



# TOWN OF OAK RIDGE PLANNING AND ZONING BOARD

RZ-19-01 Town Council Hearing Date: May 2, 2019

## GENERAL INFORMATION

- Applicant:** Oak Ridge Foundation INC. 2306 Oak Ridge Rd. Oak Ridge, NC 27310
- Request:** Rezoning request from PI (Public and Institutional) to CU-GB (Conditional Use General Business).
- Location:** The property is located on the south side of Oak Ridge Rd., approximately 350 feet east of the intersection with NC Highway 68, in Oak Ridge Township. Owned by Oak Ridge Foundation INC.
- Tax Map ID#:** 0166219, 0166213, and 0166212.
- Public Notification:** The Town of Oak Ridge notified all property owners within 500' of the subject property and posted the property as well.
- Community Outreach:**

Since the property is already developed and previously (Historically) used for commercial purposes community outreach was not deemed necessary.

## SITE DATA

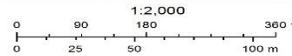
- Existing Use:** Currently structures on the property are used for a barbershop and an armory for the Oak Ridge Military Academy. Some structure or parts of other remain unused.
- Tract Size:** 1.93 Acres
- Topography:** Gently Rolling to rear of property
- Vegetation:** Individual trees spread across the property.

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
<b>N</b>	PI	Public and Institutional
<b>S</b>	LB and CU-LB	Limited Business and Conditional Use – Limited Business
<b>E</b>	PI	Public and Institutional
<b>W</b>	CU-GB	Conditional Use-General Business

Guilford County, NC



April 3, 2019



ctmundor

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**ZONING DISTRICT STANDARDS**

**District Summary:**

Zoning District	Existing	Requested
Designation:	<b>PI</b>	<b>CU-GB</b>
Max. Density:	NA	NA

**Conditional Uses: CU-GB (Conditional Use – General Business)**

The petition for rezoning includes all the owners of the property to be included in the rezoning request. Any additional conditions offered during the public hearing must be accepted by all owners 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.

## District Descriptions:

The PI, public and institutional district is intended to accommodate mid- and large-sized public, semipublic and institutional uses which have a substantial land use impact or traffic generation potential. It is not intended for smaller public and institutional uses customarily found within residential areas.

The GB, general business district 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.

## Proposed Conditional Use:

***The following uses are to be exempted from the regular uses allowed under GB Zoning:***

### Agricultural Uses:

- Agricultural Production (Crops)
- Forestry
- Veterinary Service (Other)

### Residential Uses:

- Shelter for the Homeless

### Accessory Uses:

- Junked Motor Vehicle
- Satellite Dish/Communication Tower
- Swimming Pool

### Recreational Uses

- Athletic Fields
- Billiard Parlors
- Fortune Tellers/Astrologers
- Golf Course/Miniature
- Public Park

### Educational and Institutional Uses:

- Ambulance Service
- Cemetery/ Mausoleum
- Fire Station
- Fraternity of Sorority (university or college related)
- Post Office
- Psychiatric Hospital
- Retreat Center

### Business, Professional, and Personal Services:

- Automobile Repair Services (Major)
- Automobile Repair Services (minor)
- Automotive Towing and Storage
- Boat Repair
- Massage Parlor (Adult)
- Refrigerator or Large Appliance Repair
- Taxidermist

Theater (Adult)  
Truck and Utility Trailer rental and Leasing, Light

Retail Trade:

Appliance Store  
Auto Supply Sales  
ABC Store (liquor)  
Bar  
Boat Sales  
Bookstore (Adult)  
Building Supply Sales (With Storage Yard)  
Convenience Store (With Gasoline Pumps)  
Garden Center or Retail Nursery  
Live Entertainment Business (Adult)  
Motor Vehicle Sales (New and Used)  
Motor Cycle Sales  
Pawn Shop or Used Merchandise Store  
Tire Sales  
Tobacco Store  
Video Tape Rental and Sales  
Professional and Commercial Equipment and Supplies  
Tobacco and Tobacco Products

Transportation, Warehousing, and Utilities:

Beneficial Fill area  
Bus Terminal  
Communication and Broadcasting Facility  
Construction or Demolition Debris Landfill Minor  
Courier Service Substation  
Land Clearing AND Inert Debris Landfill (LCID) Minor  
Taxi Terminal  
Utility Service Facility (No outside Storage)  
Utility Substation  
Warehouse (General Storage Enclosed)  
Warehouse (Self Storage)

Other Uses:

Temporary Construction, Storage or Office; Real Estate Sales or Office (Concurrent Building Permit for Permanent Building)

**Development Conditions:**

- 1) Oak Ridge Foundation Inc. will grant an Historic Preservation Easement to Preservation Greensboro. This easement will protect structures that are listed as part of the Oak Ridge Military Academy National Historic District from demolition. Buildings that are located on the properties associated to this rezoning application to be included in the Easement are: The former Donnell and Holt Store, The 1938 Infirmary, and The Cooks' House.
- 2) The Former Donnell and Holt Store (Cadet Store/Barber Shop), The 1938 infirmary, and The Cooks' House are to remain and cannot be demolished for future development.

**SPECIAL INFORMATION**

**Overlay Districts:** Scenic Corridor and Historic District  
**Environmental:** Watershed: Greensboro General Watershed  
Floodplains: This site does not include floodplains.  
Streams: None  
Other: None

**Utilities:**

Public Water: Non-available (Lots will be served by community well)  
Public Sanitary Sewer: Non-available (Lots will be served by septic fields)

**Landscape Requirements:**

Landscaping requirements per **Article IX Division 4** "Landscaping and Tree Protection Requirements" apply to this site.

**Off-Street Parking Regulations:** None

**Tree Conservation Areas:** None

**Transportation:**

Street Classification: Oak Ridge Rd. – Major Thoroughfare  
New Street into development will be classified as a Local Collector.  
Site Access: All accesses must be designed and constructed to NCDOT Standards and to the standards set forth in Article VIII, Division 9, Section 30-860 (Streets) of the Town of Oak Ridge Code of Ordinance.

Existing Conditions:

Other: N/A

**IMPACT ANALYSIS & STAFF DISCUSSION**

**Future Land Use Compatibility – 2016 Future Land Use Plan:**

The Oak Ridge Land Use Plan recommends this area as Commercial and within the Commercial Town Core.

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

**STAFF RECOMMENDATIONS:**

By acknowledging the unique circumstances of this property (Previously developed as commercial and later rezoned to Public and Institutional use) and its inclusion in the Commercial Town Core, staff recommends **approval**.

**Staff Report prepared by the Town of Oak Ridge Planning Department**

**HISTORIC PRESERVATION COMMISSION RECOMMENDATION:**

Motion to Approve/Deny by: Caroline Ruch

Seconded by: Bryan Hall

Vote 5 to 0 in favor of the motion.

<b>VOTE:</b>	Schoenfield	<u>AYE</u>
	Ruch	<u>AYE</u>
	Hall	<u>AYE</u>
	Kubly	<u>AYE</u>
	Engel	<u>AYE</u>

**PLANNING AND ZONING BOARD RECOMMENDATIONS:**

Motion to Approve/Deny by: Bobbi Baker

Seconded by: Nancy Stoudemire

Vote 4 to 0 in favor of the motion.

<b>VOTE:</b>	Simpson	<u>AYE</u>
	Baker	<u>AYE</u>
	Stoudemire	<u>AYE</u>
	Paslaru	Absent
	Wilson	Represented Applicant
	Stafford	<u>AYE</u>
	Gardner	Absent

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

**TOWN COUNCIL RECOMMENDATIONS:**

Motion to Approve/Deny by:

Seconded by:

Vote \_\_\_\_ to \_\_\_\_ in favor of the motion.

<b>ROLL CALL VOTE:</b>	Sullivan	___
	McClellan	___
	Kinneman	___
	Nodine	___
	Schneider	___

**MOTION  
TO APPROVE  
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: PI 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: PI 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 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 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: PI 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 .]