

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

The Town Council of the Town of Stallings met for its regular meeting on February 24, 2020, at 7:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

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

Those absent were: Mayor Wyatt Dunn.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Lynne Hair, Town Planner; Chris Easterly, Town Engineer; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Pro Tempore Lynda Paxton welcomed everyone to the meeting and Council Member Grooms delivered the invocation. Mayor Pro Tempore Lynda Paxton then led the Pledge of Allegiance and called the meeting to order.

Public Comments

No one was present to give comment during this item.

1. Agenda Approval

Council Member Scholl made the motion to approve the Agenda as presented. The motion was seconded by Council Member Grooms and passed unanimously.

2. DA19.04.02 – Willows at Stallings (recessed from 02-10-2020)

Mayor Pro Tem Paxton reopened the public hearing. Town Planner Hair then explained this item was a development agreement for 22.79 acres located off Stevens Mill Road, property numbers P07099010 and P07099010B. Gateway Communities wanted to develop the property for a 315 unit apartment complex, The Willows at Stallings. The property was located within the Monroe Bypass Small Area Plan and was zoned MU-2, requiring the approval of a development agreement.

Applicant Dave Ransenburg explained the buildings would be three storied, all with elevators. The development would have a public outdoor classroom, parks and open space, public parking for the public areas as well as surrounding transportation improvements. The Development Agreement Subcommittee and the Planning Board recommended approval of the Development Agreement.

John CarMichael, 101 N Tryon Street, Charlotte, presented the Council with the project including the pocket parks and outdoor classroom with public access easements and elevators in every building.

Tom Jackson, 200 Falcons Ridge, Eaglecrest, questioned the public areas and how the public would gain access to them and if there would be enough access for public parking. He also stated that on the Pedestrian Plan, Stevens Mill Road Phase Two stated there would be a sidewalk on the opposite side of what was proposed.

Robert Ragon, Chestnut, Cinnamon Drive, was impressed with presentation. He then played audio from a previous meeting where Rick Flowe said the Town did not want to have a 300 unit apartment building. He just wanted the applicant to know that's why the community was giving him push back against the project. He did not have anything against the project except that the one building did not front the road.

Kim Starnes, 2801 Stevens Mill Road, lived across the road from the proposed community and wanted to be a part of the town. Both of these properties had been on the market for over 20 years and the ability to consistently to maintain the land was not possible. Mr. Starnes spoke in favor of the plan and requested the Council approve the project.

Laura Reed with Kimley Horn was present to explain to the Council the Transportation Impact Analysis for the project. There would be an additional signal at Stevens Mill and Stallings Road and the frontage of the site would have a sidewalk. There would be left turn lanes into the site along Stevens Mill Road and a north board right turn lane at Stevens Mill Road and Oak Springs. The Town's ordinances required the improvements based on service levels.

Mike Helms, Stevens Mill Road, was concerned about water run off as his property already had flooding and backup in the sewer system because of the flooding. Mr. Helms was worried about the runoff from the new development and that it would make his property flood more as there would more asphalt.

Thomas Helms, 3016 Stevens Mill, did not want high density living.

Paul Penal, Urban Design Partners, stated the project would collect the stormwater on the site and slowly release the water and release it into the creek over time for a 10-year storm event.

Council discussed the project and asked questions of the developer. The developer confirmed the traffic signal would be installed as soon as NCDOT would allow.

The Council and the Developer agreed on the following DA changes/clarifications:

- Elevators would be placed in all buildings.
- The building would not exceed 41' max and three stories.

- Deed restriction on easements for use outdoor classroom, greenway and parking.
- Timeline for bonds and/or cost sharing with adjacent developments for traffic improvements.
- Add minimum electrical car charging stations of 2 per building with plans for more in the future.
- External improvements would have to be made by the 40% of units CO; internal improvements prior to the last CO being issued.

Council Member Paxton closed the public hearing. Council Member Richardson made the motion to approve DA19.04.02 – Willows at Stallings with the changes above as discussed and agreed upon by the developer. Council Member Scholl seconded the motion. A rollcall vote was taken on the vote.

Council Member Martin – yes
 Council Member Scholl – yes
 Council Member Paxton – no
 Council Member Grooms – no
 Council Member Ayers – yes
 Council Member Richardson – yes

The motion passed by a 4 to 2 vote with Council Members Paxton and Grooms opposing.

Council took a recess at 8:40 p.m. and reconvened in open session at 8:48 p.m.

3. Unified Development Ordinance (UDO) Items (Martin) (Tabled from 02-10-2020)

Town Planner Hair explained the following items as requested by Council Member Martin.

Additional language for the UDO was suggested by staff for 3.A. Density Calculation and 3.B. Fence Regulations. The memo outlining the additional language changes by Town Planner Hair is attached to these minutes and therefore incorporated herein.

A. Density calculations

Town Planner Hair recommended adding language to Article 2.2-1 of the Development Ordinance as outlined in the attached memo. Council Member Richardson made the motion to approve the language as suggested. The motion was approved unanimously after a seconded by Council Member Martin. The new language would be presented to the Planning Board for approval and then brought back to Council for final approval in the form of an ordinance.

B. Fence Regulations

Council held consensus to add the language as presented in the attached memo which addressed Fence Regulation in the UDO. The new language would be presented to the Planning Board for approval and then brought back to Council for final approval in the form of an ordinance.

C. Open Space

Council discussed the open space language in the UDO specifically in the older Stallings version of the UDO versus a conservation subdivision. Council held consensus to have staff investigate the item further, allow Council to think about the issue, and bring it back to Council on March 9.

4. DeWitt "Mac" McCarley Contract (Dunn)

Council Member Richardson the motion to approve contract with DeWitt "Mac" McCarley for all Planning and Zoning related items, particularly Development Agreements. The motion was passed unanimously by the Council after a second from Council Member Ayers.

5. Land Use Follow-up (Tabled from 01-27-2020)

Town Manager Sewell reminded the Council he had proposed doing a land use visioning process. The Council choose to jump into reviewing the Small Area Plans in small groups. Staff would get undeveloped acre/parcel breakdown to Council.

6. Town of Stallings v. Christopher Loukos 18 CVS 769

Town Attorney Cox reminded the Council that it had offered Christopher Loukos a maximum of \$20,000 for his property to be used as a right-of-way for the Potters/Pleasant Plains Intersection Improvement. Mr. Loukos had accepted that amount. The motion was made by Council Member Scholl to approve \$20,000 and authorize the Town Manager to sign the Consent Judgement. Council approved this motion unanimously after a second from Council Member Grooms.

7. Adjournment

Council Member Martin moved to adjourn the meeting, seconded by Council Member Ayers, and the motion received unanimous support. The meeting was adjourned at 9:24 p.m.

Approved on April 14, 2020.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC