

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

The Planning Board of the Town of Stallings met for their regularly meeting on February 15, 2022, at 7:00 pm via Zoom, a virtual electronic platform, due to the North Carolina declared state of emergency because of COVID-19. Public could access the meeting via phone (1-646-558-8656), web link: (<https://us06web.zoom.us/j/89357240187?pwd=akxWMGFMU3JOTVNkSmUvMU1WVVYzdz09>) or the Zoom app (Meeting ID: 893 5724 0187, Passcode: 843607).

Planning Board members present: Chairman Robert Ragon; Vice Chairman Bob Koehler; David Barnes, Misti Craver, and Jacqueline Wilson.

Planning Board members absent: Laurie Wojtowicz

Staff members present: Alex Sewell, Town Manager; Max Hsiang, Planning Director; Matthew West, Planner I; Mary McCall, Deputy Town Clerk; and Mac McCarley, Town Planning Attorney.

Council Member Liaison David Scholl was also present.

Chairman Ragon recognized a quorum.

Invocation and Call to Order

Chairman Ragon led the Pledge of Allegiance. The meeting was called to order at 7:01 pm. Chairman Ragon gave the invocation. Planning Director Hsiang gave a brief review of the meeting procedures in the virtual setting.

1. Approval of Agenda

Vice Chairman Koehler made the motion to approve the Agenda. With a roll call vote, the motion was approved unanimously after a second from Board Member Craver.

2. Approval of Minutes

11/30/2021 Special Meeting, 12/13/2021 Regular Meeting, and 01/18/2022 Regular Meeting

Board Member Craver made a motion to approve the minutes for 11/30/2021 - Special Meeting 12/13/2021 - Regular Meeting, and 01/18/2022 - Regular Meeting. With a roll call vote, the motion was approved unanimously after a second from Vice Chairman Koehler.

3. CZ21.09.01 – 3042 and 3038 Matthews Indian Trail Road

Request to conditionally zone for 23 townhomes adjacent to the Bailey Mills development.

Planning Director Hsiang presented the applicant's request for a conditional zoning at 3042 and 3038 Matthews Indian Trail Road. Impact LLC requested a Conditional Zoning for 23 Townhomes adjacent to the approved Bailey Mills Townhome Subdivision and that lots 9-19 front landscape buffer instead of a public street. The applicant also requested that the density limit increase from 6 units per acre to 13 units per acre. Planning Director Hsiang outlined their additional proposal of a front yard setback at 12' as it would be consistent with adjacent Bailey Mills Subdivision and the proposed total improved open space of approximately 5.6% of site.

Staff recommended the following conditions.

- All permits required by Federal, State, or Local governments must be issued.
- One Owner's Association for both Bailey Mills and the expansion.
- Architecture be in harmony with the Bailey Mills Subdivision.
- All roads to remain private.

The presentation by Planning Director Hsiang is attached to these minutes and therefore incorporated herein.

Ty Matthews and Chris Hanson with Impact (the applicant) presented the need for the conditional zoning request to accommodate the limits of the parcel and still be aesthetically consistent with the Bailey Mills subdivision.

After detailed discussion along with advice from Attorney McCarley on the various zoning condition allowances, the following recommendations were stipulated in the CZ approval by the Planning Board:

- Type C buffer behind lots 9-19 with the installation of a 6-foot-high composite fence with plantings on Bailey Mills side.
- The front yard setback is to be 12 ft to be consistent with Bailey Mills, and the front yard setback for lots 9-19 with the street-facing garage can be 21 ft.
- The street in front of 9-19 to meet town standards for a public street and the alley from street A Bailey Mills to the new street to meet pavement width of town standard.
- Support of all staff recommended conditions.

Board Member Craver made the motion to approve CZ21.09.01 with the above recommendations. With a roll call vote, the motion was approved unanimously after a second from Board Member Wilson.

4. CZ21.09.01 Statement of Consistency and Reasonableness

Board Member Craver made the motion to approve the Statement of Consistency and Reasonableness for CZ21.09.01 as it is consistent and reasonable with the Comprehensive Land Use Plan. With a roll call vote, the motion was approved unanimously after a second from Vice Chairman Koehler.

5. TX22.01.01 – Table of Use updates.
MU-1, MU-2, and IND

Planning Director Hsiang presented a table of forty-two use changes for MU-1, MU-2, and IND in the table use updates. He highlighted changes to remove automobile sales/service, multi-family, sewage treatment and light industrial uses from Mixed Use to Industrial.

Board Member Wilson made a motion to approve TX22.01.01. With a roll call vote, the motion was approved unanimously after a second from Vice Chairman Koehler.

6. TX22.01.01 – Statement of Consistency and Reasonableness

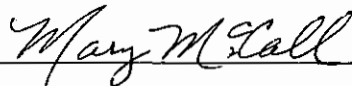
Board Member Wilson made a motion to find TX22.01.01 reasonable and consistent. With a roll call vote, the motion was approved unanimously after a second from Vice Chairman Koehler.

7. Adjournment

Vice Chairman Koehler made the motion for adjournment. With a roll call vote, the motion was approved unanimously after a second from Board Member Craver. The meeting adjourned at 9:13 pm.



Robert Ragon, Planning Board Chair



Mary McCall, Deputy Town Clerk



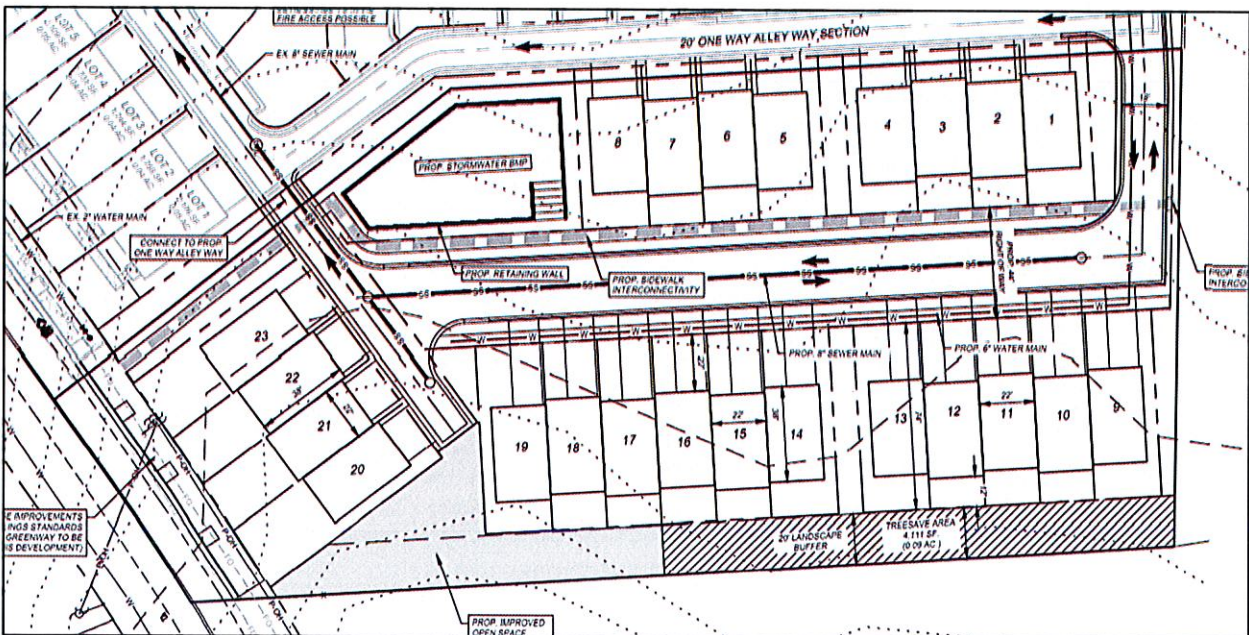
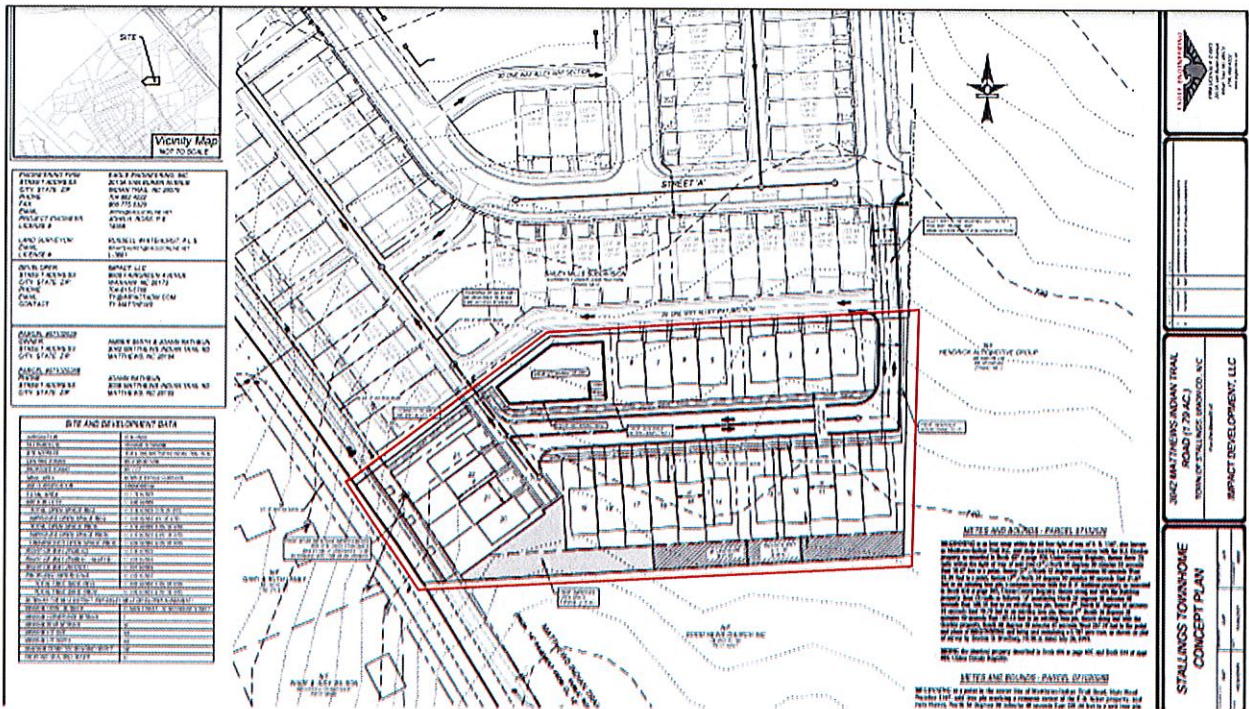
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Request

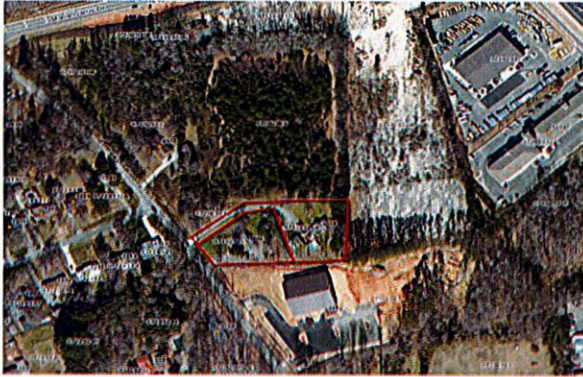


- **Conditional Zoning Request (CZMU-2):**
- ❖ Impact LLC requests a Conditional Zoning for 23 Townhomes adjacent to the approved Bailey Mills Townhome Subdivision.
- ❖ Section 9.3-2 #4
 - Request that lots 919 front landscape buffer instead of a public street. This request is made to provide a better buffer between the Good News Church and our development.
- ❖ Section 8.4-6 E.2
 - Request that density limit increase from 6 units/acre to 13 units per acre.
- ❖ Section 8.4-6 F.2
 - Propose front yard setback of 12' which is consistent with adjacent Bailey Mills Subdivision.
- ❖ Section 21.2
 - Propose total improved open space of approximately 5.6% of site.

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Current Conditions



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Street View



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Project Summary



Location:	•3042 & 3038 Matthews-Indian Trail Rd
Ownership:	•LAND INVESTMENTS, LLC
Current Zoning:	•Mixed-Use 2 (MU-2)
Existing Use:	•Residential
Required Setbacks:	•N/A for Single-Family Attached
Density Limits:	•Single-Family Attached: 6 units/acre
Site/Project Size:	•+/- 1.79 Acres
Traffic Generation:	•N/A

Zoning Map:



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Mixed-Use 2 Single-Family Attached Requirements

Density Limits:	Lot Size:	Setbacks:	Additional Standards:
<ul style="list-style-type: none"> • Single-Family Attached: 6 units/acre. • Applicant is requesting 13 units/acre. 	<ul style="list-style-type: none"> • No requirements for Single-Family Attached. • Lot size determined by Conditional Zoning Site Plan. 	<ul style="list-style-type: none"> • No requirements for Single-Family Attached. • Setbacks determined by Conditional Zoning Site Plan. 	<ul style="list-style-type: none"> • 12' separation between buildings. • All buildings shall front onto a public street. • The applicant is requesting lots 9-19 front landscape buffer instead of a public street.

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Trees, Vegetation & Stormwater



**Tree Save
(Article 11.8-2):**

- Rezoned area = +/- 1.79 acres
- Tree Save Area Required = 1.5% = 0.027 acres
- Applicant provides 0.09 acres

**Buffers
(Article 11):**

- Street trees are required
- Type A (40') buffer required for Conditional Zonings
- This requirement is requested to be reduced in the Conditional Zoning process

**Open Space
(Article 21):**

- Rezoned area = +/- 1.79 acres
- Required Total Open Space = 10% = 0.179 acres
- Required Improved Open Space = 0.0895 acres
- Applicant Provides Total Open Space = 0.10 acres

Stormwater Management & PCO:

- Will require stormwater management for a High-Density project as defined in Article 19, Section 3 of the Stallings UDO.

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Land Use & Adopted Policies



Land Use Plan:

- The Land Use Plan shows the property as a **Walkable Activity Center**

Primary Land Uses:

- Sit-Down Restaurant, Professional Office, Townhomes, Condominiums, Public Plaza, Movie Theater, Community Serving Retail, Live/Work/Shop Units

Secondary Land Uses

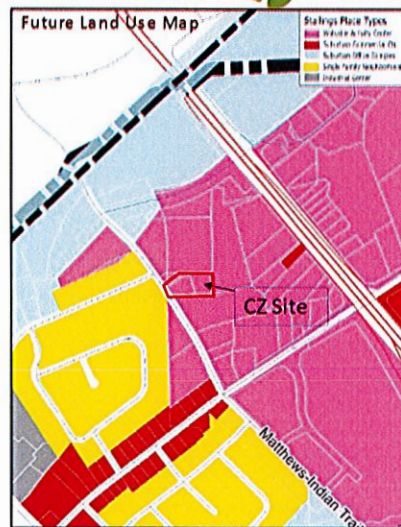
- Farmer's Market, Church

Small Area Plan:

- Monroe Expressway SAP

Consistency:

- Townhome use is consistent with CLUP & SAP



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History



Bailey Mills:

- ❑ The original Bailey Mills subdivision, 92 single-family attached units, is currently under review and in the Final Plat approval phase
- ❑ By-right use in MU-2
- ❑ Development Agreement and Construction Documents approved

Bailey Mills Expansion:

- ❑ NCDOT required Bailey Mills to move their main entrance from Matthew Indian Trail Rd to Marie Garris Rd, the expansion now connects through the neighborhood
- ❑ A Text Amendment to change the by-right use for single-family attached in MU2 to require Conditional Zonings

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Meetings



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Staff Suggested Conditions



All permits required by Federal, State, or Local governments must be issued.

One Owner's Association for both Bailey Mills and the expansion.

Architecture be in harmony with the Bailey Mills Subdivision.

All roads to remain private.

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Request & Conditions



- **Applicants Request:**
- **Conditional Zoning (CZ -MU-2):**
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- **Staff Requested Conditions:**
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Statement of Consistency



The request is consistent with the Comprehensive Plan and future planning goals of the Town of Stallings, and it is reasonable and in the public interest. It will allow for an urban scale density consistent with the (FLU Type) Future Land Use designation recommended by the Stallings Comprehensive Plan.

Or

The request is inconsistent with the Comprehensive Plan and future planning goals of the Town of Stallings and is not reasonable and in the public interest for the following reasons:

Staff suggested reasons:

- 1) The proposed use is consistent with the Comprehensive Land Use Plan.
- 2) The request is consistent with the adjacent development plans.

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