the minimum street standards may be required.
- (b) *Conformance with adjoining street systems.* The planned street layout of a proposed subdivision shall be compatible with existing or proposed streets and their classifications on adjoining or nearby tracts.
- (c) *Access to adjoining property.* Where in the opinion of the town council, it is desirable to provide for street access to adjoining property, proposed streets shall be extended to the boundary of such property.
- (d) *Reserve strips.* Reserve strips adjoining street rights-of-way for the purposes of preventing access to adjacent property shall not be permitted under any condition.
- (e) *Street classification.* The final determination of the classification of streets in a proposed subdivision shall be made by the jurisdiction. Street classifications are defined in article I.
- (f) *Public street design criteria.* The minimum street design standards for the street classifications are attached herewith as the Minimum Public Street Design Standards, Urban Area table and the Minimum Public Street Design Standards, Urban Area table below. Right-of-way dedication and paving of streets in and adjacent to the subdivision shall be in conformance with the right-of-way and pavement width requirements of the Minimum Public Street Design Standards, Urban Area table and the Minimum Public Street Design Standards, Urban Area table below; and shall be designed in accordance with the jurisdiction's street design manual, or the state department of transportation (NCDOT) subdivision roads. Minimum construction standards, whichever is applicable. No single entrance to a residential subdivision shall serve more than 50 lots or 500 vehicle trips per day.



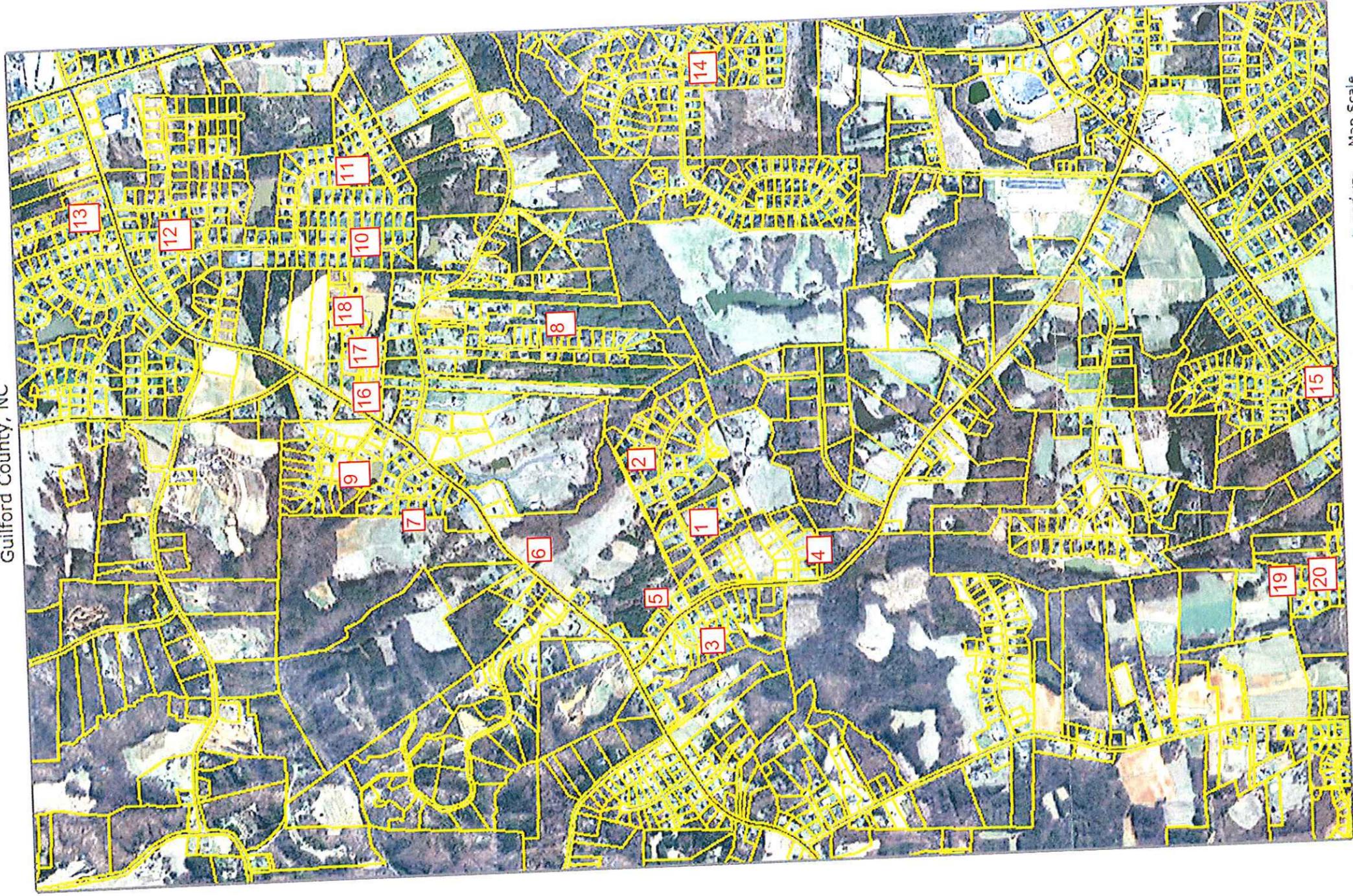


CASE #14-03-ORPL-01406

1 inch = 400 feet







Disclaimer: While every effort is made to keep information provided over the internet accurate and up-to-date, Guilford County does not certify the authenticity or accuracy of such information. No warranties, express or implied, are provided for the records and/or mapping data herein, or for their use or interpretation by the User.

Map Scale 1 inch = 1765 feet  
5/8/2014



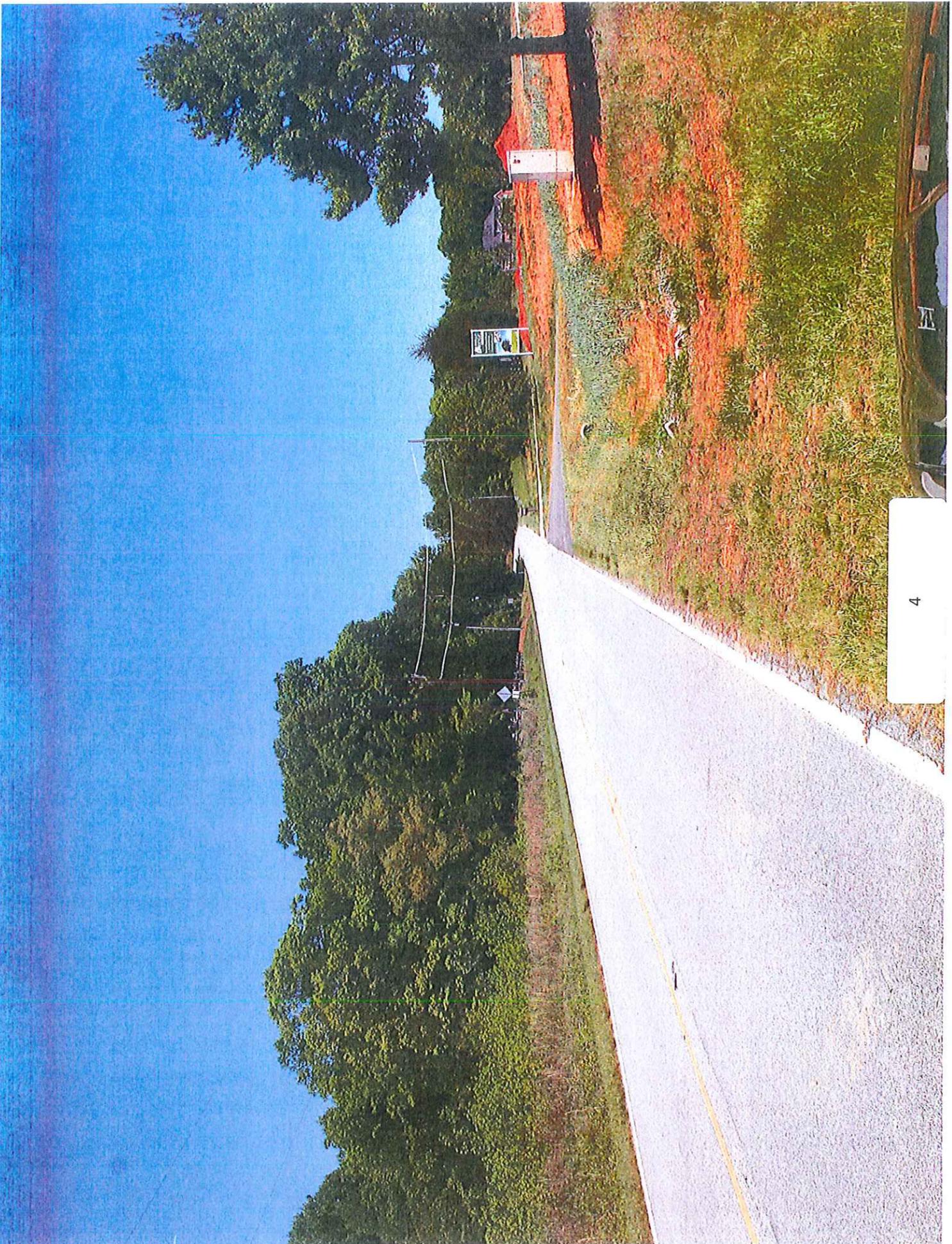
1



2



3



4





**Mountain View**  
AT OAK RIDGE  
BEAUTIFUL ROLLING  
2- to 7-Acre  
Restricted Homesites  
From The Low \$90's



Please property trespassers will be prosecuted



7



8





10



11



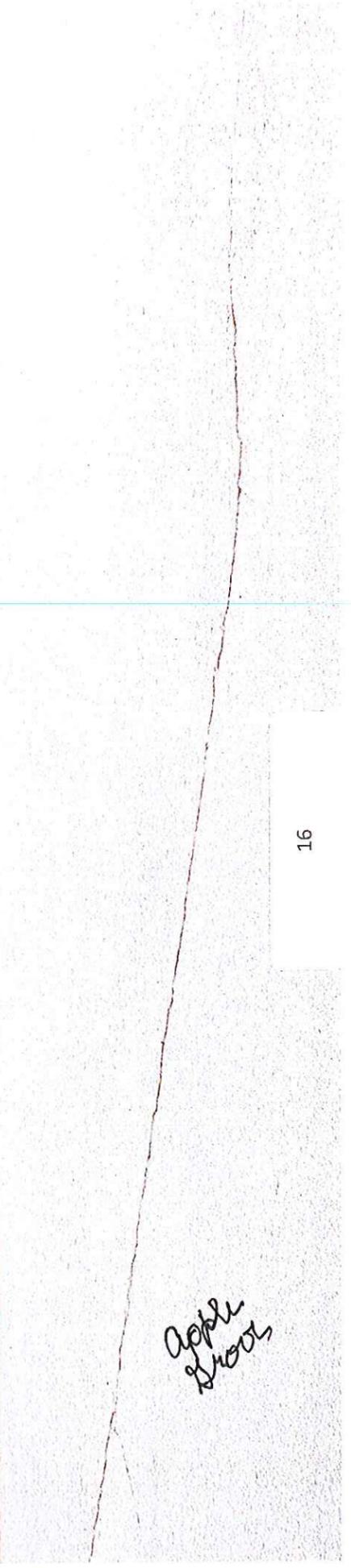
12





14





Apple  
Stops









**ONLINE PETITIONERS BY LOCATION (a/o 5:00 PM 5/8/2014)**

TOTAL PETITIONS	127	100.0%
TOTAL TOWN RESIDENTS	71	55.9%
TOTAL LINVILLE OAKS	45	35.4%
TOTAL OTHER	11	8.7%

**COMBINED**

210	100%
142	67.6%
57	27.1%
11	5.2%

**WRITTEN PETITIONS BY LOCATION (\*\*at)**

TOTAL PETITIONS	83	100.0%
TOTAL TOWN RESIDENTS	71	93.0%
TOTAL LINVILLE OAKS	12	14.5%
TOTAL OTHER	0	0.0%

T=TOWN; LO=LINVILLE OAKS; O=OTHER

Name	City	State	Zip Code	Signed On
Aaron Boals	Oak Ridge	North Carolina	27310	5/8/2014
Amy Guse	Oak Ridge	North Carolina	27310	5/6/2014
Ashley Royal	Oak Ridge	North Carolina	27310	5/6/2014
Ashlie Reid	Oak Ridge	North Carolina	27310	5/7/2014
Ben Chen	Oak Ridge	North Carolina	27310	5/6/2014
Beth Woodard	Oak Ridge	North Carolina	27310	5/7/2014
Brian Ahern	Oak Ridge	North Carolina	27310	5/7/2014
candice perkins	Oak Ridge	North Carolina	27310	5/7/2014
cathy gennaro	Oak Ridge	North Carolina	27310	5/8/2014
Cathy Parker	Oak Ridge	North Carolina	27310	5/6/2014
Chad Reese	Oak Ridge	North Carolina	27310	5/6/2014
Charles Dameron	Oak Ridge	North Carolina	27310	5/7/2014
Cheng Chen	Oak Ridge	North Carolina	27310	5/6/2014
Cherie Englishman	Oak Ridge	North Carolina	27310	5/6/2014
Christine Cake	Oak Ridge	North Carolina	27310	5/7/2014
Cosmas Robless	Oak Ridge	North Carolina	27310	5/7/2014
Craig Cox	Oak Ridge	North Carolina	27310	5/8/2014
Dan Zhu	Oak Ridge	North Carolina	27310	5/6/2014
David Flanders	Oak Ridge	North Carolina	27310	5/6/2014
Diana Rivera	Oak Ridge	North Carolina	27310	5/7/2014
Emily McCallister	Oak Ridge	North Carolina	27310	5/7/2014
Gregg Williamson	Oak Ridge	North Carolina	27310	5/7/2014
huaxiang wang	Oak Ridge	North Carolina	27310	5/7/2014
Jane Millard	Oak Ridge	North Carolina	27310	5/6/2014
Jeff Pritchett	Oak Ridge	North Carolina	27310	5/6/2014
Jielin Sun	Oak Ridge	North Carolina	27310-8737	5/6/2014

Jing Jin	T	Oak Ridge	North Carolina	27310	5/6/2014
Karen Howle	T	Oak Ridge	North Carolina	27310	5/6/2014
Keith Holder	T	Oak Ridge	North Carolina	27310	5/7/2014
Kelley Dameron	T	Oak Ridge	North Carolina	27310	5/6/2014
Kevin Hinterberger	T	Oak Ridge	North Carolina	27310	5/6/2014
Kristi Boals	T	Oak Ridge	North Carolina	27310	5/6/2014
Laura DeVore	T	Oak Ridge	North Carolina	27310	5/6/2014
Leandra Reece	T	Oak Ridge	North Carolina	27310	5/7/2014
Li Sheng Qin	T	Oak Ridge	North Carolina	27310	5/6/2014
Liangjin Wu	T	Oak Ridge	North Carolina	27310	5/8/2014
Mac Clement	T	Oak Ridge	North Carolina	27310	5/6/2014
Maria Keating	T	Oak Ridge	North Carolina	27310	5/6/2014
Mary Ellen Florence	T	Oak Ridge	North Carolina	27310	5/6/2014
mary miller	T	oak ridge	North Carolina	27310	5/6/2014
Mary Muntyan	T	Oak Ridge	North Carolina	27310	5/7/2014
Mary Williamson	T	Oak Ridge	North Carolina	27310	5/7/2014
Nancy Underwood	T	Oak Ridge	North Carolina	27310	5/6/2014
Nicholas Gervasi	T	Oak Ridge	North Carolina	27310	5/6/2014
Ning Li	T	Oak Ridge	North Carolina	27310	5/6/2014
Olivia Brannstrom	T	Oak Ridge	North Carolina	27310	5/7/2014
Paige Lieske	T	Oak Ridge	North Carolina	27310	5/6/2014
Patti Paslaru	T	Oak ridge	North Carolina	27310	5/7/2014
Preneet Nag	T	Oak Ridge	North Carolina	27310	5/6/2014
Ricky Morris	T	Oak Ridge	North Carolina	27310	5/6/2014
Robert Pohlmann	T	oak ridge	North Carolina	27310	5/7/2014
Ryan Quimby-Johnson	T	Oak Ridge	North Carolina	27310	5/6/2014
Sharon Grant	T	Oak Ridge	North Carolina	27310	5/7/2014
Shelley Upton	T	Oak ridge	North Carolina	27310	5/6/2014
Shiloh Cloninger	T	Oak Ridge	North Carolina	27310	5/7/2014
Tim Florence	T	Oak Ridge	North Carolina	27310	5/8/2014
Tracy Bolejack	T	Oak Ridge	North Carolina	27310	5/7/2014
Vendela Brannstrom	T	Oak Ridge	North Carolina	27310	5/7/2014
Wentong Sun	T	Oak Ridge	North Carolina	27310	5/7/2014
yijun yan	T	Oak Ridge	North Carolina	27310	5/6/2014
Yongqing Wang	T	Oak Ridge	North Carolina	27310	5/7/2014
Ann Spencer	T	Oak Ridge	North Carolina	27310	5/8/2014
Brooke Edmisten	T	Oak Ridge	North Carolina	27310	5/8/2014

Donna Guffee	T	OakRidge	North Carolina	27310	5/8/2014
Irene Mahon	T	Oak Ridge	North Carolina	27310	5/8/2014
John Church	T	Oak Ridge	North Carolina	27310	5/8/2014
Mark Waterfield	T	Oak Ridge	North Carolina	27310	5/8/2014
Paul LeGras	T	Oak Ridge	North Carolina	27310	5/8/2014
Scott Watts	T	Oak Ridge	North Carolina	27310	5/8/2014
Sue Johnson	T	Oak Ridge	North Carolina	27310	5/8/2014
TOM EDMISTEN	T	OAK RIDGE	North Carolina	27310	5/8/2014
Allen Williamson	O	Moneta	Virginia	24121	5/6/2014
Concerned Citizen	O	New City	New York	10956-2406	5/8/2014
Corey Williams	O	Kernersville	North Carolina	27284	5/8/2014
Danny Hanlon	O	Charlotte	North Carolina	28262	5/6/2014
Jamie Shannon	O	Clayton	Missouri	63105	5/7/2014
Megan Williams	O	Kernersville	North Carolina	27284	5/7/2014
Melanie Carroll	O	Kernersville	North Carolina	27284	5/7/2014
Shannon pan	O	Jamestown	North Carolina	27282	5/7/2014
dana morris	O	Kernersville	North Carolina	27284	5/8/2014
Linda Pettenski	O	Rochester	New York	14608	5/8/2014
Phillip Halterman	O	Kernersville	North Carolina	27284	5/8/2014
Jill Ford	LO	Oak Ridge	North Carolina	27310	5/6/2014
Albert Almanza	LO	Oak Ridge	North Carolina	27310	5/7/2014
Anna Yang	LO	Oak Ridge	North Carolina	27310	5/6/2014
Anna-Lena Nyberg	LO	Oak Ridge	North Carolina	27310	5/6/2014
Annette Walker	LO	Oak Ridge	North Carolina	27310	5/7/2014
Armando Ramirez	LO	Oak Ridge	North Carolina	27310	5/6/2014
Carol Shina	LO	Oak Ridge	North Carolina	27310	5/6/2014
Caroline Hall	LO	Oak Ridge	North Carolina	27310	5/6/2014
Carolyn Hall	LO	Oak Ridge	North Carolina	27310	5/6/2014
Cathy Satchell	LO				5/6/2014
chris yang	LO	Oak Ridge	North Carolina	27310	5/6/2014
Cliff Lynch	LO	Oak Ridge	North Carolina	27310	5/8/2014
Darrell Walker	LO	Oak Ridge	North Carolina	27310	5/7/2014
Dawn Treacy	LO	Oak Ridge	North Carolina	27310	5/6/2014
Edmund Treacy	LO	Oak Ridge	North Carolina	27310	5/7/2014
Elizabeth Almanza	LO	Oak Ridge	North Carolina	27310	5/7/2014
Elizabeth Happel	LO	Oak Ridge	North Carolina	27310	5/7/2014
Eric Abrahamsen	LO	Oak Ridge	North Carolina	27310-9101	5/7/2014
				<b>OTHER</b>	<b>11</b>
				<b>TOWN</b>	<b>71</b>
					<b>55.9%</b>
					<b>8.7%</b>

Gary Lebby	LO	Oak Ridge	North Carolina	27310	5/7/2014
Ginny Ranucci	LO	Oak Ridge	North Carolina	27310	5/7/2014
Goran Nyberg	LO	Oak Ridge	North Carolina	27310	5/7/2014
Grace Hall	LO	Oak Ridge	North Carolina	27310	5/7/2014
Jennifer Holmes	LO	Oak Ridge	North Carolina	27310	5/6/2014
Joseph yang	LO	Oak ridge	North Carolina	27310	5/6/2014
Judith Lynch	LO	Oak Ridge	North Carolina	27310	5/6/2014
K C Satchell	LO	Oak Ridge	North Carolina	27310	5/6/2014
Kathleen Tiedeman	LO	Oak Ridge	North Carolina	27310	5/7/2014
Kaye McLeod	LO	Oak Ridge	North Carolina	27310	5/6/2014
Kenneth Ford	LO	Oak Ridge	North Carolina	27310	5/6/2014
Lynn Indermaur	LO	Oak Ridge	North Carolina	27310	5/6/2014
Mark shina	LO	oak ridge	North Carolina	27310	5/7/2014
Marlina Greiwe	LO	Oak Ridge	North Carolina	27310	5/7/2014
Max McLeod	LO	Oak Ridge	North Carolina	27310	5/6/2014
Michael Cheney	LO	Oak Ridge	North Carolina	27310	5/6/2014
Olivia Hall	LO	Oak Ridge	North Carolina	27310	5/6/2014
Paul Tiedeman	LO	Oak Ridge	North Carolina	27310	5/7/2014
Penny Vance	LO	Oak Ridge	North Carolina	27310	5/7/2014
Richard Strong	LO	Oak Ridge	North Carolina	27310	5/6/2014
Sharon Williams	LO	Oak Ridge	North Carolina	27310	5/6/2014
Shelly Headen	LO	Oak Ridge	North Carolina	27310	5/6/2014
Stephen Holmes	LO	Oak Ridge	North Carolina	27310	5/6/2014
Stephen yang	LO	Oak Ridge	North Carolina	27310	5/7/2014
Valerie Strong	LO	Oak Ridge	North Carolina	27310	5/6/2014
Donna Adams	LO	Oak Ridge	North Carolina	27310	5/8/2014
Rudy Ranucci	LO	Oak Ridge	North Carolina	27310	5/8/2014
<b>LINVILLE OAKS</b>				<b>45</b>	<b>35.4%</b>
TOTAL				127	

**PETITION TO PROTECT OAK RIDGE'S  
NEIGHBORHOODS**

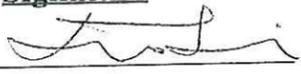
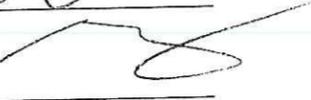
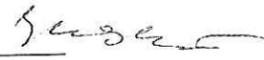
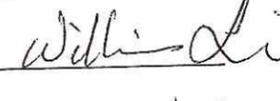
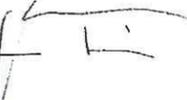
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<u>Name</u>	<u>Address</u>	<u>Signature</u>
Letha Zackowski	8502 Crested Oak Ct. Oak Ridge NC	Letha D. Zackowski
Hunter Zackowski	"	Hunter Zackowski
Mike Cassidy	8873 Cravenwood Dr. Oak Ridge NC	Mike Cassidy
Amy Cassidy	8873 Cravenwood Dr. Oak Ridge, NC	Amy Cassidy
Max Davis	6501 Hollow River Dr. Oak Ridge, NC	Max Davis
Jim Davis	"	Jim Davis
William Zackowski	8502 Crested Oak Ct. Oak Ridge, NC	William Zackowski
Susan Lennard	8504 Crested Oak Ct. Oak Ridge NC	Susan Lennard
Tom Woods	8307 Linville Oaks Dr Oak Ridge NC 27310	Thomas L. Woods
Alicia Rogers	8437 Alex Payer Dr. Oak Ridge NC 27310	Alicia Rogers
John Rogers	8437 Alex Payer Dr. Oak Ridge NC 27310	John Rogers
Jyna Martin	5470 Bunge Rd. Summerfield, NC 27358	Jyna Martin
Arnold Wilkins	8575 Linville Rd, Oak Ridge, NC 27310	Arnold Wilkins
Scott Zackowski	8502 Crested Oak Ct Oak Ridge, NC	Scott Zackowski

04

## PETITION TO PROTECT OAK RIDGE'S NEIGHBORHOODS

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<u>Name</u>	<u>Address</u>	<u>Signature</u>
Xiaorui Li	4908 Robdot Dr.	
Christine Du	5720 Mabe Dr.	
Jian Li	8206 Kelly Ford	
Chris Yang	6309 peppermill Dr	
Fang Qian	700 Number Ten Way	
Joseph Yang	8309 Linville Oaks	
Jason Li	4902 Robdot Dr	
Susan Wu.	8506 Merriman Farm Rd.	
Lingy Rogers	5802 Crutchefield Farm Rd	
Jenny Zhang	5811 Crutchefield Farm Rd.	
William Li	5815 Crutchefield Farm Rd	
Daniel Jin	8184 Grayleigh Court, Oak Ridge	
Dan Ma	8187 Grayleigh Ct, Oak Ridge NC	
Dongcheng Lin	5405 Effingham St. Oak Ridge, NC	



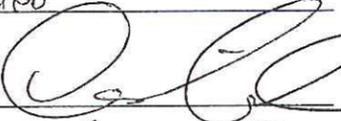
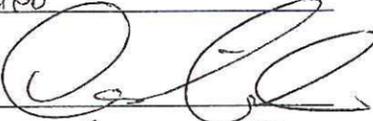
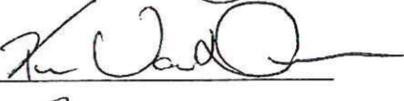
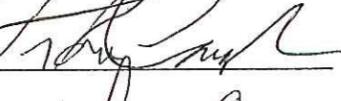
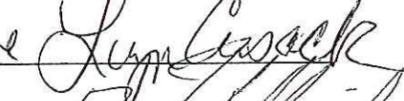
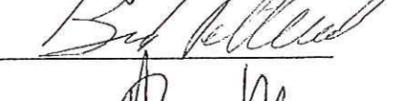
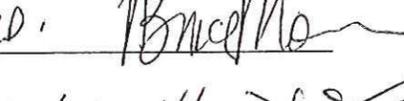
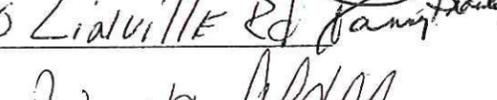
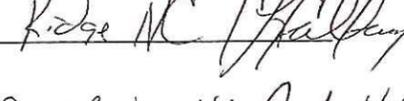
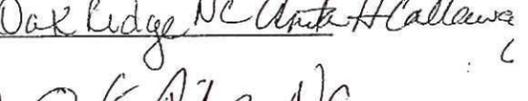
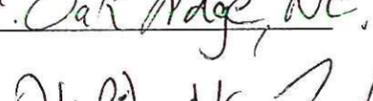
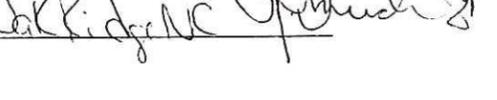






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<u>Name</u>	<u>Address</u>	<u>Signature</u>
Beth Anderson	7610 STONEYKIRK DR. LENOIR	
DREW LAVINSON	8405 Case Ridge Dr	
Ken Van Derveer	6408 Peppercorn Dr	
Beady Yang	7293 Leos Ridge Rd	
Tom Casack	6119 Chalet Dr	
Jim Casack	6119 Chalet Drive	
Ben Kellum	5450 Harvest Dr.	
Bruce & Joanne Mori	8572 LINDVILLE RD.	
Lanny & Sandy Graubly	8570 Lindville Rd	
Chaucy Callaway	7359 Hidden View Oak Ridge NC	
Anita Hill-Callaway	7359 Hidden View Oak Ridge NC	
John Dekker	6412 Ashton PK Dr. Oak Ridge, NC.	
Freddy Muchowski, Jr	6410 Ashton Park Dr. Oak Ridge, NC	
Patricia J. Muchowski	7320 Hidden View Dr. Oak Ridge, NC	

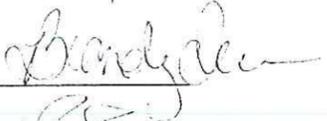
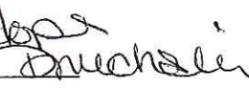
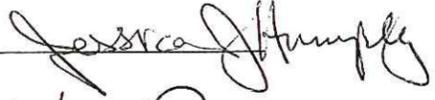
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<u>Name</u>	<u>Address</u>	<u>Signature</u>
MOLLY STOLTZ	1745 Oak Ridge Rd. Oak Ridge, NC 27310	Molly B. Stoltz
Nikki Rottweiler	5450 Autumn Harvest Dr.	Nikki Rottweiler
Dan Denninghoff	5722 Maze Dr	Dan Denninghoff
Carne Van Derveer	1408 Peppermill Dr	Carne Van Derveer
Amber Coppel	8296 Denver Downs Dr.	Amber Coppel
Both Wong <del>Melissa Scott</del>	1750 Diercrest St 15000	Both Wong
Chris Scott	8974 Grove Park Dr	Chris Scott
Melissa Scott	8934 Grove Park Dr.	Melissa R Scott
Ken Wong	1750 Diercrest St	Ken Wong
christina kemp	8201 HAW RIVER Rd.	Christina Kemp
Justin Kemp	8201 Haw River Rd.	Justin Kemp
Tamra Vance	8454 Haw River Rd	Tamra Vance
Jerome M. Van	8454 Haw River R2.	Jerome M. Van
Day Coppel	8296 Denver Downs Dr.	Day Coppel

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<u>Name</u>	<u>Address</u>	<u>Signature</u>
Christine Uhrlass	8511 Billet Place OR	
Christa Borota	8300 Chartwell DR.	
Brandy Owen	8298 Denver Downs Dr	
Maria Brecka	6819 Koala Dr	
Stephanie Brady	8861 Cravenwood	
Minako Parlyka	6402 Ashton Park Dr	
FRED DMUCHOWSKI SR	7320 Hidden View Dr <sup>OAK RIDGE</sup>	
Hope Dmuchowski	6410 Ashton Park Dr <sup>Oaks</sup>	
Jessica Humphrey	8004 Ives Dr, OR	
Meri Patterson	7611 Hawth Meadows Dr.	
Laura Gartland	710-Number Ten Way	

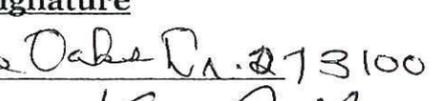
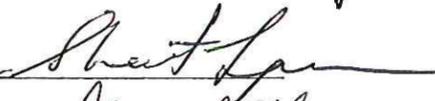
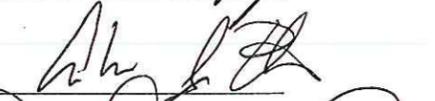
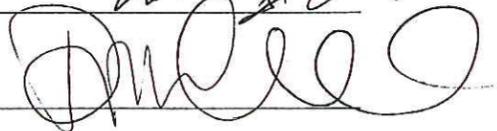
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<u>Name</u>	<u>Address</u>	<u>Signature</u>
Green C. Cobleigh	8406 Linville Oaks Dr. 273100	
Ken Cobleigh	8406 Linville Oaks Dr	Ken Cobleigh
Shane Lynch	8406 Linville Oaks Dr	
Andrew Smith	6976 Brands Wood Cir	
Dan Conyers	3318 Winburn Dr.	
Melissa Wyrick	360 Saddlebred Lp.	Melissa Wyrick

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**change.org**

Residents of Oak Ridge, NC

Recipient: Oak Ridge Town Council, Oak Ridge Town Council, Oak Ridge Town Council, Oak Ridge Town Council, and Oak Ridge Town Council

Letter: Greetings,

Oppose Rezoning request contained in Case No. 14-03-ORPL-01406. We believe the proposed neighborhood is too dense & inconsistent with the Oak Ridge Land Use Plan & character of the Town of Oak Ridge.

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# Comments

Name	Location	Date	Comment
Dawn Treacy	Oak Ridge, NC	2014-05-06	We are not trying to stop development we just want it done responsibly!
K C Satchell	Oak Ridge, NC	2014-05-06	The proposed density for this development is in conflict with the Land Usage Plan for the Town of Oak Ridge. RS-40 is the appropriate Zoning and is consistent with all adjacent developments to the proposed plot and Linville Oaks.
Stephen Holmes	Oak Ridge, NC	2014-05-06	The Town Council and Zoning Committee must protect the ordinances that are currently in place, protect the homeowners that have already invested in this community, restrain the density levels when converting from AG to RS-40 as required, and require developers to present more detailed site plans before they present to the Town of Oak Ridge for review. Development is inevitable when you have a great community such as Oak Ridge, but inconsistent standards open pandoras box and create unintended consequences, especially when this proposal asks for 2-3 times greater density than the surrounding neighborhoods.
Shelly Headen	Oak Ridge, NC	2014-05-06	The neighborhood on the property adjacent to Linville Oaks should be consistent with other neighborhoods in Oak Ridge. Neighborhoods in Oak Ridge are zoned RS-40 which allows for one house per acre. We cannot afford more dense neighborhoods due to limited resources in Oak Ridge.
mary miller	oak ridge, NC	2014-05-06	people move to Oak Ridge for its country like setting with open spaces. Stay with in the mandates of 1 house per 1acre. Do not over develop this area!
Kenneth Ford	Oak Ridge, NC	2014-05-06	the density of the development, the proposed cut through into the Linville Oaks community and traffic increases along Linville Road and Haw River Road.
Ben Chen	Oak Ridge, NC	2014-05-06	It is like putting a skyscraper inside a forest park - which ruins everything.
Richard Strong	Oak Ridge, NC	2014-05-06	To maintain the original vision of Oak Ridge for Linville Oaks!
Carol Shina	Oak Ridge, NC	2014-05-06	For all the reasons listed
Danny Hanlon	Charlotte, NC	2014-05-06	look at the demographics, oak ridge is not a town where homes should be on small lots. small lots=smaller homes, homes that become too cookie cutter like. It would be too out of place in a town like oak ridge
Jennifer Holmes	Oak Ridge, NC	2014-05-06	This proposed zoning is against Oak Ridge's own land use & zoning ordinances. We also have a water supply shortage.
Lynn Indermaur	Oak Ridge, NC	2014-05-06	If we allow higher density zoning, Linville Road will look like Horse Pen Creek Rd in 10 years and 68 will be gridlock in the morning and evening.
Mac Clement	Oak Ridge, NC	2014-05-06	This would stress everthing from increasing traffic, overworking gourd water supplies from more wells, etc.
Nancy Underwood	Oak Ridge, NC	2014-05-06	There is too much traffic already. I want to keep the "sleepy" community we have in Oak Ridge
Valerie Strong	Oak Ridge, NC	2014-05-07	Protection of Home Value and the Linville Oaks way of life.
Yongqing Wang	Oak Ridge, NC	2014-05-07	We need to keep the similar style of house and protect the reputation of Oak Ridge, further protect the high quality of people's life style in Oak Ridge.
Kathleen Tiedeman	Oak Ridge, NC	2014-05-07	Maintain quality of life and stay true to Town Plan for managed growth, and to preserve safety and security of adjacent neighborhoods.

Name	Location	Date	Comment
Elizabeth Happel	Oak Ridge, NC	2014-05-07	The property in question is totally surrounded by RS-40 neighborhoods. PD-R on this parcel is NOT consistent with town planning guidelines and therefore should not be approved. Gil Happel - Oak Ridge, NC
Gary Lebby	Oak Ridge, NC	2014-05-07	My neighborhood lies in the impacted area.
Edmund Treacy	Oak Ridge, NC	2014-05-07	My concern for the safety and security of surrounding residents and the negative impact on property values.
Patti Paslaru	Oak ridge, NC	2014-05-07	Because I believe that it is inconsistent with the current area. Let them Zone the entire property the same.
Paul Tiedeman	Oak Ridge, NC	2014-05-07	The Town plan calls for 1 acre lots (RS40) and we should stay with the plan. This is not the proper way to change the town plan and the town appearance.
Beth Woodard	Oak Ridge, NC	2014-05-07	Takes away from the beauty of Oak Ridge and over crowds our schools
Mark shina	oak ridge, NC	2014-05-07	We don't want Oak Ridge to turn into another Greensboro, etc.
Robert Pohlmann	oak ridge, NC	2014-05-07	I want our town to keep its country feel. Hate the big cities and their high taxes!!
Jamie Shannon	Clayton, MO	2014-05-07	I believe the proposed neighborhood is too dense and inconsistent with for Oak Ridge. I also oppose a road going through Linville Oaks. It is dangerous to our children to have increased traffic in the neighborhood. It will also decrease property values in Linville Oaks. I hope to move back one day and I hope I move back to the Oak Ridge that I left.
Wentong Sun	Oak Ridge, NC	2014-05-07	It's already getting crowded, we should stop the not-well-planned growth.
Cliff Lynch	Oak Ridge, NC	2014-05-08	The proposed PD-R zoning is not consistent with the Oak Ridge land use plan. All the neighborhoods surrounding the parcel are RS-40. I am concerned about the density, the water supply and the traffic. What attracted me to Oak Ridge was the original land use plan and vision to develop the town.
Cathy Satchell	Oak Ridge, NC	2014-05-08	The majority of the planned neighborhoods in Oak Ridge are RS-40. The town of Oak Ridge just approved a new development (Linville Ridge) RS-40. Kevin & Delana Harvick have applied for rezoning of the land that THEY currently reside on in hopes to develop a gated neighborhood from AG to RS-40. The parcel of land that they do not live on, they want it to be rezoned from AG to PD-R which is not consistent with the Oak Ridge Land Use Plan. Even the Oak Ridge Planning and Zoning Committee voted 5-2 in opposition to the PD-R rezoning application and have recommend that the application be denied.
Cathy Satchell	Oak Ridge, NC	2014-05-08	The new development would include three access points which many feel is unnecessary. The main entrance will be located on Haw River Road with two other access points along Linville Road that will be located within close proximity to one another. One of the two access points on Linville Road will be a result of connecting to an existing road within the Linville Oaks neighborhood. The residents are very concerned about this for many reasons and feel it is unnecessary especially when there will already be an access point just a short distance away. Also...the Oak Ridge Town Council recently approved a new neighborhood (Linville Ridge) and did not require a 2nd access point or require it to be connected to Linville Oaks.

Name	Location	Date	Comment
Cathy Satchell	Oak Ridge, NC	2014-05-08	<p>According to the Rezoning Sketch Plan that has been submitted By Kevin Combs &amp; Mr. &amp; Mrs. Harvick show 80 homes within 38.518 acres. If you refer to the Low Density Residential - Land Use Category on the Oak Ridge Land Use Plan (See below), it states SINGLE-FAMILY SUBDIVISIONS ON ONE-ACRE LOTS.</p> <p>Also note in the Land Use Plan under "Walkability": Traffic on the town's road network has increased tremendously, making it difficult and dangerous to walk, bike or even take a leisurely drive around town.</p> <p><b>OAK RIDGE LAND USE PLAN</b>  <b>INTRODUCTION</b>  In April 2002 the Town of Oak Ridge formed a committee composed of citizens who expressed interest in the future development of the town. The committee met on a regular basis for eight months and formulated a plan that was forwarded to the Planning and Zoning Board and Town Council for adoption. The Land Use Plan map is shown on the reverse side. The plan document below explains how the map will be used.</p> <p><b>GUIDING PRINCIPLES</b>  A variety of principles were expressed during the committee meetings. These are stated explicitly in order to provide a framework and rationale for the plan and its recommended development pattern.</p> <p><b>Property Rights</b> – The plan is structured to give all property owners in the town an opportunity to develop their land, or to sell their land with reasonable expectations that some level of development will be approved. While zoning will continue to be used to determine what uses are permitted, no area of the town will be considered "off limits".</p> <p><b>Town Traditions</b> – Oak Ridge has been in existence since the mid-1800s. It has an identity, history and appearance that were studied in depth prior to adoption of the Historic District in 1995. These assets should be protected and enhanced as the town grows.</p> <p><b>Agricultural Traditions</b> – In addition to the historic center of Oak Ridge, the town limits contain many large tracts of land that have been farmed for over 150 years. Although farming has become less viable economically, the open fields and pastures are a significant part of what makes Oak Ridge a desirable place to live.</p> <p><b>Walkability</b> – Oak Ridge has been part of a building boom in northwest Guilford County that began in the mid 1980s and continues today. Developers have purchased large tracts of farmland and converted them to low-density subdivisions whose residents generally work in Greensboro, High Point or Winston-Salem. Traffic on the town's road network has increased tremendously, making it difficult and dangerous to walk, bike or even take a leisurely drive around town. The committee expressed a strong desire to establish pedestrian links as a way to pull the town together.</p> <p><b>LAND USE CATEGORIES</b>  The following describes the land use categories used in the plan:</p> <p><b>Low Density Residential</b> – Areas in which the principal use of the land is for single-family subdivisions on one-acre lots served by individual septic tanks and individual or community wells.</p> <p><b>Town Core</b> – The central area of Oak Ridge in which there is a mixture of homes, churches, schools, and businesses.</p> <p><b>Commercial Town Core</b> – The heart of the Town Core, where all new commercial development should be located. <b>Open Space</b> – Floodplain areas along major streams that are required to remain open as land is developed.</p> <p><b>IMPLEMENTATION</b>  The plan is very simple, but must be implemented carefully in order to achieve the goals expressed by the Land Use Committee. The following policies will aid the implementation process, provided they are consistently followed: <b>Focus development in the Town Core</b> – All new commercial development and all public/institutional development should be located in the Commercial Town Core. Commercial rezoning outside the Commercial Town Core should be strongly discouraged. <b>Development within the Town Core should adhere to the following principles:</b></p> <ol style="list-style-type: none"> <li>1) Structures should be located close to the road to promote a "village street" atmosphere.</li> <li>2) Sidewalks should be constructed along all street frontages.</li> <li>3) Architectural elements should conform to the Oak Ridge Historic District Guidelines.</li> </ol> <p><b>Maintain rural appearance in the Low Density Residential area</b> – Outside the Town Core, residential development should be as unobtrusive as possible. To the extent feasible, houses in new subdivisions should not be visible from adjacent roadways. <b>Development within the Low Density Residential area should adhere to the following principles:</b></p> <ol style="list-style-type: none"> <li>1) Leave existing pastures and fields open. Tuck new homes behind tree lines or use topography to make them less visible.</li> <li>2) Protect existing woodlands, particularly along adjacent roadways. Clear-cutting and area grading should never be used.</li> <li>3) Do not "enhance" the appearance of the development with non-native plantings, berms, or fences, unless the fence material is traditional and appropriate (no vinyl or solid masonry).</li> </ol> <p><b>Continue to require open space dedication and walking trail connections as part of the development process</b> – The Land Use Plan recommends a pattern of permanent open space and walking trails for the town. These public amenities should be acquired as development takes place.</p> <p><b>THOROUGHFARE PLANS</b>  Oak Ridge has an adopted Thoroughfare Plan that places all of the roads in the town into one of the following categories: <b>Major Thoroughfare, Minor Thoroughfare, Collector, or Local.</b> The plan also shows future extensions to the road system that should be made as development takes place. The Thoroughfare Plan is displayed on a separate map for clarity, but should be considered as part of the Land Use Plan.</p>
Rudy Ranucci	Oak Ridge, NC	2014-05-08	All of the Concerns listed in this petition.
Paul LeGras	Oak Ridge, NC	2014-05-08	Effect on water supply which is already stretched

<b>Name</b>	<b>Location</b>	<b>Date</b>	<b>Comment</b>
Linda Pettenski	Rochester, NY	2014-05-08	I am planning a relocation to the Greensboro area, and have been looking specifically at Oak Ridge. I'm truly saddened to hear of the proposed rezoning in that area, and should this indeed take place, I probably will not look to purchase a house there. I'm definitely disappointed.
Dana Morris	Kernersville, NC	2014-05-08	use to leave on that property site 25 yrs ago.....hate to see developed that heavily
Irene Mahon	Oak Ridge, NC	2014-05-08	Resident of Oak Ridge, NC

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# Oak Ridge, NC - Density - Snapshot

Submitted by  
 (Linville Oaks resident)  
 to Town Council  
 5/8/14

	Acres	Homes	Population*	Population Per Acre	Acres Per Home
Town of Oak Ridge	9,408	2,295	6,710	0.71	4.10
Linville Oaks	110	42	122	1.11	2.62
Linville Ridge	65	31	90	1.38	2.10
<b>Knights Landing - Proposed</b>	<b>82.75</b>	<b>80</b>	<b>232</b>	<b>2.80</b>	<b>1.03</b>

\* Source - for Town of Oak Ridge population - 2010 U.S. Census

\* Source - for Linville Oaks and Linville Ridge population is based on the 2010 U.S. Census of 2.9 residents per household in the town of Oak Ridge

## In Comparison, Proposed Knights Landing Home Density Is:

-  2 Times the density of Linville Ridge
-  2 1/2 Times the density of Linville Oaks
-  4 Times the density of the Town of Oak Ridge

Submitted by  
Atty. Bo Rodenbough  
To Town Council  
5/8/14

**LIST OF ADDITIONAL CHANGES TO BE PURSUED  
BY OWNER AND DEVELOPER IN UDP/SITE PLANNING  
IN CASE NO. 14-03-ORPL-01406-KNIGHT'S LANDING (PD-R)**

**TOWN OF OAK RIDGE**

The Owner, Kevin and DeLana Harvick, and the Developer, Kevan R. Combs, offer to pursue the following changes in the unified development plan/master site plan of the Owner's 81.464-acre tract (per deed) in Case No. 14-03-ORPL-01406-Knight's Landing (PD-R) in consideration for the Linville Oaks homeowners' withdrawal of their opposition to that rezoning:

1. List the following excluded uses on the UDP: Any multifamily residential or neighborhood business or limited office uses otherwise permitted in the PD-R zoning classification.

2. Specify a roundabout to be installed at the intersection of the street proposed on the Rezoning Sketch Plan extending from Haw River Road on the north to a connection with Parkchester Place in the Linville Oaks Subdivision on the south and the cross street extending from that intersection to Linville Road opposite Harper Ridge Court.

3. Propose to terminate in a cul-de-sac short of the common boundary between Knight's Landing and Linville Oaks the street proposed on the Rezoning Sketch Plan to extend from Haw River Road on the north to a connection with Parkchester Place in the Linville Oaks Subdivision on the south. The Owner and the Developer cannot, however, offer any assurances that such a change will be permitted by the Town, as (i) both the development standards set forth in Section 30-562 and the street requirements set forth at Section 30-860 of the Town's Zoning Ordinances expressly require the connection of that street to be developed in Knight's Landing to the existing public street known as Parkchester Place in Linville Oaks, which existing public street the Town required the developer of Linville Oaks to stub to the property line with Knight's Landing for that purpose, (ii) the connection of that proposed street in Knight's Landing to Parkchester Place in Linville Oaks is consistent with the Town's Land Use and Thoroughfare Plans, and (iii) the Town refused to accept the Owner's Rezoning Sketch Plan for Knight's Landing without the specification of the connection of that street proposed for construction in Knight's Landing to the existing public street known as Parkchester Place in Linville Oaks.

4. The southernmost single family residential lots proposed for development on the Rezoning Sketch Plan on either side of the southern terminus of the street proposed for development in Knight's Landing extending from Haw River Road on the north to Linville Oaks on the south will be removed from that location on the site plan such that there will be no single family residential lot developed at that location in Knight's Landing closer to Linville Oaks than the width of each of those two lots depicted on the Master Preliminary Plat of Knight's Landing that has been provided to the Linville Oaks homeowners plus the width of the Common Elements in that location shown on that Master Preliminary Plat and the Rezoning Sketch Plan.

5. A maximum building line will be imposed on the southern (side) lot lines of the two southernmost lots in Knight's Landing flanking the street proposed on the Rezoning Sketch Plan extending from Haw River Road on the north to a connection with Parkchester Place in the Linville Oaks Subdivision on the south such that no dwelling or other structure may be constructed on those two lots unless set back at least 20 feet from their southern (side) lot lines.

6. The Developer of Knight's Landing shall be required to plant, and the owners association formed to maintain the Common Elements in Knight's Landing shall be required to maintain, at least a Type B planting yard (3 canopy trees, 5 understory trees and 25 shrubs per 100 feet in a planting yard not less than 25' nor more than 50' in width, as defined in the Town's Development Standards) as a buffer between the existing homes constructed on the northernmost lots on either side of Parkchester Place in the Linville Oaks Subdivision and the southern (or side) lot lines of the southernmost single family residential lots proposed on the UDP or Master Site Plan in Knight's Landing on either side of the proposed street extending from Haw River Road to Linville Oaks, which planting yards shall have a lateral extent at least equal to the length of the southern (or side) lot lines of those southernmost single family residential lots in Knight's Landing on either side of the proposed street through Knight's Landing – that is, approximately 200 feet on either side of the proposed street through Knight's Landing.

7. The single-family residential lots proposed on the Rezoning Sketch Plan shall be made subject, at initial plat recordation for the Subdivision, to a Declaration of Covenants, Conditions and Restrictions for Knight's Landing that includes the following use restrictions:

(a) No lot shall be used except for single-family residential purposes;

(b) No dwelling shall be erected or allowed to remain on any lot if the total heated floor area of the main structure, exclusive of basement area and one story open porches, decks and garages, is less than 2,800 square feet, as measured from the outside wall lines; and

(c) All exterior coverings of the dwellings shall be predominantly brick or stone, or equivalent or a combination of these materials, but Hardy Board, vinyl and aluminum wrapped boxing shall be permitted in the construction of dormers, fascia board, soffits, mouldings and similar architectural details with the approval before installation of the architectural control committee for Knight's Landing.

(d) No amendment of these use restrictions to the Declaration of Covenants, Conditions and Restrictions for Knight's Landing shall be permitted, whether by the Declarant or by vote of the Owners.

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Sample motion  
to approve  
rezoning  
(Harvick property)

**MOTION  
TO APPROVE  
ZONING AMENDMENT**

In the matter of Rezoning Case # 14-03-ORPL-01406

I make a motion that the proposed rezoning be approved and that Council adopt the following statement required By N.C. Gen. Stat. 160A- 383:

1. *The proposed zoning amendment is consistent with the adopted development plan of the Town of Oak Ridge.*

(a) The report of the Town staff finding the proposed zoning amendment to be consistent with the Oak Ridge Land Use Plan is adopted by reference.

(b) The proposal's consistency with the Oak Ridge Land Use Plan is particularly demonstrated by the following:

(1) **The current zoning allows for low-density residential use, with agricultural commercial use. The proposed planned unit development rezoning continues to allow for low-density residential use, with no provision for any commercial use.**

(2) **The surrounding uses of the applicant's property are rural residential, major residential subdivision, large estate/proposed major residential subdivision, and residential. Included in the surrounding and nearby properties are two PD-R zones and multiple RS-30 zones, establishing a neighboring consisting of a variety of low density residential zones. Therefore the proposed planned unit development rezoning allowing for low-density residential use with no provision for any commercial use is consistent with and complementary to all the surrounding uses.**

(3) The proposed planned unit development rezoning will tend to preserve and retain both tree coverage and open space, which are priority factors under the Oak Ridge Land Use Plan.

(4) The proposed planned unit development rezoning will provide a walking trail (or easement) that will link with existing or planned walking trails, which is also a priority factor under the Oak Ridge Land Use Plan, the Town's walkability policy, and the Town's adopted Pedestrian Plan.

(5) The foregoing is graphically and sufficiently demonstrated in the applicant's sketch plan.

(6) The Planning and Zoning Board's vote against the proposed rezoning is unaccompanied with persuasive reasons supporting P&Z's negative recommendation, or such reasons as have been brought forward are outweighed by the benefit to the community of the proposed rezoning; therefore, the negative recommendation of P&Z is not accepted.

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 consistent with the Oak Ridge Land Use Plan, adopted by reference above, demonstrates that the proposed rezoning proposal is reasonable.

(b) The additional factors noted above, demonstrating that the proposed rezoning is consistent with the Oak Ridge Land Use Plan, likewise demonstrate that the proposal is reasonable.

(c) The applicant's property is a relatively large tract of 82.75 acres, and its development as one residential tract will significantly affect its immediately surrounding area as well as the Town as a whole. Surrounding residential development includes tracts and parcels of varying size from 20,000 to 40,000 minimum square feet. The proposed planned unit development with a proposed minimum lot size of 20,000 square feet is found by the Council to be appropriate and beneficial to the community, and not significantly different from neighboring residential uses on larger lots, because the more than 35 acres in resulting common elements will be used for open space, tree preservation, well sites, and septic easements. The resulting residential area will not therefore present a noticeable difference from surrounding residential development, and the retained natural and open areas will contribute to the Town's goal of preserving its rural appearance and feel.

(d) The applicant will not be significantly benefited nor the owners of neighboring surrounding properties harmed by the planned unit development rezoning, because the applicant's actual marketing opportunities, based on smaller lots and significant reservation of open space and tree coverage, will not unduly advantage the applicant, and there is no credible or persuasive evidence before this Council that a planned unit development as noted above will lower the property values of the surrounding properties.

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 applicant's proposed rezoning as stated above represents a proposed use of private property that is consistent with the Oak Ridge Land Use Plan and is reasonable, and such development is encouraged under the public policy of the laws of North Carolina and the development ordinance of the Town of Oak Ridge.

(b) The additional factors noted above demonstrate that the proposed rezoning will result in additional high-value housing stock, increased tax values, permanent open space, permanent tree preservation, and additional trail footage, all of which tend to benefit the entire community.

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Sample motion  
to reject rezoning  
(Harvick property)

MOTION  
TO REJECT  
ZONING AMENDMENT

PROPOSED ZONING AMENDMENT (REZONING, ZONING OVERLAY DISTRICT,  
OR TEXT AMENDMENT: Rezoning Case# 14-03-ORPL-01406

I make a motion that the proposed rezoning be rejected and that the Council adopt the following statement required by N.C. Gen Stat. 160A-383:

1. *The proposed zoning amendment is not consistent with the adopted development plan of the Town of Oak Ridge.*

(a) **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.**

2. *The proposed zoning amendment is not reasonable. The Council considers the proposed zoning amendment to be unreasonable because:*

(a). **The Council disagrees with the report of the town staff finding the proposed zoning amendment to be reasonable and is adopted by reference.**

(b). **The Council further finds that the proposed zoning amendment is unreasonable because the Planning Board found the proposal inconsistent with the adopted land use plan and the density of the proposed plan is not consistent with the land use plan.**

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 Council disagrees with the report of the town staff finding the proposed zoning amendment to be in the public interest that is adopted by reference.

(b). The Council further finds that the proposed zoning amendment is against the public interest because the Planning Board found the proposal was inconsistent with the adopted land use plan.

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