

MAYOR
Michael L Alvarez

MAYOR PRO TEM
David Cohn



TOWN COUNCIL
Gordon B. Daniels
David W. Drehs
Christopher M. King
Gary M. Savoie

Indian Trail Town Council Meeting
June 9, 2015
Civic Building
6:30 p.m.

1. **CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE**
2. **ADDITIONS AND DELETIONS** **action**
3. **MOTION TO APPROVE AGENDA**
4. **APPROVAL OF FISCAL YEAR 2015-16 BUDGET & BUDGET ORDINANCE OF MAY**
5. **PRESENTATIONS**
6. **PUBLIC COMMENTS**
7. **LAW ENFORCEMENT UPDATE**
8. **CONSENT AGENDA** **action**
 - a. Approval of May 26th, 2015 draft minutes
 - b. Approval of Month End May 2015
 - c. Approval of Budget Amendments
 - d. Approval of Tinsley & Terry audit services
9. **PUBLIC HEARINGS** **action**

– Please adhere to the following guidelines:

 - *Proceed to the podium, and state your name and address clearly;*
 - *Be concise; avoid repetition; limit comments to three (3) minutes or less;*
 - *Designate a spokesperson for large groups*

- a. **CZ2014-005 Plyler Road Townhomes:** Proposed conditional rezoning to the Multifamily Residential District to support a 35-unit townhome development located on Plyler Road abutting the Cranson Crossing Neighborhood and directly across from the Ridgefield Neighborhood (Parcel 07-084-332). Subject property is approximately 6.5-acres in size. Applicant: Green River Fund, LLC
- b. **ZT2015-002 Utilities:** Housekeeping text amendments to UDO Chapters 520 and 1610 to add minor and major utility uses within the commercial use table and associated changes. Applicant: Town of Indian Trail.

10. BUSINESS ITEMS

11. DISCUSSION ITEMS

12. MANAGERS REPORT

13. COUNCIL COMMENTS

14. CLOSED SESSION

action

15. ADJOURN

action

To speak concerning an item on the Agenda, please print your name and address on the sign up sheet on the table prior to the meeting. Each speaker will be limited to 3 minutes.

AS A COURTESY, PLEASE TURN CELL PHONES OFF WHILE MEETING IS IN PROGRESS

The Town of Indian Trail is committed to providing all citizens with the opportunity to participate fully in the public meeting process. Any person with a disability who needs an auxiliary aid or service in order to participate in this meeting may contact the Town Clerk at least 48 hours prior to the meeting. The e-mail address is townclerk@admin.indiantrail.org; the phone number is 704-821-5401



Town of Indian Trail
Minutes of Town Council
June 9, 2015
Civic Building
6:30 P.M.

The following members of the governing body were present:

Mayor: Michael L. Alvarez

Council Members: David Cohn, Gordon B. Daniels, David W. Drehs, Christopher King, and Gary Savoie

Staff Members: Town Manager Joe Fivas, Town Attorney Keith Merritt, Planning Director Rox Burhans, and Director of Community & Economic Development Kelly Barnhardt

CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Alvarez called the meeting to order and led the Pledge of Allegiance.

Mayor Alvarez then read the obituary of Peter Wright, a retired Syracuse, New York police officer who passed away on June 1, 2015. He noted that the Union County Sheriff's Office honored Mr. Wright with his final ride. Mayor Alvarez expressed the Council's sympathies to Mr. Wright's wife and daughter and asked everyone in attendance to observe a moment of silence in Mr. Wright's honor as an officer of the law.

Mr. Wright's daughter and wife expressed their appreciation to the Council and to Lieutenant Coble for the honors.

ADDITIONS AND DELETIONS

None

MOTION TO APPROVE AGENDA

Gary Savoie made a motion to approve the agenda.

Council voted unanimously in favor of the motion.

APPROVAL OF FISCAL YEAR 2015-16 BUDGET & BUDGET ORDINANCE

Gordon Daniels made a motion to approve the Fiscal Year 2015-16 Budget & Budget Ordinance.

Council voted unanimously in favor of the motion.

PRESENTATIONS

None

PUBLIC COMMENTS

Mayor Alvarez opened Public Comments.

Severin Jacobson, 3905 Waters Reach Lane, Indian Trail, NC, stated that the 2015-16 budget proposal was an excellent document. He noted that the Town managed to keep the tax rate at \$0.185. He thanked the Town Manager and staff for preparing the budget.

Gary Woolnough, 1002 Horton Ridge Court, commended the Town Manager and staff on Crooked Creek Park, adding that it shows vision and growth. He also stated that the Town should start building a Town Hall this year because not building now will be more costly.

Samantha Townes, 104 Pine Lake Drive, Indian Trail, NC, noted that WJZY Fox News 46 will interview representatives of the Miracle League tomorrow at 7:45 a.m. She encouraged everyone to watch the program.

Roger Fish, 11001 Magna Lane, Indian Trail, NC, stated that he hopes the Town will re-initiate training on crime prevention through environmental design for staff and committee members. He expressed concerns that alarm calls account for 25% of the calls police address. He suggested that the Council or Public Safety Committee look into ways to mitigate alarm calls.

Art Spurr, 4100 Woodcreek Court, Indian Trail, NC, presented a copy of the Parks and Recreation Playground Area Safety Checklist and asked if it has ever been used. He presented photos of a fallen rail at Crooked Creek Park and expressed concern about the safety of park users.

Mayor Alvarez closed Public Comments.

LAW ENFORCEMENT UPDATE

Lieutenant Coble reported that the department recently made arrests for drugs and stolen firearms at Walmart. He encouraged everyone to keep their eyes and ears open when in public places. He also

cautioned against leaving firearms in unlocked vehicles. He presented the department's statistics for the month of May. He noted that he met with the Public Safety Committee last week and discussed revisions to the parking ordinance, crime prevention through environmental design, the golf cart ordinance, and solicitation.

Mr. Cohn inquired about the department's alarm call statistics.

Lieutenant Coble stated that the department will respond when an alarm goes off and sends end of month reports to the Town, which administers fines. He noted that the time spent responding to alarm calls may be less than the time spent on other calls and added that he would be glad to analyze the alarm data. He commended the Council because Indian Trail is one of few towns with an alarm ordinance. Lieutenant Coble indicated that most calls are false alarms. He added that the department is not required by statute to respond to alarm calls, but does so as a level of service.

Mr. Daniels noted that better alarm system education is needed. He added that the department should not stop responding to alarm calls, but needs to look at ways to decrease the number of calls.

Lieutenant Coble added that deputies also directed traffic on NC-74 following a water line break last week.

CONSENT AGENDA

- a. Approval of May 26, 2015 draft minutes
- b. Approval of Month End May 2015
- c. Approval of Budget Amendments
- d. Approval of Tinsley & Terry Audit Services

Christopher King made a motion to approve the Consent Agenda.

Council voted unanimously in favor of the motion.

PUBLIC HEARINGS

- a. CZ2014-005 Plyler Road Townhomes: Proposed conditional rezoning to the Multifamily Residential District to support a 35-unit townhome development located on Plyler Road abutting the Cranson Crossing Neighborhood and directly across from the Ridgefield Neighborhood (Parcel 07-084-332). Subject property is approximately 6.5-acres in size. Applicant: Green River Fund, LLC.

Planning Director Rox Burhans distributed a revised ordinance for this item. He provided a project summary, explaining that the request is to rezone a 6.5-acre property from Light Industrial-Conditioned (LI) to a Conditional Multi-Family Residential Zoning District. The intent is to develop a 35-unit, alley-loaded townhome community organized into seven building clusters. The proposed community is organized around a central green space/water quality bioretention area with pockets of open space located throughout the development. Access to the community will be provided by a single, private road providing one-way circulation through the community. A right turn lane along with public sidewalk, curb/gutter, and street trees will also be provided on Plyler Road.

This request was heard by the Indian Trail Planning Board on May 19, 2015. The Board discussed the general site and alley layout, the age-targeted marketing concept, the location of existing school bus stops on Plyler Road, and other topics. A majority of the Board discussion focused on the proposed amount of overflow parking. In spite of the project exceeding the UDO parking requirements with approximately 25 overflow stalls (vs.18-required), there was a general concern that parking issues associated with other Town neighborhoods may occur at this site. The meeting discussion on this topic and others can be heard on Granicus and be reviewed in the attached Draft PB Meeting Minutes (Attachment 3).

Three citizens provided public comments at the Board meeting, one of which was a resident of the adjacent Ridgefield neighborhood (John Killman). The citizens expressed satisfaction with the proposed townhome use and the conceptual development plan. Some concerns were expressed related to the location of existing school bus stops and cut thru traffic on Plyler Road, the need for a Homeowners Association for the Plyler development, and parking concerns. Please refer to Granicus or the attached draft minutes for additional information.

Based on the discussion and deliberations, the Planning Board voted 6 to 1 to transmit a recommendation to approve as conditioned to the Town Council and made the following required findings: The project as conditioned is consistent with the goals of the Comprehensive Plan are satisfied as follows:

- Goal - Land Use and Housing – The proposed conditional district provides for a quality residential use at an appropriate location providing a more appropriate transition between land uses than the previous light industrial zoning district would have.
- Goal - Mobility and Transportation – The proposed conditional district includes the construction of curb, gutter, and sidewalk enhancing mobility in the area, construction of roadway improvements (turn-lane and storage), and dedication of right-of-way on an adjacent roadway to meet the future transportation needs of our community.

The request for this conditional zoning district is a reasonable request and is in the public interest because it converts an area previously zoned light industrial to a more appropriate transitional use between the single-family community, creates a mix of housing sizes within the US 74-West corridor provides expanded housing opportunities for Indian Trail citizens and business owners, includes transportation and utility infrastructure investment, and is in general conformity of the Comprehensive Plan.

Pat Quinn of Eagle Engineering, 2013A Van Buren Avenue, Indian Trail, representing the developer, noted that a conditional use zoning on the site expired in 2008, so it currently has no zoning. Piedmont Natural Gas has a substation located on a corner of the property. The developer has obtained approval for an encroachment permit. The developer has also talked with the North Carolina Department of Transportation about options to address speeding and cut-through issues on Plyler Road.

Mr. Drehs inquired about the number of bedrooms in each housing unit.

Mr. Quinn explained that the layout of the units has not been defined because a builder has not signed on for the project yet.

Mr. Cohn expressed concern about potential parking problems due to not yet knowing the number of bedrooms each unit will have.

Mr. Quinn indicated that each unit will have three parking spaces.

Mr. Cohn noted that the townhome community's amenities will appeal to individuals under age 55, adding that the units will be occupied by younger residents.

Mayor Alvarez inquired about the width of the roadway.

Mr. Quinn noted explained the road will be a fifteen foot wide one-way lane.

Mr. King stated that the project is a great concept and acknowledged that there is a need for this type of development.

Mayor Alvarez opened the public hearing. Hearing no one, he closed the public hearing.

Christopher King made a motion approve the consistency findings as read into the record by staff.

Council voted unanimously in favor of the motion.

Gordon B. Daniels made a motion approve CZ2014-005 as presented.

Council voted unanimously in favor of the motion.

- b. ZT2015-002 Utilities: Housekeeping text amendments to UDO Chapters 520 and 1610 to add minor and major utility uses within the commercial use table and associated changes. Applicant: Town of Indian Trail.

Mr. Burhans noted that Minor and Major Utility uses are not listed in the permitted use table of the Unified Development Ordinances (UDO), so this text amendment will resolve that issue. The amendment will also refine the definition of utilities in the UDO.

The Planning Board heard this item at its May 19, 2015 public meeting. Planning Board Members asked general clarifying questions related to the scope of the proposed amendments. No public comments were provided. The Planning Board voted unanimously to transmit a recommendation to approve to the Town Council. Please see the attached draft minutes for the May 19, 2015 Planning Board meeting (Attachment 3), and link to the audio file in Granicus for additional information.

The following consistency statements were found:

1. The proposed UDO amendment is consistent with the following goals of the Comprehensive Plan:

Infrastructure Goal #1: Because it will enable the development and expansion of critical utilities with the Business and Commercial Districts to serve Indian Trail and western Union County; and

Economic Development #1 and 3: Because it will enable infrastructure investment in the commercial areas of Indian Trail that will help foster economic development initiatives that ensure a more balanced tax base within our community.

2. This UDO ordinance amendment is in the best interest of the public because it helps further develop critical infrastructure within the Indian Trail community to help ensure a safe environment to live and conduct business within.

Mr. Cohn asked what prompted the amendment.

Mr. Burhans explained that staff found that utility uses were not included in the UDO while reviewing the Business and Commercial Use Table after receiving an inquiry from a commercial district user.

Mayor Alvarez opened the public hearing. Seeing that no one had signed up to speak, he closed the public hearing.

David W. Drehs made a motion to approve the consistency finding as read into the record by Mr. Burhans.

Council voted unanimously in favor of the motion.

David W. Drehs made a motion approve ZT2015-002 as presented.

Council voted unanimously in favor of the motion.

BUSINESS ITEMS

None

DISCUSSION ITEMS

None

MANAGERS REPORT

Mr. Fivas presented to the Council the Centralina Council of Governments Region of Excellence Award, which the Town received in the category of Improving Quality of Life. He added that it is good to receive recognition for the hard work the Council is doing.

COUNCIL COMMENTS

Mayor Alvarez stated that he has received a lot of positive feedback on the parks, adding that improving safety issues is a work in progress.

Mr. Cohn thanked everyone for coming. He also noted that the Miracle League Golf Tournament was held last week and acknowledged the hard work of those involved.

Mr. Daniels thanked everyone for coming out tonight. He stated that Chestnut and Crooked Creek Parks are two great looking parks. He added that the Town Manager and staff did a great job this year with the Town's finances.

Mr. Drehs thanked Mayor Alvarez, Mr. Cohn, and others who attended the Miracle League's Golf Tournament. He asked everyone to watch the local Fox station for an interview with representatives from the Miracle League about the need for handicap facilities in the community.

Mr. King stated that it has been a great meeting.

Mr. Savoie thanked everyone for coming out. He noted that schools are letting out and advised everyone to be mindful of children playing in the roads. He added that a college friend of his recently passed away and asked those present to remember what is precious in everyone's lives.

CLOSED SESSION

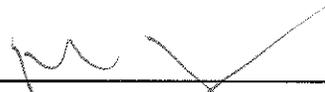
None

ADJOURN

Christopher King made a motion to adjourn.

Council voted unanimously in favor of the motion.

APPROVED:



Michael L. Alvarez, Mayor

Attest: 