



**OAK RIDGE PLANNING & ZONING BOARD MEETING  
SEPTEMBER 22, 2016 – 7:00 P.M.  
OAK RIDGE TOWN HALL**

**MINUTES**

**Members Present**

Ron Simpson, Chair  
Nancy Stoudemire  
Patti Paslaru  
Larry Stafford  
Steve Wilson, Alternate (Sitting)

**Staff Present**

Bill Bruce, Planning Director  
Sandra Smith, Town Clerk

**Members Absent**

Bobbi Baker, Vice Chair  
Tammy Gardner  
Carl Leybourne  
Ed Treacy, Alternate  
Brian Eichlin, Alternate

**1. CALL TO ORDER**

The meeting was called to order by Chair Ron Simpson at 6:59 p.m.

**2. APPROVE AGENDA**

**Steve Wilson** made a **motion** to approve the agenda. **Patti Paslaru** seconded the motion, and it was passed unanimously (5-0).

**3. APPROVE MINUTES OF THE AUGUST 25, 2016, MEETING**

**Patti Paslaru** made a **motion** to approve the meeting minutes. **Nancy Stoudemire** seconded the motion, and it was passed unanimously (5-0).

**4. PUBLIC HEARING:**

**REZONING CASE # RZ-16-04 (continued): RS-30 and PI to CU-TC-R.** The property is located on the north side of Oak Ridge Road, approximately 200 feet west of Zack Road in Oak Ridge Township. It is Guilford County Tax Parcels 0162860, 0163177, and 0163221, is comprised of approximately 15.9 acres, and is owned by Oak Ridge Society Foundation Inc. The property is located in the Scenic Corridor Overlay Zone and the Oak Ridge Historic District (part).

Planning Director Bill Bruce presented the staff report, which is hereby incorporated by reference and made a part of the minutes. He said the Town Core-Residential (TC-R) zoning district had emerged as part of the updated Land Use Plan. Bruce said the developer had included two conditions in the rezoning:

- 1) That a 30-foot undisturbed buffer would be located adjacent to lots 16-21 of Whitaker Estates Section 2, and
- 2) That a 20-foot natural or landscaped buffer would be located along the northern and western property lines of the property at 2345 Oak Ridge Road, except as prohibited by NCDOT sight easements.

The applicant did not include any conditions limiting the type of uses or maximum number of units, so the development could include several types of housing types including single-family detached and single-family attached units and up to two units per acre. Bruce told the Board that about 1.3 acres of the proposed site is in the Historic District and contains a contributing structure known as the Commandant's house, which was built in 1935. No changes are proposed to the house or the portion of the site in the Historic District at this time, but any demolition, renovation or other site changes would require approval of the Historic Preservation Commission. The Commission reviewed the rezoning request and unanimously recommended approval.

Paslaru confirmed that the request is just to rezone the property, and said she understood there is a site plan but that it was not attached. Bruce said any site plan was for illustrative purposes at this point and is not binding. He said the site plan would be discussed at a future meeting.

Wilson asked about the number of trips per day generated per unit. Bruce said generally attached homes generate fewer trips per day, regardless of the size of unit. He said the number of trips per day in the staff report is based on a national average.

Simpson said this was the first rezoning request for a TC-R district. He said he and others on the Land Use Plan Update committee had heard that there was a need for other types of homes, especially for empty nesters. He said there was one townhome development off of N.C. 68, but that it had not really taken off, perhaps because of the price of the units. Bruce explained that was a Rural Multifamily (RM) development, which still requires an overall density of one unit per acre. He said the TC-R zoning would allow twice the number of units that RM zoning allowed.

Simpson explained the rules and opened the public hearing.

*Proponents:*

- Bob Dischinger, 4609 Dundas Drive, Greensboro, president of Evans Engineering, said he was representing LD Equity, which has the property under contract. He said the rezoning was heard by the Planning & Zoning Board in July, but his clients had asked that the case be continued before it was heard by the Town Council. Since then, they had taken comments into consideration and had reworked the project into a twin home community. He passed out a handout to the Board, which is hereby incorporated by reference and made a part of the minutes. It included an aerial photo of the property, a copy of the environmental inventory, an illustrative sketch plan, a copy of a letter from the seller that stated that the proceeds from the sale will be donated to Oak Ridge Military Academy, and copies of outreach letters that went to neighboring property owners. Dischinger told how he believed the project satisfies several of the goals and objectives outlined in the Land Use Plan.

- Ann Schneider, 8506 Rosedale Drive, a member of the Land Use Plan committee, spoke in favor of the development, saying this type of development involved innovative planning and included buffers to protect existing neighbors. She said she hoped a developer as innovative and responsible purchases the 26 acres for sale behind her house.

*Opponents:*

- Ginger Olson, 6521 Zack Road, said she had checked with the county and Oak Ridge was the only town to implement TC-R zoning, and that Bob Dischinger was a member of the Land Use Plan Update committee. She said the zoning would be appropriate for a location where duplexes are wanted, but everyone who moves to Oak Ridge does so for the land. Olson also said the developers keep changing their plans for what they intend to do on the property. She said the stream on the property is an aquifer that goes to the Haw River. Olson said she was not interested in making the developers money. She said this area has been called "God's county," was not suitable for maximum density, and that people would not be interested in buying a \$350,000-\$400,000 house where they have to look at an adjoining wall or a lawn that doesn't belong to them. She said the units would not sell, and they did not belong here.
- Benjamin Wingfield, 6516 Zack Road, said he was against the rezoning, mainly because there are empty townhouses in Oak Ridge now. He said no one was against new homes, but these townhouses would be larger than his house. He said the zoning should be kept RS-30, like his neighborhood, and houses built in the \$175,000-\$200,000 price range. Wingfield said with the possible addition of 24 houses in the development with a road that comes out on to Zack Road, there could be issues with his children waiting for the school bus because of the traffic. He suggested the Board use caution, and said perhaps TC-R is not the way this property should be developed.
- Laura Hines, 6518 Zack Road, said she appreciated the efforts of the developers to hear the neighbors' concerns and change their original plan. She said she was concerned about traffic, water, and the higher density proposed. She said she was OK with houses being built on the property with the current RS-30 zoning, but that she was against the rezoning request.
- Jamie Dowdy, 6513 Zack Road, said her property was near where the units would be built. She said the developers' plan had gone from 12 to 24 homes, and that she would not like to live in one of them if she were an active senior, the group they will be marketed to. She said if there were 24 homes, most likely they would be purchased by families with children, and she had already almost run over a child waiting for the school bus. She said her neighbor's well had gone dry, and she was concerned about water. She also discussed the traffic impact at the entrance to Zack Road at N.C. 150, and asked where the deer that currently roam the property would live. She said traffic noise from N.C. 68 can already be heard in her neighborhood, as can activities at the military academy. She said if trees are removed as a result of the proposed development, she might be able to hear music from the Oak

Ridge Town Park. Dowdy said this land should stay undeveloped, as Oak Ridge is already overdeveloped.

- Gary Baysinger, 6509 Zack Road, said he liked the plan better than he did initially, but he was still concerned about the traffic that will back up on Zack Road at N.C. 150 as a result of the development. He said garbage trucks already have to back down Zack Road. He said there had been talk about the soils on the property, which means the land does not perc. He also said the developers did not know where the community well would be located. Baysinger said there were too many questions that could not be answered at this time.
- Theresa Masten, 6527 Zack Road, commended the developers for redesigning the project, but expressed concern about adequate and contaminated water caused by the project and about adequate space for wells and septic systems. She also asked about sedimentation and runoff, saying that one stream on the property runs into the Haw River, which is a major drinking water source. She said one neighbor had already had problems with their well, and said new construction could disturb the aquifers, causing them to move and making wells go dry. Masten said she would hate for Oak Ridge to turn into an Ocracoke, where every driveway leads to a new home.

*Rebuttal – Proponents:*

- Bob Dischinger said he had heard many concerns about density, but reminded attendees that TC-R zoning was created in response to the survey from citizens. He said the first letter sent to neighbors had mentioned houses costing around \$400,000 because the land costs, infrastructure, etc. He said this product could create something with a significantly lower price. Regarding water, he said the developers are anticipating having a community well, which requires a lengthy permit process through the state. He said if the location is approved, the Guilford County Department of Health will look at wells within 500-600 feet and ask their owners if they would like for them to be monitored while a 24-hour yield test is done. Dischinger said that should give nearby residents some comfort. He said the road into this development would alleviate the issue of the garbage truck having to back down Zack Road. Dischinger also said that the comments on the soils, buffers and runoff would all be addressed when a specific plan is submitted.

*Rebuttal – Opponents:*

- Ginger Olson said the property is located in both the N.C. 150 and N.C. 68 scenic corridors, and asked if that meant the tree preservation requirement of 20 percent would be doubled. She also expressed concerns about the safety on Zack Road, which is a dead-end street; she said this plan would create another dead-end street.
- Benjamin Wingfield commented on the garbage truck, saying no one knew if the new street was going to be private and could be used by the garbage truck. He said if the homeowners association gets upset because of damage to the street because of the garbage truck, they might prevent it from using

their street. He said approval of the development might not necessarily solve that problem.

The public hearing was closed.

*Board discussion/questions:*

- Wilson asked about the comment that the community had been asking for a townhouse development and where that had come from. Bruce said that it was a result of updating the Land Use Plan, which was adopted by the Planning & Zoning Board and by Town Council. He said during the process, which took more than a year to complete and that had significant public involvement, one thing that kept coming up was the need for alternative types of housing products. He said the Town Core-Residential zoning was only allowed in a relatively small, ¾-mile area from N.C. 68/150 intersection, which was where the Land Use Plan Update committee felt it was appropriate.

Wilson said he also had concerns about the environment, water, traffic and Oak Ridge Military Academy.

- Larry Stafford asked about the scenic corridor overlays and whether there were two. Bruce said both N.C. 150 and N.C. 68 have scenic overlays, which might overlap in this area, but that would not double the requirements that had to be met.
- Stoudemire reiterated that many of the concerns expressed would be addressed at the site plan review stage of the process. She said she was concerned with water, and asked if the developers were willing to offer anything to neighboring residents if their wells are affected. Dischinger said the developers had discussed the situation and, if there is excess flow from the community well, it might be possible to add additional taps for neighboring properties. He stressed that would not be known until a well is drilled. He said the Town was also looking at a municipal water system with specific design parameters, and that might be another potential solution.

Stoudemire asked about the size and price of the units. Dischinger said the units would likely start around \$250,000 and size would depend on whether the upstairs bonus room is finished. Stoudemire asked if the property could be developed with the current zoning; Dischinger said it could in the portion zoned RS-30, but not in the area zoned PI. Stoudemire said the preliminary site plan looked like most of the land would be undisturbed and there would be buffers between it and neighbors.

- Simpson said there was a concern about the streams and runoff into them. Bruce said Guilford County enforces soil, sedimentation and erosion control, and the Town has its own ordinances about required stream buffers. He said the tree preservation area is generally encouraged in buffers and drainage areas.

Simpson asked if there would be sewer/septic areas to serve several residences, rather than individual septic fields. Dischinger said that was correct, and there are rules in place to keep septic fields and wells a certain distance apart. He said they are anticipating creating community drain fields, but they must be permitted through the health department. He said he was fairly confident the sketch plan would be close to how the property is ultimately developed, but it is subject to the health department's approval. Simpson asked Bruce if he agreed, and Bruce said yes.

**Patti Paslaru** made a **motion** to approve the rezoning request including the two conditions as stated by the developer. She said the request is consistent with the recommendations of the Oak Ridge Future Land Use Plan. Specifically, the request will help to implement Objective 2.1, which encourages "a variety of housing options to accommodate the housing needs of all Oak Ridge residents." The development should not affect the integrity of the Historic District, since most of the developable land is well off of Oak Ridge Road and should not generally be visible from the District. Tree preservation and stream buffer requirements, as well as the proposed zoning condition, will also help to screen and buffer the proposed development. **Larry Stafford** seconded the motion, and it was passed by a 4-1 vote (Wilson voting against).

**5. PUBLIC COMMENTS**

None

**6. ADJOURNMENT**

**Patti Paslaru** made a **motion** to adjourn the meeting at 8:23 p.m. **Steve Wilson** seconded the motion, and it was passed unanimously (5-0).

Respectfully Submitted:



Sandra B. Smith, NCCMC, CMC  
Town Clerk



Bobbi Baker  
Vice Chair