



## **MINUTES**

**CALL TO ORDER:** Motion was made by Mayor Pro Tem Melissa Davis, seconded by Council Member Amelia Stinson-Wesley, to open the meeting at 6:01 p.m.

### **DISCUSSION ITEMS**

1. **Lowe's Conditional Plan Update for Outdoor Storage - (Travis Morgan)** Mr. Travis Spicer will be on hand to review the updated plans for outdoor storage.

Planning and Zoning Director, Travis Morgan stated this was a Conditional Plan update revisiting Lowes outdoor storage plan from before the pandemic began. They are amending their storage plan to expand for additional outdoor storage away from parking and out of the sight of motorists traveling on McMullen Creek Parkway.

Items circled in red on the Power Point Presentation, will be moved to one side. Four circled items will be consolidated to the right back side of their parking lot with the exception of the sheds and playground equipment. National Rental used to occupy space in Lowes parking lot but the business that stores their equipment there now is Sunbelt Rentals.

Council Member Les Gladden asked if that was a separate new business, and if so, did they need to get approval from Council since they were not a part of the original plan? Director Morgan said that situation did not really require the new company to come before Council.

Mr. Morgan explained that the green line on the plans was a hedge and everything as far as tools and equipment will be behind that hedge so as not to be visible. Eleven parking spots were reserved to allow for display sheds and playground equipment. The middle island in the plan shown in the Power Point presentation was for trailers where mulch and hay will be stored.

Mayor Pro Tem Melissa Davis asked the Lowes representative what screening material they would use in front of the trailers. Lowes was proposing 10-foot evergreens. Council Member Les Gladden stated that Lowes may want to consider using larger trees than 10 foot. The trailer will be 13 to 14 feet high and then you will have high stacks of hay, etc. that could be seen if you only used 10-foot screening.

Director Morgan stated screening was what we're looking for - that includes a wall with evergreens as well. The Lowes representative asked what type of wall, to which Director Morgan replied just that it should be screened.

Council Member Les Gladden then asked how long it would take holly to grow vs. the green giant evergreens. The Lowes representative stated that it would take longer to grow holly but the green giant could get pretty big. We could work with Travis on what planting material to use.

Council Member Les Gladden asked that their landscaper come up with a fencing and planting scheme. He also asked if there was any dead plant material, that they address that as well to fill in any gaps. Director Morgan replied that it could all be addressed at the same time.

Mayor Pro Tem Melissa Davis asked when they anticipated making the needed improvements? The Lowes representative said they are planning for spring, although if they got approval sooner, they can plant during the fall planting season.

Council Member Les Gladden asked what they needed in order to meet the fall planting schedule? He wanted them to start improvements as soon as possible so they could make the fall planting season. Council Member Gladden stated that Council was fine with the existing plan. Lowes just needed to work with Travis Morgan as far as

determining specifically what screening and planting materials to use. Lowes representative stated he would reach out to their Facility Team to work on getting something going.

Mayor Pro Tem Melissa Davis wanted to be sure Lowes was not going to park the trailers anywhere in the parking lot other than where the trailers were shown on the plans. Lowes representative stated that was correct.

Mr. Morgan advised Lowes that they could go ahead with construction piece now and while that takes place, they can work out the details of the landscaping material and screening fence.

**2. Discussion of New Townhome Proposal for NC51 & Downs Rd. (Travis Morgan)** Jeremy Smith, representing Stanley Martin Homes will be in attendance to present the latest plan for a 175-unit townhome project.

Director Morgan stated that a new plan for a townhome community on the corner of NC51 and Downs Road was being proposed which required Conditional approval and a Conditional rezoning of about seven parcels on the Baynard property. A new builder would like to propose their plan to rezone the properties from R44/G1 to RMX(CD).

Director Morgan said the site was about 26 acres and Stanley Martin was proposing 175 three-story townhomes. They are being proposed at 22' wide by 44' deep. Their plan exceeds the minimum parking requirement, and shows ample sidewalks and green space.

Of special note is the buffer to the undeveloped north west portion of the site, which butts up against the new Beacon development project. The applicant was seeking a reduction to the 100-foot buffer to a 20-foot buffer. If granted, staff is recommending they put up a fence and significant landscaping. Council Member Les Gladden was not in favor of reducing the 100-foot buffer to 20 feet. He would like the buffer to be bigger than 20 feet.

Mr. Morgan continued, stating the townhomes have more of a Charleston Row style to them. He liked the double porches and style of the homes, along with varied roof lines. Council Member Les Gladden asked if there was offsetting, to which Mr. Morgan replied that there was.

Council Member Joe Maxim stated that Mr. Smith of Stanley Martin Homes, was also a McCullough resident. He asked Travis to speak on the requirements for railings and shutters for first floor units. Mr. Morgan stated that porches were definitely encouraged but he would like to see matching railings on top and bottom, as well as different roof lines, etc. Fiber cement or brick is preferred for the exterior with siding only permitted under the soffets. Other architectural requirements include porches and stoops with railings and divided window panes. Council Member Les Gladden asked if Mr. Morgan knew the dimensions of the front porches and if he didn't have the info now, he would like to see it when he did get it. He wanted to be sure the porches were functional and not just decorative. Mr. Morgan did not have the sizes as yet.

Council Member Gladden was also concerned that the driveways and alleyways were not wide enough. Mr. Morgan stated that the rear setbacks had been changed as well as the driveways which are now shown at 19-feet on the plan. Mr. Morgan stated he was unsure of trash service at this point, whether it was going to be dumpsters or roll out bins, but if it was going to be rollouts, there would need to be enough room to store the trash receptacles in the garages. Nor did he know whether the streets would be public or private. Director Morgan stated he still needed to know dimensions of parking, both on street and off street, and what the front, side and rear setbacks were. Additionally, he needs to pin down details of the elevations.

Director Morgan recommended that we stick with the original traffic study that was conducted about a year ago. If they were to do another one now, results could be skewed because of the number of people working from home due to the pandemic and not on the road as they were before. Council could choose to stay with the number of units approved previously at 175 or go with a lesser number of units.

Mr. Morgan had concerns with just a two-car stacking plan and recommended going with 3-car stacking. He also had concern with the left-hand turn lanes. Council Member Gladden asked if there was a right-hand turn onto NC51; he wanted to see a larger right-hand turn lane in both places -- one on Downs Road and one on NC51. Both Council Member Gladden and Mr. Morgan would like to see the turn lanes as full-car width lanes not including the lead up area.

Council Member Les Gladden said the driveway length of 19 foot long are not going to cut it.

Director Morgan stated crosswalks would be installed at the intersections where there are none now. Street lights will be double headed decorative style. Standard double headed lights on Main Street and single headed along inside of the development.

Mayor Pro Tem Melissa Davis asked what the projected starting price point for these townhomes would be? Mr. Smith replied they plan to be in the low to mid \$300,000 range. Mayor Pro Tem Davis then asked Mr. Smith to touch on the reason for the 2-star reviews that Stanley Martin received on the internet, advising that they were not favorable. Being that Mr. Smith did not know where the reviews came from, he could not speak to it. Ms. Davis asked what percentage of rentals did they expect to get? Mr. Smith stated that it varied by community and if Council had a number in mind, he would bring it to others for consideration.

Mayor Pro Tem Melissa Davis then asked what amenities would be available and if the green space would remain green space or be a park. Mr. Smith stated that Stanley Martin was looking at doing something similar to Founders Park in McCullough. He said they are planning to have a pool and cabana with covered rooftop. He stated they had done a similar community called Inwood in Atlanta, GA.

Director Morgan ended the discussion by saying that Stanley Martin would have to come up with a name for the complex as they are calling them Pineville Townhomes at the moment but will need to come up with a name.

**3. Discussion Regarding the Acceptance of Distribution Street from Beacon Development - (Travis Morgan) Mr. Sean McDonell will be present to request the town take over maintenance of Distribution St.**

Director Morgan stated that Beacon Development was looking for the town to accept Pineville Distribution Street, which was part of the last distribution center with the Lance-Snyder warehouse. He explained that there was still a bond that the town was holding on Pineville Distribution Street which was the main street leading into Lance-Snyder. The town's normal process is to hold on to that street bond until streets are 100% completed.

Beacon had a total of four lots, two of which were finished. Lots three and four did not have anything built on them yet but Beacon Development was requesting release of the bond now. However, his concern is that with two undeveloped lots, there could be some issues in the future.

Council Member Amelia Stinson-Wesley asked if "future" meant without a time frame. Mr. Morgan stated that was correct. Council Member Les Gladden stated that the town could not let the bond go and since we don't do it with residential developments so we can't do it with commercial developments. He said we could either continue the bond or get the other two properties to accept the bond.

Mayor Pro Tem Melissa Davis was in agreement with Council Member Les Gladden. Council Member Joe Maxim stated he was in agreement with them as well.

Mayor Jack Edwards suggested passing the bond to purchasers of the lots three and four. He stated that Powell Bill money would not be enough to offset any costs that may arise with damaged streets. Mr. McDonell then explained that Baily Patrick's Group owned the property and that the general contractor that they hired actually held the bond now. They were asking if there was a way that the town would feel secure so that it wouldn't be responsible if something happened if they did release the bond now.

Sean McDonell stated he didn't think the road would have any road failure after just one year. He stated that Beacon only owned Lot #1. They do not own any of the other lots. Bailey Patrick Group were the developers and they anticipated selling the remaining lots in October. Council Member Les Gladden explained that it was the developer that typically held the bond which the Bailey Patrick Group did, but for whatever reason, the general contractor now held it.

Beacon would like to come up with a way that if there was damage to the road, the town wouldn't be responsible but yet, able to release the bond now. Sean McDonell stated that if the responsibility was passed on to lots three and four, it would then become a perpetual bond which could go on for twenty years. They just wanted to come up with a solution to be able to get their bond money back now without having the town be responsible for the roads until such time as lots 3 and 4 were developed.

Council Member Les Gladden asked if we could require builders of lots three and four to ensure a completed road for the permitting process. Director Morgan stated we would need an agreement from the two remaining property owners that we could all agree upon, then it could be done.

Town Manager, Ryan Spitzer, stated our attorney will draft an agreement but Sean McDonell/Patrick Bailey will have to pay our attorneys for drafting the agreement. Council Member Amelia Stinson-Wesley said we should not overstep our legal bounds as the town was not required to fix this for them.

**Other items discussed:**

- Town Manager Ryan Spitzer had a Manager's call today; Gov. Cooper will most-likely move us into Phase III at the end of the week and the town will open to the public on Monday, October 12th. Schools are bringing in Pre-K and elementary will go back to school October 19th.
- Main Street will be getting a new restaurant downtown at Kevin Devaney's place. He plan on serving pizza, wine and beer.
- Bid openings for steel/concrete work for new Town Hall will be at 3 p.m. at The Hut tomorrow.
- Mill is progressing through the concrete slabs and should be done this month. They will then start to crush rock at the end of this month.
- US Development, the search company for our new Police Chief, finished their search for the new chief. There are two candidates for Ryan to set up final interviews with.
- Parks and Recreation Director position - Manager Spitzer will interview with final four candidates on Friday.
- Director Morgan reminded all that with Phase III, the town wanted to keep things lenient for now for banners, restaurants, etc. Most were in favor of this due to the pandemic hitting the restaurant business particularly hard.
- Police Chief Rob Merchant will retire this year, with his last day on the job being December 14th. Parks and Recreation Director, Kristy Detwiler, will most likely retire around Christmas.
- There were four responses to an RFP for financing the new Town Hall project. The town will be getting a 15-year loan at an interest rate of 1.6%- it can be paid off in ten years without penalty. Loan will be for \$21,000,000.
- Council Member Amelia Stinson-Wesley wanted to be sure that it was communicated to the restaurants that we were still permitting some flexibility with signage so that they could continue to take advantage of the more lenient regulations during the pandemic.

**ADJOURN:** Council Member Les Gladden made a motion, with Council Member Amelia Stinson-Wesley seconding it to close the meeting at 7:50 p.m. All agreed and the meeting concluded.

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Mayor Jack Edwards

**ATTEST:** \_\_\_\_\_

Barbara Monticello, Town Clerk