



**November 12, 2019**

Stallings Town Hall  
 315 Stallings Road  
 Stallings, NC 28104  
 704-821-8557

[www.stallingsnc.org](http://www.stallingsnc.org)

	Time	Item	Presenter	Action Requested/Next Step
	7:00 p.m.	Invocation Pledge of Allegiance Call the Meeting to Order	Wyatt Dunn, Mayor	NA
	7:05 p.m.	Public Comment	Wyatt Dunn, Mayor	NA
1.	7:15 p.m.	Consent Agenda Approval <b>A. Minutes from the following meetings:</b> (1) 08-26-19 – special (2) 09-23-19 (3) 09-23-19 – closed (4) 10-14-19 (5) 10-14-19 – closed (6) 10-24-19 – special <b>B. Resolution Approving \$2500 Match for            Lawyers Road/Stevens Mill            Intersection</b>	Wyatt Dunn, Mayor	Approve Consent Agenda <i>(All items on the Consent Agenda are considered routine, to be enacted by one motion. If a member of the governing body requests discussion on of an item, the item will be removed from the Consent Agenda and considered separately.)</i>  <b>Motion:</b> I make the motion to: 1) Approve the Consent Agenda as presented; or 2) Approve the Consent Agenda with the following changes: _____.
2.	7:17 p.m.	Reports <b>A. Report from Mayor</b> <b>B. Report from Council Members/Town Committees</b> <b>C. Report from Town Manager/Town Departments</b>	Council and Staff	NA
3.	7:50 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve agenda as written. <i>(ADD, IF APPLICABLE: with changes as described by Mayor Dunn)</i>  <b>Motion:</b> I make the motion to: 1) Approve the Agenda as presented; or 2) Approve the Agenda with the following changes: _____.

4.	7:55 p.m.	<b>Annexation 53 – Chestnut Lane</b> <i>(Tabled from 10-28-19)</i> A. Re-Open Public Hearing B. Information from Staff C. Close Public Hearing D. Council Vote		Applicant requests deferment until 12-09-19
5.	8:00 p.m.	<b>CZ19.08.01</b> <i>(Tabled from 10-28-19)</i> A. Re-Open Public Hearing B. Information from Staff C. Close Public Hearing D. Council Vote		Applicant requests deferment until 12-09-19.
6.	8:05 p.m.	<b>CZ19.09.01– True Homes</b> A. Open Public Hearing B. Information from Staff C. Close Public Hearing D. Council Vote		Applicant requests deferment until 11-25-19.
7.	8:10 p.m.	<b>TX19.09.04 – Todd Akers</b> A. Open Public Hearing B. Information from Staff C. Close Public Hearing D. Council Vote		Approve (deny) text amendment  <i>Motion: I make the motion to approve (deny) TX19.09.04.</i>
8.	8:20 p.m.	<b>Quarterly Financial Report</b>	Marsha Gross, Finance Officer	Presentation
9.	8:30 p.m.	<b>Code Enforcement Nuisance Abatement</b> A. 107 Pine Tree Drive B. 400 Aurora Blvd.	Kolleen Dickerson, Code Enforcement Officer	Discussion and Possible Action
10.	8:40 p.m.	<b>Closed Session pursuant to NCGS 143-318.11(a)(3)</b>	Wyatt Dunn, Mayor	Go into closed session
11.	8:50 p.m.	<b>Adjournment</b>		

**MINUTES OF A SPECIAL TOWN COUNCIL MEETING  
OF THE  
TOWN OF STALLINGS, NORTH CAROLINA**

The Town Council of the Town of Stallings met for a special meeting on August 26, 2019, at 7:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Wyatt Dunn; Mayor Pro Tempore David Scholl; Council Members Billy Birt, Jr., John Martin, Lynda Paxton, and Shawna Steele.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Deputy Town Manager/Town Clerk; Lynne Hair, Town Planner; and Melanie Cox, Town Attorney.

1. Call the meeting to order

Mayor Dunn called the meeting to order.

2. Council Member Debbie Romanow Resignation

Council Member Martin made the motion to approve Council Member Romanow's resignation. The motion was seconded by Council Member Scholl and passed unanimously by Council.

Council held consensus to hold any further direction to fill that vacancy until the September 9, 2019 meeting.

3. TX19.07.01:

*Text Amendment request made by Atrium Health to Article 9.8 of the Stallings Development Ordinance requesting amendments to design standards for Highway Lot Type and Building Standards; and the addition of Article 10.1-38 adding supplemental regulations that will apply to hospital campuses.*

**Original Agenda Item 4**

Town Planner Lynne Hair explained there were several text amendments needed that would apply to hospitals in order to allow the development agreement with Atrium. The amendments included:

1. Changes to table of uses to allow hospital campuses as a permitted use in MU2 district;
2. Updating architecture standards and business height maximums for hospital campuses; and
3. Changes to highway lot type and building standards.

Town Planner Hair's presentation regarding the text amendment requests are attached to these minutes and therefore incorporated herein.

John Carmichael, Attorney for Atrium, and Bennett Thompson, Atrium, were present to discuss the project and the need for the text amendments for the project/hospital use.

Bob Ragon, 5000 Cinnamon, stated he was excited about the development and thought it would be great for the Town. Mr. Ragon liked the circulation of the project.

Mayor Dunn then closed the public hearing and the Council discussed the text amendments specifically Section 9.8-2(B)(2), drive-thru lanes. Council Member Scholl made the motion to approve the Ordinance for TX19.07.01(2) which excluded section 9.8-2(B)(2). Council Member Martin seconded the motion to which Council approved unanimously. Ordinance for TX19.07.01(2) is attached to these minutes and therefore incorporated herein.

Council held consensus to further discuss a text change to Section 9.8-2(B)(2), drive-thru lanes, at its next Council Meeting on September 9, 2019.

4. Atrium Health Development Agreement  
*Original Agenda Item 3*

Mayor Dunn opened the public hearing. Town Planner Lynne Hair explained this was a request for a Development Agreement approval for Atrium Health. The project would be located at the corner of Stallings Road and the Monroe Expressway. The property was currently zoned MU-2 in which hospitals were a permitted use. There were three different sections of the 56-acre project: hospital campus, retail use, and residential use. The Planning Board recommended unanimous approval. Ms. Hair's presentation regarding the development agreement and the project is attached to these minutes and therefore incorporated herein.

John Carmichael, Attorney for Atrium, spoke on behalf of Atrium stated there would be a water feature and a monument sign identifying Stallings at the corner of the site on Stallings Road. Collin Lane, Sr. VP for Atrium, stated the hospital was approximately a 50 bed hospital and designed for future expansion. The project would take less than two years to open. The presentation by Atrium is attached to these minutes and therefore incorporated herein.

No one was present to give public comment on the item. Mayor Dunn then closed the public hearing.

Council Member Paxton made the motion to approve the Development Agreement with Atrium Health as presented and Council Member Martin seconded the motion. The motion was passed unanimously by Council. DA19.02.01, Atrium Health, is available for inspection in the Office of the Clerk.

5. Closed Session Pursuant to NCGS 143-318.11(a)(3) and (4)

Council Member Steele made the motion to go into closed session pursuant to NCGS 143-318.11(a)(3) and (4) and to invite Town Planner Lynne Hair, Town Engineer Chris Easterly, and Chris Plate,

Union County Economic Development into the closed session. The motion was passed unanimously by the Council after a second from Council Member Scholl.

*Council went into closed session at approximately 8:30 p.m. and reconvened into open session at 9:13 p.m.*

6. Adjournment

Council Member Steele moved to adjourn the meeting, seconded by Council Member Scholl, and the motion received unanimous support. The meeting was adjourned at 9:13 p.m.

Approved on November 12, 2019.

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Wyatt Dunn, Mayor

\_\_\_\_\_  
Erinn E. Nichols, Town Clerk

Approved as to form:

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Cox Law Firm, PLLC

DRAFT

**MINUTES OF TOWN COUNCIL MEETING  
OF THE  
TOWN OF STALLINGS, NORTH CAROLINA**

The Town Council of the Town of Stallings met for its regular meeting on September 23, 2019, at 7:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Wyatt Dunn; Mayor Pro Tempore David Scholl; Council Members Billy Birt, Jr., John Martin, Lynda Paxton, and Shawna Steele.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Deputy Town Manager/Town Clerk; Chief Minor Plyler; Lynne Hair, Town Planner; David Furr, Planning Technician; Chris Easterly, Town Engineer; Marsha Gross, Finance Officer; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Wyatt Dunn welcomed everyone to the meeting and Council Member Steele delivered the invocation. Mayor Dunn then led the Pledge of Allegiance and called the meeting to order.

Interim Chief Plyler introduced two new officers to the Council and the Town: Steven Weeks and Kimberly Hubbard.

Council Member Scholl introduced Porter Ridge High School Women's Basketball Coach and Team to the meeting.

Public Comments

Kelly McCammon, 313 Smith Circle, wanted to know what was going on with the development. She wants to know if her house was going to be torn down in here neighborhood. There was a rumor that there would be townhomes going up on Smith Farm.

1. Agenda Approval

It was recommended to add NCGS 143-318.11(a)(3) and (6) to Agenda Item 15, *Closed Session Pursuant to NCGS 143-318.11(a)(4)*; move Agenda Item 11, *Personnel Policy Change*, to 6.A. and Agenda Item 12, *Police Department Items*, to 6.B; and move Agenda Item 9, *District 6 Candidates Introductions*, to Agenda Item 1.A.

Council Member Steele made the motion to approve the Agenda with the above noted changes. The motion passed unanimously after a second from Council Member Scholl.

1.A. District 6 Candidates Introductions

*Original Agenda Item 9*

There were three applicants who submitted letters of interest for the District 6 vacancy. Council gave each applicant an opportunity to speak to introduce themselves to the Council: John Howard, Brad Richardson; and Allen Taylor.

Council held consensus to appoint a candidate at the October 14, 2019 meeting.

2. TX19.08.01 (Tabled from 09-09-19)

Town Planner Hair explained this was a text amendment request to Development Ordinance article 8.4-6 (F)(2) to clarify the minimum lot size requirement of 6,000 square feet applied to single family detached housing type.

Mayor Dunn reopened the public hearing. No one was present to speak on this issue. Mayor Dunn then recessed the public hearing until 10-28-19.

Council held consensus to change the lot size requirement in the MU-2 district and take the item back to the Planning Board for review on October 15 prior to Council adoption.

3. TX19.08.02 (Tabled from 09-09-19)

Mayor Dunn reopened the public hearing. Town Planner Hair explained this item was a text amendment request to Development Ordinance Article 5.4 amending the application procedures for conditional zoning request. The change to this amendment from 09-09-19 which was requested by Council clarified the mail notification requirement to 500' from the edge of the property for community meetings.

No public was present to speak to this item. Mayor Dunn closed the public hearing. Council Member Paxton made the motion to approve the Ordinance Amendment for TX19.08.02. The motion received Council Member Steele's second and was passed unanimously. The Ordinance Amendment for TX19.08.02 is attached to these minutes and therefore incorporated herein.

Mayor Dunn read the Statement of Consistency and Reasonableness for TX19.08.02 into the record. Council Member Steele made the motion to approve Statement of Consistency and Reasonableness for TX19.08.02. The motion was seconded by Council Member Scholl and passed unanimously. The Statement of Consistency and Reasonableness for TX19.08.02 is attached to these minutes and therefore incorporated herein.

4. TX19.09.01

Mayor Dunn opened the public hearing. Town Planner Hair explained this was a text amendment to Table 8.1 of the Stallings Development Ordinance changing Multi Family Housing from a use-by-right to a CZ in the TNDO, TC, MU-1 and MU-2 Districts. This removed multi-family as a use by right in those districts.

No public was present to speak to the item. Mayor Dunn then closed the public hearing. Council Member Martin made the motion to approve the Ordinance Amendment for TX19.09.01. The motion was passed unanimously after a second from Council Member Birt. The Ordinance Amendment for TX19.09.01 is attached to the minutes and therefore incorporated herein.

Mayor Dunn read the Statement of Consistency and Reasonableness for TX19.09.01 into the record. Council Member Martin made the motion to approve Statement of Consistency and Reasonableness for TX19.09.01. The motion was seconded by Council Member Birt and passed unanimously. The Statement of Consistency and Reasonableness for TX19.09.01 is attached to these minutes and therefore incorporated herein.

5. TX19.09.02

Mayor Dunn opened the public hearing. Town Planner Hair explained this item was a 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. This would increase the mail notification to 500'.

No public was present to speak to this item. The Mayor then closed the public hearing. Council Member Martin made the motion to approve the Ordinance Amendment for TX19.09.02 which received a second from Council Member Steele. The motion was passed unanimously. The Ordinance Amendment for TX19.09.02 is attached to these minutes and therefore incorporated herein.

Mayor Dunn read the Statement of Consistency and Reasonableness for TX19.09.02 into the record. Council Member Steele made the motion to approve Statement of Consistency and Reasonableness for TX19.09.02. The motion was seconded by Council Member Scholl and passed unanimously. The Statement of Consistency and Reasonableness for TX19.09.02 is attached to these minutes and therefore incorporated herein.

6. Text Amendment Consideration (Tabled from 09-09-19)

Town Planner Hair reminded the Council that at its 09-09-19 meeting, Council tabled this item.

The item, an amendment to Section 9.8-2.b.2, dealt with highway commercial drive-thru lanes location. The current ordinance stated that the lanes had to be on the rear of the building and did not allow for drive-thru lanes on the front or side of the building. The proposed language allowed for drive-thru lanes on the front and side of building as long as there was a knee wall, additional landscaping, and no speaker boxes or windows on the main road. The request was made by Atrium, not staff.

Council Member Scholl made the motion to approve the Ordinance Amendment for TX19.09.03. The motion was seconded by Council Member Steele which was passed unanimously by Council. The Ordinance Amendment for TX19.09.03 is attached to these minutes and therefore incorporated herein.

6.A. Personnel Policy Change

*Original Agenda Item 11*

Human Resources Director Karen Williams explained this amendment to the Personnel Policy was necessary due to an error made by the MAPS Group when redoing the Town's Personnel Policy. The MAPS Group erroneously stated the Town had to follow FMLA, however the Town did not reach the minimum employee count needed to be mandated by the FMLA. The change removed the FMLA requirement but stated that the Town was an employer with less than 50 employees that choose to offer family and medical leave benefits.

Council Member Martin made the motion to approve the personnel policy change. The motion was passed unanimously after a second from Council Member Steele.

6.B. Police Department Items

*Original Agenda Item 12*

A. Sell of Used Patrol Vehicle

Chief Plyler explained that the Town of Hamlet would like to purchase a used patrol car from the Town of Stallings which the Town was no longer using. The car had a trade-in value of approximately \$1500 and the Town of Hamlet was willing to purchase the car for \$2000.

Council Member Paxton made the motion to approve the sell of the used Town of Stallings patrol car to the Town of Hamlet for the amount of \$2000. The motion was passed unanimously after a second from Council Member Martin.

B. Sell of Duty Weapon

Chief Plyler requested the Town sell him his duty weapon due to his retirement in accordance with North Carolina General Statutes. Council Member Birt made the motion to sell Chief Plyler his duty weapon in the amount of \$1. Council Member Paxton seconded the motion. The motion was passed unanimously.

7. Annexation 53 – Chestnut Lane  
*Resolution Setting the Public Hearing Date*

Deputy Town Manager Nichols explained that the applicant for Annexation 53 had requested the public hearing on this item be held on October 14, 2019. Council Member Martin the motion to approve the Resolution Setting the Public Hearing Date for Annexation 53 – Chestnut Lane. The motion was seconded by Council Member Steele and passed unanimously by Council.

The Resolution Setting the Public Hearing Date for Annexation 53 – Chestnut Lane is attached to these minutes and therefore incorporated herein.

8. Ordinance Amending Code of Ordinances

Town Manager Sewell explained this ordinance amendment was to Title IX General Regulations, Chapter 93 Public Health and Safety Matters and reminded all that this ordinance dealt with the noise ordinance requirement specifically pertaining to golf course. This would allow golf courses to operate its maintenance equipment between the hours of 5:30 a.m. and 9 p.m.

Council Member Scholl made the motion to approve the Ordinance Amendment to the Code of Ordinance – Golf Maintenance Hours. The motion was passed unanimously after a second from Council Member Birt. The Ordinance Amendment to the Code of Ordinance – Golf Maintenance Hours is attached to those minutes and therefore incorporated herein.

Council requested that staff bring back an amendment allowing for turf fan usage beyond those hours.

9. District 6 Candidates Introductions  
*Moved to Agenda Item 1.A.*

10. Financial/Budget Items

A. Financial Report for June/July '19

Finance Officer Gross presented the Council with the financial report for June/July '19. Those presentations are attached to these minutes and therefore incorporated herein.

B. Amended Budget Ordinance 1 - Wedge Court Stormwater Repairs

Finance Officer Gross explained that *Amended Budget Ordinance 1 - Wedge Court Stormwater Repairs* was needed in order to account for the stormwater repairs on Wedge Court. Council Member Steele made the motion to approve *Amended Budget Ordinance 1 - Wedge Court Stormwater Repairs* which received a second from Council Member Martin. The motion passed unanimously by the Council. The *Amended Budget Ordinance 1 - Wedge Court Stormwater Repairs* is attached to these minutes and therefore incorporated herein.

Finance Officer Gross explained that the purchase of the police department replacement vehicles and the van for the Parks and Recreation Department was included in the budget. However according to the purchasing policy, the Council must approve the purchasing contracts for those vehicles. The contracts were through the NC Sheriffs Association for the police replacement vehicles were approximately \$100,000 and the minivan cost for the Parks and Recreation Department was \$20,100.

Council Member Birt made the motion to approve the purchase contracts for the police replacement vehicles and the minivan for the Parks and Recreation Department. The motion was seconded by Council Member Steele and passed unanimously.

11. Personnel Policy Change  
*Moved to Agenda Item 6.A.*

12. Police Department Items  
*Moved to Agenda Item 6.B.*  
A. Sell of Used Patrol Vehicle  
B. Sell of Duty Weapon

13. Assistant Town Clerk Oath of Office  
Deputy Town Manager/Town Clerk Nichols administered the Oath of Office for the Assistant Town Clerk to Mary McCall. The Oath of Office for Mary McCall as Assistant Town Clerk is attached to these minutes and therefore incorporated herein.

14. Considerations for Changes to Multifamily/ Mixed Use Districts (Paxton)  
Council Member Paxton explained that she would like to start a conversation regarding changing the multifamily districts.

Council consensus to have a planning meeting on this item.

15. Closed Session Pursuant to NCGS 143-318.11(a)(3), (4), and (6)

Council Member Steele made the motion to go into closed session pursuant to NCGS 143-318.11(a)(3), (4), and (6) and invite Chris Plate, Union County Economic Development, into the session for (4). Council Member Birt seconded the motion to which Council approved unanimously.

*Council went into closed session at 9:35 p.m. and reconvened in open session at approximately 10:26 p.m.*

16. Adjournment

Council Member Paxton moved to adjourn the meeting, seconded by Council Member Steele, and the motion received unanimous support. The meeting was adjourned at 10:26 p.m.

Approved on November 12, 2019.

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Wyatt Dunn, Mayor

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Erinn E. Nichols, Town Clerk

Approved as to form:

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Cox Law Firm, PLLC

DRAFT

**MINUTES OF TOWN COUNCIL MEETING  
OF THE  
TOWN OF STALLINGS, NORTH CAROLINA**

The Town Council of the Town of Stallings met for its regular meeting on October 14, 2019, at 7:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Wyatt Dunn; Mayor Pro Tempore David Scholl; Council Members Billy Birt, Jr., John Martin, Lynda Paxton, and Shawna Steele.

Staff present were: Alex Sewell, Town Manager; Mary McCall, Assistant Town Clerk; Chief Minor Plyler; Lynne Hair, Town Planner; Karen Williams, Human Resources Director; Chris Easterly, Town Engineer; Marsha Gross, Finance Officer; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Wyatt Dunn welcomed everyone to the meeting and delivered the invocation. Mayor Dunn then led the Pledge of Allegiance and called the meeting to order.

Public Comments

Philips Hayes, 3440 Toringdon Way, was the applicant for CZ19.08.01 on the agenda that evening and requested the item be deferred until the next meeting.

Margaret Henderson, 137 Dunraven Court, believed that the humans should pay more attention to mother nature's laws and the eco system. She stated that the land use plan was terrible and due to it, the Town was losing all its barren land. Ms. Henderson stated there were models of land use that included clean water and forest. She would like to see Stallings plan like Switzerland. Ms. Henderson said no one was in favor of knocking down trees to build.

Elena Aquino, 1009 Desborough Drive, had no negative comments about the proposed Epcon Community. She was saddened to see that tree retention had decreased from 10% to 6% in the land use plan. Ms. Aquino would like to understand the required buffer requirements and if the existing pond on the property would be filled. She wanted to understand how the development had all necessary floodplain permits. Ms. Aquino was concern about potential flooding since there was already flooding on the empty property and did not understand how some of the homes were being permitted to be built in the floodplain.

Patricia Pflug, 1011 Desborough Drive, was one of the neighbors to the back of the Epcon Community near the flooding line. She said the floodplain was wetlands when it rained, and the new homes would be sitting in wetlands. Ms. Pflug was concerned it would increase flooding to her lots and wanted to see the buffer requirements. She wanted to know what the builder was going to do to protect Brookhaven. Ms. Pflug was also concerned about traffic on Chestnut Lane. She stated that the Council's decision directly affected residents.

1. Approval of Consent Agenda Items

A. Minutes of the following meetings:

- (1) 08-26-19 – closed
- (2) 09-09-19
- (3) 09-09-19 - closed

Council Member Birt made the motion to approve the Consent Agenda Items as presented. The motion was seconded by Council Member Paxton which passed unanimously by Council.

2. Reports

A. Report from the Mayor

Mayor Dunn had no report.

B. Reports from Council Members/Town Committees

Council Member Steele was excited about Stallings Fest that weekend from 1 – 9 p.m. on Saturday. She invited all to attend.

Council Member Scholl reported that he, Council Member Paxton, Town Manager Sewell, and Union County Commission Frank Helms went on a CATS tour from University Area to the South End. He was impressed that CATS had improved all the areas it touched.

Council Member Martin invited citizens to reach out to him if they had questions or comments about Brookhaven and flooding.

Council Member Paxton stated that NCDOT reported that Union County had more projects (74 funded projects) and funding than any other area in the Division. She stated that it may be time to relook at the Town's transportation plan. Ms. Paxton also reported that 2.8 million transactions were recorded on the Bypass in May and most of the cars were getting billed by mail. She then reported that CRTPO staff was the smallest in the state and Ms. Paxton would be serving on the subcommittee for CRTPO about staffing.

C. Report from Town Manager/Town Departments

Town Manager Sewell reported on the following:

- Stallings Fest was the following Saturday. He gave kudos to the Parks and Recreation and Public Works Staff for all their work for that event.
- QUAD – The Stallings citizen member was vacant for that board.
- Special meeting on October 24 regarding the Development Agreement Process.

3. Agenda Approval

Council Member Birt requested adding *Rezoning Ordinance* as 11.A. Council Member Birt made the motion to approve the Agenda with the above addition. The motion was passed unanimously after a second from Council Member Steele.

4. District 6 Candidate Appointment

Council Member Paxton nominated Brad Richardson to the District 6 Seat. The nomination was unanimously accepted.

5. Annexation 53 – Chestnut Lane

Mayor Dunn opened the public hearing for Annexation 53 – Chestnut Lane. The hearing was recessed until October 28, 2019.

6. CZ19.08.01

Mayor Dunn opened the public hearing for CZ19.08.01. The hearing was recessed until October 28, 2019.

7. Text Amendment Regarding Development Agreements and Acreage Requirements

Town Planner Lynne Hair explained the Council had requested staff bring back to Council text amendments to the Development Agreements (DA) regarding acreage. The current ordinance required a DA for any project in the MU1 or MU2 districts. There had been discussion about applying a 25-acre limit to trigger a Development Agreement.

Council held consensus to discuss the item further at the October 24 special meeting.

8. Ordinance Amending Code of Ordinances

Town Manager Sewell explained that this amended to Title IX General Regulations, Chapter 93 Public Health and Safety Matters; Public Nuisances, Section 93.04 Sounds Impacting Residential Life, Paragraph (E) allowed for golf course to run turf fans as needed without hour constraints.

Council Member Scholl made the motion to approve the *Ordinance Amendment to Title IX General Regulations, Chapter 93 Public Health and Safety Matters; Public Nuisances, Section 93.04 Sounds Impacting Residential Life, Paragraph (E) – Golf Course Turf Fans*. The motion received Council's unanimous support after a second from Council Member Birt. The *Ordinance Amendment to Title IX General Regulations, Chapter 93 Public Health and Safety Matters; Public Nuisances, Section 93.04 Sounds Impacting Residential Life, Paragraph (E) – Golf Course Turf Fans* is attached to these minutes and therefore incorporated herein.

9. Hwy. 74/Stallings Road Landscaping/Irrigation

Town Engineer Easterly explained NCDOT Aesthetic Engineering Unit was implementing landscaping and irrigation infrastructure along the US 74/Stallings Road corridor. NCDOT would install and maintain the area for a one year. After one year, the Town would assume responsibility for the maintenance. Staff recommended \$26,000/year be allocated for maintenance, water usage, and potential repairs. Council would consider the cost at budget time.

10. Fall 2019 Road Surfacing Contract

Town Engineer Easterly explained that the Town had advertised for the Fall 2019 Road Resurfacing Contract. The project involved 12 roads in Stallings. Five companies submitted bids with the lowest responsible bidder being Red Clay Industries. Staff recommended going into contract with Red Clay Industries at a cost of \$356,767.69.

Council Member Steele made the motion to authorize the Town Manager to execute the 2019 road resurfacing contract with Red Clay Industries for the amount of \$356,767.69. The motion received Council's unanimous support after a second from Council Member Scholl. The bid tabulation for the 2019 Fall Resurfacing Contract is attached to these minutes and therefore incorporated herein.

11. Annexation 54 – Boyd Funderburk Drive

Mayor Dunn explained this was the first step in the annexation process for Annexation 54 – Boyd Funderburk Drive. Council Member Steele made the motion to approve the Resolution to Investigate – Annexation 54 – Boyd Funderburk Drive. Council Member Scholl seconded the motion to which the Council unanimously approved.

The Resolution to Investigate – Annexation 54 – Boyd Funderburk Drive is attached to these minutes and therefore incorporated herein.

12. Closed Session Pursuant to NCGS 143-318.11(a)(3) and (4)

Council Member Martin made the motion to go into closed session pursuant to NCGS 143-318.11(a)(3) and (4) inviting Brad Richardson, District 6 nominee, and Chris Plate, Union County Economic Development, into the session. The motion was passed unanimously after a second from Council Member Birt.

*Before going into closed session, Council paused briefly in order to swear in Brad Richardson, District 6 nominee, into the District 6 Seat. Deputy Town Clerk Mary McCall swore in Mr. Richardson. Council Member Richardson's Oath of Office is attached to these minutes and therefore incorporated*

herein. Council then went into closed session at approximately 7:57 p.m. and reconvened back into open session at approximately 8:30 p.m.

13. Adjournment

Council Member Scholl moved to adjourn the meeting, seconded by Council Member Paxton, and the motion received unanimous support. The meeting was adjourned at approximately 8:30 p.m.

Approved on November 12, 2019.

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Wyatt Dunn, Mayor

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Erinn E. Nichols, Town Clerk

Approved as to form:

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Cox Law Firm, PLLC

DRAFT

**MINUTES OF A SPECIAL TOWN COUNCIL MEETING  
OF THE  
TOWN OF STALLINGS, NORTH CAROLINA**

The Town Council of the Town of Stallings met for its regular meeting on October 24, 2019, at 6:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Wyatt Dunn; Mayor Pro Tempore David Scholl; Council Members Billy Birt, Jr., John Martin, Lynda Paxton, and Shawna Steele.

Those absent were: Council Member Brad Richardson.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Lynne Hair, Town Planner; and Melanie Cox, Town Attorney.

1. Call the meeting to order

Mayor Dunn called the meeting to order.

2. Review Stallings Development Ordinance regarding high density

Mayor Dunn allowed each Council Member an opportunity to speak and give opinion on the Stallings Development Ordinance especially in regard to high density and tree save/floodplain calculations.

After discussion, Council Member Scholl made the motion to request Demetri Batches and Rick Flowe attend a work session in the near future to review and explain the philosophies and statistics behind the creation of the small area plans and the Stallings Development Ordinance. The motion was second by Council Member Martin and passed by a 4 to 1 vote with Council Member Paxton opposing. There was a consensus to invite the Planning Board to that meeting.

Council held consensus for staff to research what other jurisdictions were doing regarding floodplain requirements and tree save as it pertains to the density calculation. Council requested staff bring that research back to Council.

3. Text Amendment Regarding Development Agreements and Acreage Requirements (tabled from Oct. 14 meeting)

Council discussed amending the fee schedule and charging applicants based on acreage or possible total investment. After discussion, Council chose to make no change on this item at the present meeting but have staff research the item to see what other jurisdictions were doing regarding the fees for development agreements.

4. Planning and Zoning Review

The Council had no items to discuss under this item.

5. Adjournment

Council Member Scholl moved to adjourn the meeting, seconded by Council Member Martin, and the motion received unanimous support. The meeting was adjourned at 7:40 p.m.

Approved on November 12, 2019.

\_\_\_\_\_  
Wyatt Dunn, Mayor

\_\_\_\_\_  
Erinn E. Nichols, Town Clerk

Approved as to form:

\_\_\_\_\_  
Cox Law Firm, PLLC

DRAFT



# MEMO

Agenda Item # 1.B.

To: **Mayor and Town Council**  
Via: Alex Sewell, Town Manager  
From: Christopher J. Easterly, P.E., Town Engineer  
Date: November 5, 2019  
RE: Critical Intersection Analysis Interlocal Agreement

---

The Union County Board of Commissioners adopted the 2019 Critical Intersection Analysis report on August 19, 2019. A total of 54 intersections were identified by a stakeholder committee and via public engagement. These intersections were then evaluated via a rating methodology for feasibility of necessary improvements, crash frequency/severity, traffic volumes and growth rates. Post evaluation, a list of 15 intersections were identified that have a competitive opportunity to score well for funding sources available through CRTPO and NCDOT.

Union County has been awarded a \$120,000 planning grant through CRTPO to perform functional designs and construction cost estimates for the 6 highest scoring intersections. The County has selected an engineering firm to conduct this work via the RFQ selection process. \$30,000 is required under the grant as the local government match. The County and the municipalities that have an intersection within their jurisdiction will cost share this portion at a 50/50 split.

The Lawyers Road / Stevens Mill Road intersection is one of the intersections that will be evaluated under this scope of work. The local match for the Town of Stallings will be \$2,500. Funds have been allocated in the budget for this task.

Enclosed are the draft interlocal agreement between the County and the Municipality and the resolution. Staff is requesting concurrence to enter into the interlocal agreement with the County.



## Resolution Authorizing the Town of Stallings to Enter into an Interlocal Agreement with Union County

WHEREAS, the County was awarded a grant from the Charlotte Regional Transportation Planning Organization ("CRTPO") for a critical intersection analysis that will study certain traffic intersections in Union County, including certain intersection(s) in the Municipality, in order to consider future intersection improvements and other transit planning (the "Grant"); and

WHEREAS, the Grant will allow for a consultant to perform the critical intersection analysis study and produce a subsequent report (the "Study"); and

WHEREAS, CRTPO will give the County One Hundred Twenty Thousand Dollars (\$120,000) in reimbursed cost under the Grant, with an additional Thirty Thousand Dollars (\$30,000) required under the Grant as a local government required match (the "Match"); and

WHEREAS, the County will contribute at least Fifteen Thousand Dollars (\$15,000) toward the Match;

NOW, THEREFORE, the Town Council of the Town of Stallings resolves to contribute Two Thousand Five Hundred Dollars (\$2,500) toward the Match due to the study including the Lawyers Road / Stevens Mill Road intersection within the Municipality's limits for study.

This the 12<sup>th</sup> day of November 2019.

\_\_\_\_\_  
Wyatt Dunn, Mayor

Attest:

\_\_\_\_\_  
Erinn Nichols, Town Clerk

Approved as to form:

\_\_\_\_\_  
Melanie Cox, Town Attorney

**STATE OF NORTH CAROLINA**

**INTERLOCAL AGREEMENT**

**COUNTY OF UNION**

THIS AGREEMENT, is made and entered into this the \_\_\_ day of \_\_\_\_\_, 2019, by and between Union County (the "County") and the \_\_\_\_\_ (the "Municipality") (hereinafter collectively referred to as the "Parties").

**WITNESSETH:**

WHEREAS, the County was awarded a grant from the Charlotte Regional Transportation Planning Organization ("CRTPO") for a critical intersection analysis that will study certain traffic intersections in Union County, including certain intersection(s) in the Municipality, in order to consider future intersection improvements and other transit planning (the "Grant"); and

WHEREAS, the Grant will allow for a consultant to perform the critical intersection analysis study and produce a subsequent report (the "Study"); and

WHEREAS, CRTPO will give the County One Hundred Twenty Thousand Dollars (\$120,000) in reimbursed cost under the Grant, with an additional Thirty Thousand Dollars (\$30,000) required under the Grant as a local government required match (the "Match"); and

WHEREAS, County will contribute at least Fifteen Thousand Dollars (\$15,000) toward the Match; and

WHEREAS, the Municipality has agreed to contribute \_\_\_\_\_ Dollars (\$\_\_\_\_\_) toward the Match due to the Study including intersection(s) within the Municipality's limits for study; and

WHEREAS, the County will engage a consultant to perform the Study, with CRTPO reimbursing the County through the Grant for the costs of the Study up to One Hundred Twenty Thousand Dollars (\$120,000); and

WHEREAS, this Agreement is made under the authority of N.C. Gen. Stat. § 160A-460 et seq.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements hereinafter set forth, the parties hereto do each contract and agree with the other as follows:

1. The term of this Agreement shall begin on mutual execution and shall continue until December 31, 2020. This Agreement may only be terminated upon expiration of the aforementioned term without an amendment extending the term executed by both parties to this Agreement. Notwithstanding the foregoing, the Parties may, by mutual written consent, terminate this Agreement at any time and for any reason.

2. After completion of the Study, and the County's receipt of Grant funds from CRTPO, the County will invoice the Municipality \_\_\_\_\_ Dollars (\$\_\_\_\_\_) for its

portion of the Match. Within thirty (30) days of receipt of such invoice, the Municipality shall pay the County the invoiced amount.

3. The County shall directly engage a consultant, selected by the County, to perform the Study. The Parties agree to work collaboratively with the consultant to provide any reasonably requested information and assistance needed for the Study. Upon completion of the Study, the County will ensure that the Municipality receives a copy of the Study.

4. This Agreement may be amended at any time by mutual, written consent of the parties.

5. This Agreement may be signed in counterparts, each of which shall be an original, with the same effect as if the signatures thereto and hereto were upon the same instrument. The Parties hereto confirm that any facsimile copy or photocopy of another party's executed counterpart of this Agreement (or its signature page thereof) will be deemed to be an executed original thereof.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed the day and year above written.

**UNION COUNTY:**

Attest: \_\_\_\_\_  
Lynn West, Clerk to the Board

By: \_\_\_\_\_  
William Mark Watson,  
County Manager

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
Finance Officer

**MUNICIPALITY:**

Attest: \_\_\_\_\_  
Clerk

By: \_\_\_\_\_  
Manager

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
Finance Officer

**Christopher Easterly**

---

**From:** Justin Russell  
**Sent:** Monday, October 21, 2019 4:49 PM  
**To:** Christopher Easterly  
**Subject:** FW: Interlocal agreement  
**Attachments:** Interlocal for Transportation Analysis Study.docx

FYI

---

**From:** Bjorn Hansen <bjorn.hansen@unioncountync.gov>  
**Sent:** Monday, October 21, 2019 4:47 PM  
**To:** 'Kevin Parker' <kparker@waxhaw.com>; Sarah McAllister <smcallister@monroenc.org>; Lisa Thompson (planner@townofweddington.com) <planner@townofweddington.com>; Justin Russell <jrussell@stallingsnc.org>  
**Subject:** Interlocal agreement

Good afternoon,

We have created a draft interlocal agreement for the local match commitment you care to make for the Critical Intersection Analysis grant. Waxhaw has two locations, and everyone else has one. As a reminder, the local match per location is \$5,000, so a 50/50 split is \$2,500 per location.

Please let me know if you have any comments on the agreement, and please communicate your local match amount you want listed in the interlocal. I would appreciate comments by November 1.

We are meeting with RS&H this Friday to begin the scoping/negotiation process. I will let you know how it goes. I hope we can get this wrapped up and approved by the BOCC at their December 2 meeting. We will see though.

Thanks,

Bjorn

**Bjorn E. Hansen, AICP CTP**  
*Transportation Planner*



**Union County Government**  
**Growth Management**  
500 North Main Street  
Suite #70  
Monroe, NC 28112  
  
T 704.283.3690  
F 704.292.2582  
[bjorn.hansen@unioncountync.gov](mailto:bjorn.hansen@unioncountync.gov)  
[www.unioncountync.gov](http://www.unioncountync.gov)

How are we doing? Please click [here](#) to take our customer service survey.



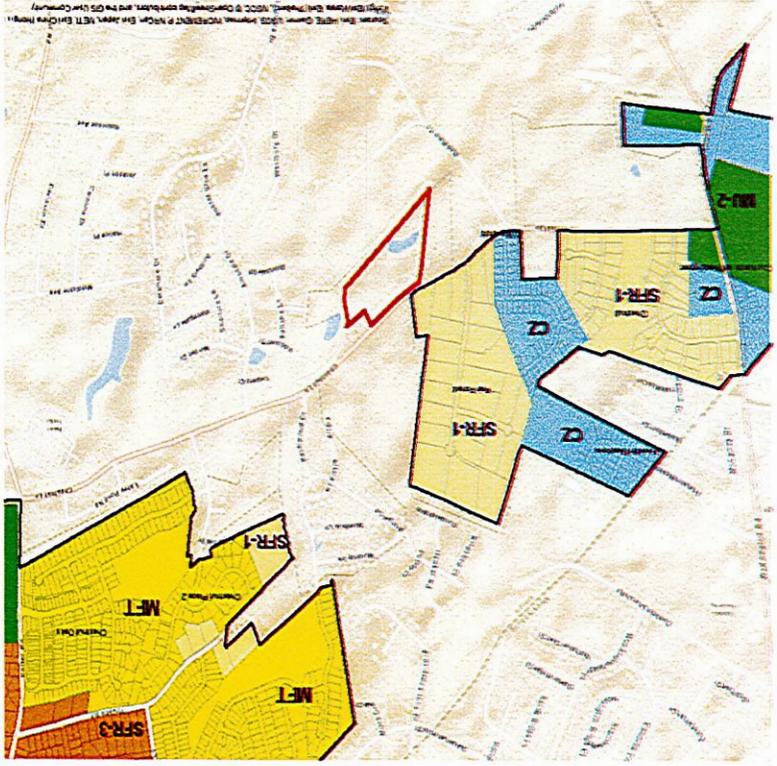
**PLANNING  
& ZONING**  
TOWN of STALLINGS

# APPLICATION *CZ19.08.01*

LAND INVESTMENT RESOURCES  
PROPOSED 33 LOT 55+ SUBDIVISION

Pre-Public Hearing Staff Analysis + September 2019

# PROJECT SUMMARY



Location  
 Chestnut Lane near  
 Intersection of Red Barn Trail

Proposed Setbacks  
 Front: 15'  
 Side: 5'  
 Rear: 10'

Ownership  
 Kenneth E. Furr  
 Stephen L. Furr

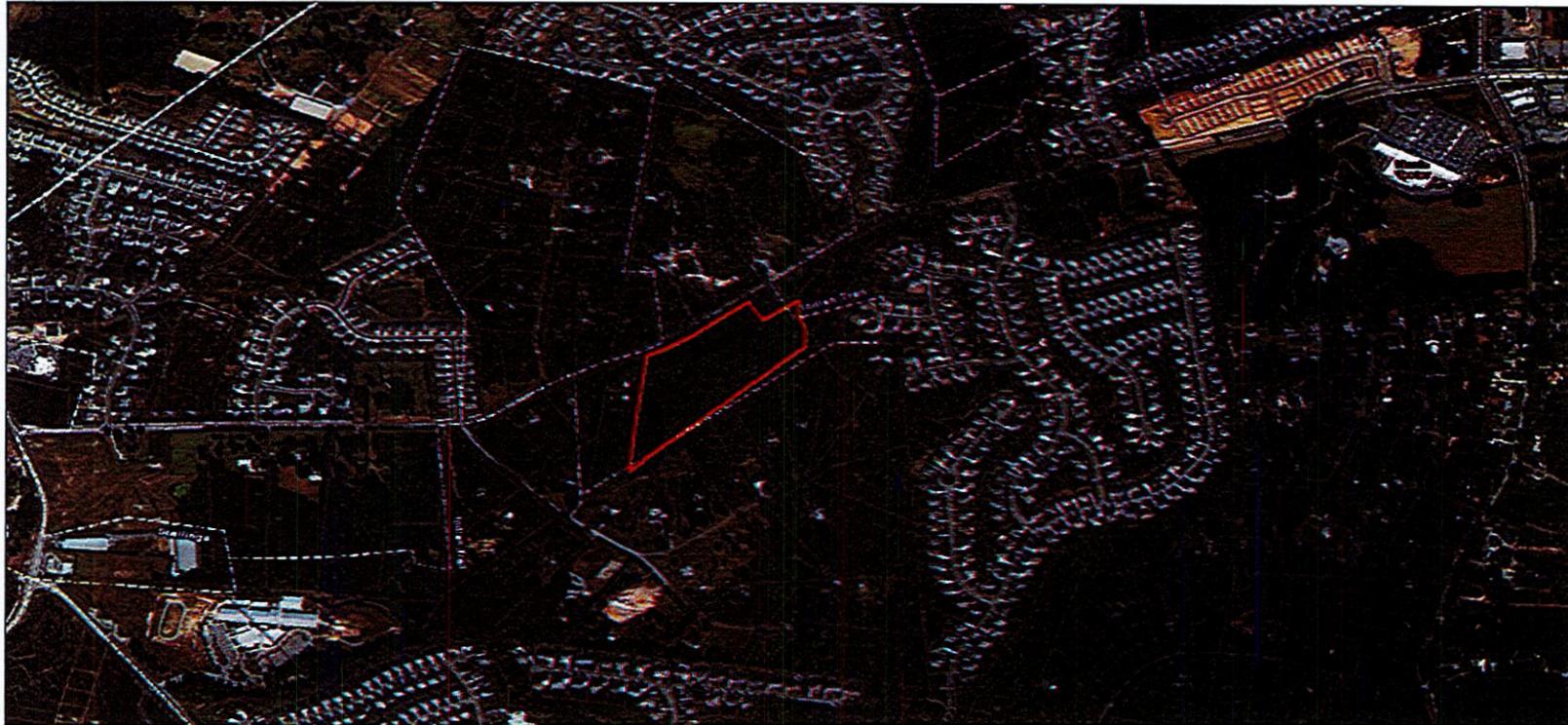
Zoning  
 R-20 (Union County)  
 No TIA Required

Existing Use  
 Vacant Land

Community Meeting  
 8/27/19

# PROJECT AREA

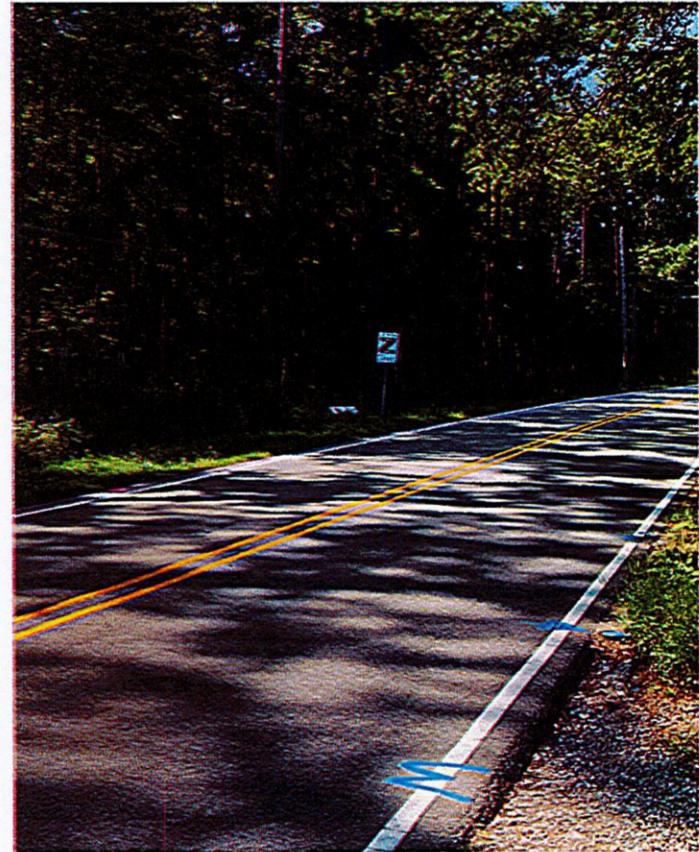
GoMaps



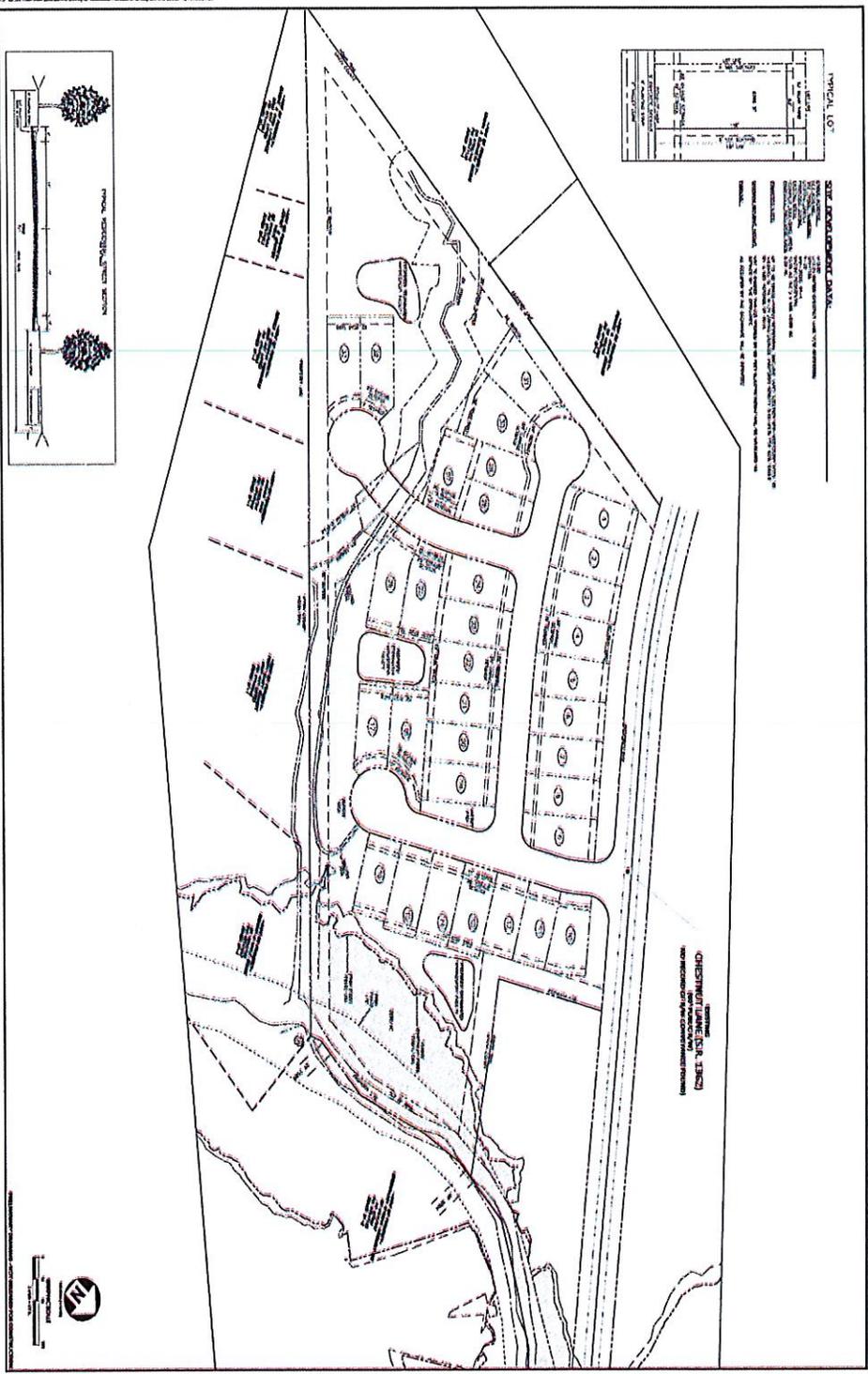
September 6, 2019

1:12,856  
0 0.1 0.2 0.4 mi  
0 0.175 0.35 0.7 km  
Sat: HERE, Garmin. (c) OpenStreetMap contributors, and the GIS user community  
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS

# PROJECT AREA



# PROPOSED SITE PLAN



**STATE OF MICHIGAN**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**  
**LAND AND WATER DIVISION**  
**LAND ACQUISITION SECTION**  
**1000 WEST WASHINGTON AVENUE, LANSING, MI 48206**  
**PHONE: (313) 373-3000**  
**FAX: (313) 373-3001**  
**WWW.MICHIGAN.GOV**

**CHESTNUT LANE (S.A. 1352)**  
**RECONSTRUCTION OF AN EXISTING ROAD**

## CHESTNUT LANE SUBDIVISION SKETCH PLAN

**MCADAMS**  
 ENGINEERS & ARCHITECTS  
 1000 WEST WASHINGTON AVENUE  
 LANSING, MI 48206  
 PHONE: (313) 373-3000  
 FAX: (313) 373-3001  
 WWW.MCADAMS.COM

**PLAN INFORMATION**

PROJECT NO.	DATE
OWNER	SCALE
DESIGNER	BY
CHECKED	DATE
APPROVED	

10/24/2019

FRIS

The screenshot displays a GIS application interface. At the top, the text "FRIS | Map Tools" is visible. Below this is a toolbar containing several icons: a search icon, a question mark, a home icon, a refresh icon, and a zoom icon. The main map area shows a topographic map with a red location pin in the center. A sidebar on the right side of the map contains a legend with the following items:

- View: Full - General Public
- Share: Information
- 3D: Information
- Home: Information
- FRIS: Information
- Map: Information
- Print: Information

<https://frs.nc.gov/Information/Map/FRIS-1/FRIS-1/General-Public>

# PROPOSED ELEVATIONS



# PROPOSED ELEVATIONS



# PROPOSED ELEVATIONS



# TREES, VEGETATION AND STORMWATER

## Tree Save (Article 11.8-2)

6% of lot area = .82 acres

## Buffers (Article 11.1)

30' will be required

## Street Trees(Article 11.6-3)

One large maturing tree/every 80 linear feet of street frontage for new developments.

## Stormwater Management and PCO

Three stormwater facilities are proposed. The PCO plan will be approved by the Town Engineer during permitting process.

# LAND USE PLAN AND ADOPTED POLICIES

## Land Use Plan

The Land Use Plan shows the property as ***Suburban Single-Family Neighborhood.***

**Primary Land Use:** Single Family Detached Home

**Secondary Land Uses:** Community Park, Community Center, Recreational Facilities, Natural Areas.

## Small Area Plan

N/A

## Consistency

The proposed development is single family detached with a density of apx. 2.46 units/acre and meets the form and parameters established by the CLUP.

## Form & Parameters (Land Use Plan)

General Development Pattern:	Separate Uses
Typical Lot Coverage:	50 – 75%
Residential Density:	1.0–6.0 DU/ac
Non-Residential Density:	N/A
Prevailing Building Height:	1 – 2 stories
Average Dwelling Unit Size:	1500-5000 sf
Transportation Choices:	Auto
Typical Block Length:	800 – 1500 lf
Open Space Elements:	Greenway/ Natural Area
Street Pattern:	Curvilinear
Street Connectivity:	Low/Medium
Parking Provisions:	Private Driveway
Typical Street Cross Section:	Rural/Suburban/ Urban

# Staff Comments and Outstanding Issues

## Planning Department

1. No TIA required.
2. Typical residential cross section requires a 60' ROW. Applicant is proposing 45'
3. Stallings Development Ordinance requires sidewalks on both sides of street.
4. Compliance with DO Article 9.2 (A) needs to be shown, or requirements waived through by Town Council through the CZ process.
  1. Crawl Spaces required;
  2. Building for principle structure may not exceed 30%
5. Connectivity to adjacent property not shown.

## Police

No concerns

## Fire

Ensure the streets are built to minimum town standards to ensure width will allow for emergency vehicle access.

## Schools (Weddington Cluster)

Report Attached

## Parks and Recreation

Stallings Greenway *Spine* to be located on Chestnut Lane at property frontage.

## Public Works

TBD

## SUMMARY OF SUGGESTED CONDITIONS

1. Project limited to 33 lots, 55+ age restricted subdivision.
2. The applicant or responsible party shall obtain all permits required for development with the Town and outside agencies in compliance with applicable regulations. The submitted sketch plan must meet all requirements as established by permitting agencies.
3. A berm will be built along Chestnut Lane within the required street buffer. This will increase the buffer width to accommodate construction of the berm to be built 4.5' in height with a 3' top width
4. All foundations will have a minimum 18 inches of exposed brick or stone on all four sides of the house. No vinyl siding will be permitted on homes. Elevations will match those submitted and presented to Council as a part of the zoning request, including garage location.
5. A grading plan prepared by a landscape architect demonstrating both positive drainage characteristics and smooth grade transitions to avoid abrupt "v" ditches, swales, and other disruptions to the landscape, particularly between dwellings will be provided as part of site construction plans for permitting. This plan will be completed to the satisfaction of the Town as approved by the Development Administrator.
6. Lot Coverage and Density will be permitted per the concept submitted as a part of the application.
7. The section of the Stallings Spine as shown in the Stallings Recreation and Greenway Master Plan will be constructed by the developer per specifications as outlined in the plan for the "Suburban Spine Cross Section".



AN ORDINANCE AMENDING THE "STALLINGS DEVELOPMENT ORDINANCE"  
OF THE TOWN OF STALLINGS, NORTH CAROLINA

WHEREAS, on February 26, 2018 the Town Council adopted the new Stallings Development Ordinance; and,

WHEREAS, approval of the requested conditional zoning to allow the property located on Chestnut Lane in PID#07147135 to be developed for 32 detached residential units is consistent with the 2017 Stallings Land Use Plan; and,

WHEREAS, the change in zoning will promote an intentional approach to development; and,

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF STALLINGS DO ORDAIN AMENDING THE STALLINGS ZONING MAP to reflect the change of zoning from R-20 (Union County) to CZ-SFR3.

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the \_th day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Wyatt Dunn  
Mayor

\_\_\_\_\_  
Erinn Nichols  
Town Clerk



## Statement of Consistency and Reasonableness

(As per NC General Statute 160-383)

*Prior to adopting or rejecting any zoning amendment, the governing body shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest. The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing body that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing body.*

CONDITIONAL ZONING:

CZ19.08.01

REQUEST:

A request for conditional zoning on property located on Chestnut Lane in parcel #07147135 to allow for the development of a 31-lot age restricted single-family detached subdivision.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Town Council hereby finds that the proposed conditional zoning request is

Consistent \_\_\_\_\_  
Inconsistent \_\_\_\_\_

with the 2017 Stallings Comprehensive Land Use Plan adopted November 27, 2017 based on consistency with goals and objectives set forth in the document for the creation of development that protects existing neighborhoods. At their November 12, 2019 the Stallings Town Council voted to recommend

APPROVAL \_\_\_\_\_  
DENIAL \_\_\_\_\_

of the proposed conditional zoning and stated that the, Town Council find and determines that the rezoning is consistent with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan and hereby recommends its approval.

The statement and motion was seconded and passed \_\_\_\_\_.

\_\_\_\_\_  
Wyatt Dunn, Mayor

\_\_\_\_\_  
Erinn Nichols, Town Clerk



**PLANNING  
& ZONING**  
TOWN of STALLINGS

**Statement of Consistency and Reasonableness**

(As per NC General Statute 160-383)

*Prior to adopting or rejecting any zoning amendment, the governing body shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest. The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing body that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing body.*

TEXT AMENDMENT:

CZ19.08.01

REQUEST:

A request for conditional zoning on property located on Chestnut Lane in parcel #07147135 to allow for the development of a 34-lot age restricted single-family detached subdivision.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Planning Board hereby finds that the proposed conditional zoning request is

Consistent   
Inconsistent

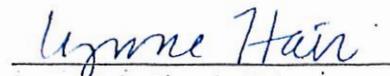
with the 2017 Stallings Comprehensive Land Use Plan adopted November 27, 2017 based on consistency with goals and objectives set forth in the document for the creation of development that protects existing neighborhoods. At their September 17, 2019 the Stallings Planning Board voted to recommend

APPROVAL   
DENIAL

of the proposed conditional zoning and stated that the, Planning Board find and determines that the rezoning is consistent with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan and hereby recommends its approval.

The statement and motion was seconded and passed 7-0

  
\_\_\_\_\_  
Jack Hudson, Chairman

  
\_\_\_\_\_  
Lynne Hair, Planning Director

The proposed 34 sfu (age-targeted) development along Chestnut Lane will be within the following school attendance areas for the current school year:

Antioch Elementary School	Projected to be at 116% of rated capacity
Weddington Middle School	Projected to be at 102% of rated capacity
Weddington High School	Projected to be at 91% of rated capacity

Although this development is designated as "age-targeted", experience has shown that it will still likely contribute to enrollments at the schools.

By our accounting, this will bring the number of planned and not built housing units in the Antioch ES area to approximately 735 units. This includes:

- Vintage Creek (Tilley Morris Rd): 8 additional units
- Falls at Weddington (Antioch Church Rd): 164 additional units
- Enclave at Weddington (Antioch Church Rd): 30 additional units
- Harlow's Crossing (Beulah Church Rd): 68 additional units
- Cardinal Crest (Hemby Rd): 14 additional units
- Beulah Acres (Beulah Church Rd): 3 additional units
- Highgate (Providence Rd): 10 additional units
- Tuscan Ridge (Hemby Rd): 7 additional units
- Weddington Glen (Weddington-Matthews Rd): 35 units
- Weddington Acres (Tilley Morris Rd): 25 units
- Weddington Subdivision (corner of Providence and Hemby Rds): 35 units
- Solis at Chestnut Farm (Matthews-Weddington Rd): 302 units

Also in the Weddington attendance area (for a total of 2207) are:

- Ellington Downs (Weddington Rd): 47 additional units
- Anniston Grove (Hudson Church Rd): 29 additional units
- Quintessa (Underwood Rd): 22 additional units
- Creek's Landing (Weddington Rd): 197 units
- Casalino (Beulah Church Rd): 39 units
- Ridge at Wesley Chapel (Weddington Rd): 72 units (55+)
- Addington Crossing (Potter Rd): 51 units
- Cavensson (Chambwood Rd): 28 units
- Cresswind (Potter Rd): 606 units (55+)
- Highlands at Weddington (Antioch Church Rd): 31 additional units
- Atherton Estates (Weddington Rd): 48 additional units
- Canisteo (Deal Rd): 16 units
- Woodford Chase (Weddington Rd): 9 units
- Meadows at Weddington (Ennis Rd): 24 additional units
- Chatsworth (Providence Rd): 5 additional units
- Weddington Preserve (Lochaven Rd): 26 additional units
- Sugar Magnolia (Weddington Rd): 18 units
- The Woods (Weddington Rd): 204 units

Per Board of Education policy, neither Antioch ES nor Weddington MS are accepting any further transfers due to high enrollment. Additional residential construction contributes to high enrollments, which in turn exacerbate problems such as:

- Additional mobile classrooms.
- Inadequate capacity for food service and rest room facilities
- Rationing of access to the Media Center
- Insufficient parking and queuing space for parents to safely deliver or pick up their children
- Inadequate planning/meeting space for additional staff.

Thank you  
Don

**Don Ogram**  
Planning & Construction Manager  
Facilities Department

201 Venus St  
Monroe, NC, 28112

(704) 296-3160 X 6766 (Phone)  
(704) 296-3163 (Fax)

<http://www.ucps.k12.nc.us>

## COMMUNITY MEETING REPORT FOR CHESTNUT LANE SUBDIVISION

**Applicant:** Philip M. Hayes, Land Investment Resources  
**Owner:** Kenneth Eugene Furr / Stephen Larry Furr  
**Builder:** Epcon Communities  
**Land Planning/Civil:** Marc Van Dine, Senior Project Manager, McAdams  
**Property:** ± 13.820 acres, located off Chestnut Lane in Vance Township

This Community Meeting Report is being filed with the Town of Stallings Development Services Department and will be available for review.

### PERSONS AND ORGANIZATIONS CONTACTED WITH DATES AND EXPLANATIONS OF HOW CONTACTED:

The required Community Meeting was held on Tuesday, August 27<sup>th</sup>, 2019. The Town of Stallings mailed a written notice of the date, time, and location of the Community Meeting to adjoining residents in accordance with Town Ordinances.

### TIME AND LOCATION OF MEETING:

The Community Meeting required by the UDO was held on Tuesday, August 27<sup>th</sup>, 2019 at 6:00 PM, at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

### PERSONS IN ATTENDANCE AT MEETING:

The sign-in sheet from the required Community Meeting is attached as **EXHIBIT A**. The Applicant's representatives at the Community Meeting were Philip M. Hayes, with Land Investment Resources, and Marc Van Dine with McAdams. John Shamp, a representative for the community builder, Epcon Communities, was also in attendance.

### SUMMARY OF ISSUES DISCUSSED AT MEETING:

#### I. Overview of Applicant's Presentation.

##### Introduction and Overview of Rezoning, Development Plan, and Dwelling Types:

Lynne Hair, with the Town of Stallings, opened the meeting and explained the purpose of the Community Meeting. Philip M. Hayes, with Land Investment Resources, provided a presentation of the proposed development. A written copy of that presentation is attached.

#### II. Summary of Questions/Comments and Responses:

Attendees asked the following questions and the development team provided responses to those questions:

1. Are there any plans for roadway improvements? – *Will be provided based on North Carolina Department of Transportation requirements. On follow up with the officials at the NC Department of Transportation, additional turn lanes into the community will be required.*
2. How about sewer capacity? – *Project is tying into an existing Union County Public Works trunk line.*
3. There is a parcel of land in the Town of Indian Trail's corporate limits, will it be part of the project. – *No, this project will be entirely in the Town of Stallings.*
4. Was previously in Indian Trail for rezoning – why was it pulled? – *Indian Trail's town planner was initially supportive, but left the Town shortly after the submittal. The subsequent town planners did not believe the town's ordinances allowed for the proposed lot configurations. Stallings's conditional zoning ordinances allow for the proposed development.*
5. Traffic is already bad on this road. – *This is an ambient issue that currently exists. The age restricted nature of the proposed use significantly reduces the traffic from this parcel from what would be generated by a By Right land use.*
6. Has traffic circle planned for the intersection of Chestnut Lane and Matthews Weddington Road been delayed? – *Lynne Hair indicated that it is her understanding that it is still funded and scheduled to start Summer 2021 and that the Town Engineer will have the most up to date information.*
7. How many lots will there be? – *The current plan proposes 34 lots. This is an approximate density of 2.4 units per acre. The current Union County zoning allows approximately 2.2 units per acre.*
8. Will there be a buffer between adjacent properties? – *There is a 30' buffer shown on the plan. This will be determined in rezoning.*
9. When will landscaping plans be developed? – *Landscaping will be designed as part of the construction drawing process and will meet Town's planting standards. Epcon will have supplementary plantings that exceed the Town's requirements.*
10. Will the Town Planning Staff make a recommendation? – *The Town Planning staff will issue statement on whether the proposed development is consistent with the Town's Comprehensive plan.*
11. Will the property be annexed? – *Yes, as a separate process that runs concurrently. Annexation will be voted on first. If the annexation vote passes the rezoning will be voted on.*

**CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:**

Subsequent to the meeting, but not as a result of any comments made, a significant portion of road adjacent to a property line was removed and replaced with a simple cul de sac. This allowed for the creation of additional buffer along that property line.





Town of

# Stallings

315 Stallings Road • Stallings, North Carolina 28104

## Zoning Map Amendment/Rezoning Application

Application # (Staff): CZ19.08.01  
 Date Filed: Aug 1, 2019  
 Hearing Date: Oct 11, 2019  
 Planning Board Date: Sept 17, 2019  
 Town Council/Final Decision Date:  
 \_\_\_\_\_

Zoning Map Amendment - Conventional	
Less than 2 acres	\$150.00
2-10 acres	\$300.00
Greater than 10 acres	\$900.00
Zoning Map Amendment - Conditional Zoning	
Less than 2 acres	\$300.00
2-10 acres	\$600.00
Greater than 10 acres	\$1200.00
Conditional Use Permit Request	\$300.00
Zoning Text Amendment - UDO	\$500.00

To the Planning Board and Town Council of Stallings, NC:

I (we) the undersigned do hereby respectfully make application and request the Planning Board and Town Council to amend the zoning map of the Town of Stallings: In support of this application, the following facts are shown:

Current Zoning (Circle One)	<u>R-20</u>	R-15	R-10	MFR	TC	NRD	GR	OLR	BC
	MR	LI	HI						
Proposed Zoning (Circle One)	R-20	R-15	R-10	MFR	TC	NRD	GR	OLR	BC
Conditional District? (CD)	<input checked="" type="checkbox"/>	MR	LI	HI	MU1	MUG2	OC	<u>RSF</u>	

Physical Property Address: <u>CHESTNUT LANE (No numeric address) SEE MAP</u>	
Physical Description of Location: <u>Three quarters of a mile from eastern end of Chestnut Ln.</u>	
Tax Parcel Number(s) (PID Number): <u>07147135</u>	Total Acreage: <u>13.82 Acres</u>

Telephone 704-821-8557 • Fax 704-821-6841 • www.stallingsnc.org

Property Owner(s): <u>KENNETH E FURR / STEPHEN L FURR</u>
--

Owner's Address:		
① 1944 Georgia Ave. Winston Salem, NC 27104	② 249 W. Jell Rd. Mooresville, NC 28117	
City:	State:	Zip:
Phone Number: 704-614-9531	Email Address GEE BELOW *	
Applicant Name if different than owner: Land Investment Resources, LLC	Applicant's Address: 3440 Tarington Way, Suite 205 Charlotte, NC 28277	
Applicant Email Address: pnhoyes@landinvestmentresources.com	Applicant's Phone Number: 704-614-9531	

\* Kfurr@triad.rr.com  
Lorry. Furr @ att.net

**MAP REQUIREMENTS**

This application shall be accompanied by two (2) maps drawn to scale. Such maps shall be produced at 18' x 24". An electronic version of the map shall also be submitted. The maps shall contain the following information:

- The subject property plus such property as to show the location of the subject property with reference to the nearest street intersection, railroad, stream or other feature identifiable on the ground.
- All properties which abut the property.
- If the property is in a subdivision of record, a map of such portion of the subdivision that would relate to the subject property to the closest street intersection.
- A written metes and bounds description of the property or properties.
- The present and proposed zoning classification of the lot(s) in question.
- The property identification number(s) of the lot(s) in question as issued by the Union County Tax Department.
- Full schematic design/site plan as described in Article 10.10 of the Stallings Unified Development Ordinance (only if the application is for a conditional district).

**MAP AMENDMENT REQUIREMENTS**

If a straight rezoning (not a CD) is requested, then please leave the space below blank.

If a Conditional District (CD) is requested, you must list the specific sections of the Unified Development Ordinance from which you seek changes. You may list these on a separate sheet of paper.

Whenever there is a zoning map amendment, the Town of Stallings is required to notify the owner of said parcel of land as shown on the county tax listing, and the owner of all parcels of land abutting that parcel of land as shown on the county tax listing. The required notice shall be mailed by first class mail at least 10 days but not more than 25 days prior to the

date of the public hearing.





**PLANNING  
& ZONING**  
TOWN of STALLINGS

# APPLICATION *CZ19.09.01*

True Homes

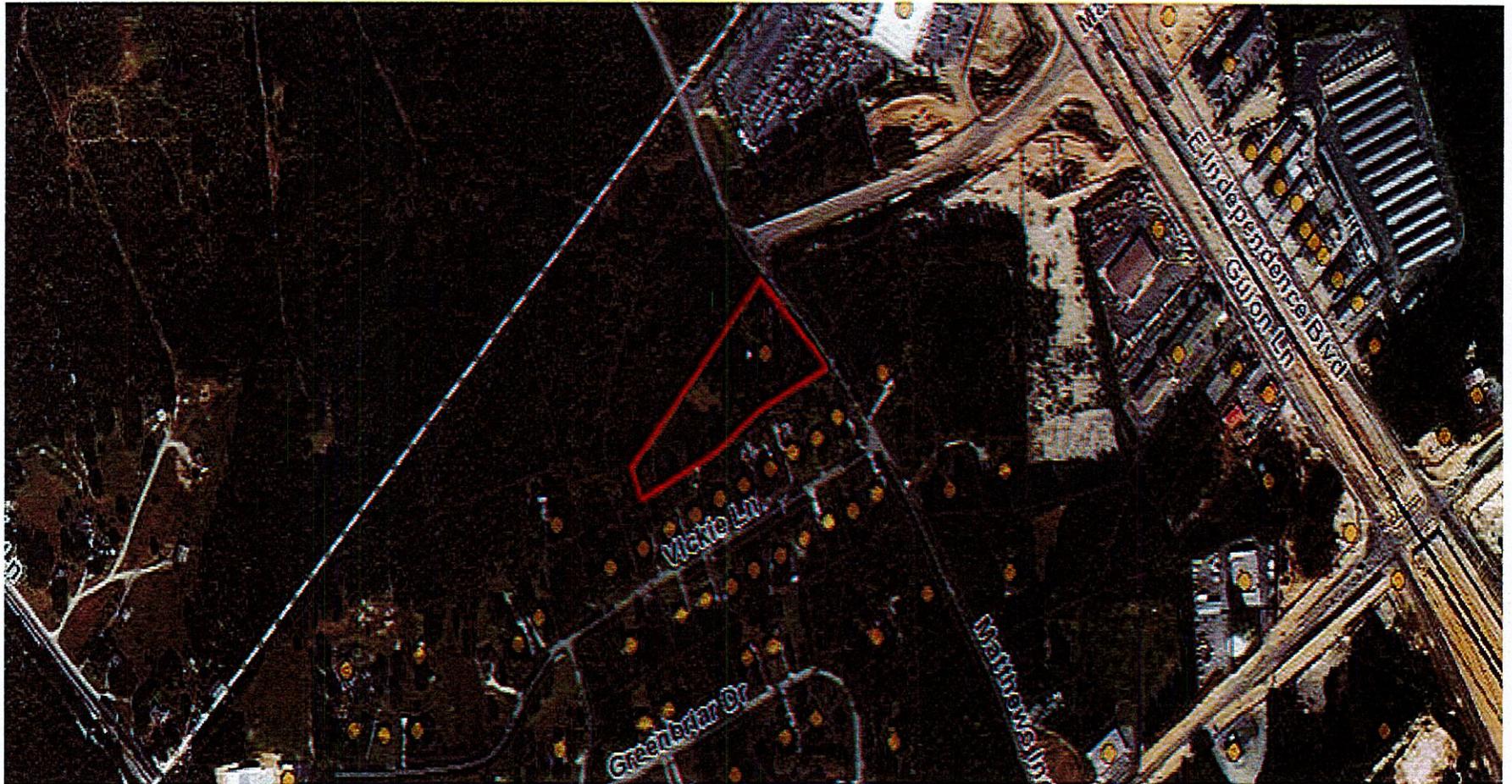
PROPOSED 44-LOT  
Townhome Subdivision

Pre-Public Hearing Staff Analysis + September 2019

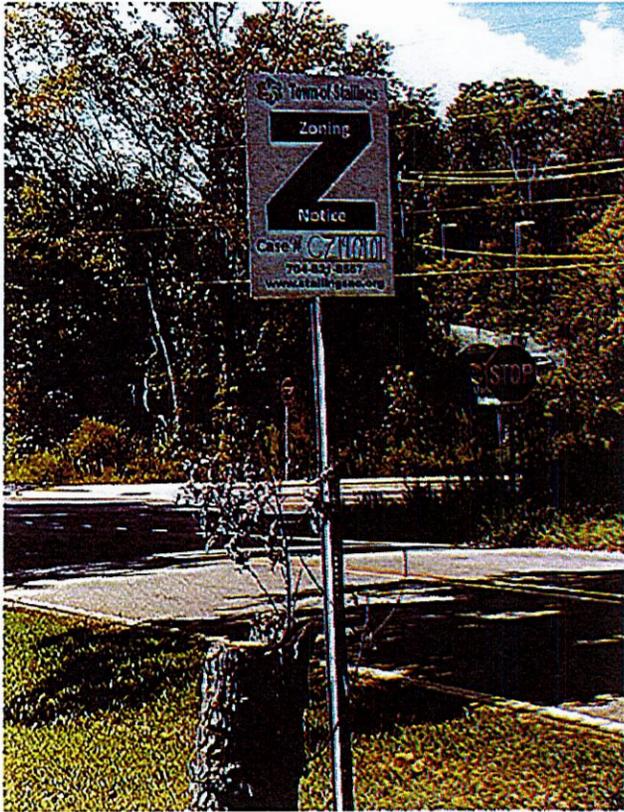
#  
6



# PROJECT AREA



# PROJECT AREA



# PROJECT AREA



# PROJECT AREA



# PROJECT AREA



CLOSE PROXIMITY TO MARIE GARRIS





# PROPOSED ELEVATIONS



FRONT ELEVATION

SCALE: 1/8" = 1'-0"

2 STORY

# TREES, VEGETATION AND STORMWATER

## Tree Save (Article 11.8-2)

1.5% of lot area = .057 acres

## Stormwater Management and PCO

TBD

## Buffers (Article 11.1)

30' will be required

(Type B buffer between MU and SFR)

## Street Trees(Article 11.6-3)

One large maturing tree/every 80 linear feet of street frontage for new developments.

# LAND USE PLAN AND ADOPTED POLICIES

## Land Use Plan

The Land Use Plan shows the property as ***Walkable Activity Center.***

**Primary Land Uses:** Sit down restaurant, community-serving retail, professional office, live/work/shop units, townhome, condo, apartment, public plaza, movie theater.

**Secondary Land Uses:** Farmer's market, church

## Small Area Plan

N/A

## Consistency

The proposed development is single family attached with a density of apx. 11.61 units/acre and meets the form and parameters established by the CLUP.

## Form & Parameters (Land Use Plan)

General Development Pattern:	Mix of Uses
Typical Lot Coverage:	50 – 75%
Residential Density:	10–30 DU/ac
Non-Residential Intensity:	0.50 – 2.00 FAR
Prevailing Building Height:	1 – 5 stories
Average Dwelling Unit Size:	800 - 1,500 sf
Transportation Choices:	Auto, Walking, Bicycle, Transit
Typical Block Length:	400 – 1,000 lf
Open Space Elements:	Neighborhood Parks/Plazas/ Pocket Parks
Street Pattern:	Modified Grid
Street Connectivity:	High
Parking Provisions:	Surface Lot / Parking Deck
Typical Street Cross Section:	Urban

# STAFF COMMENTS AND OUTSTANDING ISSUES

## Planning Department

1. No TIA required.
2. Stallings Development Ordinance requires sidewalks on both sides of street.
3. Compliance with DO Article 9.2 (A) needs to be shown.
  1. Crawl Spaces required;
  2. Max building coverage for principle structure may not exceed 30% of the lot area.

## Police

No concerns

## Fire

Ensure the streets are built to minimum town standards to ensure width will allow for emergency vehicle access.

## Schools (Sun Valley Cluster)

Report Attached

## Parks and Recreation

## Public Works

TBD

## COMMUNITY MEETING

Meeting: 10/8/2019

### Concerns Raised by Residents at Community Meeting:

- Impact to Property Values
- Fountain in pond
- Fence or wall along Vickie Lane property line – Neighbors want an 8' wall.
- Security during construction
- Concerns about the fact that these may become rental units.

# Planning Board

- 10/15/19 – Recommended Denial (Unanimous)
  - Concern for quality of project
  - Concerned with density of project
  - Concerned with impact to adjacent single family residential on Vickie Lane.

## SUMMARY OF SUGGESTED CONDITIONS

1. Townhome project limited to 44 lots.
2. The applicant or responsible party shall obtain all permits required for development with the Town and outside agencies in compliance with applicable regulations. The submitted sketch plan must meet all requirements as established by permitting agencies.
3. Lot Coverage and Density will be permitted per the concept submitted as a part of the application.
4. The cross section will be provided on Matthews Indian Trail Road.
5. The 30' property boundary buffer will remain undisturbed.
6. The interior roads will meet the 50' right-of-way as required by Town standards.
7. Architecture elements will include hardiplank (cementitious siding product), brick and/or stone. Vinyl siding will not be permitted.
8. Requirement established for single family attached house type per Article 9.3 of the Stallings Development Ordinance will be met.
9. Open space will meet requirements of Article 21 of the Stallings Development Ordinance.
10. Porches will be extended to be more representative of porches. Final building elevations will be approved by the Planning Board.



## Statement of Consistency and Reasonableness

(As per NC General Statute 160-383)

*Prior to adopting or rejecting any zoning amendment, the governing body shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest. The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing body that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing body.*

CONDITIONAL ZONING:

CZ19.09.01

REQUEST:

A request for conditional zoning on property located at 2916 Matthews Indian Trail Road in parcel #07126043A to allow for the development of a 44-unit townhome project.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Town Council hereby finds that the proposed conditional zoning request is

Consistent \_\_\_\_\_  
 Inconsistent \_\_\_\_\_

with the 2017 Stallings Comprehensive Land Use Plan adopted November 27, 2017 based on consistency with goals and objectives set forth in the document for the creation of development that protects existing neighborhoods. At their November 12, 2019 the Stallings Town Council voted to recommend

APPROVAL \_\_\_\_\_  
 DENIAL \_\_\_\_\_

of the proposed conditional zoning and stated that the, Town Council find and determines that the rezoning is CONSISTENT/INCONSISTENT with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan and hereby recommends its approval.

The statement and motion was seconded and passed \_\_\_\_\_.

\_\_\_\_\_  
 Wyatt Dunn, Mayor

\_\_\_\_\_  
 Erinn Nichols, Town Clerk



CZ19.09.01

AN ORDINANCE AMENDING THE "STALLINGS DEVELOPMENT ORDINANCE"  
OF THE TOWN OF STALLINGS, NORTH CAROLINA

WHEREAS, on February 26, 2018 the Town Council adopted the new Stallings Development Ordinance; and,

WHEREAS, approval of the proposed conditional zoning application by True Homes to the Town of Stallings that will allow them to construct a 44-unit townhome project on property located at 2916 Matthews Indian Trail Road; and,

WHEREAS, the change in zoning will promote an intentional approach to development; and,

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF STALLINGS DO  
ORDAIN AMENDING THE STALLINGS ZONING MAP to reflect the change of  
zoning from SFR-3 to CZ-MU-2.

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the \_\_\_th day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Wyatt Dunn  
Mayor

\_\_\_\_\_  
Erinn Nichols  
Town Clerk

## Lynne Hair

---

**From:** don ogram <don.ogram@ucps.k12.nc.us>  
**Sent:** Monday, October 07, 2019 2:19 PM  
**To:** Lynne Hair  
**Cc:** David Burnett; Mark Strickland; Kathy Heintel; Christina Helms; Matt Helms; Lauren Phipps; Gina Chisum; Ashley Smith; MICHAEL HARVEY  
**Subject:** RE: Fenwick Commons - Proposed Townhome Project

Union County Public Schools is pleased to offer the following input to the proposed 44 unit townhome development, to be located on Matthews-Indian Trail Rd. near Marie Garris Rd. Fenwick Commons will be within the following school attendance areas for the current (2019-2020) school year:

Indian Trail Elementary School Currently at 89% rated capacity  
Sun Valley Middle School Currently at 98% rated capacity  
Sun Valley High School Currently at 98% rated capacity (Note that this number should drop to 91% with the completion of current bond work, expected to complete for the 2020-2021 school year).

**PLEASE NOTE:** Although the above schools are the current assignments for this area, the Union County Public Schools Board of Education has the obligation and reserves the right to modify assignments in order to optimize facility utilization and efficiency.

By our accounting, this will bring the number of planned and not built housing units in the Indian Trail ES area to approximately 1046 units.

This includes:

- Walden at Austin Village (Chestnut Ln): 26 additional units
- Moore Farms (Waxhaw-Indian Trail Rd): 253 units
- Cottages at Indian Trail (Waxhaw-Indian Trail Rd): 49 units
- Plyler Townhomes (Plyler Rd): 41 units
- Harpers Runs (Chestnut Ln): 109 units
- Cottages at Indian Trail II (Waxhaw-Indian Trail Rd): 49 units
- Potter Rd Townhomes (Potter Rd): 87 units
- 2933 M.I.T. Rd (Matthews-Indian Trail Rd): 92 units
- Ardmore at Indian Trail (Park Rd): 252 units

Also in the Sun Valley attendance area (for a total of 2636 residential units) are:

- Dickson Farms (Weddington Rd): 451 units
- Harkey Creek (Old Charlotte Hwy): 268 units
- Heritage (Wesley Chapel-Stouts Rd): 435 units
- Old Charlotte Hwy Development (Old Charlotte Hwy): 211 units
- Weddington Pointe (Weddington Rd): 225 units

Per Board of Education policy, neither Sun Valley MS nor Sun Valley HS are no longer accepting any further transfers due to high enrollment. Additional residential construction contributes to high enrollments, which in turn exacerbate problems such as:

- Additional mobile classrooms
- Inadequate capacity for food service and rest room facilities
- Rationing of access to the Media Center
- Insufficient parking and queuing space for parents to safely deliver or pick up their children
- Inadequate planning/meeting space for additional staff.

Thank you

**Don Ogram**  
Planning & Construction Manager  
Facilities Department

201 Venus St  
Monroe, NC, 28112

(704) 296-3160 X 6766 (Phone)  
(704) 296-3163 (Fax)

<http://www.ucps.k12.nc.us>

*Note: All email correspondence to and from this address is subject to public review under the NC Public Records Law. As a result all messages may be monitored by and disclosed to third parties.*

*In compliance with federal law, Union County Public Schools administers all educational programs, employment activities and admissions without discrimination against any person on the basis of gender, race, color, religion, national origin, age or disability.*

---

**From:** Lynne Hair <lhair@stallingsnc.org>  
**Sent:** Monday, October 7, 2019 10:16 AM  
**To:** don ogram <don.ogram@ucps.k12.nc.us>  
**Subject:** Fenwick Commons - Proposed Townhome Project

**WARNING: This email originated outside of our organization.**

**DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.  
Forward all suspicious emails to [spam@ucps.k12.nc.us](mailto:spam@ucps.k12.nc.us)

Good Morning Mr. Ogram:

Attached is the site plan for a proposed condo development in our jurisdiction, it is located off of Matthews Indian Trail Road near the intersection of the new Marie Garris Blvd.. Seeking comment for the Planning Board and Town Council.

Thank you for your assistance.

Lynne Hair  
Planning Director  
Town of Stallings  
704-821-0315  
[lhair@stallingsnc.org](mailto:lhair@stallingsnc.org)

----- IMPORTANT NOTICE: This e-mail message is intended to be received only by persons entitled to receive the confidential information it may contain. E-mail messages may contain information that is

confidential and legally privileged. Please do not read, copy, forward, or store this message unless you are an intended recipient of it. If you have received this message in error, please forward it to the sender and delete it completely from your computer system. For auditing purposes, a copy of this message has been saved in a permanent database.



Town of  
**Stallings**

315 Stallings Road • Stallings, North Carolina 28104

## Zoning Map Amendment/Rezoning Application

Application # (Staff): \_\_\_\_\_

Date Filed: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Planning Board Date: \_\_\_\_\_

Town Council/Final Decision Date:  
\_\_\_\_\_

Zoning Map Amendment - Conventional	
Less than 2 acres	\$150.00
2-10 acres	\$300.00
Greater than 10 acres	\$900.00
Zoning Map Amendment – Conditional Zoning	
Less than 2 acres	\$300.00
2-10 acres	\$600.00
Greater than 10 acres	\$1200.00
Conditional Use Permit Request	\$300.00
Zoning Text Amendment - UDO	\$500.00

**To the Planning Board and Town Council of Stallings, NC:**

I (we) the undersigned do hereby respectfully make application and request the Planning Board and Town Council to amend the zoning map of the Town of Stallings: In support of this application, the following facts are shown:

<b>Current Zoning (Circle One)</b>	<i>R-20   R-15   R-10   MFR   TC   NRD   GR   OLR   BC</i> <i>MR   LI   HI</i> <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">SFR-3</span>
<b>Proposed Zoning (Circle One)</b>	<i>R-20   R-15   R-10   MFR   TC   NRD   GR   OLR   BC</i> <i>MR   LI   HI   MUC-1   MUC-2   OC   RSF</i> <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">CD-MU2</span>
<b>Conditional District? (CD)</b> <input type="checkbox"/>	

**Physical Property Address:**

2916 Matthews Indian Trail Rd  
Stallings, NC 28104

**Physical Description of Location:**

0.25 miles North of the intersection of Matthews Indian Trail Rd and Vickie Ln. On the West side of Matthews Indian Trail Rd.

**Tax Parcel Number(s) (PID Number):**

07126043A

**Total Acreage:**

3.79

Property Owner(s): Ricky C Strawn		
Owner's Address: PO Box 486		
City: Indian Trail	State: NC	Zip: 28079
Phone Number :	Email Address	
Applicant Name if different than owner: Ture Homes Keith Fenn	Applicant's Address: 2649 Brekonridge Centre Dr. Monroe, NC 28110	
Applicant Email Address : kfenn@truehomesusa.com	Applicant's Phone Number: 980-269-6609	

### MAP REQUIREMENTS

This application shall be accompanied by two (2) maps drawn to scale. Such maps shall be produced at 18' x 24". An electronic version of the map shall also be submitted. The maps shall contain the following information:

- The subject property plus such property as to show the location of the subject property with reference to the nearest street intersection, railroad, stream or other feature identifiable on the ground.
- All properties which abut the property.
- If the property is in a subdivision of record, a map of such portion of the subdivision that would relate to the subject property to the closest street intersection.
- A written metes and bounds description of the property or properties.
- The present and proposed zoning classification of the lot(s) in question.
- The property identification number(s) of the lot(s) in question as issued by the Union County Tax Department.
- Full schematic design/site plan as described in Article 10.10 of the Stallings Unified Development Ordinance (*only if the application is for a conditional district*).

### MAP AMENDMENT REQUIRMENTS

If a straight rezoning (not a CD) is requested, then please leave the space below blank.

If a Conditional District (CD) is requested, you must list the specific sections of the Unified Development Ordinance from which you seek changes. You may list these on a separate sheet of paper.

- Whenever there is a zoning map amendment, the Town of Stallings is required to notify the owner of said parcel of land as shown on the county tax listing, and the owner of all parcels of land abutting that parcel of land as shown on the county tax listing. The required notice shall be mailed by first class mail at least 10 days but not more than 25 days prior to the date of the public hearing.





To: Planning Board  
 From: Lynne Hair, Planning Director  
 Date: November 5, 2019  
 RE: **TX19.09.04** – Todd Akers applicant. A request to amend the Stallings Development Ordinance Article 9.4-3 (A) (4) to increase the permitted height of multifamily building from 41’ to 46’ to allow for 4 story buildings.

On February 26, 2018, the Town Council adopted the Stallings Development Ordinance.

To accommodate the approved densities within the MU-2 districts, an increase in building height is needed to provide for the architectural elements desired. Also, the placement of elevators in buildings will provide for a higher price point product, this cannot be accomplished with a two or three-story building.

In March 2019 the Town Council voted to approve a request to increase multifamily building height requested by Terwilliger Pappas, from 35’ to 41’. At this meeting Council also expressed support of increasing multifamily building height to 4-stories.

Todd Akers, representative for the Idlewild Mixed use development, has approval to develop a high-end apartment complex as a part of their mixed-use project. The architecture approved of the project will need to be a height of 46’ or 4-stories to provide the ceiling height required as a part of the development agreement.

The requested text amendment is as follows:

ARTICLE 9 BUILDING AND LOT TYPE STANDARDS is hereby amended as follows:

9.4.3 Multi-Family Building Type as follows:

(A) Permitted Height and Encroachments.

- (4) Buildings shall have no less than 2 stories with a vertical height limit of 41’ ~~41’~~ 46’. Additionally, property that is located within the Mixed-Use 2 (MU-2 district and has frontage on or is within a mixed-use project that has frontage on Highway 74 may have a vertical height limit of 50 feet.

Height for other building types within the MU-2 district are as follows:

Highway Building Type	50’
Urban Workplace Building Type	3 Stories
Civic Building Type	45’
Shop Front Building	45’

Allowing the needed height of 46’ will be in keeping with the building form desired for the MU-2 District.

PLANNING BOARD RECOMMENDATION: APPROVAL



**PLANNING  
& ZONING**  
TOWN of STALLINGS

## Statement of Consistency and Reasonableness

(As per NC General Statute 160-383)

*Prior to adopting or rejecting any zoning amendment, the governing body shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest. The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing body that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing body.*

TEXT AMENDMENT:

TX19.09.04

REQUEST:

To amend Article 9.4.3 Multi-Family Building Type of the Stallings Development Ordinance increasing the permissible building height to 46'.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Town Council hereby finds that the proposed conditional zoning request is

Consistent \_\_\_\_\_  
Inconsistent \_\_\_\_\_

with the 2017 Stallings Comprehensive Land Use Plan adopted November 27, 2017 based on consistency with goals and objectives set forth in the document for the creation of development that protects existing neighborhoods. At their November 12, 2019 the Stallings Town Council voted to recommend

APPROVAL \_\_\_\_\_  
DENIAL \_\_\_\_\_

of the proposed conditional zoning and stated that the, Town Council find and determines that the rezoning is CONSISTENT/INCONSISTENT with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan and hereby recommends its approval.

The statement and motion was seconded and passed \_\_\_\_\_.

\_\_\_\_\_  
Wyatt Dunn, Mayor

\_\_\_\_\_  
Erinn Nichols, Town Clerk



TX19.09.04

AN ORDINANCE AMENDING THE "STALLINGS DEVELOPMENT ORDINANCE"  
OF THE TOWN OF STALLINGS, NORTH CAROLINA

WHEREAS, on February 26, 2018 the Town Council adopted the new Stallings Development Ordinance; and,

WHEREAS, increased building height requirements are consistent with the 2017 Comprehensive Land Use Plan; and,

WHEREAS, in order to promote an intentional approach to development by providing an opportunity for better design alternatives in multi-family housing is recommended; and,

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF STALLINGS DO ORDAIN AMENDING THE STALLINGS DEVELOPMENT ORDINANCE AS FOLLOWS:

ARTICLE 9 BUILDING AND LOT TYPE STANDARDS is hereby amended as follows:

9.4.3 Multi-Family Building Type as follows:

(A) Permitted Height and Encroachments.

- (4) Buildings shall have no less than 2 stories with a vertical height limit of 41' 46'. Additionally, property that is located within the Mixed-Use 2 (MU-2) district and has frontage on or is within a mixed-use project that has frontage on Highway 74 may have a vertical height limit of 50 feet.

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the \_\_\_th day of \_\_\_\_\_, 2019.

---

Wyatt Dunn  
Mayor

Erinn Nichols  
Town Clerk

## EXHIBIT A

Applicant seeks to amend Section 9.4-3(A.)(4.) as follows:

**I. Existing Section 9.4-3(A.)(4.)**

Buildings shall have no less than 2 stories with a maximum of 36 feet. Additionally, property that is located within the Mixed Use 2 (MU-2) district and has frontage on or is within a mixed-use project that has frontage on Highway 74 may have a vertical height limit of 50 feet.

**II. Proposed Section 9.4-3(A.)(4.)**

Buildings shall have no less than 2 stories with a maximum of 46 feet. Additionally, property that is located within the Mixed Use 2 (MU-2) district and has frontage on or is within a mixed-use project that has frontage on Highway 74 may have a vertical height limit of 50 feet.



Town of  
**Stallings**

315 Stallings Road • Stallings, North Carolina 28104

Application Type: Text Amendment

Application Number (Staff): \_\_\_\_\_  
Hearing Date(s): 11/ PB 10/15/19

Date Filed: \_\_\_\_\_



**Applicant Information:**

Name: Todd Akers Phone #: 305-498-8852

Address: 5925 Carnegie Boulevard, Suite 250, Charlotte, NC 28209

Email: todd.akers1@gmail.com

**Proposed Text Amendment Including Article and Section Numbers:**

See Exhibit A attached hereto

Please comment on the following statement:

- In order to maintain sound, stable and desirable development within the planning jurisdiction of the Town of Stallings, it is intended that this ordinance not be amended except:
  - To correct manifest error in the ordinance;
  - Because of changed or changing conditions in a particular neighborhood or community as a whole; or
  - To promote and forward the purposes of the adopted Stallings Land Use Plan.
- It is the further intent of this ordinance that if amended it will promote the general health, safety and welfare of the citizens of Stallings.

Completed requests must be filed with the Planning Office no later than the first business day of the month in order to be placed on the Planning Board and Town council agenda (see

attached schedule). For additional information or assistance, call the Town of Stallings Planning Office at (704)821-8557.

Applicant Signature  Date 9-30-2019

# Financial Update



**Fiscal Year 2019-2020**  
**9/30/2019**

# FY2019-2020

## General Fund – Revenues



### Summary Report - 9/30/2019 Actual vs Budget

	Budget including amendments 2019-2020	YTD Actual 9/30/2019	Budget Remaining to YE		% of Budget Spent thru 9/30/2019
<b>GENERAL FUND - Revenue</b>					
Ad Valorem Tax	3,637,500	87,800	\$ 3,549,700	Taxes received from the county in arrears - August Collections deposited in September	2.4%
Sales and Use Tax	1,260,000	115,690	\$ 1,144,310	Taxes received from the county in arrears - August Collections deposited in September	9.2%
Gross Vehicle Rental	38,000	1,887	\$ 36,113	Taxes received from the county in arrears - August Collections deposited in September	5.0%
Motor Vehicle	395,000	39,531	\$ 355,469	Taxes received from the county in arrears - August Collections deposited in September	10.0%
Powell Bill	400,000	201,283	\$ 198,717	First distribution for FY2020 collected in September	50.3%
Beer/Wine	70,000	-	\$ 70,000	Distributions for FY2020 have not been collected	0.0%
Franchise & Utility Tax	810,000	183,671	\$ 626,329	First distribution for FY2020 collected in September	22.7%
Investment/Interest	111,000	45,794	\$ 65,206	Expect to exceed budget with collection of NCDOT funds from Potter/Pleasant Plains	41.3%
PD Related	3,000	3,515	\$ (515)	Collected Unauthorized Substance fees of \$2,577	117.2%
TIA Fees	-	63,100	\$ (63,100)	Related to new TIA fees charged to potential land development - related expense of \$60,481 offsets this income	
Planning & Zoning Related	76,000	51,413	\$ 24,587	Development agreement fees for Atrium, Villages at Idlewild and Orissa Holdings totaling \$46K	67.6%
Park & Rec Related	15,800	2,081	\$ 13,719	Fees for rentals and Stallingsfest - tracking below budget	13.2%
Miscellaneous	13,700	14,655	\$ (955)	Refund of Surveying fee and refund for LED Lighting	107.0%
<b>GENERAL FUND - Revenue Total</b>	<b>\$ 6,830,000</b>	<b>\$ 810,420</b>	<b>\$ 6,019,580</b>	<b>Expect increase in August and September with 2020 tax collections</b>	<b>11.9%</b>
Fund Balance Appropriation - GF	1,991,800	49,984	1,941,816	Amount represent capital expenditures budgeted through Fund Balance appropriations	
Fund Balance Approp. - Drug Forfeiture Fund	25,000	-	25,000	Amount represents spend of Restricted Fund Balance for Drug Forfeiture Funds	
<b>Total General Fund Revenue w/appropriations</b>	<b>\$ 8,846,800</b>	<b>\$ 860,404</b>	<b>\$ 7,986,396</b>		

# FY2019-2020

## Actual vs Budget - Expenditures



### Summary Report - 9/30/2019 Actual vs Budget

	Budget including amendments 2019-2020	YTD Actual 9/30/2019	Budget Remaining to YE		% of Budget Spent thru 9/30/2019
<b>General Government</b>	\$ 1,130,500	\$ 293,672	\$ 836,828	<b>26.0% of Total Budget used through 9/30/2019</b>	
Wages and Fringe Benefits	\$ 568,470	\$ 129,573	\$ 438,897	Below budgeted spending, accrual of first payroll in July for June expense	22.8%
Inventory and Equipment / Repairs/Supplies	\$ 44,900	\$ 7,592	\$ 37,308	Below budgeted spending YTD, very few repair costs to date	16.9%
				Includes legal, accounting, IT/ network services, above budget due to audit fees, design services for renovation and software upgrades all expenditures in the first quarter	30.7%
Outside Services	\$ 261,300	\$ 80,279	\$ 181,021	Insurances and dues (YTD \$39.5) are renewed at the beginning of fiscal year.	29.7%
Other	\$ 215,830	\$ 64,188	\$ 151,642	Remaining expenditures are below budgeted spending.	
Management Contingency	\$ 20,000	\$ 12,040	\$ 7,960	Carry-over from FY2019 - Wage and Classification Study Final Payment and Evaluation of Chief of Police Candidates	60.2%
Capital Outlay	\$ 20,000	\$ -	\$ 20,000	Budgeted for Town Hall Entry Doors and Key Fob Entry System	0.0%
<b>Public Safety</b>	\$ 2,563,100	\$ 565,469	\$ 1,997,631	<b>22.1% of Total Budget used through 9/30/2019</b>	
Wages and Fringe Benefits	\$ 2,153,610	\$ 464,135	\$ 1,689,475	Salary savings with Chief of Police being part-time	21.6%
Inventory and Equipment / Repairs/Supplies	\$ 85,150	\$ 29,199	\$ 55,951	Represents purchase of Motorola radios for new patrol cars	34.3%
Outside Services	\$ 35,120	\$ 8,210	\$ 26,910	Annual Retainer paid to PD attorney represents majority of expenditure	23.4%
Other	\$ 82,720	\$ 44,137	\$ 38,583	Insurance Expense represents \$28K of total spend which renews 7/1/2019 remaining amount relates to meeting and events and new hire costs.	53.4%
Vehicle Expenses (Maintenance & Fuel)	\$ 91,500	\$ 19,787	\$ 71,713	Tracking at budgeted spend YTD	21.6%
Capital Outlay (includes vehicle purchases)	\$ 115,000	\$ -	\$ 115,000	Vehicles not purchased for the year as of 8/31/2019, delivery date in October.	0.0%

# FY2019-2020

## Actual vs Budget - Expenditures



### Summary Report - 9/30/2019 Actual vs Budget

	Budget including amendments 2019-2020	YTD Actual 9/30/2019	Budget Remaining to YE		% of Budget Spent thru 9/30/2019
<b>Transportation</b>	\$ 734,100	\$ 126,918	\$ 607,182	<b>17.3% of Total Budget used through 9/30/2019</b>	
Wages and Fringe Benefits	\$ 105,925	\$ 22,672	\$ 83,253	Below budgeted spending, accrual of first payroll in July for June expense	21.4%
Inventory and Equipment / Repairs/Supplies	\$ 2,150	\$ 208	\$ 1,942	Below budgeted spending YTD, very few repair or supply costs to date	9.7%
Outside Services	\$ 90,900	\$ 60,928	\$ 29,972	TIA Fees for Developers - YTD \$63,100 collected and paid out \$60,481 for Atrium and Willows at Stallings (net effect is no cost to the Town)	67.0%
Other	\$ 13,625	\$ 5,030	\$ 8,595	Dues and memberships and training expenditures make up these costs and were paid at the beginning of FY	36.9%
Utilities	\$ 111,500	\$ 25,291	\$ 86,209	Tracking budgeted spending YTD	22.7%
Paving/Sidewalks/Signage	\$ 10,000	\$ -	\$ 10,000	No repair/sidewalk completed at this point in time	0.0%
Capital Outlay	\$ -	\$ -	\$ -	No Capital Outlays are budgeted for Transportation at this time	0.0%
Powell Bill	\$ 400,000	\$ 12,789	\$ 387,211	Road repair work advertised and bid in September. Contract awarded to Red Clay for \$356,768 which will begin late fall	3.2%
<b>Public Works</b>	\$ 340,100	\$ 114,880	\$ 225,220	<b>33.8% of Total Budget used through 9/30/2019</b>	
Wages and Fringe Benefits	\$ 174,560	\$ 43,329	\$ 131,231	Tracking at budgeted spend YTD	24.8%
Inventory and Equipment / Repairs/Supplies	\$ 81,000	\$ 22,089	\$ 58,911	Represents purchase of equipment which includes: new mower (\$7K), equipment trailer (\$3.2K), and truck upfits (\$2.6K)	27.3%
Outside Services	\$ 24,400	\$ 18,743	\$ 5,657	Annual inspections for Elevator, sprinklers, etc. all due at beginning of FY. Lightning strike to the fire alarm system repairs and parts of \$5.3K as well as HVAC wiring repairs of \$2.4K. May need to amend budget for unexpected services needed.	76.8%
Other	\$ 20,140	\$ 1,964	\$ 18,176	Tracking below budgeted spending YTD	9.8%
Capital Outlay	\$ 40,000	\$ 28,755	\$ 11,245	Represents replacement of Town Hall lighting fixtures to LED. Rebate from Duke Energy collected in August of \$4,405 to offset cost.	71.9%

# FY2019-2020

## Actual vs Budget - Expenditures



### Summary Report - 9/30/2019 Actual vs Budget

	Budget including amendments 2019-2020	YTD Actual 9/30/2019	Budget Remaining to YE		% of Budget Spent thru 9/30/2019
<b>Planning &amp; Zoning</b>	\$ 359,600	\$ 74,711	\$ 284,889	<b>20.8% of Total Budget used through 9/30/2019</b>	
Wages and Fringe Benefits	\$ 246,550	\$ 51,075	\$ 195,475	Below budgeted spending, accrual of first payroll in July for June expense	20.7%
Inventory and Equipment / Repairs/Supplies	\$ 8,050	\$ 1,021	\$ 7,029	Below budgeted spending YTD, very few repair or supply costs to date	12.7%
				Represents \$8.4K legal fees for work related to development agreements, annual IWORQ software license of \$2.4K and design services for signage and small area plan website of \$9K.	
Outside Services	\$ 54,500	\$ 20,114	\$ 34,386	Below budgeted spending YTD	36.9%
Other	\$ 20,500	\$ 2,502	\$ 17,998	No expenditures to date	12.2%
Nuisance Abatement	\$ 5,000	\$ -	\$ 5,000	Projects for use of these funds are being identified	0.0%
Town Beautification	\$ 25,000	\$ -	\$ 25,000		0.0%
<b>Parks and Recreation</b>	\$ 611,600	\$ 177,052	\$ 434,549	<b>28.9% of Total Budget used through 9/30/2019</b>	
Wages and Fringe Benefits	\$ 225,160	\$ 54,483	\$ 170,677	Tracking at budgeted spend YTD	24.2%
Inventory and Equipment / Repairs/Supplies	\$ 93,200	\$ 14,743	\$ 78,457	Repair work to fountain for rusted grates, additional costs expected once fountain system repair work is complete	15.8%
				Represents unsafe tree removal, new water fountains, restroom painting and door repairs for the park	51.7%
Buildings and Grounds and Utilities	\$ 56,500	\$ 29,191	\$ 27,309	Work on Greenway design, deposit for transportation services for Stallingsfest and \$11.3K for Christmas lighting in the park	20.9%
Outside Services	\$ 89,800	\$ 18,802	\$ 70,998	Majority of expense is training and related travel \$6.3K	37.7%
Other	\$ 21,440	\$ 8,090	\$ 13,350	Stallingsfest, summer concert series and movie nights expenditures	32.1%
Events and Advertising	\$ 98,500	\$ 31,631	\$ 66,869	Budgeted purchase for P&R minivan, remaining funds will be used for upfitting vehicle and Town logo	74.5%
Capital Outlay	\$ 27,000	\$ 20,111	\$ 6,889		

# FY2019-2020

## Actual vs Budget - Expenditures

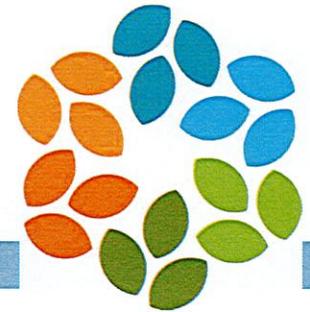


### Summary Report - 9/30/2019 Actual vs Budget

	Budget including amendments 2019-2020	YTD Actual 9/30/2019	Budget Remaining to YE		% of Budget Spent thru 9/30/2019
Sanitation	\$ 999,600	\$ 235,903	\$ 763,697	23.6% of Total Budget used through 9/30/2019 Negotiated contract and expect to be able to stay within budget	
Total Dept Expenditures - General Fund	\$ 6,738,600	\$ 1,588,604	\$ 5,149,996	Total all Departments - tracking below budget	23.6%
Capital Project Fund 41 Expenditures	\$ 1,700,000	\$ 2,048	\$ 1,697,952	Potter Road Pleasant Plains - Received ROW certifications and received \$1.22M from NCDOT for reimbursed costs related to the project. Utility relocation is ongoing with road construction work to estimated to begin in first quarter 2020.	
Capital Project Fund 42 Expenditures	\$ 2,348,600	\$ 653,340	\$ 1,695,260	New Town Hall and Public Works Building - Total spent on the project since inception is \$1.52M with a total budget of \$3.39M. Project is running ahead of schedule with completion by December 1	
Contingency	\$ 18,150	\$ -	\$ 18,150	Not expected to use this fiscal year	
Total GENERAL FUND	\$ 10,805,350	\$ 2,243,993	\$ 8,561,357	Total General Fund (including Capital Projects and Contingency)	20.8%
Less Capital Proj Fund 42 Budget	\$ 1,958,550			New Town Hall and Public Works Building - Capital budget carry forward to FY2020 (\$2,348,600 less funds appropriated in FY2020)	
Total GENERAL FUND	\$ 8,846,800	\$ 2,243,993	\$ 8,579,507	Total General Fund (excludes Capital Project carry forward)	25.4%

# FY2019-2020

## Actual vs Budget – Storm Water



Summary Report - 9/30/2019 Actual vs Budget	Budget including			% of Budget Spent thru 9/30/2019
	amendments 2019-2020	YTD Actual 9/30/2019	Budget Remaining to YE	
<b>STORM WATER FUND</b>				
Revenue	\$ 500,500	\$ 11,269	\$ 489,231	Storm water collections in July were for previous months and accrued last FY - revenue represents collections for August Represents amount to use for underground water detention center (\$208K) and an additional \$150K for storm water repairs on Wedge Wood Court 2.3%
Appropriated Fund Balance	\$ 358,000	\$ -	\$ 358,000	0.0%
Revenue Total	\$ 858,500	\$ 11,269	\$ 847,231	1.3%
Expenditure Total	\$ 858,500	\$ 485,111	\$ 373,389	Savings to Storm Water Fund Balance 56.5%
Wages and Fringe Benefits	\$ 105,685	\$ 22,927	\$ 82,758	Slightly below budget due to year-end accruals 21.7%
Repairs/Outside Services	\$ 511,090	\$ 265,067	\$ 246,023	Currently the Town has 8 storm water projects identified: Shannamara Dr. (\$1.5K), West Circle (\$12K), Castlemain Dr., Scheckler Lance, Brownstone Ct., Clairborne Ct., and Greenbriar. Completed this year is Stallings Park Ponds (\$32.7K), Emerald Lake (\$24.5K), Suttle Place (\$4K), Vickie Lane (\$9.9K), Aurora Blvd. (\$10.1K), Redwood (\$5.9K) and Wedge Wood Ct. (\$139K) 51.9%
Other	\$ 33,725	\$ 1,227	\$ 32,498	Minor expenditures to date 3.6%
Transfer to Capital Project Fund 42	\$ 208,000	\$ 195,890	\$ 12,110	Transfer to capital project fund for underground water detention center for New Town Hall and Public Works Buildings 94.2%

# FY2019-2020 Fund Balance



	7/1/2019 Balance*	Change in Balance	9/30/2019 Balance
Unassigned Fund Balance	\$ 3,270,119	\$ -	\$ 3,270,119
Stabilization by State Statute	462,389	-	\$ 462,389
Powell Bill	239,450	189,909	\$ 429,359
Drug Forfeiture	25,545	-	\$ 25,545
Capital Project Commitment - Chestnut Lane Roundabout	350,000	-	\$ 350,000
Capital Project Fund - Potter/Pleasant Plains	1,214,648	(791)	\$ 1,213,857
Capital Project Fund - New Town Hall and PW Buildings	2,141,651	(408,673)	\$ 1,732,978
Fees in Lieu of Park Land	374,474	-	\$ 374,474
Subsequent year expenditures	2,016,800	-	\$ 2,016,800
30 Percent Reserve	2,654,040	-	\$ 2,654,040
YTD Revenue less Expenditures	-	(968,093)	(968,093)
<b>Total Fund Balance - General Fund</b>	<b>\$ 12,749,116</b>	<b>\$ (1,187,648)</b>	<b>\$ 11,561,468</b>
<b>Fund Balance - Storm Water</b>	<b>\$ 1,670,561</b>	<b>\$ (473,842)</b>	<b>\$ 1,196,719</b>

- Overall General Fund Balance decrease is due to lag in collections of property taxes
- Revenue less Expenses expected to be positive as tax collections increase
- Powell Bill fund changes are Powell Bill Revenue less expenditures
- Drug Forfeiture represents Federal funds received less expenditures
- Storm Water Fund balance expenditures reflect the appropriation of \$195K in funds to Capital Project Fund for underground water detention

# FY2019-2020

## Unbudgeted Expenditures



2019/2020 Unbudgeted Items	Department	Funds to be Used from:	Amount	Council Approved Y/N	Budget Amended Y/N
<i>Litigation Costs - Courtyards at Weddington</i>	<i>Economic Dev</i>	<i>Fund Balance</i>	\$ 9,134	Y	N
<b>Total Economic &amp; Physical Development - Budget Amendments</b>			\$ 9,134		
<i>Alarm System and HVAC Repairs</i>	<i>Public Works</i>	<i>Dept Budget if possible</i>	\$ 8,008	N	N
<b>Total Public Works - Budget Amendments</b>			\$ 8,008		
<b>Total General Government - Budget Amendments</b>			\$ 17,141		
<b>Total Capital Projects - Budget Amendments</b>			\$ -		
<i>Wedgewood Court - Storm Water Project</i>	<i>Storm Water</i>	<i>Storm Water Fund Balance</i>	\$150,000	Y	Y
<b>Total Storm Water - Budget Amendments</b>			\$150,000		
<b>Total Unfunded Amendments to FY19-20 Budget</b>			\$ 17,141		

# Public Nuisance Cases

107 Pine Tree Dr

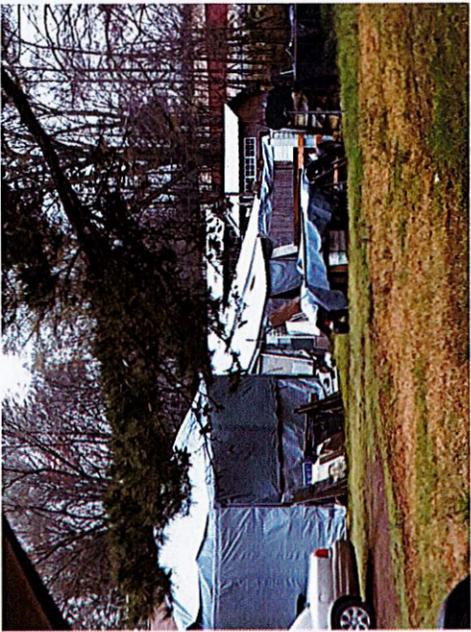
400 Aurora St

# 107 Pine Tree Dr

**Owner: Mr. Governor Barnes [74]**

- Started working with Mr. Barnes in January of 2018
- Medical issues, etc. continued working with him – no citations were issued during this time
- No movement of ‘getting things taken care of’ – issued 90-day warning for cleanup by October 31, 2019





# Quotes from Junk Companies

## 4 Quotes

Junk Trunk – \$ 9,481.00

Junk DRs – \$10,200.00

Junk Raider – \$9,900.00

Clutter-Me-Not – Unable to  
handle job this large

1-800-GOT-JUNK– \$12,738.00



# 400 Aurora Blvd

**Owner: Mr. Chu You Qiang [76]**

- Started working with Mr. Qiang in January of 2018
- Letter was issued – Working with him in order to get the area cleaned up
- No movement of ‘getting things taken care of’ but added to the piles – issued 90-day warning for cleanup by October 31, 2019
- No clean up has taken place



# Quotes from Junk Companies

## 4 Quotes

Junk Trunk - \$2,994.00

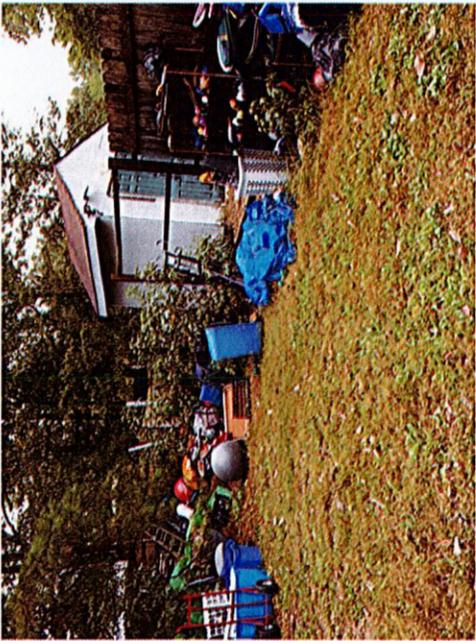
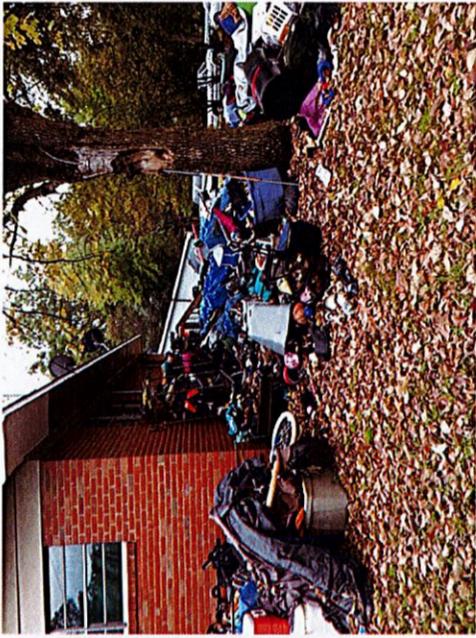
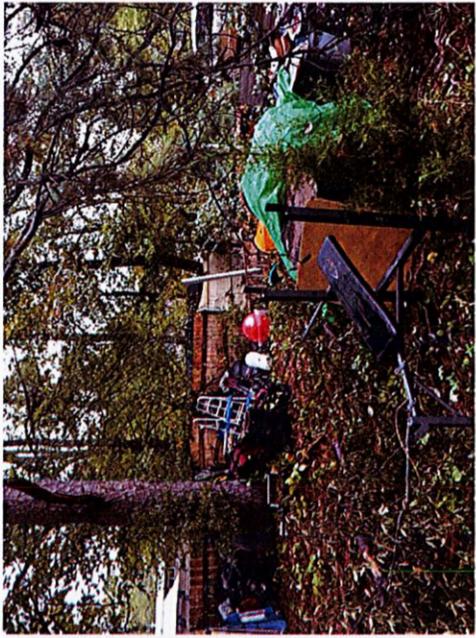
Junk DRs - \$4,000.00

Junk Raider - \$3,650.00

Clutter-Me-Not - Unable to  
handle job this large

1-800-GOT JUNK - \$4,053.00





# Code Enforcement

- The Council's charge was for Code Enforcement to be active in the Town
- Presently doing Proactive Code Enforcement
  - Finding these and more issues (\$ in cleanup)
- Going forward
  - Council direction on mitigating issues