

Minutes

PLANNING BOARD AND BOARD OF COMMISSIONERS

Joint public hearing

7 p.m. November 20, 2025

Town Hall Annex Board Meeting Room, 105 E. Corbin St.



Present

Town board: Mayor Mark Bell and commissioners Meaghun Darub, Robb English, Kathleen Ferguson, Matt Hughes and Evelyn Lloyd

Planning Board: Chair Frank Casadonte and members Jeanette Benjey, Robert Iglesias, Sherra Lawrence, Tiffney Marley, and Carrie Winkler

Absent: Planning Board: Vice Chair Hooper Schultz and member Sean Kehoe

Staff: Senior Planner Molly Boyle, Senior Planner Tom King, and Town Attorney Bob Hornik

1. Call to order and confirmation of quorum

Mayor Mark Bell called the meeting to order at 7:03 pm and confirmed with staff that a quorum was present. He noted the public charge and asked for all speakers to use the microphones during the meeting.

2. Agenda changes and approval

Senior Planner Molly Boyle noted that the applicant for item 5A had formally withdrawn their annexation petition. She recommended removing that item from the hearing agenda.

Motion: Commissioner Kathleen Ferguson moved to approve the agenda as amended. Planning Board member Robert Iglesias seconded.

Vote: 11-0.

3. Approval of minutes

A. Planning Board regular meeting minutes for October 23, 2025

Only Planning Board members voted on this item since the minutes were from a regular meeting, not a joint meeting.

Motion: Iglesias moved to approve the minutes. Planning Board member Sherra Lawrence seconded.

Vote: 6-0.

4. Open the public hearing

Motion: Ferguson moved to open the public hearing. Commissioner Matt Hughes seconded.

Vote: 11-0.

5. Public hearings

Boyle addressed the audience and explained the public hearing process before beginning her presentations.

~~A. Applicant-initiated annexation request for PINs 9863-68-0014 and 9863-67-2966 on Oakdale Drive~~

B. Applicant-initiated rezoning request for three parcels in Oakdale Village (PINs 9863-87-8657; 9863-97-1719; 9863-97-2991)

Boyle presented the rezoning request for three parcels in Oakdale Village owned by Oakdale Hillsborough LLC. The applicant, Tony Whitaker, a professional engineer with Civil Consultants, was requesting to rezone the parcels from Entranceway Special Use (ESU) to General Commercial (GC). The parcels, totaling approximately 6.9 acres, are located at Old NC 86 and Oakdale Drive.

Boyle explained that the properties are part of Oakdale Village, a special use district approved in 2011 for commercial development. Phase 1 has mostly been developed with an ABC store, UNC medical office building, and a retail/office building, while Phase 2 remains undeveloped. The applicant's request would rezone the undeveloped area and the property with the stormwater control measure.

She noted that planning staff found the request consistent with the Unified Development Ordinance and Future Land Use Map. The key difference between the current and requested zoning is process; Entranceway Special Use requires a special use permit from the Board of Adjustment for every use, while General Commercial allows some uses by right. Boyle stated that Utilities and Engineering would evaluate the water/sewer demand and capacity when a specific development is proposed, noting existing water and sewer infrastructure in the area.

Whitaker explained that the existing zoning has become an obstacle to development. He noted two main issues: 1) the special use district zoning is now considered antiquated by state legislature and is no longer valid for new cases, making investors and lenders hesitant; and 2) the development community prefers certainty in their processes, and the subjective review process required by special use permits is deterring potential businesses. He emphasized that the most likely uses would be retail, office, or potentially day care or restaurants.

Board members raised concerns about the possibility of residential development in General Commercial zoning since General Commercial allows single-family homes. Whitaker and Mark O'Neal, a commercial broker with Pickett Sprouse working with the property owner, explained that while single-family homes would technically be allowed in GC zoning, the property's restrictive covenants, its high commercial value, and infrastructure requirements make residential development impractical and economically unfeasible.

No members of the public signed up to speak on this item.

C. Staff-initiated text amendment to UDO Section 3, *Administrative Procedures*

Boyle presented a staff-initiated text amendment to remove resubmittal waiting periods and clarify subdivision requirements for planned development districts. She explained that currently, applicants must wait one year to resubmit if their application is withdrawn or denied, but state law (Session Law 2025-94) no longer allows this restriction. The proposed amendment also clarifies that subdivisions within planned development districts do not require a special use permit, even if they have 20 or more lots, since these districts are already reviewed and approved by the town board.

Hughes asked about language in the text amendment regarding refunds. Specifically, the proposed amendment indicates that applicants can refile an application after withdrawal or denial at any time; however, the application fees will not be refunded if required notice of the legislative hearing has already been sent to the newspaper.

Boyle explained that a portion of the application fee covers the cost of advertising the hearing in the newspaper. Current policy is to deny a refund request if the advertisement has already been submitted to the

newspaper because otherwise the town, and by extension the taxpayers, would end up paying for the ad instead of the applicant. Staff thought it best to codify the refund policy in the Unified Development Ordinance.

No members of the public spoke on this item.

6. Close the public hearing

Motion: Ferguson moved to close the public hearing. Iglesias seconded.

Vote: 11-0.

The town board was dismissed. The Planning Board took a short break before reconvening.

7. Planning Board business

A. Adoption of 2026 Planning Board schedule

Boyle presented the draft calendar for 2026. Boyle noted that currently, regular meetings begin at 6:30 pm and joint meetings with the town board begin at 7 pm. The schedule for 2026 proposes that all meetings begin at 7 pm. After discussion, the Planning Board decided to adopt the proposed schedule, including the 7 pm start time for all meetings.

Motion: Planning Board member Jeanette Benjey moved to adopt the 2026 schedule. Iglesias seconded.

Vote: 6-0.

B. Density discussion with Tom King, Senior Planner

Tom King, Senior Planner, presented a "density primer" to the Planning Board. He defined density as the average number of individuals or units per unit of space, such as population density (persons per square mile) or housing density (houses per acre).

King discussed various ways to regulate density, including:

- Minimum lot size/area - the traditional method dating back to the 1940s-50s
- Dwelling units per acre (density zoning)
- Clustering or performance zoning - more complex but offers flexibility and resource protection
- Regulation by square feet per bedroom
- Floor area ratio
- Form-based codes - focusing on building relationships rather than distinct land uses

The presentation sparked discussion about affordable housing, environmental protection, and parking concerns. Board member Jeanette Benjey raised concerns about parking provisions in higher-density developments, noting that many residents have more vehicles than developments account for. The board discussed the challenges of balancing density with practical considerations like parking, walkability, and infrastructure.

King provided a real-world example of condominiums across from Town Hall, calculating a gross residential density of 15 dwelling units per acre on the 1.5-acre site, with potentially 51-94 residents depending on occupancy calculations.

Casadonte thanked King for the presentation. Boyle noted that she would send King's PowerPoint presentation to board members after the meeting.

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Before moving on to updates and adjournment, the board members discussed whether they were ready to make recommendations on agenda items 5B and 5C. Members agreed they were ready to vote on item 5C but wished to discuss 5B further.

Planning Board recommendation for agenda item 5C, staff-initiated text amendment to UDO Section 3, Administrative Procedures

Motion: Iglesias moved to recommend approval of item 5C as presented. Planning Board member Sherra Lawrence seconded.

Vote: 6-0.

The Planning Board then began to discuss item 5B, the proposed rezoning of three parcels in Oakdale Village. Members discussed the potential implications of General Commercial zoning, which would allow single-family development, versus Economic Development zoning.

Applicant Tony Whitaker and Mark O'Neal, a real estate broker with Pickett Sprouse Commercial working with the property owner, addressed the board. They explained the history of the Oakdale Village project and discussed the existing covenants of its Property Owners' Association.

Planning Board recommendation for agenda item 5B, applicant-initiated rezoning request for three parcels in Oakdale Village (PINs 9863-87-8657; 9863-97-1719; 9863-97-2991)

Motion: Iglesias moved to recommend approval of item 5B to the town board. Lawrence seconded.

Vote: 6-0.

C. Board member and staff updates

As the Planning Board representative to the Board of Adjustment, Iglesias reported that there had been no Board of Adjustment meeting that month. Boyle noted that Vice Chair Hooper Schultz was not present, so there was no Parks and Recreation Board update.

For staff, Boyle reported that a proposed 49-lot subdivision on NC 86 North in the county's jurisdiction had been denied by the Orange County Board of Commissioners.

8. Adjournment

Motion: Lawrence moved to adjourn the meeting. Iglesias seconded.

Vote: 6-0.

The meeting adjourned at 8:26 pm.

Respectfully submitted,



Molly Boyle, AICP, CZO
Senior Planner
Staff support to the Planning Board

Approved: January 15, 2026