



November 27, 2023
 Stallings Government Center
 321 Stallings Road
 Stallings, NC 28104
 704-821-8557
www.stallingsnc.org

Town Council Agenda

	Time	Item	Presenter	Action Requested/ Next Step
	7:00 p.m.	Invocation Pledge of Allegiance Call the Meeting to Order	Wyatt Dunn, Mayor	NA
	7:05 p.m.	Public Comment	Wyatt Dunn, Mayor	NA
1.	7:15 p.m.	Consent Agenda A. Amended Budget Ordinance 9 – Stallings Park New Playground Equipment B. Amended Budget Ordinance 7.A. – Amends Amended Budget Ordinance 7 for clerical error C. Updated FY24-25 Budget Creation & Priority Setting Process	Wyatt Dunn, Mayor	Approve Consent Agenda
2.	7:17 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve Agenda
3.	7:20 p.m.	TX23.09.02 A. Staff requests a text amendment to add sign regulations for removing or replacing signs due to eminent domain in Article 17.4 (1) Open Public Hearing (2) Information from Staff (3) Public Hearing (4) Close Public Hearing (5) Council Vote B. Statement of Consistency and Reasonableness	Max Hsiang, Planning Director	Approve/Deny text amendment
4.	7:30 p.m.	TX23.09.03 A. Staff requests a text amendment to add vested rights extension for Conditional Zoning (CZ) in Article 5.4- 3(I) (1) Open Public Hearing (2) Information from Staff (3) Public Hearing (4) Close Public Hearing (5) Council Vote B. Statement of Consistency and Reasonableness	Max Hsiang, Planning Director	Approve/Deny text amendment

5.	7:40 p.m.	<p>TX23.09.04</p> <p>A. Denis & Vlad Pinchuk requests a text amendment to add Coffee Roastery as a Listed Use (L) in the Vehicle Service & Repair (VSR) zoning district</p> <p>(1) Open Public Hearing (2) Information from Staff (3) Public Hearing (4) Close Public Hearing (5) Council Vote</p> <p>B. Statement of Consistency and Reasonableness</p>	Stuart Valzonis, Planner I	Approve/Deny text amendment
6.	7:50 p.m.	<p>TX23.09.05</p> <p>A. Denis & Vlad Pinchuk requests a text amendment to add Mentoring Services, Tutoring as a Listed Use (L) in the Vehicle Service & Repair (VSR) zoning district.</p> <p>(1) Open Public Hearing (2) Information from Staff (3) Public Hearing (4) Close Public Hearing (5) Council Vote</p> <p>B. Statement of Consistency and Reasonableness</p>	Stuart Valzonis, Planner I	Approve/Deny text amendment
7.	8:00 p.m.	<p>TX23.10.01</p> <p>A. Staff requests a text amendment to amend outdoor storage acreage and zoning requirements in Article 10.1-36 Outdoor Storage</p> <p>(1) Open Public Hearing (2) Information from Staff (3) Public Hearing (4) Close Public Hearing (5) Council Vote</p> <p>B. Statement of Consistency and Reasonableness</p>	Max Hsiang, Planning Director	Approve/Deny text amendment
8.	8:10 p.m.	<p>RZ23.10.01</p> <p>A. MMDi, Inc. d/b/a Steelpoint requests a general rezoning for 500 Union West Blvd PID#07102010R from US 74 Commercial (C-74) to Industrial (IND)</p> <p>(1) Open Public Hearing (2) Information from Staff (3) Public Hearing (4) Close Public Hearing (5) Council Vote</p> <p>B. Statement of Consistency and Reasonableness</p>	Max Hsiang, Planning Director	Approve/Deny rezoning
9.	8:20 p.m.	Planning Board Appointment Consideration	Erinn Nichols, Asst. Town Mgr.	Appoint member
10.	8:25 p.m.	Council Transition Plan	Alex Sewell, Town Manager	Information and discussion

11.	8:40 p.m.	Adjournment	Wyatt Dunn, Mayor	Motion to adjourn
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AMENDED BUDGET ORDINANCE – NO. 9
TOWN OF STALLINGS, NORTH CAROLINA
FISCAL YEAR 2023-2024

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the estimated expenditures for the fiscal year 2023-2024 are hereby amended as set forth below:

Category	Account Number	Budgeted Amount	Amend to the Following	Net Increase or (Decrease)
<u>General Fund:</u>				
<u>Revenue Budget: Unrestricted GF Balance</u>				
Unrestricted Fund Balance Appropriation - GF	10-99-3991-600	\$ 256,579	\$ 264,079.00	\$ 7,500.00
<u>Expense Budget: Parks & Recreation</u>				
Capital Outlay	10-80-6130-099	\$ 524,999	\$ 532,499.00	\$ 7,500.00

Explanation: To appropriate \$7,500 from Unrestricted General Fund Balance to Parks & Recreation department's Capital Outlay expense line for the additional funding needed for playground equipment replacement in Stallings Municipal Park and to adopt the amended budget ordinance accordingly.

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 27th day of November 2023.

Wyatt Dunn, Mayor

Erinn Nichols, Deputy Town Manager/Town Clerk

Approved as to form:

Melanie Cox, Town Attorney, Cox Law Firm, PLLC



MEMO

To: Mayor and Council
From: Marsha Gross, Interim Finance Officer
Via: Alex Sewell, Town Manager
Date: 11-20-2023
RE: **Amended Budget Ordinance No. 7A**

At the October 23, 2023 Council meeting, Budget Ordinance No. 7 was presented and adopted by council. This amendment included a clerical error which was for unrestricted fund balance appropriation. The amount on the original amendment had the beginning budgeted amount as \$215,597 instead of \$215,579.

Attached is a copy FY2023-2024 Budget Amendment No. 7A which corrects this error.

Recommended Action: Management is requesting the approval of FY2023-2024 Budget Amendment No. 7A.

AMENDED BUDGET ORDINANCE – NO. 7A

TOWN OF STALLINGS, NORTH CAROLINA

FISCAL YEAR 2023-2024

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the estimated expenditures for the fiscal year 2023-2024 are hereby amended as set forth below:

Category	Account Number	Budgeted Amount	Amend to the Following	Net Increase or (Decrease)
<u>General Fund:</u>				
<u>Revenue Budget: Unrestricted GF Balance</u>				
Unrestricted Fund Balance Appropriation - GF	10-99-3991-600	\$ 215,579.00	\$ 241,579.00	\$ 26,000.00
<u>Expense Budget: Streets and Highways</u>				
Outside Services	10-20-4510-039	\$ 70,000.00	\$ 96,000.00	\$ 26,000.00

Explanation: Authorize the Town Manager to execute a contract, not to exceed \$26,000, to Smith Grounds Management for landscaping installation (\$19.7K) and the recurring annual maintenance cost (\$5.4K) for the roundabout, located at Chestnut/Mathews-Weddington, and to adopt the amended budget ordinance accordingly.

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 27th day of November 2023.

Wyatt Dunn, Mayor

Erinn Nichols, Deputy Town Manager/Town Clerk

Approved as to form:

Melanie Cox, Town Attorney, Cox Law Firm, PLLC



FY 24-25 Budget Creation & Priority Setting Process

(Updated based on 11/13/23 Council feedback)

Goal – To develop an efficient/effective process where the Mayor and Council Members feel informed in making incredibly important financial and service decisions, foster collaboration between all parties, and provide staff with clear Council direction on the FY 24-25 budget along with Council’s annual priorities.

Note – Due to the challenging budget environment, this process is starting earlier so we will need to be flexible to update budget numbers regularly throughout the budget creation process.

- November – “Approve the Process”
 - 11/13/23 – Council Approval of Process.
 - 11/27/23 – Council Final Approval of Process with updated schedule based on feedback.
- December – “Internal Staff Work”
 - Staff start work on 5-Year Financial Projections.
- January – “Review Various Scenarios, Internal Budget Development, & Start Annual Retreat Prep”
 - 1/8/24 – FY 24 Priorities – report as regular agenda item.
 - Staff to begin internally developing department budgets so that adjustments can be made in February based on Council feedback.
 - 1/19/24 – Provide advance information to be presented at Budget Retreat meetings re: 5-Year Financial Projections.
 - 1/22/24 & 1/29/24 - Budget Retreat 2 parts – (4 PM – 7 PM) (Government Center)
 - (Facilitator – Curt Walton)
 - 5-Year Financial Projections
 - Open to new revenues? i.e. solid waste fee, motor vehicle fee, ABC, etc.
 - Budget guidance for the manager.
 - Alternatives from Mayor and Council.
 - Remove any specific scenarios from consideration?
 - Other?
 - Outcome - Identify no more than three specific scenarios Council seeks to consider.

- Individual meetings with Council Members and Curt Walton in preparation for the Annual Retreat.
- February – “Annual Retreat & Internal Budget Development Work”
 - Staff continue internal development based on Council identified scenarios.
 - Individual meetings continue with Council Members and Curt in preparation for the Annual Retreat.
 - 2/17/24 Annual Retreat – establish priorities. (9 AM – 2 PM) (Government Center)
 - Facilitator – Curt Walton
 - 2/26/24 – Council approves formally priorities.
- March – “Consider & Select ‘Big Picture’ Budget Approach”
 - 3/11/24
 - Fine-tune financial projections.
 - Update impact of budget scenarios still under consideration.
 - Eliminate any scenarios still under consideration. (Ideally narrow down to no less than 2 scenarios to consider.)
 - 3/18/24
 - Council to select scenario that they would like Manager to pursue in creating a budget.
- April – “Draft Budget Submission”
 - 4/19/24 – Manager to submit budget based on Council selected scenario.
- May – (Optional) “Go Deeper Into Service Impacts, Make Any Final Changes to Draft Budget”
 - 5/6/24 – Work Session (Special Budget Meeting) – General Government, Sanitation, Debt Services, Planning
 - 5/13/24 – Work Session – Transportation, Stormwater, Public Works
 - 5/20/24 – Work Session – Parks & Recreation, Police, Capital Projects, CIP.
 - 5/28/24 – Special Meeting - Final Work Session (If Council so desires)
- June – “Approve the Budget”
 - 6/10/24
 - Budget Public Hearing
 - Council can opt to approve budget or wait.
 - 6/24/24 – Last Day to Adopt the Budget (if regular meeting)



MEMO

To: Town Council – Town of Stallings
From: Max Hsiang, Planning Director
Date: 11/27/2023
Re: TX23.09.02 – Eminent Domain Signage

Request:

Staff requests a text amendment to amend sign regulation applicability for removing or replacing signs due to eminent domain in Article 17 - Sign Regulations in the Stallings Development Ordinance.

Eminent domain is the right of governments (like the Town of Stallings or NCDOT) to take private property for public use with fair compensation.

Staff requests to add a new provision at the end of Article 17.4 to read as follows:

Article 17.4 Applicability

17.4-1 Except as specifically exempted in this Article, no sign shall be erected, altered, or displayed without a sign permit issued by the Town of Stallings confirming compliance with the provisions of this Article. Signs made non-conforming by this Article shall be grandfathered until altered, abandoned, relocated, or removed except for prohibited signs, which shall be removed within ten (10) days as required in Section 17.5 of this Article.

17.4-2 When a lawful sign (either lawful under current regulations or lawfully in existence as a non-conforming sign) is removed or displaced through eminent domain, the sign may be replaced at a location on the site under the following standards:

- (A.) No additional requirements will apply if the sign can be replaced in a location that complies with all existing regulations.
- (B.) If the sign cannot be replaced on the site in compliance with all existing regulations, the Development Administrator may nonetheless approve a sign that:
 - (1.) Does not exceed the height or square footage of the removed or displaced sign and;
 - (2.) Is reasonably located to ensure traffic safety and compliance with all regulations that may reasonably be complied with, and does not block signs on any adjacent parcel and;
 - (3.) May or may not comply with setbacks. For clarity, the Development Administrator, at their sole discretion, may reduce or modify setbacks in order to allow a replacement sign on the site.

Planning Board Recommendation:

The Planning Board recommended approval as is at their October 17, 2023, regular meeting.

Staff Recommendation:

- Staff recommends approval of the proposed text amendment TX23.09.02 to Article 17.4 to address the displacement of signs due to road widening projects and eminent domain. The proposed text amendment would allow business and property owners to replace their displaced signs with new ones, either conforming or non-conforming while meeting applicable regulations with the Development Administrator's approval. This amendment would help to maintain the community's health, safety, and appearance by ensuring that signs are properly maintained and replaced when necessary.



Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX23.09.02

REQUEST: To amend the Stallings Development Ordinance Article 17 Sign Regulations to add sign regulations for removing or replacing signs due to eminent domain.

WHEREAS, The Town of Stallings Town Council, hereafter referred to as the “Town Council”, adopted the Stallings Comprehensive Land Use Plan on November 27, 2017; and

WHEREAS, the Town Council finds it necessary to adopt a new land development ordinance to maintain consistency with the Comprehensive Land Use Plan; and

WHEREAS, the Town Council finds it necessary to revise the Unified Development Ordinance to comply with state law found in NCGS § 160D.

THEREFORE, The Town Council hereby recommends that the proposed text amendment is consistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017, based on the goals and objectives set forth in the document of promoting quality development and consistency with all state-mandated land-use regulations established through NCGS § 160D. The Town Council recommends to **APPROVE** the proposed amendment and stated that the Town Council finds and determines that the text amendment is consistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

1. To maintain the health, safety, and appearance of the community

Recommended this the __ day of _____, 2023.

Mayor

Attest:

Clerk



MEMO

To: Town Council – Town of Stallings
From: Max Hsiang, Planning Director
Date: 11/27/23
Re: Text Amendment TX23.09.03 – Conditional Zoning Vested Rights

Request:

Staff requests a text amendment to add vested rights extension for Conditional Zoning (CZ) in the Stallings Development Ordinance Article 5.4-3(l). Currently, the only recourse for developers facing loss of Zoning Vested Rights for conditional zoning is to resubmit their application for conditional zoning, essentially restarting the entire process.

What is a vested right?

VESTED RIGHT. A right pursuant to G.S. § 160D-108 to undertake and complete the development and use of property under the terms and conditions of an approved building permit, development approval, site-specific vesting plan, multi-phase development plan or development agreement.

The requirements for vesting vested rights generally include:

- *Making a substantial investment in the property: This could include incurring significant costs for site preparation, construction materials, or other development-related expenses.*
- *Acting in good faith: The property owner must have acted in accordance with all applicable zoning regulations and must not have engaged in any fraudulent or deceptive practices.*
- *Relying on government action: The property owner must have made their investment in reliance on a valid and complete application for a building permit or other government approval.*

The requested text amendment reads as follows:

- (l) If no formal action (e.g., construction plan submittal, permit application, etc.) has been taken to begin the development of the property in accordance with the Conditional Zoning ordinance within twenty-four (24) months of its approval by the Town Council, **the property shall undergo the following:**
1. **Revert to its previous zoning classification; or**
 2. **The Development Administrator may initiate appropriate action to rezone the affected property to any other classification within six (6) months of the loss of vested rights; or**
 3. **Before the date of vested rights expiration, the Development Administrator may approve vested rights for up to an additional twenty-four (24) months once due to delayed infrastructure improvements (i.e., lack of sewer capacity) if substantial evidence and good cause shown can be proven; or**
 4. **Apply for Zoning Vested Rights Approval outlined in Article 7.13.**

Original:

- (I.) If no formal action (e.g., construction plan submittal, permit application, etc.) has been taken to begin the development of the property in accordance with the Conditional Zoning ordinance within twenty-four (24) months of its approval by Town Council, or no vested right has been obtained, then the property shall revert to its previous zoning classification, or the Development Administrator may initiate appropriate action to rezone the affected property to any other classification.

Planning Board Recommendation:

The Planning Board recommended approval as is at their October 17, 2023, regular meeting.

Staff Recommendation:

Given the Town's past experiences with projects like Northeast Tool, Terkuerst Retreat, and Raley Townhomes, where developers lost their conditional zoning vested rights, staff recommends approving TX23.09.03. This text amendment aims to provide developers with more flexibility in retaining their vesting rights under conditional zoning, particularly when infrastructure limitations or unforeseen development circumstances arise.



Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX23.09.03

REQUEST: A text amendment to add vested rights extension for Conditional Zoning (CZ) in the Stallings Development Ordinance Article 5.4-3(I).

WHEREAS, The Town of Stallings Town Council, hereafter referred to as the “Town Council”, adopted the Stallings Comprehensive Land Use Plan on November 27, 2017; and

WHEREAS, the Town Council finds it necessary to adopt a new land development ordinance to maintain consistency with the Comprehensive Land Use Plan; and

WHEREAS, the Town Council finds it necessary to revise the Unified Development Ordinance to comply with state law found in NCGS § 160D.

THEREFORE, The Town Council hereby recommends that the proposed text amendment is consistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017, based on the goals and objectives set forth in the document of promoting quality development and consistency with all state-mandated land-use regulations established through NCGS § 160D. The Town Council recommends to **APPROVE** the proposed amendment and stated that the Town Council finds and determines that the text amendment is consistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

- 1) This text amendment gives additional flexibility for vesting rights for conditional zoning due to lack of infrastructure.

Recommended this the __ day of _____, 2023.

Mayor

Attest:

Clerk



MEMO

To: Town Council
From: Stuart Valzonis
Date: 11/27/2023
Re: TX23.09.04 – Coffee Roastery in VSR Zoning

Request:

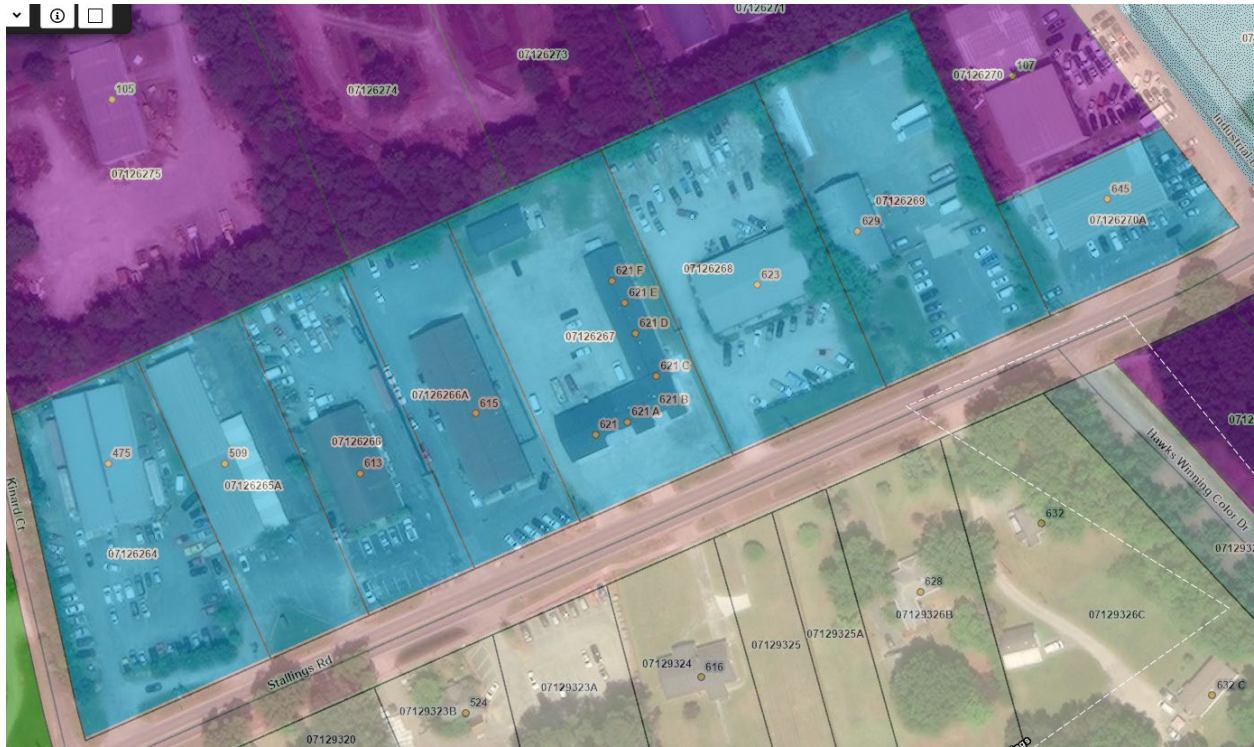
Denis and Vlad Pinchuk submitted a text amendment application to request Coffee Roastery as a listed use (L) in the Vehicle, Service, and Repair (VSR) zoning district.



History:

The VSR zoning district was established to preserve locations for specific uses (*Automotive*) that, due to their unique characteristics and importance to the community and the traveling public, require different criteria and specifications than typical commercial development. Uses in this district include heavy commercial goods and services for motor vehicles and some limited industrial.

VSR has had several text amendments to allow Medical Supplies, Flooring, Bakery, and now Coffee Roastery. The VSR zoning was created only to allow automotive uses but is now moving towards more commercial.



Staff Recommendation:

Staff recommends approval of TX23.09.04. Staff recommends the need for additional uses in VSR besides automotive and may bring a staff-led text amendment to amend the allowed uses in VSR in the future. This text amendment also helps increase the number of commercial business opportunities in the town per the Town of Stallings Economic Development Plan.



Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX23.09.04

REQUEST: Denis and Vlad Pinchuk submitted a text amendment application to request Coffee Roastery as a listed use (L) in the Vehicle, Service, and Repair (VSR) zoning district.

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 recommends that the proposed text amendment is consistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017, based on the goals and objectives set forth in the document of promoting quality development and consistency with all state-mandated land use regulations established through NCGS § 160D. The Town Council recommends to **APPROVE** the proposed amendment and stated that the Town Council finds and determines that the zoning/text amendment is consistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

- 1) This text amendment helps increase the number of commercial business opportunities in the town per the Town of Stallings Economic Development Plan.

Adopted this the __ day of _____, 2023.

Mayor

Attest:

Town Clerk



Text Amendment Application TX23.09.04 & TX23.09.05

11-27-2023

Staff Report | Town Council

Request



Zoning Request

- Denis and Vlad Pinchuk submitted a text amendment application to request Coffee Roastery as a listed use (L) in the Vehicle, Service, and Repair (VSR) zoning district.

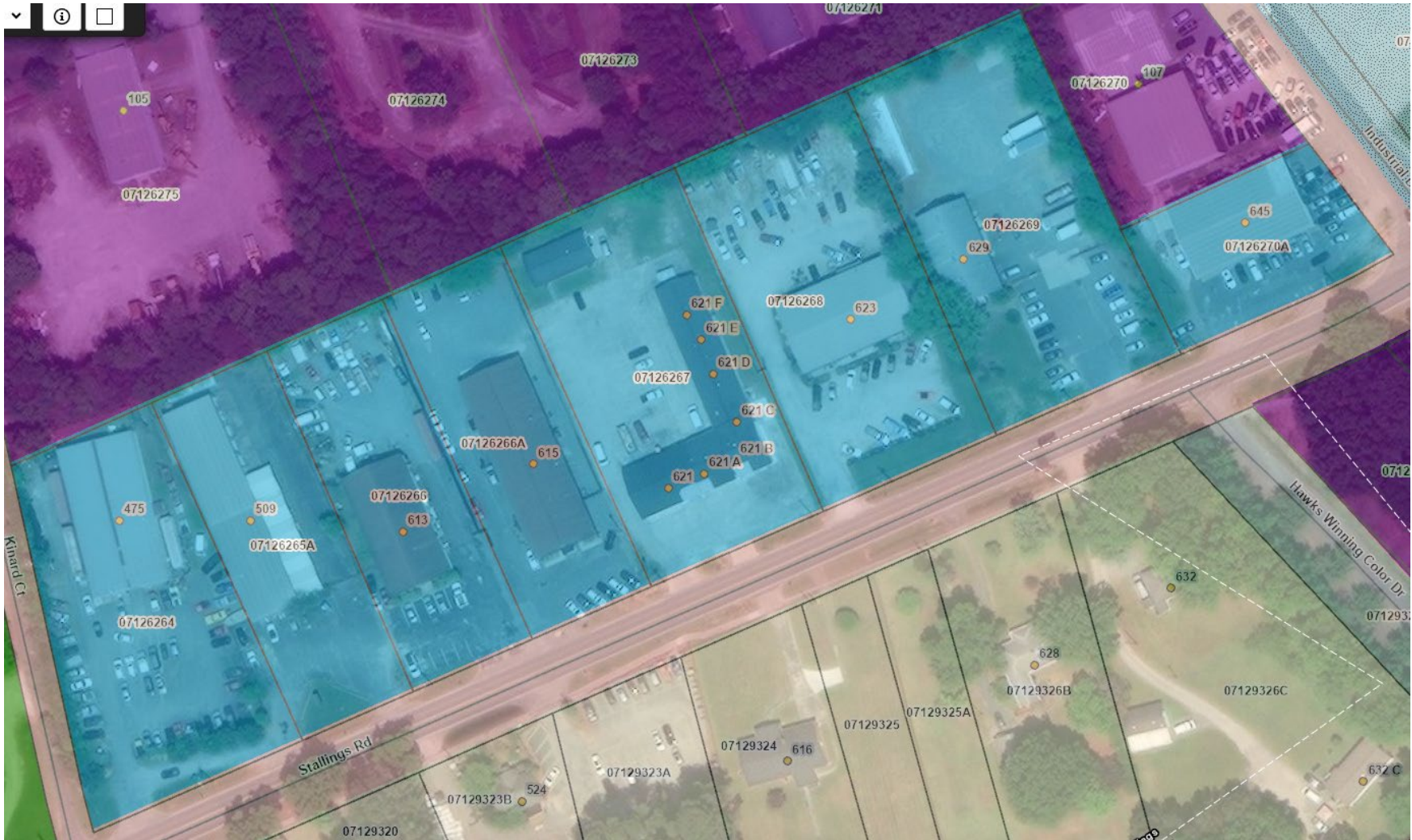


Site Information & Background



There are only 8 parcels zoned VSR in the Town.

Aerial





Staff Recommendation

- Staff recommends approval of TX23.09.04. Staff recommends the need for additional uses in VSR besides automotive and may bring a staff-led text amendment to amend the allowed uses in VSR in the future. This text amendment also helps increase the number of commercial business opportunities in the town per the Town of Stallings Economic Development Plan.

Request



Zoning Request

- Denis and Vlad Pinchuk submitted a text amendment application to request Tutoring and Mentoring Services as a listed use (L) in the Vehicle, Service, and Repair (VSR) zoning district.

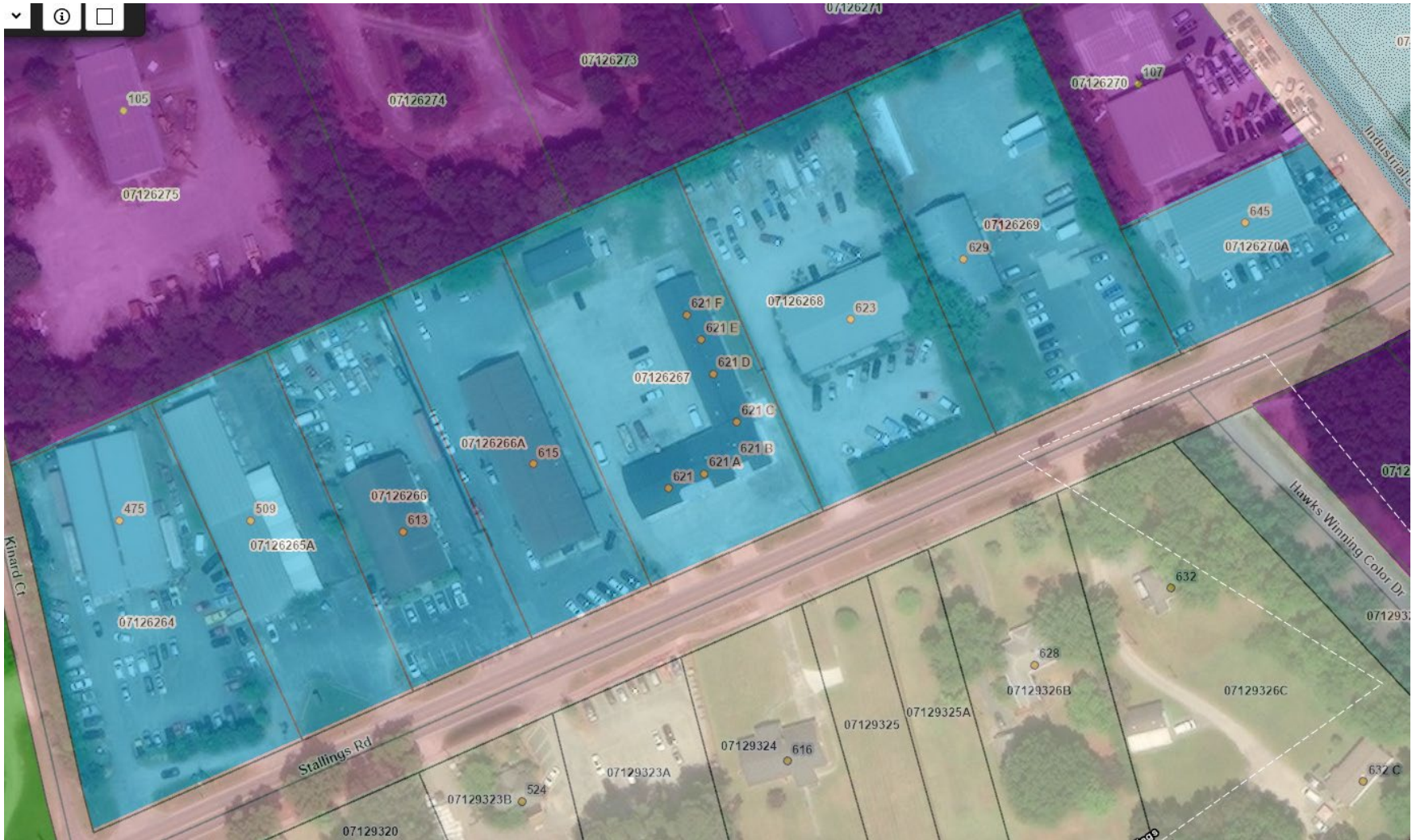


Site Information & Background



There are only 8 parcels zoned VSR in the Town.

Aerial





Staff Recommendation

Section 3:

IDENTITY & INVOLVEMENT

Values:

Active Community, Cooperation, Inclusive

Vision Statement:

Stallings is a community with a small-town spirit that works together towards its future. The town values quality community design and signature elements that make Stallings unique and identifiable. Community culture is supportive and demonstrated through community events and citizens participate, volunteer, and cooperate for the greater good of the community.

- Staff recommends approval of TX23.09.05. Staff recommends the need for additional uses in VSR besides automotive and may bring a staff-led text amendment to amend the allowed uses in VSR in the future. This specific text amendment increases Identity and Involvement in the Town of Stallings through volunteering and citizen participation for the greater good of the community (Section 3 of the CLUP).



**PLANNING
& ZONING**
TOWN of STALLINGS

Questions?

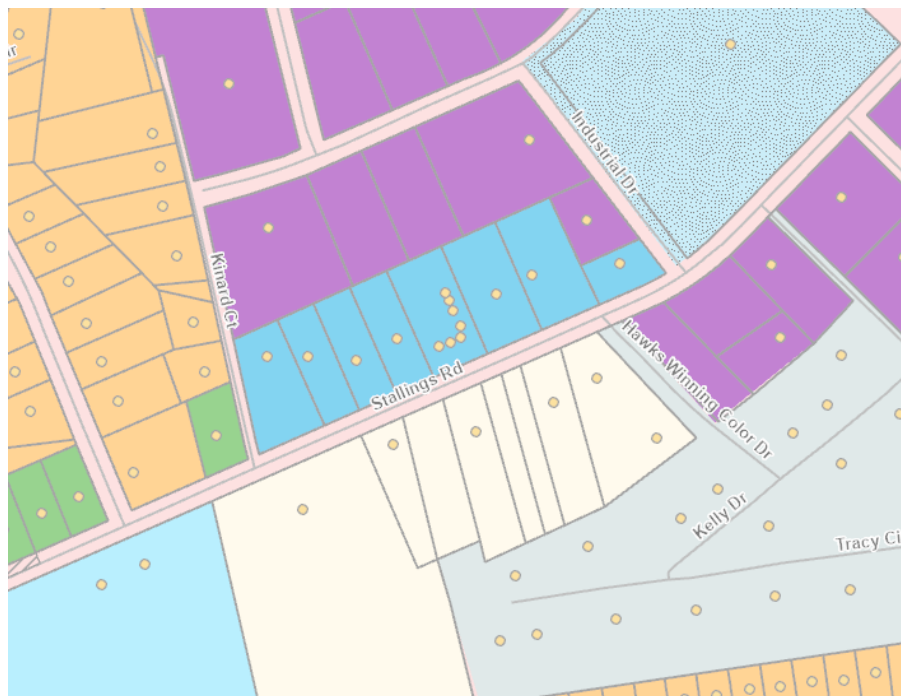


MEMO

To: Town Council
From: Stuart Valzonis, Planner I
Date: 11/27/2023
Re: TX23.09.05 - Tutoring and Mentoring Services

Request:

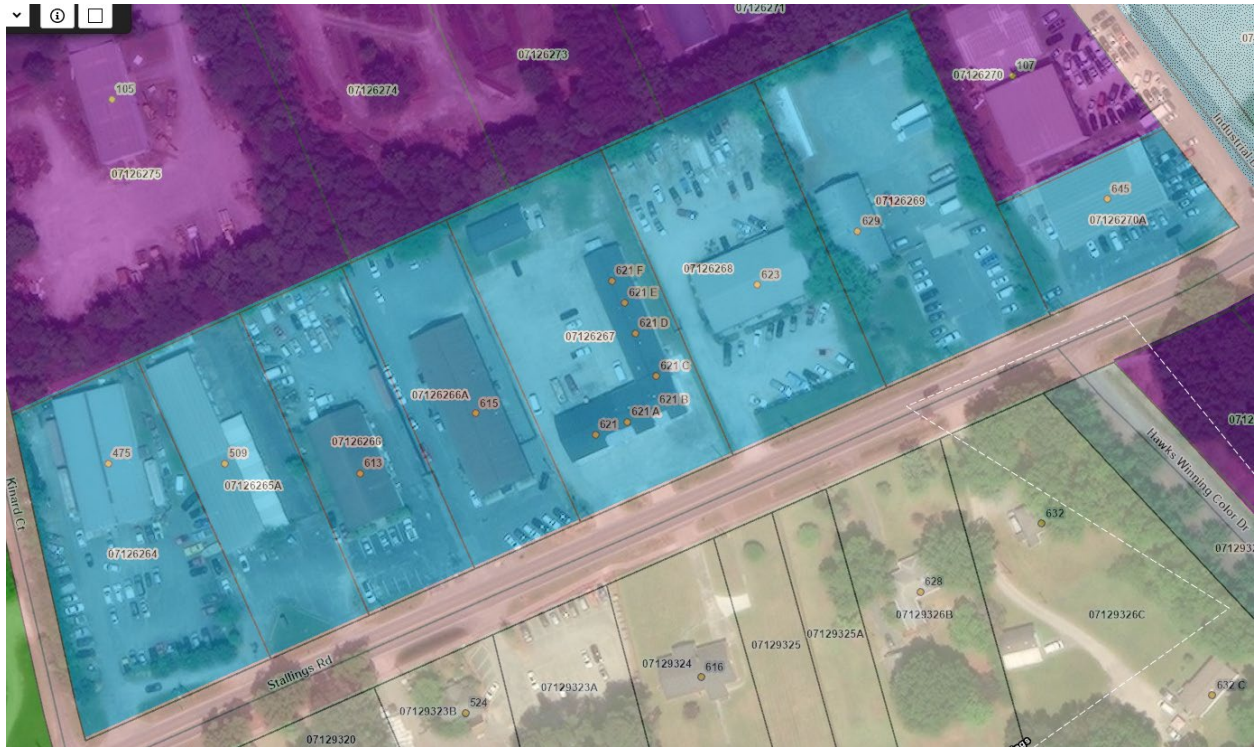
Denis and Vlad Pinchuk submitted a text amendment application for Tutoring and Mentoring Services as a listed use (L) in the Vehicle, Service, and Repair (VSR) zoning district.



History:

The VSR zoning district was established to provide locations for specific uses (*Automotive*) that, due to their unique characteristics and importance to the community and the traveling public, require different criteria and specifications than typical commercial development. Uses in this district include heavy commercial goods and services for motor vehicles and some limited industrial.

VSR has had several text amendments to allow Medical Supplies, Flooring, and Bakery. The VSR zoning was created only to protect automotive uses in the Town, however, the requests from the public is that we expand the allowed uses in the district.



Staff Recommendation:

Staff recommends approval of TX23.09.05. Staff recommends the need for additional uses in VSR besides automotive and may bring a staff-led text amendment to amend the allowed uses in VSR in the future. This specific text amendment increases Identity and Involvement in the Town of Stallings through volunteering and citizen participation for the greater good of the community (Section 3 of the CLUP).



Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX23.09.05

REQUEST: Denis and Vlad Pinchuk submitted a text amendment application to request Tutoring and Mentoring Services as a listed use (L) in the Vehicle, Service, and Repair (VSR) zoning district.

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 recommends that the proposed text amendment is consistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017, based on the goals and objectives set forth in the document of promoting quality development and consistency with all state-mandated land use regulations established through NCGS § 160D. The Town Council recommends to **APPROVE** the proposed amendment and stated that the Town Council finds and determines that the zoning/text amendment is consistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

- 1) This text amendment helps increase the Towns Identity and Involvement, creating opportunities to volunteer and participate in the greater good of the community as laid out in section 3 of the Town of Stallings Comprehensive Land Use Plan.

Adopted this the __ day of _____, 2023.

Mayor

Attest:

Town Clerk



MEMO

To: Town Council – Town of Stallings
From: Max Hsiang, Planning Director
Date: 11/27/23
Re: TX23.10.01 – Amendment to Outdoor Storage Supplemental Regulations (10.1-36)

Request:

At the August 14, 2023, Town Council meeting, the Council instructed staff to investigate the possibility of implementing a text amendment to the zoning regulations governing outdoor storage in industrial zones. Following research, staff concluded that the text amendment proposed below represents the most straightforward, uncomplicated, and expeditious approach to enhance outdoor storage options for industrial businesses without negatively impacting the community.

Staff requests a text amendment in the Stallings Development Ordinance to amend outdoor storage, acreage, and zoning requirements in Article 10.1-36 Outdoor Storage.

The text amendment reads as follows:

10.1-36 Outdoor Storage.

- (A.) Applicable to any Zoning Districts where Table 8.1, appearing in Article 8 of this Ordinance includes the Outdoor Storage of materials associated with a use listed with additional standards.
- (B.) Exclusions include licensed motor vehicles titled to a resident and/or occupant of the property, provided such vehicles are not in violation of the provisions of Section 10.1-22 of this Article.
- (C.) Performance Standards for Outdoor Storage:
 - (1.) In all zoning districts where storage of bulk materials, inventory, customer owned property, and/or equipment is stored outdoors more than three (3) consecutive calendar days the site shall:
 - (a.) consist of a minimum of five (5) acres; **or if a property is zoned Industrial (IND) it must consist of a minimum of three (3) acres;**
 - (b.) provide for the screening and buffering along all site perimeter of the area designated for Outdoor Storage on an approved site plan with a Type D Buffer, except where the site abuts an adjacent Zoning District requiring the provision of a Buffer Yard in accordance with Table 11.1 appearing in Article 11 of this Ordinance.

Original:

10.1-36 Outdoor Storage.

- (A.) Applicable to any Zoning Districts where Table 8.1, appearing in Article 8 of this Ordinance includes the Outdoor Storage of materials associated with a use listed with additional standards.

(B.) Exclusions include licensed motor vehicles titled to a resident and/or occupant of the property, provided such vehicles are not in violation of the provisions of Section 10.1-22 of this Article.

(C.) Performance Standards for Outdoor Storage:

(1.) In all zoning districts where storage of bulk materials, inventory, customer owned property, and/or equipment is stored outdoors more than three (3) consecutive calendar days the site shall:

(a.) consist of a minimum of five (5) acres;

(b.) provide for the screening and buffering along all site perimeter of the area designated for Outdoor Storage on an approved site plan with a Type D Buffer, except where the site abuts an adjacent Zoning District requiring the provision of a Buffer Yard in accordance with Table 11.1 appearing in Article 11 of this Ordinance.

Planning Board Recommendation:

The Planning Board recommended approval as is at their October 17, 2023, regular meeting.

Staff Recommendation:

Staff recommends approval of TX23.010.01, a text amendment that offers the most direct, uncomplicated, and rapid approach to expanding outdoor storage options for industrial businesses without adversely affecting the community. Additionally, as outlined in the Stallings Economic Development Plan, it would contribute to an increase in the number of businesses utilizing Industrial zoning in Stallings.



Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX23.10.01

REQUEST: A text amendment in the Stallings Development Ordinance to amend outdoor storage, acreage, and zoning requirements in Article 10.1-36 Outdoor Storage.

WHEREAS, The Town of Stallings Town Council, hereafter referred to as the “Town Council”, adopted the Stallings Comprehensive Land Use Plan on November 27, 2017; and

WHEREAS, the Town Council finds it necessary to adopt a new land development ordinance to maintain consistency with the Comprehensive Land Use Plan; and

WHEREAS, the Town Council finds it necessary to revise the Unified Development Ordinance to comply with state law found in NCGS § 160D.

THEREFORE, The Town Council hereby recommends that the proposed text amendment is consistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017, based on the goals and objectives set forth in the document of promoting quality development and consistency with all state-mandated land-use regulations established through NCGS § 160D. The Town Council recommends to **APPROVE** the proposed amendment and stated that the Town Council finds and determines that the text amendment is consistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

- 1) This text amendment offers the most direct, uncomplicated, and rapid approach to expanding outdoor storage options for industrial businesses without adversely affecting the community.
- 2) This text amendment per the Stallings Economic Development Plan, would help increase the number of businesses for Industrial zoning in Stallings.

Recommended this the __ day of _____, 2023.

Mayor

Attest:

Clerk



MEMO

To: Stallings Town Council
 From: Max Hsiang, Planning Director
 Date: 11/27/2023
 Re: RZ23.10.01 - General Rezoning C-74 to IND

Request:

MMDi, Inc. d/b/a Steelpoint requests a general rezoning for 500 Union West Blvd PID#07102010R from US 74 Commercial (C-74) to Industrial (IND).

Property Details:

Address	500 Union West Blvd
Parcel #	07102010R
Current Owner	CAMERON 500 UNION WEST LLC
Acreage	2.00 Acres
Existing Use	Manufacturing
Current Zoning	C-74
Requested Zoning	IND
Future Land Use	Suburban Multi-Family Neighborhood
Small Area Plan	Monroe Expressway Corridor - Industrial

IND compared to C-74:

	Requested zoning - IND	Current zoning - C-74
Allowed Uses	Agricultural Production, Convenience Store, General Contractors Offices, Fire, Ambulance, Rescue Station, Personal Training Facility, Warehouse	Vocational, Business, or Secretarial Schools, Apparel Sales Grocery & Related Product Sales, Sporting & Recreational Goods, Veterinary Services, Theaters
Lot size minimum	32,400 sf	10,000 sf
Lot width frontage	180'	360' on Hwy, 125'
Front Setback	80'	27'
Rear Setback	16'	12' or buffer width, whichever is greater
Side Setback	16', Corner 80'	0' or buffer width, whichever is greater

Tree save, buffers, stormwater, and open space apply if the property were to be re-developed.

Aerial Map:

Continue to the next page.



Figure 1: Street View



Figure 2: Aerial

Zoning Map:

Continue to the next page.



Figure 3: Zoning Districts

Land Use:



NCDOT Right-of-Way - no future land use is identified for this parcel.

Figure 4: Future Land Use

Small Area Plan:

The Monroe Expressway Corridor Small Area Plan identifies this area as Industrial and this rezoning request is consistent with the adopted plan.



Figure 5: Monroe Expressway Small Area Plan

Planning Board Recommendation:

The Planning Board recommended approval as is at their October 17, 2023, regular meeting.

Staff Recommendation:

Staff recommends approval of RZ23.10.01. Although there is no identified future land use for this area. Industrial zoning is consistent with the Monroe Expressway Small Area Plan.



Statement of Consistency and Reasonableness

ZONING AMENDMENT: RZ23.10.01

REQUEST: MMDi, Inc. d/b/a Steelpoint requests a general rezoning for 500 Union West Blvd PID#07102010R from US 74 Commercial (C-74) to Industrial (IND).

WHEREAS, The Town of Stallings Town Council, hereafter referred to as the “Town Council”, adopted the Stallings Comprehensive Land Use Plan on November 27, 2017; and

WHEREAS, the Town Council finds it necessary to adopt a new land development ordinance to maintain consistency with the Comprehensive Land Use Plan; and

WHEREAS, the Town Council finds it necessary to revise the Unified Development Ordinance to comply with state law found in NCGS § 160D.

WHEREAS, the Town Council finds it necessary to consider the Planning Board’s recommendations.

THEREFORE, The Town Council hereby votes that the proposed zoning amendment is consistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017, based on the goals and objectives set forth in the document of promoting quality development and consistency with all state-mandated land use regulations established through NCGS § 160D. The Town Council **Approves** the proposed amendment and stated that the Town Council finds and determines that the zoning amendment is consistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

1. This rezoning is consistent with adjacent properties' shopping center/ commercial.
2. This rezoning zoning will also help increase the number of commercial business opportunities in the Town per the Town of Stallings Economic Development Plan.

Adopted this the __ day of _____, 2023

Mayor

Attest:

Town Clerk



MEMO

To: Mayor and Council Members
Via: Alex Sewell, Town Manager
From: Erinn Nichols, Assistant Town Manager
Date: November 21, 2023
RE: **Planning Board Application Consideration**

The Town has received a Planning Board Application from Council Member Heather Grooms. Ms. Grooms' term on Council will end on Monday, December 11, 2023 after which time Ms. Grooms is eligible to serve on the Stallings Planning Board.

Ms. Grooms' Planning Board Application will be available for inspection at your desks Monday evening. She has also completed all backgrounds checks and attendance requirements in order to be considered for a position on the Planning Board.

If Council would like to appoint Ms. Grooms to the Planning Board, please do so effective Tuesday, December 12, 2023, with the term ending March 31, 2025.



MEMO

To: Mayor and Council
From: Alex Sewell, Town Manager
Date: November 20, 2023
RE: **2024 Draft Town Council Transition Support Plan**

Purpose: This memorandum provides a draft 2024 Town Council Transition Support Plan for the Council's consideration.

Background: The newly elected Town Council Members, including one new member, will be sworn in at the 12/11/23 Town Council Meeting.

Draft Transition Support Plan: A draft plan to support the new Town Council transition is enclosed below. The draft plan's goal is to support the education, integration, and required ethics training of all elected officials so the new Town Council can operate as an ethical, effective, and functional governing board.

Requested Action: Staff are seeking the following:

- 1.) Council approval of the draft 2024 Town Council Transition Support Plan and a decision on whether to do the optional personality assessment;
- 2.) Council direction to the Town Manager to implement the 2024 Town Council Transition Support Plan; and
- 3.) Feedback on whether Council Members would like to participate in the "Essentials of Municipal Government" Course presented by the UNC School of Government.



2024 Town Council Transition Support Plan

Goal – Support the education, integration, and required ethics training of all elected officials so the new Town Council can operate as an ethical, effective, and functional governing board.

Step 1 – Provide the new Council Member with foundational knowledge so she can make informed decisions and operate effectively and ethically within the Town organizational structure.

- Send the new Council Member information for review/reference to start gaining foundational knowledge.
- Hold a “New Council Member Bootcamp” orientation designed to facilitate practical working knowledge and abilities.
 - Mac McCarley, Former Charlotte City Attorney; Partner, Parker-Poe
 - Council-Manager Form of Government
 - Q&A Roundtable
 - Town Manager & Department Heads
 - Review of Current Council Priorities
 - Review of Organizational Structure
 - Review of Current Projects
 - Review of Each Department
 - Lunch with Mayor Dunn
 - Erinn Nichols, Assistant Town Manager/Town Clerk
 - Town Council Procedures (How to place items on the meeting agendas, voting, Robert’s Rules of Order, etc.).

- “Mock” Board Meeting to Demonstrate Discussion, Voting, etc. occurs under the Town’s Rules of Procedure
- Cost – This can be absorbed into the existing budget.

Step 2 – [Optional for Council Members who have not been just reelected]
Continue to build foundational knowledge for effective decision-making, ensure the new Council Member receives required ethics training, and foster effective working relationships.

- All Council Members attend in-person the “Essentials of Municipal Government” Course presented by the UNC School of Government. The course includes:
 - 1.) The basics of municipal government authority, finances, and functions.
 - 2.) Keys to governing body effectiveness and your role as a member.
 - 3.) The legal boundaries of ethics and transparency.
 - 4.) The importance of developing positive relationships with your colleagues, staff, and external partners and organizations that influence life in your communities.
 - 5.) Council Members will receive the required ethics training.
 - The Council is encouraged collectively to choose a time/date:
 - January 11-12, 2024 (Greensboro)
 - January 18-19, 2024 (Wilmington)
 - January 25-26, 2024 (Rock Mount)
 - February 15-16, 2024 (Asheville)
 - February 22-23, 2024 (Chapel Hill)*
 - *NOTE: - this offering is available online, and it could be scheduled so that all coordinated so all elected officials could participate together at a Town facility.
- Cost – This can likely be absorbed into the existing budget.

Step 3 – Build a unified set of Town Council priorities where all Council Members feel heard and respected. Continue to foster effective work relationships.

- Have Curt Walton (former Charlotte City Manager) facilitate the Council Annual Retreat in February 2023 including:
 - Interview Mayor and Town Council Members individually in advance of the Annual Retreat to determine top priorities, areas of concern, and areas of opportunity.
 - Facilitate the 2023 Annual Retreat including:
 - Synthesis of information gathered from individual meetings with the Mayor and Town Council;
 - Integrate the impact of that information on the 2023 workplan; and
 - Determine the most important next steps to guide the work of the elected officials and Town staff.
 - Optional: Complete a relationship-building exercise for the Mayor, Town Council, and Town Manager as part of the annual retreat. If chosen, the recommended assessment is the WorkPlace Big Five Personality Assessment.

- Cost - This can be absorbed into the existing budget with the exceptions of traveling for the Annual Retreat (cost TBD) and the of the optional relationship-building (est. approx. \$4,500).

Desired Outcomes:

- The new Council Member will have confidence that she has the foundational knowledge to make informed decisions.
- Effective working relationships amongst the individual Council Members and Town Manager.
- All Council Members have completed required ethics training (if applicable).
- A unified set of clear priorities with clear expectations of next steps.
- All Council Members feel heard and respected.