



**May 21, 2024**  
 Stallings Government Center  
 321 Stallings Road  
 Stallings, NC 28104  
 704-821-8557  
[www.stallingsnc.org](http://www.stallingsnc.org)

## Planning Board Meeting Agenda

#	Time	Item	Presenter	Action Requested/Next Step
	7:00 pm	<b>Invocation</b> <b>Call the Meeting to Order</b>	Chair	N/A
1.		<b>Agenda Approval</b>	Chair	Approve/Amend Agenda  <b>Motion:</b> I make the motion to: 1) Approve the Agenda as presented; or 2) Approve the Agenda with the following changes: -----
2.		<b>Approval of Minutes</b>  A. March 2024 Minutes	Chair	Approve Minutes  <b>Motion:</b> I make the motion to 1) Approve the Minutes as presented; or 2) Approve the Minutes with the following changes: -----
3.		<b>CZ24.03.01</b>  A. Mr. Conciatori requests an amendment to the Zoning Map for a Conditional Zoning. B. Statement of Consistency and Reasonableness.	Max Hsiang, Planning Director	Recommendation  <b>Motion:</b> I make the motion to recommend: 1) Approval of the request as presented. 2) Defer the request to -----. 3) Denial of the request as submitted.
4.		<b>Adjournment</b>	Chair	<b>Motion:</b> I make the motion to adjourn.

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 March 19, 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, Vice Chairman Ryan Awaldt, David Barnes, Heather Grooms, Jon Van de Riet, and Jacqueline Wilson

No Planning Board members were absent.

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 7:00 pm.

1. Approval of Agenda

Board Member Barnes made the motion to approve the agenda. The motion was approved unanimously after a second from Board Member Van de Riet.

2. Approval of Minutes

A. February 2024 Minutes

Board Member Van de Riet made the motion to approve the Planning Board Minutes from February 20, 2024. The motion was approved unanimously after a second from Board Member Wilson.

3. TX24.03.01

A. The Pouch Factory requests a text amendment to amend Article 8 – Table of Uses, to allow Nicotine Delivery Products Production as a listed use in Industrial Zoning.

B. Statement of Consistency and Reasonableness.

Planning Director Hsiang presented the request for an additional use of nicotine delivery products as a listed use in L article table 8.1 for list of uses. He said the Town recommends approval as our economic development plan promotes unique, new and diverse types of business in town.

John Snyder, Attorney & Lobbyist spoke on behalf of the Applicant and provided detailed information on the requested text amendment by The Pouch Factory to establish production of nicotine pouches in Industrial. Attorney Snyder provided brochures, gave the particulars on the product and advised that the product is FDA approved. He also stated that it would not be sold from the location, only manufactured at the facility.

After Board discussion, Board Member Grooms made the motion to approve the recommendation of TX24.03.01. The motion was approved with a four to one vote after a second from Board Member Barnes with Vice Chairman Awaldt opposed.

Board Member Wilson made the motion to approve the statement that TX24.03.01 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved with a four to one vote after a second from Board Member Van de Riet with Vice Chairman Awaldt opposed.

#### 4. Rules and Procedures Changes

Planning Director Hsiang explained the proposed changes to the Planning Board/Board of Adjustment Rules and Procedures below:

- Streamlined Table of Contents: The following documents will be removed from the table of contents:
  - o Ordinance Establishing Planning Board (1990)
  - o Amendment to Planning Board Ordinance (1991)
  - o Amendment to Planning Board Ordinance (2013)
  - o Section 32.10: Boards Required by Statute
  - o Section 125.190: Board of Adjustments Established
- Corrected Typo: A typographical error will be addressed in section 8-3 (page 11) by removing the exclamation mark after "withdraw."
- Updated Public Notice Procedure: The requirement for a physical meeting agenda posting in the Town Hall (section 5.5, page 9) will be removed.

After Board discussion, Vice Chairman Awaldt made the motion to approve the suggested changes to the Planning Board/Board of Adjustments Rules and Procedures with the addition of 5.5 to require the meeting agendas to be posted at least forty-eight (48) hours in advance of the respective meeting. The motion was approved unanimously after a second from Board Member Wilson.

5. 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 7:26pm.

---

Robert Koehler, Chairman

---

Mary McCall, Deputy Town Clerk





Town of  
**Stallings**

315 Stallings Road ▪ Stallings, North Carolina 28104

## Zoning Map Amendment/Rezoning Application

**\*Please reference the Fee Schedule for cost.**

Application # (Staff): \_\_\_\_\_

Date Filed: \_\_\_\_\_

Community Meeting Date (If  
Applicable): \_\_\_\_\_

Planning Board Date: \_\_\_\_\_

Town Council/Hearing Date:  
\_\_\_\_\_

Zoning Map Amendment - Conventional	
Less than 2 acres	
2-10 acres	
Greater than 10 acres	
Zoning Map Amendment – Conditional Zoning	
Less than 2 acres	<b>X</b>
2-10 acres	
Greater than 10 acres	
Conditional Use Permit Request	
Zoning Text Amendment - UDO	

**To the Planning Board and Town Council of Stallings, NC:**

I (we) the undersigned do hereby respectfully make application and request the Planning Board and Town Council to amend the zoning map of the Town of Stallings: In support of this application, the following facts are shown:

Conditional District Zoning?	<input checked="" type="radio"/> <i>Yes</i> <input type="radio"/> <i>No</i>
Current Zoning (Circle One)	<i>SFR - 1   SFR - 2   <input checked="" type="radio"/> SFR - 3   SFR-MH   SRF - MH   MU - 1   MU - 2</i> <i>MFT   AG   TC   CIV   C - 74   CP - 485   VSR   IND</i>
Proposed Zoning (Circle One)	<i>SFR - 1   SFR - 2   SFR - 3   SFR - MH   MU - 1   MU - 2   <input checked="" type="radio"/> MFT</i> <i>AG   TC   CIV   C - 74   CP - 485   VSR   IND</i>
Overlay Districts (If Applicable): (Circle One)	<i>TNDO   SCO   HIO</i>

Physical Property Address:

Description of Rezoning:

Tax Parcel Number(s) (PID Number):		Total Acreage:	
Property Owner(s):			
Owner's Address:			
City:		State:	Zip:
Contact Phone Number :		Property Owner Email Address:	
Applicant Name if different than owner:		Applicant's Address:	
Applicant Email Address :		Applicant's Phone Number:	

**MAP REQUIREMENTS**

This application shall be accompanied by two (2) maps drawn to scale. Such maps shall be produced at a minimum of 18' x 24". An electronic version of the map shall also be submitted. The maps shall contain the following information:

- The subject property plus such property as to show the location of the subject property with reference to the nearest street intersection, railroad, stream or other feature identifiable on the ground.
- All properties which abut the property.
- If the property is in a subdivision of record, a map of such portion of the subdivision that would relate to the subject property to the closest street intersection.
- A written metes and bounds description of the property or properties.
- The present and proposed zoning classification of the lot(s) in question.
- The property identification number(s) of the lot(s) in question as issued by the Union County Tax Department.
- Full schematic design/site plan as described in Article 7.7 of the Stallings Development Ordinance (*only if the application is for a conditional district*).

**MAP AMENDMENT REQUIRMENTS**

If a straight rezoning (not a CD) is requested, then please leave the space below blank.

If a Conditional District (CD) is requested, you must list the specific sections of the Unified Development Ordinance from which you seek changes. You may list these on a separate sheet of paper.

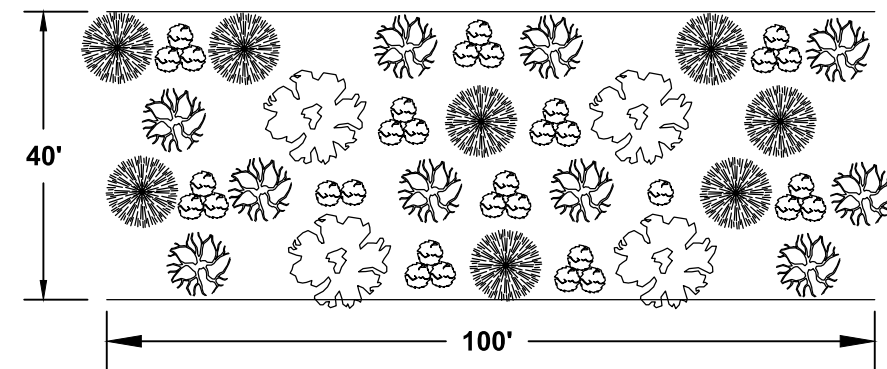
- As described in Article 5.4 of the Stallings Development Ordinance, whenever there is a zoning map amendment, the Town of Stallings is required to notify the owner of said parcel of land as shown on the county tax listing, and the owner of all parcels of land abutting that parcel of land as shown on the county tax listing. The required notice shall be mailed by first class mail at least 10 days but not more than 25 days prior to the date of the public meeting.

**SITE DATA**

JURISDICTION: TOWN OF STALLINGS  
 SITE ADDRESS: 4923 POTTER ROAD  
 PIN: #07129004  
 EXISTING ZONING: SFR-3 (SINGLE-FAMILY RESIDENTIAL)  
 EXISTING USE: SINGLE FAMILY RESIDENTIAL  
 PROPOSED ZONING: MFT (MULTI-FAMILY TRANSITIONAL)  
 PROPOSED USE: SINGLE-FAMILY ATTACHED (TOWNHOMES)  
 TOTAL SITE AREA: 1.71 ACRES (74,495 SF)  
 (0.25 ACRES WITHIN NCDOT R/W)  
 ALLOWABLE DENSITY: 16 DUA (23 UNITS BASED ON 1.46 ACRES)  
 PROPOSED UNITS: 10 TOWNHOMES  
 PROPOSED DENSITY: 6.85 DUA  
 MIN. LOT WIDTH: 42'  
 MIN. LOT AREA: 5,000 SF  
 MIN. SETBACKS: FRONT: 12'  
 (PER MFT ZONING) SIDE: 4'  
 REAR: 4'  
 MIN. BUILDING SEPARATION: 12'  
 MAX. BUILDING HEIGHT: 25'  
 (MEASURED FROM MEAN ELEV. OF FINISHED GRADE TO MID OF THE PEAK AND EAVE HEIGHTS)  
 MIN PARKING REQUIRED: 6 SPACES (1.5 PER UNIT)  
 PARKING PROVIDED: 8 SPACES (2 PER UNIT)  
 OPEN SPACE REQUIRED: 15% OF SITE AREA (0.219 AC. [9,540 SF])  
 7.5% IMPROVED (0.110 AC. [4,770 SF])  
 0.250 AC. (10,890 SF) TOTAL = 17.12%  
 0.125 AC. (5,445 SF) IMPROVED = 8.56%  
 TREE SAVE REQUIRED: 1.5% OF SITE AREA (0.022 AC. [954 SF])  
 TREE SAVE PROVIDED: 0.240 AC. (10,460 SF) = 16.44%

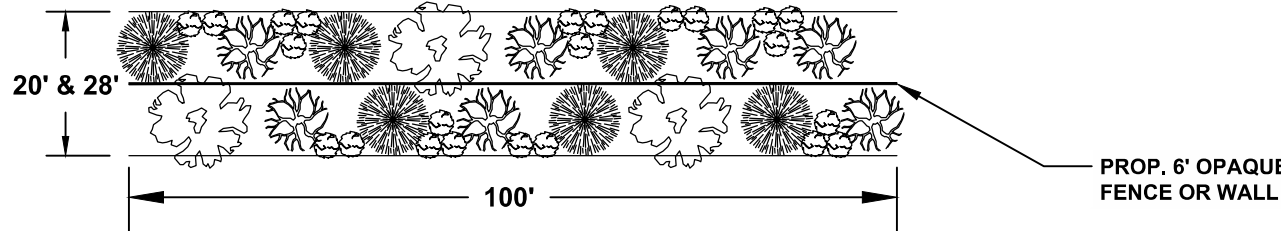
**40' CLASS "A" BUFFERYARD**

- BASE REQUIREMENTS:**
- 40' AVERAGE WIDTH (MIN. 35' / MAX. 65')
  - 55 PLANTS PER 100 LINEAR FEET
  - MIN. 8 EVERGREEN TREES, MIN. 8' HEIGHT AT PLANTING
  - MIN. 4 CANOPY TREES (25' O.C.), MIN. 2" CALIPER AT PLANTING
  - MIN. 10 UNDERSTORY TREES (10' O.C.), MIN. 1.5" CALIPER AT PLANTING
  - MIN. 33 SHRUBS (3' O.C.), MIN. 18" HEIGHT AT PLANTING



**20' & 28' CLASS "A" BUFFERYARD (REDUCED BY 30% W/ 5' FENCE OR WALL)**

- BASE REQUIREMENTS:**
- 20' & 28' AVERAGE WIDTH
  - 6' OPAQUE FENCE OR WALL
  - 39 PLANTS PER 100 LINEAR FEET
  - MIN. 6 EVERGREEN TREES, MIN. 8' HEIGHT AT PLANTING
  - MIN. 3 CANOPY TREES (25' O.C.), MIN. 2" CALIPER AT PLANTING
  - MIN. 7 UNDERSTORY TREES (10' O.C.), MIN. 1.5" CALIPER AT PLANTING
  - MIN. 23 SHRUBS (3' O.C.), MIN. 18" HEIGHT AT PLANTING



**TREE INSTALLATION NOTES:**

- 1) CONTRACTOR TO COORDINATE TREE TYPES WITH TOWN ARBORIST PRIOR TO INSTALLATION.
- 2) TREES AND SHRUBS MUST BE SELECTED BASED ON THE PRE-APPROVED SPECIES LIST.
- 3) CONTRACTOR TO MARK ALL UTILITIES AT TIME OF INSTALLATION AND MINOR SHIFTS IN THE LOCATION OF TREES CAN BE MADE (WITH TOWN APPROVAL) IF THE NEED ARISES.
- 4) ALL TREES TO BE STRAPPED DOWN FOR ONE YEAR. AT SUCH TIME ALL STRAPS CAN BE REMOVED.
- 5) THERE WILL BE A MINIMUM ONE YEAR WARRANTY ON ALL TREES AND SHRUBS.
- 6) ALL EXISTING VEGETATED BUFFER AREAS TO BE PROTECTED AND PRESERVED

SYMBOL	TYPE
	CANOPY
	UNDERSTORY
	EVERGREEN
	SHRUB

**LINEAR FOOTAGE OF BUFFERS**

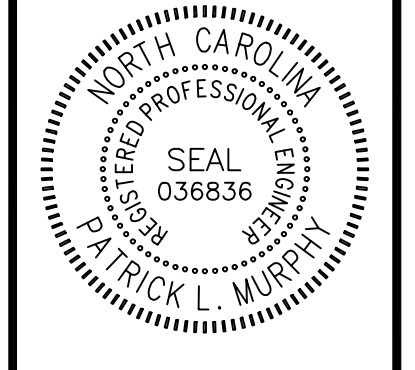
POTTER ROAD STREET TREES	363 LF
20' TYPE "A" REDUCED BUFFERYARD	184 LF
28' TYPE "A" REDUCED BUFFERYARD	58 LF
40' TYPE "A" BUFFERYARD	207 LF

N/F  
 JEFF A. & LAUREN G. BARNES  
 PID 07129005H  
 DB 2096 PG 138  
 ZONING: SFR-3

N/F  
 CHARLOTTE LOUIS WOODRUFF  
 PID 07129003  
 DB 281 PG 655  
 ZONING: SFR-3

**STREET TREES (TYP.) REQUIREMENTS:**

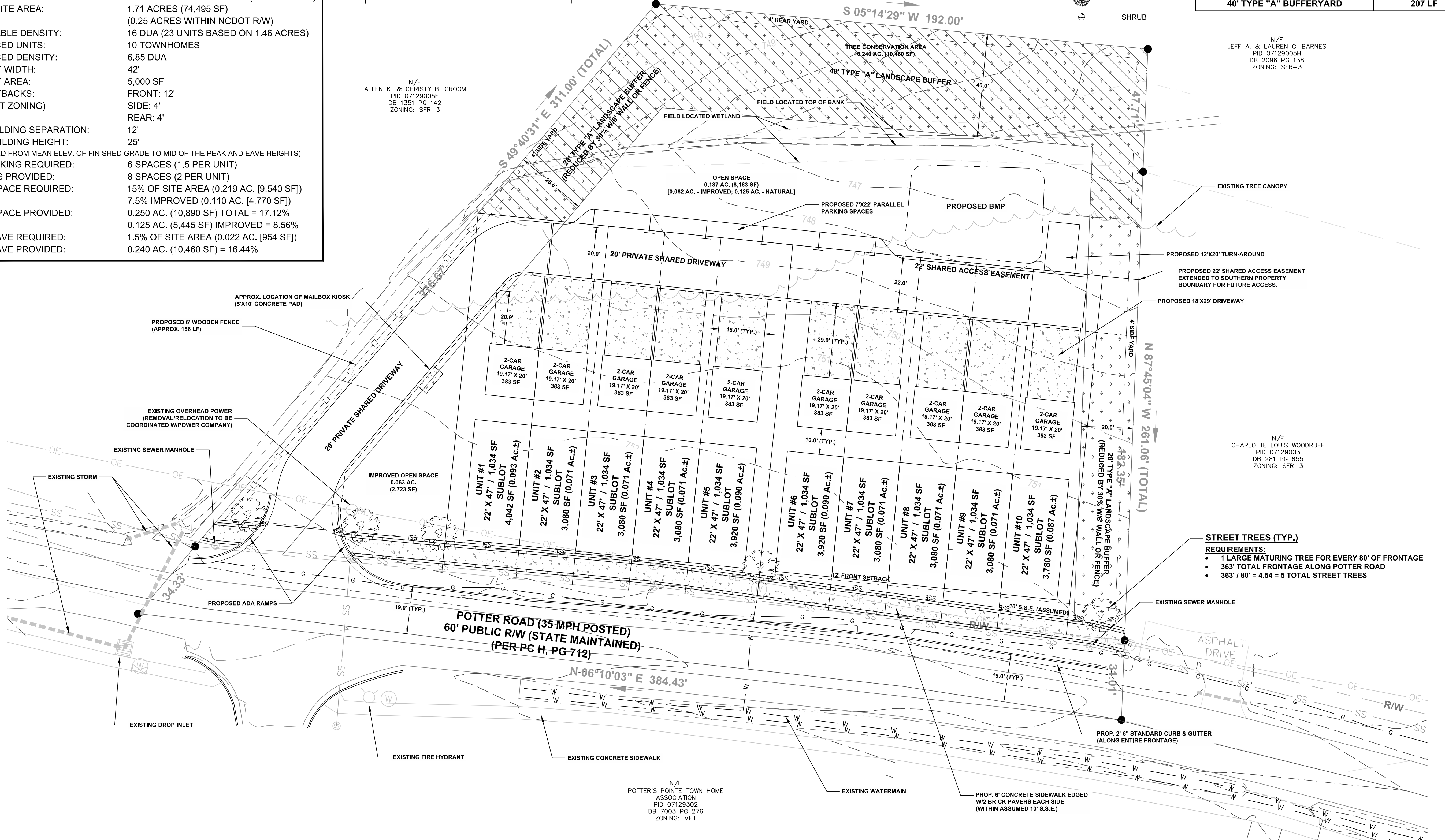
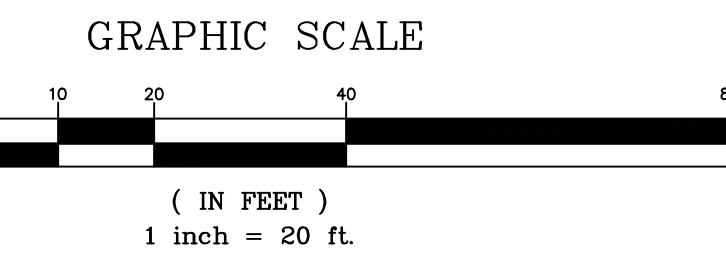
- 1 LARGE MATURING TREE FOR EVERY 80' OF FRONTAGE
- 363' TOTAL FRONTAGE ALONG POTTER ROAD
- 363' / 80' = 4.54 = 5 TOTAL STREET TREES



NO.	DATE	BY	DESCRIPTION
1	4/22/24	PLM	Revisions per Town comments

<b>REZONING PLAN</b>	1" = 20'	SCALE
	2023-06-29	DATE
	PLM	DRAWN BY
	MARCH 2024	DATE

S:\NC ENGINEERING\PROJECTS\20230629 - POTTER ROAD TOWNHOMES DRAWINGS\REZONING PLANS\POTTER ROAD TOWNHOMES\_REZONING PLAN.DWG





# Conditional Rezoning Application CZ24.03.01

05-21-2024

Staff Report | Planning Board



# Request

## □ Zoning Request

Emilio Conciatori submitted a Conditional rezoning request for a change in zoning from **Single-Family Residential 3 (SFR-3)** to **Conditional Zoning Multi-Family Transitional (CZ-MFT)** for the use of attached single-family residential at the location at parcel ID #07129004, a property 1.75 acres in size at 4923 Potter Rd.

**Community Meeting**  
03/26/2024



**Subcommittee Meeting**  
4/22/2024



**Planning Board:**  
5/21/2024



**Town Council Hearing:**  
5/28/2024



# Street View



← 4923 Potter Rd  
Stallings, North Carolina  
Google Street View  
Dec 2022 See more dates

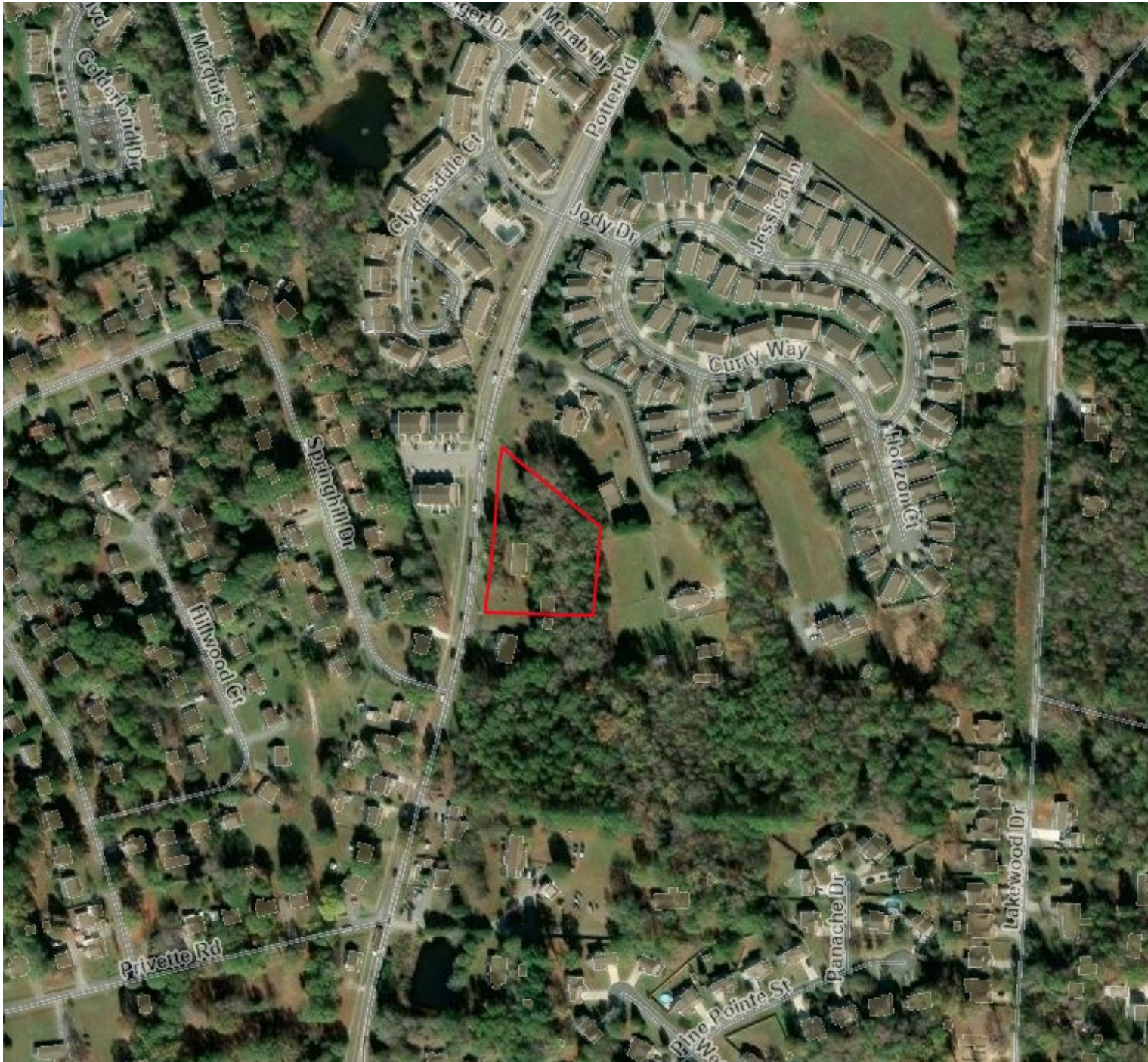


Google





# Aerial





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 (0.25 ACRES WITHIN NCDOT R/W)  
 ALLOWABLE DENSITY: 16 DU/A (23 UNITS BASED ON 1.46 ACRES)  
 PROPOSED UNITS: 10 TOWNHOMES  
 PROPOSED DENSITY: 6.85 DU/A  
 MIN. LOT WIDTH: 42'  
 MIN. LOT AREA: 5,000 SF  
 MIN. SETBACKS: (PER MFT ZONING)  
 FRONT: 12'  
 SIDE: 4'  
 REAR: 4'  
 MIN. BUILDING SEPARATION: 12'  
 MAX. BUILDING HEIGHT: 25'  
 MEASURED FROM MEAN ELEV. OF FINISHED GRADE TO MID OF THE PEAK AND EAVE HEIGHTS)  
 MIN PARKING REQUIRED: 6 SPACES (1.5 PER UNIT)  
 PARKING PROVIDED: 8 SPACES (2 PER UNIT)  
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 7.5% IMPROVED (0.110 AC. [4,770 SF])  
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 TREE SAVE PROVIDED:

**40' CLASS "A" BUFFERYARD**  
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LINEAR FOOTERS	
POTTER ROAD STREET	1' FENCED
20' TYPE "A" REDUCED BUFFERYARD	
28' TYPE "A" REDUCED BUFFERYARD	
40' TYPE "A" BUFFERYARD	

**K2 ENGINEERING NC**  
 1315 BEDLINGTON DR. NW  
 CHARLOTTE, NC 28269  
 FIRM LICENSE # P-2488

JUL 17  
 184 LF  
 58 LF  
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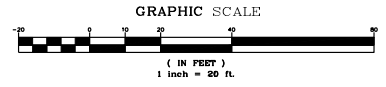
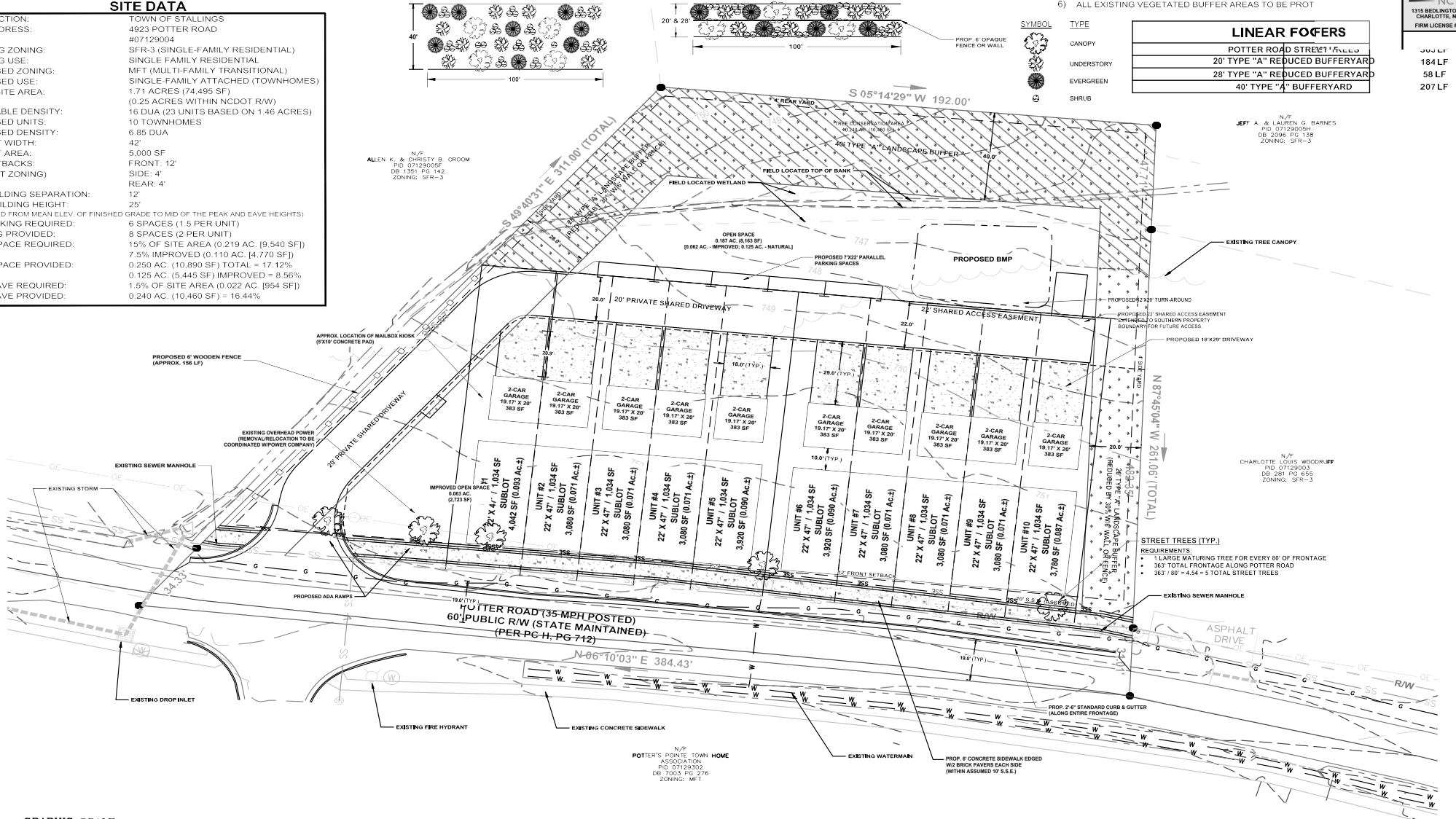
**POTTER ROAD TOWNHOMES**



NO.	DATE	BY	DESCRIPTION
1	4/22/24	PLM	Revisions per Town comments

<b>REZONING PLAN</b>	
P.L.M.	SCALE: 1" = 20'
DRAWN BY: MARCH 2024	DATE: 2024.03.23
PROJECT #	

SHEET NO.  
**RZ - 1**



S:\CADD\PROJECTS\2024\03\20240323\REZONING\DWG\REZONING\_PLAN\_POTTER\_ROAD\_TOWNHOMES\_REZONING\_PLAN.dwg





# Dimensional Information

Zoning	Lot Size	Lot Width	Front Setback	Rear Setback	Side Setback	Corner Side Setback	Allowed Uses	Residential Density
<b>Current SFR-3 Dimensions</b>	10,000 SF	80'	30'	30'	10'	20'	Single-Family Detached Residential	2.9 DUA
<b>CZ-MFT Provided Dimensions</b>	5,000 SF	42'	12'	4'	4'	4'	Single-Family Attached Residential Requested	6.85 DUA

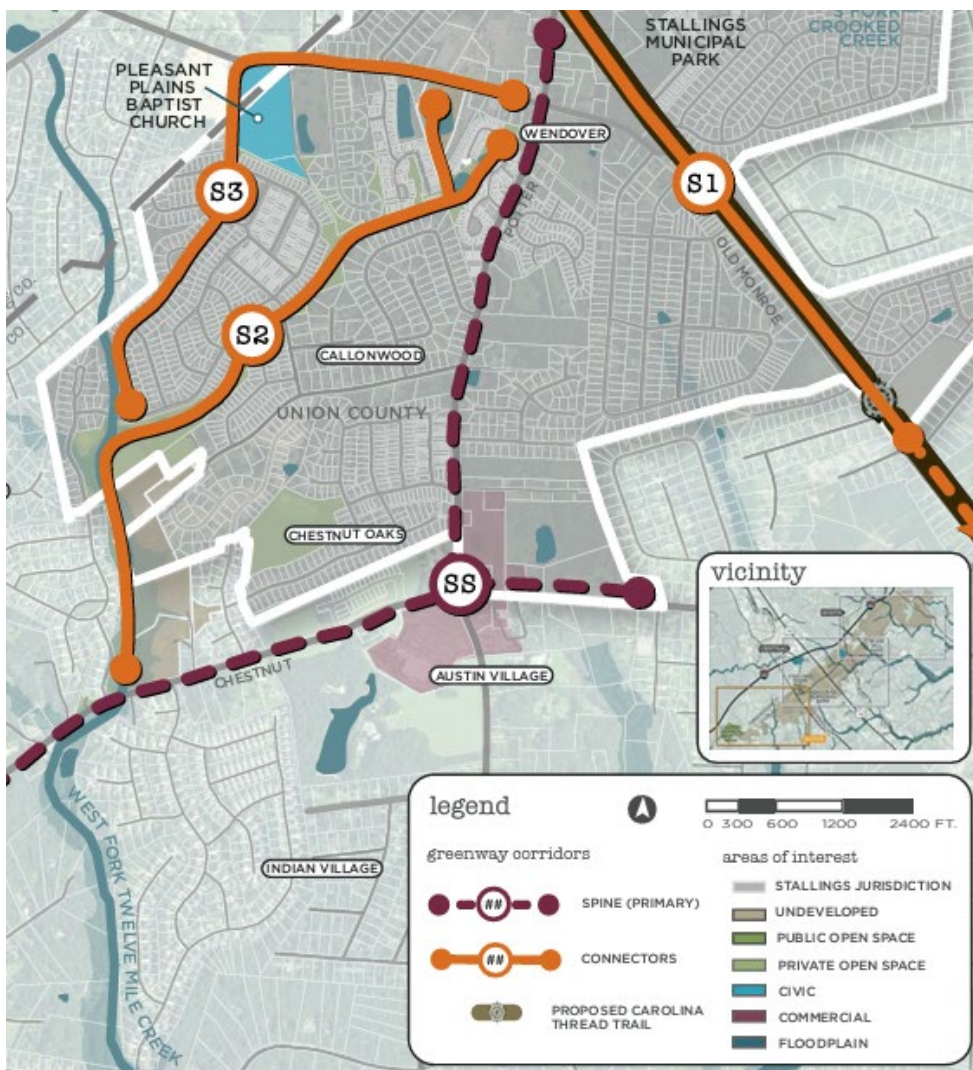
# Future Land Use



- The Land Use Plan shows this area as a **Walkable Neighborhood**
  - Primary Land Uses: Single-family detached, Multi-family
  - Secondary Land Uses: Community Park, Recreational Facilities, Natural Areas
- Consistency with request: Mostly consistent with residential uses and FLU density
- There is no Small Area Plan for this area.



# Greenway Master Plan



- The GMP calls for this area to include a 12'-14' multi-use concrete greenway path.
- The applicant is providing a 6' concrete sidewalk edged two brick pavers on each side (from the streetscape plan).
- There are no streetscape plan requirements for this area



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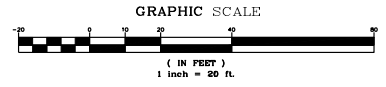
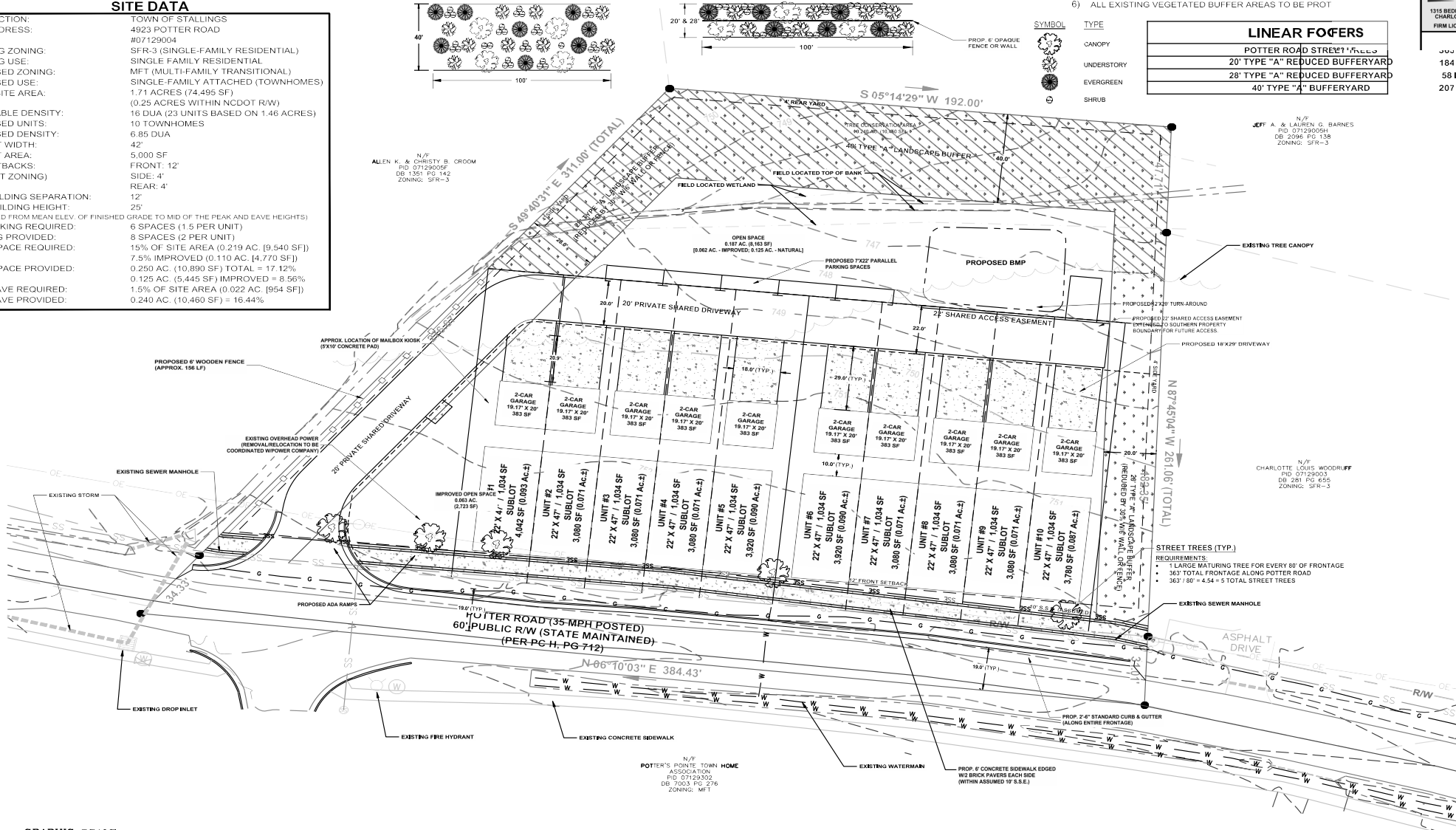
**POTTER ROAD TOWNHOMES**



NO.	DATE	BY	DESCRIPTION
1	4/22/24	PLM	Revisions per Town comments

<b>REZONING PLAN</b>	
P.L.M.	SCALE 1" = 20'
DRAWN BY	DATE
MARCH 2024	2024.03.23
	PROJ #

SHEET NO.  
**RZ - 1**



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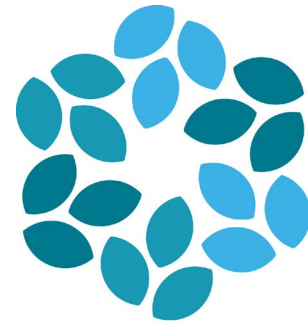
# Staff Recommendation

- The Comprehensive Land Use Plan's Future Land Use designation of Walkable Neighborhood is primarily consistent with single-family attached residential, and the Greenway Master Plan is inconsistent because this proposal shows a smaller width. Still, staff believes the use of residential in this area is reasonable.

# Vote and Statement of Consistency & Reasonableness



- **Step 1.**
  - Motion to recommend [Approval/Denial](#) for CZ24.03.01.
  
- **Step 2.**
  - With a statement of consistency that the proposal is [Consistent/Inconsistent](#) and [Reasonable/Not Reasonable](#) with the Comprehensive Land Use Plan.
  
- **Step 3.**
  - Staff suggested reasoning:
    - Pro:
      - The Comprehensive Land Use Plan's Future Land Use designation of Walkable Neighborhood is primarily consistent with single-family attached residential,
    - Con:
      - The Greenway Master Plan is inconsistent because this proposal shows a smaller width.



**PLANNING  
& ZONING**  
TOWN of STALLINGS

Questions?



## Statement of Consistency and Reasonableness

**ZONING AMENDMENT:** CZ24.03.01

**REQUEST:** Conditional rezoning request for a change in zoning from Single-Family Residential 3 (SFR-3) to Conditional Zoning Multi-Family Transitional (CZ-MFT) for the use of attached single-family residential at the location at parcel ID #07129004, a property 1.75 acres in size at 4923 Potter 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 inconsistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017 based on the goals and objectives set forth 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 amendment is inconsistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

- 1) The conditional zoning request is consistent and reasonable with the comprehensive land use plan.

**Recommended** this the \_\_ day of \_\_\_\_\_, 2024.

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Planning Board Chair

Attest:

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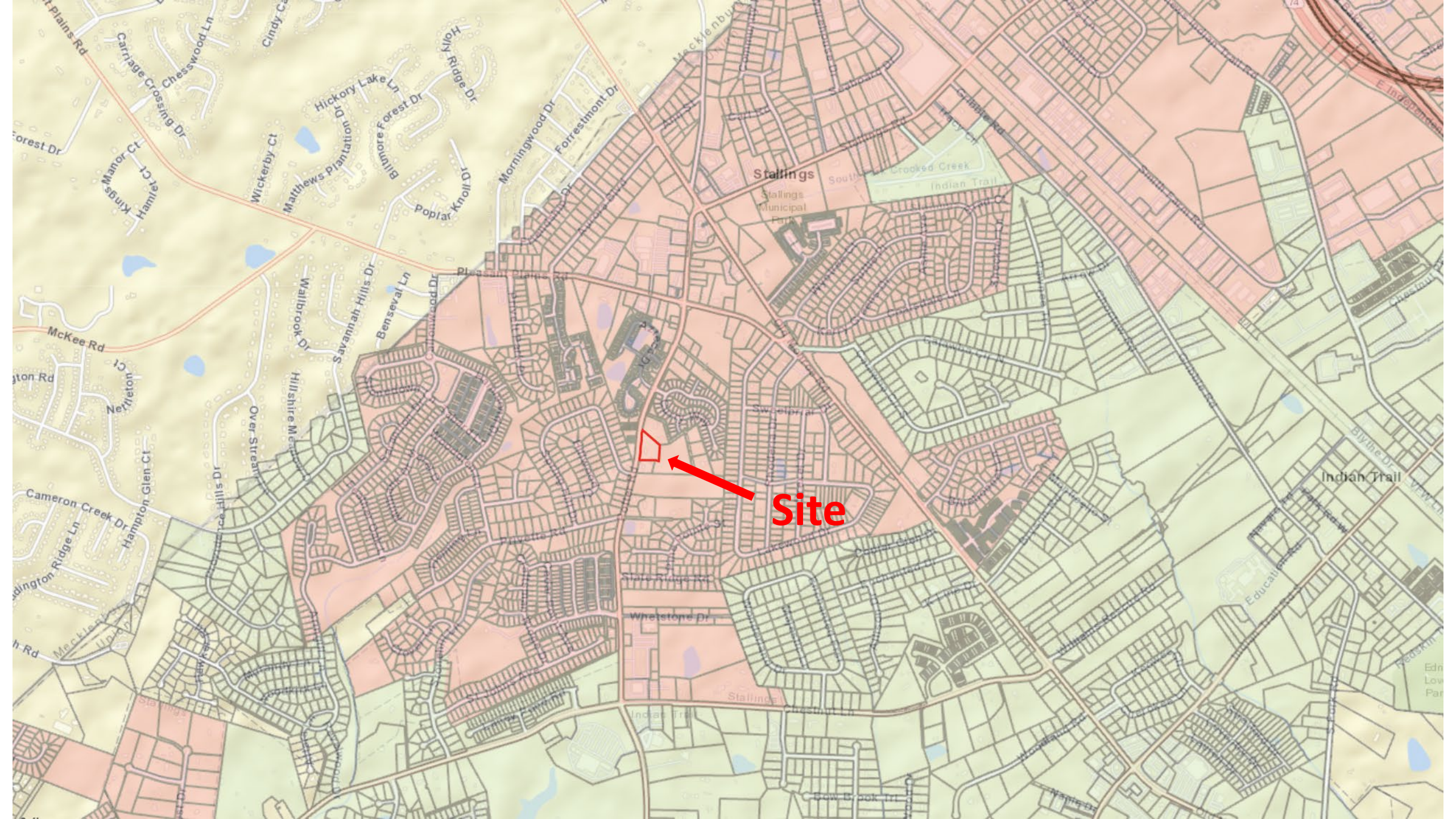
Planning Staff



Potter Road Townhomes  
Community Meeting  
March 26, 2024

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**Site**

Stallings  
Stallings Municipal Park

Indian Trail

Whetstone Dr

Indian Trail

Educational

Manor Ct  
Hamlet Ct

Hickory Lake Ln  
Matthews Plantation Dr  
Bilbrouk Dr

Wickerby Ct

Poplar Knoll

Morningwood Dr  
Forrestmont Dr

Mecklenburg

Indian Trail

McKee Rd

Walbrook Dr

Savannah Hills Dr

Benseval Ln

Over Stream

Hillshire Meadows

Cameron Creek Dr

Hampton Glen Ct

Ice Hills Dr

Whetstone Dr

h Rd

Mecklenburg

Stallings

Stallings

Blythe Dr

VIEW LN

Edn Lov Par

Perkins

E Indian Trail

Cherry Hill

Cherry Hill

Cherry Hill

Cherry Hill

Cherry Hill

Cherry Hill

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Cherry Hill

Cherry Hill



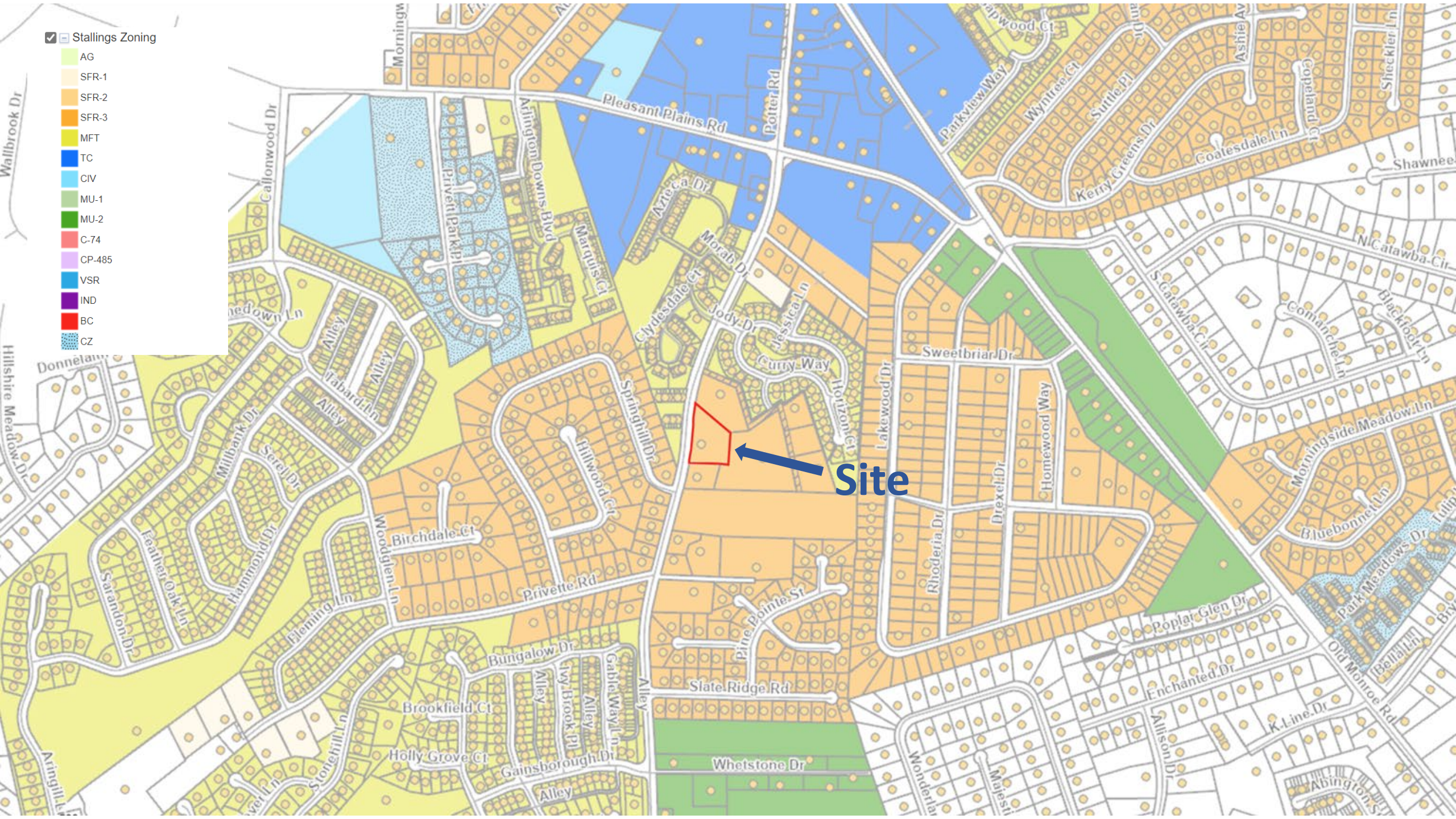
# Project Information

- **Tax Parcel ID:** 07129004
- **Address:** 4923 Potter Road
- **Overall Parcel Area:** 1.71 Acres
- **Current Zoning:** SFR-3 (Single-Family Residential)
- **Current Use:** Single Family Residential
- **Proposed Zoning:** MFT (Multi-Family Transitional)
- **Proposed Use:** Single-Family Attached (Townhomes)
- **Proposed Density:** 6.85 DUA
- **Proposed Open Space:** 0.274 AC. (18.8%)
- **Proposed Tree Save:** 0.24 AC (16.44%)
- **Max Building Height:** 25'



☑ Stalling Zoning

- AG
- SFR-1
- SFR-2
- SFR-3
- MFT
- TC
- CIV
- MU-1
- MU-2
- C-74
- CP-485
- VSR
- IND
- BC
- CZ







Site





**28' Buffer**

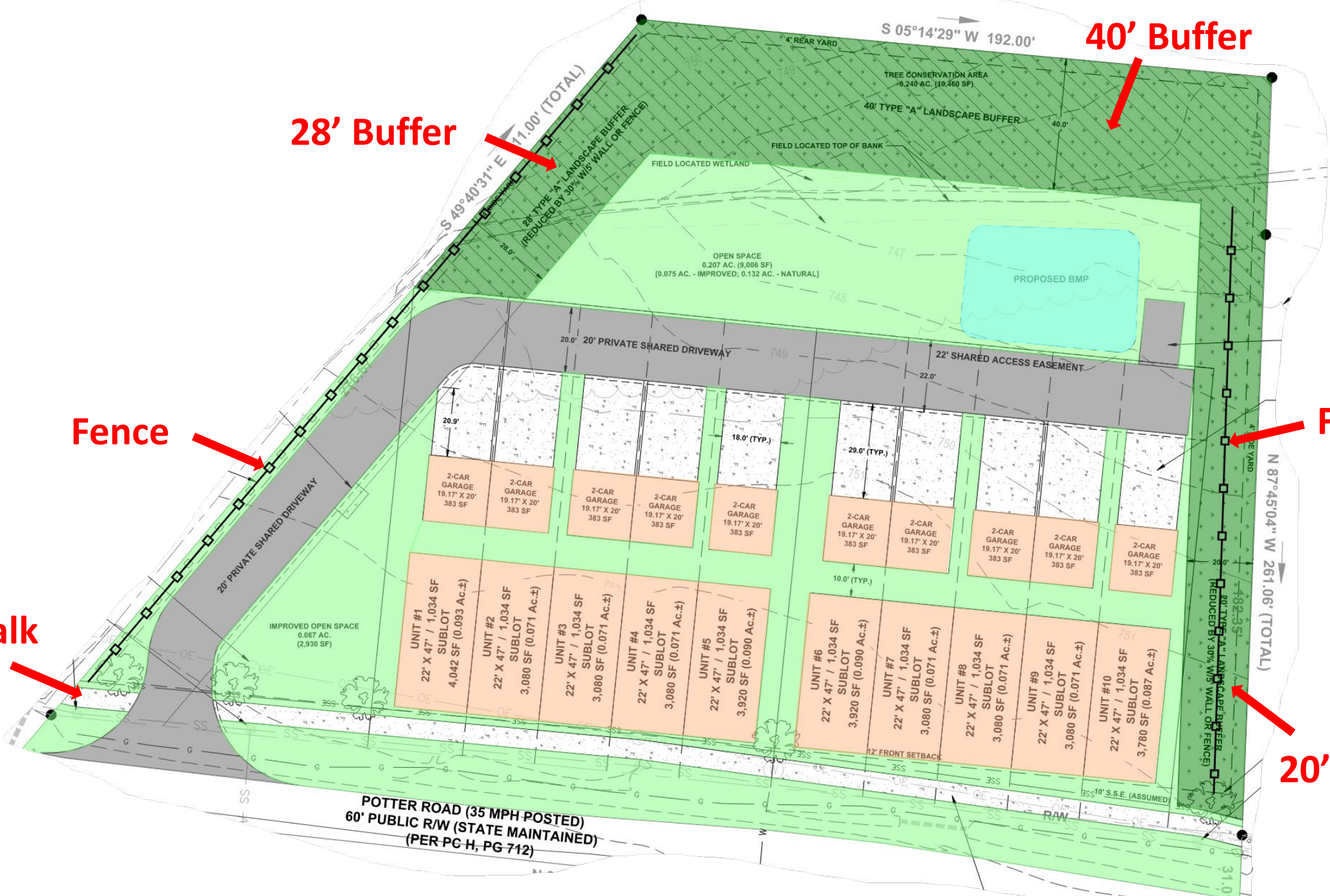
**40' Buffer**

**Fence**

**Fence**

**Sidewalk**

**20' Buffer**



POTTER ROAD (35 MPH POSTED)  
 60' PUBLIC R/W (STATE MAINTAINED)  
 (PER PG H, PG 712)



# Representative Elevations







# Project Highlights

- 10 Single-Family Attached Townhomes
- Single Shared Driveway to Potter Road
- 2-Car Detached Garages with Individual Driveways for Additional Parking
- Landscape Buffers and Fences
- Sidewalk along Potter Road

Questions?

