

February 10, 2025 Stallings Government Center 321 Stallings Road Stallings, NC 28104 704-821-8557 www.stallingsnc.org

#### Town Council Agenda

	Time	Item	Presenter	Action Requested/Next Step
	7:00 p.m.	Invocation Pledge of Allegiance Call the Meeting to Order	Wyatt Dunn, Mayor	NA
	7:05 p.m.	Public Comment	Wyatt Dunn, Mayor	NA
1.	7:15 p.m.	Consent Agenda A. Minutes from the following meetings: (1) 01-13-2025 (2) 01-13-2025 – closed (3) 01-25-2025 B. Amended Budget Ordinance 12 – School Resource Officer Grant C. McKee Road Extension Inclusion in CRTPO's 2055 MTP	Wyatt Dunn, Mayor	Approve Consent Agenda
2.	7:17 p.m.	Reports A. Report from Mayor B. Report from Council Members/Town Committees C. Report from Town Manager/Town Departments	Council and Staff	NA
3.	7:40 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve agenda as written
4.	7:42 p.m.	CZ24.10.01 A. Assembly of God Conditional Zoning (1) Open Public Hearing (2) Information from Staff (3) Public Hearing (4) Close Public Hearing (5) Council Vote B. Statement of Consistency and Reasonableness	Max Hsiang, Planning Director	Approve/deny conditional zoning
5.	8:00 p.m.	RZ24.10.01 A. General Rezoning for 5749 Stevens Mill Road (1) Open Public Hearing (2) Information from Staff (3) Public Hearing (4) Close Public Hearing (5) Council Vote B. Statement of Consistency and Reasonableness	Max Hsiang, Planning Director	Approve/deny rezoning

6.	8:30 p.m.	Old Blairs Mill Subdivision Roads Acceptance	Justin Russell, Associate	Accept/deny roads
			Engineer	
7.	8:35 p.m.	Adjournment	Wyatt Dunn, Mayor	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 January 13, 2025, 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, Graham Hall, Brad Richardson and Laurie Wojtowicz.

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; Kevin Parker, Engineering Director; Jessie Williams, Finance Officer; Matt Dillard, Code Enforcement Officer; Nick Coffey, Parks and Recreation

Senior Maintenance Tech; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Wyatt Dunn welcomed everyone to the meeting and delivered the invocation. Mayor

Dunn then led the Pledge of Allegiance and called the meeting to order.

Public Comments

No one was present who wished to give public comment.

- 1. <u>Consent Agenda</u>
  - A. Minutes from the following meetings:
    - (1) 12-09-2024
  - B. Amended Budget Ordinance 8 NCDOT Funds
  - C. Amended Budget Ordinance 9 Civil Penalties
  - D. Amended Budget Ordinance 10 Powell Bill
  - E. Spring 2025 Microsurfacing Contract

Engineering Director Parker spoke briefly about how the roads were selected for resurfacing using software based on the road conditions in addition to human inspection of the roads. Council Member Richardson made the motion to approve the Consent Agenda as presented. The motion received Council's unanimous support after a second from Council Member Scholl. The *Amended Budget Ordinance 8 – NCDOT Funds; Amended Budget Ordinance 9 – Civil Penalties;* and *Amended Budget Ordinance 10 – Powell Bill* are attached to these minutes and therefore incorporated herein.

#### 2. <u>Reports</u>

#### A. <u>Report from Mayor</u>

Mayor Dunn reported that Cresswind (55+ community not in Stallings) had its community meeting the previous week where the representatives said they did not want to be annexed into the Town of Stallings. The community would also have an onsite wastewater treatment plant.

Council Member Hall arrived at 7:10 p.m.

#### B. <u>Report from Council Members/Town Committees</u>

Council Member Richardson had no report.

Council Member Scholl attended two Centralina Regional Council meetings to start off the year.

Council Members Ayers, Wojtowicz, and Hall had no reports.

#### C. <u>Report from Town Manager/Town Departments</u>

Town Manager Sewell reported on the following items:

- Council received the December 2024 Budget Line Item Transfer List. This December 2024 Budget Line Item Transfer List is attached to these minutes and therefore incorporated herein.
- The 2024 Employee of the Year was Tori Crowe and the 2024 Officer of the Year was Cpl. Brandon Johnson.
- Stallings 50<sup>th</sup> Anniversary branding was public thanks to Assistant Town Manager Erinn Nichols and Parks and Recreation Director Eunice Donnelly.
- The first budget retreat special meeting would be moved to Thursday, January 23, 2025, at 5:30 p.m.
- Town Manager Sewell then reviewed the 2024 Council Priorities and Action Strategies statuses with the Council. Those updates are attached to these minutes and therefore incorporated herein.

#### 3. <u>Agenda Approval</u>

Council Member Ayers made the motion to approve the Agenda with the changes above. The

motion was seconded by Council Hall and passed unanimously.

#### 4. Parks and Recreation

#### A. Budgeted Playground Replacement at Stallings Park

Parks and Recreation Director Donnelly reminded the Council that \$150,000 was approved in the 2023-2024 Fiscal Year budget for necessary playground upgrades in Stallings Municipal Park. After assessing the community's needs and consulting with playground vendors, a design was selected that offered updated, engaging features for children of all abilities and age groups that stayed within budget costing \$149,978.12. Staff requested the Council approve the playground design to allow the Parks and Recreation Department to move forward with the replacement project.

Council Member Scholl made the motion to approve the budgeted Playground Replacement at Stallings Park for \$149,978.12. The motion received Council's unanimous support after a second from Council Member Wojtowicz.

#### B. Park Rules and Regulation Ordinance Information

Parks and Recreation Director Donnelly explained Parks and Recreation Department was presenting Parks and Recreation rules and regulations ordinance changes and additions for consideration. The finalized ordinances would be brought before the Council for approval on January 27, 2025. Ms. Donnelly's memo highlighting all the recommended changes is attached to these minutes and therefore incorporated herein.

Council Member Wojtowicz made the motion to approve the verbiage for the changes and additions to the Parks and Recreation rules and regulations. The motion received Council's unanimous support after a second from Council Member Ayers.

#### C. Programming Prioritizing Stallings Residents

Parks and Recreation Director Donnelly updated the Council on programming efforts for the year:

- Golden Gatherings: Offered once a quarter for 50+.
- All programs would be free to Stallings residents with a small fee to non-residents.
- Stallings residents are allowed to register a week earlier than non-residents.
- Residency was based off of address.

#### 5. Police Department Temporary Overhire Position

Police Chief Franks explained Police Department had faced persistent staffing shortages over the past several years, aggravated by factors such as retirements, resignations, and the challenges of recruiting qualified candidates in an increasingly competitive job market. These staffing gaps placed January 13, 2025 pressure on our officers, leading to increased overtime, burnout, and a reduced ability to effectively serve and protect the community.

In order to maintain the highest level of public safety, sufficient personnel to cover all shifts and assignments was necessary. A temporary overhire position could proactively address known absences along with unforeseen staffing issues in addition to providing operational stability, cost savings, employee well-being, and recruitment and retention.

The cost for a temporary overhire position would be between \$37,000 (cadet) to \$46,000 (lateral) in salary and benefits for the remainder of the fiscal year, to fund an overhire position. The Finance Department advised that sufficient funds were available in the Police payroll budget for the remainder of the fiscal year.

A motion was made by Council Member Scholl to approve the Police Department's temporary overtime position to which Council Member Hall seconded. Unanimous support was held by the Council for the motion.

#### 6. <u>Stevens Mill Greenway Entrance Gate (Richardson)</u>

Council Member Richardson explained the black gate safety measures at Blair Mill Greenway made the park looked closed. He requested staff investigate ways to ensure the greenway appeared open while keeping the safety measure in place. Council held consensus on allowing this request.

#### 7. Attached Garages and Accessory Structures (Wojtowicz)

Town Manager Sewell summarized on Council Member Wojtowicz's behalf that she believed there was a loophole in the ordinance that allowed attached garages and accessory structures in a manner that was not intended. Council held consensus to have Planning staff develop corrections to those loopholes and bring back to Council for consideration.

#### 8. <u>Closed Session Pursuant to NCGS 143-318.11(a)(3)</u>

Council Member Ayers made the motion to go into closed session pursuant to NCGS 143-

318.11(a)(3) inviting Max Hsiang, Planning Director, Matt Dillard, Code Enforcement Officer. Council Member Richrdson seconded the motion to which Council approved unanimously.

Council recessed into closed session at 7:59 p.m. and reconvened into open session at XX:XX p.m.

#### 9. Adjournment

Council Member Ayers moved to adjourn the meeting, seconded by Council Member Richardson, and the motion received unanimous support. The meeting was adjourned at 8:26 p.m.

Approved on \_\_\_\_\_, 2025.

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 January 27, 2025, at 7:00 p.m. at the Stallings Government Center, 321 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Pro Tempore David Scholl; Council Members Steven Ayers, Taylor-

Rae Drake, Graham Hall, Brad Richardson and Laurie Wojtowicz.

Those absent were: Mayor Wyatt Dunn.

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

Clerk; Police Chief Dennis Franks; Max Hsiang, Planning Director; Kevin Parker, Engineering Director;

Jessie Williams, Finance Officer; Karen Reid; Human Resources Director; Brig Sheehy, Planning

Technician; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order Mayor Pro Tempore David Scholl welcomed everyone to the meeting and Council Member XXX delivered the invocation. Mayor Pro Tempore Scholl then led the Pledge of Allegiance and called the meeting to order.

#### Public Comments

This item was done after Agenda Item 2, Agenda Approval.

John Short, 2002 Trailwood Drive, thanked the Council for addressing the Chestnut Lane median during the meeting. Neighbors were concerned about the unsafe median as it caused many problems. He stated the median was put in because of NCDOT regulations but it has caused numerous safety hazards including reckless driving and driving over the median.

David VanHellemont, 1109 Headwaters Ct., lived in the neighborhood in front of the median since 2023 and experienced a near accident due to median. He stated cars pull into near houses driveways to use to turn around with close accidents. Mr. VanHellemont paid the church nearby because he uses their parking lot to turn around.

Peter DeMille, 2035 Trailwood Drive, stated that GPS did not acknowledge the median and tell people to turn in where the median was located. The visibility at the median's location was poor and felt there would be a bad accident there soon. Everyone was putting extra miles on cars every day because of the median. The stated the new neighborhood across the street would have same issue in addition to delivery drivers.

#### 1. Consent Agenda

- A. Parks and Recreation Rules and Regulations Ordinance
- B. Amended Budget Ordinance 11 Stallings Municipal Park Sound System Phase 2

Council Member Richardson made the motion to approve the Consent Agenda as presented with Council Member Ayers seconding. The motion received Council's unanimous support. The *Parks and Recreation Rules and Regulations Ordinance* and *Amended Budget Ordinance 11 – Stallings Municipal Park Sound System Phase 2* are attached to these minutes and therefore incorporated herein.

#### 2. Agenda Approval

Council Member Scholl requested adding Agenda Item 4.E., *Council Technology*. Council Member Richardson made the motion to approve the Agenda with the addition above. The motion was seconded by Council Member Hall and passed unanimously.

#### Public Comment was held at this point in the meeting.

#### 3. Chestnut Median Removal

Engineering Director Kevin Parker explained Town Staff had received numerous concerns from residents of both Stallings and Indian Trail regarding traffic safety and efficiency issues caused by the concrete median installed on Chestnut Lane at the new entrance to the Courtyards at Chestnut subdivision developed by Epcon. The issues were expected to worsen once the 57 single-family home subdivision being constructed by Pulte on the north side of Chestnut Lane (in Indian Trail) was completed.

The concrete median was originally required by the North Carolina Department of Transportation (NCDOT) because neither Pulte nor Epcon were able to secure sufficient right-of way (ROW) from surrounding property owners to install left-turn lanes (LTLs). Without LTLs, NCDOT determined that left-turn movements could create traffic congestion and an increased risk of rear-end collisions due to the average annual daily traffic (AADT) on Chestnut Lane. As a result, NCDOT mandated that Epcon install the median.

Since receiving resident feedback, Staff coordinated with NCDOT, Epcon, Pulte, and the Town of Indian Trail to address these concerns and remove the median. NCDOT had granted written approval for the median removal, and staff was currently in the Encroachment Agreement approval process with NCDOT, awaiting further comments and final approval. Epcon had agreed to contribute \$20,000 toward the cost of removing the median. In collaboration with Indian Trail, staff had also coordinated with Pulte, who agreed to cover the remaining costs for the median removal.

Staff requested Council authorize the removal of the Chestnut Lane median and approve a budget allowance not to exceed \$20,000 to cover any potential additional costs resulting from NCDOT's final comments during the Encroachment Agreement approval process.

Council Member Richardson made the motion to endorse and coordinate the removal of the Chestnut Lane median. The motion was seconded by Council Member Drake and passed unanimously by the Council.

Council Member Richardson made the motion that if there were any additional costs to remove the median resulting from NCDOT's final comments during the Encroachment Agreement approval process to have Staff engage the developers for additional funds and come back to Council for any additional costs requests. Council Member Ayers seconded the motion to which Council unanimously approved.

### Administrative Employee Pay Study and Budget Items A. Pay Study Proposal

Town Manager Sewell reminded the Council that as a part of its 2024-2025 strategic priorities, a comprehensive pay and benefits study was approved to ensure competitive compensation and alignment with industry standards. The Town engaged David Hill of the Piedmont Triad Regional Council to conduct the study who was experienced in his field and completed similar pay studies recently for other municipalities such as Waxhaw and Matthews.

David Hill, Piedmont Triad Regional Council, conducted the Administrative Employee Pay Study for the Town of Stallings and presented the Council with the findings of that study. The Administrative Employee Pay Study Presentation is attached to these minutes and therefore incorporated herein.

The Town budgeted \$50,000 to implement the pay study in FY24-25. The cost to implement the pay study for employees in FY24-25 was approximately \$32,800 with an annualized cost of \$98,575 not including any future CPI/pay step increases. The cost to implement the pay study for Town Council in FY24-25 was an additional \$12,722, with an annualized cost of \$50,885.

Staff requested any questions be submitted by February 12.

Council Member Richardson made the motion to excuse Council Members Ayers from the meeting due to work obligations. The motion was seconded by Council Member Drake and passed unanimously by Council.

#### Council Member Ayers left the meeting at 7:41 p.m.

#### B. Parental Leave Study

Human Resources Direction Karen Reid reminded Council that it requested staff research the feasibility of offering a Paid Parental Leave Policy. Currently, the Town did not provide paid parental leave for employees following the birth or placement of a child through adoption or foster care. Employees may utilize Short-Term Disability (STD), which covered 60% of salary for 6 to 8 weeks (pending approval), supplemented by vacation or sick leave for the remaining 40%. The Family and Medical Leave Act (FMLA) provided up to 12 weeks of unpaid leave, which employees may use alongside accrued leave balances. The recommended policy allowed six weeks of paid parental leave as outlined in the attached memo which is incorporated herein to these minutes. Staff requested Council allow the development of a Parental Leave Policy by staff to bring back to Council for adoption.

Council Richardson made the motion to have Staff develop a Parental Leave Policy and bring back for Council approval. The motion received Council's unanimous support after a second from Council Member Wojtowicz.

#### C. Attorney Hourly Rate Increase Requests

Town Manager Alex Sewell explained that the Town Attorneys, Melanie Cox, and Mac McCarley (land planning attorney), were requesting rate increases for the remainder of FY25.

- Mac McCarley: \$300/hr. to \$325/hr.
- Melanie Cox: \$225/hr. to \$275.hr.

It was clarified by Finance Officer Williams that the rate increases could be absorbed in the current budget.

Council Member Richardson made the motion to increase Mac McCarley's rate to \$325/hr. and Melanie Cox's rate to \$275/hr. effective immediately. Council approved the motion unanimously after a second from Council Member Drake.

#### D. <u>CPI Increase Cap Policy</u>

Town Manager Sewell explained that per the 2024 Council Priorities & Action Strategies, Council requested staff present a policy capping CPI increases as outlined in the Pay Policy. The proposed policy capped CPI annual increases 5.0% per fiscal year, regardless of the actual CPI change. In cases where the CPI exceeded the cap significantly, Staff may review and consider temporary adjustments, subject to Council approval and budget availability.

Staff requested Council review proposed policy and suggest any changes to Staff.

The motion was made by Council Member Hall to approve the CPI Increase Cap Policy to which Council Member Wojtowicz seconded. Council approved the motion unanimously.

#### E. <u>Council Technology (Scholl)</u>

Council Member Scholl explained that he had an old Town issued iPad and would like it replaced. Council discussed the issue and held consensus to have Staff create a Council Technology Stipend Policy and bring back to the Council for consideration.

#### 5. Adjournment

Council Member Wojtowicz moved to adjourn the meeting, seconded by Council Member Hall, and the motion received unanimous support. The meeting was adjourned at 8:32 p.m.

Approved on \_\_\_\_\_, 2025.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC



To:Mayor Dunn and Stallings Town CouncilVia:Alex Sewell, Town ManagerFrom:Jessie Williams, Finance Officer

Date: February 5, 2025

#### RE: Amended Budget Ordinance No. 12

Town Council approved a full-time School Resource Officer (SRO) position in December 2022. Union County Public Schools agreed to partially fund the position through its North Carolina Public Instruction's School Resource Officer grant award program. The terms included \$36,666 annually for the officer's salary and benefits. However, the FY24-25 budget was adopted with only \$32,800 in revenue from this grant. Therefore, the additional grant funding needs to be recognized in the budget, so the funds are available to help finance the personnel costs of this position.

<u>Requested Action:</u> Adoption of attached Amended Budget Ordinance 12

#### AMENDED BUDGET ORDINANCE - NO. 12

#### TOWN OF STALLINGS, NORTH CAROLINA

#### FISCAL YEAR 2024-2025

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the budget for fiscal year 2024-2025 is hereby amended as set forth below:

Category	Account Number	Net Increase or (Decrease)	Current Budget	Amended Budget
<u>General Fund:</u>				
Revenue Budget				
SRO Union County Grant	10-10-3430-331	\$ 3,866	\$ 32,800	\$ 36,666
Expense Budget - Police Salaries & Wages - SRO	10-10-4411-000	\$ 3,866	\$ 60,840	\$ 64,706

Explanation: To recognize additonal grant funding for the School Resource Officer.

This Amendment to the Budget Ordinance shall be effective upon adoption.

The said Budget Ordinance, except as amended, shall remain in full force and effect.

ADOPTED this 10th day of February 2025.

Wyatt Dunn, Mayor

Erinn Nichols, Deputy Town Manager/Town Clerk

Approved as to form:

Melanie Cox, Town Attorney, Cox Law Firm, PLLC



To:	Mayor and Town Council
Via:	Alex Sewell, Town Manager
From:	Kevin Parker, P.E., Town Engineer
Date:	February 10, 2025.
RE:	Request for Approval to Include McKee Road Extension in CRTPO's 2055 MTP

#### Background on CRTPO's Metropolitan Transportation Plan (MTP)

The Charlotte Regional Transportation Planning Organization (CRTPO) develops the Metropolitan Transportation Plan (MTP) to guide long-term transportation investments through 2055. The MTP is a fiscally constrained plan that prioritizes roadway, transit, bicycle, and pedestrian projects across the region, ensuring that federal and state funding is allocated efficiently to meet future mobility needs.

#### **McKee Road Extension Proposal**

The Town of Matthews has requested Stallings 'partnership and approval for the inclusion of the McKee Road Extension, from John Street/Campus Ridge Road to Marie Garris Road, in CRTPO's 2055 MTP. This extension aligns with the Town of Stallings' adopted Comprehensive Transportation Plan (CTP) and is being planned for in the Town's ongoing Silver Line Integration Plan.

The proposed segment would extend McKee Road as a two-lane divided roadway with a raised median, curb and gutter, and sidewalks with a speed limit ranging from 25 to 45 mph. It is important to note that the segment of McKee Road from John Street to Pleasant Plains Road is currently fully funded and under construction by NCDOT. The proposed extension from Marie Garris Road to Campus Ridge Road would provide a critical connection beyond this segment, enhancing regional mobility and access. While the majority of the proposed extension is within Matthews' jurisdiction, approximately 600 feet of the project falls within the Town of Stallings.

#### **Financial Considerations**

At this time, there are no financial commitments required for this submission. However, should the project be selected and funded, Staff anticipates a standard 20% local cost-share requirement. Given that only 600 feet of the project falls within Stallings, Staff expects that the Town would only be responsible for a proportional 20% match for this portion.

#### Recommendation

Staff recommends that Council approve the inclusion of the McKee Road Extension in CRTPO's 2055 MTP, as submitted by the Town of Matthews. This project supports regional mobility improvements, aligns with Stallings' transportation planning efforts, and complements ongoing planning for the Silver Line corridor.

If approved, Staff will notify the Town of Matthews and continue coordination as necessary.

#### **Requested Action:**

Staff requests Council to approve the inclusion of the McKee Road Extension (John Street to Marie Garris Road) in CRTPO's 2055 Metropolitan Transportation Plan, as proposed, with the Town of Matthews.





# IMPACTS AND DRIVEWAY TIES

LIMITS OF CONSTRUCTION AND THEIR IMPACTS SHOWN ON THIS HEARING MAP ARE BASED OFF OF PRELIMINARY DESIGNS AND PRELIMINARY GROUND SURVEYS. DURING THE FINAL DESIGN STAGE, DESIGNERS WILL ATTEMPT TO MINIMIZE IMPACTS WHERE FEASIBLE USING FINAL GROUND SURVEYS. FINAL DRIVEWAY LOCATIONS WILL ALSO BE DETERMINED DURING FINAL DESIGN USING FINAL SURVEYS.





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### MAP PREPARED: OCTOBER 2018

DESIGN DATA

-L- SR 3440 MCKEE ROAD (EXISTING SEGMENT) FUNCTIONAL CLASS = MINOR COLLECTOR POSTED SPEED = 45 MPH

-L- SR 3440 MCKEE ROAD (PROP. EXTENSION) FUNCTIONAL CLASS = MINOR COLLECTOR POSTED SPEED = 35 MPH

-Y1- SR 3448 PLEASANT PLAINS ROAD FUNCTIONAL CLASS = MINOR COLLECTOR POSTED SPEED = 45 MPH

BILTMORE FOREST DRIVE FUNCTIONAL CLASS = LOCAL POSTED SPEED = 20 MPH

POPLAR KNOLL DRIVE FUNCTIONAL CLASS = LOCAL POSTED SPEED = 20 MPH

HOLLY RIDGE DRIVE FUNCTIONAL CLASS = LOCAL POSTED SPEED = 20 MPH

–Y5– SR 1009 EAST JOHN STREET FUNCTIONAL CLASS = MINOR ARTERIAL POSTED SPEED = 45 MPH

100' 50' 0' 100' 200' (ENGLISH)

PRELIMINARY PLANS do not use for construction

## LEGEND

EXISTING STREAM/POND
PROPOSED EASEMENTS
PROPOSED RIGHT OF WAY
EXISTING RIGHT OF WAY
EXISTING ROADWAY TO BE REMOVED
EXISTING ROADWAY TO BE RESURFACED
PROPOSED ROADWAY
FUTURE TIP PROJECT
UTILITY EASEMENTS
EXISTING STUCTURES TO BE RETAINED
PROPOSED STRUCTURES, ISLAND, CURB AND GUTTER, AND SIDEWALK
PROPOSED MULTI-USE PATH
EXISTING CONTROL OF ACCESS
RIGHT OF WAY $\frac{2017}{2040}$ PRESENT ADT
PROPERTY LINES SLOPE STAKE Lines
EXISTING TRAFFIC SIGNAL PROPOSED TRAFFIC SIGNAL

 $\mathbf{X} \mathbf{A} \mathbf{A}$ 

# DESIGN FUBLIC MEETING MAP TIP PROJECT NO. U-4713A MECKLENBURG COUNTY MCKEE ROAD EXTENSION PLEASANT PLAINS TO EAST JOHN STREET IN THE TOWN OF MATTHEWS OCTOBER 2018

POPLAR FOREST

- I MICHAEL DONIHEE & LAURA D. DONIHEE
- 2 ELP MATTHEWS, LLC
- 3 CHRISTOPHER M. COBB & KATHERINE P. COBB
- (4) PATRICIA G. WILLIS & KENNETH W. ZOELLER
- 5) TROTTER PROPERTIES,LLC
- (6) EQUITABLE HOLDINGS,LLC
- ) MATTHEWS PLANTATION HOMEOWNERS ASSOCIATION
- (8) WINSTON L. ARMENTROUT, JR. & SUSAN A. ARMENTROUT
- (9) DAVID S. SOUZA DUARTE & SELENA LYNN DUCHARME
- (10) STEPHEN R. VAUGHN & MOIRA C. VAUGHN
- > POPLAR FOREST OWNERS ASSOCIATION
- 2) STUART L. A. MOFFAT & JULIE H. MOFFAT





PROPOSED MULTI-USE PATH

RIGHT OF WAY

 $-\binom{C}{A}$  - Existing control of access

PROPERTY LINES \_\_\_\_\_ SLOPE STAKE

2017 present adt 2040 future adt

LINES





13) FRANK V. OSWALT & DARLENE J. OSWALT
(14) ROBIN L. HUNTER & CONNIE J. HUNTER
15) GERALD COLEMAN BROOMER & DONNA FAY BROOMER
16 WITHROW VENTURES - MONROE ROAD, LLC
17) GAVIN J. CANDISH & SHERRY J. CANDISH
18 HENRY J. NICHOLSON, JR. & FRANCES JEANNETTE NICHOLSON
19 TROTTER PROPERTIES, LLC
20 HAWTHORNE'S HOLDING GROUP, LLC
21 WITHROW VENTURES - MONROE ROAD, LLC
22 WITHROW VENTURES - MONROE ROAD, LLC
23 ZHIMIN CHEN & YIFAN DENG

TO STALLIN

PROJECT U-47



To:Planning BoardFrom:Max Hsiang, Planning DirectorDate:12/17/2024Re:CZ24.10.01 - Conditional Zoning Request for Assembly of God

#### ✤ Request:

Assembly of God is applying for a zoning change from Single-Family Residential (SFR-1) to Conditional Zoning - Mixed Use 1 (CZ-MU-1) for their property at 6800 Stevens Mill Rd (parcel #07054002J). This 24.475-acre property is currently used for a daycare and religious purposes, but these uses are not permitted under the current SFR-1 zoning. To expand their existing facilities, Assembly of God requests the zoning change to allow for these non-conforming uses.



#### Future Land Use:

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

Primary Land Uses:

• Single-Family Detached Home

Secondary Land Uses:

- Park
- Natural Areas

Consistency with Future Land Use: No

#### Greenway Master Plan

The Stallings Connect Recreation and Greenway Master Plan identifies 2 areas of this property to construct Greenway Paths. One along the front (NS) and one along the rear floodplain (N4) (also see floodplain in pic below). They are requesting alleviation from constructing the greenway path along the floodplain.



>> NORTHERN SPINE TRAIL



TRAIL TYPE(S): Suburban Spine; Urban Spine

APPROXIMATE DISTANCE: 13,169 ft.

**ESTIMATE OF PROBABLE COST:** \$2,304,575 - \$3,621,475

The Northern Spine trail extends from Blair Mill Park to Lawyers Rd. along Stevens Mill Rd. Significant destinations along this section of the spine trail include Blair Mill Park, Stevens MIII Crossing, the Assembly of God property, and trails N2 and N4.



TRAIL TYPE(S): Typical Greenway

APPROXIMATE DISTANCE: 5,204 ft.

### **ESTIMATE OF PROBABLE COST:** \$910,700 - \$1,431,100

Trail N2 from the Fairfield neighborhood to the Northern Spine will ultimately connect to Stevens Mill Crossing. Any trail development within the Fairfield neighborhood will require voluntary participation from the neighborhood HOA.



#### Indian Greenway Trails:

Indian Trail does not show any greenway connections that connect to this site. See map below.





Legend Parcel #07054002J \_\_\_\_\_ S



Proposed Greenways In Reference to Parcel #07054002J

0 250 500 1,000 Feet

#### Staff Conditions

#### 1. Lighting Restrictions:

- a. Exterior lighting must not directly illuminate neighboring properties.
- b. If additional lighting is required, a detailed lighting plan must be submitted, clearly outlining the illuminated area. Alternatively, additional landscaping may be installed to prevent light spillover onto other properties, as determined by the Development Administrator.

#### 2. Permitted Uses:

- a. Daycare centers, religious institutions, and schools, including associated accessory structures like playgrounds and recreation fields, are permitted on the site.
- b. Expansions of these existing uses are allowed, subject to site plan review and applicable ordinances. However, mobile trailers for classrooms are not permitted.
- c. All requirements of the MU-1 zoning district and Stallings Development Ordinance must be met, except where explicitly modified by the agreed-upon conditions.

#### 3. Greenway and Easement:

- a. The portion of the greenway within the floodplain is exempt from construction.
- b. An easement for a future greenway path, as outlined in the Parks and Recreation Greenway Master Plan, must be dedicated to the Town of Stallings. This easement must be established before the daycare construction begins.
- 4. Traffic Impact:
  - a. A trip generation must be submitted to the Town during the site plan review submittal.
  - b. Any future expansions of the site will require additional trip generation, and if the increase in traffic meets our TIA ordinance, a Traffic Impact Analysis (TIA) will be required.

#### 5. Additional Conditions:

- a. The development must adhere to the initial concept plan submitted for approval. The Development Administrator may approve minor modifications.
- b. All necessary permits must be obtained from the State, County, and Town as applicable.
- c. The applicant must obtain a Zoning Compliance Certificate from the Town before occupying any new buildings.
- d. The approval for this development is valid for five years from the date of issuance, until vested rights are established.
- e. Fully metal buildings are not permitted on the site.

#### Staff Recommendation:

Staff recommends approval of CZ24.10.01, with the addition of the proposed staff conditions. The request is inconsistent but reasonable with the Future Land Use Plan. They are not changing their use.

- 1) The proposed zoning change will not alter the current use of the property and will not impact the surrounding area.
- 2) The floodplain limits future development on the property.
- 3) Maintains the current use protects surrounding properties.



# Conditional Rezoning Application CZ24.10.01 – Assembly of God

02.10.2025

Staff Report | Town Council

# Request CZ24.10.01

#### Conditional Zoning Request

Assembly of God is applying for a zoning change from Single-Family Residential (SFR-1) to Conditional Zoning - Mixed Use 1 (CZ-MU-1) for their property at 6800 Stevens Mill Rd (parcel #07054002J). This 24.475-acre property is currently used for daycare and religious purposes, but these uses are not permitted under the current SFR-1 zoning. To expand their existing facilities, the Assembly of God requests the zoning change for these non-conforming uses.



# What is a Conditional Zoning?

- Conditional zoning allows for specific developments that might not be fully compatible with the surrounding area. It provides a way to balance the needs of developers with the interests of the community. For example, a developer might be allowed to build a taller building than normally permitted, but only if they agree to provide additional public amenities like a park.
- Key Differences
  - **General Rezoning:** Completely changes a property's zoning, allowing any use within the new zoning district.
    - When Considering General Rezoning
      - Governing bodies should not evaluate a rezoning petition based on a specific development proposal.
  - **Conditional Rezoning:** Allows a specific use or development subject to conditions. Site plan required.





# **Current Conditions**

Aerial:







# **Project Summary**

#### Location:

• 6800 Stevens Mill Rd

#### Ownership:

• Assembly of God

**Current Zoning:** 

• SFR-1

**Existing Use:** 

• Religious

Site/Project Size:

• 24.475 ac

**Traffic Generation:** 

•N/A

#### **Current Zoning:**



#### NOT FOR CONSTRUCTION



# Land Use



#### Suburban Single-Family Neighborhood

Suburban single-family residential neighborhoods are formed as subdivisions or communities, with a relatively uniform housing type and density throughout. They may support a variety of single-family detached residential types, from mobile homes to large-lot, low-density single-family homes to denser formats of smaller single-family detached homes. Homes are oriented interior to the neighborhood and typically buffered from surrounding development by transitional uses or landscaped areas. Suburban single-family neighborhoods are often found in close proximity to suburban commercial, office, and industrial centers, and help provide the consumers needed to support these centers.



#### **Primary Land Uses**

Single-Family Detached Home

#### Secondary Land Uses

- Community Park
- Community Center / Pool and Recreational Facilities
- Natural Areas

#### FORM & PARAMETERS

General Development Pattern Typical Lot Coverage Residential Density Non-Residential Intensity Prevailing Building Height Average Dwelling Unit Size Avg. Non-Resid. Building Size Transportation Choices Typical Block Length Open Space Elements Street Pattern Street Connectivity Parking Provisions Typical Street Cross Section





#### Separate Uses 50 – 75% 1.0 – 6.0 DU/ac N/A 1 - 2 Stories 1,500 – 5,000 SF varies Auto 800 – 1,500 LF Greenway/Natural Areas Curvilinear Low/Medium Private Driveway Rural/Suburban/Urban



# Greenway

The Stallings Connect Recreation and Greenway Master Plan identifies 2 areas of this property to construct Greenway Paths. One along the front (NS) and one along the rear floodplain (N4) (also see floodplain in pic below). They are requesting alleviation from constructing the greenway path along the floodplain.





#### Conditions

#### 1. Lighting Restrictions:

- a. Exterior lighting must not directly illuminate neighboring properties.
- b. If additional lighting is required, a detailed lighting plan must be submitted, clearly outlining the illuminated area. Alternatively, additional landscaping may be installed to prevent light spillover onto other properties, as determined by the Development Administrator.

#### 2. Permitted Uses:

- a. Daycare centers, religious institutions, and schools, including associated accessory structures like playgrounds and recreation fields, are permitted on the site.
- b. Expansions of these existing uses are allowed, subject to site plan review and applicable ordinances. However, mobile trailers for classrooms are not permitted.
- c. All requirements of the MU-1 zoning district and Stallings Development Ordinance must be met, except where explicitly modified by the agreed-upon conditions.

#### 3. Greenway and Easement:

- a. The portion of the greenway within the floodplain is exempt from construction.
- b. An easement for a future greenway path, as outlined in the Parks and Recreation Greenway Master Plan, must be dedicated to the Town of Stallings. This easement must be established before the daycare construction begins.

#### 4. Traffic Impact:

- a. A trip generation must be submitted to the Town during the site plan review submittal.
- b. Any future expansions of the site will require additional trip generation, and if the increase in traffic meets our TIA ordinance, a Traffic Impact Analysis (TIA) will be required.

#### 5. Additional Conditions:

- a. The development must adhere to the initial concept plan submitted for approval. The Development Administrator may approve minor modifications.
- b. All necessary permits must be obtained from the State, County, and Town as applicable.
- c. The applicant must obtain a Zoning Compliance Certificate from the Town before occupying any new buildings.
- d. The approval for this development is valid for five years from the date of issuance, until vested rights are established.
- e. Fully metal buildings are not permitted on the site.

# Staff Recommendation

- Staff recommends approval of CZ24.10.01, with the addition of the proposed staff conditions.
  - The request is inconsistent but reasonable with the Future Land Use Plan. They are not changing their current use.
    - 1) The proposed zoning change will not alter the current use of the property and will not impact the surrounding area.
    - 2) The floodplain limits future development on the property.
    - 3) Maintaining the current use protects surrounding properties.

# Vote and Statement of Consistency & Reasonableness



### **Step 1**.

Motion to recommend Approval/Denial for CZ24.10.01.

### □ Step 2.

 With a statement of consistency that the proposal is Consistent/Inconsistent and Reasonable/Not Reasonable with the Comprehensive Land Use Plan.

### **Step 3**.

- Example reasoning:
  - This Conditional Rezoning is inconsistent but reasonable with the goals of the Town.




### **Questions?**



### Statement of Consistency and Reasonableness

ZONING AMENDMENT: CZ24.10.01

REQUEST:Assembly of God seeks a conditional zoning change from SFR-1 to CZ-MU-1 for their24.475-acre property at 6800 Stevens Mill Rd to accommodate existing non-<br/>permitted daycare and religious uses.

**WHEREAS**, The Town of Stallings Town Council, hereafter referred to as the "Town Council", adopted the Stallings Comprehensive Land Use Plan on November 27, 2017; and

**WHEREAS**, the Town Council finds it necessary to adopt a new land development ordinance to maintain consistency with the Comprehensive Land Use Plan; and

**WHEREAS**, the Town Council finds it necessary to revise the Unified Development Ordinance to comply with state law found in NCGS § 160D.

WHEREAS, the Town Council finds it necessary to consider the Planning Board's recommendations.

**THEREFORE**, The Town Council hereby votes that the proposed conditional zoning amendment is consistent/inconsistent and reasonable/unreasonable with the Comprehensive Land Use Plan adopted on November 27, 2017 based on the goals and objectives set forth in the document of promoting quality development and consistency with all state-mandated land use regulations established through NCGS § 160D. The Town Council **APPROVES/DENIES** the proposed amendment and stated that the Town Council finds and determines that the conditional zoning amendment is consistent/inconsistent and reasonable/unreasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

- 1) The proposed zoning change will not alter the current use of the property and will not impact the surrounding area.
- 2) The floodplain limits future development on the property.
- 3) Maintains the current use protects surrounding properties.

**Adopted** this the \_\_ day of \_\_\_\_\_, 2025.

Attest:

Mayor

Town Clerk



## Stallings

315 Stallings Road - Stallings, North Carolina 28104

### **Zoning Map Amendment/Rezoning Application**

Application # (Staff):
Date Filed: Community Meeting Date (If Applicable):
Planning Board Date:

Town Council/Hearing Date:

\*Please reference the Fee Schedule for cost.

Zoning Map Amendment - Conventional		
Less than 2 acres		
2-10 acres		
Greater than 10 acres		
Zoning Map Amendment – Conditional Zoning		
Less than 2 acres		
2-10 acres		
Greater than 10 acres		
Conditional Use Permit Request		
Zoning Text Amendment - UDO		

### 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:

Conditional District Zoning?	Yes No
Current Zoning (Circle One)	SFR-1) SFR-2 SFR-3 SFR-MH SRF-MH MU-1 MU-2
	MFT AG TC CIV C-74 CP-485 VSR IND
Proposed Zoning (Circle One)	SFR - 1 SFR - 2 SFR - 3 SFR - MH MU - 1 MU - 2 MFT
	AG TC CIV C – 74 CP – 485 VSR IND
Overlay Districts (If Applicable): (Circle One)	TNDO SCO HIO

Physical Property Address:

Description of Rezoning:

Tax Parcel Number(s) (PID Number):		Total Acreage:	
Property Owner(s):			
Owner's Address:			
City:	State:		Zip:
Contact Phone Number :		Property Owner Email Address:	
Applicant Name if different than owner:		Applicant's Address:	
Applicant Email Address :		Applicant's Ph	one Number:

### MAP REQUIREMENTS

This application shall be accompanied by two (2) maps drawn to scale. Such maps shall be produced at a minimum of 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 7.7 of the Stallings Development Ordinance (*only if the application is for a conditional district*).

### **MAP AMENDMENT REQUIRMENTS**

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

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

• As described in Article 5.4 of the Stallings Development Ordinance, 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 meeting.











To:	Mayor and Town Council
From:	Max Hsiang, Planning Director
Date:	February 10, 2025
RE:	RZ24.10.01 - 5749 Stevens Mill Rd General Rezoning

### **Overview:**

The purpose of this memo is to provide detailed information regarding the rezoning request for 5749 Stevens Mill Road. The request seeks to rezone the 0.78-acre property from **Single-Family Residential 1 (SFR-1)** to **Mixed-Use 2 (MU-2)**.

A general rezoning is a legislative zoning map amendment, sometimes referred to as a conventional rezoning. This change would permit more diverse land use, including commercial development.

#### **Property Details:-**

- Address: 5749 Stevens Mill Road
- Parcel Size: 0.78 Acres
- Current Zoning: SFR-1 (Single-Family Residential)
- **Proposed Zoning:** MU-2 (Mixed-Use 2)
- Existing Use: Residential



#### **Rezoning History:**

- 1. Previous Zoning Changes:
  - In 2018, the Town of Stallings adopted a new Development Ordinance that rezoned the entire Town.
  - The mass rezoning included several properties on Stevens Mill Road (including 5749, 5916, 5912, 5950, and 5741) from R-20 (low-density residential) to MU-2 (mixed-use).
  - For these properties, this rezoning allowed for increased commercial development, resulting in higher property tax values.

### 2. Reversion to Residential Zoning:

- In 2021, property owners sought to rezone from MU-2 back to SFR-1 to lower density and potentially reduce property taxes.
- The Town Council approved this rezoning request on September 27, 2021, including the rezoning of 5749 Stevens Mill Road (RZ21.08.04).



### Adjacent Development: Stevens Village (Cambridge Hall):

The Stevens Village project includes both by-right development and development subject to a Development Agreement (DA), and now this rezoning for the .78-acre parcel.

- **Development Agreement (DA) Development:** Two outparcels requiring approval through a specific DA with the Town. The DA was placed on hold while the by-right development of a grocery store underwent a Traffic Impact Analysis (TIA).
- **By-Right Development:** Includes an anchor grocery store and retail spaces requiring no additional approvals beyond standard zoning. The right grocery store development does not require a separate DA.
- **5749 Stevens Mill Rd Rezoning:** The request seeks to rezone the 0.78-acre property from Single-Family Residential 1 (SFR-1) to Mixed-Use 2 (MU-2).

### **Timeline for Related Developments:**

- Grocery Store Site Plan: Submitted September 11, 2020, and conceptually approved October 20, 2023.
- Outparcel DA Application (DA20.08.01): Submitted August 18, 2020, and still under review and on hold.
- Traffic Impact Analysis (TIA): Began in November 2021 and completed in July 2023.
- 5749 Stevens Mill Rd Rezoning (RZ24.10.01): Possible decision on general rezoning on 02/10/2025.



#### **Mitigation Strategies for Neighborhood Concerns:**

Shannamara residents have expressed concerns about the Cambridge Hall development at Stevens Mill and Idlewild Roads, citing threats to safety, privacy, and neighborhood quality. They request eliminating proposed pedestrian and golf cart paths to prevent public access, adding a 10-foot solid brick wall and a berm with evergreen plantings for privacy and noise reduction, and increasing the buffer to 100 feet. A Type A landscape buffer, aeration for retention ponds, and shielding outdoor lighting to prevent light pollution are also requested.

Additional measures include relocating garbage dumpsters at least 200 yards from residential properties, applying similar buffers if the development abuts the Shannamara clubhouse, and adding sidewalks and a multi-use path along Stevens Mill Road for safer pedestrian access. These requests aim to mitigate the development's impact on the community.

The Cambridge Hall/Stevens Village project has an approved Preliminary Site Plan (Concept Plan), and the next step is the submission of construction documents unless the developer voluntarily submits a revised concept plan. Any changes to the concept plan are at the sole discretion of the developer, and there is currently no timeline for when such revisions might be submitted. If the developer does submit revised plans, they have agreed to address the requests outlined in items below.

### 1. Access on Donegal Court:

- The pedestrian and golf cart access point on Donegal Court will be removed.
- A fence will connect to the planned Shannamara border fencing, with no immediate plans for a golf cart path unless jointly requested and approved in the future.

### 2. Fence Height:

• Fence height along the Shannamara border will increase from 5 feet to 7 feet.

### 3. Trash Dumpster Relocation:

- Future site planning will consider relocating dumpsters away from Shannamara.
- 4. Buffer Zones and Tree Preservation:
  - o A 70-foot buffer zone between Shannamara and the development exceeds minimum requirements.
  - The first 30 feet of the buffer will prioritize preserving existing vegetation, with any removed vegetation replaced according to Stallings Type B landscape buffer standards.

### **Traffic Impact:**

Cambridge Hall improvements along Idlewild Road and Stevens Mill Road include adding turn lanes, extending storage lengths, and upgrading traffic signals to improve traffic flow. Access points A, B, and C for the Idlewild Village development will feature right-in/right-out configurations, protected stem lengths, and dedicated turn lanes to accommodate increased traffic.

These upgrades complement Stinson Farms' TIA improvements, which include similar enhancements along Idlewild Road from Stevens Mill Road to Stallings Road.

If the proposed rezoning is incorporated into the Cambridge Hall development, the TIA must be updated to account for the rezoning's intended use.

#### **Consistency with Adopted Plans:**

- **Future Land Use Plan:** Identifies the property as residential, but it was previously part of the Walkable Activity Center before the 2021 rezoning. While the rezoning is inconsistent with the current Future Land Use designation, it is reasonable given the surrounding commercial development.
- Small Area Plan: This area is identified as residential, making the rezoning inconsistent with this plan.



### Staff Recommendation:

Staff recommends approving RZ24.10.01 to rezone the property to Mixed-Use 2 (MU-2). While this may seem inconsistent with the current Future Land Use and Small Area Plan, it's important to note that the surrounding area is zoned commercial, and the property itself was previously zoned for mixed-use.

Staff recommends approving the rezoning request to MU-2 for the following reasons:

- **Economic Development:** This rezoning aligns with the Town's goal to shift the residential-to-commercial tax base ratio from 84%/16% to 80%/20%. It promotes commercial opportunities that can stimulate economic growth and increase tax revenue.
- **Consistency with Surrounding Uses:** Rezoning the property to MU-2 creates a seamless transition with adjacent commercial and mixed-use developments.
- **Community Benefits:** While the adjacent commercial development may affect nearby neighborhoods, rezoning the 0.78-acre parcel provides potential benefits, including job creation, improved local amenities, and potential updates to the overall commercial development, which could incorporate agreements made with the developer.



## General Rezoning Application RZ24.10.01 - 5749 Stevens Mill Rd

Staff Report | Town Council

02.10.2025





## General Rezoning Request

Stevens Village, LLC submitted a general rezoning request for Single-Family Residential 1(SFR-1) to Mixed-Use 2 (MU-2) at the location at parcel ID #07057009F, a property 0.7800 acres in size at 5749 Stevens Mill Rd.



Recommended approval

## **Project Summary**

### Location:

• 5749 Stevens Mill Rd

### Ownership:

• Stevens Village, LLC

**Current Zoning:** 

• SFR-1

**Existing Use:** 

Residential

Site/Project Size:

• 0.7800 ac

**Traffic Generation:** 

•N/A

### Current Zoning:



## Aerial & Streetview







## History

- A group of properties on Stevens Mill Road (5749, 5916, 5912, 5950, and 5741) underwent a zoning change.
- In 2018, the Town of Stallings adopted a new Development Ordinance, which rezoned these properties from R-20 (lowdensity residential) to MU-2 (mixed-use). This zoning change allowed for more commercial development on the land, leading to an increase in property tax values.
- To revert to a lower-density residential zoning and potentially lower property taxes, the property owners applied for a rezoning from MU-2 to SFR-1 (single-family residential). The Town Council approved this rezoning request (including RZ21.08.04 - 5749 Stevens Mill) on September 27, 2021.





## **History Continued**



- The Stevens Village project is composed of two parts:
  - By-Right Development: This includes the anchor grocery store and retail, which can be built without additional approvals beyond standard zoning requirements.
  - Development Agreement (DA) Development: This involves two outparcels that require a specific development agreement with the Town.

### Timeline:

- Grocery Store Site Plan: A site plan for the grocery store was submitted on <u>September 11</u>, <u>2020</u>. A concept plan for this was approved on <u>October 20, 2023</u>.
- Outparcel Development: A Development Agreement application for outparcels (DA20.08.01) was submitted on <u>August 18, 2020</u>. This application is ongoing and has not been approved by the Town Council.
- **Traffic Impact Analysis (TIA):** Due to COVID-19 delays, the TIA began in November 2021 and was completed in July 2023.



## Future Land Use





### Suburban Single-Family Neighborhood

Suburban single-family residential neighborhoods are formed as subdivisions or communities, with a relatively uniform housing type and density throughout. They may support a variety of single-family detached residential types, from mobile homes to large-lot, low-density single-family homes to denser formats of smaller single-family detached homes. Homes are oriented interior to the neighborhood and typically buffered from surrounding development by transitional uses or landscaped areas. Suburban single-family neighborhoods are often found in close proximity to suburban commercial, office, and industrial centers, and help provide the consumers needed to support these centers.



#### **Primary Land Uses**

• Single-Family Detached Home

#### Secondary Land Uses

- Community Park
- Community Center / Pool and Recreational Facilities
- Natural Areas

#### FORM & PARAMETERS

General Development Pattern Typical Lot Coverage Residential Density Non-Residential Intensity Prevailing Building Height Average Dwelling Unit Size Avg. Non-Resid. Building Size Transportation Choices Typical Block Length Open Space Elements Street Pattern Street Connectivity Parking Provisions Typical Street Cross Section





Separate Uses 50 – 75% 1.0 – 6.0 DU/ac N/A 1 - 2 Stories 1,500 – 5,000 SF varies Auto 800 – 1,500 LF Greenway/Natural Areas Curvilinear Low/Medium Private Driveway Rural/Suburban/Urban



Idlewild Road Small Area Plan



## Staff Recommendation



- **Staff Recommendation: Approval of RZ24.10.01 Rezoning to MU-2**
- Key Reasons for Approval:
  - Economic Development: Supports the Town's goal of shifting the residential-to-commercial tax base ratio from 84%/16% to 80%/20%, fostering economic growth and increased tax revenue.
  - Consistency with Surrounding Uses: Aligns with adjacent commercial and mixed-use developments, creating a seamless transition in land use.
  - Community Benefits: Potential for job creation, enhanced local amenities, and updates to the commercial development, with opportunities for agreements addressing neighborhood concerns.
- Additional Context: While the request may appear inconsistent with the Future Land Use and Small Area Plan, the surrounding area is zoned commercial, and the property itself was previously designated for mixed-use.

# Vote and Statement of Consistency & Reasonableness



## **Step 1**.

Motion to recommend Approval/Denial for RZ24.10.01.

## □ Step 2.

 With a statement of consistency that the proposal is Consistent/Inconsistent and Reasonable/Not Reasonable with the Comprehensive Land Use Plan.

## □ Step 3.

- Example reasoning:
  - The rezoning helps increase the number of commercial business opportunities in the Town per the Town of Stallings Economic Development Plan.





### Questions?



### Statement of Consistency and Reasonableness

ZONING AMENDMENT: RZ24.10.01

REQUEST:Stevens Village, LLC submitted a general rezoning request for Single-Family<br/>Residential 1(SFR-1) to Mixed-Use 2 (MU-2) at the location at parcel ID #07057009F,<br/>a property 0.7800 acres in size at 5749 Stevens Mill Rd.

**WHEREAS**, The Town of Stallings Town Council, hereafter referred to as the "Town Council", adopted the Stallings Comprehensive Land Use Plan on November 27, 2017; and

**WHEREAS**, the Town Council finds it necessary to adopt a new land development ordinance to maintain consistency with the Comprehensive Land Use Plan; and

**WHEREAS**, the Town Council finds it necessary to revise the Unified Development Ordinance to comply with state law found in NCGS § 160D.

WHEREAS, the Town Council finds it necessary to consider the Planning Board's recommendations.

**THEREFORE**, The Town Council hereby votes that the proposed zoning amendment is consistent/inconsistent and reasonable/unreasonable with the Comprehensive Land Use Plan adopted on November 27, 2017, based on the goals and objectives set forth in the document of promoting quality development and consistency with all state-mandated land use regulations established through NCGS § 160D. The Town Council **Approves/Denies** the proposed amendment and stated that the Town Council finds and determines that the zoning amendment is consistent/inconsistent and reasonable/unreasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

- 1. This rezoning aligns with the Town's goal to shift the residential-to-commercial tax base ratio from 84%/16% to 80%/20%. It promotes commercial opportunities that can stimulate economic growth and increase tax revenue.
- 2. Rezoning the property to MU-2 creates a seamless transition with adjacent commercial and mixed-use developments.
- 3. While the adjacent commercial development may affect nearby neighborhoods, rezoning the 0.78-acre parcel provides potential benefits, including job creation, improved local amenities, and potential updates to the overall commercial development, which could incorporate agreements made with the development.

Adopted this the \_\_ day of \_\_\_\_\_, 2025

Mayor

Attest:



## Stallings

315 Stallings Road - Stallings, North Carolina 28104

### **Zoning Map Amendment/Rezoning Application**

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

Date Filed: \_\_\_\_\_ Community Meeting Date (If Applicable): \_\_\_\_\_

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

Town Council/Hearing Date:

Zoning Map Amendment - Conventional	
Less than 2 acres	\$200.00
2-10 acres	\$400.00
Greater than 10 acres	\$1000.00
Zoning Map Amendment - Conditional Zoning	
Less than 2 acres	\$400.00
2-10 acres	\$800.00
Greater than 10 acres	\$1600.00
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:

Conditional District Zoning?	Yes No
Current Zoning (Circle One)	SFR-1SFR-2SFR-3SFR-MHSRF-MHMU-1MU-2MFTAGTCCIVC-74CP-485VSRIND
Proposed Zoning (Circle One)	SFR-1 SFR-2 SFR-3 SFR-MH MU-1 (MU-2) MFT AG TC CIV C-74 CP-485 VSR IND
Overlay Districts (If Applicable): (Circle One)	TNDO SCO HIO
Physical Property A	address: 5749 Stevens Mill Road Matthews, NC 28104
Description of Rez	oning: General rezoning to rezone property from Single Family Residential 1 (SFR-1) to Mixed Use 2 (MU-2)

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

Tax Parcel Number(s) (PID Number): 07057009F

Total Acreage: 0.7800

Property Owner(s): Stevens Village, LLC

**Owner's Address:** 

### c/o Terry Williams; 1341 E. Morehead Street, #201

City: Charlotte	State: NC	,	Zip: 28204
Contact Phone Number : (704) 344-1868		Property Owner Email Address: twilliams@withrowcapital.com	
Applicant Name if different th	an owner:	Applicant's Ad	dress:
<b>Stevens Village</b>	, LLC	c/o Terry Williams; 1341	1 E. Morehead Street, #201; Charlotte, NC 28204
Applicant Email Address : twilliams@withrowcapital.com		Applicant's Phone Number: (704) 344-1868	

### MAP REQUIREMENTS

This application shall be accompanied by two (2) maps drawn to scale. Such maps shall be produced at a minimum of 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 7.7 of the Stallings Development Ordinance (*only if the application is for a conditional district*).

### MAP AMENDMENT REQUIRMENTS

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

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

• As described in Article 5.4 of the Stallings Development Ordinance, 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 meeting.

Signature of Property Owner to Rezoning Application Filed by Stevens Village, LLC

Parcel No. 07057009F

STEVENS VILLAGE, LLC By: Withrow Capital, Inc., Its Manager

By:	Taytin
Name: Title:	Terry L. Williams President
Date:	12/9/24

### Signature of Applicant to Rezoning Application Filed by Stevens Village, LLC

### STEVENS VILLAGE, LLC By: Withrow Capital, Inc., Its Manager

By: Name:	Tungthi
Name:	Terry L. williams
Title:	President
Date:	12/9/24





SDSKPROJ/297-022 STEVENS MILL ROAD STE\DWG\DRG - PLOT SHEETS\PL-RZ.D





**REVISIONS**:

**N** 

### Neighborhood Meeting Sign-In Sheet

Applicant: Stevens Village, LLC

Case Number RZ24.10.01

### Thursday, December 5, 2024 at 6:00 p.m.

### Stallings Government Center 321 Stallings Road Stallings, NC 28104

This sign-in sheet is to acknowledge your attendance at the Neighborhood Meeting and to let the Town Council know who attended the Neighborhood Meeting. Signing this sign-in sheet does not indicate support or opposition to the proposed rezoning petition.

	NAME	ADDRESS	<b>TELEPHONE</b>	E-MAIL ADDRESS
1.	Michelley Tom	910, Barbey Ct	1916)850-54 916)956-179	22 twitcheltom@gmail.com 8 tmtwitchelegmail.com
2.	NICK PATITSAS	2304 CAERNAR FON LANE MOTTHEWS, NC	847-338- 3378	NJPATIO SECGLOBAL.NET
3.	John Sadoff	2122 Caernar Con Ln	704.502 2804	JSados foolegmail.com
4.	hay bedfear	723 poregal Ct 20104		Poxcel& and on
5.	John & Gretchen Sawackis	917 Bailey Court, Matthews 28104	104-451-0826	sawickis@hotmail.un; twc.com
6.	JAMES ALEXANDER CKATUNY	4700 SPICEWOOD DR. CHARLOTTE 28227	704-651-0778	Kattails @ windstream. net

	NAME	ADDRESS	TELEPHONE	E-MAIL ADDRESS
7.	Doug and Joan Venters	5912 Stevens Mill Rd	704- 654-94.42	dventersahotmail, com
8.	DANGE VENTERS	5116 STIMAS OUL	70 4 570 1630	ADVENTERIS Home
9.	Deremiah Larnerd August Absited	(339 Shannamara dr	8 [2-708-209	jeremiah.larne-d@gmail.com
10.	CamERon Gun J.Le	7423 BAlintoy LN	704-779-8796	
11.	STEVE PALCE TIMA PALE	845 KILARMET ET	704-236 9290	Camerongentilope@gnulica Sprice 6590 GMAIL. COM
12.	MARTZA D'AMICO	2108 CAREP PERFON LN	70-882-9593	JAZZERJO & ICLOUD.COM
13.	Chuis PLUNKET+	221 Limerick Dr	704 241 1845	Chris, PLunkette G Malicin
14.	GinaMBurke	5635 Anglesey Ct	704-791-1399	ginamburke@gmail.com
15.	Scanne Lindsay	5633 11	410 812 5041	Lindsay home @ yahoo. co.
16.	Carolyn Ford	200 Umerick Dr	7045069301	dreford eaol.com
17.	Dennis Layden	727 Done gal et.		17 Seme Dadat gmail
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### NEIGHBORHOOD MEETING REPORT Applicant: Stevens Village, LLC Rezoning Case Number CZ24.10.01

This Neighborhood Meeting Report is being filed with the Stallings Planning and Zoning Department pursuant to the provisions of the Stallings Development Ordinance.

### <u>PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION</u> <u>OF HOW CONTACTED:</u>

The Town of Stallings ("Stallings") mailed a written notice of the date, time, and location of the Neighborhood Meeting to the individuals and organizations set out on Exhibit A-1 attached hereto. A copy of the written notice is attached hereto as Exhibit A-2.

### DATE, TIME AND LOCATION OF MEETING:

The Neighborhood Meeting was held on Thursday, December 5, 2024, at 6:00 p.m. at the Stallings Government Center, located at 321 Stallings Road in Stallings.

### PERSONS IN ATTENDANCE AT MEETING:

The Neighborhood Meeting was attended by those individuals identified on <u>Exhibit B</u> attached hereto. The Applicant's representatives at the Neighborhood Meeting were Terry Williams of the Applicant, Nick Bushon of Design Resource Group, and Aaron Houck of Robinson Bradshaw & Hinson, P.A.

### **SUMMARY OF ISSUES DISCUSSED:**

The Applicant's representatives used a PowerPoint presentation during the Neighborhood Meeting, a copy of which is attached hereto as <u>Exhibit C</u>.

Aaron Houck welcomed the attendees to the Neighborhood Meeting and introduced himself and the Applicant's representatives. He stated that this is the official Neighborhood Meeting relating to Rezoning Case Number CZ24.10.01. He stated that they are happy to hold additional meetings if requested by neighbors and stated that a report of the meeting would be filed with the town.

Mr. Houck provided the current schedule of events for this rezoning request:

- Tuesday, December 17, 2024, at 7:00 p.m. at the Stallings Government Center—Public Meeting of the Planning Board; and
- Monday, January 27, 2025, at 7:00 p.m. at the Stallings Government Center—Public Hearing before (and potentially a Decision) by the Town Council.

Mr. Houck explained that these are the earliest possible dates for these events, as they could be deferred to later dates.

Mr. Houck stated that the site subject to this request is a 0.7800-acre site located at 5749 Stevens Mill Road, near the intersection of Stevens Mill Road and Idlewild Road. He shared a map and aerial photographs of the site that show the location of the site relative to nearby roads, including Interstate 485.

Mr. Houck stated that the site is currently zoned SFR-1, a single-family-home residential district. Mr. Houck briefly reviewed the zoning of adjacent and nearby properties as depicted on a map. The site is surrounded on three sides by properties zoned MU-2, a mixed-use zoning district. Mr. Houck stated that the Applicant is seeking a rezoning of the site from SFR-1 to MU-2. Mr. Houck explained that the Applicant is seeking a conventional rezoning, which means that any uses permitted in the MU-2 zoning district would be permitted on the site, subject to the requirements and the regulations that apply to that district.

The Neighborhood Meeting was then devoted to a question, answer, and comment session. Set out below is a summary of the responses to the questions as well as the comments and concerns that were expressed at the meeting.

- The meeting attendees had many questions about development projects that have already been approved in the vicinity of the site. The attendees had questions about how and when those projects were approved. Mr. Houck stated that the Neighborhood Meeting concerned only the proposed rezoning of the site and stated that the neighboring development projects have already been approved. Terry Williams stated that the neighboring development projects are being developed by affiliates of the Applicant. Mr. Williams stated that the Applicant intends to incorporate the site into the neighboring development by placing retail uses on the site, but he stated that the already-approved neighboring development can and will proceed regardless of whether the site is rezoned.
- In response to questions about traffic and planned roadway improvements, Mr. Williams stated that the current rezoning does not require a traffic impact analysis. He stated that there are plans to make roadway improvements near the site as a part of the already-approved neighboring development.
- An attendee expressed concern that a future owner of the site could use the site for any purpose permitted under the Stallings Development Ordinance.
- In response to a question about what would happen to the site if it were not rezoned, Mr. Williams stated that the Applicant would likely leave the existing house as a rental property but said that the Applicant has no definite plans.
- In response to questions about light pollution, noise pollution, and potential security issues affecting neighboring residential areas, Mr. Williams stated that the site—as a part of the larger already-approved development—would be screened from the residential neighborhood by buffers.
- An attendee commented that the area already has sufficient retail development and stated that multiple existing centers in the area have vacancy rates of 20% to 30%.
- In response to a question about the history of the zoning of the site, Mr. Williams stated that the site had previously been zoned MU-2 as a part of a Town-wide zoning update (Max Hsiang, the Stallings Planning Director, stated that this occurred in 2018). In 2021, the site's previous owners sought a rezoning from MU-2 to SFR-1—to Mr. Williams's knowledge, their purpose was to obtain a more favorable residential property tax rate.

There were no further questions about the site. Mr. Houck invited attendees to email him with any questions. He said he would email a copy of the slides to attendees who shared their email addresses with him.

Mr. Houck thanked the attendees for attending the meeting, and the meeting adjourned.

### <u>CHANGES MADE TO THE APPLICATION AS A RESULT OF THE NEIGHBORHOOD</u> <u>MEETING AS OF THE DATE HEREOF:</u>

No changes have been made to the Rezoning Application as of the date of this Neighborhood Meeting Report solely as a result of the Neighborhood Meeting.

Respectfully submitted this 11<sup>th</sup> day of December 2024.

GanHoude

Aaron Houck Attorney for Applicant, Stevens Village, LLC

cc: Mr. Max Hsiang, Planning Director, Town of Stallings (via email)

### TOWN OF STALLINGS TOWN COUNCIL PUBLIC HEARING NOTICE



### Notice about the Public Hearing:

The Town of Stallings received a request to rezone a property from its current zoning designation. This notice is to inform you about an upcoming Public Hearing for a proposed general rezoning of the property below. We encourage you to attend this important meeting for more information about the proposal.

### Town Council Public Hearing Information:

Date	Monday, February 10, 2025
Time	7:00 pm
Location	Stallings Government Center, 321 Stallings Rd, Stallings, NC

### **Zoning Information:**

Case Number	RZ24.10.01
Case Type	General Rezoning - a legislative zoning map amendment from one zoning
	category to another; also referred to as conventional rezoning.
Applicant	Stevens Village, LLC
Current Zoning	Single-Family Residential 1 (SFR-1) – allows detached residential uses
Requested Zoning	Mixed Use 2 (MU-2) – allows a variety of commercial, retail, and office uses
Additional Information	The applicant requests to rezone the property from Single Family Residential 1
	to Mixed Use 2.

### Subject Property Information:

Subject Address	5749 Stevens Mill Rd
Parcel ID #	07057009F
Size	0.7800 Acres

### **Planner Contact:**

Max Hsiang, Planning Director mhsiang@stallingsnc.org 704-821-0315 www.stallingsnc.org





To:	Mayor and Town Council
Via:	Alex Sewell, Town Manager
From:	Justin Russell, E.I., Associate Engineer
Date:	February 3, 2025
RE:	Old Blairs Mill Roadway ROW Acceptance

Lennar has requested that the Town of Stallings accept the right-of-way designated as public right-of-way (R/W) in the approved Old Blairs Mill Subdivision Construction Documents (see attached Application for Street Maintenance Acceptance from Lennar dated May 24, 2024). The proposed public R/W and associated public improvements are shown on the Construction Plans for the Old Blairs Mill subdivision that were approved by the Town of Stallings on (see attached As-built survey for a depiction of the public R/W). The public improvements within the R/W consist of streets, street lighting, sidewalks, and drainage infrastructure.

The streets with the proposed public R/W and corresponding distances are listed below.

Street Name	Linear Feet/Miles
Houston Blair Road	2,644 LF / .50 miles
Samuel Street	1,227 LF / .23 miles
Rachel Elizabeth Drive	1,160 LF / .22 miles
Caroline Aubrey Way	386 LF / .08 miles
Total	5,417 LF / 1.03 miles

The Town's Street Acceptance Policy (refer to the attached Town of Stallings Accepting Existing Private Roads by Developer) require the following criteria to be met for the Town to consider an acceptance request.

1. A fifty (50) foot R/W centered along the street must be dedicated to the Town and recorded at the Union County Register of Deeds office. For a street serving less than fifty (50) dwelling units, a forty (40) foot R/W will be acceptable.

The dedicated R/W is in accordance with the approved site construction plans providing a total R/W width of 50 feet.

2. The street width must be a minimum of twenty-six (26) feet measured from the back of the curb. For a forty (40) foot R/W, a width of twenty-two (22) feet will be acceptable.

The roads were built in accordance with the approved site construction plans providing a minimum of twenty-six (26) feet measured from the back of the curb.

3. Obstructions within the right-of-way R/W, such as excessive slopes, retaining walls, rigid mailbox structures, etc., must be removed.

There are no unpermitted obstructions with the R/W.

4. Any existing lighting, which is substandard, must be brought up to standard or moved outside the right-of-way (R/W).

All lighting was installed in accordance with the approved site construction plans.

5. A subsurface investigation report from a certified materials testing company must be submitted describing the type and condition of the subgrade and pavement.

Certified materials testing documentation was provided and reviewed by Town Staff. A certified inspector was onsite for all roadway and curb proof rolls.

6. All subgrade failures and/or damaged surfaces must be repaired as indicated by the pavement report.

There are no documented or observed subgrade failures or damaged surfaces. Any roadway deficiencies were repaired during the punch list process.

7. Any private utility lines must be converted to public lines in accordance with the Utility Department or other public utility specifications. This will include service lines to any gaslights.

All utility lines have been installed and converted per Town requirements.

8. Storm drainage must meet current Town/NCDOT requirements for public streets.

All storm drainage was designed and constructed to the current Town requirements standards.

9. Two 35-foot by 35-foot (35' x 35') sight distance triangles measured along the street rightof- way (R/W) are required at the intersection of streets to be maintained. All landscaping which exceeds 30 inches in height above the elevation of the intersection within these sight triangles would have to be trimmed or removed.

The sight distance triangles were reviewed during the plan approval process and landscaping within or adjacent to the site distance triangles meets the Town requirements.

Based on the items referenced above, the applicant has met all the established criteria of the Town of Stallings Street Acceptance Policy (Accepting Existing Private Roads by Developer).

#### Action Requested:

A motion is requested to accept the 1.03 miles of R/W designated as public right-of-way (R/W) in the approved Old Blairs Mill Subdivision Construction Documents and corresponding maintenance of the public improvements within the R/W consisting of streets, street lighting, sidewalks, and drainage infrastructure.











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				JOB NO. 2100 DATE 11/22/ DRAWN BY DWA CHECKED B CG	/2023 MM BY
				SHOWING OLD BLAIR SUBDIVISION PHASE 2 LOCATED IN THE TOWN OF STALLINGS UNION COUNTY, NORTH CAROLINA	LIGHTING / SIGNAGE / ROADWAY ASBUILT SURVEY
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