

**MINUTES OF PLANNING BOARD OF THE  
TOWN OF STALLINGS, NORTH CAROLINA**

The Planning Board of the Town of Stallings met for its regular meeting on September 17, 2019, at 7:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

Those present were: Chairman Jack Hudson, Vice Chairman Rocky Crenshaw; Planning Board Members Bob Wiley, Misty Craver, David Barnes, Allen Taylor, and Jacqueline Wilson.

Andrew Whitman and Robert Koehler were absent.

Staff present were: Planning and Zoning Administrator Lynne Hair, and Planning Technician David Furr.

Also present were representatives of Epcon, Phillip Hayes and John Shamp.

Call to order and recognition of quorum

Chairman Hudson recognized a quorum and called the meeting to order. The meeting commenced at 7:00 pm sharp.

1. Agenda and Minutes Approval

Chairman Hudson entertained a motion to approve the minutes of August 20, 2019. The motion was made by Mr. Wiley, seconded by Ms. Wilson, and approved unanimously. Chairman Hudson next entertained a motion to approve the agenda for this meeting. This motion was made by Mr. Crenshaw, was seconded by Ms. Wiley, and approved unanimously.

2. New Business

- a) CZ19.08.01 – A request for conditional zoning on property located on Chestnut Lane in parcel #07147135 to allow for the development of a 33-lot age restricted single-family detached subdivision.

Lynne Hair gives a brief presentation of the proposed project. She points out that the property is not currently within the Town's limits, but would be annexed and rezoned. She also points out that there will not be enough traffic generated by this subdivision for a Traffic Impact Analysis to be required. She then goes on to present the site plan and proposed elevations. She mentions that the project will have a 6% tree save, 30' buffer, street trees, and three (3) separate stormwater ponds. Also, the developer is asking for a 45' Right of Way instead of the required 60' Right of Way.

Mr. Taylor asks about why they would want to differ from what is required regarding the Right of Way.

Lynne explains that is expensive and resource-consuming for the Town to maintain ROW, and in some cases it's better that the subdivision retains control of the ROW for maintenance purposes.

Next, the applicant Phillip Hayes gives a brief presentation on the site specifics of this project.

Chairman Hudson asks a question about the staggered foundations that Epcon plans on using for the foundations. He asks specifically is there a specific height differential that the company uses for their staggered foundations.

Phillip Hayes answers by saying that the foundations differ by 18”.

Chairman Hudson next asks a question about stormwater management in the open space behind the parcels.

Mr. Hayes answers by saying that the grading of the open space will allow for the runoff to flow from the open space into the detention ponds.

Mr. Wiley asks the question “is the open space used as a common area?”

John Shamp replies saying that it is a common area but rarely ever used. Even though its rarely used it is always maintained.

At this point Chairman Hudson opens up the discussion to members of the community.

One community member, Cynthia Wiley, asks a question about the rezoning and the change in density, and how this might affect neighboring housing values.

John Shamp answers by saying that the project shouldn't affect neighboring values seeing as how the market price for a home in an Epcon subdivision is upwards of \$425,000.

She also asks about buffers. She says that she is aware of them on the site plan but is hesitant to believe they will actually be buffers.

Lynne answers by stating that a 30' buffer is a site-specific condition requested by the Town.

She goes on to mention that there is no connectivity shown in the site plan.

Lynne answers by saying that the Town has nom connectivity plan, but rather generally promotes it. This area is not included in one of the Town's Small Area Plans, so connectivity is not a requirement.

Another community member, Leslie Bolick, mentions she would not like to see connectivity to the neighboring community.

Mr. Hayes mentions that there is no connectivity shown because many property owners do not want a stubbed street against their property line. They did not want to stub any streets without knowing the future of the adjacent properties.

She asks about the stormwater plan and if runoff would affect neighboring communities.

Mr. Hayes mentions again that there will be three (3) stormwater ponds, and modern grading practices are designed so that there is no increase in runoff to neighboring communities.

She also mentions that on the site plan, it appears as if the buffer cuts across someone's property.

Mr. Hayes ensures her that the buffer is completely on the Epcon site, and that the creek and wetland in the back of the property would ensure that the buffer remained undisturbed.

Another member of the community, Elaina Aquino, asks a question about where exactly the entrance to the neighborhood will be. She is concerned about a "blind curve" on Chestnut Lane.

Mr. Hayes answers by saying that the entrance is on a strait away of Chestnut Ln, and that DOT has specifications on where an entrance can be located. He goes on to say that DOT would not approve the drive without an adequate sight distance.

Mr. Wiley asks the question of where the entrance will be in relation to the posted rezoning sign.

Lynne shows a picture of the zoning sign on Chestnut Lane, and Mr. Hayes speculates on where he believes the entrance will be located. Again, he ensures the entrance will meet DOT standards.

Ms. Craver mentions that she lives near an existing Epcon subdivision, and hardly ever sees traffic coming or going.

Chairman Hudson asks what the hours of construction would be.

Lynne reminds the Chairman of the Town's noise ordinance, and the applicant says that he'll get a definitive answer for him.

Rodney Scott, a member of the community, asks about runoff downstream and erosion towards the rear of existing properties. "Are you looking at the surrounding effects of runoff when clearing vegetation?"

Mr. Hayes again ensures that the stormwater management is designed to have no runoff impact on neighboring communities.

Another member of the community, Judy Amick, mentions that she has lived in her neighborhood for a long time and has seen the flow level of the creek continually rise due to upstream development.

Mr. Taylor asks if there will be sidewalks on both sides of the road.

Lynne answers by saying that is a requirement.

Mr. Taylor asks about greenway construction on the site.

Lynne answers by saying that is a condition to the development.

Mr. Crenshaw makes sure he is clear that there will be a 30' undisturbed buffer.

Lynne answers by saying yes.

Mr. Wiley asks about a timeframe for construction.

Mr. Hayes answers by saying most of the construction would be completed within 6 to 8 months, and that it should be completed within a year.

At this time Chairman Hudson entertains a motion to approve or deny the conditional rezoning.

Mr. Crenshaw makes the motion to deny the conditional rezoning.

Mr. Wiley makes the motion to approve the conditional rezoning with conditions of a 60' ROW, as well as a 30' buffer. Ms. Wilson seconds the motion, and the rest were in favor.

The Planning Board recommends the approval of the conditional rezoning with the exception of Mr. Crenshaw, who opposed.

- b) TX19.09.01 – Text amendment to change Multi Family Housing from a use-by-right to a CZ in the TNDO, TC, MU-1 and MU-2 Districts.

Lynne presents this text amendment and mentions that Council has asked staff to bring this before the Planning Board. Town Council would like the community to have a say in these processes by changing Multi Family Housing from use-by-right to CZ in these specific districts. She further explains that through a development agreement, Multi Family Housing is a use by right in which the use cannot be disputed. Through a conditional zoning, Council is able to voice their opinion on which uses they would like in these districts.

At this time the Chairman entertains a motion for approval or denial of the text amendment.

The motion to approve was made by Mr. Wiley, seconded by Mr. Barnes and approved unanimously

Chairman Hudson entertains a motion to verify the Town's Statement of Consistency.

The motion to approve was made by Ms. Craver, seconded by Ms. Wilson, and approved unanimously.

- c) TX19.09.02 – Text amendment changing the method of procedure for mailed notification of zoning map amendments – Article 5.3-3 (B)(2); Public Notification for Conditional Use Permits – Article 7.8-8; Notification Procedure for Vested Rights – Article 7.14-2, increasing the required distance of mail notifications to 500'; and, the removal of Article 10.1-24 (7) Multi Family.

Lynne presents the text amendment and explains that this amendment has to do with consistency regarding rezoning notifications in the Town's UDO. If amendment is approved, notices would be mailed to every address within 500' of a proposed rezoning.

At this time Chairman Hudson entertains a motion to approve or deny the text amendment.

The motion to approve was made by Mr. Wiley, seconded by Ms. Wilson, and approved unanimously.

Ms. Craver made the motion to approve the Town's Statement of Consistency, which was seconded by Ms. Wilson, and approved unanimously.

3) Adjournment

Chairman Hudson entertained a motion to adjourn the meeting. Mr. Wiley made the motion to adjourn, seconded by MS. Wilson, and passed unanimously.

The meeting was adjourned at 8:14 pm.

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Jack Hudson, Chairman

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David Furr, Planning Tech