



**January 13, 2020**  
 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.	<b>Consent Agenda Approval</b> A. Minutes from the following meetings: (1) 11-12-19 (2) 11-12-19 – closed (3) 11-25-19	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.	<b>Reports</b> A. Report from Mayor B. Report from Council Members/Town Committees C. Report from Town Manager/Town Departments	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>CZ19.09.01 – True Homes</b> <i>(recessed from 11-12-19)</i> A. Re-Open Public Hearing B. Information from Staff C. Close Public Hearing D. Council Vote	Lynne Hair, Town Planner	Approve (Deny) request.  <b>Motion:</b> I make the motion to approve (deny) CZ19.09.01 – True Homes.

5.	8:10 p.m.	Fire Funding Model	Patrick Niland, Assistant County Mgr.	Presentation, Discussion and Possible Action
6.	8:25 p.m.	Idlewild Road Widening	Alex Sewell, Town Manager	Discussion and Possible Action
7.	8:45 p.m.	Epcon –Lawyers Road ( <i>Dunn</i> )	Wyatt Dunn, Mayor	Discussion
8.	8:55 p.m.	UDO (Unified Development Ordinance) Items ( <i>Martin</i> ) A. Density Calculations – flood plain B. Fence Regulations	John Martin, Council Member	Discussion and Possible Action
9.	9:05 p.m.	Closed Session Pursuant to NCGS 143- 318.11(a)(6)	Wyatt Dunn, Mayor	Convene into closed session
10.	9:15 p.m.	Adjournment		Motion to adjourn

**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 November 12, 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, Brad Richardson, and Shawna Steele.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Lynne Hair, Town Planner; Kolleen Dickinson, Code Enforcement Officer; 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 Richardson delivered the invocation. Mayor Dunn then led the Pledge of Allegiance and called the meeting to order.

Public Comments

Joe McLaughlin stated that he wanted to call attention to the fact some Council Members challenged Council Member Paxton's survey which she put online. He also called attention to a poll taken last week during the election and he thought that the changes that poll produced were accurate. He appreciated the service of the existing Council Members but thought that poll was an expression of what the Town really wanted. He asked Council to think about those things when making future decisions. Mr. McLaughlin apologized for misunderstanding that the Town of Indian Trail did not turn down Epcon as he stated at the previous Council Meeting, but rather that Epcon decided to withdrawal and come to Stallings. He still begged the questioned why and hoped Council would make the right decision on that project.

Chris Daniels, wanted to piggy backed on the previous speaker, resident of Stallings, stated when he saw a density of 6.7 houses per acre he thought that was crazy and it should never have gotten through the Planning Department. Townhomes next to a school should not even been talked about. Mr. Daniels had children in the Porter Ridge cluster and was the former President of the Porter Ridge Booster Club. No one he spoke to wanted townhomes. He encouraged the Council to come up with a compromise with the developers. It should be 4-4.5 per acre.

1. Approval of Consent Agenda Items

A. Minutes from the following meetings:

- (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

Council Member Richardson made the motion to approve the Consent Agenda which was seconded by Council Member Scholl. The motion was approved unanimously.

B. Resolution Approving \$2500 Match for Lawyers Road/Stevens Mill Intersection

Council Member Scholl read resolution into the record. Council Member Scholl made the motion to approve the Resolution as presented. The motion was seconded by Council Member Paxton which passed unanimously by Council. The Resolution Approving \$2500 Match for Lawyers Road/Stevens Mill Intersection is attached to these minutes and therefore incorporated herein.

2. Reports

A. Report from the Mayor

No report from Mayor Dunn.

B. Reports from Council Members/Town Committees

Council Member Birt welcomed the newly elected Council Members Heather Grooms and Steven Ayers.

Council Member Steele congratulated the newly elected Council Members Heather Grooms and Steven Ayers. She also reported that she attended Career Day at Stallings Elementary and now they wanted to come tour the Town Hall. Also, the Transportation Committee would be considering a traffic study at Stevens Mills and Stallings Road. Blair Mill Park concerns regarding trash and insects were also brought to the Town Manager's attention.

Council Members Scholl and Richardson had no reports.

Council Member Martin congratulated the newly elected members and reported that the Public Safety Advisory Committee meetings had been suspended until the new Police Chief was on board.

Council Member Paxton requested Town Manager Sewell speak with DOT about the intersection at Hwy. 74 and Stallings and the limited markings on the lanes.

C. Report from Town Manager/Town Departments

*The Town Manager's report was moved to Agenda Item 8.A.*

3. Agenda Approval

The following changes were requested to the Agenda:

- Switch the order of Agenda Items 6 and 7
- Add Agenda Item 8.A. as *Town Manager's Report*
- Add Agenda Item 8.B. as *Projects on Website (Scholl)*
- Add Agenda Item 8.C. as *Administrative Policy (Birt)*

- Add to Agenda Item 10, *18CVS769 Town of Stallings v. Christopher Loukos*

Council Member Paxton made the motion to approve the Agenda with the above noted changes. The motion was seconded by Council Member Scholl and passed unanimously.

4. Annexation 53 – Chestnut Lane (Tabled from 10-28-19)

Mayor Dunn reopen the public hearing and recessed the hearing until 12-09-19 Town Council Meeting.

5. CZ19.08.01 (Tabled from 10-28-19)

Mayor Dunn reopen the public hearing and recessed the hearing until 12-09-19 Town Council Meeting.

6. TX19.09.04 – Todd Akers

*Original Agenda Item 7*

Mayor Dunn opened the public hearing. Town Planner Hair explained this was a request for a height increase for a multifamily building height from 41' to up to 46'. Planning Board recommended approval of the request. Mrs. Hair's report to Council on TX19.09.04 – Todd Akers is attached to these minutes therefore incorporated herein.

John Carmichael spoke on behalf of the applicant stating that the text amendment was consistent with the Development Agreement which was previously passed for the project and would allow the developer a higher floor to ceiling height and elevators on that project. Applicant Todd Akers explained that a four-story building would receive a higher premium for the higher floors due to the elevators.

Robert Ragon, 5000 Cinnamon Drive, stated the original 36' was giving the building three stories. He was concerned with the building elevations and there are no pictures on the DA listed on the website. Mr. Ragon felt that the 41' was not specified and the Council told staff to present wording for four stories but it has never been approved. He did not feel rules were followed. He did not feel four stories could be obtained with 41'.

Dean Gaddy, 1321 Vickery Lane, was concerned about the townhomes at Vicky Lane and Matthews-Indian Trail Road. He was concerned about the traffic impact there and there was too much traffic there already.

The Russell's, Vickery Drive, and did not want to see apartment buildings from her property. Her community was beautiful but now they would be seeing apartments. She did not think it was right.

Mr. Monlet, Donavon Drive, wanted clarity and wanted to know what the height of the complex which would be in view of his backyard. He felt he would be losing the value of his property and did not want people in his backyard. It was a huge stress for him. He wanted to know what he would be looking at when he looked out his back door.

After discussion from Council, Mayor Dunn closed the public hearing.

Council Member Birt made the motion to deny TX19.09.04 – Todd Akers. Council Member Paxton seconded the motion. The vote was a 3 to 3 tie with Council Members Martin, Scholl, and Steele opposing. Mayor Dunn broke the tie in favor of the motion.

Mayor Dunn read the Statement of Consistency and Reasonableness for TX19.09.04 – Todd Akers into the record. Council Member Birth made the motion to deny the Statement of Consistency and Reasonableness for TX19.09.04 – Todd Akers and Council Member Paxton seconded the motion. The vote was a 3 to 3 tie with Council Members Martin, Scholl, and Steele opposing. Mayor Dunn broke the tie in favor of the motion. The Statement of Consistency and Reasonableness for TX19.09.04 – Todd Akers is attached to these minutes and therefore incorporated herein.

7. CZ19.09.01– True Homes

*Original Agenda Item 6*

Mayor Dunn opened the public hearing.

Matt Kirchner, Eagle Engineering, wanted to defer the item until the next meeting but wanted showed the project and presentation to the Council for informational purposes only. The project was a Townhome project on off of Matthews-Indian Trail Road. Mr. Kirchner presentation is attached to these minutes and therefore incorporated herein.

Mayor Dunn recessed the item and public hearing until the 01-13-19 Town Council Meeting.

8. Quarterly Financial Report

Finance Officer Gross reported the CAFR was accepted as submitted by the state with no changes. She then presented the first quarter report to the Council. The reported is attached to these minutes and therefore incorporated here in.

8.A. Report from Town Manager/Town Departments

Town Manager Sewell reported on the following:

- The Carls Road Water Tower Town logo would be painted soon and the Manager sought Council direction on the logo colors. Council approved using the logo with the “Stallings, NC” in black and the medallion in color.
- Balanced Scorecard – Gave an update on the measures set and their progress.
- Council was presented a draft Amended Fee Schedule for consideration at a future meeting.
- Town Hall should be complete in December and then furniture.
- Density – floodplain/tree save percentage calculations would be discussed at a future meeting
- Christmas fireworks – Council held consensus to roll credit over to next year’s Stallings’ Fest

8.B. Development Project Listing on Website (Scholl)

Council Member Scholl wanted more detailed information about the development projects and the stage of the process on the website. Council held consensus to think about the best format and consult the Planning Board.

8.C. Administrative Policy Discussion (Birt)

Council did not discuss this item.

9. Code Enforcement Nuisance Abatement

A. 107 Pine Tree Drive

Code Enforcement Officer Dickinson had been working with the property owner of 107 Pine Tree Drive since 2018. The issue was the junk piles on the property. To clean the property up by a professional company, it would cost \$9400 – 10,200. If the Town paid for the property to be cleaned up, the Town would put a lean on the property.

The property owner, Governor Barnes, was present and informed the Council he was sick which has prevented him from cleaning the property. Mr. Barnes blamed the DOT improvements to the intersection at the powerlines for the items and mess in his yard. Code Enforcement Officer Dickinson explained these improvements had not impacted the property.

Council Member Richardson made the motion to direct Code Enforcement Officer Dickinson to pursue enforcement violation on the property at 107 Pine Tree Drive according to Town ordinances and select Junk Trunk in the amount of \$9481 to clean up the property. The motion was seconded by Council Member Scholl. The motion received a tie vote with Council Members Steele, Birt, and Paxton opposing. Mayor Dunn broke the Town in favor of the motion passing the motion.

B. 400 Aurora Blvd.

Code Enforcement Officer Dickinson had been working with the property owner of 400 Aurora Blvd. since 2018. The issue was the junk piles on the property. To clean the property up by a professional company, it would cost \$2994 - \$4000. If the Town paid for the property to be cleaned up, the Town would put a lean on the property.

Council Member Richardson made the motion to direct Code Enforcement Officer Dickinson to pursue enforcement violation on the property at 400 Aurora Blvd according to Town ordinances and select Junk Trunk in the amount of \$2994 to clean up the property. The motion was seconded by Council Member Scholl. The motion passed by a 4-2 vote with Council Members Birt and Paxton opposing.

9.C. Council Members Elect into Closed Session

Town Attorney Cox explained to the Council that legal advice was preserved by the Council if the Council was going into closed session under attorney-client privilege. If other individuals were allowed into the session that were not the client, the privilege would be lost.

10. Closed Session pursuant to NCGS 143-318.11(a)(3)

Council Member Richardson made the motion to go into closed session pursuant to NCGS 143-318.11(a)(3) regarding 18CVS769 Town of Stallings v. Christopher Loukos. The motion was seconded by Council Paxton and passed by a 5 to 1 vote with Council Member Birt opposing.

*Council went into closed session at 9:47 p.m. and reconvened into open session at 9:58 p.m.*

11. 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 10 p.m.

Approved on \_\_\_\_\_, 2020.

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

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



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 November 25, 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., Lynda Paxton, Brad Richardson, and Shawna Steele.

Those absent were: Council Member John Martin.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Deputy Town Manager/Town Clerk; 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.

Public Comments

No one was present to give public comment.

Mayor Dunn noted that he was in the Hemby Bridge Christmas parade and would like for Stallings to have a parade.

1. Agenda Approval

Council Member Steele made the motion to make the following changes to the Agenda:

- Add *Employee Christmas* - Agenda Item 5
- Delete the closed session
- Add *Idlewild Road Widening and DOT Updates (Paxton)* – Agenda Item 5.A.
- Add *Development Ordinance and Small Area Plans (Richardson)* – Agenda Item 5.B.
- Add *Development Consultant Meeting Date (Scholl)* – Agenda Item 5.C.

Council Member Birt seconded the motion to which Council approved unanimously.

2. Annexation 54 – Boyd Funderburk

Mayor opened public hearing for the Annexation 54 – Boyd Funderburk. Assistant Town Manager Nichols explained this item was for an annexation of 1.77 on Boyd Funderburk. No one was present to give public comment on the item. Mayor Dunn then closed the public hearing.

Council Member Steele made the motion to approve the Ordinance for Annexation 54 – Boyd Funderburk. The motion received Council’s unanimous approval after a second from Council Member Scholl. The Ordinance for Annexation 54 – Boyd Funderburk is attached to these minutes and therefore incorporated herein.

3. RZ19.10.01 – Villages at Idlewild Development, LLC

Mayor opened the public hearing. Town Manager Sewell explained this was part of the Villages at Idlewild project. A 1.77 parcel, just annexed by the Council, had always been a part of the project however needed to be rezoned due to the recent annexation.

Mayor Dunn closed the public hearing. Council Member Steele made the motion to approve RZ10.10.01 which was seconded by Council Member Scholl. The motion passed by a 4 to 1 vote with Council Member Paxton opposing.

Mayor Dunn read the Statement of Consistency and Reasonableness into the record. Council Member Steele made the motion to approve the Statement of Consistency and Reasonableness for RZ10.10.01. The motion was seconded by Council Member Richardson and passed by a 4 to 1 vote with Council Member Paxton opposing. The Statement of Consistency and Reasonableness for RZ10.10.01 is attached to these minutes and therefore incorporated herein.

4. DA19.08.01 – Funderburk/Rittenhour/Price

Mayor Dunn opened the public hearing. Town Manager Sewell explained this directly correlated with the previous two items regarding the 1.77 acre parcel.

Dee Rittenhour, 14809 Boyd Funderburk Road, stated all the area around 485 was being development and that progress could not be stopped. He listened to people at previous meetings trying to dictate who could move into the area and who couldn’t. He retired out of the army and thought the government did it right because anyone has the right to live where they want. Mr. Rittenhour was disgusted at the last meeting as to why people clap in a meeting about keeping people out and thought it was uncalled for. He planned on watching everything grow. He was annexed into Stallings and the only thing he got for that was garbage pickup. Widening Idlewild Road, he thought would be a neat project.

Mayor Dunn closed the public hearing.

Council Member Scholl made the motion approve the Development Agreement DA19.08.01 – Funderburk/Rittenhour/Price. Council Member Steele seconded the motion. The motion passed by a 3 to 2 vote with Council Members Paxton and Birt opposing.

#### 5. Employee Christmas Gift

Mayor Dunn explained that Council had given employees in the past \$150 for fulltime employees and \$75 for part-time employees as a Christmas gift.

Council Member Richardson made the motion to approve the request for employee Christmas gifts as requested. The motion was passed unanimously after a second from Council Member Steele.

#### 5.A. Idlewild Road Widening and DOT updates (Paxton)

Council Member Paxton updated the Council on the following:

- Old Monroe Road Project – Expected to get funding and proceed on schedule;
- Chestnut Roundabout – Acquiring ROW and funding was delayed; expected to be let in June 2021; Developer in the area has also offered to pre-fund;
- Lawyers Road Roundabout – Four-leg project which was in the design phase;
- Atrium Roundabout would be allowed at Stallings Road.

Council then discussed providing feedback to NCDOT on Idlewild Road Widening design. Council held consensus to place that on January agenda.

#### 5.B. Development Ordinance and Small Area Plans (Richardson)

Council Member Richardson reported:

- CLUP and Greenway Plans were citizen driven and endorsed them;
- Monroe Bypass, Smith Farm Road, Downtown Small Area Plans – reaffirmed those plans;
- Office Park on NE Idlewild by 485 – endorsed that idea;
- Recommended repealing Stallings Elementary, Idlewild, and Chestnut Small Area Plans

Council Member Richardson made the motion to direct staff to gather information, plan out a process and timeline to replace current Development Ordinance with the prior Development Ordinance as a temporary replacement. Council Member Birt seconded the motion which passed unanimously.

Council Member Richardson made the motion to start the RFP process to select a firm to develop new landuse visions for Stallings Elementary, Idlewild, and Chestnut Small Area Plans and then draft a new UDO to implements the new small area plans and land use plans. The motion was seconded by Council Member Steele and failed by a 0 to 5 vote with all members opposing.

Council Member Richardson made the motion to select a firm to develop new landuse visions for Stallings Elementary, Idlewild, and Chestnut Small Area Plans and then draft a new UDO to implements the new small area plans and land use plans unless it could be done in house per staff's recommendation. The motion was seconded by Council Member Paxton and passed unanimously by Council.

5.C. Set Date for Development Consultant Meeting (Scholl)

Council discussed different options for consultant meetings. Council held consensus to have special meeting with Demetri Batches and Rick Flowe or other consultants on January 16, 2020 at 6 p.m. to discuss development issues.

Council Member Paxton made the motion to draft a text amendment for the UDO to reduce density in MU1 and MU2 from multi-family to 10 units per acre and single family to 4 units per acre and town homes at no more than 6 units per acre as a temporary measure until a more in depth analysis could be made. Council Member Birt seconded the motion to which Council supported unanimously.

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 8:44 p.m.

Approved on \_\_\_\_\_, 2019.

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

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

Approved as to form:

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



**PLANNING  
& ZONING**  
TOWN of STALLINGS

# APPLICATION *CZ19.09.01*

True Homes

PROPOSED 46-LOT  
Townhome Subdivision

Pre-Public Hearing Staff Analysis + September 2019

# PROJECT SUMMARY

## Location

Matthews Indian Trail Rd  
near Vicky Lane

## Ownership

Ricky C. Strawn

## Zoning

SFR-3

## Existing Use

Single-Family  
Residence

## Proposed Setbacks

Front: 21' MIT; 16' interior  
Side: 0'; 20' b/t bldgs  
Rear: 12'

## Site/Project Size

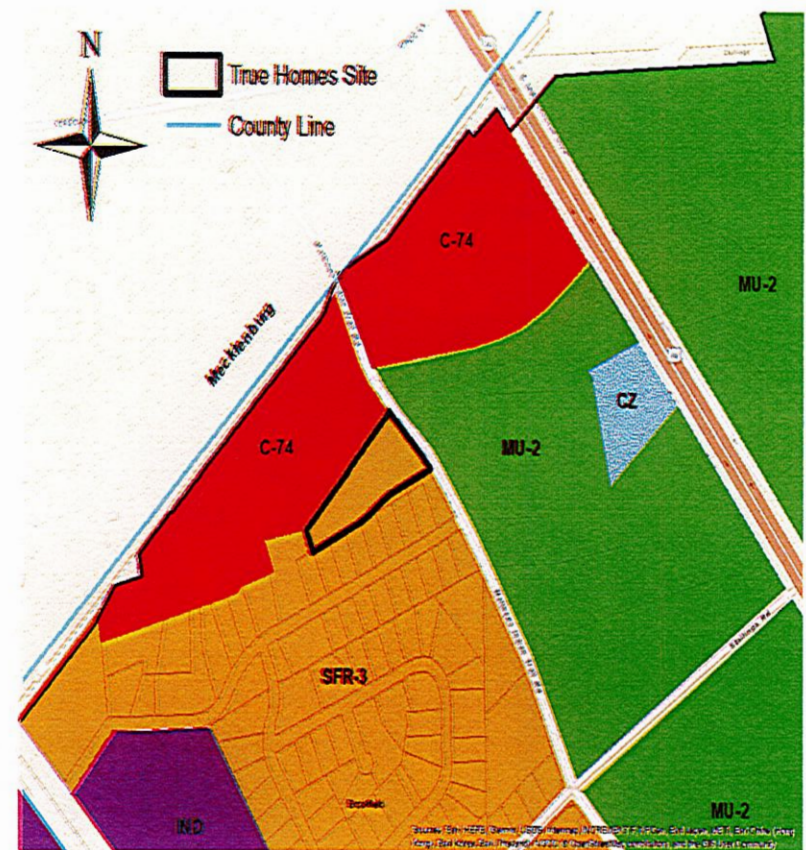
3.79 acres

## Traffic Generation

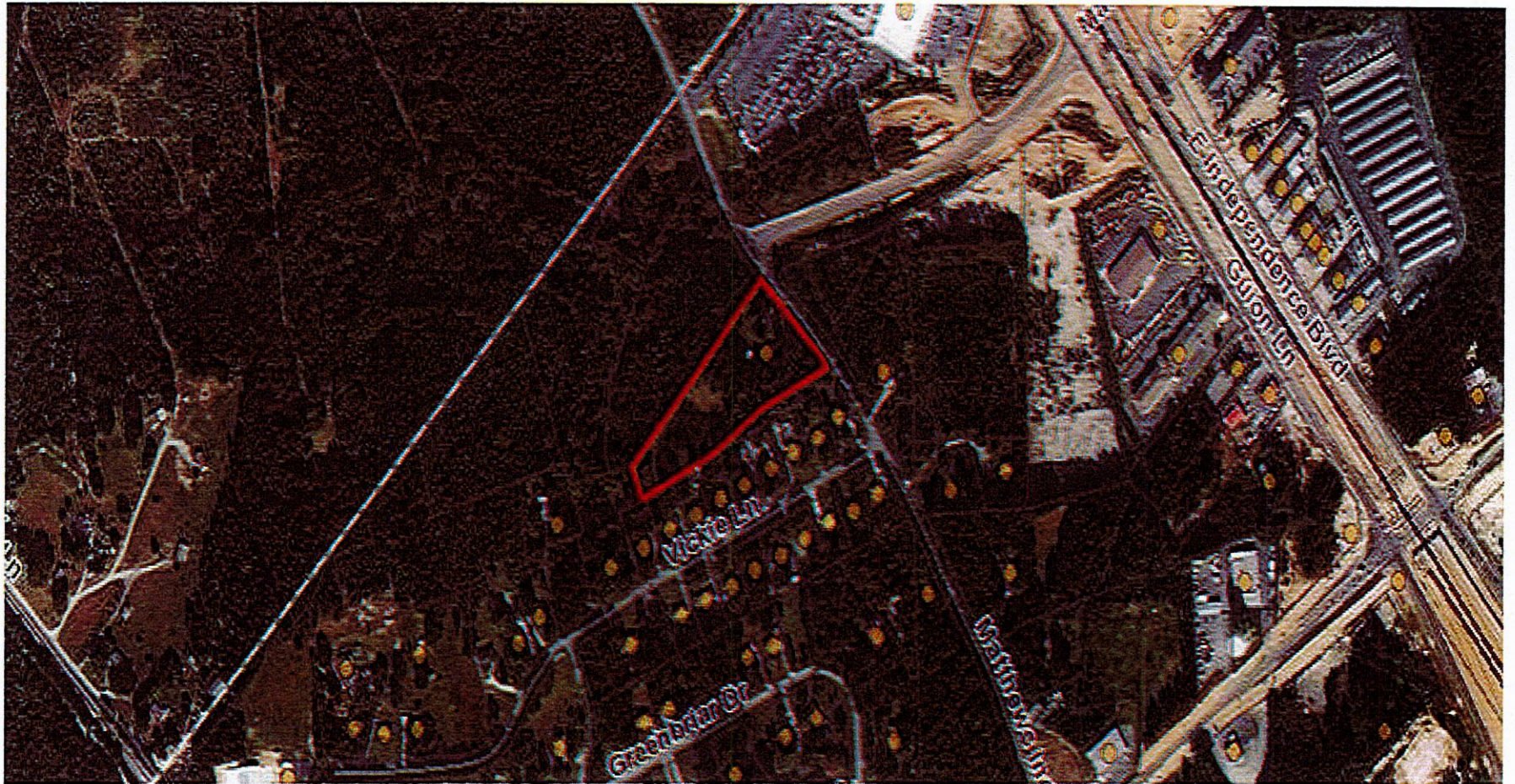
No TIA Required

## Community Meeting

9/18/2019



# 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

No Comments

## 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 plan submitted as a part of the application.
4. The appropriate road cross section as identified by the Monroe Bypass SAP Thoroughfare plans will be provided on Matthews Indian Trail Road.
5. The 30' property boundary buffer will remain undisturbed.
6. An 8' vinyl privacy fence will be placed along the eastern property line where adjacent to single family properties located on Vickie Lane. This fence will be installed by True Homes and maintained by the Fenwick Commons property owner's association.
7. The interior roads will meet the 50' right-of-way as required by Town standards.
8. Architecture elements will include hardiplank (cementitious siding product), brick and/or stone. Vinyl siding will not be permitted as a main building material but will be permitted as window and roof trim material.
9. Requirements established for single family attached house type per Article 9.3 of the Stallings Development Ordinance will be met.
10. 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 46-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 January 13, 2020 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.

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Wyatt Dunn  
Mayor

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Erinn Nichols  
Town Clerk

## Lynne Hair

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**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>

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*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)

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# Neighborhood Meeting Minutes

**To:** Ms. Lynne Hair (Town of Stallings Planning Department)  
**From:** Eagle Engineering, Inc.  
**Date & Time:** September 18, 2019 - 6:00 pm – 8:00 pm  
**Location:** Town of Stallings Council Room  
**Re:** Fenwick Commons

---

## Summary:

Attendees from the Development Team included Mr. Kirchner (Eagle Engineering, Inc.), and Mr. Keith Fenn (True Homes). Additionally, Lynne Hair (Town of Stallings Planning) was in attendance.

1. Mr. Kirchner introduced the Development Team and provided a general description of the site location and planned development of the project. Mr. Kirchner outlined the zoning process within the Town of Stallings and the steps that the project will take including public information meeting, Planning Board, public hearing and City Council decision. The purpose of this meeting was to provide attendees an overview of the project and to receive comments from the public.
2. Mr. Kirchner noted the project will likely be heard at the October Planning Board meeting and the November Town Council meeting for a public hearing and decision. Notification for the Town Council meeting date will be provided by the Town.

## Discussion Points from the Public Information Meeting regarding the Fenwick Commons Rezoning Petition:

3. **How will the drainage from the site be handled?** *The developed site will detain stormwater from the new impervious areas created by the development in stormwater management facilities at the rear of the site. The system will be designed to Town and State standards for permitting. Pond will likely be a wet pond facility.*
4. **What privacy will be provided along the southern border?** *The development will install a privacy fence along the southern border.*
5. **How will residents access the property?** *The development will have a network of streets constructed to meet the town requirements. The site will have one entrance to the property from Matthews-Indian Trail Road.*
6. **Concern over the flow of traffic on Matthews-Indian Trail Rd?** *NCDOT has reviewed the site and required the developer to construct a left turn lane into the property. This lane will allow the flow of traffic on Matthews-Indian Trail Road to pass cars that may be staged to enter the site.*

7. **How many townhouses are proposed?** *There are 44 townhomes proposed on the 3.8 acres.*
8. **What is timing of project?** *Will be subject to the Town of Stallings review cycle.*
9. **What is the size of the units?** *Units are 16 or 20 feet wide and approximately 46 or 34 feet deep footprint. All units are two story units. They will be average size of approximately 1400 sf.*

Attendees at the meeting were encouraged to sign the Attendance Sheet. A copy of the attendance list is attached. Contact information/business cards were provided for any to take.

**PLEASE NEATLY PRINT NAME**

	<u>Name</u>	<u>Resident of Stallings?</u>	<u>Address</u>	<u>Phone</u>
1.	Faye Fink	✓	1301 Vickie Lane	
2.	Mary Blackley	✓	1224 Vickie Lane	
3.	Janet Nashberts	✓	1307 Vickie Lane	
4.	MAX STRADER	✓	1203 VICKIE LN	
5.	SONYA STRADER	✓	1203 VICKIE LN	
6.	Linda Gaddy	✓	1321 Vickie Ln.	
7.				
8.				
9.				
10.				



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 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.



FENWICK COMMONS  
TOWNHOMES  
CONDITIONAL ZONING – CZ19.09.01

TOWN OF STALLINGS  
TOWN COUNCIL MEETING

NOVEMBER 12, 2019

7:00 PM

TrueHomes

IT'S ALL ABOUT U<sup>®</sup>





# PROJECT AREA



# PROJECT CONCESSIONS

- Rear Load from Private Alleyways
- Amenity Area
  - Gazebo/Park Benches/Pedestrian Trail/Picnic Area
- Vinyl Privacy Fence & Type D Buffer
- For Sale Units
- Fountain In Pond
- Front Porches
- Architecture Element will Include Hardiplank (Cementitious Siding Product), Brick and/or Stone.
- Interior Roads will Meet 50' Right-Of-Way and Town Standards

# PROJECT AREA


















# TOWN OF STALLINGS ZONING

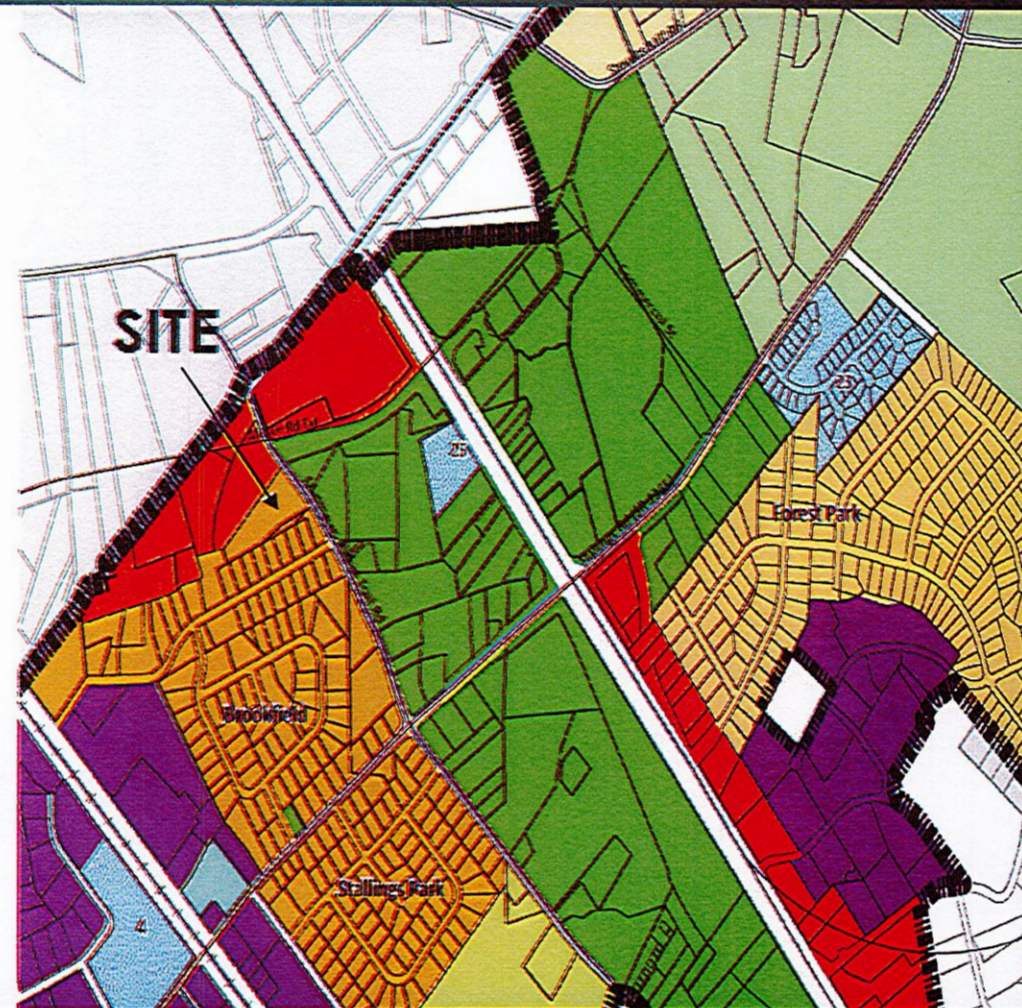
## Legend

-  Town Limits
-  County Line

## STALLINGS ZONING

### DISTRICT

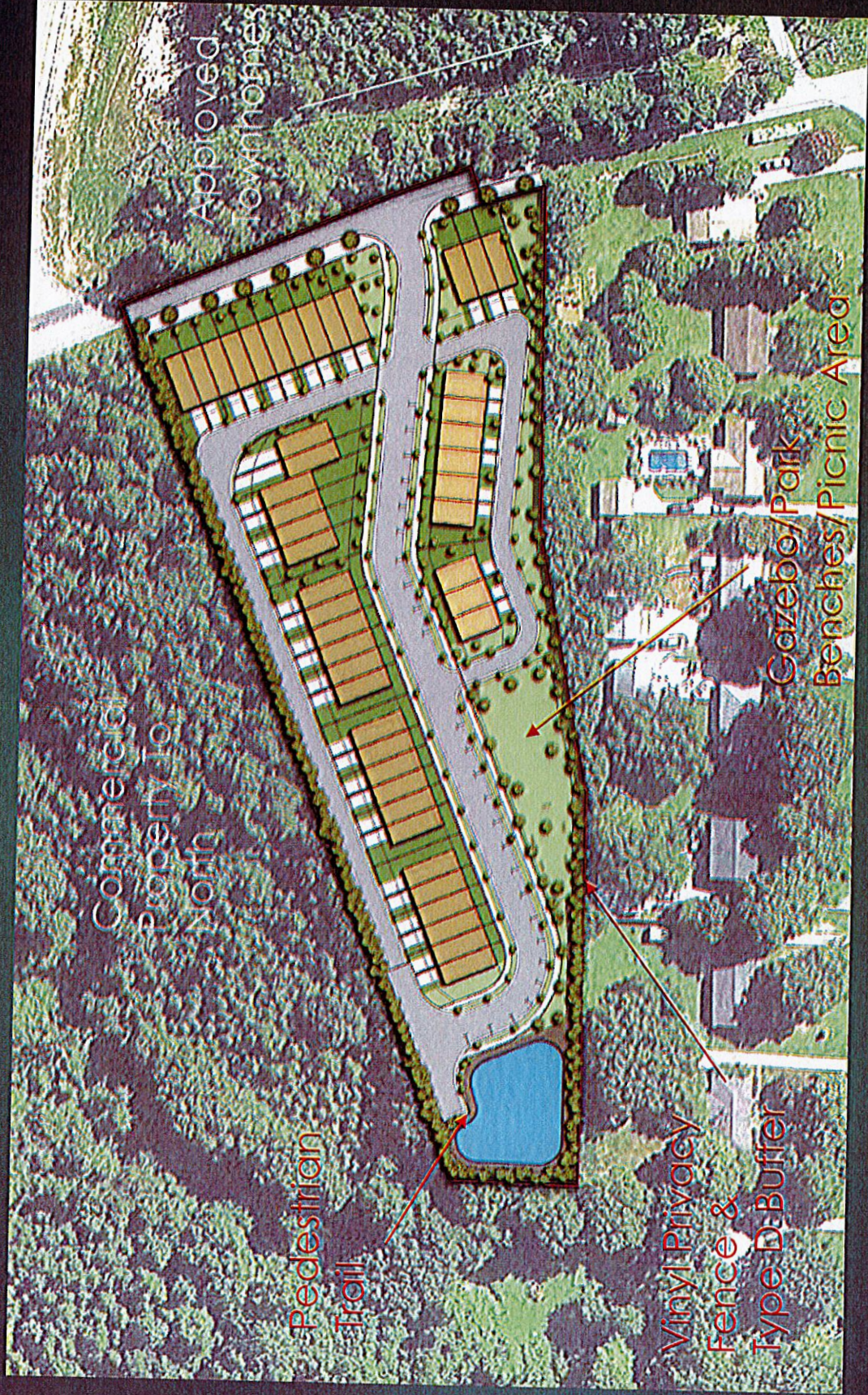
-  AG *Agriculture*
-  SFR - 1 *Residential District*
-  SFR - 2 *Residential District*
-  SFR - 3 *Residential District*
-  MFT *Multi-Family Transitional*
-  TC *Town Center*
-  CIV *Civic*
-  MU - 1 *Mixed-Use 1*
-  MU - 2 *Mixed-Use 2*
-  C - 74 *US Highway 74 Commercial*
-  CP - 485 *Interstate Highway 485 Corporate Park*
-  VSR *Vehicle Service and Repair*
-  IND *Industrial*
-  CZ *Conditional Zoning*
-  CUP *Conditional Use Permit*



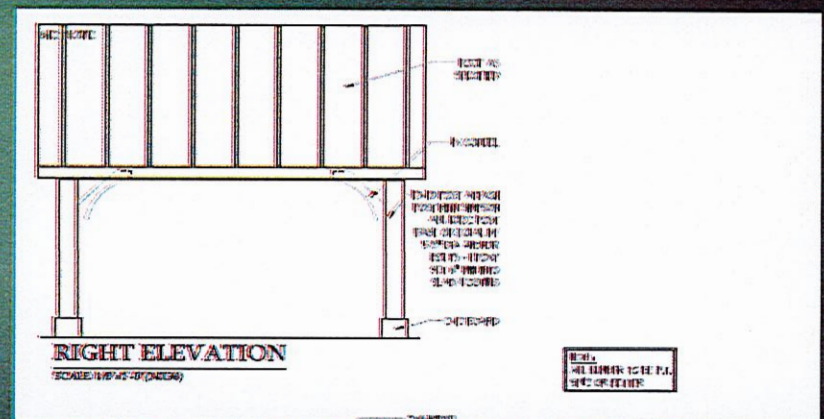
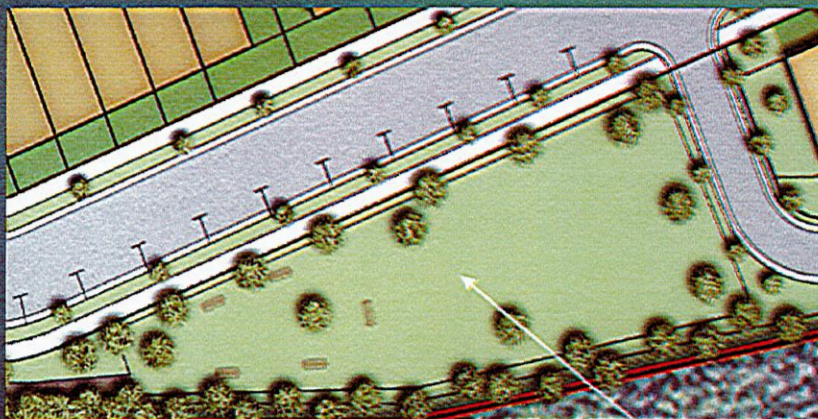
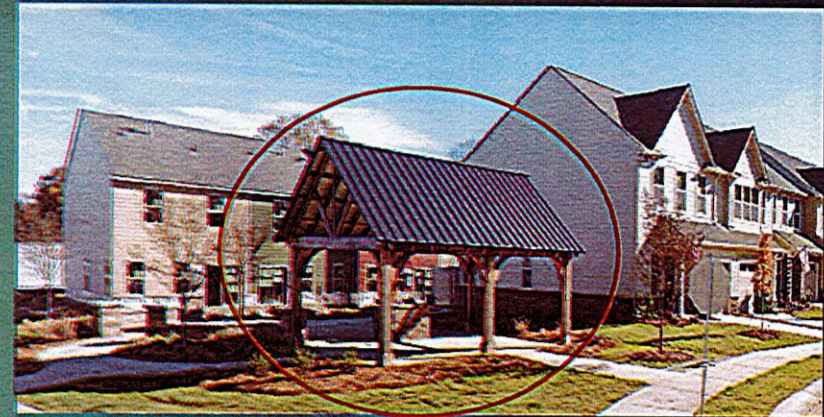
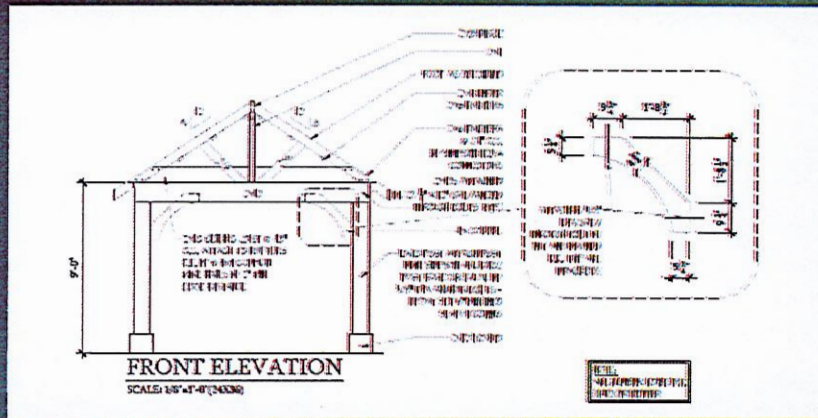
# FUTURE LAND USE PLAN



# FENWICK COMMONS RENDERING



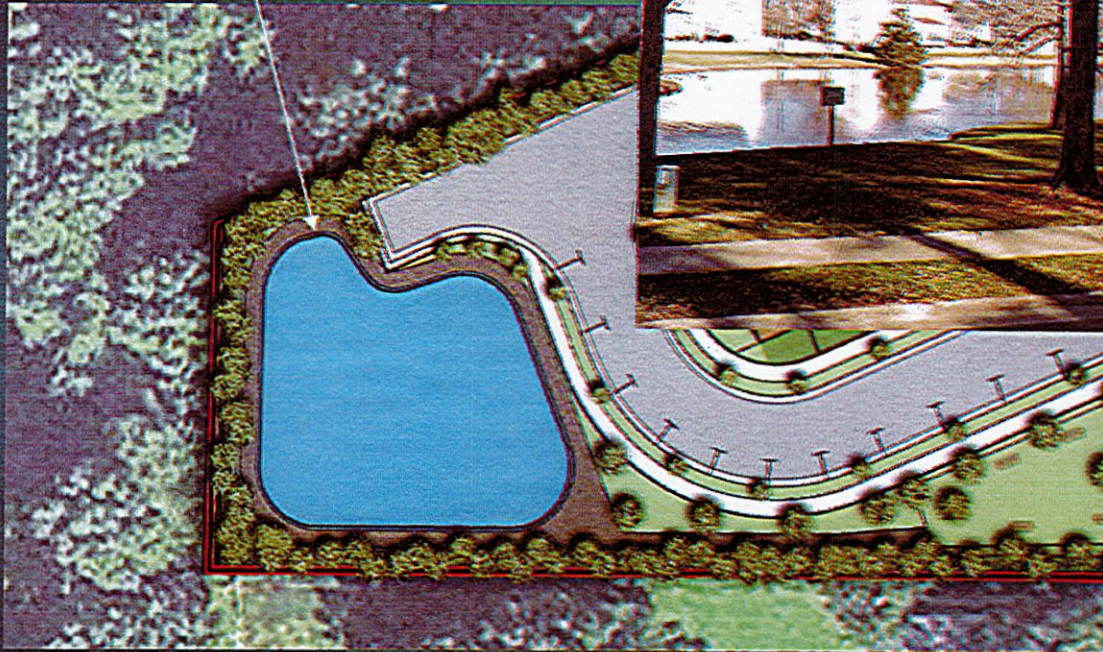
# AMENITY AREA GAZEBO/PARK BENCHES/PEDESTRIAN TRAIL/PICNIC AREA



Gazebo/Park  
Benches/ Picnic Area

# AMENITY AREA GAZEBO/PARK BENCHES/PEDESTRIAN TRAIL/PICNIC AREA

Pedestrian  
Trail





# PROPOSED ELEVATIONS

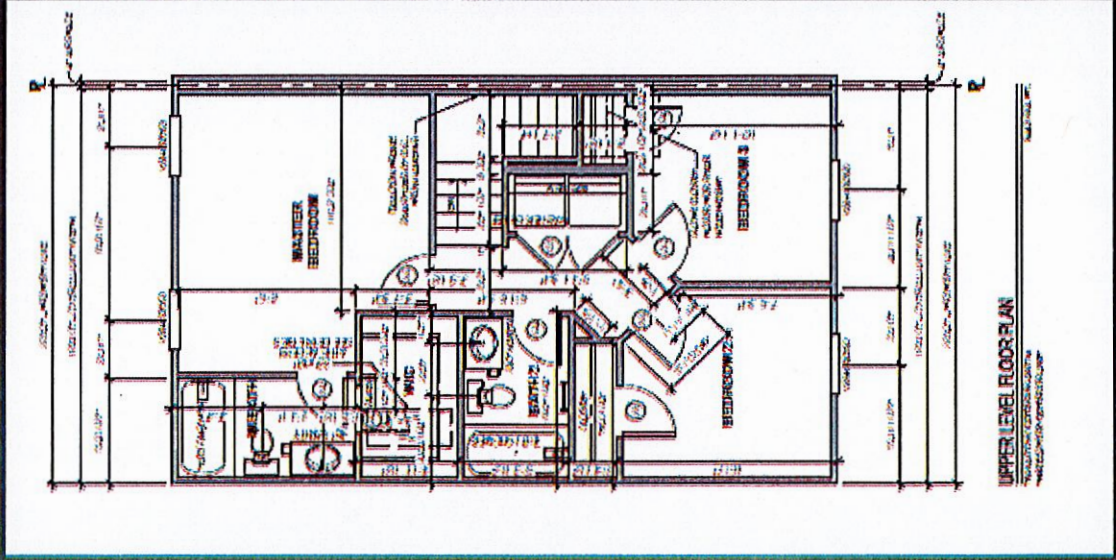
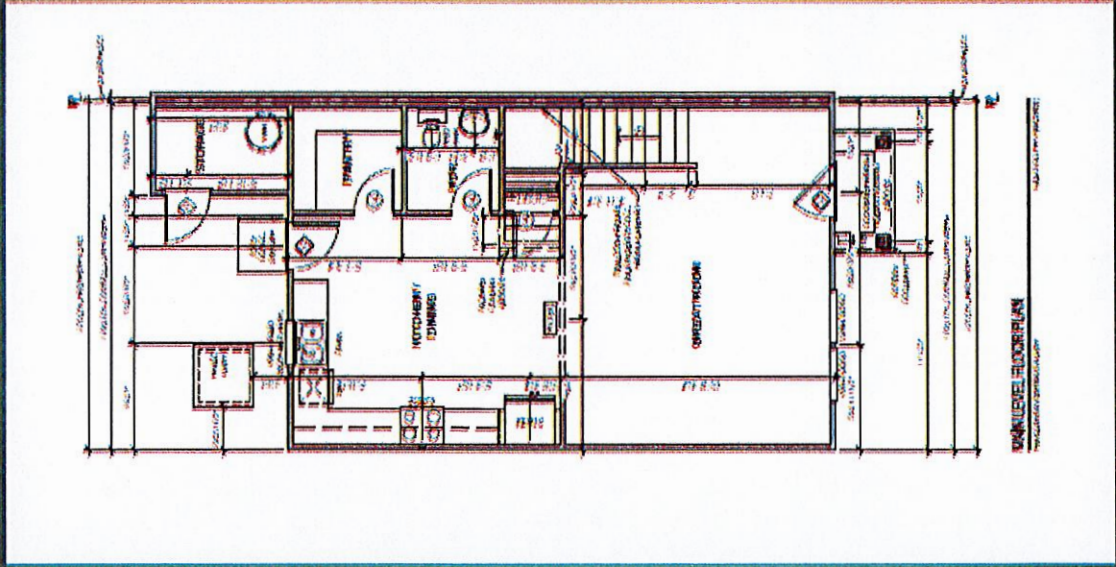
## Architecture Elements

- Brick and/or Hardiplank
- Front Porches
- Monolithic Slabs
- Rear Load from Private Alleysways



# PROPOSED FLOOR PLAN

- 1,200 – 1,300 sqft
- 2-3 bedrooms
- 46 Units/Lots





FENWICK COMMONS  
TOWNHOMES  
CONDITIONAL ZONING – CZ19.09.01

TOWN OF STALLINGS  
TOWN COUNCIL MEETING

NOVEMBER 12, 2019

7:00 PM

TrueHomes

IT'S ALL ABOUT U<sup>®</sup>





# MEMO

To: Town Council  
From: Alex Sewell, Town Manager  
Date: 1/8/20  
RE: U-4913 Idlewild Road Widening – DOT Request

**Purpose:** This memorandum provides background and an update on the ongoing dialogue regarding NCDOT TIP Project U-4913 (Idlewild Road Widening).

**Background:**

- A previously issued memorandum dated 10/24/19 is enclosed below with a detailed background on the project. However, this memorandum includes a general overview of the project's status.
- The N.C. Department of Transportation ("DOT") and Town of Stallings have been engaged in an ongoing dialogue regarding U-4913 over the past year. The DOT and Town have had differing perspectives on the appropriate design for this project.
  - o The Town has previously expressed that one of its primary underlying concerns is that some of the design proposals for the corridor would conflict with the Town's adopted land use plans.
- Council called a special meeting on 10/28/19 with DOT representatives. DOT had requested this 10/28/19 meeting with the Town Council so there could be ongoing dialogue and to see if the Council would be willing to endorse one of DOT's design alternatives.
- At the 10/28/19 Council meeting, DOT reiterated three options:
  - o Option#1 - Six (6) lane divided with conventional intersections - \$20 million estimate (Staff had previously advised that a 6-lane option with Stevens Mill/Idlewild remaining a traditional full movement intersection is the DOT concept that most aligns with the Town's adopted land use plans).
  - o Option #2 - Six (6) lane divided with Michigan RCI at Stevens Mill - \$20 million estimate (DOT Preferred)
  - o Option #3 - One Way Pair Alternative - \$28 million estimate (requires a second bridge and more overall roadway)
- At the 10/28/19 Council Meeting, DOT discussed the topic with the Council and requested a decision from Council on its preference prior to February 2020.

- On 11/1/19, DOT sent an email providing additional information to the Town Council.

**Update:** DOT has sent a follow-up letter (dated 12/12/19 and enclosed) requesting the Council identify its preferred design alternative so that DOT could continue its design efforts and move towards delivering the project.

**Next Steps:** The DOT has requested the Council identify its preferred design alternative. The Council's options are to:

- 1.) Identify its preferred DOT concept;
- 2.) Not approve one of the DOT's concepts and continue to try to negotiate;
- 3.) Not approve one of the DOT's concepts and not try to continue to negotiate;  
or
- 4.) Take any other action deemed appropriate by the Council.



---

To: Town Council

From: Alex Sewell, Town Manager

Date: 10/24/19

RE: U-4913 Idlewild Road Widening – Special Meeting

---

**Purpose:** This memorandum provides background on the ongoing dialogue regarding NCDOT TIP Project U-4913 (Idlewild Road Widening) in anticipation of the 10/28/19 Special Meeting with DOT.

**Background:**

- The N.C. Department of Transportation (“DOT”) and Town of Stallings have been engaged in an ongoing dialogue regarding U-4913 over the past year. One of the Town’s primary underlying concerns is that some of the proposals for the corridor would be antithetical and even destructive to the Town’s already adopted land use plans for the area.
- An Idlewild Work Team was established consisting of the Council Member Paxton, Town Manager Alex Sewell, Planning Director Lynne Hair, Town Engineer Chris Easterly, Planning Consultant Demetri Batches, and Traffic Engineer Consultant Randy Goddard. This Idlewild Work Team has been the primary working body for evaluating DOT’s proposals and providing recommendations to the Town Council on the topic.
- Recently, DOT shared two U-4913 conceptual design maps. These maps were a part of the feedback conversation at the 7/25/19 DOT public open house with local officials and the public.
- At the 7/8/19 Council meeting, the Council provided direction on what the Council agreed and disagreed with regarding DOT’s design maps. The Council directed staff to file these concerns with DOT directly and through a Charlotte Regional Transportation Planning Organization (CRTPO) process. This communication is dated 7/16/19 and is enclosed at the bottom of this document including the Town’s desired cross section. In this communication, the Town expressed the following concerns to DOT:
  - o The Michigan-left/superstreet concept design for the Stevens Mills Road and Idlewild Road intersection is antithetical to the Town’s adopted plan. The Town would request that the intersection of Stevens Mill Road and Idlewild Road be a traditional full-access intersection. If a traditional full-access intersection is not possible, the Town would also find a roundabout for this intersection acceptable.
  - o As previously indicated, the Town would be willing to accept going from a 4-lane to a 6-lane section for this corridor if done in accordance with the enclosed cross section.

- The Town would eventually like for there to be a 14' multi-way path on the northeastern/non-shopping center side of Idlewild Road. Much of this area is undeveloped and so the Town wants developers to cover the cost of installing this 14' multi-way path as those particular properties develop and not taxpayers. As a result, the Town is not committing to pay for any sidewalk betterments but requests that DOT leave enough space for sidewalks to be done in accordance with the enclosed cross-section. This way developers will fund these improvements as development happens and not taxpayers.
- In addition to the DOT design maps that were the subject of the 7/25/19 DOT public input session, the DOT provided the Town with additional alternative design concepts from DOT's Mobility and Safety Division in Raleigh including a one-way pair concept.
- On 7/23/19, the Town Work Team met to evaluate the additional design concepts presented by DOT with the goal of providing a recommendation for the Town Council's consideration regarding the one-way pair concept.
- On 8/12/19, the Town Council opted to not to pursue the one-way pair concept because it did not see it as a feasible option. Instead, the Council determined it would notify the DOT of its decision and reiterate its previous position. A letter dated 8/15/19 was sent to DOT and is enclosed below.

**Update:**

- On 9/9/19, the Town Council agreed to reconsider the one-way pair concept after learning that DOT would be sharing more in-depth information in the coming weeks.
- On 9/17/19, members of the Idlewild Work Team met with the DOT to go over the more in-depth information on the one-way pair concept. Based on this new information, the Idlewild Work Team members concluded that existing conditions are too limited for one-way pair implementation in the Idlewild corridor because existing residential properties would need to be removed to accommodate the design.
- On 9/17/19, DOT requested that it meet with the Town Council to see if the Council would be willing to approve one of the two design concepts it presented at the 7/25/19 open house. As a result, the Council called a special meeting on 10/28/19 at 6:00 PM.

**Options:** The Council's options are to:

- 5.) Approve one of the DOT concepts;



- 6.) Not approve one of the DOT's concepts and continue to try to negotiate;
- 7.) Not approve one of the DOT's concepts and not try to continue to negotiate;
- or
- 8.) Take any other action deemed appropriate by the Council.

**Analysis:** The con of approving one of the DOT's concepts is that none of the concepts presented are exactly what the Town is seeking. Indeed, the enclosed documentation shows that the Town has consistently held the position that DOT's concepts for the Idlewild corridor do not align with the Town's already adopted land use plans for the area. It is possible that if the Town holds out longer that DOT might make more concessions.

The counterargument is that the Town and DOT have been negotiating for over a year on this project and we appear to be at a stalemate. Notably, DOT can proceed with this project without Town approval. Now could be the Town's window of opportunity to get a more preferred option (even if it's not exactly what we want) before the DOT moves on with a less preferable option.

If Council is open to approving one of the DOT's concepts, staff's opinion is that, the 6-lane option with Stevens Mill/Idlewild remaining a traditional full-movement intersection is the DOT concept that most aligns with the Town's adopted land use vision.



RE: Project U-4913 (Idlewild Road Corridor)

Dear DOT and CRTPO Officials,

On behalf of the Stallings Town Council, I write today regarding TIP Project U-4913. As you know, this Project involves improvements to the Idlewild Road corridor partly located within the Town of Stallings. For over the past year, DOT and the Town of Stallings have been engaged in an ongoing dialogue regarding U-4913. The Town of Stallings is appreciative of DOT's willingness to have a dialogue and wants to express our respect and appreciation to our local DOT officials. Both DOT and the Town of Stallings believe that transportation improvements are greatly needed in this area.

Recently, our DOT colleagues have shared several U-4913 conceptual designs. These designs will be part of the feedback conversation at an upcoming 7/25/19 DOT public input session. The Town supports several aspects of these conceptual designs including:

- 1.) The Town supports the diverging diamond interchange conceptual configuration. As you know, the diverging diamond design is unusual in that it requires traffic to briefly drive on the non-typical opposite side of the road. While there will likely be some growing pains as unfamiliar motorists become accustomed to this design, the Town believes this design will ultimately benefit our community's transportation network by improving efficiency of the interchange.
- 2.) The Town supports the dual lane roundabout at the realigned Stallings Road and Hooks Road intersection.

While emphasizing our respect for our DOT colleagues and areas of mutual agreement, the Town of Stallings has deep concerns about certain aspects of the proposed U-4913 conceptual designs. Indeed, certain aspects of the U-4913 concept designs are antithetical and even destructive to the Town's already adopted Idlewild Road Corridor Small Area Plan.

The Town spent years and hundreds of thousands of dollars overhauling our community's development plans including the adopted Idlewild Road Corridor Small Area Plan. The Idlewild Road Corridor Small Area Plan envisions an integrated development supported by uses that are typical for markets within metropolitan areas having similar accessibility and locational contexts. The intent of the Idlewild Road Corridor Small Area Plan is to capture and orient these uses to support not only regional needs sustained by the auto-oriented access provided by I-485, but to also create a critical mass that enables the creation of jobs, fosters a good proportion of retail servicing local needs, and integrates these options in close proximity. The concept designs for U-4913 essentially installs an ever-expanding highway in the middle of our already adopted mixed-use plan. This will be destructive to the Town's adopted vision for the Idlewild Road Corridor.

The Town's concerns are generally described as follows:

- 1.) The Michigan-left/superstreet concept design for the Stevens Mills Road and Idlewild Road intersection is antithetical to the Town's adopted plan. The Town would request that the intersection of Stevens Mill Road and Idlewild Road be a traditional full-access intersection. If a traditional full-access intersection is not possible, the Town would also find a roundabout for this intersection acceptable.
- 2.) As previously indicated, the Town would be willing to accept going from a 4-lane to a 6-lane section for this corridor if done in accordance with the enclosed cross section.

3.) The Town would eventually like for there to be a 14' multi-way path on the northeastern/non-shopping center side of Idlewild Road. Much of this area is undeveloped and so the Town wants developers to cover the cost of installing this 14' multi-way path as those particular properties develop and not taxpayers. As a result, the Town is not committing to pay for any sidewalk betterments but requests that DOT leave enough space for sidewalks to be done in accordance with the enclosed cross-section. This way developers will fund these improvements as development happens and not taxpayers.

The Town Council has instructed Town staff to file our concerns with DOT and also through the CRTPO process.

Sincerely,

Mayor Wyatt Dunn  
Town of Stallings

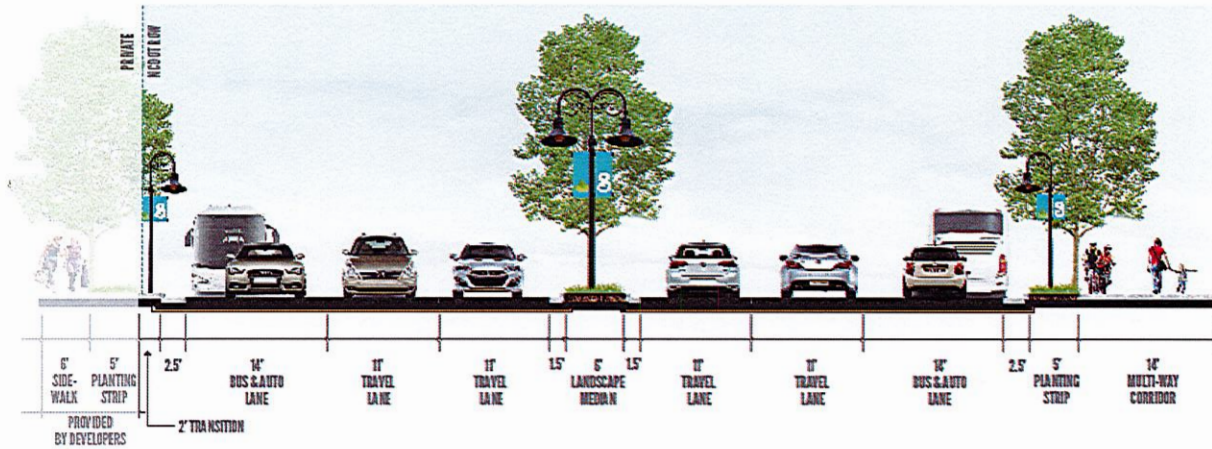
CC:

Robert Cook, CRTPO  
Neil Burke, CRTPO  
Scott Cole, NCDOT  
Sean Epperson, NCDOT  
Alex Sewell, Town of Stallings  
Chris Easterly, Town of Stallings

fall back

107'

127' @ intersections  
(with addition of (2) 10' left turn lanes)



idlewild boulevard section



---

Town of  
**Stallings**

---

315 Stallings Road • Stallings, North Carolina 28104

August 15, 2019

RE: Project U-4913 (Idlewild Road Corridor Widening)

Dear DOT and CRTPO Officials,

For over the past year, DOT and the Town of Stallings have been engaged in an ongoing dialogue regarding Project U-4913. The Town wants to express our ongoing respect and appreciation to our local DOT officials. While communicating our respect, the Town has also expressed on numerous occasions serious concerns that certain aspects of DOT's designs would be antithetical and even destructive to the Town's previously adopted land use plans (see enclosed 7/16/19 letter).

In July, the DOT shared several U-4913 conceptual designs and held a public input session. In the same month, DOT also shared with the Town several additional conceptual design alternatives from NCDOT's Mobility and Safety Division including a one-way pair concept. The Stallings Town Council has discussed this information and is appreciative of DOT sharing alternative configurations. The Council likes certain aspects of the one-way pair concept but also has concerns.

Ultimately, the Council does not see the one-way pair as a feasible option for two primary reasons. First, the cost to enact such a project would likely be exorbitant and exceed the current budget by a significant margin. Second, the one-way pair design is a significant change from the current design concept alternatives being presented. However, DOT's stated project milestone timeline is insufficient for the proper development and evaluation of this concept in this location, and any subsequent hard design. Specifically, the Town Council believes more than a very high-level concept design is needed to properly evaluate certain key design features such as intersection design and street cross sections to understand how a one-way pair would function and impact our community. DOT's timeline does not provide enough time for such a process and subsequent hard design of such a significant change.

As a result, the Town would like to reiterate its concerns/recommendations as follows:

- 1.) The Michigan-left/superstreet concept design for the Stevens Mills Road and Idlewild Road intersection is antithetical to the Town's adopted plan. The Town would request that the intersection of Stevens Mill Road and Idlewild Road be a traditional full-access intersection. If a traditional full-access intersection is not possible, the Town would also find a roundabout for this intersection acceptable.
- 2.) As previously indicated, the Town would be willing to accept going from a 4-lane to a 6-lane section for this corridor if done in accordance with the enclosed cross section.

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Sincerely,

Stallings Town Council



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

JAMES H. TROGDON, III  
SECRETARY

December 12, 2019

Town Council of Stallings  
315 Stallings Road  
Stallings, NC 28104


The purpose of this letter is a follow-up to the presentation made at the October 28, 2019 Council meeting and a standing monthly meeting with staff on November 20, 2019. As outlined, the planning and design for this project commenced in 2017. Several iterations have been presented at the request of various stakeholders.

NCDOT is now seeking a response from the Town of Stallings regarding the alternative presented on October 28<sup>th</sup>. Since the alternative of One-Way pairs along the corridor has been declined, we still need to settle on a decision in regard to the Steven's Mill intersection.

In the e-mail of November 1<sup>st</sup> from Sean Epperson as a response to questions asked at the last Council Meeting he elaborated on the preference of a Michigan Left Reduced Conflict Intersection over a Traditional intersection at the Steven's Mill Road intersection for reasons of: Capacity, Safety, Roadway and Construction Impacts and Pedestrian Accommodations.

A response from the Council, identifying the Town's support of a preferred alternative is requested in order for us to continue design efforts so that we can move towards delivering this project.

Sincerely,

  
Brett Canipe, PE  
Division Engineer  
NCDOT Division 10

CC: Timothy M. Boland, PE – Division Project Development Engineer  
Sean M. Epperson, PE – Division Team Lead  
Travis Preslar, PE – Project Manager  
Lynn Paxton, District 3 Council Member  
Alex Sewell – Stallings Town Manager

Mailing Address:  
NC DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
716 WEST MAIN STREET  
ALBEMARLE, NC 28001

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716 WEST MAIN STREET  
ALBEMARLE, NC 28001



# MEMO

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To: Town Council  
From: Alex Sewell, Town Manager  
Date: 1/8/20  
RE: Requested Epcon-Lawyers Road Update

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**Purpose:** This memorandum’s purpose is to provide a requested update on the Epcon-Lawyers Road project (“Courtyards at Lawyers Road”).

**Background:**

- On 11/13/18, the Town Council approved a conditional zoning application (“CZ18.08.01 – Epcon Communities”). The proposed project is an age-restricted (55+) development with 146 lots on a 53-acre tract at Lawyers Road and Allen Black Road.
- On 12/30/19, Mayor Dunn requested that this project be put on the 1/13/20 Council Agenda to get a summary of the status of the project and in particular a proposed retaining wall that citizen Mr. Bob Cochran had expressed concerns about which a portion of would be located behind Mr. Cochran’s home.
  - o One of Mr. Cochran’s concerns with the proposed retaining wall is that it violated the following approved condition of the development:

*7. 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 the dwellings will be provided as part of the site construction plans for permitting. This plan will be completed to the satisfaction of the Town as approved by the Development Administrator.*

- The proposed retaining wall is located outside of the required buffer area beside part of the Stevens Mills subdivision. The height of the wall ranges from about 0.5 to 8 feet and the length is approximately 350 feet.

**Requested Report:**

- Permits for the project have not been issued and plan review is ongoing.



- Currently, Town staff are waiting for Epcon to submit updated plans for the project including a grading plan prepared by a landscape architect (as cited in condition #7 above).
- Staff believe there are some open questions of interpretation that condition #7 raises and need more information to make an interpretation on the issue.
- To determine the proper interpretation, staff will need the grading plan from Epcon and also plan to consult with the Development Ordinance's author (who wrote the language at issue) to learn how it is intended to apply.
- Notably, the Town has issued a cease and desist letter followed by an Notice of Violation letter for the project regarding tree disturbance without a permit. Once the applicable fine is paid, the cease and desist order will be lifted on the project.