



TOWN OF OAK RIDGE PLANNING AND ZONING BOARD

RZ-19-02 P&Z Hearing Date: July 25, 2019

GENERAL INFORMATION

Applicant: Spencer and Linda Sullivan

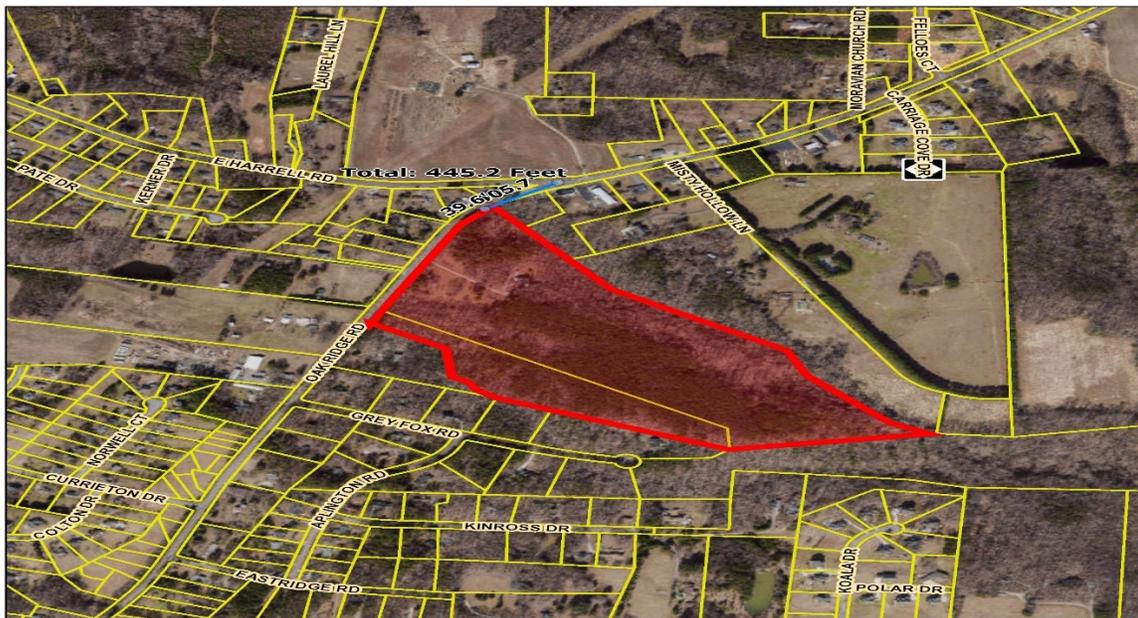
Request: Rezoning request from AG (Agricultural) to RS-40 (Residential)

Development Conditions:

None

Location: The property is located on the south side of Oak Ridge Rd., approximately 400 feet west of the intersection with East Harrell Rd., in Oak Ridge Township. Owned by Linda Sullivan, Spencer Sullivan, Ruth D. Edwards, Ruby B. Dance and Susan Thomas.

Guilford County, NC



July 1, 2019

1:8,000
0 365 730 1,460 ft
0 112.5 225 450 m

ctundor

Guilford County does not certify the authenticity or accuracy of such information. No warranties, express or implied, are provided for the records and/or mapping data herein, or for their use or interpretation by the User.

Tax Map ID#: 163029, 163041

Public Notification: The Town of Oak Ridge notified all property owners within 500' of the subject property and posted the property as well.

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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 July 15th.

Tract Size: 52.596 Acres

Topography: Variable, rolling hills

Vegetation: Mostly forested with approximately 3 acres in grass and other vegetation

SITE DATA

Existing Use: Single family residence.

	Adjacent Zoning	Adjacent Land Uses
N	RS-40	Single-Family
S	CU-RPD	Conditional Use – Rural Preservation District
E	RS-40	Single-Family Residential
W	AG	Agricultural

Zoning History:

Case #	Date	Summary
N/A		

ZONING DISTRICT STANDARDS

District Summary:

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

Conditional Uses: None

SPECIAL INFORMATION

Overlay Districts: Scenic Corridor

Environmental:

Watershed: Greensboro General Watershed

Floodplains: This site does not include floodplains.

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Streams: Perennial Stream along eastern boundary line of property
Other: None

Utilities:

Public Water: Non-available (Lots will be served by individual well)
Public Sanitary Sewer: Non-available (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
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: 7200 Annual Average Daily Traffic (AADT) Volume along Oak Ridge Rd (Taken in 2017 in front of Oak Ridge Military Academy. Approximately 1.72 Miles west of the proposed new entrance into the proposed development.

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: Applicant request a waiver to the Street Stub requirement. Topography of the two parcels would not allow for a reasonable connection to the properties along the northern boundaries of the property. All other adjacent properties have been previously developed.

Other: N/A

[Type here]

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

Figure 3.1 - Town of Oak Ridge Existing and Proposed Facilities map from the Pedestrian Plan does not show any future trails or pedestrian paths along the two parcels.

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.

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PLANNING AND ZONING BOARD RECOMMENDATIONS:

Motion to recommend Approval/Disapproval to Town Council the application for rezoning. The proposal is Consistent/Inconsistent with the adopted land use plan, it is also Reasonable/Not reasonable and in/not in the public interest:

Seconded by: _____

Vote __ to __ in favor of the motion.

VOTE:	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.

ROLL CALL VOTE:	Sullivan	_____
	McClellan	_____
	Kinneman	_____
	Nodine	_____
	Schneider	_____

[Type here]

**MOTION
TO APPROVE
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG to 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.]

[Type here]

**MOTION
TO REJECT
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG to RS-40

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 to 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.]