

MAYOR

Michael L. Alvarez

MAYOR PRO TEM

David L. Cohn

TOWN MANAGER

Patrick Sadek, P.E.



TOWN COUNCIL

Shirley Howe
Mike Head
Jerry Morse
Marcus McIntyre

TOWN CLERK

Kathy Queen

**Indian Trail Town Council
Regular Meeting
Tuesday, August 27, 2019
Council Chambers—6:30 PM**

DEVELOPMENT WORKSHOP AGENDA – 5:30 P.M.

1. **DISCUSSION** - *None*

REGULAR COUNCIL MEETING AGENDA – 6:30 P.M.

1. **CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE**
2. **AGENDA ADDITIONS & DELETIONS**
3. **MOTION TO APPROVE AGENDA**
4. **PRESENTATIONS**
 - a. Agency Donation Request – Common Heart, Keith Adams (2 Min.) – *Info.*
5. **PUBLIC COMMENTS**
 - a. Public Comments (General Public)
 - b. Council Feedback to Public Comments (Council)
6. **LAW ENFORCEMENT UPDATE**
 - a. Captain's Comments (Captain Coble)
7. **CONSENT AGENDA - action**
 - a. Approve August 13, 2019 Regular and Developer Meeting Minutes
8. **PUBLIC HEARING**
9. **OLD BUSINESS**
 - a. Committee Meeting Liaison Update (Council) (5. Min. Each) – *Info.*
 - b. Grant Agreement received from Panther Organization (Mr. Wojtowicz) (2 Min.) – *Info.*

10. NEW BUSINESS

- a. Union County Retreat – Indian Trail Presentation (Mr. Sadek) (15 Min.) – Info.
(Presentation to be reviewed with Council during the meeting.)
- b. Developments (Mr. Cohn) (15 Min.)
- c. Cascades Single Family Development – Annexation Proposal (Ms. Deese) (5 Min.) - **action**

11. DISCUSSION ITEMS

12. MANAGER'S UPDATE

13. COUNCIL COMMENTS

14. CLOSED SESSION

15. ADJOURN



TOWN COUNCIL REGULAR MEETING

Council Chambers – Town Hall
August 13, 2019 @ 6:30 p.m.

MINUTES of the REGULAR MEETING

The Indian Trail Town Council held a regular meeting in the Council Chambers located at 315 Matthews-Indian Trail Road, Indian Trail, NC with the following persons in attendance.

Present: Mayor Michael Alvarez, Mayor Pro Tem David Cohn, Council Member Marcus McIntyre, Council Member Mike Head, and Council Member Jerry Morse
Absent: Council Member Shirley Howe
Staff: Town Manager Patrick Sadek, P.E, Attorney Karen Wolter, Clerk Kathy Queen

1 & 2 CALL TO ORDER

A quorum was present. Mayor Michael Alvarez called the meeting to order at 6:35 p.m. The late start was due to a brief recess which was called following the preceding Special Developer Meeting which ended at 6:33 p.m.

3 ADOPTION OF THE AGENDA

Council made the following changes to the Agenda:

ADD - Consent Agenda – Item 7d– Approve R190813-01 – *LGC Bonds’ Assurance Re: Parks & Rec. Projects*

MOTION was made by Council Member McIntyre to adopt the Agenda as amended and was unanimously approved.

4. PRESENTATIONS

5. PUBLIC COMMENTS

a. Public Comments

Mayor Alvarez opened Public Comments and read the statement of conduct that is expected when addressing Town Council.

Gail Furr, resident, complained that residents in her cul-de-sac were not given notice of re-paving by the Town via a contractor and stated it caused hardships on the residents within the circle. She requested the Town give notice prior to paving in the future.

Meg Fielding, resident, requested in light of recent news articles, for Council to have the Town's ponds tested for the presence of the Blue/Green Algae that is harmful particularly to pets and possibly humans and to inform the public of their concern, efforts, and findings.

Mayor Alvarez closed Public Comments.

b. Council Feedback to Public Comments

In response to Ms. Furr's comments, Mayor Pro Tem Cohn asked if any paving notifications had been sent to the Brandon Oaks' residents prior to paving the cul-de-sac. Mr. Huntsinger, Engineering Director, stated residents were not notified, and the contractor has been informed of the incident. He stated it is in the contract for the contractor to provide notification to residents prior to conducting work. Mayor Pro Tem Cohn asked about the damage to the new asphalt as a result of residents not being notified; Mr. Huntsinger stated the Town would review the damage. Mayor Pro Tem Cohn and Council Member Morse made suggestions as to how to better communicate with the residents. Mr. Huntsinger informed Council that 48-hour notice is generally given as well as a door-knock first thing in the morning upon arrival. In this case, residents did not receive either. Ms. Furr spoke up and stated that there was nothing wrong with the road. Mr. Huntsinger responded the cul-de-sac was incorporated to avoid returning later to complete a small stem off the main roadway. Mr. Sadek advised that the Town would request the Contractor's schedule and have staff verify residents are being notified.

In response to Ms. Fielding's comments, Mr. Sadek stated the ponds are currently being inspected on an annual basis via a new program implemented last year.

6. LAW ENFORCEMENT UPDATES

a. Captain's Comments

Captain Coble, who arrived later in the meeting, requested for residents to be aware of the school traffic. He noted that National Night Out event was a success and provided an update on the parking construction at the Sheriff's Office on Blythe Road. He informed Council that a new security system with capacity for additional cameras was purchased for the Sheriff's building and stated that the old system would be moved to one of the parks. Captain Coble cautioned citizens to always be aware of their surroundings.

8. CONSENT AGENDA

- a. Approve July 23, 2019 Regular Meeting Minutes
- b. Approve July 16, 2019 Special Meeting Minutes
- c. Approve awarding two contracts for construction of turf field at Chestnut Square Park to Geo-Surfaces SE (dba Medallion Athletics)
 - \$317,088 Contract – Substrate Construction
 - \$442,723 Contract – Turf Installation
- d. Approve R190813-01 –LGC Bond Assurance for Parks and Recreation Projects

MOTION was made by Council Member McIntyre to approve the items for consent under Item 7, Consent Agenda, on the 8/13/19 Meeting Agenda and was unanimously approved.

9. PUBLIC HEARINGS

8a. ZM2019-0046 6111 - Secrest Shortcut Road (14.34 ac) O190813-316

Tim Jones, Senior Planner, presented a request to rezone approximately 14.34 ac. from Conditional Use District-General Business District to General Business District as the conditional use has expired. The properties are located south of the intersection of Secrest Short Cut Road and Sardis Church Road, near Crooked Creek Park.

Based on the consistency with the Comprehensive Plan, the Planning Board voted 6:0 to recommend rezoning the parcel and made the following required findings: one for consistency with the Town's adopted plans and another regarding the benefit to the public.

1) The proposed UDO amendment is consistent with the following goal of the Comprehensive Plan:

- Land Use and Housing Goal #3: The proposed map amendment will improve existing Indian Trail neighborhoods to create strong, vibrant communities as it rezones a property with an expired Conditional Use District designation.

2) This rezoning request is reasonable and is in the public interest because it promotes the goals of the Indian Trail Comprehensive Plan in the areas of Land Use and Housing. It is consistent with the adopted plans within the Town of Indian Trail.

Mayor Alvarez opened and closed the Public Comments period; there were no comments.

MOTION was made by Council Member McIntyre to approve the Consistency Findings as read into the record by staff for ZM2019-0046 (Ordinance #O190813-316) and was unanimously approved.

MOTION was made by Council Member McIntyre to approve as presented the request for ZM2019-0046 (Ordinance #O190813-316) and was unanimously approved.

8b. CZ2019-0050 Faith Church Rd./Highwood Dr. (6.33 ac) Ord. #317

Tim Jones, Senior Planner, presented a request to rezone approximately 6.33 ac. (Parcel 07066013B) from Regional Business to Conditional Zoning-Light Industrial District. The intent is to allow up to four light industrial buildings. The property is located along Faith Church Road at Highwood Drive.

The Planning Board made the following required findings: one for consistency with Town adopted plans and another regarding the benefit of the public:

1. The proposed UDO amendment is consistent with the following goals of the Comprehensive Plan:
 - **Economic Development Goal # 1**: Create a more balanced tax base by promoting the development of office parks, businesses, retail centers, and industrial parks. Promote a diverse local economy that will support varied employment opportunities.
2. This rezoning request is a reasonable request and is in the public interest because it promotes the goals of the Indian Trail Comprehensive Plan in the areas of *Economic Development*.

Based on the consistency with the Comprehensive Plan, the Board voted 6:0 at the July 16, 2019 meeting to recommend rezoning the parcel with the following conditions:

1. Staff to confirm that Union County Public Works, Environmental Health, Sheriff's Office, and Fire Marshall have made comments and are addressed; and
2. All vehicular circulation, parking, and loading areas will be asphalt or concrete surface.
3. Install with the planned landscaping a landscaping berm along the Faith Church Road frontage.

The applicant requested for Council to remove Condition #2 and allow for the developer to install gravel in the rear of the development. Council Member McIntyre asked for the Planning Department's recommendation; Mr. Jones stated the requirement outlined in the UDO is for asphalt or concrete, and their recommendation is to support the UDO thus denying the request. Council denied the request based upon the recommendation of Town Manager Sadek speaking for both Planning and Engineering Departments and the Planning Department staff. The applicant verbally accepted Conditions 2 & 3 as outlined above.

Council Member Head asked if Item #1 had already been addressed; Mr. Jones noted that some comments have been provided. Remaining comments will be provided as part of the site plan review. Mr. Jones informed Council Members that Condition 1 was inserted to serve as a guarantee that the Town works with those agencies.

Council Member Morse asked about downside to using gravel; Mr. Sadek stated concrete will generally last for 50 years and require little maintenance. Gravel will need to be continually maintained. He asked about the berm; The applicant stated what is presented is what is required by the UDO, and they don't plan to change it. He noted it is a normal, by-right buffer that runs along the front. They are not asking for a reduction; Instead they plan to increase it and make it a natural berm based residents' comments.

Mayor Alvarez opened and closed the Public Comments period; there were no comments.

MOTION was made by Council Member McIntyre to approve the Consistency Findings as read into the record by staff for ZT2019-0050 (O190709-317) and was unanimously approved.

MOTION was made by Council Member McIntyre to approve as presented the request for ZT2019-0050 (O190709-317) and was unanimously approved.

9. OLD BUSINESS

a. Agency Donation Requests

Council Member McIntyre reminded Council Members that both Turning Point and Council on Aging in Union County came before Council requesting funding to support their services. He recommended donating \$1,000 to each of the non-profit organizations.

MOTION was made by Council Member McIntyre to donate \$1,000 each to Turning Point and Council on Aging in Union County and was unanimously adopted.

b. Capital Improvement Program Update FY19/20

Mr. Sadek informed Council Members that the project management spreadsheet for the Town's Capital Improvement Projects would be shared with the public via the Town's website and in the newsletter. The information includes all of the Town's projects for the year. Mr. Sadek reviewed the spreadsheet with Council Members. Council Members suggested clarifying the completion dates and column headers. Mr. Sadek indicated he would also include a key/legend. Mr. Sadek noted that the spreadsheet is a recommendation and can be modified to Council's preference.

c. IMIS Meeting Schedule & Location

Council Member Head informed Council Members that the IMIS meeting would be held on the first Wednesday of each month. The location has not yet been determined; Mayor Pro Tem Cohn asked if this would be the last meeting at the Indian Trail Town Hall; Council Member Head affirmed. Attorney Wolter clarified that IMIS is not a Town-sanctioned committee. It is comprised of individual Elected Officials from across Western Union County who meet. Comments made by elected officials from the Town of Indian Trail do not speak on behalf of Indian Trail when attending these meetings.

d. Comprehensive Plan Update

Council Member Morse referenced the meeting with the Union County Commissioners and their Planning Department later this month. He commented that growth across Union County is a driving force for the meeting. There has been so much growth and so many different visions from the different Towns that the County is assembling to review their 2014 Comprehensive Plan.

Council Member Morse stated that the Town’s Comprehensive Plan was developed in 2005, updated in 2012, and it is appropriate to begin discussions on updating it at this time. He stated it will need to incorporate the Downtown Master Plan (2006), Pedestrian Plan, Bicycle Master Plan, and an Economic Development Plan. His intention was to begin discussions and plans to send out a link to Council Members so they can begin to review.

Mr. Sadek agreed with Mr. Morse, but did not think it needed to be revamped entirely. He informed Council Members that the Comprehensive Plan is a large comprehensive document, and the Town is accomplishing many of the items within the plan. Mr. Sadek asked Council Member Morse what the motivation was to change to the Comprehensive Plan and asked if the reason was because another jurisdiction was changing their Comprehensive Plan. He stated the Town needs to *kind of* coordinate but also needs to keep their current plan. He provided examples of items within the current Comprehensive Plan that are being completed: Downtown, trails, parking, transportation systems, etc. Mr. Sadek noted the Town can update the plan with some of the pieces being done inhouse; however, if the Town prefers to revamp the entire document, it will need to be done by a third party. The process will take approximately 6-8 months costing approximately \$100,000. Mr. Sadek noted the Town currently has 30 developments and numerous other projects in the pipeline who are all in line with the current Plan. Mr. Sadek noted there are changes occurring, and the Town is flagging those change to discuss with Council when Council determines to continue the conversation.

e. Chestnut Parkway Artificial Field/Panthers Ribbon Cutting Ceremony

Abbey Ball, Communications Coordinator, noted the work is beginning on the Artificial Field at Chestnut Square Park and should be finished the end of September. Staff recently met with a representative from the Panther’s organization to discuss the grand opening event which is planned for October 7 at 7 p.m. Council Member McIntyre noted he would be willing to help.

f. Indian Trail Stormwater Improvements Update

Mr. Huntsinger stated Grover Moore is being impacted by heavy water runoff from Brandon Oaks, Old Monroe Road, and a little from the Kennerly Dr. side of that subdivision. A consultant was engaged to conduct a study on how to best manage the runoff and options were reviewed with staff. It is the Town’s opinion that the best option to most effectively manage the runoff is to have a drainage ditch in the rear of the properties. Town staff met with homeowners to provide an update and get feedback. At the meeting, homeowners were not in favor of having ditches in the rear yards but preferred to keep the work in the right of way which involves improving the driveways and pipes. Town staff will review all options before moving forward.

10. NEW BUSINESS

a. Town Information System

Abbey Ball discussed the Town’s information systems and informed Council the Town is updating outdated hardware and/or software for computers, computer programs, tablets, and cell phones. She also commented that the Town is exploring “cloud computing,” which will allow remote access to data, and software leasing options. Concerns with cloud computing include security, access when the internet is down, and third-party reliance. Lastly, she informed Council Members that social media polices are being developed to reduce the Town’s liability and create unity.

b. ABC Store Feasibility Study

Mr. Sadek requested for this item to be tabled; Council was in agreement.

11. DISCUSSION ITEMS

12. MANAGER’S UPDATES

Mr. Sadek informed Council that he is working on a condensed format for the Manager’s Report and will share it with Council Members once it is complete.

13. COUNCIL COMMENTS

Council Members thanked everyone for coming, acknowledged staff, thanked various parties for their efforts in supporting Town events and activities, and made general closing comments. Mayor Alvarez asked for caution with regard to kids being back in school, and Council Member Morse noted his appreciation for residents bringing their concerns before Council.

14. CLOSED SESSION

Mayor Alvarez announced Closed Session under NCGS 143.381.11(a)(5).

MOTION was made by Council Member Morse to enter Closed Session at 7:45 pm and was unanimously approved.

Town Manager Patrick Sadek and Town Clerk Kathy Queen were excused from the meeting.

Approval of Closed Session Minutes

MOTION was made by Council Member McIntyre to approve the July 23, 2019 Closed Session Minutes and was unanimously approved.

Council returned to Open Session.

MOTION was made by Council Member Morse to exit Closed Session at 8:15 p.m. and was unanimously approved.

ADJOURN

Being no further business, Mayor Alvarez entered a Motion to adjourn.

MOTION was made by Council Member McIntyre to adjourn the meeting at 8:15 p.m. and was unanimously approved.

TOWN OF INDIAN TRAIL

Michael L. Alvarez, Mayor

Attest:

Kathy Queen, Town Clerk



TOWN COUNCIL DEVELOPER MEETING

Council Chambers – Town Hall
August 13, 2019 @ 6:00 p.m.

MINUTES of the DEVELOPMENT WORKSHOP

The Indian Trail Town Council held a special meeting in the Council Chambers located at 315 Matthews-Indian Trail Road, Indian Trail, NC with the following persons in attendance. The meeting began at 6:03 p.m.

Present: Mayor Michael Alvarez, Mayor Pro Tem David Cohn, Council Member Marcus McIntyre, Council Member Mike Head, Council Member Jerry Morse
Absent: Council Member Shirley Howe
Staff: Town Manager Patrick Sadek, P.E, Attorney Karen Wolter, Clerk Kathy Queen

DEVELOPER PRESENTATIONS

Mayor Alvarez called the meeting to order at 6:00 p.m.

PALISADES AT INDIAN TRAIL- (Located on Wesley Chapel Stouts Road)

Council met with Thomas Jones III, PE, and Tomas Jones IV of WGLA Engineering, PLLC, and Jeff Ledford, Development Coordinator, Triangle Real Estate/Southwood Realty Company to discuss a multi-family project, Palisades at Indian Trail, to be located off of Wesley Chapel Stouts Road behind the Sun Valley Theater.

Mr. Sadek provided a brief overview of the meeting outline.

Comments by Jeff Ledford:

- Their company builds approximately 1200-1500 apartments a year.
- They look for smaller areas like Indian Trail and avoid larger metro areas; they enjoy the small-town feel.
- Apartments are A-Level.
- Amenities include: Gated entrance, clubhouse, pool, granite, 9-ft high ceilings, crown molding, top-level appliances.
- Units are composed of 1, 2 & 3 bedrooms.

Comments by Thomas Jones, III

- The project name is Palisades at Indian Trail.

- Pictures of similar projects were illustrated. Entrance may be similar as well.
- The parcel is 10 acres and was illustrated via outline on a map.
- The property is located on Wesley Chapel Stouts Road near the intersection of Orr Road and the Railroad Tracks.
- A slide show was presented illustrating the potential widening of Wesley Chapel Stouts Road. The parcel is halfway between the Lowes and Sun Valley Commons. With this roadway design, it would be a right in, right out configuration to the site. The proposed roundabout would indirectly facilitate the left turn.
- Conceptual plans were illustrated. The site plan offers a single entrance toward the Southern side of the property. There is potential for a bridge to go above the railroad. The driveway was moved down in anticipation of the road being raised. It was explained this is the reason the entrance is not centered in relation to the site.
- The buildings planned are three stories except for the clubhouse near the entrance and three small garage buildings in the central part of the site which will be single story.
- 192 Units are proposed. The largest buildings have 30 units and the smallest are planned to have 12 units (in this range). 60 Units-1 bedroom; 96 Units -2 bedroom; 36 Units 3-bedroom. Roughly half are 2-bedroom units.
- 352 Parking Spaces
- Water and wastewater would be provided by Union County Public Works.
- All drives would be private drives and parking spaces.
- Gated access is preferred if allowed by the Town.
- Current zoning is I-1. A conditional zoning or rezoning is anticipated depending on staff recommendations.
- Samples of the buildings' exteriors were presented. Brick, Hardy board, architectural asphalt shingles are planned.
- Garage and Club House are single story.
- Clubhouse will have a pool (likely a salt-water but not yet determined), playground, and a dog park.
- Architectural drawings showed cupolas. Typical building height will be the roof but will have some architectural elements above the roof line.

Council Comments

Council Member Cohn noted there have been numerous requests for apartments. He asked why the developer feels that they can fill all these units. Mr. Jones, III, provided preliminary rental rates for the units. (Bedrooms 1= \$950, 2=\$1,100, 3-\$1,300.) He stated many people find this an appealing/desirable community and, therefore, many see a demand. He noted this is the 20th project with this group, and they build a good product. While it is not affordable housing, it is not unattainable by working families. Mr. Ledford noted he knows the areas and communities. They look for smaller Towns and commented the occupancy rate for these complexes stay between 92% and 98%. He noted that some of this is due to the trends whereby older people are tired of the maintenance or they are in transition. Younger individuals are looking at \$2000+ to rent in other areas, specifically closer to uptown. They feel like it is affordable housing, and it's been working for them. He also informed Council Members they are a long-term holder. They currently have over 80 complexes; in the history of the company, they have only sold one of the complexes they built.

Council Member Morse asked why they chose that specific location. It is right across the street from an industrial site, and the railroad is run by CSX and has some spurs. He also noted the site is currently zoned L-I, and the Town needs, as identified by the Comprehensive Plan, more business and more industrial. He is not in favor of turning the industrial area into a multi-family, high-density area. Also, he noted the anticipation of a large bridge; but so far, it has been delayed. He asked Mr. Sadek how many apartments are in the pipeline currently. Mr. Sadek responded there are approximately 30 developments on the drawing board with half including multi-family

apartments. Mr. Jones stated the property is not large enough for significant industry to impact jobs within the community; however, he acknowledged it could be sufficient for smaller-type industrial businesses. He didn't think the tracks would be a nuisance based on previous experiences, and felt these apartments would be a good use for the community.

Council Member Head stated the buffers looked thin; Mr. Jones responded indicating the landscaping has not yet been designed. He assured Council the requirements would be met. Council Member Head asked about a second entrance: Mr. Thomas stated there is no second entrance planned, but noted one could be provided off of Orr Road if required by the Town. He also informed Council that only one entrance is required, per the fire code, unless the number of units exceeds 200.

Council Member McIntyre asked if a pump station would be required; Mr. Jones anticipates providing a pump station on the site. The pump station would be owned and operated by Union County Public Works. This station would open up sewer availability to the area as it would be a public utility. Council Member McIntyre noted there are many apartments proposed, and he wanted to know what sets this project apart from the others. Mr. Jones noted they are not flashy, and the team is not presenting something amazing and/or truly unique; They are, however, offering a good product, a good developer and a good neighbor. In response to Council Member McIntyre, the developer is showing 1.83 spaces per unit.

Mr. Sadek noted the Town has worked closely on putting the presentation together for Council. He made the following points:

- The development team was made aware that there may be some restrictions with regard to site access and stated the Town will require two entrances. After discussion with police and fire and because of the bridge location and the tracks, one entrance could present issues with EMS response times. Mr. Jones commented the entrance was moved down as far as possible in anticipation of the bridge per the Town's comments. He noted that while he was unaware of the requirement for a second entrance, the site could accommodate it.
- The TIA, when conducted, will need to include all previously proposed apartments for the area. This condition will also be required of other proposed developments.
- A buffer is required all the way around the site.
- Mr. Sadek informed Mr. Jones that \$1,450 is the lowest proposed rent for a 2-bedroom unit of all the apartments the Town has met with; he wanted Mr. Jones to have opportunity, if desired, to strategize.

ADJOURN

Being no further business, Mayor Alvarez entered a Motion to adjourn.

MOTION was made by Council Member McIntyre to adjourn the Special Meeting at 6:32 p.m. and it was unanimously approved.

TOWN OF INDIAN TRAIL:

Attest:

Michael L. Alvarez, Mayor

Kathy Queen, Town Clerk