



**OAK RIDGE PLANNING & ZONING BOARD MEETING  
JANUARY 28, 2016 - 7:00 P.M.  
OAK RIDGE TOWN HALL**

**MINUTES**

**Members Present**

Ron Simpson, Chair  
Bobbi Baker, Vice Chair  
Patti Paslaru  
Larry Stafford  
Tammy Gardner  
Steve Wilson, Alternate (Sitting)  
Ed Treacy, Alternate (Sitting)

**Staff Present**

Bill Bruce, Planning Director  
Sandra Smith, Town Clerk

**Members Absent**

Carl Leybourne  
Nancy Stoudemire  
Brian Eichlin, Alternate

**1. CALL TO ORDER**

The meeting was called to order by Chair Ron Simpson at 7:00 p.m.

**2. APPROVE AGENDA**

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

**3. APPROVE MINUTES OF THE DECEMBER 17, 2015, MEETING**

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

**4. NEW BUSINESS**

Town Clerk Sandra Smith administered the oath of office to new Planning & Zoning Board alternate Ed Treacy.

**A. Subdivision Case # Sub-16-02: Unified Development Plan for Shiloh.**

The property is located on the west side of Happy Hill Road, is approximately 1,200 feet north of Warner Road, and is in Oak Ridge Township. It is Guilford County Tax Parcels 0164944 and 0167835. This Unified Development Plan consists of 76 proposed lots, open space, and right-of-way dedication on a total of approximately 82.76 acres. Zoning is CU-RPD, developer is D. Stone Builders, and surveyor is Hugh Creed Associates.

Planning Director Bill Bruce presented the staff report, which is hereby incorporated by reference and made a part of the minutes, and explained that the Unified Development Plan (UDP) is the document that goes on record at the Register of Deeds office and locks in the zoning of the property. He said property with RPD (Rural Preservation District) zoning is different from typical residential zoning districts because the applicant has the ability to create a design for the development; a sketch plan is first approved, then the property is rezoned, and the UDP is the final step in the zoning process. He said approval of the UDP involved a technical review to ensure that it meets the development ordinance requirements. Bruce said staff believes the plan meets all of the requirements and recommended approval.

**Tammy Gardner** made a **motion** to approve the UDP for Shiloh. **Larry Stafford** seconded the motion, and it was passed unanimously (7-0).

**B. Subdivision Case # Sub-15-22: Shiloh.** The property is located on the west side of Happy Hill Road, approximately 1,200 feet north of Warner Road, in Oak Ridge Township. It is Guilford County Tax Parcels 0164944 and 0167835. The preliminary subdivision plat consists of 76 proposed lots, open space, and right-of-way dedication on a total of approximately 82.76 acres. It is zoned CU-RPD, the developer is D. Stone Builders, and the surveyor is Hugh Creed Associates.

Bruce presented the staff report, which is hereby incorporated by reference and made a part of the minutes. He also pointed out five comments on the staff report:

1. Tree preservation: The sketch plan as approved by Town Council showed a tree preservation area along the rear of Lots 68-72 and Lots 75 and 76. This tree preservation area needs to be added to the plat. Also, if trees must be removed to access proposed off-site septic areas, new tree preservation areas will need to be identified.
2. Storm sewer calculations for the piped drainage easement beginning between Lots 64 and 65 must conform with the latest edition of the Guilford County Storm Sewer Manual, and must be submitted to the Town sealed by a Professional Engineer prior to preliminary plat approval.
3. Provide details and calculations to ensure that the concentrated storm sewer drainage entering the 60-foot drainage easements next to Lots 19 and 21 will be slowed to non-erosive velocities (Jordan Lake Rules require diffuse flow prior to entering protected stream buffers).
4. Street names are phonetically similar to existing names in Guilford County and may need to be changed. Staff will coordinate with the applicant to reserve acceptable street names. The suffix "lane" is reserved for private lanes.
5. Advisory comment: Recommend that the trail network be designed as a loop rather than a dead-end on the northern portion of the property.

Regarding the staff comment on tree preservation area on the sketch plan, Bruce said that area appeared to have been removed from the preliminary plat. Bruce said in speaking with the applicant, he learned that the trees that covered the .8-acre area no longer existed, as they had been removed at some point after the aerial photo was made. Bruce said he was unsure of what the remedy was for the situation. When the sketch plan was presented to the Board, the idea was that the existing trees and topography would help screen houses from the road. He said the topography had not changed, the houses would still be 300 feet from the road, and he did not think much more than the tops of the houses would be seen. He said he thought the intent of the screening was addressed by the topography, but the issue of the tree preservation area still existed. He said the Board could request new trees be planted in the area, but his opinion was that would create more of a manufactured-looking area which would take away from the natural view somewhat. Bruce said he thought the applicant was willing to address items such as the recommendation to make the trail a loop.

Board members asked the applicant questions about the well location and screening, whether septic would be on-site or off-site, and about tree removal. Bruce said the tree preservation ordinance requires 20 percent of trees in highly sensitive areas on the site be preserved, but that those tree preservation areas could be moved around somewhat because the site is still pretty heavily wooded. Slight changes could be approved at staff level, while others could be brought back to the Board.

Dwight Stone, president of D. Stone Builders, who is developing the site, said they would be happy to screen the well house with cypresses; while the well house would be higher than homes, it would still be lower than the grade of the road, Stone said. He apologized for the trees that had been removed since the aerial photo was taken, and said that error had not been caught until recently.

Patti Paslaru said the Board's understanding was that houses would be in the middle of the tree preservation area. Stone said the houses have not moved, and that their first plan actually had the houses closer to the road. He said it was their mistake to have relied on the aerial photo of the area, and while they cannot recreate the area, they will be happy to do whatever the Board requires.

Baker asked if trees the Board might require the developer to plant would be included in the 20 percent preservation area. Bruce explained that the 20 percent criteria has to do with existing trees, and that anything added would be to enhance or perhaps try to recreate the area that was approved by the Board on the sketch plan.

Ed Treacy said he understood the intention of the RPD zoning was to preserve something; he asked what the developer was trying to preserve here. Bruce said he thought the preservation of the agricultural open field was the main thing. He added that the trees that had been removed were in what seemed to be an ideal location because they would naturally screen the homes from the road, and that a manufactured landscaping might take away from that effect somewhat. Treacy said phase 1 of the development has 37 lots on 34 acres, which is more densely developed than one unit per acre, and which does not appear to comply with the Land Use Plan. Bruce explained that the entire property needed to be taken into account, and if only phase 1 were developed, the development would have only 34 lots on a total of 78 acres.

Wilson asked about water draining onto the adjoining property. Norris Clayton of Hugh Creed Associates said the water would run back onto the property due to the topography.

After additional discussion, **Patti Paslaru** made a **motion** to approve the plan with the conditions that the well house and water tank be appropriately screened and incorporated into the design, that the trail be designed as a loop, and that the list of items noted by staff in the staff report be satisfied. **Tammy Gardner** seconded the motion, and it was approved unanimously (7-0).

**C. Subdivision Case # Sub-16-01: Carriage Cove North.** The property is located on the north side of Oak Ridge Road, approximately 400 feet east of Moravian Church Road, in Oak Ridge Township. It is Guilford County Tax Parcels 0167484 (part) and 0222908. This preliminary subdivision plat consists of 11 proposed lots, common area, and right-of-way dedication on a total of approximately 13.535 acres. The property is zoned RS-30, the owners are J. Richard Kellam and Elaine M. Kellam, and the surveyor is Land Solutions.

Bruce read the property description into the record and presented the staff report, which is hereby incorporated by reference and made a part of the minutes. He explained that RS-30 is not seen very often in Oak Ridge, but that some areas had retained that type of zoning which was assigned by Guilford County prior to the Town's incorporation. He said the Town still honors that zoning, and that the lots in this subdivision meet the standards for RS-30 zoning and the requirements of the subdivision ordinance. No road connections are proposed or required, and cul-de-sac does not exceed the maximum length of 800 feet, and only 11 lots will be developed on this single entrance. Bruce said the subdivision meets the technical requirements of the development ordinance, and staff recommended approval.

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

**7. PUBLIC COMMENTS**

Lauren Rohrer thanked the Board for allowing her attend the meeting.

Bruce said he and Town Manager Bruce Oakley were looking into some training resources for Board members, and he hoped to do some training at meetings that have shorter agendas.

Treacy said the new Land Use Plan had been adopted, but the ordinances have not been changed to reflect that. He asked how long it might take to get the development ordinance updated to reflect the new Land Use Plan, and what would happen if someone made a request for something that is not consistent with the plan before those updates are made. Bruce said he was already reviewing ordinances so that they can be updated; in the meantime, staff would indicate that anything requested that is not reflected in the Land Use Plan would likely be denied. He said he hoped to have several updated ordinances for the Board to consider in the next two or three months, and that a series of ordinance amendments would be considered over the next year or so.

**8. ADJOURNMENT**

**Patti Paslaru** made a **motion** to adjourn the meeting at 7:54 p.m. **Ed Treacy** seconded the motion, and it was passed unanimously (7-0).

Respectfully Submitted:



Sandra B. Smith, CMC, Town Clerk



Ronald D. Simpson, Chair