

STALLINGS TOWN COUNCIL A G E N D A April 9, 2018 7:00 p.m.

Invocation, Pledge of Allegiance and meeting called to order

Public Comment

Council will consider and take possible action on the following:

Suggested starting time

- 7:15 1. Approval of Consent Agenda Items
 - A. Minutes of the following meetings:
 - (1) 02-26-18
 - (2) 03-03-18 special
 - (3) 03-12-18
 - (4) 03-12-18 closed

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

Action Requested: Motion to approve Consent Agenda

- 7:20 2. Reports
 - A. Report from the Mayor
 - B. Reports from Council Members/Town Committees
 - C. Report from Town Manager/Town Departments
- 7:40 3. Agenda Approval

Action Requested: Motion to approve agenda as written (ADD, IF APPLICABLE: with changes as described by Mayor Dunn)

- 7:42 4. NCDOT Idlewild Superstreet Concept Discussion and Possible Action
- 8:00 5. Unified Development Ordinance Mixed Use 1 (MU1) and Mixed Use 2 (MU2) Density

Discussion and Possible Action

8:20 6. Town Hall Streetscape Options

Discussion and Possible Action

- 8:40 7. ABC Store

 Discussion and Possible Action
- 9:00 8. Resolution Authorizing Condemnations to Acquire Certain Property

 Property: Edward R. Squires, McDonalds Corporation, Southern States Cooperative,

 New Falls Corporation, State of North Carolina, North Carolina Department of

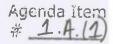
 Agriculture and Consumer Services

 Action Requested: Approve resolution
- 9:05 9. Agenda Format

 Action Requested: Select format for agendas
- 9:15 10. Adjournment

STALLINGS TOWN COUNCIL Motion Page Addendum April 9, 2018

Agenda Item	Motion Options	
1	I make the motion to:	
	(1) Approve the Consent Agenda as presented; or	
	(2) Approve the Consent Agenda with the following changes:	
3	I make the motion to:	
	(1) Approve the Agenda as presented; or	
	(2) Approve the Agenda with the following changes:	
4	I make the motion to approve the Resolution For NCDOT U-4913 (Idlewild Road	
	Design Standards.	
8	I make the motion to approve the Resolution Authorizing Condemnation to	
	Acquire Certain Property - Edward R. Squires, McDonalds Corporation, Southern	
	States Cooperative, New Falls Corporation, State of North Carolina, North	
	Carolina Department of Agriculture and Consumer Services	
9	I make the motion to utilize Version (number) for the Agenda format.	
10	I make the 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 February 26, 2018, at 7:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

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

Staff present were: Alex Sewell, Town Manager; Emily Hughes, Deputy Town Clerk; Captain Tim Harrington; Ashley Platts, Parks and Recreation Director; Lynne Hair, Town Planner; Max Hsiang, Planning Technician.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Dunn welcomed everyone to the meeting. Council Member Romanow delivered the invocation. Mayor Dunn then led the Pledge of Allegiance and called the meeting to order.

Public Comments

Renaldo Dissolva, 160 Eagle Crest Drive, began Stallings Tennis Academy at the park. He felt there was a need for tennis instruction in the area and was willing to offer lessons to the public.

1. Agenda Approval

Council Member Romanow recommended adding Agenda Item 1.A. as *Park Shading*. Council Member made a motion to approve the Agenda with the above addition. The motion passed unanimously after a second from Council Member Scholl.

1.A. Parking Shading

Council Member Romanow explained that it had been previously identified that there were certain areas in Stallings Municipal Park that needed shade. Parks and Recreation Director Ashley Platts presented the Council with options and types of shades for specific areas in the Stallings Municipal Park. The primary need was for shade on the tot lot/sand lot which had been quoted for \$50,000 by USA Shade. The other need was shade at the fountain area. The solution presented was to use the existing grates around the fountain to put shades quoted at \$45,000 by USA Shade. All shades were fabric with a 10-year warranty that could stay up year-round with the exception of Category 2 Hurricane force winds or heavy snow. The structures could be installed prior to turning on the fountain in May.

11935 February 26, 2018

Council Member Heyse made a motion to approve the tot-lot shades and fountain shade in the amount of \$95,000. The motion passed unanimously after a second from Council Member Romanow.

2. Unified Development Ordinance

Mayor Dunn reopened the public hearing. Town Planner Lynne Hair noted that the changes the Council had requested at its 02-24-18 special meeting had been made to the ordinance and the map.

Rick Flowe, N-Focus consultant, confirmed that changes had been made to reflect the new NC legislature effecting development agreements.

Terry Williams, 1341 East Morehead Street, Charlotte, stated he had been involved in Town government for over 10 years and had never seen such commitment from everyone involved to get this document right. He stated the development community was pleased with the document.

Hank Cowell, 8132 Stevens Mill Road, felt the UDO was misguided and too business heavy; too much MF1; and felt the development agreement was troublesome. He stated that in the proposed Epcon development, he wanted the area to be zoned the R-20 equivalent. In specific, he had objection to the "green" area next to Shannamara and the "green" areas immediately adjacent to residential properties. Mr. Cowell then requested that the automotive repair shops not be allowed to park cars out front of the business and would like the new UDO to address that.

It was explained that the development agreements were usually prepared by the Town staff, typically 20-40 pages in length, and recommended that the Town fee schedule be reviewed to ensure staff time was adequately compensated for development of those agreements.

John Armistead, commended the Council and staff on the excellent job on the UDO. He felt it was a dilemma to manage the UDO with a development agreement and hard to administer for staff if development agreements were used in every situation.

Mayor Dunn then closed the public hearing.

Council discussed the UDO and its development process. Council Member Scholl made the motion to adopt the UDO. Council Member Romanow seconded the motion. The motion passed by a 5 to 1 vote with Council Member Paxton opposing.

3. Anytime Fitness Signage (Romanow)

Council Member Romanow requested the Council explore options for promoting Anytime Fitness due to the sign regulation. Anytime Fitness Owner Mike Grinnell explained he had placed signage on the

street side of the business on 5409 Potter due to the fact that the back of the building faces thd road. The signs advertised specials, events, etc. If the signs were removed, the business would not be visible.

Town Planner Hair explained those signs were called offsite signage and the current UDO did not allow for that use.

Council held consensus to have Mr. Grinnell work with Town Planner Hair to understand and explore the signage options available.

4. Blair Mill Park Annexation/DeAnnexation

Town Planner Hair reminded Council that it had acquired the property for Blair Mill Park from Crosland Development when the Fairhaven Neighborhood was built as a condition of the conditional use permit. The park was divided by a creek with the northside in Hemby Bridge and the southside in the Town of Stallings. Union County granted Stallings a conditional use permit so that the Town could develop on the park. Any changes made to the park which would include additional parking would have be approved again by Union County and due to additional floodplain requirements by the county, the Town may be restricted to what could be done at the Blair Mill Park.

The possibility of annexing the land from Hemby Bridge was an option. Town Planner Hair requested the Council consider the option of the staff approaching Hemby Bridge on the possibility of annexing the approximate eleven acres.

Mayor Dunn said he would discuss the issue with the Hemby Bridge Mayor.

5. Whetstone Drive - Right of Way Abandonment

Town Planner Hair explained that Whetstone Drive was located near the intersection of Chestnut and Potter Road. Whetstone Drive was in the Town Maintenance System, but it was not built to Town standards. The drive provided access to two homes. The remainder of the property along the drive was owned by Dean Harrell who was looking to develop the property. Mr. Harrell was requesting the Town abandon that portion of Whetstone Drive. If the Council was willing to consider the abandonment, a resolution would be presented to the Council for adoption at a future meeting.

Council discussed the request. It held consensus for staff to bring the resolution to the Council at its next meeting. Staff would also inform the developer that the Council would expect compensation for the property which was valued at approximately \$15,000.

11937 February 26, 2018

6. Potter/Pleasant Plains Intersection Improvement Condemnation Resolutions

A. Parcel 1 – Wendover at Curry Place

Council Member Romanow made the motion to approve the Right-of-Way Condemnation

Resolution for Wendover at Curry Place. The motion was passed unanimously after a second from Council Member Paxton. The Right-of-Way Condemnation Resolution for Wendover at Curry Place is attached to these minutes and therefore incorporated herein.

B. Parcel 5 - Loukos

Council Member Romanow made the motion to approve the Right-of-Way Condemnation Resolution for the Loukos parcel. The motion was passed unanimously after a second from Council Member Steele. The Right-of-Way Condemnation Resolution for the Loukos parcel is attached to these minutes and therefore incorporated herein.

C. Parcel 34 – Sheckler

Clerks Note: This resolution was not yet available to be considered by Council.

7. Rentals During Relocation Period

Town Manager Sewell reviewed the relocation/construction timeline with the Council. Mayor Dunn appointed a Town Hall Ad Hoc Committee to meet with staff regarding the design and planning for the new building consisting of Council Members Heyse, Martin and Scholl.

Parks and Recreation Director Ashley Platts explained that the Parks and Recreation Department would be moving to the existing Town Hall in the Administration Department during the demolition of the current civic building/construction of the new Town Hall. During that time, the programming/events/rentals that normally utilized the existing Civic Building would be moved to the Council Chambers/small conference in the current Town Hall. Due to that move, Ms. Platts was requesting the Council, during the demolition/construction phase, temporarily disallow certain rentals and limiting programs and activities due to room availability and hours of events. The Parks and Recreation Committee would research local HOAs who may have space available for rental. The short-term criteria suggested for allowable uses in the Council Chambers/small conference room was:

- Allow rentals on a space available basis as a second priority to Town government needs.
- Rentals must be during normal business hours.
- Allowing bookings for rentals no more than 30 days in advance.
- Food is not allowed in the space for rentals.
- Redefine rentals for only meeting style reservations.
- A cleaning deposit for Stallings residents would be enacted.

Council held consensus to the criteria proposed.

8. Employee Recognition Program

Town Manager Sewell explained he would like to recognize employees from time to time for going above and beyond the call of duty. The "Caught Ya" program would be available to anyone, staff, Council, or public, to report excellent employee performance.

Council Member Romanow made a motion to approve the "Caught Ya" program. The motion received Council's unanimous support after a second from Council Member Heyse.

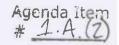
Town Manager Sewell presented the staff report to the Council for their reading. This report is attached to these minutes and therefore incorporated herein. He also presented the Council with the proposed budget meeting schedule.

Mayor Dunn reminded the Council of its special meeting on Saturday, March 3 at the Shannamara Clubhouse at 9 a.m. for its annual Planning Conference.

9. Adjournment

Council Member Steele moved to adjourn the meeting, seconded by Council Member Romanow, and the motion received unanimous support. The meeting was adjourned at 8:55 p.m.

Approved on 20	18.
Wyatt Dunn, Mayor	Erinn E. Nichols, Town Clerk
Approved as to form:	
Cox Law Firm, PLLC	



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

The Town Council of the Town of Stallings met for a special meeting on Saturday, March 3, 2018, at 9:00 a.m. at the Shannamara Clubhouse, 4103 Shannamara Drive, Stallings, North Carolina.

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

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

1. Call the Meeting to Order

Mayor Dunn called the meeting to order. Town Manager Alex Sewell introduced the conference facilitator, Jeff Carpenter, Union County Superior Court Judge. Judge Carpenter lead introductions of all attendees.

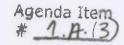
2. 2018 Planning Conference

Judge Carpenter lead the Council through identifying potential Town issues and goal setting. Attached these minutes, and therefore incorporated herein, is a summary of the issues and priorities identified by the Council for the 2018 year.

3. Adjournment

Council Member Paxton moved to adjourn the meeting, seconded by Council Member Martin, and the motion received unanimous support. The meeting was adjourned at 2:04 p.m.

Approved on April 9, 2018.	
Wyatt Dunn, Mayor	Erinn E. Nichols, Town Clerk
Approved as to form:	
Cox Law Firm, PLLC	



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

The Town Council of the Town of Stallings met for its regular meeting on Monday, March 12, 2018, at 7:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

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

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Deputy Town Manager/ Town Clerk; Police Chief Minor Plyler; Lynne Hair, Town Planner; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

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

Public Comments

No one was present for public comment.

1. Approval of Consent Agenda Items

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

Council Member Steele requested a changed to the 02-12-18 minutes stating that she attended the Transportation Advisory Committee with Council Member Paxton, not the CRTPO meeting.

Council Member Romanow made the motion to approve the Consent Agenda Items with the change as noted above by Council Member Steele. The motion was seconded by Council Member Steele which passed unanimously by Council.

2. Reports

A. Report from the Mayor

Mayor Dunn noted to the public that the Council had met the previous Saturday for six hours to plan for the vision for the Town.

B. Reports from Council Members/Town Committees

Council Member Paxton reported that Steve Blakely and Laura Reed, with Kimley-Horn, presented a traffic impact analysis to the Transportation Advisory Committee (TAC). It was a presentation the TAC would like to bring to Council along with the possibility of collaborating with Indian Trail on the creation of an ordinance to add to the Town's UDO dealing with Traffic Impact Studies.

Council Member Martin reported that he and Council Member Scholl had attended the Greenway Forum and commended staff for organizing that event.

Council Member Romanow reported that the Planning Board heard the Epcon application at its last meeting.

Council Member Scholl thanked staff for the organization of the Greenway Forum.

Council Member Steele echoed the comments from Council Member Paxton concerning the TAC meeting as well as Council Members Martin and Scholl's comments about the Greenway Forum.

Council Member Heyse reported that the Parks and Recreation Committee was in the process of making rules and regulations for rentals, deposits, etc. The committee also discussed the need for more parking for the park.

C. Report from Town Manager/Town Departments

Town Manager Sewell reported the following to the Council:

- Town won the Comprehensive Annual Financial Report for the last fiscal year.
- There were seven people willing to serve on the Greenway Committee. Council Member Martin stated he would like to be added to that committee.
- Mr. Sewell submitted the Staff Quarterly Report as requested by Council. This report is attached to these minutes and therefore incorporated herein.
- Parking was a major issue with new Town Hall as well as the streetscape out front of both Town Hall. Staff would be meeting with consultant to develop pricing for those areas.
- The Communications Process had been developed in house for a better flow for all public communications.
- Solid waste contract An ad hoc committee met, set criteria, and Waste Connections
 agreed to a price reduction and an increase to yard waste pick up. The amendment would
 be brought to Council at its next meeting for approval.
- The Public Works department was converting all the bulbs in the Town Hall to LED bulbs.

3. Agenda Approval

Mayor Dunn requested to switch the positions of Agenda Item 4, *Annexation 50 – Idlewild Road*, and Agenda Item 5, *CZ17.09.02 – Epcon Communities*. A motion was made by Council Member Romanow to approve the Agenda with the above noted change. Council Member Paxton seconded the motion which was approved unanimously.

4. <u>CZ17.09.02 – Epcon Communities</u> Original Agenda Item 5

Council Member Paxton requested the Council to recuse her due to former business relationships she had with Epcon. Council Member Romanow made a motion to recuse Council Member Paxton from voting on this item. The motion was passed unanimously after a second from Council Member Scholl.

Mayor Dunn then opened the public hearing. Town Planner Hair presented the Council with information about the request from Epcon which was to conditionally zone a 44.199-acre tract located off of Allen Black and Lawyers Road in parcels #K8321004, #D8321004A, #D8321004, and #08321003 from R-20 to CZ-MR Mixed Residential to allow for the construction of a 146-lot age restricted development that includes 107 single family units, 28 duplex units, and 14 flex units. The Zoning Staff report from CZ17.09.02 – Epcon Communities is attached to these minutes and therefore incorporated herein.

Town Planner Hair reminded the Council that its new UDO was adopted on February 26, 2018. The Epcon application for CZ17.09.02 was received by the Town in September 2017. Therefore, if the application was approved, it would fall under the old UDO's rules and regulations. She then outlined a summary of the history of the request:

- Application submitted: September 1, 2017
- Required Community Meeting: October 12, 2017
- Planning Board heard the item: December 19, 2017. A recommendation of denial was
 had by the Planning Board due to staff recommendations on the site plan as well as
 issues raised by the community.
- Epcon requested to defer the item for time to rework the site plan and address the community issues. Due to the timeframe, Epcon was required to present the new plan to the Planning Board.
- Planning Board heard re-submitted plan: February 20, 2018. A recommendation of approval was held by the Planning Board subject to conditions.

The majority of the properties in the area were zoned low-density residential with the exception of the Stevens Mills Crossing Shopping Center. The new Comprehensive Land Use Plan (CLUP) designated the properties as walkable neighborhood, mixture of housing types, and different densities. The plan submitted was in harmony with the CLUP. The new site plan provided connectivity to the adjacent future development; deleted the lots in the front of the neighborhood along Lawyers; made the detention pond a feature; created a boulevard feel along the entranceways; provided for pocket parks; added sidewalks on both sides of the streets; and added walking trails. On-going concerns were: traffic due to congestion along Lawyers Road however Epcon offered to contribute \$50,000 to widening of Lawyers Road; and entry drive on Lawyers Road would only be right-in, right-out due to NCDOT standards. The applicant provided traffic numbers based on the a non-traditional and traditional residential.

Bob Kardos, Regional President for Epcon Communities in Charlotte, walked the Council through this presentation for the age restricted communities. He highlighted the following changes from the original plan:

- Lots removed from Lawyers road entrance
- Divided boulevard provided
- Reduced number of lots by three
- Created central park area
- Exterior perimeter buffer increased from 25' to 30'
- Pocket parks and walking trail system incorporated throughout community
- Pedestrian sidewalks on both sides of the streets.
- Donate \$50,000 to NCDOT for improvements at Lawyers and I-485 interchange.

The applicant then fielded questions from the Council concerning the following topics:

- Stormwater The system and the necessity to join the Stevens Mills HOA's stormwater systems
- Demographics of Stallings 55+ largest demographic within the town and projected to grow
- Homes were built on slab to avoid steps due to the demographic population
- Duplex style housing where approximately 1/3 of the residents would traditionally be single.
- The complex would have no or little impact on schools' populations.

Vicky Kidd, 209 Woodstream Circle, Mooresville, stated that concerning the traffic on Lawyers Road, there was a turn lane onto Allen Black Road that could be used without impeding traffic. The main entrance was off Allen Black. She stated that Stevens Mill Shopping spoke in support of the development because some of their spaces were vacant due to lack of shoppers. Ms. Kid stated that the water

pressure has been tested and met the requirements for the project. She stated that Union Co. Public Works encouraged people to call if there was a water pressure issue. Ms. Kidd stated that the proposed development would help the stormwater run-off issue. She felt the lot size, based on her industry knowledge as a real estate broker, was something many demographics were wanting as well as a diversity of housing. Ms. Kid felt that Epcon built a good product and was wanting to be a good neighbor. She requested the Council approve the project.

Mary Beth Munsey, 1016 Millwright Lane, Stevens Mill, approves of the development due to revenue it would bring to the Town and the schools. She felt that the city traffic was everywhere and would not change. Ms. Munsey said that the retention ponds would help the drainage in Stevens Mill on Lawyers Road. She said that Epcon was helping with the road, had extended the buffer, and looked like a pretty neighborhood and would add to aesthetic when entering the Town. She would like a walking trail between Epcon and Stevens Mill. Ms. Munsey stated she had spoken to three other neighbors and they approved of the development also. She felt Epcon had worked hard and the project should be approved.

Marie Roberts, lived on Allen Black, and stated that traffic was an issue. She stated that she had not heard anything from Epcon about the project. Ms. Roberts stated that all the traffic on Allen Black had to come out onto Stevens Mill which was a problem at any time of day. She stated that she wasn't opposed to growth but did oppose something with such high density.

Bob Crockran, 8135 Stevens Mill, demonstrated to Council via a Lego model what the housing from the new development would look like to existing neighbors specifically regarding density and height of the homes. He felt the air conditioners in the rear of the yards would be louder than any children playing.

Walter Lawrence, Resident of Courtyards at Emerald Lake, stated that no one was speaking about the 1000+ trees which would be demolished in the construction project that were sucking up stormwater and he was concerned about stormwater. He stated Epcon had promised a golf cart trail in his neighborhood but did not get it. Mr. Lawrence felt Epcon did a pretty good job with the homes, but Emerald Lake had no walking trails or other things that were promised three years ago. He stated that the 10' in between the homes were shared between the property owners and was not adequate. Mr. Lawrence stated that Allen Black Road was horrific.

Hank Cowell, 8132 Stevens Mill Road in the Stevens Mill Community, objected to Epcon for: 1) Inconsistent and incompatible with new and old UDO and surrounding neighborhoods; 2) No comprehensive stormwater plan for the project; 3) He had requested a meeting with the Epcon engineer to discuss the stormwater system knowledge but the engineer cancelled the meeting; 4) The plans to tie in with Stevens Mill drainage system but there was no agreement or no plans with that community; 5) There was no traffic plan for 10 years; and 6) Stevens Mill covenants did not permit connectivity with a neighboring community; 7) Council Member Romanow stated in a previous meeting that she would not change the character of Stallings but the proposed Epcon would change the character therefore Mr. Cowell requested Council Member Romanow vote against the project and keep her word; 8) Council Member Martin stated in a previous meeting that all the plans were for the future and only take place when adequate infrastructure was in place therefore Mr. Cowell requested Council Member Martin vote no on the project and stand by his word. Mr. Cowell requested the entire Council vote no on the project.

Mayor read letter into the record from Louis Fisher, Emerald Lake resident, against the project. This letter is attached to these minutes and therefore incorporated herein.

Epcon was presented to the opportunity for rebuttal to the public comments and the Council Members each gave his/her own opinion on the project.

Mayor Dunn closed the public hearing.

Town Attorney Cox reminded the Council that under NCGS 160.A(5), on the day an ordinance is first introduced, a 2/3 affirmative vote was required to pass. If affirmative 2/3 vote was not received, the item could be placed on a future agenda where the item only needed a simple majority to pass.

Council Member Martin made the motion to deny CZ17.09.02 – Epcon Communities. This motion was seconded by Council Member Romanow and passed unanimously.

Town Planner Hair read the Statement of Reasonableness and Consistency for CZ17.09.02 – Epcon Communities into the record. Council Member Scholl made a motion to approve the Statement of Reasonableness and Consistency for CZ17.09.02 – Epcon Communities due to the facts the project was not reasonable in the public interest because of concerns of increased traffic congestion, stormwater drainage issues, and lack of adequate buffer. The motion was passed unanimously after a second from Council Member Romanow. The Statement of Reasonableness and Consistency for CZ17.09.02 – Epcon Communities is attached to these minutes and therefore incorporated herein.

Council took a recess at 9:07 p.m. and reconvened in open session at 9:10 p.m.

5. <u>Annexation 50 – Idlewild Road</u> Original Agenda Item #4

Mayor Dunn opened the public hearing. There was no one present to speak to the item. Mayor Dunn then closed the public hearing.

Council Member Romanow made the motion to approve Annexation 50 – Idlewild Road. The motion passed unanimously after a second from Council Member Scholl. The *Ordinance for Annexation* 50 – Idlewild Road is attached to these minutes and therefore incorporated herein.

6. Planning Conference Priorities

This item was tabled until the 03-26-18 Council Meeting.

7. Closed Session Pursuant to NCGC 143-318.11(a)(3)

Council Member Scholl made a motion to go into closed session pursuant to NCGC 143-318.11(a)(3) for cases 17CVS3276 Town of Stallings v. PEF and KFF and 18CVS193 Town of Stallings v. Barry and Juanita Stallings. The motion was seconded by Council Member Romanow and passed unanimously.

Council went into closed session at 9:15 p.m. and reconvened in open session at 9:21 p.m.

Mayor recommended a motion be made concerning the matter of 17CVS3276 Town of Stallings v.

PEF and KFF to be settled in the amount of \$5175.00. Council Member Steele made the motion recommended by Mayor Dunn. Council Member Romanow seconded the motion which passed unanimously by Council.

8. Adjournment

Council Member Scholl moved to adjourn the meeting, seconded by Council Member Romanow, and the motion received unanimous support. The meeting was adjourned at 9:21 p.m.

Approved on 201	8.
Wyatt Dunn, Mayor	Erinn E. Nichols, Town Clerk
Approved as to form:	
Cox Law Firm, PLLC	



Memo

To: Stallings Town Council

From: Lynne Hair, Planning Director

Date: March 27, 2018

Re: Idlewild Road Widening - Superstreet Proposal

NCDOT plans to widen Idlewild Road from Stallings Road, on the opposite side of I485, to the Stevens Mill intersection. On March 23, 2018 NCDOT representatives met with staff to discuss their plans for widening this segment of Idlewild Road to a superstreet.

Making this right of way a superstreet is in direct conflict with the small area plan approved by Town Council for the Idlewild Road corridor. The intent of this plan is to encourage connectivity and promote walkability within a mixed-use development. The superstreet concept is designed to move traffic through an area and does not support the goal of pedestrian connectivity and walkability.

Our police department has also expressed concern with the plan and its limiting the ability to make a through movement/left turn onto Stevens Mill Road. Police Chief Minor Plyer is concerned with the increase in response this will create for neighborhoods to the north of this intersection.

Staff would request Council go on record opposing the superstreet concept for Idlewild Road and recommend a four-lane cross section with a dual-lane round about at the intersection of Idlewild and Stevens Mill Road.

NCDOT has also requested our preference for pedestrian facilities along this right of way. Staff would recommend that the requirements of our UDO be met that include an 8' planting strip with a 6' sidewalk on both sides of the street. Staff would also recommend planting and irrigation be placed within all medians along the corridor.

Starting the conversation about these issues during the planning phase will help facilitate acquisition of the Towns desires for this area.



RESOLUTION FOR NCDOT U-4913 (IDLEWILD ROAD) DESIGN STANDARDS TOWN OF STALLINGS

WHEREAS, the Town of Stallings, North Carolina (the "Town") considers the widening of the Idlewild Road Corridor between I-485 and Stevens Mill Road ("IRC") necessary and supports the North Carolina Department of Transportation ("NCDOT") in making certain improvements;

WHEREAS, while recognizing the necessity of improvements to IRC, the governing body of the Town desires to preserve and enhance the small-town character of Stallings, enhance public safety, and alleviate traffic congestion in a manner that is consistent with the Town's adopted Comprehensive Land Use Plan and Idlewild Road Small Area Plan;

WHEREAS, the Town spent considerable time developing and vetting its Comprehensive Land Use Plan and targeted Idlewild Road Small Area Plan through public surveys, forums, hearings, open houses, and numerous meetings;

WHEREAS, the Towns further wish to develop a unified streetscape appearance, and support sustainable growth and economic development along Idlewild Road in accordance with its adopted plans;

WHEREAS, NCDOT has recommended IRC be converted to a "Superstreet" wherein left turns (LT) onto IRC are eliminated and U-turn bulb-outs are included to move traffic;

WHEREAS, NCDOT's recommendation to eliminate full access movement at the Stevens Mill intersection would result in increased response times for public safety personnel;

WHEREAS, NCDOT's recommendation is in direct conflict with the Town's adopted Comprehensive Land Use Plan, Idlewild Road Small Area Plan, and Public Safety priorities;

WHEREAS, the Town would like to see the NCDOT's planned IRC improvements in accordance with the Idlewild Road Small Area Plan that will maintain an inviting sense of place, not increase public safety response times, maximize real estate and development opportunities, and encourage and promote pedestrian connectivity.

NOW THEREFORE, BE IT RESOLVED THAT: The Town Council of Stallings is strongly opposed to the NCDOT's "Superstreet" proposal for IRC and requests that the NCDOT:

Redesign the widening of the IRC in a manner which eliminates the "Superstreet" concept and follows the Town's adopted Idlewild Road Small Area Plan including a four-lane boulevard with medians, full pedestrian accommodations, and a dual-lane roundabout at the intersection of Stevens Mill and Idlewild Roads that allows for full movement.

ADOPTED, this is the 9th day of April, 2018.

Wyatt Dunn, Mayor	
ATTEST:	Approved as to form:
Erinn Nichols, Town Clerk	Melanie Cox, Town Attorney



NORTH CAROLINA

Department of Transportation



















U-4913 – Idlewild Rd from Stallings Rd to Stevens Mill Rd

March 23, 2018

U-4913

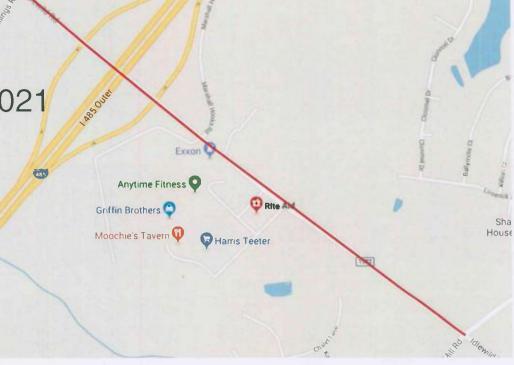
 Original Scope – Widen Idlewild Rd from I-485 to Stevens Mill Rd

New Scope – Widen Idlewild Rd from Stallings Rd to

Stevens Mill Rd

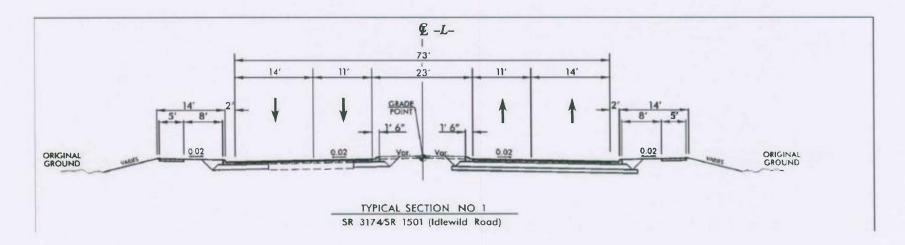
ROW – FY 2020

Construction – FY 2021



U-4913

- Input Needed from Municipalities
 - Desired pedestrian accommodations including sidewalk/MUP width, planting strip width and bike facilities within roadway
 - Comments on roadway intersection recommendations



Stallings Rd Intersection

- Current Spacing from I-485 ramp intersection 800'
- New spacing from I-485 ramp intersection 1,000'
- Does not meet 1,200' spacing requirements for a traffic signal

Stallings Rd Intersection

- No Build (2040)
 - Stallings Rd approach is LOS F during both peaks
- Roundabout (2040)
 - Overall LOS A for both AM and PM peak
 - No movement worse than a LOS C during either peak
 - No queue over 125' in either peak
- Recommendation is a 2 lane roundabout
 - Will be looking into whether we can get by with a single lane with turn lanes initially

Stallings Rd Intersection

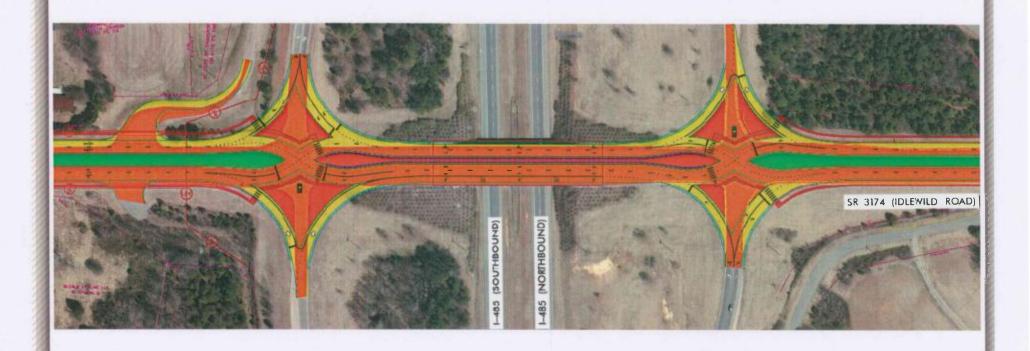


ncdot.gov U-4913

I-485 Interchange

- Conventional intersection configuration (2040)
 - Overall LOS C or better at both intersections
 - Ramp approaches are LOS E
 - Turns onto ramps are LOS D during one or both peaks
- DDI configuration (2040)
 - Inner Loop LOS B
 - Outer Loop LOS C or D
- Recommendation is DDI interchange

I-485 Interchange



- Conventional intersection configuration (2040)
 - Overall LOS E during both AM and PM peaks
 - Most movements expected to operate at LOS E or F during one or both of AM and PM peaks
 - Mainline left turn queues of around 800' expected
 - The only way to get an overall LOS D is by going to a 6 lane roadway

Current configuration

6	Idlewild Rd at Stevens Mill Rd	E	E
	Eastbound Left	F	F
	Eastbound Through / Right	С	E
	Westbound Left	F	F
	Westbound Through	E	D
	Westbound Right	Α	A
	Northbound Left	F	F
	Northbound Through	F	F
	Northbound Right	E	E
	Southbound Left	F	F
	Southbound Through	F	F
	Southbound Right	E	E

- Superstreet Configuration Main Intersection (2040)
 - WB thru is LOS E in AM peak
 - NB right is LOS F in PM peak (no rights on red allowed)
 - SB right is LOS F in AM peak (no rights on red allowed)
 - All other movements are LOS D or better
- Superstreet Configuration EB U-turn (2040)
 - Overall LOS B in AM peak, LOS D in PM peak
- Superstreet Configuration WB U-turn (2040)
 - Overall LOS E in AM peak, LOS B in PM peak

Superstreet Configuration

61	Idlewild Rd at Stevens Mill Rd Eastbound	В	E
	Eastbound Through	В	D
	Eastbound Right	A	A
	Westbound Left	D	C
	Northbound Right	D	F
62	Idlewild Rd at Stevens Mill Rd Westbound	E	C
	Westbound Through	E	В
	Westbound Right	В	Α
	Eastbound Left	C	C
- 1	Southbound Right	F	D
63	Idlewild Rd at Stevens Mill Rd Eastbound U-Turn	В	D
	Eastbound Through	A	C
	Eastbound U-Turn	D	F
64	Idlewild Rd at Stevens Mill Rd Westbound U-Turn	E	В
	Westbound Through	E	В
	Westbound U-Turn	E	D

- Recommendation is Superstreet intersection
 - Safety Benefits
 - LOS/delay benefits
 - Minimizes Stevens Mill Cross Section
 - Allows for a Stevens Mill Rd alignment that misses church and electric substation
 - While a 6 lane section is needed to eliminate all LOS E's this configuration reduces the number of movements at a LOS E or worse



Harris Teeter East Intersection

- Conventional intersection configuration (2040)
 - Overall LOS D or better during both AM and PM peaks
 - EB thru LOS E during PM peak
 - WB Left LOS F during PM peak

5	Idlewild Rd at Harris Teeter East Entrance	С	D
	Eastbound Through	C	E
	Eastbound Right	В	A
	Westbound Left	E	F
	Westbound Through	A	A
	Northbound Left	D	E
	Northbound Right	С	D

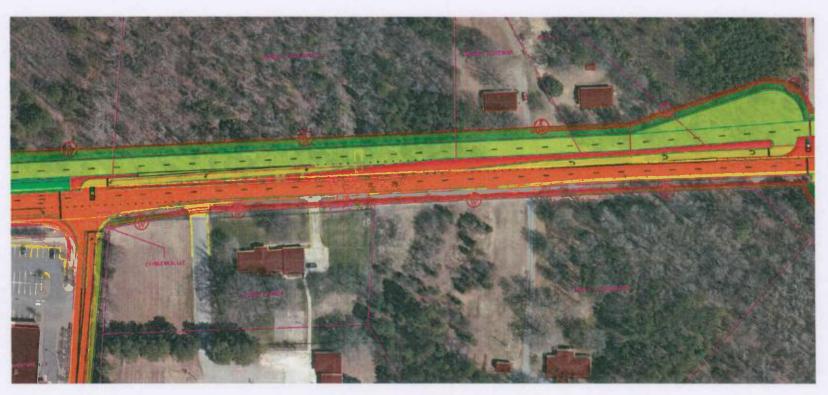
Harris Teeter East Intersection

- Superstreet Configuration Main Intersection (2040)
 - Overall LOS C or better during both AM and PM peaks
- Superstreet Configuration WB U-turn (2040, protected only phasing)
 - Overall LOS A during both AM and PM peaks

51	Idlewild Rd at Harris Teeter East Entrance	В	c
	Eastbound Through	В	В
	Eastbound Right	A	A
	Westbound Left	D	C
	Northbound Right	D	E
52	Idlewild Rd at Harris Teeter East Entrance U-Turn	A	A
	Westbound Through	A	A
	Eastbound U-turn	E	D

Harris Teeter East Intersection

Recommendation is Superstreet intersection





NORTH CAROLINA

Department of Transportation



















Discussion and Concept Map Review





Memo

To: Stallings Town Council

From: Lynne Hair, Planning Director

Date: March 27, 2018

Re: Multi Family Density in MU Districts

Article 8.4.6 of the Stallings UDO describes the development standards established for the MU-1 and MU-2 districts, including setbacks, density and permitted uses. During a council work session held on the UDO prior to adoption, the issue of density for multi-family developments within the MU districts was discussed. A concern was raised that the proposed 28-units per acre was too high, so the allowable number was reduced to 14.5 units per acre.

Background

Two years ago, Dennis Moser approached the Town with plans to develop his property at 74 and Stallings Road (aka Gateway Commons). Staff shared with him plans to create a new CLUP, SAP's for this area promoting mixed-use development that would provide for connectivity and a mix of commercial and residential uses, and a new UDO. We asked that he wait for the Town to complete these documents and work with the Town on the design of his property.

Mr. Moser agreed, and periodically checked in with Staff to share concept plans for his property, incorporating ideas from consultants and making changes as requested by Staff to ensure compatibility with the now approved 74 SAP and new UDO. One on the elements we were working from was a multi-family density of 28 units per acre. For our small area plans to work the higher density of 28-units per acre is needed to spur the commercial/restaurant/office development that we are hoping to attract.

The Gateway Commons property is crucial to Stallings as it will be the catalyst for development. Once this property begins to develop others will follow suit. Good development on this site is a win for the Town.

CLUP

When the small area plans were created, the need for higher density residential uses within these areas was established as a priority identified in the StALLINgs Comprehensive Land Use Plan. Section 7: Neighborhoods & Housing identify the need for more housing choices that include higher density and multi-family housing options and outlines the following goal and strategy to address this issue:

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

Strategy H-1.6: Create quality, high-density development through small area planning and the establishment of zoning language that sets density and design standards that promote quality development while providing the necessary variety of housing types required to sustain diversity.

Options/Recommendation

For multi-family developments within the small area plans, a higher density is required to build out as envisioned. The higher density is needed to provide housing for your professionals and to create rooftops that will hopefully attract the commercial uses planned for these areas and that are needed to provide a balanced tax base.

Options to consider:

- 1. Increase the multifamily density to 28-units per acre in the MU-2 District as originally shown in the draft UDO.
 - This would allow for multi family projects in the Highway 74 and Idlewild Node to be built at a higher density as shown on the SAP's for this area.
- 2. Create an MU-3 District for the Highway 74 SAP allowing a multifamily density of 28 units per acre.
 - This will allow a higher multi-family density in the 74 SAP only. The density of 14.5 units per acre would remain in the MU-2 and MU-1 districts.

From a planning perspective I believe we would be remiss in not allowing an increase in density to 28-uits per acre in the MU-2 district town-wide. I think this density should apply to all MU-2 districts.

Staff would recommend Council consider raising the Multi-family density to 28-units per acre in the MU-2 District only and allow the density of 14.5 units per acre to remain in the MU-1 distract that was created for the School Node.

Both options will require a text amendment that will need to go before the Planning Board before Town Council can adopt. Staff is seeking direction from Council as to how they would like to proceed.



Memo

To: Stallings Town Council

From: Lynne Hair, Planning Director

Date: March 27, 2018

Re: Town Hall Streetscape

The Town is in the process of creating a small area plan for the Old Monroe Road Corridor. The goal of this plan is to create a downtown with Town Hall being the civic space anchoring the area. With construction of the new Town Hall building, there is a unique opportunity to add streetscape in front of the building along Stallings Road. Providing this landscape/hardscape will allow Town Hall to serve as the flagship for development in the area and be a catalyst for the future of the Town core.

Consultant Demetri Baches will present concepts for the area that include options for onstreet parking. Staff is asking for feedback and direction on the Council's vision for this area.



TO: Mayor Dunn; Town Council

FR: Alex Sewell DATE: 4/4/18

RE: ABC Discussion – Brief Background

<u>Purpose</u>: The 4/9/18 Town Council agenda calls for discussion on a potential ABC store. This memorandum provides a brief foundational background on the subject for the Town Council.

Brief State ABC Background: 1

In 1937, an Alcoholic Beverage Control bill was enacted by the N.C. General Assembly that created the foundation for the system of control that the State operates under today. This Act allowed voters in each county to determine whether spirituous liquor should be sold at retail. If approved by the local voters, the Act provided for the establishment of a local ABC Board that has the authority and duty to operate one retail ABC store. If disapproved at the county level, local towns or municipalities could then vote on the issue. The Act also provided for the establishment of a State ABC Commission to have oversight authority with respect to each local ABC Board.

Today, there are 168 local ABC systems in the State that operate 430 retail stores. For FY 2016-17, the retail and mixed beverage sales totaled approximately \$1.068 billion. County/municipal ABC Boards in North Carolina are local independent political subdivisions of the State. They operate as separate entities establishing their own policies and procedures.

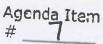
Each local ABC Board consists of a Chairman and two to six (depending on the Board size) Board members appointed by their municipality or county governing authority. They retain authority to set policy and adopt rules in conformity with ABC Laws and Commission Rules.

Recent Local ABC Background:

Per Town minutes, the Town Council decided in 2002 to allow the citizens to vote on whether to permit the operation of ABC stores, amongst other alcohol-related decisions. While the voters approved, an ABC Board was never established for 2 reported reasons. First, due to concerns that a store would not be profitable.² Second, because the Town

¹ Taken from the N.C. ABC Commission Website (https://abc.nc.gov/Boards)

² Based on my conversations with the previous Town Manager.



wanted to apparently place the store in a section of its jurisdiction located in Mecklenburg County, which the ABC Commission viewed as illegal.³

Next Steps:

The next step for the Town Council is to decide whether it wants to further pursue opening an ABC store. If the Town Council opts to do so, then I would recommend inviting a staff member from the N.C. ABC Commission to discuss how to evaluate feasibility. There would not need to be another citizen referendum.⁴

³ Per my conversations with N.C. ABC Commission Staff.

⁴ Id.

Agenda Item #

A RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY OR INTEREST IN PROPERTY FOR ROAD AND INTERSECTION IMPROVEMENTS AND SIDEWALK CONSTRUCTION

WHEREAS, the governing body of the Town of Stallings hereby determines that it is necessary and in the public interest to acquire certain property or interest in property owned by the following person(s) (now or formerly):

Edward R. Squires, McDonalds Corporation, Southern States Cooperative, New Falls Corporation, State of North Carolina, North Carolina Department of Agriculture and Consumer Services

For the following public purposes:

- a. Temporary Construction Easement
- b. Permanent Utility Easement

WHEREAS, the proper officials or representatives of the Town of Stallings have been unable to acquire the needed interest in these properties by negotiated conveyance due to the number of liens on the property.

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

1. The Town of Stallings shall acquire by condemnation, for the purposes stated above. The property or interest in property is described as follows:

Easement and right of way in and over and across certain land, located in the Town of Stallings and more particularly described on the attached surveys.

2. The attorney representing the Town of Stallings is directed to institute the necessary proceeding under Chapter 40A of the North Carolina General Statutes to acquire property or interest in property hereinabove described.

ADOPTED: This the 9th day April, 2018.

Wyatt Dunn, Mayor

ATTEST:

Erinn Nichols, Town Clerk

APPROVED AS TO FORM:

Melanie D. Cox, Town Attorney



STALLINGS TOWN COUNCIL A G E N D A March 26, 2018 7:00 p.m.

Invocation, Pledge of Allegiance and meeting called to order

Public Comment

Special Presentation(s)
Chief Minor Plyler

Council will consider and take possible action on the following:

Suggested starting time

7:25 1. Agenda Approval

Action Requested: Motion to approve agenda as written (ADD, IF APPLICABLE: with changes as described by Mayor Dunn)

- 7:27 2. Monroe Bypass Constructors Temporary Use Permit Extension Request Action Requested: Approve/Deny request
- 7:40 3. New Town Hall Update Information Only
- 4. Capital Maintenance Improvements and Infrastructure Plan (CMIIP)

 Discussion and Possible Action
- 8:45 5. 2018-19 Town Priorities

 Action Requested: Approve Town Priorities
- 9:00 6. 2017-18 Budget Amendments
 - A. Budget Amendment 4
 New Town Hall and Public Works Design Cost
 - (1) Downtown Small Area Plan Scope Amendment Action Requested: Approve scope amendment
 - B. Budget Amendment 5Stallings Road and Chestnut Lane SidewalksAction Requested: Adopt the budget amendments
- 9:25 7. Solid Waste Contract Amendment

 Action Requested: Approve amendment

- 9:35 8. 2018 Committee (Re)Appointments
 Action Requested: (Re) Appointment committee members
- 9:45 9. Whetstone Drive Right of Way Abandonment Resolution Action Requested: Adopt resolution
- 9:55 10. Traffic Analysis Presentation Information Only
- 10:55 11. Personnel Policy Amendment

 Action Requested: Approve amendment
- 11:05 12. Adjournment

Agenda Item



March 26, 2018
Stallings Town Hall
315 Stallings Road
Stallings, NC 28104
704-821-8557
www.stallingsnc.org

	Time	Item	Presenter	Action Requested/Next Step
	7:00 p.m.	Invocation Pledge of Allegiance Call the Meeting to Order	Mayor Dunn	NA
	7:05 p.m.	Public Comment	NA	NA
	7:10 p.m.	Special Presentations	Chief Minor Plyler	NA
1.	7:20 p.m.	Agenda Approval	Mayor Dunn	Approve agenda as written (ADD, IF APPLICABLE: with changes as described by Mayor Dunn)
2.	7:27 p.m.	Monroe Bypass Constructors Temporary Use Permit Extension Request	Lynne Hair, Town Planner	Approve/Deny extension
3.	7:40 p.m.	New Town Hall Update	Rick Brown, Boomerang	Informational
4.	8:00 p.m.	Capital Maintenance Improvements and Infrastructure Plan (CMIIP)	Marsha Gross, Finance Officer	Discussion and Possible Action
5.	8:45 p.m.	2018-19 Town Priorities	Alex Sewell, Town Manager	Approve Town Priorities
6.	9:00 p.m.	2017-18 Budget Amendment A. Budget Amendment 4 New Town Hall and Public Works Design Costs (1) Downtown Small Area Plan Scope Amendment B. Budget Amendment 5 Stallings Road and Chestnut Lane Sidewalks	Marsha Gross, Finance Officer Lynne Hair, Town Planner	Adopt Budget Amendments Approve scope amendment
7.	9:25 p.m.	Solid Waste Contract Amendment	Alex Sewell, Town Manager	Approve amendment
8.	9:35 p.m.	2018 Committee (Re)Appointments	Erinn Nichols, Deputy Town Manager	(Re)Appoint committee members
9.	9:45 p.m.	Whetstone Drive – Right of Way Abandonment Resolution	Lynne Hair, Town Planner	Adopt resolution
10.	9:55 p.m.	Traffic Analysis Presentation	Council Member Lynda Paxton; Kimley Horn	Informational
11.	10:55	Personnel Policy Amendment	Alex Sewell, Town Manager	Approve amendment
12.	11:10	Adjournment		La la companya de la companya della companya della companya de la companya della



March 26, 2018
Stallings Town Hall
315 Stallings Road
Stallings, NC 28104
704-821-8557
www.stallingsnc.org

	Time	Item	Presenter
	7:00 p.m.	Invocation	Mayor Dunn
		Pledge of Allegiance	
		Call the Meeting to Order	
	7:05 p.m.	Public Comment	NA
	7:10 p.m.	Special Presentations	Chief Minor Plyle
1.	7:20 p.m.	Agenda Approval	Mayor Dunn
	- Albert	Action Requested: Approve agenda as written (ADD, IF APPLICABLE: with changes as described by Mayar Dunn)	
2.	7:27 p.m. Monroe Bypass Constructors Temporary Use Permit		Lynne Hair,
	-	Extension Request	Town Planner
		Action Requested: Approve/Deny extension	
3.	7:40 p.m.	New Town Hall Update	Rick Brown,
		Information Only	Boomerang
4.	8:00 p.m. Capital Maintenance Improvements and Infrastructure		Marsha Gross,
		Plan (CMIIP)	Finance Officer
		Discussion and Possible Action	
5.	8:45 p.m.	2018-19 Town Priorities	Alex Sewell,
		Action Requested: Approve Town Priorities	Town Manager
6.	9:00 p.m.	2017-18 Budget Amendments	Marsha Gross,
		A. Budget Amendment 4	Finance Officer
	-	New Town Hall and Public Works Design Costs	
	- 6	(1) Downtown Small Area Plan Scope	Lynne Hair,
		Amendment	Town Planner
	. 1	Action Requested: Approve scope amendment	755
		B. Budget Amendment 5	
		Stallings Road and Chestnut Lane Sidewalks	100000
	I I See a see	Action Requested: Adopt the budget amendments	
7.	9:25 p.m.	Solid Waste Contract Amendment	Alex Sewell,
		Action Requested: Approve amendment	Town Manager
8.	9:35 p.m.	2018 Committee (Re)Appointments	Erinn Nichols,
		Action Requested: (Re)Appoint committee members	Deputy Town
			Manager
9.	9:45 p.m.	Whetstone Drive – Right of Way Abandonment	Lynne Hair,
		Resolution	Town Planner
		Action Requested: Adopt resolution	The state of the s
10.	9:55 p.m.	Traffic Analysis Presentation	Council Member
		Information Only	Lynda Paxton;
			Kimley Horn

11.	10:55	Personnel Policy Amendment	Alex Sewell, Town
		Action Requested: Approve amendment	Manager
12.	11:10	Adjournment	

