



# TOWN OF OAK RIDGE TOWN COUNCIL

RZ-24-01 Town Council Hearing Date: February 1st, 2024

## GENERAL INFORMATION

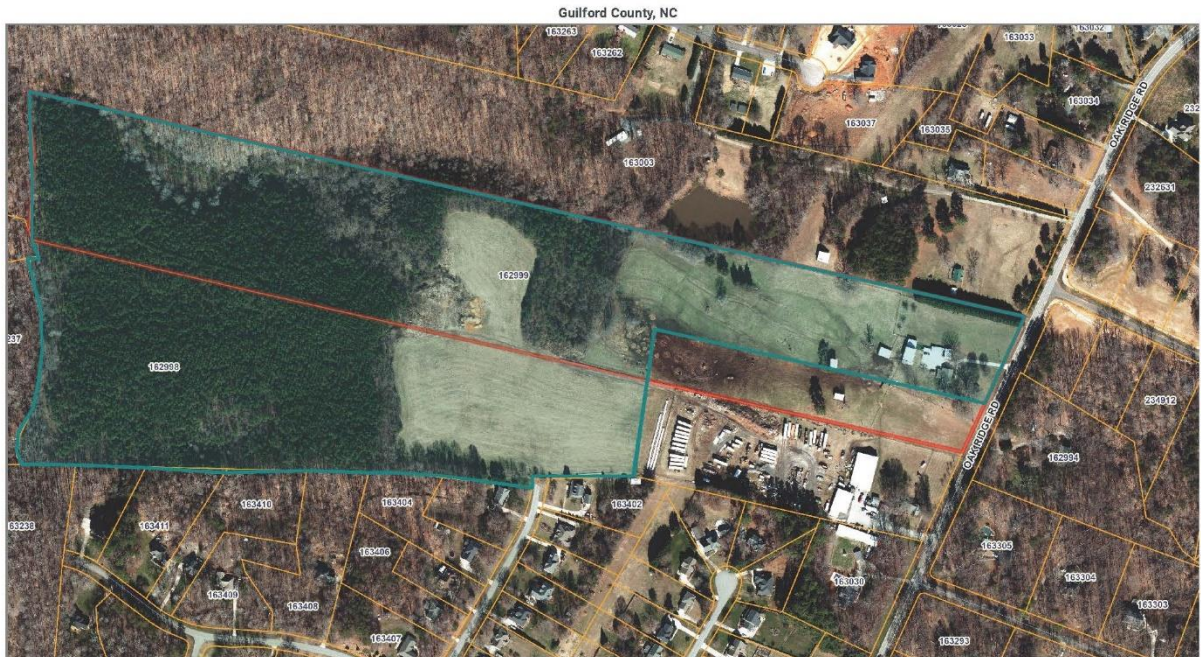
**Applicant:** Billy Kanoy and Denise Kanoy

**Request:** Rezoning request from RS-30 (Residential) AG (Agricultural) to CZ-RS-40 (Residential) for portions of property addressed as 2835 and 2843 Oak Ridge Rd.

**Development Conditions:**

**Total number of building lots shall not exceed (28).**

**Location:** 2835 and 2843 Oak Ridge Rd. are located on the north side of Oak Ridge Rd. approximately 430' east of the intersection of Grey Fox Dr. and Oak Ridge Rd. being in Oak Ridge Township.



**Tax Map ID#:** Portions of 162998 and 162999

**Public Notification:** The Town of Oak Ridge notified all property owners within 500' of the subject property and the property was posted as well for Public Hearings before the Planning and Zoning Board and Town Council.

**Community Outreach:**

Applicant has mailed additional notices and conducted an open house.

**Tract Size:** 52.09 approximately  
**Topography:** Lightly Contoured  
**Vegetation:** Heavily Wooded on the western half of the property

**SITE DATA**

**Existing Use:** Agricultural (Undeveloped)

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
<b>N</b>	AG	Agricultural
<b>S</b>	RS-30	Single-Family Residential
<b>E</b>	RS-40	Single-Family Residential
<b>W</b>	AG	Agricultural

**ZONING DISTRICT STANDARDS**

**District Summary:**

Zoning District	Existing	Requested
Designation: Max. Density:	<b>AG</b> 1 DU/Per Acre No Major Subdivision	<b>RS-40</b> 1 DU/per 40,000 square feet.

**Conditional Uses:** **Uses Shall be limited to Single Family Detached dwellings with customary accessory uses and structures.**

*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.*

**Overlay Districts:** Portion of property within the scenic core Overlay zone.

**Environmental:**

**Watershed:** Greensboro General Watershed  
**Floodplains:** None  
**Other:** None

**Utilities:**

Public Water: None  
Public Sanitary Sewer: Lots will be served by onsite 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:**

Will be determined during Subdivision approval process.

**Transportation:**

Street Classification: Oak Ridge Rd. – Major Thoroughfare  
Lockland Dr. – Local Street  
Site Access: Lockland Dr. and Oak Ridge Rd.  
Traffic Counts: 7,806 Annual Average Daily Traffic (AADT) Volume along Oak Ridge Rd. Counts taken from area of the Oak Ridge Military Academy.  
Sidewalks: None required  
Traffic Impact Study: Requirements for a Traffic Impact Analysis/Study is not required by the Town of Oak Ridge Code of Ordinance. However, NCDOT may require a study be completed during the subdivision review process.  
Street Connectivity: Connection to Lockland Dr.  
Other: N/A

**IMPACT ANALYSIS & STAFF DISCUSSION**

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

OBJECTIVE 1.2: Recommend RS-40 zoning for development on tracts outside the town core with marginal environmental, agricultural, historic, or community open space value.

**Comprehensive Pedestrian Transportation Plan**

Proposed paved shoulder along Oak Ridge Rd. and Trail Easement along the Eastern portion of the property.

**STAFF RECOMMENDATIONS:**

The proposed request is consistent with the recommendations of the Oak Ridge Future Land Use Plan. Staff Recommend approval of the rezoning application.

**Staff Report prepared for the Town of Oak Ridge Planning Department by Planning Director Sean Taylor, CZO**

**PLANNING AND ZONING BOARD RECOMMENDATIONS:**

Motion to recommend **Approval** to Town Council the application for rezoning. The proposal is **Consistent** with the adopted land use plan, it is also **Reasonable** and in in the public interest: **Patti Paslaru**

Seconded by: **Nancy Stoudemire**

**Vote 6 to 0 in favor of the motion.**

<b>VOTE:</b>	Simpson	<u>Aye</u>
	Stoudemire	<u>Aye</u>
	Streck	<u>Aye</u>
	Paslaru	<u>Aye</u>
	Stafford	<u>Aye</u>
	Rosenfeld	<u>Aye</u>

**TOWN COUNCIL RECOMMENDATIONS:**

Motion to Approve/Deny by:

Seconded by:

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

**ROLL CALL VOTE:**

Schneider	_____
Stone	_____
Kinneman	_____
Greeson	_____
Harton	_____

**MOTION**

**TO APPROVE  
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: RS-30 and AG to CZ-RS-40

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: RS-30 and AG to CZ-RS-400

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: RS-30 and AG to CZ-RS-40

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 .]