



SPECIAL USE PERMIT CASE #SUP-25-01

REQUEST:

An application for a Special Use Permit for an EVENT CENTER in the RS-40 Zoning district.

DISTRICT DESCRIPTION:

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.

PROPERTY LOCATION AND DESCRIPTION: Located at the southwestern side of the intersection of Oak Ridge Rd and Bunch Rd. addressed as 2524 Oak Ridge Road being in Oak Ridge Township, Guilford County Tax Parcel #163046, approximately 3.16 acres. Owned by F2Homes LLC. The property is located in the Scenic Corridor Overlay District and the Greensboro (GW-III) Watershed Overlay.

SUMMARY OF REQUEST: The applicant wishes to operate an EVENT CENTER as defined by the Oak Ridge Code of Ordinances within the Donnell-Honeycutt home and property.

LAND USE:

Existing Land Use:

North: RS-30 (residential)
Northeast: LB (Limited Business) HairCraft and Oak Ridge Florist
South: RS-40 (residential)
East: RS-40 (residential)
West: RS-40 (residential)

Requested Land Use: RS-40/SUP- EVENT CENTER

RECOMMENDATION OF THE OAK RIDGE LAND USE PLAN: The Oak Ridge Future Land Use Plan identifies this area as residential.

HISTORIC PROPERTIES: The Donnell-Honeycutt House is inventoried by the Town of Oak Ridge as an important historical structure having significant influence on the Towns history. The Home is considered as being National Register Eligible.

UTILITIES AND COMMUNITY SERVICES:

Availability of Public Water and Sewer: Yes No

Fire Protection District: Oak Ridge

Miles from Fire Station: Approximately 2.4 miles

Schools: N/A

TRANSPORTATION:

Existing Conditions: Traffic counts from 2025 along Oak Ridge Rd show roughly 7174 trips per day. Traffic Count was conducted in front of Oak Ridge Military Academy.

Proposed Improvements: None required by NCDOT.

Projected Traffic Generation: Unknown.

PHYSICAL CHARACTERISTICS:

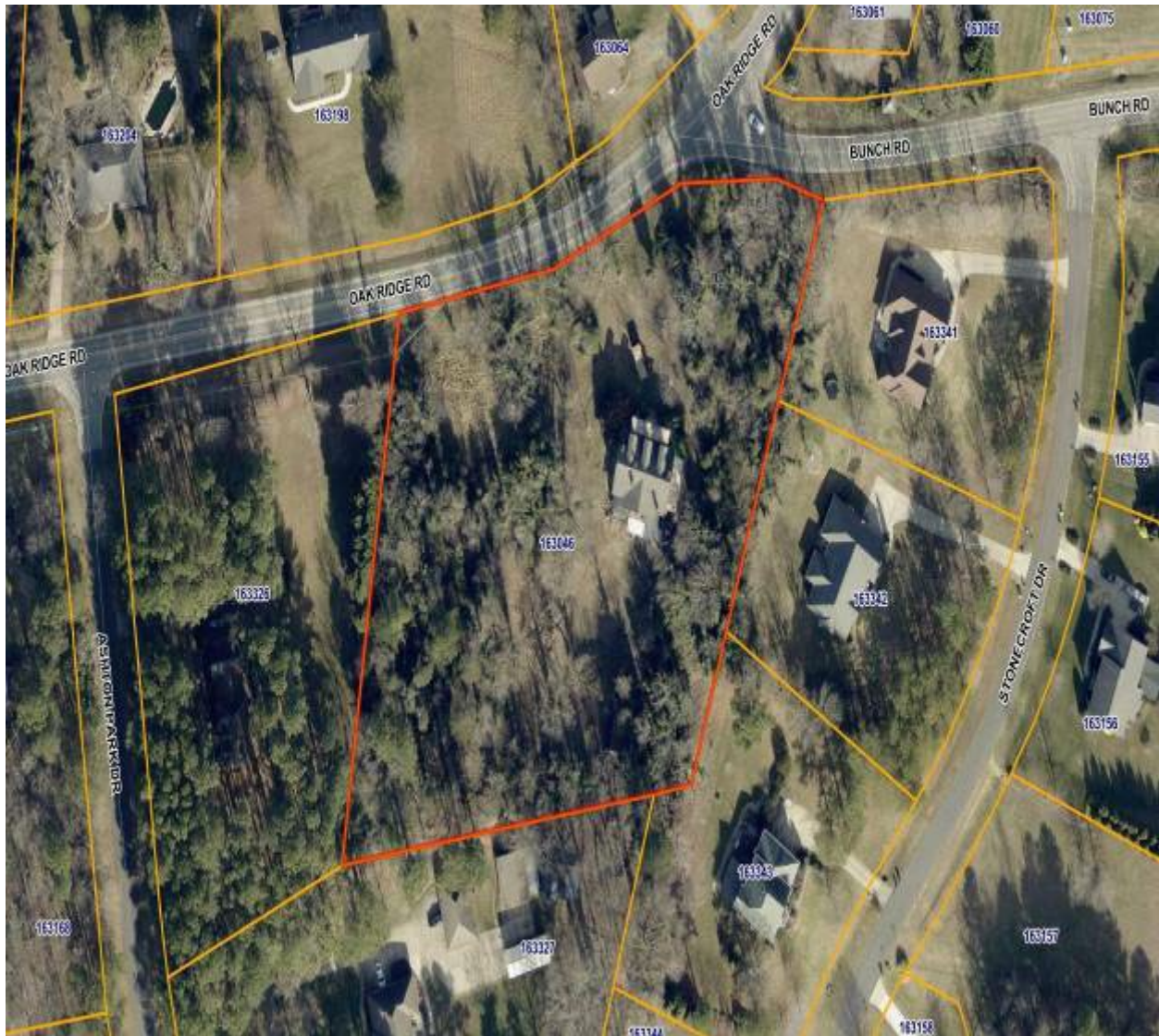
Topography: Gently rolling

Regulated Floodplain: None

Stream Location and Classification: None

Watershed: Greensboro (GW-III)

COMMUNITY OUTREACH: The applicant has sent letters to a number of nearby property owners on Oak Ridge Rd., Bunch Rd and with neighboring subdivisions.



STAFF RECOMMENDATIONS: During consideration of a Special Use Permit, the Town Council must determine that the following findings of fact have been satisfied based upon relevant and credible evidence presented during the hearing.

1. The proposed use requires a Special Use Permit under the Development Ordinance;
2. The proposed conditions meet or exceed the development standards and all required conditions and specifications found in the Development Ordinance.
3. That either the use as proposed, or the use as proposed subject to such additional conditions as the owner may propose or the Town Council may impose, is consistent with the purposes of the District and compatible with surrounding uses;
4. The Special Use Permit shall be granted when each of the following findings of fact have been made by the Town Council:
 - a. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted;
 - b. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
 - c. That the location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the Jurisdiction and its environs.

TOWN COUNCIL DECISION:

Motion to Approve/Deny Findings of Fact by:

Seconded by:

Vote ____ to ____ in favor of the motion.

VOTE:

Clark	_____
Greeson	_____
Harton	_____
Schnieder	_____
Stone	_____

Motion to Approve/Deny Application for Special Use Permit for EVENT CENTER by:

Seconded by:

Vote ____ to ____ in favor of the motion.

VOTE:

Clark	_____
Greeson	_____
Harton	_____
Schnieder	_____
Stone	_____

TEXT AMENDMENT. Amendment to Section 30-331 (Permitted Uses) of the Town of Oak Ridge Code of Ordinances to allow **Event Center** as a use by right in the GO-M (General Office – Medium Intensity) district, GB (General Business) district, SC (Shopping Center) district, PI (Public and Institutional) district and as a Special Use Permit (S) in the AG (Agricultural) and RS-40 (Residential) districts.

TEXT AMENDMENT. Amendment to Section 30-957 (General Requirements) of the Town of Oak Ridge Code of Ordinances to amend *Off Street Parking Requirements* to include Event Center with the following requirements:

1 space per 4 event attendees

If event parking demands exceed the on-site parking lot capacity, the event center shall submit to the Town of Oak Ridge Code Enforcement Officer a parking plan that will meet the parking demands of the event.

TEXT AMENDMENT. Amendment to Section 30-9 (Definitions) of the Town of Oak Ridge Code of Ordinances to define **Event Center**.

EVENT CENTER. A public or privately owned structure or area used for the purposes of social, entertainment, or educational gatherings to include meetings, music events, parties, weddings, and receptions. Entertainment facilities may include performance areas, multi-purpose spaces, and/or meeting rooms available for use by private groups. Accessory uses may include food preparation facilities, offices, and space for event center retail sales.

TEXT AMENDMENT. Amendment to Chapter 30, Article IX DIVISION 5. DEVELOPMENT STANDARDS FOR INDIVIDUAL USES to add *Event Center*.

Sec. 30-1048. Event Center.

- (a) Where required. GO-M (General Office – Medium Intensity) district, GB (General Business) district, SC (Shopping Center) district, PI (Public and Institutional) district
- (b) Required with Special Use Permit. AG (Agricultural) and RS-40 (Residential)
 - 1) RS-40 and AG zoned parcels less than 3 acres cannot receive a Special Use Permit
 - 2) RS-40 Parcels shall be located along a major thoroughfare in accordance with the Town of Oak Ridge Thoroughfare and Collector Street Plan.
 - 3) RS-40 Parcels with multiple street frontages shall only use the major thoroughfare as the driveway entrance.
 - 4) Violation of any of the these standards may result in revocation of the special use permit.
- (c) **Property Separation.** No such establishment, building or parking shall be located adjacent to single-family residentially zoned property, unless the event center is granted a special-use-permit.
- (d) **Screening.** All outdoor equipment and activity areas shall be screened from view of any residence by means of a Type C planting yard. Establishments adjacent to single-family residentially zoned properties shall include a minimum 40' Type A planting yard and a six (6) foot high opaque fence
- (e) **Lighting.** All areas related to the establishment shall be so lighted to direct the light toward the parking areas but shielded so no direct light shall affect any existing residences. Exterior lighting located adjacent to single-family residentially zoned property shall be no greater than 10' in height. The illumination shall comply with Division 7 – *Outdoor Light Fixture Controls* of Chapter 30. (A survey or site plan on CAD can be provided to Duke Power Company and they will generate a plan at no cost as long as the customer uses their lighting fixtures.) A lighting plan signed or sealed by the preparer with calculations/ft. candles shall be submitted along with a completed Zoning Permit Application.
- (f) **Hours of Operation.** If within three hundred (300) feet of single-family residential zoned property, no event with amplified music shall be held outside between the hours of 9:00 PM and 9:00 AM, and no outside event activities shall be conducted after 11:00 PM.
- (g) **Noise.** Electronic amplified sound generated in conjunction with any event shall not be located within 100' of residentially zoned properties and not exceed 80 decibels at any time.,
- (h) **Parking.** No on-street parking is allowed. A remote parking plan with shuttle service shall be submitted to Town of Oak Ridge Code Enforcement Officer for review and approval.

Sec. 30-1049. Farm supplies, other, wholesale trade of,

See section 30-1017.

(Ord. of 1-6-2000, § 6-4.38)

Sec. 30-302(d)

Special use permits.

(1) *Approval procedure.* Applications for special use permits shall be processed in accordance with the procedures used for the review of applications for zoning map amendments, except that no planning and zoning board public hearing shall be required. All evidence presented at the public hearing in regard to applications for special use permits shall be under oath. The chairman of the board or any member temporarily acting as chairman shall administer oaths to witnesses.

(2) *Conditions for approval.* An application for a special use permit shall be approved by the town council if and only if the town council finds that:

a. The proposed use is represented by an "S" in the column for the district in which it is located on the permitted use schedule in [section 30-331](#).

b. The proposed conditions meet or exceed the development standards found in article IX.

c. Either the use as proposed, or the use as proposed subject to such additional conditions as the owner or planning and zoning board may propose or the town council may impose, is consistent with the purposes of the district and compatible with surrounding uses.

d. The special use permit shall be granted when each of the following findings of fact has been made by the town council:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted;

2. That the use meets all required conditions and specifications;

3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

4. That the location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the jurisdiction and its environs.

(3) *Greater restrictions.* In granting a special use permit, the town council may impose more restrictive requirements upon such permit as it may deem necessary in order that the purpose and intent of this chapter are served.

(4) *Permit denial.* If the town council fails to make the findings required by subsection (b) of this section or makes other findings inconsistent with the required findings, then such proposed permit shall be denied.

(5) *Permit applicability.* Any special use permit so authorized shall be perpetually binding upon the property included in such permit unless subsequently changed or amended through application for a new or amended special use permit or until a use otherwise permitted in the district is established. All conditions of the special use permit must involve conditions the town has the authority to impose and be agreed to in writing by the applicant.



TOWN OF OAK RIDGE

Special Use Permit Application

Date Submitted: 10/22/2025 Fee/Receipt # \$500.00 Case Number 8874801

Submit Fee and Application to the Town of Oak Ridge

Provide the required information as indicated below. Pursuant to the Oak Ridge Development Ordinance, this application will not be processed until application fees are paid; the form below is completed and signed; and all required maps, plans and documents have been submitted to the satisfaction of the Enforcement Officer. Additional sheets for tax references and signature blocks are available upon request.

Pursuant to Section 30-302 of the Oak Ridge Development Ordinance, the undersigned hereby requests the Town of Oak Ridge to authorize a Special Use Permit for the property described below. The proposed use(s) of land is

EVENT CENTER

Said property is located AT 2524 OAK RIDGE ROAD (NC HWY 150)

in Oak Ridge Township; Being a total of: 3.16 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 163046 Tax Parcel #
Tax Parcel # Tax Parcel #
Tax Parcel # Tax Parcel #

Check One:

- The property requested for a Special Use Permit is an entire parcel or parcels as shown on the Guilford County Tax Map.
The property requested for a Special Use Permit is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and a map are attached.

Additional Requirements

- Approved Site Plan. A site plan has been submitted and reviewed, illustrating conditions related to the request and applicable development standards must be attached for all special use permit requests. Refer to Appendix B, Map Standards of the Oak Ridge Development Ordinance.
Special Use Conditions. Development conditions may be provided. Complete Page 2 of the application. Refer to uses as listed in the Permitted Use Schedule in Section 30-331 of the Oak Ridge Development Ordinance. If conditions are not proposed, indicate 'not applicable'.

Development Conditions



**TOWN OF
OAK RIDGE**

Special Use Permit Application

Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the Oak Ridge Development Ordinance:

- 1) None offered as of submittal date (10/22/2025).

- 2) _____

- 3) _____

- 4) _____

- 5) _____

- 6) _____



TOWN OF OAK RIDGE

Special Use Permit Application

A special use permit Application must be signed by current property owner(s).

I hereby agree to conform to all applicable laws of Oak Ridge and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from the Town of Oak Ridge may enter the subject property for the purpose of investigation and analysis of this request.

YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING

Respectfully Submitted,

[Handwritten Signature]

Property Owner Signature

F2 HOMES, LLC

Name

1406 W FRIENDLY AVE, UNIT 1

Mailing Address

GREENSBORO NC 27403

City, State and Zip Code

c/o 336-420-3723

Phone Number

Phone Number

[Handwritten Signature]

Representative Signature (if applicable)

WILLIAM F. GRECO, Jr.

Name

PO BOX 347

Mailing Address

OAK RIDGE NC 27310

City, State and Zip Code

336-605-0328

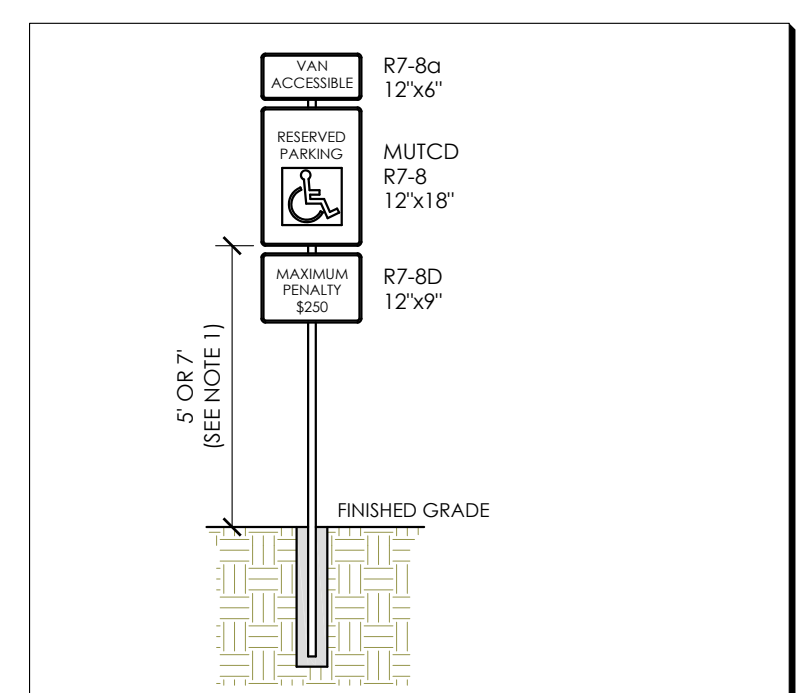
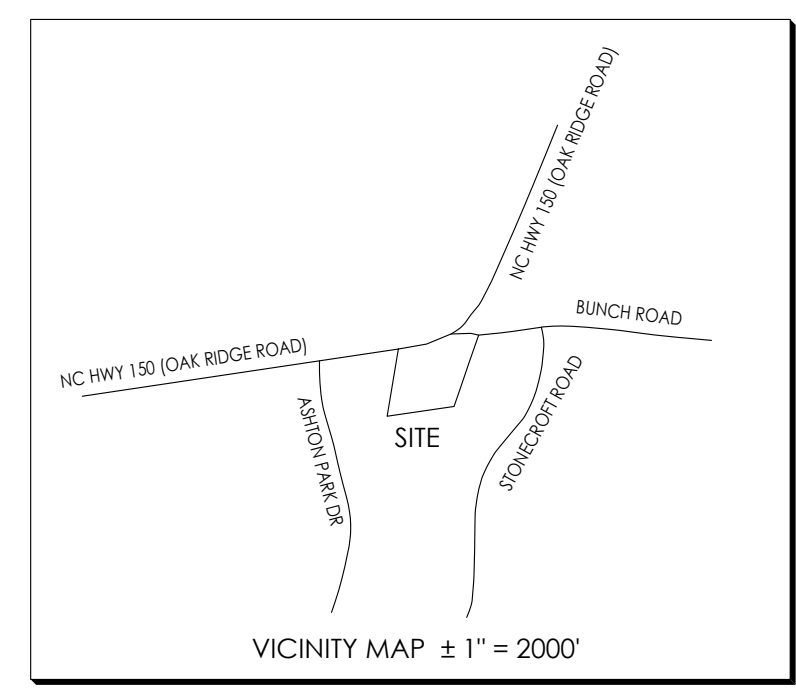
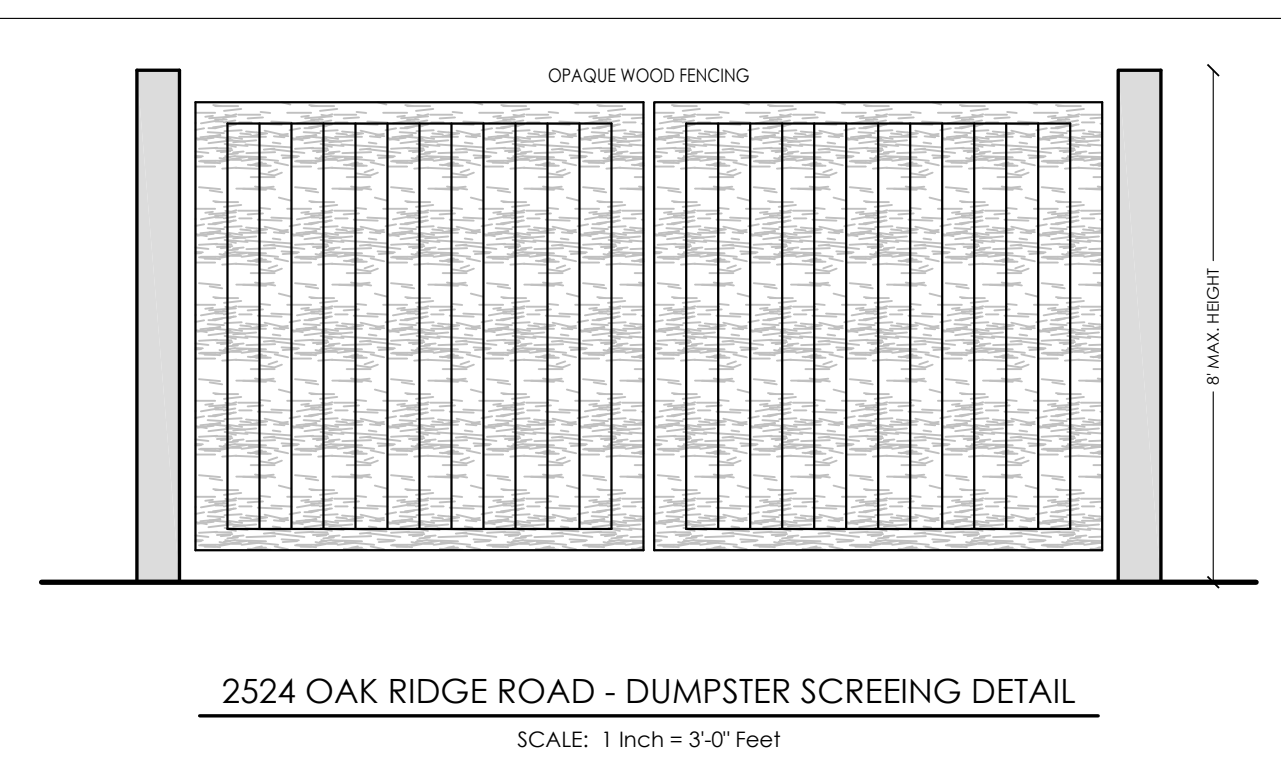
Phone Number

Phone Number

Additional Tax Map References

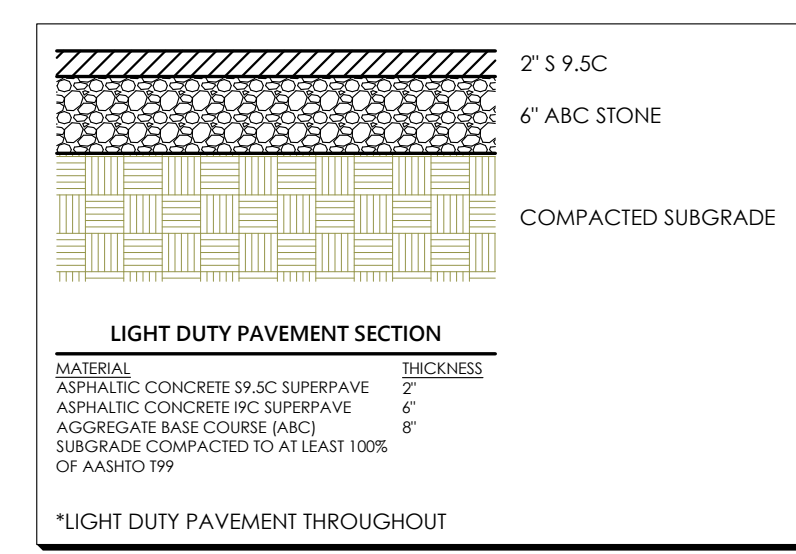
Further referenced by the Guilford County Tax Department as:

- Tax Parcel # _____ Tax Parcel # _____
- Tax Parcel # _____ Tax Parcel # _____
- Tax Parcel # _____ Tax Parcel # _____
- Tax Parcel # _____ Tax Parcel # _____
- Tax Parcel # _____ Tax Parcel # _____
- Tax Parcel # _____ Tax Parcel # _____
- Tax Parcel # _____ Tax Parcel # _____
- Tax Parcel # _____ Tax Parcel # _____



HANDICAP SIGN NOTE(S):

- ALL 12"x18" ACCESSIBLE SIGNS (R7-A & R7-1) SHALL BE MOUNTED AT 7.0' FROM GRADE TO BOTTOM EDGE OF SIGN FACE (MUTCD). MOUNTING HEIGHT CAN BE REDUCED TO 5.0' IF PLACED IN AN AREA BETWEEN SIDEWALK AND BUILDING FACE IN WHICH PEDESTRIANS ARE NOT EXPECTED TO USE.
- SUPPLEMENTAL ACCESSIBLE SIGN (R7-8A) USED ONLY AT THE FIRST ACCESSIBLE PARKING SPACE AND AT EACH VAN ACCESSIBLE SPACE.



GENERAL NOTES AND SYMBOL LEGEND

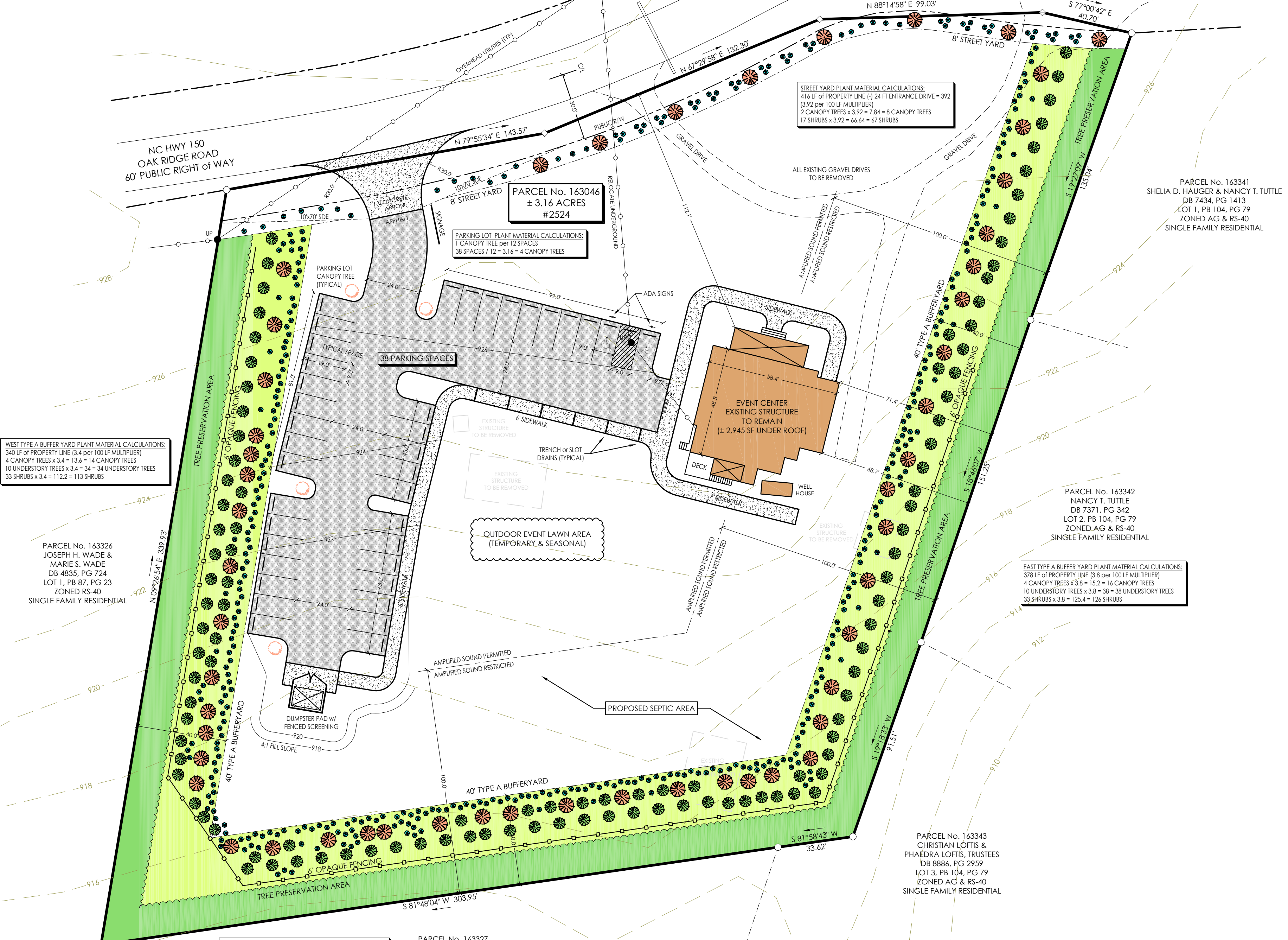
- THIS PLAN IS SUBJECT TO ANY EASEMENTS, AGREEMENTS OR RIGHTS OF WAY, WHICH WERE NOT VISIBLE AT THE TIME OF ANY INSPECTION. THIS DOCUMENT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
- ALL BEARINGS & COORDINATES ARE BASED UPON NAD 83 (NAD 2011).
- ALL DISTANCES ARE HORIZONTAL GROUND UNLESS OTHERWISE NOTED.

SYMBOL LEGEND:

- BL - BUILDING LINE
- CA - COMMON AREA
- CL - CENTERLINE
- DE - DRAINAGE EASEMENT
- EP - EXISTING IRON PIPE
- ESMT - EASEMENT
- NR - NEW IRON ROD
- R/W - RIGHT OF WAY
- OS - OFF SITE SEPTIC EASEMENT
- OHU - OVERHEAD UTILITIES
- PSA - PRIVATE SANITARY SEWER ACCESS & MAINTENANCE
- PT - POINT (NO MONUMENT)
- SE - SEWER
- SP - SPECIAL PURPOSE LOT
- UP - UTILITY POLE
- PC - PROPERTY CORNER
- PM - POINT (NO MONUMENT)
- EC - EASEMENT CORNER
- LS - LINES NOT SURVEYED
- F - FENCE
- OU - OVERHEAD UTILITIES (OHU)
- TPA - TREE PRESERVATION AREA

PARKING SPACE REQUIREMENTS

FEATURE	ORDINANCE REQUIREMENTS	SITE SPECIFICS	NUMBER REQUIRED	NUMBER PROVIDED
EVENT CENTER	1 SPACE PER 4 ATTENDEES	150 MAX ATTENDEES	37.5	38
ADA SPACE REQUIREMENTS	26-50 SPACES = 2 ADA MINIMUM	38	2	2



LANDSCAPING REQUIREMENTS

LOCATION	REQUIREMENTS	APPROXIMATE LENGTH / SPACES	CANOPY TREE	UNDERSTORY TREE	SHRUB
PARKING LOT	1 per 12 Spaces	38 Spaces	4	N/A	N/A
EAST P/L	TYPE "A"	378 LF	16	38	126
SOUTH P/L	TYPE "A"	338 LF	14	34	113
WEST P/L	TYPE "A"	340 LF	14	34	113
OAK RIDGE ROAD	STREET YARD	392 LF	8	N/A	67
TOTAL PLANT REQUIREMENTS			56	106	419

CREDITS AND ALTERNATE METHODS OF COMPLIANCE:

- CREDIT(S) MAY BE REQUESTED FOR EXISTING VEGETATION.
- ALTERNATE METHODS OF COMPLIANCE MAY BE APPROVED BY THE ENFORCEMENT OFFICER. PER SEC. 30-991 - ALTERNATE METHODS OF COMPLIANCE.
- APPLICATIONS FOR CREDIT(S) AND/OR ALTERNATE METHODS MUST BE REVIEWED AND APPROVED BY THE ENFORCEMENT OFFICER.

SEC. 30-991 - PROVISIONS FOR PRESERVATION OF EXISTING TREES:

(D) RATE OF CREDIT. CREDITS SHALL BE ALLOWED AT THE RATE OF ONE CANOPY TREE FOR EVERY THREE INCHES OF CIRCUMFERENCE MEASURED AT 4.5 FEET ABOVE GRADE. CREDITS SHALL BE SUBTRACTED FROM THE TOTAL NUMBER OF CANOPY AND UNDERSTORY TREES REQUIRED IN THE SAME PLANTING YARD WHERE THE TREE IS LOCATED. IN EVERY CASE, HOWEVER, THERE SHALL BE AT LEAST ONE CANOPY TREE FOR EVERY 50 LINEAR FEET OF STREET PLANTING YARD, EXISTING OR PLANTED.

PROPOSED PLANT SPECIES:

ALL PROPOSED PLANT SPECIES SHALL BE IN COMPLIANCE WITH THE TOWN OF OAK RIDGE DEVELOPMENT ORDINANCE, APPENDIX F. CANOPY TREES, UNDERSTORY TREES AND SHRUBBERY

SITE LANDSCAPING NOTES:

- WALLS, A MINIMUM OF FIVE FEET IN HEIGHT, CONSTRUCTED OF MASONRY, STONE, OR PRESSURE TREATED LUMBER OR AN OPAQUE FENCE, A MINIMUM OF FIVE FEET IN HEIGHT, MAY BE USED TO REDUCE THE WIDTHS OF THE PLANTING YARDS BY TEN FEET.
- ONE UNDERSTORY TREE MAY BE SUBSTITUTED FOR EACH REQUIRED CANOPY TREE IF THE TECHNICAL REVIEW COMMITTEE DETERMINES THAT THERE WOULD BE A MAJOR CONFLICT WITH OVERHEAD UTILITIES.
- IN STREET YARDS, TYPE C AND D PLANTING YARDS, AND PARKING LOTS, UNDERSTORY TREES MAY BE SUBSTITUTED FOR CANOPY TREES AT THE RATE OF TWO UNDERSTORY TREES FOR EACH REQUIRED CANOPY TREE.
- EXISTING LANDSCAPING MAY MEET THE REQUIREMENTS AND SHOULD BE FURTHER EVALUATED WITH PLANNING DIRECTOR PRIOR TO PLANTING. SITE PLAN MAY NEED TO BE UPDATED TO SATISFY DIRECTOR.

GENERAL LANDSCAPING NOTES:

- PARKING AREA: ALL SPACES MUST BE WITHIN 100' OF A PARKING LOT CANOPY TREE. PLANTING AREAS WITHIN THE PARKING LOT MUST HAVE A MINIMUM WIDTH OF 7.0' AND 200 SQUARE FEET.
- CANOPY TREE SIZE: CANOPY TREES MUST BE A MINIMUM OF 8.0' HIGH AND TWO INCHES IN CALIPER MEASURED SIX INCHES ABOVE GRADE WHEN PLANTED. WHEN MATURE, A CANOPY TREE SHOULD BE AT LEAST 40.0' HIGH AND HAVE A MINIMUM CROWN WIDTH OF 30.0'.
- UNDERSTORY TREE SIZE: UNDERSTORY TREES MUST BE A MINIMUM OF 4.0' HIGH AND ONE INCH IN CALIPER MEASURED SIX INCHES ABOVE GRADE WHEN PLANTED.
- SHRUB SIZE: ALL APPROVED SHRUBS SHALL BE INSTALLED A MINIMUM SIZE OF EIGHTEEN INCHES SPREAD OR HEIGHT AND REACH A MINIMUM HEIGHT OF THIRTY SIX INCHES AND A MINIMUM SPREAD OF THIRTY INCHES WITHIN THREE YEARS OF PLANTING.

SYMBOL LEGEND:

- SHRUB
- CANOPY TREE
- EXISTING CANOPY TREE
- PARKING LOT CANOPY TREE
- UNDERSTORY TREE
- EXISTING UNDERSTORY TREE

SITE PLAN NOTES:

TREE COVERAGE:
10% PRESERVED TREE COVERAGE REQUIRED = 13,765 SF (± 14,708 SF PROVIDED)

GRADING / EROSION CONTROL:
TOTAL PROPOSED DISTURBED AREA IS LESS THAN ONE ACRE. GRADING AND EROSION CONTROL PERMIT IS NOT REQUIRED FOR THIS SITE. BEST MANAGEMENT PRACTICES TO BE IMPLEMENTED.

FINISHED PARKING LOT GRADING TO ADHERE TO EXISTING CONTOURS; SHEET FLOW WITH SWALES(S) AT 1% MINIMUM SLOPES TYPICAL, NON-CONCENTRATED FLOW DISCHARGE.

STORMWATER:
TOTAL BUILT UPON AREA (EXISTING AND PROPOSED) IS 15.8% - LOW DENSITY. PERMANENT STORMWATER DEVICE(S) ARE NOT REQUIRED FOR THIS SITE.

UTILITIES:
UTILITIES ARE TO BE SERVED FROM THE PUBLIC RIGHT OF WAY.

LIGHTING:
NO OUTDOOR LIGHTING IS PROPOSED FOR THIS SITE. OTHER THAN NON-REGULATED EMERGENCY / LOW VOLTAGE LIGHTING.

PROPERTY OWNERS / AGENT / DEVELOPER INFORMATION:

OWNER:
F 2 HOMES, LLC
1406 W FRIENDLY AVE. UNIT 1
GREENSBORO, NC 27403

PROJECT AGENT INFO:
WILLIAM F. GRECO, JR., PLS
EMAIL: BILL@LANDSOLUTIONSPC.COM
PHONE: 336.605.0328

SITE INFORMATION

TAX PARCEL NUMBER(S)	163046
DEED REFERENCE(S) & TITLE SOURCE	DB 8874, PG 1045
ACREAGE IN TOTAL TRACT	3.40 AC
ZONING DISTRICT	RS-40
WATER	INDIVIDUAL WELL
SEWER	PRIVATE SEPTIC
SITE BUILT UPON PERCENTAGE (PROPOSED)	21.814 SF
WATERSHED INFORMATION	15.8% BUA (LOW DENSITY) GREENSBORO GENERAL WATERSHED WS-III

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA BASED ON FIRM MAP 3710781800J, DATED 6/18/2007.

LAND SOLUTIONS
SURVEYING - DESIGN - PLANNING

LAND SOLUTIONS OF NC, PLLC
POST OFFICE BOX 347
OAK RIDGE, NC 27310
TELEPHONE: 336.605.0328
FIRM LICENSE NO. P-1190

GENERAL NOTE:

- IF APPLICABLE, ALL PUBLIC ROADWAY AND DRIVEWAY CONSTRUCTION SHALL BE IN ACCORDANCE WITH NC DOT STANDARDS AND THESE PLANS AND ANY ACCOMPANYING DOCUMENTS ARE FURNISHED TO THE PERSON OR FIRM NOTED HEREON AND NO ALTERATIONS OR USE BY OTHERS IS PERMITTED WITHOUT THE EXPRESS WRITTEN CONSENT OF LAND SOLUTIONS OF NC, PLLC.
- BOUNDARY LINES SHOWN GRAPHICALLY PER RECORDED DEED INFORMATION. NO FIELD SURVEYING CONDUCTED BY LAND SOLUTIONS OF NC, PLLC.
- CONTRACTOR TO CONFIRM GRADES WITH DESIGNER PRIOR TO COMPLETION OF INSTALLATIONS.

REVISIONS

DATE	REVISIONS
OCT 2025 <td>RELEASED FOR REVIEW</td>	RELEASED FOR REVIEW

PRELIMINARY NOT FOR SALES, RECORDATION, CONVEYANCES OR CONSTRUCTION

WILLIAM F. GRECO, JR., PLS. 15887
OCTOBER 22, 2025

OAKBEND ESTATES EVENT SPACE
Oak Ridge Township, Guilford County
Town of Oak Ridge, North Carolina
2524 Oak Ridge Road

SITE, GRADING, UTILITY, LIGHTING & LANDSCAPE PLAN

PROJECT No.	24110001
DRAWING No.	24110001
DRAWN By	WFG
SHEET NUMBER 1 of 1	

Oak Ridge Road Special Use Permit

From Bill Greco <bill@landsolutionspc.com>

Date Thu 2025-12-04 11:44 AM

To Sean Taylor <staylor@oakridgenc.com>; Bill Bruce <bbruce@oakridgenc.com>; aschneider.nc@gmail.com <aschneider.nc@gmail.com>; Sandra Smith <:ssmith@oakridgenc.com>; james.kinneman@gmail.com <james.kinneman@gmail.com>; mike.stone@pactivevergreen.com <mike.stone@pactivevergreen.com>; mrgreeson@yahoo.com <mrgreeson@yahoo.com>; jamesnharton@gmail.com <jamesnharton@gmail.com>; lindsey.clark.nc@gmail.com <lindsey.clark.nc@gmail.com>; mthomas@jmtlawgso.com <mthomas@jmtlawgso.com>

Good morning to all.

Regarding some of the questions that have come up regarding tonight's hearing, I offer the following for your consideration.

The LLC that owns this property and submitted the application consists of a mother, father, and son. The son is the managing member, he is local and he will be in attendance. The parents live out of state and will not be attending.

Mr. Thomas has a valid point regarding the ethics rule, which applies only to him with regards to his ethical duty per the Bar to prevent the unauthorized practice of law. As a NC licensed professional land surveyor, I am bound by similar ethics rules and would be obligated to speak up if I were aware of unlicensed or unauthorized practice of land surveying.

With that said, I do feel that in any entitlement proceeding, the owner (individual or corporate) is permitted to simply introduce themselves to the governing body and defer to any non-lawyer consultant(s) they have engaged to speak on behalf of the project, particularly with regards to specialized or technical subject matter. This has been my experience in multiple jurisdictions over the past several decades.

Given that this is a public hearing with time set aside for speakers both for and against, I will be speaking for, either as (A) the owner's consultant, or (B) as a member of the public. It would be awkward and disingenuous should I be forced to speak as a member of the public, in my opinion.

With that said, should there be a need to address the ethics obligation, perhaps this could be addressed prior to opening the public hearing, versus having to stop proceedings, explain the ethics obligation and potentially force Council into additional discussion or vote on who can speak on behalf of the LLC applicant, mid-hearing.

Regardless of if the application succeeds or fails, personally I would prefer that the hearing is conducted in a manner that reflects well on all parties and doesn't make any of us look like we are unsure of what we are doing, or like we are fumbling through the process for the first time in an awkward manner.

Lastly, the Ordinance requires the applicant to conduct an outreach effort and provide a statement to Staff and Council prior to the hearing.

Via this email, I am reporting that our office mailed invitations to all immediately adjacent property owners, inviting them to an Open House that was held at Town Hall on Thursday, November 20, 2025. We had 8-10 attendees, and we shared both our plan and relevant excerpts from the Ordinance. Our presentation also included the noncompliance aspect of a Special Use Permit, whereby Council can revoke the permit if the applicant violates the terms or conditions of the permit. Comments received to date generally consisted of typically asked questions; there were no outright objections or opposition expressed at the Open House. Representative questions have been related to maximum capacity, overflow parking, buffers and setbacks, landscaping, and fencing. In the days following our Open House, I have emailed copies of the plan to several additional parties and answered additional questions via email and phone.

Please advise if there is anything else needed from me, or if there are any further questions.

Regards,

William F. Greco, Jr., PLS

bill@landsolutionspc.com

Phone 336.605.0328



SPECIAL USE PERMIT CASE # SUP-25-01

**OAK RIDGE TOWN COUNCIL
ORDER GRANTING OR DENYING A SPECIAL USE PERMIT**

The Town of Oak Ridge Town Council, having held an Evidentiary Hearing on _____ to consider a request for a Special Use Permit by/for:

Applicant: F2 Homes, LLC, owner

Guilford County Tax Parcel(s): 163046

Street Address: 2524 Oak Ridge Road (NC Hwy 150), Oak Ridge, NC

Proposed Special Use: EVENT CENTER

Development Code Definition: Amendment to Section 30-9 (Definitions) of the Town of Oak Ridge Code of Ordinances to define Event Center (adopted September 2025, formal codification pending):

EVENT CENTER. A public or privately owned structure or area used for the purposes of social, entertainment, or educational gatherings to include meetings, music events, parties, weddings, and receptions. Entertainment facilities may include performance areas, multi-purpose spaces, and/or meeting rooms available for use by private groups. Accessory uses may include food preparation facilities, offices, and space for event center retail sales.

Required Development Standards: Amendment to Chapter 30, Article IX DIVISION 5. DEVELOPMENT STANDARDS FOR INDIVIDUAL USES to add *Event Center* (adopted September 2025, formal codification pending):

Sec. 30-1048. Event Center.

(a) Where required. GO-M (General Office – Medium Intensity) district, GB (General Business) district, SC (Shopping Center) district, PI (Public and Institutional) district

(b) Required with Special Use Permit. AG (Agricultural) and RS-40 (Residential)

1) RS-40 and AG zoned parcels less than 3 acres cannot receive a Special Use Permit

2) RS-40 Parcels shall be located along a major thoroughfare in accordance with the Town of Oak Ridge Thoroughfare and Collector Street Plan.

3) RS-40 Parcels with multiple street frontages shall only use the major thoroughfare as the driveway entrance.

4) Violation of any of these standards may result in revocation of the special use permit.

(c) **Property Separation.** No such establishment, building or parking shall be located adjacent to single-family residentially zoned property, unless the event center is granted a special-use-permit.

(d) **Screening.** All outdoor equipment and activity areas shall be screened from view of any residence by means of a Type C planting yard. Establishments adjacent to single-family residentially zoned properties shall include a minimum 40' Type A planting yard and a six (6) foot high opaque fence

(e) **Lighting.** All areas related to the establishment shall be so lighted to direct the light toward the parking areas but shielded so no direct light shall affect any existing residences. Exterior lighting located adjacent to single-family residentially zoned property shall be no greater than 10' in height. The illumination shall comply with Division 7 – *Outdoor Light Fixture Controls* of Chapter 30. (A survey or site plan on CAD can be provided to Duke Power Company and they will generate a plan at no cost as long as the customer uses their lighting fixtures.) A lighting plan signed or sealed by the preparer with calculations/ft. candles shall be submitted along with a completed Zoning Permit Application.

(f) **Hours of Operation.** If within three hundred (300) feet of single-family residential zoned property, no event with amplified music shall be held outside between the hours of 9:00 PM and 9:00 AM, and no outside event activities shall be conducted after 11:00 PM.

(g) **Noise.** Electronic amplified sound generated in conjunction with any event shall not be located within 100' of residentially zoned properties and not exceed 80 decibels at any time.,

(h) **Parking.** No on-street parking is allowed. A remote parking plan with shuttle service shall be submitted to Town of Oak Ridge Code Enforcement Officer for review and approval.

General Conditions for Approval. Chapter 30, Sec. 30-302(d)(2): An application for a special use permit shall be approved by the town council if and only if the town council finds that:

- a. The proposed use is represented by an "S" in the column for the district in which it is located on the permitted use schedule in Sec.30-331.
- b. The proposed conditions meet or exceed the development standards found in article IX.
- c. Either the use as proposed, or the use as proposed subject to such additional conditions as the owner or planning and zoning board may propose or the town council may impose, is consistent with the purposes of the district and compatible with surrounding uses.
- d. When each of the findings of fact below has been made by the town council.

Specials Conditions Proposed By Applicant: None.

The application is made subject to the submitted Site Plan along and all required development standards, for the property located on said parcel.

Having heard all of the evidence and arguments presented at the Evidentiary Hearing, the Board of Adjustment makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

1. A written application was submitted and is is not complete in all respects. If not, the application is found to be incomplete as follows:

2. That the use will will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted. This conclusion is based on sworn testimony and evidence submitted during the Evidentiary Hearing which shows the following:

3. The use , for which the Special Use Permit is sought, meets does not meet all required conditions and specifications. This is based on sworn testimony and evidence submitted during the Evidentiary Hearing which shows the following:

4. The use will will not substantially injure the value of adjoining or abutting property, or the use is a public necessity. This is based on sworn testimony and evidence submitted during the Evidentiary Hearing which shows the following:

5. That the location and character of the use, if developed according to the plan submitted, will will not be in harmony with the area in which it is to be located and is is not in general conformity with the plan of development of the Jurisdiction and its environs. This is based on sworn testimony and evidence submitted during the Evidentiary Hearing which shows the following:

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application herein for a SPECIAL USE PERMIT for EVENT CENTER be

GRANTED.

DENIED.

GRANTED subject to the following conditions:

- Vote: Lindsey Clark To Grant To Deny
- Jim Harton To Grant To Deny
- Mike Greeson To Grant To Deny
- Ann Schneider To Grant To Deny
- Mike Stone To Grant To Deny

This the _____ day of _____, 2025.

Mayor
Oak Ridge Town Council



Town of Oak Ridge

Staff Report for Closing Public Trail Easement

GENERAL INFORMATION

Request: To close a public trail easement along the western boundary of the Ashford subdivision.

Summary: The developer of the Ashford subdivision (Green Horse LLC) and its representatives were requested to voluntarily grant the Town of Oak Ridge a trail easement within the Ashford subdivision. Members of the Planning and Zoning Board made this request during the subdivision approval process for the subdivision. Green Horse LLC voluntarily granted to the Town of Oak Ridge an 8-foot public trail easement along the western portion of the Ashford subdivision.

Land Use Plan Recommendation:

POLICY 2.2.2: *In lower density areas where sidewalks are not practical, alternative pedestrian accommodations such as trails, greenways, etc. should be incorporated into neighborhood design and should be used as linkages between neighborhoods whether or not vehicular connections are available.*

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

Motion to recommend to Town Council to Deny the request to remove the public trail easement in the Ashford subdivision.

Motion to deny: Patti Paslaru

Seconded by: Patrick Fiorentino

Vote 6 to 0 in favor of the motion.

VOTE:	Fiorentino	<u>Aye</u>
	Flynt	<u>Aye</u>
	Leimone	<u>Aye</u>
	Paslaru	<u>Aye</u>
	Simpson	<u>Aye</u>
	Streck	<u>Aye</u>

TOWN COUNCIL:

Motion to Approve/Deny by:

Seconded by:

Vote ___ to ___ in favor of the motion.

ROLL CALL VOTE:	Clark	___
	Greeson	___
	Harton	___
	Schneider	___
	Stone	___

PICK UP BY WILSON SURVEYING, INC.

SURVEYOR'S CERTIFICATE
I, R. ALAN WILSON, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 8505, PAGE 1393, ETC.) (OTHER): THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK...

WITNESS MY ORIGINAL SIGNATURE, DEED AND SEAL THIS 23TH DAY OF AUGUST 2023



STATE OF NORTH CAROLINA
COUNTY OF GUILFORD
TOWN OF OAK RIDGE
I, Sean Taylor, REVIEW OFFICER OF GUILFORD COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE 8-24-23

I, R. ALAN WILSON, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: (A)
(2) POSITIONAL ACCURACY: 0.30
(3) TYPE OF GPS FIELD PROCEDURE: RTK
(4) DATES OF SURVEY: NOVEMBER 23, 2021
(5) DATUM/EPOCH: NAD 83 (2011)
(6) PUBLISHED/FIXED-CONTROL USE: NCGS MON, WHITAKER, BUNCH
(7) GEOD MODEL: 12B
(8) COMBINED GRID FACTOR(S): 0.9999669
(9) UNITS: US FEET

SUBDIVISION INFORMATION
TAX PARCEL NUMBER 167477
DEED REFERENCE DEED BOOK 8505 PAGE 1393
ACREAGE IN NEW R/W DEDICATION 3.800 AC±
BROOKBANK ROAD 1.05 AC.
NEW R/W 2.75 AC.
ACREAGE OUTSIDE R/W 25.52 AC±
TOTAL PROJECT TRACT ACREAGE 29.32 AC±
ZONING DISTRICT RS-40
TOTAL NUMBER OF LOTS 22
LINEAR FEET OF NEW STREETS 2154'
SEWER PRIVATE SEPTIC
WATER PRIVATE WELL
RESTRICTIVE COVENANTS D.B. 8151 PAGE 2145
HOA DOCUMENTS REFERENCE D.B. PAGE
FLOOD ZONE INFORMATION ZONE X
FIRM PANEL #3710781800J
EFFECTIVE DATE 06/18/2007
WATERSHED INFORMATION
TREE COVERAGE/PRESERVATION 20% REQUIRED
25.52 X 20% = 5.10 AC.
5.10 AC. PROVIDED

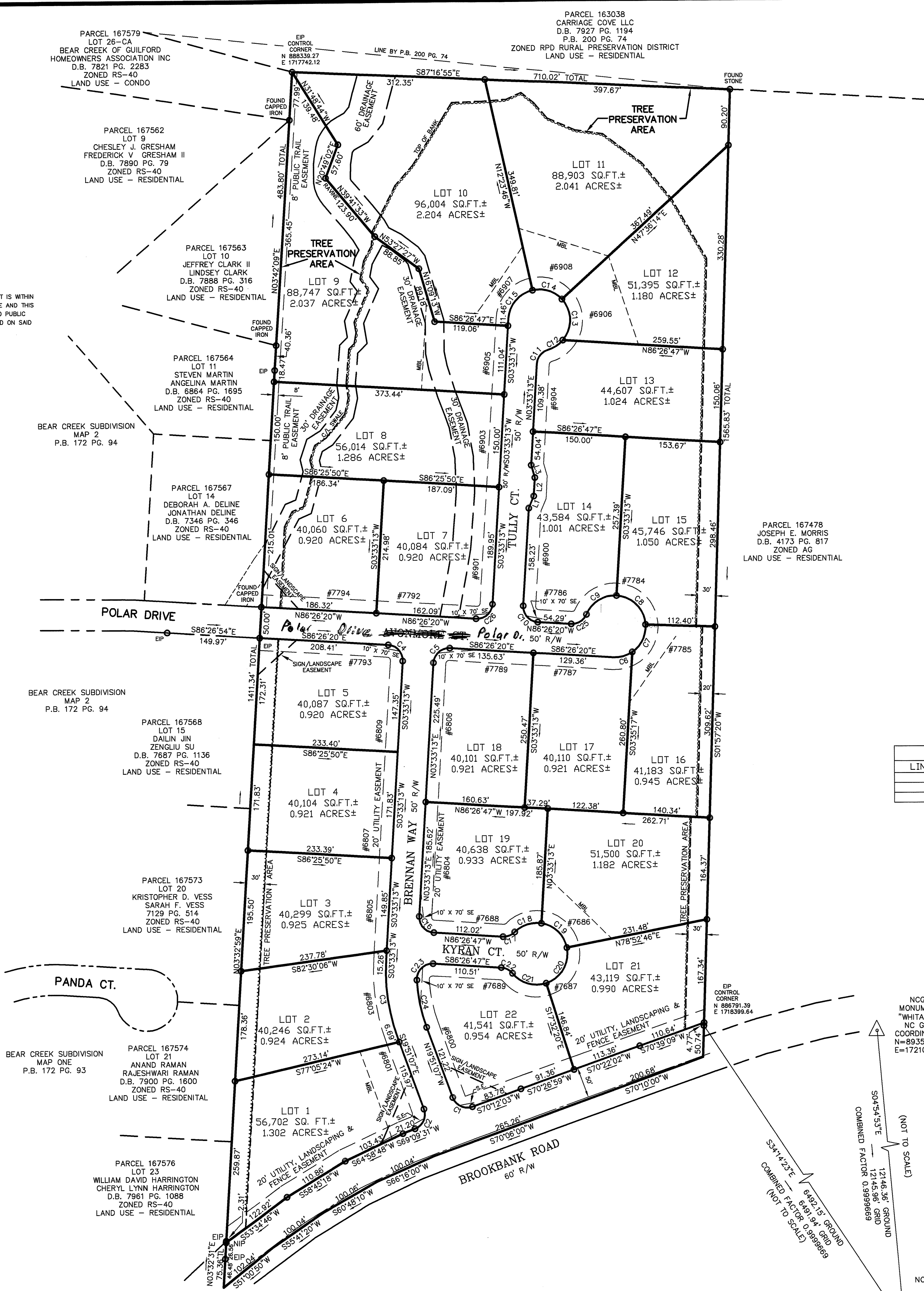
NOTES:
PARCEL ID #167477
ZONED RS-40
PROPOSED LAND USE - RESIDENTIAL
DEED REFERENCE: D.B. 8505 PG. 1393
PROPERTY ADDRESS: 6719 BROOKBANK DRIVE
OAK RIDGE, N.C. 27358
RATIO OF PRECISION: 1:10,000
NO NCGS MONUMENTS WITHIN 2000 FEET.
NO FLOOD STUDY DONE.
ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.

THIS PROPERTY IS SUBJECT TO ANY FACTS (PRIOR AGREEMENTS, CONVEYANCES, OR EASEMENTS OF RECORD) THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH. OTHER THAN SHOWN, NO UNDERGROUND UTILITIES WERE REQUESTED FOR LOCATION OR FOUND AT THE TIME OF SURVEY.

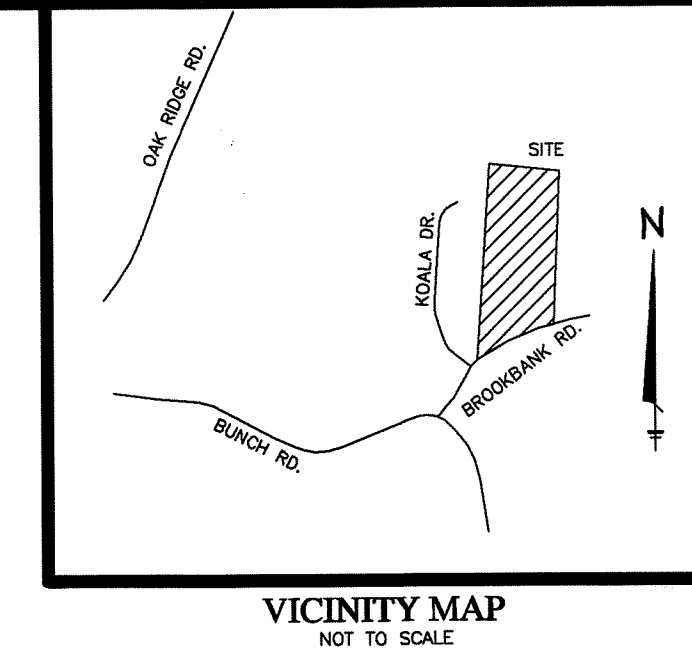
CERTIFICATE OF LOCAL JURISDICTION APPROVAL FOR RECORDATION
APPROVED BY THE TOWN OF OAK RIDGE, NORTH CAROLINA ON THE 23rd DAY OF AUGUST 2023 PURSUANT TO ARTICLE V OF THE OAK RIDGE DEVELOPMENT ORDINANCE.

CERTIFICATE OF OWNERSHIP AND DEDICATION.
THE UNDERSIGNED HEREBY ACKNOWLEDGES THAT THE LAND SHOWN ON THIS PLAT IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE TOWN COUNCIL OF OAK RIDGE AND THIS PLAT AND ALLOTMENT TO BE A FREE ACT AND DEED AND HEREBY DEDICATES TO PUBLIC USE AS STREETS AND EASEMENTS, FOREVER ALL AREAS SO SHOWN OR INDICATED ON SAID PLAT.

SIGNED: [Signature]
ATTEST: [Signature]



BK: P 213
PG: 42 42
RECORDED: 08-25-2023
12:41:11 PM
BY: MARY BECKAN
DEPUTY-08



LEGEND
EIP EXISTING IRON PIPE
NIP NEW IRON PIPE
R/W RIGHT OF WAY
P.B. PLAT BOOK
P.C. PAGE
D.B. DEED BOOK
AC. ACRES
C/L CENTERLINE
DM/U.E. DRAINAGE MAINTENANCE & UTILITY EASEMENT
D.M.D. DOUBLE MERIDIAN DISTANCE
N.C.G.S. NORTH CAROLINA GEODETIC SURVEY
C.E. COMMON ELEMENTS
D.E. DRAINAGE EASEMENT
D.U.E. DRAINAGE & UTILITY EASEMENT
U.E. UTILITY EASEMENT
E.A. EASEMENT
B.U.P.A. BUILT UP AREA
L.E. LANDSCAPE EASEMENT
S.E. SLOTT EASEMENT
N.S. NOT TO SCALE
A.D.S. ADDRESSES
#8000 DASHED LINES NOT SURVEYED

DEED RESTRICTION-RESTRICTIVE COVENANT:
Development of subject property is required to be in accordance with applicable state and federal regulations for the National Pollutant Discharge Elimination System (NPDES) Phase II stormwater management program. The recording of this document establishes an enforceable restriction on property usage that runs with the land to ensure that future development and/or redevelopment shall maintain the site in a manner consistent with applicable law and the approved project plans. Any alterations to the site shall not be permitted without review and approval by the local governmental office having jurisdiction for watershed/stormwater management protection.

DIVISION OF HIGHWAYS
WHEN GRADE OF ADJACENT PROPERTY DOES NOT CONFORM TO THE STREET GRADE, AN EASEMENT IS EFFECTIVE FOR THE PURPOSE OF SLOPING EMBANKMENTS FROM STREET GRADE LEVEL AT THE PROPERTY LINE HAVING A SLOPE RATIO OF TWO FEET HORIZONTAL FOR EACH FOOT OF VERTICAL DIMENSION.
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
PROPOSED SUBDIVISION ROAD
CONSTRUCTION STANDARDS CERTIFICATION
APPROVED: [Signature] DISTRICT ENGINEER
DATE: 8/24/23

LINE TABLE
LINE LENGTH BEARING
L1 2119 S22°50'37"W
L2 3010 S03°31'31"W
L3 2119 S15°44'11"E

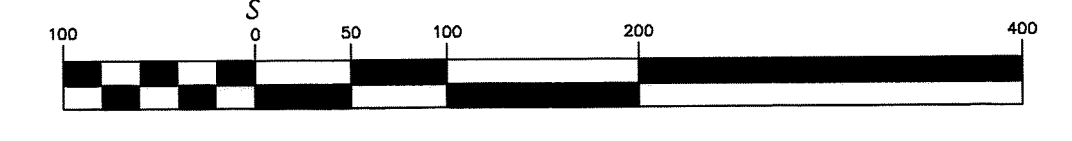
CURVE TABLE
CURVE LENGTH RADIUS BEARING CHORD
C1 39.25 25.00 N64°49'32"W 35.34
C2 38.84 25.00 S24°39'12"W 35.05
C3 128.68 315.00 S08°08'57"E 127.79
C4 39.27 25.00 S41°26'34"E 35.35
C5 39.27 25.00 N48°33'26"E 35.36
C6 38.75 50.00 N74°47'46"E 38.17
C7 51.83 50.00 N65°20'10"E 49.54
C8 78.51 50.00 N44°54'10"W 66.32
C9 61.54 50.00 S58°17'35"W 57.73
C10 39.27 25.00 N41°26'34"W 35.35
C11 30.77 25.00 N38°49'05"E 28.87
C12 29.26 50.00 N57°18'57"E 28.85
C13 72.38 50.00 N00°55'25"W 66.23
C14 32.36 50.00 N72°23'46"W 50.00
C15 64.62 50.00 S40°34'43"W 60.22
C16 39.27 25.00 N41°26'47"W 35.36
C17 21.03 25.00 S69°27'32"W 20.41
C18 47.06 50.00 S72°19'42"W 45.34
C19 60.73 50.00 N45°54'50"W 57.06
C20 72.94 50.00 N30°40'13"E 66.64
C21 60.46 50.00 S72°53'52"E 56.84
C22 21.03 25.00 S62°21'06"E 20.41
C23 42.07 25.00 N45°20'43"E 37.28
C24 78.57 265.00 N11°21'27"W 78.29
C25 30.77 25.00 S58°17'48"W 28.87
C26 39.27 25.00 S48°33'26"W 35.36

FINAL PLAT OF
ASHFORD SUBDIVISION
OAK RIDGE TOWNSHIP GUILFORD COUNTY
TOWN OF OAK RIDGE, NORTH CAROLINA

OWNER/DEVELOPER:
GREEN HORSE, LLC./BRADY DEVELOPMENT LLC
1500 CEDAR RIDGE FARM ROAD
SUMMERFIELD, N.C. 27358

WILSON SURVEYING, INC.

R. ALAN WILSON - PROFESSIONAL LAND SURVEYOR, NO. 13987
402 BLANDWOOD AVENUE, GREENSBORO, N.C. 27401
TELEPHONE: (336) 275-8696 * FAX: (336) 272-1617
FIRM LICENSE NUMBER F-0396
DATE: DECEMBER 21, 2021 SCALE: 1" = 100'



DRAWN BY: RFP PROJ. NO.: 64080 DRAWING FILE: 64080-FINAL

**ORDER
CLOSING, VACATING AND REMOVING FROM DEDICATION
A STREET OR PUBLIC ALLEY**

WHEREAS:

On January 12, 2026, at a duly noticed special meeting, the Town Council of the Town of Oak Ridge, pursuant to N.C. Gen. Stat. § 160A-299, adopted Resolution R-2026-02 noticing the public of its intent to close, vacate, and remove from dedication the public trail easement contained in the Ashford Subdivision, dedicated to the public in the final plat thereof and accepted by the Town of Oak Ridge upon recordation of said plat under the Oak Ridge Development Ordinance, and as more fully described below; and,

Such public trail easement constitutes a public alley for purposes of said statute; and,

Pursuant to said resolution of intent, notice was published that a hearing would be held concerning said petition on February 5, 2026 at 7 pm during the regular meeting of the Oak Ridge Town Council at the Oak Ridge Town Hall located at 8315 Linville Road, Oak Ridge, NC, 27310; and,

The resolution was published once a week for four successive weeks prior to the hearing, a copy thereof was sent by certified mail to all owners of property adjoining the street or alley as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along the street or alley; and,

At the said public hearing, and after inquiry by the Mayor, all interested persons were provided an opportunity to be heard on the proposed closing; and,

After all interested persons were heard, it appeared to the satisfaction of this Council that the removal of said street or public alley from dedication is not contrary to the public interest and that no individual owning property in the vicinity of said street or public alley will be deprived of any reasonable means of ingress or egress to his/her property;

NOW, THEREFORE, BE IT ORDERED, that the following described street or public alley, is hereby closed, vacated, and removed from dedication to the public use:

Being that certain eight-foot-wide public trail easement running along and parallel with the western lines of Lots 6, 8, 9, and 10 of the Ashford Subdivision for a distance of 867.28 feet, more or less, per plat approved for recording by the Town of Oak Ridge on 24 August 2023 and recorded on 25 August 2023 in Plat Book 213, Page 42 of the Guilford County Registry.

The Town Clerk shall cause a certified copy of this Order to be recorded by the Guilford County Register of Deeds.

Adopted this day _____ of _____, 2026.

Mayor

ATTEST:

Clerk

MEMORANDUM

TO: Town Council

FROM: JMT

date: 02.03.26

RE: Trail closing (vacating)

The current agenda item proposing a closing (vacating) of the dedicated public trail easement in the Ashford Subdivision is undertaken pursuant to N.C. Gen. Stat. § 160A-199, the statutorily prescribed procedure for closing streets and public alleys.

1. The Statutory Closing Procedure

N.C. Gen. Stat. § 160A-199 is attached, along with all other cited materials. This is the procedure prescribed for North Carolina municipalities. A separate statute, N.C. Gen. Stat. § 153A-241, authorizes counties to close “any public road or any easement within the county and not within a city,” and I will comment on that distinction below.)

The procedure under N.C. Gen. Stat. § 160A-199 is as follows:

- (1) When a city proposes to permanently close any street or public alley, the council shall first adopt a resolution declaring its intent to close the street or alley and calling a public hearing on the question. *(Note: this was done at the special Council meeting on 12 January 2026.)*
- (2) The resolution shall be published once a week for four successive weeks prior to the hearing, a copy thereof shall be sent by registered or certified mail to all owners of property adjoining the street or alley as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along the street or alley. *(Note: All three forms of notice must be given.)*
- (3) At the hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest, or the property rights of any individual. *(Note: This is a “public hearing” and persons wishing to speak may be called in the usual manner of pro or con.)*
- (4) If it appears to the satisfaction of the council after the hearing that closing the street or alley is not contrary to the public interest, and that no individual owning property in the vicinity of the street or alley or in the subdivision in which it is located

would thereby be deprived of reasonable means of ingress and egress to his property, the council may adopt an order closing the street or alley.

(5) A certified copy of the order (or judgment of the court) shall be filed in the office of the register of deeds of the county in which the street, or any portion thereof, is located.

(Note: Non-pertinent references to NC Department of Transportation and to an alternative “judgment of the court” are omitted from the above quotations from the statute.)

2. Does the statute apply to the closing of a public trail easement?

Yes. Since the statute only speaks of “streets and public alleys,” such application necessarily relies on logical application of relevant terms.

The only place in the General Statutes that I can find a definition of “trail” is in N.C. Gen. Stat. § 143B-135.94 “Definitions” under the NC Public Trails System article of the Executive Organization Act, and which provides in subsection (6) that “‘Trail’ means a linear corridor on land or water, protected from motor vehicles, providing public access for recreation or transportation.” The Ashford trail easement clearly fits this definition.

The General Statutes do not define “alley.” Nor do I find a definition in Black’s Law Dictionary or in a survey of case law dealing with both this statute and with easement issues generally.

The Oak Ridge Development Ordinance does define it, but in a rather unsatisfactory way, in Sec. **30-9 “Definitions”**: “(12) Alley. A roadway which affords only a secondary means of access to abutting property.”

I call this unsatisfactory, because its classification of an alley as a “roadway” is at odds with the general concepts of “alley” that would otherwise apply under **Sec. 30-6. “Rules of construction”**, i.e. “(a) Word interpretation. Words not defined in this chapter shall be given their ordinary and common meaning.” I base this on two generally availability definitions:

(a) Online Collaborative International Dictionary of English (which contains elements from Merriam-Webster):

- A narrow passage; especially a walk or passage in a garden or park, bordered by rows of trees or bushes; a bordered way.

- A narrow passage or way in a city, as distinct from a public street.
- A narrow street or passageway, especially one through the middle of a block giving access to the rear of lots or buildings.

(b) Wikipedia (chief definition):

An alley or alleyway is a narrow lane, path, or passageway, often reserved for pedestrians, which usually runs between, behind, or within buildings in towns and cities. It is also a rear access or service road (back lane), or a path, walk, or avenue (French allée) in a park or garden.

I think the Development Ordinance’s definition of “alley” as a “roadway” is therefor at odds with general usage. At any rate, and while the trail easement in question exists under a Development Ordinance dedication, the application of the general Chapter 160A closing statute is not subject thereto. Its clear use for pedestrians brings it logically within the scope of the general definitions quoted from above. In that sense, it is logical to classify a trail – under the Chapter 143B definition, “a linear corridor on land or water, protected from motor vehicles, providing public access for recreation or transportation” – as a “public alley,” a pedestrian way, for the general purposes of Chapter 160A.

3. Does a comparison with the County road-closing statute shed any light on this distinction?

I think it does. The county statute, N.C. Gen. Stat. § 153A-241. as noted above authorizes counties to close “any [non-DOT] public road or any easement within the county and not within a city.” While at first this appears broader than the municipal authority, I think the explanation for the different language is simply that, traditionally, municipalities have hosted streets and alleys, whereas unincorporated county areas have hosted roadways and the old-type farm access easements. I do think the Legislature has lagged behind actual uses and nomenclature, as all of these interest in land are usually and in one form or another “easements.”

That being said, N.C. Gen. Stat. § 160A-199 is the only statutory procedure North Carolina municipalities have to close a public right of way for the movement of persons or vehicles. I think it strained that a municipality would have to resort to the real property dispositions statutes in order to decide on a question of retaining or closing a public right of way, hence my opinion in this matter.
