

REZONING CASE #RZ-18-04

REQUEST:

From: LB (Limited Business)

To: CU-GB (General Business)

District Descriptions:

The LB, Limited Business District is primarily intended to accommodate moderate intensity shopping and services close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods. The district is typically located near the intersection of collectors or thoroughfares in areas which are otherwise developed with residences.

The CU-GB, Conditional-Use, General Business, is primarily intended to accommodate a wide range of retail, service and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks.

USE CONDITIONS:

1. All uses within the GB zoning category will not be allowed except for warehouse/mini-storage.

DEVELOPMENT CONDITIONS:

1. Proposed buildings will have the same architectural elevations as presented to the Planning and Zoning Board and Town Council during the rezoning hearing. (subject to site-plan and architectural approval by the Planning and Zoning Board)
2. A dense landscaping buffer along the southern border of the property to shield the development from view.
3. The preliminary site plan (subject to PZ Board Site Plan approval) shall be what the developer builds with minor adjustments allowed.

PROPERTY LOCATION AND DESCRIPTION: The property is located on the east side of NC Highway 68 North, approximately 640 feet southeast of the intersection of NC Highway 68 North and Oak Ridge Rd, in Oak Ridge Township. Being Guilford County Tax Parcels #0166233, and 0166234, consisting of approximately 3.164 acres. Located in the Greensboro (GW-III) Watershed. Owned by Twilight Outparcel Two LLC and Twilight Outparcel Three LLC.

SUMMARY OF REQUEST: The applicant proposes to construct three buildings each under 30,000 square feet for the purpose of public mini-storage. The proposed building will be architecturally enhanced and will be buffered by landscaping in order to meet the scenic corridor requirements. The sketch plan submitted with the application shows the general location of the proposed building

areas, as well as the proposed development conditions.

LAND USE:

Existing Land Use: Limited Business (Unoccupied)

Requested Land Use: General Business (Warehouse Mini-Storage)

North: Limited Business (LB) (Village Woods Center)

South: Residential Single-family/RS-40 (Undeveloped)

East: Public and Institutional (PI) (Oak Ridge Military Academy)

West: Conditional Use General Business (CU-GB) (Former Bank of Oak Ridge Location)

RECOMMENDATION OF THE OAK RIDGE LAND USE PLAN: The Oak Ridge Land Use Plan recommends this area as Commercial.

GOAL #3: Oak Ridge will continue to encourage distinctive, high quality site design and construction that reflects the Town's historic heritage and contributes to the village feel of the Town Core.

OBJECTIVE 3.1: Preserve and enhance the aesthetic and historic features of the entryways into town.

POLICY 3.1.1: Additional landscaping should accompany development along NC Highway 68.

POLICY 3.1.2: Landscaping should be native to the region and appropriate for the location.

POLICY 3.2.2: Commercial development outside of the Historic District should incorporate design elements of the Historic District.

OBJECTIVE 3.3: New commercial development will be contained within the Commercial Town Core.

POLICY 3.3.1: New commercial development should be directed toward undeveloped parcels within the Commercial Town Core.

CONDITIONAL USE DISTRICT REZONING ANALYSIS: The petition for rezoning (including proposed conditions) includes the owner of the property included in the rezoning request. Any additional conditions offered during the public hearing must be accepted by the owner 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 located on 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 1 mile
Schools: Oak Ridge Elementary, Northwest Middle, Northwest High

TRANSPORTATION:

Existing Conditions: Traffic counts from 2015 indicate 18,000 trips per day along Hwy 68 North at the entrance of Quiet Place and Hwy 68.

Projected Traffic Generation: Will be provided at the P&Z meeting.

PHYSICAL CHARACTERISTICS:

Topography: Gently rolling

Regulated Floodplain: None

Stream Location and Classification: None

COMMUNITY OUTREACH:

The applicant mailed letters of notification to and met with residents adjacent and within 500 feet of the property proposed for rezoning on May 16th. The applicant will provide additional detail at the public hearing.



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CU-LB to CU-GB



Scale: 1"=300'

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STAFF RECOMMENDATIONS:

The proposed request is consistent with the recommendations of the Oak Ridge Future Land Use Plan. The Land Use Plan recommends commercial zoning for undeveloped tracts within the commercial town core. Town staff after careful review of Sec.30-353(Nonresidential districts) (See below) (with the applicant see attached Position Statement) recommend the approval of the rezoning request.

Sec.30-353 (J) The 30,000 square feet of floor area includes gross building floor area, outdoor storage areas, and any outside area which provides associated services to the public, such as, but not limited to, outdoor merchandise display, snack bars, etc. The floor area does not include motor vehicle parking and loading areas. For the purposes of determining the applicability of the 30,000 square feet of floor area maximum, the aggregate square footage of all adjacent buildings/outdoor uses which share check stands, store management (not including property management), or storage areas shall be considered one establishment, e.g., a plant nursery associated with a general merchandise store such as a home improvement store, see figure [below]. Any existing structure erected before the enactment of the Oak Ridge Code of Ordinances may be expanded once by no more than 25 percent of the original structure floor area and such expansion shall be exempt from the provisions of section 30-303 of the Code of Ordinances related to the nonconforming use of land and nonconforming structures.

PLANNING AND ZONING BOARD RECOMMENDATIONS :

Motion to **Deny** by: Mrs. Paslaru
Seconded by: Mr. Stafford
Vote **6** to **1** in favor of the motion.

VOTE:

Simpson	<u>AYE</u>
Baker	<u>AYE</u>
Stoudemire	<u>AYE</u>
Paslaru	<u>AYE</u>
Wilson	<u>AYE</u>
Stafford	<u>AYE</u>
Gardner	<u>NAY</u>

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

The request as presented is **in-consistent** with the Oak Ridge Future Land Use Plan and is **not reasonable** and in the public interest.

TOWN COUNCIL RECOMMENDATIONS :

Motion to Approve/Deny by:
Seconded by:
Vote ____ to ____ in favor of the motion.

ROLL CALL VOTE:

Sullivan	_____
McClellan	_____
Kinneman	_____
Nodine	_____
Schneider	_____

**MOTION
TO APPROVE
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: LB and CU-LB to CU-GB

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 comprehensive 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: LB and CU-LB to CU-GB

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 land use 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 .]

**MOTION
TO APPROVE
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: LB and CU-LB to CU-GB

I make a motion that the proposed zoning amendment **be approved** based on the following:

1. *Even though the proposed zoning amendment **is inconsistent** with the adopted comprehensive plan of the Town of Oak Ridge, a change in conditions in meeting the development needs of the community has occurred since plan adoption. These changes include:*

_____.

Furthermore, the Planning Board has provided the Council with its written statement that the proposed zoning amendment is inconsistent with the comprehensive plan, but that a change in conditions in meeting the development needs of the community has occurred since plan adoption, and the Council concurs and adopts the Planning Board's finding of inconsistency and changing conditions by reference. In addition, the Council further finds that the proposed zoning amendment meets the development needs of the community 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:*

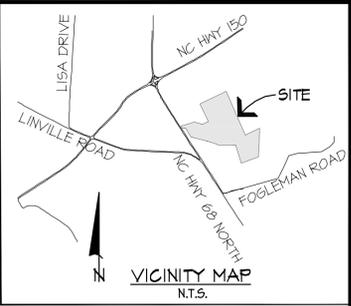
A. The report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.

B. The Council further finds that the proposed zoning amendment is in the public interest because:_____.

AND

4. By approving this motion, the Council also hereby amends the Town of Oak Ridge comprehensive plan to reflect the approved zoning amendment.

[Call for second etc .]



REVISIONS

ENGINEERING AND SURVEYING, INC.
 LAND DEVELOPMENT CONSULTING
 CORPORATE LICENSE NUMBER C-1515
 4400 TRYING STREET
 HIGH POINT, NORTH CAROLINA 27265
 PHONE: (836) 812-8800 ~ FAX: (836) 812-8180

PRELIMINARY

SKETCHPLAN

1694 NC HWY 68 & 7936 QUIET PLACE
 OAK RIDGE TOWNSHIP ~ GUILFORD COUNTY
 OAK RIDGE, NORTH CAROLINA

SKETCHPLAN

SCALE: 1" = 40'

DATE: MARCH 5, 2018

PROJECT: 536-05

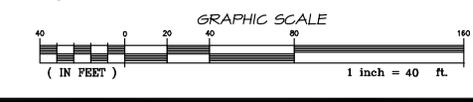
DRAWN BY: JC/JJ

SHEET |

APR 25, 2018 F:\P\0211\158-05\158-05-SKETCHPLAN-B-5-10.dwg T&S Norms SKETCHPLAN

LEGEND

---	EXISTING CONCRETE FOOTPRINT
---	EXISTING IRON PIPE
---	EXISTING IRON ROD
---	NEW IRON ROD
---	CORNERED POINT
---	POKER POLE
---	LIGHT POLE
---	LAMP POST
---	EXIST OVERHEAD ELECTRIC
---	WATER VALVE
---	WATER METER
---	IRIGATION CONTROL VALVE
---	EXIST WATER LINE
---	EXIST FIRE HYDRANT
---	SANITARY SEWER HANGAR
---	SANITARY CLEANOUT
---	EXIST SANITARY SEWER LINE
---	EXIST SANITARY SEWER SERVICE LINE
---	NATURAL GAS LINE
---	FIBER OPTIC LINE
---	FENCE
---	STORM DRAIN PIPE
---	STORM MANHOLE
---	GRAATED INLET
---	FENCE
---	CENTERLINE
---	PROBITY LINE
---	RIGHT-OF-WAY
---	FIBER OPTIC
---	AG UNIT (AIR CONDITION)
---	TELEPHONE FEEDLINE
---	ELECTRIC TRANFORMER
---	FIBER OPTIC MARKER
---	ELECTRIC METER
---	SINGLE POST SIGN
---	RAILROAD TRACKS



THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND APPEARANCES AND DRAWINGS PROVIDED BY THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES.

THE WORD "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

THIS MAP DOES NOT MEET N.C.S. STANDARDS 47-30 AND IS NOT FOR RECORDING.

THIS MAP IS SUBJECT TO ANY EASEMENTS, AGREEMENTS, OR RIGHTS-OF-WAY OF RECORD PRIOR TO DATE OF THIS MAP, WHICH WAS NOT VISIBLE AT THE TIME OF MY INSPECTION OR SHOWN IN THE TITLE COMMITMENT.

1) SURVEY MADE TO EXISTING IRONS FOUND ON SITE.
 2) IRON PIPES AT ALL CORNERS UNLESS OTHERWISE NOTED.
 3) ALL BEARINGS ARE GRID BEARINGS UNLESS OTHERWISE NOTED. (NAD 83)
 4) ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.

Position Statement

Weyhill Companies, LLC, as developer, proposes to develop three separate lots which will be conveyed to three separate limited liability companies as sites for three separate self-storage facilities, each owned by the separate LLC and operated as distinct businesses sharing common property management.

The buildings will be constructed on Lots 9, 10, and 11 of a plat to be recorded in the Guilford County Register of Deeds in compliance with the Oak Ridge Subdivision Ordinance and Development Ordinance and subject to approval of the Town . Access will be provided by Quiet Place, a private street established by previously recorded plats with additional access points .

The developer believes that the proposed development completely complies with the dimensional requirements of Section 30-353 and Table 4-4-5 of the Oak Ridge Development Ordinance. The Ordinance limits maximum floor area to 30,000 sq. ft. per structure and provides the 30,000 sq. ft. maximum floor area includes gross building floor area, outdoor storage, and outside areas that provide affiliated services, but excludes parking and loading areas. A Note providing clarification of the intent of the 30,000 sq. ft. maximum recites that aggregate square footage of adjacent buildings and outdoor uses sharing common check stands and store management (but specifically not including property management) will be considered one establishment.

In the proposed development, there will be three separate and distinct recorded lots of record. Each lot will be owned by a separate and distinct limited liability company. The only sharing between the three separate companies will be a common fence and a property management office to be located in the building closest to NC Hwy. 68.

The storage facilities will be separately owned, separately maintained on separate lots of record. There will be no outside uses or areas to be considered as one establishment other than parking and loading which is expressly permitted. There will be no outside storage .

The example given in the Note to Table 4-4-5 is a home improvement store with a connected nursery facility sharing common check stands. The example provides that such shared uses will be considered one establishment.

None of the features of the example are present with the proposed development which is in compliance with Section 30-353 and Table 4-4-5 of the Development Ordinance.

We ask the Planning and Zoning Committee and the Oak Ridge Town Council to favorably consider the proposal and believe that the proposed development complies in all respects with the Oak Ridge Development Ordinance.



OAK RIDGE SELF STORAGE

OAK RIDGE, NC

 BRADLEY
& BALL
ARCHITECTS



OAK RIDGE SELF STORAGE

OAK RIDGE, NC

