



**Tuesday, October 14, 2025**  
 Stallings Government Center  
 321 Stallings Road  
 Stallings, NC 28104  
 704-821-8557  
[www.stallingsnc.org](http://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. Minutes from the following meetings: (1) 09-08-2025 (2) 09-22-2025 B. Amended Budget Ordinance 4 – Veterans Day Breakfast C. Amended Budget Ordinance 5 – AC Unit Replacement at Stallings Municipal Park D. U-4714AC – Old Monroe Road Widening, Pole Betterments, and Sidewalk Cost Share	Wyatt Dunn, Mayor	Approve Consent Agenda
2.	7:17 p.m.	Reports A. Report from Mayor B. Report from Council Members/Town Committees C. Report from Town Manager/Town Departments	Council and Staff	NA
3.	7:25 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve agenda as written
4.	7:30 p.m.	Annexation 58 – Mill Creek Public Hearing <i>Recessed from 07-14-2025</i>	Wyatt Dunn, Mayor	Consider deferment to January 12, 2026 per applicant's request
5.	7:32 p.m.	CZ25.02.01 - Mill Creek Public Hearing <i>Recessed from 07-14-2025</i>	Max Hsiang, Planning Director	Consider deferment to January 12, 2026 per applicant's request
6.	7:35 p.m.	CZ25.02.03 A. 3191 & 3927 Pleasant Plains Rd Shop Front <i>Recessed from 09-08-2025</i> (1) Information from Staff (2) Council vote B. Statement of Consistency and Reasonableness	Max Hsiang, Planning Director	Approve/deny conditional zoning

7.	7:50 p.m.	<b>TX25.09.01</b> <b>A. Conditional Zoning &amp; Mixed-Use Text Updates</b> (1) Open Public Hearing (2) Information from Staff (3) Close Public Hearing (4) Council vote <b>B. Statement of Consistency and Reasonableness</b>	Max Hsiang, Planning Director	Approve/deny text amendment
8.	8:10 p.m.	<b>Ordinance to Amend Chapter 52 of the Code of Ordinances to Establish Inspection, Maintenance, and Enforcement Procedures for Stormwater Infrastructure and Stormwater Control Measures (SCMs)</b>	Melanie Cox, Town Attorney	Approve/deny ordinance
9.	8:15 p.m.	<b>Aringill Stormwater Repairs</b>	Justin Russell, Assoc. Engineer	Approve/deny projects
10.	8:30 p.m.	<b>2725 Old Monroe Road Use (<i>Dunn</i>)</b> <i>Recessed from 09-22-2025</i>	Wyatt Dunn, Mayor	Information
11.	8:35 p.m.	<b>Closed Session Pursuant to NCGS 143-318.11(a)(3) and (6)</b>	Wyatt Dunn, Mayor	Recess into closed session.
12.	8:50 p.m.	<b>Adjournment</b>	Wyatt Dunn, Mayor	Motion to adjourn

**MINUTES OF TOWN COUNCIL MEETING  
OF THE  
TOWN OF STALLINGS, NORTH CAROLINA**

The Town Council of the Town of Stallings met for its regular meeting on September 8, 2025, at 7:00 p.m. at the Stallings Government Center, 321 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Pro Tempore David Scholl; Council Members Steven Ayers, Taylor-Rae Drake, Graham Hall, and Laurie Wojtowicz.

Those absent were: Mayor Wyatt Dunn; and Council Member Brad Richardson.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Eunice Donnelly, Parks and Recreation Director; Max Hsiang, Planning Director; Kevin Parker, Engineering Director; June Rappe, Storm Water Manager; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Pro Tempore David Scholl welcomed everyone to the meeting and Council Member Ayers delivered the invocation. Mayor Pro Tempore Scholl then led the Pledge of Allegiance and called the meeting to order.

Public Comments

Sarah Hollands, non-Stallings Resident, requested the Council not annex or allow Cultor Homes to develop 1000 homes. She stated she and her neighbors did not want to live in Stallings or have the sprawl. If the plan for the development was adopted it would go against the county plan. She also wanted to know who would benefit from that type of high-density development. She stated it was not a good deal for Stallings, Mill Grove Road residents or Union County.

1. Consent Agenda

- A. Minutes from the following meetings:
  - (1) 08-11-2025
- B. Order to Collect, Union County Tax Department
- C. Public Works Vehicle Purchase  
(FY26 Budgeted Item)
- D. Christmas Display and Storage  
(FY26 Budgeted Item)
- E. Additional Canine Team

Mayor Pro Tem Scholl requested pulling the Consent Agenda Item 1.E., *Additional Canine Team*. Council Member Hall made the motion to approve the Consent Agenda with the above change. The motion was passed unanimously by Council after a second from Council Member Ayers.

## 2. Reports

### A. Report from Mayor

*The Mayor was not present to give a report.*

### B. Report from Council Members/Town Committees

Council Member Hall stated there were many people who voiced their opinion on the large potential development in his district but stated that there was no application on file at the Town at that time. He explained that he had a conversation with the developer representative, and he shared his concerns with her.

Council Members Drake, Wojtowicz, Ayers and Mayor Pro Tem Scholl had no reports.

### C. Report from Town Manager/Town Departments

Town Manager Sewell reported:

- Fire Alarm testing the following day so some staff will be working remotely.
- Budget Line Items Transfer List – *The August 2025 Budget Line Item Transfer List is attached to these minutes and therefore incorporated herein.*
- Council was notified about a Police Cameras Grant Application.
- Opening business ribbon cutting was attend by he and the Mayor.
- Assistant Town Manager Nichols reported that the Council had given the communication plan for the Occupancy Tax to the Council.
- Engineering Director Kevin Parker introduced Storm Water Compliance Manager June Rappe as the newest addition to the Stallings Administration Team.
- Parks and Recreation Director Donnelly reported on the schedule for Fifty Fest the upcoming weekend.

## 3. Agenda Approval

Mayor Pro Tem Scholl suggested amending the Agenda as follows:

- Put Consent Agenda Item 1.E., *Additional Canine Team*, on the regular Agenda as Item 7.A.

Council Member Hall requested removal of the following Agenda Items:

- Move Agenda Item 7, *2725 Old Monroe Road Use (Dunn)*, to the next Council Agenda

Council Member Wojtowicz made the motion to approve the Agenda with the changes above. The motion was seconded by Council Member Hall and passed unanimously.

4. CZ25.02.03

A. 3919 & 3927 Pleasant Plains CZ - TC (1) Conditional Zoning

Planning Director Hsiang explained this case was originally heard by Council on July 14, 2025. At that meeting, Council voted to defer the matter to September 8, 2025. Council expressed interest in receiving a concrete elevation, as this project would be among the first Town Center developments. They wanted to ensure the proposal aligns with their long-term vision for the future of Town Center in Stallings. Council also requested clarity regarding the applicant's commercial partners and asked that these details be determined before a decision is made.

The applicant was requesting conditional rezoning from Town Center (TC) to Conditional Zoning Town Center (CZ-TC) for parcels 07129296B and 07129296C, totaling 2.63 acres. The proposed development includes:

- 12 shopfront units (commercial/retail on the ground floor with residential above)
- 23 townhomes located to the rear of the property

The existing base zoning (TC) did not permit attached-residential development by right; therefore, the applicant must pursue conditional zoning to allow residential use and request modifications to development standards, including setbacks, density, and land use mix. Staff was requesting approval of all the original proposed conditions. Those conditions are attached to these minutes and therefore incorporated herein.

Mayor Pro Tem Scholl reopened the public hearing. Steve Singleton, Urban Designers, was present to address the Council on behalf of the applicant. Mr. Singleton stated that the applicant was the developer and an experienced contractor. Mr. Singleton's presentation is attached to these minutes and therefore incorporated herein.

No one was present to speak on the item. Mayor Pro Tem Scholl then closed the public hearing. Council discussed the item with the applicant. Council asked staff to bring back conditions regarding retail square footage that would be built prior to residential; phase approach for streetscape width/landscaping; finished elevations coming back to Council.

Council Member Scholl made a motion to defer the vote until an October meeting. The second was made by Council Member Drake and passed unanimously by Council.

B. Statement of Consistency and Reasonableness

*This item was not discussed due to the vote on Agenda Item 4 being deferred until an October meeting.*

5. TX25.08.01

A. Traffic Impact Analysis Ordinance Update

Mayor Pro Tem Scholl opened the public hearing. Engineering Director Parker explained the current Traffic Impact Analysis (TIA) policy required all TIAs to be prepared by a Town-assigned consultant, with associated costs paid by the applicant. While the policy ensured consistency, it had limited flexibility for applicants and introduced possible project delays. In practice, many developers already had consultants engaged in early site design and planning who were capable of producing the TIA. The amendment would accommodate that efficiency while preserving the Town's authority and review standards. The complete red-line version of the Traffic Impact Analysis Ordinance Update is attached to these minutes and therefore incorporated herein.

There was no public present to speak on the item. Mayor Pro Tem Scholl then closed the public hearing.

Council Member Ayers made the motion to approve the Traffic Impact Analysis Ordinance Update - TX25.08.01 to which Council Member Hall seconded. The motion received Council's unanimous support.

B. Statement of Consistency and Reasonableness

Mayor Pro Tem Scholl read the Statement of Consistency and Reasonableness for TX25.08.01 into the record. A motion was made by Council Member Hall to approve the Statement of Consistency and Reasonableness for TX25.08.01. Council Member Wojtowicz seconded the motion, and the Council passed the motion unanimously. The *Statement of Consistency and Reasonableness for TX25.08.01* is attached to these minutes and therefore incorporated herein.

6. Third Party Sewer System Analysis

*Per 08-11-2025 Council Direction*

Council held consensus not to have staff do any work on this item until or if a zoning application is received that would require such an analysis.

7. 2725 Old Monroe Road Use (Dunn)

*This item was moved to the next Council Agenda.*

7.A. Additional Canine Team

*Original Consent Agenda Item 1.E.*

Police Chief Franks explained the department was seeking approval for the addition of a third canine team to the Stallings Police Department, including the acquisition of a corresponding police vehicle. Due to the recent disbandment of the Town of Wingate's Police Department, Stallings Police Department was currently in the process of hiring Wingate's former canine handler. As part of the department's dissolution, Wingate had decided to transfer ownership of K9 Kane to the handler. The handler had also expressed willingness to transfer the dog to Stallings Police Department, provided the dog can be utilized as a police canine. K9 Kane had approximately six years of working life left and was certified as the other Stallings canines. When K9 Kane's service time ended, the spot would not be filled with a new dog.

The Stallings current canine budget was sufficient to support a third canine team. There would be no additional cost to the department for the canine itself. The only potential expense was a negotiated purchase price for Wingate's canine vehicle, which would be funded through asset forfeiture funds. The Chief requested the Council authorize the Town Manager to evaluate the most appropriate way to integrate the third dog into the Stallings canine unit and to negotiate a fair purchase price for the vehicle, not to exceed \$28,000.

Council Member Scholl made a motion to authorize the Town Manager to evaluate the most appropriate way to integrate the third dog into the Stallings canine unit and to negotiate a fair purchase price for the vehicle, not to exceed \$28,000. The Council unanimously approved the motion after a second from Council Member Drake.

8. Adjournment

Council Member Ayers moved to adjourn the meeting, seconded by Council Member Hall, and the motion received unanimous support. The meeting was adjourned at 8:36 p.m.

Approved on \_\_\_\_\_, 2025.

\_\_\_\_\_  
Wyatt Dunn, Mayor

\_\_\_\_\_  
Erinn E. Nichols, Town Clerk

Approved as to form:

\_\_\_\_\_  
Cox Law Firm, PLLC  
16617

September 8, 2025

**MINUTES OF TOWN COUNCIL MEETING  
OF THE  
TOWN OF STALLINGS, NORTH CAROLINA**

The Town Council of the Town of Stallings met for its regular meeting on September 22, 2025, at 7:00 p.m. at the Stallings Government Center, 321 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Pro Tempore David Scholl; Council Members Steven Ayers, Graham Hall, Brad Richardson and Laurie Wojtowicz.

Those absent were: Mayor Wyatt Dunn; and Council Member Taylor-Rae Drake.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Eunice Donnelly, Park and Recreation Director; Max Hsiang, Planning Director; Brig Sheehy, GIS/Planning Technician; Kevin Parker, Engineering Director; Jessie Williams, Finance Officer; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Pro Tempore David Scholl welcomed everyone to the meeting and Council Member Richardson delivered the invocation. Mayor Pro Tempore Scholl then led the Pledge of Allegiance and called the meeting to order.

Public Comments

Dottie Bedell, Mill Grove Road in Union County, stated the Mill Grove Community was in strong opposition of Kolter Homes annexation and development. Country Woods East was having major private sewer issues. Private sewer would create a big mess. She stated that higher density could be concentrated in the Town Center and that Stallings was out of compliance with stormwater. Ms. Bedell stated that the Town was unwilling to fix the sewage system in Country Woods East. She restated that density belongs in Town Center.

Melanie Miller, 615 Anne Ave., Waxhaw, Union County Community Arts Council, was present to make awareness for national arts and humanities month for October. Arts were not extra but essential to economy. The Art Industry contributed \$22 billion in NC. Young people who were engaged in arts were more likely to graduate high school. Ms. Miller encourage the Council to understand that the arts were not a luxury but vital and important.

Report from Parks and Recreation

Parks and Recreation Director Eunice Donnelly updated the Council on the Veteran's Day Breakfast plans. The breakfast would need a minimum of ten veterans (20 people total due to plus one for veterans)



to register for the event to move forward. It would be held in the Government Center on Veteran's Day, Nov. 11, 2025.

1. Consent Agenda

A. U-4714AC – Old Monroe Road Widening, Pole Betterments, and Sidewalk Cost Share  
(Additional amount requested)

*This item was tabled until a future meeting.*

2. Agenda Approval

Mayor Pro Tem Scholl requested pulling Consent Agenda Item 1.A., *U-4714AC – Old Monroe Road Widening, Pole Betterments, and Sidewalk Cost Share*, off the Consent Agenda and table until another member for more information. Council Member Ayers requested that Agenda Item 6., *2725 Old Monroe Road Use (Dunn)*, be moved to another meeting with the Mayor Council present. Council Member Richardson made the motion to approve the Agenda with the changes above. The motion was seconded by Council Member Ayers and passed unanimously.

3. RZ25.06.01

A. Stallings Church General Rezoning

Mayor Pro Tempore Scholl opened the public hearing. GIS/Planning Technician Brig Sheehy explained this was a general rezoning request from Stallings Church for 1125 Stallings Road and 0 Stallings Road. The request seeks to rezone the two parcels totaling 2.94 acres from Industrial (IND) and Single Family Residential 3 (SFR-3), respectively, to Civic (CIV). The proposed rezoning did not align with the Town's future land use and small area but was consistent with its current use and to the parcels owned by Stallings Church, Inc.

No one was present to speak on the item. Mayor Pro Tem Scholl then closed the public hearing. A Stallings Church, LLC, representative confirmed that there were no immediate plans for the property.

Council Member Richardson made the motion to approve RZ25.06.01. The motion was unanimously supported by the Council after a second from Council Member Wojtowicz.

B. Statement of Consistency and Reasonableness

Council Member Richarson made the motion to approve the Statement of Consistency and Reasonableness for RZ25.06.01 to which Council Member Ayers seconded. Council unanimously

supported the motion. The *Statement of Consistency and Reasonableness for RZ25.06.01* is attached to these minutes and therefore incorporated herein.

4. CZ25.02.02

*(Recessed from 06-09-2025)*

A. Cottage Green

Planning Director Max Hsiang explained the request was from applicant, HMF Americana, requests conditional rezoning to CZ-MU-2 for the following parcels: 06087002, 06087002C, 06087003 (3612 Matthews Weddington Road), and 07150009G - 36.81ac total. The proposed development included: 222-unit mixed-residential gated community - Commercial component along Matthews-Weddington Rd of up to 30,000sqf. Mr. Hsiang reviewed the revisions of the application which are attached to these minutes and therefore incorporated herein.

Staff recommends approval of CZ25.02.02 with the staff recommended revisions to the development standards as the request aligns with the Comprehensive Land Use Plan; supports the Walkable Activity Center Future Land Use designation; the combination of commercial and residential uses was consistent with the adopted Small Area Plan; and the inclusion of a greenway connection aligns with the Parks & Recreation Greenway Master Plan.

Council Member Richardson motion to approve CZ25.02.02 as it was consistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

1. The request aligns with the Comprehensive Land Use Plan.
2. The proposed use supports the Walkable Activity Center Future Land Use designation.
3. The combination of commercial and residential uses is consistent with the adopted Small Area Plan.
4. The inclusion of a greenway connection aligns with the Parks & Recreation Greenway Master Plan

Council Member Ayers seconded the motion to which Council approved unanimously. The *Statement of Consistency and Reasonableness for CZ25.02.02* is attached to these minutes and therefore incorporated herein.

B. Statement of Consistency and Reasonableness

*This item was included in the motion for Agenda Item 4, CZ25.02.02.*

5. Annual Balanced Scorecard Report

Town Manager Alex Sewell reviewed the Annual Balanced Scorecard for the last fiscal year. The *Annual Balanced Scorecard for FY2024-2025* is available on the Town's website for inspection.

6. 2725 Old Monroe Road Use (Dunn)

*Recessed from 09-08-2025 Agenda*

*This item was removed from the Agenda during Agenda Approval and moved to a future meeting.*

7. Adjournment

Council Member Richardson moved to adjourn the meeting, seconded by Council Member Ayers, and the motion received unanimous support. The meeting was adjourned at 7:55 p.m.

Approved on \_\_\_\_\_, 2025.

\_\_\_\_\_  
Wyatt Dunn, Mayor

\_\_\_\_\_  
Erinn E. Nichols, Town Clerk

Approved as to form:

\_\_\_\_\_  
Cox Law Firm, PLLC



# MEMO

To: Mayor and Council  
Via: Alex Sewell, Town Manager  
From: Eunice Donnelly, Parks and Recreation Director  
Date: 10.08.2025  
RE: **Stallings Salutes | Veterans Day Breakfast ABO**

---

## **Background/Issue:**

The Town of Stallings Parks and Recreation Department is coordinating a Veterans Day Breakfast as part of a council initiative to honor local veterans. The event is scheduled for Tuesday, November 11th, and will be held at the Stallings Government Center. The breakfast is intended to provide a meaningful opportunity for veterans to gather, connect, and be recognized for their service.

The Parks Department is currently pursuing a sponsorship opportunity with Atrium Health to help offset the cost of breakfast. However, to ensure the event proceeds regardless of the sponsorship outcome, the department is requesting council consideration for a contingency allocation of \$5,000. This funding level is expected to be more than sufficient to cover all breakfast expenses.

Registration for the event is ongoing, and as of now 15 veterans have signed up to participate – in total there are 23 coming including the Plus ones. Securing these funds will guarantee that breakfast can move forward successfully, honoring our veterans as planned.

## **Proposal/Solution:**

A budget amendment has been prepared to appropriate \$5,000 from the General Fund unrestricted fund balance to ensure that adequate funds are available to proceed with the Veterans Day Breakfast on Tuesday, November 11th, honoring our local veterans. These funds will allow the Parks Department to secure breakfast for all participants and guarantee the event can move forward successfully, regardless of the outcome of the sponsorship opportunity with Atrium Health.

## **Requested Actions:**

- 1) Approve the attached budget amendment to appropriate \$5,000 from the General Fund unrestricted fund balance to Parks and Recreation for the Stallings Veterans Day Breakfast.

**AMENDED BUDGET ORDINANCE – NO. 4**  
**TOWN OF STALLINGS, NORTH CAROLINA**  
**FISCAL YEAR 2025-2026**

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the budget for fiscal year 2025-2026 is hereby amended as set forth below:

Category	Account Number	Net Increase or (Decrease)	Current Budget	Amended Budget
<b><u>General Fund:</u></b>				
<b><u>Revenue Budget</u></b>				
Unrestricted Fund Balance Appropriation - General Fund	10-99-3991-600	\$ 5,000	\$ 615,411	\$ 620,411
<b><u>Expense Budget - Parks &amp; Recreation</u></b>				
Programs Supplies/Materials	10-80-6170-021	\$ 5,000	\$ 8,250	\$ 13,250

Explanation: To appropriate General Fund unrestricted fund balance for the Stallings Veterans Day breakfast.

This Amendment to the Budget Ordinance shall be effective upon adoption.

The said Budget Ordinance, except as amended, shall remain in full force and effect.

ADOPTED this the 14th day of October 2025.

\_\_\_\_\_  
Wyatt Dunn, Mayor

\_\_\_\_\_  
Erinn Nichols, Assistant Town Manager/Town Clerk



# MEMO

To: Mayor and Council  
Via: Alex Sewell, Town Manger  
From: Eunice Donnelly, Parks and Recreation Director  
Date: 10.01.2025  
RE: **Stallings Municipal Park Building C | Air Conditioning**

---

## **Background/Issue:**

The air conditioning unit in Building "C" at Stallings Municipal Park has gone out and requires replacement. This was an unplanned occurrence that could not have been anticipated during the budget process.

Building C is the only facility in the park with air conditioning. It serves as the primary break space for our part-time staff to cool off during shifts and houses our new sound equipment. Because this equipment must remain in a climate-controlled environment, replacing the unit is essential to protect the Town's investment and maintain safe working conditions for staff. The estimated cost of this replacement is \$7,000.

## **Proposal/Solution:**

A budget amendment has been prepared to appropriate \$7,000 from the General Fund unrestricted fund balance to ensure that adequate funds are available to proceed with the full replacement and installation of the Park's new Air Conditioning Unit in Building C.

## **Requested Actions:**

- 1) Approve the attached budget amendment to appropriate \$7,000 from the General Fund unrestricted fund balance for the Stallings Municipal Park Building C air conditioning replacement.

**AMENDED BUDGET ORDINANCE – NO. 5**  
**TOWN OF STALLINGS, NORTH CAROLINA**  
**FISCAL YEAR 2025-2026**

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the budget for fiscal year 2025-2026 is hereby amended as set forth below:

Category	Account Number	Net Increase or (Decrease)	Current Budget	Amended Budget
<b><u>General Fund:</u></b>				
<b><u>Revenue Budget</u></b>				
Unrestricted Fund Balance Appropriation - General Fund	10-99-3991-600	\$ 7,000	\$ 615,411	\$ 622,411
<b><u>Expense Budget - Parks &amp; Recreation</u></b>				
Capital Outlay	10-80-6130-099	\$ 7,000	\$ 265,000	\$ 272,000

Explanation: To appropriate General Fund unrestricted fund balance for the Stallings Municipal Park Building C air conditioning replacement.

This Amendment to the Budget Ordinance shall be effective upon adoption.

The said Budget Ordinance, except as amended, shall remain in full force and effect.

ADOPTED this the 14th day of October 2025.

\_\_\_\_\_  
Wyatt Dunn, Mayor

\_\_\_\_\_  
Erinn Nichols, Assistant Town Manager/Town Clerk



# MEMO

To: **Mayor and Town Council**  
Via: Alex Sewell, Town Manager  
From: Kevin Parker, P.E., Town Engineer  
Date: October 14, 2025.  
RE: Approval for Cost Share and Betterments for the Old Monroe Road Widening Project

## Summary:

The purpose of this memo is to present the final updated cost share and betterment amounts for NCDOT Project U-4714AC (Old Monroe Road Widening). Town Council is requested to approve these updated numbers and authorize the Town Manager to execute the agreement with NCDOT.

## Background:

As part of NCDOT Project U-4714AC (Old Monroe Road Widening), the Town previously coordinated with NCDOT regarding the inclusion of powder-coated metal signal poles at the intersection of Old Monroe Road and Stallings Road—the only intersection within Town limits where metal poles are proposed.

Additionally, a cost share for the construction of sidewalks was previously coordinated and approved by Town Council as part of the Environmental Assessment, finalized in July 2016.

Staff presented updated estimates from NCDOT to Council in June 2025. Since that time, NCDOT has issued revised quantities and cost estimates, resulting in an overall increase of approximately \$1,000. The figures below reflect the anticipated bid amounts; however, please note that these numbers are subject to change once NCDOT receives bids, which are expected to be let in July 2026.

- The sidewalk cost share follows a 90/10 split between NCDOT and the Town, in accordance with the Complete Streets Policy. Based on updated quantities provided by NCDOT, the Town's share is \$3,770.00.
- The signal pole betterment cost reflects updated unit prices from NCDOT, totaling \$9,813.60 for powder-coating 10 poles (4 metal strain poles and 6 pedestrian poles).

## Cost Share & Betterments

Item	Total Cost	NCDOT Responsibility	Town of Stallings Responsibility
Sidewalk Cost Share	\$37,700.00	\$33,930.00 (90%)	\$3,770.00 (10%)
Signal Pole Betterments (Powder Coating)	\$9,813.60	\$0	\$9,813.60 (100%)
Total	\$47,513.60	\$33,930.00	\$13,583.60

## Requested Council Action:

Staff requests Town Council approval of the following items related to the U-4714AC Old Monroe Road widening project and authorization for the Town Manager to execute the agreement with NCDOT, not to exceed a total of \$20,000:

- Sidewalk Cost Share – \$3,770.00 (estimate)
- Signal Pole Betterments (Powder Coating) – \$9,813.60 (estimate)
- Authorization for the Town Manager to execute the agreement with NCDOT, with the understanding that if the final Town share exceeds \$20,000, Council approval will be required prior to execution



**AGREEMENT OVERVIEW**

NORTH CAROLINA  
MECKLENBURG COUNTY

**DATE:** 8/25/2025

**PARTIES TO THE AGREEMENT:**

**PROJECT NUMBERS:**

NORTH CAROLINA DEPARTMENT  
OF TRANSPORTATION

TIP #: U-4714AC

AND

WBS ELEMENTS: CON 39078.3.9

TOWN OF STALLINGS

The purpose of this Agreement is to identify the participation in project costs, project delivery and/or maintenance, by the other party to this Agreement, as further defined in this Agreement.

**SCOPE OF TIP PROJECT (“Project”):** This Project consists of widening of SR 1009 (John Street – Old Monroe Road) from East of I-485 to West of Morningside Meadow Lane.

**ADDITIONAL WORK (“Additional Work”):** Install five-foot sidewalks along northbound lanes of SR 1009 (John Street – Old Monroe Road) from Friendship Drive to Stallings Road and along southbound lanes of SR 1009 (John Street – Old Monroe Road) from Potters Road to south of Sweetbriar Drive. Add powder coating to metal strain poles and type II pedestals at the intersection of SR 1009 (John Street – Old Monroe Road) and SR 1365 (Stallings Road)/SR1357 (Potters Road).

**ESTIMATED COST OF THE ADDITIONAL WORK:** \$ 47,513.6

**COSTS TO OTHER PARTY:** \$13,583.60

**DEPARTMENT’S FUNDING:** \$33,930.00

**PAYMENT TERMS:** The Department will invoice the Town of Stallings upon completion of the Project.

**MAINTENANCE:** Town of Stallings

**EFFECTIVE DATES OF AGREEMENT:**

**START:** Upon Full Execution of this Agreement

**END:** When work is complete and all terms are met.

This Agreement is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina,

**ACCOUNTS RECEIVABLE  
TIP AGREEMENT – ADDITIONAL WORK  
CONSTRUCTION  
1000026981**

hereinafter referred to as the **Department** and the Town of Stallings, hereinafter referred to as the **Municipality**; and collectively referred to as the **Parties**.

The **Parties** to this Agreement, listed above, intend that this Agreement, together with all attachments, schedules, exhibits, and other documents that both are referenced in this Agreement and refer to this Agreement, represents the entire understanding between the **Parties** with respect to its subject matter and supersedes any previous communication or agreements that may exist.

DRAFT

## I. WHEREAS STATEMENTS

**WHEREAS**, this Agreement is made under the authority granted to the **Department** by the North Carolina General Assembly under General Statutes of North Carolina (NCGS), particularly Chapter 136-66.1 and 136-66.3; and,

**WHEREAS**, the **Department** and the **Municipality** have agreed that the jurisdictional limits of the **Parties**, as of the date of entering the agreement for the Additional Work, are to be used in determining the duties, responsibilities, rights, and legal obligations of the **Parties** hereto for the purposes of this Agreement; and,

**WHEREAS**, the **Municipality** has requested that the **Department** perform all phases of said Additional Work or provide services; and,

**WHEREAS**, the **Parties** hereto wish to enter into an agreement for Additional Work to be performed or provided by the **Department** (including reviews, goods, or services) with reimbursement for the costs thereof by the **Municipality** as hereinafter set out.

**NOW, THEREFORE**, this Agreement states the promises and undertakings of each of the **Parties** as herein provided, and the **Parties** do hereby covenant and agree, each with the other, as follows:

## II. RESPONSIBILITIES

### A. DEPARTMENT

The **Department** shall be responsible for all phases of project delivery to include planning, design, right of way acquisition, utility relocation, and construction as shown in the **PROJECT DELIVERY REQUIREMENTS FOR ADDITIONAL WORK** Provision.

### B. MUNICIPALITY

The **Municipality** shall be responsible for maintenance as shown in the **PROJECT DELIVERY REQUIREMENTS FOR ADDITIONAL WORK** Provision and payment as shown in the **COSTS AND FUNDING FOR ADDITIONAL WORK** Provision.

## III. PROJECT DELIVERY REQUIREMENTS FOR ADDITIONAL WORK

### A. PLANNING, DESIGN, AND CONSTRUCTION

- i. The **Department** will be responsible for preparing the environmental and/or planning document and obtaining any environmental permits.

- ii. The **Department** will be responsible for preparing the project plans and specifications and letting the Project to construction.
- iii. The **Department** shall construct the Additional Work in accordance with the plans and specifications for the Project. The **Department** shall administer the construction contract for said Project. All work shall be done in accordance with Departmental standards, specifications, policies, and procedures.

## **B. RIGHT OF WAY ACQUISITION**

The **Department** will be responsible for acquiring any needed right of way required for the Project in accordance with the policies and procedures set forth in the North Carolina Right of Way Manual.

## **C. MUNICIPAL UTILITY RELOCATIONS**

### **Responsibilities**

It is understood that the municipally-owned water and sewer lines are owned by **Charlotte Water**, therefore a separate Utility Agreement will be prepared with **Charlotte Water**. The **Municipality** shall exercise any rights which it may have under any franchise to effect all necessary changes, adjustments, and relocations of communications and electric power lines; underground cables, gas lines, and other pipelines or conduits; or any privately- or publicly-owned utilities.

## **D. MAINTENANCE**

Upon completion of the Project:

- i. The **Municipality** shall be responsible for maintaining the sidewalks and the black powder coating on metal strain poles and type II pedestal poles. Should a black metal pole or pedestal need to be replaced, the **Department** will attempt to acquire a black metal pole or pedestal to replace it. The **Municipality** will be responsible for the cost difference between galvanized and black powder coated poles/pedestals. If black is not readily available, **Department** will use galvanized pole/pedestal for the replacement as restoring the operation of the signal is priority. Should the **Municipality** desire to replace a galvanized pole/pedestal, they shall be responsible for material and installation costs.
- ii. The **Department** shall be responsible for all traffic operating controls and devices which shall be established, enforced, and installed and maintained in accordance with the North Carolina General Statutes, the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, the latest edition of the "Policy on Street and Driveway Access to North Carolina Highway," and department criteria.

**ACCOUNTS RECEIVABLE  
TIP AGREEMENT – ADDITIONAL WORK  
CONSTRUCTION  
1000026981**

- iii. The roadway improvements that are within state-owned right of way shall be considered a part of the State Highway System and shall be owned and maintained by the **Department**.

**IV. COSTS AND FUNDING FOR ADDITIONAL WORK**

**A. ADDITIONAL WORK COSTS**

At the request of the **Municipality** and in accordance with the **Department's** Pedestrian Policy Guidelines or the Complete Streets Guidelines, the **Department** shall include provisions in its construction contract for the construction of pedestrian facilities and/or other Additional Work as indicated in the Table below. Said work shall be performed in accordance with the **Department's** policies, procedures, standards, and specifications, and the provisions of this Agreement.

Description	Cost to Municipality
Sidewalk	\$ 3,770.00
Powder coating for metal strain poles and type II pedestal poles	\$ 9,813.60
<b>Total Estimated Cost to Municipality</b>	<b>\$ 13,583.60</b>

**B. ADDITIONAL WORK FUNDING AND PAYMENT**

The **Municipality** has agreed to participate in the Additional Work costs as follows:

- i. The estimated cost of the Additional Work is \$47,513.60. The **Municipality** shall participate in 10% of actual costs for the sidewalks (\$3,770.00) and 100% of the actual costs for the powder coating on the metal strain poles and type II pedestal poles (\$9,813.60). The **Department** will participate in 90% of actual costs of the sidewalks (\$33,930.00). Both **Parties** understand that this is an estimated cost and is subject to change.
- ii. The **Department** may consult with the **Municipality** on changes to cost estimates prior to construction, or changes to costs during construction. Consultation between the **Department** and the **Municipality** is offered as a courtesy to apprise the **Municipality** of potential cost increases and to allow appropriate budgeting. Failure of the **Department** to notify the **Municipality** of cost increases does not affect the payment terms of the agreement.

**C. PAYMENT BY THE MUNICIPALITY**

- i. Upon completion of the Project, the **Department** will calculate actual costs and bill the **Municipality** per the **COSTS AND FUNDING FOR ADDITIONAL WORK** Provision. The **Municipality** shall reimburse the **Department** within sixty (60) days of invoicing by the **Department**. The **Department** will charge a late payment penalty and interest on any unpaid balance due in accordance with G. S. 147-86.23.
- ii. At any time prior to final billing by the **Department**, the **Municipality** may prepay any portion of the estimated cost by sending payment in accordance with the attached “Remittance Guidance”. The **Department** will provide a final billing based on the fixed cost, less any previous payments that have been made.
- iii. In the event the **Municipality** fails for any reason to pay the **Department** in accordance with the provisions for payment hereinabove provided, North Carolina General Statute 136-41.3 authorizes the **Department** to withhold so much of the **Municipality’s** share of funds allocated to said **Municipality** by North Carolina General Statute, Section 136-41.1, until such time as the **Department** has received payment in full.

**V. STANDARD PROVISIONS**

**A. AGREEMENT MODIFICATIONS**

Any modification to scope, funding, responsibilities, or time frame will be agreed upon by all **Parties** by means of a written Supplemental Agreement.

**B. ASSIGNMENT OF RESPONSIBILITIES**

The **Department** must approve any assignment or transfer of the responsibilities of the **Municipality** set forth in this Agreement to other parties or entities.

**C. AGREEMENT FOR IDENTIFIED PARTIES ONLY**

This Agreement is solely for the benefit of the identified **Parties** to the Agreement and is not intended to give any rights, claims, or benefits to third parties or to the public at large.

**D. OTHER AGREEMENTS**

The **Municipality** is solely responsible for all agreements, contracts, and work orders entered into or issued by the **Municipality** to meet the terms of this Agreement. The **Department** is not responsible for any expenses or obligations incurred for the terms of this Agreement except those specifically eligible for the funds and obligations as approved by the **Department** under the terms of this Agreement.

**E. TITLE VI**

The other party to this Agreement shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21) and related nondiscrimination authorities. Title VI and related authorities prohibit discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

**F. AUTHORIZATION TO EXECUTE**

The **Parties** hereby acknowledge that the individual executing this Agreement has read this Agreement, conferred with legal counsel, fully understands its contents, and is authorized to execute this Agreement and to bind the respective **Parties** to the terms contained herein.

**G. DEBARMENT POLICY**

It is the policy of the **Department** not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this agreement, the **Municipality** certifies that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or Department and that it will not enter into agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

**H. INDEMNIFICATION**

The **Municipality** will indemnify and hold harmless the FHWA (if applicable), the **Department** and the State of North Carolina, their respective officers, directors, principals, employees, agents, successors, and assigns from and against any and all claims for damage and/or liability, including those that may be initiated by third parties, in connection with the Project activities performed pursuant to this Agreement including construction of the Project, except for those claims arising out of the errors, omissions, or negligence of the **Department**, its respective officers, directors, principals, employees, agents, successors, and assigns.

**I. AVAILABILITY OF FUNDS**

All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

**J. COUNTERPARTS AND ELECTRONIC SIGNATURES**

- i. This Agreement, and other documents to be delivered pursuant to this Agreement, may be executed in one or more counterparts, each of which will be deemed to be an original copy and all of which, when taken together, will be deemed to constitute one and the same agreement or document and will be effective when counterparts have been signed by each

of the **Parties**. An image of a manual signature on this Agreement, or other documents to be delivered pursuant to this Agreement, will constitute an original signature for all purposes. The delivery of copies of this Agreement or other documents to be delivered pursuant to this Agreement, including executed signature pages where required, by electronic transmission will constitute effective delivery of this Agreement or such other document for all purposes.

- ii. The **Parties** hereto further acknowledge and agree that this Agreement may be signed and/or transmitted by email or a PDF document or using electronic signature technology (e.g. DocuSign, Adobe Sign, or other electronic signature technology), and that such signed record shall be valid and as effective to bind the **Party(ies)** so signing as a paper copy bearing a handwritten signature. By selecting "I Agree", "I Accept", or other similar item, button, or icon via use of a keypad, mouse, or other device, as part of the electronic signature technology, the **Parties** consent to be legally bound by the terms and conditions of Agreement and that such act constitutes a signature as if actually signed in writing. The **Parties** also agree that no certification authority or other third-party verification is necessary to validate its electronic signature and that the lack of such certification or third-party verification will not in any way affect the enforceability of its electronic signature. The **Parties** acknowledge and agree that delivery of a copy of this Agreement or any other document contemplated hereby through the electronic signature technology, will have the same effect as physical delivery of the paper document bearing an original written signature.

#### **K. GIFT BAN**

By Executive Order 24, issued by Governor Perdue, and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Adult Corrections, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).



**ACCOUNTS RECEIVABLE  
TIP AGREEMENT – ADDITIONAL WORK  
CONSTRUCTION  
1000026981**

**SIGNATURE PAGE**

IN WITNESS WHEREOF, this Agreement has been executed the day and year heretofore set out, on the part of the **Department** and the **Municipality** by authority duly given.

**(DOCUSIGN ONLY)**

**TOWN OF STALLINGS**

Authorized Signer: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date Signed: \_\_\_\_\_

If applicable, this Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act:

Fed Tax ID No: \_\_\_\_\_

Finance Signer: \_\_\_\_\_

Remittance Address:

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date Signed: \_\_\_\_\_

**DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

APPROVED BY BOARD OF TRANSPORTATION ITEM O: \_\_\_\_\_ (DATE)

**ACCOUNTS RECEIVABLE  
TIP AGREEMENT – ADDITIONAL WORK  
CONSTRUCTION  
1000026981**

**SIGNATURE PAGE**

IN WITNESS WHEREOF, this Agreement has been executed the day and year heretofore set out, on the part of the **Department** and the **Municipality** by authority duly given.

**(INK SIGNATURES)**

**TOWN OF STALLINGS**

Attest:

Authorized Signer: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date Signed: \_\_\_\_\_

If applicable, this Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act:

Fed Tax ID No: \_\_\_\_\_

Finance Signer: \_\_\_\_\_

Remittance Address: \_\_\_\_\_

Print Name: \_\_\_\_\_

\_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_

Date Signed: \_\_\_\_\_

**(DOCUSIGN)**

**DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

APPROVED BY BOARD OF TRANSPORTATION ITEM O: \_\_\_\_\_ (DATE)

## Exhibit A

Description	Quantity	Unit	Price	Amount
<b><u>SIGNALS &amp; ITS</u></b>				
POWDER COAT FOR METAL STRAIN POLE	4	EA	\$ 1,800.00	\$ 7,200.00
POWDER COAT FOR TYPE II PEDESTAL POLE	6	EA	\$ 210.00	\$ 1,260.00
Total Line Item Costs for Agreement				\$ 8,460.00
Contract Administration Costs 16%				\$ 1,353.60
<b>Total Estimated Agreement Amount</b>				<b>\$ 9,813.60</b>

Metal Pole #1  
-L- Sta 159+00 +/-  
LT 68 +/-







SR 1009 (Old Monroe Road)

35 MPH  
+1.0% Grade

Metal Pole #2  
-L- Sta 160+77 +/-  
LT 88 +/-

SR 1365  
(Stallings Road)

35 MPH +1.0% Grade

-  Traffic Signal Head
-  Pedestrian Signal Head With Push Button & Sign
-  Metal Strain Pole
-  Controller & Cabinet
-  Type I Pushbutton Post
-  Type II Signal Pedestal

35 MPH -1.0% Grade

Metal Pole #4  
-L- Sta 158+48 +/-  
RT 69 +/-

SR 1357  
(Potters Road)

SR 1009 (Old Monroe Road)

Metal Pole #3  
-L- Sta 160+50 +/-  
RT 63 +/-

35 MPH  
-3.0% Grade

SR 1009 (Old Monroe Road) EB at SR 1365 (Stallings Road)  
/ SR 1357 (Potters Road) (10-0636)



1" = 40'  
SCALE

**EXHIBIT B**

Description	Quantity	Unit	Price	Amount
4" Concrete Sidewalk	500	SY	\$ 65.00	\$ 32,500.00

<b>Estimated Total</b>	<b>\$ 32,500.00</b>
Contract Administration 16%	\$ 5,200.00
<b>Estimated Costs</b>	<b>\$ 37,700.00</b>
<b>Stalling Responsibility 10%</b>	<b>\$ 3,770.00</b>



# MEMO

To: Town Council  
From: Max Hsiang, Planning Director  
Date: October 14, 2025  
RE: CZ25.02.03 3919 & 3927 Pleasant Plains Town Center (1) Council-Requested Revisions

---

MONA-T LLC submitted a conditional rezoning request (CZ-TC) for parcels 07129296B and 07129296C, located at 3919 and 3927 Pleasant Plains Road, totaling approximately 2.63 acres. The proposed development includes 12 shopfront units with ground-floor commercial or retail space and residential units above, as well as 23 townhomes located at the rear of the site.

This item was discussed at Council meetings on July 14, 2025, and September 8, 2025. Council emphasized that, as this is the first development proposed within the Town Center (TC) zoning district, it is important to establish the right precedent. Key areas of concern included the streetscape buildout, the sequencing of shopfront and townhome construction (with commercial space to be built before or concurrently with the townhomes), and the architectural elevations.

Following the September 8 meeting, the applicant incorporated revisions into the CZ25.02.03 Development Standards document. All Council-requested changes are shown in blue within the document and address phasing, streetscape standards, and building elevations.

## Summary of Revisions

### 1. Occupancy & Sequencing

- Added a condition linking townhome Certificates of Occupancy to completion of a portion of the commercial space. No more than 50% of the townhome units may receive Certificates of Occupancy until at least 50% of the total planned shopfront commercial area (minimum 4,860 sq. ft.) has been constructed to the completed shell stage.
- Clarified that any originally approved residential loft unit may be converted to a commercial or retail use permitted within the Town Center district, and such units may revert to residential use without requiring a zoning amendment. However, originally approved commercial shopfront units cannot be converted to residential use without a formal amendment to the conditional zoning.

### 2. Building Materials and Design

- Added a requirement that Town Council approve all proposed building elevations prior to issuance of Construction Document approval. The applicant will return to Council for this approval once the project reaches the Construction Document phase.

### 3. Streetscape Standards

- Specified that the Pleasant Plains Road streetscape depth will be 18 feet (12-foot sidewalk plus a 6-foot paver strip).
- Introduced an interim condition allowing installation of a 12-foot sidewalk with a 6-foot landscaped strip until adjacent properties are developed to the full standard.
- Required the developer (or future owner) to upgrade the interim condition to the full 18-foot streetscape with pavers once neighboring properties are built out.

### 4. Connectivity

- Required that all stubs, alleyways, and turnarounds within the development be clearly identified on the plans as “stub for future connection” and reserved and constructed for that purpose.

These revisions better align the project with the Town Center’s design objectives and address Council’s concerns regarding streetscape consistency, pedestrian experience, and the timing of residential and commercial construction.

## Staff Recommendation

Staff recommends approval of the conditional rezoning request, as the proposal aligns with the Town Center Small Area Plan and the Comprehensive Land Use Plan’s designation of this area for Town Center development. The applicant has addressed Council’s feedback and agreed to the conditions outlined above, ensuring the project meets both design and phasing expectations for the Town Center area.



## **Development Standards**

### **CZ25.02.03 3919 & 3927 Pleasant Plains Rd Shop Front**

MONA-T LLC, submitted a conditional rezoning to CZ-TC for parcels 07129296B and 07129296C, located at 3919 and 3927 Pleasant Plains Road, totaling approximately 2.63 acres. The proposed development includes 12 shopfront units with commercial or retail space on the ground floor and residential units above, along with 23 townhomes situated at the rear of the site. Below is the list of Development Standards:

#### **I. General Provisions**

1. The Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by MONA-T, LLC (the “Petitioner”) to accommodate redevelopment on an approximately 2.63-acre site located at 3919 and 3927 Pleasant Plains Road in the Town of Stallings, more particularly depicted on the Rezoning Plan (the “Site”). The Site is comprised of Tax Parcel Number 07129296B and 07129296C.
2. Development of the Site will be governed by the Rezoning Plan, these Development Standards, and the applicable provisions of the Town of Stallings Unified Development Ordinance (the “Ordinance”).
3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Town Center (TC) zoning district shall govern the development and use of the Site.
4. The development and street layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations, and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping, and tree save requirements set forth on this Rezoning Plan and the Development Standards. Any such alterations and modifications shall be minor in nature and not materially change the overall design intent depicted on the Rezoning Plan.
5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of the Ordinance.
6. Development is limited to a maximum of 12 shopfront units, 12 residential lofts, and 23 townhomes.

#### **II. Land Use**

1. Non-residential uses are intended to activate the Pleasant Plains Road street frontage and shall comply with the Shop Front Building Type Standards identified in Section 9.6 of the Ordinance.
2. Non-residential uses identified below shall be permitted within the TC zoning district, subject to compliance with all applicable requirements of the Town of Stallings Unified Development Ordinance (UDO) and the following conditions:
  - a. Coworking Spaces – Flexible office spaces for individuals or small businesses seeking shared work environments.
  - b. Professional Services – Including consulting, design, legal, real estate, accounting, and other similar business services.
  - c. Personal Services – Establishments providing services such as hair and nail salons, tailor services, dry cleaning, laundry, and other personal care businesses.
  - d. Health and Wellness – Establishments offering services aimed at physical and mental well-being, including fitness centers, yoga studios, massage therapy, physical therapy, and wellness coaching.
  - e. Creative Studios – Spaces for artistic creation and production, including photography, painting, graphic design, music, or other creative industries.
  - f. Event or Meeting Spaces – Facilities available for hosting small community events, conferences, and meetings.
3. The total floor area dedicated to any non-residential use or combination of non-residential uses listed above shall not exceed 15,000 square feet in aggregate. This limit is intended to ensure that the



development remains in keeping with the scale and character of the TC zoning district and as stipulated in the Shop Front Building Type code section.

4. Prohibited uses include vape shops, tobacco sales, CBD retailers, smoke shops, hookah lounges, and similar businesses.
5. **Occupancy Sequencing:**
  - a. Certificates of Occupancy for more than fifty percent (50%) of the approved townhome units (minimum twelve [12]) shall not be issued until at least fifty percent (50%) of the total planned shopfront commercial floor area (minimum 4,860 SF) has been constructed to a completed building shell, excluding interior tenant upfits.
  - b. A completed building shell shall include foundations, structural framing, roof assembly, exterior walls, storefront systems, primary utility connections, and required life-safety and fire-separation elements necessary for issuance of a Shell Certificate of Occupancy or equivalent under the North Carolina State Building Code.
6. Any originally approved residential loft unit may be converted to a commercial or retail use as permitted in Town Center, and any such converted unit may be returned to residential use, without requiring an amendment to the conditional zoning. However, no originally approved commercial shopfront unit may be converted to residential use without a formal amendment to the conditional zoning.

### III. Site Specific Standards for Consideration

To support the development's unique design vision and promote a high-quality, context-sensitive outcome, the applicant intends to pursue deviation from zoning-specific standards to accommodate the envisioned development on the Site, subject to approval by the Town's Planning and Zoning Department. These standards are intended to provide flexibility in the implementation of certain design elements, including but not limited to:

1. **Frontage** – The proposed frontage design along Pleasant Plains Road reflects a context-sensitive approach that supports the Town's vision for its Town Center zoning district. The project seeks to right-size the frontage setback and streetscape improvements to create a safe, accessible, and inviting pedestrian experience, consistent with a vibrant, walkable downtown environment. Specifically, the development proposes a reduction in the streetscape depth from 38 feet to 18 feet (from the existing curb to the building face), aligning more closely with the Downtown Core plan type outlined in the Town's Streetscape Design Standards. The standard 38-foot Type 1A section is out of scale with the existing and intended character of this area and would not support the compact, pedestrian-oriented form envisioned for the Town Center. This proposed adjustment will enhance the sense of place, improve walkability, and better contribute to the urban fabric the Town is working to establish.
2. **Streetscape Compliance:**
  - a. All required streetscape improvements along Pleasant Plains Road shall be installed in coordination with the development of the shopfront units. Streetscape installation shall be substantially complete prior to the issuance of certificates of occupancy for the initial 50 percent of the shopfront units.
  - b. Streetscape improvements shall be designed and constructed in accordance with the Town of Stallings Streetscape Design Standards or as otherwise approved by the Town.
  - c. The ultimate streetscape standard along the project frontage shall be up to 18 feet in width maximum, consisting of a 12-foot clear sidewalk zone and a 6-foot paver strip per item (b) above.
  - d. Because this project is the first development within the Town Center zoning district and will establish precedents for future projects, the developer may construct an interim streetscape condition consisting of a minimum 12-foot clear sidewalk with an adjacent 6-foot interim landscape strip. The interim landscape strip shall incorporate the required street trees in lawn or landscape beds, subject to Town approval. Interim materials may include grass, mulch, groundcovers, low plantings, or other Town-approved treatments, provided the area is reserved for future conversion to the required 6' paver strip.
  - e. Conversion shall be required when the properties to the west of subject parcel(s) are substantially developed and comply with the 18-foot standard, thereby necessitating full buildout of this property to establish a consistent and continuous Town Center streetscape frontage. At that time,

the developer (or subsequent property owner) shall upgrade the interim landscape strip to the 6' paver strip, at their expense and in accordance with the Stallings Streetscape Standards.

3. Site Layout and Parking – The proposed development seeks to provide a mix of two- and three-story attached single-family townhomes, responding to current housing needs with a range of unit types and parking options. Some units will feature front-loaded garages accessed via private alleys in lieu of internal public streets, while others will utilize surface parking areas to comply with minimum ordinance requirements. The site layout prioritizes efficient land use and pedestrian connectivity, with flexibility in parking configuration, access points, and circulation patterns to support a walkable, community-oriented environment.
4. All proposed building elevations must be included in the Construction Documents and approved by the Town Council before approval.
5. Prohibited exterior materials include vinyl, EIFS, and Masonite. Vinyl may be used only for windows, doors, trim, and railings.
6. A minimum of 12 inches of exposed brick or stone is required at the base frontage of all units.
7. A minimum of 1 EV charging station must be installed on-site.

The application of these site-specific design standards shall be reviewed and approved by the Town of Stallings, ensuring that any proposed deviations from the standard requirements will still align with the community's broader planning goals, such as walkability and pedestrian infrastructure, sustainable growth, and mixed-use development that is compatible with the Town Center character.

#### **IV. Transportation**

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and as required for approval by the Town of Stallings or NCDOT.
2. The alignment of internal private drives, vehicular circulation areas, and driveways are subject to minor modification during the permitting process to accommodate changes in traffic patterns, parking layouts, and/or any adjustments required by the Town of Stallings or NCDOT.
3. Streetscape shall be dedicated to the Town.
4. Roads, alleys, and parking areas within the development will remain privately owned and maintained.
5. All stubs, alleyways, and turn arounds within the development shall be clearly identified on the plans as "stub for future connection" and shall be reserved and constructed for that purpose.

#### **V. Environmental Features**

1. The Petitioner shall comply with the Town of Stallings / Union County approved and adopted Post Construction Stormwater Ordinance.

#### **VI. Signage**

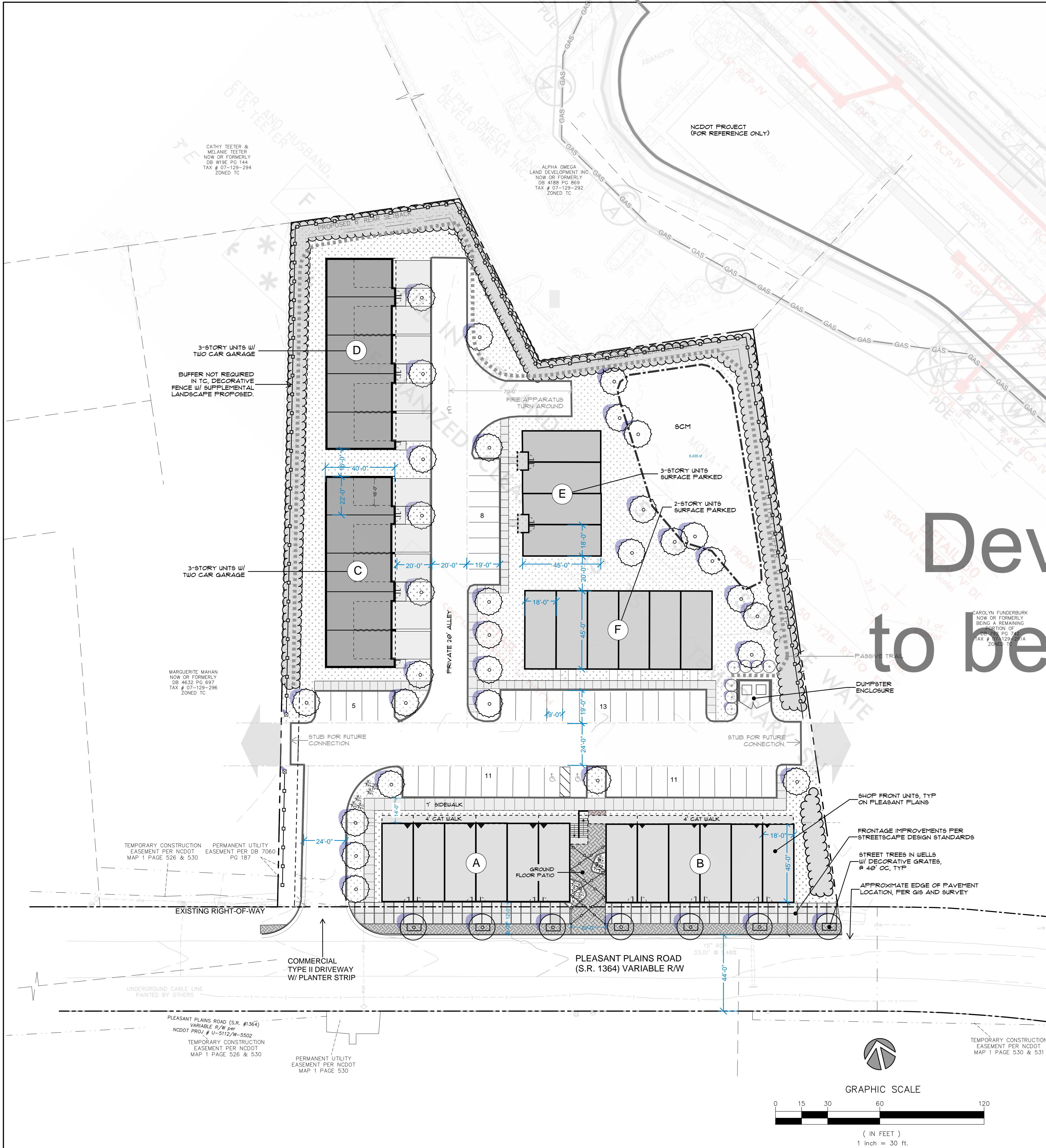
1. All signage installed on the Site shall comply with the requirements of the Town of Stallings Unified Development Ordinance.

#### **VII. Binding Effect of the Rezoning Documents and Definitions**

1. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns.
2. Throughout these Development Standards, the terms "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest, and assigns of the

Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development thereof.





- (A) (6) SHOP FRONT UNITS = 4860 SF  
(6) 2ND FLOOR RESIDENTIAL LOFT UNITS @ 810 SF EACH
- (B) (6) SHOP FRONT UNITS = 4860 SF  
(6) 2ND FLOOR RESIDENTIAL LOFT UNITS @ 810 SF EACH
- (C) (5) 3-STORY TOWNHOMES = 2,280 SF EACH W/ 2-CAR GARAGE
- (D) (5) 3-STORY TOWNHOMES = 2,280 SF EACH W/ 2-CAR GARAGE
- (E) (4) 3-STORY TOWNHOMES = 2,430 SF EACH, SURFACE PARKED
- (F) (6) 2-STORY TOWNHOMES = 1,620 SF EACH, SURFACE PARKED

**DEVELOPMENT SUMMARY**

TAX PARCEL ID: 07129296B, 07129296C

TOTAL SITE AREA: 2.63 ACRES (114,562 SF)

EXISTING ZONING: TC - TOWN CENTER  
PROPOSED ZONING: CZ-CONDITONIAL ZONING

SETBACKS  
FRONT 0' - 10' FROM EDGE OF SIDEWALK  
SIDE 0'  
REAR 8'

PROPOSED USE: SHOP FRONT COMMERCIAL & ATTACHED RESIDENTIAL

MAX BUILDING HEIGHT: 45 FEET  
MAX DENSITY: 24 UNITS / ACRE

UNIT TAKEOFFS:  
12 UNITS = 9,720 SF  
12 RESIDENTIAL LOFTS  
20 TOWNHOME UNITS

REQUIRED PARKING = 47 SPACES  
RETAIL: 1.5 SPACES / 1000 SF = 15 SPACES  
RESIDENTIAL: 1 / UNIT = 32 SPACES

PROPOSED PARKING = 73 SPACES  
15 DEDICATED SHOP FRONT SPACES  
12 RESI LOFT SPACES  
6 VISITOR / OVERFLOW SPACES  
20 DRIVEWAY SPACES  
20 SURFACE SPACES

REQUIRED VUA PLANTING = 15,000 VUA/1500 = 10 TREES / 40 SHRUBS  
PROPOSED VUA PLANTING = PER ORDINANCE  
PERIMETER SCREENING: NOT REQUIRED IN TC

**I. General Provisions**

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by MONA-T, LLC (the "Petitioner") to accommodate redevelopment on an approximately 2.63-acre site located at 3919 and 3927 Pleasant Plains Road in the Town of Stallings, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Number 07129296B and 07129296C.

2. Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the Town of Stallings Unified Development Ordinance (the "Ordinance").

3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Town Center (TC) zoning district shall govern the development and use of the Site.

4. The development and street layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall be minor in nature and not materially change the overall design intent depicted on the Rezoning Plan.

5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of the Ordinance.

6. Development is limited to a maximum of 12 shopfront units, 12 residential lofts, and 23 townhomes.

**II. Land Use**

1. Non-Residential uses are intended to activate the Pleasant Plains Road street frontage and shall comply with the Shop Front Building Type Standards, identified in Section 9.6 of the ordinance.

2. Non-residential uses identified below shall be permitted within the TC zoning district, subject to compliance with all applicable requirements of the Town of Stallings Unified Development Ordinance (UDO) and the following conditions:

a. Coworking Spaces – Flexible office spaces for individuals or small businesses seeking shared work environments.

b. Professional Services – Including consulting, design, legal, real estate, accounting, and other similar business services.

c. Personal Services – Establishments providing services such as hair and nail salons, tailor services, dry cleaning, laundry, and other personal care businesses.

d. Health and Wellness – Establishments offering services aimed at physical and mental well-being, including fitness centers, yoga studios, massage therapy, physical therapy, and wellness coaching.

e. Creative Studios – Spaces for artistic creation and production, including photography, painting, graphic design, music, or other creative industries.

f. Event or Meeting Spaces – Facilities available for hosting small community events, conferences, and meetings.

3. Prohibited uses include vape shops, tobacco sales, CBD retailers, smoke shops, hookah lounges, and similar businesses.

**Note:** The total floor area dedicated to any non-residential use or combination of non-residential uses listed above shall not exceed 15,000 square feet in aggregate. This limit is intended to ensure that the development remains in keeping with the scale and character of the TC zoning district and as stipulated in the Shop Front Building Type code section.

**III. Site Specific Standards for Consideration**

To support the development's unique design vision and promote a high-quality, context-sensitive outcome, the applicant intends to pursue deviation from zoning specific standards to accommodate the envisioned development to the site, subject to approval by the Town's Planning and Zoning Department. These standards are intended to provide flexibility in the implementation of certain design elements, including but not limited to:

1. **Frontage** – The proposed frontage design along Pleasant Plains Road reflects a context-sensitive approach that supports the Town's vision for its Town Center zoning district. The project seeks to "right-size" the frontage setback and streetscape improvements to create a safe, accessible, and inviting pedestrian experience, consistent with a vibrant, walkable downtown environment. Specifically, the development proposes a reduction in the streetscape depth from 38 feet to 18 feet—from the existing curb to the building face—aligning more closely with the Downtown Core plan type outlined in the Town's Streetscape Design Standards. The standard 38-foot Type 1A section is out of scale with the existing and intended character of this area and would not support the compact, pedestrian-oriented form envisioned for the Town Center. This proposed adjustment will enhance the sense of place, improve walkability, and better contribute to the urban fabric the Town is working to establish.

2. **Site Layout and Parking** – The proposed development seeks to provide a mix of two- and three-story attached single-family townhomes, responding to current housing needs with a range of unit types and parking options. Some homes will feature front-loaded garages accessed via private alleys in lieu of internal public streets, while others will utilize surface parking areas that exceed minimum ordinance requirements. The site layout prioritizes efficient land use and pedestrian connectivity, with flexibility in parking configuration, access points, and circulation patterns to support a walkable, community-oriented environment. Generous common open space is integrated throughout the site to enhance livability and foster neighborhood interaction.

3. All building elevations, exterior materials, and color palettes must be approved by the Planning Board before permitting.

4. Prohibited exterior materials include vinyl, EIFS, and Masonite. Vinyl may be used only for windows, doors, trim, and railings.

5. A minimum of 12 inches of exposed brick or stone is required at the base frontage of all units.

6. A minimum of 1 EV charge stations must be installed on-site.

The application of these site specific design standards shall be reviewed and approved by the Town of Stallings, ensuring that any proposed deviations from the standard requirements will still align with the community's broader planning goals, such as walkability and pedestrian infrastructure, sustainable growth, and mixed-use development that is compatible with the town center character.

**IV. Transportation**

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and as required for approval by the Town of Stallings or NCDOT.

2. The alignment of internal private drives, vehicular circulation areas, and driveways are subject to minor modification during the permitting process to accommodate change in traffic patterns, parking layouts, and/or any adjustments required by the Town of Stallings or NCDOT.

3. Streetscape will be dedicated to the Town.

4. Roads, alleys, and parking areas within the development will remain privately owned and maintained.

**V. Environmental Features**

1. The petitioner shall comply with the Town of Stallings / Union County approved and adopted Post Construction Stormwater Ordinance.

**VI. Signage**

1. All signage installed on Site shall comply with the requirements of the Town of Stallings Unified Development Ordinance.

**VII. Binding Effect of the Rezoning Documents and Definitions**

1. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns.

2. Throughout these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development thereof.

**URBAN DESIGN PARTNERS**

1213 W morehead st ste 450  
charlotte, nc 28208  
P 704.334.3303  
urbansignpartners.com

nc firm no: P-0418 sc coa no: C-03044

PRELIMINARY DRAWING  
FOR REVIEW PURPOSES ONLY

02/28/2025

Frank Arooji  
MONA-T, LLC

3919 Pleasant Plains Rd.  
Matthews, NC 28104

Pleasant Plains Mixed Use  
Rezoning Site Plan  
3919 Pleasant Plains Rd. Matthews, NC 28104

NO.	DATE	BY	REVISIONS:
NO. 1	07-08-2025		Rezoning Site Plan Revisions

Project No: 24-CLT-222  
Date: 02.28.2025  
Sheet No:

RZ-2.0





### PROPOSED BUILDING DATA

- (A) (6) SHOP FRONT UNITS = 4860 SF
- (6) 2ND FLOOR RESIDENTIAL LOFT UNITS @ 810 SF EACH
- (B) (6) SHOP FRONT UNITS = 4860 SF
- (6) 2ND FLOOR RESIDENTIAL LOFT UNITS @ 810 SF EACH
- (C) (5) 3-STORY TOWNHOMES = 2,280 SF EACH W/ 2-CAR GARAGE
- (D) (5) 3-STORY TOWNHOMES = 2,280 SF EACH W/ 2-CAR GARAGE
- (E) (4) 3-STORY TOWNHOMES = 2,430 SF EACH, SURFACE PARKED
- (F) (6) 2-STORY TOWNHOMES = 1,620 SF EACH, SURFACE PARKED

### SITE DATA

ACRES:	± 2.63 AC
PIN:	07129296B,07129296C
EXISTING ZONING:	TC (TOWN CENTER)

### DEVELOPMENT SUMMARY

PROPOSED ZONING:	CZ (CONDITIONAL ZONING)
MAXIMUM DENSITY:	24 UNITS/AC
PROPOSED USE:	SHOP FRONT & ATTACHED RESIDENTIAL

SETBACKS:	
• FRONT:	0'-10' FROM EDGE OF RIGHT-OF-WAY
• SIDE:	0'
• REAR:	8'

MAX BUILDING HEIGHT:	45'
----------------------	-----

RESIDENTIAL:	32 DU TOTAL
• TOWNHOMES:	20 UNITS
• RESIDENTIAL LOFTS:	12 UNITS

COMMERCIAL:	
• SHOP FRONT:	12 UNITS (9,720 SF TOTAL)

PARKING:	PER ORDINANCE
• REQUIRED:	47 SPACES
RETAIL:	15 SP (1.5 SP/1000 SF)
RESIDENTIAL:	32 SP (1 SP/ 1 DU)
• PROPOSED:	<b>73 TOTAL SPACES</b>
RETAIL:	15 SPACES
FLEX / VISITOR:	6 SPACES
RESIDENTIAL:	20 DRIVEWAY SPACES
	12 RESIDENTIAL LOFT SPACES
	20 SURFACE SPACES

TREE CONSERVATION AREA:	N/A
-------------------------	-----

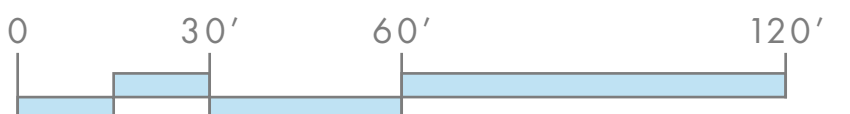
### NOTES

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE.
2. THIS EXHIBIT WAS PREPARED USING AVAILABLE RECORD INFORMATION, GIS MAPS, RECORD PLANS, AERIAL IMAGERY, AND LAND RECORDS.
3. THIS PLAN WILL BE SUBJECT TO REVIEW AND APPROVAL BY LOCAL AND STATE PLANNING AND ENGINEERING REVIEW AGENCIES.
4. THE WORK OF THIS PRODUCT IS THE PROPERTY OF URBAN DESIGN PARTNERS, PLLC. NO USE OR REPRODUCTION OF THIS PLAN IS PERMITTED WITHOUT WRITTEN AUTHORIZATION FROM URBAN DESIGN PARTNERS, PLLC.
5. SETBACKS ARE BY THE LOT/BUILDING TYPE STANDARDS AND THEN BY ZONING DISTRICT. TC HAS A 0'-10' BUILD-TO-LINE OFF EDGE OF SIDEWALK.
6. ACCORDING TO STALLINGS ORDINANCE, TOWN CENTER ZONING DISTRICT REQUIRES THAT A BUILD-TO-LINE FROM ANY STREET BE 0'-10' OFF EDGE OF SIDEWALK PER SECTION 13.6-1 OF THE STALLINGS ORDINANCE. OR THE AVERAGE ALIGNMENT OF EXISTING BUILDINGS WITHIN THE SAME BLOCK AND SAME SIDE OF THE STREET, PROVIDED THAT BUILDINGS WITH GREATER THAN 6' OF DEVIATION SHALL NOT BE CONSIDERED IN THIS COMPUTATION. UNDER NO CONDITIONS SHALL A BUILDING BE PERMITTED WITHIN THE PUBLIC RIGHT-OF-WAY.



# PLEASANT PLAINS MU CONCEPT PLAN

MATTHEWS, NORTH CAROLINA



JULY, 2025

24-CLT-222





## Statement of Consistency and Reasonableness

ZONING AMENDMENT: CZ25.02.03

REQUEST: The applicant, MONA T LLC, is requesting a conditional rezoning to CZ-TC for a 2.63-acre site (parcels 07129296B and 07129296C) to allow development for 12-shopfront units and 23 Townhomes in Town Center.

**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/inconsistent** and **reasonable/unreasonable** 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/Denies** the proposed amendment and stated that the Town Council finds and determines that the zoning amendment is **consistent/inconsistent** and **reasonable/unreasonable** with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

- 1) The request aligns with the Comprehensive Land Use Plan.
- 2) The proposed use supports the Town Center Future Land Use designation.
- 3) The combination of commercial and residential uses is consistent with the adopted Town Center Small Area Plan.
- 4) The inclusion of a Streetscape Design aligns with the Stallings Streetscape Design Standards and Details Plan.

**Adopted** this the \_\_ day of \_\_\_\_\_, 2025

---

Mayor

Attest:

---

Town Clerk



# MEMO

To: **Town Council**  
From: Max Hsiang, Planning Director  
Date: 10/14/2025  
Re: **TX25.09.01** – Conditional Zoning and Mixed-Use Update

---

## **Request:**

The purpose of this amendment is to clarify Conditional Zonings (CZ) within the Stallings Development Ordinance. Under the current language in Section 5.4-2, CZ is available for “any of the Primary General Use District classifications.” This has resulted in broader applications than Council may have intended. Council has also directed that mixed-use zoning in Mixed Use (MU) districts must require a true mix of uses.

## **Background:**

The Town has experienced an extraordinary number of development requests this year for Conditional Zonings and in areas of Mixed-Use. In the past we added language restricting Development Agreements because they added record growth to the community. Based on the guidance of our land use attorneys, and to better manage growth, staff propose limiting CZ applications where they are already located in the Use Table. Council has further requested that CZ in MU districts require both residential and non-residential components to promote balanced development.

## **Planning Board Recommendation:**

The Planning Board recommended approval of the text amendment and advised that staff consider adding a timeline to the Mixed-Use provisions. Specifically, if a project includes residential development, the commercial component should begin either before or at the same time as residential construction. Original changes are in **Red**, changes from planning board to Council are in **Orange**.

## **Proposed Text Amendment:**

TX25.09.01 amendment will:

1. Amend the use table and restrict CZ to uses explicitly marked “CZ” in Table 8.1.
2. Allow CZ applications only when the designated “CZ” use is the primary use, not just an accessory, incidental, or temporary use.
3. Require that residential projects in MU districts include at least one non-residential use (retail, commercial, or office) to maintain a balanced mix in the community.

## **Affected Articles:**

- Article 5.4 (Conditional Zoning): Amend Sections 5.4-1 and -2 to limit eligibility and require that CZ be the primary use.
- Article 8.3 (District Definitions): Amend definition of CZ.
- Article 8.4-6 (Mixed Use Districts): Establish required mix of uses.
- Article 8.1 (Table of Uses): Amend to clearly identify where CZ and MU are permitted.

## **Proposed Amendments:**

### **5.4 Conditional Zoning**

#### Article 5.4-1 Purpose.

Conditional zoning is established to provide for flexibility in the development of property while ensuring that the development is compatible with neighboring uses. Conditional zoning affords a degree of certainty in land use decisions not possible when rezoning to a Primary General Use District. **Conditional zoning may only be applied when a specific use is identified with the symbol 'CZ' in the Table of Uses, and only when that use is the primary use of the proposed development.** Additional standards and regulations may be attached to a proposed development to ensure compatibility with the surrounding uses and with applicable adopted plans in accordance with the requirements of this section.

#### 5.4-2 Conditional zoning districts.

~~Conditional zoning is available for any of the Primary General Use District classifications enumerated in Article 8 of this Ordinance and shall be indicated on all zoning maps and other official documents with the prefix, "CZ-" (e.g., 'CZ-AG', 'CZ-IND', etc.). (Amended September 23, 2019)~~

The following provisions shall apply for conditional zoning:

- (A) Conditional zoning shall only be available for those specific uses identified with the symbol ~~ØZ~~ in Table 8.1 of this Ordinance. Conditional zoning shall not be permitted for any use that is not expressly designated with a ~~ØZ~~ in the Table of Uses. Requests for conditional zoning may not request deviation from Article 5.4.
- (B) The use identified with ~~ØZ~~ must constitute the primary use of the request. Although components may be permitted in the proposal, conditional zoning may not be sought solely for an alternate primary use, accessory use, temporary use, or incidental component of a development.
- (C) Where Conditional Zoning requests involve residential projects in the MU-1, MU-2, or TC districts, the Town Council may require, as a condition of approval, the inclusion of at least one non-residential use (retail or office) as part of the development to promote a balanced mix of uses consistent with adopted land use plans.

#### Article 8.3 Description of Districts

~~The Conditional Zoning Districts (CZ) are established as companion districts to the general use districts, except for the overlay zones. References in this Ordinance to a general use district shall also be construed to include the corresponding conditional zoning district.~~ Conditional zoning districts are companion districts that may only be applied when a specific use is identified with the symbol 'CZ' in the Table of Uses, and only when that use is the primary use of the proposed development. Each conditional zoning district is intended to accomplish the purposes of the corresponding general use district through the development of identified uses at a specific location in accordance with a site plan approved by the Town Council. All regulations which apply to a general use district also apply to the corresponding conditional zoning district. Additional reasonable site plan conditions which may be required by the Town Council and agreed to by the petitioner as part of the rezoning process also apply.

#### Article 8.4-6 Mixed Use Districts (MU-1 and MU-2)

##### **(I.) Minimum Mix of Uses.**

- (1.) All new developments incorporating residential uses in the MU-1 and MU-2 zoning districts shall include a minimum of two (2) distinct land uses from the categories of residential, retail/commercial, or office identified as listed in the Table of Uses.



(2.) No single use may comprise of more than seventy-five percent (75%) of total developable site or the total gross floor area of development, or whichever is less restrictive. For the purposes of this subsection, only the ground floor footprint of multi-story residential buildings shall be included when calculating gross floor area for use mix compliance. The intent of this standard is to ensure that no single use dominates the overall mix of uses on the site and will be determined at the time of site plan review.

(3.) If a project includes residential development, the nonresidential component shall commence construction either before or concurrently with the residential component. At a minimum, fifty percent (50%) of the planned non-residential floor area shall receive building permits prior to issuance of a certificate of occupancy for fifty percent (50%) of the residential units.

## Article 8.1 Table of Uses

### Section 1 General Use Changes

1. Line 41 Breweries with/without beverage sales
  - Add CZ to MU-2, C-74
2. Line 66 Department, Variety, or General Merchandise Store
  - Add 25,000 sq ft or under
3. Line 95 Garden Center or Retail Nursery
  - Add CZ to TC, MU-2
4. Line 100 Grocery Store
  - Add CZ to TC, MU-1, MU-2
5. Line 132 Multi-tenant Retail
  - Add CZ to BC, IND
6. Line 202 Shopping Center
  - Add CZ in MU-2

### Section 2 Manufacturing Industry Changes

1. Add Data Center in line 12
  - a. Add CZ in C-74
  - b. Add L in IND

### Section 3 Wholesale Trade

- No changes were made to this section

### Additional CZ Items to Consider, if Council wants to add them.

1. Line 1 – ABC Store (Liquor Sales)  
Add "CZ" to CP 485
2. Line 16 – Apparel Sales  
Add "CZ" to CP 485
3. Line 18 – Appliance Store  
Add "CZ" to MU-2 and CP 485
4. Line 19 – Arts and Crafts Store  
Add "CZ" to CP 485
5. Line 21 – Athletic Fields  
Add "CZ" to CP 485
6. Line 22 – Auditorium, Coliseum or Stadium  
Add "CZ" to CP 485
7. Line 24 – Automobile Dealers/ Sales (Auto, Boat, RV, and/or Motorcycle Sales)  
Add "CZ" to MU-2 and CP 485

8. Line 26 – Automobile Repair Services (Auto, Boat, RV, and/or Motorcycle Repair)  
Add "CZ" to MU-2 and CP 485
9. Line 35 – Bicycle Assembly (Bike Shop)  
Add "CZ" (10.1-36) to MU-2
10. Line 41 – Breweries with or without Beverage Sales  
Add "CZ" to CP 485
11. Line 42 – Brewpub  
Add "CZ" to CP 485
12. Line 43 – Building Supply Sales (No Outdoor Storage)  
Add "CZ" to CP 485
13. Line 49 – Car Wash  
Add "CZ" (10.1-9) to CP 485
14. Line 54 – Coffee Shop/Roastery  
Add "CZ" to CP 485
15. Line 66 – Department, Variety, or General Merchandise Store (25,000 sf or under)
16. Line 109 – Hotel or Motel  
Add "CZ" to TC and MU-2

**Staff Recommendation:**

Staff recommends approval of TX25.09.01 amending Articles 5.4, 8.1, and 8.4. These changes:

- Limit CZ and MU uses marked in the Use Table,
- Ensure CZ applies only to the primary use of a property, and
- Require a true mix of uses in MU districts.

The amendment is consistent with the Town's authority under N.C.G.S. Chapter 160D and Article 1.7 of the Stallings Development Ordinance. It clarifies zoning procedures, reduces overly broad requests, and ensures projects align with the Town's adopted growth plans while preserving Council's discretion in rezoning decisions.

Table 8.1 - Table of Uses  
Section 1 - General

#	L = listed use   CZ = conditional zoning S = Use listed with additional standards SUP = Special Use Permit <i>Reference SIC and NAICS code for further data on the listed uses.</i>	Agriculture (AG)	Single Family Residential (SFR-1, SFR-2, SFR-3 & SFR-MH)	Multi-Family Residential Transitional (MFT)	Traditional Neighborhood Development Overlay (TNDO)	Town Center (TC)	Civic (CIV)	Mixed Use (MU-1)	Mixed Use (MU-2)	US 74 Commercial (C 74)	Interstate Hwy 485 Corporate Park (CP 485)	Vehicle Service/ Repair (VSR)	Business Center (BC)	Industrial (IND)	Heavy Industry Overlay (HIO)
1	ABC Store (Liquor sales)					CZ			CZ	L					
2	ADULT ESTABLISHMENTS/USES														
3	Bookstore, Adult													SUP (10.2-3)	
4	Cabaret, Adult													SUP (10.2-3)	
5	Massage Parlor													SUP (10.2-3)	
6	Motel, Adult													SUP (10.2-3)	
7	Movie, Adult - Rental, Sales													SUP (10.2-3)	
8	Retail, Adult Products													SUP (10.2-3)	
9	Theater, Adult													SUP (10.2-3)	
10	Agricultural Based Business Facilities	SUP (10.2-4)												S (10.1-36)	
11	Agricultural Production (Crops Only)	L	L				L							L	L
12	Agricultural Production (Crops & Livestock)	L													
13	Agricultural Production (Within Buildings)	L												L	L
14	Alteration, Clothing Repair				L	L		L	L	L					
15	Amusement/Water Parks, Fairgrounds									SUP (10.2-5)	SUP (10.2-5)				
16	Apparel Sales (Clothing, Shoes, Accessories)				L	L			L	L					
17	Appliance Repair, Refrigerator or Large									S (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
18	Appliance Store									S (10.1-36)					
19	Arts and Crafts Store				L	L			L	L			L		
20	Asphalt Plant														SUP (10.2-6&16)
21	Athletic Fields	L	L	L	L		L		L						
22	Auditorium, Coliseum or Stadium						L		L						
23	Auto Supply Sales (Auto, Boat, RV, and/or Motorcycle Supply Sales)									S (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
24	Automobile Dealers/Sales (Auto, Boat, RV, and/or Motorcycle Sales)									S (10.1-36)		S (10.1-36)		S (10.1-36)	
25	Automobile Rental or Leasing									L	L	L	L	L	
26	Automobile Repair Services (Auto, Boat, RV, and/or Motorcycle Repair)									S (10.1-4)		S (10.1-4)		S (10.1-4)	
27	Automobile Towing with/without Automobile Storage Services											S (10.1-5)		S (10.1-5)	
28	Bakery				L	L		L	L	L		L	S(10.1-36)	S (10.1-36)	
29	Bank, Savings and Loan, or Credit Union				S (10.1-6)	S (10.1-6)			S (10.1-6)	S (10.1-6)	S (10.1-6)		S(10.1-6)		
30	Barber Shop				L	L		L	L	L	L		L		
31	Bars (with/without Beverage Production Accessory Use)				L	L			L	L	L				
32	Batting Cage, Indoor					L			L	L	L		L		
33	Batting Cages, Outdoor								S (10.1-7)	S (10.1-7)					
34	Beauty Shop (Hair, Nails, Massage, & Spa)				L	L		L	L	L	L		L		
35	Bed & Breakfast (Tourist Home, Boarding House)	S (10.1-8)		S (10.1-8)	S (10.1-8)	S (10.1-8)		S (10.1-8)	S (10.1-8)						
36	Bicycle Assembly (Bike Shop)									S (10.1-36)	S (10.1-36)	S (10.1-36)	S(10.1-36)	S (10.1-36)	
37	Billiard Parlors				L	L			L	L	L				
38	Bingo Games													L	
39	Bookstore				L	L	L	L	L	L	L		L		
40	Bowling Lanes (Bowling Alley)				L	L			L	L	L		L		
41	Breweries with/without beverage sales					L			CZ	CZ			L	L	
42	Brewpub				L	L			L	L			L		
43	Building Supply Sales (No Outdoor Storage)								L	L			L	L	

Table 8.1 - Table of Uses  
Section 1 - General

#	L = listed use CZ = conditional zoning S = Use listed with additional standards SUP = Special Use Permit <i>Reference SIC and NAICS code for further data on the listed uses.</i>	Agriculture (AG)	Single Family Residential (SFR-1, SFR-2, SFR-3 & SFR-MH)	Multi-Family Residential Transitional (MFT)	Traditional Neighborhood Development Overlay (TNDO)	Town Center (TC)	Civic (CIV)	Mixed Use (MU-1)	Mixed Use (MU-2)	US 74 Commercial (C 74)	Interstate Hwy 485 Corporate Park (CP 485)	Vehicle Service/Repair (VSR)	Business Center (BC)	Industrial (IND)	Heavy Industry Overlay (HIO)
44	Bulk Mail and Packaging					L			L	L	L		S(10.1-36)	S (10.1-36)	
45	Bus Terminal				L	L	L		L	L	L		L		
46	Camera Store				L	L			L	L	L		L		
47	Camp Ground (for 21 day or less occupancy only)	L													
48	Candy Store				L	L			L	L	L		L		
49	Car Wash								CZ (10.1-9)	S (10.1-9)		S (10.1-9)	S(10.1-9)	S (10.1-9)	
50	Casino for Games of Chance (RESERVED)														
51	Cemetery or Mausoleum	S (10.1-10)					S (10.1-10)								
52	Cigar Lounge					L								L	
53	Club or Lodge				S (10.1-12)	S (10.1-12)	S (10.1-12)		S (10.1-12)	S (10.1-12)	S (10.1-12)		S(10.1-12)		
54	Coffee Shop/Roastery					L			L	L		L			
55	College or University						L								
56	Communication or Broadcasting Facility, without Tower				L	L	L		L	L	L		L	L	
57	Computer Sales and Service				L	L			L	L	L		L		
58	Convenience Store (With Gasoline Pumps)								CZ	CZ	CZ		CZ	L	
59	Convenience Store (Without Gasoline Pumps)				L	L			L	L	L		L	L	
60	Correctional Institution (RESERVED)														
61	Country Club with or without Golf Course	S (10.1-13)			S (10.1-13)		S (10.1-13)	S (10.1-13)	S (10.1-13)	S (10.1-13)	S (10.1-13)				
62	Crematorium													L	
63	Dance School/Academy				L	L	L	L	L	L	L		L	L	
64	Day Care Center for Children or Adults (6 or more)	S (10.1-14)			S (10.1-14)	S (10.1-14)	S (10.1-14)	S (10.1-14)	S (10.1-14)	S (10.1-14)	S (10.1-14)		S(10.1-14)	S (10.1-14)	
65	Day Care Center, Home Occupation for less than 6 children	S (10.1-15)		S (10.1-15)	S (10.1-15)	S (10.1-15)	S (10.1-15)	S (10.1-15)	S (10.1-15)	S (10.1-15)			S(10.1-15)	S (10.1-15)	
66	Department, Variety or General Merchandise Store 25,000 sq ft or under				L	L			L	L					
67	Dormitories						S (10.1-16)								
68	Drive Through Window as Accessory Use				S (10.1-17)	S (10.1-17)	S (10.1-17)		S (10.1-17)	S (10.1-17)	S (10.1-17)		S(10.1-17)		
69	Emergency Disaster Restoration Services with fenced outdoor storage								L	L			L	L	
70	Equestrian Facility	SUP (10.2-7)			SUP (10.2-7)					SUP (10.2-7)	SUP (10.2-7)				
71	Equipment Rental & Leasing (no outside storage)				L	L				L	L	L	L	L	
72	Equipment Rental (w/fenced outside storage)									S (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
73	Equipment Repair, Heavy									S (10.1-4)		S (10.1-4)	S(10.1-4)	S (10.1-4)	
74	Event and Wedding Venue	L			L	L	L	L	L						
75	Fabric or Piece Goods Store				L	L			L	L			L		
76	Family Care Facility (Family Care Home)	L	L	L	L	L	L	L	L	L					
77	Farmers Market	L				L	L	L	L						
78	Fences & Walls (see 2.13)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L(2.13-2)	L (2.13-2)	L (2.13-2)
79	Fire, Ambulance, Rescue Station	L			L	L	L	L	L	L	L		L	L	
80	Floor Covering, Drapery, and/or Upholstery Sales						L			S (10.1-36)			S (10.1-36)		
81	Florist	L			L	L		L	L	L	L		S(10.1-36)	S (10.1-36)	
87	Fortune Tellers, Astrologers (RESERVED)														
88	Fuel Oil Sales and Distribution for "Home" or other Delivery														SUP (10.2-11&16)
89	Funeral Home with Crematorium						CZ			CZ					

Table 8.1 - Table of Uses  
Section 1 - General

#	L = listed use   CZ = conditional zoning S = Use listed with additional standards SUP = Special Use Permit <i>Reference SIC and NAICS code for further data on the listed uses.</i>	Agriculture (AG)	Single Family Residential (SFR-1, SFR-2, SFR-3 & SFR- MH)	Multi-Family Residential Transitional (MFT)	Traditional Neighborhood Development Overlay (TNDO)	Town Center (TC)	Civic (CIV)	Mixed Use (MU-1)	Mixed Use (MU-2)	US 74 Commercial (C 74)	Interstate Hwy 485 Corporate Park (CP 485)	Vehicle Service/ Repair (VSR)	Business Center (BC)	Industrial (IND)	Heavy Industry Overlay (HIO)
90	Funeral Home without Crematorium					L			L	L			L		
91	Furniture Framing					L				S (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
92	Furniture Repair Shop									S (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
93	Furniture Sales				L	L				S (10.1-36)					
94	Game Room, Video Game Room, Coin Operated					SUP (10.2-15)			SUP (10.2-15)	SUP (10.2-15)					
95	Garden Center or Retail Nursery	L				CZ			CZ	S (10.1-36)			S(10.1-36)	S (10.1-36)	
96	Gift or Card Shop				L	L	L	L	L	L	L				
97	Golf Course (See Country Club with Golf Course)	S (10.1-13)			S (10.1-13)		S (10.1-13)		S (10.1-13)	S (10.1-13)	S (10.1-13)				
98	Golf Course, Miniature								L	L					
99	Golf Driving Range	S (10.1-19)			S (10.1-19)		S (10.1-19)		S (10.1-19)	S (10.1-19)	S (10.1-19)				
100	Grocery Store					CZ		CZ	CZ	S (10.1-36)					
101	Group Care Facility	SUP (10.2-8)	SUP (10.2-8)	SUP (10.2-8)	SUP (10.2-8)	SUP (10.2-8)	SUP (10.2-8)	SUP (10.2-8)	SUP (10.2-8)	SUP (10.2-8)	SUP (10.2-8)				
102	Gymnastics/Cheerleading Academy					L		L	L				L	L	
103	Hardware Store									S (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
104	Hazardous and/or Radioactive Waste (Transportation,														SUP (10.2-16)
105	Hobby Shop				L	L			L	L	L				
106	Home Occupation	S (10.1-21)	S (10.1-21)	S (10.1-21)	S (10.1-21)	S (10.1-21)	S (10.1-21)	S (10.1-21)	S (10.1-21)	S (10.1-21)	S (10.1-21)		S(10.1-21)	S (10.1-21)	
107	Hookah Lounge													L	
108	Hospital						S (10.1-37)		S (10.1-37)						
109	Hotel or Motel				L	L			L	L	L		L		
110	HVAC, Electricity, Plumbing Sales and Services									S (10.1-36)			S (10.1-36)		
111	Jewelry Store				L	L			L	L	L				
112	Junked Motor Vehicle Storage as Accessory Use	S (10.1-22)								S (10.1-22)		S (10.1-22)	S(10.1-22)	S (10.1-22)	
113	Junkyards, Salvage Yards, Used Auto Parts														SUP (10.2-9 & 16)
114	Kennels or Pet Grooming w/Outdoor Pens or Runs	S (10.1-23)								S (10.1-23)	S (10.1-23)			S (10.1-23)	
115	Kennels or Pet Grooming, No Outdoor Pens or Runs	L			L	L			L	L	L			L	
116	Laboratory, Medical or Dental					L	L		L	L	L		L	L	
117	Landfill, Demolition Debris, Minor and Major (RESERVED)														
118	Landscape Services	L								S (10.1-36)			S(10.1-36)	S (10.1-36)	
119	Laundromat, Coin-Operated					L			L	L					
120	Laundry or Dry Cleaning				L	L		L	L	L	L				
121	Library				L	L	L	L	L						
122	Lighting Sales and Service									S (10.1-36)			S(10.1-36)	S (10.1-36)	
123	Manufactured Home/Dwelling Sales								CZ						
124	Market - Tailgate (Fresh Foods & "Food Trucks")(as Temporary Use - see Article 15)														
125	Market Showroom (Furniture, Apparel etc.)									S (10.1-36)	S (10.1-36)		S(10.1-36)	S (10.1-36)	
126	Martial Arts Instructional Schools				L	L		L	L	L			L	L	
127	Metal Coating and Engraving														SUP (10.2-16)
128	Metal Processing														SUP (10.2-16)
129	Migrant Labor Housing (RESERVED)														
130	Motion Picture and/or Television Production									S (10.1-36)	S (10.1-36)		S(10.1-36)	S (10.1-36)	
131	Moving and Storage Service									S (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
132	Multi-Tenant, Retail					L			L	L			CZ	CZ	
133	Multi-Tenant, Light Industrial													S (10.1-36)	
134	Museum or Art Gallery				L	L	L	L	L	L	L		L		

Table 8.1 - Table of Uses  
Section 1 - General

#	L = listed use   CZ = conditional zoning S = Use listed with additional standards SUP = Special Use Permit <i>Reference SIC and NAICS code for further data on the listed uses.</i>	Agriculture (AG)	Single Family Residential (SFR-1, SFR-2, SFR-3 & SFR- MH)	Multi-Family Residential Transitional (MFT)	Traditional Neighborhood Development Overlay (TNDO)	Town Center (TC)	Civic (CIV)	Mixed Use (MU-1)	Mixed Use (MU-2)	US 74 Commercial (C 74)	Interstate Hwy 485 Corporate Park (CP 485)	Vehicle Service/ Repair (VSR)	Business Center (BC)	Industrial (IND)	Heavy Industry Overlay (HIO)
135	Musical Instrument Sales				L	L		L	L	L			L		
136	Newsstand				L	L	L	L	L	L	L		L		
137	Nursing Home, Assisted Living	S (10.1-25)			S (10.1-25)	S (10.1-25)	S (10.1-25)	S (10.1-25)	S (10.1-25)	S (10.1-25)					
138	Office Machine Sales				L	L			L	L	L		S(10.1-36)	S (10.1-36)	
139	OFFICE USES														
140	Accounting, Auditing or Bookkeeping Services				L	L		L	L	L	L		L	L	
141	Administrative or Management Services				L	L		L	L	L	L		L	L	
142	Advertising Agency				L	L		L	L	L	L		L	L	
143	Architect, Engineer or Surveyor's Office				L	L		L	L	L	L		L	L	
144	Dental, Medical or Related Office				L	L	L	L	L	L	L		L	L	
145	Employment Agency, Personnel Agency				L	L	L	L	L	L	L		L	L	
146	Finance or Loan Office				L	L		L	L	L	L		L	L	
147	General Contractors Office w/ Fenced Outside Storage									S(10.1-36)			S(10.1-36)	S (10.1-36)	
148	General Contractors Offices without Outside Storage									L		L	L	L	
149	Government Office	L			L	L	L	L	L	L	L		L	L	
150	Insurance Agency (w/on-site claims inspections)				L	L			L	L	L		L	L	
151	Insurance Agency (without on-site claims inspections)				L	L		L	L	L	L		L	L	
152	Law Office				L	L	L	L	L				L	L	
153	Medical, Dental or Related Office				L	L	L	L	L	L	L		L	L	
154	Office Uses Not Otherwise Classified				L	L			L	L	L		L	L	
155	Real Estate Office				L	L		L	L	L	L		L	L	
156	Service Contractors Offices w/Fenced Outside Storage												S(10.1-36)	S (10.1-36)	
157	Service Contractors Offices without Outside Storage									L		L	L	L	
158	Stock, Security or Commodity Broker				L	L		L	L	L	L		L	L	
159	Temporary Real Estate Office (see Article 15)													L	
160	Travel Agency				L	L		L	L	L	L			L	
161	Optical Goods Sales				L	L	L		L	L	L		L	L	
162	Paint and Wallpaper Sales									S (10.1-36)			S(10.1-36)	S (10.1-36)	
163	Parks and Recreation Facilities, Public	S (10.1-26)	S (10.1-26)	S (10.1-26)	S (10.1-26)	S (10.1-26)	S (10.1-26)	S (10.1-26)	S (10.1-26)	S (10.1-26)	S (10.1-26)				
164	Parking Lots/Structures (Paid/Non-Paid)					L	L			L	L		L	L	
165	Pawnshop or Used Merchandise Store									S (10.1-34)					
166	Personal Training Facility, Health Club				L	L	L	L	L	L	L		L	L	
167	Pest or Termite Control Services									S (10.1-36)			S(10.1-36)	S (10.1-36)	
168	Pet Store				L	L			L	L					
169	Petroleum Products Storage and/or Transfer														SUP (10.2-11&16)
170	Pharmacy/Drugstore without Drive-Thru				L	CZ			L	L	L				
171	Photofinishing Laboratory					L			L						SUP (10.2-16)
172	Photography, Commercial				L	L			L	L	L		L		
173	Photography Studio				L	L	L	L	L	L	L		L		
174	Police Station				L	L	L	L	L	L	L		L		
175	Portable Storage Unit (POD) (as Temporary Use - see Article 15)														
176	Post Office				L	L	L	L	L	L	L		L		
177	Printing and Publishing Operation									S (10.1-36)	S (10.1-36)		S(10.1-36)	S (10.1-36)	



Table 8.1 - Table of Uses  
Section 1 - General

#	L = listed use   CZ = conditional zoning S = Use listed with additional standards SUP = Special Use Permit <i>Reference SIC and NAICS code for further data on the listed uses.</i>	Agriculture (AG)	Single Family Residential (SFR-1, SFR-2, SFR-3 & SFR-MH)	Multi-Family Residential Transitional (MFT)	Traditional Neighborhood Development Overlay (TNDO)	Town Center (TC)	Civic (CIV)	Mixed Use (MU-1)	Mixed Use (MU-2)	US 74 Commercial (C 74)	Interstate Hwy 485 Corporate Park (CP 485)	Vehicle Service/ Repair (VSR)	Business Center (BC)	Industrial (IND)	Heavy Industry Overlay (HIO)
178	Printing, Photocopying and Duplicating Services									S (10.1-36)	S (10.1-36)		S(10.1-36)	S (10.1-36)	
179	Raceway (Go-cart, Motorcycle, &/or Automobile)									S (10.1-20)					
180	Recorded Media Sales (Record/Compact Disc/Tape)				L	L			L	L	L		L		
181	Religious Institutions (Church, Synagogue, Mosque or				S (10.1-11)	S (10.1-11)	S (10.1-11)	S (10.1-11)	S (10.1-11)				S(10.1-11)		
182	RESIDENTIAL USES (DWELLINGS)														
183	Dwelling, Accessory Unit	S (10.1-3)	S (10.1-3)	S (10.1-3)	S (10.1-3)	S (10.1-3)	S (10.1-3)	S (10.1-3)	S (10.1-3)						
184	Dwelling, Attached House (incl. term "Townhouse; Townhome")			CZ	L	CZ	CZ	CZ	CZ						
185	Dwelling, Manufactured Home (see Section 22.5-2)		S (10.1-35)												
186	Dwelling Park, Manufactured Home (see Section 22.5-1)														
187	Dwelling, Multifamily (Apartments or Condominiums)				CZ (10.1-24)	CZ (10.1-24)		CZ (10.1-24)	CZ (10.1-24)						
188	Dwelling, Single Family Detached, including Modular Construction	L	L	L	L	L	L	CZ	CZ						
189	Live/Work Units					CZ			CZ						
190	Restaurant without drive-thru window				L	L		L	L	L	L		L		
191	Restaurant with drive-thru window accessory Use (see				L	CZ		CZ	CZ	CZ	CZ		CZ		
192	Retail Sales Not Otherwise Listed									S (10.1-36)					
193	Retreat Center	L			L	L	L								
194	Secondhand Thrift/Consignment & Antique Shops				L	L			L	L					
195	Self-Storage with Outside Storage									CZ (10.1-36)			S (10.1-36)	S (10.1-36)	
196	Sewage Treatment Plant														SUP (10.2-12)
197	School (Pre-K, Elementary, or Secondary)						S (10.1-28)								
198	Shelter for the Homeless (RESERVED)														
199	Shoe Repair or Shoeshine Shop				L	L			L	L	L				
200	Shooting Range, Indoor								CZ (10.2-13)	CZ (10.2-13)	CZ (10.2-13)		CZ(10.2-13)	CZ (10.2-13)	
201	Shooting Range, Outdoor (RESERVED)														
202	Shopping Center								CZ	S (10.1-36)			S(10.1-36)		
203	Sign (Accessory Use as permitted by Article 17)	L	L	L	L	L	L	L	L	L	L	L	L	L	L
204	Sign fabricating									S (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
205	Skating Rink									L					
206	Solid Waste Disposal (non-hazardous)														S (10.1-36)
207	Sporting Goods Store									S (10.1-36)			S(10.1-36)		
208	Sports and Recreation Clubs, Indoor				L	L	L	L	L	L	L		L	L	
209	Stationery Store				L	L			L	L	L				
210	Swim and Tennis Club	S (10.1-29)	S (10.1-29)	S (10.1-29)	S (10.1-29)		S (10.1-29)	S (10.1-29)	S (10.1-29)	S (10.1-29)	S (10.1-29)				
211	Swimming Pool As Accessory Use	L	L	L	L		L	L	L						
212	Tattoo and/or Body Piercings Studio					L			L	L					
213	Taxidermist								L	L			L	L	
214	Television, Radio or Electronics Sales & Repair									S (10.1-36)		S (10.1-36)	S (10.1-36)	S (10.1-36)	
215	Temporary Construction Storage and/or Office	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)
216	Theater, Indoor				L	L	L		L	L					
217	Tire Recapping														SUP (10.2-16)
218	Towers, Telecommunications and/or Broadcast					CZ (10.2-14)			CZ (10.2-14)	CZ (10.2-14)	CZ (10.2-14)		CZ(10.2-14)	CZ(10.2-14)	
219	Truck and Utility Trailer Rental and Leasing									CZ (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
220	Trucking Centers, Truck Stop &/or Freight Terminal												S(10.1-36)	S (10.1-36)	

Table 8.1 - Table of Uses  
Section 1 - General

#	L = listed use   CZ = conditional zoning S = Use listed with additional standards SUP = Special Use Permit <i>Reference SIC and NAICS code for further data on the listed uses.</i>	Agriculture (AG)	Single Family Residential (SFR-1, SFR-2, SFR-3 & SFR- MH)	Multi-Family Residential Transitional (MFT)	Traditional Neighborhood Development Overlay (TNDO)	Town Center (TC)	Civic (CIV)	Mixed Use (MU-1)	Mixed Use (MU-2)	US 74 Commercial (C 74)	Interstate Hwy 485 Corporate Park (CP 485)	Vehicle Service/ Repair (VSR)	Business Center (BC)	Industrial (IND)	Heavy Industry Overlay (HIO)
221	Tutoring & Mentoring Service					L		L	L	L		L	L		
222	Utility Equipment and Storage Yards												S(10.1-36)	S (10.1-36)	
223	Utility Substation	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)
224	Vape, CBD, and/or Tobacco Sales													L	
225	Vending Machine - Outdoor (With or without advertising copy) as Accessory Use	L			L	L	L		L	L	L	L	L	L	L
226	Veterinary Service, Large Animal	L								L			L	L	
227	Veterinary Service, Pet Grooming, without Outdoor Kennels or Runs	L			L	L			L	L	L		L	L	
228	Veterinary Service w/Outdoor Kennels and/or Runs	S (10.1-31)								S (10.1-31)	S (10.1-31)		S(10.1-31)	S (10.1-31)	
229	Vocational, Business or Secretarial School				L	L	L		L	L	L		L		
230	Warehouse (General storage, enclosed, no outdoor storage)									CZ	CZ		L	L	
231	Water Treatment Plant														S (10.1-36)
232	Wireless Telecommunication Facilities, Microcell	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)
233	Wireless Telecommunication Facilities, Concealed	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)
234	Wireless Telecommunication Facilities, Co-Located	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)
235	Wireless Telecommunication Facilities, Tower					CZ (10.2-14)		CZ (10.2-14)	CZ (10.2-14)	CZ (10.2-14)	CZ(10.2-14)		CZ (10.2-14)	CZ (10.2-14)	
236	Yard Sale (No more than 3 per year) See Section 15.3	L	L	L	L	L	L	L	L	L		L	L	L	



(Amended June 23, 2025)

**Table 8.1 - Table of Uses**  
**Section 2 - Manufacturing Industry**

#	L = listed use S = Use listed with additional standards SUP = Special Use Permit <i>Reference SIC and NAICS code for further data on the listed uses.</i>	Agriculture (AG)	Single Family Residential (SFR-1, SFR-2, SFR-3 & SFR-MH)	Multi-Family Residential Transitional (MFT)	Traditional Neighborhood Development Overlay (TNDO)	Town Center (TC)	Civic (CIV)	Mixed Use (MU-1)	Mixed Use (MU-2)	US 74 Commercial (C 74)	Interstate Highway 485 Corporate Park	Vehicle Service/Repair (VSR)	Business Center (BC)	Industrial (IND)	Heavy Industry Overlay (HIO)
1	LIGHT INDUSTRIAL USES														
2	Animal Feeds	CZ (10.2-4)								CZ (10.2-4)			S(10.1-36)	S (10.1-36)	
3	Apparel and Finished Fabric Products												S(10.1-36)	S (10.1-36)	
4	Assembly of components manufactured off-site, Final												S(10.1-36)	S (10.1-36)	
5	Audio, Video, and Communications Equipment												S(10.1-36)	S (10.1-36)	
6	Bakery Products									S (10.1-36)		L	S(10.1-36)	S (10.1-36)	
7	Beverage Products and/or Bottling	CZ (10.2-4)								CZ (10.2-4)	CZ (10.2-4)		S(10.1-36)	S (10.1-36)	
8	Bicycle Parts and Accessories											S (10.1-36)	S(10.1-36)	S (10.1-36)	
9	Biltong, Jerky, and similar meats production & distribution													L	
10	Brooms and Brushes												S(10.1-36)	S (10.1-36)	
11	Computer and Office Equipment												S(10.1-36)	S (10.1-36)	
12	Data Center									CZ				L	
13	Electrical Equipment												S(10.1-36)	S (10.1-36)	
14	Furniture and Fixtures												S(10.1-36)	S (10.1-36)	
15	Glass Products from Purchased Glass												S(10.1-36)	S (10.1-36)	
16	Household Appliances												S(10.1-36)	S (10.1-36)	
17	Leather Products (not including tanning)	CZ (10.2-4)											S(10.1-36)	S (10.1-36)	
18	Lighting and Wiring Equipment												S(10.1-36)	S (10.1-36)	
19	Manufactured Housing and Wood Buildings												S(10.1-36)	S (10.1-36)	
20	Medical, Dental and Surgical Equipment											S (10.1-36)	S(10.1-36)	S (10.1-36)	
21	Non-Tobacco Nicotine (NTN) & Stimulant Delivery/Production													L	
22	Photographic Equipment and Supplies												S(10.1-36)	S (10.1-36)	
23	Pottery and Related Products												S(10.1-36)	S (10.1-36)	
24	Sign manufacture											S (10.1-36)	S(10.1-36)	S (10.1-36)	
25	Sporting Goods and Toys												S(10.1-36)	S (10.1-36)	
26	Textile Products (No dying and finishing)												S(10.1-36)	S (10.1-36)	
27	HEAVY INDUSTRIAL USES														
28	Ammunition, Small Arms													S (10.1-36)	
29	Asbestos, Abrasive and Related Products														CZ (10.2-16)
30	Batteries														CZ (10.2-16)
31	Chemicals, Paints and Allied Products														CZ (10.2-16)
32	Concrete, Cut Stone and Clay Products													S (10.1-36)	
33	Dairy Products	CZ (10.2-4)												S (10.1-36)	
34	Fabricated Metal Products											S (10.1-36)		S (10.1-36)	
35	Floor Coverings (Including Carpet)													S (10.1-36)	
36	Foundries Producing Iron & Steel Products/Materials											S (10.1-36)			CZ (10.2-16)
37	Hazardous Industry														CZ (10.2-16)
38	Hazardous &/or Radioactive Waste (Transport/Storage/Incineration)														CZ (10.2-16)
39	Heating Equipment and Plumbing Fixtures													S (10.1-36)	
40	Industrial Equipment and Commercial Machinery													S (10.1-36)	
41	Leather Products (including tanning)														CZ (10.2-16)
42	Meat-packing Plants														CZ (10.2-16)

**Table 8.1 - Table of Uses**  
**Section 2 - Manufacturing Industry**

[illegible]

Table 8.1 - Table of Uses  
Section 3 - Wholesale Trade

#	L = listed use   CZ = conditional zoning S = Use listed with additional standards SUP = Special Use Permit <i>Reference SIC and NAICS code for further data on the listed uses.</i>	Agriculture (AG)	Single Family Residential (SFR-1, SFR-2, SFR-3 & SFR-MH)	Multi-Family Residential Transitional (MFT)	Traditional Neighborhood Development Overlay (TNDO)	Town Center (TC)	Civic (CIV)	Mixed Use (MU-1)	Mixed Use (MU-2)	US 74 Commercial (C 74)	Interstate Highway 485 Corporate Park	Vehicle Service/ Repair (VSR)	Business Center (BC)	Industrial (IND)	Heavy Industry Overlay (HIO)
1	WHOLESALE AND OUTDOOR STORAGE														
2	Flowers, Nursery Stock and Florist Supplies	CZ (10.2-4)								S (10.1-36)			S (10.1-36)	S (10.1-36)	
3	Lumber and Other Construction Materials with fenced storage									S (10.1-36)			S (10.1-36)	S (10.1-36)	
4	Machinery, Equipment and Supplies									S (10.1-36)		S (10.1-36)	S (10.1-36)	S (10.1-36)	
5	Machinery, Farm and Garden									S (10.1-36)		S (10.1-36)	S (10.1-36)	S (10.1-36)	
6	WHOLESALE WITH HAZARDOUS MATERIALS														
7	Chemicals and Allied Products														CZ (10.2-16)
8	Plastics Materials									S (10.1-36)			S (10.1-36)	S (10.1-36)	
9	Resins														CZ (10.2-16)
10	WHOLESALE WITH RECYCLING, OTHER ACTIVITIES														
11	Scrap & Waste Materials - Recycling collection & sorting Only											S (10.1-36)			CZ (10.2-16)
12	WHOLESALE, OTHER														
13	Apparel									L			S (10.1-36)	S (10.1-36)	
14	Beer, Wine or Distilled Alcoholic Beverages	CZ (10.2-4)			L					CZ (10.2-4)			S (10.1-36)	S (10.1-36)	
15	Books, Periodicals and Newspapers						L			L			S (10.1-36)	S (10.1-36)	
16	Durable Goods												S (10.1-36)	S (10.1-36)	
17	Electrical Goods												S (10.1-36)	S (10.1-36)	
18	Furniture and Home Furnishings									L			S (10.1-36)	S (10.1-36)	
19	Groceries and Related Products									L			S (10.1-36)	S (10.1-36)	
20	Hardware, Wholesale Dealer								L	L		L	S (10.1-36)	S (10.1-36)	
21	Lumber, Millwork and Veneer									S (10.1-36)			S (10.1-36)	S (10.1-36)	
22	Paper and Paper Products									S (10.1-36)			S (10.1-36)	S (10.1-36)	
23	Plumbing and Heating Equipment									S (10.1-36)			S (10.1-36)	S (10.1-36)	
24	Sporting and Recreational Goods and Supplies									L			S (10.1-36)	S (10.1-36)	
25	Wallpaper and Paint Brushes									L			S (10.1-36)	S (10.1-36)	



## Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX25.09.01

**REQUEST:** Staff requests a text amendment to clarify Conditional Zonings (CZ) and Mixed-Use (MU) in the Stallings Development Ordinance, limiting CZ to uses marked “CZ” in the Table of Uses and only when that use is the primary use of the proposed development and requiring a mix of uses in the Mixed-use zoning district in Articles 5.4-1, 5.4-2, 8.3, and Table 8.1.

**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 approves the text amendment, finding it consistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017, as it supports the goals of promoting quality development and ensuring compliance with state land-use regulations under NCGS § 160D. The Council concludes that the amendment aligns with the key principles, objectives, and goals outlined in the plan, for the following reasons: The proposed text amendment addresses complex development standards and works to help maintain a clear and effective Development Ordinance.

- 1) Limiting Conditional Zoning (CZ) to uses marked in the Use Table will make the ordinance clearer and easier to apply.
- 2) Ensure that CZ and MU projects stay consistent with the Town’s adopted plans

**Recommended** this the \_\_ day of \_\_\_\_\_, 2025.

---

Mayor

Attest:

---

Clerk



# MEMO

To: **Mayor and Town Council**  
Via: Alex Sewell, Town Manager  
From: Kevin Parker, P.E., Town Engineer  
Date: October 14, 2025.  
RE: Approval Request- Storm Water Ordinance

---

## **Purpose**

Staff is requesting Council approval of the attached ordinance (§52.01 – Inspection, Maintenance, and Enforcement of Stormwater Infrastructure and Stormwater Control Measures). Adoption of this ordinance is necessary to comply with the Town’s MS4 Permit requirements and to ensure stormwater infrastructure is properly maintained throughout Stallings.

## **Background**

The Town’s MS4 Permit, issued under the EPA’s Clean Water Act, requires municipalities to inspect, maintain, and enforce the performance of stormwater control measures (SCMs) and related infrastructure. To meet these obligations, the Town has hired a Storm Water Compliance (SWC) Manager, whose role will focus on inspections, notifications, and enforcement.

To effectively carry out these duties, the SWC Manager requires enforcement authority equivalent to that of the Town’s Code Enforcement Officer. Staff, in consultation with Ms. Melanie Cox, has developed the proposed ordinance to provide that authority and to establish clear standards for property owners.

## **Key Ordinance Provisions**

- **Scope:** Applies to all stormwater infrastructure and SCMs, regardless of age.
- **Authority:** Grants the SWC Manager authority to issue notices of inspections and violations, impose civil penalties, and obtain warrants.
- **Right of Entry:** Provides access to stormwater facilities via easements or, when absent, through property owner authorization or administrative warrant.
- **Inspection & Maintenance:** Requires property owners to maintain SCMs, perform annual professional inspections, and submit inspection reports to the Town.
- **Notices of Violation:** Establishes correction timelines of 30/60/90 days depending on severity.
- **Penalties:** Sets fines at \$100/day (minor), \$500/day (intermediate), and \$1,000/day (major).
- **Emergency Enforcement:** Authorizes immediate corrective action when violations pose imminent risks.
- **Appeals:** Provides appeal rights to the Board of Adjustment.

## **Implementation Approach**

Because this is a new requirement, the Town will emphasize communication and cooperation with residents and businesses. The implementation process will include:

1. **Program Overview Notices:** Mailed notices explaining the purpose, timing, and procedures of the program, while requesting property owner points of contact.
2. **Inspection Notices:** Advance notification before inspections (and access requests if applicable), with the option for property owners to attend.
3. **Notices of Violation:** Issued only when necessary, with staff working directly with property owners to resolve issues before penalties are pursued.

## **Requested Action**

Staff respectfully requests that Council approve the attached ordinance (§52.01) to establish enforcement authority for stormwater inspections, maintenance, and compliance in accordance with the Town’s MS4 Permit obligations.



**AN ORDINANCE TO AMEND CHAPTER 52 OF THE  
CODE OF ORDINANCES FOR THE TOWN OF  
STALLINGS TO ESTABLISH INSPECTION,  
MAINTENANCE, AND ENFORCEMENT  
PROCEDURES FOR STORMWATER  
INFRASTRUCTURE AND STORMWATER CONTROL  
MEASURES (SCMs)**

**WHEREAS**, the Town of Stallings is a North Carolina municipal corporation possessing the authority to enact ordinances to promote the health, safety, and welfare of its citizens under the North Carolina General Statutes, including but not limited to N.C.G.S. §§ 160A-174, 160D-925, and 143-214.7;

**WHEREAS**, pursuant to N.C.G.S. § 143-214.7, local governments are authorized to establish and implement stormwater management programs to comply with State and federal water quality regulations and to address the impacts of stormwater runoff;

**WHEREAS**, the Town of Stallings has been issued a National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit by the North Carolina Department of Environmental Quality (NCDEQ), which requires the Town to implement a Stormwater Management Program (SWMP);

**WHEREAS**, the Town finds that proper inspection, maintenance, and enforcement of stormwater infrastructure and Stormwater Control Measures (SCMs) are essential to protect surface and groundwater quality, reduce flooding, and ensure compliance with the Town's MS4 permit;

**WHEREAS**, the Stallings Town Council finds it in the public interest to amend Chapter 52 of the Town Code to provide specific procedures for inspection, maintenance, and enforcement related to stormwater infrastructure and SCMs;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF STALLINGS, NORTH CAROLINA**, that Chapter 52 of the Town Code is hereby amended by adding the following Section 52.01 in its entirety:

**§52.01 INSPECTION, MAINTENANCE, AND ENFORCEMENT OF STORMWATER  
INFRASTRUCTURE AND STORMWATER CONTROL MEASURES (SCMs)**

**(A) Purpose.**

The purpose of this section is to establish procedures for the inspection, maintenance, and enforcement of stormwater infrastructure and Stormwater Control Measures (SCMs) required under Chapter 52 (Post-Construction Stormwater Ordinance) and the Town's Stormwater Management Program (SWMP). This section is intended to protect water quality, reduce stormwater pollution, and ensure compliance with the Town's NPDES MS4 permit.

---

**(B) Scope.**

(1) This section applies to all stormwater infrastructure and SCMs, including but not limited to: pipes, catch basins, ditches, culverts, channels, stormwater wetlands, outfalls, ponds, bioretention areas, infiltration systems, permeable pavement, sand filters, and other devices or conveyances that manage or treat stormwater runoff.

(2) This section applies to all stormwater infrastructure regardless of age, date of construction, or whether originally permitted under current standards.

---

(C) Authority.

(1) The Town of Stallings Storm Water Compliance Manager (hereinafter "SWC Manager"), acting as the Storm Water Administrator or his/her designee, is hereby authorized and empowered to administer and enforce the provisions of this section.

(2) The Storm Water Compliance Manager shall have the same enforcement authority as a Code Enforcement Officer under this Code, including the power to:

- Issue notices of violation;
  - Impose civil penalties;
  - Use authorized collection methods for unpaid fines and penalties;
  - Obtain injunctions;
  - Obtain administrative search warrants pursuant to NCGS §15-27.2; and
  - Place liens on the property when statutorily permitted.
- 

(D) Right of Entry; Inspection and Sampling.

(1) Upon presentation of proper credentials, the SWC Manager or his/her designee may enter any public or private property for the purposes of inspection, observation, monitoring, sampling, and ensuring compliance with this chapter.

(2) Access to stormwater infrastructure shall be provided via recorded stormwater easements. Where such easements are not available, written access authorization from the property owner is required.

(3) Refusal of Access. If a property owner refuses access and no easement exists, the SWC Manager may obtain an administrative warrant as authorized in NCGS §15-27.2. The property owner shall be required to have their stormwater infrastructure and/or SCM inspected by a qualified professional and provide documentation of compliance to the Town within thirty (30) days of written notice from the Town.

(4) The SWC Manager or his/her designee shall provide the property owner with the inspection and maintenance requirements applicable to each SCM located on the property.

---

(E) Inspection and Maintenance Requirements.

(1) Each owner of stormwater infrastructure and/or SCMs shall maintain a stormwater maintenance plan and agreement on file with the Town as required under Chapter 52 prior to construction of new systems.

(2) All stormwater infrastructure, regardless of age, shall be maintained by the property owner in a condition sufficient to preserve its designed or intended function.

(3) Owners shall be responsible for the ongoing maintenance and repair of stormwater infrastructure and SCMs.

(4) SCMs shall be inspected annually by a qualified professional. An inspection report shall be provided to the Town every 12 months.

(5) The Town may perform periodic inspections to verify compliance with Chapter 52 and this section.

---

(F) Notice of Violation (NOV).

(1) When the Storm Water Compliance Manager determines a violation exists, he/she shall issue a Notice of Violation to the property owner or responsible party.

(2) The NOV shall describe the violation, specify corrective actions, and establish a compliance deadline as follows:

- Minor violation: examples include failure to mow or failure to remove excess vegetation, failure to remove trash/debris, failure to replace minor equipment (e.g., valve covers, trash racks). Minor violations have a period of 30 days from notice of said violation to rectify prior to the issuance of monetary fines.
- Intermediate Violations: examples include the need to repair riprap, correction of minor erosion, removal of standing water; Intermediate violations have a period of 60 days from notice of said violation to rectify prior to the issuance of monetary fines.



- Major Violations: examples include repair of structural damage, correction of major erosion, dam or spillway failure. Major violations have a period of 90 days from notice of said violation to rectify prior to the issuance of monetary fines.

(3) The NOV shall be issued either in person or posted in the U.S. mail service by first class mail addressed to the last known address of the violator as contained in the records of the county. The NOV shall set out the nature of the violation, the date of the violation, and shall contain an order to immediately cease the violation or a timeframe in which the violation shall be rectified, and the property reinspected.

---

**(G) Enforcement and Penalties.**

(1) If violations are not corrected within the specified timeframe, civil penalties may be assessed beginning 3 days after the date of mailing of the NOV, or the day following service by personal delivery.

(2) Each day of continued violation shall constitute a separate offense.

(3) Civil penalties shall be assessed as follows:

Minor violations: \$100 per day

Intermediate violations: \$500 per day

Major Violations: \$1000 per day

(4) If corrective action is not taken, the Town may perform, or contract for necessary maintenance or repair. All costs incurred by the Town shall be charged to the property owner. Unpaid charges will be collected using all appropriate legal remedies.

(5) Nothing in this section shall prevent the Town from pursuing additional remedies available under state law, including injunctive relief.

---

**(H) Emergency Enforcement.**

If delay in correcting a violation poses an immediate threat to public health, safety, welfare, or the environment, the Storm Water Compliance Manager may order immediate cessation of the violation and take necessary corrective action without prior written notice.

---

**(I) Appeals.**

An appeal from a NOV shall be taken within ten days from the date of the NOV by filing with the enforcement official and with the Board of Adjustment, a notice of appeal which shall specify the grounds upon which the appeal is based, as set forth in Section 4.3 of the Stallings Unified Development Ordinance.

---

**Cross-reference:**

§53.12 Requirements to Prevent, Control, and Reduce Storm Water Pollutants; Chapter 52 (Post-Construction Stormwater Ordinance).

Adopted this the 14th day of October, 2025.

---

Wyatt Dunn, Mayor

Attest:

---

Erinn E. Nichols, Town Clerk

Approved as to form:

---

Cox Law Firm, PLLC





# MEMO

To: **Mayor and Town Council**  
Via: Alex Sewell, Town Manager  
From: Kevin Parker, P.E., Town Engineer  
Date: October 14, 2025.  
RE: Aringill Lane Storm Water Repairs

---

## **Purpose**

Staff is requesting Council approval for a Stormwater Repair Project on Aringill Lane (Callonwood Subdivision). These repairs are necessary to complete ahead of the Town's resurfacing program, which will include milling and resurfacing Aringill Lane following the repair work. Addressing these issues now will protect the Town's investment in the new roadway surface and prevent premature damage.

## **Background**

As part of the Town's standard practice prior to resurfacing, staff conducted an inspection of the underground stormwater system along and beneath Aringill Lane. The inspection revealed approximately 20 deficiencies in the stormwater pipes and related infrastructure. These issues are actively contributing to pavement distress and will continue to damage the roadway if left unaddressed.

Recognizing the need for timely repairs, staff began soliciting bids in June 2025. Two contractors responded, and Red Clay Industries (the awarded Resurfacing Contractor) submitted the lowest responsible bid at \$62,150.

## **Scope of Work**

The proposed repairs will directly address the stormwater system failures that are undermining the roadway.

Work includes:

- Excavating areas of pipe and structure distress
- Installing reinforced concrete collars to stabilize connections
- Backfilling and restoring the excavated areas
- Placing asphalt patches that will tie into the scheduled resurfacing project

These repairs must be completed before resurfacing crews mobilize to ensure the roadway is structurally sound. The resurfacing contractor is scheduled to begin work on Aringill Lane shortly after stormwater repairs are complete.

## **Budget and Funding**

The base bid for the project is \$62,150. Staff recommends including an approximate 20% contingency to cover any unforeseen conditions that may arise once excavation begins, bringing the total project budget to \$75,000.

The project will be funded through the Town's Stormwater Budget.

## **Requested Action**

Staff respectfully requests that Council approve the Aringill Lane Stormwater Repair Project with Red Clay Industries in the amount of \$62,150, plus an approximate 20% contingency, for a total project budget of \$75,000, to be funded from the Storm Water Budget.

# Red Clay Industries, Inc.

P.O. Box 241689  
Charlotte, NC 28224

Phone: (704) 523-1018  
Fax: (704) 523-7588

<b>To:</b>	Town Of Stallings	<b>Contact:</b>	Justin Russell
<b>Address:</b>	315 Stallings Road Stallings, NC 28104	<b>Phone:</b>	
		<b>Fax:</b>	
<b>Project Name:</b>	Stallings Resurfacing 2025 - Pipe Collars	<b>Bid Number:</b>	
<b>Project Location:</b>	Callonwood Neighborhood, Stallings, NC	<b>Bid Date:</b>	9/15/2025

This proposal is for the pipe collars only. Any repair work at the pipe collar location will be compensated at the contract unit prices for asphalt patching and curb replacement.

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
01	Mobilization	1.00	LS	\$3,850.00	\$3,850.00
02	15" RCP Pipe Collars	20.00	EACH	\$2,915.00	\$58,300.00

**Total Bid Price: \$62,150.00**

## Notes:

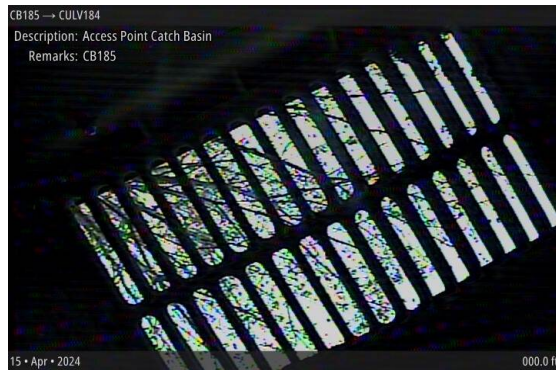
- This quotation is good for 30 days.
- Red Clay Industries presents this proposal based on the assumption that our scope work will be performed during normal working hours. We specifically exclude work at night, on weekends or on holidays.
- Field measurements to determine square yards, square feet, or linear feet to be taken upon completion of work for invoicing.
- Prices do not include surveying, staking, backfilling, import/export of material, or anything else not specifically stated in this quote.
- Any increase in the scope of work performed will result in a proportional increase in the price for this contract.
- In the case of a significant disruption in the supply of petroleum due to an act of war, terrorism, political unrest, natural disaster, or other similar event, Red Clay Industries reserves the right to adjust prices accordingly.
- No engineering, staking, testing, rough grading, undercut, relocation of existing utilities or other structures, import or export of any base material, shoulder/ditch construction, landscaping, seeding, or striping included in this quotation.
- Red Clay Industries has bid this job for one mobilizations per crew. Any additional mobilizations will be invoiced @ \$1,800.00 per mobilization.
- If you accept this quote, please sign, date, and return it to Red Clay Industries. Payment is due 30 days after receipt of an invoice. If you fail to make such payment, interest shall accrue at a rate of 1 ½% per month. You shall be liable for all costs of collection of past due amounts owed, including without limitation, reasonable attorneys' fees and costs.
- Any additional permit fees required for use of the right of way will be reimbursed by the customer.

## Payment Terms:

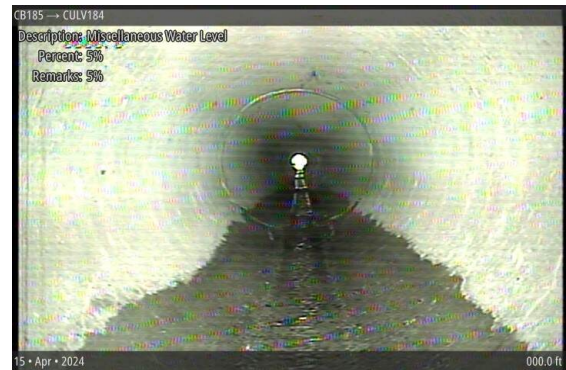
Net cash 30 days upon completion and receipt of invoice, no retainage to be held.

<b>ACCEPTED:</b> The above prices, specifications and conditions are satisfactory and are hereby accepted.  <b>Buyer:</b> _____ <b>Signature:</b> _____ <b>Date of Acceptance:</b> _____	<b>CONFIRMED:</b> <b>Red Clay Industries, Inc.</b>  <b>Authorized Signature:</b> _____ <b>Estimator:</b> Jim Littleton
---	--

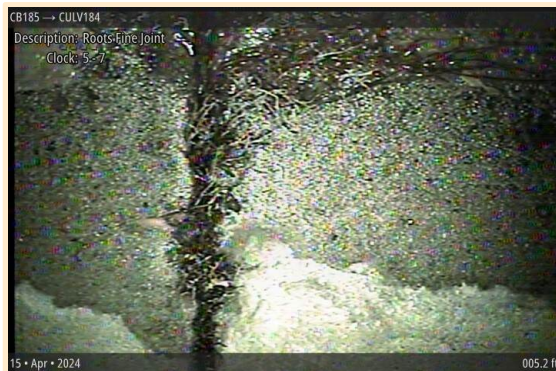
## Snapshots



Access Point Catch Basin at 000.0 ft | CB-185



Miscellaneous Water Level at 000.0 ft | 5%



[Grade 1] Roots Fine Joint at 005.2 ft, 5 - 7 o'clock



[Grade 1] Roots Fine Joint at 013.5 ft, 5 - 7 o'clock



[Grade 5] Surface Damage Missing Wall at 025.5 ft, 10 - 1 o'clock



[Grade 5] Hole Void Visible at 028.1 ft, 10 - 2 o'clock | TOP MISSING



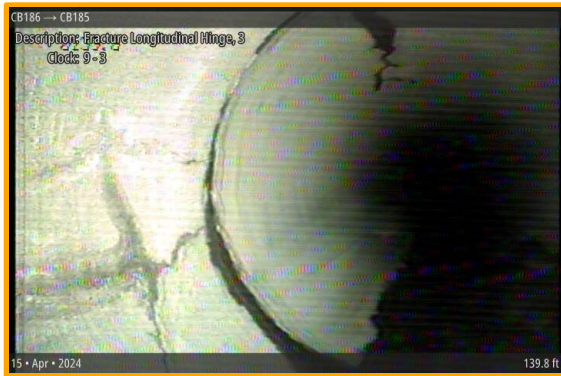
[Grade 2] Fracture Circumferential at 032.7 ft, (all clock positions)



[Grade 4] Fracture Multiple at 046.0 ft, 11 - 12 o'clock



## Snapshots



[Grade 3] Fracture Spiral at 139.8 ft, 9 - 3 o'clock



[Grade 2] Crack Longitudinal at 141.6 ft, 12 o'clock



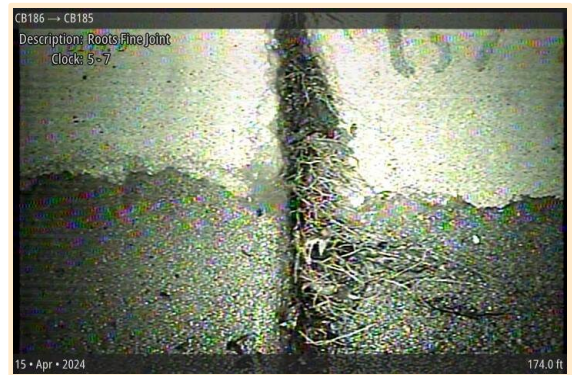
[Grade 1] Infiltration Stain Joint at 141.6 ft, 2 - 5 o'clock



[Grade 3] Fracture Longitudinal Hinge, 2 at 148.5 ft, 9 - 3 o'clock



[Grade 3] Fracture Longitudinal at 156.7 ft, 4 o'clock



[Grade 1] Roots Fine Joint at 174.0 ft, 5 - 7 o'clock



[Grade 3] Joint Offset Medium at 189.3 ft



[Grade 4] Broken at 189.8 ft, 4 - 8 o'clock