



**OAK RIDGE PLANNING & ZONING BOARD MEETING
MAY 28, 2015 - 7:00 P.M.
OAK RIDGE TOWN HALL**

MINUTES

Members Present

Doug Nodine, Chair
Nancy Stoudemire
Bobbi Baker
Larry Stafford
Tammy Gardner
Brian Eichlin, Alternate (Sitting)
Patti Paslaru, Alternate (Sitting)
Steve Wilson, Alternate (Not sitting)

Staff Present

Sandra Smith, Town Clerk
Bill Bruce, Planning Director

Members Absent

Ron Simpson, Vice Chair
Carl Leybourne

1. CALL TO ORDER

The meeting was called to order by Doug Nodine at 7:00 p.m.

2. APPROVE AGENDA

Nancy Stoudemire made a **motion** to approve the meeting agenda. **Bobbi Baker** seconded the motion, and it was passed unanimously (7-0).

3. APPROVE MINUTES OF THE APRIL 23, 2015, MEETING

Bobbi Baker made a motion to approve the meeting minutes. **Tammy Gardner** seconded the motion, and it was passed unanimously (7-0).

4. NEW BUSINESS

Sketch Plan Case #15-09. Bridgehead Road Proposed RPD (Rural Preservation District). The property is located on the west side of Bridgehead Road, approximately 1,900 feet south of Oak Ridge Road, in Oak Ridge Township, and is Guilford County Tax Parcels 0167806 and 0167835. This sketch plan consists of 28 proposed lots, open space, and right-of-way dedication for a total of approximately 29.338 acres. Current Zoning: AG, Greensboro (GW-III) Watershed. Proposed Zoning: RPD. Applicant: Anthony Donato. Surveyor: Triad Land Surveying, PC. **This is a technical review only. If approved the sketch plan will accompany the applicant's rezoning application and be subject to**

Planning and Zoning Board and Town Council public hearings. Approval of the sketch plan does not constitute approval of the rezoning.

Nodine pointed out that this was a technical review, not a public hearing. He said there will be comments made to the Board by the Planning Director, questions asked of staff or the applicant, then a vote will be taken. If approved, the sketch plan becomes part of the rezoning request to Town Council. He said there will be an opportunity for attendees to speak in favor or opposition at the rezoning hearing, although there is time set aside during this meeting for comments under the Public Comments portion of the agenda.

Planning Director Bill Bruce said the sketch plan was for a proposed RPD (Rural Preservation District) comprised of 28 proposed lots, open space and right-of-way dedication for a total of about 29.338 acres. He said the applicant was represented by Anthony Donato. Bruce explained that while RPD (Rural Preservation District) and PD-R (Planned Development-Residential) zonings were different, both were for planned developments where the applicant would propose a very specific development and that the sketch plan, once approved, goes with the rezoning request and locks in essential elements of the development. He said the Board will determine whether what is presented is a valid plan and whether it meets the technical requirements of the ordinance, regardless of where it is located. If the sketch plan is approved, that does not mean the Board is approving the development or the rezoning, only whether the sketch plan is appropriate.

Bruce presented the staff report, which is hereby incorporated by reference and made a part of the minutes. He said the zoning allows a maximum density of one house per acre and that 50 percent of the land remain as open space, and this plan meets those requirements. The applicant also proposes minimum lot sizes of 20,000 square feet each. Bruce said the RPD district could potentially include some neighborhood commercial development, but only single family detached dwellings were being requested here. Access to the development from Bridgehead Road would have to be approved by N.C. DOT. The plan would provide sidewalks and trails, which are also required by ordinance. Bruce said staff recommended approval of the sketch plan for purposes of submitting it with a rezoning application.

Larry Stafford asked about the topography of the property, saying the offsite septic appeared to be uphill from the proposed development; he said it did not seem right to have septic uphill from the community well.

Patti Paslaru asked about the number of estimated trips per day to be added to the road. Bruce said typically 10 trips per day are estimated for each residence, so that would be a maximum of 280 trips per day. Paslaru asked if this was a two-lane road, and Bruce said yes. Paslaru asked if all houses

would be on about 14½ acres, and the rest would remain open space, and Bruce said yes. Paslaru said although she knew that requirement meets the letter of the law, she said the intent of RPD zoning is to preserve something. She asked what was being preserved, and why this type of zoning was being requested. Bruce deferred to the applicant.

Anthony Donato, a local attorney, spoke representing the applicants. He said although the proposed development is smaller in terms of other developments in Oak Ridge, it is consistent with maintaining the required amount of open space. He said when the property is developed, enough open space will remain to preserve the essence of the tract.

Brian Eichlin asked whether the calculation for open space included the area around the community well, saying he did not think that should be considered part of the open space. Bruce said the ordinance allows open space to be used for a community well and offsite septic, so he thought appurtenant structures would also be acceptable. Eichlin said that did not seem right if there is restricted access to those areas.

Baker asked if a study had been done to determine whether the property would perk; Bruce said he did not know. Donato said the developers are having soil tests done. He said they are still in the due diligence period, but no more than 28 houses would be built.

Stoudemire asked whether there were houses on lots 1 and 2 and if the mobile home on the property has been removed; Donato said he understood no one was living in the mobile home and that there are a couple of vacant buildings on the property. Regarding the requirement that developments with more than 50 houses be required to have at least two entrances, Stoudemire asked if there will be close to 50 homes once these 28 homes are added to the existing ones on the road; Bruce said he thought there were about eight houses on the road now, so the additional 28 houses would still be well under 50. Stoudemire asked if an amenity center was planned; Donato said that type of facility was not economically feasible for this size of development, but that there would be a walking trail, which they would like to tie into the Town's trail system.

Stafford asked if the locations for the wells and septic systems had been approved by the health department, and Bruce said he did not know but doubted that had been done at this point.

Nodine asked about lot lines, and Bruce said he had discouraged the developer from including those at this point. He said the Board, at this stage, should only be looking at items such as where the residential areas have been designated and where the open space is. Nodine asked if it was just the Board's job to see that the development meets the sketch plan requirements,

and Bruce said they also needed to make sure the plan meets the development and subdivision ordinances.

Nodine said he thought the type of zoning that was being requested on such a relatively small property did not seem to fit with the requirements of an RPD zoning. He said he had brought the issue up previously for a subdivision that was on around 80 acres; he said he felt like this was just a way for a developer to take marginal land and maximize it for developmental purposes.

Baker asked about the stub road. Bruce said that was the only location feasible to provide a stub road given the pond and tree-covered area on the adjoining property. Baker asked if the stub road could potentially be connected in the future; Bruce said yes, and that it might provide another route to N.C. 150. Baker said if that were the case, the two entrances would be fairly close together, and Bruce agreed.

Paslaru asked if the applicants had spoken to the neighbors. Donato said no, but if the sketch plan were approved, they would plan a meeting with neighbors.

Baker asked Bruce if the area for offsite septic and common area could be the same under the ordinance, and Bruce said yes. Paslaru said she thought that definition met the letter of the law but not the intent. Bruce said that discussion could be thorough fleshed out at the rezoning stage.

Baker asked if the development could end up with a different layout. Bruce said potentially, but the area shown for single family residential would remain the same; if not, the applicant would have to come back to the Board for approval or the applicant would have to propose a different zoning district.

Stafford asked if the unanswered questions should be answered before the property is rezoned. Nodine said the questions about the specific locations for wells and septic systems could probably not be answered then because the soil evaluation work would likely still not be done at that point. Bruce said some preliminary work might be done. He added that the number of lots could be under the number proposed, but not over.

Stafford asked if the Board would know whether DOT had approved the access and whether the health department had approved the well/septic areas, and Bruce said that would probably not be known until the subdivision plan is approved.

Nancy Stoudemire made a **motion** to recommend approval of the sketch plan. Tammy Gardner seconded the motion, and it was passed by a 6-1 vote (Paslaru voting against).

5. PUBLIC COMMENTS

Jennifer Barrow asked about the Board's comments on if there were 40-50 houses; Bruce said a development with 50 or more houses must have more than one access.

6. ADJOURNMENT

Tammy Gardner made a **motion** to adjourn the meeting at 7:26 p.m. Brian Eichlin seconded the motion, and it was passed unanimously (7-0).

Respectfully Submitted:



Sandra B. Smith, CMC, Town Clerk



Doug Nodine, Chair