



Access for the Electronic Meeting

Via phone: 1-646-558-8656

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<https://zoom.us/j/92326355181?pwd=dndFSUZ2Ny9ra2I4bzhRV1NlSTh0dz09>

Via Zoom App:

Meeting ID: 923 2635 5181

Password: 083518

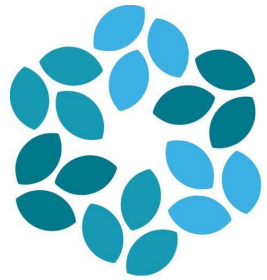
September 28, 2020

Stallings Town Hall
315 Stallings Road
Stallings, NC 28104
704-821-8557

www.stallingsnc.org

Town Council Agenda

	Time	Item	Presenter	Action Requested/Next Step
	7:00 p.m.	Invocation Pledge of Allegiance Call the Meeting to Order	Wyatt Dunn, Mayor	NA
	7:05 p.m.	Public Comment	Wyatt Dunn, Mayor	NA
1.	7:40 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve agenda as written. <i>(ADD, IF APPLICABLE: with changes as described by Mayor Dunn)</i> Motion: I make the motion to: 1) Approve the Agenda as presented; or 2) Approve the Agenda with the following changes: _____.
2.	7:45 p.m.	CZ20.07.01 Conditional Zoning on PID #07126038, 1006 Vickie Lane to allow for expansion of a religious facility (Vallabh Pushti Samaj Temple). A. Council Vote	Lynne Hair, Town Planner	Approve/Deny the request. Motion: I make the motion to approve/deny CZ20.07.01.
3.	7:55 p.m.	Open Space/Green Space Strategies (Martin)	John Martin, Council Member Lynne Hair, Town Planner	Discussion and Possible Action
4.	8:10 p.m.	Balanced Scorecard (1) FY19-20 Annual Report (2) FY 20-21 Balanced Scorecard (3) Suggested Policy Changes	Alex Sewell, Town Manager	Discussion and Possible Action
5.	8:30 p.m.	Zoning Minimums (Ayers)	Steven Ayers, Council Member	Discussion and Possible Action
6.	8:45 p.m.	Adjournment	Wyatt Dunn, Mayor	Motion to adjourn



**PLANNING
& ZONING**
TOWN of STALLINGS

APPLICATION

CZ20.07.01

Vallabh Pushti Samaj Temple

Expansion – New Building

Pre-Public Hearing Staff Analysis + Community Meeting

PROJECT SUMMARY

Location

1006 Vickie Ln.

Required Setbacks

Front: 30'

Rear: 30'

Side: 10'

Building Separation: 10'

Ownership

Vallabh Pushti Samaj
of the Carolinas

Site/Project Size

5.6 acres

Zoning

SFR-3

Traffic Generation

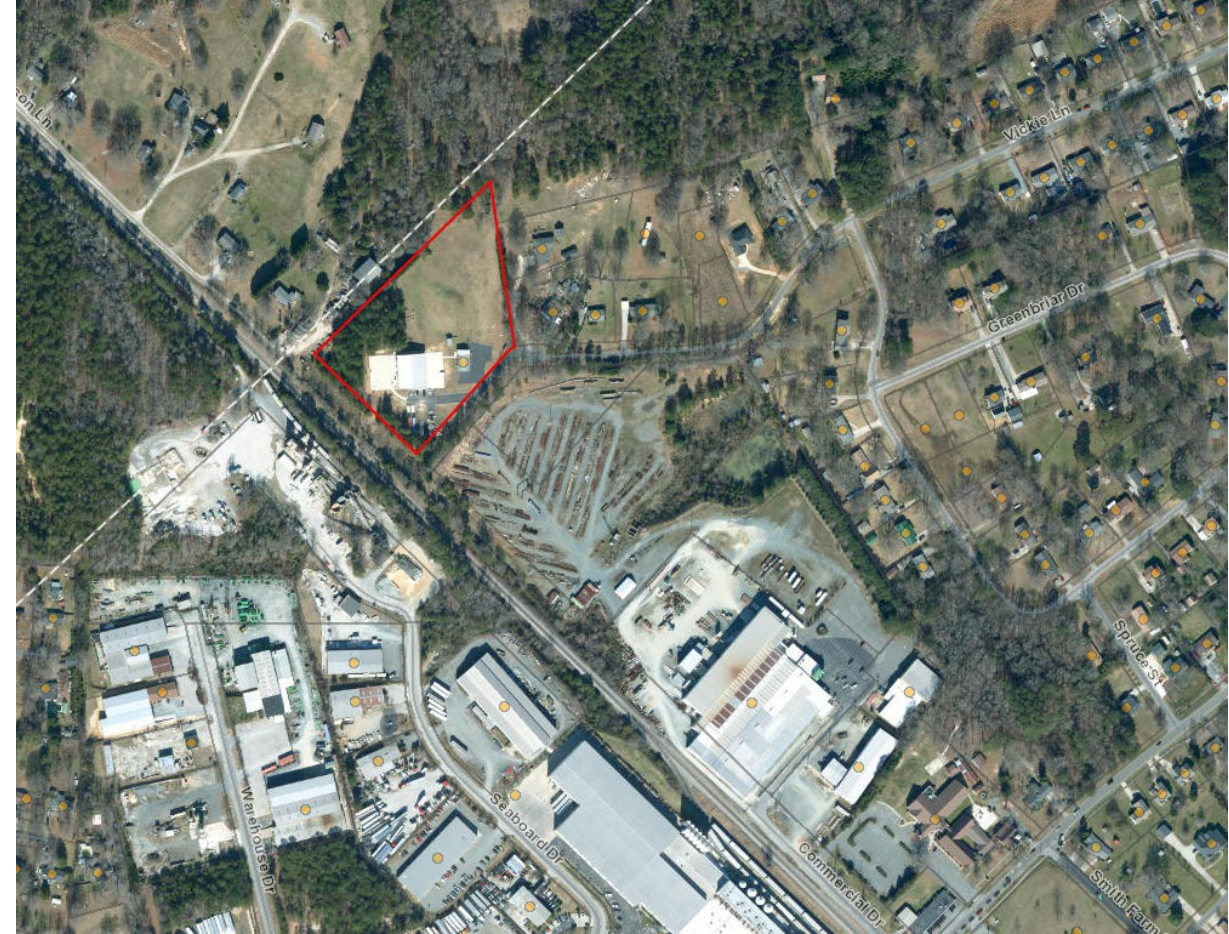
No TIA Required

Existing Use

Hindu Temple

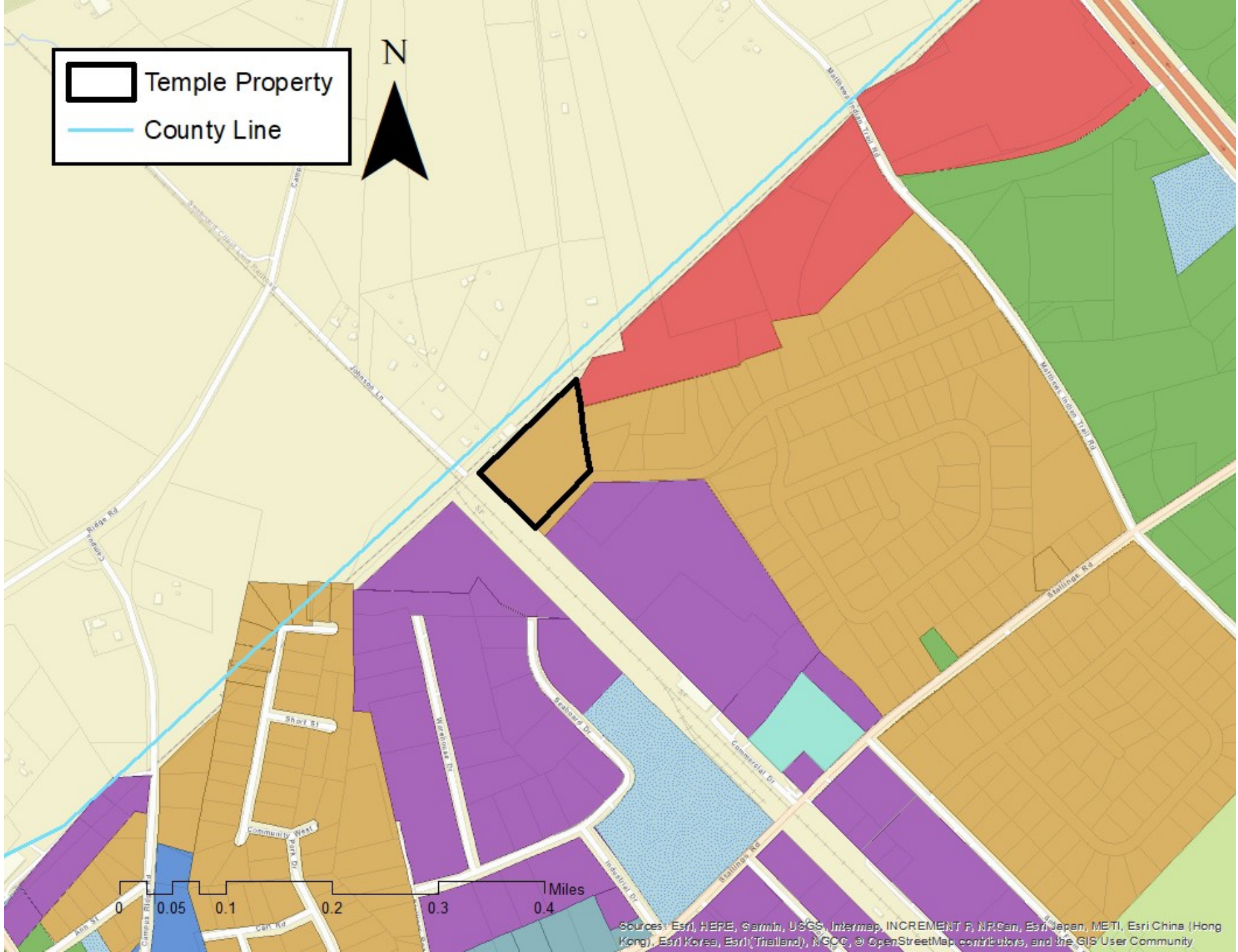
Community Meeting

7/28/2020



Legend:

- Temple Property
- County Line



Request

Conditional Zoning:

1. Expansion – A new 6,297 square foot building that, if approved, will bring the square footage of the facility from 5,133 to 11,430.
2. Under old Ordinance, religious institutions were a permitted use in residential districts. However, the new Ordinance does not allow religious institutions in residential districts. The existing facility is grandfathered from new Ordinance regulations, making it a legally nonconforming use.
3. For any expansion to occur, the site will need to come into compliance with new Ordinance regulations, making this conditional zoning necessary.

VICINITY MAP: N.T.S.



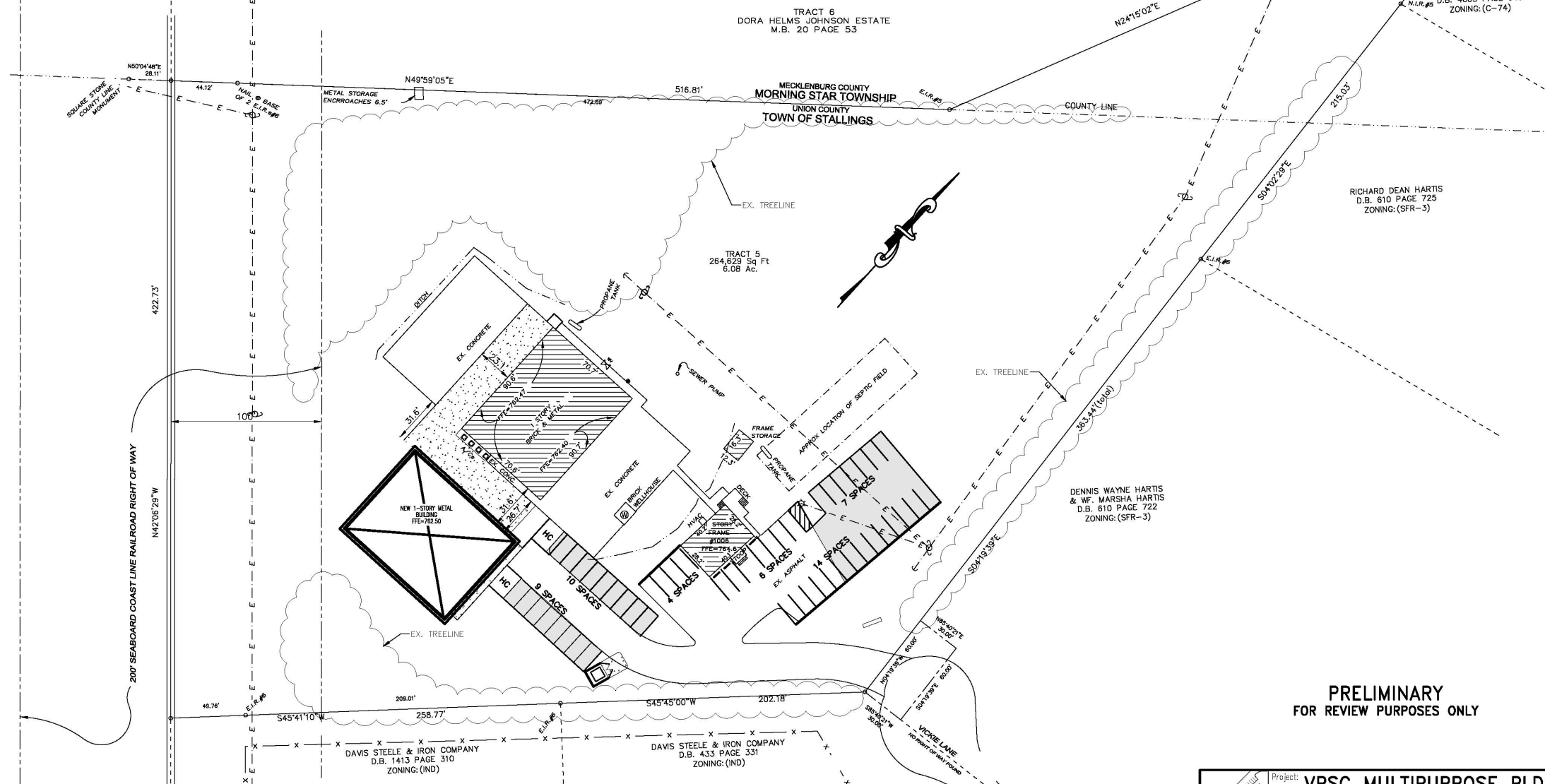
SIDE YARD : 15 FT.

REQUIRED BUFFERS:

FRONT: NO YES PARKING LOT MIN/MAX 5'/10' AROUND PERIMETER OF VVA
 SIDE (L) NO YES 15' SIDE (R) NO YES 15'
 REAR NO YES 0' DUE TO CSX RAILROAD R/W

TYPE D BUFFER YARD REQUIREMENTS:
 MIN/MAX BUFFER WIDTH = 5/10 FT
 2 UNDERSTORY TREES AND 18 SHRUBS PER 100 LF

PARKING CALCULATIONS:
 1 SPACE FOR EVERY 5 MOVEABLE SEATS IN MAIN ASSEMBLY AREA
 125 SEATS/5 = 25 SPACES (INCLUDES 1 HC SPACE)
 SPACES PROVIDED = 50



PRELIMINARY
 FOR REVIEW PURPOSES ONLY

EX. SYMBOL LEGEND

⊙	POWER POLE
●	4" SEWER CLEAN OUT
⊕	WATER VALVE
⊛	LIGHT POLE
—	U.G. PIPE

NO.	BY	DATE	REVISION
1	BTU	9/2/2020	PER PLANNING COMMENTS

Project: **VPSC MULTIPURPOSE BLDG**
 1006 VICKIE LANE
 STALLINGS, NORTH CAROLINA 28104

Title: **REZONING PLAN**

File #: 19115-SK.DWG Date: 06/29/20 Project Egr: BTU
 Design By: BTU/RKS



SINCE

2010

Shreenath Dham Haveli
VALLABH PUSHTI SAMAJ
OF

CAROLINAS
1006 VICKIE LN.
MATTHEWS, NC

PRIVATE
PROPERTY







TREES, VEGETATION AND STORMWATER

Tree Save (Article 11.8-2)

3% of lot area = .168 acres

Buffers (Article 11.1)

Type C buffer adjacent to SFR district

Type	Avg. Width	Min/Max Width	Evergreen tree rate per 100 lf	Canopy tree rate	Understory tree rate	Shrub rate
C	20 ft	15/40	4	2/100 lf	3/100 lf	17/100 lf

VUA Plantings:

For every fifteen hundred (1,500) square feet of vehicular use area (VUA), one (1) deciduous tree and four (4) shrubs must be planted. At least 75% of the tree shall be a large maturing species. Trees and shrubs must be planted at least fifteen (15) feet within the VUA to meet the requirement.

Stormwater Management and PCO

Must comply with PCSWO.

Open Space %

Required: 7.5% (.42 acres)

LAND USE PLAN AND ADOPTED POLICIES

Land Use Plan

The Land Use Plan shows the property as
Suburban Office Center.

Primary Land Uses: Multi-Tenant Professional Office, Corporate Office, Medical Office, Call Center . Research and Development

Secondary Land Uses: Bank • Copy and Printing Services, Restaurants, Government Services, Flex Space, Natural Areas, Stormwater Retention

Small Area Plan

N/A

Consistency

The proposed request is inconsistent with the Stallings Comprehensive Land Use Plan

Form & Parameters (Land Use Plan)

General Development Pattern	Separate Uses
Typical Lot Coverage	20 – 40%
Residential Density	N/A
Non-Residential Intensity	0.20 - 1.0 FAR
Prevailing Building Height	1 - 3 Stories
Average Dwelling Unit Size	N/A
Avg. Non-Resid. Building	Size 10,000 –
200,000 SF Transportation Choices	Auto
Typical Block Length	800 – 1,200 LF
Open Space Elements	Pocket
Parks/Landscape	Buf ers
Street Pattern	Curvilinear Street
Connectivity	Low
Parking Provisions	Surface Lot
Typical Street	Cross Section
Suburban	

STAFF COMMENTS AND OUTSTANDING ISSUES

Planning Department

1. No TIA required.
2. Parking –
 - Requesting a total of 50 spaces and 2 handicapped spaces.
 - Required – 1 space for each 5 seats or each 40 square feet of floor area available for movable seats.
3. Landscaping ordinance requirements
 - Buffer Type C – required where adjacent to SFR
 - VUA – for every 1500 sq.ft. of vehicle use area 1 deciduous tree and 4 shrubs are required.

Police

Consulted on any complaints received about parking on Vickie Lane related to Temple. Stallings PD confirmed that no complaints had been received.

Fire

No concerns

Public Works

No Change or Impact

Parking

- There are currently 15 parking spaces on site approved under the old UDO which required 1 space for each 4 seats as a maximum. Based on the size of the original building, the maximum parking spaces allowed would be 75.
- With the expansion they are requesting a total of 50 spaces on site. With the ability to provide overflow parking on grassed areas of the property.
- Per Ordinance, the parking calculation by square footage for the new building would be 157 spaces.



Building	Required	Provided
#1	Parking	Parking
5,133 sq. ft.	Up to 75	15
Building		
#2		
6,297 sq. ft.	157	35
TOTAL	232	50

Parking

50 Spaces vs. 232

Reduce Impervious Surface by eliminating a parking lot that may not be used.

Weekly Attendance = 50 including children

3 Special Events /Year = 100 Attendees including children

50 paved spaces are adequate for weekly services.

Grassed Areas are adequate to provide for overflow parking and special events to prevent on-street parking along Vickie Lane.

Parking

- **SPACE:** Looking at the site plan, it appears there could be room for about an additional 100-120 parking spaces to put the total between 150-170.
- **STORMWATER:** As impervious area is added, a storm water detention basin will be required triggering the thresholds for storm water management which make the development cost prohibitive. Storm water management measures like a detention pond, will also reduce the area available to add parking spaces making it difficult to provide the required number of parking spaces.
- **SEPTIC FIELD:** There is also a septic field that, further limiting the area available for parking.

Parking

“I have concerns about the enlargement of the Temple and the traffic in a neighbor in which people walk dogs and use this area for exercise not only the people that live in neighborhood but other residents in the other areas. During the operation of the temple cars zoom on the streets of Greenbriar and Vickie Lane. Police have been made aware of the problems . I have forwarded picture of one day we came home and cars were parked on both sides of streets: greenbriar and Vickie lane. I am for the temple to enlarge their building however I am not in favor of the only way into the temple with the use of the neighborhood streets. A way into the temple without the use of Greenbriar or Vickie would be the best for the residents safety. Thank you for your concern in this town and the safety of the residents.”

Sandra Adcock



Parking

“I had Records Tech. Wilson check with CCom about any incident involving 1006 Vickie Lane in the past twelve months. We had six preventative patrols and one-foot patrol for the address and/or 1000 Blk of Vickie Lane. We have not received any complaints, according to CCom and CAD, of speeding or vehicles parked along the roadway on Vickie Lane. “

Lieutenant Cranford, Stallings PD

Code Violations

1. First send on October 21, 2019 – Subject: Tall Grass and Weeds, Trash and Debris and Storage Containers (CONEX) (2)

No answer – no cleanup. No letters returned to CE through USPS.

2. Second send – Follow up to first letter – giving them the benefit of doubt – on January 22, 2020.

No answer – no cleanup. No letters returned to CE through USPS.

3. Phone call made to Amit Mehta at (216) 798-5034. Left detailed message telling them who I was, why I was calling and my phone numbers to reach me. No return call received.

4. Third send – additional letter which now addressed Trash and Debris, Storage Containers (2), and Grading of the property without a permit – July 7, 2020.

No answer – no cleanup. No letters returned to CE through USPS.

COMMUNITY MEETING

Meeting: 7/28/2020

Weston Davis of Davis Steel voiced concern that the proposed building may be too close to the edge of the property, potentially rendering any plans for a future road connection null. He said that he has heard about future plans for a connection to Johnson Ln and has heard interest expressed from companies who would like to relocate to this general area.

The Zoning Administrator for the Town of Matthews was consulted, and she stated is unaware of any future plans for a road connection, and they have no applications for development in this area.

PLANNING BOARD RECOMMENDATION

Recommendation: Approval

SUMMARY OF SUGGESTED CONDITIONS

1. The applicant or responsible party shall obtain all permits required for development with the Town and outside agencies in compliance with applicable regulations. The submitted sketch plan must meet all requirements as established by permitting agencies.
2. Allow a reduction in parking to permit 50 on-site parking spaces. Future parking needs as a result of expansion will be reviewed with any future building plans.
3. Any new structures built on the site will need to receive conditional zoning approval from the Town.
4. A landscape plan showing compliance with Ordinance Article 11.
5. Adhere to Type C buffer requirements adjacent to remaining SFR zoning. Article 11.6.
6. All debris near dumpster area be removed.
7. Metal shipping containers must be removed from property.
8. All code violations shall be addressed prior to issuance of a permit for construction on the site.



CZ20.07.01

AN ORDINANCE AMENDING THE “STALLINGS DEVELOPMENT ORDINANCE”
OF THE TOWN OF STALLINGS, NORTH CAROLINA

WHEREAS, on February 26, 2018 the Town Council adopted the new Stallings Development Ordinance; and,

WHEREAS, approval of the requested conditional zoning to allow property located at 1006 Vickie Lane to allow for the expansion of an existing Hindu Temple. The subject property is located on PID#07126038 and is consistent with the 2017 Stallings Land Use Plan; and,

WHEREAS, the proposed change in use will promote the goal of promoting a mix of housing density in the Monroe Bypass corridor; and,

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF STALLINGS DO
ORDAIN THE APPROVAL OF THE REQUESTD CZ20.07.01 TO ALLOW FOR THE
PROPOSED EXPANSION AND USE AS A HINDU TEMPLE.

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the _th day of _____, 2020.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



Statement of Consistency and Reasonableness

(As per NC General Statute 160-383)

Prior to adopting or rejecting any zoning amendment, the governing body shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest. The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing body that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing body.

CONDITIONAL ZONING: CZ20.07.01

REQUEST:

A request for conditional zoning on property located at 1006 Vickie Lane to allow for a Hindu Temple to expand on the subject property where they exist as a legal non-conforming use. The subject property is located on PID#07126038

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Town Council hereby finds that the proposed conditional zoning request is consistent with the 2017 Stallings Comprehensive Land Use Plan adopted November 27, 2017 based on consistency with goals and objectives set forth in the document for the creation of development that encourages the creation of civic uses. At their August 10, 2020 meeting the Stallings Town Council voted to recommend approval of the proposed conditional zoning and stated that the, Town Council find and determines that the rezoning is consistent with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan and hereby recommends its approval.

The statement and motion was seconded and passed _____.

Wyatt Dunn, Mayor

Erinn Nichols, Town Clerk



MEMO

To: Town Council
From: Lynne Hair, Planning Director
Via: Alex Sewell, Town Manager
Date: September 22, 2020
RE: Open Space Report

Background

Council directed staff to prepare an analysis of our existing open space requirements and identify any areas that require attention. A goal of enhancing open space requirements was expressed.

After researching existing ordinances, the following is recommended:

Recommendation

1. Amend Development Ordinance Article 21:
 - Increase open space % based on zoning district.
 - Make open space improvements specific to zoning district/use.
 - In developments where natural open space is used towards meeting minimum open space requirements, require that a % be used for improved open space.
 - Look at improved open space requirements and adjust based on what is appropriate for the zoning district/use.
 - Tie the Parks, Recreation and Greenway Master Plan to the Development Ordinance
2. Continue to acquire greenway and park land through the CZ and DA process.
3. Create an Open Space brochure/checklist for developers outlining all requirements and avenues for providing open space, emphasizing the importance of this resource.

Analysis

Town development ordinances were reviewed in order of priority.

1. Comprehensive Land Use Plan

Identifies open space as a priority and provides support for pursuing open space acquisition.

Section 8: Open Space, Recreation, and Environment

Open Space, recreational opportunities, and environmental conservation play a critical role in the quality of life and health of Stallings' residents.

As the demand for more flexible open space grows, resources within Stallings for acquiring that space are decreasing. Innovative strategies for providing useable open space for the Town's residents must be sought.

Key Guiding Principles of the Comprehensive Land Use Plan establish open space as a tool used to accomplish

Place Making: Placemaking is a people-centered approach to the planning, design, and management of public spaces that enhances community identity, encourages social interaction, and facilitates economic development.

Developing a network of safe, accessible, and attractive streets, **trails, parks, and open spaces** helps to create a sense of community.

Destination Points: For Stallings, becoming such a community begins with understanding what uses, and design features will make Stallings unique and attractive to its existing residents and to others outside the community.

Council identified greenway systems as destination points and prioritized the creation of the Stallings Parks, Recreation and Greenway Master Plan to provide a guide for its creation.

2. Parks, Recreation and Greenway Master Plan

Focuses on providing open space through the creation of parks and trails. The following is an estimate of the acreage that will be provided in improved/passive open space through the Parks, Recreation and Greenway Master Plan:

USE	ACREAGE
Greenways	44 acres (30.8 miles at 12')
Parks*	67.05 acres
Private Open Space**	106.57*
TOTAL	217.62 acres

*Includes Stallings Park and Blair Mill Park (33.5 acres)

**Existing Golf Courses and HOA amenity property.

The total acreage of the town is 2,240. The Parks, Recreation and Greenway Master Plan has identified 10% of this acreage for proposed and existing parks, and greenways.

Recommendation:

- ***Tie the Parks, Recreation and Greenway Master Plan to the Development Ordinance***
- ***Continue to acquire greenway and park land through the CZ and DA process.***

3. Development Ordinance

The current Development Ordinance promotes the goal established by the Comprehensive Land Use Plan of focusing on the creation of walkable, more dense development with the creation of pocket parks located throughout a project rather than focusing on one large area of open space that is

typically undevelopable. With a goal of creating usable open space and places for our residents to gather.

Article 21 Open Space: Open space is required for all residential developments that are eight units or more, and for non-residential and mixed-use developments that contain .6 acres or more. The amount of land to be preserved as open space is dependent on the zoning of the property as follows:

ZONING DISTRICT	REQUIRED OPEN SPACE
Single Family Residential (SFR) Districts.	Single-family/and/or duplex subdivisions: 10% of total subdivision project site area. Other residential: the greatest of 500 square feet of open space per dwelling unit or 9% of lot area.
All other districts, <i>excluding "TC" which is exempt from these requirements</i>	7.5% of lot area

- The open space percentage established by this Article must be met.
- Proposed Stallings greenway or identified park on the project site can be used towards meeting the established open space requirement.
- The open space percentage is not in addition to the Parks, Recreation and Greenway Master Plan requirements.
- Density Bonus. If an established park or greenway exceeds the minimum open space percentage, they are allowed a density bonus 4,356 square feet for every 500 square feet that exceeds the minimum percentage residential developments
- Open Space Improvement. Article 21 requires the improvement of open space except for Natural and Agricultural Open Space. Open space shall be planned and improved, accessible and usable by persons living nearby. Improved shall mean cleared of underbrush and debris and shall contain four or more of the following improvements: landscaping, walls/fences, walks, statues, fountains, demarked ball fields, and/or playground equipment.

Open Space percentages are a minimum requirement and can be met by providing identified parks and/or greenway trails and identified stream buffers.

Recommendation:

- ***Increase open space % based on zoning district.***
- ***Make open space improvements specific to zoning district/use.***
- ***In developments where natural open space is used towards meeting minimum open space requirements, require that a % be used for improved open space.***
- ***Look at improved open space requirements and adjust based on what is appropriate for the zoning district/use.***
- ***Tie the Parks, Recreation and Greenway Master Plan to the Development Ordinance***

4. Post Construction Stormwater Ordinance

Article 19 of the Development Ordinance reflects the Towns Post Construction Stormwater Ordinance (PCSWO). One requirement of this ordinance is stream buffers. These buffers are property that cannot be built upon and can be counted as natural open space.

STREAM	BUFFER
Goose Creek	200' within 100-year floodplain; 100' outside of 100-year floodplain
Six Mile	200' within 100-year floodplain; 100' outside of 100-year floodplain
Twelve Mile	30'
Crooked Creek	30'

Where streams exist on property, the open space requirement can be met by providing the required buffer.

Summary

Why Open Space?

The decision to be purposeful about open space is one of the least technical and most preference-based decisions that neighborhoods and local governments can make. In a growing community like Stallings it is important to find a balance between development pressures and land preservation.

What are the advantages of open space?

- Reduces the impervious surface in a development which contributes to degradation of water resources by increasing the volume of surface runoff and preventing infiltration of rainfall into the soil surface.
- Preserves green space.
- Creates urban wildlife habitat "islands."
- Preserves open space for recreation, promoting the health and well-being of our residents.
- Can increase future property values.
- Creates a sense of community and place.
- Brings character, charm, and definition to neighborhoods.

Our current development policies and ordinances have established methods for acquiring land for open space. However, a deficiency may exist with the Development Ordinance Article 21 Open Space requirements. Adjusting this language should provide the Town with an adequate set off rules with which to maintain a healthy balance between development and land preservation.

Providing the development community with an easy to access set of rules surrounding our open space requirements will ensure compliance and put developers on notice that open space is a priority of the Town.

Staff is requesting direction from Council on their preference as to how to proceed.