



October 27, 2025
 Stallings Government Center
 321 Stallings Road
 Stallings, NC 28104
 704-821-8557
www.stallingsnc.org

Town Council Agenda

	Time	Item	Presenter	Action Requested/Next Step
	7:00 p.m.	Invocation Pledge of Allegiance Call the Meeting to Order	Wyatt Dunn, Mayor	NA
	7:02 p.m.	Special Presentation <i>Richard Tanner</i>	Wyatt Dunn, Mayor	NA
	7:10 p.m.	Public Comment	Wyatt Dunn, Mayor	NA
1.	7:15 p.m.	Consent Agenda A. Minutes from the following meetings: (1) 09-08-2025 (2) 09-22-2025 B. Amended Budget Ordinance 4 – Veterans Day Breakfast C. Amended Budget Ordinance 5 – AC Unit Replacement at Stallings Municipal Park D. U-4714AC – Old Monroe Road Widening, Pole Betterments, and Sidewalk Cost Share E. Aringill Stormwater Repairs	Wyatt Dunn, Mayor	Approve Consent Agenda
2.	7:17 p.m.	Reports A. Report from Mayor B. Report from Council Members/Town Committees C. Report from Town Manager/Town Departments	Council and Staff	NA
3.	7:25 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve agenda as written
4.	7:27 p.m.	Annexation 58 – Mill Creek Public Hearing <i>Recessed from 07-14-2025</i>	Wyatt Dunn, Mayor	Consider deferment to January 12, 2026 per applicant's request
5.	7:30 p.m.	CZ25.02.01 - Mill Creek Public Hearing <i>Recessed from 07-14-2025</i>	Max Hsiang, Planning Director	Consider deferment to January 12, 2026 per applicant's request

6.	7:32 p.m.	CZ25.02.03 A. 3191 & 3927 Pleasant Plains Rd Shop Front <i>Recessed from 09-08-2025</i> (1) Information from Staff (2) Council vote B. Statement of Consistency and Reasonableness	Max Hsiang, Planning Director	Approve/deny conditional zoning
7.	7:45 p.m.	TX25.09.01 A. Conditional Zoning & Mixed-Use Text Updates (1) Open Public Hearing (2) Information from Staff (3) Close Public Hearing (4) Council vote B. Statement of Consistency and Reasonableness	Max Hsiang, Planning Director	Staff requests removal of this item.
8.	7:50 p.m.	Planning Board Application Consideration	Wyatt Dunn, Mayor	Consider appointment with a term expiring 03-31-2028.
9.	7:55 p.m.	Ordinance to Amend Chapter 52 of the Code of Ordinances to Establish Inspection, Maintenance, and Enforcement Procedures for Stormwater Infrastructure and Stormwater Control Measures (SCMs)	Melanie Cox, Town Attorney	Approve/deny ordinance
10.	8:00 p.m.	Callonwood Lighting	Kevin Parker, Engineering Dir.	Information and possible action
11.	8:15 p.m.	2725 Old Monroe Road Use (Dunn) <i>Recessed from 09-22-2025</i>	Wyatt Dunn, Mayor	Information
12.	8:25 p.m.	Closed Session Pursuant to NCGS 143-318.11(a)(3) and (6)	Wyatt Dunn, Mayor	Recess into closed session.
13.	8:45 p.m.	Adjournment	Wyatt Dunn, Mayor	Motion to adjourn

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

The Town Council of the Town of Stallings met for its regular meeting on September 8, 2025, at 7:00 p.m. at the Stallings Government Center, 321 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Pro Tempore David Scholl; Council Members Steven Ayers, Taylor-Rae Drake, Graham Hall, and Laurie Wojtowicz.

Those absent were: Mayor Wyatt Dunn; and Council Member Brad Richardson.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Eunice Donnelly, Parks and Recreation Director; Max Hsiang, Planning Director; Kevin Parker, Engineering Director; June Rappe, Storm Water Manager; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

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

Public Comments

Sarah Hollands, non-Stallings Resident, requested the Council not annex or allow Cultor Homes to develop 1000 homes. She stated she and her neighbors did not want to live in Stallings or have the sprawl. If the plan for the development was adopted it would go against the county plan. She also wanted to know who would benefit from that type of high-density development. She stated it was not a good deal for Stallings, Mill Grove Road residents or Union County.

1. Consent Agenda

- A. Minutes from the following meetings:
 - (1) 08-11-2025
- B. Order to Collect, Union County Tax Department
- C. Public Works Vehicle Purchase
(FY26 Budgeted Item)
- D. Christmas Display and Storage
(FY26 Budgeted Item)
- E. Additional Canine Team

Mayor Pro Tem Scholl requested pulling the Consent Agenda Item 1.E., *Additional Canine Team*. Council Member Hall made the motion to approve the Consent Agenda with the above change. The motion was passed unanimously by Council after a second from Council Member Ayers.

2. Reports

A. Report from Mayor

The Mayor was not present to give a report.

B. Report from Council Members/Town Committees

Council Member Hall stated there were many people who voiced their opinion on the large potential development in his district but stated that there was no application on file at the Town at that time. He explained that he had a conversation with the developer representative, and he shared his concerns with her.

Council Members Drake, Wojtowicz, Ayers and Mayor Pro Tem Scholl had no reports.

C. Report from Town Manager/Town Departments

Town Manager Sewell reported:

- Fire Alarm testing the following day so some staff will be working remotely.
- Budget Line Items Transfer List – *The August 2025 Budget Line Item Transfer List is attached to these minutes and therefore incorporated herein.*
- Council was notified about a Police Cameras Grant Application.
- Opening business ribbon cutting was attend by he and the Mayor.
- Assistant Town Manager Nichols reported that the Council had given the communication plan for the Occupancy Tax to the Council.
- Engineering Director Kevin Parker introduced Storm Water Compliance Manager June Rappe as the newest addition to the Stallings Administration Team.
- Parks and Recreation Director Donnelly reported on the schedule for Fifty Fest the upcoming weekend.

3. Agenda Approval

Mayor Pro Tem Scholl suggested amending the Agenda as follows:

- Put Consent Agenda Item 1.E., *Additional Canine Team*, on the regular Agenda as Item 7.A.

Council Member Hall requested removal of the following Agenda Items:

- Move Agenda Item 7, *2725 Old Monroe Road Use (Dunn)*, to the next Council Agenda

Council Member Wojtowicz made the motion to approve the Agenda with the changes above. The motion was seconded by Council Member Hall and passed unanimously.

4. CZ25.02.03

A. 3919 & 3927 Pleasant Plains CZ - TC (1) Conditional Zoning

Planning Director Hsiang explained this case was originally heard by Council on July 14, 2025. At that meeting, Council voted to defer the matter to September 8, 2025. Council expressed interest in receiving a concrete elevation, as this project would be among the first Town Center developments. They wanted to ensure the proposal aligns with their long-term vision for the future of Town Center in Stallings. Council also requested clarity regarding the applicant's commercial partners and asked that these details be determined before a decision is made.

The applicant was requesting conditional rezoning from Town Center (TC) to Conditional Zoning Town Center (CZ-TC) for parcels 07129296B and 07129296C, totaling 2.63 acres. The proposed development includes:

- 12 shopfront units (commercial/retail on the ground floor with residential above)
- 23 townhomes located to the rear of the property

The existing base zoning (TC) did not permit attached-residential development by right; therefore, the applicant must pursue conditional zoning to allow residential use and request modifications to development standards, including setbacks, density, and land use mix. Staff was requesting approval of all the original proposed conditions. Those conditions are attached to these minutes and therefore incorporated herein.

Mayor Pro Tem Scholl reopened the public hearing. Steve Singleton, Urban Designers, was present to address the Council on behalf of the applicant. Mr. Singleton stated that the applicant was the developer and an experienced contractor. Mr. Singleton's presentation is attached to these minutes and therefore incorporated herein.

No one was present to speak on the item. Mayor Pro Tem Scholl then closed the public hearing. Council discussed the item with the applicant. Council asked staff to bring back conditions regarding retail square footage that would be built prior to residential; phase approach for streetscape width/landscaping; finished elevations coming back to Council.

Council Member Scholl made a motion to defer the vote until an October meeting. The second was made by Council Member Drake and passed unanimously by Council.

B. Statement of Consistency and Reasonableness

This item was not discussed due to the vote on Agenda Item 4 being deferred until an October meeting.

5. TX25.08.01

A. Traffic Impact Analysis Ordinance Update

Mayor Pro Tem Scholl opened the public hearing. Engineering Director Parker explained the current Traffic Impact Analysis (TIA) policy required all TIAs to be prepared by a Town-assigned consultant, with associated costs paid by the applicant. While the policy ensured consistency, it had limited flexibility for applicants and introduced possible project delays. In practice, many developers already had consultants engaged in early site design and planning who were capable of producing the TIA. The amendment would accommodate that efficiency while preserving the Town's authority and review standards. The complete red-line version of the Traffic Impact Analysis Ordinance Update is attached to these minutes and therefore incorporated herein.

There was no public present to speak on the item. Mayor Pro Tem Scholl then closed the public hearing.

Council Member Ayers made the motion to approve the Traffic Impact Analysis Ordinance Update - TX25.08.01 to which Council Member Hall seconded. The motion received Council's unanimous support.

B. Statement of Consistency and Reasonableness

Mayor Pro Tem Scholl read the Statement of Consistency and Reasonableness for TX25.08.01 into the record. A motion was made by Council Member Hall to approve the Statement of Consistency and Reasonableness for TX25.08.01. Council Member Wojtowicz seconded the motion, and the Council passed the motion unanimously. The *Statement of Consistency and Reasonableness for TX25.08.01* is attached to these minutes and therefore incorporated herein.

6. Third Party Sewer System Analysis

Per 08-11-2025 Council Direction

Council held consensus not to have staff do any work on this item until or if a zoning application is received that would require such an analysis.

7. 2725 Old Monroe Road Use (Dunn)

This item was moved to the next Council Agenda.

7.A. Additional Canine Team

Original Consent Agenda Item 1.E.

Police Chief Franks explained the department was seeking approval for the addition of a third canine team to the Stallings Police Department, including the acquisition of a corresponding police vehicle. Due to the recent disbandment of the Town of Wingate's Police Department, Stallings Police Department was currently in the process of hiring Wingate's former canine handler. As part of the department's dissolution, Wingate had decided to transfer ownership of K9 Kane to the handler. The handler had also expressed willingness to transfer the dog to Stallings Police Department, provided the dog can be utilized as a police canine. K9 Kane had approximately six years of working life left and was certified as the other Stallings canines. When K9 Kane's service time ended, the spot would not be filled with a new dog.

The Stallings current canine budget was sufficient to support a third canine team. There would be no additional cost to the department for the canine itself. The only potential expense was a negotiated purchase price for Wingate's canine vehicle, which would be funded through asset forfeiture funds. The Chief requested the Council authorize the Town Manager to evaluate the most appropriate way to integrate the third dog into the Stallings canine unit and to negotiate a fair purchase price for the vehicle, not to exceed \$28,000.

Council Member Scholl made a motion to authorize the Town Manager to evaluate the most appropriate way to integrate the third dog into the Stallings canine unit and to negotiate a fair purchase price for the vehicle, not to exceed \$28,000. The Council unanimously approved the motion after a second from Council Member Drake.

8. Adjournment

Council Member Ayers moved to adjourn the meeting, seconded by Council Member Hall, and the motion received unanimous support. The meeting was adjourned at 8:36 p.m.

Approved on October 27, 2025.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC

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

The Town Council of the Town of Stallings met for its regular meeting on September 22, 2025, at 7:00 p.m. at the Stallings Government Center, 321 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Pro Tempore David Scholl; Council Members Steven Ayers, Graham Hall, Brad Richardson and Laurie Wojtowicz.

Those absent were: Mayor Wyatt Dunn; and Council Member Taylor-Rae Drake.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Eunice Donnelly, Park and Recreation Director; Max Hsiang, Planning Director; Brig Sheehy, GIS/Planning Technician; Kevin Parker, Engineering Director; Jessie Williams, Finance Officer; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

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

Public Comments

Dottie Bedell, Mill Grove Road in Union County, stated the Mill Grove Community was in strong opposition of Kolter Homes annexation and development. Country Woods East was having major private sewer issues. Private sewer would create a big mess. She stated that higher density could be concentrated in the Town Center and that Stallings was out of compliance with stormwater. Ms. Bedell stated that the Town was unwilling to fix the sewage system in Country Woods East. She restated that density belongs in Town Center.

Melanie Miller, 615 Anne Ave., Waxhaw, Union County Community Arts Council, was present to make awareness for national arts and humanities month for October. Arts were not extra but essential to economy. The Art Industry contributed \$22 billion in NC. Young people who were engaged in arts were more likely to graduate high school. Ms. Miller encourage the Council to understand that the arts were not a luxury but vital and important.

Report from Parks and Recreation

Parks and Recreation Director Eunice Donnelly updated the Council on the Veteran's Day Breakfast plans. The breakfast would need a minimum of ten veterans (20 people total due to plus one for veterans)

to register for the event to move forward. It would be held in the Government Center on Veteran's Day, Nov. 11, 2025.

1. Consent Agenda

A. U-4714AC – Old Monroe Road Widening, Pole Betterments, and Sidewalk Cost Share
(Additional amount requested)

This item was tabled until a future meeting.

2. Agenda Approval

Mayor Pro Tem Scholl requested pulling Consent Agenda Item 1.A., *U-4714AC – Old Monroe Road Widening, Pole Betterments, and Sidewalk Cost Share*, off the Consent Agenda and table until another member for more information. Council Member Ayers requested that Agenda Item 6., *2725 Old Monroe Road Use (Dunn)*, be moved to another meeting with the Mayor Council present. Council Member Richardson made the motion to approve the Agenda with the changes above. The motion was seconded by Council Member Ayers and passed unanimously.

3. RZ25.06.01

A. Stallings Church General Rezoning

Mayor Pro Tempore Scholl opened the public hearing. GIS/Planning Technician Brig Sheehy explained this was a general rezoning request from Stallings Church for 1125 Stallings Road and 0 Stallings Road. The request seeks to rezone the two parcels totaling 2.94 acres from Industrial (IND) and Single Family Residential 3 (SFR-3), respectively, to Civic (CIV). The proposed rezoning did not align with the Town's future land use and small area but was consistent with its current use and to the parcels owned by Stallings Church, Inc.

No one was present to speak on the item. Mayor Pro Tem Scholl then closed the public hearing. A Stallings Church, LLC, representative confirmed that there were no immediate plans for the property.

Council Member Richardson made the motion to approve RZ25.06.01. The motion was unanimously supported by the Council after a second from Council Member Wojtowicz.

B. Statement of Consistency and Reasonableness

Council Member Richarson made the motion to approve the Statement of Consistency and Reasonableness for RZ25.06.01 to which Council Member Ayers seconded. Council unanimously

supported the motion. The *Statement of Consistency and Reasonableness for RZ25.06.01* is attached to these minutes and therefore incorporated herein.

4. CZ25.02.02

(Recessed from 06-09-2025)

A. Cottage Green

Planning Director Max Hsiang explained the request was from applicant, HMF Americana, requests conditional rezoning to CZ-MU-2 for the following parcels: 06087002, 06087002C, 06087003 (3612 Matthews Weddington Road), and 07150009G - 36.81ac total. The proposed development included: 222-unit mixed-residential gated community - Commercial component along Matthews-Weddington Rd of up to 30,000sqf. Mr. Hsiang reviewed the revisions of the application which are attached to these minutes and therefore incorporated herein.

Staff recommends approval of CZ25.02.02 with the staff recommended revisions to the development standards as the request aligns with the Comprehensive Land Use Plan; supports the Walkable Activity Center Future Land Use designation; the combination of commercial and residential uses was consistent with the adopted Small Area Plan; and the inclusion of a greenway connection aligns with the Parks & Recreation Greenway Master Plan.

Council Member Richardson motion to approve CZ25.02.02 as it was consistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

1. The request aligns with the Comprehensive Land Use Plan.
2. The proposed use supports the Walkable Activity Center Future Land Use designation.
3. The combination of commercial and residential uses is consistent with the adopted Small Area Plan.
4. The inclusion of a greenway connection aligns with the Parks & Recreation Greenway Master Plan

Council Member Ayers seconded the motion to which Council approved unanimously. The *Statement of Consistency and Reasonableness for CZ25.02.02* is attached to these minutes and therefore incorporated herein.

B. Statement of Consistency and Reasonableness

This item was included in the motion for Agenda Item 4, CZ25.02.02.

5. Annual Balanced Scorecard Report

Town Manager Alex Sewell reviewed the Annual Balanced Scorecard for the last fiscal year. The *Annual Balanced Scorecard for FY2024-2025* is available on the Town's website for inspection.

6. 2725 Old Monroe Road Use (Dunn)

Recessed from 09-08-2025 Agenda

This item was removed from the Agenda during Agenda Approval and moved to a future meeting.

7. Adjournment

Council Member Richardson moved to adjourn the meeting, seconded by Council Member Ayers, and the motion received unanimous support. The meeting was adjourned at 7:55 p.m.

Approved on October 27, 2025.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC



MEMO

To: Mayor and Council
Via: Alex Sewell, Town Manger
From: Eunice Donnelly, Parks and Recreation Director
Date: 10.22.2025
RE: **Stallings Salutes | Veterans Day Breakfast ABO**

Background/Issue:

The Town of Stallings Parks and Recreation Department is coordinating a Veterans Day Breakfast as part of a council initiative to honor local veterans. The event is scheduled for Tuesday, November 11th, and will be held at the Stallings Government Center. The breakfast is intended to provide a meaningful opportunity for veterans to gather, connect, and be recognized for their service. The Parks Department is currently pursuing a sponsorship opportunity with Atrium Health to help offset the cost of breakfast. However, to ensure the event proceeds regardless of the sponsorship outcome, the department is requesting council consideration for a contingency allocation of \$2,000. This funding level is expected to be more than sufficient to cover all breakfast expenses.

This allocation is expected to fully cover all expenses associated with the event, including:

- Catering and beverages
- Decorations and centerpieces
- Sternos and food warmers
- Utensils, plates, and serving ware
- Table linens and other necessary supplies

Registration for the event is ongoing, and as of now 16 veterans have signed up to participate – in total there are 25 coming including the Plus ones. Securing these funds will guarantee that breakfast can move forward successfully, honoring our veterans as planned.

Proposal/Solution:

A budget amendment has been prepared and adopted to appropriate \$5,000 from the unrestricted General Fund balance to the Parks and Recreation Programs Line Item 10.80.6130.081. This amendment ensures that adequate funds are available to proceed with the Veterans Day Breakfast on Tuesday, November 11th, honoring our local veterans. These funds will allow the Parks Department to secure breakfast for all participants and guarantee the event can move forward successfully, regardless of the outcome of the sponsorship opportunity with Atrium Health.

Requested Actions:

- 1) Approve the attached budget amendment to allocate \$2,000 from the unrestricted General Fund balance to Parks and Recreation for the Stallings Veterans Day Breakfast.

AMENDED BUDGET ORDINANCE – NO. 4

TOWN OF STALLINGS, NORTH CAROLINA

FISCAL YEAR 2025-2026

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the budget for fiscal year 2025-2026 is hereby amended as set forth below:

Category	Account Number	Net Increase or (Decrease)	Current Budget	Amended Budget
<u>General Fund:</u>				
<u>Revenue Budget</u>				
Unrestricted Fund Balance Appropriation - General Fund	10-99-3991-600	\$ 2,000	\$ 615,411	\$ 617,411
<u>Expense Budget - Parks & Recreation</u>				
Programs Supplies/Materials	10-80-6170-021	\$ 2,000	\$ 8,250	\$ 10,250

Explanation: To appropriate General Fund unrestricted fund balance for the Stallings Veterans Day breakfast.

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 27th day of October 2025.

Wyatt Dunn, Mayor

Erinn Nichols, Assistant Town Manager/Town Clerk



MEMO

To: Mayor and Council
Via: Alex Sewell, Town Manger
From: Eunice Donnelly, Parks and Recreation Director
Date: 10.01.2025
RE: **Stallings Municipal Park Building C | Air Conditioning**

Background/Issue:

The air conditioning unit in Building "C" at Stallings Municipal Park has gone out and requires replacement. This was an unplanned occurrence that could not have been anticipated during the budget process.

Building C is the only facility in the park with air conditioning. It serves as the primary break space for our part-time staff to cool off during shifts and houses our new sound equipment. Because this equipment must remain in a climate-controlled environment, replacing the unit is essential to protect the Town's investment and maintain safe working conditions for staff. The estimated cost of this replacement is \$7,000.

Proposal/Solution:

A budget amendment has been prepared to appropriate \$7,000 from the General Fund unrestricted fund balance to ensure that adequate funds are available to proceed with the full replacement and installation of the Park's new Air Conditioning Unit in Building C.

Requested Actions:

- 1) Approve the attached budget amendment to appropriate \$7,000 from the General Fund unrestricted fund balance for the Stallings Municipal Park Building C air conditioning replacement.

AMENDED BUDGET ORDINANCE – NO. 5
TOWN OF STALLINGS, NORTH CAROLINA
FISCAL YEAR 2025-2026

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the budget for fiscal year 2025-2026 is hereby amended as set forth below:

Category	Account Number	Net Increase or (Decrease)	Current Budget	Amended Budget
<u>General Fund:</u>				
<u>Revenue Budget</u>				
Unrestricted Fund Balance Appropriation - General Fund	10-99-3991-600	\$ 7,000	\$ 615,411	\$ 622,411
<u>Expense Budget - Parks & Recreation</u>				
Capital Outlay	10-80-6130-099	\$ 7,000	\$ 265,000	\$ 272,000

Explanation: To appropriate General Fund unrestricted fund balance for the Stallings Municipal Park Building C air conditioning replacement.

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 27th day of October 2025.

Wyatt Dunn, Mayor

Erinn Nichols, Assistant Town Manager/Town Clerk



MEMO

To: **Mayor and Town Council**
Via: Alex Sewell, Town Manager
From: Kevin Parker, P.E., Town Engineer
Date: October 14, 2025.
RE: Approval for Cost Share and Betterments for the Old Monroe Road Widening Project

Summary:

The purpose of this memo is to present the final updated cost share and betterment amounts for NCDOT Project U-4714AC (Old Monroe Road Widening). Town Council is requested to approve these updated numbers and authorize the Town Manager to execute the agreement with NCDOT.

Background:

As part of NCDOT Project U-4714AC (Old Monroe Road Widening), the Town previously coordinated with NCDOT regarding the inclusion of powder-coated metal signal poles at the intersection of Old Monroe Road and Stallings Road—the only intersection within Town limits where metal poles are proposed.

Additionally, a cost share for the construction of sidewalks was previously coordinated and approved by Town Council as part of the Environmental Assessment, finalized in July 2016.

Staff presented updated estimates from NCDOT to Council in June 2025. Since that time, NCDOT has issued revised quantities and cost estimates, resulting in an overall increase of approximately \$1,000. The figures below reflect the anticipated bid amounts; however, please note that these numbers are subject to change once NCDOT receives bids, which are expected to be let in July 2026.

- The sidewalk cost share follows a 90/10 split between NCDOT and the Town, in accordance with the Complete Streets Policy. Based on updated quantities provided by NCDOT, the Town's share is \$3,770.00.
- The signal pole betterment cost reflects updated unit prices from NCDOT, totaling \$9,813.60 for powder-coating 10 poles (4 metal strain poles and 6 pedestrian poles).

Cost Share & Betterments

Item	Total Cost	NCDOT Responsibility	Town of Stallings Responsibility
Sidewalk Cost Share	\$37,700.00	\$33,930.00 (90%)	\$3,770.00 (10%)
Signal Pole Betterments (Powder Coating)	\$9,813.60	\$0	\$9,813.60 (100%)
Total	\$47,513.60	\$33,930.00	\$13,583.60

Requested Council Action:

Staff requests Town Council approval of the following items related to the U-4714AC Old Monroe Road widening project and authorization for the Town Manager to execute the agreement with NCDOT, not to exceed a total of \$20,000:

- Sidewalk Cost Share – \$3,770.00 (estimate)
- Signal Pole Betterments (Powder Coating) – \$9,813.60 (estimate)
- Authorization for the Town Manager to execute the agreement with NCDOT, with the understanding that if the final Town share exceeds \$20,000, Council approval will be required prior to execution

AGREEMENT OVERVIEW

NORTH CAROLINA
MECKLENBURG COUNTY

DATE: 8/25/2025

PARTIES TO THE AGREEMENT:

PROJECT NUMBERS:

NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION

TIP #: U-4714AC

AND

WBS ELEMENTS: CON 39078.3.9

TOWN OF STALLINGS

The purpose of this Agreement is to identify the participation in project costs, project delivery and/or maintenance, by the other party to this Agreement, as further defined in this Agreement.

SCOPE OF TIP PROJECT (“Project”): This Project consists of widening of SR 1009 (John Street – Old Monroe Road) from East of I-485 to West of Morningside Meadow Lane.

ADDITIONAL WORK (“Additional Work”): Install five-foot sidewalks along northbound lanes of SR 1009 (John Street – Old Monroe Road) from Friendship Drive to Stallings Road and along southbound lanes of SR 1009 (John Street – Old Monroe Road) from Potters Road to south of Sweetbriar Drive. Add powder coating to metal strain poles and type II pedestals at the intersection of SR 1009 (John Street – Old Monroe Road) and SR 1365 (Stallings Road)/SR1357 (Potters Road).

ESTIMATED COST OF THE ADDITIONAL WORK: \$ 47,513.6

COSTS TO OTHER PARTY: \$13,583.60

DEPARTMENT’S FUNDING: \$33,930.00

PAYMENT TERMS: The Department will invoice the Town of Stallings upon completion of the Project.

MAINTENANCE: Town of Stallings

EFFECTIVE DATES OF AGREEMENT:

START: Upon Full Execution of this Agreement

END: When work is complete and all terms are met.

This Agreement is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina,

**ACCOUNTS RECEIVABLE
TIP AGREEMENT – ADDITIONAL WORK
CONSTRUCTION
1000026981**

hereinafter referred to as the **Department** and the Town of Stallings, hereinafter referred to as the **Municipality**; and collectively referred to as the **Parties**.

The **Parties** to this Agreement, listed above, intend that this Agreement, together with all attachments, schedules, exhibits, and other documents that both are referenced in this Agreement and refer to this Agreement, represents the entire understanding between the **Parties** with respect to its subject matter and supersedes any previous communication or agreements that may exist.

DRAFT

I. WHEREAS STATEMENTS

WHEREAS, this Agreement is made under the authority granted to the **Department** by the North Carolina General Assembly under General Statutes of North Carolina (NCGS), particularly Chapter 136-66.1 and 136-66.3; and,

WHEREAS, the **Department** and the **Municipality** have agreed that the jurisdictional limits of the **Parties**, as of the date of entering the agreement for the Additional Work, are to be used in determining the duties, responsibilities, rights, and legal obligations of the **Parties** hereto for the purposes of this Agreement; and,

WHEREAS, the **Municipality** has requested that the **Department** perform all phases of said Additional Work or provide services; and,

WHEREAS, the **Parties** hereto wish to enter into an agreement for Additional Work to be performed or provided by the **Department** (including reviews, goods, or services) with reimbursement for the costs thereof by the **Municipality** as hereinafter set out.

NOW, THEREFORE, this Agreement states the promises and undertakings of each of the **Parties** as herein provided, and the **Parties** do hereby covenant and agree, each with the other, as follows:

II. RESPONSIBILITIES

A. DEPARTMENT

The **Department** shall be responsible for all phases of project delivery to include planning, design, right of way acquisition, utility relocation, and construction as shown in the **PROJECT DELIVERY REQUIREMENTS FOR ADDITIONAL WORK** Provision.

B. MUNICIPALITY

The **Municipality** shall be responsible for maintenance as shown in the **PROJECT DELIVERY REQUIREMENTS FOR ADDITIONAL WORK** Provision and payment as shown in the **COSTS AND FUNDING FOR ADDITIONAL WORK** Provision.

III. PROJECT DELIVERY REQUIREMENTS FOR ADDITIONAL WORK

A. PLANNING, DESIGN, AND CONSTRUCTION

- i. The **Department** will be responsible for preparing the environmental and/or planning document and obtaining any environmental permits.

- ii. The **Department** will be responsible for preparing the project plans and specifications and letting the Project to construction.
- iii. The **Department** shall construct the Additional Work in accordance with the plans and specifications for the Project. The **Department** shall administer the construction contract for said Project. All work shall be done in accordance with Departmental standards, specifications, policies, and procedures.

B. RIGHT OF WAY ACQUISITION

The **Department** will be responsible for acquiring any needed right of way required for the Project in accordance with the policies and procedures set forth in the North Carolina Right of Way Manual.

C. MUNICIPAL UTILITY RELOCATIONS

Responsibilities

It is understood that the municipally-owned water and sewer lines are owned by **Charlotte Water**, therefore a separate Utility Agreement will be prepared with **Charlotte Water**. The **Municipality** shall exercise any rights which it may have under any franchise to effect all necessary changes, adjustments, and relocations of communications and electric power lines; underground cables, gas lines, and other pipelines or conduits; or any privately- or publicly-owned utilities.

D. MAINTENANCE

Upon completion of the Project:

- i. The **Municipality** shall be responsible for maintaining the sidewalks and the black powder coating on metal strain poles and type II pedestal poles. Should a black metal pole or pedestal need to be replaced, the **Department** will attempt to acquire a black metal pole or pedestal to replace it. The **Municipality** will be responsible for the cost difference between galvanized and black powder coated poles/pedestals. If black is not readily available, **Department** will use galvanized pole/pedestal for the replacement as restoring the operation of the signal is priority. Should the **Municipality** desire to replace a galvanized pole/pedestal, they shall be responsible for material and installation costs.
- ii. The **Department** shall be responsible for all traffic operating controls and devices which shall be established, enforced, and installed and maintained in accordance with the North Carolina General Statutes, the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, the latest edition of the "Policy on Street and Driveway Access to North Carolina Highway," and department criteria.

**ACCOUNTS RECEIVABLE
TIP AGREEMENT – ADDITIONAL WORK
CONSTRUCTION
1000026981**

- iii. The roadway improvements that are within state-owned right of way shall be considered a part of the State Highway System and shall be owned and maintained by the **Department**.

IV. COSTS AND FUNDING FOR ADDITIONAL WORK

A. ADDITIONAL WORK COSTS

At the request of the **Municipality** and in accordance with the **Department's** Pedestrian Policy Guidelines or the Complete Streets Guidelines, the **Department** shall include provisions in its construction contract for the construction of pedestrian facilities and/or other Additional Work as indicated in the Table below. Said work shall be performed in accordance with the **Department's** policies, procedures, standards, and specifications, and the provisions of this Agreement.

Description	Cost to Municipality
Sidewalk	\$ 3,770.00
Powder coating for metal strain poles and type II pedestal poles	\$ 9,813.60
Total Estimated Cost to Municipality	\$ 13,583.60

B. ADDITIONAL WORK FUNDING AND PAYMENT

The **Municipality** has agreed to participate in the Additional Work costs as follows:

- i. The estimated cost of the Additional Work is \$47,513.60. The **Municipality** shall participate in 10% of actual costs for the sidewalks (\$3,770.00) and 100% of the actual costs for the powder coating on the metal strain poles and type II pedestal poles (\$9,813.60). The **Department** will participate in 90% of actual costs of the sidewalks (\$33,930.00). Both **Parties** understand that this is an estimated cost and is subject to change.
- ii. The **Department** may consult with the **Municipality** on changes to cost estimates prior to construction, or changes to costs during construction. Consultation between the **Department** and the **Municipality** is offered as a courtesy to apprise the **Municipality** of potential cost increases and to allow appropriate budgeting. Failure of the **Department** to notify the **Municipality** of cost increases does not affect the payment terms of the agreement.

C. PAYMENT BY THE MUNICIPALITY

- i. Upon completion of the Project, the **Department** will calculate actual costs and bill the **Municipality** per the **COSTS AND FUNDING FOR ADDITIONAL WORK** Provision. The **Municipality** shall reimburse the **Department** within sixty (60) days of invoicing by the **Department**. The **Department** will charge a late payment penalty and interest on any unpaid balance due in accordance with G. S. 147-86.23.
- ii. At any time prior to final billing by the **Department**, the **Municipality** may prepay any portion of the estimated cost by sending payment in accordance with the attached "Remittance Guidance". The **Department** will provide a final billing based on the fixed cost, less any previous payments that have been made.
- iii. In the event the **Municipality** fails for any reason to pay the **Department** in accordance with the provisions for payment hereinabove provided, North Carolina General Statute 136-41.3 authorizes the **Department** to withhold so much of the **Municipality's** share of funds allocated to said **Municipality** by North Carolina General Statute, Section 136-41.1, until such time as the **Department** has received payment in full.

V. STANDARD PROVISIONS

A. AGREEMENT MODIFICATIONS

Any modification to scope, funding, responsibilities, or time frame will be agreed upon by all **Parties** by means of a written Supplemental Agreement.

B. ASSIGNMENT OF RESPONSIBILITIES

The **Department** must approve any assignment or transfer of the responsibilities of the **Municipality** set forth in this Agreement to other parties or entities.

C. AGREEMENT FOR IDENTIFIED PARTIES ONLY

This Agreement is solely for the benefit of the identified **Parties** to the Agreement and is not intended to give any rights, claims, or benefits to third parties or to the public at large.

D. OTHER AGREEMENTS

The **Municipality** is solely responsible for all agreements, contracts, and work orders entered into or issued by the **Municipality** to meet the terms of this Agreement. The **Department** is not responsible for any expenses or obligations incurred for the terms of this Agreement except those specifically eligible for the funds and obligations as approved by the **Department** under the terms of this Agreement.

E. TITLE VI

The other party to this Agreement shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21) and related nondiscrimination authorities. Title VI and related authorities prohibit discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

F. AUTHORIZATION TO EXECUTE

The **Parties** hereby acknowledge that the individual executing this Agreement has read this Agreement, conferred with legal counsel, fully understands its contents, and is authorized to execute this Agreement and to bind the respective **Parties** to the terms contained herein.

G. DEBARMENT POLICY

It is the policy of the **Department** not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this agreement, the **Municipality** certifies that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or Department and that it will not enter into agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

H. INDEMNIFICATION

The **Municipality** will indemnify and hold harmless the FHWA (if applicable), the **Department** and the State of North Carolina, their respective officers, directors, principals, employees, agents, successors, and assigns from and against any and all claims for damage and/or liability, including those that may be initiated by third parties, in connection with the Project activities performed pursuant to this Agreement including construction of the Project, except for those claims arising out of the errors, omissions, or negligence of the **Department**, its respective officers, directors, principals, employees, agents, successors, and assigns.

I. AVAILABILITY OF FUNDS

All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

J. COUNTERPARTS AND ELECTRONIC SIGNATURES

- i. This Agreement, and other documents to be delivered pursuant to this Agreement, may be executed in one or more counterparts, each of which will be deemed to be an original copy and all of which, when taken together, will be deemed to constitute one and the same agreement or document and will be effective when counterparts have been signed by each

of the **Parties**. An image of a manual signature on this Agreement, or other documents to be delivered pursuant to this Agreement, will constitute an original signature for all purposes. The delivery of copies of this Agreement or other documents to be delivered pursuant to this Agreement, including executed signature pages where required, by electronic transmission will constitute effective delivery of this Agreement or such other document for all purposes.

- ii. The **Parties** hereto further acknowledge and agree that this Agreement may be signed and/or transmitted by email or a PDF document or using electronic signature technology (e.g. DocuSign, Adobe Sign, or other electronic signature technology), and that such signed record shall be valid and as effective to bind the **Party(ies)** so signing as a paper copy bearing a handwritten signature. By selecting "I Agree", "I Accept", or other similar item, button, or icon via use of a keypad, mouse, or other device, as part of the electronic signature technology, the **Parties** consent to be legally bound by the terms and conditions of Agreement and that such act constitutes a signature as if actually signed in writing. The **Parties** also agree that no certification authority or other third-party verification is necessary to validate its electronic signature and that the lack of such certification or third-party verification will not in any way affect the enforceability of its electronic signature. The **Parties** acknowledge and agree that delivery of a copy of this Agreement or any other document contemplated hereby through the electronic signature technology, will have the same effect as physical delivery of the paper document bearing an original written signature.

K. GIFT BAN

By Executive Order 24, issued by Governor Perdue, and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Adult Corrections, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

**ACCOUNTS RECEIVABLE
TIP AGREEMENT – ADDITIONAL WORK
CONSTRUCTION
1000026981**

SIGNATURE PAGE

IN WITNESS WHEREOF, this Agreement has been executed the day and year heretofore set out, on the part of the **Department** and the **Municipality** by authority duly given.

(DOCUSIGN ONLY)

TOWN OF STALLINGS

Authorized Signer: _____

Print Name: _____

Title: _____

Date Signed: _____

If applicable, this Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act:

Fed Tax ID No: _____

Finance Signer: _____

Remittance Address:

Print Name: _____

Title: _____

Date Signed: _____

DEPARTMENT OF TRANSPORTATION

By: _____

Print Name: _____

Title: _____

Date: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (DATE)

**ACCOUNTS RECEIVABLE
TIP AGREEMENT – ADDITIONAL WORK
CONSTRUCTION
1000026981**

SIGNATURE PAGE

IN WITNESS WHEREOF, this Agreement has been executed the day and year heretofore set out, on the part of the **Department** and the **Municipality** by authority duly given.

(INK SIGNATURES)

TOWN OF STALLINGS

Attest:

Authorized Signer: _____

By: _____

Print Name: _____

Title: _____

Title: _____

Date Signed: _____

If applicable, this Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act:

Fed Tax ID No: _____

Finance Signer: _____

Remittance Address: _____

Print Name: _____

Title: _____

Date Signed: _____

(DOCUSIGN)

DEPARTMENT OF TRANSPORTATION

By: _____

Print Name: _____

Title: _____

Date: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (DATE)

EXHIBIT B

Description	Quantity	Unit	Price	Amount
4" Concrete Sidewalk	500	SY	\$ 65.00	\$ 32,500.00

Estimated Total	\$ 32,500.00
Contract Administration 16%	\$ 5,200.00
Estimated Costs	\$ 37,700.00
Stalling Responsibility 10%	\$ 3,770.00

Exhibit A

Description	Quantity	Unit	Price	Amount
<u>SIGNALS & ITS</u>				
POWDER COAT FOR METAL STRAIN POLE	4	EA	\$ 1,800.00	\$ 7,200.00
POWDER COAT FOR TYPE II PEDESTAL POLE	6	EA	\$ 210.00	\$ 1,260.00
Total Line Item Costs for Agreement				\$ 8,460.00
Contract Administration Costs 16%				\$ 1,353.60
Total Estimated Agreement Amount				\$ 9,813.60

Metal Pole #1
 -L- Sta 159+00 +/-
 LT 68 +/-

SR 1009 (Old Monroe Road)

35 MPH
 +1.0% Grade

Metal Pole #2
 -L- Sta 160+77 +/-
 LT 88 +/-

SR 1365
 (Stallings Road)

35 MPH +1.0% Grade

-  Traffic Signal Head
-  Pedestrian Signal Head With Push Button & Sign
-  Metal Strain Pole
-  Controller & Cabinet
-  Type I Pushbutton Post
-  Type II Signal Pedestal

35 MPH -1.0% Grade

Metal Pole #4
 -L- Sta 158+48 +/-
 RT 69 +/-

SR 1357
 (Potters Road)

SR 1009 (Old Monroe Road)

Metal Pole #3
 -L- Sta 160+50 +/-
 RT 63 +/-

35 MPH
 -3.0% Grade

SR 1009 (Old Monroe Road) EB at SR 1365 (Stallings Road)
 / SR 1357 (Potters Road) (10-0636)



1" = 40'
 SCALE



MEMO

To: **Mayor and Town Council**
Via: Alex Sewell, Town Manager
From: Kevin Parker, P.E., Town Engineer
Date: October 14, 2025.
RE: Aringill Lane Storm Water Repairs

Purpose

Staff is requesting Council approval for a Stormwater Repair Project on Aringill Lane (Callonwood Subdivision). These repairs are necessary to complete ahead of the Town's resurfacing program, which will include milling and resurfacing Aringill Lane following the repair work. Addressing these issues now will protect the Town's investment in the new roadway surface and prevent premature damage.

Background

As part of the Town's standard practice prior to resurfacing, staff conducted an inspection of the underground stormwater system along and beneath Aringill Lane. The inspection revealed approximately 20 deficiencies in the stormwater pipes and related infrastructure. These issues are actively contributing to pavement distress and will continue to damage the roadway if left unaddressed.

Recognizing the need for timely repairs, staff began soliciting bids in June 2025. Two contractors responded, and Red Clay Industries (the awarded Resurfacing Contractor) submitted the lowest responsible bid at \$62,150.

Scope of Work

The proposed repairs will directly address the stormwater system failures that are undermining the roadway.

Work includes:

- Excavating areas of pipe and structure distress
- Installing reinforced concrete collars to stabilize connections
- Backfilling and restoring the excavated areas
- Placing asphalt patches that will tie into the scheduled resurfacing project

These repairs must be completed before resurfacing crews mobilize to ensure the roadway is structurally sound. The resurfacing contractor is scheduled to begin work on Aringill Lane shortly after stormwater repairs are complete.

Budget and Funding

The base bid for the project is \$62,150. Staff recommends including an approximate 20% contingency to cover any unforeseen conditions that may arise once excavation begins, bringing the total project budget to \$75,000.

The project will be funded through the Town's Stormwater Budget.

Requested Action

Staff respectfully requests that Council approve the Aringill Lane Stormwater Repair Project with Red Clay Industries in the amount of \$62,150, plus an approximate 20% contingency, for a total project budget of \$75,000, to be funded from the Storm Water Budget.

Red Clay Industries, Inc.

P.O. Box 241689
Charlotte, NC 28224

Phone: (704) 523-1018
Fax: (704) 523-7588

To:	Town Of Stallings	Contact:	Justin Russell
Address:	315 Stallings Road Stallings, NC 28104	Phone:	
		Fax:	
Project Name:	Stallings Resurfacing 2025 - Pipe Collars	Bid Number:	
Project Location:	Callonwood Neighborhood, Stallings, NC	Bid Date:	9/15/2025

This proposal is for the pipe collars only. Any repair work at the pipe collar location will be compensated at the contract unit prices for asphalt patching and curb replacement.

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
01	Mobilization	1.00	LS	\$3,850.00	\$3,850.00
02	15" RCP Pipe Collars	20.00	EACH	\$2,915.00	\$58,300.00

Total Bid Price: \$62,150.00

Notes:

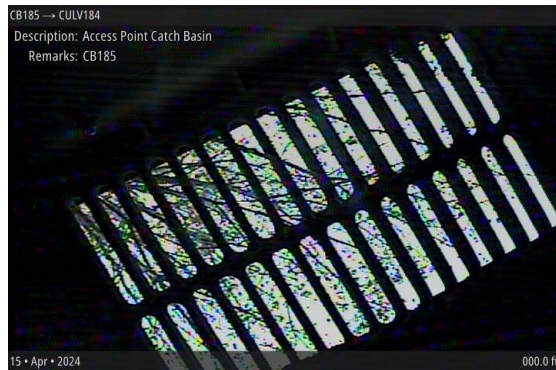
- This quotation is good for 30 days.
- Red Clay Industries presents this proposal based on the assumption that our scope work will be performed during normal working hours. We specifically exclude work at night, on weekends or on holidays.
- Field measurements to determine square yards, square feet, or linear feet to be taken upon completion of work for invoicing.
- Prices do not include surveying, staking, backfilling, import/export of material, or anything else not specifically stated in this quote.
- Any increase in the scope of work performed will result in a proportional increase in the price for this contract.
- In the case of a significant disruption in the supply of petroleum due to an act of war, terrorism, political unrest, natural disaster, or other similar event, Red Clay Industries reserves the right to adjust prices accordingly.
- No engineering, staking, testing, rough grading, undercut, relocation of existing utilities or other structures, import or export of any base material, shoulder/ditch construction, landscaping, seeding, or striping included in this quotation.
- Red Clay Industries has bid this job for one mobilizations per crew. Any additional mobilizations will be invoiced @ \$1,800.00 per mobilization.
- If you accept this quote, please sign, date, and return it to Red Clay Industries. Payment is due 30 days after receipt of an invoice. If you fail to make such payment, interest shall accrue at a rate of 1 ½% per month. You shall be liable for all costs of collection of past due amounts owed, including without limitation, reasonable attorneys' fees and costs.
- Any additional permit fees required for use of the right of way will be reimbursed by the customer.

Payment Terms:

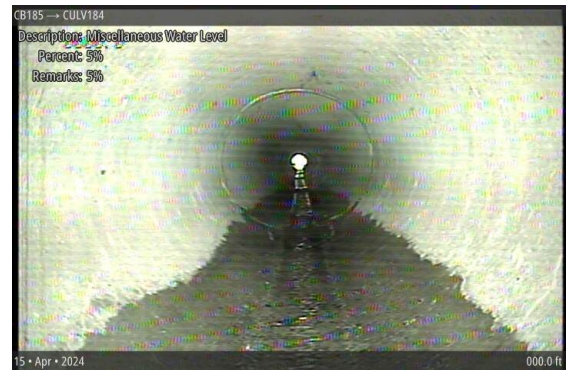
Net cash 30 days upon completion and receipt of invoice, no retainage to be held.

ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted. Buyer: _____ Signature: _____ Date of Acceptance: _____	CONFIRMED: Red Clay Industries, Inc. Authorized Signature: _____ Estimator: Jim Littleton
---	--

Snapshots



Access Point Catch Basin at 000.0 ft | CB-185



Miscellaneous Water Level at 000.0 ft | 5%



[Grade 1] Roots Fine Joint at 005.2 ft, 5 - 7 o'clock



[Grade 1] Roots Fine Joint at 013.5 ft, 5 - 7 o'clock



[Grade 5] Surface Damage Missing Wall at 025.5 ft, 10 - 1 o'clock



[Grade 5] Hole Void Visible at 028.1 ft, 10 - 2 o'clock | TOP MISSING

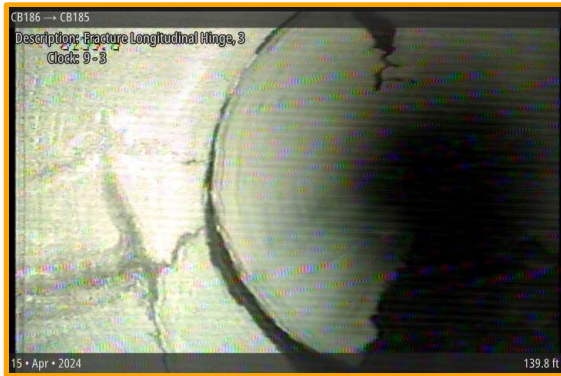


[Grade 2] Fracture Circumferential at 032.7 ft, (all clock positions)



[Grade 4] Fracture Multiple at 046.0 ft, 11 - 12 o'clock

Snapshots



[Grade 3] Fracture Spiral at 139.8 ft, 9 - 3 o'clock



[Grade 2] Crack Longitudinal at 141.6 ft, 12 o'clock



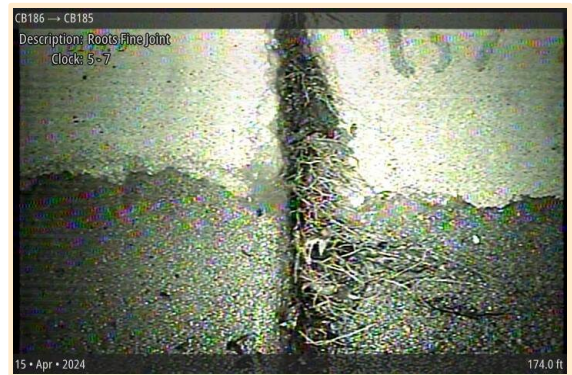
[Grade 1] Infiltration Stain Joint at 141.6 ft, 2 - 5 o'clock



[Grade 3] Fracture Longitudinal Hinge, 2 at 148.5 ft, 9 - 3 o'clock



[Grade 3] Fracture Longitudinal at 156.7 ft, 4 o'clock



[Grade 1] Roots Fine Joint at 174.0 ft, 5 - 7 o'clock



[Grade 3] Joint Offset Medium at 189.3 ft



[Grade 4] Broken at 189.8 ft, 4 - 8 o'clock



MEMO

To: Town Council
From: Max Hsiang, Planning Director
Date: October 14, 2025
RE: CZ25.02.03 3919 & 3927 Pleasant Plains Town Center (1) Council-Requested Revisions

MONA-T LLC submitted a conditional rezoning request (CZ-TC) for parcels 07129296B and 07129296C, located at 3919 and 3927 Pleasant Plains Road, totaling approximately 2.63 acres. The proposed development includes 12 shopfront units with ground-floor commercial or retail space and residential units above, as well as 23 townhomes located at the rear of the site.

This item was discussed at Council meetings on July 14, 2025, and September 8, 2025. Council emphasized that, as this is the first development proposed within the Town Center (TC) zoning district, it is important to establish the right precedent. Key areas of concern included the streetscape buildout, the sequencing of shopfront and townhome construction (with commercial space to be built before or concurrently with the townhomes), and the architectural elevations.

Following the September 8 meeting, the applicant incorporated revisions into the CZ25.02.03 Development Standards document. All Council-requested changes are shown in blue within the document and address phasing, streetscape standards, and building elevations.

Summary of Revisions

1. Occupancy & Sequencing

- Added a condition linking townhome Certificates of Occupancy to completion of a portion of the commercial space. No more than 50% of the townhome units may receive Certificates of Occupancy until at least 50% of the total planned shopfront commercial area (minimum 4,860 sq. ft.) has been constructed to the completed shell stage.
- Clarified that any originally approved residential loft unit may be converted to a commercial or retail use permitted within the Town Center district, and such units may revert to residential use without requiring a zoning amendment. However, originally approved commercial shopfront units cannot be converted to residential use without a formal amendment to the conditional zoning.

2. Building Materials and Design

- Added a requirement that Town Council approve all proposed building elevations prior to issuance of Construction Document approval. The applicant will return to Council for this approval once the project reaches the Construction Document phase.

3. Streetscape Standards

- Specified that the Pleasant Plains Road streetscape depth will be 18 feet (12-foot sidewalk plus a 6-foot paver strip).
- Introduced an interim condition allowing installation of a 12-foot sidewalk with a 6-foot landscaped strip until adjacent properties are developed to the full standard.
- Required the developer (or future owner) to upgrade the interim condition to the full 18-foot streetscape with pavers once neighboring properties are built out.

4. Connectivity

- Required that all stubs, alleyways, and turnarounds within the development be clearly identified on the plans as “stub for future connection” and reserved and constructed for that purpose.



Development Standards

CZ25.02.03 3919 & 3927 Pleasant Plains Rd Shop Front

MONA-T LLC, submitted a conditional rezoning to CZ-TC for parcels 07129296B and 07129296C, located at 3919 and 3927 Pleasant Plains Road, totaling approximately 2.63 acres. The proposed development includes 12 shopfront units with commercial or retail space on the ground floor and residential units above, along with 23 townhomes situated at the rear of the site. Below is the list of Development Standards:

I. General Provisions

1. The Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by MONA-T, LLC (the “Petitioner”) to accommodate redevelopment on an approximately 2.63-acre site located at 3919 and 3927 Pleasant Plains Road in the Town of Stallings, more particularly depicted on the Rezoning Plan (the “Site”). The Site is comprised of Tax Parcel Number 07129296B and 07129296C.
2. Development of the Site will be governed by the Rezoning Plan, these Development Standards, and the applicable provisions of the Town of Stallings Unified Development Ordinance (the “Ordinance”).
3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Town Center (TC) zoning district shall govern the development and use of the Site.
4. The development and street layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations, and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping, and tree save requirements set forth on this Rezoning Plan and the Development Standards. Any such alterations and modifications shall be minor in nature and not materially change the overall design intent depicted on the Rezoning Plan.
5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of the Ordinance.
6. Development is limited to a maximum of 12 shopfront units, 12 residential lofts, and 23 townhomes.

II. Land Use

1. Non-residential uses are intended to activate the Pleasant Plains Road street frontage and shall comply with the Shop Front Building Type Standards identified in Section 9.6 of the Ordinance.
2. Non-residential uses identified below shall be permitted within the TC zoning district, subject to compliance with all applicable requirements of the Town of Stallings Unified Development Ordinance (UDO) and the following conditions:
 - a. Coworking Spaces – Flexible office spaces for individuals or small businesses seeking shared work environments.
 - b. Professional Services – Including consulting, design, legal, real estate, accounting, and other similar business services.
 - c. Personal Services – Establishments providing services such as hair and nail salons, tailor services, dry cleaning, laundry, and other personal care businesses.
 - d. Health and Wellness – Establishments offering services aimed at physical and mental well-being, including fitness centers, yoga studios, massage therapy, physical therapy, and wellness coaching.
 - e. Creative Studios – Spaces for artistic creation and production, including photography, painting, graphic design, music, or other creative industries.
 - f. Event or Meeting Spaces – Facilities available for hosting small community events, conferences, and meetings.
3. The total floor area dedicated to any non-residential use or combination of non-residential uses listed above shall not exceed 15,000 square feet in aggregate. This limit is intended to ensure that the

development remains in keeping with the scale and character of the TC zoning district and as stipulated in the Shop Front Building Type code section.

4. Prohibited uses include vape shops, tobacco sales, CBD retailers, smoke shops, hookah lounges, and similar businesses.
5. **Occupancy Sequencing:**
 - a. Certificates of Occupancy for more than fifty percent (50%) of the approved townhome units (minimum twelve [12]) shall not be issued until at least fifty percent (50%) of the total planned shopfront commercial floor area (minimum 4,860 SF) has been constructed to a completed building shell, excluding interior tenant upfits.
 - b. A completed building shell shall include foundations, structural framing, roof assembly, exterior walls, storefront systems, primary utility connections, and required life-safety and fire-separation elements necessary for issuance of a Shell Certificate of Occupancy or equivalent under the North Carolina State Building Code.
6. Any originally approved residential loft unit may be converted to a commercial or retail use as permitted in Town Center, and any such converted unit may be returned to residential use, without requiring an amendment to the conditional zoning. However, no originally approved commercial shopfront unit may be converted to residential use without a formal amendment to the conditional zoning.

III. Site Specific Standards for Consideration

To support the development's unique design vision and promote a high-quality, context-sensitive outcome, the applicant intends to pursue deviation from zoning-specific standards to accommodate the envisioned development on the Site, subject to approval by the Town's Planning and Zoning Department. These standards are intended to provide flexibility in the implementation of certain design elements, including but not limited to:

1. **Frontage** – The proposed frontage design along Pleasant Plains Road reflects a context-sensitive approach that supports the Town's vision for its Town Center zoning district. The project seeks to right-size the frontage setback and streetscape improvements to create a safe, accessible, and inviting pedestrian experience, consistent with a vibrant, walkable downtown environment. Specifically, the development proposes a reduction in the streetscape depth from 38 feet to 18 feet (from the existing curb to the building face), aligning more closely with the Downtown Core plan type outlined in the Town's Streetscape Design Standards. The standard 38-foot Type 1A section is out of scale with the existing and intended character of this area and would not support the compact, pedestrian-oriented form envisioned for the Town Center. This proposed adjustment will enhance the sense of place, improve walkability, and better contribute to the urban fabric the Town is working to establish.
2. **Streetscape Compliance:**
 - a. All required streetscape improvements along Pleasant Plains Road shall be installed in coordination with the development of the shopfront units. Streetscape installation shall be substantially complete prior to the issuance of certificates of occupancy for the initial 50 percent of the shopfront units.
 - b. Streetscape improvements shall be designed and constructed in accordance with the Town of Stallings Streetscape Design Standards or as otherwise approved by the Town.
 - c. The ultimate streetscape standard along the project frontage shall be up to 18 feet in width maximum, consisting of a 12-foot clear sidewalk zone and a 6-foot paver strip per item (b) above.
 - d. Because this project is the first development within the Town Center zoning district and will establish precedents for future projects, the developer may construct an interim streetscape condition consisting of a minimum 12-foot clear sidewalk with an adjacent 6-foot interim landscape strip. The interim landscape strip shall incorporate the required street trees in lawn or landscape beds, subject to Town approval. Interim materials may include grass, mulch, groundcovers, low plantings, or other Town-approved treatments, provided the area is reserved for future conversion to the required 6' paver strip.
 - e. Conversion shall be required when the properties to the west of subject parcel(s) are substantially developed and comply with the 18-foot standard, thereby necessitating full buildout of this property to establish a consistent and continuous Town Center streetscape frontage. At that time,

the developer (or subsequent property owner) shall upgrade the interim landscape strip to the 6' paver strip, at their expense and in accordance with the Stallings Streetscape Standards.

3. Site Layout and Parking – The proposed development seeks to provide a mix of two- and three-story attached single-family townhomes, responding to current housing needs with a range of unit types and parking options. Some units will feature front-loaded garages accessed via private alleys in lieu of internal public streets, while others will utilize surface parking areas to comply with minimum ordinance requirements. The site layout prioritizes efficient land use and pedestrian connectivity, with flexibility in parking configuration, access points, and circulation patterns to support a walkable, community-oriented environment.
4. All proposed building elevations must be included in the Construction Documents and approved by the Town Council before approval.
5. Prohibited exterior materials include vinyl, EIFS, and Masonite. Vinyl may be used only for windows, doors, trim, and railings.
6. A minimum of 12 inches of exposed brick or stone is required at the base frontage of all units.
7. A minimum of 1 EV charging station must be installed on-site.

The application of these site-specific design standards shall be reviewed and approved by the Town of Stallings, ensuring that any proposed deviations from the standard requirements will still align with the community's broader planning goals, such as walkability and pedestrian infrastructure, sustainable growth, and mixed-use development that is compatible with the Town Center character.

IV. Transportation

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and as required for approval by the Town of Stallings or NCDOT.
2. The alignment of internal private drives, vehicular circulation areas, and driveways are subject to minor modification during the permitting process to accommodate changes in traffic patterns, parking layouts, and/or any adjustments required by the Town of Stallings or NCDOT.
3. Streetscape shall be dedicated to the Town.
4. Roads, alleys, and parking areas within the development will remain privately owned and maintained.
5. All stubs, alleyways, and turn arounds within the development shall be clearly identified on the plans as "stub for future connection" and shall be reserved and constructed for that purpose.

V. Environmental Features

1. The Petitioner shall comply with the Town of Stallings / Union County approved and adopted Post Construction Stormwater Ordinance.

VI. Signage

1. All signage installed on the Site shall comply with the requirements of the Town of Stallings Unified Development Ordinance.

VII. Binding Effect of the Rezoning Documents and Definitions

1. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns.
2. Throughout these Development Standards, the terms "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest, and assigns of the

Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development thereof.



I. General Provisions

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by MONA-T, LLC (the "Petitioner") to accommodate redevelopment on an approximately 2.63-acre site located at 3919 and 3927 Pleasant Plains Road in the Town of Stallings, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Number 071232936B and 071232936C.

2. Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the Town of Stallings Unified Development Ordinance (the "Ordinance").

3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Town Center (TC) zoning district shall govern the development and use of the Site.

4. The development and street layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall be minor in nature and not materially change the overall design intent depicted on the Rezoning Plan.

5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of the Ordinance.

6. Development is limited to a maximum of 12 shopfront units, 12 residential lots, and 23 townhomes.

II. Land Use

1. Non-Residential uses are intended to activate the Pleasant Plains Road street frontage and shall comply with the Shop Front Building Type Standards, identified in Section 9.6 of the ordinance.

2. Non-residential uses identified below shall be permitted within the TC zoning district, subject to compliance with all applicable requirements of the Town of Stallings Unified Development Ordinance (UDO) and the following conditions:

- a. **Coworking Spaces** – Flexible office spaces for individuals or small businesses seeking shared work environments.
- b. **Professional Services** – Including consulting, design, legal, real estate, accounting, and other similar business services.
- c. **Personal Services** – Establishments providing services such as hair and nail salons, tailor services, drycleaning, laundry, and other personal care businesses.
- d. **Health and Wellness** – Establishments offering services aimed at physical and mental well-being, including fitness centers, yoga studios, massage therapy, physical therapy, and wellness coaching.
- e. **Creative Studios** – Spaces for artistic creation and production, including photography, painting, graphic design, music, or other creative industries.
- f. **Event or Meeting Spaces** – Facilities available for hosting small community events, conferences, and meetings.
- g. **Prohibited uses** include vape shops, tobacco sales, CBD retailers, smoke shops, hookah lounges, and similar businesses.

Note: The total floor area dedicated to any non-residential use or combination of non-residential uses listed above shall not exceed 15,000 square feet in aggregate. This limit is intended to ensure that the development remains in keeping with the scale and character of the TC zoning district and as stipulated in the Shop Front Building Type code section.

III. Site Specific Standards for Consideration

To support the development's unique design vision and promote a high-quality, context-sensitive outcome, the applicant intends to pursue deviation from zoning specific standards to accommodate the envisioned development to the site, subject to approval by the Town's Planning and Zoning Department. These standards are intended to provide flexibility in the implementation of certain design elements, including but not limited to:

1. **Frontage** – The proposed frontage design along Pleasant Plains Road reflects a context-sensitive approach that supports the Town's vision for its Town Center. The proposed design includes a "frontage setback" that aligns the frontage setback and streetscape improvements to create a safe, accessible, and inviting pedestrian experience, consistent with a vibrant, walkable downtown environment. Specifically, the development proposes a reduction in the streetscape depth from 38 feet to 18 feet—from the existing curb to the building face—aligning more closely with the Downtown Core plan type outlined in the Town's Streetscape Design Standards. The standard 38-foot Type 1A section is out of scale with the existing and intended character of this area and would not support the compact, pedestrian-oriented form envisioned for the Town Center. This proposed adjustment will enhance the sense of place, improve walkability, and better contribute to the urban fabric the Town is working to establish.
2. **Site Layout and Parking** – The proposed development seeks to provide a mix of two- and three-story attached single-family townhomes, responding to current housing needs with a range of options. Some homes will feature front-loaded garages accessed via private alleys in lieu of internal public streets, while others will utilize surface parking areas that exceed minimum ordinance requirements. The site layout prioritizes efficient land use and pedestrian connectivity, with flexibility in parking configuration, access points, and circulation patterns to support a walkable, community-oriented environment. Generous common open space is integrated throughout the site to enhance livability and foster neighborhood interaction.
3. **All building elevations, exterior materials, and color palettes must be approved by the Planning Board before permitting.**
4. **Prohibited exterior materials include vinyl, EIFS, and Masonite. Vinyl may be used only for windows, doors, trim, and railings.**
5. **A minimum of 12 inches of exposed brick or stone is required at the base frontage of all units.**
6. **A minimum of 1 EV charging stalls must be installed.**

The application of these site specific design standards shall be reviewed and approved by the Town of Stallings, ensuring that any proposed deviations from the standard requirements will still align with the community's broader planning goals, such as walkability and pedestrian infrastructure, sustainable growth, and mixed-use development that is compatible with the town center character.

IV. Transportation

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and as required for approval by the Town of Stallings or NCDOT.
2. The alignment of internal private drives, vehicular circulation areas, and driveways are subject to minor modification during the permitting process to accommodate change in traffic patterns, parking layouts, and/or any adjustments required by the Town of Stallings or NCDOT.
3. Streetscape will be dedicated to the Town.
4. Roads, alleys, and parking areas within the development will remain privately owned and maintained.

V. Environmental Features
1.The petitioner shall comply with the Town of Stallings / Union County approved and adopted Post Construction Stormwater Ordinance.

VI. Signage
1.All signage installed on Site shall comply with the requirements of the Town of Stallings Unified Development Ordinance.

VII. Binding Effect of the Rezoning Documents and Definitions

1.If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns.

2.Throughout these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development thereof.



Rezoning Site Plan
3919 Pleasant Plains Rd. Matthews, NC 28104

[illegible]

Project No: 24-CLT-222
Date: 02.28.2025
Sheet No:

RZ-2.0



SITE DATA

ACRES:	± 2.63 AC
PIN:	07129296B,07129296C
EXISTING ZONING:	TC (TOWN CENTER)

DEVELOPMENT SUMMARY

PROPOSED ZONING:	CZ (CONDITIONAL ZONING)
MAXIMUM DENSITY:	24 UNITS/AC
PROPOSED USE:	SHOP FRONT & ATTACHED RESIDENTIAL

SETBACKS:	
• FRONT:	0'-10' FROM EDGE OF RIGHT-OF-WAY
• SIDE:	0'
• REAR:	8'

MAX BUILDING HEIGHT:	45'
----------------------	-----

RESIDENTIAL:	32 DU TOTAL
• TOWNHOMES:	20 UNITS
• RESIDENTIAL LOFTS:	12 UNITS

COMMERCIAL:	
• SHOP FRONT:	12 UNITS (9,720 SF TOTAL)

PARKING:	PER ORDINANCE
• REQUIRED:	47 SPACES
RETAIL:	15 SP (1.5 SP/1000 SF)
RESIDENTIAL:	32 SP (1 SP/ 1 DU)
• PROPOSED:	73 TOTAL SPACES
RETAIL:	15 SPACES
FLEX / VISITOR:	6 SPACES
RESIDENTIAL:	20 DRIVEWAY SPACES 12 RESIDENTIAL LOFT SPACES 20 SURFACE SPACES

TREE CONSERVATION AREA:	N/A
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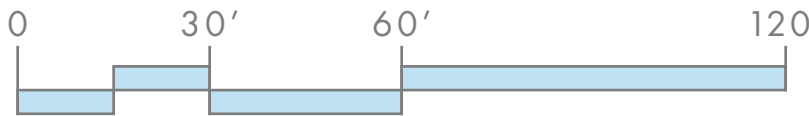
NOTES

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE.
2. THIS EXHIBIT WAS PREPARED USING AVAILABLE RECORD INFORMATION, GIS MAPS, RECORD PLANS, AERIAL IMAGERY, AND LAND RECORDS.
3. THIS PLAN WILL BE SUBJECT TO REVIEW AND APPROVAL BY LOCAL AND STATE PLANNING AND ENGINEERING REVIEW AGENCIES.
4. THE WORK OF THIS PRODUCT IS THE PROPERTY OF URBAN DESIGN PARTNERS, PLLC. NO USE OR REPRODUCTION OF THIS PLAN IS PERMITTED WITHOUT WRITTEN AUTHORIZATION FROM URBAN DESIGN PARTNERS, PLLC.
5. SETBACKS ARE BY THE LOT/BUILDING TYPE STANDARDS AND THEN BY ZONING DISTRICT. TC HAS A 0'-10' BUILD-TO-LINE OFF EDGE OF SIDEWALK.
6. ACCORDING TO STALLINGS ORDINANCE, TOWN CENTER ZONING DISTRICT REQUIRES THAT A BUILD-TO-LINE FROM ANY STREET BE 0'-10' OFF EDGE OF SIDEWALK PER SECTION 13.6-1 OF THE STALLINGS ORDINANCE. OR THE AVERAGE ALIGNMENT OF EXISTING BUILDINGS WITHIN THE SAME BLOCK AND SAME SIDE OF THE STREET, PROVIDED THAT BUILDINGS WITH GREATER THAN 6' OF DEVIATION SHALL NOT BE CONSIDERED IN THIS COMPUTATION. UNDER NO CONDITIONS SHALL A BUILDING BE PERMITTED WITHIN THE PUBLIC RIGHT-OF-WAY.



PLEASANT PLAINS MU CONCEPT PLAN

MATTHEWS, NORTH CAROLINA



JULY, 2025

24-CLT-222



Statement of Consistency and Reasonableness

ZONING AMENDMENT: CZ25.02.03

REQUEST: The applicant, MONA T LLC, is requesting a conditional rezoning to CZ-TC for a 2.63-acre site (parcels 07129296B and 07129296C) to allow development for 12-shopfront units and 23 Townhomes in Town Center.

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

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

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

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

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

- 1) The request aligns with the Comprehensive Land Use Plan.
- 2) The proposed use supports the Town Center Future Land Use designation.
- 3) The combination of commercial and residential uses is consistent with the adopted Town Center Small Area Plan.
- 4) The inclusion of a Streetscape Design aligns with the Stallings Streetscape Design Standards and Details Plan.

Adopted this the __ day of _____, 2025

Mayor

Attest:

Town Clerk



MEMO

To: **Mayor and Town Council**
Via: Alex Sewell, Town Manager
From: Kevin Parker, P.E., Town Engineer
Date: October 14, 2025.
RE: Approval Request- Storm Water Ordinance

Purpose

Staff is requesting Council approval of the attached ordinance (§52.01 – Inspection, Maintenance, and Enforcement of Stormwater Infrastructure and Stormwater Control Measures). Adoption of this ordinance is necessary to comply with the Town’s MS4 Permit requirements and to ensure stormwater infrastructure is properly maintained throughout Stallings.

Background

The Town’s MS4 Permit, issued under the EPA’s Clean Water Act, requires municipalities to inspect, maintain, and enforce the performance of stormwater control measures (SCMs) and related infrastructure. To meet these obligations, the Town has hired a Storm Water Compliance (SWC) Manager, whose role will focus on inspections, notifications, and enforcement.

To effectively carry out these duties, the SWC Manager requires enforcement authority equivalent to that of the Town’s Code Enforcement Officer. Staff, in consultation with Ms. Melanie Cox, has developed the proposed ordinance to provide that authority and to establish clear standards for property owners.

Key Ordinance Provisions

- Scope: Applies to all stormwater infrastructure and SCMs, regardless of age.
- Authority: Grants the SWC Manager authority to issue notices of inspections and violations, impose civil penalties, and obtain warrants.
- Right of Entry: Provides access to stormwater facilities via easements or, when absent, through property owner authorization or administrative warrant.
- Inspection & Maintenance: Requires property owners to maintain SCMs, perform annual professional inspections, and submit inspection reports to the Town.
- Notices of Violation: Establishes correction timelines of 30/60/90 days depending on severity.
- Penalties: Sets fines at \$100/day (minor), \$500/day (intermediate), and \$1,000/day (major).
- Emergency Enforcement: Authorizes immediate corrective action when violations pose imminent risks.
- Appeals: Provides appeal rights to the Board of Adjustment.

Implementation Approach

Because this is a new requirement, the Town will emphasize communication and cooperation with residents and businesses. The implementation process will include:

1. Program Overview Notices: Mailed notices explaining the purpose, timing, and procedures of the program, while requesting property owner points of contact.
2. Inspection Notices: Advance notification before inspections (and access requests if applicable), with the option for property owners to attend.
3. Notices of Violation: Issued only when necessary, with staff working directly with property owners to resolve issues before penalties are pursued.

Requested Action

Staff respectfully requests that Council approve the attached ordinance (§52.01) to establish enforcement authority for stormwater inspections, maintenance, and compliance in accordance with the Town’s MS4 Permit obligations.



**AN ORDINANCE TO AMEND CHAPTER 52 OF THE
CODE OF ORDINANCES FOR THE TOWN OF
STALLINGS TO ESTABLISH INSPECTION,
MAINTENANCE, AND ENFORCEMENT
PROCEDURES FOR STORMWATER
INFRASTRUCTURE AND STORMWATER CONTROL
MEASURES (SCMs)**

WHEREAS, the Town of Stallings is a North Carolina municipal corporation possessing the authority to enact ordinances to promote the health, safety, and welfare of its citizens under the North Carolina General Statutes, including but not limited to N.C.G.S. §§ 160A-174, 160D-925, and 143-214.7;

WHEREAS, pursuant to N.C.G.S. § 143-214.7, local governments are authorized to establish and implement stormwater management programs to comply with State and federal water quality regulations and to address the impacts of stormwater runoff;

WHEREAS, the Town of Stallings has been issued a National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit by the North Carolina Department of Environmental Quality (NCDEQ), which requires the Town to implement a Stormwater Management Program (SWMP);

WHEREAS, the Town finds that proper inspection, maintenance, and enforcement of stormwater infrastructure and Stormwater Control Measures (SCMs) are essential to protect surface and groundwater quality, reduce flooding, and ensure compliance with the Town's MS4 permit;

WHEREAS, the Stallings Town Council finds it in the public interest to amend Chapter 52 of the Town Code to provide specific procedures for inspection, maintenance, and enforcement related to stormwater infrastructure and SCMs;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF STALLINGS, NORTH CAROLINA, that Chapter 52 of the Town Code is hereby amended by adding the following Section 52.01 in its entirety:

**§52.01 INSPECTION, MAINTENANCE, AND ENFORCEMENT OF STORMWATER
INFRASTRUCTURE AND STORMWATER CONTROL MEASURES (SCMs)**

(A) Purpose.

The purpose of this section is to establish procedures for the inspection, maintenance, and enforcement of stormwater infrastructure and Stormwater Control Measures (SCMs) required under Chapter 52 (Post-Construction Stormwater Ordinance) and the Town's Stormwater Management Program (SWMP). This section is intended to protect water quality, reduce stormwater pollution, and ensure compliance with the Town's NPDES MS4 permit.

(B) Scope.

(1) This section applies to all stormwater infrastructure and SCMs, including but not limited to: pipes, catch basins, ditches, culverts, channels, stormwater wetlands, outfalls, ponds, bioretention areas, infiltration systems, permeable pavement, sand filters, and other devices or conveyances that manage or treat stormwater runoff.

(2) This section applies to all stormwater infrastructure regardless of age, date of construction, or whether originally permitted under current standards.

(C) Authority.

(1) The Town of Stallings Storm Water Compliance Manager (hereinafter "SWC Manager"), acting as the Storm Water Administrator or his/her designee, is hereby authorized and empowered to administer and enforce the provisions of this section.

(2) The Storm Water Compliance Manager shall have the same enforcement authority as a Code Enforcement Officer under this Code, including the power to:

- Issue notices of violation;
- Impose civil penalties;
- Use authorized collection methods for unpaid fines and penalties;
- Obtain injunctions;
- Obtain administrative search warrants pursuant to NCGS §15-27.2; and
- Place liens on the property when statutorily permitted.

(D) Right of Entry; Inspection and Sampling.

(1) Upon presentation of proper credentials, the SWC Manager or his/her designee may enter any public or private property for the purposes of inspection, observation, monitoring, sampling, and ensuring compliance with this chapter.

(2) Access to stormwater infrastructure shall be provided via recorded stormwater easements. Where such easements are not available, written access authorization from the property owner is required.

(3) Refusal of Access. If a property owner refuses access and no easement exists, the SWC Manager may obtain an administrative warrant as authorized in NCGS §15-27.2. The property owner shall be required to have their stormwater infrastructure and/or SCM inspected by a qualified professional and provide documentation of compliance to the Town within thirty (30) days of written notice from the Town.

(4) The SWC Manager or his/her designee shall provide the property owner with the inspection and maintenance requirements applicable to each SCM located on the property.

(E) Inspection and Maintenance Requirements.

(1) Each owner of stormwater infrastructure and/or SCMs shall maintain a stormwater maintenance plan and agreement on file with the Town as required under Chapter 52 prior to construction of new systems.

(2) All stormwater infrastructure, regardless of age, shall be maintained by the property owner in a condition sufficient to preserve its designed or intended function.

(3) Owners shall be responsible for the ongoing maintenance and repair of stormwater infrastructure and SCMs.

(4) SCMs shall be inspected annually by a qualified professional. An inspection report shall be provided to the Town every 12 months.

(5) The Town may perform periodic inspections to verify compliance with Chapter 52 and this section.

(F) Notice of Violation (NOV).

(1) When the Storm Water Compliance Manager determines a violation exists, he/she shall issue a Notice of Violation to the property owner or responsible party.

(2) The NOV shall describe the violation, specify corrective actions, and establish a compliance deadline as follows:

- Minor violation: examples include failure to mow or failure to remove excess vegetation, failure to remove trash/debris, failure to replace minor equipment (e.g., valve covers, trash racks). Minor violations have a period of 30 days from notice of said violation to rectify prior to the issuance of monetary fines.
- Intermediate Violations: examples include the need to repair riprap, correction of minor erosion, removal of standing water; Intermediate violations have a period of 60 days from notice of said violation to rectify prior to the issuance of monetary fines.

- Major Violations: examples include repair of structural damage, correction of major erosion, dam or spillway failure. Major violations have a period of 90 days from notice of said violation to rectify prior to the issuance of monetary fines.

(3) The NOV shall be issued either in person or posted in the U.S. mail service by first class mail addressed to the last known address of the violator as contained in the records of the county. The NOV shall set out the nature of the violation, the date of the violation, and shall contain an order to immediately cease the violation or a timeframe in which the violation shall be rectified, and the property reinspected.

(G) Enforcement and Penalties.

(1) If violations are not corrected within the specified timeframe, civil penalties may be assessed beginning 3 days after the date of mailing of the NOV, or the day following service by personal delivery.

(2) Each day of continued violation shall constitute a separate offense.

(3) Civil penalties shall be assessed as follows:

Minor violations: \$100 per day

Intermediate violations: \$500 per day

Major Violations: \$1000 per day

(4) If corrective action is not taken, the Town may perform, or contract for necessary maintenance or repair. All costs incurred by the Town shall be charged to the property owner. Unpaid charges will be collected using all appropriate legal remedies.

(5) Nothing in this section shall prevent the Town from pursuing additional remedies available under state law, including injunctive relief.

(H) Emergency Enforcement.

If delay in correcting a violation poses an immediate threat to public health, safety, welfare, or the environment, the Storm Water Compliance Manager may order immediate cessation of the violation and take necessary corrective action without prior written notice.

(I) Appeals.

An appeal from a NOV shall be taken within ten days from the date of the NOV by filing with the enforcement official and with the Board of Adjustment, a notice of appeal which shall specify the grounds upon which the appeal is based, as set forth in Section 4.3 of the Stallings Unified Development Ordinance.

Cross-reference:

§53.12 Requirements to Prevent, Control, and Reduce Storm Water Pollutants; Chapter 52 (Post-Construction Stormwater Ordinance).

Adopted this the 27th day of October, 2025.

Wyatt Dunn, Mayor

Attest:

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC



MEMO

To: Mayor and Council
Via: Alex Sewell, Town Manager
From: Erinn Nichols, Asst. Town Manager; Kevin Parker, Engineering Dir.
Date: 10-23-2025
RE: **Calloonwood Lighting Request**

Calloonwood Residents have requested the Town convert its streetlight poles to LED lighting due to what is perceived as underlighting in the neighborhood resulting in a community problem and increased crime.

Inspection Information:

Town Staff/Duke Energy have inspected the lighting in the neighborhood.

- Several streetlights are blocked by overgrown trees.
 - Duke Energy will not trim the trees because the trees are not preventing crews from doing maintenance to the streetlights.
 - Trees belong to the Callonwood HOA.
- Callonwood Crime
 - After investigation by the Stallings Police Department (see attached), it is the professional opinion of the Stallings Police Chief that the current streetlighting levels are not contributing to increased crime in the neighborhood.

Town Lighting Policy:

- Under the current Town policy, the Town will not cover installation costs for additional lighting but would pay monthly energy bills.

Transition Costs:

Conversion of traditional streetlighting to LED lighting for decorative poles.

- Callonwood:
 - Total: \$153,000
 - Transition fee (\$3K) – (Callonwood mentioned a willingness to pay.)
 - Decorative adder fee (\$42K)
 - Installation over the 5-year contract (\$58K)
 - Contingency: \$50K
(Project management, etc.)
- Townwide:
 - Approximately 2/3 of the Town's streetlight poles are non-LED.*
 - Total: ~\$923,000 (including Callonwood)
 - Duke: \$239,000
 - Union Power: \$322,000
 - Contingency: \$307,000
(Lighting audits, project management, etc.)

Staff Request:

Council direct Staff on this community's streetlighting LED conversion request and similar future requests of other communities.



MEMO



To: Alex Sewell, Town Manager
From: Dennis Franks, Chief of Police
Date: October 7, 2025
RE: Callonwood lighting calls comparison

Purpose: The purpose of this memo is to make a comparison of similar sized neighborhoods to evaluate crimes that may have occurred due to lighting issues.

Summary: The Stallings Police Department (SPD) recently conducted a review of crime trends in the Callonwood neighborhood, with a particular focus on incidents that may be influenced by inadequate neighborhood lighting. The goal of this review was to assess whether improved lighting could potentially mitigate certain types of criminal activity. According to the Callonwood HOA there are 634 homes in the neighborhood. Staff analyzed ten years of call data, isolating incidents that occurred during overnight hours. They then excluded calls related to incidents that typically also occur during the daytime.

In ten years, the SPD has responded to a total of 2,111 in the Callonwood neighborhood. The total number of police calls from 5P-5A was 971. When looking at incidents that were specifically related to lighting, the calls in the same ten-year period were 231.

The SPD also looked at comparable neighborhoods and combined statistics from three neighborhoods to compare to Callonwood. Staff used Fairfield Plantation, Hunley Creek, and Willowbrook in efforts to make similar comparisons. These three neighborhoods have a total of 555 houses. Using the same 10-year period these three neighborhoods had 1,092 police calls. When looking at incidents that were specifically related to lighting, the calls in the same ten-year period were 92.

In effort to make a like-for-like comparison I have listed the same calls evaluated at night to days to observe any differences. The following charts show both neighborhood (or neighborhood group).

CALLONWOOD

5P-5A

5A-5P

Vehicle Break-ins/Theft	120	62
Vandalism/ Property Damage	20	22
Trespass/Prowler	25	1
Youth Disturbances/Mischief	30	35
Firearm-Related Incidents	5	0
Assault/ Armed Robbery	0	4
Drug Activity	6	2
Home Burglary/ Attempted	5	15
Suspicious Person/Vehicle	20	125

COMBINED NEIGHBORHOODS 5P-5A 5A-5P

Vehicle Break-ins/Theft	30	25
Vandalism/ Property Damage	20	23
Trespass/Prowler	6	20
Youth Disturbances/Mischief	5	0
Firearm-Related Incidents	10	0
Assault/ Armed Robbery	3	5
Drug Activity	1	6
Home Burglary/ Attempted	7	9
Suspicious Person/Vehicle	10	92

Light calls per 100 calls examined in the statistics show Callonwood had 10.9 light related calls per 100 calls and the combined neighborhood had 8.3 light related calls per 100. Callonwood's light related calls were 2.6 calls per 100 higher than the combined neighborhoods.

Callonwood had twice as many calls as the combined neighborhoods even though the combined neighborhoods are only 12% smaller than Callonwood (based on the number of houses). Additionally, the difference in light related calls is relatively small (10.9% to 8.3%), but when normalized per 100 calls Callonwood had 2.6 more light related calls than the combined neighborhoods.

The Department also made a comparison of calls during daylight hours of 5AM to 5PM. Callonwood had almost 1200 calls during this time frame, whereas the combined neighborhoods had just over 1300 calls.

Conclusion: While comparing calls during the night versus daytime the data showed vehicle break-ins are higher at night, which is to be expected. Suspicious vehicle/persons/activity was higher during the daytime. Residential burglaries were higher during the day. Vandalism was consistent both day and night. Callonwood had a higher rate of youth disturbances/mischief. Drug activity was low across the board.

Callonwood does have a slightly higher rate of lighting related incidents. The data suggests that lighting might be a contributing factor but not a dramatically disproportionate factor. Callonwood had a higher rate of suspicious activity and home break-ins during the day, which could show that enhanced or increased lighting won't necessarily address that issue.

Based on all factors listed I do not believe additional lighting would create a significant reduction on the potential of crimes occurring in Callonwood.