

MINUTES OF PLANNING BOARD MEETING
OF THE
TOWN OF STALLINGS, NORTH CAROLINA

The Planning Board of the Town of Stallings met for their regularly scheduled meeting on February 20, 2024, at 7:00 pm. The meeting was held at the Stallings Government Center, 321 Stallings Road, Stallings, NC 28106.

Planning Board members present: Chairman Robert Koehler, David Barnes, Heather Grooms, Jon Van de Riet, and Jacqueline Wilson

Planning Board members were absent: Vice Chairwoman Ryan Awaldt

Staff members present: Max Hsiang, Planning Director, Stuart Valzonis, Planner I and Mary McCall, Deputy Town Clerk.

Chairman Robert Koehler recognized a quorum.

Invocation and Call to Order

Chairman Robert Koehler called the meeting to order at 7:00pm.

1. Approval of Agenda

Board Member Van de Riet made the motion to approve the agenda with the additions of January 2024 minutes and RZ24.01.01 – General Rezoning to Town Center (TC). Documents for both additional items were provided to the board and are incorporated here within. The motion was approved unanimously after a second from Board Member Wilson .

2. Approval of Minutes

A. October 2023 Minutes

B. November 2023 Minutes

C. January 2024 Minutes

Board Member Grooms made the motion to approve the Planning Board Minutes from October 17, 2023, November 14, 2023, and January 16, 2024. The motion was approved unanimously after a second from Board Member Barnes.

3. TX24.02.01

A. Staff requests a text amendment to Article 21 to adopt and incorporate streetscape requirements into the development ordinance.

B. Statement of Consistency and Reasonableness.

Planning Director Hsiang presented the request to add Article 21.4 Streetscape to include the Stallings Streetscape Design Standards and Details Plan. He explained the ordinance applies to all new developments in Town Center (TC zoning) requiring developers to complete or guarantee the streetscape improvements before final permits are issued. Staff recommended approval of TX24.02.04 as it will improve the appearance and accessibility of new developments in Stallings' Town Center.

Board Member Wilson made the motion to approve the recommendation of TX24.02.01 along with a statement that TX24.02.01 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Van de Riet.

4. TX24.02.02

A. Staff requests a text amendment to Article 8 to change Industrial District setbacks to match the setbacks of building lot type "Highway Commercial" in Article 9.

B. Statement of Consistency and Reasonableness.

Planning Director Hsiang presented the request for TX24.02.02 to relax outdoor storage rules to promote development in the Union West Business Park. He explained the changes to the setbacks in the industrial district. Staff recommends approval of TX24.02.02 as it promotes growth by adding development flexibility in Industrial zoned areas.

Board Member Wilson made the motion to approve the recommendation of TX24.02.02 along with a statement that TX24.02.02 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Van de Riet.

5. TX24.02.03

A. Staff requests a text amendment to Article 11 to adopt and incorporate a Land Development Permit.

B. Statement of Consistency and Reasonableness.

Planner I Valzonis presented the request for TX24.02.03 to amend Article 11 of the Stallings Development Ordinance to update the Tree Disturbance Plan and add a Land Disturbance Permit. He explained the change will allow for review of all projects for stormwater impact and will promote a natural environment of the highest quality. Staff recommended approval of TX24.02.03 as it will improve the community both economically and environmentally along with adding standards for land absent trees.

Board Member Wilson made the motion to approve the recommendation of TX24.02.03 along with a statement that TX24.02.03 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Grooms.

6. TX24.02.04

A. Staff requests a text amendment to Article 8 to amend the definition of Town Center.

B. Statement of Consistency and Reasonableness.

Planning Director Hsiang presented TX24.02.04 to amend the definition of Town Center in Article 8 of the Stallings Development Ordinance by removing the last sentence, "Expansion of the Town Center District shall be contiguous and not separated from the primary district area". He explained that removing the sentence provides flexibility in future development planning.

Board Member Grooms made the motion to approve the recommendation of TX24.02.04 along with a statement that TX24.02.04 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Van de Riet.

6a. RZ24.01.01

A. Staff requests a rezoning for thirteen (13) properties' current zoning to Town Center (TC) for the properties listed below.

<u>Street Address</u>	<u>Parcel ID</u>	<u>Current Zoning</u>
325 Stallings Rd	07126008	Mixed-Use 2
329 Stallings Rd	07126010	Mixed-Use 2
333 Stallings Rd	07126011	Mixed-Use 2
401 Stallings Rd	07126026	Single-Family 3
409 Stallings Rd	07126027B	Mixed-Use 2
475 Stallings Rd	07126264	Vehicle Service & Repair
509 Stallings Rd	07126265A	Vehicle Service & Repair
613 Stallings Rd	07126266	Vehicle Service & Repair
615 Stallings Rd	07126266A	Vehicle Service & Repair

621 Stallings Rd	07126267	Vehicle Service & Repair
623 Stallings Rd	07126268	Vehicle Service & Repair
629 Stallings Rd	07126269	Vehicle Service & Repair
645 Stallings Rd	07126270A	Vehicle Service & Repair

B. Statement of Consistency and Reasonableness.

Planning Director Hsiang presented RZ24.01.01 to change the above listed parcels from their current listed zoning to Town Center District (TC) zoning. He explained that changing the zoning of these properties would give a broad array of additional uses and increase the number of commercial business opportunities to Stallings' Downtown area. Planning Director Hsiang advised that the Grandfathered Use clause would allow for existing uses under Vehicle Service & Repair zoning district, remaining unhindered and allow a parcel to retain the use that is non-conforming, unless discontinued for 3 years.

After Board discussion, Board Member Grooms made the motion to approve the recommendation of RZ24.01.01 along with a statement that RZ24.01.01 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Chairman Koehler.

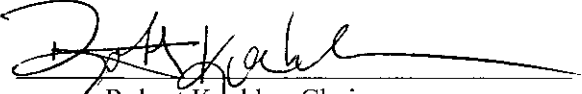
7. Discussion Item

Planning Director Hsiang asked the Board Members to review the Rules and Procedures for discussion and changes for the next meeting.

8. Adjournment

Board Member Grooms made the motion for adjournment. The motion was approved unanimously after a second from Board Member Wilson.

The meeting adjourned at 7:38 pm.


Robert Koehler, Chairman


Mary McCall, Deputy Town Clerk

MINUTES OF PLANNING BOARD MEETING
OF THE
TOWN OF STALLINGS, NORTH CAROLINA

The Planning Board of the Town of Stallings met for their regularly scheduled meeting on January 16, 2024, at 7:00 pm. The meeting was held at the Stallings Government Center, 321 Stallings Road, Stallings, NC 28106.

Planning Board members present: Robert Koehler, Jon Van de Riet, Ryan Awaldt and Heather Grooms

Planning Board members were absent: David Barnes and Jackie Wilson

Staff members present: Max Hsiang, Planning Director, Stuart Valzonis, Planner I and Mary McCall, Deputy Town Clerk.

Board Member Koehler recognized a quorum.

Invocation and Call to Order

Board Member Robert Koehler called the meeting to order at 7:00pm.

1. Approval of Agenda

Board Member Van de Riet made the motion to approve the agenda with amendment to add the oath of office to be taken by the new Planning Board member Heather Grooms. The motion was approved unanimously after a second from Board Member Awaldt.

Heather Grooms was sworn in as a member of the Planning Board and Board of Adjustment.

2. Election of Chair and Vice-Chair

After Board Discussion, Board Member Grooms made the motion to elect Robert Koehler as Planning Board Chair. The motion was approved unanimously after a second from Board Member Awaldt.

Board Member Van de Riet made the motion to elect Ryan Awaldt as Planning Board Vice-Chair. The motion was approved unanimously after a second from Board Member Grooms.

3. RZ23.12.01

- A. The Moser Group request a general rezoning for 100 Sherin Ln PID#07102161A from US74 Commercial (C-74) to Industrial (IND).
- B. Statement of Consistency and Reasonableness.

Planning Director Hsiang advised the Board that the zoning for the property came into question due to a Code Enforcement Violation requiring fencing and with no outdoor storage allowed. He explained that the zoning of C74 for this property is now obsolete, as it no longer fronts Highway 74 because of the bypass, and the rezoning will take the property back to its original zoning of Industrial, along with being consistent with surrounding properties. Planning Director Hsiang also suggested deferral as an option for the property owner to have an opportunity to come into compliance of the outdoor storage component.

Tom Crouch, Representative for the Moser Group gave a history of the property with its zoning change during the adoption of the Stallings Development Ordinance and explained that the without the change back to Industrial Zoning, fencing would still not bring the property into compliance therefore the zoning change would be the first step into coming into compliance. Mr. Crouch advised that without the rezoning, they would be forced to kick the tenant out and find another tenant to correct the situation.

Planning Director Hsiang said staff recommends approval of RZ23.12.01 because the Monroe Expressway Corridor Small Area Plan identifies this area as Industrial, and this rezoning request is consistent with the adopted plan.

After Board discussion, Board Member Van de Riet made the motion to approve the recommendation of RZ23.12.01. The motion was approved unanimously after a second from Vice Chairman Awaldt.

Board Member Van de Riet made the motion to approve the recommendation of the statement that RZ23.12.01 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Grooms.

4. TX24.01.01

- A. Staff requests a text amendment to Article 3 to amend the definition of Principle Structure.
- B. Statement of Consistency and Reasonableness.

Planner I Valzonis presented the request for TX24.01.01 to add clarification to the definition of Principal Structure and Primary Structure. He explained that due to the inconsistency in the Stalling Development ordinance, both Primary and Principal Structure are used interchangeably throughout. Planner I Valzonis said staff recommends approval of TX24.01.01 as per Article 1.11-1 (A.) which

stipulates that “Words not defined in this Ordinance shall be given their ordinary and common meaning” and that the text provides clarity by addressing interchangeable terms within our Development Ordinance, benefiting both staff and residents alike.

Board Member Van de Riet made the motion to approve the recommendation of TX24.01.01. The motion was approved unanimously after a second from Vice Chairman Awaldt.

Board Member Van de Riet made the motion to approve the recommendation of the statement that TX24.01.01 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Vice Chairman Awaldt.

5. Discussion Item – Change to Rules of Procedure

Planning Director Hsiang asked the Board to review the Planning Board and Board of Adjustment Procedures for revision and for a future consideration.

6. Adjournment

Board Member Van de Riet made the motion for adjournment. The motion was approved unanimously after a second from Vice Chairman Awaldt.

The meeting adjourned at 7:28 pm.

Robert Koehler, Chairman

Mary McCall, Deputy Town Clerk



MEMO

To: Stallings Planning Board
 From: Max Hsiang, Planning Director
 Date: 02.20.2024
 Re: RZ24.01.01 - General Rezoning to TC

Request:

Town of Stallings Staff requests a rezoning from the property's current zoning to Town Center (TC) for the properties below.

Property Information:

Address	Parcel	Current Zoning	Grandfathered Use/Existing Use
325 Stallings Rd	07126008	Mixed-Use 2	Single-Family Residential
329 Stallings Rd	07126010	Mixed-Use 2	Single-Family Residential
333 Stallings Rd	07126011	Mixed-Use 2	Single-Family Residential
401 Stallings Rd	07126026	Single-Family 3	Single-Family Residential
409 Stallings Rd	07126027B	Mixed-Use 2	Beauty Shop (Salon)
475 Stallings Rd	07126264	Vehicle Service & Repair	Automotive Repair Service (Major)
509 Stallings Rd	07126265A	Vehicle Service & Repair	Vacant (Possible Auto Supply Sales)
613 Stallings Rd	07126266	Vehicle Service & Repair	Service Contractors without outdoor storage (Plumbing & Possible Auto Repair Major)
615 Stallings Rd	07126266A	Vehicle Service & Repair	Automotive Repair Service (Major); Automobile Dealer
621 Stallings Rd (Suites A-H)	07126267	Vehicle Service & Repair	Multiple [Bakery, Furniture Repair, HVAC Repair, Home Care Services, Offices]
623 Stallings Rd	07126268	Vehicle Service & Repair	Automotive Repair Service (Major)
629 Stallings Rd	07126269	Vehicle Service & Repair	General Contractors without Outdoor Storage (Trucking/Repair)
645 Stallings Rd	07126270A	Vehicle Service & Repair	Automotive Repair Service (Minor)

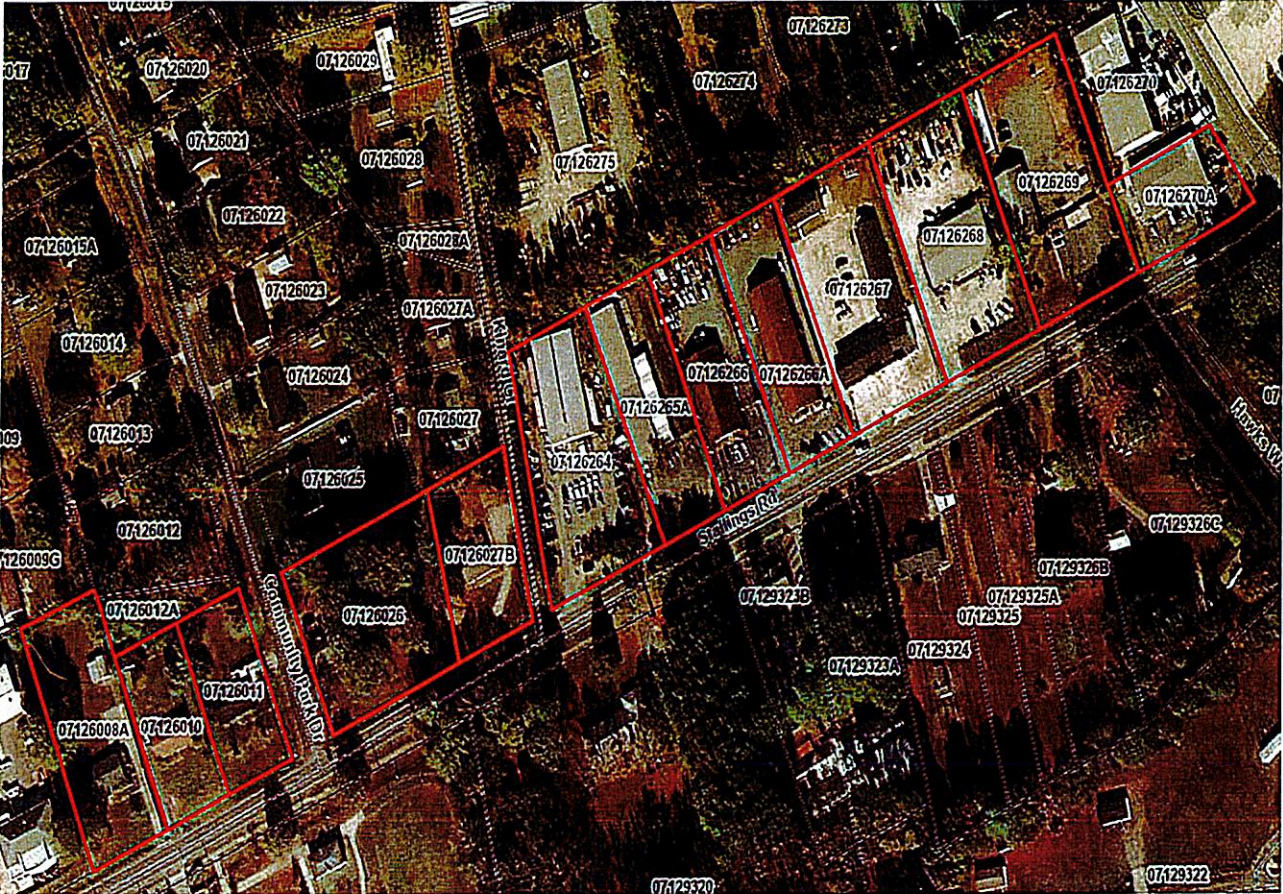
What is Town Center Zoning?

The Town Center District (TC) provides for new development, revitalization, reuse, and infill development in Stallings's core downtown. A broad array of uses is listed to enable the needs of residents and visitors to be met. The development pattern seeks to integrate shops, restaurants, services, workplaces, civic, educational, religious facilities, and higher-density housing in a compact, pedestrian-oriented environment. The Town Center District serves as the hub of the surrounding neighborhoods and of the broader community. The Town Center District may be expanded over time to meet the needs of the growing community for downtown facilities and services.

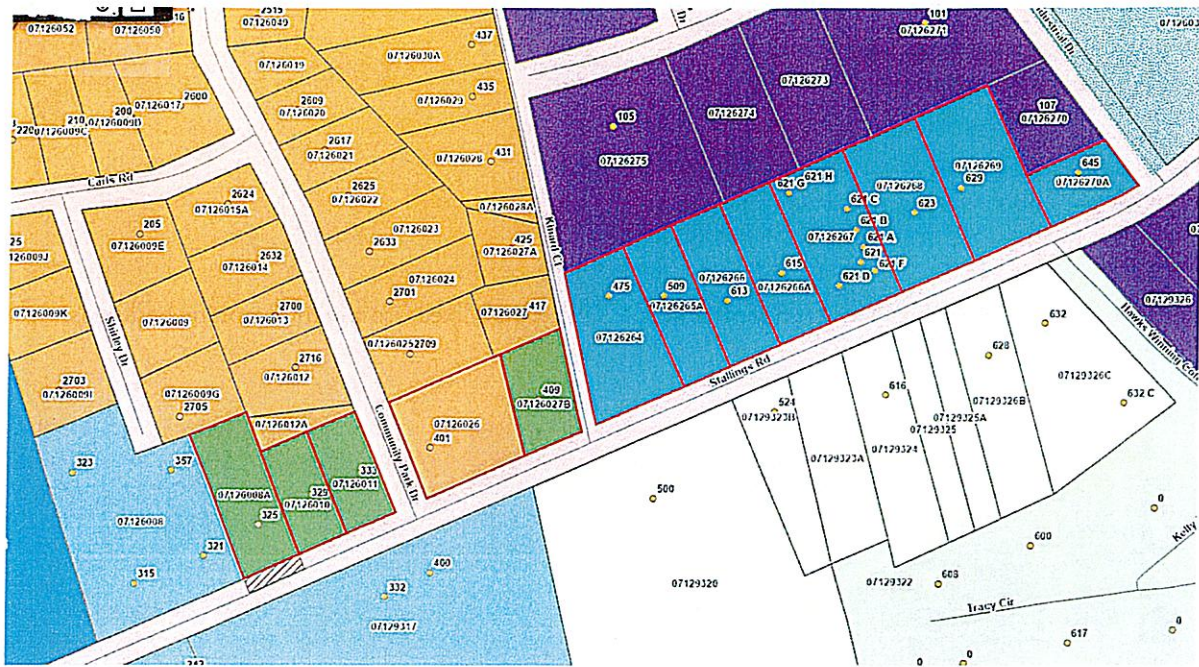
What is a Grandfathered Use?

A regulation that allows existing uses to continue, even if they would no longer be permitted under the new zoning regulations. Uses permitted under Vehicle Service & Repair (VSR) zoning and Town Center (TC) zoning are different. The Grandfathered use if not allowed in Town Center, may be allowed to continue under the nonconforming rules below. For example, Automotive Repair Services are not permitted in the Town Center zoning category and would be a Grandfathered Use that is nonconforming unless discontinued for 3 years.

Aerial Map:

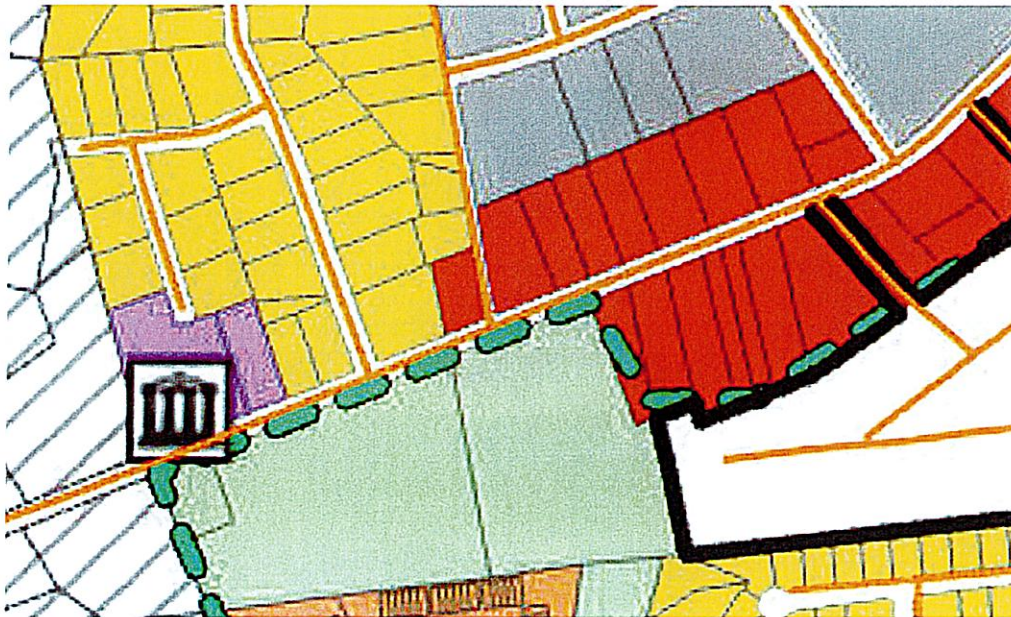


Zoning Map:
(On next page)



Land Use:

Suburban Single-Family Neighborhood & Suburban Commercial Center



Primary Land Uses

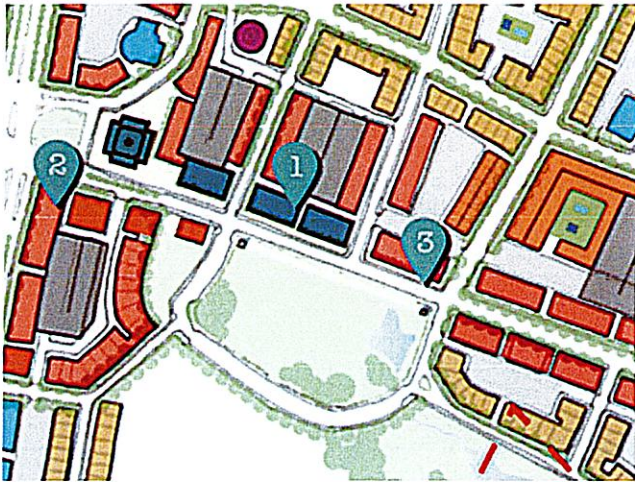
SSFN - Single-Family Residential

SCC -

- General Commercial Services
- Sit down or Fast Food Restaurant
- Multi-tenant Commercial
- Big Box Commercial
- Bank
- Hotel
- Professional Office

Small Area Plan:

The Town Center Small Area Plan identifies this area as Office and Mixed Use and this rezoning request is consistent with the adopted plan.



Staff Recommendation:

Staff recommends the need for additional uses in the area besides automotive, we received 4 text amendments in VSR and multiple throughout the years. This specific text amendment increases Identity and Involvement in the Town of Stallings through volunteering and citizen participation for the greater good of the community (Section 3 of the CLUP). This area is also identified in the Town Center Small Area Plan. Therefore, staff recommends approval of RZ24.01.01.



Statement of Consistency and Reasonableness

ZONING AMENDMENT: RZ24.01.01

REQUEST: Town of Stallings requests a rezoning from the property's current zoning to Town Center (TC) for the properties below:

- o 325 Stallings Rd
- o 329 Stallings Rd
- o 333 Stallings Rd
- o 401 Stallings Rd
- o 409 Stallings Rd
- o 475 Stallings Rd
- o 509 Stallings Rd
- o 613 Stallings Rd
- o 615 Stallings Rd
- o 621 Stallings Rd (Suites A-H)
- o 623 Stallings Rd
- o 629 Stallings Rd
- o 645 Stallings Rd

WHEREAS, The Town of Stallings Town Council, hereafter referred to as the "Town Council", adopted the Stallings Comprehensive Land Use Plan on November 27, 2017; and

WHEREAS, the Town Council finds it necessary to adopt a new land development ordinance to maintain consistency with the Comprehensive Land Use Plan; and

WHEREAS, the Town Council finds it necessary to revise the Unified Development Ordinance to comply with state law found in NCGS § 160D.

WHEREAS, the Town Council finds it necessary to consider the Planning Board's recommendations.

THEREFORE, The Planning Board hereby recommends that the proposed zoning amendment is consistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017, based on the goals and objectives outlined in the document of promoting quality development and consistency with all state-mandated land use regulations established through NCGS § 160D. The Planning Board recommends to approve the proposed amendment and stated that the Planning Board finds and determines that the zoning/text amendment is consistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

1. Staff recommends the need for additional uses in the area besides automotive,
2. This specific text amendment increases Identity and Involvement in the Town of Stallings through volunteering and citizen participation for the greater good of the community (Section 3 of the CLUP)
3. TC Zoning is consistent with the Town Center Small Area Plan.
4. This rezoning zoning will also help increase the number of commercial business opportunities in the Town per the Town of Stallings Economic Development Plan.

Recommended this the __ day of _____, 2024.

Planning Board Chair

Attest:

Planning Staff

Max Hsiang

From: Ryan <rawaldt@gmail.com>
Sent: Wednesday, January 24, 2024 11:05 AM
To: Max Hsiang; Stuart Valzonis
Subject: Planning Board Rules Review

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Max and Stuart,

I read over the rules and wanted to throw out a couple things I saw in there, that I may have misread, but may also need clarified.

Quorum

- Original founding document (page two (2), last sentence on the page)
"There shall be a quorum of three(3) members for the purpose of taking any official action required by this ordinance."
- (Potentially Conflicted Statement page 9, section 5-3)
"Four (4) members of the planning board shall constitute a quorum. A quorum shall be present before any business is transacted."
- Confirm also the wording of section 10.2 on page eleven (11) regarding quorum and voting requirements of the Chairman, and whether that "the (3) other voting members" is including the chairman or not. It sounds like that is still referencing only three total members present in which the chair would break the tie, because if there were three additional members it would not be possible to tie unless one was excused from voting.

Text Change

- Minor text error page eleven (11) section 8-3 the '!' after withdraw
- Remove the requirement in section 5.5 on page nine (9) regarding posting requirements
"Public notice of all regular meetings shall be made by posting a planning board agenda in a conspicuous location accessible to the general public within the Stallings Town Hall at least seven (7) days prior to the meeting. The notice shall remain posted until the meeting has been concluded"
(Replace with statement regarding the location being posted online instead)
- Discuss the section 4-4 on page nine (9). Is this a needed requirement since Mary conducts the duties of secretary in terms of meeting minutes, roll calls, etc?

These were the biggest I think needed to be brought up.

-Ryan Awaldt