



October 24, 2022
 Stallings Government Center
 321 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.	7:15 p.m.	Consent Agenda A. ARPA - Grant Project Ordinance Amendment B. Police Department K9 Program Update	Wyatt Dunn, Mayor	Approve/Deny Consent Agenda
2.	7:15 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve agenda as written. <i>(ADD, IF APPLICABLE: with changes as described by Mayor Dunn)</i>
3.	7:17 p.m.	Annexation 55 – Lawyers Road – Epcon A. Public Hearing (1) Open Public Hearing (2) Public Comment (3) Close Public Hearing B. Ordinance to Extend Corporate Limits	Wyatt Dunn, Mayor	Approve/Deny ordinance
4.	7:30 p.m.	RZ22.05.01 – Epcon A. Open Public Hearing B. Information from Staff/Applicant C. Public Comments D. Close Public Hearing E. Council Vote	Max Hsiang, Planning Director	Approve/Deny: (1) Rezoning (2) Statement of Consistency and Reasonableness
5.	8:15 p.m.	TX22.08.01 – Impervious Surface, Article 9.2 A. Open Public Hearing B. Information from Staff/Applicant C. Public Comments D. Close Public Hearing E. Council Vote	Max Hsiang, Planning Director	Approve/Deny: (1) Text Amendment (2) Statement of Consistency and Reasonableness
6.	8:30 p.m.	CZ22.08.01 – East Coast Granite A. Open Public Hearing B. Information from Staff/Applicant C. Public Comments D. Close Public Hearing E. Council Vote	Max Hsiang, Planning Director	Approve/Deny: (1) Conditional Zoning (2) Statement of Consistency and Reasonableness

7.	9:00 p.m.	Fee Schedule Amendment A. Open Public Hearing B. Information from Staff C. Public Comments D. Close Public Hearing E. Council Vote	Patrick Blaszyk, Planning Technician	Approve/Deny amendment
8.	9:05 p.m.	Adjournment	Wyatt Dunn, Mayor	Motion to adjourn



AMENDED Grant Project Ordinance for the Town of Stallings American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds – October 2022

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The Town of Stallings (Town) has received the first tranche in the amount of \$2,572,685.12 of CSLFRF funds. The total allocation is \$5,145,370.24, with the remainder to be distributed to the Town within 12 months. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Section 2: The Town has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFRF funds for the provision of government services.

Section 3: The following amounts are appropriate for the project and authorized for expenditure:

Internal Project Code	Project Description	Expenditure Category (EC)	Cost Object	Appropriation of ARP/CSLFRF Funds
001	Law enforcement services for period of July 1, 2022 through December 31, 2024	6.1	Salaries and Benefits	\$5,145,370.24
	TOTAL			\$5,145,370.24

Section 4: The following revenues are anticipated to be available to complete the project:

ARP/CSLFRF Funds:	\$5,145,370.24
General Fund Transfer:	<u>\$ 455,424.43</u> (FY22-23, Qtr. 1)
Total:	\$4,689,945.81

Section 5: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the Town's Uniform Guidance Allowable Costs and Cost Principles Policy.

Section 6: The Finance Officer is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

Section 7: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to Town Council.

Section 8: This grant project ordinance expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the Town, whichever occurs sooner.

Adopted this is the 24th day of October, 2022.

Wyatt Dunn, Mayor

Attest:

Erinn Nichols, Town Clerk

Approved as to form:

Melanie Cox, Town Attorney



MEMO



To: Mayor and Council
Via: Alex Sewell, Town Manager
From: Dennis Franks, Chief of Police 
Date: October 19, 2022
RE: Police Department K9 program update

Purpose: The purpose of this memo is to update the town council on the progress of expanding the SPD K9 program.

Background: In September, the council approved the expansion of the SPD canine program. At the time of this presentation, Southern Police Canine had a dog that had been returned due to the State of Kansas disbanding its Department of Corrections K9 program. SPD personnel went to observe the dog, and it appeared to be a high-quality canine. The vendor later identified aggression issues they were unsure could be corrected. Southern Police Canine did not recommend this dog for purchase. The vendor then told us they would sell us a new dog at a deeply discounted price.

The original cost of implementing a second K9 team was approximately \$16,000. The new cost increased by \$4000 to a total of \$20,000. The cost of the dog increases by \$1260 and the cost of training increases by \$2740. It should be noted the training increase is due to an increase in the length of training with a new dog, versus an already trained dog. Acquiring a new dog gives the SPD at least two additional years of service from the animal.

As originally brought to the council, the SPD is not asking for additional funding but will use the same funding sources. We will utilize asset forfeiture for the additional \$4000. I have spoken with the Finance Department and was advised that the money is available for use, but a budget amendment will need to be completed at a later date.

Requested Consideration: Approve the SPD to move forward with the creation of a second K9 Team.



Ordinance to Extend the Corporate Limits of the Town of Stallings, North Carolina

WHEREAS, the Town Council has been petitioned under N.C.G.S. 160A-31 to annex the area described below; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Government Center of the Town of Stallings at 7:00 p.m. on October 24, 2022, after due notice by the Enquirer-Journal on October 15, 2022; and

WHEREAS, the Town Council finds the petition meetings the requirements of N.C.G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED be the Town Council of the Town of Stallings, North Carolina that:

Section 1. By virtue of the authority granted by N.C.G.S. 160A-31, the area proposed for voluntary annexation encompasses parcel number 07099176 - Castlebridge Lane is hereby annexed and made part of the Town of Stallings effective immediately:

Parcel numbers: 07033003, 07033004, 07033005, 07033008B01 – Lawyers Road; 49.12 acres

BEING the total boundary of four properties described in Deed Book 8304, Page 765, Deed Book 6908, Page 745, and Deed Book 3409, Page 359, Union County Registry and according to a boundary and physical survey by Donald R. McEntire, PLS of Donald McEntire Surveying, dated March 17, 2022, Map 22-1396, and entitled "Boundary Survey for William T. Biggers and Vicki L. Biggers".

LYING AND BEING in Vance and Goose Creek Townships, Union County, North Carolina, and described as follows: BEGINNING at a point in Lawyers Road (SR 1004), said point being the northeastern corner, 235.29 feet North 61 degrees 17 minutes 57 West from a Mag Nail set in the intersection of Lawyers Road (SR 1004) and Hawthorne Drive and running thence South 16

degrees 32 minutes 33 seconds West, 29.86 feet to a pipe, thence South 16 degrees 32 minutes 33 seconds West, 146.08 feet to a rebar, thence South 16 degrees 24 minutes 15 seconds West, 99.93 feet to a rebar, thence South 16 degrees 22 minutes 39 seconds West, 99.92 feet to a rebar, thence South 16 degrees 26 minutes 31 seconds West, 100.13 feet to a rebar, thence South 16 degrees 20 minutes 17 seconds West, 99.85 feet to a rebar, thence South 16 degrees 26 minutes 25 seconds West, 99.88 feet to a rebar, thence South 16 degrees 16 minutes 38 seconds West, 102.30 feet to a pipe, thence South 16 degrees 26 minutes 29 seconds West, 101.79 feet to a pipe, thence North 77 degrees 25 minutes 10 seconds West, 1,010.91 feet to a pipe, thence North 05 degrees 43 minutes 32 seconds West, 582.41 feet to a pipe, thence North 08 degrees 32 minutes 40 seconds West, 134.61 feet to a pipe, thence North 50 degrees 51 minutes 25 seconds West, 564.74 feet to a pipe, thence North 17 degrees 51 minutes 10 seconds West, 263.46 feet to a iron, thence North 17 degrees 56 minutes 51 seconds West, 289.37 feet to a pipe, thence North 80 degrees 38 minutes 17 seconds East, 35.67 feet to a pipe, thence North 80 degrees 38 minutes 17 seconds East, 163.49 feet to a pipe, thence North 80 degrees 38 minutes 17 seconds East, 75.10 feet to a pipe, thence North 82 degrees 08 minutes 42 seconds East, 189.94 feet to a pipe, thence North 08 degrees 49 minutes 33 seconds West, 382.06 feet to rebar set, thence North 08 degrees 49 minutes 33 seconds West, 77.43 feet to a Mag Nail in the center of Lawyers Road (SR 1004), thence with the centerline of Lawyers Road the following fifteen (15) courses and distances: (1) South 48 degrees 43 minutes 29 seconds East, 123.01 to a point, (2) South 49 degrees 17 minutes 06 seconds East, 86.58 to a point, (3) South 49 degrees 50 minutes 58 seconds East, 186.66 to a point, (4) South 50 degrees 21 minutes 29 seconds East, 114.59 to a point, (5) South 49 degrees 57 minutes 26 seconds East, 121.14 to a point, (6) South 49 degrees 25 minutes 31 seconds East, 127.20 to a point, (7) South 47 degrees 03 minutes 49 seconds East, 68.59 to a point, (8) South 44 degrees 25 minutes 37 seconds East, 63.94 to a point, (9) South 42 degrees 47 minutes 53 seconds East, 59.08 to a point, (10) South 40 degrees 53 minutes 44 seconds East, 50.49 to a point, (11) South 38 degrees 10 minutes 26 seconds East, 99.99 to a point, (12) South 37 degrees 00 minutes 26 seconds East, 60.00 to a point, (13) South 36 degrees 00 minutes 26 seconds East, 393.71 to a point, (14) a curve with a radius of 1,040.00 feet, an arc length of 398.70 feet, and a chord South 46 degrees 59 minutes 24 seconds East with a distance of 396.26 feet, (15) South 57 degrees 58 minutes 21 seconds East, 194.96 to a point, thence South 10 degrees 26 minutes 13 seconds East, 11.95 feet to the place of the BEGINNING, containing 49.12 acres, more or less.

Section 2. Immediately, the above described territory and its citizens and property shall be subject to all debts, laws, and ordinances and regulations in force in the Town of Stallings and shall be entitled to the same privileges and

benefits as other parts of the Town of Stallings. Said territory shall be subject to municipal taxes according to N.C.G.S. 160A-58.10.

Section 3. The Mayor of the Town of Stallings shall cause to be recorded in the office of the Register of Deeds Union County, and in the office of the Secretary of State at Raleigh, North Carolina, as accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Union County Board of Elections, as required by N.C.G.S 163-288.1.

Adopted this the 24th day of October, 2022.

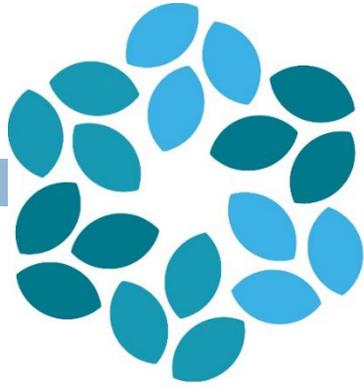
Wyatt Dunn, Mayor

Attest:

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC



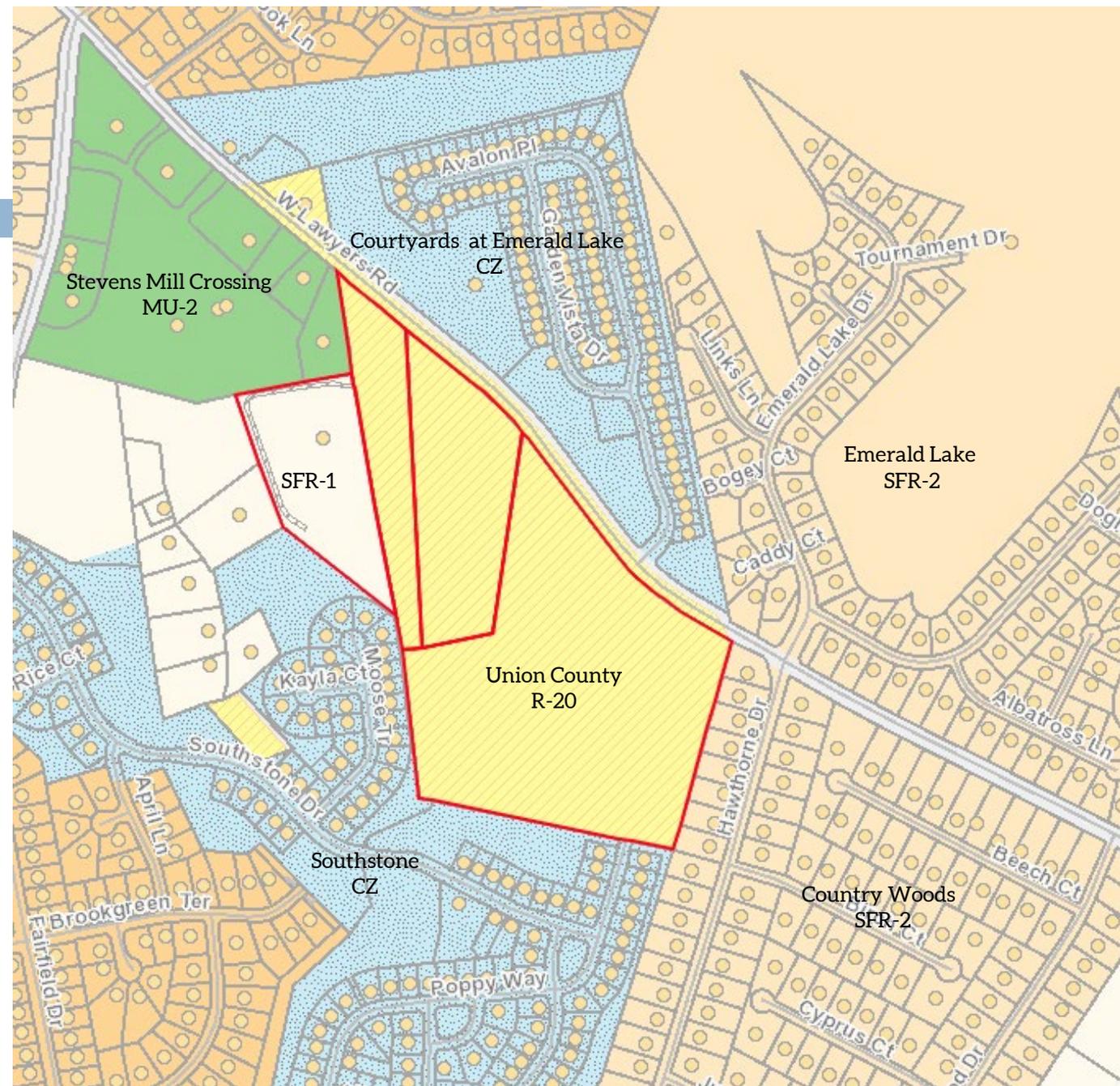
**PLANNING
& ZONING**
TOWN of STALLINGS

RZ22.05.01

General Rezoning to
Multi-Family Transitional (MFT)

General Rezoning

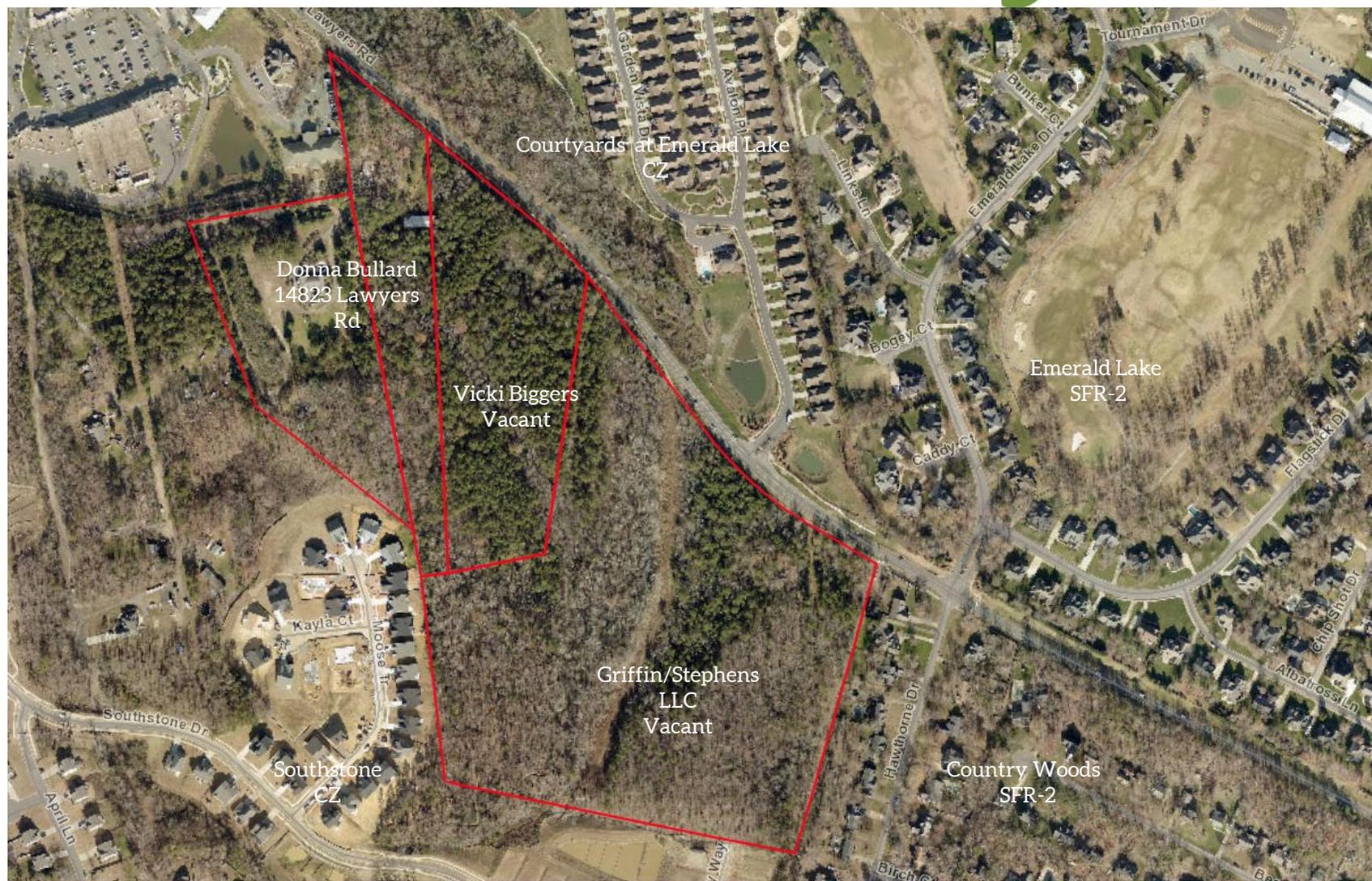
- Epcon Communities proposes to rezone 49.12 acres, parcels, 07033004, 07033005, and 07033003 from Union County Zoning Residential R-20 to Stallings Zoning Multi-Family Transitional (MFT) and rezone 07033008B-01 from Single-Family Residential 1 (SFR-1) to MFT.
- Permitted uses changes should be considered. Site plans should not be considered.





Current Conditions

- Parcels 07033005 and 07033008B-01 contain a residential home and a telecommunications tower; parcels 07033004 and 07033003 are vacant.



Street View



Lot Dimension Comparison

Dimensional Requirement	Single-Family Residential - 1 (SFR-1)	Multi-Family Transitional (MFT)
Lot Size	20,000 Square Foot Minimum	5,000 Square Foot Minimum
Lot Width	100 Foot Minimum	42 Foot Minimum
Density Limits	<ul style="list-style-type: none"> • Single-Family Detached: 1.6 units/acre • Single-Family Attached: Not Permitted 	<ul style="list-style-type: none"> • Single Family Detached: 7 units/acre • Single-Family Attached: Not Permitted without Conditional Rezoning
Setbacks	<ul style="list-style-type: none"> • Front - 40 feet • Rear - 40 feet • Side - 12 feet • Corner Side - 22 feet 	<ul style="list-style-type: none"> • Front - 12 feet • Rear - 4 feet • Side - 4 feet • Corner Side - 8 feet
Buffers	Type A - Average 40' Buffer with 90 % opacity	Type A - Average 40' Buffer with 90 % opacity
Open Space	25% Required, 12.5% improved	15% Required, 7.5% improved

Land Use & Adopted Policies



Land Use Plan:

- The Land Use Plan shows the properties as a **Walkable Activity Center (WAC)** and **Single-Family Neighborhood (SFN)**.

Primary Land Uses:

- **SFN**
 - Single-Family Detached Home
- **WAC**
 - Sit Down Restaurant, Retail, Professional Office, Live/work/shop units, Townhome, Apartment

Secondary Land Uses:

- **SFN**
 - Community Park, Community Center, Recreational Facility
- **WAC**
 - Farmers Market, Church

Small Area Plan:

- None for this area

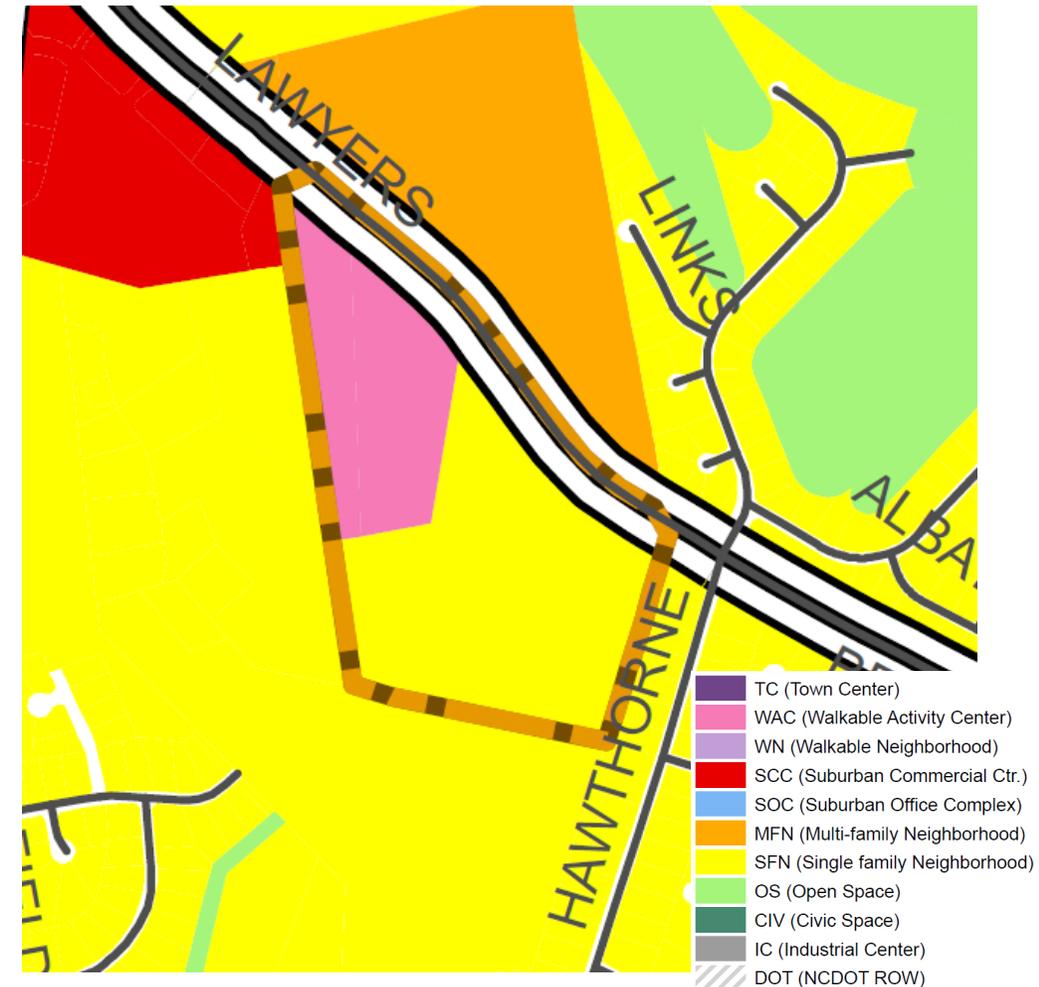
TIA/Stormwater

- Not evaluated until formal site plan submittal. No site plans have been officially submitted; this is a general rezoning.

Consistency:

- MFT is consistent with the Future Land Use

Future Land Use Map:



Greenway Master Plan

- Article 21.3
 - All proposed developments within the Town shall provide the improvements identified in the Stallings Parks, Recreation and Greenway Master Plan when those improvements are located on property involved with the proposed development.

N3 LAWYERS ROAD CONNECTOR

TRAIL TYPE(S): Typical Greenway

APPROXIMATE DISTANCE: 2,029 ft.

ESTIMATE OF PROBABLE COST: \$355,075 - \$577,975

Trail N3 extends from N2 to Lawyers Road. This multi-use path connects Trail N2 directly to Lawyers road through two undeveloped properties. Trail implementation should occur as a UDO development requirement.



Meetings



Community Meeting:
9/7/22

- Notices were sent out 500' of rezoning



Planning Board:
9/20/22

- All information posted on our website



Town Council Hearing: 10/24/22

- Notices were sent out 500' of rezoning
- Newspaper ad notices sent

Staff Recommendations



- Staff recommends approval of RZ22.05.01.
 - ▣ Multi-Family Transitional (MFT) zoning for this area is consistent with the Single-Family Neighborhood (SFN) Future Land Use category in the Comprehensive Land Use Plan. Walkable Activity Center (WAC) does not identify this area for single-family use, but it does identify the area for higher density, and MFT is higher-density zoning and is mostly consistent.

Vote and Statement of Consistency & Reasonableness



- ❖ **Step 1.**
 - Motion for Approval/Denial for RZ22.05.01.

- ❖ **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. Reasoning.**
 - Staff suggested reasoning:
 - MFT zoning for this area is consistent with the Single-Family Neighborhood (SFN) Future Land Use category in the Comprehensive Land Use Plan. Walkable Activity Center (WAC) does not identify this area for single-family use. Still, it does identify the area for higher-density uses like townhomes/apartments, and MFT is higher-density single-family zoning and more **beneficial/not beneficial** for the community and the current goals of the Town.



MEMO

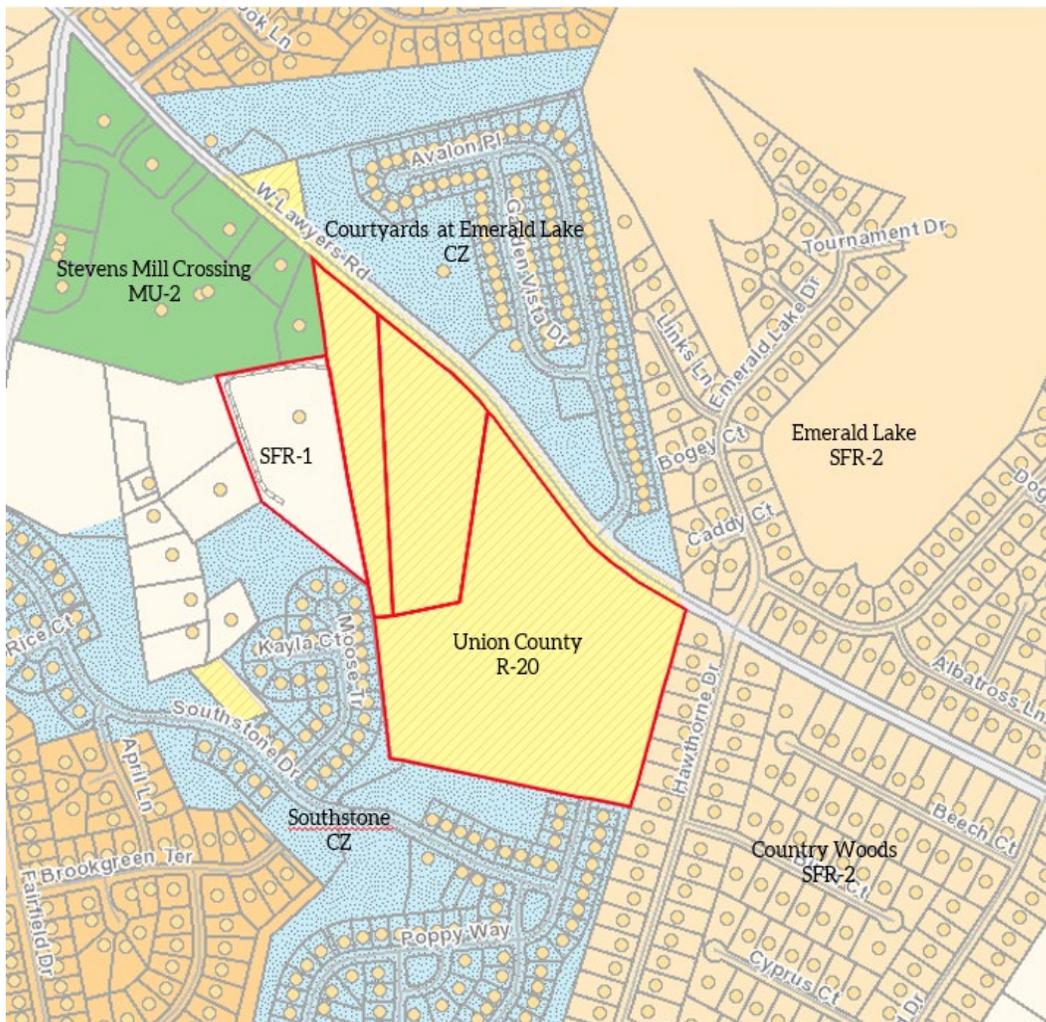
To: Town Council
From: Max Hsiang, Planning Director
Date: 10/24/22
Re: RZ22.05.01 - Epcon General Rezoning

❖ **Request:**

Epcon Communities proposes a General Rezoning for 49.12 acres, parcels 07033004, 07033005, and 07033003 from Union County Zoning Residential R-20 to Stallings Zoning Multi-Family Transitional (MFT) and rezone 07033008B-01 from Single-Family Residential 1 (SFR-1) to MFT.

Union County Residential R-20 zoning is comparable to the Stallings Single-Family SFR-1 zoning.

Parcels 07033004, 07033005, and 07033003 are scheduled to go before the Town Council for Annexation on October 24, 2022, before this general rezoning. If Council chooses not to approve the annexation, we can only rezone parcel 07033008B-01 if Council so desires. Parcels 07033005 and 07033008B-01 contain a residential home and a telecommunications tower; parcels 07033004 and 07033003 are vacant.



❖ **Lot Dimensions/Requirements Comparison:**

Dimensional Requirements	SFR-1	MFT
Lot Size	20,000 SF Minimum	5,000 SF Minimum
Lot Width	100' Minimum	42' Minimum
Density	1.6 units/acre - Detached Only	16 units/acre - Detached
Setbacks	Front -40' Rear - 40' Side - 12' Corner Side - 22'	Front - 12' Rear - 4' Side - 4' Corner side - 4'
Buffers	Type A - Average 40' Buffer with 90 % opacity	Type A - Average 40' Buffer with 90 % opacity
Open Space	25%, 12.5% Improved	15%, 7.5 % Improved

❖ **Future Land Use Plan:**

The Land Use Plan shows the properties as a **Walkable Activity Center (WAC)** and **Single-Family Neighborhood (SFN)**.

Primary Land Uses:

- **SFN**
 - Single-Family Detached Home
- **WAC**
 - Sit Down Restaurant
 - Community-serving Retail
 - Professional Office
 - Live/work/shop units
 - Townhome
 - Condominium
 - Apartment
 - Public Plaza

Secondary Land Uses:

- **SFN**
 - Community Park
 - Community Center
 - Recreational Facility
 - Natural Areas
- **WAC**
 - Farmers Market
 - Church



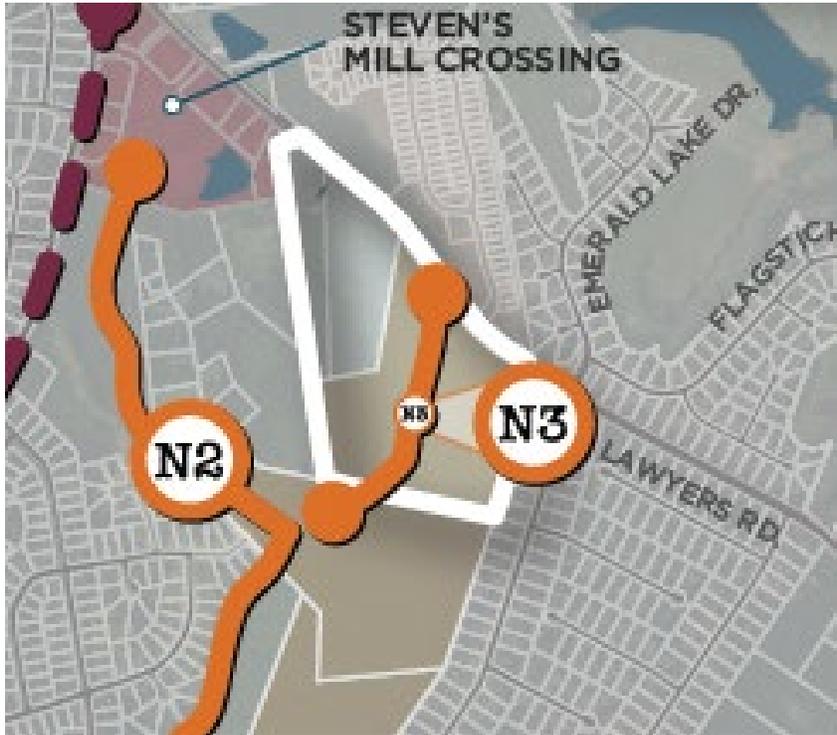
❖ **Small Area Plan:**

None available.

❖ **Greenway Master Plan:**

The Greenway Master Plan shows this area's typical greenway (12'-14' multi-use asphalt path).

Article 21.3: All proposed developments within the Town shall provide the improvements identified in the Stallings Parks, Recreation, and Greenway Master Plan when those improvements are located on the property involved with the proposed development.



❖ **Staff Recommendation/Consistency:**

Staff recommends approval of RZ22.05.01.

Multi-Family Transitional (MFT) zoning for this area is consistent with the Single-Family Neighborhood (SFN) Future Land Use category in the Comprehensive Land Use Plan. Walkable Activity Center (WAC) does not identify this area for single-family use. Still, it identifies the location for higher density, and MFT is primarily consistent with higher-density zoning.



Town of
Stallings

315 Stallings Road ▪ Stallings, North Carolina 28104

Zoning Map Amendment/Rezoning Application

Application # (Staff): _____

Date Filed: _____

Hearing Date: _____

Planning Board Date: _____

Town Council/Final Decision Date:

Zoning Map Amendment - Conventional	
Less than 2 acres	\$150.00
2-10 acres	\$300.00
Greater than 10 acres	\$900.00
Zoning Map Amendment – Conditional Zoning	
Less than 2 acres	\$300.00
2-10 acres	\$600.00
Greater than 10 acres	\$1200.00
Conditional Use Permit Request	\$300.00
Zoning Text Amendment - UDO	\$500.00

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:

Current Zoning (Circle One)	<i>SFR - 1</i> <i>SFR - 2</i> <i>SFR - 3</i> <i>MU - 1</i> <i>MU - 2</i> <i>MFT</i> <i>AG</i> <i>TC</i> <i>CIV</i> <i>C - 74</i> <i>CP - 485</i> <i>VSR</i> <i>IND</i> <i>R-20</i>
Proposed Zoning (Circle One)	<i>SFR - 1</i> <i>SFR - 2</i> <i>SFR - 3</i> <i>MU - 1</i> <i>MU - 2</i> <i>MFT</i> <i>AG</i> <i>TC</i> <i>CIV</i> <i>C - 74</i> <i>CP - 485</i> <i>VSR</i> <i>IND</i>
Conditional District Zoning?	<i>Yes</i> <i>No</i>

Physical Property Address:	Lawyers Road, Matthews NC 28104
Description of Rezoning:	<p>Epcor Communities proposes to rezone 53 acers on Lawyers Road for a Luxury Active Adult Community consisting of single family detached courtyard homes and townhomes.</p>

Tax Parcel Number(s) (PID Number): 07033008801 07033004 07033005 07033003		Total Acreage: 53.59	
Property Owner(s): Jean Stephens Wren 3331 Cotillion Ave Charlotte NC 28210		Donna Bullard 14823 Lawyers Rd Mathews NC 28104	
Owner's Address:			
Anne Stephens Morrison Simpson 491 Grouse Moor Dr. Sugar Mountain NC 28604		Bill Biggers and Vicki Biggers 79 Woodfin Pl Suite 211 Asheville NC 28801	Robert Lane Griffin Jr. 1522 East Fourth St. Charlotte NC 28204
City:		State:	Zip:
Contact Phone Number :		Property Owner Email Address:	
Applicant Name if different than owner: Epcon Communities		Applicant's Address: 11020 David Taylor Drive Suite 105 Charlotte NC 28262	
Applicant Email Address : jshamp@epconcommunities.com		Applicant's Phone Number: 704-574-2226	

MAP REQUIREMENTS

This application shall be accompanied by two (2) maps drawn to scale. Such maps shall be produced at 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 10.10 of the Stallings Unified 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.

- 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 hearing.



Statement of Consistency and Reasonableness

ZONING AMENDMENT: RZ22.05.01

REQUEST: Epcon Communities requests to rezone 49.12 acres, parcels 07033004, 07033005, and 07033003 from Union County Zoning Residential R-20 to Stallings Zoning Multi-Family Transitional (MFT) and rezone 07033008B-01 from Single-Family Residential 1 (SFR-1) to MFT.

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 Town Council hereby votes 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 set forth in the document of promoting quality development and consistency with all state-mandated land use regulations established through NCGS § 160D. The Town Council **APPROVES** the proposed amendment and stated that the Town Council finds and determines that the zoning amendment is consistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

1. MFT zoning for this area is consistent with the Single-Family Neighborhood (SFN) Future Land Use category in the Comprehensive Land Use Plan. Walkable Activity Center (WAC) does not identify this area for single-family use. Still, it does identify the area for higher-density uses like townhomes/apartments, and MFT is higher-density single-family zoning and more beneficial for the community and the current goals of the Town.

Adopted this the ___ day of _____, 2022.

Mayor

Attest:

Town Clerk



MEMO

To: Town Council
From: Max Hsiang, Planning Director
Date: 10/24/22
Re: TX22.08.01

Request:

Epcon Communities has submitted a text amendment to amend the Stallings Development Ordinance to replace Article 9, Section 9.2-2(A)(7) to read:

“(7.) The maximum building coverage for the primary structure shall be thirty (30%) percent of the lot area; however, notwithstanding the foregoing, the maximum building coverage for the primary structure shall be fifty (50%) percent of the lot area in subdivisions where occupancy is age-restricted in part to persons over the age of fifty-five (55) years.”

Statement from the Developer:

- 1) In order to maintain sound, stable and desirable development within the planning jurisdiction of the Town of Stallings, it is intended that this ordinance be amended to:
 - (a.) To correct manifest error in the ordinance;
 - (b.) Because of changed or changing conditions in a particular neighborhood or community as a whole; and/or
 - (c.) To promote and forward the purposes of the adopted Stallings Land Use Plan
- 2) It is the further intent of this ordinance that if amended it will promote the general health, safety, and welfare of the citizens of Stallings.

Engineering Review:

Town engineering is in approval of the text amendment, with more impervious surface allowed, it requires more robust stormwater control measures:

The stormwater management system design for all developments must account for all impervious area that is proposed in accordance with Article 19 of the Town of Stallings Development Ordinance. The design and capacity of all Stormwater Control Measures are based on the size of the contributing watershed and the amount of impervious area. If a development wishes to increase their impervious area, from the site design perspective in accordance with Article 19, that can be allowed and will be accommodated by a corresponding increase in the capacity of the Stormwater Control Measures.

Staff Recommendation:

Staff recommends approval of the TX22.08.01 with the following changes for Article 9, Section 9.2-2(A)(7) to read:

“(7.) The maximum building coverage for the primary structure shall be thirty (30%) percent of the lot area; however, notwithstanding the foregoing, the maximum building coverage for the

primary structure shall be fifty (50%) percent of the lot area in subdivisions where occupancy is ~~age-restricted~~~~-targeted~~ in part to persons over the age of fifty-five (55) years.”



TEXT AMENDMENT APPLICATION

315 Stallings Road
Stallings, NC 28104
704-821-8557
Fax 704-821-6841

Date Filed: _____ Fee Paid: _____

Fee: \$500

Applicant Information

Applicant Name: **Epcon Communities**

Address: **11020 David Taylor Drive, Ste 105, Charlotte, NC 28262**

Phone: **704-574-2226** Email: **jshamp@epconcommunities.com**

Proposed Text Amendment - Include Article and Section Numbers

Stallings Development Ordinance, Article 9, Section 9.2-2(A)(7)

To delete the above referenced sub-section and replace it with the following:

"(7.) The maximum building coverage for the primary structure shall be thirty (30%) percent of the lot area; however, notwithstanding the foregoing, the maximum building coverage for the primary structure shall be fifty (50%) percent of the lot area in subdivisions where occupancy is age-restricted in part to persons over the age of fifty-five (55) years."

Please include a statement addressing the following:

- 1) In order to maintain sound, stable and desirable development within the planning jurisdiction of the Town of Stallings, it is intended that this ordinance be amended to:
 - (a.) To correct manifest error in the ordinance;
 - (b.) Because of changed or changing conditions in a particular neighborhood or community as a whole; and/or
 - (c.) To promote and forward the purposes of the adopted Stallings Land Use Plan.
- 2) It is the further intent of this ordinance that if amended it will promote the general health, safety, and welfare of the citizens of Stallings.

Completed applications must be filed with the Planning Office no later than the first business day of the month in order to be placed on the Planning Board and Town Council agendas. For additional information or assistance, call the Town of Stallings Planning Office at (704) 821-8557.

Applicant Signature: 

Date: 8/26/2022

Statement regarding proposed Text Amendment:

The Applicant is proposing the attached Text Amendment to promote and forward the purposes of the adopted Town of Stallings Land Use Plan by increasing the maximum building coverage for the primary structure to be fifty percent (50%) of the lot area in subdivision where in age-restricted subdivisions as older citizens of the Town prefer to live in residences with increased amnestied interiors with smaller exterior yards to reduce the burden of exterior lawn maintenance. The Land Use Plan should provide for the general health, safety and well-being of advanced aged citizens of the Town of Stallings which the applicant feels is achieved in part by the proposed text amendment relating to those age-restricted subdivisions.



Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX22.008.01

REQUEST: Amend the Stallings Development Ordinance to replace Article 9, Section 9.2-2(A)(7) to read "(7.) The maximum building coverage for the primary structure shall be thirty (30%) percent of the lot area; however, notwithstanding the foregoing, the maximum building coverage for the primary structure shall be fifty (50%) percent of the lot area in subdivisions where occupancy is age-restricted in part to persons over the age of fifty-five (55) years."

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.

THEREFORE, The Town Council hereby recommends that the proposed text amendment is consistent 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 Town Council recommends to **APPROVE** the proposed amendment and stated that the Town Council 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 consistent with the Comprehensive Land Use Plan and reasonable.

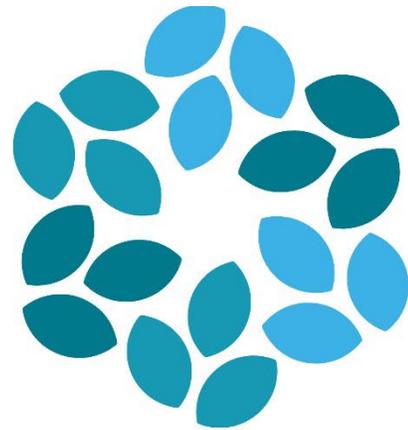
Recommended this the ___ day of _____, 2022.

Mayor

Attest:

Clerk

CZ22.08.01 – East Coast Granite Conditional Rezoning



**PLANNING
& ZONING**
TOWN of STALLINGS

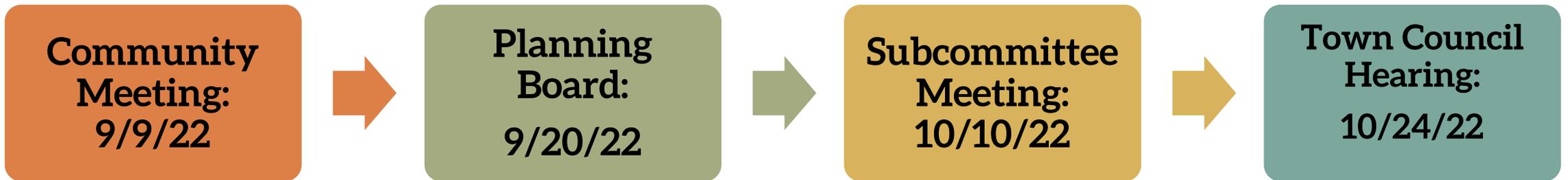
Request CZ22.08.01



- Zoning Request
 - East Coast Granite of Charlotte is requesting a Conditional Zoning - US Highway 74 Commercial (CZ-C-74) for properties located at 13606 East Independence Blvd, parcels #07105006A and a portion of #07105006E, to expand the current granite manufacturing operations.



Meetings



History



- This site has received two Conditional Zoning approvals involving granite sales and production.
- CZ17.08.01 – Approved November 27, 2017
 - To allow granite countertop manufacturing production and showroom.
- CZ18.05.01 – Approved July 9, 2018
 - Amendment to CZ17.08.01 to allow a 50'x 125' outdoor showroom.

Current Conditions

Aerial:



Municipal:



Street View



Southwest Facing Independence



Street View



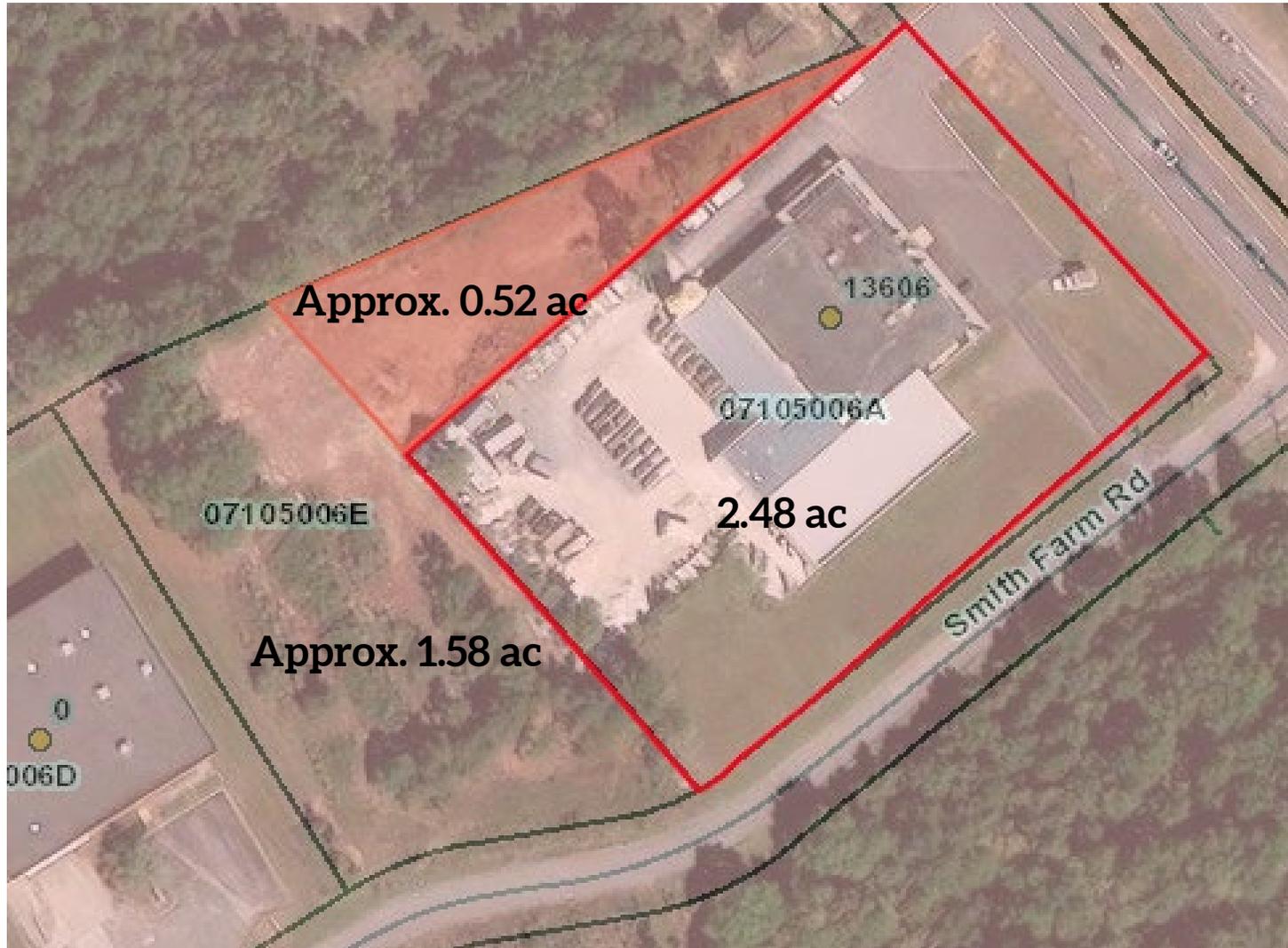
Northeast Facing Smith Farm



Project Area



Project Area



Project Summary



Location:

- 13606 E. Independence Blvd & Smith Farm Rd

Ownership:

- Kay Family Investments LLC

Current Zoning:

- CZ and C-74

Existing Use:

- Granite Sales and Vacant

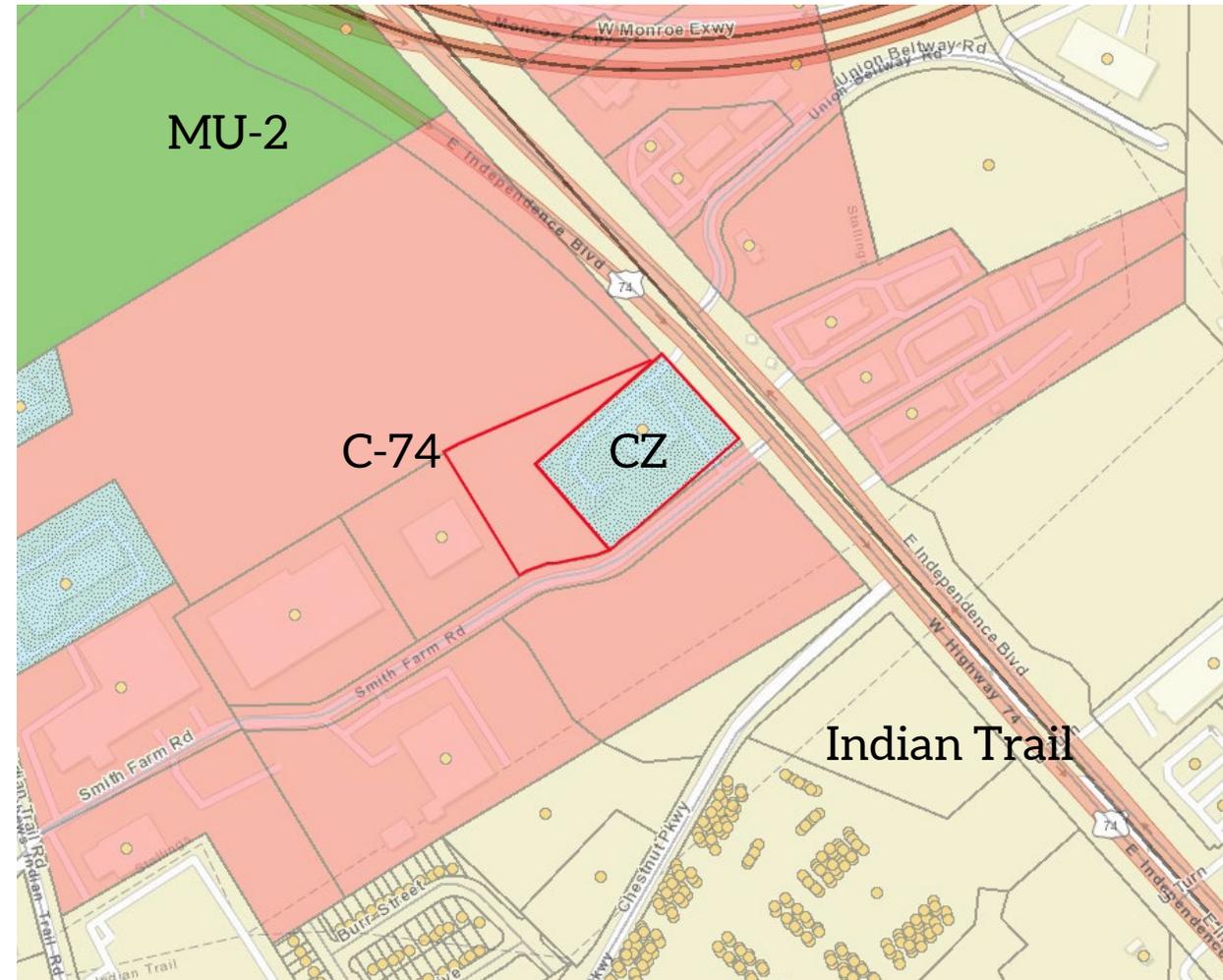
Site/Project Size:

- 3 acres+-

Traffic Generation:

- N/A

Current Zoning:



PROJECT DATA	
OWNER:	KAY FAMILY INVESTMENTS, LLC
OWNER ADDRESS:	1725 JOHN B WHITE SR BLVD #B, SPARTANBURG, SC 29001
APPLICANT:	EAST COAST GRANITE OF CHARLOTTE
APPLICANT ADDRESS:	13606 E. INDEPENDENCE BLVD., INDIAN TRAIL, NC 28079
APPLICANT PHONE:	704-968-4350
APPLICANT EMAIL:	PPTCONTRACTING@GMAIL.COM
CIVIL ENGINEER:	JONATHAN S. ROSENAU, P.E., ROSENAU ENGINEERING, PLLC
CIVIL ENGINEER ADDRESS:	4106 ST. JOSEPH DRIVE, INDIAN TRAIL, NC 28079
CIVIL ENGINEER PHONE:	704-968-5483
CIVIL ENGINEER EMAIL:	JOROSENAU@ROSENAUENGINEERING.COM
SITE ADDRESS:	13606 E. INDEPENDENCE BOULEVARD, STALLINGS, NC
PARCEL ID:	07105006A
TOTAL SITE AREA:	2.48 ACRES (CURRENT), 3.02 ACRES (PROPOSED)
OPEN SPACE REQUIRED:	13,155 SQUARE FEET (10% OF 3.02 ACRES)
OPEN SPACE PROVIDED:	30,000 SQUARE FEET (8,845 SF SURPLUS)
TREE CONSERVATION AREA REQUIRED:	1,873 SQUARE FEET (1.5% OF 3.02 ACRES)
TREE CONSERVATION AREA TO BE PROVIDED:	NONE
HERITAGE TREES:	NONE
CURRENT ZONING:	CONDITIONAL ZONING DISTRICT (CZ)
PROPOSED ZONING:	CONDITIONAL ZONING DISTRICT (CZ)
ZONING CASE NO.:	CZ2308.01
EXISTING USE:	GRANITE MANUFACTURING (500 TABLE & 1, INDUSTRIAL NO. 39), CABINETRY PRODUCTION/PAINTING
PROPOSED USE:	GRANITE MANUFACTURING (500 TABLE & 1, INDUSTRIAL NO. 39), CABINETRY PRODUCTION/PAINTING
US 74 BUILDING SETBACK:	37 FEET
FRONT BUILDING SETBACK:	12 FEET (SMITH FARM ROAD)
SIDE BUILDING SETBACK:	0 FEET (WEST PROPERTY LINE)
REAR BUILDING SETBACK:	12 FEET (NORTH PROPERTY LINE)

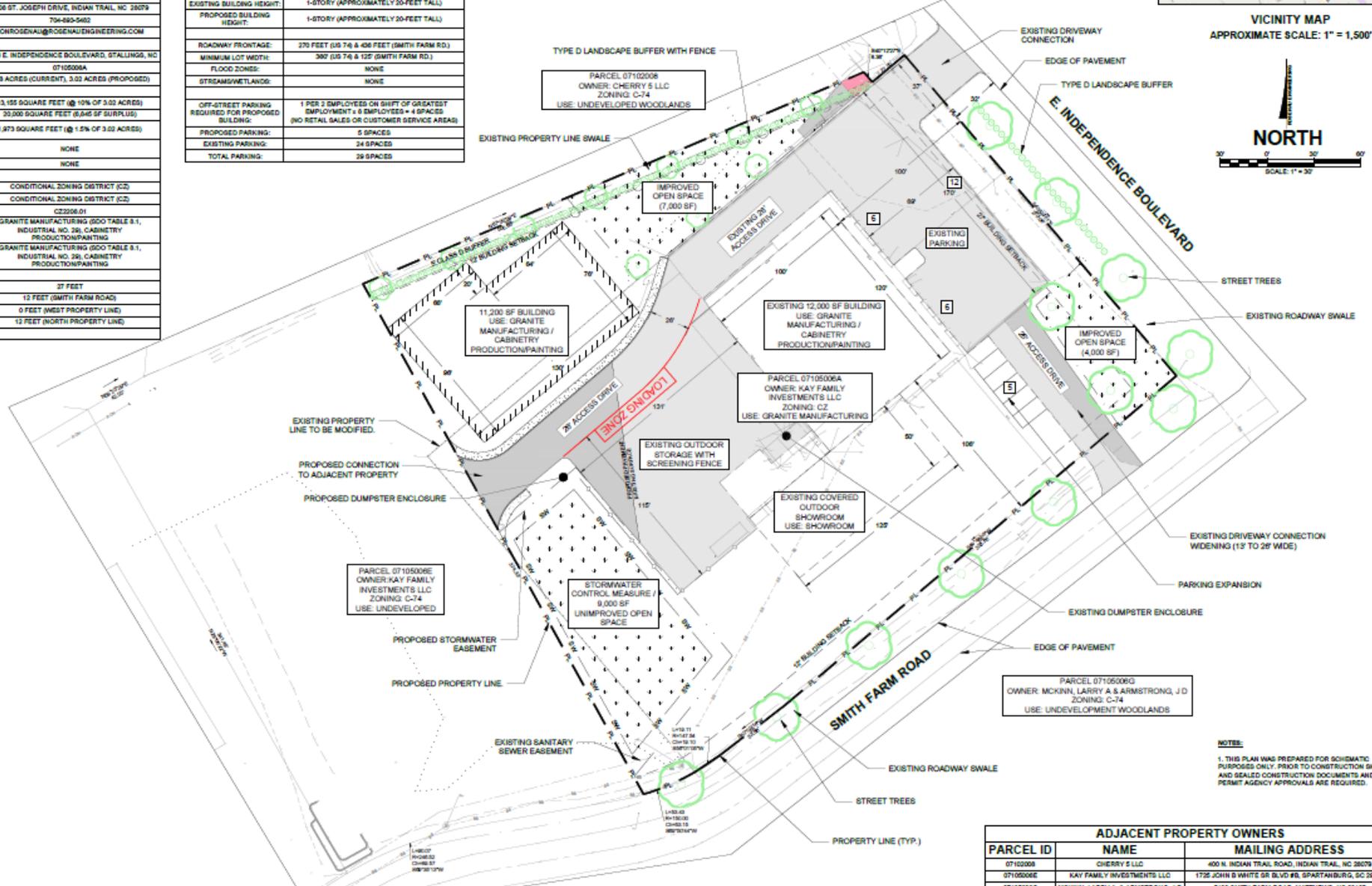
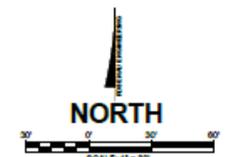
PROJECT DATA	
SIDE LANDSCAPE BUFFERS:	NONE
REAR LANDSCAPE BUFFERS:	5-FOOT WIDE, TYPE D WITH FENCE UNDERSTORY TREES: 2100LF x 347 LF = 7 TREES SHRUBS: 120100LF x 347 LF = 26 SHRUBS
SMITH FARM ROAD STREET TREES:	LARGE MATURING TREES: 180LF x 436 LF = 8 TREES
SMITH FARM ROAD BUFFER:	NONE
US 74 STREET TREES:	LARGE MATURING TREES: 180LF x 230 LF = 3 TREES
US 74 PARKING BUFFER:	TYPE D SHRUBS: 15LF x 130 LF = 26 SHRUBS
BUILDING TYPE:	HIGHWAY LOT
EXISTING BUILDING HEIGHT:	1-STORY (APPROXIMATELY 20-FEET TALL)
PROPOSED BUILDING HEIGHT:	1-STORY (APPROXIMATELY 20-FEET TALL)
ROADWAY FRONTAGE:	270 FEET (US 74) & 406 FEET (SMITH FARM RD.)
MINIMUM LOT WIDTH:	300 (US 74) & 125 (SMITH FARM RD.)
FLOOD ZONES:	NONE
STREAMS/WETLANDS:	NONE
OFF-STREET PARKING REQUIRED FOR PROPOSED BUILDING:	1 PER 3 EMPLOYEES ON SHIFT OF GREATEST EMPLOYMENT + 8 EMPLOYEES + 4 SPACES (NO RETAIL SALES OR CUSTOMER SERVICE AREAS)
PROPOSED PARKING:	5 SPACES
EXISTING PARKING:	24 SPACES
TOTAL PARKING:	29 SPACES

PROPERTY DESCRIPTION: PARCEL 07105006A ACCORDING TO DEED BOOK 7282 PAGE 327A
 BEGINNING AT AN IRON PILE, AN OLD CORNER, LOCATED IN THE WESTERN RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 74 AND REAR THENCE WITH AND RIGHT OF WAY LINE 8.38 TO S 27.0 DEGREE TO AN IRON PILE, THENCE THRU AN IRON LINE AND FOLLOWING 14.8 TO S 85.00 WEST PART TO AN IRON PILE, 24.15 TO S 70.00 WEST TO AN IRON PILE, 24.15 TO S 85.00 WEST PART TO THE POINT OF BEGINNING AND CONTAINING 2.48 ACRES, MORE OR LESS, AS SHOWN BY THE SURVEY, MORE OR LESS, HEREBY CERTIFIED.

THE ABOVE DESCRIBED PROPERTY IS CONVEYED SUBJECT TO THE EASEMENT OF A 25 FOOT RIGHT OF WAY FOR A ROAD MORE PARTICULARLY DESCRIBED IN THAT DEED FROM HOLTON CENTRAL OIL COMPANY, INC. TO JOE WALKER, BEING DATED THE 17TH DAY OF NOVEMBER, 1962, AND RECORDED THE 18TH DAY OF NOVEMBER, 1962, IN BOOK 728 ON PAGE 327A IN THE PUBLIC COUNTY RECORDS. SAID EASEMENT SHALL BE SUBJECT TO THE EASEMENT OF A 25 FOOT RIGHT OF WAY FOR A ROAD MORE PARTICULARLY DESCRIBED IN THAT DEED FROM HOLTON CENTRAL OIL COMPANY, INC. TO JOE WALKER, BEING DATED THE 17TH DAY OF NOVEMBER, 1962, AND RECORDED THE 18TH DAY OF NOVEMBER, 1962, IN BOOK 728 ON PAGE 327A IN THE PUBLIC COUNTY RECORDS. SAID EASEMENT SHALL BE SUBJECT TO THE EASEMENT OF A 25 FOOT RIGHT OF WAY FOR A ROAD MORE PARTICULARLY DESCRIBED IN THAT DEED FROM HOLTON CENTRAL OIL COMPANY, INC. TO JOE WALKER, BEING DATED THE 17TH DAY OF NOVEMBER, 1962, AND RECORDED THE 18TH DAY OF NOVEMBER, 1962, IN BOOK 728 ON PAGE 327A IN THE PUBLIC COUNTY RECORDS.



VICINITY MAP
 APPROXIMATE SCALE: 1" = 1,500'



Rosenau Engineering
 4106 SAINT JOSEPH DR
 INDIAN TRAIL, NC 28079
 704-968-5483
 WWW.ROSENAUENGINEERING.COM
 13606 CRT. NO. 1-1789

PRELIMINARY
 DRAWING
 NOT FOR
 CONSTRUCTION

Call or Click 811
 Before You Dig

EAST COAST GRANITE OF CHARLOTTE
 13606 EAST INDEPENDENCE BOULEVARD
 STALLINGS, UNION COUNTY, NORTH CAROLINA

CLIENT: PPT INTERNATIONAL LLC
 2515 WY 48E, NC 28079
 704-968-4350

DATE: 08/20/2024
 TIME: 10:00 AM
 PROJECT: 2308.01

SCALE: 1" = 30'

SSP-1

ADJACENT PROPERTY OWNERS		
PARCEL ID	NAME	MAILING ADDRESS
07102008	CHERRY S LLC	400 N. INDIAN TRAIL ROAD, INDIAN TRAIL, NC 28079
07105006E	KAY FAMILY INVESTMENTS LLC	1725 JOHN B WHITE SR BLVD #B, SPARTANBURG, SC 29001
07105006G	MCKINN, LARRY A. & ARMSTRONG, J D	2100 SMITH FARM ROAD, MATTHEWS, NC 28105

NOTES:
 1. THIS PLAN WAS PREPARED FOR SCHEMATIC PURPOSES ONLY. PRIOR TO CONSTRUCTION SIGNED AND SEALED CONSTRUCTION DOCUMENTS AND PERMIT AGENCY APPROVALS ARE REQUIRED.

Land Use & Adopted Policies



Suburban Office Center

Suburban office centers provide opportunities to concentrate employment. They include both large-scale isolated buildings with numerous employees as well as areas containing multiple office uses that support and serve one another. They are typically buffered from surrounding development by transitional uses or landscaped areas and are often located in close proximity to major highways or thoroughfares.



Primary Land Uses

- Multi-Tenant Professional Office
- Corporate Office
- Medical Office
- Call Center
- Research and Development



Secondary Land Uses

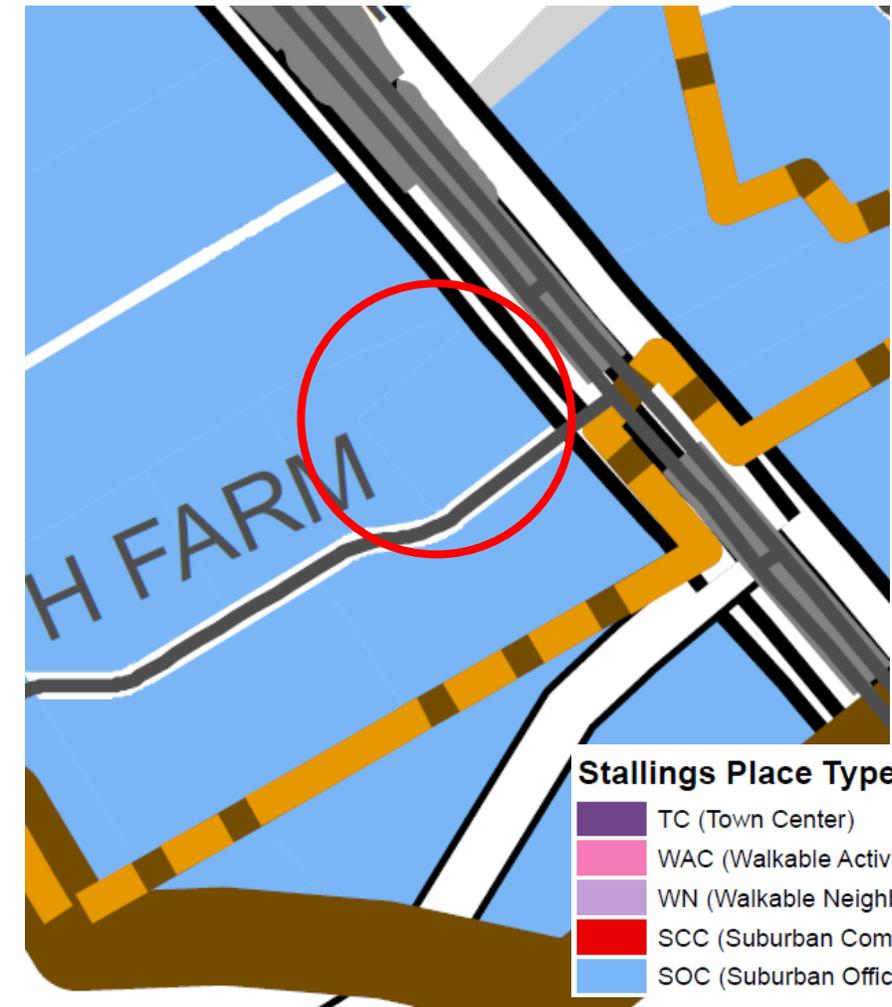
- Bank
- Copy and Printing Services
- Restaurants
- Government Services
- Flex Space
- Natural Areas
- Stormwater Retention



FORM & PARAMETERS

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 Buffers
Street Pattern	Curvilinear
Street Connectivity	Low
Parking Provisions	Surface Lot
Typical Street Cross Section	Suburban

Future Land Use Map



Conditions

1. Street tree plantings and Type D buffer be installed within the right-of-way along the E. Independence Boulevard and Smith Farm Road property frontages. This will be installed in accordance with the Stallings Development Ordinance, Section 11.6-3.
2. Any dumpster located on the property will be screened using an opaque enclosure with gate and landscape material where appropriate in accordance with Stallings Development Ordinance, Section 11.6-2.
3. All outside storage areas (other than inside the outdoor showroom) will be in the rear of the existing building and will be screened using an opaque fence in accordance with Stallings Development Ordinance, Section 11.6-2.
4. All new ground and wall signage will be installed according to the Stallings Development Ordinance, Article 17.
5. The applicant or responsible party shall obtain all permits required through the Town and outside agencies in compliance with applicable regulations.
6. The applicant receives a Zoning Compliance Certificate from the Town before the use of any new buildings.
7. All materials contained in the outdoor showroom be kept in presentable conditions.
8. Any code violations present on site will be mitigated prior to the issuance of a zoning permit for the construction of any new buildings.
9. The property be kept in compliance with the code of ordinances as verified by Stallings code enforcement.
10. All listed uses for US Highway 74 Commercial (C-74) zoned properties in the Stallings Development Ordinance, Table of Uses (Table 8.1) will be authorized if in compliance with these zoning conditions and the Stallings Development Ordinance.
11. The existing granite manufacturing/cabinetry production, expansion of the existing granite manufacturing/cabinetry production building, and the construction of additional granite manufacturing/cabinetry production buildings are authorized, although not classified as a Listed Use in the Stallings Development Ordinance, Table of Uses (Table 8.1).
12. Buffers, landscaping, and tree protection will comply with the approved Site Plan.
13. The stormwater treatment and attenuation calculations will be based on the existing conditions having 72,400 square feet of built-upon area (total current built-upon area of Parcel 07105006A). The development will comply with conditions established in the Stallings Development Ordinance, Post-Construction Stormwater Management Ordinance, Article 19.
14. Granite manufacturing refers to the countertop production of marble, quartz, quartzite, slate, stone, soapstone, limestone, travertine, gemstone, and like materials. They will also be allowed to sell complimentary items to granite, such as tile and appliances.
15. **(Replace Condition 13)** The development will comply with conditions established in the Stallings Development Ordinance, Post-Construction Stormwater Management Ordinance, Article 19. The stormwater calculations should also include the BUA of the expansion building, the proposed connection to the adjacent property, any pedestrian walkways, and the driveway/parking expansion on the NW side entrance. The Town must approve stormwater calculations before any permits are approved. Regarding the stormwater control measure, there does not need to be a stormwater assessment as the control measure will have to be maintained by the owner of parcel 07105006A with a yearly inspection report sent to

Staff Recommendation

- Staff recommends approval of CZ22.08.01, with the addition of the proposed staff conditions.
 - ▣ The request is inconsistent but reasonable with the Future Land Use Plan. They are not changing their approved use.

Vote and Statement of Consistency & Reasonableness



❖ Step 1.

- Motion to recommend Approval/Denial for CZ22.08.01 (with conditions approved by both parties)

❖ 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:
 - This Conditional Rezoning is inconsistent but reasonable with the goals of the Town.



MEMO

To: Town Council
From: Max Hsiang, Planning Director
Date: 10/24/2022
Re: CZ22.08.01 - Conditional Zoning Request for East Coast Granite

❖ **Request:**

East Coast Granite of Charlotte is requesting a Conditional Zoning - US Highway 74 Commercial (CZ-C-74) for properties approximately 3 acres in size, located at 13606 East Independence Blvd, parcels #07105006A and a portion of #07105006E, to expand the current granite manufacturing operations.



❖ **History:**

This site has received two Conditional Zoning approvals involving granite sales and production.

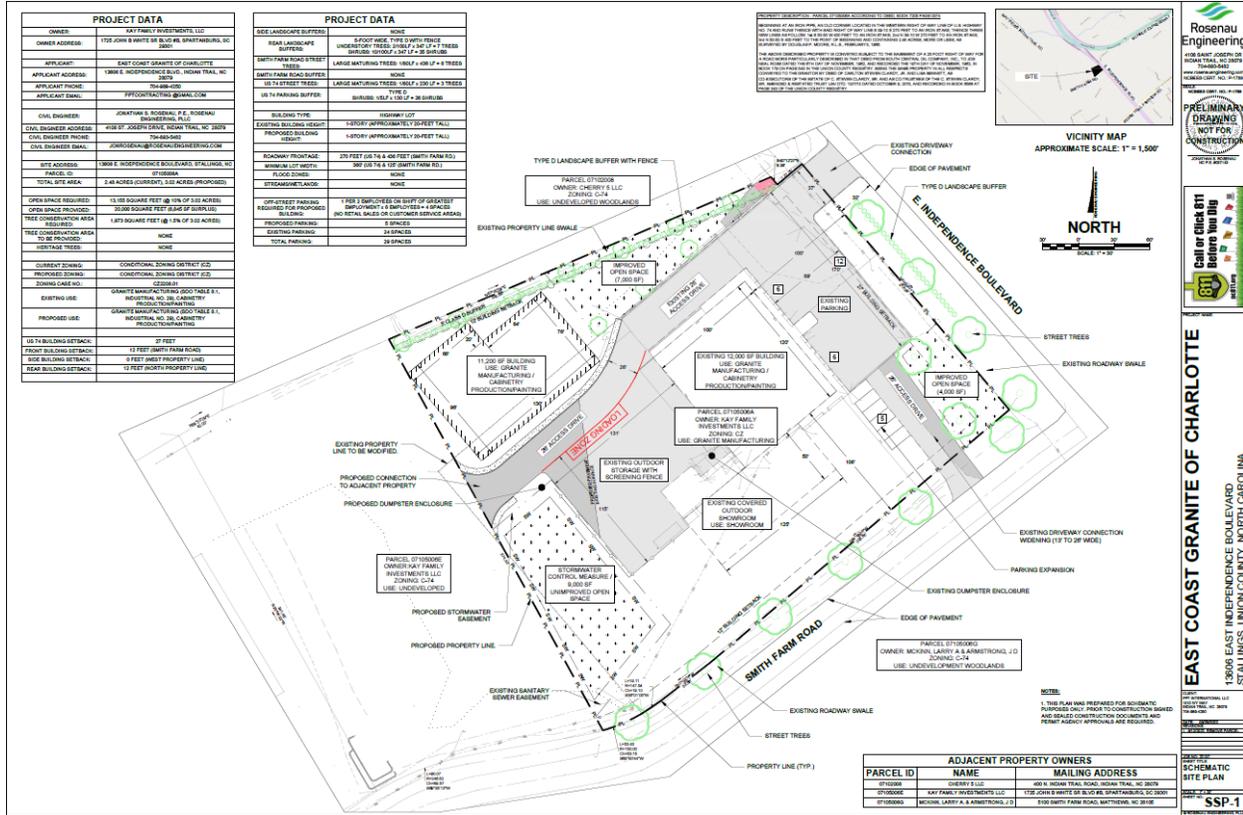
- CZ17.08.01 - Approved November 27, 2017
 - To allow granite countertop manufacturing production and showroom.

- CZ18.05.01 - Approved July 9, 2018
 - Amendment to CZ17.08.01 to allow a 50'x 125' outdoor showroom.

❖ **Site Plan:**

They are requesting conditional zoning to expand their current granite manufacturing/production, as seen in the site plan, with the addition of a new granite production building.

They are requesting alleviation from the CZ buffer requirements of a Type A 40' buffer on all sides. If they were to install the buffer, they likely would be unable to expand their facility.



❖ **Future Land Use:**

The Land Use Plan shows the property as **Suburban Office Complex (SOC)**.

- Suburban office centers provide opportunities to concentrate employment. They include both large-scale isolate buildings with numerous employees as well as areas containing multiple office uses that support and serve one another. They are typically buffered from surrounding development by transitional uses or landscaped areas and are often located in close proximity to major highways or thoroughfares.

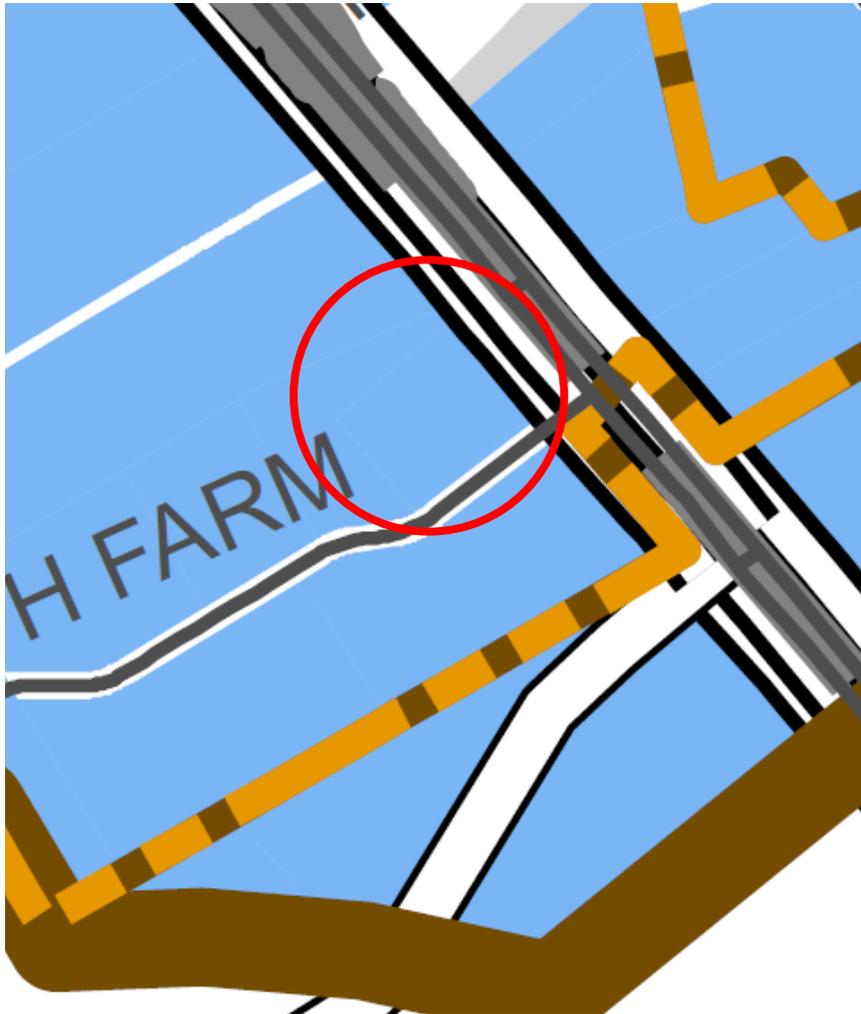
Primary Land Uses:

- 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



❖ Requested Conditions:

1. Street tree plantings and Type D buffer be installed within the right-of-way along the E. Independence Boulevard and Smith Farm Road property frontages. This will be installed in accordance with the Stallings Development Ordinance, Section 11.6-3.
2. Any dumpster located on the property will be screened using an opaque enclosure with gate and landscape material where appropriate in accordance with Stallings Development Ordinance, Section 11.6-2.

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5. The applicant or responsible party shall obtain all permits required through the Town and outside agencies in compliance with applicable regulations.
6. The applicant receives a Zoning Compliance Certificate from the Town before use of any new buildings.
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❖ **Staff Recommendation:**

Staff recommends approval of CZ22.08.01, with the addition of the proposed staff conditions. The request is inconsistent but reasonable with the Future Land Use Plan. They are not changing their approved use.

Staff recommended conditions additions:

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2. (Replace Condition 13) The development will comply with conditions established in the Stallings Development Ordinance, Post-Construction Stormwater Management Ordinance, Article 19. The stormwater calculations should also include the BUA of the expansion building, the proposed connection to the adjacent property, any pedestrian walkways, and the driveway/parking expansion on the NW side entrance. The Town must approve stormwater calculations before any permits are approved. Regarding the stormwater control measure, there does not need to be a stormwater easement as the control measure will have to be maintained by the owner of parcel 07105006A with a yearly inspection report sent to the Town from a licensed engineer.



Town of Stallings

315 Stallings Road • Stallings, North Carolina 28104

PAID
CH # 1026
\$ 800.00
8/29/22
MH

Zoning Map Amendment/Rezoning Application

Application # (Staff): CZ.22.08.01

Date Filed: 8/29/2022

Hearing Date: 9/9/22

Planning Board Date: 9/20/22

Town Council/Final Decision Date:

10/24/22

community meeting

Zoning Map Amendment - Conventional	
Less than 2 acres	\$150.00
2-10 acres	\$300.00
Greater than 10 acres	\$900.00
Zoning Map Amendment - Conditional Zoning	
Less than 2 acres	\$300.00
2-10 acres	\$600.00
Greater than 10 acres	\$1200.00
Conditional Use Permit Request	\$300.00
Zoning Text Amendment - UDO	\$500.00

\$800.00

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:

Current Zoning (Circle One)	<i>SFR-1 SFR-2 SFR-3 MU-1 MU-2 MFT AG TC</i> <i>CIV (C-74) CP-485 VSR IND</i>
Proposed Zoning (Circle One)	<i>SFR-1 SFR-2 SFR-3 MU-1 MU-2 MFT AG TC</i> <i>CIV C-74 CP-485 VSR IND (CZ)</i>
Conditional District Zoning?	<i>(Yes) No</i>

Physical Property Address:

13606 East Independence Blvd, Indian Trail, NC 28079

Description of Rezoning:

Classify both parcels as CZ and to allow granite manufacturing, cabinetry production/painting and auto repair/painting shops.

Signature:

Date: 8/29/2022

Tax Parcel Number(s) (PID Number): 07105006A and 07105006E		Total Acreage: 4.59
Property Owner(s): Kay Family Investments LLC		
Owner's Address: 1725 John B White SR Blvd #B		
City: Spartanburg	State: SC	Zip: 29301
Contact Phone Number : (864) 384-5611	Property Owner Email Address: eastcoast07@mail.ru	
Applicant Name if different than owner: East Coast Granite of Charlotte	Applicant's Address: 13606 East Independence Blvd Indian Trail, NC 28079	
Applicant Email Address : pptcontracting@gmail.com	Applicant's Phone Number: (704) 989-4250	

MAP REQUIREMENTS

This application shall be accompanied by two (2) maps drawn to scale. Such maps shall be produced at 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}~~10.10~~ of the Stallings Unified Development Ordinance (*only if the application is for a conditional district*).

MAP AMENDMENT REQUIREMENTS

<p>If a straight rezoning (not a CD) is requested, then please leave the space below blank.</p> <p>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.</p>
--

- 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 hearing.

PPT International LLC
Philipp P Yevchik

66-112/531

Date 8/29/2022

PAY to the
Order of

Town of Stallings

\$ 800.00

Eight Hundred and 00/100

Dollars

Photo
Safe
Deposit
Details on back

FOR Rezoning Application ECG



MP

September 12, 2022

Mr. Max Hsiang
Town of Stallings
315 Stallings Road
Stallings, NC 28104
mhsiang@stallingsnc.org

**RE: Conditional Zoning Amendment Request
East Coast Granite of Charlotte, 13606 East Independence Blvd., Stallings, North Carolina**

Dear Mr. Hsiang,

We would like to request the following conditional zoning amendment for the East Coast Granite of Charlotte property located at 13606 East Independence Boulevard (Parcel #07105006A).

As we have discussed, our intent is to expand the current granite manufacturing operations. We would like expand the current granite manufacturing operations as the business is growing.

The property is currently zoned Conditional Zoning District (CZ) and was previously US Highway 74 Commercial District (C-74). It is surrounded by properties zoned US Highway 74 Commercial District (C-74), most of which are currently undeveloped. We are requesting that the property line between Parcel 07105006A and 07105006E be adjusted. Both properties are owned by the Kay Family Trust. This property line adjustment will allow us to incorporate the odd triangular portion of Parcel 07105006E and utilize it for the proposed building addition. Once the conditions are approved, we will modify the property line, then submit construction documents for permit approval and finally provide final plats.

Our requested conditions are listed below. The only conditions which do not match the current ordinance are Numbers 11 and 12. Please note, the Stallings Development Ordinance references below refer to the current ordinance (Amended August 10, 2022), however future property development/redevelopment or change of use requests will need to comply with the ordinance current at the time of the approval request.

1. Street tree plantings and Type D buffer be installed within the right-of-way along the E. Independence Boulevard and Smith Farm Road property frontages. This will be installed in accordance with the Stallings Development Ordinance, Section 11.6-3.
2. Any dumpster located on the property will be screened using an opaque enclosure with gate and landscape material where appropriate in accordance with Stallings Development Ordinance, Section 11.6-2.
3. All outside storage areas (other than inside the outdoor showroom) will be in the rear of the existing building and will be screened using an opaque fence in accordance with Stallings Development Ordinance, Section 11.6-2.
4. All new ground and wall signage will be installed according to the Stallings Development Ordinance, Article 17.
5. The applicant or responsible party shall obtain all permits required through the Town and outside agencies in compliance with applicable regulations.

6. The applicant receives a Zoning Compliance Certificate from the Town before use of any new buildings.
7. All materials contained in the outdoor showroom be kept in presentable conditions.
8. Any code violations present on site will be mitigated prior to the issuance of a zoning permit for construction of any new buildings.
9. The property be kept in compliance with the code of ordinances as verified by Stallings code enforcement.
10. All listed uses for US Highway 74 Commercial (C-74) zoned properties in the Stallings Development Ordinance, Table of Uses (Table 8.1) will be authorized if in compliance with these zoning conditions and the Stallings Development Ordinance.
11. The existing granite manufacturing/cabinetry production, expansion of the existing granite manufacturing/cabinetry production building and the construction of additional granite manufacturing/cabinetry production buildings are authorized although not classified as a Listed Use in the Stallings Development Ordinance, Table of Uses (Table 8.1).
12. Buffers, landscaping, and tree protection will comply with the approved Site Plan.
13. The stormwater treatment and attenuation calculations will be based on the existing conditions having 72,400-square feet of built-upon area (total current built upon area of Parcel 07105006A). Development will comply with conditions established in the Stallings Development Ordinance, Post-Construction Stormwater Management Ordinance, Article 19.

Thank you for your consideration. Please let us know if you have any questions, comments or need anything clarified.

Sincerely,

Rosenau Engineering



Jonathan S. Rosenau, P.E.
Managing Member & Civil Engineer





Statement of Consistency and Reasonableness

ZONING AMENDMENT: CZ22.08.01

REQUEST: East Coast Granite of Charlotte is requesting a Conditional Zoning - US Highway 74 Commercial (CZ-C-74) for properties approximately 3 acres in size, located at 13606 East Independence Blvd, parcels #07105006A and a portion of #07105006E, to expand the current granite manufacturing operations.

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 Town Council hereby votes that the proposed conditional 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 Town Council **APPROVES** the proposed amendment and stated that the Town Council finds and determines that the conditional 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. This Conditional Rezoning is not changing the use of the property; it is inconsistent but reasonable with the goals of the Town.

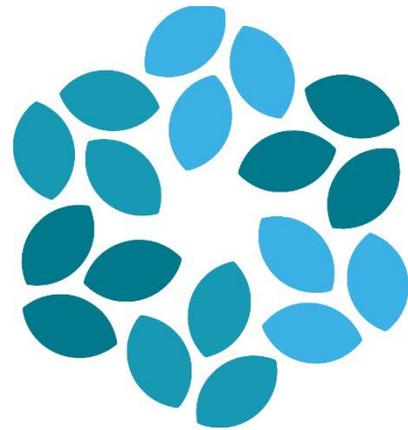
Adopted this the ___ day of _____, 2022.

Mayor

Attest:

Town Clerk

2022-2023 Fiscal Year Fee Schedule



**PLANNING
& ZONING**
TOWN of STALLINGS

Current Fee Schedule



LAND DEVELOPMENT FEES

315 Stallings Road
Stallings, NC 28104
704-821-8557
Fax 704-821-6841



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Residential Plan Review

Concept Plan Review	\$500.00
Major Subdivision Preliminary Review	
0 to 10 acres	\$2,000.00 plus \$350.00 for each acre or portion thereof
10+ acres	\$2,500.00 plus \$350.00 for each acre or portion thereof
Minor Subdivision Review	
Up to 5 lots created	\$50 for first lot plus \$100.00 for each additional lot
Final Subdivision Plat Review	
Per Map	\$275.00 plus \$50 per lot
Revisions	
Minor (5 lots or less)	\$250.00
Major (more than 5 lots)	\$500.00
Excessive	1/3 of total review cost
Storm Water Review Fees	
Surcharge per on site detention facility	\$500.00
Appeal of PCSWO	\$100.00

Commercial, Industrial or Non-Residential Plan Review

New Construction	
0 to 10 acres	\$2,000.00 plus \$350.00 for each acre or portion thereof
10+ acres	\$2,500.00 plus \$350.00 for each acre or portion thereof
Expansion	
Less than 1 acre only	\$500.00
Revisions	
Minor	\$200.00
Major	\$500.00
Excessive	1/3 of total review fee

Zoning Fees

Board of Adjustment Request	
Appeal Request	\$500.00 (legal fees that exceed \$1,500 will be charged to the applicant to cover cost to the Town)
Variance Request	
Residential	\$300.00
Non-Residential	\$350.00

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Planning Board Request

Zoning Map Amendment - Conventional	
Less than 2 acres	\$200.00
2-10 acres	\$400.00
Greater than 10 acres	\$1,000.00
Zoning Map Amendment - Conditional Zoning	
Less than 2 acres	\$400.00
2-10 acres	\$800.00
Greater than 10 acres	\$1,600.00
Special Use Permit Request	\$300.00
Zoning Text Amendment - SDO	\$500.00
Administrative Request	
Zoning Permit	
New Construction	\$75.00
Accessory Structure, Additions, Interior Upfit	\$50.00
Use Permit	\$50.00
Temporary Use Permit	\$50.00
Permanent Sign Permit	\$50.00
Temporary Sign Permit	\$15.00
Certificate of Zoning Compliance	
Residential - New Construction	\$100.00
Residential - Accessory Structures/Additions	\$50.00
Commercial	\$150.00
Letter of Zoning Compliance	\$50.00
Miscellaneous Fees	
Development Agreement Fee	\$8,500.00
Demolition Permit	\$50.00
Traffic Impact Analysis	Defined Per TIA Ordinance (SDO Article 7)
Annexation Fee (Voluntary)	\$300.00
Driveway Permit	\$100.00
Chicken Permit	\$25.00

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Ordinance/Maps/Copies

Copying of UDO	\$50.00
Maps (color)	
A Size (8.5 X 11)	\$1.00
B Size (11 x 17)	\$5.00
C Size (17 x 22)	\$10.00
D Size (22 x 34)	\$15.00
E Size (34 x 44)	\$20.00
Custom Maps	\$35.00 per hour rounded to ¼ hour
Copies	\$0.10 per page
Audio CD of Meeting	\$1.00
Returned Check Fee	\$25.00

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Revised Fee Schedule



LAND DEVELOPMENT FEES

315 Stallings Road
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704-821-8557
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Residential	
Concept Plan & Minor & Major Site Development Plan Review	\$500.00
Major & Minor Subdivision & Construction Document Preliminary Review	
0 to 10 acres	\$2000.00 plus \$350.00 for each acre or portion thereof
10+ acres	\$2500.00 plus \$350.00 for each acre or portion thereof
Minor Subdivision Review	
Up to 5 lots created	\$100 for first lot plus \$125.00 for each additional lot
Final Subdivision Plat Review	
Per Map	\$275.00 plus \$50 per lot or unit
Revisions	
Minor (5 lots or less)	\$250.00
Major (more than 5 lots)	\$500.00
Excessive	1/3 of total review cost
Storm Water Review Fees	
Surcharge per on site detention facility	\$500.00
Appeal of PCSWO	\$100.00

Commercial, Industrial or Non-Residential Plan Review	
Concept Plan & Major Site Development Plan Review	\$500.00
Concept Plan Minor Site Development Plan Review	\$250.00
New Construction	
0 to 10 acres	\$2000.00 plus \$350.00 for each acre or portion thereof
10+ acres	\$2500.00 plus \$350.00 for each acre or portion thereof
Expansion	
Less than 1 acre only	\$500.00
Revisions	
Minor	\$200.00
Major	\$500.00
Excessive	1/3 of total review fee



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Board of Adjustment Request	
Appeal Request	\$500.00 (legal fees that exceed \$1500 will be charged to the applicant to cover cost to the Town)
Variance Request	
Residential	\$300.00
Non-Residential	\$350.00
Planning Board & Town Council Request	
Zoning Map Amendment - Conventional	
Less than 2 acres	\$200.00
2-10 acres	\$400.00
Greater than 10 acres	\$1000.00
Zoning Map Amendment - Conditional Zoning	
Less than 2 acres	\$400.00
2-10 acres	\$800.00
Greater than 10 acres	\$1600.00
Special Use Permit Request	\$300.00
Zoning Text Amendment - UDO	\$500.00
Vested Rights Zoning Permit	\$150, Minor Subdivision, \$300, Major Subdivision
Administrative Request	
Zoning Permit	
New Construction	\$100.00
Accessory Structure, Additions, Interior Upfit	\$50.00
Use Permit	\$50.00
Certificate of Zoning Compliance	
Residential - New Construction	\$125.00
Residential - Accessory Structures/Additions	\$50.00
Commercial	\$150.00
Letter of Zoning Compliance	\$50.00
Sign Permit	
Permanent	\$50.00
Temporary Sign Permit	\$25.00
Temporary Use Permit	\$50.00
Miscellaneous Fees	
Development Agreement Fee	\$8500.00
Floodplain Development & Certification Permit	\$75.00
Demolition Permit	\$50.00
Traffic Impact Analysis	Defined Per TIA Ordinance (DO Article 7)



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Annexation Fee (Voluntary)	\$300.00
Driveway Permit	\$100.00
Chicken Permit	\$25.00
Tree Disturbance Permit	\$25.00
Special Events & Temporary Structures Permit	\$25.00
Ordinance/Maps/Copies	
Copying of UDO	\$150.00
Maps (color)	
A Size (8.5 X 11)	\$1.00
B Size (11 x 17)	\$5.00
C Size (17 x 22)	\$10.00
D Size (22 x 34)	\$15.00
E Size (34 x 44)	\$20.00
Custom Maps	\$35.00 per hour rounded to ¼ hour
Copies	\$10 per page
Audio CD of Meeting	\$1.00
Returned Check Fee	\$25.00



Revised Fees



- ❑ Final Subdivision Plat Review, per unit
- ❑ Commercial, Industrial or Non-Residential Plan Review – Concept Plan & Major Site Development Review
- ❑ Commercial, Industrial or Non-Residential Plan Review – Concept Plan & Minor Site Development Review
- ❑ Minor Subdivision Review
- ❑ Vested Rights Zoning Permit
- ❑ Floodplain Development & Certification Permit
- ❑ Tree Disturbance Permit
- ❑ Special Events & Temporary Structure Permit
- ❑ Copying of UDO
- ❑ New Construction
- ❑ Certificate of Zoning Compliance – Residential New Construction
- ❑ Temporary Sign Permit

Revised Fees



Stallings	Old Cost	Updated or New Cost
Final Subdivision Plat Review		
Per Map	\$275 plus \$50 per lot	\$275 plus \$50 per lot or <u>unit</u>
Commercial, Industrial or Non-Residential Plan Review		
Concept Plan & Major Site Development Plan Review	None	\$500
Concept Plan Minor Site Development Plan Review	None	\$250
Minor Subdivision Review	\$50 For the first lot plus \$100 for each additional lot	\$100 For the first lot plus \$125 for each additional lot or unit
Vested Rights Zoning Permit	None	\$150, Minor Subdivision, \$300, Major Subdivision
Floodplain Development & Certification Permit	None	\$75
Tree Disturbance Permit	None	\$25
Special Events & Temporary Structures Permit	None	\$25
Copying of UDO	\$50	\$150
New Construction	\$75	\$100
Certificate of Zoning Compliance - Residential, New Construction	\$100	\$125
Temporary Sign Permit	\$15	\$25

Staff Recommendations



- Planning Staff recommend approval of the 2022-2023 Fiscal Year Fee Schedule Update.
- Both the Towns' Accounting Technician & Deputy Town Clerk, and Finance Director, recommend approval of the 2022-2023 Fiscal Year Fee Schedule Update.

Vote



- 1) Approval of the request as presented.
- 2) Defer the request to _____.
- 3) Denial of the request as submitted.