



**OAK RIDGE PLANNING & ZONING BOARD MEETING
JUNE 24, 2021 - 7:00 P.M.
OAK RIDGE TOWN HALL**

MINUTES

Board Members Present

Nancy Stoudemire, Chair
Patrick Fiorentino
Larry Stafford
Megan Dyson, Alternate (Sitting)

Staff Present

Sandra Smith, Town Clerk
Sean Taylor, Planning Director

Board Members Absent

Jason Streck, Vice Chair
Ron Simpson
Patti Paslaru
Tammy Gardner
Maureena Shepherd, Alternate
Rick Schlaginhaufen, Alternate

1. CALL TO ORDER

The meeting was called to order by Chair Nancy Stoudemire at 7:01 p.m.

2. APPROVE AGENDA

Larry Stafford moved to approve the agenda, and Megan Dyson seconded the motion. The motion was passed unanimously (4-0).

3. APPROVE MINUTES

Patrick Fiorentino moved to approve the minutes of the May 27, 2021 meeting, and Larry Stafford seconded. The motion was passed unanimously (4-0).

4. PUBLIC HEARING

Text Amendments. The technical amendments to the existing Development Ordinance had been mandated by the North Carolina Legislature to bring all development jurisdictions into compliance with new NCGS 160D. The current zoning of property in Oak Ridge is not changed by the proposed amendments.

Planning Director Sean Taylor presented the text amendments, explaining that the enabling legislation had changed in North Carolina, combining cities and counties into one statute – NCGS 160D. He explained that the changes were required to be approved prior to July 1. He said he had presented the changes made as a result of the new legislation the previous month and also emailed them to members of the

Planning & Zoning Board. He said also some minor housekeeping changes that do not affect the character of the development ordinance had also been made.

Stoudemire opened the public hearing.

Proponents:

- None

Opponents:

- None

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

Patrick Fiorentino made a motion to approve the proposed changes to the Development Ordinance, and Megan Dyson seconded the motion. The motion was passed unanimously (4-0).

5. NEW BUSINESS

SP-21-01: Twilight Outparcel LLC (Philip Cooke, representative) requested approval of a site plan for a 2,478-square-foot retail/restaurant structure. The property is located at 1684 NC 68 North, 600 feet south of the intersection of Oak Ridge Road and NC 68. It is Guilford County Tax Parcel # 0166232, consists of approximately 1.02 acres, and is zoned CZ-LB (Conditional Zoning-Limited Business), Greensboro (GW-III) Overlay, Scenic Corridor Overlay. It is owned by Twilight Outparcel LLC.

Planning Director Taylor said that Board members continued the case from the May meeting. He reminded them that this was a technical review for a site plan, not a public hearing, but said the applicant and representatives were present to answer questions. 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. He said that the plan meets the standards of the Development Ordinance and that staff recommends approval.

Dyson said she thought the brick veneer color proposed was a drastically different color than what is typically seen in Oak Ridge. She said she wondered if it would fit the "village feel" initiative being discussed. She also noted what she felt was very contemporary lighting being proposed.

Applicant Philip Cooke said the project has been in the planning stages for 1½ years and one of the challenges was getting Starbucks' corporate look to fit into Oak Ridge. He said the goal was to make the building fit in, but not look the same as other buildings nearby. He said he had proposed a brownish-bronze brick color with the upper area to look like wood. Regarding the lighting, Cooke said the current plan showed what Starbucks was willing to do. He said they had already negotiated with Starbucks to get brick that extended upwards more, the brownish-bronze color, and a wooden look on top. He noted that Starbucks would still have to get approval for its signage.

Stoudemire noted that the staff report said that a lighting plan had been submitted. She asked if that was different than the lighting for the site's signage. Taylor said

yes, but the lighting plan applied more to parking lot lighting. He also stated that the colors shown on the printed elevations were not true, saying that he thought the contrast would be sharper than what is shown on the color elevations.

Stoudemire asked if the specific colors and materials could be approved by the Planning & Zoning Board, saying she felt what was shown on the elevations was completely different from what is traditionally used in Oak Ridge and that she would not feel comfortable approving the plan based on what was submitted. She said she had looked at several Starbucks' buildings online and there was not one single style of corporate structure.

Cooke said he could bring the actual materials in for approval if the Board desired.

Dyson said she was interested in seeing "gooseneck" lighting fixtures on the building, similar to what is seen on other commercial structures in Oak Ridge's scenic corridor. She said the scenic corridor ordinance also has a requirement to not have a large expanse of uninterrupted wall space, adding that other businesses have used the gooseneck lighting fixtures to address that.

Stoudemire said that the scenic corridor requirements say there should not be large, flat, blank expanses on buildings.

Dyson said that Oak Ridge businesses generally have roofs with peaks. Cooke responded that there are actually a lot of businesses with flat roofs in Oak Ridge. Regarding gooseneck lighting, he said his company, which had developed most of the commercial structures in Oak Ridge, had often used gooseneck fixtures when tenants wanted them, but that was not always the case.

Dyson asked Cooke if he knew of another Starbucks location that was similar to the one being proposed, but Cooke said no. He said the location on Battleground Avenue in Greensboro might be closer to this one, but the colors would be different. He said the bronze canopy, which is something similar to what is seen across NC 68 from the proposed Starbucks site, would provide something of a "porch feel."

Fiorentino said one thing he thought would make the building look more suitable in Oak Ridge would be wrought iron framing around the street signs and at the parking lot. He asked if that might be considered here. Cooke the proposed plan did have wrought iron around the patio area. Fiorentino said he also meant around the directional signs. Cooke said he did not think he could make that commitment for the tenant.

Planning Director Taylor said the Board could ask, but if the signage meets the minimum requirements of the ordinance, that is all the Board could require. Taylor said if the property were located in the Historic District, more could be required.

Fiorentino asked if the applicant intended to install a monument sign, saying he did not want to see a sign on top of a pole. Taylor said the applicant had asked about a monument sign, and that it could be no taller than 6 feet. He said Oak Ridge has one of the most restrictive sign ordinances in the County. Cooke said they did intend to install a monument sign.

Stoudemire noted that ligustrum was shown on the landscaping plan, and even though it is listed as recommended plant species, it is actually an invasive plant. She said she would prefer to see a different type of plant, and Cooke said that could definitely be considered.

Stoudemire also noted that she did not see a sidewalk on the site plan. Taylor said there was not one currently shown on the plan because NCDOT would be constructing one there in connection with the NC 68/NC 150 intersection improvements which are slated to begin in 2022. Fiorentino asked if the cost would fall on the Town to build the sidewalk should the plans for the intersection improvement fall through. Taylor said no, but added that this was a previously developed lot so a sidewalk was not be required here.

Stoudemire noted the requirement for 1½ bicycle racks, and asked that the number be increased to two. Chuck Truby, the site engineer, said there would be two bicycle racks. Truby noted that Cooke was dealing with a massive corporation and that he had completed roughly 10 site plans before Starbucks accepted the one being presented. He said they were dealing with a corporate mentality, which had been very difficult to work with.

Stoudemire said this part of the scenic corridor requirements were somewhat open to interpretation, and although the site was not in the Historic District, it is across the street from it. Cooke said he thought the minimum requirements had been met.

Dyson said the building needed to fit in, particularly because it was one block away from historic Oak Ridge Military Academy, and this building looked like Seattle. Cooke disagreed, saying he did not think the building looked like Seattle architecture at all.

Taylor said the scenic corridor requirements were not nearly as specific as the Historic District's Design Standards. He said the major word he saw was "similar." He said staff recommended approval of the proposed plan because the ordinance does not define what "similar" means. For example, he said the McDonald's building is basically a square box, just as the proposed building is. He said both were brick, both had signage. He said the Board could do conditional approval based on material samples and lighting.

Stoudemire said she did not think the building fit the objective in the Land Use Plan to preserve the "rural feel." She said buildings are semi-permanent and the Town would have to live with them for a long time once they are approved.

Taylor said the Board should look at the zoning, which allowed a restaurant with a drive-thru by right. He said when a use is allowed, the only thing that could be considered is whether it meets the scenic corridor's minimum requirements, since there is no guidebook to explain exactly what "similar" is. He said the Town is currently working on defining the "village feel" concept so perhaps restrictions could be tightened.

Dyson said she hoped the landscaping and lighting would soften the look of the building.

Larry Stafford asked if traffic exiting the site would be able to turn south on NC 68 or if it would have to turn right, go to the traffic signal and go around. Cooke said currently traffic could make a left onto NC 68, but he thought NCDOT would eventually change that to where traffic going south may have to go behind the CVS and access NC 68 from NC 150 instead of turning directly left onto NC 68. He said he thought NCDOT's plans would help address accidents at the site and in that area.

Larry Stafford made a motion to conditionally approve the plan once brick and siding samples have been approved by the Board, and Megan Dyson seconded the motion.

Fiorentino said he was still struggling with the lighting fixtures and the signage. He said he would still like to see the building's lighting fixtures and directional signs with wrought iron around the outside.

Cooke said he would share the Board's concerns with Starbucks. He said the signage would not be internally lit and the signage plan would have to be submitted to the Town for approval. He said he did not know if he could get wrought iron around the directional signage, because it was not required, but he could suggest it. He said he thought the overall project would be something the Town was proud of.

Fiorentino said he understood there may be push-back on the signs, but he thought Cooke could get Starbucks to approve the gooseneck light fixtures.

Taylor said the applicant may have to use gooseneck lighting on the building signage because the signs could not be internally lit and he did not think uplighting, like is seen on the section of building across the street occupied by Verizon, would be appropriate here. He said the lights shown on the sides of the building were similar to what is on the Express Lube building nearby.

Fiorentino insisted he would like for Cooke to ask that the building lighting be changed to gooseneck features.

Dyson asked if the Board would still have the power to deny the site plan if it did not approve the samples submitted. Taylor said the Board would have the power to deny the materials and then the applicant would be required to resubmit different samples.

Stoudemire said she was still not sure that the architecture was similar enough to what is seen in Oak Ridge. She said from her internet search of Starbucks' buildings, she felt some were better fits for Oak Ridge.

Taylor said he understood, but again said it comes down to the definition of "similar." He said he felt an attorney might compare the building to something like McDonald's if he were to have to go to court to defend the decision.

Cooke said he would provide a sample material board for review and he could see if he could get 3-D renderings of the building. He said he would ask the architect to attend the next Planning & Zoning Board meeting.

Patrick Fiorentino asked to offer a friendly amendment to the motion that gooseneck lighting fixtures be included in addition to approving the color scheme and materials proposed. Larry Stafford agreed to the friendly amendment, and Megan Dyson agreed to second the motion. The Board's vote in approval was unanimous (4-0).

6. PUBLIC COMMENTS

Stafford announced an open house at the historic Ai Church Community Building the following Saturday beginning at 1 p.m.

Dyson said she was honored to serve on the Board and it was fun to sit for the proposed Starbucks site plan.

7. ADJOURNMENT

Larry Stafford moved to adjourn the meeting at 8:26 p.m., and Patrick Fiorentino seconded the motion. The motion was passed unanimously (4-0).