



# TOWN OF OAK RIDGE TOWN COUNCIL

RZ-22-01 Town Council Hearing Date: February 3, 2022

## GENERAL INFORMATION

**Applicant:** Ruth K. Kerley and Nelson G. Kerley

**Request:** Rezoning request from RS-30 (Residential) to CZ-LO (Conditional-Zoning – Limited Office)

The applicant proposes to use the existing structure for professional office use.

### **Use Conditions:**

1) Uses of the property shall be limited to the following uses as listed in the Permitted Use schedule, Section 30-3331 of the Oak Ridge Development ordinance.

- I. *Accounting, Auditing or Bookkeeping*
- II. *Administrative or Management Services*
- III. *Engineering, Architect or Survey Services*
- IV. *Finance or Loan Office*
- V. *Insurance Agency*
- VI. *Law Office*
- VII. *Medical or Dental Laboratory*
- VIII. *Real Estate Office*
- IX. *Rehabilitation or Counseling Services*
- X. *Stock, Security or Commodity Broker*

### **Development Conditions:**

None

**Location:** Property is located on the north side of Oak Ridge Rd., approximately 940 feet west of the intersection of Oak Ridge Rd. and NC Hwy 68 North being in Oak Ridge Township. (See attached Map)

**Tax Map ID#:** 165097

**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:**

None

**Tract Size:** 1.55 Acres

**Topography:** Moderately sloping to flat

**Vegetation:** Various Trees and Landscaped Shrubbery.

**SITE DATA**

**Existing Use:** Single family residence and agricultural

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
<b>N</b>	RS-30	Residential
<b>S</b>	RS-30	Residential
<b>E</b>	RS-30	Residential
<b>W</b>	RS-30	Residential
<b>SW</b>	LB	Limited Business

**ZONING DISTRICT STANDARDS**

**District Summary:**

Existing: **RS-30 (Residential)**

Maximum Density: 1 Development Unit / Per 30,000 Square Feet

Requested: **CZ-LO (Conditional Zoning – Limited Office)**

(Maximum Density: 1 Development Unit / Per Acre)

**Conditional Zoning District Rezoning Analysis:**

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

The conditions and site-specific standards proposed by the applicant for mutual approval by the Town of Oak Ridge are limited to those that address: (a) the conformance of the development and use of the property to Town ordinances and the Town’s officially adopted Comprehensive Land Use Plan; and, (b) the impacts reasonably expected to be generated by the development or use of the property.

**SPECIAL INFORMATION**

**Overlay Districts:** Historic District

**Environmental:**

Watershed: None

Floodplains: None

Streams: None

Other: None

**Utilities:**

Water: Well

Sanitary Sewer: Non-available (Lot 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:**

Future development will have to meet the requirements of Sec. 30-957. - General requirements from the Town of Oak Ridge Code of Ordinances.

**Tree Conservation Areas:**

All Existing trees greater than 8" in diameter are protected by the Historic District Design Standards.

**Transportation:**

Street Classification: Oak Ridge Rd. – Major Thoroughfare

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: 6400 Annual Average Daily Traffic (AADT) Volume along Oak Ridge Rd. (Taken in 2020, east of the Entrance into Oak Ridge Commons.)

Sidewalks: Provided

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: Existing

**IMPACT ANALYSIS & STAFF DISCUSSION**

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

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

POLICY 3.3.2: It may be appropriate to re-use existing residential structures for low-intensity commercial uses such as professional offices within the Commercial Town Core.

**Comprehensive Pedestrian Transportation Plan**

Site meets plan due to existing sidewalk along Oak Ridge Rd.

**STAFF RECOMMENDATIONS:**

Staff recommends that the request is consistent with the adopted Future Land Use Plan and recommends **approval**.

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

# Guilford County, NC



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Map Scale  
1 inch = 107 feet  
1/6/2022 2

**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:

**Jason Streck**

Seconded by: **Ron Simpson**

**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>
	Schlaginhaufen	<u>Aye</u>

**TOWN COUNCIL RECOMMENDATIONS:**

Motion to Approve/Deny by:

Seconded by:

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

<b>ROLL CALL VOTE:</b>	Schneider	_____
	McClellan	_____
	Kinneman	_____
	Nodine	_____
	Pittman	_____

**MOTION  
TO APPROVE  
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: RS-30 to CZ-LO

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 to CZ-LO

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 to CZ-LO

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.]