

Follow up to your recent email

From Mike McLaurin [REDACTED]
 Date Fri 2/14/2025 5:22 PM
 To Jason Klingler [REDACTED]
 Cc Council and Mayor [REDACTED] Rick Lopez [REDACTED] Lee Ann Davenport [REDACTED] Brandi Deese [REDACTED]
 [REDACTED] Todd Huntsinger [REDACTED]

Good afternoon Jason.

I apologize for the delay. I have checked with staff and following up about your questions on the 94 acres open space and the sight distance.

Open Space

All the details from Planning staff are listed below but a brief summary of the findings is that just a few months after the ordinance for the SUP was adopted, there was language added to the State bill that not only created Hemby Bridge as an official jurisdiction, but it also included the 18.5 acres off Millgrove Road that was a part of the SUP. This officially tied the hands of Indian Trail as it was no longer in our jurisdiction. I do not know any of the details about it, but it was eventually donated to Hemby Bridge Fire Department and is where the Fire Department sits today.

FINDINGS

We went through the tax records and ensured all HOA land was accounted for. The total acreage (including the clubhouse area and the small pump station for Aqua) is **78.228** acres. When you take the additional recreational area mentioned below, that puts you are **96.328** acres.

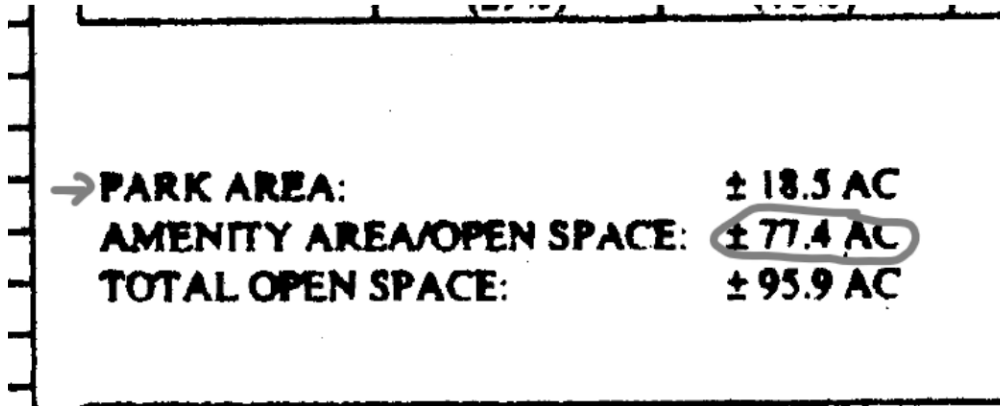
Parcel Number	Owner	Acreage	Description
07057952	CRISMARK HOMEOWNERS' ASSOCIATION INC	1.9	COS CRISMARK PH9/MP1 OPCJ709-711
07058149	CRISMARK HOMEOWNERS' ASSOCIATION INC	2.127	#CA CRISMARK PH13 MP2 OPCJ407
07058262	CRISMARK HOMEOWNERS' ASSOCIATION INC	13.97	#COS4 CRISMARK PH8 MP1 OPCJ692
07058416	CRISMARK HOMEOWNERS' ASSOCIATION INC	2.523	COMMON AREA OPCK773, OPCL943
07058456	CRISMARK HOMEOWNERS' ASSOCIATION INC	1.567	COS CRISMARK PH2 MAP3 OPCM080-081
07058563	CRISMARK HOMEOWNERS' ASSOCIATION INC	2.048	CA CRISMARK PH4 MP5 OPCM885-886 OPCJ288/OPCK773/OPCL239/OPCL841- 84404/OPCM486-487/OPCM606-607
07058057	CRISMARK HOMEOWNERS' ASSOCIATION INC	4.224	#COS CRISMARK PROPERTIES PH9 MP2 OPCJ056-058
07058417	CRISMARK HOMEOWNERS' ASSOCIATION INC	1.339	CA CRISMARK PH2 MAP2 OPCL942-943
07058001	CRISMARK HOMEOWNERS' ASSOCIATION INC	5.59	#COS CRISMARK PH11 MP5 OPCM067 OPCJ658-660
07058261	CRISMARK HOMEOWNERS' ASSOCIATION INC	0.23	#COS3 CRISMARK PH8 MP1 OPCJ692
07058310	CRISMARK HOMEOWNERS' ASSOCIATION INC	2.62	AMENITY AREA CRISMARK PH1 MP1 OPCK773 / OPCK988 STORM DRAIN
07057716	CRISMARK HOMEOWNERS' ASSOCIATION INC	1.353	COS CRISMARK FINE ROBE DR
07057835	CRISMARK HOMEOWNERS' ASSOCIATION INC	4.263	COS CRISMARK SEC1 PH11 MP2 OPCH698
07057863A	CRISMARK HOMEOWNERS' ASSOCIATION INC	0.207	CA CRISMARK PH12 MP4 OPCH905
07057889	CRISMARK HOMEOWNERS' ASSOCIATION INC	2	COS CRISMARK PH7 MP4 OPCH961
07057971	CRISMARK HOMEOWNERS' ASSOCIATION INC	3.085	#COS CRISMARK PH7 MP7 OPCJ288
07058641	CRISMARK HOMEOWNERS' ASSOCIATION INC	1.008	COMMON AREA CRISMARK PH4 MAP7 OPCN095-097
07057687	CRISMARK HOMEOWNERS' ASSOCIATION INC	2.712	COS CRISMARK
07057749	CRISMARK HOMEOWNERS' ASSOCIATION INC	0.366	COS CRISMARK
07057880	CRISMARK HOMEOWNERS' ASSOCIATION INC	0.47	CA CRISMARK PH13 MP1 OPCH907
07058640	CRISMARK HOMEOWNERS' ASSOCIATION INC	3.881	COMMON AREA CRISMARK PH4 MAP7 OPCN095-097
07058657	CRISMARK HOMEOWNERS' ASSOCIATION INC	4.787	COS CRISMARK PH5 MAP3 OPCN233-235 OPCN559-561
07058581	CRISMARK HOMEOWNERS' ASSOCIATION INC	3.114	COS CRISMARK PH5 MAP2 OPCM972-973
07057750	CRISMARK HOMEOWNERS' ASSOCIATION INC	8.025	COS CRISMARK
07058640A	AQUA NORTH CAROLINA INC	0.049	6772-003
07058552	CRISMARK HOMEOWNERS' ASSOCIATION INC	2.991	COMMON AREA CRISMARK PH4 MP4 OPCM876-877
07058592	CRISMARK HOMEOWNERS' ASSOCIATION INC	1.779	COMMON AREA CRISMARK PH4 MAP6 OPCN027-028

Total Acreage: 78.228

- **1998** – SUP 98-010 Crismark going through review process.
- **June 23, 1998** – Ordinance 44 adopted and Crismark area annexed into Indian Trail (471.46 acres) (see attachment for annexation drawing)

- **July 12, 1999** – Crismark Properties, LLC, established and owned by L. Carlton Tyson and Koyt W. Everhart, Jr. (NCSOS filing)
- **August 22, 1999** – 471.46 acres sold from Ty-par Realty, Inc, L.C. Tyson Construction, Inc. and L. Carlton Tyson to Crismark Properties, LLC (DB 1298 PG 20)
- **September 15, 1998** – Session Law 1998-143 (SB 1514) ratified, and Hemby Bridge is incorporated (18.5 acres of Crismark approval on SE side of Millgrove Rd is incorporated as part of ratification by NC State Legislature)
- **November 9, 1999** – Registered agent for Crismark Properties, LLC, changed from Koyt W. Everhart, Jr. to C. Mark Tyson
- **November 10, 2004** – L. Carlton Tyson and Carol Tyson (wife) donated to Hemby Bridge Fire Department

The original approval called for 95.9 acres of total open space; however, 77.4 was for the amenity area and open space and the park area designated as recreational area on the original approval. All that to say, the max that Crismark should have now is 77.4 acres of open space since the Town could not enforce the area that ended up being inside of Hemby Bridge corporate limits, hence the owner donated it to HBVFD..



Sight Distance

The fact that the Town knows about the sight line issues, required it to be addressed, but it still hasn't seemed like a major safety issue and a potential liability should someone be injured by a know safety issue.

NCDOT was made aware of citizens' complaints about the sight distance in the past. To my knowledge, at some point (not sure what year) it was investigated by NCDOT staff and was found to be within NCDOT's sight distance standards. Since that investigation, this is what Town staff have told residents that have inquired about it, "It meets minimum NCDOT standards".

Hope this help to answer the question

Michael McLaurin
Town Manager

Town of Indian Trail
 315 Matthews-Indian Trail Road
 PO Box 2430
 Indian Trail, NC 28079

Office: [REDACTED]
 Cell: [REDACTED]
 Email: [REDACTED]
 Website: www.indiantrail.org

From: Jason Klingler [REDACTED]
Sent: Monday, February 3, 2025 9:22 AM
To: Mike McLaurin [REDACTED]
Cc: Todd Barber [REDACTED]; Rick Lopez [REDACTED]; Lee Ann Davenport [REDACTED]; Council and Mayor [REDACTED]; Tom Amburgey [REDACTED]; Clarence Alsobrooks [REDACTED]; Dennis Gay [REDACTED]; Crystal Buchaluk [REDACTED]; Brandi Deese [REDACTED]
Subject: Re: Crismark townhomes/Condos SUP

Mike,
 Its the same issues that were brought to you and the planning departments attention over a year ago. If I need to forward those emails to you I can. Please see the attached SUP with comments and highlights that show exactly what we have not received. Please pay attention to the 94 acres of open space, the specifics on the site line issues on idelwild road, that were to be addressed before construction, and the amenities on Mill Grove. The fact that the Town knows about the sight line issues, required it to be addressed, but it still hasnt seems like a major safety issue and a potential liability should someone be injured by a know safety issue.
 Thank you
 Jason Klingler

On Thu, Jan 30, 2025 at 6:10 PM Mike McLaurin [REDACTED] wrote:
 Thank you. I am tied up right now. I will look at the SUP again and speak with Ms. Deese.

Miner
 Sent from my iPhone

On Jan 30, 2025, at 5:14 PM, Todd Barber [REDACTED] wrote:

Mike McLaurin:

Not sure if you replied to the wrong person, but I would not know what areas are not being met. Seems that is something that staff would be following with the developer? I apologized to Mr. Klingler last night as at a council level there's little I can do since the area is zoned Multi family and as was mentioned last night the developer can build by right since it does not need council approval. This project is at a staff level, so I am sure everyone would appreciate the town staff monitoring the terms of the SUP and applicable UDO/Comprehensive Plan rules that apply currently or that are grandfathered in.

Have a Blessed Evening.

Todd Barber

Indian Trail Town Council Member

From: Mike McLaurin [REDACTED]

Sent: Thursday, January 30, 2025 2:11 PM

To: Todd Barber [REDACTED]

Cc: Jason Klingler [REDACTED] Rick Lopez [REDACTED] Lee Ann Davenport [REDACTED]

Subject: RE: Crismark townhomes/Condos SUP

Thanks you.

Please let me know if there are specific areas of the approval that is not be met.

**Michael
McLaurin
Town Manager**

Town of Indian Trail
315 Matthews-
Indian Trail Road
PO Box 2430
Indian Trail, NC
28079

Office: 704-821-
5401

Cell: [REDACTED]

Email:
[REDACTED]

Website:
www.indiantrail.org

From: Todd Barber [REDACTED]

Sent: Thursday, January 30, 2025 12:24 PM

To: Mike McLaurin [REDACTED]

Cc: Jason Klingler [REDACTED] Rick Lopez [REDACTED] Lee Ann Davenport [REDACTED]

Subject: Crismark townhomes/Condos SUP

Mike McLaurin:

I was given the attached SUP by Crismark HOA President Jason Klingler last night. He asked me if I could help with the highlighted conditions in SUP-98-010 in the document. Can you please assure Mr. Klingler and the Crismark Community that the conditions of the approved Special Use Permit by our town are being followed by the developer? I am sure they would appreciate it.

Thank you

God Speed and God Bless

Todd Barber

Indian Trail Town Council Member

CC: Jason Klingler

Rick Lopez

Lee Ann Davenport

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review.