



**OAK RIDGE PLANNING & ZONING BOARD MEETING
SEPTEMBER 27, 2018 – 7:00 P.M.
OAK RIDGE TOWN HALL**

MINUTES

Members Present

Ron Simpson, Chair
Bobbi Baker, Vice Chair
Nancy Stoudemire
Steve Wilson
Larry Stafford
Ed Treacy, Alternate (Sitting)

Staff Present

Sean Taylor, Planning Director
Sandra Smith, Town Clerk

Members Absent

Patti Paslaru
Tammy Gardner
Jason Streck, 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 revised meeting agenda after adding an announcement after approval of the meeting minutes. Steve Wilson seconded the motion, and it was passed unanimously (6-0).

3. APPROVE MINUTES

Bobbi Baker made a motion to approve the minutes of the July 26, 2018 meeting. Larry Stafford seconded the motion, and it was passed unanimously (6-0).

4. ANNOUNCEMENT

Patti Dmuchowski, chair of the Special Events Committee, expressed appreciation to the members of the Board and presented each of them with a T-shirt in commemoration of the Town's 20th anniversary of incorporation.

5. PUBLIC HEARING

REZONING CASE # RZ-18-05: AG to CU-TC-R. The property is located on the south side of Oak Ridge Road, approximately 3,177 feet east of the intersection with Highway 68, in Oak Ridge Township. It is Guilford County Tax Parcel #162863, consists of approximately

81.157 acres, and is in the Greensboro (GW-III) Watershed. The property is owned Larry Callahan and Jack Pegg.

Planning Director Sean Taylor read the property description and presented the staff report, which is hereby incorporated by reference and made a part of the minutes. He said the applicant has been changed to Matt Walraven. If approved, the developer will be VENN Oak Ridge, LLC. Taylor read the development conditions, which included a maximum of 49 single-family detached dwellings on 81 acres and the location of larger- and smaller-sized lots.

Ed Treacy asked if the site was completely in the Town Core, or if some or all of it was in the Transition Zone. Taylor said the property is located entirely in the Town Core. Treacy asked about the number of units proposed and the number of entrances to the development. Taylor said that one entrance with 49 lots was proposed, and two entrances would be required if there were 50 or more lots.

Simpson asked about the sizes of the lots, and Taylor said there would be 18 large lots and 31 small lots. Simpson asked if the lots would have on- or off-site septic. Taylor said smaller-sized lots in this area were generally served by off-site septic on special purpose lots.

Baker said the site was within the Town Core, but asked if there would be duplexes or a denser type of housing. Taylor said the overall density was .6 units per acre, and that he thought all the units were single family. Baker asked if appropriate drainage was shown on the plan, especially with the fact that a pond was located on the property. Taylor said the Town had recently contracted with an engineering firm for stormwater review. Baker asked if some of the off-site septic areas would be located in tree conservation areas, and Taylor said that was a possibility. He added that the location of any off-site septic would be reviewed by Guilford County Environmental Health, and would come back before the Board in the technical review phase of the subdivision plan. Baker asked if the Town had notified and the developer had met with neighboring property owners. Taylor said the developer had held an open house to discuss the project with neighbors. He said the Town had sent the developer a list of property owners, but when he was sending out notifications from the Town, he realized some names had been omitted from the developer's list. A revised list was then sent to them.

Simpson opened the public hearing.

Proponents:

- Attorney Amanda Hodierne, 804 Green Valley Road, Greensboro, passed out a packet of information to the Board, which is hereby incorporated by reference and made a part of the minutes. She said her client is VENN Oak Ridge, and Matt Walraven is the principal. In response to Board questions, she said there were no proposed twin homes or duplexes, and the condition imposed of a maximum of 49 dwelling units addresses the density of the project. She said more units would require an additional entrance, so the developer would not be able to exceed 49 lots without coming back for approval from the Board. Hodierne said a sketch plan had been submitted as required, and explained that the larger lots in the development were located

on the west side of the site. She presented the following proposed conditions:

- There would be a maximum of 49 single-family dwellings,
- Lots in the area of the sketch plan designated "TC-R Lots Min. Lots Size 20,000 SF" would be a minimum of 20,000 square feet,
- Lots in the area of the sketch plan designated "TC-R Lots Min. Lots Size 40,000 SF" would be a minimum of 40,000 square feet.

Additional information presented by Hodierna included a sketch plan of the property showing access to the property through Lamar Road. She said a productive meeting had been held with neighboring property owners and a second meeting with leaders of Oak Ridge United Methodist Church. Also included in the packet submitted to the Board was an additional sketch plan submitted for illustrative purposes only that included proposed lot lines, an aerial photo of the property and a photo of where the entrance would be located, and a copy of letters sent to neighboring property owners.

- Frank Whitaker, 2338 Oak Ridge Road, said the preliminary plan shows a stub road into his property. Whitaker expressed concern with the location of the proposed stub, saying that location would require removal of some specimen trees. He asked if a connection to his property could be shown but not a specific location. Planning Director Taylor said he was doing some research on that, and Hodierna said her client would be happy to accommodate that request if allowed by the Town. Whitaker said he understood connectivity and was in favor of it, but would like to save some trees. Moving the connection location would likely save someone some money too, Whitaker said.
- John Rollins, 3008 Lodge Drive, Jamestown, spoke, saying he represented the leadership of Oak Ridge United Methodist Church. He said church leaders had met with the development team and understood the entrance would be from Lamar Road, which is directly beside the church. Rollins said he was confident the developer would do things right for the development, the church and the Town.

Opponents:

- Van Tanner, 6605 Ashton Park Drive, said he spoke representing the Ashton Park Homeowners Association. He said he had not been invited to the initial open house, but he had spoken with Taylor and reviewed the plat. Tanner said the property borders his property, and said many people moved to Oak Ridge because of what they thought was a village atmosphere. He said when citizens voted to incorporate the Town, one of the ideas was that people could move away from Greensboro and bring their families here. He said he had seen things change, and that progress is a part of growing. Tanner said that by judging each development on its own merits, perhaps the Town could not see the forest for the trees. He spoke about whether a pause on development was needed, and expressed concerns about additional traffic on N.C. 150 as well as at the N.C. 68/N.C. 150 intersection. He also said there was previously a creek on his property, but it was almost dry because of the effect of development on the water table.

- Julio Costa, 6601 Ashton Park Drive, said a very large part of his lot is adjacent to the proposed development. He said he was concerned with high-density development, as there would probably be 3 or 4 lots beside his property. He said there used to be two creeks on his property, and the lake in his development is mostly full of sediment as a result of development.
- John Felder, 6508 Peppermill Drive, expressed concern about traffic. He said he supported other statements that had been made in opposition, and said he never received a letter from the developer. He said his primary concern was traffic and the amount of time it takes to get out of his development.

Rebuttal – Proponents:

- Attorney Amanda Hodierna said Boards such as Planning & Zoning and staff are constantly looking at larger considerations, and the Town's comprehensive plan was not taken lightly. She said the TC-R zoning was created to allow more houses in the town core, and she felt the engineer had tried to follow the Town's plans and be reasonable and a good steward of the property. She said she understood N.C. 150 had a lot of traffic, but the development of this property with 49 lots had not required a traffic study be conducted. She said NCDOT would have the final say, and the developer may be required to widen N.C. 150 or build deceleration lanes. She said professionals and plans were in place to deal with issues such as drainage and post-development runoff.

Rebuttal – Opponents:

- Van Tanner, 6605 Ashton Park Drive, said he agreed the situation could be worse and said he understood NCDOT was the ultimate decisionmaker regarding road improvements. Tanner said as a former highway contractor, he knew NCDOT generally waited until people were screaming bloody murder before doing anything about traffic. He asked the Board to listen to the Ashton Park neighborhood's concerns.
- John Felder, 6508 Peppermill Drive, asked who would repair road damage. Baker said it depended on whether the state had taken over maintenance of the road.

The public hearing was closed.

Ed Treacy said the latest traffic study on N.C. 150 showed 7,400 trips per day. He asked how many trips per day would be considered maximum capacity for that road. Taylor said he did not know, but he guessed it was much higher than the current number. Treacy said he knew it was a pain to wait for traffic at certain times of day, but he thought adding an additional 400 more trips per day was nowhere near what the state would require before the road were made into a 4-lane road. Tanner said there were other options besides a 4-lane road, including a possible traffic circle at N.C. 150 and Bunch Road.

Nancy Stoudemire she was concerned about the neighbor who has a large lot in Ashton Park that would be located beside some of the small lots in the proposed development. Treacy pointed out that two of the smaller lots would adjoin that

property, and Taylor added that the properties bordering Ashton Park would also have a 50-foot landscape buffer. Stoudemire asked if the area was wooded now, and Taylor said yes. She said she did not know if it was possible to work out a compromise or maneuver the lots into a different configuration. Taylor said the illustrative sketch plan was not required, but he had requested it and the developer had complied. He said some changes could be made as further engineering is done. He reiterated that the number of lots and the developmental standards were included as conditions of the rezoning.

Treacy asked about the walking trail to be located within the 50-foot buffer and asked if it could be located on either side of the buffer; Taylor said yes. He said the developer would also have to adhere to the stream buffer requirements because of the Jordan Lake Rules. Treacy said those issues would be addressed at the subdivision review and might be able to work with the developer. Taylor agreed.

Steve Wilson expressed concern about wells, and asked if any test wells were going to be drilled and whether there was enough water to support an additional 49 homes. Hodiernie said a test well had not been drilled yet, and that would come later in the process. Wilson asked what kind of wells the development would have, and Hodiernie said it would have a community well. Wilson asked if any soil testing had been done, and Hodiernie said yes. She said she thought every lot would likely have on-site septic.

Bobbi Baker addressed comments by Van Tanner about the water, and said the potential 200 homes he had spoken about in nearby developments do not exist now and are not affecting the water. She said she understood Tanner to say that when he moved in, there were free-flowing streams and a lake; she said she was gleaned from the comments that it was OK for existing residents' homes to affect water, but not for new developments. Tanner said if wells in the new development take the water away from existing homes, it would be too late to do anything about it. Baker said neighbors were correct in expressing concerns to the Board. She asked if it was possible that some lot configurations may change; Hodiernie said yes, and that much engineering work would be done before a preliminary plat is presented for approval.

Simpson said he understood community wells were supervised by the state and that draw-down tests were required to determine impacts on nearby properties. He said he thought community wells were typically drilled much deeper than individual wells. Taylor said he understood community wells are often 1,000 or more feet deep, while individual wells may only be 200 feet deep. He said older homes often have wells that are even more shallow, and those are the ones where issues typically occur. Simpson asked if community wells are subject to state supervision, and he was told yes.

Simpson asked Walraven about how long he thought it might take to build out the proposed development, and Walraven said many factors could affect that. He explained some of the issues, and said he thought it would take no more than a year to get the roads in. In the current economy, he estimated 24 to 36 months, but said it could take as long as 48 months for total build out.

Nancy Stoudemire made a motion to recommend approval of the rezoning, saying it was reasonable, in the public interest, and it meets the comprehensive Land Use Plan of the Town. Steve Wilson seconded the motion, and it was passed unanimously.

Simpson called for a 5-minute recess at 8:24 p.m., and the Board reconvened at 8:29 p.m.

5. NEW BUSINESS

SITE PLAN # SP-18-02: Happy Tails Puppies, LLC requests a revision to a site plan for approval of a 4,300-square-foot enclosed kennel and customer service structure. The property is located at 7881 Alcorn Road, on the corner of Alcorn Road and Highway 68, across from the historic Ai Church in Oak Ridge Township. It is Guilford County Tax Parcel 0162401, consists of approximately 3.772 acres, and is zoned AG (Agricultural), Greensboro (GW-III) Watershed, Scenic Corridor Overlay. It is owned by Cross Gate Church.

Planning Director Sean Taylor read the property description and presented the staff report, which is hereby incorporated by reference and made a part of the minutes. Taylor said a lighting plan and a formal landscape plan had been requested, and a driveway permit from NCDOT is required. Taylor said staff recommends conditional approval based on submittal and approval of lighting and landscaping plans and driveway entrance plans.

Treacy asked if a business that breeds and sells dogs is allowed in the current zoning, and Taylor said yes.

Larry Stafford asked if the plan was downsized from the original site plan that the Board had approved. Taylor said it was a consolidation and overall it was a better presented plan.

Baker asked when the lighting and landscaping plan would be reviewed. Taylor said generally staff handled that and he would not sign off on the plan until the plans are in place and he ensures that they meet the Town's ordinance. He said they would have to be approved before ground could be broken.

Simpson asked a representative of Happy Tails to come forward. Sonya Mackovic, 3500 Vernon Woods Drive, Summerfield, owner of Happy Tails Puppies, took the podium. Simpson asked how soon the project would move forward. Mackovic said they would go back to the engineer to get the landscaping plan if the site plan is approved, and they hoped to break ground on the project in 30 to 60 days. She said they would like to have the business up and running at the new location in 6 months.

Bobbi Baker made a motion to approve the site plan as submitted by Happy Tails Puppies, LLC, with conditions as stipulated for lighting and landscaping plans. Ed Treacy seconded the motion, and it was passed unanimously.

6. UPDATES FROM STAFF

Taylor said the Streetscape Plan should be completed soon, and it will be brought to the Board for approval.

7. PUBLIC COMMENTS

- None

8. ADJOURNMENT

Ed Treacy made a motion to adjourn the meeting at 8:36 p.m. Bobbi Baker seconded the motion, and it was passed unanimously (6-0).

Respectfully Submitted:

Sandra B. Smith, NCCMC, CMC
Town Clerk

Ronald D. Simpson
Chair