



**OAK RIDGE PLANNING & ZONING BOARD MEETING
DECEMBER 17, 2020
7:00 P.M.**

This meeting was conducted remotely under N. C. Gen. Stat. § 166A-19.24 by use of simultaneous communication using the Zoom online platform and in which Planning & Zoning Board members participated by simultaneous communication. Planning & Zoning Board members were joined and participated in the entire meeting, unless otherwise noted.

MINUTES

Board Members Present

Nancy Stoudemire, Vice Chair
Patti Paslaru
Jason Streck
Larry Stafford
Tammy Gardner (Not sitting)

Staff Present

Sean Taylor, Planning Director
Sandra Smith, Town Clerk

Board Members Absent

Ron Simpson, Chair
Maureena Shepherd, Alternate
Rick Schlaginhaufen, Alternate
Patrick Fiorentino, Alternate

1. CALL TO ORDER

The meeting was called to order by Vice Chair Nancy Stoudemire at 7:02 p.m.

2. APPROVE AGENDA

Patti Paslaru made a motion to approve the agenda, and Jason Streck seconded. Via roll-call vote, the motion was passed unanimously (4-0).

3. APPROVE MINUTES

Jason Streck moved to approve the minutes of the September 24, 2020 and October 22, 2020 regular meetings, and Patti Paslaru seconded the motion. Via roll-call vote, the motion was passed unanimously (4-0).

4. PUBLIC HEARING

REZONING CASE #20-04: RS-40 (Residential – Minimum 40,000 sq. ft. lots) to AG (Agricultural). The property is located on the north side of Warner Road, approximately 1,300 feet east of Happy Hill Road, in Oak Ridge Township. It is a portion of Guilford County Tax Parcel 0166902, consists of approximately 24.6 acres, and is located in the Oak Ridge Extra-Territorial Jurisdiction (ETJ). It is owned by Bryan and Tammy Gardner.

Planning Director Sean Taylor 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. Taylor said that the application meets all the requirements of the Town's comprehensive plan and that staff recommends approval.

Stoudemire explained the rules and opened the public hearing.

Proponents:

- Tammy Gardner, 8750 Warner Road, Kernersville, said that she and her husband, Bryan Gardner, had rezoned the property for residential use a few years prior, and he had planned to build spec houses and develop it. She said that since that time, Bryan Gardner had decided he did not want to build spec houses on the property, and she loves the open space and did not want to have additional neighbors that close by.
- Bryan Gardner, also of 8750 Warner Road in Kernersville, reiterated what his wife had said, adding that it had been probably four or five years ago since the property was rezoned to RS-40 at their request. He said they still own the 62 acres around it, and it is zoned AG.
- Tammy Gardner added that since they would not be building houses on the property, it did not need to be zoned RS-40 and they would be charged less property tax if it was zoned AG.
- Mike Stone, 8112 Hunting Cog Road, Oak Ridge, said he had communicated with Tammy Gardner and spoken with Planning Director Taylor about the rezoning. He said he had pointed out in an email to Board members that AG-zoned property was located all around the Gardner's property and that rezoning it back to AG made sense. Stone said that he had erroneously thought RPD (Rural Preservation District) zoning would provide a better property tax incentive for those who wanted to move their zoning from RS-40 to AG. He said the Town somehow needed to encourage RPD zoning and make it attractive by charging lower property tax. He said from a citizen standpoint, that was the right thing to do.

Opponents:

- None

With no need for rebuttal, Stoudemire closed the public hearing.

Board questions/comments:

- Larry Stafford said that the land belonged to the Gardners, they had jumped through all the right hoops to get the property rezoned, and he had no problem with the request.

Jason Streck moved to approve the proposed zoning amendment from RS-40 to AG for Rezoning Case #20-04 as proposed, as it meets the adopted development plan of the Town of

Oak Ridge. Larry Stafford seconded the motion. Via roll-call vote, the motion was passed unanimously (4-0).

5. PUBLIC COMMENTS

- Stoudemire said she agreed with Stone's comment about the need to incentivize property owners to choose rural zoning because it limits what could be done with the property later. She said if you ask most people what they like about Oak Ridge, they say it is the rural character. She said rural is not houses next to each other on 1-acre lots.
- Town Clerk Sandra Smith, who had served as a citizen volunteer on the Land Use Plan update, said during that process she had encouraged something to incentivize farmers or property owners not to develop their properties.
- Taylor said the following month there was the possibility of rezoning a property beside the Oak Ridge Lake subdivision to RPD (Rural Preservation District). He said the applicant was proposing around 60 units on more than 80 acres, with over half of the property left as open space. He said the development would have road connections to Oak Ridge Lake and Bunch Road, and the developer, a local resident, is trying to speak with neighbors and conduct community outreach.

6. ADJOURNMENT

Patti Paslaru made a motion to adjourn the meeting at 7:29 p.m., and Larry Stafford seconded. Via roll-call vote, the motion was passed unanimously (4-0).

