

# TOWN OF OAK RIDGE PLANNING AND ZONING BOARD

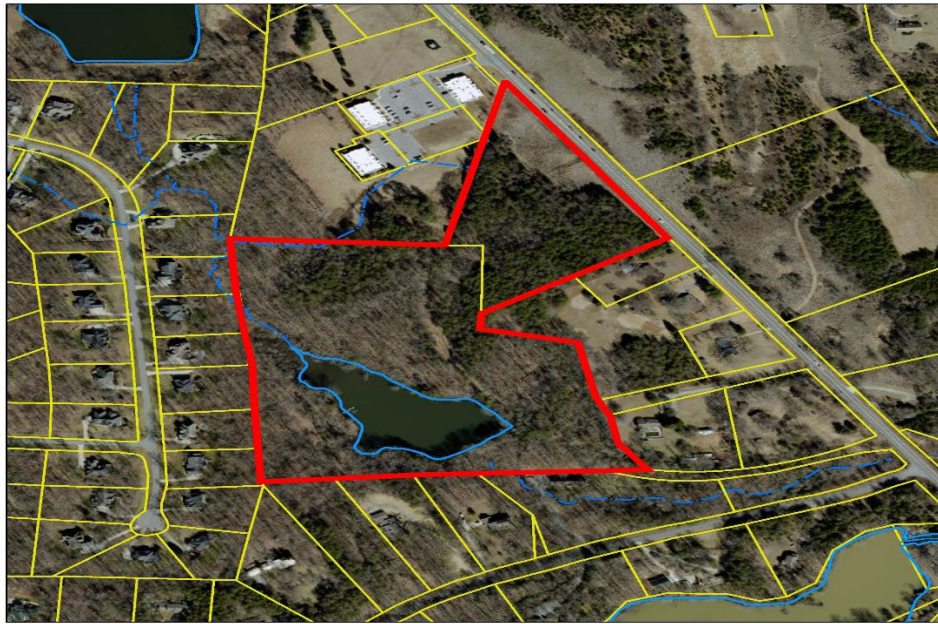
RZ-22-03 Planning and Zoning Board Hearing Date: December 15, 2022

## GENERAL INFORMATION

- Applicant:** CL8ON Holdings INC. 5742 Inman Rd. Greensboro, NC
- Request:** Rezoning request from TC-R (Conditional Use Town Core Residential To CZ-AG (Conditional Zoning Agricultural).
- Location:** The property is located on the west side of NC Highway 68 N, approximately 800 feet south of the intersection with Fogleman Rd, in Oak Ridge Township.
- Tax Map ID#:** 0162806, 0162815
- 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:** Since this is a return to the original base zoning for the property community outreach or meetings are not required.
- Existing Use:** Currently the property sits vacant and unused. Previously the properties primary use was for a single family residence (Weekend Cabin).
- Tract Size:** 26.7 Acres
- Topography:** Variable, Gently Rolling
- Vegetation:** Mostly forested with approximately 5 acres in grass and other vegetation

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
<b>N</b>	CU-HB	Conditional Use – Highway Business
<b>S</b>	RS-40	Single-Family Residential
<b>E</b>	AG	Agricultural
<b>W</b>	RS-40	Single-Family Residential

Guilford County, NC



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**ZONING DISTRICT STANDARDS**

**District Summary:**

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

**Conditional Uses:**

The petition for rezoning includes all the 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.

**District Descriptions:**

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.

**Proposed Conditional Use:** None

**Development Conditions:**

- 1) Provide a fifty (50) foot tree buffer, along the Northern, Southern and Western boundaries of the property.
- 2) Provide one hundred (100) foot agricultural grass and wildflower buffer along the Highway 68 property line.

**SPECIAL INFORMATION**

**Overlay Districts:** Scenic Corridor

**Environmental:** Watershed: Greensboro General Watershed

Floodplains: This site does not include floodplains.

Streams: Perennial stream along western boundary feeding into a large pond.

Other: Large pond that starts from the central part of the property and expands outward in a southwestern direction. 50-foot stream buffers will be applied on both sides of the stream as well as the pond.

**Utilities:**

Public Water: Non-available

Public Sanitary Sewer: Non-available

**Landscape Requirements:**

None required for Agricultural zoning. Also see proposed development conditions.

**Off-Street Parking Regulations:** None

**Tree Conservation Areas:** None required, Also see proposed development conditions.

**Transportation:**

Street Classification: NC Highway 68 – 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.

Existing Conditions: The Transportation Impact Analysis (TIA) prepared for the previous rezoning of these properties indicates 13,889 trips per day on NC 68 near this location, which is a significant reduction from 2015 (18,000 trips per day). The TIA analyzes current traffic counts, design speeds on NC 68 55 MPH), and site distance both northbound and southbound, to determine what safety measures may be required to provide safe access to this property. Crash analysis on 68 indicates that rear-end collisions are the primary crash type. The Traffic impact analysis has been updated to reflect a proposed reduction in speed limit to 45 mph. Also the speed limit has been reduced to 35 mph north of the proposed new entrance into the development

Proposed Improvements: Since this site is being returned to its original zoning, no improvements are required other than those for a single-family driveway permit through NCDOT.

Other: N/A

### **IMPACT ANALYSIS & STAFF DISCUSSION**

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

**GOAL #1:** Oak Ridge will continue to be a community that balances new residential development with the preservation of its environmental, agricultural, and historical resources.

#### **STAFF RECOMMENDATIONS:**

Since this is a return to the original base zoning of the property and with the addition of buffers along all property boundaries, the request is in conformance with the Land Use Plan for the Town. Planning staff recommends approval of the rezoning.

**Staff Report prepared by the Town of Oak Ridge Planning Department**

**PLANNING AND ZONING BOARD RECOMMENDATIONS:**

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

\_\_\_\_\_

Seconded by: \_\_\_\_\_

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

<b>VOTE:</b>	Dyson	_____
	Streck	_____
	Paslaru	_____
	Stafford	_____
	Simpson	_____
	Fiorentino	_____
	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	___
	Pittman	___
	Schneider	___

**MOTION  
TO APPROVE  
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: CZ-TC-R to CZ-AG

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: CZ-TC-R to CZ-AG

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: CZ-TC-R to CZ-AG

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.]