



TOWN OF OAK RIDGE PLANNING AND ZONING BOARD

RZ-23-01 Planning and Zoning Board Hearing Date: April 27, 2023

GENERAL INFORMATION

- Applicant/Owner:** Duggins Family Trust, Vann Duggins Representative
- Representative:** William (Bill) Greco, Land Solutions
- Request:** Rezoning request from AG (Agricultural) To CZ-RS-40 (Conditional Zoning Residential).
- Location:** The property is located to the south of Forsyth Rd. approximately 630 Feet east of the intersection of Forsyth Rd. and Autumn Harvest Dr. being in Oak Ridge Township.
- Tax Map ID#:** 168307
- 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 to all property owners within 500' of the subject property.
- Existing Use:** The property was used for agriculture (Forestry)
- Tract Size:** 19.57 Acres
- Topography:** Variable, Gently Rolling
- Vegetation:** Recently de-forested with approximately 5 acres in grass and other vegetation

	Adjacent Zoning	Adjacent Land Uses
N	AG	Agricultural
S	RS-40	Single-Family Residential
E	AG	Agricultural
W	AG	Agricultural

Guilford County, NC



ZONING DISTRICT STANDARDS

District Summary:

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

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.

Proposed Conditional Use: None

Development Conditions:

- 1) Replacement tree coverage shall provide at a rate of five (5) trees per building lot, and a caliper greater than two-and-one-half inches (2½")

SPECIAL INFORMATION

Overlay Districts: None

Environmental: Watershed: Greensboro General Watershed

Floodplains: This site does not include floodplains.

Streams: Small perennial stream along southwestern boundary of property pond.

Utilities:

Public Water: Available (Research occurring to see if feasible to connect)

Public Sanitary Sewer: Non-available

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: Forsyth Rd. – Collector

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: 5900 Annual Average Daily Traffic (AADT) Volume along Oak Ridge Rd (Taken in 2021 at the intersection of Oak Ridge Rd and Harvest Ridge Rd.

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.

Other: N/A

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 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.

VOTE:	Stoudemire	_____
	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.

ROLL CALL VOTE:	Sullivan	___
	McClellan	___
	Kinneman	___
	Pittman	___
	Schneider	___

**MOTION
TO APPROVE
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG to CZ-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.]

**MOTION
TO REJECT
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG to CZ-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.]

**MOTION
TO APPROVE
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: AG to CZ-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.]