



STALLINGS TOWN COUNCIL  
A G E N D A  
March 12, 2018 7:00 p.m.

Invocation, Pledge of Allegiance and meeting called to order

Public Comment

Council will consider and take possible action on the following:

Suggested  
starting time

- 7:15 1. Approval of Consent Agenda Items
- A. Minutes of the following meetings:
    - (1) 01-22-18 – special
    - (2) 01-22-18
    - (3) 02-05-18 - special
    - (4) 02-12-18
    - (5) 02-12-18 – closed
    - (6) 02-19-18 – special
    - (7) 02-24-18 – special

(All items on the Consent Agenda are considered routine, to be enacted by one motion. If a member of the governing body requests discussion of an item, the item will be removed from the Consent Agenda and considered separately.)

**Action Requested:** Motion to approve Consent Agenda

- 7:20 2. Reports
- A. Report from the Mayor
  - B. Reports from Council Members/Town Committees
  - C. Report from Town Manager/Town Departments

- 7:40 3. Agenda Approval
- Action Requested:** Motion to approve agenda as written  
(ADD, IF APPLICABLE: with changes as described by Mayor Dunn)

- 7:42 4. Annexation 50 – Idlewild Road
- Action Requested:** Approve/Deny Annexation Ordinance
- A. Open public hearing
  - B. Information from staff
  - C. Comments from the public
  - D. Close public hearing
  - E. Council vote

- 7:50 5. CZ17.09.02 – Epcon Communities  
*Request to conditionally zone a 44.199-acre tract located off of Allen Black and Lawyers Road in parcels #K8321004, #D8321004A, #D8321004, and #08321003 from R-20 to CZ-MR Mixed Residential to allow for the construction of a 146-lot age restricted development that includes 107 single family units, 28 duplex units and 14 flex units.*  
**Action Requested:** Approve/Deny request
- A. Open public hearing
  - B. Information from staff
  - C. Comments from the public
  - D. Close public hearing
  - E. Council vote
- 8:15 6. Planning Conference Priorities  
**Action Requested:** Approve Priorities
- 8:25 7. Closed Session Pursuant to NCGC 143-318.11(a)(3)  
**Action Requested:** Motion to go into closed session
- 8:35 8. Adjournment

**STALLINGS TOWN COUNCIL**  
**Motion Page Addendum**  
**March 12, 2018**

Agenda Item	Motion Options
1	I make the motion to: (1) Approve the Consent Agenda as presented; <b>or</b> (2) Approve the Consent Agenda with the following changes: _____.
3	I make the motion to: (1) Approve the Agenda as presented; <b>or</b> (2) Approve the Agenda with the following changes: _____.
4	I make the motion to adopt the Ordinance approving Annexation 50 – Idlewild Road.
5	I make the motion to approve/deny CZ17.09.02 – Epcon Communities.
6	I make the motion to approve/deny the Planning Conference Priorities.
7	I make the motion to go into closed session pursuant to NCGS 143-318.11(a)(3).
8	I make the motion to adjourn.

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 January 22, 2018, 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 Kathy Heyse, John Martin, Lynda Paxton, Deborah Romanow, and Shawna Steele.

Staff present were: Erinn Nichols, Interim Town Manager; Emily Hughes, Deputy Town Clerk/Communications Specialist; Lynne Hair, Town Planner; and Max Hsiang, Planning Technician.

1. Call the meeting to order

Mayor Dunn called the meeting to order.

2. Unified Development Ordinance Draft Discussion

Town Planner Lynne Hair explained that the Unified Development Ordinance (UDO) Draft had been a product of several months of work and planning with NFocus Consultant Rick Flowe. Council Member Romanow stated that the Planning Board had thoroughly gone through the document and recommended approval of the UDO.

Mr. Flowe then walked the Council through the various sections of the UDO reminding the Council that it had adopted a new Comprehensive Land Use Plan and various small area plans throughout the Town with the intent on planning for the future.

Council's intent was to continue reviewing the UDO draft at its regular meeting the same evening at 7:00 p.m.

3. Adjournment

Council Member Romanow moved to adjourn the meeting, seconded by Council Member Steele, and the motion received unanimous support. The meeting was adjourned at 7:00 p.m.

Approved on \_\_\_\_\_, 2018.

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

Approved as to form:

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

\_\_\_\_\_  
Cox Law Firm, PLLC  
11906

January 22, 2018

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 January 22, 2018, 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 Kathy Heyse, John Martin, Lynda Paxton, Deborah Romanow, and Shawna Steele.

Staff present were: Erinn Nichols, Interim Town Manager; Emily Hughes, Deputy Town Clerk/Communications Specialist; Lynne Hair, Town Planner; Kevin Parker, Assistant Town Engineer; Chris Easterly, Town Engineer; Marsha Gross, Finance Officer; and Captain Tim Harrington.

Invocation, Pledge of Allegiance and meeting called to order

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

Public Comments

Cecilia VanScoy, Curry Way, stated that for the last eleven years there had been issues with renters at the Potters Road property which backed up to Curry Way in the form of amplified noise between the hours of 5 a.m. and 3 a.m. Her home shook due to the amplified noise. Parties, fires, and vandalism incidences were just some off the issues. In September 2017, the noise stopped for about a month due to the code enforcement involvement, but it had started up again.

James CarMichael, Forest Park, lived at the end of Forest Park Drive where there were only four homes. He felt installing a street hump at that end of the street was overkill.

1. Agenda Approval

Mayor Dunn requested to add Agenda Item 1.A. as *Introduction of a New Police Officer*. Council Member Scholl requested adding a brief *Update of the Technology Committee* as Agenda Item 5.A.

Council Member Romanow made the motion approve the Agenda adding the above listed items. Council Member Martin seconded the motion which was supported unanimously.

1.A. Introduction of New Police Officer

Captain Tim Harrington introduced Officer Mike Lovinggood to the Council who had 19 years of experience with the Town of Waxhaw. Officer Lovinggood was also a resident of Stallings for 20 years.

## 2. Ordinance Adopting the Names of New Roads Due to Expressway Construction

Council Member Romanow made the motion to adopt the Ordinance Adopting the Names of New Roads Due to Expressway Construction. The motion passed unanimously after a second from Council Member Paxton.

Mayor Dunn read the road names into the record:

- SRRT1 - Guion Lane
- SRLT 3 - Stallings Commerce Drive
- SR16 - Sweet Birch Drive
- Y111 - Marie Garris Drive
- Y111A - Lodging Way
- Y114 - Richard Baker Drive
- SR2 - Union West Extension

The motion received Council's unanimous support. The Ordinance Adopting the Names of New Roads Due to Expressway Construction is attached to these minutes and therefore incorporated herein.

## 3. Forest Park Speed Humps (Steele)

Council Member Steele explained that Mr. Mike CarMichael (who spoke at public comment earlier that evening) had contacted her to state the speed hump at the end of Forest Park Drive was not necessary as it was a dead end road with only four homes. There had been only one incident of racing on that road in 20 years.

Town Engineer Easterly confirmed that one speed hump cost approximately \$4500. Mr. Easterly recommended to Council that the one speed hump in question be removed from the scope of work. It was clarified that the speed hump in question was not a part of the Town Engineer's original recommendation for traffic calming in that neighborhood but was added by Council as a part of the original motion approving that project.

Council Member Steele made the motion to eliminate the speed hump in the 300 block of Forest Park Drive from the scope of work in the contract to install the speed humps in Forest Park. The motion received Council's unanimous support after a second from Council Member Scholl.

## 4. Banking Options

Finance Officer Marsha Gross presented the Council various banking options/vendors for the Town's operating accounts. Currently the Town utilized the services of PNC for its operating accounts. The Town had six checking accounts. Finance Officer Gross recommended the Town switch its operating banking accounts to Wells Fargo.

After Council discussion, Council requested Finance Officer Marsha Gross investigate more options before making any changes to primary banking provider.

5.A. Technology Committee Update

Council Member Scholl reported that the Technology Committee had been meeting and the website launch date was set for Monday, January 29, 2018. The committee would like the Council to view the test link through all devices and give any feedback back to the committee. Council pages would include a new headshot and a mini bios of each member.

5. Unified Development Ordinance Draft

N-Focus Consultant Rick Flowe had begun reviewing the Unified Development Ordinance (UDO) Draft with the Council at it's special meeting the same evening prior to the regular meeting. That review continued. The Council decided to hold a special meeting for further discussion on the UDO on February 5, 2018. The UDO was slated for public hearing at the February 12, 2018 regular Town Council Meeting.

6. Adjournment

Council Member Scholl moved to adjourn the meeting, seconded by Council Member Romanow, and the motion received unanimous support. The meeting was adjourned at 8:56 p.m.

Approved on \_\_\_\_\_, 2018.

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

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

Approved as to form:

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

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 Monday, February 5, 2018, 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 Kathy Heyse, John Martin, Lynda Paxton, Deborah Romanow, and Shawna Steele.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Deputy Town Manager/Communications Specialist; Emily Hughes, Deputy Town Clerk/Communications Specialist; Lynne Hair, Town Planner; Max Hsiang, Planning Technician.

1. Call the meeting to order

Mayor Dunn called the meeting to order.

2. Unified Development Ordinance Draft Discussion

Town Planner Lynne Hair and N-Focus Consultant Rick Flowe lead the Council through the draft of the Unified Development Ordinance (UDO). Council discussed the draft and various issues regarding density, development agreements, long-term vision, etc. Town Planner Hair and Consultant Flowe would make a few minor changes to the draft and present the final draft to the Council at its 02-12-18 meeting.

*Council took a short break from 7:15 – 7:26 p.m.*

3. Adjournment

Council Member Paxton moved to adjourn the meeting, seconded by Council Member Romanow, and the motion received unanimous support. The meeting was adjourned at 8:19 p.m.

Approved on \_\_\_\_\_, 2018.

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

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

Approved as to form:

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



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 February 12, 2018, at 7:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Pro Tempore David Scholl; Council Members Kathy Heyse, John Martin, Lynda Paxton, Deborah Romanow, and Shawna Steele.

Those absent were: Mayor Wyatt Dunn.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Deputy Town Manager; Captain Tim Harrington; Lynne Hair, Town Planner; Max Hsiang, Planning Technician; Chris Easterly, Town Engineer; and Marsha Gross, Finance Officer.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Pro Tempore Scholl welcomed everyone to the meeting, especially new Town Manager Alex Sewell to his first official meeting from the Town of Stallings. Council Member Martin delivered the invocation. Mayor Pro Tempore Scholl then led the Pledge of Allegiance and called the meeting to order.

Public Comments

Mike Grinell, Anytime Fitness – 5409 Potter Road, was concerned about the Town Ordinance not allowing signs out front of his business establishment. He would like for the sign ordinance to be amended. Mr. Grinell wanted a special amendment for businesses who do not front the main road to allow signs on the main road.

1. Approval of Consent Agenda Items

A. Minutes of the following meetings:

- (1) 11-13-17 - special
- (2) 11-13-17
- (3) 11-13-17 – closed
- (4) 11-27-17
- (5) 12-11-17
- (6) 01-08-18

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

2. Reports

A. Report from the Mayor

Mayor Dunn was not present to give a report.

Mayor Pro Tem Scholl reported that he had been busy working on the review of the Unified Development Ordinance. He had also been involved with the website development which should be completed soon.

B. Reports from Council Members/Town Committees

Council Member Paxton reported that Neil Burke, CRPTO, spoke at the Transportation Advisory Committee (TAC) about how to get a road built in Town. The transportation plan was a 20-year plan with 20 projects in Union County. There was a new pot of money for transportation for low cost/high impact projects. Warren Cooksey, NCDOT, announced that the Expressway Project would now have an official storefront office located in Monroe. The Expressway was expected to open by November 2018. She reported that the TAC was organizing a litter sweep in conjunction with Earth Day and would love any volunteers.

Council Member Martin requested staff receive clarification on the funding source for the Old Monroe Expansion. He also reported that the Public Safety Advisory Committee had no meeting for the month of January.

Council Member Romanow reported that the Parks and Recreation Committee welcomed two new members and elected chair and vice chair. The committee also discussed events for the upcoming months and relocation for the department during the construction. She also reported that she would be attending the elected officials training in Sunset Beach in the upcoming weekend with the rest of the Council.

Council Member Steele stated the Stormwater Advisory Committee discussed a potential sediment fine at its last meeting. She also attended the CRPTO meeting with Council Member Paxton.

Council Member Heyse stated she was impressed with the classes and the travel opportunities available through the Parks and Recreation Departments. She also announced she was looking for members for the Historical Committee.

C. Report from Town Manager/Town Departments

Town Manager Sewell thanked the Council for the opportunity to service Stallings and the staff for welcoming him. He then reported on the following:

- Annual retreat – secured Jeff Carpenter, Superior Court Judge, to be the facilitator at no charge; goal was to allow the opportunity for all Council Members to hear each other and priorities.
- New Town Hall Project – finishing up the design; hoped to bring the final cost and design back to the Council; staff relocation – June for demo; settled on using town hall space to use for staff and programs; certain rentals/activities might have to be suspended for the construction phase.
- Technical Standards Manual – planned to proceed with upgrading this manual for approximately \$8000 unless the Council said otherwise.

Finance Officer Marsha Gross presented the Council with a financial report of the Town as of 01-31-18. This update is attached to these minutes and therefore incorporated herein.

### 3. Agenda Approval

Council Member Romanow made the motion to approve the Agenda as presented. The motion was approved unanimously after a second from Council Member Heyse.

### 4. Unified Development Ordinance

Mayor Pro Tempore Scholl opened the public hearing. Town Planner Lynne Hair reminded the Council of the planning process of updating the Unified Development Ordinance (UDO). She explained it was a three-step initiative: 1) Comprehensive Land Use Plan, overall look of the Town - adopted November 2017; 2) Small Area Plans, more detailed plans in certain areas – adopted November 2017; 3) UDO re-write – final piece of development puzzle.

N-Focus Consultant Rick Flowe summarized the fundamental changes of the UDO from the work sessions and the solutions with the Council.

- Mixed Use 1 (softer, lower intensity uses) and Mixed Use 2 were added based on the comments from the work session. School area plan was Mixed Use 1.
- Article 20 contained sediment guidelines and violation criteria.
- The UDO was the specifications for the Town's development plans and was the final piece of the puzzle.

Hank Cowell, 8132 Stevens Mill Road, stated that he only heard about the UDO rewrite in the last 10 days. He viewed Stallings as a bedroom community and that the citizens of Stallings did not want Stallings to become West Charlotte. He listed uses that he did not want in the community. Mr. Cowell requested the Council reconsider the UDO to become more upper class.

Terry Williams, felt there needed to be a need a little more restrictions in mixed uses.

John Armistead, expressed comments in email earlier that day but felt everyone had done an excellent job putting the UDO together.

Council held discussion on the UDO and gave individual opinions on the UDO. Council Member Romanow made the motion to recess the public hearing and vote on the item until February 26. The motion was seconded by Council Member Martin and passed unanimously by Council.

5. Annexation 50 – Idlewild Road

A. Certificate of Sufficiency

Deputy Town Manager Erinn Nichols presented the Council with the Certificate of Sufficiency for Annexation 50 – Idlewild Road to the Council. The Certificate of Sufficiency for Annexation 50 – Idlewild Road is attached to these minutes and therefore incorporated herein.

B. Resolution to Set the Public Hearing Date

Council Member Steele made a motion to adopt the Resolution to Set the Public Hearing Date for Annexation 50 – Idlewild Road. The motion as seconded by Council Member Romanow and passed unanimously by Council. The Resolution to Set the Public Hearing Date for Annexation 50 – Idlewild Road is attached to these minutes and therefore incorporated herein.

6. Unified Resolution for NCDOT U-4714 (Old Monroe Road) Design Standards

Council Member Romanow made the motion to approve the Unified Resolution for NCDOT U-4714 (Old Monroe Road) Design with Indian Trail. The motion received Council's unanimous support after a second from Council Member Steele. The Unified Resolution for NCDOT U-4714 (Old Monroe Road) Design with Indian Trail is attached to these minutes and therefore incorporated herein.

7. Parks and Recreation Committee Application Consideration

Council Member Romanow made the motion to appoint Helena Connors as a full member to the Parks and Recreation Committee with term ending 03-31-2018. Council Member Heyse seconded the motion which received Council's unanimous support.

8. Closed Session Pursuant to NCGS 143-318.11(a)(3)

Council Member Romanow made to the motion to go into closed session pursuant to NCGS 143-318.11(a)(3): Town of Stallings vs. Barry M. Stallings 18CVS193; and Town of Stallings vs. PEF & KFF, LLC 17CVS3276. The motion was passed unanimously after a second from Council Member Martin.

*Council went into closed session as 8:38 p.m. and reconvened in open session at 9:00 p.m.*

9. Adjournment

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

Approved on \_\_\_\_\_, 2018.

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

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

Approved as to form:

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

DRAFT

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

The Town Council of the Town of Stallings met for a special meeting on Monday, February 19, 2018, at 6:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Pro Tempore David Scholl; Council Members John Martin, Lynda Paxton, Deborah Romanow, and Shawna Steele.

Those absent were: Mayor Wyatt Dunn, Kathy Heyse.

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

1. Call the meeting to order

Mayor Pro Tempore Scholl called the meeting to order.

2. Council/Manager Expectation Discussion

Town Manager Sewell thanked the Council for agreeing to speak with him in order to get a clear view of the Council's expectations. Council Members each went through their individual expectations/desires. A summary memo of those expectations is attached to these minutes and therefore incorporated herein.

3. 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 7:43 p.m.

Approved on \_\_\_\_\_, 2018.

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

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

Approved as to form:

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

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

The Town Council of the Town of Stallings met for a special meeting on Saturday, February 24, 2018, at 9:00 a.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 Kathy Heyse; John Martin, Lynda Paxton, Deborah Romanow, and Shawna Steele.

Staff present were: Alex Sewell, Town Manager; Lynne Hair, Town Planner; Emily Hughes, Deputy Town Clerk.

1. Call the meeting to order

Mayor Dunn called the meeting to order.

2. Unified Development Ordinance (UDO) Draft Discussion

N-Focus Consultant Rick Flowe explained that there had been an amendment made to the UDO draft to include Mixed Use 1 and Mixed Use 2 districts.

Council then discussed the UDO as a whole, each Council Member stating their individual opinion. A discussion was had on a development agreement versus a conditional zoning; multifamily zoning; and citizen notifications;

*Council took a small recess at approximately 10:30 a.m. and reconvened in open session at 10:40 a.m.*

Town Manager Sewell explained that he had spoken with CEM concerning the UDO. CEM would like to do a small area plan around their campus. Council gave consensus to explore that option a little more. Council also requested that the UDO decision be advertised again and publicized to the public with a press release.

3. 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 11:26 a.m.

Approved on \_\_\_\_\_, 2018.

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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



## Ordinance to Extend the Corporate Limits of the Town of Stallings, North Carolina

WHEREAS, the Town Council has been petitioned under N.C.G.S. 160A-31 to annex the area described below; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Town Hall of the Town of Stallings at 7:00 p.m. on March 12, 2018, after due notice by the Enquirer-Journal on February 21, 2018; and

WHEREAS, the Town Council finds the petition meets the requirements of N.C.G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina that:

Section 1. By virtue of the authority granted by N.C.G.S. 160A-31, the area proposed for voluntary annexation encompasses parcel numbers (Parcel Nos.: 07-075-017A; 07-075-017; 07-075-020) off of Idlewild Road respectively is hereby annexed and made part of the Town of Stallings effective immediately:

**Parcel numbers: 07-075-017A & 07-075-017; 2.016 ACRES**

Beginning at a Point on the existing Stallings Town Limits Line near the centerline of Idlewild Rd, also known as Secret Shortcut Rd, (SR #1582), said point also marking the southwest corner of the JLA3, LLC property as described in Deed Book 3665 Page 141 in the Union County Registry, tax parcel 7075028; thence with the proposed new Town Limits Line N 51-10-22 W 434.09 feet to a point near the center line of said Idlewild Road and an existing Town of Stallings Town Limits Line; thence with said existing Town Limits Line N 41-0029 E 404.81 feet to an existing iron pin; thence with said existing Town Limits Line S 7-09-30 581.98 feet to the Point of Beginning. Containing 2.016 acres as shown on an Annexation Plat dated June 28, 2017 by Carolina Surveyors, Inc.

**Parcel numbers: 07-075-020; 1.011 ACRES**

Commencing at a 1/2" Existing Iron Rebar on the right of way of Idlewild Road a corner of CAH Holdings, LLC as recorded in Deed Book 5226, Page 787 in the Union County Register of Deeds, thence S 76°07'20" W 130.48 feet to a point in Idlewild Road a corner of JLA3, LLC, Deed Book 6515, Page 536, the point and place of Beginning.

Thence from the point of Beginning with the lines of JLA3, LLC the following 4 courses: 1) N 50°28'39" W 213.03 feet to a point in Idlewild road, thence leaving Idlewild Road, 2) N 32°01'59" E 210.00 feet to a 1" Iron Rod, 3) S 50°22'29" E 210.30 feet to a 1/2" Existing Iron Rebar, 4) S 31°16'49" W 210.00 feet to the point and place of Beginning.

Containing 1.011 acres as shown on Annexation Plat Town of Stallings by Russell L. Whitehurst, NCPLS L-3661 and dated October 27, 2017.

Section 2. Immediately, the above described territory and its citizens and property shall be subject to all debts, laws, and ordinances and regulations in force in the Town of Stallings and shall be entitled to the same privileges and benefits as other parts of the Town of Stallings. Said territory shall be subject to municipal taxes according to N.C.G.S. 160A-58.10.

Section 3. The Mayor of the Town of Stallings shall cause to be recorded in the office of the Register of Deeds Union County, and in the office of the Secretary of State at Raleigh, North Carolina,

as accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Union County Board of Elections, as required by N.C.G.S 163-288.1.

Adopted this the 12<sup>th</sup> day of March, 2018.

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

Attest:

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

Approved as to form:

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



# PLANNING & ZONING

## TOWN of STALLINGS

### Town of Stallings Zoning Staff Report

<b>Case:</b> CZ17.09.02			
<b>Reference Name</b>	Epcon Communities		
<b>Request</b>	<b>Proposed Zoning</b>	CZ-MR	
	<b>Proposed Use</b>	Single Family/Multi Family	
	<b>Number of Lots</b>	149 (107 SFR/28 Duplexes/14 Flex)	
<b>Existing Site Characteristics</b>	<b>Existing Zoning</b>	R-20	
	<b>Existing Use</b>	Vacant Land	
	<b>Site Acreage</b>	50.798	
<b>Applicant</b>	Epcon Communities		
<b>Property Owner(s)</b>	Griffin, Gunn		
<b>Submittal Date</b>	September 2, 2017		
<b>Location</b>	Lawyers Road @ Allen Black Road		
<b>Tax ID(s) #</b>	K8321004, K8321004A, D8321004, D8321004A, 08321003		
<b>Plan Consistency</b>	Land Use Plan	<b>Designation</b>	Walkable Neighborhood
		<b>Consistent with request</b>	No
<b>Recommendation</b>	Planning Staff Planning Board	Denial 12/19/18 Approve 02/20/18 Denial 12/19/17 Approve 02/20/18	

## Background

On December 19, 2017, Epcon Communities presented a request to the Board for conditional zoning on property located at Allen Black and Lawyers Road. At this meeting several members of the community were present to speak concerning the proposal. The Planning Board made a unanimous decision to deny the project based on the following:

1. Concerns for traffic impact to adjoining roads.
2. Concerns for impact to adjacent neighborhoods.
3. Buffering between the proposed development and the Stevens Mill neighborhood.
4. Storm Water Impact
5. Impact on Home Values

After the hearing Epcon requested a deferral to allow them time to make some adjustments to their proposed site plan. Due to the amount of time requested, the UDO requires that they present their new plans to the planning Board a second time.

The changes being presented for reconsideration are:

1. A decrease in lot count from 149 to 146.
2. The addition of pocket parks and lawns in the center of the project.
3. Addition of trails and sidewalks throughout the development.
4. Removal of lots at the Lawyers Road entrance; no lots will be visible from Lawyers Road.
5. Addition of a boulevard cross section at both entrances that will provide a landscaped median.
6. Connectivity provided to adjacent property to the west.
7. Pedestrian connectivity provided to rear of property.
8. Epcon Communities has offered to contribute \$50,000 to NCDOT towards the improvement of Lawyers Road.

Site plan as submitted addresses site design concerns raised by staff and is more compatible with goals established by the new Comprehensive Land Use Plan.

The staff report as originally submitted is below. Information as provided still applies.

On February 20, 2018, these changes were submitted to the Planning Board for reconsideration. After a presentation from the applicant, staff and questions from the public, the board recommended approval of the revised pln.

**Request:**

Epcon Properties has submitted a conditional zoning application that will allow the following properties to be rezoned from R-20 (single family) to CZ-MR (conditional mixed residential): Griffin properties, K8321004, K8321004A, D8321004, D8321004A; Gunn property, 08321003.

The applicant's intent is to develop a 149 146--lot mixed residential development consisting of 107 single family units, 28 duplexes and 14 flex lots.

**Property Location/ Existing Conditions:**

The subject property is located south-east of the I-485 Lawyers Road interchange, north-west of Stevens Mill Road. The unit of land that would connect this neighborhood to Allen Black Road is in unincorporated Union County and the Town of Mint Hill. All involved property is zoned R-20.

<b>Zoning and Use of Adjacent Property:</b>				
<b>North</b>	R-20/Residential Low Density	Union County	Field Lark Trail Subdivision	A single-family subdivision. Minimum lot size 1 acre 1/2 acre.
<b>South</b>	R-20/Residential Low Density	Town of Stallings	Willowbrook Subdivision	A single-family subdivision. Minimum lot size 20,000 sq. feet.
<b>East</b>	R-20/Residential Low Density	Town of Stallings	Stevens Mill Subdivision	A single-family subdivision. Minimum lot size 20,000 sq. feet.
<b>West</b>	R-20/Residential Low Density	Town of Mint Hill	Individual residential tracts fronting Allen Black Rd.	Lot sizes over an acre.

**Future Land Use Designation**

The Stallings Comprehensive Land Use Plan has identified the future land use of the subject properties as *Walkable Neighborhood*. A walkable neighborhood offers residents the ability to live, play, and often shop and work in one connected community. These neighborhoods include a mixture of housing types and residential densities integrated with goods and services. Goods and services can be within or adjacent to the neighborhood, but connectivity is the key. The design and scale of the development encourages active living through a comprehensive and interconnected network of walkable streets. Walkable neighborhoods support multiple modes of transportation.

**Comprehensive Land Use Plan Consistency**

Goals and objectives set forth by the Stallings Land Use plan are to be used as a guide, and should be considered when rendering a decision on development proposals.

**Neighborhoods and Housing**

**Goal H-1.** Ensure a variety of housing opportunities and choices for all ages and stages of life.

**Strategy H-1.3.** Encourage developments that allow seniors to age in place.

**Goal H-4.** Protect and enhance established neighborhoods to increase walkability, provide additional public amenities, and increase pedestrian and vehicular connectivity.

**Goal H-5.** Encourage, well-planned neighborhoods that have a sense of community and offer a variety of housing, public spaces, multiple access points, walkable, connected streets, and a variety of landscaping.

**Existing Conditions and Future Land Use**

**Goal LU-2.** To serve resident’s daily needs, encourage mixed-use neighborhoods that include a variety of land uses that are compatible with the scale and character of the neighborhood. The walkable neighborhood and walkable activity center place types encourage such uses.

**Community Meeting**

A requirement of the Conditional Zoning process is a community meeting be held by the applicant and a report of this meeting submitted to the Town and presented to the Planning Board and Town Council. Epcon Communities held the required community meeting on October 12, 2016 at 6:00 pm. A copy of the required community meeting report is attached.

**ZONING REQUIREMENTS/SITE PLAN ANALYSIS**

**Requested Zoning:**

CZ-MR is an area zoned for mixed residential use to include single-family and multi-family housing types. The requested conditional zoning will allow for a minimum lot size of 5,800 square feet

<b>Proposed Development Standards</b>	
Number of Lots	<del>149</del> -146 total 107 Single Family 28 Duplex Units 14 Flex Lots
Minimum Lot Width	53'
Minimum Lot Area	5,800
Front Yard Setback	20'
Rear Yard Setback	10'

Side Yard Setback	5'
Open Space	17.5 acres/35%
Density	2.96 units per acre

**Proposed Density of Project**

The applicant is proposing a density that is 2.96 units per acre. Nearby developments are consistently 2 units per acre (Stevens Mill, Willowbrook). Other large acreage tracts also define the land use pattern of the area.

**Open Space/Dedication of Land for Park, Recreation and Open Space**

Article 6 of the Stallings UDO establishes open space requirements by zoning district. There is no established standard for MR. For this proposal we will be using the established standard for the MFR district of 20%. When applied to the subject site; a minimum of 10 acres would need to be set aside as open space. The submitted site plan shows 17.50 acres of open space, exceeding the minimum requirements.

*\*The UDO also states that detention areas and required project boundary and streetscape buffers cannot be counted towards opens space calculations. When engineered, the proposed plan will need to take this into consideration. \**

Article 10 of the Stallings UDO requires park land be provided on the site at a rate of 1/35<sup>th</sup> of an acre per dwelling unit. The applicant is proposing to construct 149 units, which equals 1.448 acres. The Town would require that this acreage be dedicated to the Town for use as parkland in circumstances where the property can be utilized and accessed by all residents of the Town. When this criterion cannot be met, there is an option to pay a fee in lieu of parkland that is based on the tax value of the property.

**Project Boundary Buffers/Tree Save Requirements**

The applicant is proposing a 30' project boundary buffer around the entire project. A 20' street buffer is also required. Staff believes a berm should be included within the street buffer along Stevens Mill Road.

The Stallings UDO Article 7.21 requires a tree save area of 10%. This equates to 6 acres of the subject property. The submitted site plan shows 17.50 acres of open space, exceeding the minimum requirement. The applicant intends to incorporate this acreage into his open space area, which is permitted by the UDO. If approved, a tree survey showing tree cover will need to be submitted as a part of the permitting process.

**Connectivity/Roads**

The Stallings UDO Article 5.6 requires there to be connectivity between provided developments

and/or to adjacent vacant land. The submitted site plan does not provide for this connectivity where adjacent to vacant land.

Road improvements in the form of turn lanes and accel/decel lanes will possibly be required by NCDOT if the development is approved

The entrance road into the proposed project will be located approximately 500' from the Stevens Mill Road/Lawyers Road intersection. Staff is concerned with the impact this will have on traffic patterns in the area where congestion already exists.

**Traffic Impact**

Based on NCDOT Traffic Generation Manual it is anticipated that the proposed development will generate the following trips:

LAND USE	SIZE	DAILY TRIPS	PEAK HOUR TRIPS			
			AM		PM	
			ENTER	EXIT	ENTER	EXIT
Single Family Detached Housing	149 DU	1,676	33	99	222	65

A previous TIA revealed that the current level of service in the area ranges from C – F (see pages 10-16) and will decrease because of the proposed subdivision, barring no roadway improvements.

To alleviate the impact of the development, NCDOT proposed the following roadway improvements be made:

1. Lawyers Road and Stevens Mill Road
  - Construct as eastbound right turn lane on Lawyers Road with 175 feet of storage and appropriate taper.
2. Lawyers and Site Drive 1 (entrance off Lawyers Road)
  - Construct the southbound approach of Sight Drive 1 with one ingress lane and one egress lane (right-in/right-out) only.
  - Construct a concrete median to restrict access to right-in/right-out.
3. Allen Black Road and Site Drive 2 (entrance off Allen Black)
  - Construct the westbound approach of Sight Drive 2 with one ingress land and one egress lane (left-right).
  - Construct a northbound right turn lane with 75 feet of storage and appropriate taper.

**Potential Impact on Local Schools**

When considering the need for additional classroom space, Union County Public Schools uses a formula based on demographics to determine whether a proposed development will increase



the student population to that schools watch or cap level. Comments received from Don Ogrom with UCPS are as follows:

“This 149-unit development would be within the following school boundaries for the current (2016-17) school year:

Fairview Elementary School

Piedmont Middle School

Piedmont High School

“Both Fairview Elementary School and Piedmont Middle School are expected to remain below watch levels for the near-term future. However, Piedmont High School is expected to exceed the watch level and approach the cap level as soon as the upcoming school year. Additional residential construction can accelerate the approach to a cap level and possibly force a capping situation. Prior to reaching a cap, high enrollments contribute to problems such as the media center, insufficient parking and queuing space for parents to safely deliver or pick up their children, and inadequate planning/meeting space for additional staff.”

#### **STAFF COMMENTS AND RECOMMENDATION**

The proposed development, as revised meets the goals and objectives set forth by the Stallings Comprehensive Land Use for *Walkable Neighborhoods*.

#### **Concerns**

- Lack of pedestrian and vehicular connectivity - **Addressed**
- Design/Layout of the development does not promote walkability - **Addressed**
- No gathering space for residents - **Addressed**
- Limited, under-designed pocket parks - **Addressed**
- Storm Water - Storm water issues exist in the area. Flooding is common in parts of the Stevens Mill neighborhood and along Lawyers during heavy rain events. Storm water controls will be an important component of the proposed development if approved. Proposed location of storm water facilities along Stevens Mill Road, need to ensure these are designed to aesthetically enhance the area.
- Traffic – Staff has a concern with the location of the project entry drive and its proximity to the intersection of Lawyers and Stevens Mill. This intersection is heavily traveled and is currently under designed. Adding 162 homes to the area will further increase the difficulty residents experience in attempting to maneuver this area. **Offering \$50,000 towards cost of Lawyers Road improvements.**
- Entry Drive – The proposed entry drive is within 500’ of the Stevens Mill/Lawyers Road intersection. Staff is concerned that the additional cars produced by this development will create an unsafe situation for residents.

If approval is considered by the Board, Staff would recommend the following conditions:

- ▶ 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. If meeting permitting requirements requires significant changes to the plan as defined by UDO Article 10.10.7, the plan will require approval of the Planning Board and Town Council.
- ▶ A berm will be built along Lawyers Road within the required street buffer. This will increase the buffer width to accommodate construction of the berm to Town minimum standards.
- ▶ A pedestrian connection will be provided in the stream buffer area, connecting to properties to the west. Exact location and design will be determined by developer and staff during the permit review process.
- ▶ A vehicular connection will be provided to either PID#08321005B, #08321006. Exact location to be decided by the applicant and staff during the permitting review process.
- ▶ A boulevard entry drive will be required off Lawyers Road.
- ▶ Pocket parks will be located throughout the project that provide gathering opportunities for residents. Design elements may include, but not be limited to, benches, gazebos, landscaping, outdoor games such as cornhole, horseshoes, pickleball etc., BBQ grills, picnic tables, firepit areas, walking trails, dog parks. Actual amenities will be designed and approved by the applicant staff during the permitting review process.
- ▶ All foundations will have a minimum 18 inches of exposed brick or stone on the front 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.
- ▶ The minimum square footage for homes within the development will be 2,200 square feet for a two-story house, and 1,800 square feet for a one-story house.
- ▶ The following improvements identified by NCDOT for the project will be installed at the developer's expense prior to approval of the fiftieth final plat for the subdivision, in accordance with NCDOT standards for timing of offsite improvements:
  - ▶ Lawyers and Site Drive 1 (entrance off Lawyers Road)
    - ▶ Construct the southbound approach of Sight Drive 1 with one ingress lane and one egress lane (right-in/right-out) only.

- ▶ Construct a concrete median to restrict access to right-in/right-out or by other design means as directed/approved by NCDOT to limit access to right-in/right-out.
- ▶ Allen Black Road and Site Drive 2 (entrance off Allen Black)
  - ▶ Construct the westbound approach of Sight Drive 2 with one ingress lane and two egress lanes (left-right).
  - ▶ Construct a northbound right turn lane with 75 feet of storage and appropriate taper.
  - ▶ Contribute \$50,000 towards improvements to Lawyers Road. Funds to be donated prior to the first final plat being approved by the Town.
- ▶ A multi-use path will be installed along the properties frontage on Stevens Mill Road as required by the Stallings UDO and Pedestrian Plan. Right of way will be acquired and a sidewalk connection made along Lawyers Road from this multi-use path to the entrance of the Stevens Mill subdivision.
- ▶ Internal sidewalks will be constructed per the Stallings UDO. Developer has also committed to installing sidewalks on both sides of the street.
- ▶ A 30' project boundary buffer will be provided where adjacent to existing single-family residential. This buffer will incorporate existing vegetation where possible. A tree survey showing that existing vegetation will provide the minimum planting standards of the Stallings UDO. Where existing vegetation will not adequately provide a buffer in this area, an alternative planting plan showing compliance with the Stallings UDO will be provided.

Development Standards for the project will be as follows:

Permitted Use	Mixed Residential
Minimum Lot Width	53'
Minimum Lot Size	5,800
Total Number of Lots	149
Front Yard Setback	20'
Rear Yard Setback	10'
Side Yard Setback	5; 10' corner
Building Height	35'
Project Boundary Buffer	30' around perimeter 20' at Stevens Mill with planted berm
Open Space	20%

Tree Save Area	10%
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Town of  
**Stallings**

315 Stallings Road • Stallings, North Carolina 28104

## Zoning Map Amendment/Rezoning Application

Application # (Staff): CZ17.09.02

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

Hearing Date: 10/12/17

Planning Board Date: 11/14/17

Town Council/Final Decision Date:

12/11/17

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)	<b>R-20</b> 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   MUC-1   MUC-2   OC   RSF

Physical Property Address: 1513 Union Rd, 1517 Union Rd, Lawyers Road	
Physical Description of Location: Property is located west of Stevens Mill Road and northeast of Lawyers Road.	
Tax Parcel Number(s) (PID Number): K8-321-004, D8-321-004A, D8-321-004A 08-321-003, 08-321-005A01	Total Acreage: 50.798 ac

Property Owner(s):			See attached list of owners and addresses.
Owner's Address:			See attached list of owners and addresses.
City:	State:	Zip:	
Phone Number :		Email Address	
Applicant Name if different than owner: Epcon Communities		Applicant's Address: 8600 Sam Furr Rd Suite 180 Huntersville, NC 28078	
Applicant Email Address : mdavis@epconcommunities.com		Applicant's Phone Number: 704-997-8315	

### **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.



All that certain parcel of land, situated, lying and being in the Town of Stallings, Union County, State of North Carolina, and more particularly described as follows:

BEGINNING at (POINT OF BEGINNING) a found pipe, being the same corner as described as "Original tract corner Iron found" on a map titled Stevens Mill Phase I, dated 18 May 1994, pipe being further located in a North-Easterly direction of the intersection of Stevens Mill Road and Lawyers Road and South of a Common Open Space all as recorded on the afore mentioned map recorded in Plat cabinet D page 667 in the Union County Register of Deeds, thence from the Point of Beginning running with the rear line of the Common Open Space and lots 71 through 64 of the afore mention map N 05-55-16 E 874.22' (passing through found rebars at 80.70', 200.44', 290.47', 380.48', 470.51', 560.54', 690.71', & 859.97', of this line), thence running with the rear lot lines of lot 64 through 37 & a Common Open Space as shown of the afore mentioned map to found rebars for ten (10) bearings and distances, 1) N 78-21-06 E 174.93', 2) N 78-23-44 E 244.19', 3) N 78-20-08 E 89.96', 4) N 78-22-11 E 89.95', 5) N 78-22-50 E 180.03', 6) N 78-20-01 E 90.04', 7) N 77-38-03 E 90.03', 8) N 77-07-50 E 180.00', 9) N 77-06-46 E 579.36', 10) N 77-10-35 E 302.87', found rebar being the common property corner of the subject property and property owned Now or Formerly by Wallace S. & Ashley B. Lathe as recorded in Deed Book 6634 page 551 & property owned Now or Formerly by Kent T. & Kyra A. Gunn as recorded in Deed Book 1638 page 346 all recorded in the Union County Register of Deeds, thence with the rear line of the Gunn property N 21-22-05 W 786.08' to a found iron being the common rear corner of lots 11 & 12 of the Field Lark Trails subdivision as recorded in Plat cabinet B page 185A in the Union County Register of Deeds, thence with the rear lines of lots 12 through 14 of the Field Lark Trails subdivision for two bearings and distances, 1) N 76-37-29 W 225.07' to an axle encircled by stones, 2) N 38-19-36 W 653.47' to a found steel rod (passing by a found rebar 0.25' off line at 370.27' of this line, not used for this survey), thence with lands of Limmie & Lois Rushing Now or Formerly as recorded in Deed Book 3386 page 255 in the Union County Register of Deeds and in Deed Book 6139 page 20 in the Mecklenburg County register of Deeds for two bearings and distances 1) S 35-01-44 W 474.80' to a found pipe, 2) S 35-01-54 W 449.96' to a found rebar, thence with the lands of Philip D. & Marie S. Roberts Now or Formerly as recorded in Deed Book 4948 page 235, Deed Book 6373 page 19 for two bearings and distances 1) S 35-01-02 W 156.30' to a found rebar, 2) S 35-04-57 W 193.61' to a found iron, thence with the dividing line of the lands owned Now or Formerly by the before mentioned Philips and land owned Now or Formerly by Hazel Properties LLC. as recorded in Deed Book 5207 Page 779 in the Union County Register of Deeds and Deed Book 25061 Page 775 in the Mecklenburg County Register of Deeds for four bearings and distances 1) N 74-23-51 W 491.55' to a found pipe near the division line of Mecklenburg County and Union County, 2) N 74-27-52 W 428.55' to a found rebar, 3) N 74-14-18 W 5.40' to a nail at the base of a found bent rebar, 4) N 74-28-12 W 24.89' to a point in the center line of Allen Black Road (S.R. 3124), thence with the center line of Allen Black Road S 06-18-22 W 67.35' to a point, thence with the arc of a curve to the right having a radius of 235.30' an arc length of 97.76'

(subtended by chord S 18-13-14 W 97.06') to a point, thence with the division line of the Hazel Properties LLC lands Now or Formerly and land owned Now or Formerly by DTJT Properties LLC, as recorded in Deed Book 23429 page 468 in the Mecklenburg County Register of Deeds S 54-52-18 E 55.80' to a found rebar, thence S 54-52-18 E 780.34' (passing a found pipe 0.19' into subject property, not used for this survey) passing the division line of the land owned Now or Formerly by the afore mentioned DTJT Properties LLC, and landed owned Now or Formerly by Frye Partners LLC, as recorded in Deed Book 6616 page 893 in the Union County Register of Deeds to a found iron, thence S 35-00-27 W 449.93' (passing between a found steel rod 0.62' off the subject property & a found rebar 1.69' into subject property, not used for this survey) to a found rebar being the common rear property corner of land owned Now or Formerly by Richard L. & Donna Briggs as recorded in Deed Book 238 page 106 in the union County Register of Deeds & land owned Now or Formerly by Morris L. Rushing as recorded in Deed Book 738 page 690 in the Union County Register of Deeds, thence running with the afore mentioned Morris L. Rushing land S 34-55-41 W 516.25' to a found pipe on the Right of Way of Lawyers Road (variable width Right of Way), thence running with the Right of Way of Lawyers Road for three bearings and distances 1) S 46-24-34 E 118.58' to a found N.C. DOT Right of Way Disk, 2) S 36-31-43 W 5.98' to a found rebar, 3) S 47-39-50 E 430.95' to the POINT AND PLACE OF BEGINNING.

Containing 50.931 acres.



December 4, 2017

## **REPORT ON PUBLIC AND NEIGHBORHOOD MEETINGS:**

**Project:** Courtyards at Lawyers Road

Public meeting held on October 12, 2017

Neighborhood meeting and property line walk held on October 30, 2017.

### **Attendees:**

Paula and Ward Winkler, Celia Stallings, Mary Beth Munsey, Karen Bristol, John Martin, Sherry Jones, Brenda Dills, Walter Lawrence, Fred Cappiello, Chris Mannuzza, Marie Roberts, Phillip Desson, Bob Cochran, Shawna Steele, Maria Joines, Jennifer and Andy Mitchell, Hank Cowell. Lynne Hair (Town of Stallings), Bob Kardos (EPCON), Mike Davis (EPCON), Vince Keene (Y-WH)

### **List of Public Concerns:**

1. Buffer width and screening - Requests were received to increase the perimeter buffer width and provide additional screening.
2. Traffic - Residents expressed concerns regarding increased traffic if higher density zoning were to be allowed.
3. Storm drainage runoff – Citizens expressed, described and showed evidence of storm water runoff damage from past storms and expressed their concern of increased runoff due to upstream development.
4. Home values- Residents expressed concerns regarding home values if smaller homes are built.
5. School population impacts- Citizens expressed their concern regarding the potential increased student population and school overcrowding.
6. Rear yard security lighting - Residents expressed their concern regarding light intrusion into their back yards.
7. Water pressure – Citizens expressed a concern regarding negative effects to the water pressure.
8. Citizens expressed desire to eliminate the wastewater pump stations.

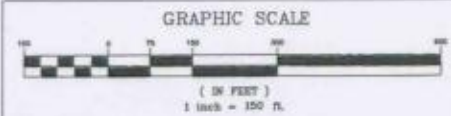
### **List of Proposed Improvements to Address Public Concerns:**

1. Buffer width and screening- The proposed perimeter buffer was increased from 25' to 30' and a 6' high board on board privacy fence has been added along the property line bordering Stevens Mill Subdivision. Rear building setbacks have been increased from 5' to 10'. Front setbacks have been increased from 15' to 20' from right-of-way.

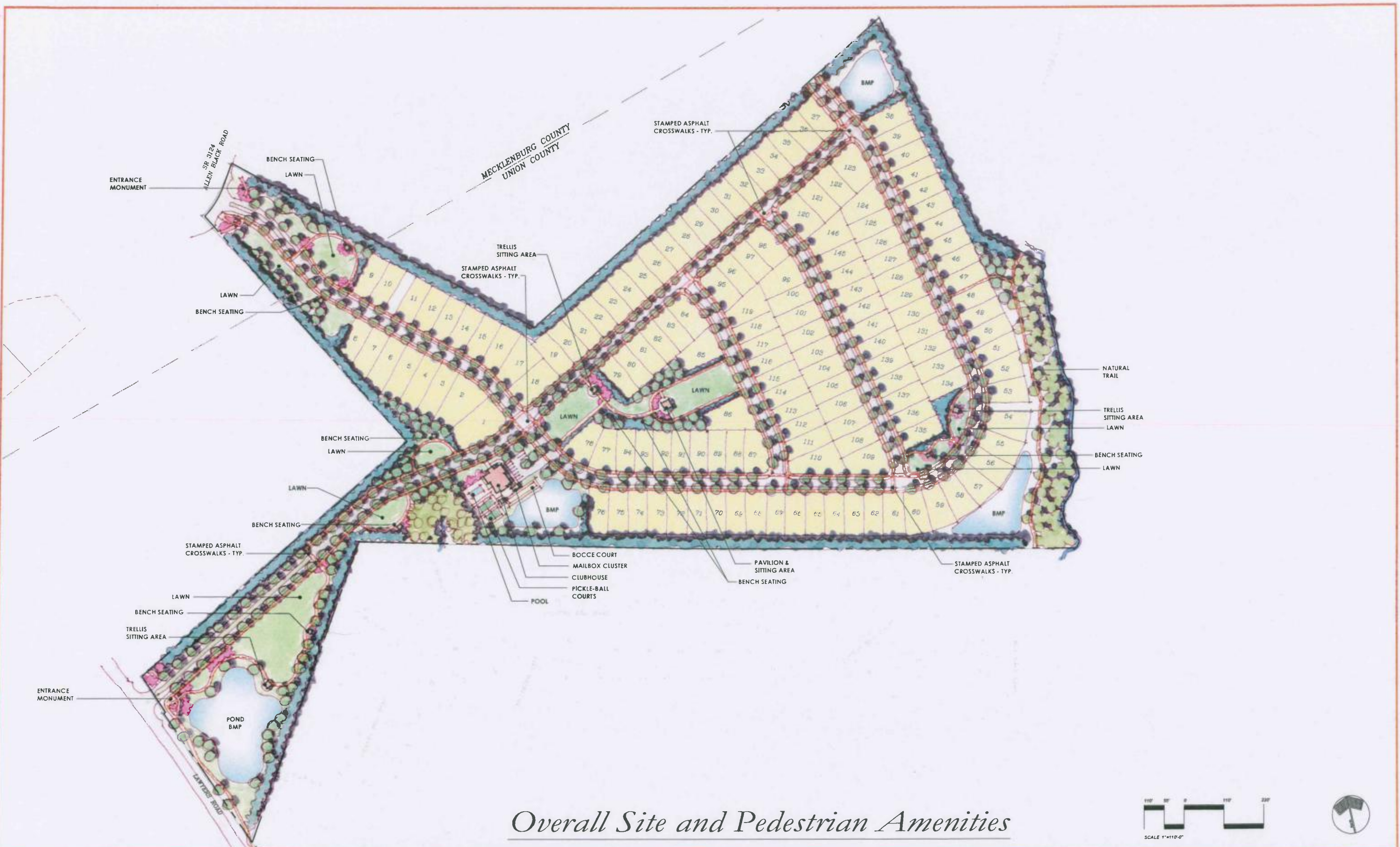
2. Traffic- Since the development will be age restricted, the total amount of trips generated per day will be much fewer than unrestricted single-family developments. Age restricted developments produce an average of 3.7 trips per day per unit while unrestricted developments generate an average of 9.6 trips per day. This data is established by the Institute of Transportation Engineers. When comparing this age restricted development to typical single-family developments, the traffic load is 21% lower in the age restricted development. The calculations can be provided. In addition, age restricted traffic does not tend to occur during peak rush hour traffic periods. Roadway improvements will be installed as required by NCDOT for both Lawyers Road and Allen Black Road.
3. Storm Drainage Runoff – The storm water runoff from the proposed development shall be collected and detained in water quality and detention basins. The post-development storm water runoff generated by the 2 and 10-year storm events shall be detained to below pre-development peak flow rates.
4. Home Values- The anticipated average house price will be \$375K + (based on historic average at the Countyards at Emerald Lake). The average unit price is around \$190.00 per square foot due to standard high-quality interior and exterior building materials. The resale comparable prices of these units will add value to the surrounding communities.
5. School population impacts- In an age restricted community, 80% of the home owners must be 55 or older thereby substantially minimizing the number of attending students from the development. Many age restricted developments have no student age population. (Emerald Lake has zero school age children).
6. Rear yard security lighting- No rear yard security lighting will be installed or allowed. The active space (courtyards) for the units are positioned to the side yards of the units, in between most units. The side yard courtyard arrangement minimizes rear yard light exposure beyond the rear property lines.
7. Water pressure- A utility sketch representing the proposed utility improvements has been submitted to Union County Public Works and is under review. Improvements needed will be identified through the review process with Union County Public Works to ensure that proper water pressure is maintained.
8. This development will be connected to the public sanitary sewer system within Stevens Mills Subdivision. An existing sanitary sewer easement reserved for the connection will be utilized to make the connection. A proposed sanitary sewer gravity line will be installed for approximately 2000 feet downstream of Stevens Mill subdivision. The gravity line extension will allow for one public wastewater pump station within Stevens Mill to be decommissioned per Union County Public Works standards.

Revisions Addressing Staff and Planning Board Concerns:

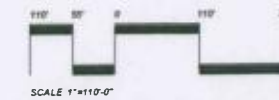
1. Lots removed from Lawyers Road entrance.
2. Divided Boulevard provided.
3. Reduced number of lots from 149 to 146.
4. Created Central Park area with terminal vista at intersection of Lawyers Road.
5. Exterior perimeter buffer increased from 25' to 30'.
6. Pocket Parks and Walking Trail system incorporated throughout the community.
7. Pedestrian sidewalks provided on both sides of the street.
8. Donate \$50,000 toward the NCDOT for offsite improvements at Lawyers Rd and I-485 interchange.

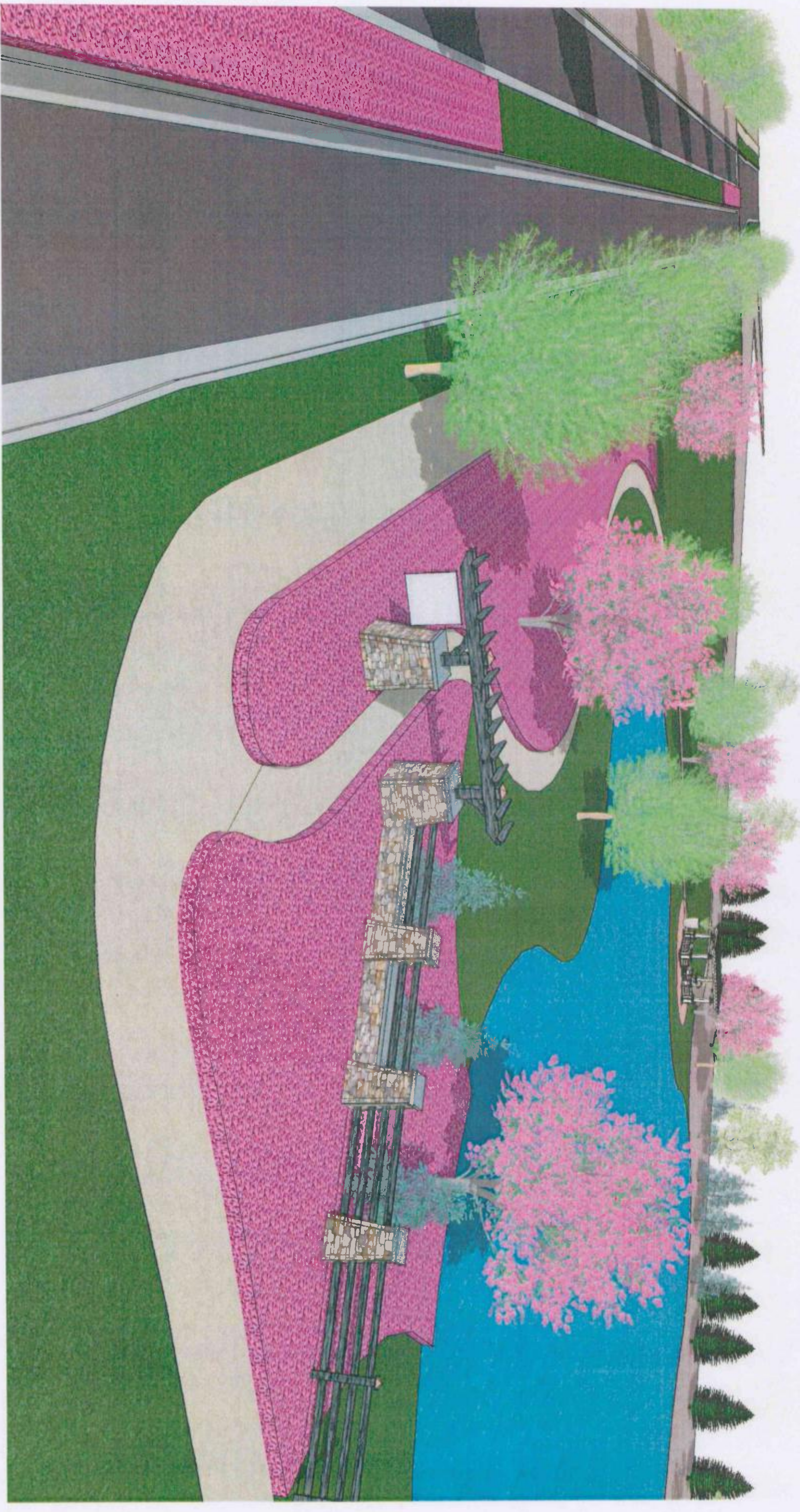


NO.	DATE	REVISION	BY
SHEET TITLE			SCALE
REZONING EXHIBIT			1"=150'
PROJECT			DATE
COURTYARDS ON LAWYER ROAD			12/14/17
TOWN OF STALLINGS, UNION CO., N.C.			DRAWN BY
FOR: EPCOM COMMUNITIES			VOK
			CHECKED BY
			MAH
			DATE
<b>YARBROUGH-WILLIAMS &amp; HOULE, INC.</b> Planning • Surveying • Engineering 750 Yarbrough Court Charlotte, North Carolina 28275 704.558.1990			



*Overall Site and Pedestrian Amenities*





*Lawyers Road Entrance, Pond, Pedestrian Walkes, and Sitting Area*



EPCON  
Communities

# Courtyards Lawyers

PLEASE NOTE  
Elements shown as well as their location may vary from the concept presentation.  
Orientation of streets, driveway, water features, structures and other site  
elements may also vary. Landscaping depicted herein is conceptual.

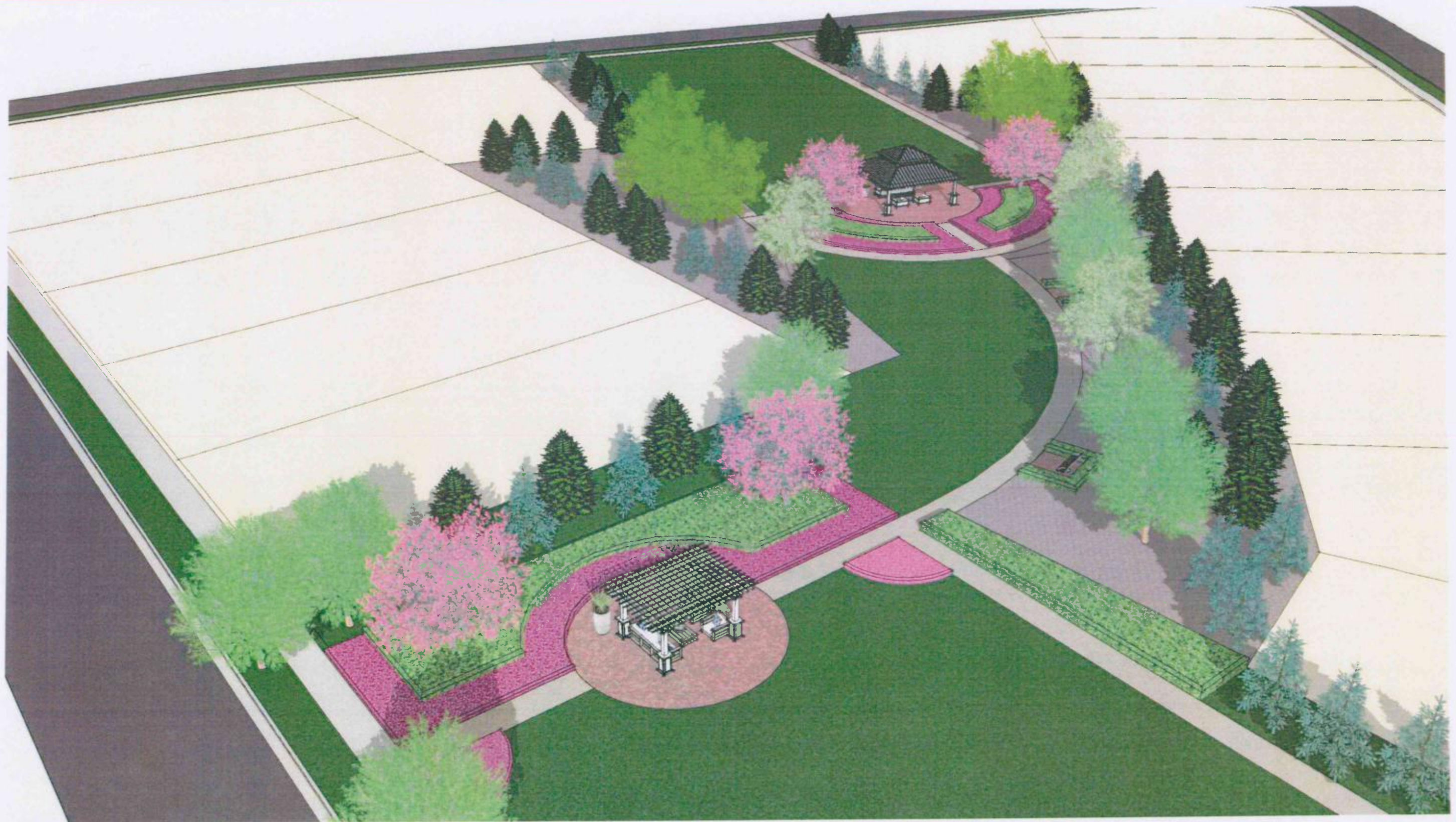




*Entrance Monument Sign - Right Side*



*Entrance Monument Sign - Left Side*



*Central Park Aerial View*



*Central Park Lawn and Pergola Sitting Area*



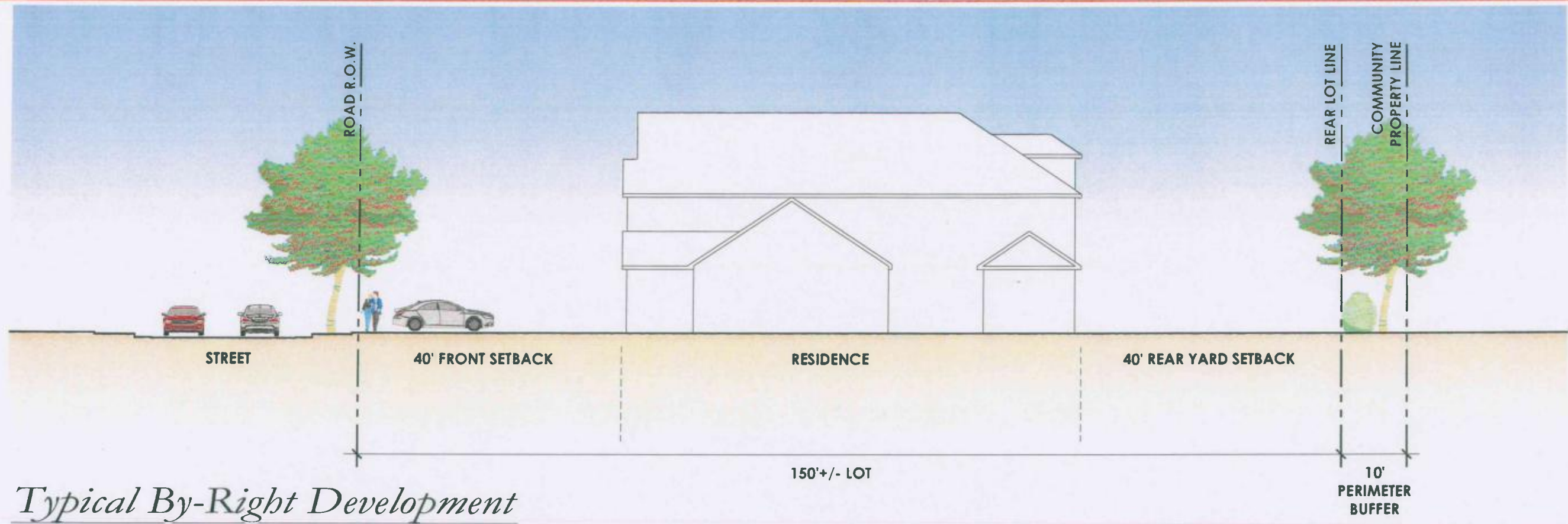


*Central Park Pavilion and Sitting Area*

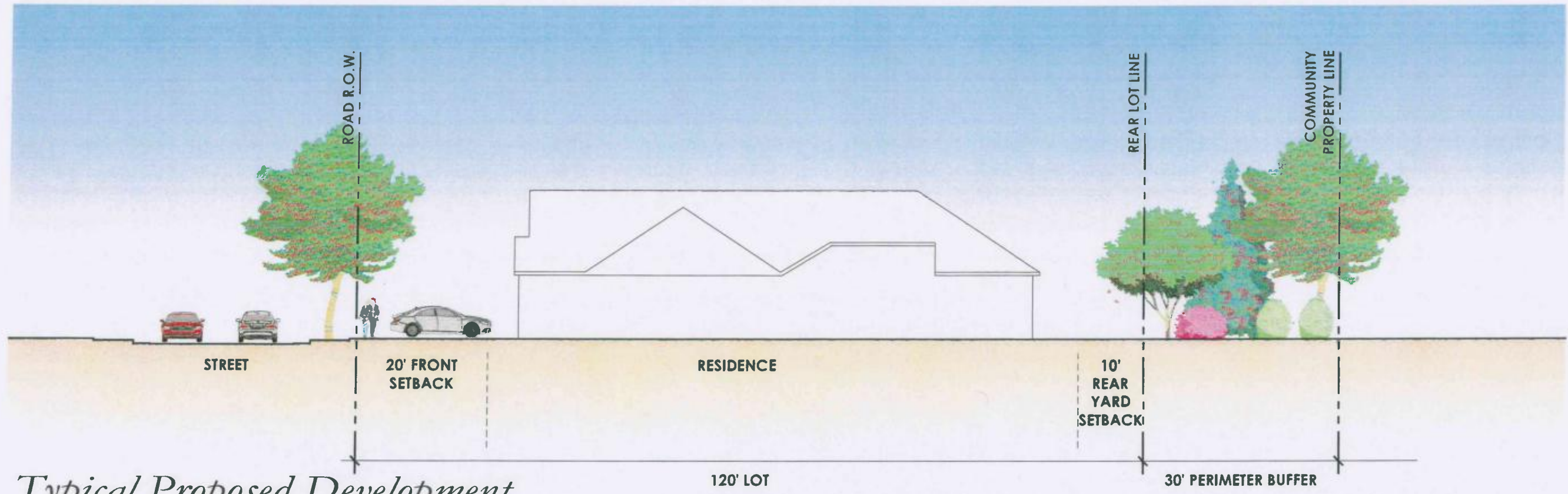


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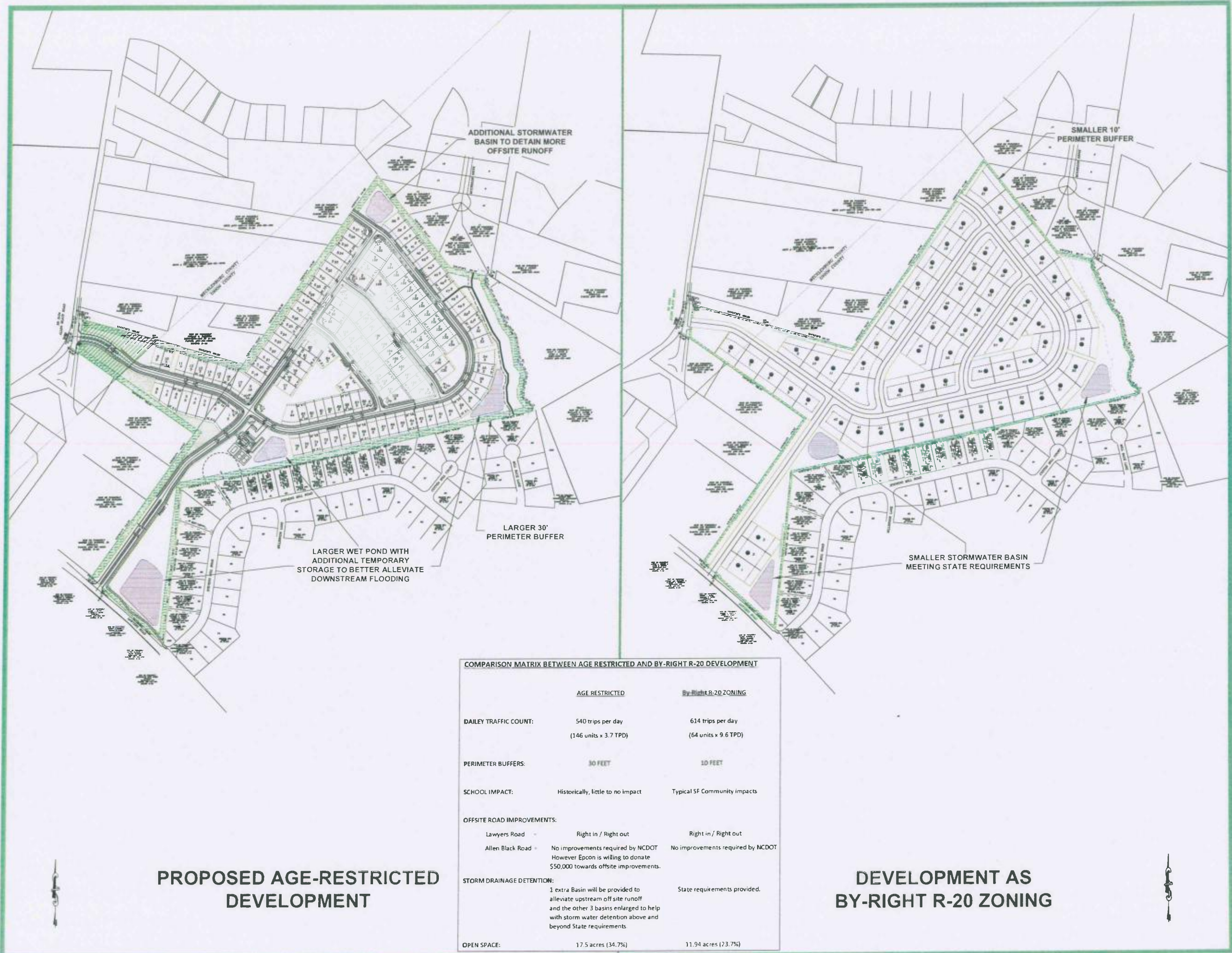




*Typical By-Right Development*



*Typical Proposed Development*

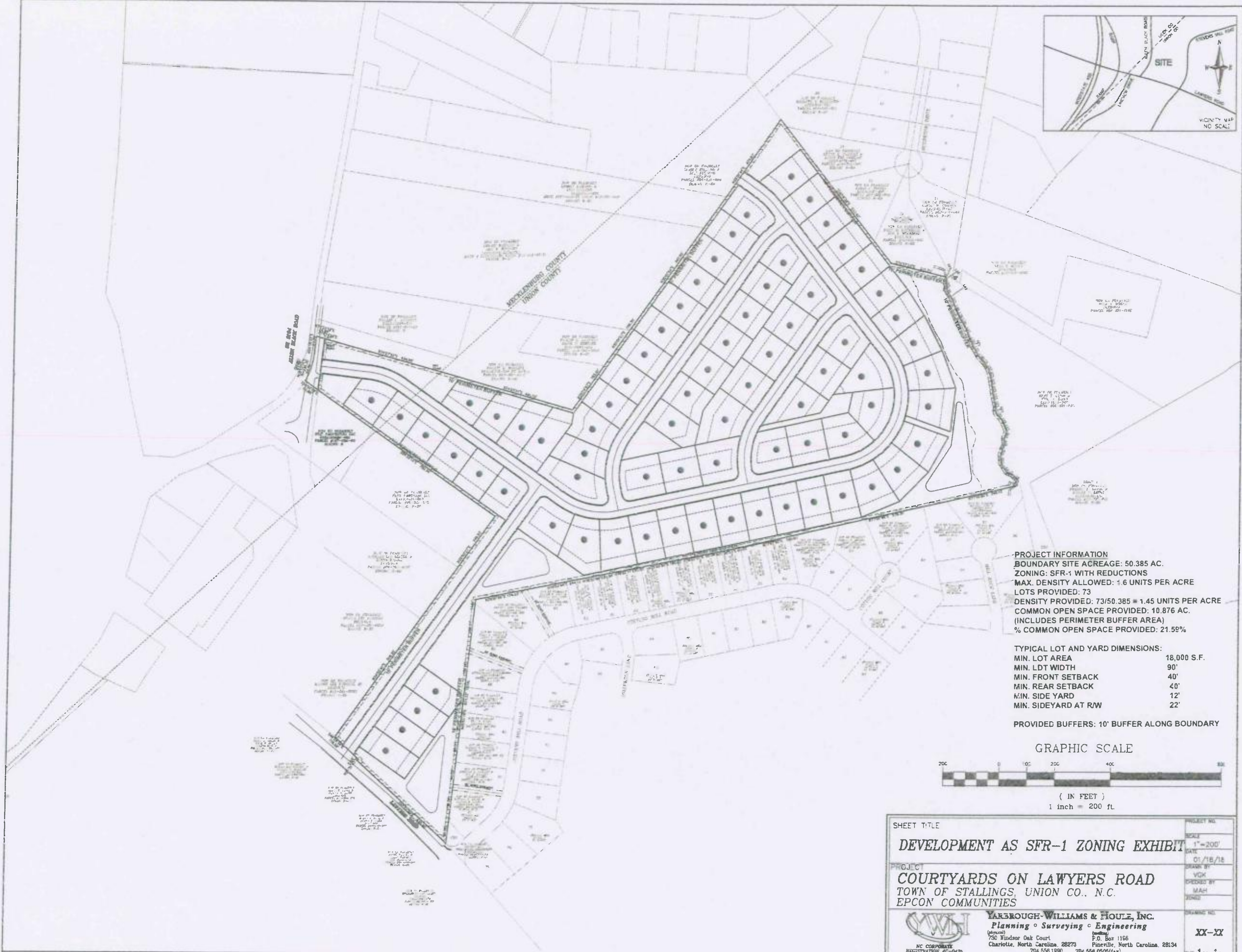


**PROPOSED AGE-RESTRICTED DEVELOPMENT**

**DEVELOPMENT AS BY-RIGHT R-20 ZONING**

**COMPARISON MATRIX BETWEEN AGE RESTRICTED AND BY-RIGHT R-20 DEVELOPMENT**

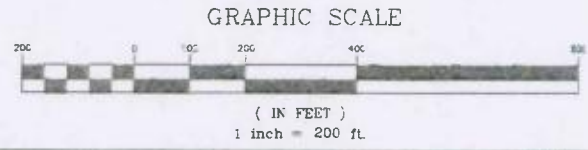
	<u>AGE RESTRICTED</u>	<u>By-Right R-20 ZONING</u>
<b>DAILEY TRAFFIC COUNT:</b>	540 trips per day (146 units x 3.7 TPD)	614 trips per day (64 units x 9.6 TPD)
<b>PERIMETER BUFFERS:</b>	30 FEET	10 FEET
<b>SCHOOL IMPACT:</b>	Historically, little to no impact	Typical SF Community impacts
<b>OFFSITE ROAD IMPROVEMENTS:</b>		
Lawyers Road	Right in / Right out	Right in / Right out
Allen Black Road	No improvements required by NCDOT However Epcon is willing to donate \$50,000 towards offsite improvements.	No improvements required by NCDOT
<b>STORM DRAINAGE DETENTION:</b>	1 extra Basin will be provided to alleviate upstream off site runoff and the other 3 basins enlarged to help with storm water detention above and beyond State requirements.	State requirements provided.
<b>OPEN SPACE:</b>	17.5 acres (34.7%)	11.94 acres (23.7%)



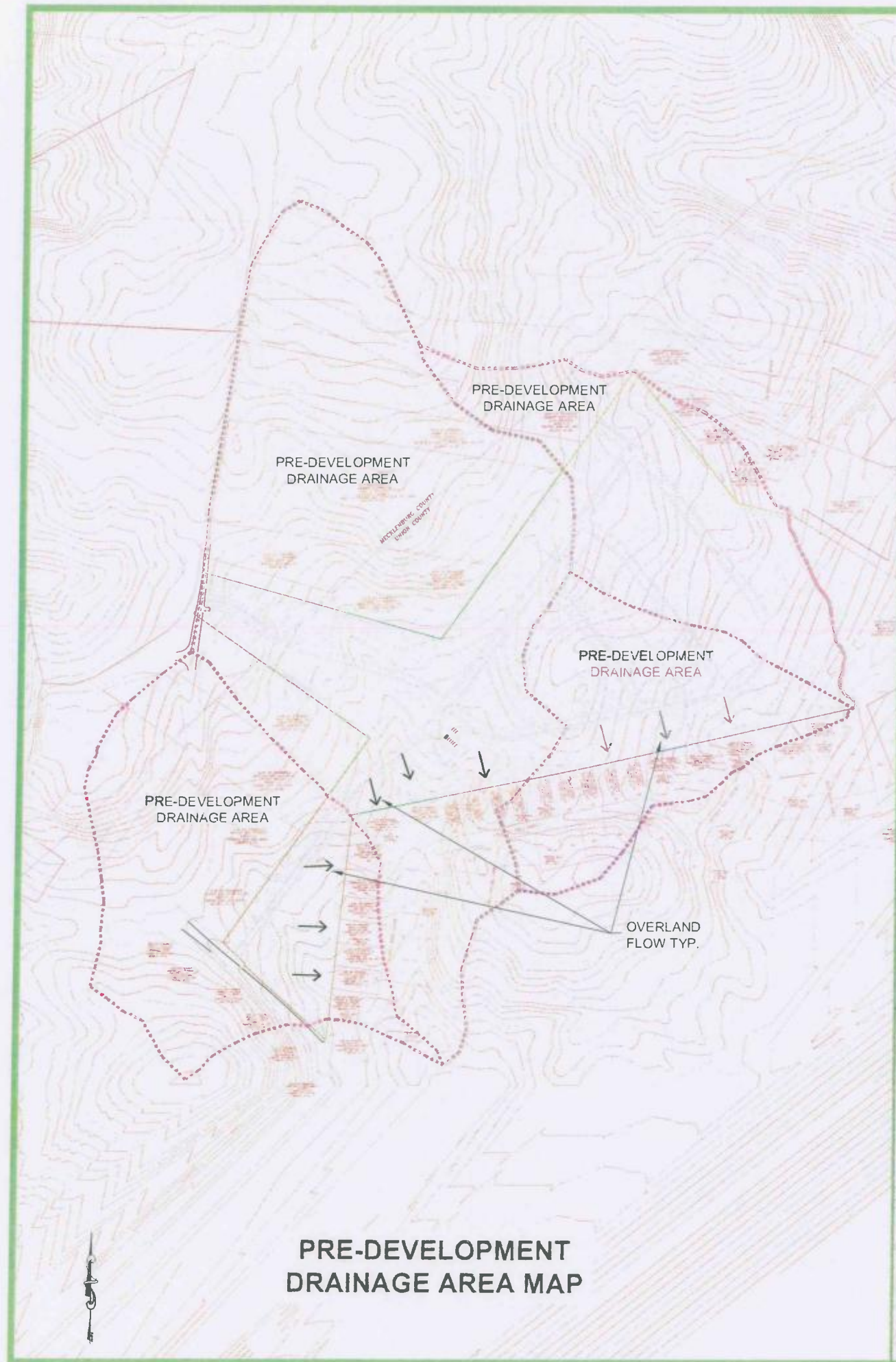
**PROJECT INFORMATION**  
 BOUNDARY SITE ACREAGE: 50.385 AC.  
 ZONING: SFR-1 WITH REDUCTIONS  
 MAX. DENSITY ALLOWED: 1.6 UNITS PER ACRE  
 LOTS PROVIDED: 73  
 DENSITY PROVIDED: 73/50.385 = 1.45 UNITS PER ACRE  
 COMMON OPEN SPACE PROVIDED: 10.876 AC.  
 (INCLUDES PERIMETER BUFFER AREA)  
 % COMMON OPEN SPACE PROVIDED: 21.58%

**TYPICAL LOT AND YARD DIMENSIONS:**  
 MIN. LOT AREA 18,000 S.F.  
 MIN. LDT WIDTH 90'  
 MIN. FRONT SETBACK 40'  
 MIN. REAR SETBACK 40'  
 MIN. SIDE YARD 12'  
 MIN. SIDEYARD AT R/W 22'

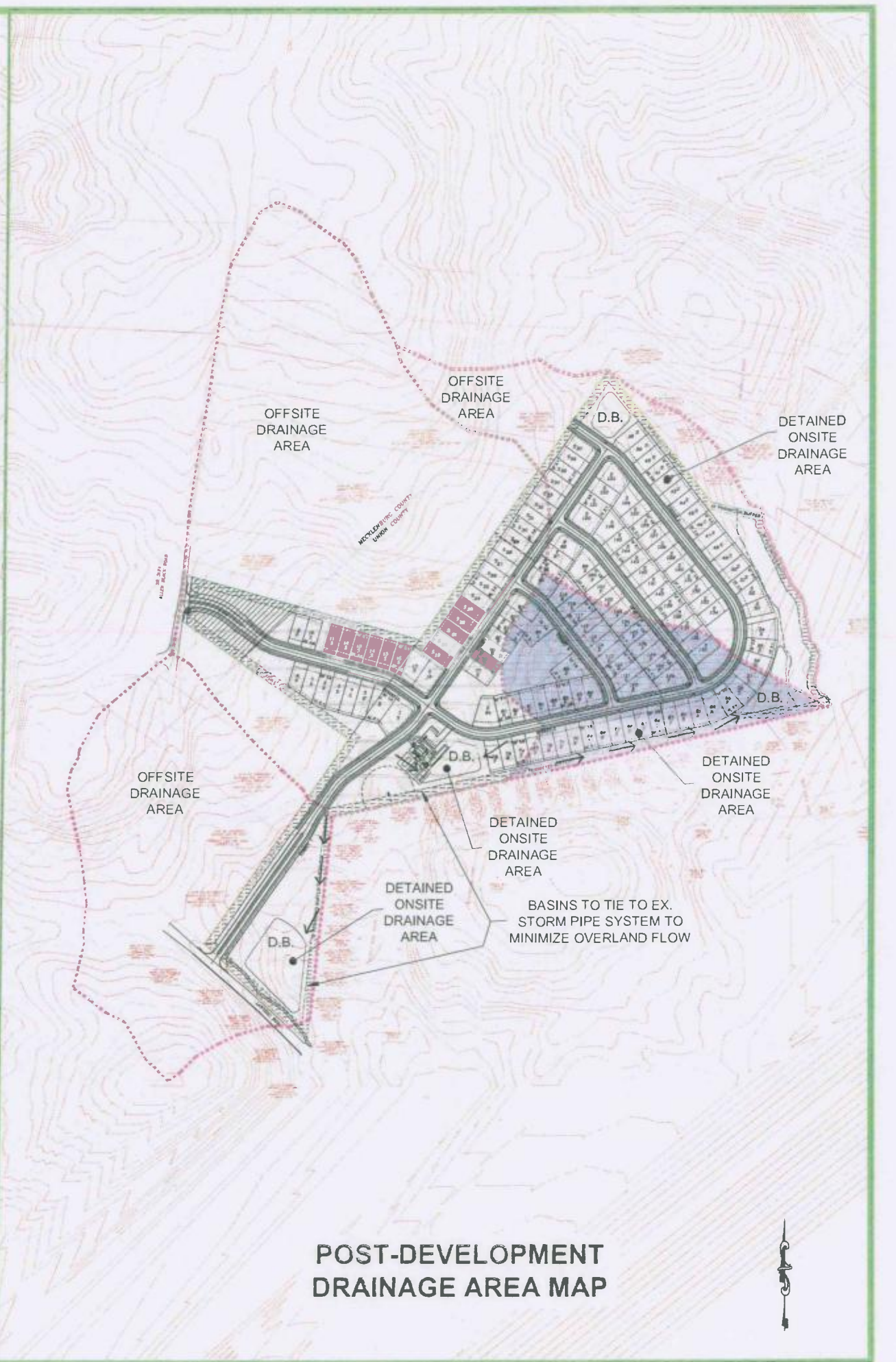
PROVIDED BUFFERS: 10' BUFFER ALONG BOUNDARY



SHEET TITLE		PROJECT NO.	
<b>DEVELOPMENT AS SFR-1 ZONING EXHIBIT</b>		SCALE	
PROJECT		1"=200'	
<b>COURTYARDS ON LAWYERS ROAD</b>		DATE	
TOWN OF STALLINGS, UNION CO., N.C.		01/18/18	
EPCON COMMUNITIES		DRAWN BY	
YARBROUGH-WILLIAMS & HOULE, INC.		VGR	
Planning • Surveying • Engineering		CHECKED BY	
730 Windsor Oak Court		MAH	
Charlotte, North Carolina, 28276		DATE	
P.O. Box 1156		XX-XX	
Pinetille, North Carolina, 28134		SHEET	
704.556.1990 704.556.0505(fax)		1 of 15	



**PRE-DEVELOPMENT  
DRAINAGE AREA MAP**



**POST-DEVELOPMENT  
DRAINAGE AREA MAP**



**FY 2018-19 TOWN COUNCIL PRIORITIES**

- 1.) Improve Transportation Infrastructure/Reduce Congestion
  - a. Develop street cross-sections.
  - b. Advocate to NC DOT on a regular basis for improvements.
- 2.) Enhance Community Identity by Increasing Branding Visibility
  - a. Street Signs – explore costs.
  - b. Place logo on water tower.
  - c. Consider adding uniform decorative street lighting and banners to new Town Hall project.
- 3.) Engage Public Through Increased Public Communications
  - a. Telecast Town Council meetings.
  - b. Quarterly newsletter.
  - c. Citizen survey.
- 4.) Begin New Town Hall/Public Works Facility
- 5.) Pursue Economic Development to Enhance Quality of Life
  - a. Complete Downtown Small Area Plan.
  - b. Begin New Small Area Plans.
  - c. Explore recreational facility for northern half of Town
- 6.) Be Prudent Fiduciaries of Taxpayer Resources