



Access for the Electronic Meeting

Via phone: 1-646-558-8656

Via web:

<https://zoom.us/j/98986345079?pwd=UkMvaDkvaTRZM3cwTDdvUTlvdnJEdz09>

Via Zoom App:

Meeting ID: 989 8634 5079

Password: 590895

August 10, 2020

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	Wyatt Dunn, Mayor	NA
	7:05 p.m.	Public Comment	Wyatt Dunn, Mayor	NA
1.	7:15 p.m.	Consent Agenda Approval A. Minutes from the following meetings: (1) 06-22-2020 B. 2020-2021 Amended Budget Ordinances: (1) ABO1 – Amendment for Monument Signage (2) ABO2 – PD Body Cameras and In- Car Cameras (3) PD Body Cameras and In-Car Cameras Contract	Wyatt Dunn, Mayor	Approve Consent Agenda <i>(All items on the Consent Agenda are considered routine, to be enacted by one motion. If a member of the governing body requests discussion on of an item, the item will be removed from the Consent Agenda and considered separately.)</i> Motion: I make the motion to: 1) Approve the Consent Agenda as presented; or 2) Approve the Consent Agenda with the following changes: _____.
2.	7:17 p.m.	Reports A. Report from Mayor B. Report from Council Members/Town Committees C. Report from Town Manager/Town Departments	Council and Staff	NA
3.	7:40 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve agenda as written. <i>(ADD, IF APPLICABLE: with changes as described by Mayor Dunn)</i> Motion: I make the motion to: 1) Approve the Agenda as presented; or 2) Approve the Agenda with the following changes: _____.
4.	7:45 p.m.	CZ20.06.01 – Sherin Ln. <i>Request for consideration of a conditional zoning allowing the subject property to be used for warehousing with outside storage. A gravel lot is also requested.</i> A. Open Public Hearing B. Information from Staff C. Close Public Hearing	Lynne Hair, Town Planner	Approve/Deny request Motion: I make the motion to approve CZ20.06.01 – Sherin Ln.
5.	8:00 p.m.	CZ20.06.02 – True Homes	Lynne Hair, Town Planner	Approve/Deny request.

		<p><i>Request for consideration of a conditional zoning allowing a 46-unit townhome project to be located at 2916 Matthews Indian Trail Rd.</i></p> <p>A. Open Public Hearing B. Information from Staff C. Close Public Hearing</p>		<p>Motion: <i>I make the motion to approve CZ20.06.02 – True Homes.</i></p>
6.	8:15 p.m.	<p>TX20.06.01 – Orissa Holdings Request to amend the height for attached single family from 25' to 45' for properties located within the Monroe Bypass Small Area Plan.</p> <p>A. Open Public Hearing B. Information from Staff C. Close Public Hearing</p>	Lynne Hair, Town Planner	<p>Approve/Deny request.</p> <p>Motion: <i>I make the motion to approve TX20.06.01 – Orissa Holdings.</i></p>
7.	8:30 p.m.	<p>Development Ordinance Amendments & Policies <i>(Recommended by SAP Subcommittees)</i></p> <p>A. TX20.06.02* <i>Amend Development Ordinance to remove language linking the Ordinance to Small Area Plans.</i></p> <p>B. TX20.06.03* <i>Change Development Agreement requirements to apply only to large projects.</i></p> <p>C. TX20.06.04* <i>Create a process where the Comprehensive Land Use Plan and Small Area Plans are being amended during the rezoning (CZ) process.</i></p> <p>D. TX20.06.05* <i>Review Table of Uses and make Townhomes and other identified uses within the MU-1 and MU-2 districts conditional zoning (CZ).</i></p> <p>* i. Open Public Hearing ii. Information from Staff iii. Close Public Hearing</p> <p>E. Conditional Zoning Subcommittee Policy</p>	Lynne Hair, Town Planner	<p>Approve/Deny ordinance amendments and policies.</p> <p>Motion: <i>I make the motion to approve:</i></p> <p>A. TX20.06.02 B. TX20.06.03 C. TX20.06.04 D. TX20.06.05 E. <i>the Conditional Zoning Subcommittee Policy.</i></p>
8.	8:55 p.m.	<p>CZ20.02.01 <i>(Recessed from 07-13-2020)</i> <i>Courtyards at Weddington Road Request to amend condition #8 of the original zoning approval requiring an alternate emergency exit for the project.</i></p>	Lynne Hair, Town Planner	<p>Council Vote</p> <p>Motion: <i>I make the motion to approve CZ20.02.01.</i></p>
9.	9:00 p.m.	<p>DA19.03.03 - Broadstreet Homes, Inc./Stallings Elementary Subdivision <i>(Recessed from 07-13-2020)</i> <i>Approval of the Development Agreement for a 40-lot single family subdivision located on Stallings Road in parcels #07099049, 07099050, 07099051, 07099052, 07099053, 07099054.</i></p>	Lynne Hair, Town Planner	<p>Council Vote</p> <p>Motion: <i>I make the motion to approve DA19.03.03 - Broadstreet Homes, Inc./Stallings Elementary Subdivision .</i></p>
10.	9:05 p.m.	<p>Idlewild Small Area Plan <i>(Recessed from 07-13-2020)</i></p>	Lynne Hair, Town Planner	Discussion and Possible Action
11.	9:15 p.m.	<p>Waste Connections <i>(Martin)</i></p>	John Martin, Council Member	Discussion and Possible Action
12.	9:25 p.m.	<p>Western Union County Municipalities Alliance <i>(Paxton)</i></p>	Lynda Paxton, Council Member	Discussion and Possible Action
13.	9:35 p.m.	<p>Adjournment</p>	Wyatt Dunn, Mayor	Motion to adjourn

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

The Town Council of the Town of Stallings met for a meeting on June 22, 2020, at 7:00 p.m. via Zoom, a virtual electronic platform, due to the North Carolina declared state of emergency because of COVID-19. Public could access the meeting via phone (1-646-558-8656), web link (<https://zoom.us/j/98252099322?pwd=Mit4SHpmYm1SOGdjem1uR08ySEJ0UT09>), or the Zoom app (Meeting ID: 982 5209 9322; Password: 898698).

Those present and visible on camera were: Mayor Wyatt Dunn; Mayor Pro Tempore Lynda Paxton; Council Members Steven Ayers, Heather Grooms, John Martin, Brad Richardson, and David Scholl.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Marsha Gross, Finance Officer; Lynne Hair, Town Planner; Chris Easterly, Town Engineer; Police Chief Dennis Franks; 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 Richardson delivered the invocation. Mayor Wyatt Dunn then led the Pledge of Allegiance and called the meeting to order.

Public Comments

Hons Speakholser, 2407 Flagstick Drive, stated he purchased his home in 2012 when there were no fences on the golf course. He complained to the management of the golf course about the maintenance noise. The resident stated that the Code Enforcement officer said the course could not have the sound, but yet the fans ran all the time. He lived on hole three and the fans were approximately 100 feet from the fans.

Jim Dimmette, future resident in the Courtyard at Lawyers, wanted to say hello to everyone and thanked the Council for having the Courtyards and Lawyers on the agenda that evening.

1. Agenda Approval

Mayor Dunn requested moving Agenda Item 5, *Epson Courtyards at Lawyers Road*, to Agenda Item 2; and Council Member Martin requested moving Agenda Item 2, *2020-2021 Budget Ordinance*, to Agenda Item 5.

Council Member Martin made the motion to approve the Agenda as amended above. The motion was passed unanimously after a second from Council Member Scholl.

2. Epcon Courtyards at Lawyers Road

Original Agenda Item 5

Mayor Dunn explained he had requested this item on the Agenda to make sure that stormwater issues were addressed during construction to ensure neighboring properties were not affected.

Town Engineer Easterly explained the Town had received stormwater concerns from the Stevens Mill Subdivision next to the Epcon property. There would be a two-tiered retaining wall and two different systems would be implemented to: 1) catch sub-surface stormwater; and 2) catch surface stormwater with both being channeled to the BMPs.

Town Planner Hair explained crawl spaces allowed for smooth grade transitions between houses and assisted in reducing slope behind and in between the homes. The project was approved through the conditional zoning process with the condition that a 30 ft. buffer be provided between Stevens Mill and the project requiring leaving existing vegetation and specific plantings, and planting along the top of the retaining wall. Developer must work with the boarding property owners.

Community members on the call discussed buffering options with the developer.

3. Divide Golf Course Maintenance

Town Manager Sewell explained Council had requested the Town research other municipalities ordinances/policies in regard to golf course noise. Of those Charlotte area courses researched, during the warmer months, most courses were allowed to begin maintenance around 6 a.m. and possibly earlier if there was a special event.

Council Member Richardson directed the staff to prepare a revision to the noise ordinance moving the allowed golf course maintenance start time from 5:30 a.m. to 6 a.m. at areas near homes with a provision for special events and tournaments to start at 5:30 a.m.;. Council Member Grooms seconded the motion. The motion was passed with a 4 to 2 vote with Council Members Martin and Paxton opposing.

Council held consensus to leave the maintenance fans allowance unchanged; and communicate tournament schedules and special events to the Homeowner Association

4. In-person Council Meetings

Council held consensus to resume in-person meetings for the August 2020 Council Meeting only if everyone felt comfortable.

5. 2020-2021 Budget Ordinance

Original Agenda Item 2

Council Member Scholl made the motion to approve the 2020-2021 Budget Ordinance as submitted and direct staff to bring back an amended budget ordinance for \$50,000 at the July Council Meeting to allow for Town signage. The motion was seconded by Council Member Martin which was passed unanimously by Council. The 2020-2021 Budget Ordinance is attached to these minutes and therefore incorporated herein.

6. Adjournment

Council Member Paxton moved to adjourn the meeting, seconded by Council Member Richardson, and the motion received unanimous support. The meeting was adjourned at 8:17 p.m.

Approved on _____, 2020.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC



MEMO

To: Mayor, Town Council
Via: Town Manager
From: Marsha Gross, Finance Officer
Date: 7/29/2020
RE: FY2021 Budget Amendment #1

At the Town Council Meeting on July 13, 2020, Council approved FY2021 Budget Amendment #1 which is included as Attachment A. As I was entering the amendment into our accounting system, I noted that the amendment had a typo in the budgeted amount column for several departments (see column 3 of Attachment A). The Public Safety beginning amount of \$2,595,500 was copied as the beginning balances for the Transportation, Economic and Physical Development, Public Works, and Cultural and Recreational departments. All of the account numbers, net increase or decrease figures are correct but because this beginning amounts were incorrect, the Amended total for the departments are also incorrect.

I have changed Budget Amendment #1 and agreed the beginning budgeted amounts to the FY2021 Budget Ordinance (Attachment C) that was passed in June. The corrected Budget Amendment #1 is included as Attachment B.

I have spoken to Melanie Cox, our town attorney, and she suggested we adopt and replace the corrected amendment at the next meeting.

This memo and the corrected FY2021 Budget Amendment #1 have been added to the agenda for the August 10, 2020 Council meeting. Please let me know if you have any questions.



MEMO

To: Mayor, Town Council
Via: Town Manager
From: Marsha Gross, Finance Officer
Date: 7/29/2020
RE: FY2021 Budget Amendment #1

At the Town Council Meeting on July 13, 2020, Council approved FY2021 Budget Amendment #1 which is included as Attachment A. As I was entering the amendment into our accounting system, I noted that the amendment had a typo in the budgeted amount column for several departments (see column 3 of Attachment A). The Public Safety beginning amount of \$2,595,500 was copied as the beginning balances for the Transportation, Economic and Physical Development, Public Works, and Cultural and Recreational departments. All of the account numbers, net increase or decrease figures are correct but because this beginning amounts were incorrect, the Amended total for the departments are also incorrect.

I have changed Budget Amendment #1 and agreed the beginning budgeted amounts to the FY2021 Budget Ordinance (Attachment C) that was passed in June. The corrected Budget Amendment #1 is included as Attachment B.

I have spoken to Melanie Cox, our town attorney, and she suggested we adopt and replace the corrected amendment at the next meeting.

This memo and the corrected FY2021 Budget Amendment #1 have been added to the agenda for the August 10, 2020 Council meeting. Please let me know if you have any questions.

AMENDED BUDGET ORDINANCE – NO. 1
TOWN OF STALLINGS, NORTH CAROLINA
FISCAL YEAR 2020-2021

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the estimated expenditures for the fiscal year 2020-2021 are hereby amended as set forth below:

Category	Account Number	Budgeted Amount	Amend to the Following	Net Increase or (Decrease)
Expense:				
General Government		\$ 1,227,500	\$ 1,193,900	
Workers Compensation Insurance	10-00-4120-014			\$ (100)
Travel	10-00-4120-031			\$ (3,500)
Liability Insurance	10-00-4120-045			\$ (5,000)
Outside Services	10-00-4120-039			\$ (25,000)
Public Safety		\$ 2,595,500	\$ 2,586,500	
Workers Compensation Insurance	10-10-4310-014			\$ (7,500)
Travel	10-10-4310-031			\$ (1,500)
Transportation		\$ 2,595,500	\$ 2,645,300	
Workers Compensation Insurance	10-20-4510-014			\$ (200)
Signage	10-20-4510-034			\$ 50,000
Economic and Physical Development		\$ 2,595,500	\$ 2,593,700	
Workers Compensation Insurance	10-40-4910-014			\$ (300)
Travel	10-40-4910-031			\$ (1,500)
Public Works		\$ 2,595,500	\$ 2,593,600	
Workers Compensation Insurance	10-70-4570-014			\$ (900)
Travel	10-70-4570-031			\$ (1,000)
Cultural and Recreational		\$ 2,595,500	\$ 2,592,000	
Workers Compensation Insurance	10-80-6130-014			\$ (1,000)
Travel	10-80-6130-031			\$ (2,500)

Explanation: Amendment is needed to increase Transportation Department budget for engineering for Monument Signage for the Town, decrease all departments for workers compensation and liability insurance, travel, and decrease General Government budget for the Economic Development Plan Implementation. These changes require no additional General Fund balance appropriations.

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

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

ADOPTED this the 13th day of July, 2020.

Wyatt Dunn, Mayor

Erinn Nichols, Town Clerk

Approved as to form:

AMENDED BUDGET ORDINANCE – NO. 1
TOWN OF STALLINGS, NORTH CAROLINA
FISCAL YEAR 2020-2021

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the estimated expenditures for the fiscal year 2020-2021 are hereby amended as set forth below:

Category	Account Number	Budgeted Amount	Amend to the Following	Net Increase or (Decrease)
Expense:				
General Government		\$ 1,227,500	\$ 1,193,900	
Workers Compensation Insurance	10-00-4120-014			\$ (100)
Travel	10-00-4120-031			\$ (3,500)
Liability Insurance	10-00-4120-045			\$ (5,000)
Outside Services	10-00-4120-039			\$ (25,000)
Public Safety		\$ 2,595,500	\$ 2,586,500	
Workers Compensation Insurance	10-10-4310-014			\$ (7,500)
Travel	10-10-4310-031			\$ (1,500)
Transportation		\$ 733,200	\$ 783,000	
Workers Compensation Insurance	10-20-4510-014			\$ (200)
Signage	10-20-4510-034			\$ 50,000
Economic and Physical Development		\$ 346,600	\$ 344,800	
Workers Compensation Insurance	10-40-4910-014			\$ (300)
Travel	10-40-4910-031			\$ (1,500)
Public Works		\$ 305,700	\$ 303,800	
Workers Compensation Insurance	10-70-4570-014			\$ (900)
Travel	10-70-4570-031			\$ (1,000)
Cultural and Recreational		\$ 688,700	\$ 685,200	
Workers Compensation Insurance	10-80-6130-014			\$ (1,000)
Travel	10-80-6130-031			\$ (2,500)

Explanation: Amendment is needed to increase Transportation Department budget for engineering for Monument Signage for the Town, decrease all departments for workers compensation and liability insurance, travel, and decrease General Government budget for the Economic Development Plan Implementation. These changes require no additional General Fund balance appropriations.

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

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

ADOPTED this the 13th day of July, 2020.

Wyatt Dunn, Mayor

Erinn Nichols, Town Clerk

Approved as to form:

Melanie Cox, Town Attorney, Cox Law Firm, PLLC

**TOWN OF STALLINGS
2020-2021 BUDGET ORDINANCE**

SECTION 1. The following amounts are hereby appropriated for the operation of the Town's government and its activities for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

GENERAL FUND	\$6,905,400
APPROPRIATED GENERAL FUND BALANCE	2,091,800
STORM WATER FUND	<u>515,500</u>
TOTAL	<u><u>\$9,512,700</u></u>

SECTION 2. That for the said fiscal year there is hereby appropriated out of the following categories:

<u>General Fund</u>	
Public Safety	\$2,595,500
General Government	1,227,500
Sanitation	1,020,000
Transportation	733,200
Cultural and Recreational	688,700
Economic and Physical Development	346,600
Debt Service	379,900
Public Works	305,700
Council Discretionary	100
	<u>\$7,297,200</u>
Transfer to Pleasant Plains/Potter Road Project Fund	<u>\$1,700,000</u>
Total Appropriations – General Fund	<u><u>\$8,997,200</u></u>
<u>Storm Water Fund</u>	
General Expenses	<u>\$515,500</u>
Total Appropriations – Storm Water Fund	<u><u>\$515,500</u></u>

SECTION 3. It is estimated that the following revenues will be available during the fiscal year beginning on July 1, 2020 and ending June 30, 2021 to meet the appropriations shown in Section 2 according to the following summary and schedules.

<u>Category</u>	
Ad Valorem Taxes, 2020-2021	\$3,626,000
Local Option Sales Tax	1,252,000
Utility Franchise Tax	802,000
Powell Bill	400,000
Motor Vehicle Taxes, 2020-2021	384,000
Investment Earnings	126,000
Beer and Wine Tax	70,000
Zoning Fees	65,000
Traffic Impact Analysis Fees	60,000
Fees in Lieu of Park Land	45,000
Taxes (ad valorem and motor vehicle), prior years	16,000
Solid Waste Disposal Tax	11,800
Rental Property	10,200
Gross Vehicle Rental	8,500
Park Rental Fees	7,000
Other Miscellaneous Revenue	7,000
Interest/Penalties/Fees on delinquent taxes and listings	6,500
Police Report Fees	3,100
Stallings Fest (vendor fees) and Program Fees	2,900
Nuisance Abatement and Civil Citations	2,400
Appropriated General Fund Balance	2,091,800
Total General Fund Revenues	<u>\$8,997,200</u>
Storm Water Fees	515,000
Storm Water Interest	500
Total Revenues	<u><u>\$9,512,700</u></u>

SECTION 4. The following amounts are hereby appropriated in the Capital Project – Pleasant Plains and Potter Road Project fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Capital Outlay	1,695,000
Testing/Geotechnical	5,000
Total Expense	<u><u>\$1,700,000</u></u>

It is estimated that the following revenues will be available in the Capital Project – Pleasant Plains and Potter Road Project fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Appropriation from General Fund	<u>\$1,700,000</u>
Total Revenue	<u><u>\$1,700,000</u></u>

SECTION 5.

- a) There is hereby levied for the fiscal year ending June 30, 2020 a tax rate of \$0.215 per one hundred dollars (\$100.00) valuation of taxable property as listed for taxes as of January 2020 for the purpose of raising the revenue for property taxes as set forth in the attached schedule of estimates of revenues and in order to finance the foregoing appropriations. Such rate is based on an estimated total appraised valuation of property for the purpose of taxation of \$1,902,922,088 at an estimated rate of collection of ninety-nine percent (98.5%).
- b) There is hereby established a Storm Water Rate Schedule for the purpose of raising revenue to fund the Storm Water program:

Residential	\$46.00/year
Non-residential (per ERU, which equals 2,060 square feet)	\$33.00/ERU/year
- c) The fees for park rentals, civil citations, zoning permits and other miscellaneous items with the Cultural and Recreational, Code Enforcement, Economic and Physical Development, and other Town departments will be in accordance to the attached schedules and effective July 1, 2020.
- d) Any fee not listed specifically herein is officially set at the rate designated by the most recent Town Council decision on the matter.

SECTION 6. The Budget Officer shall be authorized to reallocate departmental appropriations among the various objects of expenditures as deemed necessary.

SECTION 7. That before any portion of any contingency appropriation is expended, the Town Council must by resolution authorize such expenditure.

SECTION 8. Copies of this Ordinance shall be furnished to the Town Clerk to be kept on file for direction in the disbursement of funds.

SECTION 9. This ordinance shall be effective upon its adoption.

ADOPTED this the _____ day of June, 2020.

Wyatt Dunn, Mayor

Attested:

Erinn Nichols, Deputy Town Manager/Town Clerk



MEMO

To: Mayor, Town Council
Via: Town Manager
From: Marsha Gross, Finance Officer
Date: 8/3/2020
RE: FY2021 Budget Amendment #2

During the budget review meeting for FY2021, Council approved the replacement of the Police Department's body cameras and in-car cameras. At the review meetings and discussions, justification was provided and it was deemed necessary for the safety and continued operations of the department to replace the current outdated cameras.

The cost for the cameras was included in the CMIIP and on the Notable Items Listing but the cost was not included in the FY2021 Budget that was approved on June 22, 2020. Attached is Budget Amendment #2 which adds these costs to the Public Safety Department's capital expenditure budget.

Also attached is the CMIIP and Notable Items List for your review. Staff is asking Council to increase general fund appropriation for the cost of the cameras and approve Budget Amendment #2 for \$97,325 at the upcoming August 10, 2020 Council meeting. Please let me know if you have any questions.

AMENDED BUDGET ORDINANCE – NO. 2
TOWN OF STALLINGS, NORTH CAROLINA
FISCAL YEAR 2020-2021

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the estimated expenditures for the fiscal year 2020-2021 are hereby amended as set forth below:

Category	Account Number	Budgeted Amount	Amend to the Following	Net Increase or (Decrease)
<u>Revenue:</u>				
Appropriated General Fund Balance	10-99-3991-600	\$ 2,091,800	\$ 2,191,070	\$ 99,270
<u>Expense:</u>				
Public Safety Capital Expenditures	10-10-4310-099	\$ 2,586,500	\$ 2,685,770	\$ 99,270

Explanation: Amendment is to appropriate funds from General Fund Balance to the Public Safety Department for purchase and replacement of officer body cameras and in-car cameras previously approved by Town Council.

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

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

ADOPTED this the 10th day of August, 2020.

Wyatt Dunn, Mayor

Erinn Nichols, Town Clerk

Approved as to form:

Melanie Cox, Town Attorney, Cox Law Firm, PLLC

Capital Maintenance and Infrastructure Improvement Plan

Updated 5/6/2020

Adopted by Council on

\$XX,XXX

\$XX,XXX

\$XX,XXX

\$XX,XXX

Costs are accounted for in FY21 Budget (already appropriated)

Council Approved - Requires Fund Balance Appropriation

Estimated cost not included in Budget

Delayed to out years - excluded from Budget

Potential Projects	Cost	2020	2021	2022	2023	2024	2025	Comments from
Government Owned Facilities - Buildings, Council Chambers, Community House	2,317,040							
Renovate Town Hall 2nd Floor Administrative Offices - Furniture not included	372,040	372,040						
Renovate Town Hall 1st Floor Lobby Area - Paint and Flooring will be a contract amendme	25,000	25,000						
Renovate Town Hall 1st Floor Lobby Area - Amended to include doors and key fob entry o	20,000	20,000						
New Community Building - Includes Park & Rec offices and storage	1,900,000							
Land Investments	30,000							
Stallings Property - 3900 Privette Road - Use TBD possible Pocket Park - Concrete Pad and grills	10,000	10,000						
Stallings Road Property (329 Stallings Road) - Demolition - Delayed to FY20	20,000							
Downtown Property Acquisition								
Town Connectivity - Parks/Greenways/Trails	10,376,048							
Blair Mill Park	557,000							
Site Specific Plan	57,000		57,000					
Engineering	500,000				500,000			
Blair Mill Greenway (N1)	63,000							
Engineering	63,000							
Construction	-							
Blair Mill Park Implementation	4,332,448							
Phase I - Wetland Boardwalk and Environmental Education Platforms	734,679							
Phase II - Park Area	1,386,622							
Phase III - Water Lab Area	2,211,146							
Central Stallings Spine - Town Hall and Municipal Park (CS-1)	3,119,025							
Engineering	275,000					275,000		
Construction	2,844,025							
North Stallings Spine - Blair Mill Park to Stevens Mill Crossing	2,304,575							
Northern Suburban Spine	2,304,575							
Town Connectivity - Sidewalks	2,330,000							
Sidewalks:								
Lawyers Road (2A)	340,000						340,000	
Blair Mill Park to Shannamara Dr. (S-3A) - 2,600 ft. - Accounted for in Greenway MP (NS)	200,000							
Shannamara Dr. to Divide Dr. (S-3B) - 3,200 ft. - Accounted for in Greenway MP (NS)	250,000							
Divide Dr. to Greenway Ct. (S-3C) - 2,200 ft. - Accounted for in Greenway MP (NS)	350,000							
Chestnut Lane to Potter Road intersection (S-12) - Accounted for in Greenway MP (SS)	110,000							
Stallings Road from U.S. 74 to Stevens Mill Road (S-5) - Accounted for in Greenway MP (CS1))	460,000							
Smith Farm Rd. (Stallings Rd. to eoj) (S-13) - Accounted for in Greenway MP (C6)	80,000							
Campus Ridge Rd. (Old Monroe Rd. to eoj) (S-1) - Accounted for in Greenway MP (CS2)	200,000							
Lawyers Road (2B) (Buckingham to end of jurisdiction) (S-7)	340,000						340,000	

Capital Maintenance and Infrastructure Improvement Plan

Updated 5/6/2020

Adopted by Council on

\$XX,XXX

\$XX,XXX

\$XX,XXX

\$XX,XXX

Costs are accounted for in FY21 Budget (already appropriated)

Council Approved - Requires Fund Balance Appropriation

Estimated cost not included in Budget

Delayed to out years - excluded from Budget

Potential Projects	Cost	2020	2021	2022	2023	2024	2025	Comments from
Equipment	1,524,629							
Computer Equipment - Repair/Replacement Plan Annually	292,000	50,000	42,000	50,000	50,000	50,000	50,000	
Police Department - Fleet Repair/Replacement Plan Annually	669,539	115,000	77,000	115,000	117,875	120,822	123,842	
Police Department - Lexipol policy Manual and Guardian Tracking	13,500		13,500	12,000	12,000	12,000	12,000	
Police Department - Body Camera Replacement	91,748		33,776	14,493	14,493	14,493	14,493	
Police Department - In-Car Camera Replacement	176,942		65,486	27,864	27,864	27,864	27,864	
Public Works - Current Town Hall Beautification	8,000	8,000						
Public Works -HVAC Repairs/Replacement	90,000	20,000	20,000	20,000	20,000	5,000	5,000	
Public Works - Smart Meter Installation - Delayed	4,900			4,900				
Public Works - Kubota Mini Excavator with Trailer	46,000		46,000					
Public Works - Kubota 4WD Tractor (net of John Deere trade-in)	10,000		10,000					
Public Works - Dump Trailer	5,000		5,000					
Public Works - Lift for Maintenance Shop	7,000		7,000					
Public Works - Buildings and Grounds Repairs Contingency	10,000		10,000					
Public Works - Vehicle Replacement	50,000						50,000	
Park & Rec - Privette Park Playground Equipment (Cost of \$45K with a \$15K grant)	30,000		30,000					
Park & Rec - Single Post Pyramid Shades - Delayed	20,000		20,000					
Transportation	6,771,810							
Infrastructure Improvements:								
Streetscape and Signage	\$ 1,550,000							
Signage - Street Sign Change	50,000	25,000	25,000					
Welcome to Stallings & Greenway Signage - Const Documents & Monument Gateway Signa	50,000		50,000					
Highway 74 /Monroe Bypass Corridor	-							
Idlewild Corridor	400,000							
Old Monroe Road Corridor	800,000							
Stallings Elementary School Area	250,000							
Down Town Streetscape	\$ 771,810							
Phase 1 - Curb, Gutter and Parking on Stallings Road - engineering & construction	185,180							Survey, Site, Storm Water, Curb & Gutter, Paving, Striping
Phase 2 - Add Sidewalks and Streetscape - engineering & construction	178,975							Survey, Trees, Colored concrete, brick pavers, street lighting
Phase 3 - Plazas and Side Parking - engineering & construction	407,655							Survey, benches, pavers, lattice brick wall, pergola & tables, plaza lighting, planters, sculpture
Street Resurfacing - Powell Bill	\$ 2,400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	Offsets expected revenue from Powell Bill
Potter Road/Pleasant Plains Intersection	\$ 1,700,000		1,700,000					Represents construction costs - ROW completed
Chestnut /Weddington Roundabout	\$ 350,000	350,000						
Total General Government	23,349,527	\$ 1,395,040	\$ 2,611,762	\$ 644,257	\$ 1,142,232	\$ 905,179	\$ 1,363,199	

Capital Maintenance and Infrastructure Improvement Plan

Updated 5/6/2020

Adopted by Council on

\$XX,XXX

Costs are accounted for in FY21 Budget (already appropriated)

\$XX,XXX

Council Approved - Requires Fund Balance Appropriation

\$XX,XXX

Estimated cost not included in Budget

\$XX,XXX

Delayed to out years - excluded from Budget

Potential Projects	Cost	2020	2021	2022	2023	2024	2025	Comments from
Storm Water:	2,527,000							
Minor Projects	\$ 568,000	90,000	90,000	92,700	95,500	98,400	101,400	
Major Projects	\$ 1,479,000	331,000	216,200	222,700	229,400	236,300	243,400	
SW Annual Line Maintenance	\$ 360,000	60,000	60,000	60,000	60,000	60,000	60,000	Perform Annually
SW Street Sweeping	\$ 120,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	Perform Semi-annual
Total General Government and Storm Water	25,876,527	\$ 1,896,040	\$ 2,997,962	\$ 1,039,657	\$ 1,547,132	\$ 1,319,879	\$ 1,787,999	

Town of Stallings

	<i>Estimated Cost</i>	<i>Plan A</i>	<i>Plan B</i>	<i>Plan C</i>	<i>Plan D</i>
<i>Building and Space Requirement Projects</i>					
Renovation of Existing Civic Building with no changes to 2F Town Hall	\$ 618,565	✓			
Renovation and Security of Police Department Space - Plans and Construction	\$ 75,000	✓	✓	✓	✓
Build New Public Works Workshop and Seized Property Area	250,000 to 500,000	✓	✓	✓	✓
Build New Government Building (one story) - Council Chambers, Community Room and Park & Rec Offices	\$ 3,044,651		✓		
Renovation of 2F of Town Hall Administrative Offices	\$ 556,505		✓	✓	✓
Build New Government Building (2F) - Council Chambers, Community room and Parks & Rec with shell space on 2F	\$ 6,263,866			✓	
Build New Government Building (1F) - Council Chambers, Public Space and Park & Rec Staging area	\$ 1,717,156				✓
Build New Communtiy House (BARN) at Blair Mill to house Community Space for Programs/Rental, Park & Rec offices and storage	\$ 2,588,400				✓



FY 20-21 Budget Meetings Recap - Notable Items

Last Updated 5/18/2020

<u>Item</u>	<u>Dept</u>	<u>In Draft Budget?</u>	<u>Budget Amount</u>	<u>Notes</u>	<u>Council Directive</u>	<u>Net Change to Draft FY 20-21 Budget</u>
Delaying Employee Pay Step Until 1/1/20	ALL	No	\$26,779	COLA increase; Delay Pay Step to 1/1/21; Council will decide whether to authorize 1% performance bonus at second meeting in November	Add	\$26,779
329 Stallings Road Demolition	GG	No	(\$20,000)		Hold off, continue to rent to tenant	\$0
2nd Floor Renovations Furniture	GG	No	?	When cost is determined, bring to Council for determination in the future.		
1st & 2nd Floor Lobby/Bathroom Work & Door Work	GG	No	(\$56,470)	2nd Floor Updates - \$27,581 is lobby/bathroom work (Paint, carpet, and refinish hardwoods); Door + key FOB cost is \$28,889	Add for lobby/bathroom work but Get quotes for doing LVT where hardwood currently is and also entire area; replace doors next year (FY 21-22)	(\$27,581)
Virtual Office/Teleworking	GG	No	(\$9,100)	Teleworking - speed up replacement schedule and get everyone laptops (\$9.1k est. onetime hardware costs)	Staff advise to follow normal replacement schedule and replace with laptops	\$0
Historic Committee - Historical Signage	GG	No	(\$6,000)	Historical Committee Recommendation	Add	(\$6,000)
ED Plan Implementation Placeholder	GG	No	(\$40,000)		Add	(\$40,000)
Public Information Officer PIO Position	GG	No	(\$84,265)	\$60k salary per NCLM survey + benefits + \$2k misc (computer, etc.)	No	\$0
Police Vehicle Replacement (2)	PD	Yes	(\$77,000)		Keep	\$0
Lexipol Policy Manual & Guardian Tracking	PD	Yes	(\$13,500)		Keep	\$0
Body Camera Replacement	PD	Yes	(\$33,776)	Phased over 5 Years	Keep	\$0
In-Car Camera Replacment	PD	Yes	(\$65,486)	Phased over 5 Years	Keep	\$0
ICMA Workload Study	PD	Yes	(\$38,000)		Remove, consider in the future	\$38,000
CALEA Accreditation Fee	PD	Yes	(\$4,000)	All other costs such as contractor or p/t accreditation manager can be accomplished with existing funds.	Keep	
Smart Meter Installation	PW	No	(\$4,900)		No	\$0
Kubota Mini Excavator with Trailer	PW	Yes	(\$34,000)	Net \$10k of Trade-in of John Deere Tractor	Keep	\$0
Kubota 4WD Tractor	PW	Yes	(\$10,000)		Remove	\$10,000

Dump Trailer	PW	Yes	(\$5,000)		Keep	\$0
Lift for Maintenance Shop	PW	Yes	(\$7,000)		Remove	\$7,000
Building and Grounds Repairs Contingency	PW	No	(\$20,000)	Will do a budget amendment if funds needed	No	\$0
Blair Mill Park - Upgrades & Maintenance	P/R	No	(\$20,000)	Do any maintenance repairs and add upgrades (benches, trash cans, etc) as deemed appropriate by P/R Director and budget amount allows	Add	(\$20,000)
Privette Park - Playground Equipment	P/R	No	(\$30,000)		No	\$0
Pyramid Shades for Stallings Park	P/R	No	(\$20,000)		Add	(\$20,000)
Cut and Reduce Several Events, Increase Programs	P/R	No	\$9,000		Add	\$9,000
Convert P/T into F/T Position	P/R	Yes	(\$26,000)		Keep	\$0
Blair Mill Park - Site Specific Plan	P/R	Yes	(\$57,000)	Move to FY 21-22 in CMIIP	Remove	\$57,000
Farmers Market Startup Budget	P/R	No	(\$3,000)		Add	(\$3,000)
Farmers Market Future Infrastructure Placeholder	P/R	No	(\$30,000)	Note: est. projected savings of \$20 to \$25k savings due to cancelled events in FYE 20	Add	(\$30,000)
Vickery Greenway Trail Construction	P/R	No	?	Under design, cost being developed		
Street Signage Replacement	TR	Yes	(\$25,000)		Keep	\$0
Monument Gateway Signage Design	TR	No	(\$50,000)		Add	(\$50,000)
Decrease in Ad Valorem Revenue	GG			Per state statute	Add	(\$10,000)
Audit Fee Increase	GG		(\$50,000)	Single Audit for SW being over \$500K	Add	(\$400)

TOTAL NET CHANGE	(\$59,202)
Updated Contingency	(\$57,402)
Fund Balance Approp	\$60,000
Updated Contingency	\$2,598
Rounded	\$2,600

Color Key

Color indicates Council Priority
Color indicates Not In Draft Budget or blue w/o bold text
Bold indicates in draft budget

Potential Action Options:

I make a motion to include <insert item> in the FY 2020-21 Budget in the amount of <insert amount>

I make a motion to remove <insert item> in the FY 2020-21 Budget.



Department Budget Meeting Recap

Last Updated 5/6/2020

Item	Dept	In Draft Budget?	Budget Amount	Notes	Council Directive	Net Change to Draft FY 20-21 Budget
329 Stallings Road Demolition	GG	No	\$20,000		Hold off, continue to rent to tenant	\$0
2nd Floor Renovations Furniture	GG	No	?	Cost being developed		
2nd and First Floor Lobby Work & Doors	GG	No	?			
Virtual Office	GG	No	?	Cost being developed		
Historic Committee - Historical Signage	GG	No	\$6,000			
ED Plan Implementation Placeholder	GG	No	\$40,000			
Public Information Officer PIO Position	GG	No				
Blair Mill Park - Site Specific Plan	P/R	Yes	\$57,000			
Police Vehicle Replacement (2)	PD	Yes	\$77,000			
Lexipol Policy Manual & Guardian Tracking	PD	Yes	\$13,500			
Body Camera Replacement	PD	Yes	\$33,776	Phased over 5 Years		
In-Car Camera Replacment	PD	Yes	\$65,486	Phased over 5 Years		
ICMA Workload Study	PD	Yes	\$38,000		Remove, consider in the future	\$38,000
CALEA Accreditation Fee	PD	Yes	\$4,000	All other costs such as contractor or p/t accreditation manager can be accomplished with existing funds.		
Smart Meter Installation	PW	No	\$4,900			
Kubota Mini Excavator with Trailer	PW	Yes	\$34,000	Net \$10k of Trade-in of John Deere Tractor		
Kubota 4WD Tractor	PW	Yes	\$10,000		Remove	\$10,000
Dump Trailer	PW	Yes	\$5,000			
Lift for Maintenance Shop	PW	Yes	\$7,000		Remove	\$7,000
Building and Grounds Repairs Contingency	PW	No	\$20,000			
Privette Park - Playground Equipment	P/R	No	\$30,000			
Pyramid Shades for Stallings Park	P/R	No	\$20,000			
Cut and Reduce Several Events, Increase Programs	P/R	No	(\$9,000)			
Convert P/T into F/T Position	P/R	Yes	\$26,000			
Farmers Market Startup Budget	P/R	No	\$3,000			
Farmers Market Future Infrastructure Placeholder	P/R	No	\$30,000			
Vickery Greenway Trail Construction	P/R	No	?	Under design, cost being developed		
Street Signage Replacement	TR	Yes	\$25,000			
Monument Gateway Signage Design	TR	Yes	\$50,000			\$0
TOTAL NET CHANGE						\$55,000

Color Key

- Indicates Council Priority
- Indicates In Draft Budget
- Bold indicates in draft budget**

Potential Action Options:

- I make a motion to include <insert item> in the FY 2020-21 Budget in the amount of <insert amount>.
- I make a motion to remove <insert item> in the FY 2020-21 Budget.

Updated Contingency

\$56,800



MEMO

To: Alex Sewell, Town Manager
From: Dennis Franks, Chief of Police
Date: 8/3/2020
RE: Body Camera/In car camera purchase information

I submitted a budget request to purchase new in car and body worn cameras due to the fact that our current system has experienced a number of critical failures and have come to the end of their functional lifespan.

The following is a breakdown of the two systems cost:

The total dash camera price is \$176,941. This price spread out over five (5) years and includes a discount of \$16,000. The first-year cost is \$65,485 and subsequent four years cost \$27,864. This cost includes installation of the 18 dash cameras, unlimited cloud-based storage and replacement of all 18 dash cameras at five (5) years with the newest model.

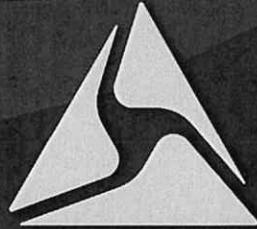
The body worn camera price is \$81,413. This price is spread out over five (5) years and includes a discount of \$7000. The first-year cost is \$26,141 and subsequent four (4) year cost of \$13,818. This cost includes 26 body worn cameras, docking stations for all cameras, training on use, cloud-based storage and all body worn cameras will be replaced every 2.5 years with the newest model.

Pursuant to NCGS 143-129 (e)(3) the Town is purchasing these cameras because this vendor is part of multiple national purchasing contracts. The exemption in state statute says, *Purchases made through a competitive bidding group purchasing program, which is a formally organized program that offers competitively obtained purchasing services at discount prices to two or more public agencies.* Our formal price quote is directly from Axon the quote does not exceed the pricing in the Charlotte Cooperative Purchasing Alliance contract with Axon. This is a cooperative purchasing program established by the City of Charlotte with the specific purpose of reducing procurement costs by leveraging aggregate purchasing volume to receive better pricing.

The formal quotes from Axon, which outlines equipment, cloud storage, installation and assurance plans are attached with this memo.

Respectfully submitted,

Dennis Franks



AXON

Stallings Police Department - NC

AXON SALES REPRESENTATIVE

Joe McKinney

jmckinney@axon.com

ISSUED

7/23/2020

Q-262147-44035.933JM

1



Axon Enterprise, Inc.
 17800 N 85th St.
 Scottsdale, Arizona 85255
 United States
 Phone: (800) 978-2737

Q-262403-44035.933JM

Issued: 07/23/2020

Quote Expiration: 08/15/2020

Account Number: 204311

Payment Terms: Net 30
 Delivery Method: Fedex - Ground

SHIP TO

Dennis Franks
 Stallings Police Department - NC
 315 STALLINGS ROAD
 Stallings, NC 28104
 US

BILL TO

Stallings Police Department - NC
 315 STALLINGS ROAD
 Stallings, NC 28104
 US

SALES REPRESENTATIVE

Joe McKinney
 Phone:
 Email: jmckinney@axon.com
 Fax:

PRIMARY CONTACT

Dennis Franks
 Phone: (704) 821-0303
 Email: dfranks@stallingsnc.org

Year 1

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
80217	FLEET 2 UNLIMITED WITH TAP PAYMENT	12	18	1,548.00	1,548.00	27,864.00
Hardware						
11634	CRADLEPOINT IBR900-1200M-NPS+5 YEAR NETCLOUD ESSENT (PRIME)		18	1,509.00	1,509.00	27,162.00
71200	FLEET ROUTER ANTENNA, COMPACT 5-IN-1, BLACK		18	270.00	270.00	4,860.00
80214	FLEET EVIDENCE.COM UNLIMITED STORAGE	60	18	0.00	0.00	0.00
71088	AXON FLEET 2 KIT		18	0.00	0.00	0.00
87069	TECH ASSURANCE PLAN FLEET 2 KIT WARRANTY		18	0.00	0.00	0.00
74110	CABLE, CAT6 ETHERNET 25 FT, FLEET		18	0.00	0.00	0.00
71100	CABLE ASSEMBLY, POWER HARNESS, FLEET 2		18	0.00	0.00	0.00
Other						
87050	FLEET VIEW XL ACCESS LICENSE	60	18	0.00	0.00	0.00

Year 1 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Services						
74063	STANDARD FLEET INSTALLATION (PER VEHICLE)		18	1,200.00	311.11	5,599.98
					Subtotal	65,485.98
					Estimated Shipping	0.00
					Estimated Tax	4,420.31
					Total	69,906.29

Year 2

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
80217	FLEET 2 UNLIMITED WITH TAP PAYMENT	12	18	1,548.00	1,548.00	27,864.00
					Subtotal	27,864.00
					Estimated Tax	1,880.82
					Total	29,744.82

Year 3

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
80217	FLEET 2 UNLIMITED WITH TAP PAYMENT	12	18	1,548.00	1,548.00	27,864.00
					Subtotal	27,864.00
					Estimated Tax	1,880.82
					Total	29,744.82

Year 4

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
80217	FLEET 2 UNLIMITED WITH TAP PAYMENT	12	18	1,548.00	1,548.00	27,864.00
					Subtotal	27,864.00
					Estimated Tax	1,880.82
					Total	29,744.82

Year 5

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
80217	FLEET 2 UNLIMITED WITH TAP PAYMENT	12	18	1,548.00	1,548.00	27,864.00

Year 5 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Other						
73335	FLEET CAMERA REFRESH (ONE FRONT AND ONE REAR)		18	0.00	0.00	0.00
					Subtotal	27,864.00
					Estimated Tax	1,880.82
					Total	29,744.82
Grand Total						188,885.57



Discounts (USD)

Quote Expiration: 08/15/2020

List Amount	192,942.00
Discounts	16,000.02
Total	176,941.98

**Total excludes applicable taxes*

Summary of Payments

Payment	Amount (USD)
Year 1	69,906.29
Year 2	29,744.82
Year 3	29,744.82
Year 4	29,744.82
Year 5	29,744.82
Grand Total	188,885.57

Tax is subject to change at order processing with valid exemption.

Axon's Sales Terms and Conditions

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at www.axon.com/legal/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature: _____ Date: _____
Name (Print): _____ Title: _____
PO# (Or write N/A): _____

Please sign and email to Joe McKinney at jmckinney@axon.com or fax to

Thank you for being a valued Axon customer. For your convenience on your next order, please check out our online store buy.axon.com

The trademarks referenced above are the property of their respective owners.

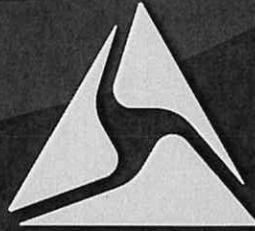
Axon Internal Use Only		
		SFDC Contract #: Order Type: RMA #: Address Used: SO #:
Review 1	Review 2	
Comments:		



ATTENTION

This order may qualify for freight shipping, please fill out the following information.

What is the contact name and phone number for this shipment?	
What are your receiving hours? (Monday-Friday)	
Is a dock available for this incoming shipment?	
Are there any delivery restrictions? (no box trucks, etc.)	



AXON

Stallings Police Department - NC

AXON SALES REPRESENTATIVE
Joe McKinney

jmckinney@axon.com

ISSUED
7/23/2020



Axon Enterprise, Inc.
 17800 N 85th St.
 Scottsdale, Arizona 85255
 United States
 Phone: (800) 978-2737

Q-262147-44035.933JM

Issued: 07/23/2020

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SHIP TO

Dennis Franks
 Stallings Police Department - NC
 315 STALLINGS ROAD
 Stallings, NC 28104
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BILL TO

Stallings Police Department - NC
 315 STALLINGS ROAD
 Stallings, NC 28104
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SALES REPRESENTATIVE

Joe McKinney
 Phone:
 Email: jmckinney@axon.com
 Fax:

PRIMARY CONTACT

Dennis Franks
 Phone: (704) 821-0303
 Email: dfranks@stallingsnc.org

Year 1

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	60	9	0.00	0.00	0.00
73746	PROFESSIONAL EVIDENCE.COM LICENSE	60	3	0.00	0.00	0.00
73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	60	20	0.00	0.00	0.00
73840	EVIDENCE.COM BASIC ACCESS LICENSE	60	20	0.00	0.00	0.00
73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	60	250	0.00	0.00	0.00
Hardware						
74001	AXON CAMERA ASSEMBLY, ONLINE, AXON BODY 2, BLK		26	522.00	250.09	6,502.34
74008	AXON DOCK, 6 BAY + CORE, AXON BODY 2		3	1,563.00	1,563.00	4,689.00
70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK		3	43.90	43.90	131.70
74022	SM POCKET MOUNT, 4 IN, AXON RAPIDLOCK		28	0.00	0.00	0.00
11553	SYNC CABLE, USB A TO 2.5MM		26	0.00	0.00	0.00
87064	TECH ASSURANCE PLAN BODY 2 CAMERA WARRANTY	60	26	0.00	0.00	0.00
87065	TECH ASSURANCE PLAN BODY 2 CAMERA PAYMENT	12	26	252.00	252.00	6,552.00

Year 1 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware (Continued)						
87054	TECH ASSURANCE PLAN 6-BAY BODY 2 DOCK WARRANTY	60	3	0.00	0.00	0.00
87055	TECH ASSURANCE PLAN 6-BAY BODY 2 DOCK PAYMENT	12	3	354.00	354.00	1,062.00
Other						
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	468.00	1,404.00
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	20	180.00	180.00	3,600.00
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	250	4.80	4.80	1,200.00
Services						
80146	VIRTUAL BODYCAM STARTER		1	1,000.00	1,000.00	1,000.00
					Subtotal	26,141.04
					Estimated Shipping	0.00
					Estimated Tax	1,278.26
					Total	27,419.30

Year 2

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
87065	TECH ASSURANCE PLAN BODY 2 CAMERA PAYMENT	12	26	252.00	252.00	6,552.00
87055	TECH ASSURANCE PLAN 6-BAY BODY 2 DOCK PAYMENT	12	3	354.00	354.00	1,062.00
Other						
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	468.00	1,404.00
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	20	180.00	180.00	3,600.00
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	250	4.80	4.80	1,200.00
					Subtotal	13,818.00
					Estimated Tax	513.95
					Total	14,331.95

Year 3

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
87065	TECH ASSURANCE PLAN BODY 2 CAMERA PAYMENT	12	26	252.00	252.00	6,552.00
87055	TECH ASSURANCE PLAN 6-BAY BODY 2 DOCK PAYMENT	12	3	354.00	354.00	1,062.00
Other						
73309	AXON CAMERA REFRESH ONE		26	0.00	0.00	0.00
73689	MULTI-BAY BWC DOCK 1ST REFRESH		3	0.00	0.00	0.00
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	468.00	1,404.00
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	20	180.00	180.00	3,600.00
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	250	4.80	4.80	1,200.00
					Subtotal	13,818.00
					Estimated Tax	513.95
					Total	14,331.95

Year 4

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
87065	TECH ASSURANCE PLAN BODY 2 CAMERA PAYMENT	12	26	252.00	252.00	6,552.00
87055	TECH ASSURANCE PLAN 6-BAY BODY 2 DOCK PAYMENT	12	3	354.00	354.00	1,062.00
Other						
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	468.00	1,404.00
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	20	180.00	180.00	3,600.00
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	250	4.80	4.80	1,200.00
					Subtotal	13,818.00
					Estimated Tax	513.95
					Total	14,331.95

Year 5

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
87065	TECH ASSURANCE PLAN BODY 2 CAMERA PAYMENT	12	26	252.00	252.00	6,552.00
87055	TECH ASSURANCE PLAN 6-BAY BODY 2 DOCK PAYMENT	12	3	354.00	354.00	1,062.00
Other						
73310	AXON CAMERA REFRESH TWO		26	0.00	0.00	0.00
73688	MULTI-BAY BWC DOCK 2ND REFRESH		3	0.00	0.00	0.00
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	468.00	1,404.00
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	20	180.00	180.00	3,600.00
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	250	4.80	4.80	1,200.00
					Subtotal	13,818.00
					Estimated Tax	513.95
					Total	14,331.95
Grand Total						84,747.10



Discounts (USD)

Quote Expiration: 07/31/2020

List Amount	88,482.70
Discounts	7,069.66
Total	81,413.04

**Total excludes applicable taxes*

Summary of Payments

Payment	Amount (USD)
Year 1	27,419.30
Year 2	14,331.95
Year 3	14,331.95
Year 4	14,331.95
Year 5	14,331.95
Grand Total	84,747.10

Tax is subject to change at order processing with valid exemption.

Axon's Sales Terms and Conditions

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at www.axon.com/legal/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature:	_____	Date:	_____
Name (Print):	_____	Title:	_____
PO# (Or write N/A):	_____		

Please sign and email to Joe McKinney at jmckinney@axon.com or fax to

Thank you for being a valued Axon customer. For your convenience on your next order, please check out our online store buy.axon.com

The trademarks referenced above are the property of their respective owners.

Axon Internal Use Only		
		SFDC Contract#: Order Type: RMA #: Address Used: SO #:
Review 1	Review 2	
Comments:		



**PLANNING
& ZONING**
TOWN of STALLINGS

APPLICATION *CZ20.06.01*

Liquid Management

Outdoor Vehicle Storage
with maintenance building

Pre-Public Hearing Staff Analysis + July 2020

PROJECT SUMMARY

Location

100 Sherin Lane

Required Setbacks

Front: apx. 40'

Side: 0'; 20' b/t bldgs

Rear: 12'

Ownership

Ruby McLeod

Site/Project Size

3.55 acres

Zoning

C-74

Traffic Generation

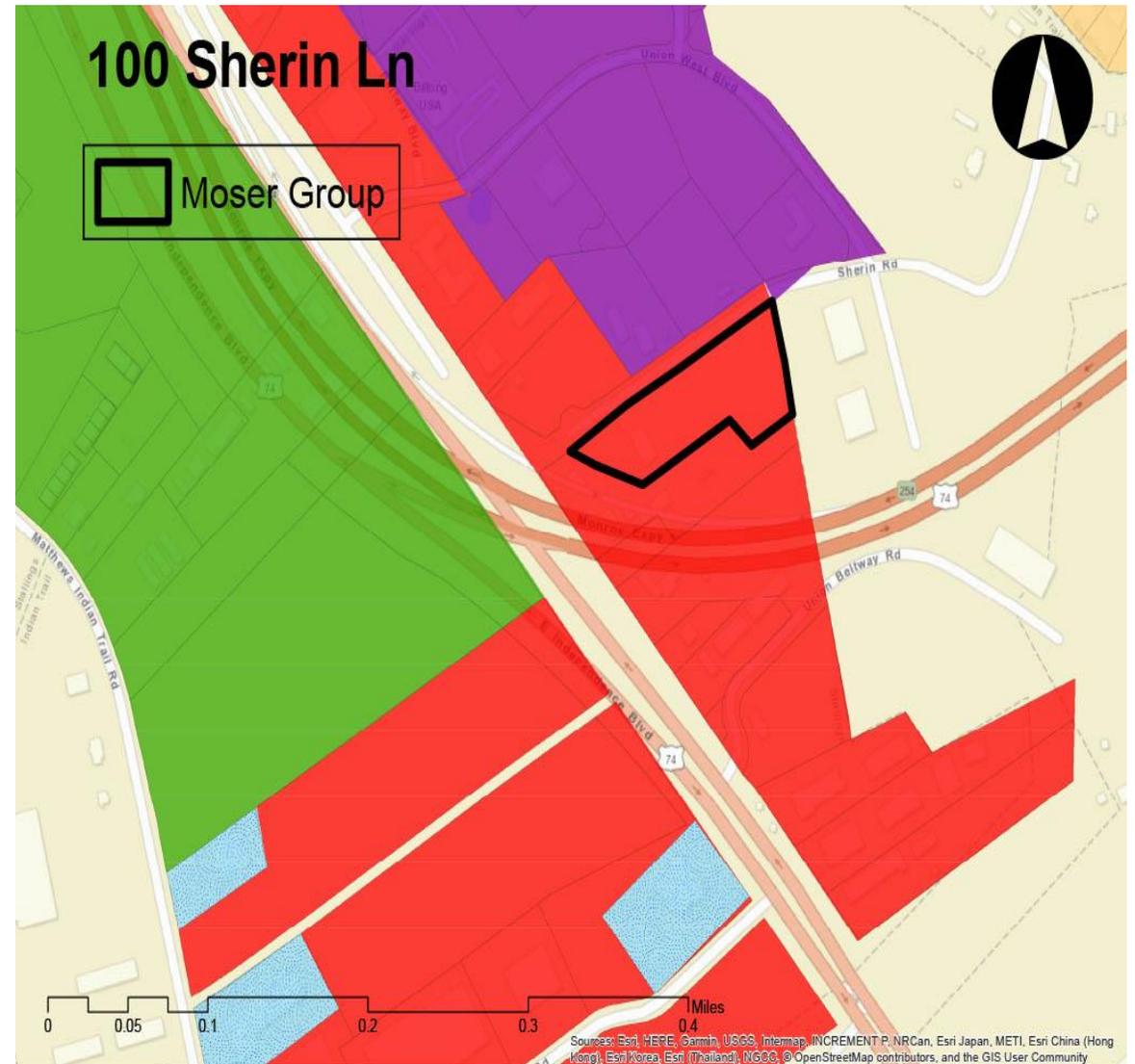
No TIA Required

Existing Use

Automotive Body Shop

Community Meeting

6/17/2020



PROJECT AREA

GoMaps



July 14, 2020

1:10,112
0 0.075 0.15 0.3 mi
0 0.125 0.25 0.5 km
Source: Esri, Maxar, GeoEye, Earthstar, Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS

Request

Conditional Zoning:

1. Outdoor Vehicle Storage
2. Maintenance Building in existing structure on property
3. Permission for parking lot to be gravel



100 Sherin Ln
Stallings, North Carolina
[View on Google Maps](#)



Current Conditions



Current Conditions



PROJECT AREA



PROJECT AREA



TREES, VEGETATION AND STORMWATER

Tree Save (Article 11.8-2)

1.5% of lot area = .015 acres

Buffers (Article 11.1)

N/A adjacent to C-74 and Industrial uses

Type D where adjacent to LI

VUA Plantings

Parking lot screening

Stormwater Management and PCO

Existing building and parking area. No new impervious surface

Open Space %

Required: .075 acres

LAND USE PLAN AND ADOPTED POLICIES

Land Use Plan

The Land Use Plan shows the property as ***Suburban Office Complex.***

Primary Land Uses: Multi-Tenant Professional Office, Corporate Office, Medical Office, Call Center . Research and Development

Secondary Land Uses: Bank • Copy and Printing Services, Restaurants, Government Services, Flex Space, Natural Areas, Stormwater Retention

Small Area Plan

N/A

Consistency

The proposed request is inconsistent with the Stallings Comprehensive Land Use Plan

Form & Parameters (Land Use Plan)

General Development Pattern	Separate Uses
Typical Lot Coverage	20 – 40%
Residential Density	N/A
Non-Residential Intensity	0.20 - 1.0 FAR
Prevailing Building Height	1 - 3 Stories
Average Dwelling Unit Size	N/A
Avg. Non-Resid. Building	Size 10,000 –
200,000 SF Transportation Choices	Auto
Typical Block Length	800 – 1,200 LF
Open Space Elements	Pocket
Parks/Landscape	Buf ers
Street Pattern	Curvilinear Street
Connectivity	Low
Parking Provisions	Surface Lot
Typical Street	Cross Section
Suburban	

STAFF COMMENTS AND OUTSTANDING ISSUES

Planning Department

1. No TIA required.
2. Parking –
 - Must be solid surface
 - Must be screened by opaque fencing and landscaping
3. Landscaping ordinance requirements
 - Buffer Type C – required where adjacent to LI
 - Buffer Type D – required along parking lot perimeter.
 - VUA – for every 1500 sq.ft. of vehicle use area 1 deciduous tree and 4 shrubs are required.

Police

No concerns

Fire

No concerns

Public Works

No Change or Impact

COMMUNITY MEETING

Meeting: 6/17/2020

No one from the public attended the meeting or submitted comments in writing concerning the proposed project.

Planning Board

- Recommendation: Approval

SUMMARY OF SUGGESTED CONDITIONS

1. Approval is limited to the requested Vehicle Parking/Storage and Maintenance Building Use.
2. Warehouse use will be limited to the existing building on site.
3. Any new structures built on the site will need to receive conditional zoning approval from the Town.
4. All junk and abandoned vehicle's will be removed from the site and property cleaned up prior to the issuance of a grading/tree permit for the proposed parking lot.
5. A landscape plan showing compliance with
6. A landscape plan showing the enhancement of the property frontage along Richard Baker Drive will be submitted, reviewed by Staff and approved by the Planning Board prior to the issuance of a zoning permit on the site.



CZ20.06.01

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, approval of the requested conditional zoning to allow property located at 100 Sherin Lane to allow for an outside vehicle storage lot and maintenance building for The Moser Group. The subject property is located on PID#07102161A and is consistent with the 2017 Stallings Land Use Plan; and,

WHEREAS, the proposed change in use will promote the desired clean up of properties in the Monroe Bypass corridor; and,

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF STALLINGS DO
ORDAIN THE APPROVAL OF THE REQUESTD CZ20.06.01 TO ALLOW FOR THE
PROPOSED USE OF OUTDOOR VECHILE STROAGE AND MAINTENACE
BUILDING IN THE EXISING BUILDING ON SITE.

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the _th day of _____, 2020.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



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.

CONDITIONAL ZONING: CZ20.06.01

REQUEST:

A request for conditional zoning on property located at 100 Sherin Lane to allow for an outside vehicle storage lot and maintenance building for The Moser Group. The subject property is located on PID#07102161A

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 August 10, 2020 meeting 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

APPLICATION *CZ20.06.02*

True Homes

PROPOSED 46-LOT
Townhome Subdivision

Pre-Public Hearing Staff Analysis + July 2020

PROJECT SUMMARY

Location

Matthews Indian Trail Rd
near Vicky Lane

Ownership

Ricky C. Strawn

Zoning

SFR-3

Existing Use

Single-Family
Residence

Proposed Setbacks

Front: 21' MIT; 16' interior
Side: 0'; 20' b/t bldgs
Rear: 12'

Site/Project Size

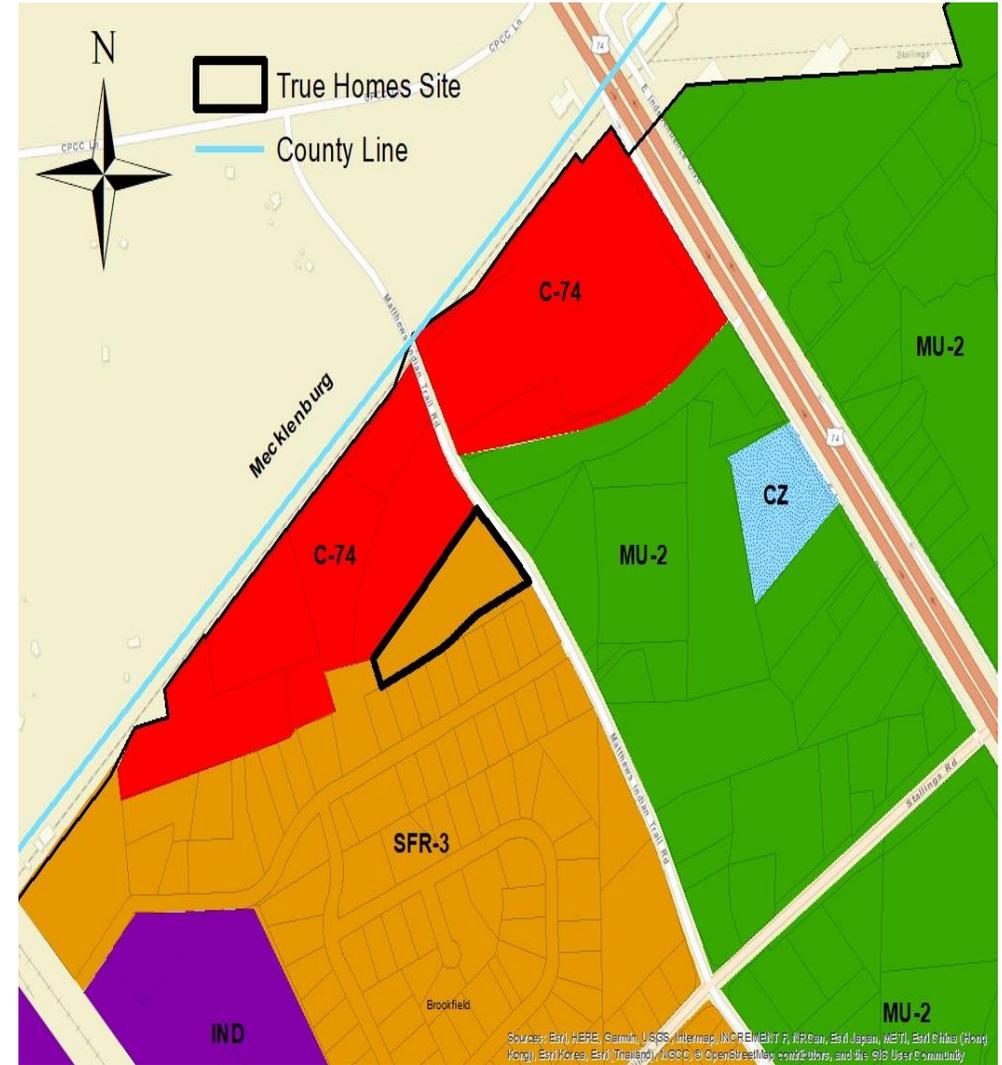
3.79 acres

Traffic Generation

No TIA Required

Community Meeting

6/17/2020



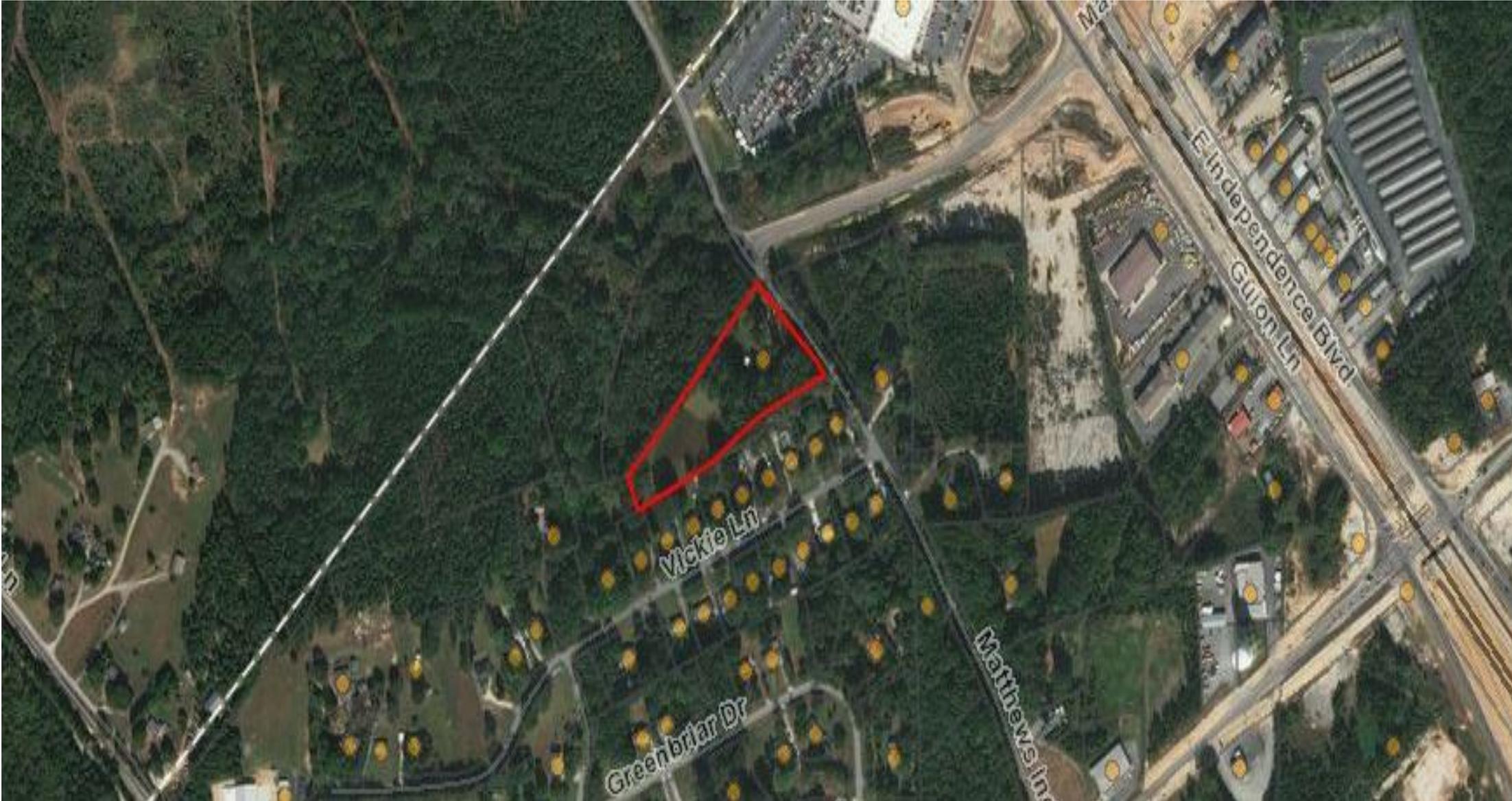
Background

- January 13, 2020 – Denied
- May 15, 2020 - Resubmitted

Article 5.3-4 Waiting period for subsequent applications.

(A.) Waiting period - general. When an application for a zoning map amendment has been approved or denied by the Stallings *Town Council*, no application including the same property shall be accepted or considered within four (4) months after the date of the approval or denial. This restriction shall apply regardless of whether or not the new application is for a zoning classification different from the original application.

PROJECT AREA



PROJECT AREA



PROJECT AREA



PROJECT AREA

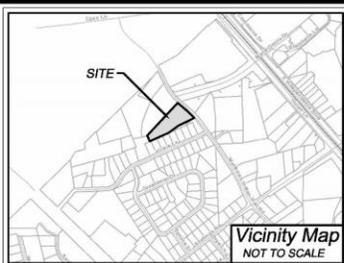


PROJECT AREA



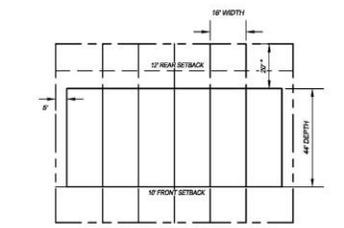
CLOSE PROXIMITY TO MARIE GARRIS



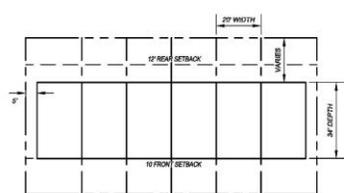


SITE AND DEVELOPMENT DATA

JURISDICTION	STALLINGS
TAX PARCEL(S)	07128043A
SITE ADDRESS	2916 MATTHEWS-INDIAN TRAIL ROAD
ZONING	SRF-3 SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING	MU-2 MIXED USE
SMALL AREA	NONE
USE CLASSIFICATION	RESIDENTIAL
TOTAL AREA	+/- 3.79 ACRES
AREA IN LOTS	1.80 ACRES (80,573 SF.) - 48 TOTAL LOTS
COMMON AREA	-
RIGHT-OF-WAY (PUBLIC)	-
RIGHT-OF-WAY (PUBLIC - ALLEYS)	-
RIGHT-OF-WAY (NCDDOT)	-
PROPOSED IMPERVIOUS SETBACKS FOR MU-2 DISTRICT	-
MINIMUM FRONT SETBACK	37' MAIN STREET / 19' SECONDARY STREET
MINIMUM CORNER/REAR SETBACK	0'
MINIMUM REAR SETBACK	12'
MINIMUM LOT SIZE	N/A
MINIMUM LOT WIDTH	N/A
MAXIMUM PERMITTED BUILDING HEIGHT	10'



TYPICAL BUILDING / LOT LAYOUT
 * BUILDING IS SETBACK 30' TO ALLOW FOR AN 18 DEEP PARKING PAD WITH 2' OF CLEARANCE TO THE FACE OF BUILDING

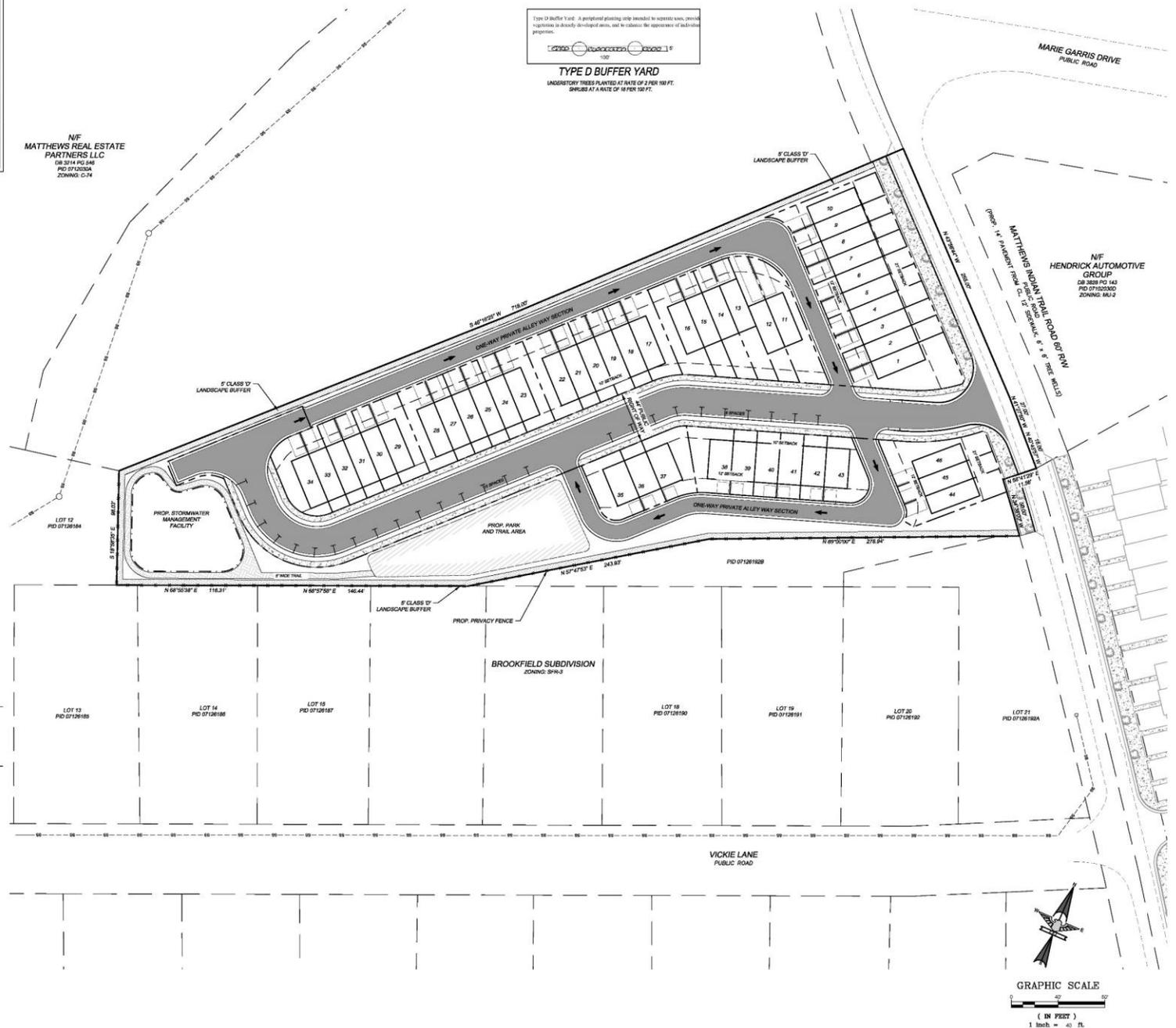
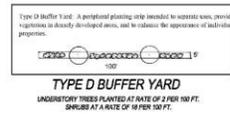


TYPICAL 20' BUILDING / LOT LAYOUT
 * BUILDING IS SETBACK 12' TO ALLOW FOR AN 18 DEEP PARKING PAD WITH 2' OF CLEARANCE TO THE FACE OF BUILDING

GENERAL PROVISIONS:

- DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THIS CONDITIONAL ZONING PLAN, DEVELOPMENT STANDARDS, AND THE APPLICABLE PROVISIONS OF THE TOWN OF STALLINGS UNIFIED DEVELOPMENT ORDINANCE (UDO).
- THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, AND OTHER SITE ELEMENTS SET FORTH ON THE ZONING SITE PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT AND SITE ELEMENTS PROPOSED AND MAY BE ALTERED SUBJECT TO APPROVAL BY THE ZONING ADMINISTRATOR.
- ZONING IS TO BE CHANGED FROM SRF-3 TO MU-2.

N/F
 MATTHEWS REAL ESTATE
 PARTNERS LLC
 DB 3014 P.O. BOX
 P.O. 07128028A
 ZONING: C-14



NO.	DATE	BY	REVISION

2916 MATTHEWS INDIAN TRAIL ROAD (3.79 AC.)
 For the Benefit of
 TRUE HOMES, LLC
 TOWN OF STALLINGS, UNION CO., N.C.

FENWICK COMMONS REZONING SITE PLAN

DESIGNED BY	SUP	DATE	05-26-2019
DRAWN BY	SUP		
CHECKED BY	MCK		
IN CHARGE			

PRELIMINARY
 NOT FOR
 CONSTRUCTION

REZ-1

TREES, VEGETATION AND STORMWATER

Tree Save (Article 11.8-2)

1.5% of lot area = .057 acres

Buffers (Article 11.1)

30' will be required

(Type B buffer between MU and SFR)

Street Trees(Article 11.6-3)

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

Stormwater Management and PCO

TBD

Open Space %

Required: 7.5% or .28 Acres

Proposed Elevations



LAND USE PLAN AND ADOPTED POLICIES

Land Use Plan

The Land Use Plan shows the property as ***Walkable Activity Center.***

Primary Land Uses: Sit down restaurant, community-serving retail, professional office, live/work/shop units, townhome, condo, apartment, public plaza, movie theater.

Secondary Land Uses: Farmer's market, church

Small Area Plan

N/A

Consistency

The proposed development is single family attached with a density of apx. 11.61 units/acre and meets the form and parameters established by the CLUP.

Form & Parameters (Land Use Plan)

General Development Pattern:	Mix of Uses
Typical Lot Coverage:	50 – 75%
Residential Density:	10–30 DU/ac
Non-Residential Intensity:	0.50 – 2.00 FAR
Prevailing Building Height:	1 – 5 stories
Average Dwelling Unit Size:	800 - 1,500 sf
Transportation Choices:	Auto, Walking, Bicycle, Transit
Typical Block Length:	400 – 1,000 lf
Open Space Elements:	Neighborhood Parks/Plazas/ Pocket Parks
Street Pattern:	Modified Grid
Street Connectivity:	High
Parking Provisions:	Surface Lot / Parking Deck
Typical Street Cross Section:	Urban

STAFF COMMENTS AND OUTSTANDING ISSUES

Planning Department

1. No TIA required.
2. Stallings Development Ordinance requires sidewalks on both sides of street.
3. Compliance with DO Article 9.2 (A) needs to be shown.
 1. Crawl Spaces required;
 2. Max building coverage for principle structure may not exceed 30% of the lot area.

Police

No concerns

Fire

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

Schools (Sun Valley Cluster)

Report Attached

Parks and Recreation

No Comments

Public Works

TBD

COMMUNITY MEETING

Meeting: 6/17/2020

Concerns Raised by Residents at Community Meeting:

- Impact to Property Values
- Traffic
- Fountain in pond
- Fence or wall along Vickie Lane property line – Neighbors want an 8' wall.
- Security during construction

Planning Board

- Recommendation – Denial
 - Concerned with proposed development being highest and best use of property.

SUMMARY OF SUGGESTED CONDITIONS

1. Townhome project limited to 46 lots.
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. Lot Coverage and Density will be permitted per the concept plan submitted as a part of the application.
4. The appropriate road cross section as identified by the Monroe Bypass SAP Thoroughfare plans will be provided on Matthews Indian Trail Road.
5. The 30' property boundary buffer will remain undisturbed.
6. An 8' vinyl privacy fence will be placed along the eastern property line where adjacent to single family properties located on Vickie Lane. This fence will be installed by True Homes and maintained by the Fenwick Commons property owner's association.
7. The interior roads will meet the 50' right-of-way as required by Town standards.
8. Architecture elements will include hardiplank (cementitious siding product), brick and/or stone. Vinyl siding will not be permitted as a main building material but will be permitted as window and roof trim material.
9. Requirements established for single family attached house type per Article 9.3 of the Stallings Development Ordinance will be met.
10. Open space will meet requirements of Article 21 of the Stallings Development Ordinance.
11. Porches will be extended to be more representative of porches. Final building elevations will be approved by the Planning Board.
12. A fountain will be provided in the wetpond.



CZ20.06.02

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 property located at 2916 Matthews Indian Trail Road to allow for the development of a 46-unit single family attached community. The subject property is located on PID#07126043A and is consistent with the 2017 Stallings Land Use Plan; and,

WHEREAS, the proposed change in use will promote the goal of promoting a mix of housing density in the Monroe Bypass corridor; and,

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF STALLINGS DO
ORDAIN THE APPROVAL OF THE REQUESTD CZ20.06.02 TO ALLOW FOR THE
PROPOSED USE OF A 46-UNIT TOWNHOME COMMUNITY.

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the _th day of _____, 2020.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



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.

CONDITIONAL ZONING: CZ20.06.02

REQUEST:

A request for conditional zoning on property located at 2916 Matthews Indian Trail Road to allow for a 46-unit single family attached development. The subject property is located on PID#07126043A.

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 August 10, 2020 meeting 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



MEMO

To: Town Council
From: Lynne Hair, Planning Director
Date: July 30, 2020
RE: TX20.06.01 – Orissa Holdings. Request to amend Development Ordinance Article 9.3-3(A) to increase the permitted height for single family attached housing from 25' to 45' for projects located within the Monroe Bypass Small Area Plan.

Application Request:

“This proposal is to amend the attached residential restrictions set forth in Article 9.3-3 (A). The current IUDO restricts this height to a maximum of 25 feet above finished grade to the median roof height. This height restriction allows for a 2-story townhome but not a 3-story townhome, which is a common product used in conjunction with a 2-car garage. With the current height restriction, no garage townhomes would be feasible since the vast majority of the first floor is space allotted toward the garage. This request is to increase the maximum height for attached residential homes to 45 feet above finished floor grade to the median roof height. This increase allows for a third floor, potential stoops when entering the home, potential 10' ceilings on all three floors, as well as reasonable extra height for roof pitch to accommodate a wide-ranging number of potential product depths. Please note, the development agreement that this amendment is in direct support of was previously approved through the development agreement with a three-story townhome product. In addition, the current Udo does allow other buildings within the MU-2 zoning, specifically shop front building types and urban workplace building types both with residential second and third floors to reach a maximum of 45' (Article 9.6-3(A) and 9.7-3(A).”

Suggested Amendment:

9.3-3 Attached House Building Type

(A) Permitted Height and Encroachments.

(1) Building heights shall be measured as the vertical distance from the mean elevation of the finished grade to a point representing the midpoint of the peak and eave heights. **Building height shall be limited to 25', except for projects located in the MU-2 district and shown within the Monroe Bypass Small Area Plan shall limited to 45'.**

Justification of Request:

1. The increase in height will be restricted to an area that has been identified as acceptable for higher density housing.
2. The Stallings Comprehensive Land Use Plan has identified uses within the Monroe Bypass Corridor as *Walkable Activity Center* which has promotes building height up to 5 stories, and *Suburban Office Center* with heights up to 3 stories.
3. The increase in height will provide for garages and support a higher-end product.

4. No precedent will be set. Approved for building heights for other building types are 45' or higher:

BUILDING TYPE	HEIGHT
Single Family	30'
Multi Family	41'/50' along Highway 74
Civic	45'
Shopfront	45'
Urban Workplace	45'
Highway Business	50'/70' along Highway 74

5. Ordinance amendments being considered by Town Council will make all single family attached housing developments CZ. This gives council the authority to approve any townhome project going forward.
6. A question was raised as to why a text amendment was being pursued instead of a variance. In addition to the justification given above, staff advised the applicant to pursue a text amendment because; 1) This matter is absolutely not appropriate for a variance. North Carolina law is clear that variances should be granted only when "unnecessary hardship would result from the strict application" of the zoning regulations. Hardship is defined in terms of topography or other conditions "peculiar to the property". That is not the case here; 2) A change of this nature is a policy decision and should be made by the Council. The Board of Adjustment is a proper venue for quasi-judicial decisions about hardship, but not for a policy decision concerning development standards for properties covered by the Monroe Bypass Small Area Plan. If the Council supports this change, the proposed language amending SDO Sec 9.3-3(A)(1) is the appropriate manner to accomplish the change; 3) No amendment of the Development Agreement for this project is required. Legal Counsel has reviewed and is in agreement that a text amendment was the correct direction in this situation.

Staff Recommendation:

Approve

Planning Board Recommendation:

Approve



TX20.06.01

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, approval of the requested text amendment Development Ordinance Article 9.3-3(A) to increase the permitted height for single family attached housing from 25’ to 45’ for projects located within the Monroe Bypass Small Area Plan is consistent goals and objectives established by the 2017 Stallings Land Use Plan; and,

WHEREAS, the proposed change in use will promote the goal of promoting a mix of housing density in the Monroe Bypass corridor; and,

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF STALLINGS DO
ORDAIN THE APPROVAL OF THE REQUESTD TX20.06.01 TO INCREASE THE
PERMITTED BUILDING HEIGHT FOR SINGLE FAMILY ATTACED HOUSING
FOR PROPERTIES LOCATED WITHIN THE OLD MONROE SMALL AREA PLAN.

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the _th day of _____, 2020.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



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.

CONDITIONAL ZONING: TX20.06.01

REQUEST: Request to amend Development Ordinance Article 9.3-3(A) to increase the permitted height for single family attached housing from 25' to 45' for projects located within the Monroe Bypass Small Area Plan.

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 August 10, 2020 meeting 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



MEMO

To: Town Council
From: Lynne Hair, Planning Director
Date: July 30, 2020
RE: **TX20.06.02/TX20.06.03/TX20.06.04/TX20.06.05- Small Area Plan. Amendments identified by SAP Amendment Subcommittee meetings to address issues with density and development in SAP areas.**

Background

On June 2 and June 3, 2020 subcommittees of the Council met to review and discuss concerns with the Monroe Bypass and Idlewild Road Small Area Plans. As a result of these discussions, amendments were recommended, and staff directed to prepare language to address. On July 13, 2020 the Council agreed to the following ordinance amendments that address concerns with the Small Area Plans. The following text amendments were presented to the Planning Board on July 21, 2020:

Proposed Amendments

- 1. TX20.06.02 - Amend Development Ordinance to remove language linking the ordinance to SAP's.**

The following Articles were identified by Staff as linking the DO to the approved Small Area Plans. Staff would recommend the following amendments:

Article 1.5 Relationship to Land Use and Comprehensive Master Plans

The administration, enforcement, and amendment of the Stallings Development Ordinance shall be carried out consistently with ~~plans and documents comprising~~ the "Comprehensive Land Use Plan", adopted November 27, 2017 including subsequent amendments adopted by the Town Council of the Town of Stallings. New planning documents ~~or small area plans~~ adopted by the Town Council are automatically incorporated into this Ordinance.

Article 5.4-4 (E) Application Procedures (Conditional Zoning)

(E) The Town Council's consideration of an application for Conditional Zoning is legislative in nature, and the Council may consider any relevant information in its deliberations, including the criteria for issuing conditional use permits specified in Article 7. Consideration shall be given to adopted land use plans for the area, ~~small area plans~~, corridor plans, and other land use policy documents, and to surrounding land uses. The Town Council may adopt or not adopt a Conditional Zoning ordinance, or may continue its consideration of the application as necessary or

appropriate.

Article 5.1 General

The Stallings *Town Council* may amend, supplement, modify, or repeal any provision of this ordinance or amend the zoning maps according to the procedure established by N.C.G.S.160A-384. Such amendments shall be evaluated for compliance with the “Comprehensive Land Use Plan”, adopted November 27, 2017 including subsequent amendments adopted by the Town Council of the Town of Stallings ~~and other applicable adopted plans~~, and may require a land use plan and/or comprehensive master plan amendment to ensure compatibility between the plan(s) and the amendment. Amendments and modifications shall be acted upon by the *Town Council*, after recommendation from the *Planning Board*.

Article 5.3-2 Review by the Stallings *Planning Board*.

(A) Review – General. The public meeting shall be conducted in accordance with the rules of procedure of the Stallings *Planning Board*. The *Planning Board* shall make recommendations to the Stallings *Town Council* regarding whether to approve or deny each proposed amendment. When considering an amendment, the *Planning Board* shall consider both the consistency and reasonableness of the amendment with the “Comprehensive Land Use Plan”, adopted November 27, 2017 including subsequent amendments adopted by the Town Council of the Town of Stallings ~~and other applicable adopted plans for the area affected by the proposed amendment.~~

(D) Content of recommendation and statements of ~~both~~ consistency and reasonableness. Any recommendation made by the Stallings *Planning Board* to the Stallings *Town Council* pursuant to this section shall be in writing and shall include a statement describing whether the proposed amendment is both consistent with the “Comprehensive Land Use Plan”, adopted November 27, 2017 including subsequent amendments adopted by the Town Council of the Town of Stallings ~~and other applicable adopted plan that is applicable~~, and shall state whether and how the proposed amendment is reasonable. In addition, such recommendation may address any other subject of interest by the *Planning Board*. A comment by the *Planning Board* that a proposed amendment is inconsistent with the Town’s “Comprehensive Land Use Plan”, adopted November 27, 2017 including subsequent amendments adopted by the Town Council of the Town of Stallings ~~and other applicable adopted plans for the area affected~~ and/or unreasonable shall not preclude consideration ~~or~~ approval of the proposed amendment by the *Town Council*. (N.C.G.S. 160A-383).

Article 5.4-4 Application Procedures

(E) The Town Council's consideration of an application for Conditional Zoning is legislative in nature, and the Council may consider any relevant information in its deliberations, including the criteria for issuing conditional use permits specified in Article 7. Consideration shall be given to adopted land use plans for the area, ~~small area plans~~, corridor plans, and other land use policy documents, and to surrounding

land uses. The Town Council may adopt or not adopt a Conditional Zoning ordinance, or may continue its consideration of the application as necessary or appropriate.

(F) During the adoption of a Conditional Zoning ordinance, specific conditions may be proposed by the petitioner, Town Council, Planning Board, or Town staff, but only those conditions mutually approved by Town Council and the petitioner may be incorporated into the zoning regulations and permit requirements. Conditions and site-specific standards imposed in a conditional ~~use zoning~~ district shall be limited to those that address the conformance of the development and use of the site to Town ordinances, ~~the an~~ officially adopted ~~Comprehensive Plan land use, or other plan~~ and those ~~conditions~~ that address the impacts reasonably expected to be generated by the development or use of the site.

Planning Board Recommendation: Approval

2. TX20.06.03 - Change DA requirements to apply only to large projects.

The following Articles were identified by Staff as requiring a Development Agreement for all projects located within the MU-1 or MU-2 districts or are required to comply with Major Subdivision requirements, regardless of size. Staff would recommend the following amendments:

Article 7.11-1 Subdivision Plat Approval Major Subdivisions

(A) Purpose. The Major Subdivision review process is required for those divisions of land meeting the definition of “Subdivision, Major” appearing in Article 3 of this Ordinance. Review and approval of the Preliminary Plat by the Development Administrator is required under the Major Subdivision review process, with review and approval of the Final Plat made by the Development Administrator. ~~Major Subdivisions proposing the development of new street infrastructure are required to enter into a Development Agreement in accordance with Section 7.15 of this Article.~~

Article 7.15.1 Authorization and Applicability

(B) In addition to any Development Agreement proposed for an eligible project, a Development Agreement, established pursuant to Sub-section 7.15-3 of this Ordinance, shall be required as part of all ~~Traditional Neighborhood Development Stallings Development Ordinance Overlay (TNDO) District applications and apply to all projects within the TNDO District~~ projects that are 25 or more acres in size.

Article 8.4-6 Mixed Use Districts (MU-1 and MU-2)

(B) A Development Agreement, established pursuant to Section 7.15 of this

Ordinance, shall be required as part of all Mixed Use (MU-1 and MU-2) District and Town Center (TC) applications and shall apply to all projects within the MU-1, MU-2, and TC Districts that are 25 or more acres in size.

Article 8.5-1

(C) A Development Agreement, established pursuant to Section 7.15 of this Ordinance, shall be required as part of all Traditional Neighborhood Development Overlay (TNDO) District applications and apply to all projects within the TNDO District that are 25 or more acres in size.

Planning Board Recommendation: Approval

3. TX20.06.04 - Create a process where the CLUP and SAP are being amended during the rezoning (CZ) process.

Staff would recommend that a section be added to *Article 5.4 Conditional Zoning* that states that with all conditional zoning applications, which could be interpreted as inconsistent with the Comprehensive Land Use Plan, an amendment to the Comprehensive Land Use Plan, and any associated Small Area Plan is also being amended as part of the process. The following language is suggested:

(K) Upon approval of a Conditional Zoning application, which could be interpreted as inconsistent with the Comprehensive Land Use Plan the Stallings Comprehensive Land Use Plan, and any associated Small Area Plan shall be deemed amended reflecting any changes incurred as a result of the approved conditional zoning. The application for a conditional zoning may, but is not required to, include a request that states any necessary amendments that need to be made to the Comprehensive Land Use Plan, Future Land Use Map and any associated Small Area Plan map.

Planning Board Recommendation: Approval

4. TX20.06.05 - Review Table of Uses and make Townhomes and other identified uses within the MU-1 and MU-2 Districts CZ.

Staff has reviewed the Table of Uses and identified several uses that the Council may want to consider changing from a use by right to requiring conditional zoning approval:

ABC Stores	TC/MU-2
Carwash	MU-2
Convenience Store w/Gas Pumps	MU-2/US74/CP485
Funeral Homes w/Crematorium	TC/MU-2/US74
Dwellings/Single Family Attached	MFT/TC/CIV/MU-1/MU-2
Restaurant w/Drive Thru	TC/MU-1/MU-2/US74/CP485
Service Station – Auto Repair (Major)	MU-2/C74/CP485
Truck and Trailer Rental	MU-2/US74
Warehouse	MU-2/US74/CP485

Warehouse – Self Storage

MU-2/US74/CP485

Planning Board Recommendation: Approval



TX20.06.02

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, The Stallings Comprehensive Land Use Plan was created to promote the creation of intentional development; and

WHEREAS, the Stallings Small Area Plans were created and adopted by the Town and incorporated into the Stallings Development Ordinance to be used in determining land use and development pattern; and the process established for their review and approval are consistent with the 2017 Comprehensive Land Use Plans; and,

WHEREAS, the Town no longer views the Stallings Small Area Plans as anything more than a policy guide and are not to be used in determining land use location in association with the Stallings Development Ordinance.; and,

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

TX20.06.02 - Amend Development Ordinance to remove language linking the ordinance to the Stallings Small Area Plans.

The following Articles were identified by Staff as linking the DO to the approved Small Area Plans. Staff would recommend the following amendments

Article 1.5 Relationship to Land Use and Comprehensive Master Plans

The administration, enforcement, and amendment of the Stallings Development Ordinance shall be carried out consistently with ~~plans and documents comprising~~ the “Comprehensive Land Use Plan”, adopted November 27, 2017 including subsequent amendments adopted by the Town Council of the Town of Stallings. New planning documents ~~or small area plans~~ adopted by the Town Council are automatically incorporated into this Ordinance.

Article 5.4-4 (E) Application Procedures (Conditional Zoning)

(E) The Town Council's consideration of an application for Conditional Zoning is legislative in nature, and the Council may consider any relevant information in its deliberations, including the criteria for issuing conditional use permits specified in Article 7. Consideration shall be given to adopted land use plans for the area, ~~small~~

~~area plans~~, corridor plans, and other land use policy documents, and to surrounding land uses. The Town Council may adopt or not adopt a Conditional Zoning ordinance, or may continue its consideration of the application as necessary or appropriate.

Article 5.1 General

The Stallings *Town Council* may amend, supplement, modify, or repeal any provision of this ordinance or amend the zoning maps according to the procedure established by N.C.G.S.160A-384. Such amendments shall be evaluated for compliance with the “Comprehensive Land Use Plan”, adopted November 27, 2017 including subsequent amendments adopted by the Town Council of the Town of Stallings ~~and other applicable adopted plans~~, and may require a land use plan and/or comprehensive master plan amendment to ensure compatibility between the plan(s) and the amendment. Amendments and modifications shall be acted upon by the *Town Council*, after recommendation from the *Planning Board*.

Article 5.3-2 Review by the Stallings *Planning Board*.

(A) Review – General. The public meeting shall be conducted in accordance with the rules of procedure of the Stallings *Planning Board*. The *Planning Board* shall make recommendations to the Stallings *Town Council* regarding whether to approve or deny each proposed amendment. When considering an amendment, the *Planning Board* shall consider both the consistency and reasonableness of the amendment with the “Comprehensive Land Use Plan”, adopted November 27, 2017 including subsequent amendments adopted by the Town Council of the Town of Stallings ~~and other applicable adopted plans for the area affected by the proposed amendment.~~

(D) Content of recommendation and statements of ~~both~~ consistency and reasonableness. Any recommendation made by the Stallings *Planning Board* to the Stallings *Town Council* pursuant to this section shall be in writing and shall include a statement describing whether the proposed amendment is both consistent with the “Comprehensive Land Use Plan”, adopted November 27, 2017 including subsequent amendments adopted by the Town Council of the Town of Stallings ~~and other applicable adopted plan that is applicable~~, and shall state whether and how the proposed amendment is reasonable. In addition, such recommendation may address any other subject of interest by the *Planning Board*. A comment by the *Planning Board* that a proposed amendment is inconsistent with the Town’s “Comprehensive Land Use Plan”, adopted November 27, 2017 including subsequent amendments adopted by the Town Council of the Town of Stallings ~~and other applicable adopted plans for the area affected~~ and/or unreasonable shall not preclude consideration or approval of the proposed amendment by the *Town Council*. (N.C.G.S. 160A-383).

Article 5.4-4 Application Procedures

(E) The Town Council's consideration of an application for Conditional Zoning is legislative in nature, and the Council may consider any relevant information in its

deliberations, including the criteria for issuing conditional use permits specified in Article 7. Consideration shall be given to adopted land use plans for the area, ~~small area plans~~, corridor plans, and other land use policy documents, and to surrounding land uses. The Town Council may adopt or not adopt a Conditional Zoning ordinance, or may continue its consideration of the application as necessary or appropriate.

(F) During the adoption of a Conditional Zoning ordinance, specific conditions may be proposed by the petitioner, Town Council, Planning Board, or Town staff, but only those conditions mutually approved by Town Council and the petitioner may be incorporated into the zoning regulations and permit requirements. Conditions and site-specific standards imposed in a conditional ~~use zoning~~ district shall be limited to those that address the conformance of the development and use of the site to Town ordinances, ~~the an~~ officially adopted ~~Comprehensive Plan land-use, or other plan~~ and those ~~conditions~~ that address the impacts reasonably expected to be generated by the development or use of the site.

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the _th day of _____, 2020.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



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.

ZONING AMENDMENT: TX20.06.02

REQUEST: Amend Development Ordinance to remove language linking the Stallings Development Ordinance to the Stallings Small Area Plans.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Town Council hereby finds that the proposed text amendments are 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. At their July 21, 2020 meeting the Stallings Town Council voted to recommend APPROVAL of the proposed amendment and stated that the Town Council finds and determines that the text amendments are 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



TX20.06.03

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, The Stallings Comprehensive Land Use Plan was created to promote the creation of intentional development; and

WHEREAS, the Development Agreement process was originally required for all projects within the MU-1 and MU-2 districts and any project that had to comply with the Major Subdivision process, it has been determined that the Development Agreement process should be reserved for projects in these districts that are 25 acres or more in size; and,

WHEREAS, the Town no longer views the Development Agreement process necessary for projects that are not 25 acres or more in size; and,

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

TX20.06.03 - Change DA requirements to apply only projects 25 or more acres in size.

The following Articles were identified by Staff as requiring a Development Agreement for all projects located within the MU-1 or MU-2 districts or are required to comply with Major Subdivision requirements, regardless of size. Staff would recommend the following amendments:

Article 7.11-1 Subdivision Plat Approval Major Subdivisions

(A) Purpose. The Major Subdivision review process is required for those divisions of land meeting the definition of “Subdivision, Major” appearing in Article 3 of this Ordinance. Review and approval of the Preliminary Plat by the Development Administrator is required under the Major Subdivision review process, with review and approval of the Final Plat made by the Development Administrator. ~~Major Subdivisions proposing the development of new street infrastructure are required to enter into a Development Agreement in accordance with Section 7.15 of this Article.~~

Article 7.15.1 Authorization and Applicability

(B) In addition to any Development Agreement proposed for an eligible project, a Development Agreement, established pursuant to Sub-section 7.15-3 of this Ordinance, shall be required as part of all ~~Traditional Neighborhood Development Stallings Development Ordinance Overlay (TNDO) District applications and apply to all projects within the TNDO District~~ projects that are 25 or more acres in size.

Article 8.4-6 Mixed Use Districts (MU-1 and MU-2)

(B) A Development Agreement, established pursuant to Section 7.15 of this Ordinance, shall be required as part of all Mixed Use (MU-1 and MU-2) District ~~and Town Center (TC) applications and shall apply to all projects within the MU-1, MU-2, and TC Districts that are 25 or more acres in size.~~

Article 8.5-1

(C) A Development Agreement, established pursuant to Section 7.15 of this Ordinance, shall be required as part of all Traditional Neighborhood Development Overlay (TNDO) District applications and apply to all projects within the TNDO District ~~that are 25 or more acres in size.~~

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the _th day of _____, 2020.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



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.

ZONING AMENDMENT: TX20.06.03

REQUEST: Change DA requirements to apply only to projects 25 or more acres in size.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Town Council hereby finds that the proposed text amendments are 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. At their August 10, 2020 meeting the Stallings Town Council voted to recommend APPROVAL of the proposed amendment and stated that the Town Council finds and determines that the text amendments are 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



TX20.06.04

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, The Stallings Comprehensive Land Use Plan and Development Ordinance were created to promote the creation of intentional development; and

WHEREAS, the Stallings Comprehensive Land Use Plan and Development Ordinance were created and adopted by the Town to be used in determining land use and development pattern; and the process established for their review and approval are consistent with the 2017 Comprehensive Land Use Plans; and,

WHEREAS, in order to maintain consistency and reasonableness with adopted ordinances and plans, the Town no desires to create language providing for the amendment of these documents simultaneous with the approval of any zoning amendment; and,

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

TX20.06.04 - Create a process where the CLUP and SAP are being amended during the rezoning (CZ) process.

Article 5.4 Conditional Zoning

(K) Upon approval of a Conditional Zoning application, which could be interpreted as inconsistent with the Comprehensive Land Use Plan the Stallings Comprehensive Land Use Plan, and any associated Small Area Plan shall be deemed amended reflecting any changes incurred as a result of the approved conditional zoning. The application for a conditional zoning may, but is not required to, include a request that states any necessary amendments that need to be made to the Comprehensive Land Use Plan, Future Land Use Map and any associated Small Area Plan map.

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the _th day of _____, 2020.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



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.

ZONING AMENDMENT: TX20.06.04

REQUEST: Create a process where the CLUP and SAP are being amended during the rezoning (CZ) process.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Town Council hereby finds that the proposed text amendments are 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. At their August 10, 2020 meeting the Stallings Town Council voted to recommend APPROVAL of the proposed amendment and stated that the Town Council finds and determines that the text amendments are 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



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, The Stallings Comprehensive Land Use Plan and Development Ordinance were created to promote the creation of intentional development; and

WHEREAS, the Stallings Development Ordinance was created and adopted by the Town to provide standards for development throughout the Town and to identify where specific uses should be located to provide consistency with the 2017 Comprehensive Land Use Plan; and,

WHEREAS, in order to maintain orderly growth patterns, the Town desires to amend to table of uses making several uses CZ; and,

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

TX20.06.05 – Amend 8.1 Table of Uses and make the following uses CZ in the identified districts:

ABC Stores	TC/MU-2
Carwash	MU-2
Convenience Store w/Gas Pumps	MU-2/US74/CP485
Funeral Homes w/Crematorium	TC/MU-2/US74
Dwellings/Single Family Attached	MFT/TC/CIV/MU-1/MU-2
Restaurant w/Drive Thru	TC/MU-1/MU-2/US74/CP485
Service Station – Auto Repair (Major)	MU-2/C74/CP485
Truck and Trailer Rental	MU-2/US74
Warehouse	MU-2/US74/CP485
Warehouse – Self Storage	MU-2/US74/CP485

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the _th day of _____, 2020.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



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.

ZONING AMENDMENT: TX20.06.05

REQUEST: Amend 8.1 Table of Uses and make the following uses CZ in the identified districts:

ABC Stores	TC/MU-2
Carwash	MU-2
Convenience Store w/Gas Pumps	MU-2/US74/CP485
Funeral Homes w/Crematorium	TC/MU-2/US74
Dwellings/Single Family Attached	MFT/TC/CIV/MU-1/MU-2
Restaurant w/Drive Thru	TC/MU-1/MU-2/US74/CP485
Service Station – Auto Repair (Major)	MU-2/C74/CP485
Truck and Trailer Rental	MU-2/US74
Warehouse	MU-2/US74/CP485
Warehouse – Self Storage	MU-2/US74/CP485

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Town Council hereby finds that the proposed text amendments are 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. At their August 10, 2020 meeting the Stallings Town Council voted to recommend APPROVAL of the proposed amendment and stated that the Town Council finds and determines that the text amendments are 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

Town of Stallings

Conditional Zoning Council Subcommittee Policy

Establishing a Council Subcommittee Review Process for Conditional Zoning Applications: To provide an opportunity for discussion between Town Council members and applicant during the conditional zoning process, the Council subcommittee process will be implemented.

The process for establishing the Council subcommittee is as follows:

1. As part of the conditional zoning application process, a Council subcommittee meeting is required and shall be scheduled by the *Development Administrator* prior to the required Planning Board meeting unless all Council subcommittee members affirmatively notify the *Development Administrator* that he/she believes a meeting is unnecessary. Additional subcommittee meetings may be held if requested by the Council subcommittee meeting majority.
2. A subcommittee meeting will not be scheduled until the applicant has submitted all required documents and sufficient time is allowed for the *Development Administrator* to review and ensure completeness. Required documents shall include:
 - A detailed site plan;
 - A completed TIA (if applicable);
 - A complete list of how the proposed development differs from the Stallings Development Ordinance; and
 - Any other document deemed necessary by *Development Administrator* to understanding how the project complies with Town standards and policies.
3. The *Development Administrator* will schedule all Council subcommittee meetings for 5:00 PM prior to a regularly scheduled Town Council meeting based upon availability. Additional subcommittee meetings will be scheduled using the same methodology except any additional meetings may be scheduled at an alternative time if mutually agreed to by all Council subcommittee members and applicant.
4. The *Development Administrator* will provide the Council subcommittee members with the application and supporting materials at least 3 business days in advance of the scheduled subcommittee meeting (typically on the Wednesday the week before the Monday meeting).
5. The subcommittee members will be assigned as outlined in Table 7.1 of Article 7.15 of the Stallings Development Ordinance. If a Council subcommittee member is unable to attend a scheduled meeting, then that Council subcommittee member may select another Council member to serve in his/her place.
6. Information from the subcommittee shall be included with the recommendations and comments of the *Development Administrator* and be reported to the Planning Board. The subcommittee may choose to make recommended conditions or no recommended conditions at all.
7. The subcommittee step is designed to encourage dialogue between the applicant and Council members and help facilitate a discussion. Any information shared during this process is not to be construed as an approval or denial of the proposed application or any kind of commitment by the Town whatsoever.



**PLANNING
& ZONING**
TOWN of STALLINGS

APPLICATION *CZ20.02.01*

COURTYARDS at WEDDINGTON
ROAD HOA

Amendment to Condition #8

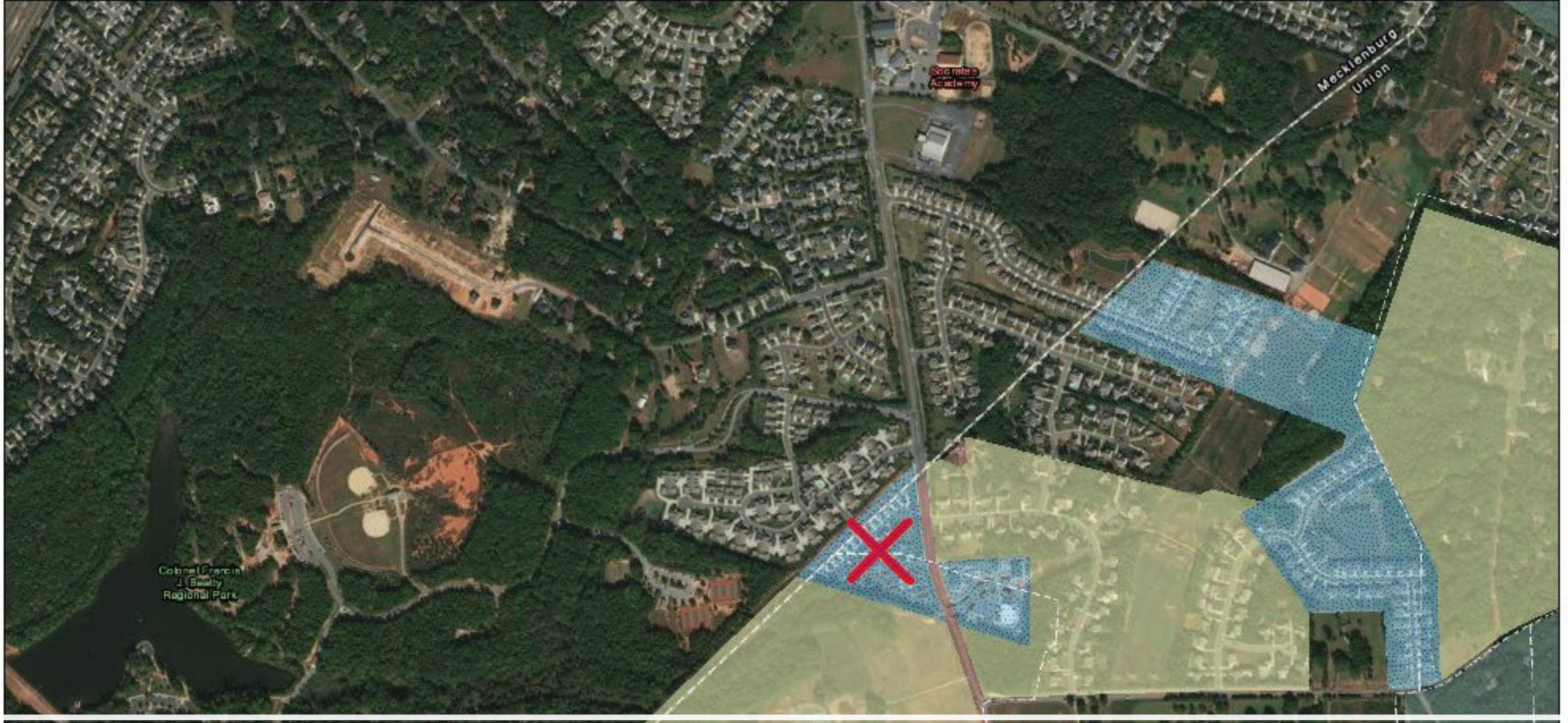
Pre-Public Hearing Staff Analysis + February 2020

Request

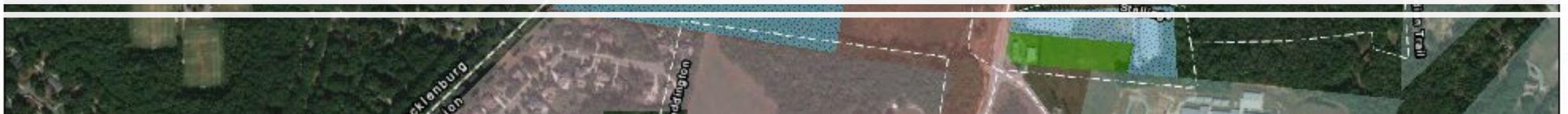
- Remove condition #8 from the approved conditions of approval for CZ11.10.10, Courtyards at Weddington Road
 - *Condition #8: Installation of an alternate emergency entrance off of Matthews Weddington Road.*

Background

- 01/09/12 - Courtyards at Weddington Road CZ11.10.10 approved.
 - 34-lot Age Restricted Single-Family Subdivision
 - All conditions of original approval were met by the developer, including the installation of an emergency break away gate.
 - Condition #8 was recommended in lieu of providing the required connectivity to the existing neighborhood (Polo Club) to the east.
- 02/05/2020 Application to amend condition #8 of CZ11.10.10 received.
- Community Meeting Held 02/05/2020



PROJECT AREA





Gate Location

Gate



Planning Board

- Recommendation – Approve (Unanimous 6.16.2020)



CZ20.02.01

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, approval of the requested conditional zoning to allow the property located on Matthews Weddington Road and known as The Courtyards at Weddington Road, was developed for 34 age restricted detached residential units is consistent with the 2017 Stallings Land Use Plan; and,

WHEREAS, the amendment removing condition #8 requiring an emergency breakaway gate will promote the desired consistent streetscape and help to reduce noise pollution desired by residents of the neighborhood; and,

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF STALLINGS DO
ORDAIN AMENDING THE APPROVED LIST OF CONDITIONS FOR CZ11.10.01 to
reflect the removal of condition #8.

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the _th day of _____, 2019.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



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.

ZONING AMENDMENT: CZ20.02.01

REQUEST:

To amend CZ11.10.01 by removing condition #8 of the original approval of zoning for The Courtyards at Weddinton Road, a 34-lot age restricted subdivision, requiring an emergency breakaway gate on Weddington Road.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Town Council hereby finds that the proposed zoning 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. At their July 13, 2020 meeting the Stallings Town Council voted to recommend APPROVAL of the proposed amendment and stated that the Town Council finds and determines that the zoning 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



MEMO

To: Town Council
 From: Lynne Hair, Planning Director
 Date: August 4, 2020
 RE: DA19.03.03 – Stallings Elementary Development/Broadstreet Homes, Inc. Review and recommendation of a Development Agreement for a 40-lot single family subdivision project on 9.33 acres located on Stallings Road directly adjacent to Stallings Elementary School on the west.

Council reviewed the request for approval of the DA for the Stallings Elementary subdivision at their July 13, 2020 meeting. Questions concerning the buffer between the houses that back up to the Stallings Road were raised. Staff communicated these concerns to the applicant, and they are prepared to present their proposal for increased landscaping and fencing in this area.

Attached please find a copy of the final Development Agreement document for Broadstreet Homes, Inc. located on Stallings Road in PID# 070990049, 07099050, 07099051, 07099052, 07099053, and 07099054 and owned by Jean S. Davis.

PROJECT OVERVIEW	
Use	Single Family Detached
Acreage	9.33 acres
Units	40
Density	4.29 units/acre
Open Space	.75 acres or 7.5%
SAP	Stallings Elementary
TIA	No
Greenway	No. No greenway trails as identified by the Stallings Parks and Greenway Master Plan are shown on the subject property.
Fee in Lieu of Parkland	Yes. Amount TBD.
Architectural Standards	Yes. Attached to DA Exhibit D

State statutes require a recommendation of the document be made and forwarded to council for final decision. A development agreement cannot be denied because of use or density.

DA Subcommittee Recommendation: Approval 02/10/2020 – (unanimous)
Planning Board Recommendation: Approval 06/16/2020 – (unanimous)

STATE OF NORTH CAROLINA)
)
COUNTY OF UNION)

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is made and entered into this ____ day of _____, 2020 (the "Effective Date") by and between Broadstreet Homes, Inc., a North Carolina corporation ("Developer"), and the Town of Stallings, a North Carolina municipal corporation (the "Town").*

STATEMENT OF PURPOSE

Section 160A-400.20(a)(1) of the North Carolina General Statutes provides that "large-scale development projects often occur in multiple phases extending over a period of years, requiring a long-term commitment of both public and private resources."

Section 160A-400.20(a)(3) of the North Carolina General Statutes provides that "because of their scale and duration, such large-scale projects often require careful integration between public capital facilities planning, financing, and construction schedules and the phasing of the private development."

Section 160A-400.20(a)(4) of the North Carolina General Statutes provides that "because of their scale and duration, such large-scale projects involve substantial commitments of private capital by developers, which developers are usually unwilling to risk without sufficient assurances that development standards will remain stable through the extended period of development."

Section 160A-400.20(a)(5) of the North Carolina General Statutes provides that "because of their size and duration, such developments often permit communities and developers to experiment with different or nontraditional types of development concepts and standards, while still managing impacts on the surrounding areas."

Section 160A-400.20(a)(6) of the North Carolina General Statutes provides that "to better structure and manage development approvals for such large-scale developments and ensure their proper integration into local capital facilities programs, local governments need the flexibility in negotiating such developments."

In view of the foregoing, Sections 160A-400.20(b) and 160A-400.22 of the North Carolina General Statutes expressly authorize local governments and agencies to enter into development agreements with developers pursuant to the procedures and requirements of Sections 160A-400.20 through 160A-400.32 of the North Carolina General Statutes, which procedures and requirements include approval of the development agreement by the governing body of the local government by ordinance after a duly noticed public hearing.

Section 160A-400.23 of the North Carolina General Statutes provides that development agreements may be used "for developable property of any size." Section 160A-400.23 further provides that "development agreements shall be of a reasonable term specified in the agreement."

At such time as this Agreement is recorded, Developer shall be the owner of that certain parcel of land located in the Town of Stallings in Union County, North Carolina, Tax Parcels 07099049, 07099050, 07099051, 07099052, 07099053, and 07099054, as more fully described on Exhibit A attached hereto and incorporated herein by reference (the "Property")

Developer desires to develop the Property (the "Project") generally in accordance with the concept plans attached as Exhibit B and incorporated herein for all purposes (the "Plan") and pursuant to the terms of this Agreement. Developer's preliminary potential renderings are attached as Exhibit C solely to illustrate the possible "craftsman" design of the residence in the Project. The Town desires that Developer develop the Property as set forth herein and has determined that the Project is consistent with the intent, function, and requirements of the applicable provisions of The Town of Stallings Development Ordinance (the "Zoning Ordinance"); that the Project is visually and functionally compatible with the existing and/or permissible future uses of adjacent property; that the Project will not materially endanger the public health or safety and will not substantially injure the value of the adjoining property if located where proposed; that adequate provisions and design have been made or will be made to ensure automotive and pedestrian safety and convenience, street connectivity, traffic flow and control, emergency vehicle access and adequate ingress and egress; that the proposed Project will not adversely impair or substantially overburden the public facilities and infrastructure within the Town and adequate provisions have or will be made to reasonably address such impacts.

Accordingly, Developer and the Town desire to enter into this Agreement for the purposes of coordinating the construction of infrastructure that will serve the Project and the community at large and providing assurances to Developer that it may proceed with the development of the Project in accordance with the approvals set forth herein and that development standards applicable to the Project shall remain stable throughout the period of development.

TERMS

NOW, THEREFORE, based upon the terms and conditions set forth herein and in consideration of the mutual promises and assurances provided herein, the parties do hereby agree as follows:

1. Public Hearing. Pursuant to Section 160A-400.24 of the North Carolina General Statutes, the Town Council conducted a public hearing on _____, 20____ and approved the subsequent execution of this Agreement in accordance with the procedures set out in G.S. 160A-364. The notice of public hearing specified, among other things, the location of the Property subject to this Agreement, the development uses proposed on the Property, a place where a copy of the Agreement can be obtained, and approximate delivery dates for public facilities, if any.
2. Permitted Uses/Maximum Density. The Property may be devoted to the uses described on the Plan and permitted for MU-1 zoned properties.
3. Development of the Property. The Property may be developed in accordance with the Plan, the associated permits, the applicable provisions of the Zoning Ordinance, and the terms of this Agreement. The parties understand and agree that the Plan is conceptual in nature and that changes to building size and location and footprint as well as infrastructure design and location, may be made by Developer during the construction phase of the Project.
4. Transportation Improvements. The development of the Property shall comply with the following transportation requirements. Vehicular access shall be as generally depicted on the Concept Plan. The placement and configuration of the access points are subject to any minor modifications

required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Town and/or the North Carolina Department of Transportation.

As depicted on the Concept Plan, the Property will be served by internal public streets, and adjustments to the locations of the internal public streets be allowed during the construction permitting process upon the approval of the Development Administrator and the Town Engineer. Internal Streets will comply with requirements of the “Public Street A” and “Public Street B” cross sections and as identified on the Plan.

5. Architectural Elements. Height, lot dimensions, and densities are established by this Agreement and the Ordinance. Crawl space and raised slab construction techniques shall be permitted for the Project. Additional architectural requirements for the buildings containing single family detached dwelling units will meet the minimum standards established by Article 9.2 of the Development Ordinance and the Developer agrees to the following additional standards:

- (a) Exterior walls shall be finished in cementitious siding, stucco, brick or stone or combinations of the foregoing;
- (b) Only one type of lot fencing to be allowed;
- (c) Carriage style low maintenance garage door with decorative hardware; and
- (d) Architectural shingles shall be used for roofing.

6. Landscaping and Streetscape; HOA. Developer shall install enhanced landscaping along Stallings Road at the entrance to the Project, as shown in the attached preliminary sketch attached as Exhibit D hereto. Decorative streetlights will be installed on the public streets on the Property. The decorative streetlights to be installed on the public streets on the Property shall be as depicted on Exhibit E attached hereto or another type of decorative streetlight approved by the Development Administration.

Developer shall cause the Project to be subject to a declaration of covenants, conditions, and restrictions (the “Declaration”) and shall establish a homeowners association (the “HOA”) to maintain the common areas of the Project. The Declaration shall: (a) require that the HOA shall be responsible for mowing the right of way along Stallings Road in front of the Project and (b) permit only one style of fencing on all lots in the Project, as noted above.

7. Law in Effect on the Effective Date Governs the Development of the Project. Developer shall have a vested right to develop the Project in accordance with the development standards in effect on the Effective Date (the “Current Standards”) during the entire term of this Agreement. Pursuant to G.S. 160A-400.26, and except as provided in G.S. 160A-385.1, the Town may not apply subsequently adopted ordinances or development policies, fees, or costs to the Project during the term of this Agreement without the prior written consent of Developer, which may be granted or withheld in Developer’s sole discretion. Additionally, no future development impact fees, including any fees related to the adequate public facilities or other development impact fees, shall apply to the Project without the prior written consent of Developer, which may be granted or withheld in Developer’s sole discretion. This Agreement does not abrogate any rights preserved by G.S. 160A-385 or G.S. 160A-385.1 or that may vest pursuant to common law or otherwise in the absence of this Agreement.

8. Term. The term of this Agreement shall commence on the Effective Date and shall expire fifteen (15) years thereafter on _____, 20__ unless sooner terminated by the mutual consent of the parties hereto or their successors in interest, or unless extended by the mutual consent of the parties hereto or their successors in interest. Provided, however, the covenants and restrictions contained herein shall continue to run with the land.

9. Local Development Permits. In accordance with G.S. 160A-400.25(6), the following is a description or list of the local development permits approved or needed to be approved for the development of the Project:

- (a) Erosion and Sediment Control Permit (NCDEMLR & NCDEQ);
- (b) Wetlands (Army Corp of Engineers);
- (c) Water Extension Permit (Union County);
- (d) Sewer Extension Permit (Union County);
- (e) NCDOT Encroachment Permit;
- (f) NCDOT Entrance Permit;
- (g) Building Permits; and
- (h) All other local, state, or federal permits required for the Project.

The failure of this Agreement to address a particular permit, condition, term, or restriction does not relieve Developer of the necessity of complying with the law governing the local permitting requirements, conditions, terms, or restrictions.

10. Public Facilities. The following public facilities will serve the Project: public sewer and public water, to be provided by Union County Public Works.

11. Sewer and Water Lines. Developer, at its sole cost and expense, shall engineer, design, permit, construct, and install the water and sewer lines to be located within the Project (the "Internal Water and Sewer Lines"). The Internal Water and Sewer Lines shall be engineered, designed, constructed, and installed in accordance with all applicable federal, state, and local laws, regulations, ordinances, and policies. The Internal Water and Sewer Lines shall be transferred to Union County for ownership and maintenance after they have been constructed and installed.

12. Amendment. The terms of this Agreement may be amended by the mutual consent of the parties hereto or their successors in interest. A major modification of the terms of this Agreement shall follow the same procedures as required for the initial approval of this Agreement. An amendment to the zoning or conditional use permit for the Project pursuant to the Zoning Ordinance shall not require an amendment to this Agreement.

13. Recordation/Binding Effect. Within ten (10) days after the later of: (a) the Town enters into this Agreement and (b) the Developer has acquired title to the Property, Developer shall record this Agreement in the Union County Public Registry. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties hereto.

14. Periodic Review.

(a) Pursuant to G.S. 160A-400.27, the Zoning Administrator or other Town Manager designee shall conduct a periodic review (the "Periodic Review") at least every twelve (12) months during the term of this Agreement, at which time Developer shall be required to demonstrate good faith compliance with the terms of this Agreement.

(b) If, as a result of any Periodic Review, the Town finds and determines that Developer has committed a material breach of the terms or conditions of this Agreement, the Town shall serve notice in writing, within a reasonable time after the Periodic Review, upon Developer setting forth with reasonable particularity the nature of the breach and the evidence supporting the finding and determination, and providing Developer a reasonable time in which to cure the material breach.

(c) If Developer fails to cure the material breach within the time given, then the Town unilaterally may terminate or modify the Agreement; provided, the notice of termination or modification may be appealed to the Town Board of Adjustment in the manner provided by G.S. 160A-388(b).

15. Default. The failure of Developer or the Town to comply with the terms of this Agreement shall constitute a default, entitling the non-defaulting party to pursue such remedies as allowed under applicable law, provided, however, that no termination of this Agreement may be declared by the Town absent its according to Developer the notice and opportunity to cure set out in G.S. 160A-400.27. The parties to this Agreement recognize that, in addition to other remedies that may be available, the Town has the right to enforce the terms of this Agreement by seeking an injunction to compel compliance with the terms of this Agreement. Subject to the terms of this Agreement, in the event that Developer or any user on the Property violates the terms of this Agreement in any material respect, the Town may, without seeking an injunction and after ten (10) days' notice to correct the violation, take such actions as shall be deemed appropriate under law until such conditions have been honored by Developer. In addition to any other rights or remedies, either party may institute legal action to cure, correct, or remedy any default or breach, to specifically enforce any covenants or agreements set forth in this Agreement or to enjoin any threatened or attempted violation of the Agreement, or to obtain any remedies consistent with the purpose of this Agreement. Legal actions shall be instituted in the Superior Court of the County of Union, State of North Carolina, or in the Federal District Court in the Western District, and the parties hereto submit to the personal jurisdiction of such courts without application of any conflicts of laws provisions of any jurisdiction.

16. Notices. Any notice, demand, request, consent, approval, or communication which a signatory party is required to or may give to another signatory party hereunder shall be in writing and shall be delivered or addressed to the other at the address below set forth or to such other address as such party may from time to time direct by written notice given in the manner herein prescribed, and such notice or communication shall be deemed to have been given or made when communicated by personal delivery or by independent courier service or if by mail on the fifth (5th) business day after the deposit thereof in the United States Mail, postage prepaid, registered or certified, addressed as hereinafter provided. All notices, demands, requests, consents, approvals, or communications to the Town shall be addressed to:

The Town at: Alex Sewell, Town Manager
Town of Stallings
315 Stallings Road
Stallings, NC 28104

Developer at: Broadstreet Homes, Inc.
Attn: Brian Iagnemma
1312 Camp Creek Road
Lancaster, SC 29720

17. Entire Agreement. This Agreement sets forth, and incorporates by reference all of the agreements, conditions, and understandings between the Town and Developer relative to the Property and the Project and there are no promises, agreements, conditions, or understandings, oral or written, express or implied, among these parties relative to the matters addressed herein other than as set forth or as referred to herein.

18. Construction. The parties agree that each party and its counsel have reviewed and revised this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any amendments or exhibits

hereto.

19. Assignment. After notice to the Town, Developer may assign its rights and responsibilities hereunder to subsequent land owners of all or any portion of the Property, provided that no assignment as to a portion of the Property will relieve Developer of responsibility with respect to the remaining portion of the Property owned by Developer without the written consent of the Town.

20. Governing Law. This Agreement shall be governed by the laws of the State of North Carolina.

21. Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original, and such counterparts shall constitute one and the same instrument.

22. Agreement to Cooperate. In the event of any legal action instituted by a third party or other governmental entity or official challenging the validity of any provision of this Agreement, the parties hereby agree to cooperate in defending such action; provided, however, each party shall retain the right to pursue its own independent legal defense.

23. Agreements to Run with the Land. This Agreement shall be recorded in the Union County Registry. The Agreements contained herein shall be deemed to be a lien upon, binding upon and run with the land and shall be binding upon and an obligation of all successors in the ownership of the Property, beyond the term hereof in perpetuity.

24. Exhibits. The following Exhibits have been attached to this Agreement and incorporated herein by reference:

Exhibit A	Legal Description
Exhibit B	Concept Plan
Exhibit C	Sample Elevations
Exhibit D	Enhanced Landscaping
Exhibit E	Decorative Streetlights

[Signatures follow.]

IN WITNESS WHEREOF, the parties hereby set their hands and seals, effective the date first above written.

DEVELOPER:

BROADSTREET HOMES, INC.,
a North Carolina corporation

By: _____
Name: Brian Iagnemma
Title: President

_____ **CAROLINA**

_____ **COUNTY**

I, a Notary Public of the County and State aforesaid, certify that Brian Iagnemma, personally came before me this day and acknowledged that he is the President of Broadstreet Homes, Inc., a North Carolina corporation, and that he, as President, being authorized to do so, executed the foregoing on behalf of the limited liability company.

Witness my hand and official stamp or seal, this ____ day of _____ 2020.

NOTARY PUBLIC

Print Name: _____

My commission expires: _____

[AFFIX NOTARY SEAL]

* The parties acknowledge that Developer shall create a single-purpose limited liability company to hold title to the Property at the time Developer closes on the purchase of the Property and it is contemplated that this Agreement shall be revised to reflect that such entity is Developer and shall be recorded after the deed into such entity is recorded.

TOWN:

TOWN OF STALLINGS,

a North Carolina municipal corporation

By: _____

Name: Alex Sewell

Title: Town Manager

NORTH CAROLINA

UNION COUNTY

I, a Notary Public of the County and State aforesaid, certify that Alex Sewell, personally came before me this day and acknowledged that he is the Town Manager of the Town of Stallings, and that he, as Town Manager, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official stamp or seal, this _____ day of _____, 2020.

NOTARY PUBLIC

Print Name: _____

My commission expires: _____

[AFFIX NOTARY SEAL]

Exhibit A

Legal description

BEGINNING AT A POINT IN THE CENTER OF THE RIGHT OF WAY OF SR 1365 (KNOWN AS STALLINGS ROAD), SAID POINT BEING A CORNER OF THE PROPERTY OF NORMAN LOVE, NOW OR FORMERLY (BOOK 111, PAGE 278, UNION COUNTY REGISTRY). AND RUNNING FROM SAID BEGINNING POINT WITH THE PROPERTY OF NORMAN LOVE AS FOLLOWS; (1) SOUTH 76 DEGREES 09 MINUTES 41 SECONDS WEST (CROSS ING AN IRON PIN SET ON THE WESTERN BOUNDARY OF THE RIGHT OF WAY OF SR 1365 AT 3 5.61 FEET) A TOTAL DISTANCE OF 278.36 FEET TO A FOUND IRON ROD; (2) NORTH 23 DEGREES 50 MINUTES 02 SECONDS WEST 813.88 FEET TO AN IRON PIN FOUND IN THE SOUTHERN BOUNDARY LINE OF LOT 116 OF MADISON RIDGE SUBDIVISION, PHASE 1 (PLAT CABINET F, FILE 348, UNION COUNTY REGISTRY); THENCE WITH LOT 116, LOT 117, LOT 118 AND LOT 119 OF MADISON RIDGE SUBDIVISION, PHASE 1, NORTH 57 DEGREES 49 MINUTES 15 SECONDS EAST 331.61 FEET TO AN IRON PIN FOUND AT THE COMMON CORNER OF LOT 119 AND LOT 122 OF MADISON RIDGE SUBDIVISION, PHASE 1; THENCE WITH LOT 122 OF MADISON RIDGE SUBDIVISION, PHASE 1, NORTH 23 DEGREES 33 MINUTES 22 SECONDS EAST 157.74 FEET TO AN IRON PIN FOUND AT THE COMMON CORNER OF LOT 122 AND LOT 123 OF SAID SUBDIVISION; THENCE WITH LOT 123 AND LOT 124 OF MADISON RIDGE SUBDIVISION, PHASE 1, NORTH 80 DEGREES 26 MINUTES 34 SECONDS EAST 156.67 FEET TO A CORNER OF LOT 124 OF SAID SUBDIVISION; CONTINUING WITH TWO BOUNDARY LINES OF LOT 124 OF SAID SUBDIVISION AS FOLLOWS: (1) SOUTH 04 DEGREES 45 MINUTES 38 SECONDS EAST 30.45 FEET TO A FOUND IRON PIN; (2) NORTH 87 DEGREES 53 MINUTES 16 SECONDS EAST (CROSSING AN IRON PIN FOUND ON THE WESTERN BOUNDARY OF THE RIGHT OF WAY OF SR 1365 AT 30.37 FEET) A TOTAL DISTANCE OF 60.40 FEET TO A POINT IN THE CENTER OF THE RIGHT OF WAY OF SR 1365: THENCE WITH THE CENTER OF THE RIGHT OF WAY OF SR 1365 AS FOLLOWS: (1) SOUTH 04 DEGREES 52 MINUTES 05 SECONDS EAST 131.89 FEET; (2) SOUTH 04 DEGREES 44 MINUTES 17 SECONDS EAST 120.00 FEET: (3) SOUTH 04 DEGREES 38 MINUTES 42 SECONDS EAST 120.00 FEET: (4) SOUTH 04 DEGREES 30 MINUTES 27 SECONDS EAST 120.00 FEET: (5) SOUTH 04 DEGREES 08 MINUTES 42 SECONDS EAST 120.00 FEET: (6) SOUTH 03 DEGREES 30 MINUTES 48 SECONDS EAST 118.87 FEET; (7) SOUTH 00 DEGREES 25 MINUTES 58 SECONDS EAST 147.48 FEET; (8) SOUTH 09 DEGREES 02 MINUTES 57 SECONDS WEST 122.47 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.03 ACRES, MORE OR LESS, AS SHOWN ON COPY OF UNRECORDED MAP OF SURVEY PREPARED BY EDWARD L. KILLOUGH, NCPLS, DATED MAY 13, 2004, AND BEING THE REMAINDER OF AN 11.14 ACRE TRACT CONVEYED TO HELEN C. ORR BY DEED RECORDED IN BOOK 886, PAGE 574, UNION COUNTY REGISTRY. THE ABOVE DESCRIBED 10.03 ACRE TRACT INCLUDES WITHIN ITS BOUNDARIES ALL OF LOT 1 THROUGH LOT 5 OF THE PROPERTY SHOWN ON MAP RECORDED IN PLAT CABINET C, FILE 29, UNION COUNTY REGISTRY.

Exhibit B

Concept Plan

Exhibit C

Sample Elevations

Exhibit D

Enhanced Landscaping

Exhibit E

Decorative Streetlights



The above elevations are for illustrative purposes only and are to provide a general idea of the Craftsman style architecture that is being proposed. Plans and elevations are subject to change.



MEMO

To: Town Council
From: Lynne Hair, Planning Director
Date: August 4, 2020
RE: **Idlewild Small Area Amendment. Amendments reflecting single family residential adjacent to existing single family residential.**

Background

On June 2 and June 3, 2020 subcommittees of the Council met to review and discuss concerns with the Monroe Bypass and Idlewild Road Small Area Plans. As a result of these discussions, amending the Idlewild Small Area Plan as follows was recommended:

- 1. Amend Idlewild Small Area Plan to Show Single Family Residential Where adjacent to Shannamara.**

The subcommittee requested that the SAP map be amended to show SFR where adjacent to Shannamara. With Councils approval this change will be made.

Next Steps

Staff is prepared to work on making the recommended changes, coordinating with the plan consultant.



Resolution No. 2020

RESOLUTION OF INTENT TO CREATE AN INTERLOCAL AGREEMENT FOR THE FORMATION OF A REGIONAL ORGANIZATION

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WHEREAS, elected officials and staff from the towns of Weddington, Mineral Springs, and Stallings and villages of Wesley Chapel and Marvin have met and discussed regional planning, transportation and other issues that are common to all of the jurisdictions; and

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WHEREAS, the region can accomplish more by joining together to resolve our common issues and create and advocate for solutions beneficial to all jurisdictions; and

WHEREAS, the formation of the Western Union Municipal Alliance and the creation of an Interlocal Agreement among the towns of Weddington, Mineral Springs and Stallings and villages of Wesley Chapel and Marvin is desired to continue the collaborative efforts on our regional issues.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of ~~Weddington~~ Stallings does hereby endorse the creation of an Interlocal Agreement among the towns of Weddington, Mineral Spring and Stallings and villages of Wesley Chapel and Marvin for the formation of the Western Union Municipal Alliance.

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Adopted this 10th day of August, 2020.

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Elizabeth Callis Wyatt Dunn
Mayor, Town of

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WeddingtonStallings

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ATTEST

APPROVED AS TO FORM:

~~Karen Dewey~~Erinn Nichols, Town Clerk

Melanie Cox, Cox Law Firm

Karen Wolter

Town Clerk

Town Attorney

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STATE OF NORTH CAROLINA

COUNTY OF UNION

**AN INTERLOCAL AGREEMENT BETWEEN THE TOWNS
OF WEDDINGTON, MINERAL SPRINGS, AND STALLINGS AND
VILLAGES OF WESLEY CHAPEL AND MARVIN
CREATING THE WESTERN UNION MUNICIPAL ALLIANCE**

This Interlocal Agreement is entered into the date and year of its last execution by and between the Town of Weddington (hereinafter “Weddington”), the Town of Mineral Springs, (hereinafter “Mineral Springs”), and the Town of Stallings (hereinafter “Stallings”), and the Village of Wesley Chapel (hereinafter “Wesley Chapel”), and Village of Marvin (hereinafter “Marvin) individually a Party or collectively referred to herein as the “Parties”, all of which are municipal corporations organized under the laws of the State of North Carolina.

WITNESSETH

Article 1. Authority

- a. North Carolina General Statute §160A-461 permits one or more units of local government to enter into contracts or agreements with each other in order to execute any undertaking. To this end, North Carolina General Statute §160A-462 authorized such units of local government to establish a joint agency charged with any or all of the responsibility for the undertaking.
- b. Weddington, Mineral Springs, Stallings, Wesley Chapel and Marvin are each municipal corporations organized under the laws of the State of North Carolina, having the powers, duties, privileges, and immunities conferred by law on towns in North Carolina.

Article 2. Purpose

- a. The purpose of this Agreement is to establish an Interlocal agreement for the purposes as set forth herein.

Article 3. Name

- a. The name of the agency created under this Agreement shall be the Western Union Municipal Alliance (hereinafter “Alliance”).

Article 4. Objectives

- a. The objective of the Alliance is to study, investigate, advocate for and promote regional issues affecting the towns in the Western Union County area, including land use planning, transportation concerns, economic development and other issues that affect the quality of life of the citizens of Western Union County.

Article 5. Governance

- a. The Alliance shall consist of two representatives from each Town comprised of one (1) appointed delegate by the governing board of each Party and one (1) appointed alternate by the governing board of each Party. If other Parties are added to this Agreement, such Party shall have a similar number of representatives. Any actions required herein by the Parties shall be taken by the governing board of each such Party. In the event the designated members are unable to attend meetings, alternates may be designated by that Party.
- b. The members of the Alliance shall, from time to time, designate a time and place of meeting, it being contemplated that the Alliance shall meet monthly, and that the hosting Town shall rotate monthly. The Town hosting the Alliance shall be responsible for giving such notices of the meeting as may be required under the Open Meetings law of North Carolina. A quorum of members (presently consisting of at least three (3) of the members) shall be required to hold a meeting. Designated alternates to regular members shall be counted in determining a quorum.
- c. The Alliance shall elect one of its members as Chairperson of the Alliance to serve on an annual basis. The Chairperson shall be selected from a town that is a Party to this Agreement as determined by a vote of the members of the Alliance.

Article 6. Voting

- a. The Alliance shall operate by majority vote of those members present and constituting a quorum as defined in Article 5 herein. In the case of a vote that results in a tie, the items shall be considered again at the next regularly scheduled meeting.
- b. Each Town that is a Party to this Agreement reserves the right to specifically not authorize the Alliance to represent its interests before any legislative body, board, administrative hearing, media communication or such other occasion in which the Alliance is asked, invited, or required to attend, or on any particular matter.

Article 7. Staff, Funding.

- a. It is understood that the Alliance is primarily for the purpose of discussion and recommendation, and accordingly will operate without a dedicated staff and that it will not have any separate funding, unless and until this Agreement is amended by the affirmative vote of each of the Towns who are party to this Agreement.

Article 8. New Members

- a. New member Towns may be added to the Alliance based on their request and the approval of the Alliance and approval by an affirmative vote of all the Parties. If a new member is added, this Agreement will be amended to reflect such new member and that member shall become a Party.

Article 9. Term

- a. This Agreement becomes effective upon the date of ratification by resolution of the last of the Parties to so ratify this agreement, and shall terminate at a date that is ten (10) years after such ratification, unless sooner terminated by mutual agreement of the parties or upon the withdrawal of all Parties save one, as hereafter provided. This Agreement may be continued for an additional period by a majority vote of the Parties.

Article 10. Nonbinding Effect

- a. Decisions made by the Alliance are not intended to bind, be meant to bind, nor to be interpreted to bind the Parties to this Agreement. It is understood that any actions taken by the Alliance are recommendations only unless or until such recommended action is voted in the affirmative and approved by the Governing Boards of all the Parties of this Agreement.

Article 11. Withdrawing

- a. A Party may withdraw from this Agreement effective at any time by giving the other Parties sixty (60) days notice of its intent to withdraw. Any expenses incurred by such withdrawing Party up to the effective date of withdrawal shall remain the responsibility of such withdrawing Party. Such notice shall be sent to each Party's members on the Alliance.

Adopted by each Party on the date and year as indicated below, to be effective on the date of last adoption.

TOWN OF WEDDINGTON

TOWN OF MINERAL SPRINGS

By: _____
 , Mayor

By: _____
 , Mayor

Date Adopted: _____

Dated Adopted: _____

[Town Seal]

[Town Seal]

Attest: _____
 , Town Clerk

Attest: _____
 , Town Clerk

TOWN OF STALLINGS

By: _____
Wyatt Dunn, Mayor

Date Adopted: _____

[Town Seal]

Attest: _____
Erinn Nichols, Town Clerk

VILLAGE OF WESLEY CHAPEL

By: _____
, Mayor

Date Adopted: _____

[Town Seal]

Attest: _____
, Town Clerk

VILLAGE OF MARVIN

By: _____
, Mayor

Date Adopted: _____

[Town Seal]

Attest: _____
, Town Clerk