

TOWN OF UNIONVILLE
MINUTES OF REGULAR PLANNING BOARD MEETING

The Planning Board of Town of Unionville met on Tuesday, September 12, 2017, at Town Hall, 1102 Unionville Church Road, Monroe, NC. Vice-Chairman Craig Rushing, Board members Jeff Broadaway, Aaron Tarlton, Ken Trull, and Gene Price were present. Absent were Chairman Joe Medlin, Andy Fowler, and Alternates Barry Baucom and Scott Barbee.

Everyone stood and recited the Pledge of Allegiance to the United States flag, after which Jeff Broadaway led the prayer of invocation.

Vice-Chairman Rushing called the meeting to order and welcomed all to the meeting. Upon motion duly made by Jeff Broadaway, seconded by Ken Trull, the Board unanimously approved the minutes of the August 7, 2017, regular meeting.

Vice-Chairman Rushing introduced the first item of business, the recommendation for a Major Development permit for Piney Drive, an addition to The Oaks at Camden North Phase. Rushing opened the floor for Ron Rushing to speak. Mr. Rushing stated that this was the property previously owned by Coach Griffin, and he stated that he shows where an extension comes from what currently exists. This property adds an additional 21 acres. Ken Trull asked Mr. Rushing if this was the last of the property for the development. Mr. Rushing affirmed that this would conclude the development and is just adding an extension onto the existing street. The property had 60 feet off of Camden Road, and this property adjoins that. Vice Chairman Rushing asked if this property had not been in the picture prior to now. Mr. Rushing stated that it was not a part of the first group and it took about two months to secure this property after the last phase was acquired. Ken Trull stated that there was some back and forth on the ditches in the last phase, and he wanted to know if that had been resolved. Mr. Rushing stated that it had been resolved and that was mostly on the main portion of the development. He went on to state that it was simply a ditch, and there have been no problems even with all of the rain. He stated that he looked at several different, expensive options. On the plat, the culdesac initially had a street going to the back of the property. Mr. Rushing stated that they stopped the culdesac at the top of the hill and made two large tracts to avoid extra expense. Vice Chairman Rushing asked the board if there were any additional questions. Jeff Broadaway asked if there would be any further additions that would come before the board. Mr. Rushing stated that the Griffin property will have about 15-16 more lots. Administrator Gaddy noted that all will be considered tonight will be the Piney Drive expansion. Although it is 16 lots, because it is part of a major subdivision, it must be treated as such. She advised the board that they will make a recommendation, council will hold a public hearing, and then council will make a decision. Administrator Gaddy stated that she had still not heard from the Post Office & the Engineer. If the board is favorable for this, she requested that the board make it contingent on the approvals from the Post Office and the Engineer. Mr. Rushing stated that in the new phase they would not be able to have mailboxes, rather there would be three different stations in the new phase. We have designated a space for the mail station that will accommodate boxes. Administrator Gaddy stated that since those plans are in place, she no longer needed to hear from the Post Office. Vice Chairman Rushing asked if there was a specific code for the boxes. Mr. Rushing stated that there was a code and the

stations conformed to all of the postmaster's requirements. Administrator Gaddy stated that the Post Office did approve the proposed style of box. Mr. Rushing stated that everything ordered requires a stamp of approval from the USPS. Administrator Gaddy stated that the only comments she is waiting to hear from are the Engineer's. Vice Chairman Rushing asked if there was anything else. Jeff Broadaway made a motion to recommend the approval, contingent on the Engineer's approval, and that it is reasonable, in the public interest, and consistent with town's land use plan adopted in March 2006. Gene Price seconded the motion and it passed unanimously.

Vice-Chairman Rushing then brought up the recommendation for rezoning #ZC-17-01 to rezone parcel number 08099014 located at 3102 Love Mill Road from RA-40 to CUD-B-2 for a parking lot. Vice Chairman Rushing stated that everyone should be familiar with this rezoning request. Barbara Laney stated that the lot was created to help with the high school parking situation and did not realize it was out of ordinance. She asked for the board's approval. Ken Trull asked if there were lights. Ms. Laney stated that there are lights. Aaron Tarlton asked if it could be locked. Ms. Laney confirmed that it is locked and they open and close the lot each day and night. Ken Trull asked if they had spoken with the school. Ms. Laney stated they had not spoken with the school and have been operating the lot since last year. They have added gravel on the property to add additional parking spaces. Administrator Gaddy stated that she had reached out to the schools to get some feedback and has provided the board with those responses. Administrator Gaddy went on to state that the school was indifferent. There are some students who walk to school. The traffic director, Ken Baucom, will assist the students in crossing the road; he has been helping for a number of years. Ms. Laney stated that they keep it mowed and asked the kids to walk using the mowed paths. She also stated that they ask the students to not be reckless, and we will revoke the pass if they are misbehaving. Vice Chairman Rushing asked if the entrance was wide enough for two vehicles. Ms. Laney stated that it was wide enough so that two vehicles can enter/exit the property at the same time. She went on to state that the fence was lowered from 8 feet to 4 feet, they cleared out the property on the sides, and tried to make it safer and more visible. Ken Trull asked if the CUD - Conditional Use District - was a permanent designation. Administrator Gaddy stated that it was and it is a two-step process. The Council would vote to approve to make it a CUD, then they would apply zoning. Ms. Laney stated that if they needed to rezone residential, we would have to come back. We foresee this being a need for a while at PHS. There will be kids who need a spot. Vice Chairman Rushing asked if this had been worked out between the parents, students, and you all. Is it by month, year; and if something happens to a vehicle, who is liable? Ms. Laney stated that they have a contract with the parents and students and are not responsible for any thefts or problems. She stated that the cost to park is \$90 per year. We will refund students a pro-rated amount, and we will only charge a student a pro-rated amount if a student begins parking mid-year. Jeff Broadaway asked how much the permits were for school parking. Administrator Gaddy stated that they are \$50 per year and Piedmont is the only high school in the district with this problem. Dr. Tyson met with BOE and asked for more parking, and they would not approve any additional funding for more spots. Ms. Laney stated that they had to charge that much to make up some of the costs for the gravel and timbers for each spot. She further stated that they have had three people so far who have gotten a spot and are moving over. Jeff Broadaway stated that he was asking about the cost because he would have intentionally parked there to avoid traffic. Vice Chairman Rushing asked if the traffic director was there in the morning and

afternoon. Deputy Clerk Braswell affirmed this. Administrator Gaddy stated that she was not aware of the lot and received a complaint and realized it was not allowed in RA-40. Although they are operating out of compliance, she told them to resume operations since they are seeking compliance.

Danny Morgan spoke, saying that kids' parents started calling, there were only 88 spots available after all seniors got their passes. We are trying to help the community and support students. Ms. Laney stated that a lot of these students play ball and work jobs after work, and their parents can't get them. Jeff Broadaway asked if they allow the school to sell their spaces first in an effort to avoid competition. He also asked if spaces were sold on a first come, first served basis. Ms. Laney confirmed that they wait for the school to respond and if anyone with a reserved spot got a pass, we moved down to our waitlist. Mr. Morgan stated that they knew it was a hassle for the parents and wanted to help out. There was a lottery. One senior was a day late for signing up, and so they gave him their number 1 spot. Vice Chairman Rushing asked if there was any additional information for the board. Administrator Gaddy stated that she had received a letter in support of the lot from an adjoining neighbor, Chase and Abigail Coble. The letter also encouraged sidewalks for the students. Vice Chairman Rushing stated that he spoke with some of the administrators and faculty who stated that the students would find somewhere to park and this area is contained, so students were coming from a more concentrated area. Jeff Broadaway asked if the lot would be used for sporting events or if it would be closed. Ms. Laney said they had not considered that yet. She went on to comment that there are some students who play sports and they leave the lot open until those students are able to return. Ken Trull stated that there would not be a way for the town to monitor the spaces and it would be up to the owners to decide if they wanted to open or close the lot. Vice Chairman Rushing asked if there was a pass. Ms. Laney confirmed there was a pass with a number that they provide. Vice Chairman Rushing asked if they are accessible. Ms. Laney confirmed they were accessible and checking the lot regularly. One student left their lights on and they were able to notify the student before the battery died in the car. She stated that they exchange numbers with the students and are able to keep in close contact, as needed. She also stated that there is an undercover police officer who parks near the area and keeps an eye on it. Mr. Morgan stated that they have their rules that they adhere to. When the high school made their new stadium larger and the last redistricting occurred, there were several spots that were lost. Jeff Broadaway said that Mr. Coble supporting this is positive and speaks highly of what they are doing. Ms. Laney stated that this is not a hang out and they will not permit criminal and illegal activity. They stated that they were only trying to be helpful and resolve an issue the school was having. This is not an advertised lot, but is only learned about through word of mouth. Jeff Broadaway recommended six conditions: 50 spaces, lighting, 7am - 6 pm M-F, they can move them onto campus after school, only PHS students, encourage students to use traffic director for crossing, parking lot chained off when not in use.

Vice Chairman Rushing called for any additional comments. Ms. Cindy Tyson spoke to object to the plan. She stated that she lives adjacent to the dump, and was representing Denise Collins. She has been renting for over 20 years. Ms. Tyson said that she understood the parking problem at PHS, however, she does not feel that it is the Town's responsibility. She feels that this is the problem of the school system. She stated that she is most concerned with student safety. She is home nearly every day and tries to be home as often as possible. Last year, when there were 3-4 students, she did not think anything about it.

She stated that she had allowed a student to park in her driveway in the past, stating that many of the neighbors had done it. She said that while they have mowed the grass, the students are not paying attention and crossing the street without any regard to safety. According to Ms. Tyson, one particular student walks in the middle of the lane of traffic. She went on to state that students walk on the road, not off the road because there is not a whole lot of walking space available. She stated that even when the students are walking on the grass, she has seen vehicles cross the lines to avoid driving too closely. Ms. Tyson stated that she did not want to see a child killed. She also stated that the ditches get wet and muddy. It will take several days for the ditches to dry out whenever it rains. The traffic backs up for people going to the school. She stated that she has seen people who were not going to the school peel out of the line to avoid the traffic. If kids are not paying attention to someone doing that, there is no time or room for the kids to go somewhere. If there were sidewalks that the students could use, she stated that she would not have a problem. She went on to ask that if a child trips and falls walking across her property, who is liable? She said that she would be held responsible if a child trips and falls. She stated that she is totally opposed to the lot because it is not set up in the best interest of the students. Dr. Tyson said he tells the students that buses run every day. Driving to school is a privilege, not a right. She questions how the students got back and forth before driving. Ms. Tyson stated that she had two sons who went to PHS, and they walked back and forth to school. She stated that she finally let her boys have a car and drive to school their senior year. In the past week, she stated that three students were killed in accidents. She said that she sees kids driving recklessly and it is not good. She said that it would only take one student who got tired of waiting to cross. The land and area are not laid out for the increase in activity. She asked the board to go and walk around the lot to see what she is talking about. Ms. Tyson stated that she also spoke on behalf of her landlord, who also opposed the lot.

Ken Trull asked Administrator Gaddy if she stated that Mr. Novack had a concern about sidewalks. Administrator Gaddy stated that he said that would be their concern. Nowhere in the Town's ordinance do we address sidewalks. Ken Trull asked if there was nothing that the Town could do about that. Administrator Gaddy stated that the DOT would have to be involved with any sidewalks. Vice Chairman Rushing asked if there were any other questions. Aaron Tarlton stated that he recommended to change the approval to state that the Town will not be responsible for student safety, unless that was out of line. Administrator Gaddy stated that the board could add or delete any conditions. Aaron Tarlton stated that Ken Helms would review that for the Town. Ken Trull asked Ms. Laney if they had looked into the liability risks. Ms. Laney stated that they had not spoken with an attorney. Vice Chairman Rushing asked Ms. Laney if they had spoke with their insurance company. She stated that they had not added an additional insurance policy. She said that they were just trying to help others and had everyone sign a release.

Mr. Scott Gsell spoke, saying that his son parks in the lot. He stated that he felt that if something happened to his son's car, it would be on him, not on the landowner. If there is a gross defect, it would be on the property owner, but otherwise he sees it as his responsibility. To pick up his son last year as a freshman involved the efforts of neighbors, friends, family, etc. His son plays ball, and he is able to pick up my other children and get home safely. Mr. Gsell stated that if he had concerns about his son being in danger, he would not allow his son to do it. The traffic is what it is, but Mr. Gsell does not think the

traffic conditions are any worse than the other parking lot. Maybe signage would be appropriate. Safety is always a concern, but he stated that he is comfortable allowing his son to park in the lot. He stated that while he cannot eliminate all risks, they have done a lot to alleviate any concerns. Mr. Gsellasked that the board vote favorably for this. It is important to so many families. Jeff Broadaway asked what the current signage was and if there could be additional signage for the students to have clear direction. Ms. Laney stated that they could put up a sign. Jeff Broadaway stated it would help to add additional coverage. In addition, he stated that signage directing pedestrian traffic flow would be helpful. Gene Price stated that pedestrian signage is the responsibility of the DOT. Aaron Tarlton asked if the board could make a recommendation that DOT be contacted requesting additional signage. Mr. Morgan stated that they would reach out to the DOT. He asked what they should do until the Town Council meets to make a decision. Aaron Tarlton stated that the Council would be made aware of the plan of action.

Vice Chairman Rushing called for a motion. Aaron Tarlton made a motion that the rezoning request be recommended to the Council and was reasonable, in the public interest, and consistent with the Town's Land Use Plan adopted March 2006, contingent upon the 8 recommendations presented by the town. Jeff Broadaway seconded the motion and the recommendation and the motion passed unanimously. Administrator Gaddy stated that a public hearing would be held on Monday Night at 7 p.m. She also noted that it would be quasi-judicial, everyone will be sworn in to speak.

In other business, Administrator Gaddy presented 32 places that the bypass will affect, 4 of which will affect 8 Unionville addresses. They are having 3 public meetings for suggestions on renaming these addresses. She stated that she was recommending one be Larry B. Simpson Drive. She asked for any interested persons to speak with her.

There being no other business, and upon motion duly made by Gene Price, seconded by Ken Trull, the Board unanimously adjourned the meeting.

Respectfully submitted,

Melody Braswell
Deputy Clerk