



January 17th, 2022
 Stallings Town Hall
 321 Stallings Road
 Stallings, NC 28104
 704-821-8557
www.stallingsnc.org

Planning Board Meeting Agenda

	Time	Item	Presenter	Action Requested/Next Step
	7:00 pm	Invocation Call Meeting to Order	Chair	N/A
1.		Approval of Agenda	Chair	Approve Agenda Motion: I make the motion to: 1) Approve the Agenda as presented; or 2) Approve the Agenda with the following changes: -----
2.		Approval of Minutes A. October 18th, 2022	Chair	Approve Minutes Motion: I make the motion to: 1) Approve the Minutes as presented; or 2) Approve the Minutes with the following changes: -----
3.		TX23.01.01 A. Amend Article 11.6-1 Buffering and Screening of Different Districts to allow the Development Administrator the authority to require a buffer for new development adjacent to existing residential. B. Statement of Consistency and Reasonableness	Max Hsiang	Approval/Denial of TX23.01.01 Motion: 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.

	Time	Item	Presenter	Action Requested/Next Step
4.		<p>TX23.01.02</p> <p>A. Staff has recommended a text amendment to allow for the use of breweries with or without beverage sales into the Industrial (IND), Business Center (BC) and Town Center (TC) zoning districts.</p> <p>B. Statement of Consistency and Reasonableness</p>	Patrick Blaszyk	<p>Approval/Denial of TX23.01.02</p> <p>Motion: <i>I make the motion to recommend:</i></p> <ol style="list-style-type: none"> 1) <i>Approval of the request as presented.</i> 2) <i>Defer the request to -----.</i> 3) <i>Denial of the request as submitted.</i>
5.		Adjournment	Chair	1) Motion: <i>I make the motion to adjourn.</i>

**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 October 18, 2022, at 7:00 pm. The meeting was held at the Stallings Government Center, 321 Stallings Road, Stallings, NC 28106.

Planning Board members present: Vice Chairwoman Laurie Wojtowicz, David Barnes, Jacqueline Wilson, and Ryan Awaldt.

Planning Board members absent: Chairman Robert Koehler

Staff members present: Max Hsiang, Planning Director; Patrick Blaszyk, Planning Technician; and Mary McCall, Deputy Town Clerk.

Vice Chairwoman Laurie Wojtowicz recognized a quorum.

Invocation and Call to Order

Vice Chairwoman Wojtowicz led the Pledge of Allegiance and called the meeting to order at 7:00 pm

1. Approval of Agenda

Board Member Wilson made the motion to approve the agenda. The motion was approved unanimously after a second from Board Member Awaldt.

2. Approval of Minutes – September 20, 2022

Board Member Awaldt made the motion to approve the Planning Board Minutes from September 20, 2022. The motion was approved unanimously after a second from Board Member Wilson.

3. RZ22.09.01

A. SMB of Greenville II LLC submitted a general rezoning request from Mixed-Use 2 (MU-2) to Business Center (BC) for seven parcels they own on Bleinheim Lane.

B. Statement of Consistency and Reasonableness

Planning Director Hsiang presented RZ22.09.01 explaining the rezoning was to change the current zoning of Mixed-Use 2 to newly established Business Center zoning for the following parcels:

- 13029 Bleinheim Ln, #07102185 01-02
- 13087 Bleinheim Ln, #07102187 01-02
- 13054 Bleinheim Ln, 07102190 01-02
- 13137 Bleinheim Ln, #07103033F
- 13114 Bleinheim Ln, #07102188
- 13063 Bleinheim Ln #07102186 01-02

Planning Director Hsiang advised that the changes requested by the applicant were to accommodate the existing development on Bleinheim Lane and noted that the rezoning would be inconsistent with the Town's Comprehensive Land Use Plan but should be considered as reasonable. Planning Director Hsiang stated that staff recommends approval of RZ22.09.01.

The lawyer for the applicant, Mr. Collin Brown from Alexander Ricks of Charlotte, and the Asset Manager of the property, Peter Couchell, addressed the Board and were available for questions.

Board Member Wilson made the motion to approve the recommendation of RZ22.09.01 along with a statement that RZ22.09.01 is inconsistent but reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Awaldt.

4. RZ22.09.02

- A. A. Dr. Sergey Denisovich has submitted a general rezoning request for Single-Family Residential 1 (SFR-1) to Mixed-Use 2 (MU-2) at the location of parcel ID #07054003F, a property of 7.98 acres on Stevens Mill Rd.
- B. Statement of Consistency and Reasonableness

Planning Director Hsiang presented the rezoning request, RZ22.09.02. Planning Director Hsiang stated there is no small area plan for this property and identified the Greenway Master Plan next to the parcel along with an adjacent property that is a sewer easement. Planning Director Hsiang found it to be consistent and reasonable with the Town's Comprehensive Land Use Plan, as MU-2 allows for single-family homes.

Dr. Sergey Denisovich addressed the Board and explained his interest in purchasing this parcel for the purpose of building Specialty Medical Offices. Dr. Denisovich advised he had discussed the property purchase with the owner, William Trotter Company, and had a letter of intent from the owner.

Board Member Awaldt made the motion to approve the recommendation of RZ22.09.02 along with a statement that RZ22.09.02 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Wilson.

5. Planning Board Schedule

- A. A. Change December 2022 Planning Board Meeting from December 20th to an alternate date.
- B. Discuss and determine the 2023 Planning Board Schedule.

Planning Technician Blaszyk presented a schedule consideration for the December Planning Board Meeting along with a Planning Board Meeting schedule for the year 2023.

After Board discussion, Board Member Wilson a made the motion to change the Planning Board Meeting scheduled for December 20, 2022 at 7:00 pm to December 15, 2022 at 7:00pm, pending any conflicts with the use of the Council Chambers. The motion was approved unanimously after a second from Board Member Awaldt.

Board Member Awaldt a made the motion to approve the Planning Board Meeting schedule to meet every third Tuesday of the month from January to October 2023 at 7:00pm and the second Tuesday of the month for November and December 2023 at 7:00pm. The motion was approved unanimously after a second from Board Member Wilson.

6. Adjournment

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

The meeting adjourned at 7:39 pm.

Robert Koehler, Chairman

Mary McCall, Deputy Town Clerk



MEMO

To: Planning Board
From: Max Hsiang, Planning Director
Date: 01/17/2023
Re: TX23.01.01 - New Development Buffer

❖ **Request:**

Amend Article 11.6-1 Buffering and Screening of Different Districts to allow the Development Administrator the authority to require a buffer for new development adjacent to existing residential.

❖ **Reason for Request:**

During a recent rezoning presentation, Staff presented that there were no buffer requirements between Mixed Use - 2 Zoning and Conditional Zoning. Since Conditional Zonings can be residential, Council directed staff to research buffer requirements for new developments adjacent to existing residential.

The council and staff's goal are to protect existing residential homes from the impacts of new development by installing a buffer.

❖ **Amendment:**

The text amendment addition request reads as follows:

11.6-1

(G.) **Buffers Adjacent to Existing Residential.** Where buffer requirements between zoning districts are not listed in Table 11.1, the *Development Administrator* may require a Type A, B, C, or D buffer for new development adjacent to existing residential.



Statement of Consistency and Reasonableness

AMENDMENT: TX23.01.01

REQUEST: Amend Article 11.6-1 Buffering and Screening of Different Districts to allow the Development Administrator the authority to require a buffer for new development adjacent to existing residential.

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 text amendment is **consistent and reasonable/inconsistent** 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/DENY** the proposed amendment and stated that the Planning Board finds and determines that the 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) The proposed amendment is reasonable and consistent with the Comprehensive Land Use Plan.
- 2) The proposed amendment protects existing residential from the impacts of new development.

Recommended this the ___ day of _____, 2023.

Planning Board Chair

Attest:

Planning Staff



MEMO

To: Planning Board
From: Patrick Blaszyk, Planning Technician
Date: 1/17/2023
Re: TX23.01.02

Amendment:

To allow breweries with or without beverage sales into the Industrial (IND), Business Center (BC) and Town Center (TC) zoning districts.

Article 8: Table of Uses

The closest item in the current table of uses to breweries is line 34, Bars (with/without Beverage Production Accessory Use).

History

There has been an interest in having breweries in both the TC and IND zoning districts in the past from the public. The properties of interest were along Stallings Road in where the proposed Town Center is and down Stallings Road along the border of Stallings and Matthews.

Reasoning

There is a disproportionate split of the Stallings tax base. 80% residential and 20% commercial. This text amendment would help better balance this.

Below is language from the Stallings Development Ordinance (SDO) describing each of the zoning districts that applies to this text amendment.

- 8.4-4 "Town Center District (TC) (A.) Intent. 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".

This language promotes the reuse and infill development of Stallings's downtown core. This compliments the interest that has occurred in the past and present for potential brewery locations.

- 8.4-10 "Business Center (BC) (A) Intent: The Business Center (BC) is established to provide locations for employment centered uses. The dominant uses in this district are light industrial and office".

The language for Business Center describing light industrial and office pairs well with the fact that the breweries could be with or without beverage sales and could be more focused on producing beverage products as opposed to sales.

- 8.4-11 “Industrial District (IND) (A.) Intent: The Industrial District (IND) is established to provide locations for industrial uses that, due to the scale of the buildings and/or the nature of the use, cannot be integrated into the community. The dominant uses in this district are manufacturing and warehouse storage”.

This language for Industrial fits the potential larger scale brewery operations that may desire to locate in the Town of Stallings.

Comprehensive Land Use Plan Primary Land Uses that fits brewery with or without beverage sales.

- Town Center Primary Land Use
 - Community Serving Commercial
- Industrial Center Primary Lane Use
 - Warehouse/Distribution
 - Storage

Examples

The following are examples of existing buildings or areas in the Town Center, Business Center and Industrial zoning districts that could potentially be used for breweries with or without with or without beverage sales.

James Rivers Building. Zoning District: (TC)



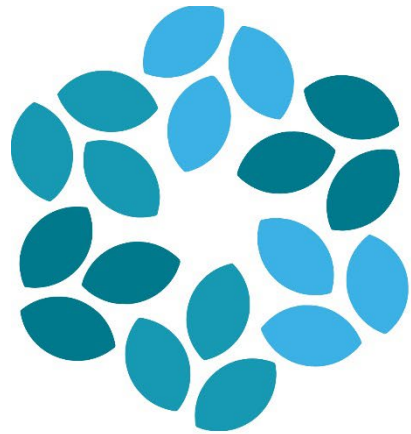
Business Park on Bleinheim Lane. Zoning District: (BC)



Interstate Supplies and Services on 511 Union West BLVD. Zoning District: (IND)



Breweries in the IND, BC AND TC ZONING DISTRICTS



**PLANNING
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TOWN of STALLINGS

TX23.01.02

History



- There has been an interest in having breweries in both the TC and IND zoning districts in the past from the public.
- This would help better balance the historical 80% residential 20% commercial tax split that is present in Stallings.

Comprehensive Land Use Plan



- Town Center Primary Land Use
 - Community Serving Commercial
- Industrial Center Primary Land Use
 - Warehouse/Distribution
 - Storage

Stallings Development Ordinance and Examples



- James Rivers Building



- 8.4-4 “Town Center District (TC) (A.) Intent. 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”.

Stallings Development Ordinance and Examples



- Business Park on Bleinheim Lane



- 8.4-10 “Business Center (BC) (A) Intent: The Business Center (BC) is established to provide locations for employment centered uses. The dominant uses in this district are light industrial and office”.

Stallings Development Ordinance and Examples



- Interstate Supplies and Services on 511 Union West BLVD



- 8.4-11 “Industrial District (IND) (A.) Intent: The Industrial District (IND) is established to provide locations for industrial uses that, due to the scale of the buildings and/or the nature of the use, cannot be integrated into the community. The dominant uses in this district are manufacturing and warehouse storage”.

Request & Conditions



- Staff recommends approval of TX23.01.02.

Staff suggested reasons:

- 1) The request is consistent and reasonable with the Stallings Development Ordinance and the Future Land Use Plan.
- 2) This text amendment promotes more commercial development opportunities in the TC, BC and IND zoning districts.
- 3) This amendment also utilizes the guiding principle of Diversified Development in the Comprehensive Land Use Plan.

Statement of Consistency & Reasonableness



- ❖ **Step 1.** Motion to recommend Approval/Denial for TX23.01.02.
- ❖ **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.** Reasoning. Staff suggested reasoning:
 - 1) This text amendment promotes more commercial development opportunities in the TC, BC and IND zoning districts.
 - 2) The proposed use is consistent with the Comprehensive Land Use Plan.
 - 3) This amendment also utilizes the guiding principle of Diversified Development in the Comprehensive Land Use Plan.



**PLANNING
& ZONING**
TOWN of STALLINGS

Statement of Consistency and Reasonableness

Text Amendment: TX23.01.02

Request: To allow breweries with or without beverage sales into the Industrial (IND), Business Center (BC) and Town Center (TC) zoning districts.

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 **CONSISTANT and REASONABLE or INCONSISTANT and UNREASONABLE** 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/DENY** the proposed amendment and stated that the Planning Board finds and determines that the zoning/text amendment is inconsistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

1. This text amendment promotes more commercial development opportunities in the TC, BC and IND zoning districts.
2. The proposed use is consistent with the Comprehensive Land Use Plan.
3. This amendment also utilizes the guiding principle of Diversified Development in the Comprehensive Land Use Plan.

Recommended this the ___ day of January, 2023.

Attest:

Planning Staff

Planning Board Chair