



October 28, 2019  
 Stallings Town Hall  
 315 Stallings Road  
 Stallings, NC 28104  
 704-821-8557  
[www.stallingsnc.org](http://www.stallingsnc.org)

	Time	Item	Presenter	Action Requested/Next Step
	7:00 p.m.	Invocation Pledge of Allegiance Call the Meeting to Order	Wyatt Dunn, Mayor	NA
	7:05 p.m.	Public Comment	Wyatt Dunn, Mayor	NA
1.	7:20 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve agenda as written. <i>(ADD, IF APPLICABLE: with changes as described by Mayor Dunn)</i>  <b>Motion:</b> I make the motion to: 1) Approve the Agenda as presented; or 2) Approve the Agenda with the following changes: _____.
2.	7:35 p.m.	NCDOT – Idlewild Road <i>Possible carry-over discussion from special meeting at 6 p.m.</i>	Wyatt Dunn, Mayor	Discussion and Possible Action
3.	8:00 p.m.	TX19.08.01 <i>(Tabled from 09-23-19)</i> Text amendment request to Development Ordinance article 8.4-6 (F)(2) to clarify the minimum lot size requirement of 6,000 square feet applies to single family detached housing type. A. Re-Open Public Hearing B. Information from Staff C. Close Public Hearing D. Council Vote	Lynne Hair, Town Planner	Approve (deny) TX19.08.01  <b>Motion:</b> I make the motion to approve (deny) TX19.08.01.
4.	8:10 p.m.	Annexation 53 – Chestnut Lane <i>(Tabled from 10-14-19)</i> A. Re-Open Public Hearing B. Information from Staff C. Close Public Hearing D. Council Vote	Erinn Nichols, Asst. Town Manager	Approve (deny) annexation  <b>Motion:</b> I make the motion to approve (deny) Annexation Ordinance 53 – Chestnut Lane.
5.	8:15 p.m.	CZ19.08.01 <i>(Tabled from 10-14-19)</i> A. Re-Open Public Hearing B. Information from Staff C. Close Public Hearing D. Council Vote	Lynne Hair, Town Planner	Approve (deny) conditional zoning  <b>Motion:</b> I make the motion to approve (deny) CZ19.08.01.
6.	8:35 p.m.	Annexation 54 – Boyd Funderburk A. Certificate of Sufficiency B. Resolution Setting the Public Hearing Date	Erinn Nichols, Asst. Town Manager	Approve resolution.  <b>Motion:</b> I make the motion to approve the resolution setting the public hearing date for Annexation 54 – Boyd Funderburk.

7.	8:40 p.m.	<b>TX19.09.03 – Statement of Consistency and Reasonableness</b>	Lynne Hair, Town Planner	Approve text amendment.  <i>Motion: I make the motion to approve the Ordinance Amending</i>
8.	8:45 p.m.	<b>Adjournment</b>	NA	<i>Motion: I make the motion to adjourn.</i>



# MEMO

To: Town Council  
 From: Lynne Hair, Planning Director  
 Date: October 23, 2019  
 RE: TX19.08.01 – Requested text amendment to Development Ordinance Article 8.4-6 Mixed Use Districts (F) (2)

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

Article 8.4-6 (F) (2) defines development standards for the MU-1 and MU-2 districts.

Article (F) (2) General Requirements reads as follows:

(2) In addition to the requirements established by the lot type standards and building type standards, the following minimum dimensional standards shall apply in the Mixed-Use Districts:

Lot Size	Lot Width	Setback from the Main Street	Build-to-Line from any street other than the Main Street	Rear Yard Setback	Side Yard Setback
6,000 SF	60' on Highway, 0' on the Main Street, or 40' on all other streets	21'	16' or as required by buffering standards and/or building type whichever is greater	12' or as required by buffering standards and/or building type whichever is greater	0' or as required by buffering standards and/or building type whichever is greater

These standards establish a minimum lot size of 6,000 square feet for all uses in MU districts unless otherwise established in *Article 9. Building and Lot Type Standards*. In reviewing this article, no minimum lot size is defined for Detached House Lot and Building Type or Attached House Lot and Building Type. The Town Attorney's opinion is that the minimum lot size applies to single family detached which was likely the original intent.

It is the opinion of Staff that the minimum lot size requirement was intended to apply to single family detached housing type only. It is also evident that other standards on the table create confusion. Staff is requesting the following language be added to Article 8.4-6 (F) (2) as follows:

Article (F) (2) General Requirements reads as follows:

(2) In addition to the requirements established by the lot type standards and building type

standards, the following minimum dimensional standards shall apply *to single family detached in the MU-2 Districts:*

Use	Lot Size	Lot Width	Front Yard Setback	Rear Yard Setback	Side Yard Setback
Single Family Detached	6,000 SF	40'	16'	12'	5'

PLANNING BOARD RECOMMENDATION: Approve



TX19.08.01

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

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

WHEREAS, increased clarifying the minimum lot size of 6,000 square feet in the MU-1 and MU-2 Districts applies to single family detached housing lot and building type only; and,

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

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

ARTICLE 8.4-6 (F) (2) General Requirements reads as follows:

(2) In addition to the requirements established by the lot type standards and building type standards, the following minimum dimensional standards shall apply to single family detached housing lot and building type in the MU-2 District:

Use	Lot Size	Lot Width	Front Yard Setback	Rear Yard Setback	Side Yard Setback
Single Family Detached	6,000 SF	40'	16'	12'	5'

This ordinance shall be effective immediately upon its adoption.

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

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

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



**PLANNING  
& ZONING**  
TOWN of STALLINGS

## Statement of Consistency and Reasonableness

(As per NC General Statute 160-383)

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

TEXT AMENDMENT:

TX19.08.01

REQUEST:

To amend Article 8.4-6 of the Stallings Development Ordinance to provide language clarifying that the 6,000 square foot minimum lot size applies to single family detached housing type in the MU-2 district.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Town Council hereby finds that the proposed text amendment is consistent with the 2017 Stallings Comprehensive Land Use Plan adopted November 27, 2017 based on consistency with goals and objectives set forth in the document of encouraging the creation of mixed use development that consists of higher density housing options. At their October 28, 2019 the Stallings Town Council voted to recommend APPROVAL of the proposed amendment and stated that the Town Council find and determines that the text amendment is consistent with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan and hereby recommends its approval.

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

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

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



## 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 October 28, 2019, after due notice by the Enquirer-Journal on September 26, 2019; and

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

**NOW, THEREFORE, BE IT ORDAINED** be 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 number 07147135 on Chestnut Lane is hereby annexed and made part of the Town of Stallings effective immediately:

**Parcel number: 07147135; 13.82 ACRES**

BEGINNING at a point in the centerline of Chestnut Lane; thence with a bearing of N 67°48'44" E and a distance of 100.00' to a point in Chestnut Lane; thence with a bearing of N 52°45'14" E and a distance of 572.27' to a point in the centerline of Chestnut Lane, being the common corner of the property of East West Invest LLC (now or formerly) recorded in Deed Book 6913, Page 861; thence following the common line thereof three calls: (1) with a bearing of S 27°45'51" E and a distance of 202.52' (passing a set rebar at 31.31') to an existing pipe; (2) with a bearing of N 56°04'05" E and a distance of 99.30' to a set rebar; (3) with a bearing of N 57°23'05" E and a distance of 189.97' (passing a set rebar at 139.97') to a point on the eastern side of West Fork Twelvemile Creek; thence along said creek four (4) calls: (1) with a bearing of S 09°59'35" W and a distance of 91.30' to a point; (2)

with a bearing of S 16°50'55" E and a distance of 103.49' to a point; (3) with a bearing of S 00°49'55" E and a distance of 67.80' to a point; (4) with a bearing of S 14°25'55" E and a distance of 83.00' to an existing tree stump; thence with a bearing of S 48°06'35" W and a distance of 1396.55' to a set rebar, being the common corner of the property of Linden & Elizabeth Skeens (now or formerly) recorded in Deed Book 6706, Page 110; thence following the common lines of Linden & Elizabeth Skeens (now or formerly) and the property of Francis & Joann Zeidler (now or formerly) recorded in Deed Book 420, Page 16 with a bearing of N 07°28'14" E and a distance of 914.64' (passing an existing rebar at 454.19' and an existing rebar at 874.54') to a point in the centerline of Chestnut Lane; being the point of BEGINNING, having an area of 13.820 acres, more or less, as shown on a survey by Carolina Surveyors, Inc.

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 28<sup>th</sup> day of October, 2019.

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

Attest:

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

Approved as to form:

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





**PLANNING  
& ZONING**  
TOWN of STALLINGS

# APPLICATION *CZ19.08.01*

LAND INVESTMENT RESOURCES  
PROPOSED 31 LOT 55+ SUBDIVISION

Pre-Public Hearing Staff Analysis + September 2019

# PROJECT SUMMARY

## Location

Chestnut Lane near  
intersection of Red Barn Trail

## Proposed Setbacks

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

## Ownership

Kenneth E. Furr  
Stephen L. Furr

## Site/Project Size

13.8 acres

## Zoning

R-20 (Union County)

## Traffic Generation

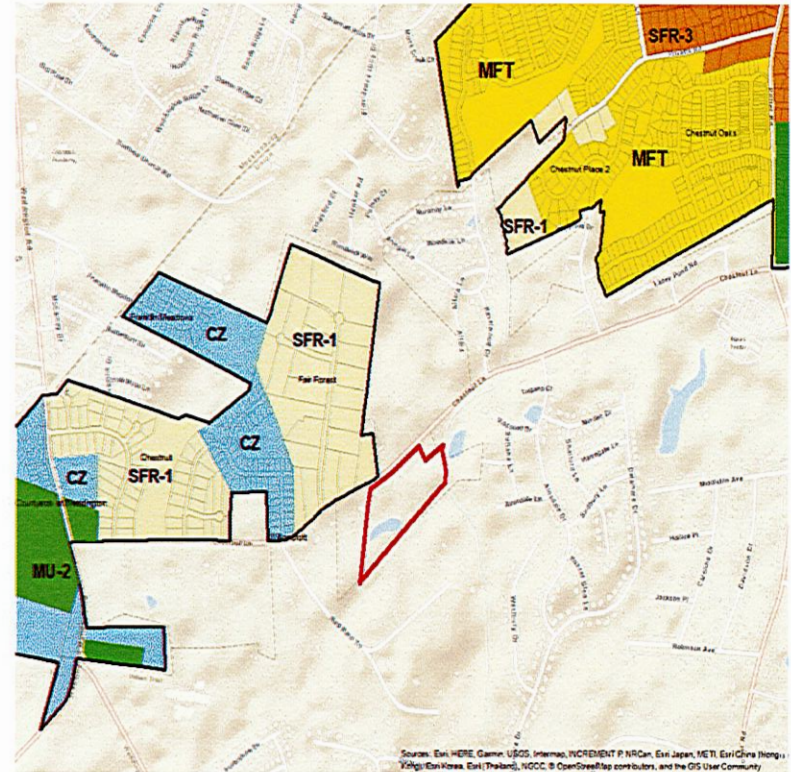
No TIA Required

## Existing Use

Vacant Land

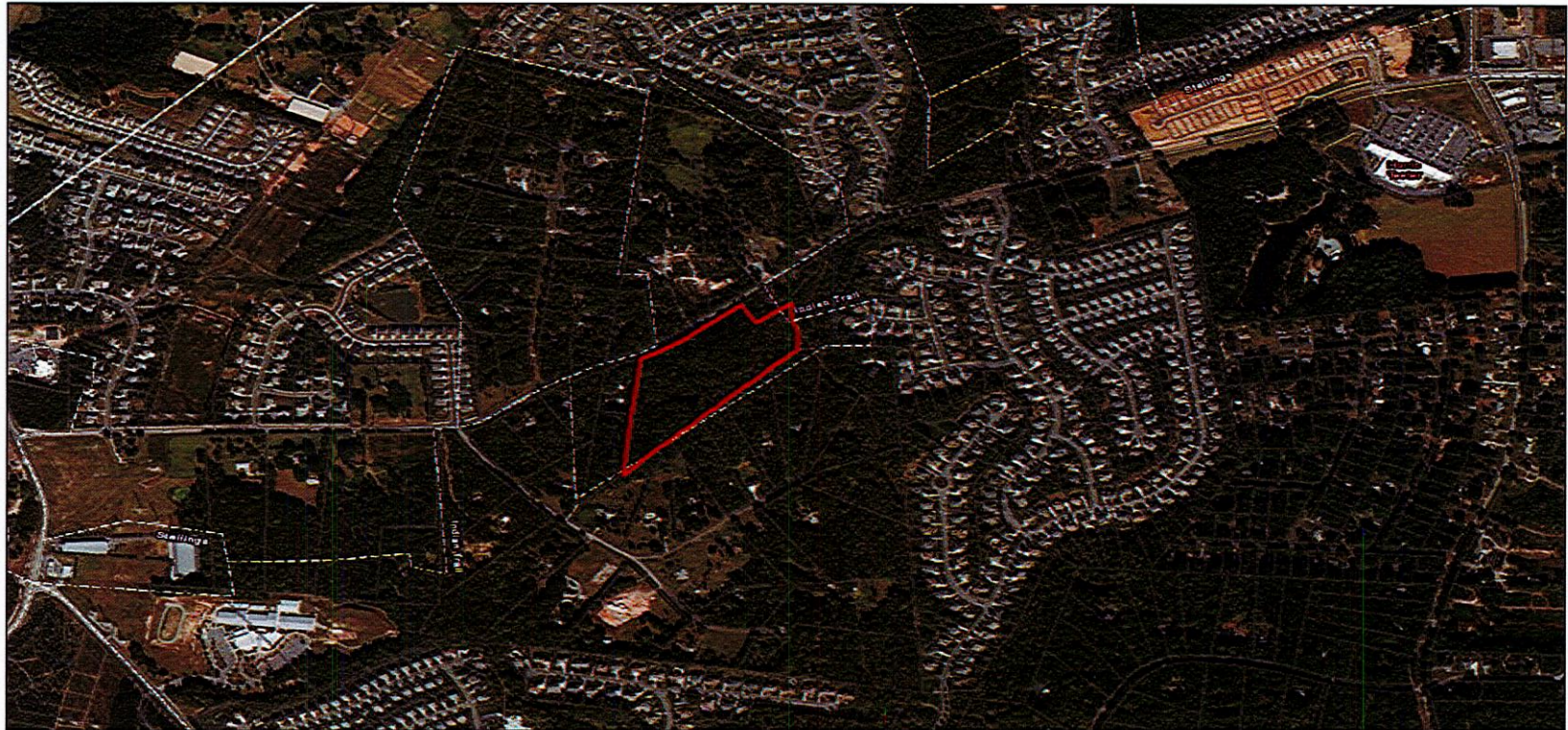
## Community Meeting

8/27/19



# PROJECT AREA

GoMaps



September 6, 2019

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

# PROJECT AREA





# PROPOSED ELEVATIONS



# PROPOSED ELEVATIONS



# PROPOSED ELEVATIONS





# TREES, VEGETATION AND STORMWATER

## Tree Save (Article 11.8-2)

6% of lot area = .82 acres

## Buffers (Article 11.1)

30' will be required

## Street Trees(Article 11.6-3)

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

## Stormwater Management and PCO

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

# LAND USE PLAN AND ADOPTED POLICIES

## Land Use Plan

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

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

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

## Small Area Plan

N/A

## Consistency

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

## Form & Parameters (Land Use Plan)

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

# Staff Comments and Outstanding Issues

## Planning Department

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

## Police

No concerns

## Fire

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

## Schools (Weddington Cluster)

Report Attached

## Parks and Recreation

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

## Public Works

TBD

# Planning Board

Meeting: 9/17/19

Recommendation: Approval

## Concerns Raised by Residents at Meeting:

- Impact to Property Values
- Flooding/Grading/Drainage Concerns
- 30' Buffer – Requested it be Undisturbed
- Do not want Connectivity
- Blind Curve on Chestnut Lane near entrance
- Hours of Construction
- Insurance that development will remain 55+

# Commitments/Changes Based On Planning Board Comments

- We have committed to the installation of a left turn lane even though trips are very low.
- We have reserved a buffer around the entire site and along the small stream channel.
- We removed the proposed creek crossing and the lots that would have been located over there.
- There is no intrusion of any lots into any portion of the adjacent tributary flood plain.
- There will be very minimal intrusion into the perimeter buffer, to be replanted per ordinance.
- There is no impact proposed to a small drained pond which is now considered a wetland.
- We are committing to nearly four times the amount of tree save required by the ordinance.

## SUMMARY OF SUGGESTED CONDITIONS

1. Project limited to 33 lots, 55+ age restricted subdivision.
2. The applicant or responsible party shall obtain all permits required for development with the Town and outside agencies in compliance with applicable regulations. The submitted sketch plan must meet all requirements as established by permitting agencies.
3. A berm will be built along Chestnut Lane within the required street buffer. This will increase the buffer width to accommodate construction of the berm to be built 4.5' in height with a 3' top width
4. All foundations will have a minimum 18 inches of exposed brick or stone on all four sides of the house. No vinyl siding will be permitted on homes. Elevations will match those submitted and presented to Council as a part of the zoning request, including garage location.
5. A grading plan prepared by a landscape architect demonstrating both positive drainage characteristics and smooth grade transitions to avoid abrupt "v" ditches, swales, and other disruptions to the landscape, particularly between dwellings will be provided as part of site construction plans for permitting. This plan will be completed to the satisfaction of the Town as approved by the Development Administrator.
6. Lot Coverage and Density will be permitted per the concept submitted as a part of the application.
7. The section of the Stallings Spine as shown in the Stallings Recreation and Greenway Master Plan will be constructed by the developer per specifications as outlined in the plan for the "Suburban Spine Cross Section".
8. The 30' property boundary buffer will remain undisturbed.
9. The road right-of-way will meet the 60' as required by Town standards.



AN ORDINANCE AMENDING THE “STALLINGS DEVELOPMENT ORDINANCE”  
OF THE TOWN OF STALLINGS, NORTH CAROLINA

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

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

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

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

This ordinance shall be effective immediately upon its adoption.

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

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

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



**PLANNING  
& ZONING**  
TOWN of STALLINGS

## Statement of Consistency and Reasonableness

(As per NC General Statute 160-383)

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

TEXT AMENDMENT: CZ19.08.01

REQUEST:

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

STATEMENT OF CONSISTENCY AND REASONABLENESS:

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

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

with the 2017 Stallings Comprehensive Land Use Plan adopted November 27, 2017 based on consistency with goals and objectives set forth in the document for the creation of development that protects existing neighborhoods. At their October 28, 2019 the Stallings Town Council voted to recommend

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

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

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

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

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





**PLANNING  
& ZONING**  
TOWN of STALLINGS

### Statement of Consistency and Reasonableness

(As per NC General Statute 160-383)

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

TEXT AMENDMENT:

CZ19.08.01

REQUEST:

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

STATEMENT OF CONSISTENCY AND REASONABLENESS:

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

Consistent  
Inconsistent

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

APPROVAL  
DENIAL

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

The statement and motion was seconded and passed 7-0

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

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

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

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

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

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

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

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

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

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

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

Thank you  
Don

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

201 Venus St  
Monroe, NC, 28112

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

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

## **COMMUNITY MEETING REPORT FOR CHESTNUT LANE SUBDIVISION**

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

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

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

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

### **TIME AND LOCATION OF MEETING:**

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

### **PERSONS IN ATTENDANCE AT MEETING:**

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

### **SUMMARY OF ISSUES DISCUSSED AT MEETING:**

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

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

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

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

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

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

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

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



Town of

# Stallings

315 Stallings Road • Stallings, North Carolina 28104

## Zoning Map Amendment/Rezoning Application

Application # (Staff): CZ19.08.01

Date Filed: Aug 1, 2019

Hearing Date: Oct 11, 2019

Planning Board Date: Sept 17, 2019

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

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

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

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

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

Physical Property Address:

CHESTNUT LANE (No numeric address) SEE MAP

Physical Description of Location:

Three quarters of a mile from eastern end of Chestnut Ln.

Tax Parcel Number(s) (PID Number):

07147135

Total Acreage:

13.82 Acres

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

Property Owner(s):

KENNETH E FURR / STEPHEN L FURR

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

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

**MAP REQUIREMENTS**

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

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

**MAP AMENDMENT REQUIREMENTS**

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

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

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





## Certificate of Sufficiency



To the Town Council of the Town of Stallings, North Carolina:

I, Erinn E. Nichols, Town Clerk, do hereby certify that I have investigated the petition for the voluntary annexation of parcel number 21514103 (partial) - Boyd Funderburk and have found as a fact that the said petition is signed by all owners of real property lying in the area described therein, in accordance with North Carolina General Statute 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Stallings, this the 23<sup>rd</sup> day of October, 2019.

(SEAL)

Erinn E. Nichols, Town Clerk



Resolution Fixing Date of Public Hearing  
on Question of Annexation  
Pursuant to N.C.G.S. 160A-31

**WHEREAS**, a petition requesting annexation of the area described herein has been received; and

**WHEREAS**, the Town of Stallings has by adopted a resolution directing the Town Clerk to investigate the sufficiency of the petition; and

**WHEREAS**, certification by the Town Clerk as to the sufficiency of the petition has been made;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Stallings that:

**Section 1.** The area proposed for voluntary annexation encompasses a portion of parcel number 21514103 – Boyd Funderburk and is described as follows:

**Parcel number: 21514103 (partial); 1.776 ACRES**

Commencing at an existing concrete monument found along the southern margin of the right-of-way of Boyd Funderburk Drive, also being the northern boundary of Mecklenburg County tax parcel 070-750-13 owned by Gerald Lee Funderburk as recorded in Deed Book 1139, Page 451 of the Mecklenburg County Register of Deeds; thence along and with the right-of-way of Boyd Funderburk Drive, S 46° 37' 53" W, 625.68 feet to a computed point where the right-of-way intersects the Mecklenburg/Union County Line; thence, departing said right-of-way and running along and with the Mecklenburg/Union County Line S 46° 37' 53" W, 625.68 feet to a computed point in the common line between Funderburk and Jerry M. & Irma L. Funderburk, as recorded in Deed Book 5164, Page 521, also being the **POINT OF BEGINNING**;

Thence, S 08° 26' 27" E, 52.18 feet to a computed point;

Thence, S 45° 20' 26" W, 481.92 feet to an iron rebar found;

Thence, S 45° 17' 21" W, 837.94 feet to a computed point;

Thence, N 46° 03' 11" W, 33.30 feet to a computed point;

Thence N 59° 05' 57" W, 41.55 feet to a computed point;

Thence, N 46° 37' 53" E, 1362.21 feet to the **POINT OF BEGINNING**;

Containing 77,327 Square Feet or 1.776 Acres.

**Section 2.** A public hearing on the question of annexation will be held at the Town Hall at 7:00 p.m. on Tuesday, November 12, 2019.

**Section 3.** Notice of the public hearing shall be published in the Monroe Enquirer-Journal, a newspaper having general circulation in the Town of Stallings at least 10 days prior to the date of the public hearing.

Adopted this the 28<sup>th</sup> day of October, 2019.

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

Attest:

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

Approved as to form:

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



## Statement of Consistency and Reasonableness

(As per NC General Statute 160-383)

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

**TEXT AMENDMENT:**

TX19.09.03

**REQUEST:** To amend Article 9.8-2 (B) (2) allowing drive thru circulation aisles to be located between the building and public and/or private streets when screened by a knee wall; and disallowing menu boards, speaker boxes and pull up windows from being located on a primary street.

**STATEMENT OF CONSISTENCY AND REASONABLENESS:**

The Stallings Town Council hereby finds that the proposed text amendment is consistent with the 2017 Stallings Comprehensive Land Use Plan adopted November 27, 2017 based on consistency with goals and objectives set forth in the document of providing for highway business that promotes mixed use. At their September 23, 2019 the Stallings Town Council voted to recommend APPROVAL of the proposed amendment and stated that the Town Council find and determines that the text amendment is consistent with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan and hereby recommends its approval.

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

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

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