



# **TOWN OF CORNELIUS**

Cornelius Town Hall

## **BOARD OF COMMISSIONERS**

September 8, 2020

Agenda

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### **TOWN BOARD - 7:00 PM**

- 1. CALL TO ORDER**
- 2. DETERMINATION OF QUORUM**
- 3. APPROVAL OF AGENDA**
- 4. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
- 5. MAYOR/COMMISSIONERS/MANAGER REPORTS**
- 6. CITIZEN CONCERNS/COMMENTS**
  - A. Public Comment Guidelines**
- 7. PUBLIC HEARING AND CONSIDERATION OF APPROVAL**
  - A. REZ 01-20 The Forest at Bailey's Glen Phase 3 V.2**
- 8. CONSIDERATION OF APPROVAL**
  - A. 2020 Regular Meetings Calendar Amendment**
- 9. NEW BUSINESS**
  - A. Land Development Code Advisory Board Text Amendment Update**
- 10. CONSENT AGENDA**
  - A. Approve Minutes - Closed Session**
- 11. COMMISSIONER CONCERNS**
- 12. CLOSED SESSION**
  - A. Closed Session pursuant to NCGS 143-318.11(a)(5)**
- 13. ADJOURNMENT**

## REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: September 8, 2020

To: Mayor and Board of Commissioners

From: Andrew Grant, Town Manager

### Action Requested:

The Board will hear public comment at this time in-person and by email. In-person comments will require COVID-19 screening and temperature checks when entering the building and allowed into the Board Chambers one at a time. Emails should be sent to [TownofCornelius@cornelius.org](mailto:TownofCornelius@cornelius.org). Please include your name and address and your comment will be read into the record upon receipt.

- Comments submitted anonymously will not be read into the record.
- Comments are limited to three minutes per comment. The Board will allocate no more than (20 minutes) per meeting to the reading of submitted Public Comment.
- Comments are to be directed to the entire board as a whole and not individuals.
- Comments are expected to be civil and within reasonable standards of courtesy.
- Comments that include vulgarity, slander, name calling, personal attacks or threats will not be read into the record.

All comments will be maintained as a public record and included in the minutes of the meeting.

### Manager's Recommendation:

Hear public comments.

### ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

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## REQUEST FOR BOARD ACTION

 [Print](#)

**Date of Meeting:** September 8, 2020

**To:** Mayor and Board of Commissioners

**From:** Aaron Tucker – Planning Director

**Action Requested:**

Bluestream Partners, LLC is requesting to rezone and develop 13.53 acres of property located at 18375 Barnhardt Rd and an adjacent parcel (PID#'s 00754105 & 00754106), The property is currently zoned CZ (Conditional Zoning). The proposed development will be 11 single-family homes and an amenity center for The Forest at Bailey's Glen.

The Labor Day Holiday and the alternate meeting date have created some issues with the advertising and notice, therefore, after consultation with the Town Attorney, Staff is recommending that the public hearing be opened and continued until the September 21st Town Board Meeting.

**Manager's Recommendation:**

Open Public Hearing #2 and continue the hearing until Monday, September 21, 2020.

**ATTACHMENTS:**

Name:	Description:	Type:
No Attachments Available		

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## REQUEST FOR BOARD ACTION

 [Print](#)

**Date of Meeting:** September 8, 2020

**To:** Mayor and Board of Commissioners

**From:** Andrew Grant, Town Manager

**Action Requested:**

Review a Resolution to change the starting time of the remaining 2020 Town Board meetings from 7PM to 6PM.

**Manager's Recommendation:**

Approve a Resolution amending the start time of the remaining 2020 Board regularly scheduled meetings.

**ATTACHMENTS:**

Name:	Description:	Type:
 <a href="#">RES-Amend the 2020 BOC Meetings.doc</a>	2020 Meeting Calendar	Resolution Letter

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**RESOLUTION TO AMEND  
THE BOARD OF COMMISSIONER'S  
2020 REGULAR MEETINGS CALENDAR**

**WHEREAS**, General Statute 160A-71 requires a Board to fix a time and place for regular meetings; and

**WHEREAS**, General Statute 143-318.12(a) requires the Board of Commissioners' schedule of regular meetings to be kept on file with the Town Clerk; and

**WHEREAS**, The Town Board of Commissions is desirous of amending the meeting time of the remaining 2020 Board of Commissioner's meetings to begin at 6PM instead of 7PM.

**NOW, THEREFORE, LET IT BE RESOLVED** that the Board of Commissioners of the Town of Cornelius hereby amends its remaining schedule of regular meetings for 2020 to begin at 6PM.

Adopted this the 8<sup>th</sup> day of September 2020.

SEAL

\_\_\_\_\_  
Woody Washam, Jr., Mayor

ATTEST:

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Lori A. Harrell, Town Clerk

# REQUEST FOR BOARD ACTION

 [Print](#)

**Date of Meeting:** September 8, 2020

**To:** Mayor and Board of Commissioners  
**From:** Wayne Herron  
Deputy Manager

**Action Requested:**

Staff will provide an update on items recommended by the Land Development Code Advisory Board.

The Town has been working closely with stakeholders over the last year with regard to subdivision approval process. There has been strong concern for years that Cornelius requires Town Board approval of all subdivisions greater than 4 lots. The Town is committed to the protection of existing neighborhoods and residents, but also has one of the most stringent and quality driven ordinances for new subdivision standards. In response to this concern, the Land Development Code Advisory Board and staff recommend allowing subdivisions of more than 4 lots, but less than 25 lots, by right as long as all other Land Development Code requirements are met. This will be known as a Major-Standard Subdivision. The current threshold between major and minor subdivisions will remain at 4 lots.

The specific changes to the Code include:

**Proposed Major-Standard Subdivision Definition:**

A Major-Standard Subdivision produces more than four (4) lots but less than 25 lots, and meets all other requirements of the Code (setbacks, lot size, buffers, street cross sections, etc.). Special Use Permits (SUP) are not allowed with Major-Standard subdivisions. Major-Standard Subdivisions are allowed by right in all zoning districts.

**Proposed Major-Conditional Subdivision Definition:**

A Major-Conditional Subdivision produces more than four (4) lots and propose some deviation or modification from the Code such as setbacks, lot size, buffers, street cross sections, etc., or produces 25 or more lots. All Major-Conditional subdivisions shall utilize the Conditional Zoning (CZ) process.

**Proposed Minor Subdivision Definition:**

A minor subdivision produces four (4) or fewer lots. Minor subdivisions do not require improvements such as sidewalk, lighting, landscaping, buffers, storm water improvements, etc.

In addition to providing the standardized method for general development, the amendment would also be an added benefit for economic development. Many potential economic development projects express concern regarding the timing of conditional zoning review for standard subdivisions that meet all Code requirements.

The above changes are proposed to be reflected in Chapters 2, 5, 12, and 18.

LDCAB has recommended the changes noted. The Planning Board is scheduled to discuss the proposal on September 14th.

Staff wanted to provide an overview of the proposed amendment and receive any feedback from the Town Board prior to Planning Board review and any upcoming public hearings.

**Manager's Recommendation:**

Hear presentation and provide feedback regarding proposed text amendment.

**ATTACHMENTS:**

Name:	Description:	Type:
No Attachments Available		

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## REQUEST FOR BOARD ACTION

 [Print](#)

**Date of Meeting:** September 8, 2020

**To:** Mayor and Board of Commissioners

**From:** Lori Harrell, Town Clerk

**Action Requested:**

Review the minutes from August 17th - Closed Session.

**Manager's Recommendation:**

Approve minutes.

**ATTACHMENTS:**

Name:	Description:	Type:
 <a href="#">08-17-20_Closed_Session.pdf</a>	Closed Session Minutes	Backup Material

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## REQUEST FOR BOARD ACTION

 [Print](#)

**Date of Meeting:** September 8, 2020

**To:** Mayor and Board of Commissioners

**From:** Andrew Grant, Town Manager

**Action Requested:**

Hold a Closed Session pursuant to NCGS 143-318.11.(a)(5).

**Manager's Recommendation:**

Hold a Closed Session.

**ATTACHMENTS:**

Name:	Description:	Type:
No Attachments Available		

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