



**OAK RIDGE PLANNING & ZONING BOARD MEETING
MAY 28, 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

- Ron Simpson, Chair
- Nancy Stoudemire, Vice Chair
- Patti Paslaru
- Jason Streck
- Steve Wilson (Entered the meeting at 7:25 p.m.)

Staff Present

- Sean Taylor, Planning Director
- Sandra Smith, Town Clerk

Board Members Absent

- Larry Stafford
- Tammy Gardner
- Maureena Shepherd, Alternate

1. CALL TO ORDER

The meeting was called to order by Chair Ron Simpson at 7:10 p.m.

2. APPROVE AGENDA

Jason Streck moved to approve the agenda. Patti Paslaru seconded the motion, and it was passed by 4-0 vote.

3. APPROVE MINUTES

Patti Paslaru made a motion to approve the minutes of the February 27, 2020 meeting. Jason Streck seconded the motion, and it was passed by 4-0 vote.

4. NEW BUSINESS

SITE PLAN SP-20-01: The Town of Oak Ridge submitted a site plan for approval of a 10-space parking facility. The property is located on Linville Road, 460 feet southeast of Linville Ridge Drive, and addressed as 8509 Linville Road. It is Guilford County Tax Parcel 230230, consists of approximately 28.36 acres, and is zoned RS-40(Residential), Greensboro (GW-III) Overlay. It is owned by Town of Oak Ridge.

Planning Director Sean Taylor stated that the Town had agreed to accept an open space dedication from the Riverside subdivision and to construct a portion of the Mountains-to-Sea Trail (MST) on it. Although the Guilford County GIS said the property was owned by BRC Riverside, it is now owned by the Town. 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 noted that the Town, in coordination with the Mountains-to-Sea Trail Committee, wanted to construct a parking lot to access the newly opened section of the Mountains-to-Sea Trail located along the south side of the Haw River. Taylor said that the site plan meets all the technical requirements of the Town's development ordinance. He also noted that the site plan had been submitted for review by the Town's stormwater engineer. He said although the MST Committee had asked for more spaces, any more than 10 spaces would infringe on the stream buffer. He said design and construction of the parking lot would be paid for by a grant from the state. He noted that although the site plan indicated the parking lot would be concrete, it would be instead be gravel so it would be a pervious surface next to the watershed.

Patti Paslaru asked if the property had been posted or the neighbors notified. She said she lived nearby and had not seen anything. Taylor said no, as there were no statutory requirements for those things for approval of a site plan. He explained the location of the lot, which would be on the south side of the bridge. He said there was only one residence nearby, and the intention was to maintain a tree buffer as much as possible between the parking lot and the residence. He said the trail had been constructed between Linville and Pepper roads. Paslaru said she was not crazy about having a parking lot in the middle of houses. Taylor said that was why the Town had limited the size of the parking lot, would have a landscape buffer, and would not pave the lot.

In response to a question from Simpson, Taylor said the area would have to be leveled and that DOT would require the entrance, perhaps the first 15-20 feet, to be concrete or some other type of paving.

Paslaru asked if NCDOT was concerned about putting a driveway in that area, saying that there were accidents at the bridge practically every week and that the road curved in that area. She said teenagers had died in an accident at the bridge. Taylor said he had not heard any concerns from DOT and that the parking lot was designed for minimal use. He said eventually the Town would likely build a sidewalk from there to the Town park. He said they had considered putting the parking lot on Pepper Road, but that was a worse location.

Simpson asked if NCDOT had to approve the plan, and Taylor said they would have to approve a permit for the driveway. Simpson asked what information Paslaru needed to be able to make a decision, and Paslaru said she did not need anything because she knew how many accidents occur at the bridge because she lives nearby.

Stoudemire asked Taylor if the lot was smaller than the one at the Cascades Preserve, and Taylor said yes. She said that parking lot was also in a curve and at the top of a hill. She said if one of the Town's goals is to have trails, they need to be accessible. Stoudemire said she did not know if there was any other location for a parking lot near this section of the trail, and Taylor agreed that there was not.

Streck said he had not made up his mind, but it seemed like there was a greater risk for accidents the more the trail is used. He asked if DOT or someone could do a study or take action — such as to reduce the speed limit or post signage — to help sway the opinion of those who were having a problem with the location. Taylor said the Town could ask the DOT to consider those actions.

Paslaru said a lot of vehicles speed in that area.

Stoudemire asked if flashing lights or something could be installed to alert drivers. She noted that a lot had been done to alert motorists at the Bur-Mil trailhead parking lot on Strawberry Road in Summerfield. Taylor said approval of the site plan could be conditional upon NCDOT adding signage or lowering the speed limit.

Further discussion ensued. Paslaru said she would like to see a report indicating the number of accidents that had occurred at the bridge. Taylor said the parking lot would be placed as far away from the bridge as possible. Although he could not give the specific distance, he said it was more than 100 feet away.

Streck said he liked the concept of a parking lot to access the trail, but he wanted to ensure it was safe. Taylor said he had been involved with a similar situation previously and it was mitigated through the use of signage with flashing lights. Paslaru questioned whether flashing lights were wanted in the area since it was all residential. Taylor said the parking lot was not designed to be open all the time. Discussion then ensued regarding whether there would be a gate at the entrance to the parking lot and who would be in charge of opening and closing it.

Paslaru said she would like to see the neighbors notified. Town Clerk Sandra Smith said that several discussions had been held with the closest neighbor.

Taylor said the parking lot was being funded by a grant, so a special meeting might be needed if there was a deadline to be met.

Stoudemire said other DOT or highway-related issues had come up in the past, and it had not been within the Board's scope to be able to require a particular action by NCDOT. Taylor said the Board's responsibility was to determine that a site plan meets the Town's Code of Ordinances. He said he needed to know what aspect of the plan did not conform to the ordinance.

Paslaru said the parking lot was not similar to anything in the area, and there was nothing comparable nearby. Streck said the Board considered neighborhood entrances all the time and whether they conform to the ordinance. He said the safety and security of Oak Ridge residents is part of the Board's purview. Taylor said he could not guarantee that DOT would approve a particular action requested by the Board, and Streck said the Board could make their approval conditional upon DOT's response.

Paslaru said she felt like the Board was being pushed to make a decision while there were questions and concerns. Streck asked if the issue was being pushed because

there was a timeline associated with the grant, and Taylor said yes. Paslaru said an issue concerning safety should not be moved forward because money was involved.

Simpson said he was not sure who had the final say on whether something is safe. Streck said he thought the Board did, and Wilson agreed.

Simpson asked what additional information the Board wanted staff to obtain. Paslaru said she wanted to see information on the number of accidents, which could be obtained from the fire department. Taylor said he would request that information.

Taylor said if the Board votes against the plan, it needs to cite ordinances that are not being met. He said he did not think road safety could be part of the consideration. Paslaru said this instance was different from usual actions by the Board because the Town is the applicant. Taylor said if the Board denied the approval of the plan, it was not just denying the Town but another citizen committee. Streck said it did not sound as if the MST Committee had discussed safety much before sending the plan to the Board.

Paslaru asked how the parking lot would affect flooding at the bridge, and Taylor said the Town's stormwater engineer had approved the plan.

Stoudemire asked if it was Taylor's opinion that the site plan meets the ordinance, and Taylor said yes. She cited the issues of location and topography as to why the parking lot could not be placed on Pepper Road.

Patti Paslaru made a motion that the issue be tabled until the next meeting and directed staff to obtain additional information. Information requested included the number of accidents at the bridge, traffic counts on Linville Road, how many trips per day were expected to be added by the parking lot, what measures would be taken to ensure safety in the area, and the hours the parking lot would be open. Further discussion ensued. Jason Streck also asked for a signage plan that the Board could consider for conditional approval, which might simply include the Mountains-to-Sea Trail Committee's input on what type of signage or safety items had been considered. Steve Wilson seconded the motion, and it was passed by 4-1 vote (Stoudemire voting against).

5. PUBLIC COMMENTS

6. ADJOURNMENT

Jason Streck made a motion to adjourn the meeting at 8:05 p.m. Steve Wilson seconded the motion, and it was passed by 5-0 vote.

Respectfully Submitted:

Sandra B. Smith, NCCMC, CMC
Town Clerk

Ronald D. Simpson
Chair