



TOWN OF OAK RIDGE TOWN COUNCIL

RZ-24-03 Town Council Hearing Date: July 11, 2024

GENERAL INFORMATION

Applicant: SKA Properties LLC

Request: Rezoning request from RS-30 (Residential) to LB (Limited Business)

Development Conditions:

None

Location: Property is located on the northwest corner of the intersection of Oak Ridge Rd and Linville Rd. Being in Oak Ridge Township. (See attached Map) Addressed as 2101 Oak Ridge Rd.

Tax Map ID#: 165108

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: 2.03 Acres

Topography: Moderately sloping to flat

Vegetation: Mostly wooded with approximately 1 acres of open meadow.

SITE DATA

Existing Use: None

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

ZONING DISTRICT STANDARDS

District Summary:

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

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

Requested: **LB (Limited Business)**

The LB, limited business district is primarily intended to accommodate moderate intensity shopping and services close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods. The district is typically located near the intersection of collectors or thoroughfares in areas which are otherwise developed with residences.

SPECIAL INFORMATION

Overlay Districts: Historic District

Environmental:

Watershed: None

Floodplains: None

Streams: Near Western Boundary of Property

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:

None

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. should be used as linkages between neighborhoods whether or not vehicular connections are available.

Comprehensive Pedestrian Transportation Plan

Site meets plan due to existing sidewalk.

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.



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 the public interest:

Ron Simpson

Seconded by: **Patrick Fiorentino**

Vote 5 to 0 in favor of the motion.

VOTE:	Simpson	<u>AYE</u>
	Stoudemire	<u>AYE</u>
	Paslaru	<u>AYE</u>
	Fiorentino	<u>AYE</u>
	Rosenthal	<u>AYE</u>

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:	Schneider	_____
	Stone	_____
	Kinneman	_____
	Harton	_____
	Greeson	_____

**MOTION
TO APPROVE
ZONING AMENDMENT**

PROPOSED ZONING AMENDMENT: RS-30 to LB

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 LB

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 LB

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:

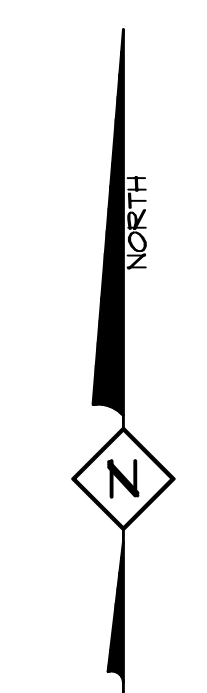
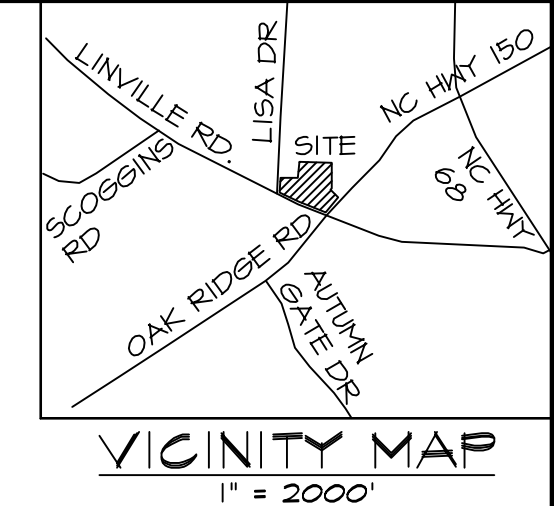
A. The report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.

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 .]



BRIAN P. FREY
 JANA F. FREY
 PARCEL #165111
 D.B. 7535, Pg. 2131
 ZONE: R5-30
 USE: RESIDENTIAL

A L PROPERTY RENTALS, LLC
 PARCEL # 165104
 D.B. 8571, Pg. 2152
 ZONE: R5-30
 USE: RESIDENTIAL

SAMUEL G. COOK
 VICTORIA R. COOK
 PARCEL #165107
 D.B. 3687, Pg. 967
 ZONE: LB
 USE: RESIDENTIAL

- SITE NOTES:**
1. PARCEL #165108
 2. EX. ZONE = LB/R5-30
PROP. ZONE = LB
 3. AREA = 4.691 AC. (AFTER ROW DEDICATION)
LOT 1 = 2.197 AC.
LOT 2 = 2.494 AC.
 4. BOUNDARY SURVEY INFORMATION TAKEN FROM SURVEY BY TRIAD LAND SURVEYING.

2
 108,641 SF±
 2.494 Ac±

1
 95,703 SF±
 2.197 Ac±

AREA WITHIN PUBLIC
 R/Ws TO BE
 DEDICATED
 TO PUBLIC BY
 FUTURE PLAT
 32,135 Sq. Ft.± 0.738
 Ac.±

STATE EMPLOYEES' CREDIT UNION
 PARCEL #165102
 DB 6614, Pg. 2908
 P.B. 177, Pg. 40
 ZONE: CU-LB
 USE: CREDIT UNION

- GENERAL NOTES - TRIAD LAND SURVEYING:**
1. ALL AREAS BY COORDINATE COMPUTATION. TOTAL AREA: 5.429.
 2. SUBJECT CONSIST OF TAX PARCELS: 165095, 165108 AS RECORDED IN DEED BOOK 3121, PAGE 392, AND TAX PARCEL: 165110 AS RECORDED IN DEED BOOK 4260, PAGE 2193.
 3. GRID TIE INFORMATION IS TAKEN FROM N.C.G.S. MONUMENTATION & G.P.S. SESSIONS.
 4. ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND UNLESS OTHERWISE NOTED.
 5. PER GUILFORD COUNTY G.I.S. DATA THIS STRUCTURE IS LABELED AS A HISTORIC BUILDING, "MOORE LOG HOUSE"
 6. PER GUILFORD COUNTY G.I.S. DATA THIS STRUCTURE ON THIS PARCEL IS LABELED AS A HISTORIC BUILDING, "CENTRAL BAPTIST PARSONAGE"
 7. PER GUILFORD COUNTY G.I.S. DATA SUBJECT PROPERTIES ARE WITHIN SCENIC COORIDOR.
 8. LINE FROM POINT "A" TO POINT "B" IS APPROXIMATELY AS SHOWN ON G.I.S. WEBSITE FOR TAX PARCEL: 165095/165107, NO ACTUAL DEED INFORMATION FOR THIS LINE FOUND AT THIS TIME.

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING
C1	4°01'59"	1540.71'	108.45'	108.43'	S42°26'16"W
C2	3°31'29"	14742.00'	291.72'	291.68'	N65°41'28"W

REZONING SKETCH PLAN

**2101 OAK RIDGE RD.
 SKA PROPERTIES, LLC**

TOWN OF OAK RIDGE
 GUILFORD COUNTY
 NORTH CAROLINA

DATE: 2024-05-31 SCALE: 1" = 30' SHEET: 1 OF 1

HUGH CREED ASSOCIATES, INC, PA
 CONSULTING ENGINEERS & LAND SURVEYORS

PO BOX 9623 GREENSBORO, NC 27408 FIRM LICENSE: #C-0551

PHONE: (336) 275-9826 OR (336) 275-8084 EMAIL: hca@hughcreedassociates.com

CABE: 7 DMR: 7