



# TOWN OF OAK RIDGE PLANNING AND ZONING BOARD

RZ-18-05 P&Z Hearing Date: September 27, 2018

## GENERAL INFORMATION

**Applicant:** Walraven Signature Homes, LLC. PO Box 2115 Kernersville, NC 27285

**Request:** Rezoning request from AG (Agricultural) and RS-40 to CU-TC-R (Town Core Residential).

### **Development Conditions:**

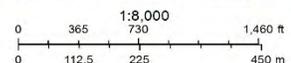
- (1)** Developed Lots in the eastern portion of the property indicated "TC-R lots size 20,000 SF" on the attached sketch plan shall be at least 20,000 square feet in size.
- (2)** Developed Lots in the western portion of the property indicated "TC-R lots size 40,000 SF" on the attached sketch plan shall be at least 40,000 square feet in size.

**Location:** **8208 A Oak Ridge Rd.** The property is located on the south side of Oak Ridge Rd., approximately 3177 feet east of the intersection with Highway 68, in Oak Ridge Township. Owned by Larry Callahan and Jack Pegg.

AG and RS-40 to CU-TC-R



September 19, 2018



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**Tax Map ID#:** 162863

**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:**

The applicant mailed letters of notification to and met with residents adjacent and within 500 feet of the property proposed for rezoning on September 13th. An Email sent to staff from the applicant provides details of the meeting.

**Tract Size:** 81.157 Acres

**Topography:** Variable, rolling hills

**Vegetation:** Mostly forested with approximately 5 acres in grass and other vegetation

**SITE DATA**

**Existing Use:** Currently the property sits vacant and unused. Previously the properties primary use was for a single family residence.

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
<b>N</b>	RS-40 and PI	Single-Family Residential and Public/Institutional
<b>S</b>	GO-M and AG	General Office Moderate Intensity and Agricultural
<b>E</b>	RS-40	Single-Family Residential
<b>W</b>	RS-40 and AG	Single-Family Residential and Agricultural

**Zoning History:**

<b>Case #</b>	<b>Date</b>	<b>Summary</b>
N/A		

**ZONING DISTRICT STANDARDS**

**District Summary:**

Zoning District	Existing	Requested
Designation:	<b>AG</b>	<b>CU-TC-R</b>
Max. Density:	1 DU/Per Acre No Major Subdivision	2 DU/per acre (49 DU/81 acre)

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**Conditional Uses: CU-TC-R (Town Core Residential)**

49 Single Family Detached Dwelling

**SPECIAL INFORMATION**

**Overlay Districts:** Scenic Corridor

**Environmental:**

Watershed: Greensboro General Watershed

Floodplains: This site does not include floodplains.

Streams: Perennial Stream along eastern boundary along with two Intermittent streams through the central parts of the property

Other: Two large ponds and wetlands surrounding the ponds and Perennial Stream along eastern boundary

**Utilities:**

Public Water: Non-available (Lots will be served by community well)

Public Sanitary Sewer: Non-available (Lots will be served by a combination of on site and off site 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:**

19.43 Acres (23.9% of total property)

**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.

Traffic Counts: 7400 Annual Average Daily Traffic (AADT) Volume along Oak Ridge Rd (Taken in 2017 in front of 2328 Oak Ridge Rd. (Oakhurst)). Approximately 1583.3' east of the proposed new entrance into the proposed development.

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- Sidewalks: Article VIII, Division 9, Section 30-862 (Sidewalks)
- (a) Except along controlled access facilities, sidewalks shall be required on all thoroughfares, collectors and local streets in the town core, as shown on the Oak Ridge Future Land Use Plan adopted May 2003. Where sidewalks are installed, they shall meet City of Greensboro standards and have a minimum width of five feet and be constructed just behind the street right-of-way line. Sidewalks may be constructed within the street right-of-way with approval of the town and NCDOT.
- (b) Sidewalks shall be constructed at the time of development of any single lot being used for commercial or institutional purposes, and for any subdivision of land into building lots for residential, commercial or institutional purposes. The developer or subdivider shall be responsible for sidewalk construction on all new streets or roads created as part of the development, and for existing streets or roads that abut the property being developed.
- 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: A street stub connection to the parcel to the immediate west of the proposed development will be provided.
- 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 Residential and within the Town Core Zone.

Policy 2.1.1 states: within the Town Core, clustered, mixed density, and/or attached single-family lots with densities up to two units per acre are appropriate. Developments with densities up to two units per acre may also be appropriate within the Town Core Transition Zone if contiguous with existing or approved developments with similar densities.

Policy 2.1.4: states: a mix of housing types and densities may be appropriate in some developments.

Objective 2.2 encourages sidewalks in all developments within the Town Core and encourages pedestrian connections such as trails to serve as linkages between neighborhoods.

Objective 4.1: Oak Ridge will continue to expand its open space network.

Objective 5.2: Oak Ridge will promote street and neighborhood connectivity.

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### **Comprehensive Pedestrian Transportation Plan**

Figure 3.1 - Town of Oak Ridge Existing and Proposed Facilities map from the Pedestrian Plan proposes a trail along the eastern boundary of the proposed development. Town staff will request the developer to include a public easement along this section of the development for the purpose of trail development. The inclusion of a trail easement along with the construction of sidewalks within the development will further enhance the developments compliance with Future Land Use Plan and also the Pedestrian Plan.

#### **STAFF RECOMMENDATIONS:**

The proposed request is consistent with the recommendations of the Oak Ridge Future Land Use Plan. Additional considerations towards including a public trail easement along the eastern boundary will also bring the proposed development into greater compliance with the Pedestrian Plan.

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

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**PLANNING AND ZONING BOARD RECOMMENDATIONS:**

Motion to Approve/Deny by:

Seconded by:

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

<b>VOTE:</b>	Simpson	___
	Baker	___
	Stoudemire	___
	Paslaru	___
	Wilson	___
	Stafford	___
	Gardner	___

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

To be provided after Planning and Zoning Board hearing.

**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	_____

[Type here]

**MOTION  
TO APPROVE  
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG and RS-40 to CU-TC-R

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.]

[Type here]

**MOTION  
TO REJECT  
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG and RS-40 to CU-TC-R

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.]

[Type here]

**MOTION  
TO APPROVE  
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG and RS-40 to CU-TC-R

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.]







# EXHIBIT A

## LEGAL DESCRIPTION

Beginning at a point, at the southeast corner of the Martha W. Weatherford property as recorded in will book 86E-929, and being N.  $62^{\circ}59'14''$  E. 347.48' from the southwest corner of the Martha W. Weatherford property as recorded in Deed Book 3391, Page 840. Running thence N.  $45^{\circ}41'25''$  W. 194.61' to a point. Thence on a curve to the right, said curve having a radius of 530.71' and a chord bearing and distance of N.  $39^{\circ}54'51''$  W. 107.00' to a point. Thence N.  $34^{\circ}08'17''$  W. 86.60' to a point in the southern right-of-way of Oak Ridge Road. Thence with said right-of-way N.  $56^{\circ}19'13''$  E. 60.00' to a point in said southern right-of-way. Thence the following five lines with the western boundary of the Oak Ridge United Methodist Churches property. S.  $34^{\circ}08'17''$  E. 86.12' to a point. Thence on a curve to the left, said curve having a radius of 470.71' 94.75'. Thence S.  $45^{\circ}41'25''$  E. 215.04' to an existing iron pipe. Thence on a curve to the right, said curve having a radius of 260.00' and a chord bearing and distance of S.  $42^{\circ}23'37''$  29.91' to an existing iron pipe. Thence S.  $39^{\circ}05'44''$  E. 271.33' to an existing iron pipe in the centerline of a 150' Transcontinental gas pipeline. Thence with said centerline S.  $39^{\circ}04'52''$  W. 61.30' to a point. Thence N.  $39^{\circ}05'44''$  W. 283.91' to a point. Thence on a curve to the left, said curve having a radius of 200.00' and a chord bearing and distance of S.  $42^{\circ}23'35''$  E. 23.01' to a point. Thence N.  $45^{\circ}41'25''$  20.42' to the point and place of beginning. Containing 0.973 acres more or less.

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## NOTICE OF PUBLIC HEARING



### OAK RIDGE PLANNING/ZONING BOARD

**DATES:** September 27, 2018

**TIMES:** 7:00 PM

**PLACE:** Oak Ridge Town Hall

8315 Linville Road

Oak Ridge, North Carolina

### OAK RIDGE TOWN COUNCIL

**October 4, 2018**

**7:00 PM**

**Oak Ridge Town Hall**

**8315 Linville Road**

**Oak Ridge, North Carolina**

### CASE # RZ-18-05

The Town of Oak Ridge Planning and Zoning Board and the Town Council of the Town of Oak Ridge have been requested to rezone property from AG (Agricultural) to CU-TC-R (Conditional Use Town Core Residential). The property is located on the south side of Oak Ridge Rd., approximately 3177 feet east of the intersection with Highway 68, in Oak Ridge Township. Being Guilford County Tax Parcel #162863, consisting of approximately 81.157 acres. Located in the Greensboro (GW-III) Watershed. Owned Larry Callahan and Jack Pegg (See enclosed map).

The AG, Agricultural District, is primarily intended to accommodate uses of an agricultural nature, including farm residences and farm tenant housing. It also accommodates scattered non-farm residences on large tracts of land. It is not intended for major residential subdivisions.

The TC-R, Town Core Residential District is primarily intended to accommodate single-family detached, single-family attached, twin-homes, townhouses, cluster housing, and similar residential uses. The overall gross density in TC-R areas shall be limited to a maximum of two units per acre.

This notice is sent to all property owners within 500 feet of the proposed request. Please discuss it with other residents who may have an interest in this request. Anyone wishing to be heard on this matter should appear at the public hearing or arrange to be represented. Any petition should be submitted in duplicate.

If you have any questions, please contact Oak Ridge Town Hall at 336-644-7009.

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Sean Taylor  
Planning Director

BOONE, DEBORAH C ; BOONE,  
MICHAEL A  
6108 MEADOW BLUFF LANE  
OAK RIDGE NC 27310

CALLAHAN, LARRY L ; PEGG, JACK  
2551 RENN RD  
KERNERSVILLE NC 27284

COCKBURN, STEPHEN HARRISON ;  
HERRIN, NAISHAI RENEE  
6611 ASHTON PARK DR  
OAK RIDGE NC 27310

COOLER, TONY M ; LANTZ, STEVEN C  
2412 OAK RIDGE RD  
OAK RIDGE NC 27310

COOLEY, JAMES C JR ; COOLEY, MARTHA  
PO BOX 342  
OAK RIDGE NC 27310

COSTA, JULIO C ; COSTA, LINDA M  
6601 ASHTON PARK DR  
OAK RIDGE NC 27310

DONALD L BAREFOOT REVOCABLE TRUST  
AGREEMENT ; KAREN K BAREFOOT  
REVOCABLE TRUST AGREEMENT  
6505 ASHTON PARK DR  
OAK RIDGE NC 27310

DONNELL, D L III  
2406 OAK RIDGE RD  
OAK RIDGE NC 27310

DONNELL, D L III ; DONNELL, WILLIAM J ;  
DONNELL, MARGOT W  
2400 OAK RIDGE RD  
OAK RIDGE NC 27310

DONNELL, WILLIAM JAY ; DONNELL,  
MARGOT W  
7507 STRAWBERRY RD  
SUMMERFIELD, NC 27358

EDWARDS, KATHLEEN K ; EDWARDS,  
PENN ROY  
2500 OAK RIDGE RD  
OAK RIDGE NC 27310

EDWARDS, LEE ANN  
101 CEDARWOOD DR  
JAMESTOWN NC 27282

ELLISON, ANGELA F  
8002 FOGLEMAN RD  
OAK RIDGE NC 27310

HARRELL, CHAD WAYNE  
PO BOX 127  
BROWNS SUMMIT, NC 27214

HENDREN, GLENN O JR ; HENDREN,  
LAURA U  
6614 ASHTON PARK  
OAK RIDGE NC 27310

HINDLITER, DANIEL ; HINDLITER, NORMA  
PO BOX 18300  
GREENSBORO, NC 27419

HOLBERT, TODD JEFFREY ; HOLBERT,  
CATHERINE JOYCE  
6111 MEADOW BLUFF LANE  
OAK RIDGE NC 27310

HOSKINS, HEATHER A ; VENETO,  
PATRICIA  
8006 WHITE ASH CT  
OAK RIDGE, NC 27310

KANOY PROPERTIES LLC  
2835 OAK RIDGE RD  
OAK RIDGE NC 27310

KANOY, BILLY RAY ; KANOY, DENISE  
2825 OAK RIDGE RD  
OAK RIDGE NC 27310

KINNEY, RICKEY T ; KINNEY, LYNETTE W  
6610 ASHTON PARK DR  
OAK RIDGE NC 27310

KIZITO, BETTY ; KIZITO, JOHN P  
6511 ASHTON PARK DR  
OAK RIDGE NC 27310

LANTZ, STEVEN C ; COOLER, TONY M  
2412 OAK RIDGE RD  
OAK RIDGE NC 27310

MITCHELL, JAMES C IV ; MITCHELL,  
SANDRA B  
8004 WHITE ASH CT  
OAK RIDGE NC 27310

MURPHY, MARIE CELESTE  
8024 FOGLEMAN RD  
OAK RIDGE NC 27310

OAK RIDGE FIRST BAPTIST CHURCH  
2445 OAK RIDGE RD  
OAK RIDGE NC 27310

OAK RIDGE LAKE HOMEOWNERS  
ASSOCIATION INC  
155 SUNNYNOLL CT  
WINSTON SALEM, NC 27106

OAK RIDGE UNITED METHODIST CHURCH  
INC  
ROUTE 1 BOX 504  
OAK RIDGE NC 27310

PEARMAN, AMANDA ; PEARMAN, STEVEN  
6609 ASHTON PARK DR  
OAK RIDGE NC 27310

PJ VILLAGE WOODS LLC  
1690 NC HIGHWAY 68 NORTH  
OAK RIDGE NC 27310

REAVES, ASHLIE T ; REAVES, THOMAS  
LAWRENCE JR  
6601 STONECROFT DR  
OAK RIDGE, NC 27310

SIMPSON, MICHAEL R ; SIMPSON, CAROLE  
W  
6615 ASHTON PARK DR  
OAK RIDGE, NC 27310

TRANSCONTINENTAL GAS PIPE LINE CORP  
P O BOX 1396  
HOUSTON, TX 77251

WILLIAMSON, NICHOLAS C ; WILLIAMSON,  
VIRGINIA J  
8005 WHITE ASH CT  
OAK RIDGE, NC 27310

SILVERTHORNE, JENNETTE TR ;  
SILVERTHORNE, NATHANIEL SR TR ;  
SILVERTHORNE REVOCABLE LIVING TRUST  
6606 ASHTON PARK DR  
OAK RIDGE, NC 27310

SOUKUP, BRYAN T ; SOUKUP, JENNIFER M  
7898 NEWHAVEN DR  
OAK RIDGE, NC 27310

WHITAKER, CLAUDIA HIGGINS ;  
WHITAKER, FRANK O JR  
P O BOX 397  
OAK RIDGE, NC 27310

WESTMORELAND, BARRY P ;  
WESTMORELAND, SUSIE B  
2421 OAK RIDGE RD.  
OAK RIDGE, NC 27310

SIMPSON LIVING TRUST ; SIMPSON,  
RONALD D TRUSTEE ; SIMPSON, PAMELA  
J TRUSTEE  
8022 FOGLEMAN RD  
OAK RIDGE, NC 27310

TANNER, VANCE G ; TANNER, GINA P  
6605 ASHTON PARK DR  
OAK RIDGE, NC 27310

WILLIAMSON, AUDWIN DAVID  
2440 OAK RIDGE RD  
OAK RIDGE, NC 27310

LOMBARDO, JOSEPH ANTHONY III ;  
LOMBARDO, SARRAH EMMA  
2419 Oak Ridge Rd.  
OAK RIDGE, NC 27310