

#### Town of Weddington Regular Town Council Meeting Monday, December 9, 2024 – 7:00 p.m. Weddington Town Hall 1924 Weddington Road Weddington, NC 28104 Agenda

- 1. Call to Order
- 2. Determination of Quorum
- 3. Pledge of Allegiance
- 4. Additions, Deletions and/or Adoption of the Agenda
- 5. Conflict of Interest Statement: In accordance with state law, it is the duty of every Council member to avoid conflicts of interest. Does any Council member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.
- 6. Mayor/Councilmember Reports
- 7. Public Comments
- 8. Public Safety Report
- 9. Consent Agenda
  - A. Approve November 12, 2024 Town Council Regular Meeting Minutes
  - B. Adopt 2025 Town Council Meeting Calendar
  - C. Adopt Town of Weddington 2025 Holiday Calendar
  - D. Approve Policy Prohibiting Viewing or Saving Pornography on Town Networks and Devices as per NCGS 143-805
- 10. Old Business
  - A. Discussion of response to Park RFQ and authorization of staff to enter into contract negotiations.
- 11. New Business
  - A. Application by ODA Architecture on behalf of Polivka International requesting Conditional Zoning Approval for the development of a two-building office expansion located at 13700 Providence Road
    - i. Public Hearing
    - ii. Discussion and Consideration
- 12. Code Enforcement Report
- 13. Update from Finance Officer and Tax Collector
- 14. Updates from Town Planner and Town Administrator
- 15. Transportation Report
- 16. Council Comments
- 17. Adjournment



#### Union County Sheriff's Office Events By Nature

Date of Report

12/1/2024 11:48:27AM

For the Month of: November 2024

Event Type	<u>Total</u>
911 HANG UP	43
ABC INVESTIGATION	1
ACCIDENT ALPHA	1
ACCIDENT BRAVO	1
ACCIDENT DELTA	2
ACCIDENT HITRUN PD LAW	1
ACCIDENT PD ONLY	32
ACN DELTA	1
ALARMS LAW	42
ANIMAL BITE ATTACKS	1
ANIMAL BITE FOLLOW UP	2
ANIMAL BITE REPORT LAW	2
ANIMAL COMP SERVICE CALL LAW	19
ASSAULT	2
ASSIST EMS OR FIRE	5
ATTEMPT TO LOCATE	1
BURGLARY HOME OTHER NONBUSNESS	3
BUSINESS CHECK	8
CARDIAC RESPIRATORY ARREST EMD	3
CARELESS AND RECKLESS	14
DISTURBANCE OR NUISANCE	10
DOMESTIC DISTURBANCE	9
ESCORT	1
EXPLOSION EFD	1
FIGHT	1
FOLLOW UP INVESTIGATION	20
FOOT PATROL	17
FRAUD DECEPTION FORGERY	5

Event Type	<u>Total</u>
FUNERAL ESCORT	3
HARASSMENT STALKING THREATS	4
IMPROPERLY PARKED VEHICLE	2
INTOXICATED DRIVER	5
INVESTIGATION	2
LARCENY THEFT	2
LOST OR FOUND PROPERTY	1
MISSING PERSON	1
MOTORIST ASSIST	9
NC DOT MISCELLANEOUS	2
NOISE COMPLAINT	3
PREVENTATIVE PATROL	714
PROP DAMAGE VANDALISM MISCHIEF	1
PUBLIC SERVICE	4
RADAR PATROL INCLUDING TRAINIG	4
REFERAL OR INFORMATION CALL	13
RESIDENTIAL CHECK	3
ROAD CLOSURE	1
SERVE CIVIL PAPER	15
SERVE DOMESTIC VIOL ORDER	1
SHOPLIFTER	1
SHOTS FIRED	4
SMALL VEHICLE FIRE	1
SUICIDE THREAT	1
SUSPICIOUS CIRCUMSTANCES	8
SUSPICIOUS PERSON	14
SUSPICIOUS VEHICLE	16
TRAFFIC HAZARD	17
TRAFFIC STOP	49
TRESPASSING	7
WANTED PERSON	2
WELL BEING CHECK	5

Event Type

<u>Total</u>

Total Calls for Month:

1,163



#### Weddington

### 11/2024

UCR Code	e Description	Date of Report	Incident ID	
13B				
13B	SIMPLE AFFRAY	11/4/24	202408565	
13B	ASSAULT ON SCHOOL EMPLOYEE/VOLUNTEER	11/21/24	202409066	
13B	SIMPLE ASSAULT	11/22/24	202409103	
13B	SIMPLE ASSAULT	11/23/24	202409128	
13B	SIMPLE ASSAULT	11/28/24	202409272	
			Total:	5
13C				
120		11/1/24	202400510	
13C 13C	COMMUNICATING THREATS COMMUNICATING THREATS	11/1/24 11/10/24	202408519 202408745	
130	COMMUNICATING TREATS	11/10/24	Total:	2
220			Total.	-
220				
220	BURGLARY-2ND DEGREE	11/8/24	202408699	
220	BREAKING/ENTERING-FELONY	11/11/24	202408761	
220	BURGLARY-2ND DEGREE	11/16/24	202408929	
			Total:	3
23H				
23H	LARCENY-FELONY	11/2/24	202408532	
23H	LARCENY-MISDEMEANOR	11/2/24	202408537	
23H	LARCENY OF CHOSE IN ACTION	11/12/24	202408801	
			Total:	3
250				
250	UTTERING FORGED INSTRUMENT	11/11/24	202408755	
			Total:	1
26A				
26A 26A		11/8/24	202408684 202408753	
26A 26A	FRAUD-CREDIT CARD IDENTITY THEFT	11/11/24 11/18/24	202408755	
26A	OBTAINING PROPERTY BY FALSE PRETENSES	11/18/24	202408974	
			Total:	4
35A				
35A	POSSESS MARIJUANA UP TO 1/2 OZ	11/1/24	202408526	
			Total:	1
35B				
35B	POSSESS MARIJ PARAPHERNALIA	11/1/24	202408526	
			Total:	1
90C				
90C	DRUNK & DISRUPTIVE	11/12/24	202408772	
			Total:	1



#### Weddington

# 11/2024

UCR Code	Description	Date of Report	Incident ID
99			
-			
99	ACCIDENT NO VISIBLE INJURY	11/1/24	202408507
999	EXPIRED INSPECTION	11/1/24	202408526
99	EXPIRED REGISTRATION CARD/TAG	11/1/24	202408526
999	EXCEEDING POSTED SPEED	11/1/24	202408526
99	DWLR NON IMPAIRED REV	11/1/24	202408526
99	ANIMAL CALL BITE	11/3/24	202408546
99	ACCIDENT NO VISIBLE INJURY	11/4/24	202408584
99	INVESTIGATION	11/4/24	202408587
99	DEATH INVESTIGATION	11/5/24	202408613
99	ACCIDENT NO VISIBLE INJURY	11/5/24	202408618
99	ACCIDENT NO VISIBLE INJURY	11/6/24	202408628
99	ACCIDENT NO VISIBLE INJURY	11/7/24	202408650
99	ACCIDENT NO VISIBLE INJURY	11/8/24	202408679
99	ACCIDENT NO VISIBLE INJURY	11/9/24	202408724
) )	ANIMAL CALL	11/10/24	202408734
9	ACCIDENT NO VISIBLE INJURY	11/11/24	202408765
9	SUSPICIOUS PERSON	11/11/24	202408769
99	ANIMAL CALL BITE	11/12/24	202408792
9	DOMESTIC	11/12/24	202408811
) )	ACCIDENT NO VISIBLE INJURY	11/13/24	202408818
9	ANIMAL CALL BITE	11/14/24	202408850
9	ACCIDENT NO VISIBLE INJURY	11/14/24	202408854
9	ACCIDENT NO VISIBLE INJURY	11/14/24	202408864
9	ANIMAL CALL	11/15/24	202408892
9	ANIMAL CALL	11/17/24	202408892
99 99	CALL FOR SERVICE	11/17/24	202408940
99	ACCIDENT NO VISIBLE INJURY	11/17/24	202408939
99 99	DEATH INVESTIGATION	11/18/24	202408961
99 99	ACCIDENT NO VISIBLE INJURY	11/18/24	202408959
99 99	ACCIDENT NO VISIBLE INJURY	11/20/24	202409007
99 99	DOMESTIC	11/20/24	202409028
99 99	ANIMAL CALL		
99 99	ANIMAL CALL ACCIDENT NO VISIBLE INJURY	11/21/24	202409055 202409062
		11/21/24	
99 99	ACCIDENT NO VISIBLE INJURY ACCIDENT NO VISIBLE INJURY	11/22/24	202409089 202409160
99 99	ACCIDENT NO VISIBLE INJURY ACCIDENT NO VISIBLE INJURY	11/25/24	
		11/26/24	202409202
99	ANIMAL CALL	11/26/24	202409218
			Total:

Monthly Crime Total

58



#### Town of Weddington Regular Town Council Meeting Tuesday, November 12, 2024 – 7:00 p.m. Weddington Town Hall Minutes Page 1 of 7

#### 1. Call to Order

Mayor Bell called the meeting to order at 7:00 p.m.

#### 2. Determination of Quorum

Quorum was determined with Mayor Jim Bell, Mayor Pro Tem Smith, Councilmembers Darcey Ladner and Brannon Howie were present. Councilmember Jeff Perryman was absent.

Staff: Town Administrator/Clerk Karen Dewey, Town Planner Greg Gordos, Finance Officer Leslie Gaylord, Deputy Clerk/Admin Assistant Debbie Coram, Town Attorney Karen Wolter, Deputy Grant Wrenn

Visitors: Liz Holtey, Gayle Butler, Chad Emerine, Melissa Emerine, Juan Blue, Barbara Schick, John Allen, Debbie Moffat, Bill Deter, Atif Chaudhry, Faris Hussain, Todd Pfalzgraf

#### 3. Pledge of Allegiance

Council led the Pledge of Allegiance.

#### 4. Additions, Deletions and/or Adoption of the Agenda

Item 11.A. Application by Keystone Custom Homes requesting Conditional Zoning Approval for a 12-Lot Subdivision located on Deal Road was removed from the agenda.

Motion:Councilmember Ladner made a motion to adopt the agenda as amendedVote:The motion passed with a unanimous vote.

5. Conflict of Interest Statement: In accordance with state law, it is the duty of every Council member to avoid conflicts of interest. Does any Council member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.

Mayor Bell read the Conflict of Interest Statement. No Councilmember had a conflict of interest.

Town of Weddington Regular Town Council Meeting Minutes 11/12/2024 Page 2 of 7

#### 6. Mayor/Councilmember Reports

Mayor Bell reported that the November WUMA meeting will be held on November 21, 2024 at 6:30 p.m. at Stallings Town Hall. County Manager Brian Matthews will be giving a presentation and answer questions.

Councilmember Ladner reported that TreesUnion has begun their fall plantings. There are 3 plantings at local schools this fall. Follow the Facebook page for more information.

#### 7. Public Comments

Atif Chaudhry, 7112 Newtown Road, Mr. Chaudhry is the Imam for the Rahma Center and applying for conditional zoning for a religious use at 7112 Newtown Road. He stated that the applicants wanted to be at the Planning Board meeting and came to Council first. He commented that three community meetings have been held and he spoke about the diverse backgrounds of his congregants. Mr. Chaudhry stated that there is no Muslim church in the area, and it is needed. The congregants have been fortunate to raise enough money for a down payment on the property. He stated that he wants to build and make a safe place for children to fulfill religious and spiritual needs. He stated that he wants to be beneficial part of this community. They currently meet at Marvin Efrid Park, renting the space. Mr. Chaudhry commented that the congregation needs a home.

Faris Hussain, 200 Cattle Ridge Road: Mr. Hussain stated that he is working with the Rahma Center. He has been a part of this community for 25 years and stated that many friends in the area don't have a place to worship. Mr. Hussain stated his appreciation to the council for their consideration.

Juan Blue, 7112 New Town Road: Mr. Blue is working with the applicants for the Rahma Center. He stated that the applicants have addressed the concerns raised at the three community meetings. He reviewed the requirements that the applicants have submitted to the town and the reviews that have been made by traffic engineers, Union County Environmental Health for septic compliance, and an architect for design. Mr. Blue commented on the current sprinkler system and that a new system would be designed.

#### 8. Public Safety Report

Deputy Wrenn gave the public safety report. He thanked the public for coming to the meeting and he thanked Veterans in the community for their service.

Deputy Wrenn reviewed the report numbers. From September to October, most incidents decreased with a small increase in alarm calls and home burglaries. The business checks will increase this month. The preventative patrols increased as deputies were in the neighborhoods more often. Traffic enforcement incidents decreased as the deputies were patrolling neighborhoods more often.

Deputy Wrenn asked for numbers of breaking and entering in Weddington from January 1, 2023 until November 12, 2024 and there was a total of 19 for that time period. He also stated that during that same time period Marvin had 7 home burglaries and Wesley Chapel had 8. He reminded

Town of Weddington Regular Town Council Meeting Minutes 11/12/2024 Page 3 of 7

residents to use the residential check request for when they are away from home, to keep an eye on their neighbors and to call when they see something suspicious.

#### 9. Consent Agenda

- A. Approve September 9, 2024 Town Council Regular Meeting Minutes
- **B.** Approve October 14, 2024 Town Council Regular Meeting Minutes
- C. Approval of Resolution R-2024-06 Policy for Limiting Developer Presentations on Agendas
- D. Authorize Staff to enter into contract with Union County Sheriff's Office for up to 5 deputies.

Motion:	Mayor Pro Tem Smith made a motion to approve the Consent Agenda as
	presented.
Vote:	The motion passed with a unanimous vote.

#### **10. Old Business**

A. Discussion of response to Park RFQ and authorization of staff to enter into contract negotiations.

Staff sent out a Request for Qualifications for site planning and construction design services for the Town Park property. The scope of work included a summary of amenities and design requirements to be included, a phasing plan, and cost estimates. Staff posted the RFQ on the town website, sent it to 2 contacts at qualified design firms, and received 1 response in return. The RFQ was posted on October 11, 2024 and the response deadline was October 25, 2024.

Staff is looking for direction from council to either enter into a contract negotiation with the responding firm, Summit Design and Engineering Services or reposting the RFQ for an additional two weeks' time to allow for additional responses. The RFQ and the response were included in the meeting packet.

Motion:Mayor Pro Tem Smith made a motion to authorize staff to reopen the RFQ<br/>for park design.Vote:The motion passed with a unanimous vote.

#### 11. New Business

A. Application by Keystone Custom Homes requesting Conditional Zoning Approval for a 12-Lot Subdivision located on Deal Road

i. Public Hearing

- ii. Discussion and Consideration
- A. Text Amendment to the Town of Weddington Unified Development Ordinance Section D-917A.D. Lots in Floodplains

Mr. Gordos presented the staff report: At its meeting of the Town Council on October 14th, the Council agreed to continue text amendments as they relate to the development portions of

the Unified Development Ordinance. It was noted as a Council priority by the town constituents and that these changes should go into effect before more applications are reviewed by the Planning Board. The Council also seeks to modify the UDO in order to better align with the 2024-adopted Comprehensive Land Use Plan. The Planning Board recommended approval of text amendments to Section D-917A, but not those related to Conservation Subdivisions (Section D-917B), at the regularly scheduled meeting on October 28th. Based upon the direction received from the Council via email, staff proposed amendments to Section D-907A. Specific Requirements for All Residential Development, and Section D-917B. Additional Specific Requirements for Conservation Residential Development, as well as Appendix 2B. These code and page sections were referenced directly by Council and changes reflect those directed to staff. Upon further Council discussion with staff after the Planning Board vote had taken place, the Town Planner now recommends remanding all code topics back to the Planning Board for further consideration. A subcommittee of the Board has been assigned by the Mayor to assist with this service.

#### i. Public Hearing

Mayor Bell opened the public hearing at 7:31 p.m. No one signed up to speak Mayor Bell closed the public hearing at.7:31 p.m.

#### ii. Discussion and Consideration

Council discussed the text amendment to increase required number of square footage outside the floodplain in a lot. The UDO needs a definition for buildable land. Ms. Wolter stated that the council can approve, deny, or send the text amendment back to the Planning Board.

Motion:Mayor Pro Tem Smith made a motion to send the text amendment back to<br/>the Planning Board for reconsideration in light of Council concerns and<br/>comments.Vote:The motion passed with a unanimous vote.

#### **B.** Text Amendment to the Town of Weddington Unified Development Ordinance Section D-917B.B. Minimum Open Space

Mr. Gordos stated this text would reduce minimum open space under additional specific requirements for RCD development. It currently reads that 50% of the gross acreage of tract would be required to be preserved at conservation. The amendment would strike out "gross" and make "net" and in the second sentence "No more than 20% of minimum required" to read "NONE of minimum required".

#### i. Public Hearing

Mayor Bell opened the public hearing at 7:37 p.m.

Town of Weddington Regular Town Council Meeting Minutes 11/12/2024 Page 5 of 7

> No one signed up to speak. Mayor Bell closed the public hearing at 7:37 p.m.

#### ii. Discussion and Consideration

Mayor Pro Tem Smith asked if it would be net buildable acreage.

Mr. Gordos stated that it doesn't define net buildable. He asked where that land goes if not in a conservation area. There is additional consideration to be made.

Mayor Pro Tem Smith stated that adding "buildable" to the amendment would clarify situation.

Ms. Wolter interpreted the text to read: 50% of total acreage must be conservation land. None of that 50% can be comprised of the listed areas.

Motion:	Mayor Pro Tem Smith made a motion to approve the text amendment to Section D- 917B.B. of the UDO as presented.
Vote:	The motion passed with a majority vote. Councilmember Ladner and Mayor Pro Tem Smith in favor. Councilmember Howie opposed.

# C. Text Amendment to the Town of Weddington Unified Development Ordinance Section D-917A.J. Cul-de-sacs.

- i. Public Hearing
- ii. Discussion and Consideration

Mayor proposed tabling this to text amendment to a future meeting, after further investigation and research can be conducted.

Motion:	Mayor Pro Tem Smith made a motion to send the text amendment to		
	Section D-917A.J. back to the Planning Board and Mayor's UDO		
	Advisory Subcommittee for further investigation and research.		
Vote:	The motion passed with a unanimous vote.		

#### 12. Code Enforcement Report

Staff mailed out several second notices of violation last week. There are a few meetings set up with the residents and code enforcement to mitigate the violations.

#### 13. Update from Finance Officer and Tax Collector

Ms. Gaylord gave the update. In the packet are the monthly financials and also the quarterly SCIF report. The town has received \$850,000 spent over \$150,000.

#### 14. Updates from Town Planner and Town Administrator

Mr. Gordos gave the planning update:

Deal Lake Subdivision

Town of Weddington Regular Town Council Meeting Minutes 11/12/2024 Page 6 of 7

- 93-lot Conventional subdivision, 70 lots
- Community Meetings: 5/2/24, 7/16/24
- Rea/Providence Subdivision
  - Conventional subdivision, 54 lots
  - Planning Board: 6/24/24, TABLED
- 149 S. Providence Road (Empire)
  - Conventional subdivision, 34 lots
  - Community Meeting: 6/27/24
  - 7112 New Town Road
    - Churches, Synagogues and Places of Worship
    - Community Meeting: 5/22/24, 6/20/24, 9/6/2024
- Elysian @ Weddington (Keystone)
  - Conventional subdivision, 12 lots
  - Community Meeting: 7/24/24
  - Planning Board: 9/23/2024
  - Public Hearing: 11/12/2024
- 13700 Providence Road
  - Two office buildings, MX (CD) zoning
  - Community Meetings: 6/10/24, 8/5/24
  - Planning Board: 8/26/24, 10/28/2024
- Classica Hemby Subdivision
  - Conservation subdivision, 27 lots
  - Community Meeting: 9/19/24

Ms. Dewey gave the Administrator's Report:

- Antioch and Forest Lawn traffic signal: the project has been approved by the Board of Transportation and the funds released. NCDOT will begin signal design work and that takes approximately 90 days. once that is complete, NCDOT will work on installing the signal. Town Staff and NCDOT have signed the agreement. Barring any major obstacles, installation will be completed near end of 2024. They are also evaluating pavement markings in the area and are endeavoring to restripe, if needed, before the signal becomes operational.
- Potter and Forest Lawn Roundabout-NCDOT has received the utility mark-ups and incorporated the easements into the ROW estimates. Once final approval is given on those, ROW acquisition will begin Construction is looking to be 2026.
- Library update The Library Director and the Union County Library Foundation have decided to postpone the dedication of the outdoor space until spring. the signage for the space has not been received, the grass surrounding the area is dismal and detracts from the setting; we have not signed off on the space, nor made the final payment. They want all to be finalized before we "dedicate". They are looking to plan the dedication around a 1-year anniversary event/spring festival
- Town hall repair update. Contract language has delayed getting the signatures. We are looking to get the debris cleaned up and the area stabilized for the tree lighting.
- Working on setting up a meeting for the decorating and the lighting of town hall. Should be done this week.

#### **15. Transportation Report**

Mayor Bell gave the transportation report. The Waxhaw Bypass realignment will be on the CRTPO agenda for a vote. It was tabled last month. Neighboring towns have opposed it, and the County is opposed. It will have negative effects on traffic through Weddington because of the proposed development.

#### 16. Council Comments

Councilmember Ladner: I just want to thank the Rotary Club for the Flags for Heroes on Veterans Day. That was awesome. Thanks to the staff. I know it's been tedious to get all this lined up, but I can't tell you how much we appreciate some sanity around the presentations happening because we were just going around in circles and out of order and it was a lot. I think this will help the entire town and the residents have clarity on what's coming next. Thank you for continuing to bring up issues that are going on in the community and showing up here.

Councilmember Howie: I want to echo Darcey's gratitude to the Rotary for the flags. It's a privilege to be here on a Tuesday night instead of a Monday as we took some time yesterday to pause and reflect upon the veterans that have provided us with the opportunities we have day to day here and in the United States. Thank you to staff. Like Darcey said, it has been tedious, hopefully we are teeing you and us up for some smooth sailing in the future.

Mayor Pro Tem Smith: I want to thank staff for all efforts on this. I know there has been back and forth on some things and I appreciate patience. I wish I could say we had all the flags up that we normally do, but we discovered that the fiber optic people managed to run the line through a number of the stakes in the ground. We probably lost a third of the stakes out there. We hope we will have them back for Memorial Day. Again, thank you staff. thank you everybody for being here tonight. It's been a long day.

Mayor Bell: Like the Councilmembers said, thank you staff for what you guys do. I know it's a a lot of work. On average, in years past, we've had 2-3, as Chad has informed me, developers on average per year. Now with what we've got in pipeline or looking to be in the pipeline it's stressful with you guys. So, we appreciate what you guys do as you follow it and make it happen. Thank you guys.

#### 17. Adjournment

Motion:	XX made a motion to adjourn at 7:58 p.m.
Vote:	The motion passed with a unanimous vote.

Approved: \_\_\_\_\_

Jim Bell, Mayor

Karen Dewey, Town Administrator/Clerk



### TOWN OF WEDDINGTON 2025 TOWN COUNCIL REGULAR MEETING SCHEDULE\*

### 2<sup>ND</sup> MONDAY OF EVERY MONTH

DATE	TIME	LOCATION
January 13, 2025	7:00 p.m.	Town Hall Council Chambers
RETREAT-TBD	TBD	TBD
February 10, 2025	7:00 p.m.	Town Hall Council Chambers
March 10, 2025	7:00 p.m.	Town Hall Council Chambers
April 14, 2025	7:00 p.m.	Town Hall Council Chambers
May 12, 2025	7:00 p.m.	Town Hall Council Chambers
June 9, 2025	7:00 p.m.	Town Hall Council Chambers
July 14, 2025	7:00 p.m.	Town Hall Council Chambers
August 11, 2025	7:00 p.m.	Town Hall Council Chambers
September 8, 2025	7:00 p.m.	Town Hall Council Chambers
October 13, 2025	7:00 p.m.	Town Hall Council Chambers
November 10, 2025	7:00 p.m.	Town Hall Council Chambers
December 8, 2025	7:00 p.m.	Town Hall Council Chambers



### Town of Weddington

### 2025 Holiday Calendar

New Year's Day	January 1	Wednesday
Martin Luther King, Jr. Day	January 20	Monday
Good Friday	April 18	Friday
Memorial Day	May 26	Monday
Independence Day	July 4	Friday
Labor Day	September 1	Monday
Veterans Day	November 11	Tuesday
Thanksgiving	November 27 & 28	Thursday & Friday
Christmas	December 24, 25, & 26	Wednesday, Thursday, & Friday



#### TOWN OF WEDDINGTON COUNCIL POLICY PROHIBITING VIEWING OR SAVING PORNOGRAPHY ON TOWN NETWORKS AND DEVICES

Whereas, the General Assembly enacted a new statute, N.C. Gen. Stat. § 143-805, in Session Law 2024-26, which requires local governments to adopt a policy prohibiting employees, elected officials, and appointees from viewing pornography on Town networks and devices; and

Whereas, the policy adopted by the Council must state the disciplinary action to be taken for a violation of the policy; and

Whereas, the Council finds the policy must be incorporated into the Town's personnel policy to require disciplinary action for violations.

Be it hereby resolved that the Town of Weddington hereby adopts the following Policy to comply with N.C. Gen. Stat. § 143-805 as set forth below:

#### Viewing or Saving Pornography Prohibited.

(1) The following definitions are supplemental to the definitions set out in subsection c and are specific to this subsection n:

(i) *Appointees* shall mean persons appointed by the board of commissioners to serve on any board, commission, committee, authority or similar body created by the board of commissioners or by statute.

(ii) *Device* shall mean any cellular phone, desktop or laptop computer, or other electronic equipment capable of connecting to a network.

(iii) *Network* shall mean any of the following, whether through owning, leasing, maintaining, or otherwise controlling: the interconnection of communication systems with a computer through remote or local terminals, or a complex consisting of two or more interconnected computers or telephone switching equipment; internet service; and internet access.

(iv) *Pornography* shall mean any material depicting sexual activity with *material* and *sexual activity* to mean as defined in G.S. 14-190.13.

(2) The viewing or saving of pornography by employees, elected officials, or appointees on or to any device owned, leased, maintained, or otherwise controlled by the Town is prohibited.

(3) Any employee, elected official, or appointee with pornography saved to a device owned, leased, maintained, or otherwise controlled by the Town shall remove, delete, or uninstall the pornography no later than January 1, 2025.

(4) Employees of the Town of Weddington are prohibited from viewing pornography on any network of the Town.

(5) This subsection n shall not apply to an official or employee that is engaged in any of the following activities in the course of that official's or employee's official duties:

(i) Investigating or prosecuting crimes, offering or participating in law enforcement training, or performing actions related to other law enforcement purposes.

(ii) Identifying potential security or cybersecurity threats.

(iii) Protecting human life.

(iv) Establishing, testing, and maintaining firewalls, protocols, and otherwise implementing this section.

(v) Participating in judicial or quasi-judicial proceedings.

(vi) Conducting or participating in an externally funded research project at on e of the constituent institutions of the University of North Carolina.

(vii) Researching issues related to the drafting or analysis of the laws of this State as necessary to fulfill the requirements of the employee's official duties.

(6) Annually, no later than August 1 and in the format required by the State Chief Information Officer, the Town's Administrator or his/her designee shall report information to the State Chief Information Officer on the number of incidences of unauthorized viewing or attempted viewing of pornography on the Town's network; whether or not the unauthorized viewing was by an employee, elected official, or appointee of the town; and whether or not any of the unauthorized viewing was on a device owned, leased, maintained, or otherwise controlled by the Town.

(7) Any violation of this subsection by an employee who is not an elected official or appointee shall constitute grounds for disciplinary action up to and including termination of employment. Any violation of this subsection by an appointee shall constitute grounds for removal of the appointee from office.

BE IT FURTHER RESOLVED, that the Council approves incorporation of this policy into the Town's Personnel Policy.

Approved this \_\_\_\_\_ day of December, 2024.



TO:	Town Council
FROM:	Karen Dewey, Town Administrator/Clerk
DATE:	December 9, 2024
SUBJECT:	Discussion and Consideration of Response to RFQ for site planning and construction design services

Staff sent out an RFQ for site planning and construction design services for the Town Park property. The scope of work included a summary of amenities and design requirements to be included, a phasing plan, and cost estimates.

At the November Town Council Meeting, Staff was directed to re-post the RFQ. Staff reposted the request and sent directly to two additional firms. The deadline of December 4, 2024 passed with no submissions.

Staff is looking for direction to either enter into a contract negotiation with the responding firm, Summit Design and Engineering Services or reposting the RFQ for an additional two weeks' time to allow for additional responses.



TO:	Town Council
FROM:	Gregory Gordos, AICP, Town Planner
DATE:	December 9, 2024
SUBJECT:	Application by 13700 Providence Road, LLC (property owner) requesting Conditional Zoning approval for the development of a two building office expansion located at 13700 Providence Road.

#### **APPLICATION INFORMATION:**

SUBMITTAL DATE:	September 18, 2023
APPLICANT:	Stephen Overcash, ODA Architecture
PROPERTY LOCATION:	13700 Providence Road
PARCEL ID#:	06063001
ACREAGE:	+/- 5.064 acres
EXISTING LAND USE:	office
EXISTING ZONING:	MX, Mixed-Use
EXISTING LAND USE:	office

#### PROPOSAL:

The applicant, operating on-site as Polivka International, is proposing the development of two new office/medical office buildings to the east of the current office building. The two buildings are 10,000 square feet of space each in two stories; closer to Providence Road but behind the current retention pond for stormwater. These buildings are angled towards the entrance along Providence per community feedback provided in one of two Community Meetings held for the project. Hunter Farm is directly to the north of the site. Weddington Methodist Church is to the south. Harris-Teeter grocery store and other commercially zoned uses are found to the east, as is Town Hall.

#### Development Standards.

The development proposal <u>does include one (1) change</u> to the Development Standards already set forth in the Unified Development Ordinance (UDO). One structure does not meet height requirements based on proximity to a residentially zoned parcel. The development shall be governed by this Plan and all applicable requirements of the UDO. Council can grant relief as part of the conditional zoning approval.



#### **RELATION TO THE UNIFIED DEVELOPMENT ORDINANCE:**

#### UDO Section D-607(C), Conditional Rezoning.

As required by UDO Section D-607(C)(5), the applicant held their required Community Meeting at Town Hall on June  $10^{\text{th}}$  and a second Community Meeting on August  $5^{\text{th}}$ . The applicant has provided a Community Meeting Report which has been attached to this staff report and posted on the Town's website.

The Planning Board heard and tabled this agenda item at their August 2024 hearing. The Town Council is tentatively scheduled to hold a public hearing regarding this application on Monday, November 12<sup>th</sup> December 9<sup>th</sup>, 2024, at 7:00 pm. The Conditional Zoning process allows the developer and the town to ask for conditions which could include special exceptions to rules or additional improvements. The town and the developer must agree on a condition for it to become a part of an approval.

#### UDO Section D-703(D), Permitted Uses (by zoning district).

Pursuant to Table 1, Permitted Uses, as contained within UDO Section D-703(D), Existing B-1 (CZ), B-2 (CZ), and MX (CZ) Districts are site specific development approvals, and shall follow the uses allowed in those approvals. This parcel was zoned MX District to allow the Polivka International building, by Town Council vote, in 2012.

#### UDO Section D-703(E), Lot and Building Standards Table.

Pursuant to Table 2, Lot and Building Standards, as contained within UDO Section D-703(E), all development within the MX zone is required to meet certain standards. However, these are not defined like Residentially zoned properties. The following table identifies those standards, as well as how the subject development proposal complies:

Lot and Building Standards		Standard	Proposed
Minimum Lot Size		N/A	n/a
Minimum L	ot Width	N/A	n/a
	Front	25'	>100'
Minimum Setbacks	Side	25'	36'
	Rear	25'	>100'
Maximui	n Height	40'	<del>40</del> 35'
Maximum Floor Ar	ea Ratio	0.2	0.15 (32,300 sf)

#### UDO Section D-917C, Specific Requirements for Non-Residential Development.

UDO Section D-917C, establishes numerous rules for how **non-residential** development is intended to occur within the Town. These rules include, but are not limited to, the location of landscaping, parking, open space, stormwater management, and design requirements. While not all these rules are appropriate to be included at this stage of the development process, there are many that must be considered.

UDO Section D-917C(A)(1) A buffer shall be built and maintained the entire width of the property fronting major or minor thoroughfares and major or minor roads. The buffers shall be built the width of the setback. All such landscaping,

screening and buffers shall include, protect and maintain existing and planted trees.

Ten existing trees are provided along Providence Road within the buffer. Additional new trees are proposed within the new parking lot.

\*New screening for buildings and parking: see new sheet CZ-003\*

UDO Section D-917C(A)(3) All buildings or structures within 50 feet of residentially zoned property shall be limited to two stories and shall have a maximum building height of 35 feet, as measured from the ground level to the peak of the roof.

The right building is greater than 50' (143') from a residentially zoned parcel based on the scale provided by ODA Architecture on a newly submitted Architectural Site Plan, while the left building is not (2836'). Positive findings of compliance cannot be made.

Amended plans submitted November 2024 reduce both building heights to 35', meeting this code subsection. Findings of compliance are now made.

UDO Section D-917C(A)(5) Where the first floor of a nonresidential building has expanses of blank wall, each such expanse of blank wall may not exceed 20 feet in length.

Windows are provided on all sides of the ground flood. Positive findings of compliance can be made.

UDO Section D-917C(A)(6) Nonresidential portions of a development shall be designed so that they encourage and facilitate pedestrian use of those portions. In addition to other design elements that encourage and facilitate pedestrian use, in nonresidential portions of a development, sidewalks shall be placed in front of all principal buildings, and small pocket parks shall be created whenever feasible.

Sidewalks are placed in front of the entrance of each new structure. However, there is no facilitation of pedestrians traveling from building to building nor any connection to Providence Road or adjacent uses.

*UDO Section D-917C(A)(7) Large expansive off-street parking lots are not allowed.* 

Parking lots are broken up by a center drive aisle and most parking lots are oriented to the east of the site away from the front entrance. However, parking at the rear of the building is preferred. This change to front-loaded parking was based on resident input during a community meeting.

\*A new site plan better illustrating parking was added to the packet as sheet CZ-002\*

#### UDO Section D-917C(A)(8) On-street parking is allowed and may be counted towards meeting the offstreet parking requirements. For both on-street and off-street parking, a parking space shall be not less than nine feet in width or less than 20 feet in length

Stalls dimensions listed as 9'x18'. Findings of compliance cannot be made. Parking spaces revised to meet 9'x20' requirement. 77 spaces required. UDO Section D-917C(A)(10) At a minimum, ten percent of the gross acreage of the project (minus any required setbacks and buffers, utility easements, stormwater detention areas, and marginal lands including, but not limited to, wetlands, floodplains, steep slopes, and bodies of water) shall consist of prominently located and pedestrian-accessible village green open spaces so as to encourage walking and pedestrian activity within the development. No development may occur within any such open space except for the creation of sidewalks, other walking paths, and any type of development commonly found in small public parks, such as statues or other art.

10% of the land appears to be open space but the percentage is not listed in the application documents. Open space shall be primarily repair area for the existing septic field to the south of the project site.

# UDO Section D-917C(A)(11) The post development rate of stormwater runoff from any lot shall not exceed the predevelopment rate of runoff for a 100-year storm.

The applicant shall provide, at a minimum, the following information to the Administrator as part of his application to obtain a zoning permit:

An engineering report made and certified as true and correct by a registered engineer licensed to do business in the state. Such report shall include the following: 1. The routing of stormwater for the predevelopment and post-development conditions of the proposed building lot ...4. A statement indicating the rate of post-development stormwater runoff for the proposed building lot will not be greater than the predevelopment rate for a 100-year storm. No report provided. A finding of compliance cannot be made. Please see sheets U-1 through U-3 added to this report.

#### UDO Section D-917D, Supplemental Requirements for Certain Uses.

UDO Section D-917D, establishes supplements requirements for certain uses; however, not for all uses that are specifically listed in the UDO, including office or medical. As such, this Section is not applicable.

#### UDO Section D-918, General Requirements.

The various provisions set forth in UDO Section D-918, including, but not limited to visibility at intersections, lighting, screening, and landscaping, fences and walls, signs, and off-street parking and loading, as applicable, shall be reviewed for compliance with the submittal of plans for a Construction Permit. It is noted, however, that there do not appear to be any immediate concerns regarding compliance with these provisions.

#### UDO Appendix 5, Architectural Standards.

The standards described or referenced in this section shall apply to all nonresidential development, including renovations, remodelings, face lifts, repainting and additions to existing structures within the zoning jurisdiction of the Town of Weddington. All such projects that require a conditional use permit, a modification to a CUP, or conditional zoning shall be required to meet these standards.

Please see attachments for the full Appendix 5.

(Ord. No. O-2009-10, 7-13-2009)

### **RELATION TO THE CODE OF ORDINANCES:**

#### Appendix C, Traffic Impact Analysis.

Pursuant to Sec. II (A) (1), a Traffic Impact Analysis (TIA) is required for any CZ which is expected to create 50 or more peak hour vehicle trips or 500 or more daily vehicle trips. The proposal met the threshold of requiring a TIA to be completed and approved by the Town. This document was reviewed and found satisfactory by LaBella Engineering on June 6<sup>th</sup>, 2024 after several revisions sent to the Town.

#### LAND USE PLAN CONSISTENCY:

NOTE: On June 3<sup>rd</sup> 2024 the Weddington Town Council adopted the new Comprehensive Land Use Plan, which established new goals and policies from those previously used by the Planning Board. This project is among the first to submit under these new guiding principles and the first non-residential proposal.

#### Land Use Goals:

- *Goal 1:* New development and redevelopment activities shall be consistent with the Future Land Use Map and categories.
- Policy: LU 1.1: The following Future Land Use categories, along with their intended uses, densities, and intensities, are hereby established (floor area ratio (FAR) only applies to non-residential uses): d. Business. The intent of this designation is to accommodate neighborhood-serving commercial uses in the Town Center area. Maximum FAR: 0.2.

The subject property is identified as *Business* in the 2024 Future Land Use Map (Map 4). The primary function of the Business FLU designation is to provide areas with neighborhood-serving commercial uses which serve the needs of Weddington residents. Note: this is the only Business designation *outside* the Downtown Overlay and the only parcel in Town zoned MX.

- Goal 2: Ensure that new commercial development and redevelopment are located and designed to serve the residents of Weddington.
- *Policy: LU 2.2:* The Town shall require all new development and redevelopment projects to integrate harmoniously into established neighborhoods through the use of buffering, open space, landscaping, and other site design tools.

The application is proposing two office building in addition to the existing office building structure. While not considered commercial (mercantile) this redevelopment project is adjacent to residential zoning to the north and south and site design is crucial for such a prominent location along the Providence Road corridor and across from the Downtown Overlay.

#### Transportation Goals:

- *Goal 1:* Encourage the development of well-designed streets that are safe, connected, and welcoming for all users.
- *Policy:* **T** 1.1: Major thoroughfares and key entryways shall be given the highest priority for beautification efforts and corridor design.

Providence Road (NC-16) is the main north-south thoroughfare in Weddington. Aesthetics of these non-residential buildings shall maintain the standards and requirements set forth in Section D-917C and Appendix 5. Brick masonry, large windows, and the orientation of structures to the entrance along Providence were a design response to community concerns.

Policy: **T** 1.3: Encourage roads be designed and constructed to provide a high level of safety and comfort for all users (pedestrians, bicyclists and motorists), in a manner consistent with the character of the neighborhood through which the road travels.

No new roads are proposed as a result of this addition. Pedestrian access is not safe as proposed.

#### **Conservation Goals:**

- *Goal 1:* Ensure that all new development takes place in a manner that conserves open space and scenic views.
- Policy: C 1.2: Adopt/update development regulations to ensure new development is consistent with the Town's quality and aesthetic values, thereby protecting property values. This would apply to all new and redevelopment projects, apart from regulating aesthetics and materials for single-family homes.

Aesthetics can be regulated for non-residential structures, including offices as proposed. The style of the proposed structures is Georgian with similar detailing to the existing 2-story office building.

#### Infrastructure Goals:

- *Goal 1:* Ensure that all existing and future developments in Weddington are served by adequate water, wastewater, drainage and emergency services.
- *Policy:* **I** 1.1: *Require water, wastewater, and drainage system improvements to be constructed concurrent with new development and that they provide adequate capacity to meet demands from existing and new users.*

One existing retention pond is proposed for stormwater runoff, which must be designed to meet 100-year stormwater events (just like residential projects) per a 2024 Town of Weddington UDO update. The existing septic field and repair areas are proposed for the two new structures, but have not been evaluated at the time of the community meetings, nor has any engineering reports been submitted to the Town at this time. with modifications recommended by DPR Design and attached as a memo to this staff report.

Based upon the above, staff provides the following Land Use Plan Consistency Statement for consideration:

While the development proposal can be found to be generally consistent with the adopted Land Use Plan, there are Goals and Policies for which compliance cannot be determined at the present time based upon the level of plans required to be submitted for this phase of development.

A lack of detail in the submittal have been addressed regarding stormwater, parking dimensions, and landscaping. The south structure still encroaches in the setback requirement under UDO Section D-917C(A)(3). All buildings or structures within 50 feet of residentially zoned property shall be limited to two stories and shall have a maximum building height of 35 feet. The applicant has elected not to relocate the structure outside of the setback area: therefore a height reduction would be necessary or a condition of approval to seek relief. The applicant states they would like to ask relief for the following reasons: *a. There is not residential on the adjacent property, but a 58' tall Church.* 

b. There is an existing heavily wooded, mature 28' wide buffer along the Property Line, obscuring views of the offices.

c. The proposed elevation of the office building is approximately 10' lower than the adjacent property, further minimizing its visual height.

d. As illustrated in the site section the proposed roof is 35' or lower at the 50' line

The proposed development matches the existing character of office use and the property is properly zoned MX, Mixed Use. However, the development is isolated with poor pedestrian connectivity. Land uses permitted in the MX zone also need to be explicit to avoid allowing mercantile commercial uses that should be in the Business (B-1 or B-2) zones, continuing use for office spaces and medical office as requested.

#### **RECOMMENDATION:**

At its meeting of September 23, 2024, the Planning Board recommended approval of the Conditional Zoning request, with the condition that the applicant bring building height into compliance with the UDO, to allow for a two-building office expansion located at 13700 Providence Road.

Staff also recommends approval of the Conditional Zoning request to allow for the development of a twobuilding office expansion located at 13700 Providence Road now that the height meets UDO requirements. Tenants shall be limited to office or medical office uses only.

#### ATTACHMENTS:

Project Summary Letter Sketch Plan Renderings and Details Land Use Map Zoning Map Community Meeting Report (2) TIA



November 27, 2024

Re: 13700 Providence Road

Dear Town Council Member,

13700 Providence Road, LLC is requesting a Conditional Zoning for the property that currently houses an office building for the peitioner's business and a healthcare tenant. The Town of Weddington assigned a MX Zoning to the property, which allows a mix of uses including shopping centers, restaurants, offices, convenience stores, day cares, conference centers and dry cleaners. The peititioner is asking for the approval to develop two small office buildings, restricted to general office and medical offices. Weddington's Planning website outlines that their "goal is to collaboratively work with the citizens and new developments to create a place where people live, work and play in a safe environment". The proposed petition honors this goal.

The petitioner has provided every study and exhibit that is outlined in Weddington's Unified Development Ordinance (UDO). The completeness of the submittal has been confirmed by the Town Planner. We have included these studies in this submittal, including the Traffic Impact Study Summary, Septic System drawings, Civil Engineering reports regarding stormwater, Landscape / Lighting Drawings, Survey, Architectural Drawings and renderings. The proposed style of architecture and details will match the existing building's Georgian style of architecture.

The proposed development meets all MX Zoning regulations as well as meets UDO Section 917C(A)(3). This regulation outlines that any non-residential use within 50' of a residentially zoned property is restricted to 35' in height. The adjacent property to the south is zoned residential, but contains a 53' tall church with a parking lot between the church and 13700. The proposed height of both buildings is 35' to the ridge.

Thank you for your support these two small, compliant office buildings.

Sincerely,

Stephen F. Overcash, RA Principal

October 9, 2024

Town of Weddington Attn: Planning Board 1924 Weddington Road Weddington, NC 28104

Re: 13700 Providence Road Matthews, NC DPR Project #: 24065



To whom it may concern:

A preliminary engineering analysis was performed for the project site located at 13700 Providence Road in Matthews, North Carolina. This analysis allowed us to determine the necessary improvements that would need to be made to the existing stormwater control measure in order to accommodate the proposed increase in built-upon-area (BUA).

Per the Conditional Rezoning Architectural Site Plan prepared by ODA Architecture, approximately 0.70 acres of new impervious area is proposed. The existing stormwater for this site is managed by a dry detention basin and surface sand filter to provide both quantity and quality controls.

In order to accommodate the proposed 0.70 acres of increased BUA, the following modifications to the existing dry detention basin and surface sand filter are proposed:

- Increase volume of current dry detention from 32,000 ft<sup>3</sup> to 55,000 ft<sup>3</sup> by providing a two ft. wall on the southern side of the basin and raising the top of the basin from 702.00 to 704.00.
- Minor modifications to the existing outlet control structure (rim elevation, orifices, weirs) and sand media will be required. This will be fully designed during the construction design phase and permitting with the Town of Weddington.

The proposed modifications meet the current Town of Weddington UDO requirements for stormwater management, including providing detention volume control up to the 100-year, 24-hour storm event.

Sincerely,

Skylar DeMatteis, PE Civil Project Manager DPR Design sdematteis@dpr.design (330)-844-0306





WEDDINGTON TOWN CENTER



CONSULTANT:



13700 PROVIDENCE RD. WEDDINGTON, NORTH CAROLINA ODA PROJECT # 233726

ZONING APPROVAL

# 11.27.2024 REVISIONS

REVISIONS		
No.	Description	Date





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P:\Active Projects\Polivka International\13700 Providence Rd 17118\Surveying\Drawings\Current\Record Plats\RECORD PLAT\17118-Site Exhibit.dwg, Site Exhibit, 9/14/2018 11:49:31 AM, rrovillos, 1:1

# **General Notes**

1. The owner acknowledges that other standard development requirements imposed by other city ordinances, standards, policies, and appropriate design manuals will exist. Conditions set forth in this petition are supplemental requirements imposed on the development in addition to other standards. Where specified conditions on this plan differ from ordinances, standards, policies, and approaches in existence at the time of formal engineering plan review submission, the conditional notes on this plan shall apply.

2. This Site Plan is schematic in nature and represents a firm concept of development with regard to the arrangement of the building, parking and circulation patterns. Minor changes of detail which do not alter the basic layout and relationships to abutting sites are permitted as a matter of right for the petitioner / developer.

**3. Proposed Uses** : The use of the two new proposed buildings will be General Office and Medical Office only. 4. Parking Spaces : parking spaces shall be a minimum of 9' x 20'. There are 77 spaces illustrated, and allocated to the new buildings. Parking to meet UDO requirements.

5. Phasing : It is the intent of the developer to construct both new and proposed buildings simultaneously in on phase.

6. Signage : All Signage will be permitted separately 7. Building Height: The maximum building height for a MX Zone is 40'. As illustrated in the renderings and elevations, the height of the ridge will be a maximum of

8. Landscape Requirements : The petitioner understands that, as a condition of approval, the proposed development shall be subject to all landscape and buffer requirements of the Town of Weddington UDO **9.** Sewer Allocations : The proposed development will have a Septic System with the capacity for the proposed office buildings, as designed by Piedmont Design Associates, P.A. See Sheets U-1, U-2, U-3

20%

15%

(44,083 SF)

(32,300 SF)

### Polivka International 13700 Providence Road, LLC.

Existing Zoning: MX (CZ) Mixed Use Conditional Zoning District

DEED BK-4430 PG-860 PID #06150045 Lot 1, Lot 2, Lot 3

Acreage: 5.06 acres FAR Maximum: FAR Proposed:

Site Data:

North Adjacent Land Parcel Nancy Anderson PID# 06150044E DEED BK-1991 PG-752 Zone: R-40 Existing Use: Single Family

West Adjacent Land Parcel James Hunter PID# 06150044 DEED BK-1991 PG-752 Zone: R-40Existing Use: Single Family

South Adjacent Parcel Weddington United Methodist Church PID# 06150045A DEED BK-5047 PG-746 Zone: R-40 Existing Use: Church

**Proposed Uses**: The proposed uses are General Office and Medical Office only.

Proposed Development Description: The Site Plan illustrates (2) two-story office buildings of 9,000 sf each. The style of the proposed structures is Georgian with similar detailing to the existing 2-story office building. The access to the site exists and will remain. New parking areas will be constructed in the general configuration illustrated on the Site Plan.







WEDDINGTON, NORTH CAROLINA

REVISIONS		
No.	Description	Date

## **Tree Planting Notes**

1. All trees and shrubs shall meet or exceed the minimum requirements as noted in Weddington Municode Section 58-8.

2. The contractor shall contact North Carolina One Call prior to digging.

3. Planting backfill mixture: 4 parts topsoil; 1 part peat moss; 10 LBS. 5-10-5 planting fertilizer throughly mixed per cubic yard.

4. Stake trees immediately after planting.

5. All disturbed areas shall be seeded and mulched.

6. All existing landscaping to remain where possible. Any plantings damaged during the construction process to be replaced by equal or more plantings than before.

### **Buffer Yard Notes**

 Any existing trees retained in healthy condition yard buffers may be credited for any required tree planting.
Trees and shrubs for buffer planting to be selected from the town of Weddington list of acceptable plant species, Chapter 18 Appendix 1.

# Screening Requirements (per table 58-8)

6 Trees and 20 Shrubs per 100' Perimeter Buffer:

# Open Space Requirement

Total Site:	22
10% Open Space Required	
17% Open Space Provided	

220,413 SF (5.06 Acres) (22,041 SF) (38,033 SF)

# KEY:

Existing Lampposts

Proposed Lampposts

New Plantings for Screening



KEY	COMMON/ BOTANICAL NAME	SIZE
	TREES	
AR	ACER RUBRUM 'OCTOBER GLORY' OCTOBER GLORY RED MAPLE	2" CAL., B & B, LIMB UP TO 6'
BN	BETULA NIGRA RIVER BIRCH	2" CAL., B & B,
FA	ILEX XATTENUATA 'FOSTERI' FOSTER HOLLY	2" CAL., B & B,
LI	LAGERSTROEMIA INDICA 'NATCHEZ' NATCHEZ CRAPE MYRTLE	2" CAL., B & B,
PY	PRUNUS YEDOENSIS YOCHINO CHERRY	2" CAL., B & B,
	SHRUBS	8 1 P
FI	FORSYTHIS INTERMEDIA SHOWY FORSYTHIA	24" MIN. HT., 4' O.C.
RU	RAPHIOLEPSIS UMBELLATA YEDDO-HAWTHORN	36" HT., 4' O.C.
LL	LIGUSTRUM LUCIDUM GLOSSY PRIVET	36" HT., 5' O.C.

### **BMP PLANTING**

DUD	DETURA MODA	a second second second second		
BN-B	BETULA NIGRA RIVER BIRCH	8' HT., B&E	8' HT., B&B	
LI-B	LAGERSTROEMIA INDICA 'NATCHEZ' NATCHEZ CRAPE MYRTLE	6' HT., B&E	6' HT., B&B	
MG	MAGNOLIA 'LITTLE GEM' LITTLE GEM MAGNOLIA	5' HT., B&E	5' HT., B&B.	
IH	ILEX CRENATA COMPACTA COMPACTA HOLLY	24" HT., 4'	24" HT., 4' O.C.	
I	NSIDE BMP SAND FILTER PLANTS:		and the second second second second	
	TOBE BIIL OAND TIETEITTEATTO.			
RO	RIVER OATS Chasmanthium latifolium	2FT OC	2"DIA X 5"PLUG	
RO JP	RIVER OATS	2FT	2"DIA X 5"PLUG 2"DIA X 5"PLUG	
	RIVER OATS Chasmanthium latifolium JOE PYE WEED	2IFT OC 2 FT		

ADDITIONAL PLANTING (PARKING AREAS, BLDG FOUNDATION)

IC	ILEX CORNUTA 'CARISSA' CARISSA HOLLY	24"HT., 3' O.C.
ND	NANDINA DOMESTICA 'GULFSTREAM' GULFSTREAM NANDINA	15" HIT., 24" O.C.
тв	ILEX CORNUTA BURFORDI BURFORD HOLLY	LIMBED UP TREE FORM, 4' HT.





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landscape architecture planning civil engineering

DPR Associates, Inc. I 420 Hawthorne Lane I Charlotte, NC 28204 ph. 704.332.1204 | fx. 704.332.1210 | www.dprassociates.net

TOTAL SITE: 220,413 S.F. ( 5.06 ACRES) 10% OPEN SPACE REQUIRED: 22,041 S.F.. <u>63,162 S.F. PROVIDED</u>

Screening Requirements (per table 58-8) Perimeter Buffer: 6 Trees and 20 Shrubs per 100'

LANDSCAPING NOTES

- 1. ALL TREES AND SHRUBS SHALL MEET OR EXCEED THE MINIMUM REQUIREMENTS AS NOTED IN WEDDINGTON MUNICODE SECTION 58-8.
- 2. THE CONTRACTOR SHALL CONTACT NORTH CAROLINA ONE CALL PRIOR TO DIGGING. 3. PLANTING BACKFILL MIXTURE: 4 PARTS TOPSOIL; 1 PART
- PEAT MOSS; 10 LBS. 5-10-5 PLANTING FERTILIZER THOROUGHLY MIXED PER CUBIC YARD.
- 4. STAKE TREES IMMEDIATELY AFTER PLANTING.
- 5. ALL DISTURBED AREAS SHALL BE SEEDED AND MULCHED.

# PLANT LIST

Y	COMMON/ BOTANICAL NAME	QTY.	SIZE
	TREES	_I	
2	ACER RUBRUM 'OCTOBER GLORY' OCTOBER GLORY RED MAPLE	15	2"' CAL., B & B, LIMB UP TO 6'
	BETULA NIGRA RIVER BIRCH	12	2" CAL., B & B,
	ILEX X ATTENUATA 'FOSTERI' FOSTER HOLLY	25	2" CAL., B & B,
	LAGERSTROEMIA INDICA 'NATCHEZ' NATCHEZ CRAPE MYRTLE	6	2" CAL., B & B,
	PRUNUS YEDOENSIS YOCHINO CHERRY	12	2" CAL., B & B,

### SHRUBS

_			
	FORSYTHIS INTERMEDIA SHOWY FORSYTHIA	44	24"' MIN. HT., 4' O.C.
	RAPHIOLEPSIS UMBELLATA YEDDO-HAWTHORN	95	36"" HT., 4' O.C.
_	LIGUSTRUM LUCIDUM GLOSSY PRIVET	107	36'" HT., 5' O.C.

### **BMP PLANTING**

DMP PLANTING			
BETULA NIGRA RIVER BIRCH	2	8' HIT., B&	B
LAGERSTROEMIA INDICA 'NATCHEZ' NATCHEZ CRAPE MYRTLE	3	6' HIT., B&	В
MAGNOLIA 'LITTLE GEM' LITTLE GEM MAGNOLIA	6	5' HT., B&B.	
ILEX CRENATA COMPACTA COMPACTA HOLLY	55	24" HT., 4'	O.C.
NSIDE BMP SAND FILTER PLANTS:		• • • • • • • • • • • • • • • • • • •	
RIVER OATS Chasmanthium latifolium	5	2⊫T OC	2"DIA X 5"PLUG
JOE PYE WEED Eupatoriadelphus fistulosus	9	2 FT OC	2"DIA X 5"PLUG
LITTLE BLUESTEM Schizachyrium scoparium	200	1.5 FT OC	2"DIA X 5"PLUG
BONESET Eupatoriadelphus perfoliatum	200	1.5 FT OC	#SP4 CG
	<u> </u>		

### ADDITIONAL PLANTING (PARKING AREAS, BLDG FOUNDATION)

ILEX CORNUTA 'CARISSA' CARISSA HOLLY	46	24"HT., 3' O.C.
NANDINA DOMESTICA 'GULFSTREAM' GULFSTREAM NANDINA	60	15" HIT., 24" O.C.
ILEX CORNUTA BURFORDI BURFORD HOLLY	3	LIMBIED UP TREE FORM, 4' HT.





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scale: NTS 

> scale: NTS





**BUILDING ELEVATION - SOUTH** 



CONSULTANT:

POLIVKA OFFICE PARK

13700 PROVIDENCE RD. WEDDINGTON, NORTH CAROLINA ODA PROJECT # 233726

ZONING APPROVAL

# 11.27.2024 REVISIONS

	REVISIONS	
No.	Description	Date





ENGINEER: PIEDMONT DESIGN ASSOCIATES, PA 125 EAST PLAZA DRIVE, SUITE 101 MOORESVILLE, NC 28115 DONALD L. MUNDAY, PE (704) 664-7888 LICENSE NO: 17327

SOIL SCIENTIST: SOIL & ENVIRONMENTAL CONSULTANTS, PA 8412 FALLS OF NEUSE ROAD RALEIGH, NC 27615 DON WELLS, LSS (919) 846-5900 LICENSE NO: 1099

SURVEYOR: THE ISAACS GROUP 8720 RED OAK BLVD # 420 CHARLOTTE, NC 28217 STEVE DYER, PLS (704) 527-3440 LICENSE NO: L-3509

SEPTIC CONTRACTOR: AQWA 2604 WILLIS COURT WILSON, NC 27896 (252) 243-7693 LICENSE NO: 57240

PROPERTY OWNER: POLIVKA INTERNATIONAL 13700 PROVIDENCE ROAD, 200 WEDDINGTON, NC 28207 (704) 321-0802

Install Curb Cut Flume to allow for Surface Water to Get out of Old Parking Area/New Septic Area.

> Install Spill Curb & Gutter at Edge of Drainfield to Prevent Vehicular Traffic on Proposed Septic Field

935 Sq. Ft.Repair Area -Identified by Don Wells, LSS with S&EC for Repair

Prior to Installing New -Laterals, Contractor to Remove Ex. Curb and Permeable Pavement and Any Fill Material in Area. Removal of Fill to be Done Under to Supervision of the LSS.

Install 1.5-Inch Distal End Turn-Ups on Each Lateral. See Detail on Sheet U-2 675 Sq. Ft.Repair Area Identified by Don Wells, LSS with S&EC for Repair

(6) 1.50-In. PVC Laterals from CVB to LP T&J Panels.

> Prop. Central Valve Box. See Detail on Sheet U-2

> > Ø

±40 LF of 2-In. SCH 40 PVC Forcemain to CVB.

Remove Ex. (2) AX-20 Pods & Install New AX-100 Pod.

165 LF of 1.25-In. PVC to Ex. Septic Tank Min. Bury to be 36-In. BGS

TAY

Φ

1,500 Gallon STEP Tank with Orenco Pump Vault Serving New Building

021

EXISTING 12

WATER LINE

Existing Pressure Manifold

to be Removed.

237.60

TO CENTERLINE

INTERSECTION

HWY. 16 &








#### Map 4 Future Land Use Map









June 13, 2024

# **Community Meeting** – Weddington Town Hall

Date: June 10, 2024; 6:30 pm – 7:30 pm Subject: 13700 Providence Road Conditional Zoning Amendment Petitioner: 13700 Providence Road, LLC Presenters: Stophon F. Ovorcash, PA, ODA Architecture

Stephen F. Overcash, RA, ODA Architecture Alexa Polivka, Polivka International, Ownership

# Attendees:

- 1. Elizabeth Holtey, 5017 Woodview Lane
- 2. Harry B. Chilcot, Fox Run
- 3. Mayor Jim Bell, Town of Weddington
- 4. Christopher Neve, 110 Chasetone Ct.
- 5. Chad Emerino. 953 Eagle Road
- 6. Melissa Emerino, 953 Eagle Road
- 7. Nancy Anderson, 13624 Providence Road
- 8. Paul Cruz, 219 Larkfield Road
- 9. Bill Deten, Waybridge
- 10. Eva Bender, 13901 Providence Road
- 11. Walter Hoan
- 12. David Vitcher
- 13. Ryan Jones
- 14. Gregory Gordos, Town of Weddington
- 15. Karen Dewey, Town of Weddington

### **Discussions:**

The two proposed buildings would only be leased as office space, approximately 50% general offfice and 50% healthcare. It was discussed that these uses would be an amenity for Weddington. If the uses were ever proposed to be changed, it would require another Conditional Zoning Ammendment. Future tenants will have to be approved for Weddington UDO appropriateness.

The history of the project was questioned, as to why the orignal 3-building proposed complex had been turned down. To the best of the architect's memory, it was due to being too large of a development at the time. The owners decided to build the first building and pursue additional buildings in the future, if the



market dictated the need for additional office / healthcare space. It was discussed that the original building persistently stays 100% leased.

It was confirmed that the Owner of the original building and its uses had been a "good neighbor".

The TIA (Traffic Impact Study) was verifying that there would be minimal impact on Providence Road and existing roadway systems. The TIA Report is public record and is currently being finalized by the Traffic Engineer and the Town of Weddington's Engineering Consultant.

The building facades facing Providence Road need to be more detailed and reflectant of the original, existing office building, potentially incorporating more columns and dormers. It was discused for the architect to study alternative ways to position the buildings on the site to provide better visibility of the existing building.

It was discussed to potentially angle the buildings for better visibility. All three buildings could be postitioned around a park or landscaped courtyard, potentially with a fountain. A central gathering space would be ideal for employees to enjoy lunch in a landscaped exterior space.

It was discussed that the new configuation may require parking in front of the buildings, but the parking would be screened with landscaping.

It was discussed that parking was necessary for the success of the project, but it was important to not "over-park", as green space and less stormwater run-off would be beneficial.

It was discussed that all new parking areas would be asphalted with curb and gutter edging.

The septic system was discussed. It was questioned as to if the public sanitary sewer could be utilized. There is currently no public sanitary sewer on the 13700 side of Providence. It was investigated to bring a sanitary sewer line to the site from the nearest available point, but it was cost prohibitive. It was discussed that Ownershsip would tap into a public line once it becomes available.

It was discussed that the owner had engaged a septic consultant who provided a site plan identifying green areas that would be satisfactory for the "repair" necessary for the system to perk. All future buildings and parking locations would need to respect these designated green areas.



The RollPark beside the original office was discussed. Ownership informed that this was a product that the owners had developed and this parking area would potentially be returned to grass or future asphalt parking.

It was discussed that the original existing stormwater retention pond had been designed to accommodate the ultimate build-out of the site. When the civil engineers analyze the existing and proposed development for stormwater run-off, the pond could be enlarged, if necessary to accommodate current stormwater regulations.

Connectivity to the two adjacent neighbors was discussed. The owner verified that there were not any plans to provide vehicular connectivity to either.

As a side note, the Downtown Overlay Plan was discussed, as to if it affected the 13700 property.

The attendees generally accepted the proposed uses and building sizes, but with changes to the site plan and to the architecture.

# Next Steps:

The Owner and Architect will revise the site plan to incorporate the comments received at the Community Meeting.

The Architect will receive comments from the Town's Engineering Consultant; the comments were promised before the Community Meeting and it would have been beneficial to have had their comments to discuss at the meeting.

The Architect will re-submit the Conditional Zoning Amendment presentation and another Community Meeting will be held. The Town will send notices once a new date is determined.

Stephen F. Overcash, RA



August 15, 2024

# **Community Meeting** – Weddington Town Hall

Date: August 5, 2024; 6:30 pm – 7:30 pm Subject: 13700 Providence Road Conditional Zoning Amendment Petitioner: 13700 Providence Road, LLC Presenters:

Stephen F. Overcash, RA, ODA Architecture **Attendees:** 

- 1. Elizabeth Holtey, 5017 Woodview Lane
- 2. Mayor Jim Bell, Town of Weddington
- 3. Christopher Neve, 110 Chasetone Ct.
- 4. Chad Emerino. 953 Eagle Road
- 5. Melissa Emerino, 953 Eagle Road
- 6. Nancy Anderson, 13624 Providence Road
- 7. Bill Deten, Waybridge
- 8. Gregory Gordos, Town of Weddington
- 9. Karen Dewey, Town of Weddington
- 10. Tom Smith, myoe Pro Tem
- 11. Tracy Stone, Providence Place
- 12. Sophie Harrington, Catawba Lands
- 13. Steve Engelhardt, 2009 Seth Drive
- 14. Ellen Engelhardt, 2009 Seth Drive

# **Discussions:**

The two proposed buildings would only be leased as office space, approximately 50% general offfice and 50% healthcare. It was discussed that these uses would be an amenity for Weddington. If the uses were ever proposed to be changed, it would require another Conditional Zoning Ammendment. Future tenants will have to be approved for Weddington UDO appropriateness.

It was questioned as to if there is a definition of "office" in the UDO. The architect described office as providing "services" in lieu of selling "goods". After being questioned if a "dry cleaner" was considered "office", it was clarified that a dry cleaner would be considered "mercantile".

It was confirmed that the Owner of the original building and its uses had been a "good neighbor". The TIA (Traffic Impact Study) has been approved and verified that there would be minimal impact on Providence Road and existing roadway systems.



The revised site plan and revised elevations / renderings were considered positive by the Community and no further revisions were requested to the Master Plan or Architectural Design. It was discussed as to if a small landscaped garden could be provided in the green space adjacent to the south office building. The architect verified that this would be studied.

It was discussed that 20,000 sf of "gross building area" translated into approximately 16,000 sf of leasable area for tenants. It was discussed that it was anticipated that there would be 4 tenants in each building.

It was discussed that parking was necessary for the success of the project, but it was important to not "over-park", as green space and less stormwater run-off would be beneficial. As the UDO parking requirement is based on number of employees and doctors in the establishments, the architect outlined that the Town of Weddington UDO requirements for parking would be met, once tenants started signing leases.

The septic system was discussed. It was questioned as to if the public sanitary sewer could be utilized. There is currently no public sanitary sewer on the 13700 side of Providence. It was discussed that Ownershsip would tap into a public line once it becomes available.

It was discussed that the owner had engaged a septic consultant who provided a site plan identifying green areas that would be satisfactory for the "repair" necessary for the system to perk. All future buildings and parking locations would need to respect these designated green areas.

It was discussed that the original existing stormwater retention pond had been designed to accommodate the ultimate build-out of the site. It was verified by Nancy Anderson that she had never seen the pond even close to full.

The attendees generally accepted the proposed uses and building sizes. There was healthy debate by the attendees as to if Weddington needed any more commercial uses.

# Next Steps:

The Owner Petitioner is requesting to be heard at the soonest possible Council Meeting.

Stephen F. Overcash, RA



Weddington Community Meeting

Name Address Rd. Wildington Tel.# 564-589 Email hunterburghum @ yahow Address <u>TEnglebruite</u> [Tel.#\_\_\_\_ Email Mayor Protein Name 5m. H 917-Name HOLTEY Address WOODVIEW UN Tel.#531-4433 Email ECOBLE @ATT. NET CHRISTOPHER. Address /10 cthses TONE CI Tel. # 919-672- Email christophernere @ ymail.co Name Name BILL Defer Address WAY PIDge Tel.# - Email \_\_\_\_ Name Ir Gouder Address Pov. Marce Tel.#\_\_\_\_Email\_\_\_\_\_ Name <u>Chad Emerine</u> Address \_\_\_\_\_ Tel.# <u>Email Chad emer</u> egmoil.com Name <u>Melissa emerine</u> address \_\_\_\_\_ Tel.# \_\_\_\_ Email <u>Melissa emerine</u> agmail.com Name Sophie HARRINGTON Address \_\_\_\_\_ Tel.#\_\_\_ Email Some Sophie Catawba 704507lands.on Name Steve Fright HAddress 2009 SETH DR. Tel. # 8272 Email STEVE e ScopEAC. Com 701309 Name ENEN ENGELHARAddress " Tel.# 3550 Email EREL & CAROLINA - PP, Name \_\_\_\_\_ Address \_\_\_\_\_ Tel.# Email Name Address Tel.# Email Name \_\_\_\_\_Address \_\_\_\_\_ Tel.#\_\_\_Email\_\_\_\_\_ 
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ODA Architecture			



# TRAFFIC IMPACT ANALYSIS

# WEDDINGTON OFFICE PARK

West side of Providence Road (NC 16) north of Weddington Road (NC 84)

Weddington, North Carolina



for

Polivka International

May 2024

1082-001 (C-2165)



1111 Hawthorne Lane Charlotte, NC 28205



# TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
PROPOSED DEVELOPMENT	3
AREA CONDITIONS	6
PROJECTED TRAFFIC	10
TRAFFIC ANALYSIS	14
CONCLUSION	24
APPENDIX	25

#### LIST OF TABLES

TABLE 1: AVERAGE ANNUAL DAILY TRAFFIC VOLUMES (VEHICLES PER DAY)	6
TABLE 2: CRASH DATA FROM 2018-2022	6
TABLE 3: CRASH TYPE FROM 2018-2022	7
TABLE 4: TRIP GENERATION	10
TABLE 5: PROVIDENCE RD & WEDDINGTON RD ANALYSIS RESULTS	16
TABLE 6: PROVIDENCE RD & WEDDINGTON RD QUEUE LENGTHS	17
TABLE 7: PROVIDENCE RD & ACCESS "A" ANALYSIS RESULTS	18
TABLE 8: PROVIDENCE RD & ACCESS "A" QUEUE LENGTHS	19
TABLE 9: PROVIDENCE RD & ACCESS "B" ANALYSIS RESULTS	20
TABLE 10: PROVIDENCE RD & ACCESS "B" QUEUE LENGTHS	21

### **LIST OF FIGURES**

FIGURE 1: AREA OF INFLUENCE	4
SITE PLAN	5
FIGURE 2: EXISTING PEAK HOUR TRAFFIC VOLUMES	8
FIGURE 3: SITE DIRECTIONAL DISTRIBUTION	9
FIGURE 4: 2025 NO BUILD PEAK HOUR TRAFFIC VOLUMES	11
FIGURE 5: 2025 BUILD AM PEAK HOUR TRAFFIC VOLUMES	12
FIGURE 6: 2025 BUILD PM PEAK HOUR TRAFFIC VOLUMES	13
FIGURE 7: EXISTING LANEAGE	22
FIGURE 8: SUGGESTED LANEAGE	23



#### EXECUTIVE SUMMARY

Polivka International proposes to develop a 10,000 SF General Office building and a 10,000 SF Medical Office building. The proposed site is located on Providence Road north of Weddington Road in Weddington, NC (see Figure 1). The development is expected to be completed in 2025.

This report provides analysis of the traffic operations within the area of influence, according to the standards set by the North Carolina Department of Transportation's (NCDOT) "Policy on Street and Driveway Access to North Carolina Highways, Chapter 4 Part C" and Union County. It provides intersection improvements needed for mitigating traffic impacts. This study evaluates the following scenarios:

- Existing Conditions
- 2025 No Build Conditions
- 2025 Build-out Conditions

The area of influence of the site as defined Town of Weddington staff includes the following three existing intersections (See Appendix for the approved scoping information):

- 1. Providence Road & Weddington Road (Signalized)
- 2. Providence Road & Access "A" (Unsignalized-RI/RO)
- 3. Providence Road & Access "B" (Unsignalized-RI/RO/LI)

According to the preliminary site plan (CZ-1), access to the site is expected to occur via two accesses located on Providence Road:

- <u>Proposed Access "A" (Right-In/Right-Out)</u>: unsignalized access located on Providence Road at the existing Polivka International southern driveway.
- <u>Proposed Access "B" (Right-In/Right-Out/Left-In)</u>: unsignalized access located on Providence at the existing Polivka International northern driveway.

The trip generation results indicate that the development is expected to generate 53 new AM peak hour trips and 63 new PM peak hour trips.

With the results of our analyses (the specifics are described in the Traffic Analysis section of this report) we suggest the following improvements/modifications at the study intersections/ proposed accesses:

### 2025 Build Suggested Improvements:

### 1. Providence Road & Weddington Road (Signalized)

• No suggested improvements

### 2. Providence Road & Access "A" (Unsignalized)

• No suggested improvements



# 3. Providence Road & Access "B" (Unsignalized)

• No suggested improvements

In summary, even though the proposed office/medical office development will slightly increase the amount of vehicular traffic on the adjacent roadways/corridors, the existing/future and no build intersection operations are not expected to be materially impacted, assuming the existing access configurations.



### PROPOSED DEVELOPMENT

Polivka International proposes to develop a 10,000 SF General Office building and a 10,000 SF Medical Office building. The proposed site is located on Providence Road north of Weddington Road in Weddington, NC (see Figure 1). The development is expected to be completed in 2025.

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- <u>Proposed Access "B" (Right-In/Right-Out/Left-In)</u>: unsignalized access located on Providence at the existing Polivka International northern driveway.





LANDSCAPE ARCHITECTURE CIVIL ENGINEERING TRANSPORTATION PLANNING

2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208 704.343.0608 www.drarp.com

# 

# AREA OF INFLUENCE MAP



# General Notes

- 1. The owner acknowledges that other standard development requirements imposed by other city ordinances, standards, policies, and appropriate design manuals will exist. Conditions set forth in this petition are supplemental requirements imposed on the development in addition to other standards. Where specified conditions on this plan differ from ordinances, standards, policies, and approaches in existence at the time of formal engineering plan review submission, the conditional notes on this plan shall apply.
- 2. This Site Plan is schematic in nature and represents a firm concept of development with regard to the arrangement of the building, parking and circulation patterns. Minor changes of detail which do not alter the basic layout and relationships to abutting sites are permitted as a matter of right for the petitioner / developer.
- 3. Parking Spaces : parking spaces shall be a minimum of 9' x 18'. There are 67 spaces illustrated, and allocated to the new buildings.
- 4. **Signage** : All Signage will be permitted separately
- 5. Building Height: The maximum building height for a MX Zone is 40'. As illustrated in the renderings and elevations, the height of the ridge will be a maximum of 40'.
- 6. Landscape Requirements : The petitioner understands that, as a condition of approval, the proposed development shall be subject to all landscape and buffer requirements of the Town of Weddington UDO
- 7. Sewer Allocations : The proposed development will have a Septic System with the capacity for the proposed office buildings, as designed by Piedmont Design Associates, P.A.

Polivka International 13700 Providence Road, LLC.

Existing Zoning: MX (CZ) Mixed Use Conditional Zoning District

DEED BK-4430 PG-860 PID #06150045 Lot 1, Lot 2, Lot 3

Acreage: 4.84 acres

# Site Data:

North Adjacent Land Parcel Nancy Anderson PID# 06150044E DEED BK-1991 PG-752 Zone: R-40 Existing Use: Single Family

West Adjacent Land Parcel James Hunter PID# 06150044 DEED BK-1991 PG-752 Zone: R-40 Existing Use: Single Family

South Adjacent Parcel Weddington United Methodist Church PID# 06150045A DEED BK-5047 PG-746 Zone: R-40 Existing Use: Church

Proposed Uses: The proposed uses are General Office and Medical Office.

Proposed Development Description: The Site Plan illustrates (2) two-story office buildings of 10,000 sf each. The style of the proposed structures is Georgian with similar detailing to the existing 2-story office building. The access to the site exists and will remain. New parking areas will be constructed in the general configuration illustrated on the Site Plan.





**ODA ARCHITECTURE** 2010 south tryon st., suite 1a charlotte, nc 28203

704.332.1615

www.oda.us.com

# VICINITY MAP 2





13700 PROVIDENCE ROAD WEDDINGTON, NORTH CAROLINA

	REVISIONS	
No.	Description	Date
1	CZ-1 SUBMITTAL	10.04.23

CONDITIONAL ZONING AMENDMENT SUBMITTAL CZ-1 Copyright 2023





# AREA CONDITIONS

The area of influence of the site as defined Town of Weddington staff includes the following three existing intersections (See Appendix for the approved scoping information):

- 1. Providence Road & Weddington Road (Signalized)
- 2. Providence Road & Access "A" (Unsignalized-RI/RO)
- 3. Providence Road & Access "B" (Unsignalized-RI/RO/LI)

Morning (7:00-9:00 AM) and afternoon (4:00-6:00 PM) peak period turning movement counts (TMCs) were conducted at all study intersections on Wednesday December 13, 2023. See Appendix for raw count data sheets.

According to the latest NCDOT Roadway Functional Classification data, Providence Road is a Minor Arterial with a posted speed limit of 35-mph. The roadway is a four-lane median-divided facility (two lanes in each direction), with appropriate left and right turn lanes within the vicinity of the site. Curb/gutter and sidewalks are present on both sides of the roadway. No bike lanes or planting strip are present on either side of the roadway within the vicinity of the site.

According to the latest NCDOT Roadway Functional Classification data, Weddington Road is a Minor Arterial with a posted speed limit of 35-mph. The roadway is a two-lane facility (one lane in each direction), with appropriate left and right turn lanes within the vicinity of the site. Curb/gutter are present on both sides of the roadway within the vicinity of the site. There is no sidewalk, bike lanes or planting strip present on either side of the roadway in the vicinity of the site.

In addition to the intersection TMCs, geospatial information provided by NCDOT's ArcGIS portal (*Go! NC*), such as Annual average daily traffic (AADT) and crash data were collected.

AADT for two-way volumes on roadways within the area of influence are depicted in Table 1 based on the latest data.

Roadway	AADT (Year)
Providence Road south of Weddington Road	29,000 (2021)
Weddington Road east of Providence Road	20,000 (2021)

Crash frequency and crash type per intersection is reported in Tables 2 and 3 respectively with data ranging from January 1, 2018, to December 31, 2022.

#### Table 2: Crash Data from 2018-2022

K Injury B & C Injury Crashes PDO Crashes Cra	otal		Severity Type	Intersection	
Providence Road & Weddington Road 0 8 66	ashes	PDO Crashes	B & C Injury Crashes	K Injury	InterSection
	74	66	8	0	Providence Road & Weddington Road

Notes:

K: Fatality B: B injury type (evident), C: injury type (possible), PDO: Property Damage Only



# Table 3: Crash Type from 2018-2022

	Crash Type					
Intersection	Frontal Impact	Rear End Crashes	Sideswipe	Pedestrian	Bicycle	
Providence Road & Weddington Road	8	55	8	1	0	

Figure 2 portrays the existing TMCs for the AM and PM peak hours. Figure 3 includes the site directional distribution for the development. These directional distribution percentages were approved by Town of Weddington staff per existing traffic patterns.







# PROJECTED TRAFFIC

The daily and peak-hour trip generation data for the site is presented in Table 4. Values derived for the anticipated trips generated by the site are obtained from the Institute of Transportation Engineers, <u>Trip Generation Manual</u>, 11<sup>th</sup> Edition, 2021.

Land Use [ITE Code]		Daily	AM Peak Hour			PM Peak Hour			
		Daily	Enter	Exit	Total	Enter	Exit	Total	
General Office [710]	10,000	SF	157	20	3	23	4	21	25
Medical Office [720]	10,000	SF	322	24	6	30	11	27	38
Total Trips		479	44	9	53	15	48	63	

### Table 4: Trip Generation

References:

Trip Generation, 11th Edition, Institute of Transportation Engineers, Washington, DC. 2021.

The trip generation results indicate that the development is expected to generate 53 new AM peak hour trips and 63 new PM peak hour trips.

The projected background traffic volumes used in the analyses were developed from the existing peak hour TMCs. Per Town of Weddington staff, a 2% per year growth rate was used for the 2025 background volumes. The No Build volumes for the AM and PM peaks are presented in Figures 4. The 2025 AM and PM Build conditions peak hour traffic volumes are presented in Figures 5 and 6 respectively. The background traffic is indicated to the far left of the movement arrows and the site traffic in parentheses. The two are added to obtain the projected total traffic for that movement:

### Background + (Site) = Total





ESIGN RESOURCE GROUP LANDSCAPE ARCHITECTURE CIVIL ENGINEERING TRANSPORTATION PLANNING 2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208 704.343.0608 www.drgrp.com **WEDDINGTON ROAD OFFICE PARK** 13700 PROVIDENCE ROAD SUITE 200 WEDDINGTON, NC 28104 POLIVKA INTERNATION WEDDINGTON, NC 2025 BUILD AM PEAK HOUR TRAFFIC VOLUMES ΧХ 0 XX SCALE: NTS PROJECT #: 1082-001 DRAWN BY: CHECKED BY PAH REG FEBRUARY 2024 **REVISIONS:** 1. May 2024 Figure 5



ESIGN RESOURCE GROUP LANDSCAPE ARCHITECTURE CIVIL ENGINEERING TRANSPORTATION PLANNING 2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208 704.343.0608 www.drgrp.com WEDDINGTON ROAD OFFICE PARK 13700 PROVIDENCE ROAD SUITE 200 WEDDINGTON, NC 28104 POLIVKA INTERNATION WEDDINGTON, NC 2025 BUILD PM PEAK HOUR TRAFFIC VOLUMES ΧХ 0 XX SCALE: NTS PROJECT #: 1082-001 DRAWN BY: CHECKED BY PAH REG FEBRUARY 2024 **REVISIONS:** 1. May 202 Figure 6



# TRAFFIC ANALYSIS

The study intersections identified within the area of influence were analyzed to detect the traffic impact that the development has under the build-out (2025) during the morning (7:00-9:00 AM) and afternoon (4:00-6:00 PM) peak periods. The traffic analysis evaluates the following measures of effectiveness' (MOEs) and their respective criteria at the intersections assuming the future year conditions of 2025.

Level of service (LOS) of an intersection or approach is a qualitative MOE of traffic operations. It is a measure of average control delay in time within a peak period. The Transportation Research Board's <u>Highway Capacity Manual</u><sup>1</sup> (HCM) defines the LOS thresholds established for signalized and unsignalized intersections per the following exhibits:

Intersection LOS	Exhibit 19-8 Signalized Intersection Control Delay per Vehicle (sec/vehicle)	Exhibit 20-2 Unsignalized Intersection Control Delay per Vehicle (sec/vehicle)
А	<u>&lt;</u> 10.0	<u>&lt;</u> 10.0
В	> 10.0 and <u>&lt; 2</u> 0.0	> 10.0 and <u>&lt;</u> 15.0
С	> 20.0 and <u>&lt; 3</u> 5.0	> 15.0 and <u>&lt;</u> 25.0
D	> 35.0 and <u>&lt; 5</u> 5.0	> 25.0 and <u>&lt;</u> 35.0
E	> 55.0 and <u>&lt; 8</u> 0.0	> 35.0 and <u>&lt;</u> 50.0
F	>80.0	> 50.0

For the analysis of unsignalized intersections, intersection LOS is defined in terms of the average control delay for each minor-street movement (or shared movement) as well as major-street left-turns. It should be noted that stop sign controlled streets/driveways intersecting major streets typically experience long delays during peak hours, while most of the traffic moving through the intersection on the major street experiences little or no delay.

This report provides analysis of the traffic operations within the area of influence, according to the standards set by the North Carolina Department of Transportation's (NCDOT) "Policy on Street and Driveway Access to North Carolina Highways, Chapter 4 Part C" and Union County. It provides intersection improvements needed for mitigating traffic impacts. This study evaluates the following scenarios:

- Existing Conditions
- 2025 No Build Conditions
- 2025 Build-out Conditions

**TOWN OF WEDDINGTON ANALYSIS REQUIREMENTS** - In order to determine the mitigation responsibility of the developer, this study compares 2025 Build results to the 2025 No Build results.

Per Chapter 5, Section J of the *August 2003 NCDOT Policy on Street and Driveway Access to North Carolina Highways,* the applicant shall be required to identify mitigation improvements to the roadway network if at least one of the following conditions exists when comparing base network conditions to project conditions:

<sup>&</sup>lt;sup>1</sup> National Research Council. Transportation Research Board. <u>Highway Capacity Manual 6<sup>th</sup> Ed.</u>, Washington, DC. 2016.



- The total average delay at an intersection or an individual approach increases by 25% or greater, while maintaining the same level of service,
- The Level of Service (LOS) degrades by at least one level at an intersection or an individual approach,
- Or the Level of Service is "F" for an intersection or an individual approach.

This section of the NCDOT access policy also states that, *mitigation improvements shall be identified when the analysis indicates that the* 95<sup>th</sup> percentile queue exceeds the storage capacity of the existing lane.

SYNCHRO 11.1 was the software tool used in determining the delay, capacity and corresponding LOS at the study intersections. SimTraffic 11.1, a traffic simulation software application for unsignalized and signalized intersections, was used to calculate the maximum queue lengths at the study intersections. The Synchro and SimTraffic results of each scenario is displayed per intersection and are presented in Tables 5 - 10. Analysis software result reports per scenario are provided in the Appendix.

Base assumptions for the analysis scenarios include:

- A 2% per year background growth rate between the existing and future 2025 years was used for all study intersections
- Volumes were balanced between intersections in all Synchro files
- All study intersections and movements assume a 0.90 peak hour factor (PHF)
- Observed heavy vehicle percentages (from TMCs) were used in all analysis for all intersections, a minimum of 2% was applied to proposed intersections.
- Existing signal plans were used in the Existing, No Build and Build conditions, coded based on the NCDOT Congestion Management Capacity Analysis Guidelines (2015) See Appendix for existing signal plans
- Right turn on red (RTOR) was disabled
- Yellow and red times were adjusted to 5 seconds and 2 seconds, respectively with -2 seconds of lost time adjustment
- Signal timings as given by the signal plan were utilized and the intersections were optimized through all scenarios
- Permitted-protected and permitted left-turns were adjusted to protected only where applicable
- Westbound right-turn overlap was removed at the intersection of Providence Road & Weddington Road to remove conflict with the southbound U-turn movement produced by the analysis software. Right turn on red was allowed for the westbound movement only in order to account for this and most accurately depict the real world operations.

# 1. Providence Road & Weddington Road (Signalized)

AM Deak Haur							
	AM Peak Hour				PM Peak Hour		
Approach	LOS	Delay (sec/veh)	Capacity (v/c)	LOS	Delay (sec/veh)	Capacity (v/c)	
Existing Conditions							
Intersection	D	41.9	0.95	С	31.6	0.82	
Eastbound - Weddington Methodist Church Dwy	Е	71.1	-	D	54.5	-	
Westbound - Weddington Rd	D	45.9	-	D	39.7	-	
Northbound - Providence Rd	D	35.8	-	С	29.0	-	
Southbound - Providence Rd	D	44.2	-	С	29.0	-	
2025 No Build Conditions							
Intersection	D	48.4	1.03	С	33.6	0.87	
Eastbound - Weddington Methodist Church Dwy	Е	74.2	-	D	54.5	-	
Westbound - Weddington Rd	E	57.4	-	D	44.7	-	
Northbound - Providence Rd	D	42.1	-	С	29.5	-	
Southbound - Providence Rd	D	45.2	-	С	31.0	-	
	2025 Build Conditions						
Intersection	D	52.3	1.02	С	34.9	0.89	
Eastbound - Weddington Methodist Church Dwy	E	74.3	-	D	53.5	-	
Westbound - Weddington Rd	E	55.6	-	D	47.3	-	
Northbound - Providence Rd	D	51.4	-	С	30.9	-	
Southbound - Providence Rd	D	47.8	-	С	31.3	-	

# Table 5: Providence Rd & Weddington Rd Analysis Results

### Existing Conditions

Currently, the intersection operates at LOS "D" during the AM peak hour and LOS "C" during the PM peak hour.

### 2025 No Build Conditions

With the inclusion of growth in the background traffic, the intersection operates at LOS "D" during the AM peak hour and LOS "C" during the PM peak hour.

#### 2025 Build Conditions

When comparing the impact of the 2025 Build to the 2025 No Build conditions, the intersection continues to operate at LOS "D" during the AM peak hour and LOS "C" during the PM peak hour. The overall intersection delay increases by 8% in the AM peak hour and 4% in the PM peak hour. Therefore, no developer required improvements should be deemed necessary at this study intersection.



Weddington Mathediat Church	Storege	AM F	PEAK	PM PEAK		
Weddington Methodist Church Dwy/Weddington Rd & Providence Rd	Storage (ft)	95th % Queue	Max Queue	95th % Queue	Max Queue	
2025 N	o Build Cond	ditions				
Eastbound Left-Thru-Right Turn Lane (Weddington Methodist Church Dwy)	-	#133	150'	44'	59'	
Westbound Left-Turn (Weddington Rd)	550'	268	376'	#307'	251'	
Westbound Thru-Left Turn (Weddington Rd)	-	264	481'	#300'	290'	
Westbound Right-Turn (Weddington Rd)	325'	#634	402'	#328'	324'	
Northbound Left-Turn (Providence Rd)	500'	37	59'	21'	34'	
Northbound Thru (Providence Rd)	-	#611	478'	#554'	454'	
Northbound Right-Turn (Providence Rd)	450'	51	188'	191'	252'	
Southbound Left-Turn (Providence Rd)	375'	#203	263'	#330'	304'	
Southbound Thru-Right Turn (Providence Rd)	-	278	285'	344'	311'	
2025	<b>Build Condit</b>	tions				
Eastbound Left-Thru-Right Turn Lane (Weddington Methodist Church Dwy)	-	#133'	126'	44'	72'	
Westbound Left-Turn (Weddington Rd)	550'	261'	384'	#318'	285'	
Westbound Thru-Left Turn (Weddington Rd)	-	257'	520'	#311'	328'	
Westbound Right-Turn (Weddington Rd)	325'	#653'	423'	#345'	388'	
Northbound Left-Turn (Providence Rd)	500'	37'	165'	21'	33'	
Northbound Thru (Providence Rd)	-	#647'	708'	#595'	435'	
Northbound Right-Turn (Providence Rd)	450'	51'	377'	199'	228'	
Southbound Left-Turn (Providence Rd)	375'	#208'	223'	#351'	318'	
Southbound Thru-Right Turn (Providence Rd)	-	288'	261'	350'	324'	

# Table 6: Providence Rd & Weddington Rd Queue Lengths

When comparing the Build with Improvements conditions to the No Build conditions from the queueing and blocking reports, no storage lane extension should be deemed necessary.



# 2. Providence Road & Access "A" (Unsignalized)

Table 7. Providence Rd & Access A Analysis Results									
		AM Peak He	our		PM Peak Ho	our			
Approach	LOS	Delay (sec/veh)	Capacity (v/c)	LOS	Delay (sec/veh)	Capacity (v/c)			
	Exis	sting Condition	S						
Intersection	NA	NA	-	NA	NA	-			
Eastbound - Access "A"	В	11.7	-	С	15.4	-			
Westbound - Harris Teeter Southern Dwy	С	19.3	-	С	18.4	-			
Northbound - Providence Rd	Α	0.0	-	Α	0.0	-			
Southbound - Providence Rd	Α	0.0	-	Α	0.0	-			
	2025 N	o Build Condit	ions			_			
Intersection	NA	NA	-	NA	NA	-			
Eastbound - Access "A"	В	12.0	-	С	15.9	-			
Westbound - Harris Teeter Southern Dwy	С	20.3	-	С	19.4	-			
Northbound - Providence Rd	Α	0.0	-	Α	0.0	-			
Southbound - Providence Rd	Α	0.0	-	Α	0.0	-			
	2025	<b>Build Conditio</b>	ns			_			
Intersection	NA	NA	-	NA	NA	-			
Eastbound - Access "A"	В	12.0	-	С	17.0	-			
Westbound - Harris Teeter Southern Dwy	С	20.8	-	С	19.8	-			
Northbound - Providence Rd	Α	0.0	-	Α	0.0	-			
Southbound - Providence Rd	Α	0.0	-	Α	0.0	-			

# Table 7: Providence Rd & Access "A" Analysis Results

#### Existing Conditions

Currently, the worst leg of the intersection (westbound) operates at LOS "C" during both the AM and PM peak hours.

#### 2025 No Build Conditions

With the inclusion of growth in the background traffic, the worst leg of the intersection (westbound) operates at LOS "C" during both the AM and PM peak hours.

#### 2025 Build Conditions

The existing right-in/right-out driveway is intended to be used as access to the proposed development.

When comparing the impact of the 2025 Build to the 2025 No Build conditions, the worst leg of the intersection (westbound) continues to operate at LOS "C" during both the AM and PM peak hours. The delay on the worst leg of the intersection increases by 2% in the AM peak hour and 2% in the PM peak hour.

#### <u>Therefore, no developer required improvements should be deemed necessary at this</u> <u>study intersection.</u>



Access "A"// Jamia Tastan Coutham Dung	Ctorrows	AM F	PEAK	PM F	PEAK				
Access "A"/Harris Teeter Southern Dwy @ Providence Rd	Storage (ft)	95th % Queue	Max Queue	95th % Queue	Max Queue				
2025 No Build Conditions									
Eastbound Right-Turn Lane (Access "A")	TERM.	0'	30'	0'	30'				
Westbound Right-Turn (Harris Teeter Southern Dwy)	TERM.	8'	62'	15'	120'				
Northbound Thru-Right Turn (Providence Rd)	-	0'	49'	0'	30'				
Southbound Thru-Right Turn (Providence Rd)	-	0'	10'	0'	12'				
2025	<b>Build Condit</b>	ions							
Eastbound Right-Turn Lane (Access "A")	TERM.	0'	30'	8'	66'				
Westbound Right-Turn (Harris Teeter Southern Dwy)	TERM.	10'	74'	18'	83'				
Northbound Thru-Right Turn (Providence Rd)	-	0'	25'	0'	20'				
Southbound Thru-Right Turn (Providence Rd)	-	0'	9'	0'	60'				

# Table 8: Providence Rd & Access "A" Queue Lengths

When comparing the Build with Improvements conditions to the No Build conditions from the queueing and blocking reports, no storage lane extension should be deemed necessary.



# 3. Providence Road & Access "B" (Unsignalized)

Table 9: Providence Rd & Access "B" Analysis Results	
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		AM Peak Ho	our		PM Peak Ho	our
Approach	LOS	Delay (sec/veh)	Capacity (v/c)	LOS	Delay (sec/veh)	Capacity (v/c)
	Exis	sting Condition	s			
Intersection	NA	NA	-	NA	NA	-
Eastbound - Access "B"	В	11.7	-	С	15.4	-
Westbound - Harris Teeter Northern Dwy	С	19.8	-	С	18.0	-
Northbound - Providence Rd	Α	0.0	-	Α	0.0	-
Southbound - Providence Rd	Α	1.5	-	Α	0.9	-
	2025 N	o Build Condit	ions	-		_
Intersection	NA	NA	-	NA	NA	-
Eastbound - Access "B"	В	12.0	-	С	15.9	-
Westbound - Harris Teeter Northern Dwy	С	20.9	-	С	18.9	-
Northbound - Providence Rd	Α	0.0	-	Α	0.0	-
Southbound - Providence Rd	Α	1.6	-	Α	0.9	-
	2025	<b>Build Conditio</b>	ns	-		_
Intersection	NA	NA	-	NA	NA	-
Eastbound - Access "B"	В	12.1	-	С	16.9	-
Westbound - Harris Teeter Northern Dwy	С	20.9	-	С	19.0	-
Northbound - Providence Rd	Α	0.2	-	Α	0.1	-
Southbound - Providence Rd	Α	1.6	-	Α	0.9	-

#### Existing Conditions

Currently, the worst leg of the intersection (westbound) operates at LOS "C" during both the AM and PM peak hours.

#### 2025 No Build Conditions

With the inclusion of growth in the background traffic, the worst leg of the intersection (westbound) operates at LOS "C" during both the AM and PM peak hours.

#### 2025 Build Conditions

The existing right-in/right-out/left-in driveway is intended to be used as access to the proposed development.

When comparing the impact of the 2025 Build to the 2025 No Build conditions, the worst leg of the intersection (westbound) operates at LOS "C" during both the AM and PM peak hours. The delay on the worst leg of the intersection does not increase in the AM peak hour and increases by less than 1% in the PM peak hour.

#### <u>Therefore, no developer required improvements should be deemed necessary at this</u> <u>study intersection.</u>



Access IIDII/ Hamia Tastar Nartham Dung	AM PEAK PM PEAK					
Access "B"/ Harris Teeter Northern Dwy @ Providence Rd	Storage (ft)	95th % Queue	Max Queue	95th % Queue	Max Queue	
2025 N	o Build Cond	litions				
Eastbound Right-Turn (Access "B")	TERM.	0'	30'	0'	34'	
Westbound Right-Turn (Harris Teeter Northern Dwy)	TERM.	13'	66'	15'	75'	
Northbound Left-Turn (Providence Rd)	225'	0'	29'	0'	30'	
Northbound Thru-Right Turn (Providence Rd)	-	0'	13'	0'	39'	
Southbound Left-Turn (Providence Rd)	325'	28'	111'	23'	87'	
Southbound Thru-Right Turn (Providence Rd)	-	0'	0'	0'	0'	
2025	<b>Build Condit</b>	tions				
Eastbound Right-Turn (Access "B")	TERM.	0	30'	8'	59'	
Westbound Right-Turn (Harris Teeter Northern Dwy)	TERM.	13	62'	15'	62'	
Northbound Left-Turn (Providence Rd)	225'	5	49'	3'	47'	
Northbound Thru-Right Turn (Providence Rd)	-	0	4'	0'	8'	
Southbound Left-Turn (Providence Rd)	325'	28	102'	23'	85'	
Southbound Thru-Right Turn (Providence Rd)	-	0	4'	0'	91'	

# Table 10: Providence Rd & Access "B" Queue Lengths

When comparing the Build with Improvements conditions to the No Build conditions from the queueing and blocking reports, no storage lane extension should be deemed necessary.

The existing/suggested laneage is shown on Figures 7 and 8, respectively.







# **CONCLUSION**

In conclusion, even though the proposed office/medical office development will slightly increase the amount of vehicular traffic on the adjacent roadways/corridors, the existing/future and no build intersection operations are not expected to be materially impacted, assuming the existing access configurations.



**APPENDIX** 



# 4500 Homestead

- Construction Equipment, debris
- Code Section: 34-131
- Status: Third
- Property Visit Date: 11/15/2024
- Warning Letter Date: 11/15/2024
- Notes:
  - o 8/7/2024 Inspected Found spools of fiber optic cable. Continue Monitoring.
  - o 8/16/2024 Reinspect
  - o 8/28/2024 Courtesy Letter Sent
  - o 9/4/2024 Reinspect, pictures
  - o 9/10/2024 Return receipt received. Reinspect on 9/18/2024 for compliance
  - 9/18/2024 Reinspected and took pictures. Trash found on site as well as the spools. Overgrowth is minimal. Trash likely constitutes a violation.
  - 10/2/2024 Reinspected. Trash is worse than previous. Recommend a violation be sent. Also large brick piles noted in back as well as some metal found under a tarp. Pictures included in file.
  - o 10/11/2024 NOV Sent
  - 10/30/2024 Inspected with pictures. Non-telecommunications related construction debris as well as trash still noted on site. 2<sup>nd</sup> citation sent out.
  - 11/15/2024 Property inspected. Telecommunications debris has been removed. Generally construction debris remains. Third Citation sent. Will monitor weekly for ongoing fines.

# 3505 Antioch Church Road

- Commercial Vehicles Parked
- Code Section: UDO 917-D-F
- Status: Courtesy
- Property Visit Date: 10/30/2024
- Warning Letter Date: 10/30/2024
- Notes:
  - o 8/7/2024 Continue Monitoring.
  - o 8/7/2024 Mayor received voice mail from Tracy Horton with complaint
  - o 8/16/2024 Reinspect 8/14. Letter for home occupation vehicle violations.
  - o 8/21/2024 Met with owners. In compliance. Continue monitoring.
  - o 9/6/2024 Continue Monitoring
  - o 9/11/2024 Continue Monitoring
  - o 9/18/2024 4 commercial vehicles noted on property. Pictures were taken.



Active Cases Code Enforcement Report 11/15/2024

- $\circ$  10/2/2024 Pictures noted in file. Still appears to violate home occupation rules.
- 10/30/2024 Inspected with pictures. Commercial vehicles still on site. Courtesy letter was sent.
- $\circ$  Meeting was requested with staff. Scheduled for 11/13 at 10AM
- Meeting held on 11/15/2024. Residents making best efforts to relocate vehicles.
   Will monitor over coming months to ensure that the issue is resolved.

# 6939 Tree Hill Road

- Too many horses (3) on property.
- Code Section: UDO 917-D
- Status: Discovery
- Property Visit Date: 7/24/2024
- Warning Letter Date:
- Notes:
  - o 8/7/2024 Reinspected 7/24
  - o 8/7/2024 Received public records request.
  - 8/7/2024 Working on timeline for attorney. Original complaint was horses and junk. Additional included accessory structure too close to property lines.
  - 8/16/2024 Working on timeline for attorney. Original complaint was horses and junk. Investigating FHA allowances. Resident (not property owner) came into town hall 8/14
  - $\circ$  8/30/2024 Staff working with town attorney for FHA ESA guidelines.
  - o 9/6/2024 Staff working with Town attorney for FHA ESA Guidelines.
  - o 9/11/2024 Staff working with Town attorney for FHA ESA Guidelines
  - o 9/20/2024 Staff working with Town attorney for FHA ESA Guidelines
  - o 10/2/2024 Staff working with Town attorney for FHA ESA Guidelines
  - o 10/30/2024 No update

# 7200 Forest Ridge Road

- Possible unpermitted structures in floodplain.
- Code Section: UDO Appendix 7
- Status: Courtesy
- Property Visit Date: 10/30/2024
- Letter Date: 10/30/2024
- Notes:
  - Town will check historic correspondence and contact property owner.
  - o 8/16/2024 Staff working on historical research.
  - 8/30/2024 Staff still working on timeline
  - o 9/6/2024 Staff working on timeline
  - o 10/2/2024 Staff still working on timeline



Active Cases Code Enforcement Report

- 11/15/2024
- 10/30/2024 Site inspected with pictures. At least one structure confirmed using arial images on GIS was built without a permit in the floodplain. Courtesy letter sent informing them to remove the structure or begin the permitting process.
- Meeting was requested with staff. Scheduled for 11/18 at 10AM. Rescheduled to December.

# 302 Turtleback Ridge

- Possible violation in common open space behind property Felled Trees
- Code Section: 34-131
- Status: Second Citation
- Property Visit Date: 10/30/2024
- Warning Letter Date: 10/30/2024
- Notes:
  - $\circ$  8/7/2024 Do the trees need to be cleaned up by the builder/HOA
  - o 8/7/2024 Letter sent to builder/HOA
  - 8/30/2024 Builder working with property owners on Turtleback ridge for that issue and others not in the purview of Code Enforcement.
  - o 9/6/2024 Continue monitoring. Inspect next week. Take pictures.
  - o 9/11/2024 Inspect with photos
  - 9/18/2024 Property was inspected and pictures taken. Trees still appear to be visible. Appears to me to be clearly behind a fence that separates the home from common open space. Violation should be against the HOA not the property owner.
  - 10/2/2024 Notice should be sent to HOA. Logs appear to be on their property.
     Full extent is expansive. Photos in project file.
  - o 10/11/2024 NOV Sent
  - 10/19/2024 Issue of remaining tree has been brought up by property owner multiple times. Town will need to determine next steps.
  - 10/30/2024 Inspected with pictures. Wood still on site. Second citation sent to HOA/Builders. Also the issue of remaining tree on site. Town needs to decide if they wish to declare it a nuisance. Contact was made with county Urban Forester who said he could meet a town official out there to see if the tree is in danger of falling. Waiting on meeting.
  - Lawyers for the HOA have requested the case be reset to the courtesy phase since they had not received notice until now due to inaccurate tax data. They also request the case be put on pause until a meeting with staff happens at a time they have not yet scheduled

### 109 Foxton

- Construction debris and junk.
- Code Section: 34-131
- Status: First Citation



Active Cases Code Enforcement Report

- 11/15/2024
- Property Visit Date: 11/15/2024
- Letter date:11/15/2024
- Notes:
  - o 8/28/2024 Report of construction debris and junk. Inspected.
  - 9/6/2024 Inspect.
  - o 9/11/2024 No violations noted. Reinspect with pictures
  - 9/18/2024 Reinspected and took pictures. Large dumpster seen on property filled with trash. Appears to be interior remodel.
  - 10/30/2024 Inspected with pictures. Property appears to be being remodeled.
     Porch was removed. No permit found for remodel, so courtesy letter was sent.
  - o 11/15/2024 Violation still noted upon inspection. Sending first citation notice.

# 2843 Forest Lawn Dr

- Trash on property
- Code Section: 34-131
- Status: Courtesy
- Property Visit Date: 10/23/2024
- Letter Date: 10/23/2024
- Notes:
  - 10/23/2024 Inspected with pictures. Loose trash noted near stormwater ditch on property. Courtesy letter sent.
  - 10/8/2024 Inspected property. Trash was picked up and site looks clean. Will continue monitoring and if it stays in good condition case will be closed.

December 4, 2024 02:14 PM		WEDDINGTON General Fund BALANCE SHEET AS OF: 11/30/24	neral Fund LANCE SHEET				
		2025	2024				
Assets							
10-1120-000	SOUTH STATE CHECKING ACCOUNT	733,670.85	725,906.57				
10-1120-001	TRINITY MONEY MARKET	0.00	0.00				
10-1120-002	CITIZENS SOUTH CD'S	0.00	0.00				
10-1130-000	BB&T/TRUIST CHECKING	1,316,378.70	1,243,910.88				
10-1130-001	BB&T/TRUIST MONEY MARKET	1,302,253.44	789,468.25				
10-1140-000	NC CLASS INVESTMENT ACCOUNT	253,894.22	0.00				
10-1170-000	NC CASH MGMT TRUST	5,006,121.53	4,707,027.01				
10-1205-000	A/R OTHER	0.00	0.00				
10-1210-000 10-1210-001	A/R SOLID WASTE FEES A/R SOLID WASTE FEES PRIOR YR	382,589.41 0.00	68,127.53 0.00				
10-1210-001	A/R SOLID WASTE FEES PRIOR TR A/R SOLID WASTE FEES NEXT 8 PY	51,874.31	0.00				
10-1211-001	A/R PROPERTY TAX	263,248.53	24,089.41				
10-1212-001	A/R PROPERTY TAX - 1ST YEAR PRIOR	18,824.58	5,915.39				
10-1212-002	A/R PROPERTY TAX - NEXT 8 PRIOR YRS	9,066.37	3,273.69				
10-1213-000	A/R PROPERTY TAX INTEREST RECEIVABL	1,759.69	2,057.67				
10-1214-000	PREPAID ASSETS	0.00	34,775.22				
10-1215-000	A/R INTERGOVT-LOCAL OPTION SALES TX	0.00	114,629.82				
10-1216-000	A/R INTERGOVT - MOTOR VEHICLE TAXES	0.00	12,470.43				
10-1217-000	A/R INTERGOVT	0.00	112,103.30				
10-1232-000	SALES TAX RECEIVABLE	670.89	670.89				
10-1240-000	INVESTMENT INCOME RECEIVABLE	0.00	0.00				
10-1610-001	FIXED ASSETS - LAND & BUILDINGS	2,513,697.44	2,513,697.44				
10-1610-002	FIXED ASSETS - FURNITURE & FIXTURES	9,651.96	9,651.96				
10-1610-003	FIXED ASSETS - EQUIPMENT	17,747.14	17,747.14				
10-1610-004	FIXED ASSETS - INFRASTRUCTURE	26,851.00	26,851.00				
10-1610-005	FIXED ASSETS - COMPUTERS	9,539.00	9,539.00				
10-1610-006	FIXED ASSETS - COMPUTER SOFTWARE	182,994.00	182,994.00				
	Total Assets	12,100,833.06	10,604,906.60				
Liabilities & F	und Balance						
10-2110-000	ACCOUNTS PAYABLE	0.00	0.00				
10-2115-000	ACCOUNTS PAYABLE ACCRUAL	5,206.34	38,473.39				
10-2116-000	CUSTOMER REFUNDS	14,655.09	7,959.89				
10-2120-000	BOND DEPOSIT PAYABLE	47,896.25	47,896.25				
10-2151-000	FICA TAXES PAYABLE	0.00	0.00				
10-2152-000	FEDERAL TAXES PAYABLE	0.00	0.00				
10-2153-000 10-2154-001	STATE W/H TAXES PAYABLE	305.00- 0.00	305.00- 0.00				
10-2155-000	NC RETIREMENT PAYABLE HEALTH INSURANCE PAYABLE	124.40-	0.00				
10-2156-000	LIFE INSURANCE PAYABLE	0.00	0.00				
10-2157-000	401K PAYABLE	0.00	0.00				
10-2200-000	ENCUMBRANCES	0.00	0.00				
10-2210-000	RESERVE FOR ENCUMBRANCES	0.00	0.00				
10-2605-000	DEFERRED REVENUES- TAX INTEREST	1,759.69	2,057.67				
10-2610-000	DEFERRED REVENUE SOLID WASTE FEES	382,589.41	68,127.53				
10-2610-001	DEFERRED REVENUE SOLID WASTE PY	0.00	0.00				
10-2610-002	DEFERRED REVENUE SOLID WASTE N8 PY	51,874.31	0.00				
10-2620-000	DEFERRED REVENUE - DELQ TAXES	18,824.58	5,915.39				
10-2625-000	DEFERRED REVENUE - CURR YR TAX	263,248.53	24,089.41				
10-2630-000	DEFERRED REVENUE-NEXT 8	9,066.37	3,273.69				
10-2635-000	DEFERRED REVENUE - PREPAID TAXES	576.44	609.44				
	Total Liabilities	795,267.61	198,097.66				

December 4, 2024 02:14 PM		WEDDINGTON General Fund BALANCE SHEET AS OF: 11/30/24	Page No: 2	
		2025	2024	
10-2640-001	FUND BALANCE - UNASSIGNED	3,997,645.88	3,997,645.88	
10-2640-002	FUND BALANCE - RESERVE WATER/SEWER	0.00	0.00	
10-2640-003	FUND BALANCE-ASSIGNED	820,000.00	820,000.00	
10-2640-004	FUND BALANCE-INVEST IN FIXED ASSETS	2,760,480.54	2,760,480.54	
10-2640-005	CURRENT YEAR EQUITY YTD	0.00	0.00	
	Total	7,578,126.42	7,578,126.42	
	Revenue	1,151,027.46-	5,237,544.61	
	Less Expenses	2,049,783.97-	3,953,385.47	
	Net	898,756.51	1,284,159.14	
	Total Fund Balance	8,476,882.93	8,862,285.56	
	Total Liabilities & Fund Balance	9,272,150.54	9,060,383.22	

#### **WEDDINGTON** Statement of Revenue and Expenditures - Standard

Include Non-Anticipated: Yes Revenue Account Range: First to zz-zzz-zzz Year To Date As Of: 11/30/24 Expend Account Range: First to zz-zzz-zzz Include Non-Budget: No Current Period: 11/01/24 to 11/30/24 Print Zero YTD Activity: No **Prior Year:** 11/01/23 to 11/30/23 **Revenue Account** Description Prior Yr Rev Anticipated Curr Rev YTD Rev Excess/Deficit % Real 10-3101-110 AD VALOREM TAX - CURRENT 724,539.65 775,000.00 399,042.61 550,921.09 224,078.91-71 10-3102-110 AD VALOREM TAX - 1ST PRIOR YR 808.67 10,000.00 501.58 5,261.64 4,738.36-53 10-3103-110 AD VALOREM TAX - NEXT 8 YRS PRIOR 0.06 200.00 7.25 136.75 63.25-68

10-3110-121	AD VALOREM TAX - MOTOR VEH CURRENT	0.00	72,500.00	0.00	24,968.97	47,531.03-	34
10-3115-180	TAX INTEREST	774.44	1,750.00	52.11	297.98	1,452.02-	17
10-3120-000	SOLID WASTE FEE REVENUES	633,720.67	1,175,000.00	631,356.75	852,815.55	322,184.45-	73
10-3231-220	LOCAL OPTION SALES TAX REV - ART 39	61,297.20	370,500.00	57,992.10	174,795.47	195,704.53-	47
10-3322-220	BEER & WINE TAX	0.00	45,000.00	0.00	0.00	45,000.00-	0
10-3324-220	UTILITY FRANCHISE TAX	0.00	445,000.00	0.00	0.00	445,000.00-	0
10-3329-220	ARPA FEDERAL FUNDS	0.00	0.00	195,969.19	195,969.19	195,969.19	0
10-3340-400	ZONING & PERMIT FEES	2,067.50	12,500.00	1,860.00	10,492.50	2,007.50-	84
10-3350-400	SUBDIVISION FEES	165.00	7,500.00	3,021.28	7,110.03	389.97-	95
10-3360-400	STORMWATER EROSION CONTROL FEES	0.00	5,000.00	90.00	308.75	4,691.25-	6
10-3830-891	MISCELLANEOUS REVENUES	13,049.59	28,000.00	60.87	3,959.25	24,040.75-	14
10-3831-491	INVESTMENT INCOME	19,007.93	150,000.00	23,982.32	119,885.37	30,114.63-	80
	General Fund Revenue Totals	1,455,430.71	3,097,950.00	1,313,936.06	1,946,922.54	1,151,027.46-	62

Expenditure Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Unexpended	% Expd
10-4110-000	GENERAL GOVERNMENT	0.00	0.00	0.00	0.00	0.00	0
10-4110-110	SOLID WASTE	0.00	0.00	0.00	0.00	0.00	0
10-4110-115	SOLID WASTE	85,762.10	1,042,650.00	84,334.48	421,672.40	620,977.60	40
10-4110-120	FIRE	0.00	0.00	0.00	0.00	0.00	0
10-4110-126	FIRE DEPT SUBSIDIES	70,164.67	0.00	0.00	0.00	0.00	0

# WEDDINGTON

#### Statement of Revenue and Expenditures

Expenditure Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Unexpended	% Expd
10-4110-127	FIRE DEPARTMENT BLDG/MAINTENANCE	0.00	5,000.00	0.00	0.00	5,000.00	0
10-4110-150	POLICE	0.00	0.00	0.00	0.00	0.00	0
10-4110-155	POLICE PROTECTION	0.00	588,670.00	0.00	196,220.30	392,449.70	33
10-4110-180	GOVERNING BOARD	0.00	0.00	0.00	0.00	0.00	0
10-4110-190	LEGAL	0.00	0.00	0.00	0.00	0.00	0
10-4110-192	ATTORNEY FEES - GENERAL	780.00	70,000.00	5,000.00	20,000.00	50,000.00	29
10-4110-193	ATTORNEY FEES - LITIGATION	0.00	5,000.00	0.00	0.00	5,000.00	0
10-4110-320	OTHER GENERAL GOVERNMENT	0.00	0.00	0.00	0.00	0.00	0
10-4110-330	ELECTION EXPENSE	0.00	5,000.00	0.00	0.00	5,000.00	0
10-4110-340	PUBLICATIONS	0.00	4,675.00	0.00	0.00	4,675.00	0
10-4110-342	HOLIDAY/TREE LIGHTING	1,044.02	4,500.00	4,108.42	5,709.67	1,209.67-	127
10-4110-343	SPRING EVENT	0.00	10,250.00	0.00	0.00	10,250.00	0
10-4110-344	OTHER COMMUNITY EVENTS	0.00	1,500.00	0.00	0.00	1,500.00	0
10-4110-498	LIBRARY DONATIONS	0.00	75,000.00	0.00	0.00	75,000.00	0
	4110 GENERAL GOVERNMENT	157,750.79	1,812,245.00	93,442.90	643,602.37	1,168,642.63	36
10-4120-000	ADMINISTRATIVE	0.00	0.00	0.00	0.00	0.00	0
10-4120-120	SALARIES & EMPLOYEE BENEFITS	0.00	0.00	0.00	0.00	0.00	0
10-4120-121	SALARIES - ADMINISTRATOR/CLERK	6,747.03	69,550.00	7,115.59	29,865.59	39,684.41	43
10-4120-123	SALARIES - TAX COLLECTOR	6,051.95	60,500.00	5,899.00	24,644.30	35,855.70	41
10-4120-124	SALARIES - FINANCE OFFICER	4,006.32	21,755.00	2,150.66	8,499.46	13,255.54	39
10-4120-125	SALARIES - MAYOR & TOWN COUNCIL	2,100.00	25,200.00	2,100.00	10,500.00	14,700.00	42
10-4120-181	FICA EXPENSE	1,446.25	14,300.00	1,320.78	5,623.39	8,676.61	39
10-4120-182	EMPLOYEE RETIREMENT	2,687.80	28,325.00	2,825.47	11,834.09	16,490.91	42
10-4120-183	EMPLOYEE INSURANCE	1,292.00	32,150.00	2,748.00	13,747.00	18,403.00	43
10-4120-184	EMPLOYEE LIFE INSURANCE	16.64	200.00	16.64	83.20	116.80	42
10-4120-185	EMPLOYEE S-T DISABILITY	14.00	175.00	14.00	112.00	63.00	64

# WEDDINGTON

#### Statement of Revenue and Expenditures

Expenditure Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Unexpended	% Expd
10-4120-190	PROFESSIONAL SERVICES	0.00	0.00	0.00	0.00	0.00	0
10-4120-191	AUDIT FEES	0.00	10,500.00	0.00	0.00	10,500.00	0
10-4120-193	CONTRACT LABOR	3,345.46	40,000.00	0.00	12,428.74	27,571.26	31
10-4120-200	OTHER ADMINISTRATIVE	0.00	0.00	0.00	0.00	0.00	0
10-4120-205	OFFICE SUPPLIES - ADMIN	344.90	23,000.00	226.78	1,013.78	21,986.22	4
10-4120-210	PLANNING CONFERENCE	0.00	4,000.00	0.00	0.00	4,000.00	0
10-4120-321	TELEPHONE - ADMIN	136.44	2,000.00	155.49	621.91	1,378.09	31
10-4120-325	POSTAGE - ADMIN	0.00	2,500.00	0.00	1,137.65	1,362.35	46
10-4120-331	UTILITIES - ADMIN	439.86	5,000.00	56.57	1,281.39	3,718.61	26
10-4120-351	<b>REPAIRS &amp; MAINTENANCE - BUILDING</b>	10,320.00	10,000.00	36,926.25	36,426.25-	46,426.25	364-
10-4120-352	<b>REPAIRS &amp; MAINTENANCE - EQUIPMENT</b>	2,576.38	65,000.00	1,033.13	51,107.87	13,892.13	79
10-4120-354	<b>REPAIRS &amp; MAINTENANCE - GROUNDS</b>	3,750.00	90,000.00	4,135.00	22,244.34	67,755.66	25
10-4120-355	<b>REPAIRS &amp; MAINTENANCE - PEST CONTRL</b>	0.00	1,500.00	0.00	1,013.36	486.64	68
10-4120-356	<b>REPAIRS &amp; MAINTENANCE - CUSTODIAL</b>	400.00	6,500.00	480.00	2,160.00	4,340.00	33
10-4120-370	ADVERTISING - ADMIN	0.00	500.00	0.00	51.00	449.00	10
10-4120-397	TAX LISTING & TAX COLLECTION FEES	0.00	500.00	0.00	377.35	122.65	75
10-4120-400	ADMINISTRATIVE:TRAINING	300.00	6,500.00	300.00	2,295.00	4,205.00	35
10-4120-410	ADMINISTRATIVE:TRAVEL	134.60	5,000.00	314.14	1,815.38	3,184.62	36
10-4120-450	INSURANCE	0.00	25,000.00	0.00	26,649.27	1,649.27-	107
10-4120-491	DUES & SUBSCRIPTIONS	222.04	28,500.00	222.04	14,780.04	13,719.96	52
10-4120-498	GIFTS & AWARDS	78.71	1,500.00	133.63	277.06	1,222.94	18
10-4120-499	MISCELLANEOUS	3,228.46	12,500.00	769.50	7,822.57	4,677.43	63
	4120 ADMINISTRATIVE	49,638.84	592,155.00	68,942.67	215,559.49	376,595.51	36
10-4130-000	ECONOMIC & PHYSICAL DEVELOPMENT	0.00	0.00	0.00	0.00	0.00	0
10-4130-120	SALARIES & EMPLOYEE BENEFITS	0.00	0.00	0.00	0.00	0.00	0
10-4130-121	SALARIES - ZONING ADMINISTRATOR	5,008.68	80,750.00	7,117.13	33,783.77	46,966.23	42

#### WEDDINGTON Statement of Revenue and Expenditures

Expenditure Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Unexpended	% Expd
10-4130-123	SALARIES - ADMINISTRATIVE ASSISTANT	2,153.90	21,950.00	2,589.15	10,154.07	11,795.93	46
10-4130-124	SALARIES - PLANNING BOARD	200.00	5,150.00	200.00	900.00	4,250.00	17
10-4130-125	SALARIES - SIGN REMOVAL	264.60	3,600.00	264.60	1,389.15	2,210.85	39
10-4130-181	FICA EXPENSE - P&Z	583.51	8,475.00	778.11	3,536.51	4,938.49	42
10-4130-182	EMPLOYEE RETIREMENT - P&Z	801.39	17,675.00	1,189.27	5,645.27	12,029.73	32
10-4130-183	EMPLOYEE INSURANCE	0.00	16,125.00	1,374.00	6,870.00	9,255.00	43
10-4130-184	EMPLOYEE LIFE INSURANCE	0.00	375.00	25.60	128.00	247.00	34
10-4130-185	EMPLOYEE S-T DISABILITY	0.00	200.00	14.00	70.00	130.00	35
10-4130-190	CONTRACTED SERVICES	0.00	0.00	0.00	0.00	0.00	0
10-4130-192	CONSULTING STORMWATER CONTROL	3,284.66	60,000.00	14,050.53	31,421.17	28,578.83	52
10-4130-193	CONSULTING	2,579.75	65,000.00	1,660.00	16,365.28	48,634.72	25
10-4130-194	CONSULTING - COG	0.00	17,500.00	0.00	0.00	17,500.00	0
10-4130-200	OTHER PLANNING	0.00	0.00	0.00	0.00	0.00	0
10-4130-201	OFFICE SUPPLIES - PLANNING & ZONING	409.24	7,500.00	226.78	1,013.75	6,486.25	14
10-4130-215	HISTORIC PRESERVATION	0.00	250.00	0.00	0.00	250.00	0
10-4130-220	INFRASTRUCTURE	0.00	179,000.00	0.00	75,000.00	104,000.00	42
10-4130-321	TELEPHONE - PLANNING & ZONING	136.43	2,000.00	155.49	621.91	1,378.09	31
10-4130-325	POSTAGE - PLANNING & ZONING	0.00	2,500.00	0.00	992.88	1,507.12	40
10-4130-331	UTILITIES - PLANNING & ZONING	481.94	5,048.85	44.25	1,112.41	3,936.44	22
10-4130-370	ADVERTISING - PLANNING & ZONING	0.00	500.00	0.00	0.00	500.00	0
10-4130-500	CAPITAL EXPENDITURES - P&Z	0.00	200,000.00	0.00	0.00	200,000.00	0
	4130 ECONOMIC & PHYSICAL DEVELOPMEN	15,904.10	693,598.85	29,688.91	189,004.17	504,594.68	27
	General Fund Expenditure Totals	223,293.73	3,097,998.85	192,074.48	1,048,166.03	2,049,832.82	34
	10 General Fund	Prior	Current	YTD			
	Reveni		·		,946,922.54		

WEDDINGTON

#### Statement of Revenue and Expenditures

Expenditures:	223,293.73	192,074.48	1,048,166.03
Net Income:	1,232,136.98	1,121,861.58	898,756.51

Grand Totals	Prior	Current	YTD
Revenues:	1,455,430.71	1,313,936.06	1,946,922.54
Expenditures:	223,293.73	192,074.48	1,048,166.03
Net Income:	1,232,136.98	1,121,861.58	898,756.51

# TOWN OF W E D D I N G T O N MEMORANDUM

TO: Mayor and Town Council

FROM: Kim Woods, Tax Collector

DATE: December 9, 2024

SUBJECT: <u>Tax Report– November 2024</u>

Transactions:				
2024 Utility Tax Levy	\$7334.80			
Refunds	\$6915.82			
Balance Adjustments	\$(257.02)			
Taxes Collected:				
2022	\$(11.94)			
2023	\$(1597.75)			
2024	\$(1,033,310.63)			
As of November 30, 2024; the following taxes remain				
Outstanding:				
2013	\$214.81			
2014	\$192.50			
2015	\$187.26			
2016	\$361.06			
2017	\$429.85			
2018	\$256.70			
2019	\$582.41			
2020	\$531.98			
2021	\$1280.80			
2022	\$6050.77			
2023	\$31,093.19			
2024	\$637,164.05			
Total Outstanding:	\$678,345.38			