



Stanly County Planning Board
November 8, 2021- Meeting Minutes

Call to Order Chair Jay Eckman called the meeting to order on November 8, 2021 at 6:30 p.m. in the Gene McIntyre meeting room at 1000 N. First Street, Albemarle, North Carolina. Bailey Emrich served as Clerk of the meeting.

Stanly County Planning Board members attending: David Underwood, Jay Eckman, Michael Williams, Tim Fesperman, TJ Smith

Absent: Joel Mauldin and Candice Brasington

Stanly County Planning Staff Attending Bob Remsburg, Planning Director & Bailey Emrich, Planner 2

Others Present: Matthew Kiechner, Chris Bramlett, Gene Starnes, Michael Sandy, Tommy Jordan and Kyle Dipretoro

Chair Eckman asked if there were any conflicts of interests with the case to be heard due to financial or personal relationships.
There were none

Chair Eckman asked for a motion to approved the proposed agenda

Motion: Tim Fesperman

Second: David Underwood

Approved: 5-0

Chair Eckman asked for a motion to approve the minutes from October 11, 2021

Motion: David Underwood

Second: Michael Williams

Approved: 5-0

Chair Eckman stated the first item the board would hear was a request from BRD Land & Investment to rezone a 100.67 acre tract parcel on City Lake Drive owned by Eugene F. Starnes, Jr. and Patricia S. Bramlett from R20 and RA to R10 Long Lake Conditional Zoning District.

Chair Eckman invited Planning staff to share information regarding the case.

Mr. Remsburg shared the following:

BRD Land & Investment has proposed the construction of a 186 lot single-family home subdivision on City Lake Drive as a Conditional Zoning District. This is something that is new for us, which is Conditional Zoning. We haven't done one before but it is now allowed and we are able to work with the developer with a list of potential conditions to be considered for your approval or recommendation to the County Commissioners. This is technically a rezoning request. This land is zoned partly RA and partly R20 with 100.67 acres. Adjacent properties are zoned RA with a strip along Highway 73 that is zoned R20. BRD Land & Investment proposes to construct a single-family housing development on the parcel on both sides of City Lake Drive with up to 186 lots. This is a 1.86 lots per acre density with the minimum lot size being 60' x 100' which comes out to 6,000 square foot lots. All homes will be required to be at least 1,400 square feet. A new sewage pumping station would be constructed for the county to replace the existing station on NC 73 with flow going to the City of Albemarle and Stanly County Utilities would also be providing water. BRD has indicated that home prices are anticipated to range from \$250,000 to \$350,000. A required Community Meeting was held by the Developer after appropriate notification was made to adjoining property owners. This is required for a conditional rezoning but not for a standard rezoning.

This proposed development is estimated to generate 1,840 daily vehicle trips. NCDOT may require one left turn lane for this project. Current traffic counts along City Lake Drive are less than 300 vehicles per day. NC 73 has 7,100 vehicles per day in this area per the 2019 traffic count. City Lake is a very lightly traveled road and it circles all the way back around City Lake. The preliminary plan has three entrances onto City Lake Drive with trails and other amenities included in the plan. As a conditional zoning, the Planning Board and the Board of Commissioners have considerable leeway in suggesting conditions required for the subdivision.

Currently a list of 36 conditions has been agreed upon between the developers and Planning Staff. Any changes or additions to this list must meet the approval of the Board and the Developer. This is in a growth area per the 2010 Land-use Plan and the name of the lake is actually Long Lake. We are right next to the city limits with this development and they did not want to annex this into the city. It would be simply a subdivision in the county's jurisdiction.

Mr. Remsburg then went through the list of conditions along with the site plan of the project.

It is fairly close to the City limits of Albemarle and does extend onto both sides of the road. There is some flood zone that the development totally avoids. It does come up and touch onto City Lake Drive but the development does not get into the floodway at all.

Mr. Remsburg asked if there were any questions

Tim Fesperman asked "I was looking at this and I am familiar with doing developments of this density. I am kind of confused when it comes to the 1.84 units per acre when there is just 100 acres and you're looking at 186+ lots? That does not run in my density calculator. That is not taking out the streets, cul-de-sacs, utilities, none of that. If you did that, you are looking at 3-4 units an acre."

Mr. Remsburg stated "I am going to defer that question to the development company, I have not calculated that."

Chair Eckman stated "Are there any more questions for Bob?"

T.J. Smith asked “What are the side setbacks for R-10?”

Mr. Remsburg stated “10 feet.”

TJ Smith asked “So since these homes will have a 5 foot side setback, there will be 10 feet between them?”

Mr. Remsburg stated “Correct.”

Chair Eckman invited Eagle Engineering to come and speak in favor of the request

Matthew Kiechner stated “I have a presentation but I will go ahead and get to the question about the number of units per acre. So there are different ways that you can measure density. The way that we do it is the total number of lots divided by the total acreage of a project. So we took the 186 lots and divided it by 100.67 acres and we got the 1.84 units. “

Tim Fesperman stated “If you are thinking 186 lots on 100 acres of land is going to give you 1.84 acres per lot that won't be able to work.

Mr. Kiechner stated “No, it is 1.84 units per acre. It is not acres per unit, it is units per acre.”

Mr. Fesperman stated “If you are looking at 186 houses on 100 acres of land. If you divide that into however you want, the roads do not come out and the other amenities from that total number. We are almost putting 2 units per acre.”

Mr. Kiechner stated “In this cluster development we took 186 homes and have over 50 percent of open space. Which will be uncut property that we won't touch. There is more of a natural feel to the area. Especially when you have areas like this with this number of homes, you still want to leave that natural look to the property.”

TJ Smith asked “Are these homes 2-3 bedrooms?”

Mr. Kiechner stated “Yes, 2-3 bedroom two story homes.”

Mr. Kiechner began his slideshow presentation

Everything around the lake will not be developed, it will be kept as open space. There will be sidewalks on both sides of the road and you have one story, two story houses. These will all be DOT roads. Anywhere we can leave the natural area we will. We do have over a mile of trails and we do like to turn our stormwater ponds into amenities such as ponds and lakes. The kids tot lot, park benches and gathering areas which give it a community feel. We did have our community meeting at City Lake Park and this will feed off of that natural feel with those gathering areas. 1400 square feet will allow for the ranch style

homes in there, all the two stories are well over 2,000 square feet. They will be able to pick the house plan that they want.

Tim Fesperman asked "How many acres of open space?"

Mr. Kiechner answered "54.7 acres. It will go as open space to the HOA. They will end up maintaining that once the development is built out."

Mr. Fesperman stated "I am not saying anything bad about the density. I have seen a lot of nice neighborhoods with this exact same layout and they are very nice. The concern I have is fire police and medic that are coming from the other side of the lake. These developments with that density do impact public service. When you compress people, then that level of service that is required goes up. The impact on the schools is also another thing. There is a lot of pressure on public services for the density of this population, whether it is spread out or not."

Mr. Kiechner stated "It is usually a little bit more on the response times in those neighborhoods. But that is why you have these designs, we have fire hydrants within 300 feet of every house and a lot of times these neighborhoods like this have volunteer firemen that come out of them."

Chair Eckman asked "You said 54 acres are open space. So the lots are going to be about a quarter acre lot?"

Mr. Kiechner stated "they will be able to have as small as a 6,000 square feet."

David Underwood asked "Where have you done these other developments like this?"

Mr. Kiechner stated "Peachland, Kings Mountain, Cleveland County, and anywhere the bypass has opened up towards Anson County."

Tim Fesperman stated "I understand that, but those main channels and bypasses may never reach this part of town or this highway. Where it is located is not a traffic artery at all. I would not say. It does not open up opportunities for people and businesses."

Mr. Kiechner stated "One development is not going to bring all of that. This is just one place that we are hoping will help further that progress and get to that point."

Mr. Fesperman stated "I think you should look at least 15,000 square foot lots."

Mr. Kiechner stated "At that point it would be allowed by right. Those are bigger lots and what we are seeing is that the generations coming up and those younger people do not want those big yards and stuff to maintain. They would rather have a smaller lot with not as much upkeep. We will put as much as we can in the HOA."

TJ Smith stated "I am for it. I think the homes are beautiful but I do have two problems. One is the parking, I know in this cluster you want the high density and a lot of people are going to that. If you have a boat or anything like that?"

Mr. Kiechner stated "For boats and those types of things, there will be a storage area and we will have 4 parking spaces for each home. DOT does not allow on street parking."

TJ Smith stated “I would say that we put something in the conditions that there be some type of parking lot that is for visitor parking. Like overflow parking.”

Kyle Dipretoro from BRD came to speak

Kyle stated “ A couple of things. We did think about emergency services. We will reach out to the fire marshall and those services to follow up and make sure with them on this project. The timeline also, we are not going to build 186 homes at one time. This will happen in phases and we are looking around 10 -15 homes at a time. It will be 3-4 years where people are slowly moving in at one time. You are creating an additional tax base to allow for those additional emergency services. This is a realistic argument. If we were to do 15,000 square lots, this is all hypothetical but taking the 100 acres we have now we could do 290 lots. We are not proposing anything close to that because infrastructure is so high we have to condense these lots. For infrastructure cost, smaller lots help to keep those down. The parking is something we can discuss. Boats would not be allowed by the HOA. The cars can park in the street for one night only, in the typical HOA that we have done. We can put anything that we want in the HOA. A lot of builders already have these requirements because if these people have cars and boats already out then it hurts them and their timeline. It will probably be 4 years before the first home is put up just based on permitting and working on the site. The amenities that are here, and it is close to downtown Albemarle which will help with the growth. We have invested a lot of time and research in this project and I get calls all the time from builders who want to be here. I think this community is reflective of the market and what it is desiring currently. Those are the main things that I took from this so far.”

Tim Fesperman stated “ I want to see everything succeed and we do smart things to get to that point.”

Mr. Kiechner stated “Technically speaking we could almost get 3 units per acre on this. So an extra 100-120 lots could have gone here. But after working with staff and the community meeting we chose to back it down. So the minimum is 6,000 square feet but the average is almost 9,000 square feet. I could probably put 300 homes here. 2 Units per acre is keeping it more open.”

Kyle stated “An average home is going to be 30-0 feet wide on a 60 foot wide lot. There will be some space between homes and it won't feel like they are going to be able to shake hands through the windows.”

Mr. Kiechner stated “The reason we have those side setbacks as 5 feet is just in case the homeowner wants a three car garage, so that they can shift it and fit something there.”

Chris Bramlett stated the following:

My wife and her brother are the owners of the property. They were not trying to sell it. It has been in the family since before Long Lake and it shows that the city had to buy part of the property to put Long Lake in. This is a very significant time for Stanly County. The 2020 census shows that every county to the east of us is losing the population and everyone else is gaining population. We are caught between those that are doing stuff and those that are part of the losing. We have a choice to decide which way to go. I don't want to go with those to the east. I want to see development in Stanly County. I look at Locust, Oakboro and Stanfield and the papers I have seen show that the northern part of the county is going to experience growth also. When they were approached with this development they thought about it very carefully. It looks beautiful to me. They are the kind of homes I want for their areas. I don't understand the reluctance for that. All of the open space is great. I just moved to a much smaller home with no yard because that is what I want at my age. I know a lot of other people who do not want a large yard. If we do not embrace developments like this, what are we going to embrace? It is beautiful to me. When we looked over the

plans for this we thought it was beautiful and a real asset to the whole county and Albemarle. I was on the city council when we approved developments a lot more dense than this. We need to get ourselves positioned for the spillover from other counties. Let's not put ourselves in a position that won't accept it. There are mansions in Charlotte that are 10 feet apart. We may not want it but think about what it will attract to the area. I hope you consider all of this when you make your decision here tonight.

Chair Eckman asked for those opposed to speak
No one came forward

Chair Eckman asked if there were any conditions that the board would like to amend before voting

Chair Fesperman stated that he would like to amend the street trees. The street trees just after a few years grow too big for the streets and bust them up. It looks nice at first and then one dies, one gets messed up, etc. There is a two foot strip so I would just say to get rid of the trees. I want to see this be successful and let's learn from the western end of the county. It is very dense but there were some issues and mistakes along the way(#16 in the conditions).

The Board can to a consensus to take out number 16 of the conditions list - Street trees shall be provided at a rate of 1 tree per every 45' of road frontage with a caliper of 1 ½ inches measured 6" above grade with a variety of species

Michael Williams stated "I would like to discuss something about the parking. Maybe add something to allow overnight parking. Such as overflow parking. As far as the development, it is beautiful. Exactly what we need in Stanly County. I am no expert on building stuff but in terms of first responders and schools, we can do what if all day long and I don't think it is our place to do that. I know that if we don't allow it, then growth will not come to Stanly County."

Chair Eckman asked for a motion of recommendation to the County Commissioners

Motion: Michael Williams motioned to recommend approval

Second: T.J. Smith

Passed: 5-0

Chair Eckman stated that the second item on the agenda was the review of approval for preliminary plat for a major subdivision on Ridgecrest Road by Burleson Square LLC of a 97.9 acre tract located north of Millingport for 103 lots.

Chair Eckman asked staff to share the details

Bob Remsburg shared the following

This is not a rezoning request. This stops here, it is the one thing that you have full control over. Burleson Square LLC requests the approval of a 103 lot subdivision preliminary plan located on a 97.79 acre tract on the west side of Ridgecrest Road north of Millingport Road. It is right outside of the growth area. All lots are 30,000 square feet or larger meeting the requirements for the RA-Residential Agricultural zoning district. The preliminary plan has two entrances onto Ridgecrest Road. The engineer was not able to provide us with the sketch that shows the lots to the south. Water will be provided by Stanly County Utilities while the homes will be served by septic systems. Soil science work is underway on the parcel and some of the proposed lots may not support septic systems. The developer has proposed converting areas which do not perk into open space to be owned and maintained by the homeowner's association. Therefore the points that he initially earned for curb and gutter would be eliminated and replaced with the open space points. Therefore we may see a decrease in the number of lots depending on that area. The

idea is to extend the water line on Ridgcrest Road so that it will have water. Stub out streets were put in for the potential of future development.

Mr. Remsburg explained where he was receiving the required 100 points for the Subdivision.
Mr. Remsburg showed the site plan for the proposed development

Mr. Burleson stated “Currently they are doing the soil evaluations and they are doing 3-4 a day. Hopefully they will be able to speed that up. I don't think we have a whole lot examined yet but they will examine every lot. Just to reiterate we are not asking for a rezoning we are just presenting a proposed subdivision. It would vary depending on the outcome of the soil evaluation. The county is working on that and they approve or disapprove of each lot based on their own merit. The ones that do not pass will either be recombined with another lot or added to open space. The smallest lot can be 30,000 square feet. The streets could be changed depending on if the adjoining property was included or if the county wanted stub outs there. I apologize about the engineering issue. Regardless, the driving force is which lots perks and which don't. The streets will likely change based on that. Again we are here to request approval.

Chair Eckman asked for a motion of approval or denial

Motion: Tim Fesperman made a motion for approval on the basis that the scope of the project does not change.

Second: Michael Williams

Discussion:

David Underwood stated “We have had this happen before. We have this drawn out and it won't even be close to what is going to happen. It is not a problem with putting it there but we don't know how it will look.

TJ Smith asked “How long before the full evaluation is done?”

Mr. Burleson stated “The county is keeping up with their other work, they are trying to get the number up to 8-10 a day. But they have been doing 3-4 a day. They understand and they are trying their best to get more done. That is up to the county. I am unsure how many have passed. The operator of the backhoe has mentioned the ones they have done are good but he mentioned there was an area that we are going to lose a couple. But that is normal, you make the subdivision out to fit the land. Whatever the results are from the soil evaluation will drive the streets and number of lots. Then that is submitted to the engineer and they redraw. I think what you want to know is if you pass this does it give us the greenlight...no it does not. We still have to meet county, DOT and state inspections. When the final plat is done with the specific, they have to sign off on it.”

Passed: 5-0

Chair Eckman introduced the last item on the agenda. The Board of Commissioners a week ago, appointed three members from their Board, Tommy Jordan, Mike Barbee, and Scott Efird, to form a committee that would consider suggesting language which would amend Section 614 of the Zoning Ordinance to allow Telecommunication Towers which meet all the requirements of the ordinance to be allowed in certain zoning districts by right instead of requiring an overlay district. They have instructed this board to appoint three members to also serve on this six member committee. This committee would meet to discuss this issue and then hold at least five public meetings across the county to allow public input regarding guidelines for telecommunication towers. This recommended language would then come back to the Planning Board for review and recommendation to the Commissioners for adoption to the zoning ordinance.

County Commissioner Jordan shared the following

I was asked by Bob to come up and answer questions and give a little clarification to what this stuff is. The same questions are asked by the same boards every time we have a cell tower before us. Most of you do not remember 1G and 2G because we did not have a name for it. Cell Phones came out in the 80's which was 1G then in the 90's we have digital voice which was 2G, 3G came out in the 2000's, you could send pictures and texts and 4G came out in 2010 and then you could send anything and everything. 2019 Verizon was the first one in the US to launch 5G. This means the 5th generation. The issue now is tower density. Commissioner Barbee asked last week "When 5G comes, does that mean we are going to have towers everywhere?" Well, yes. About every 1500 feet. 4G towers have about a 10 mile maximum range. 5G is 1,000 feet. There were 307,000 cell phone towers in 2016. There are 294 million cell phones in the US. In February, AT&T is turning off 3G and Verizon will turn it off at the end of 2022. That will cause a problem for those who will need to upgrade. 4G is going to have to grow a lot because 3G will be ripped away. The issue with 4G that really confuses people is not coverage, it is capacity. For example, when I help my wife carry groceries when one hand is full, I fill up the other one. It is not a matter of coverage, it is capacity. This hand can only carry so many groceries and when it is full I move to the other arm. 4G has the exact same issue. One of those panels can only hold about 100 phone calls at a time. Towers are getting congested because they don't have enough capacity to do enough things at one time. When 5G comes, there will be towers everywhere and I will show you what they look like.

The tiny antenna on top of the light pole, is a 5G antenna. You will see these pop up on light poles and utility poles every 100 feet down the street. I have a family of three, we have 54 IT devices in my house. Almost half have 4G. 4G comes in two ways. FR1 and FR2. Frequency range 1 and 2. You can deliver on 4G about 30-40 megasecond, 5G can do 120 gigabyte in a second. 4G towers are about 100 phone calls a panel, 5G it can about 1 million IT devices in a kilometer. 5G is not here but when it comes, it will come hard. The things 5G will do are awesome. Radar cruise control is 5G. It controls my truck driving 80 miles an hour from going off the road. If 3G was a horse, then 4G is what you would call a semi-truck. We have three committee members from the County Commissioner board and we need three from your board. The end result is going to be different from the idea. We will have five public meetings, one in each district and invite the public to come and promote it as much as we know how. We will be taking minutes at the meeting. We want to collect all the information from the public and the committee and put it together. If Verizon shows up with these requirements that we have asked then it is approved automatically, is the idea. If for some reason they check every box but one, then it would come before the Board of Adjustment. That is the plan of the committee.

Tim Fesperman "Would we designate the districts before 4G and 5G towers?"

Tommy Jordan "You might as well not designate a place for 5G towers. They will be so small and barely visible. As soon as one company puts them up, they are all going to want them. We could as time goes on do a committee for 5G but it is not here enough to be an issue just yet."

TJ Smith asked "So will 4G want to eventually come every 5-8 miles?"

Tommy Jordan stated "Yes, they will. Essentially they will have to. 5G is not going to be good for indoors at all. It will be good for tracking so the government and medical field will definitely adopt it. We as consumers won't be needing it just yet. At some point in time someone is going to get smart and Verizon will follow these new developments and say we have too much congestion and not enough coverage. You are never going to stop having towers. They are all 200 feet or less and no one wants to be second tier. If you don't let these companies be top tier then they will just go somewhere else. No one wants to be under the other one."

Michael Williams stated “Tommy, your explanation was great and very helpful, thank you so much.”

Chair Eckman stated the board needed to elect three people from the Planning Board

Motion: David Underwood made the motion to elect TJ Smith, Michael Williams and Tim Fesperman to serve on the Telecommunications Tower Committee.

Second: Dr. Jay Eckman

Passed: 5-0

Chair Eckman asked for a motion to adjourn

Motion: David Underwood

Second: Tim Fesperman

Passed: 5-0

Time of Adjournment: 8:42

Chairman, Jay Eckman

Clerk, Bailey Emrich