

**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 24, 2022, at 7:00 p.m. at the Stallings Government Center, 321 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Wyatt Dunn; Mayor Pro Tempore David Scholl; Council Members Steven Ayers, Heather Grooms, Graham Hall and Brad Richardson.

Those absent were: Council Member Taylor-Rae Drake.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Max Hsiang, Planning Director; Patrick Blaszyk, Planning Technician; Marsha Gross, Finance Officer; Brian Price, Public Works Director; Eunice McSwain, Parks and Recreation Director; 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 Grooms 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 general public comments.

1. Approval of Consent Agenda Items

- A. ARPA - Grant Project Ordinance Amendment
- B. Police Department K9 Program Update

Upon request, Chief Franks gave a summary of the K9 Program Update. The K9 vendor identified aggression issues with original dog and offered another dog, female, at a discounted price. The new dog would be able to provide two additional service years and cost would increase by \$4000. The new dog would be solely attached to a night patrol squad in Town.

Council Member Scholl made the motion to approve the Consent Agenda Items as presented. The motion was seconded by Council Member Ayers which passed unanimously by Council. The ARPA - Grant Project Ordinance Amendment is attached to these minutes and therefore incorporated herein.

2. Agenda Approval

Requested moving Agenda Item 6, CZ22.08.01 – East Coast Granite, to 2.A. Council Member Richardson made a motion to approval the Agenda with the above noted change. The motion was passed unanimously after a second from Council Member Grooms.

2.A. CZ22.08.01 – East Coast Granite

Original Agenda Item 6

Mayor Dunn opened the public hearing. Planning Director Hsiang presented the Council the Staff Report on this item stating that East Coast Granite was requesting to expand the current granite manufacturing on the site. This report is attached to these minutes and therefore incorporated herein. Staff recommended approval on the request as while it was inconsistent with the Land Use Plan, it was reasonable.

The applicant did not wish to speak. Mayor Dunn then closed the public hearing.

Council Member Richardson made the motion to approve CZ22.08.01 – East Coast Granite with the approved conditions. The motion was seconded by Council Member Ayers and passed unanimously by Council.

Mayor Dunn then read the Statement of Consistency and Reasonableness for CZ22.08.01 – East Coast Granite into the record. Council Member Ayers made the motion to approve the Statement of Consistency and Reasonableness for CZ22.08.01 – East Coast Granite to which Council Member Grooms seconded. Council unanimously passed the motion. The Statement of Consistency and Reasonableness for CZ22.08.01 – East Coast Granite is attached to these minutes and therefore incorporated herein.

3. Annexation 55 – Lawyers Road – Epcon

Assistant Town Manager Nichols explained this was the final step to approve Annexation 55-Lawyes Road – Epcon. Mayor opened the public hearing. There was no one present to give public comment on this item. Mayor Dunn then closed the public hearing.

Council Member Scholl made the motion to approve Annexation 55 – Lawyers Road – Epcon. Council Member Ayers seconded the motion to which Council unanimously approved. The Ordinance to Extend Corporate Limits approving Annexation 55 – Lawyers Road – Epcon is attached to these minutes and therefore incorporated herein.

4. RZ22.05.01 – Epcon

Mayor Dunn opened the public hearing. Planning Director Hsiang presented the Council the Staff Report on this item stating that the applicant wanted to rezone 49.12 acres from Union County Zoning Residential R-20 to Stallings Zoning Multi-Family Transitional (MFT) and rezone 07033008B-01 from Single-Family Residential 1 (SFR-1) to MFT. Mr. Hsiang's presentation is attached to these minutes and therefore incorporated herein.

The applicant, Wes Hinson(attorney); John Ross; Ken Cardo; Andy Gibbons; John Shamp then gave a presentation to the Council explaining that the project was at least a year out from receiving sewer. This presentation is attached to these minutes and therefore incorporated herein. The price point for the project would be approximately \$600k/unit with 107 units on the project.

Public Comment:

- Eric Knappe, Courtyards at Emerald Lake, was happy with Epcon and comfortable with what they were building. If Epcon decided to unload the property, was worried that the new owner could build condos or apartments that was not age restrictive. If so, the traffic would get worse.
- Vickey Kid, real estate broker, representing the seller, with largest part owned by the Griffins/Stevens Family. It was very important to that family that a buyer would do something to compliment the community. She had dealt a lot with Epcon, and they were one of the top builders and developers. People were very pleased with the product. There was a strong support for senior living because those types of communities' support community and volunteer.
- Myra and Craig Green, Moose Trail, whose property backed up to the property. The retention pond for the project sat right behind his property. He was concerned about the trees dying and it would take 50 years to get the view back he has now.
- David Griffin, 1104 Avalon Place, Courtyards at Emerald Lake, worked with Epcon (HOA 1st pres.) and said Epcon was a pleasure to work with and he loved living in the neighborhood because Epcon delivered product they said they would.
- John Zmuba, felt the issue was about quality of life and safety. He felt that the traffic impact had not yet been realized. He felts that people trying to make a left turn onto Lawyers Road was very dangerous.
- Elaine Potter, 1004 Moose Trail, welcomed the Epcon community to be her neighbor. But she had two concerns: 1) flooding from the pond; and 2) would like a privacy fence.
- Seth Werner, Emerald Lake, stated that since new developments had come into the area, traffic came to a standstill and there were improvements needed to Lawyers Road.

Mayor Dunn closed the public hearing. Council Member Scholl made the motion to approve RZ22.05.01 – Epcon. Council Member Ayers seconded the motion. The motion passed by a 3 to 2 vote with Council Members Grooms and Hall opposing.

Mayor Dunn read the Statement of Consistency and Reasonableness for RZ22.05.01 – Epcon into the record. Council Member Scholl made the motion to approve the Statement of Consistency and Reasonableness for RZ22.05.01 – Epcon to which Council Member Richardson seconded. The motion passed with a 4 to 1 vote with Council Member Hall opposing. The Statement of Consistency and Reasonableness for RZ22.05.01 – Epcon is attached to these minutes and therefore incorporated herein.

5. TX22.08.01 – Impervious Surface, Article 9.2

Mayor Dunn opened the public hearing. Planning Director Hsiang presented the Council the Staff Report on this item stating that this was a request from Epcon to make changes to Impervious Surface, Article 9.2. The Staff Report is attached to these minutes and therefore incorporated herein. Engineer approved this text change. Staff also recommended approval of the amendment was a small word change, replacing “age restricted” with “age targeted.”

Council Member Scholl made the motion to approve TX22.08.01 – Impervious Surface, Article 9.2 with the work replacement of “restricted” to “targeted” and adding “notwithstanding the foregoing, in MFT zoning district, the maximum building coverage for the primary structure shall be fifty (50%) percent of the lot area in subdivisions where occupancy is age-targeted in part to persons over the age of fifty-five (55) years.” Council Member Richardson seconded the motion. The motion passed by 4 to 1 with Council Member Hall opposing.

No public present to speak on this item. The mayor closed the public hearing.

6. CZ22.08.01 – East Coast Granite
Moved to Agenda Item 2.A.

7. Fee Schedule Amendment

Planning Technician Patrick Blaszyk, explained to Council the staff recommended a Fee Schedule Amendment to account for staff time and inflation. Mr. Blaszyk presented the Council the details of the changes which is attached to these minutes and therefore incorporated herein. If approved, the changes would be effective January 1, 2023.

Mayor Dunn opened the public hearing. No one was present to speak on this item. The Mayor then closed the public hearing.

Council Member Hall made the motion to approve the presented fee schedule amendment. The motion as passed unanimously by Council after a second from Council Member Richardson. The new Fee Schedule is attached to these minutes and therefore incorporated herein.

8. Adjournment

Council Member Hall moved to adjourn the meeting, seconded by Council Member Scholl, and the motion received unanimous support. The meeting was adjourned at 9:00 p.m.

Approved on December 12, 2022.

s/Wyatt Dunn

Wyatt Dunn, Mayor

s/Erinn Nichols

Erinn E. Nichols, Town Clerk

Approved as to form:

s/Cox Law Firm, PLLC

Cox Law Firm, PLLC