

**CITY OF MONROE
CITY COUNCIL REGULAR MEETING
300 WEST CROWELL STREET
MONROE, NORTH CAROLINA 28112
AUGUST 18, 2020 – 6:00 P.M.
AGENDA
www.monroenc.org**

This Meeting will be conducted virtually with City Council following their adopted Electronic Meeting Rules. The Meetings will, also be live-streamed on the City of Monroe YouTube channel at Monroe North Carolina Government -
<https://www.youtube.com/channel/UCzrGKOKR72fmCEn7D0f9mlg?>

RECOGNITION

1. Public Comment Period **The City will not have an in-person Public Comment Period**

In an effort to meet and comply with guidance for social distancing from North Carolina health professionals and the Centers for Disease Control and Prevention (CDC) and mass gatherings, the City of Monroe is offering the public the opportunity to submit public comment for the August 18, 2020 City Council Meeting.

Those wishing to submit a comment electronically can do so by following this link: <https://weblink.monroenc.org/Forms/Publiccomment>. The form must be filled out completely in order to be part of the official record.

Residents without internet access or those who would like to drop off a comment can do so in person. There is a supply of forms and envelopes and a locked drop box outside Monroe City Hall located at 300 West Crowell Street. Residents are asked to fill out the form completely and place any comment in the locked drop box. Both the electronic forms and the handwritten forms must be submitted by **3 p.m. on August 17, 2020** in order to be part of the official record. As with all public comments, proper decorum is expected.

Comments submitted by 3 p.m. on August 17, 2020 will be provided to the Council at the August 18, 2020 City Council Meeting. The comments will also be made part of the official Minutes of the City Council Meeting.

CONSENT AGENDA

The City Council uses a Consent Agenda to consider items that are non-controversial and routine. The Consent Agenda is acted upon by one motion and vote of the Council. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Council Member or Citizen with consent of Council. The Consent Agenda contains the following items:

2. Annual Settlement of Tax Collector for 2019

3. Call for Public Hearings to be Held September 1, 2020
 - A. Level I Economic Development Incentive Grant for Confidential Company
 - B. Zoning Map Amendment Request to Rezone Property Located at 3433 Continental Drive from Residential-High Density Special Use (R-10SU) to Residential-Low Density (R-20)
4. Coronavirus Aid, Relief and Economic Security Funding (CARES) for Ellen Fitzgerald Senior Center
 - A. Acceptance of Funds
 - B. Budget Amendment
 - C. City Manager to Execute Documents
5. Minutes and Reports
 - A. Disbursement of Fiscal Year 2020-2021 City Council Discretionary Funds by Council Member Surluta Anthony
 - B. Minutes of Board of Adjustment Meetings of May 28, 2020 and June 25, 2020
 - C. Minutes of Historic District Commission Meetings of May 11, 2020 and June 8, 2020
 - D. Minutes of Planning Board Meetings of March 4, 2020 and July 22, 2020
 - E. Minutes of Monroe-Union County Economic Development Board of Advisors Meeting of March 10, 2020
 - F. Summary of Contracts Awarded, Change Orders Approved and City Manager's Settlement of Claims
6. Natural Gas Main Extension to Edwards Wood Products, Inc.
 - A. Award of Construction Contract to Dawn Development
 - B. Capital Project Budget Ordinance
 - C. City Manager to Execute Documents
7. Outside City Customer Sewer Service Request by Venton Bell for 3101 Watkins Road
8. Small Government Term Enterprise License Agreement
 - A. Award of Contract to ESRI
 - B. City Manager to Execute Documents
9. Tax Releases for July 2020
10. Water Resources Flatbed Dump Truck
 - A. Award of Purchase Contract to Excel Truck Group
 - B. City Manager to Execute Documents

REGULAR AGENDA

PUBLIC HEARINGS

- City Council will only be accepting written comments from residents wishing to express their views “for” or “against” a public hearing agenda item. The Public Hearing Comment Form can be completed online at the following the link

(<https://weblink.monroenc.org/Forms/Publichearing>). Please select the appropriate hearing from the drop down menu. Forms are also available for pickup outside of the front entrance of City Hall located at 300 W. Crowell Street. A completed Public Hearing Comment Form can be placed in the locked drop box located outside of the front entrance of City Hall.

- Resident must use the Public Hearing Comment Form for any comments to be included in the official record.
- Submitted comments will be provided to City Council.

11. Annexation and Zoning Map/Text Amendment Requests for Property Containing 169.47 Acres Located Along Waxhaw Highway to be Rezoned from RA-20 and RA-40 to Conditional District “Waxhaw Landing”

- A. Public Hearing
- B. Action

12. Zoning Map Amendment Request to Rezone Property Located Along W. Highway 74 and James Hamilton Road from General Business (GB) and R-20 to Conditional District “Founders Point” and Text Amendment Request to Amend Code of Ordinances – Title XV: Land Usage, Chapter 156: Zoning Code, Section 156.106 titled “Official Zoning Map” and Section 156.98 titled “Conditional Districts Established”

- A. Public Hearing
- B. Action

13. Zoning Map Amendment Request to Rezone Property Located Along N. Rocky River Road from R-20 to Conditional District “Jonhaven Townhomes” and Text Amendment Request to Amend Code of Ordinances – Title XV: Land Usage, Chapter 156: Zoning Code, Section 156.106 titled “Official Zoning Map” and Section 156.98 titled “Conditional Districts Established”

- A. Public Hearing
- B. Action

14. Capital Project Budget Ordinance for Waste Water Treatment Plant Flow Equalization Storage Improvements

15. Monroe Science Center Exhibits Purchase/Installation

- A. Award of Contract to Boss Display
- B. Capital Project Budget Ordinance
- C. City Manager to Execute Documents

16. Partnership Between City of Monroe and Union County to Install The Charters of Freedom in Main Street Plaza

- A. Partnership with Union County Government to Locate The Charters of Freedom Installation in Main Street Plaza
- B. Authorization for Staff to Coordinate Construction with Foundation Forward, Inc. and Union County

- **Agenda** is tentative and is subject to change up to and including the time of the Meeting.



STAFF REPORT

TO: City Council
VIA: E.L. Faison, City Manager
DATE: August 18, 2020
FROM: Bridgette H. Robinson, City Clerk
PREPARED BY: Sherry K. Hicks, Deputy City Clerk
SUBJECT: Public Comment Period

SUMMARY STATEMENT

The City will not have an in person Public Comment Period at the August 18, 2020 City Council Meeting.

In an effort to meet and comply with guidance for social distancing from North Carolina health professionals and the Centers for Disease Control and Prevention (CDC) and mass gatherings, the City of Monroe is offering the public the opportunity to submit public comment for the August 18, 2020 City Council Meeting.

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Both the electronic forms and the handwritten forms must be submitted by **3:00 p.m. on August 17, 2020** in order to be part of the official record. As with all public comments, proper decorum is expected.

Comments submitted by 3:00 p.m. on August 17 will be provided to the Council at the August 18, 2020 City Council Meeting. The comments will also be made part of the official Minutes of the City Council Meeting.

RECOMMENDATION

Both the electronic forms and the handwritten forms must be submitted by **3:00 p.m. on August 17, 2020.**



STAFF REPORT

TO: City Council

FROM: E.L. Faison, City Manager

VIA: Lisa Strickland, Finance Director

DATE: August 18, 2020

PREPARED BY: Bethany Hawver, Revenue Manager

SUBJECT: Annual Settlement of Tax Collector for 2019

SUMMARY STATEMENT

City Council is requested to consider a full settlement for all taxes for collection made for the preceding tax / fiscal year 2019-2020.

REVIEW

N.C.G.S. 105-373(a) states the tax collector shall make full settlement with the governing body of the taxing unit for all taxes in hand for collection for the preceding fiscal year. The settlement, together with the action of the governing body with respect thereto, shall be entered in full upon the minutes of the governing body.

Attached is the “Annual Settlement of Tax Collector for 2019”. This settlement shows the collection rate at 99.11 percent.

RECOMMENDATION

City Staff recommends that City Council approve the tax settlement as outlined herein and that the settlement be entered in full into the minutes of the Council meeting.

Annual Settlement of Tax Collector for 2019

		<u>Tax</u>	<u>Value</u>
2019 Tax Scroll		\$ 20,515,119	\$ 3,321,984,641
2019 Certifications		\$ 339,274	\$ 55,038,765
2019 Discoveries		<u>\$ 566,649</u>	<u>\$ 75,754,563</u>
Total Taxes Billed		\$ 21,421,041	\$ 3,452,777,969
Less 2019 Releases		\$ (109,344)	\$ (10,319,372)
2019 Adjustments		<u>\$ 1,254</u>	
2019 Tax Levy		\$ 21,312,951	\$ 3,442,458,596
Total Taxes Collected		\$ 21,123,984	\$ 3,412,391,730
Taxes to be Collected		<u>\$ 188,967</u>	
Total 2019 Levy		\$ 21,312,951	
Percent Collected: %		99.11%	
2019 MSD Tax		\$ 51,879	\$ 23,598,429
2019 MSD Certifications		\$ 2,251	\$ 1,027,781
2019 Discoveries		<u>\$ -</u>	<u>\$ -</u>
Total Taxes Billed		\$ 54,130	\$ 24,626,210
Less MSD 2019 Releases		\$ (1,120)	\$ (203,881)
2019 MSD Adjustments		<u>\$ (7)</u>	
2019 MSD Tax Levy		\$ 53,003	\$ 24,422,329
2019 MSD Collected		\$ 52,605	
MSD Tax to be Collected		<u>\$ 399</u>	
Total 2019 MSD Levy		\$ 53,003	
Percent Collected: %		99.25%	
Taxes released for 2019 under \$5.00 total amount is \$1,212.39.			

City of Monroe Tax Collection History		
	General City of Monroe	Monroe Downtown MSD
2019	99.11%	99.25%
2018	99.14%	99.23%
2017	99.02%	99.10%
2016	98.76%	99.23%
2015	98.53%	99.85%
2014	97.91%	98.42%
2013	96.07%	95.43%
2012	98.05%	95.24%
2011	98.07%	95.30%
2010	97.56%	98.47%
2009	97.32%	94.46%



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: R. Christopher Platé, Executive Director of Economic Development

PREPARED By: Ron Mahle, Assistant Director of Economic Development

SUBJECT: Call for Public Hearing to be Held September 1, 2020 to Consider Level I Economic Development Incentive Grant for Confidential Company

SUMMARY STATEMENT

City Council is asked to Call for a Public Hearing at its September 1, 2020 Regular Meeting to consider a request for a Level I Economic Development Incentive Grant from a Confidential Company.

REVIEW

Monroe-Union County Economic Development is in discussions with an existing manufacturing company in Monroe who is considering the location of new equipment and the expansion of its production facility. The name of the company will be disclosed at the September 1, 2020 Public Hearing.

RECOMMENDATION

It is the recommendation of the Monroe-Union County Economic Development staff that Monroe City Council Call for a Public Hearing at its September 1, 2020 Regular Meeting to consider the request for a Level I Economic Development Incentive Grant.



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Keri Mendler, Planner

SUBJECT: Call for Public Hearing to be held on September 1, 2020 to consider a zoning map amendment request to rezone the property located at 3433 Continental Drive from R-10SU (Residential-High Density Special Use) to R-20 (Residential- Low Density)

SUMMARY STATEMENT

This is a request to call for a public hearing to be held on September 1, 2020 for a zoning map amendment request to rezone the property located at 3433 Continental Drive from R-10SU (Residential-High Density Special Use) to R-20 (Residential- Low Density)

REVIEW

Staff has received a zoning map amendment request to rezone the property located at 3433 Continental Drive from R-10SU (Residential-High Density Special Use) to R-20 (Residential- Low Density). The matter will be presented to the Planning Board on August 19, 2020. For timing and scheduling purposes, staff is requesting that City Council call for a public hearing to be held on September 1, 2020 to consider this item. If this item is not moved forward at the August 19, 2020 Planning Board meeting, staff will not initiate the necessary steps to bring the matter before City Council on September 1, 2020.

RECOMMENDATION

Staff recommends City Council call for the required public hearing to be held on September 1, 2020 at 6:00 p.m. to consider this matter.



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: Tonya Edwards, Parks and Recreation Director

PREPARED BY: Tonya Edwards, Parks and Recreation Director

SUBJECT: Coronavirus Aid, Relief, and Economic Security Funding (CARES) for Ellen Fitzgerald Senior Center

SUMMARY STATEMENT

The Ellen Fitzgerald Senior has been approved to receive \$14,496 in Coronavirus Aid, Relief, and Economic Security Funding (CARES).

REVIEW

The Ellen Fitzgerald Senior Center has been approved to receive \$14,496 in Coronavirus Aid, Relief, and Economic Security funding. These funds will be used to enhance virtual learning opportunities, and for the purchase of social distancing signage, PPEs, sanitizing equipment and supplies. These funds will not only allow for us to continue in our efforts to keep our seniors engaged through virtual classes and activities, but will also help staff to better prepare for their safe return to the Senior Center when it is reopened for on-site programming.

This matter was presented to the General Services Committee on July 16, 2020 as informational purposes.

RECOMMENDATION

Staff recommends that Council approve the acceptance of these funds, adopt a Budget Amendment in the amount of \$14,496 for the allocation of this funding, and authorize the City Manager to execute any and all required documents.

Attachments: BA-2020-26;
Coronavirus Aid, Relief, and Economic Security Funding Contract Packet

**BUDGET AMENDMENT
BA-2020-26**

1. Amendment to appropriate funding from the Centralina Area Agency on Aging Coronavirus Aid, Relief and Economic Security (CARES) Act Grant received for the Ellen Fitzgerald Senior Center operation expenditures in Fiscal Year 2021.

General Fund:

Revenues:

Restricted Revenue	\$14,496
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Expenditures:

Cultural & Recreational	\$14,496
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Adopted this 18th day of August, 2020.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk



Date 8/7/2020

Vendor Name Ellen Fitzgerald Senior Center-City of Monroe
Vendor Address 327 South Hayne St. Monroe, NC 28112

Contact Person Tonya Edwards

RE: 2020-21 CARES CONTRACT ALLOCATION
Timeframe for Expenses: July 1, 2020 to September 30, 2021

Dear

In response to your Coronavirus Aid, Relief, and Economic Security (CARES) proposal, we are pleased to inform you that your budget and proposal have both been carefully reviewed for the amount of \$ 14,496.00, and has been accepted.

As a reminder, your organization will be monitored for both fiscal and program compliance. Keep these issues in mind as you prepare to expend these CARES/Covid-19 related funds.

- All expenses must be reasonable, and related to the agency's response to Covid-19.
- Both **dollar-based, non-unit and unit-based services** are required to be entered into the Aging Resource Management System (ARMS) by the 12th of each month.
- Dollar-based entries **require proof of receipts** or risk the removal of the amount from the Aging Resource Management System (ARMS).
- **Tracking sheets using the form developed by NC DAAS will be submitted by the 12th of each month** to the Aging Program Specialist Warren W. Wilson Jr. at wwilson@centralina.org
- **A CARES only unit earned comparison report will be generated and shared monthly.** You are strongly encouraged to review this report to track your spending and ensure that what you have entered in ARMS is being reported correctly.



9815 David Taylor Drive – Suite 100
Charlotte, North Carolina 28262
Phone: 704-372-2416 Fax: 704-347-4710
www.centralinaaging.org

Equal Opportunity/Affirmative Action Employer. Auxiliary aids and services available upon request to individuals with disabilities.

CCOG/CARES Allocation Letter

Date 8/7/2020

Vendor EFSC-City of Monroe

- **Any revisions to the CARES project budget are required to be submitted to the Aging Director, Linda Miller.** The revision will need to be approved prior to any funds being moved into ARMS.
- Your contract will last the life of the funding period from July 1, 2020 through September 30, 2021. **You will not receive a new contract at the end of the fiscal year.** Any changes in the budget will not require a new contract to be drafted.
- **Any expense over \$5,000 will require a prior approval request** before the expense has been incurred on the standardized NC DAAS form. All approval requests will be submitted to Warren at wwilson@centralina.org
- The Division of Aging and Adult Services as directed by the Administration on Community Living determines the parameters of this funding and as such the conditions and circumstances may change during the life of the funding cycle. All changes will be communicated to the vendor in writing as soon as possible after receipt of the change notice from DAAS.

This Vendor CARES ALLOCATION BINDER includes the following elements:

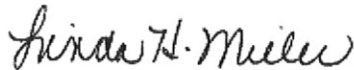
- Award Letter
- Signed Budget Narrative
- Signed funding form
- CCOG CARES contract with e-signatures

You will receive a copy of the fully signed and executed contract upon the final signature.

Monitoring Tools and other forms will be forwarded as the Division of Aging and Adult Services makes them available.

Thank you for your commitment to serving older adults during this difficult time. If you have any questions, please contact me anytime.

Sincerely,



Linda Miller
Aging Director
Centralina Area Agency on Aging
9815 David Taylor Drive, Suite 100
Charlotte, NC 28262
Telephone Number: (704) 348-2712
Email: lmiller@centralina.org



Centralina Council of Governments

525 North Tryon Street – 12th Floor, Charlotte, North Carolina 28202

Phone: 704-372-2416 Fax: 704-347-4710, www.centralina.org

Equal Opportunity/Affirmative Action Employer. Auxiliary aids and services available upon request to individuals with disabilities.

**Centralina Council of Governments
July 1, 2020 through September 30, 2021**

**Coronavirus Aid, Relief, and Economic Security Act (CARES)
Agreement for the Provision of County-Based Aging Services**

This Agreement, entered into as of this 1st of July, 2020 through September 30, 2021, by and between Ellen Fitzgerald Senior Center-City of Monroe (hereinafter referred to as the "Provider") and the Centralina Area Agency on Aging, (hereinafter referred to as the "Area Agency").

Witnesseth That:

WHEREAS, Congress supported the safety and independence of older adults during the COVID-19 pandemic through emergency funding for services included in the Coronavirus Aid, Relief, and Economic Security Act (CARES) and

WHEREAS, funding expended from the CARES must be used to respond to the coronavirus emergency by providing Older Americans Act services related to the response, and

WHEREAS, funds must be expended on allowable Older Americans Act activities as defined by the Older Americans Act and state and local policy, and

WHEREAS, the Area Agency and the Provider agree to the terms and conditions for provision of aging services in connection with activities financed in part by the CARES Act and authorized under Titles III, III C, and VII of the Older Americans Act, provided to the Area Agency from the United States Department of Health and Human Services through the North Carolina Division of Aging and Adult Services (DAAS), as set forth in a) this document, b) related administrative letters on the federal disaster grants issued by the Division of Aging and Adult Services to convey the flexibilities, requirements for allowable expenditures and documentation of service delivery, and other applicable flexibilities and waivers permitted under the CARES and Major Disaster Declaration, c) the Division of Aging and Adult Services Home and Community Care Block Grant Procedures Manual for Community Service Providers, d) the Division of Aging and Adult Services Service Standards and, e) the Division of Aging and Adult Services Community Service Providers Monitoring Guidelines.

NOW THEREFORE, in consideration of these premises, and mutual covenants and agreements hereinafter contained, the parties hereto agree as follows:

1. The Provider shall be the same as those specified on the CARES Act Signed Summary for the period stated above as deemed necessary for a prompt and efficient response under the Major Disaster Declaration.

2. Availability of Funds. The terms set forth in this Agreement for payment are contingent upon the receipt of CARES Act funding by the Area Agency.

3. Funding Allocation

Service Area:	<u>County</u>	Union
CARES Grant Amount:	<u>Amount</u>	\$14,496.00 <i>Debi Lee</i>
Local Match:	None Required	

4. Grant Administration. The grant administrator for the Area Agency shall be Linda H. Miller, Area Agency on Aging Administrator. The grant administrator for the Provider shall be , E. L. Faison (name), City Manager (title).

It is understood and agreed that the grant administrator for the Provider shall represent the Provider in the performance of this Agreement. The Provider shall notify the Area Agency in writing if the administrator changes during the grant period. Specific responsibilities of the grant administrator for the Provider are provided in paragraph eight (8) of this Agreement.

5. Services authorized under this agreement or those identified as necessary to provide timely and necessary response to the COVID-19 pandemic, provided they are among those services allowable under Titles III, III-C, III-E and VII, of the Older Americans Act, as specified on the CARES Signed Summary are to commence no earlier than July 1, 2020 and shall be undertaken and pursued in such sequence as to assure their expeditious completion. All services required hereunder shall be completed on or before the end of the Agreement period stated above.
6. Assignability and Contracting. The Provider shall not assign all or any portion of its interest in this Agreement. Any purchase of services with CARES Act funding shall be carried out in accordance with the procurement and contracting policy of the community services provider or, where applicable, the Area Agency, which does not conflict with procurement and contracting requirements contained in 45 CFR Part 75, Subpart D-Post Federal Award Requirements, Procurement Standards, except for those services purchased in response to, and during the active period of the Major Disaster Declaration for North Carolina due to the COVID-19 pandemic, as declared by the President of the United States on March 25, 2020, effective January 20, 2020 and continuing. Federal funds shall not be awarded to any subrecipients who have been suspended or debarred by the Federal government. In addition, Federal funds may not be used to purchase goods or services costing over \$100,000 from a vendor that has been suspended or debarred from Federal grant programs.
7. Compensation and Payments to the Provider. The Provider shall be compensated for the work and services actually performed under this Agreement by payments to be made monthly by the Area Agency. Total reimbursement to the community service providers under this Agreement

may not exceed the grand total of applicable COVID-19 funding, as specified on the CARES Act Signed Summary.

(a) Reimbursement of Service Costs

Providers must have a method of projecting service costs based on estimated revenues and expenses, in order to receive adequate reimbursement as well as show reasonable and justifiable costs. Reimbursement of service costs will be based on the DAAS-732-A-COVID Service Cost Computation Worksheet and the DAAS 732-A-1-COVID Labor Distribution Form or comparable formats to develop unit and non-unit costs.

(c) Payment of Administration on Aging Nutrition Services Incentive Program (NSIP) Subsidy

NSIP subsidy for congregate and home delivered meals is not allowable under the CARES funding.

8. Collection of Non-Federal Matching Resources. There is no match requirement for the Provider for direct services delivered through the CARES funding.

9. Reallocation of Funds and Budget Revisions. Any reallocation of CARES funding between providers or counties shall be voluntary on the part of the Provider and shall be effective only for the period of the Agreement. The reallocation of CARES funds between counties will not affect the allocation of future funding to the Provider. If during the performance period of the Agreement, the Area Agency determines that a portion of the CARES funding will not be expended, the grant administrator for the Provider shall be notified in writing by the Area Agency and given the opportunity to make funds available for reallocation to other counties in the Planning and Service Area or elsewhere in the state.

Transfers are authorized up to 30% of funds between Title III-C congregate or home-delivered nutrition programs, but transfers must occur within the same CARES grant grouping. If a provider wishes to exceed the 30% transfer within a grant, approval must be obtained through the Area Agency from the Division of Aging and Adult Services.

Unless community services providers have been given the capacity to enter data into the Aging Resources Management System (ARMS), Area Agencies on Aging are responsible for entering amended service data into the Division of Aging and Adult Services Management Information System.

10. Monitoring. This Agreement will be monitored to assure that services are being provided as stated in this agreement and as outlined in administrative letters on the CARES federal disaster grants issued by the Division of Aging and Adult Services to convey the requirements for allowable expenditures and documentation of service delivery to eligible older adults.

The Counties and/or the Provider will receive a written report of monitoring findings in accordance with procedures established in Section 308 of the AAA Policies and Procedures Manual (<http://www.ncdhhs.gov/aging/monitor/mpolicy.htm>). Any areas of non-compliance will be addressed in a written corrective action plan with the community service provider.

- a. Consumer Contributions The requirements of the Older Americans Act (OAA) for the solicitation and receipt of voluntary contributions from older adults for nutrition services are not waived.
11. Disputes and Appeals. Any dispute concerning a question of fact arising under this Agreement shall be identified to the designated grants administrator for the Area Agency. In accordance with Lead Regional Organization (LRO) policy, a written decision shall be promptly furnished to the designated grants administrator for the Provider.

The decision of the LRO is final unless within twenty (20) days of receipt of such decision the grant administrator for the Provider furnishes a written request for appeal to the Director of the North Carolina Division of Aging and Adult Services, with a copy sent to the Area Agency. The request for appeal shall state the exact nature of the complaint. The Division of Aging and Adult Services will inform the grant administrator for the Provider of its appeal procedures and will inform the Area Agency that an appeal has been filed. Procedures thereafter will be determined by the appeals process of the Division of Aging and Adult Services. The state agency address is as follows:

Director
North Carolina Division of Aging and Adult Services
693 Palmer Drive
2101 Mail Service Center
Raleigh, North Carolina 27699-2101

12. Termination for Cause. If through any cause, the Provider shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or the Provider has or shall violate any of the covenants, agreements, representations or stipulations of this Agreement, the Area Agency shall have the right to terminate this Agreement by giving the Chairman of the Board of Commissioners or Provider's Executive Officer written notice of such termination no fewer than fifteen (15) days prior to the effective date of termination. In such event, all finished documents and other materials collected or produced under this Agreement shall at the option of the Area Agency, become its property. The Provider shall be entitled to receive just and equitable compensation for any work satisfactorily performed under this Agreement.
13. Audit. The Provider agrees to have an annual independent audit in accordance with North Carolina General Statutes, North Carolina Local Government Commission requirements,

Division of Aging and Adult Services Program Audit Guide for Aging Services, and Federal Office of Budget and Management (OMB) Uniform Guidance 2 CFR Part 200.

Community service providers, as specified in paragraph one (1), who are not units of local government or otherwise subject to the audit and other reporting requirements of the Local Government Commission are subject to audit and fiscal reporting requirements, as stated in NC General Statute 143C-6-22 and 23 and OMB Uniform Guidance CFR 2 Part 200, where applicable. Applicable community service providers must send a copy of their year-end financial statements, and any required audit, to the Area Agency on Aging. Providers are not required to submit Activities and Accomplishments Reports. For-profit corporations are not subject to the requirements of OMB Uniform Guidance 2 CFR Part 200 but are subject to NC General Statute 143C-6-22 and 23 and Yellow Book audit requirements, where applicable. **Federal funds** may not be used to pay for a **Single or Yellow Book audit** unless it is a federal requirement. **State funds** will not be used to pay for a **Single or Yellow Book audit** if the provider receives less than \$500,000 in state funds. The Department of Health and Human Services will provide confirmation of federal and state expenditures at the close of the state fiscal year. Information on audit and fiscal reporting requirements can be found at <https://www.osbm.nc.gov/management/grants>.

The following provides a summary of reporting requirements under NCGS 143C-6-22 and 23 and OMB Uniform Guidance 2 CFR Part 200 based upon funding received and expended during the service provider's fiscal year.

<u>Annual Expenditures</u>	<u>Report Required to AAA</u>	<u>Allowable Cost for Reporting</u>
• Less than \$25,000 in State or Federal funds	Certification form and State Grants Compliance Reporting <\$25,000 (item # 11, Activities and Accomplishments does <u>not</u> have to be completed) OR Audited Financial Statements in Compliance with GAO/GAS (i.e. Yellow Book)	N/A
• Greater than \$25,000 and less than \$500,000 in State Funds or \$750,000 in Federal Funds	Certification form and Schedule of Grantee Receipts >\$25,000 and Schedule of Receipts and Expenditures OR Audited Financial Statements in Compliance with GAO/GAS (i.e. Yellow Book)	N/A

- | | | |
|--|---|---|
| <ul style="list-style-type: none"> • \$500,000 + in State funds but Federal pass through in an amount less than \$750,000 | <p>Audited Financial Statement in compliance with GAO/GAS (i.e. Yellow Book)</p> | <p>May use State funds, but <u>not</u> Federal Funds</p> |
| <ul style="list-style-type: none"> • \$500,000+ in State funds <u>and</u> \$750,000+ in Federal pass through funds | <p>Audited Financial Statement in compliance with OMB Uniform Guidance 2 CFR Part 200 (i.e. Single Audit)</p> | <p>May use State and Federal funds</p> |
| <ul style="list-style-type: none"> • Less than \$500,000 in State funds <u>and</u> \$750,000+ in Federal pass through funds | <p>Audited Financial Statement in compliance with OMB Uniform Guidance 2 CFR Part (i.e. Single Audit)</p> | <p>May use Federal funds, but <u>not</u> State funds.</p> |
14. Audit/Assessment Resolutions and Disallowed Cost. It is further understood that the community service providers are responsible to the Area Agency for clarifying any audit exceptions that may arise from any Area Agency assessment, the County and/or the Provider single or financial audit, or audits conducted by the State or Federal Governments. In the event that the Area Agency or the Department of Health and Human Services disallows any expenditure made by the community service provider for any reason, the County of the Provider shall promptly repay such funds to the Area Agency once any final appeal is exhausted in accordance with paragraph ten (10). The only exception is if the Area Agency on Aging is approved to provide direct services under the FFCRA and expenditures are disallowed by the Division of Aging and Adult Services. In this case, the Area Agency is responsible for any disallowed costs. The Area Agency on Aging can recoup any required payback from the County and/or the Provider in the event that payback is due to a community service provider's failure to meet OMB Uniform Guidance CFR 2 Part 200, 45 CFR Part 1321 or state eligibility requirements as specified in policy.
 15. Indemnity. The Provider agrees to indemnify and save harmless the Area Agency, its agents, and employees from and against any and all loss, cost, damages, expenses, and liability arising out of performance under this Agreement to the extent of errors or omissions of the Provider.
 16. Equal Employment Opportunity and Americans With Disabilities Act Compliance. The Provider, as identified in paragraph one (1), shall comply with all federal and state laws relating to equal employment opportunity and accommodation for disability.
 17. Data to be Furnished to the Provider. All information which is existing, readily available to the Area Agency without cost and reasonably necessary, as determined by the Area Agency's staff, for the performance of this Agreement by the Provider shall be furnished to the Provider

without charge by the Area Agency. The Area Agency, its agents, and employees, shall fully cooperate, with the Provider in the performance of the Provider's duties under this Agreement.

18. Rights in Documents, Materials and Data Produced. The Provider agrees that at the discretion of the Area Agency, all reports and other data prepared by or for it under the terms of this Agreement shall be delivered to, become and remain, the property of the Area Agency upon termination or completion of the work. Both the Area Agency and the Provider shall have the right to use same without restriction or limitation and without compensation to the other. For the purposes of this Agreement, "data" includes writings, sound recordings, or other graphic representations, and works of similar nature. No reports or other documents produced in whole or in part under this Agreement shall be the subject of an application for copyright by or on behalf of the Provider.
19. Maintenance of Records. The Provider shall maintain all financial and program records for a period of five (5) years from the date of final payment under this contract, for inspection by the Area Agency, the North Carolina Division of Aging and Adult Services, and the Comptroller General of the United States, or any of their duly authorized representatives. If any litigation, claim, negotiation, audit or other action involving the Provider's records has been started before the expiration of the five-year period, the records must be retained until completion of the action and resolution of all issues which arise from it.
20. Interest of the Governing Board. The Governing Board covenants that neither the Governing Board nor its agents or employees presently has an interest, nor shall acquire an interest, direct or indirect, which conflicts in any manner or degree with the performance of its service hereunder, or which would prevent, or tend to prevent, the satisfactory performance of the service hereunder in an impartial and unbiased manner.
21. Interest of Members of the Area Agency, Lead Regional Organization, and Others. No officer, member or employee of the Area Agency or Lead Regional Organization, and no public official of any local government which is affected in any way by the Project, who exercises any function or responsibilities in the review or approval of the Project or any component part thereof, shall participate in any decisions relating to this Agreement which affects his personal interest or the interest of any corporation, partnership or association in which he is, directly or indirectly, interested; nor shall any such persons have any interest, direct or indirect, in this Agreement or the proceeds arising there from.
22. Officials not to Benefit. No member of or delegate to the Congress of the United States of America, resident Commissioner or employee of the United States Government, shall be entitled to any share or part of this Agreement or any benefits to arise here from.
23. Prohibition Against Use of Funds to Influence Legislation. No part of any funds under this Agreement shall be used to pay the salary or expenses of any employee or agent acting on

behalf of the Provider to engage in any activity designed to influence legislation or appropriations pending before Congress.

24. Confidentiality and Security. Any client information received in connection with the performance of any function of a community service provider or its subcontractors under this Agreement shall be kept confidential. The community service provider acknowledges that in receiving, storing, processing, or otherwise handling any confidential information, the agency and any subcontractors will safeguard and not further disclose the information except as provided in this Agreement and accompanying documents.
25. Record Retention and Disposition. All state and local government agencies, nongovernmental entities, and their subrecipients, including applicable vendors, that administer programs funded by federal sources passed through the NC DHHS and its divisions and offices are expected to maintain compliance with the NC DHHS record retention and disposition schedule and any agency-specific program schedules developed jointly with the NC Department of Cultural Resources, Division of Archives and Records. Retention requirements apply to the community service providers funded under this Agreement to provide Home and Community Care Block Grant and other services necessary to provide emergency response funded through the CARES funding. Information on retention requirements is posted at <https://www.ncdhhs.gov/about/administrative-offices/office-controller/records-retention> and updated semi-annually by the NC DHHS Controller's Office. By funding source and state fiscal year, this schedule lists the earliest date that grant records in any format may be destroyed. The Division of Archives and Records provides information about destroying confidential data and authorized methods of record destruction (paper and electronic) at <https://archives.ncdcr.gov/government/retention-schedules>.

The NC DHHS record retention schedule is based on federal and state regulations and pertains to the retention of all financial and programmatic records, supporting documents, statistical records, and all other records supporting the expenditure of a federal grant award. Records legally required for ongoing official proceedings, such as outstanding litigation, claims, audits, or other official actions, must be maintained for the duration of that action, notwithstanding the instructions of the NC DHHS record retention and disposition schedule.

In addition to record retention requirements for records in any format, the long-term and/or permanent preservation of electronic records require additional commitment and active management by agencies. The community service provider will comply with all policies, standards, and best practices published by the Division of Aging and Adult Services regarding the creation and management of electronic records.

26. Applicable Law. This Agreement is executed and is to be performed in the State of North Carolina, and all questions of interpretation and construction shall be construed by the laws of such State.

In witness whereof, the Area Agency and the Provider have executed this Agreement as of the day first written above.

Provider

Attest:

By: _____
Authorized Official & Title

Date

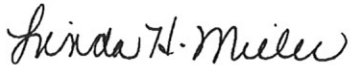
Centralina Council of Governments (CCOG)/Area Agency on Aging

Attest:



Geraldine Gardner (Aug 7, 2020 16:14 EDT)
Executive Director,
CCOG
Aug 7, 2020

Geraldine Gardner
Print Name

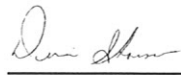
Date


Centralina AAA Director
Aug 7, 2020

Linda H. Miller
Print Name

Date

Provision for payment of the monies to fall due under this Agreement within the current fiscal year have been made by appropriation duly authorized as required by the Local Government Budget and Fiscal Control Act.

BY: 

Denise Strosser, FINANCE OFFICER, Centralina Council of Governments

REGION F CORONAVIRUS AID, RELIEF & ECONOMIC SECURITY ACT SERVICE PROPOSAL & BUDGET 2020-21

BACKGROUND

The Administration on Community Living has awarded funding from the Coronavirus Aide, Relief, and Economic Security Act (CARES) for Older Americans Act (OAA) programs and services under Title III-B Supportive Services and Title III-C Nutrition. Funds must be expended on allowable Older Americans Act activities as defined within the Act, as well as in accordance with state and local policies. Funds must be accounted for, tracked, and reported separate from recurring Older Americans Act funding. CARES Act funding is considered disaster relief funding and does not correspond with state fiscal years. All CARES Act funds must be obligated by September 30, 2021. Funds are to be utilized to respond to the COVID-19 emergency by providing Older Americans Act services related to the response. Expenditures must be justifiable and reasonable.

INSTRUCTIONS

All OAA programs and services have increased flexibility to best meet the needs of participants, caregivers, and providers during the COVID-19 pandemic. To respond to these needs, OAA programs have been enhanced to include unit and non-unit reimbursement. Approved OAA services are listed on the Comprehensive COVID ARMS Codes Listing document.

Each county, with support from the Centralina AAA, will determine the amount that each service shall be funded. Services must meet all OAA standards and guidance while adjusting to service delivery during a pandemic. The new non-unit-based codes have been created to allow for innovative and outside-of-the-box programming and service delivery during COVID-19. Centralina AAA encourages you to think of your own agency's emergency preparedness during a pandemic as well as the needs of those you serve, and assess what areas could be improved upon to increase your service capacity as well as improve the quality of life for the older adults. Here are a few examples (*not an exhaustive list*):

- New technology such as computers, cloud-based software, tablets
- Improvements on websites to increase improved programming and interaction
- Subscriptions to virtual products like Zoom to increase outreach efforts
- Plexiglass protectors for senior center welcome desk or other areas
- New hot or refrigerated truck to increase capacity for meal deliveries
- Personal protective equipment, disinfectant, and cleaning supplies
- New transportation vehicle for deliveries or to transport older adults
- Personal emergency response systems for homebound clients
- Social isolation deterrents like social media, companion pets, podcasts, companion calls
- Supplies needed to increase capacity of service delivery during COVID-19
- Activity bags for older adults
- Emergency preparedness planning for future disasters or pandemics

Unit-based services are also encouraged to assist older adults who may not have received services before COVID-19 or need increased amounts of serviced during the pandemic. All unit-based services will use the unit rate for FY2021 HCCBG services or the approved FFCRA unit rate for Nutrition Providers unless there is a justifiable reason to adjust the unit rate for CARES. Any adjustments in rates must be approved by the Centralina AAA.

Consider your agency's needs and the needs of older adults in your county and complete:

1. Page 2 of this document outlining plans for your agency's allocated CARES funds
2. CARES Budget (Excel document) detailing unit and non-unit-based spending

Coronavirus Aid, Relief and Economic Security Act Service Proposal

Agency Name: Ellen Fitzgerald Senior Center – City of Monroe

County: Union

Address: 327 South Hayne Street Monroe, NC 28112

Period Covered: July 1, 2020 through September 30, 2021

All OAA programs and services have increased flexibility to best meet the needs of participants, caregivers, and providers during the COVID-19 pandemic. Use the space below to describe how funds are to be utilized in response to the COVID-19 pandemic. If your agency is providing more than one service, include a description for each. Expenditures must be justifiable and reasonable. Capital expenses above \$5,000 will require a waiver from the AAA and NC DAAS. *(Attach additional pages if necessary)*

Service to be Delivered: Facility sanitation, disinfecting chemicals, hand sanitizer stations, sanitizing equipment, cleaning supplies and Personal Protective Equipment (PPEs)

Service Codes: 171

Description of Intention for CARES funds: Purchase electrostatic sanitizing machine (\$6500); disinfecting chemicals (\$3500); hand sanitizer stations (\$865); cleaning supplies and PPEs such as masks, gloves, etc. (\$475)

Service to be Delivered: Protective shields for members and staff safety.

Service Codes: 171

Description of Intention for CARES funds: Purchase 9 protective shields for members and staff located at the senior center welcome desk and computer labs (\$1717)

Service to be Delivered: Zoom subscription to deliver virtual programs.

Service Codes: 171

Description of Intention for CARES funds: Purchase a yearly subscription to ZOOM to deliver virtual programs to increase virtual outreach efforts (\$300)

Service to be Delivered: Supplies needed for social distance regulations during COVID-19

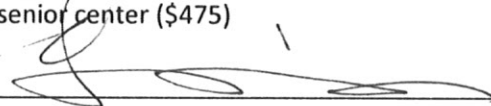
Service Codes: 171

Description of Intention for CARES funds: Purchase commercial quality canopy style tent for use with outdoor registration for entry or other programming needs (\$500). Purchase professional signage for social distancing (\$164)

Service to be Delivered: Activity bags for older adults

Service Codes: 171

Description of Intention for CARES funds: Purchase items needed for activity bags for the seniors when they return to the senior center (\$475)



Agency Director Signature

7.29.2020

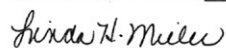
Date

Revision #1 Date _____

Revision #2 Date _____

Revision #3 Date _____

Revision #4 Date _____



Centralina AAA Approval

Aug 7, 2020

Date

Last Edited 7/2/20

Agency Name: Ellen Fitzgerald Senior Center

County: Union

Instructions: Complete non-unit based service codes by inserting the appropriate service code that will be utilized in each column. Using the expenditure rows, include planned service expenditures including salary, equipment, capital expenses, and general purchases to the best of your ability. Add rows as necessary. Insert the cost of each expenditure to the best of your knowledge in the appropriate cell. Cells in gray will automatically compute.

Non-Unit Based Service Codes								
Expenditures	Service Code 171	Service Code 171	Service Code 171	Service Code 171	Service Code 171	Service Code 000	Service Code 000	
Salary*	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Fringe*	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Indirect*	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$7,365	\$0	\$0	\$500	\$0	\$0	\$0	\$7,865
Supplies	\$3,975	\$1,717	\$0	\$0	\$475	\$0	\$0	\$6,167
Other: Subscription	\$0	\$0	\$300	\$0	\$0	\$0	\$0	\$300
Other: Signage	\$0	\$0	\$0	\$164	\$0	\$0	\$0	\$164
Other:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$11,340	\$1,717	\$300	\$664	\$475	\$0	\$0	\$14,496

*Salary/Fringe allowable for Senior Centers, Care Management, and I&OC services

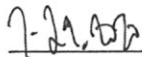
Instructions: Input the appropriate service code in each column. Input your FY21 or FFCRA approved unit rate and allocation amount for unit based services for that specific service. The spreadsheet will calculate the number of expected units to be served.

Unit Based Service Codes							
	Service Code 000	Service Code 000	Service Code 000	Service Code 000	Service Code 000	Service Code 000	Service Code 000
FY21 Unit Rate	0	0	0	0	0	0	0
Allocation Amount	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Units Served	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

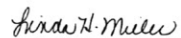
Instructions: Attach this document to the Provider CARES General Proposal and submit to Evelyn Pressley at epressley@centralina.org



Agency Director Signature



Date



CAAA Signature

Aug 7, 2020

Date

Revision #1 Date: _____
Revision #2 Date: _____
Revision #3 Date: _____
Revision #4 Date: _____

CAAA Approval _____
CAAA Approval _____
CAAA Approval _____
CAAA Approval _____

Date _____
Date _____
Date _____
Date _____



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: Bridgette H. Robinson, City Clerk

PREPARED BY: Bridgette H. Robinson, City Clerk

SUBJECT: Disbursement of Fiscal Year 2020-2021 City Council Discretionary Funds

SUMMARY STATEMENT

Notification of request for disbursements of City Council Discretionary Funds.

REVIEW

Staff has received requests from Council Member Surluta Anthony for disbursement of City Council Discretionary Funds to Community Health Services of Union County, Inc. in the amount of \$1,000, Community Shelter of Union County in the amount of \$200 and Union County Crisis Assistance Ministry in the amount of \$300. Disbursements for Council Member Anthony to date are as follows:

Date	Recipient	Fiscal Impact	
		Amount	Balance
07/01/2020	Discretionary Allocation Fiscal Year 2019-2020		\$3,000
07/29/2020	Community Health Services of Union County, Inc.	\$1,000	\$2,000
07/29/2020	Community Shelter of Union County	\$200	\$1,800
07/29/2020	Union County Crisis Assistance Ministry	\$300	\$1,500

RECOMMENDATION

There is no action required from Council. This item is for informational purposes only.

**MINUTES OF THE
BOARD OF ADJUSTMENT MEETING
MAY 28, 2020 at 6:30 P.M.
Council Chambers
300 West Crowell Street
Monroe NC**

To S. Laney – e-mailed 5-29-20

Item 1. Call to Order

Chairman George Massey called the May 28, 2020 meeting to order at 6:30 p.m. The Clerk of the Board called the roll. Mr. Massey noted that there was a quorum present with 4 members.

Members Present: George Massey, Julius Marsh, Jr., William Draper, Louis Philippi

Members Absent: David Covington

Staff Present: Doug Britt, Senior Planner; Ashley Britt, Assistant City Attorney (by phone); Joe McCollum, BOA Attorney and Maryann Brown, Administrative Assistant

Guests: Zach Mendelson and Michael Berkowitz

Item 2. Approval of Minutes – Meeting of February 27, 2020 Meeting

Approval of the minutes for the meeting was requested.

Motion: Julius Marsh, Jr. moved to adopt the minutes of the February 27, 2020 Meeting.

Second: Louis Philippi

Action: The motion to approve the minutes passed unanimously.

Item 3. Case #20-34000004 – Chairman said the applicant, Zach Mendelson, is requesting a Variance from Section 156.137 of the Unified Development Ordinance titled Minimum Lot Size for the properties located at 417 Hill Street and 420 Miller Street (Tax ID # 09-228-221) (Tabled from February 27, 2020 meeting)

Mr. Massey said that anyone who is going to give testimony in this case needs to be administered the oath. Doug Britt and Zach Mendelson came forward and were sworn.

Doug Britt, Senior Planner, introduced this item. He said this is a variance request. He said for the new members, variances are a relaxation of the ordinance rules which people can apply for if they cannot meet the ordinance requirements. He said a variance request goes to the Board of Adjustment. He said the Board of Adjustment hears those cases and decides whether the requirements are met. He said he placed in front of each member a copy of the findings you would have to answer if you choose to approve the variance.

Doug said Mr. Zach Mendelson is requesting a variance from the minimum lot size for the properties located at 417 Hill Street and 420 Miller Street. He said this property has two (2) houses on each address but they are located on one (1) parcel. He said the applicant is requesting a variance to meet the minimum lot size requirement for the R-10 zoning district in order to subdivide the property so that each house would be located on its own parcel. He said at this time he would go through the Findings:

1. The dwellings located at 417 Hill Street and 420 Miller Street are owned by Kbud, LLC and are zoned R-10 (single family residential). (Exhibit 1 & 2)

Doug said the applicant requested the variance because there are two (2) houses located on the same piece of property. He said typically if someone is going to come in during 2020 and look to build a house, the City only allows one (1) house per parcel. He said the houses were built prior to 1950 and he did not know how the houses were built on the same property. He said the variance request the applicant is asking for is to put a lot line down the middle of the property. He said in the zoning district R-10, each lot would not have 10,000 square feet. He said R-10 means 10,000 square feet per parcel.

2. On January 9, 2020, the applicant submitted a variance application in order to request a variance to the minimum lot size requirement for the R-10 zoning district in order to subdivide the property so each dwelling would be located on its own parcel. (Exhibit 3)

Doug said the application was signed by Zach Mendelson as Property Manager of Kbud, LLC. He said Travis Howard signed as Owner of Kbud, LLC. He said Mr. Howard is a managing member who has authority to sign.

3. According to Section 156.137 titled Minimum Lot Size of the Unified Development Ordinance the minimum lot size required for the R-10 zoning district is 10,000 square feet. The applicant is requesting a variance to subdivide the 16,009 square foot parcel to create a lot for each dwelling. The applicant is requesting a 2,000 square foot variance for each lot. (Exhibit 4 & 5)

4. All adjacent property owners have been notified of the proposed variance. (Exhibit 6)

Doug said the Conclusions are in the staff report for you to consider. Doug said he would be happy to answer any questions and the applicant is here to answer any questions as well.

Mr. Massey asked Doug if any of the adjoining property owners contacted you. Doug said the Union County Public School System called him to inquire about the variance. He said there is also a property owner next door that would like to speak.

Mr. Zach Mendelson came forward and said he is the applicant for the 417 Hill Street and 420 Miller Street variance request. Mr. Massey asked Mr. Mendelson if he needed to add anything to the conclusion answers he provided in his application. Mr. Mendelson said he thought his answers were sufficient but he would provide anything that is missing.

Mr. Massey asked if the Board had any questions.

Louis Philippi said to Mr. Mendelson that he has two (2) houses, both rentals, and they will remain as rentals. Mr. Mendelson said correct. He said a variance was requested to make this two (2) separate lots.

He asked Mr. Mendelson why he was doing this. Mr. Mendelson said it keeps it a little easier for them to track. He said in that way it would be one house, one lot. He said it is part of their company policy.

Mr. Mendelson said they manage about 400 doors for different investors. He said they acquire property, they paint it, etc., and then they have a group of investors that they manage the property for. He said it matches what is going on in the neighborhood and would benefit the City and them as well.

Louis Philippi said to Mr. Mendelson that it would also allow you to disperse one of the properties to another investor whereas now it is one investor that owns both houses. Mr. Mendelson said yes.

Julius Marsh, Jr. asked Mr. Mendelson if there was any potential for the renters to buy the property or would it always be a rental. Mr. Mendelson said there is always an option. He said one of the things that they pride themselves in is providing affordable housing. He said they work with a number of government programs and things like that. He said if they have a tenant that is in good standing twelve months in a row for an entire year, then 100% that becomes an option that is on the table if the tenant comes forward with that. He said they would just go to the homeowner and say that this is what they are looking for and is it something that might work for them. He said if it doesn't work for that potential homeowner or investor, we might have another one that might work better for the tenant.

Julius Marsh, Jr. said once you fix a property up and you have a tenant in there and they pay their rent on time, they might want to buy the property. Mr. Mendelson said they have had this come up in the past where people have asked if they can rent to own. He said they have had some tenants that have lived in a house for three (3) years. He said you add that up and over the course of time they have put quite a bit of money into the house. Mr. Marsh said especially when they take care of the property.

William Draper said to Mr. Mendelson that you are going through a lot of trouble to do this. Mr. Mendelson said yes. Mr. Draper said to Mr. Mendelson that he could have put a fence through the lot. Mr. Mendelson said we could, but the advantage would be if two (2) different people wanted a house. He said otherwise it is going to be one (1) package of two (2) houses at all times.

William Draper said it wasn't a disadvantage to the people who bought it this time. Mr. Mendelson said we are multi-level and it works for our entry strategy. He said they bought five (5) houses from a gentleman who had been renting out the homes for a number of years. He said for us, it allows us to cater to two (2) people vs. finding one (1) that has the ability to do two (2).

Mr. Massey asked Mr. Mendelson if the tax on the land is split between the two. Mr. Mendelson said currently there is only one (1) tax bill. He said the bill would then be split.

Julius Marsh, Jr. asked Mr. Mendelson if they do background checks on the tenants because one tenant may move up into society and the other tenant may not. He said this might cause a problem. Mr. Mendelson said this could potentially but they put all of their prospects through the same background check.

Louis Philippi said obviously dividing the two (2) lots would be an advantage to your company. He asked Mr. Mendelson what advantage the people of Monroe or the City of Monroe could obtain by this variance getting approved. Mr. Mendelson said it provides consistency on the block by having the lots mimic what is happening next door. He said he imagined with having two (2) separate parcels that the two (2) separate

tax bills would be more than the individual tax bill. He said from that standpoint it would be potentially more revenue for the City and also easier for the City to track because if you look up one (1) address you can't find the house because the parcel is listed under the other address. He said he finds that the consistency is beneficial for everyone.

Louis Philippi said he was having some difficulty in understanding why you wanted to do this. He said he could understand if you were going to sell the properties. Mr. Mendelson said we are going to sell the properties but we will still be the property manager after we sell the properties.

Mr. Massey asked if there were any other questions. There were none.

Mr. Massey asked the Board for a motion on each Conclusion that this Board must consider before granting or denying the variance request:

1. It is the Board's CONCLUSION, that unnecessary hardship (~~would~~/would not) result from the strict application of the ordinance.

Motion: William Draper made a motion that unnecessary hardship **would not** result from the strict application of the ordinance.
Second: Louis Philippi
Action: The motion passed unanimously.

2. It is the Board's CONCLUSION, that the hardship (is/is not) peculiar to the applicant's property.

Motion: Louis Philippi made a motion that the hardship **is not** peculiar to the applicant's property.
Second: William Draper
Action: The motion passed unanimously.

3. It is the Board's CONCLUSION, that the hardship (is/is ~~not~~) the result of the applicant's own actions.

Motion: Louis Philippi made a motion that the hardship **is** the result of the applicant's own actions.
Second: William Draper
Action: The motion passed unanimously.

4. (a) It is the Board's CONCLUSION, that the variance (is/is not) consistent with the spirit, purpose, and intent of the ordinance.

Motion: William Draper made a motion that the variance **is not** consistent with the spirit, purpose, and intent of the ordinance.
Second: Julius Marsh, Jr.
Action: The motion passed unanimously.

- (b) It is the Board's CONCLUSION, that in granting of the variance, the public safety (~~will~~/will not) be secured and substantial justice (~~will~~/will not) be achieved.

Motion: Louis Philippi made a motion that in granting of the variance, the public safety **will not** be secured and substantial justice **will not** be achieved.

Second: William Draper
Action: The motion passed unanimously.

5. The variance (will/~~will not~~) result in the extension of a nonconforming situation in violation of §156.90, and it (will/~~will not~~) authorize the initiation of a nonconforming use of land.

Motion: Louis Philippi made a motion that the variance **will** result in the extension of a nonconforming situation in violation of Section 156.90, and it **will** authorize the initiation of a nonconforming use of land.

Second: Julius Marsh, Jr.

Action: The motion passed unanimously.

Mr. Massey asked for a motion to grant or deny the Variance request.

Motion: Louis Philippi made a motion to **deny** this Variance based on the information provided.

Second: William Draper

Action: The motion to **deny** the Variance passed unanimously.

THEREFORE, on the basis of the foregoing, IT IS ORDERED that the application Variance #20-34000004 be denied.

Item 4. Case #20-34000005 – Chairman said the applicant, Zach Mendelson, is requesting a Variance from Section 156.137 of the Unified Development Ordinance titled Minimum Lot Size and Section 156.140 of the Unified Development Ordinance titled Building Setback Requirements for the properties located at 314, 316 and 318 Cemetery Drive (Tax ID #09-235-113) (Tabled from February 27, 2020 meeting)

Mr. Massey said that anyone who is going to give testimony in this case needs to be administered the oath. Doug Britt and Zach Mendelson came forward and were sworn.

Doug Britt, Senior Planner, introduced this item. He said this is a variance request for the properties located at 314, 316, and 318 Cemetery Drive. He said the applicant is requesting a variance from the minimum lot size and setback requirements for these three (3) addresses. He said all of the addresses currently are approved as single-family homes located on one (1) parcel. He said the applicant is requesting a variance from the minimum lot size in the R-10 zoning district and setback requirements in order to subdivide the property so each house would be located on its own parcel. He said at this time he would go through the Findings:

1. The dwellings located at 314, 316, and 318 Cemetery Drive are owned by Kbud, LLC and are zoned R-10 (single family residential). (Exhibit 1 & 2)
2. On January 9, 2020, the applicant submitted a variance application in order to request a variance to the minimum lot size for the R-10 zoning district and setback requirements in order to subdivide the property so each dwelling would be located on its own parcel. (Exhibit 3)
-
3. According to Section 156.137 titled Minimum Lot Size of the Unified Development Ordinance the minimum lot size required for the R-10 zoning district is 10,000 square feet and the side yard setback pursuant to Section 156.140 of the Unified Development Ordinance titled Building Setback

Requirements is ten (10) foot. The applicant is requesting a variance to subdivide the 28,347 square feet parcel to create three separate parcels for each dwelling. The applicant is requesting the lot size for 314 Cemetery Drive to be 7,525 square feet (2,475 square foot variance request) and the lot size for 316 Cemetery Drive to be 9,112 square feet (888 square foot variance request). Additionally, the applicant is requesting a .1-foot variance for the side yard setbacks for both 316 and 318 Cemetery Drive. (Exhibit 4 & 5)

4. All adjacent property owners have been notified of the proposed variance. (Exhibit 6)

Doug said he would be glad to answer any questions and there is one (1) person in the next room who would like to speak as well.

Mr. Massey asked Doug if he received any complaints or questions. Doug said he did not.

William Draper asked Doug about the aerial view. He asked if there were sidewalks on Lancaster. Doug said yes.

Mr. Zach Mendelson came forward and said he is the applicant for the 314, 316 and 318 Cemetery Drive variance request. Mr. Massey asked Mr. Mendelson if he needed to add anything to the conclusion answers he provided in his application. Mr. Mendelson said no.

Mr. Massey asked if there were any questions for Mr. Mendelson.

Louis Philippi said this neighborhood is a strong neighborhood and he has seen several houses refurbished and they are owner-occupied. He said these are lower income working-class people who are struggling to make this a nicer, safer community. He said consistent rental properties do not do the neighborhood good at all.

William Draper asked Mr. Mendelson if he would be willing to improve the property by putting sidewalks in front of those streets. Mr. Mendelson asked was this in order to be granted the variance? Mr. Draper said yes. He said he looks at this and it is different than your previous application. He said the configuration is different. He said to Mr. Mendelson that it would be an advantage to you, but it also should be an advantage to the City. He said to improve the property should be an advantage. He said he does not know what it would cost to put sidewalks in front but he wouldn't think it would be outrageous. He said it would be to your advantage long-haul.

Mr. Mendelson said it is interesting that you are talking about this and in the previous case they bought both of those houses and brought them to a more appealing condition. He said here we are now being told that if we pay for a sidewalk then we will be granted the variance. He said isn't this the same situation as the previous case. He said he is just the project manager and he would have to get this approved by the owner in order to get that done. He said it is an interesting little street with the cemetery and the school also backs up to the street.

William Draper said again, we represent the City of Monroe and to see any piece of property improved is an advantage to the City and its residents. He said he can see why your application is different here than the case prior and he would be for this. He said we can table this and you could come back at a future meeting. Mr. Mendelson said for him it is worth looking into. Mr. Draper asked Mr. Mendelson if he was dead set against this. Mr. Mendelson said no.

Louis Philippi said he would like to see this as an advantage for you and your investors. He said we represent the people as well as the City of Monroe, and the City has to get something. He said we cannot be throwing things out to investors. He said it also would make it possible that somebody might buy one of those properties, clean it up and put his wife and kids in there. He said he would like to say that we are taking care of the working class people and the bulk of the population and as well as making the City a better place to live.

Mr. Massey referred this to the Board Attorney, Joe McCollum. Mr. McCollum said this is a variance, not a special use. He said you cannot put conditions on a variance but you can on a special use.

Doug said the variance is for the lot size and setbacks, not sidewalks. He said where is the sidewalk supposed to go---in the right-of-way, outside the right-of-way? He said you are asking for something that is coming out of left field.

Louis Philippi said we are not allowed to do this but if that property was better than it was when you came in here, he would be very heavily inclined to approve. He said he cannot make a deal on this.

Doug said he is not asking for a deal. He said he is asking for a variance request.

Louis Philippi asked if Mr. Mendelson can come back and ask for a different variance. Mr. McCollum said they will have to do this as a variance if they want to split the property. He said they can certainly come back with anything he proposes to do.

Louis Philippi asked Mr. Mendelson how many properties do they manage in the Monroe City Limits. Mr. Mendelson said these are our first. He said they bought all three (3) houses in a very poor condition and made into a very nice, suitable home for somebody to live in. He said from their perspective they are providing affordable housing and he would think that the City would also want to have these separated for the uniformity of not having three (3) properties on one (1) lot. He said he agrees with what you are saying about these different neighborhoods. He said they work in different cities as well. He said that is why we make sure the outside is painted so that when you drive by you notice and feel that this neighborhood is starting to change.

Mr. Mendelson said the challenge with this particular road is that it is very tight and he is not sure that there is room for a sidewalk. Doug said that Ashley Britt, Assistant City Attorney, said that you can impose conditions that are reasonably related to a variance, in general, but she is not sure if something more specific in the ordinance would govern here. He said just because it is a street does not mean that it is fit for sidewalks. He said there are plenty of streets in Monroe that have sidewalks and there are many that do not. He said there is nobody here that is an engineer so there is no one he can ask. He said what Ashley is leaning toward, as well as Joe, is that this is not a reasonable condition to add to this type of variance. He said, also, if a sidewalk is installed, the City would be maintaining the sidewalk.

Mr. Massey said instead of three (3) separate lots and if it was divided into two (2) lots, would you still need the variance. Mr. Mendelson said yes. Doug said all three (3) lots would not require the setback variance, nor would all three (3) lots require the lot size variance, but they would require one or the other. William Draper asked if these houses were also built at a time...Mr. Mendelson said the gentleman they had purchased the property from had owned them for 50+ years. Doug said for older properties, this is not uncommon. He said it does not happen all the time but there are plenty of properties in the City of Monroe that might be zoned R-10 (10,000 square foot minimum) but the lot size might be 7,500 square feet.

Doug informed the Board that Exhibit 4, attached to the staff report, is basically just the requirements for the setback and lot size.

Doug went to get the citizen that wished to speak on this request.

Louis Philippi said to Mr. McCollum that his understanding is that since the Board of Adjustment is a quasi-judicial board, we can review the papers but cannot look at the property. Mr. McCollum said on your own, but not as a group.

William Draper said if you look at the aerial picture, and the house on the right had a fire, how would a fire engine get back in there to the house. Mr. Mendelson said there is a driveway that can be used. He said it would be a tight turn.

Ms. Gerondalon Hamilton of 625 S. Washington Street came forward to speak and was sworn in by Mr. Massey. She said she received a letter about the property across the street from her. She thought it was the adjacent property next to her property. She said she just discussed this with Doug Britt and she will be getting together with him soon. She said when she first purchased her home, at that time there was a power station that was in the adjacent property besides her property. She said the City was going to disable it, which they have, and there was opportunity for her to purchase that property besides her home. She said this gentleman (Mr. Mendelson) had purchased the property across the street, so this is totally different. She said she thought it was for the property beside her property.

Mr. Massey asked Mr. Mendelson if he had anything else to say. Mr. Mendelson said not really. He said he would like to think that our goal and our purpose as we go through these different neighborhoods is to clean up the houses and try to uplift the neighborhood and community and provide affordable housing. He said they thought that this would be a good fit for all parties involved, especially with this interesting layout that isn't typical. He said he felt that it would be beneficial on all sides to have one (1) house on one (1) lot.

Louis Philippi said the only upside he could see if it is broken down to three (3) separate individual lots is that somewhere along the line somebody may buy it and make it into a residence. He said he would like to see as much owner-occupied property in the City as possible. He said we have enough rentals.

Mr. Massey asked the Board for a motion on each Conclusion that this Board must consider before granting or denying the variance request:

1. It is the Board's CONCLUSION, that unnecessary hardship (would/~~would not~~) result from the strict application of the ordinance.

Motion: Louis Philippi made a motion that unnecessary hardship **would** result from the strict application of the ordinance.

Second: William Draper

Action: The motion passed unanimously.

2. It is the Board's CONCLUSION, that the hardship (is/~~is not~~) peculiar to the applicant's property.

Motion: Louis Philippi made a motion that the hardship **is** peculiar to the applicant's property.

Second: William Draper

Action: The motion passed unanimously.

3. It is the Board's CONCLUSION, that the hardship (~~is/is not~~) the result of the applicant's own actions.

Motion: William Draper made a motion that the hardship **is not** the result of the applicant's own actions.

Second: Louis Philippi

Action: The motion passed unanimously.

4. (a) It is the Board's CONCLUSION, that the variance (~~is/is not~~) consistent with the spirit, purpose, and intent of the ordinance.

Motion: William Draper made a motion that the variance **is** consistent with the spirit, purpose, and intent of the ordinance.

Second: Louis Philippi

Action: The motion passed unanimously.

- (b) It is the Board's CONCLUSION, that in granting of the variance, the public safety (~~will/will not~~) be secured and substantial justice (~~will/will not~~) be achieved.

Motion: Louis Philippi made a motion that in granting of the variance, the public safety **will** be secured and substantial justice **will** be achieved.

Second: Julius Marsh, Jr.

Action: The motion passed unanimously.

5. The variance (~~will/will not~~) result in the extension of a nonconforming situation in violation of §156.90, and it (~~will/will not~~) authorize the initiation of a nonconforming use of land.

Motion: William Draper made a motion that the variance **will not** result in the extension of a nonconforming situation in violation of Section 156.90, and it **will not** authorize the initiation of a nonconforming use of land.

Second: Julius Marsh, Jr.

Action: The motion passed unanimously.

Mr. Massey asked for a motion to grant or deny the Variance request.

Motion: William Draper made a motion to **approve** this Variance based on the information provided.

Second: Louis Philippi

Action: The motion to **approve** the Variance passed unanimously.

THEREFORE, on the basis of the foregoing, IT IS ORDERED that the application Variance #20-34000005 be approved.

Item 5. Case #20-11000005 – Chairman said the applicant, Faulk & Foster, on behalf of Verizon Wireless, is requesting a Special Use Permit to allow the construction of a Telecommunications Tower in the General Business (GB) Zoning District located at the property of 1504 Miller Street (Tax ID #09-225-037 D & E)

Mr. Massey said that anyone who is going to give testimony in this case needs to be administered the oath. Doug Britt and Michael Berkowitz were sworn.

Doug Britt, Senior Planner, introduced this item. He said this is a Special Use Permit request by Faulk & Foster on behalf of Verizon Wireless to allow construction of a telecommunications tower in the GB zoning district located at 1504 Mill Street. He said at this time he would go through the Findings:

1. The subject property located at 1504 Miller Street is a total of 1.58 acres and is owned by Poindexter Properties, LLC and zoned GB (General Business). (Exhibits 1 & 2)
2. The applicant, Jim Lapann of Faulk & Foster on behalf of Verizon Wireless is requesting to construct a 180-foot stealth monopole tower that is to be located within a 100 ft. by 100 ft. leased area on the subject property.
3. Telecommunication towers are permitted in the GB (General Business) zoning district with the issuance of a Special Use Permit in accordance with Sections 156.110 and 156.125 of the Monroe Unified Development Ordinance. (Exhibits 3 & 4)
4. The applicant, Jim Lapann of Faulk & Foster on behalf of Verizon Wireless submitted a Special Use Permit application on March 2, 2020 requesting to construct a 180-foot stealth monopole tower. (Exhibits 5 & 6A-6g)

Doug said Frank Poindexter on behalf of Poindexter Properties, LLC, property owner, signed the application as a member of the LLC.

5. The proposed tower will satisfy the 50 ft. setback requirement from all property lines in the GB (General Business) zoning district.
6. The applicant has provided a statement that collocation of the required additional telecommunications equipment on an existing structure is not technically or practically possible as there are no existing towers or feasible alternative support structures within the search ring for the proposed tower.
7. The applicant has provided documentation they acknowledge a no hazard to air navigation must be received from the Federal Aviation Administration prior to the tower construction.
8. The applicant has provided a no hazard determination documentation from the Federal Aviation Administration.
9. An Impact Analysis has been conducted for this Special Use Permit as required by Section 156.37 (G) and the Special Use Permit application to determine whether or not the telecommunication tower would have an adverse impact on the surrounding properties. It is the opinion of appraiser Michael Berkowitz; the proposed monopole tower will not adversely impact the adjoining properties.
10. All adjoining property owners have been properly notified of this special use permit. (Exhibit 7)

Doug said if the Board so chooses to approve this Special Use Permit, staff recommends the following conditions: Applicant shall obtain any and all Federal, State and Local permits prior to construction.

Doug said he would be glad to answer any questions. He said the appraiser, Michael Berkowitz, is here as well to speak on behalf of the tower. He said there were other people that were going to attend this meeting but did not come because of social distancing and the fact that they were multiple hours away.

Doug said in the board packets should be a copy of the Special Use Permit worksheet for you to go through when making consideration to approve this.

William Draper asked if this was going to be a lighted tower. Mr. Berkowitz said no.

Michael Berkowitz came forward and said he is acting in a dual capacity tonight to minimize unnecessary travel. He said he wanted to make sure that all of the exhibits that Doug just went through were entered into the record just for evidence purposes in this quasi-judicial format. He said he will not go through the findings of fact. He said there are five (5) basic pieces that he had to go through, one of which was addressed in his impact study that he provided. He went through the proposed standards:

1. That it will comply with all regulations and standards generally applicable with the zoning district and specifically applicable to the particular type of special use.
2. The proposed development will not materially endanger the public health or safety. He said the traffic that will be there will be a maintenance truck maybe once or twice a month. He said the utilities are electrical and there is no water or sewer services associated with that. He said soil erosion is handled in the development process and in site plans. He said for the protection of public community and private water supplies, there is minimal impervious surface with the development of these towers.
3. The proposed development will not substantially injure the value of abutting property. He said that in the study he did he found matched pair sales of subdivisions of residential properties. He said with commercial properties it is hard to judge or isolate a particular item. He said that is the goal of a matched pair. He said in the report he provided several matched pair analysis of residential properties that were in proximity to cell towers of which there was no impact of value. He said it was based upon that as well as the other items in the location siting of this tower along one of the major transportation corridors for the County. He said if you drive down major transportation corridors throughout the State, you will find that this is common. He said regardless, it is his opinion professionally that the proposed use and character development for the surrounding uses will not cause any of the conflicts. He said all of the access and frontal visibility for all the commercial and industrial properties is away from this property. He said there is an existing clump of trees in there which actually serves well as a buffer.
4. The proposed tower will be in harmony with the area which it is located. He said if you look up major transportation corridors throughout North Carolina, you will see cell towers along those transportation corridors and similar locations to the proposed development. He said it is his opinion that the proposed development will be in harmony with the area.
5. The proposed tower will be in general conformity with the comprehensive plan. He said based upon information from the Planner, Mr. Lapann, and their agreement, that has been said.

Mr. Berkowitz said based upon the information presented here, he asks for your approval of this Special Use Permit. He said he would be happy to answer any questions.

Mr. Massey asked Mr. Berkowitz if he put in the cell tower at Carmel Village. Mr. Berkowitz said no, he did not do an impact study for that tower. He said some people like the trees, some people don't. He said they work really well in the mountains because of the elevation changes in the background.

William Draper said to Mr. Berkowitz that the tower along 485 raised a lot of eyebrows. Mr. Berkowitz said yes, there is not much you can do with a 185-foot structure to hide it.

William Draper asked Mr. Berkowitz if these towers are usually multi-use. Mr. Berkowitz said yes. He said it would be for cell tower use, Verizon, T-Mobile, etc. He said all those users would be able to co-locate on there. He said there would also be secondary users like Straight Talk (WalMart). He said they piggy back on other people's networks and sell their own service. He said in looking at the propagation maps you have more of a capacity issue than a coverage issue. He said the capacity of that area is being overloaded. He said just like when you built the Monroe Bypass to get away from the traffic on Hwy 74, they need another tower to offload some of that traffic so that you don't get dropped calls or lose service.

Julius Marsh, Jr. asked Mr. Berkowitz would the tower be located in the area where you turn into the gas station. Mr. Berkowitz said there is not a gas station where they are proposing the tower. He said it is in the rear in that clump of trees. He said to him, as an appraiser, it is hard to make use of that back little piece because of its shape and the fact that it is going to be used for this purpose.

Julius Marsh, Jr. said to Mr. Berkowitz that the one off of 485 is well off the road. Mr. Berkowitz said it is also a lot taller. Mr. Marsh said it looks like a tree which is good. Mr. Berkowitz said we are trying to be amenable. He said it costs a lot of money to build a tower like that but if that is what the City wants, they are willing to do that.

Julius Marsh, Jr. asked how much property would it take up. Mr. Berkowitz said 10,000 square feet. He said they actually put in a buffer to keep people away from the equipment. He said there is also the perimeter inside the fence and an area for landscaping around it. There will be a concrete pad for the equipment and the tower itself. He said that is all the impervious surface area.

Louis Philippi asked what the height of the tower would be. Mr. Berkowitz said 180 feet with a 4-foot lightening rod. Mr. Philippi said that is why you don't have to have a license---it is below regulations. Mr. Berkowitz said yes.

Louis Philippi asked how far from the center pole to where the pole goes up is the closest property line. Mr. Berkowitz said he thinks it is 78 feet. He said the requirement is 50 in the GB zoning district.

Louis Philippi said since the proliferation of land line telephones is all but dead nowadays, if you don't have a signal, you don't have security and safety. He said you have to have them (cell towers) whether you like them or not. Mr. Berkowitz said this is the way we are going.

Mr. Massey asked if there were any further questions. There were none.

Mr. Massey asked for a motion from the Board on each standard:

- A. *The use will not materially endanger the public health or safety if located, designed, and proposed to be operated according to plan.*

Motion: Louis Philippi made a motion that the standard is met because it is within all specifications of what it needs to take to prevent the tower falling down.

Second: William Draper

Action: The motion that the standard was met passed unanimously.

- B. *The use or development complies with all regulations and standards of the City of Monroe Zoning Ordinance, as well as any other state or local rule or regulation governing the development of land.*

Doug reminded everyone that in the Special Use Permit worksheet are the Petitioner's responses which can be used to assist when making motions.

Motion: William Draper made a motion that the standard is met because the proposal for this development includes an Ordinance Compliance Statement that demonstrates on a paragraph by paragraph basis that the application is in full compliance with the Telecom Ordinances of the City of Monroe, and the applicant has submitted the required documentation and proof of compliance with the Federal standards as applied by the Federal Aviation Administration. Since the proposal complies with the zoning code it therefore is in conformity with the Monroe Land Development Plans.

Second: Louis Philippi

Action: The motion that the standard was met passed unanimously.

- C. *The use or development will not adversely impact surrounding property and will not substantially injure the value of adjoining property.*

Motion: William Draper made a motion that the standard is met because the applicant proved through the testimony and introduction of a report from an expert appraiser as Exhibit 6G that states that the proposed project will not substantially injure the value of adjoining or abutting property.

Second: Julius Marsh, Jr.

Action: The motion that the standard was met passed unanimously.

- D. *The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Monroe Land Development Plan.*

Motion: Louis Philippi made a motion that the standard is met because the proposed tower will be in harmony with the business district that it will be located in. This part of Monroe is a commercial area and the area has a wide variety of buildings and businesses. The base of the tower and the ground equipment will be hidden from view of the people in the area through extensive landscaping, as well as the presence of large commercial buildings. Since the project complies with the City's current ordinance it is in conformity with the Development Plan.

Second: William Draper

Action: The motion that the standard was met passed unanimously.

Section 156.125(H) (3) - Additional Findings of Fact Required for Telecommunication Towers:

- (a) *The use will not interfere with the FAA Part 77 surfaces surrounding the Monroe Regional Airport or affect the radio and navigation signals of the operating ground and airborne equipment in the vicinity of the airport.*

Motion: William Draper made a motion that the standard is met because the applicant has submitted a No Hazard Determination issued by the FAA for the specific location of the

proposed cell tower site. As part of the No Hazard Determination the FAA states that is has made the determination: "...based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power...". Therefore, the No Hazard Determination does state that the use will not interfere with the Monroe Regional Airport or affect the radio and navigational signals of the operating ground and airborne equipment in the vicinity of the airport.

Second: Julius Marsh, Jr.

Action: The motion that the standard was met passed unanimously.

- (b) *For any tower proposed to be located in a residential zoning district or within 500 feet of the nearest property line of a legal conforming residential use. The applicant has submitted substantial evidence that the tower cannot, by technical necessity, be located more than 500 feet from the nearest property line of a legal conforming residential use.*

Motion: Louis Philippi made a motion that the standard is met because the applicant has established through the use of an aerial photograph that there are no residences within 500 feet of the proposed tower (Exhibit C) and this project is not located in a residential zoning district.

Second: William Draper

Action: The motion that the standard was met passed unanimously.

- (c) *For any tower proposed to be located in a non-residential zoning district or within 500 feet of the nearest property line of a legal conforming residential use or residential zoning district. The applicant has submitted substantial evidence that the tower cannot, by technical necessity, be located more than 500 feet from the nearest property line of a legal conforming residential use or residential zoning district.*

Motion: William Draper made a motion that the standard is met because the applicant has established through the use of an aerial photograph that there are no residences within 500 feet of the proposed tower (Exhibit C) and this project is not located in a residential zoning district.

Second: Louis Philippi

Action: The motion that the standard was met passed unanimously.

- (d) *The height of the tower, as proposed, is required to: (1) provide a reasonable level of service; or (2) meet the co-location requirements /policy of this section; or (3) prevent the need for another tower in the search area. (Ord. O-2003-63, passed 12-16-03)*

Motion: Louis Philippi made a motion that the standard is met because The applicant submitted proof from the Verizon radio frequency engineer that the tower needed to be of the height proposed to provide the support for the existing towers that will allow the service provided to the cellular users in the region to have an acceptable level of service that is currently not present.

Second: William Draper

Action: The motion that the standard was met passed unanimously.

Massey asked for a motion to grant or deny the Special Use Permit request.

Motion: Louis Philippi made a motion to grant the Special Use Permit based on the fact that all standards have been met, with the following condition: Applicant shall obtain any and all Federal, State and Local permits prior to construction.
Second: William Draper
Action: The motion to approve the Special Use Permit passed unanimously.

Mr. Massey said the Special Use Permit has been granted.

Item 6. Other

There was no other business.

Item 7. Next Meeting - June 25, 2020

Item 8. Adjournment

Mr. Massey said he would entertain a motion to adjourn at this time.

Motion: William Draper made a motion to adjourn the meeting.
Second: Julius Marsh, Jr.
Action: The motion to adjourn passed unanimously.

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

George Massey
Chairman

Maryann Brown
Clerk of the Board

**MINUTES OF THE
BOARD OF ADJUSTMENT MEETING
TRAINING SESSION
JUNE 25, 2020 at 6:30 P.M.
Council Chambers
300 West Crowell Street
Monroe NC**

To S. Laney – e-mailed 6-26-20

Item 1. Call to Order

Chairman George Massey called the June 25, 2020 meeting to order at 6:30 p.m.

Members Present: George Massey, Louis Philippi, Julius Marsh, Jr., William Draper

Members Absent: David Covington

Staff Present: Doug Britt, Senior Planner; Keri Mendler, Planner; Joe McCollum, BOA Attorney and Maryann Brown, Administrative Assistant

Doug Britt said we have two (2) videos tonight, about 30 minutes a piece, *Making a Quasi-Judicial Decision and Evidentiary Hearings*. He said at any point you can ask questions. He said this Board is an evidentiary body. He said when there are cases before you, the only thing you are going to consider are the facts presented at the meeting itself. He said you cannot make decisions because it is warm and fuzzy. He said you have to provide support or a reason why you are supporting your decision. He said if somebody does not like your decision, there is no calling staff or the City Manager. He said your decision goes from the Board of Adjustment to the courts. He said when it goes to the courts, what they take is a copy of the minutes. He said when Maryann does the minutes, she does not do them verbatim. He said when she is doing the motions and your findings, she is doing them close to verbatim because if the minutes go to court, that is what they are taking.

Doug said there will be two (2) more videos to watch, a total of four (4) videos. He said we already have two (2) cases for next month's meeting. He said the cases will not take a lot of time, so we may be able to show one (1) video next month.

Mr. McCollum said the difference with this Board and City Council is legislature. He said they can talk to anybody, do anything, talk politics, etc. He said this Board is the judicial branch. He said we are like a court and the court hears what goes on in front of them. Doug said you can look at a site, but you cannot have a conversation with the applicant. He said the only conversation you may have is the conversation at the hearing. He said when staff goes to City Council to present projects, we do not swear in. He said when staff goes to Board of Adjustment, we have to swear in. He said it is just like Mr. McCollum said, it is just like a court hearing. He said the Board of Adjustment is a little more formal than the other Boards we deal with. He said, however, the Historic District Commission is also a quasi-judicial board and the only thing that you can consider is what is presented at the meeting itself.

Keri Mendler, Planner, distributed brochures on variances and special use permits. She said these will be reviewed in the later videos. She said the videos tonight are introductory into quasi-judicial decisions. She said in these brochures, on the back, there is a quick description as to what a variance and special use permit is as well as what we require an applicant to submit. She said if somebody comes in to apply for a special use permit or a variance, this is the brochure that we give them so that they may have a better understanding of what they are getting into.

Julius Marsh, Jr. explained that at the last meeting, he did not know what a variance was. Keri said the brochure will give you a good idea of what a variance is vs. a special use permit. She said Mr. McCollum is here tonight to answer any legal questions you may have and Doug and she are always in the office if you have other questions as well.

Mr. Massey said at one time this Board used to go to Mooresville for training sessions. Keri said this is probably very similar to that because the videos were done by the UNC School of Government and they do regional trainings. She said every other year they alternate between quasi-judicial and legislative proceedings. She said it is probably very similar but it is just in a video format.

William Draper asked if Board members were allowed to go out and take a look at a building or site prior to the hearing. Keri said you can, but you really should limit your interactions with individuals. Mr. McCollum said if you do that and you are considering that on your decision, you are supposed to state it on the record. He said technically, you could be asked questions about it. He said it almost makes you a witness and you don't want to become a witness. He said if the case goes to Superior Court and the lawyers found out that you considered something that was not on the record, that is the first thing they would attack.

William Draper asked if variances on the sign ordinance come before the Board of Adjustments. Doug said yes. Keri said any variances from the zoning code will go before this Board.

Julius Marsh, Jr. asked about the paperwork that is sent to Board members before each meeting. He asked if it would be okay to review this paperwork then go to the site in each case. Mr. McCollum said no. Keri said the videos go into this and hopefully answer any questions you may have.

Item 2. Two short training videos were presented to the Board: *Making a Quasi-Judicial Decision and Evidentiary Hearings*:

Making a Quasi-Judicial Decision: This module reviews how local government boards make quasi-judicial decisions as part of their land development regulations. The concepts discussed include: the two key parts of a quasi-judicial decision – determining facts and applying standards, the requirement for impartial decision-makers, use of conditions on approvals, the role of prior decisions in setting precedents, the mechanics of making a decision, and requirements for the decision document.

Evidentiary Hearings: This module reviews how local government boards conduct evidentiary hearings as a part of their land development regulations – a necessary step in making quasi-judicial decisions. The concepts outlined include: when an evidentiary hearing is required and why, the purposes of an evidentiary hearing, the roles of various persons at these hearings, actions taken prior to the hearing, conducting the hearing itself, and compiling the record of the hearing.

Item 3. **Questions/Discussion**

Mr. McCollum said in the first video, the City Council acted as the Board of Adjustment. Mr. McCollum said that the Statute does allow the Council to be the Board of Adjustment also. He said a lot of small towns do that. He said, however, it is not recommended because the Board of Adjustment should be an independent body.

William Draper said if public opinion does not have any bearing on the decision, would traffic, sewers, schools or community services have an effect on the decision. Mr. McCollum said it would depend on what the ordinance says, so yes it would. Doug said this Board is different from Council. He said Council does not hear any special use permits in the City of Monroe. He said if he, as a neighbor, complains about the traffic of a special use permit, that is not evidence. He said the Board of Adjustment in Monroe does not hear any special use permits where there is going to be a project such as a development. He said what you might get is an applicant wanting to do something and someone saying that he feels that might injure property values. He said this does not mean anything unless an appraiser states that and puts it into documentation that it will have an adverse impact on property values. He said with a special use permit, if it is anything other than residential, the applicant is required to have an appraisal or evaluation done by a certified appraiser that states whether the proposal is going to have an adverse impact on property values or not.

Mr. Massey said sometimes one of the questions is will it affect public safety. He said unless there is evidence that something has happened, we are assuming that it will not affect public safety based on our knowledge. Doug said Keri had an application for a proposed bar and that would be a situation where this Board would decide if this would affect public safety or not. He said sometimes you have the situation where someone just wants to build a house. He said if someone wants to build a house, there would have to be something very unique in order for this Board to say that it would affect public safety. He said when building a house, you are required to meet State building codes, etc. He said there are cases where public health and safety would come into play, depending on what is being applied for.

Mr. McCollum said if something arises where the petitioner wants to change his plans or agrees to some condition, you can ask that the decision be postponed. Louis Philippi asked if this Board can seek counsel from professionals. Mr. McCollum said we cannot, but they can talk to whoever they want. He said it would be the petitioner's responsibility to do that and then come back to this Board. Doug said the only thing to be considered by this Board is what is presented at the meeting. Louis Philippi said the burden is always on the petitioner to provide sufficient data to satisfy any concerns this Board may have. He said if the Board is not satisfied, he will not be granted a special use permit or variance. Doug said also, you could not table the hearing for staff to come up with more requirements. He said the requirements are what they are when they submitted the petition. He said if this Board does not like something, the ordinance cannot be changed. He said when a petitioner submits an application they are bound to follow the ordinance. He said you cannot change the requirements as you go through the process. He said staff gives the Board the requirements. He said staff gives the Board, in their packets, everything needed to make decisions.

McCollum said if there are some conditions, the parties might want a little more time to talk to staff to see if the condition would solve some problem. Doug said if some questions come up, the Board can table the hearing until next month and then additional information that you requested can be brought back.

Julius Marsh, Jr. said, for example, if one of the Board members was going to build something or start a business and needed permits, would he be able to vote on this matter. Mr. McCollum said no if the Board member needed a special use permit approved by this Board. He said if he didn't need a special use permit approved by this Board and just needed building permits from the City, there is no conflict.

Doug said staff does a lot of permits on a daily basis. He said you can apply for a fence, build a shed or building or build a house. Julius Marsh, Jr. said what if it is going to be a business. Doug said it would not matter. He said the only thing that would be a conflict, for example, if you were going to do an addition to your house and the addition did not meet the setbacks. He said you would then ask for a variance to vary from the rules of the City. He said this Board is the only board that would hear this variance request. He said you, as a Board member, would not be able to vote on that. He said if it is something that does not come before this Board, there would be no conflict.

Discussion was held on voting for a variance, which requires 4/5ths of the members of the entire Board. Doug said Joe will be at each meeting, as well as a City Attorney. He said they can assist this Board to make sure there are enough members at the meeting to grant or deny a variance.

Doug explained that we send out the packets for a meeting a week before the meeting, Thursday or Friday at the latest. He said Maryann will check with you to see if we have a quorum for the meeting. He said a few meetings ago we had variances requests and they could not be heard because we did not have a majority to grant the variance. He said it is important to let Maryann know if you are coming to the meeting. He said if you are not, that is fine. He said we can then plan to see if we have that quorum. He said during the meeting, someone may recuse himself due to a conflict of interest. He said that is why it is important that an attorney is at the meeting to determine if we have enough members for the vote.

Mr. McCollum said if you know that you will not be at the meeting, let us know in advance. He said if we know that and there is going to be a variance request, we need 4/5ths of the entire Board. He said there is usually some conversation between the City Attorney and himself to make sure we are on the same page as to how many people have to vote and whether or not we can even hear the variance.

Doug said the worse thing is for the applicant to show up and we don't have enough people to hear the application.

Louis Philippi asked if 4/5ths was 80% of the eligible people who are on the Board. He said if there are only four (4) attending the meeting, you will need all four (4) members. Mr. McCollum said that is right. Doug said if we have all five (5) members and someone does not show, at least we have four (4) members. He said if we only have four (4) members at a meeting, we give the applicant the opportunity to come back the next month and maybe we will have five (5) members in attendance and you have a better chance. He said for the applicant, it is kind of a gamble---do you want to go ahead with the hearing tonight or wait until the next month. Mr. McCollum said he actually told an applicant on occasion to make sure he understands that he needs to have everyone here to vote on the application.

Louis Philippi said if there are only three (3) members, you only need all three (3) because that would give you 80%. Mr. McCollum said no, if you have five (5) members, you have to have four (4) members.

Doug said he wanted to mention that members can call staff if they have any questions about the information received or questions about the request. He said we present the facts to you and you decide what to do with the request. He said it is the Board's decision, not staff's decision. He said with other projects we do with City Council we actually make recommendations.

Louis Philippi had a legal question on the effective date and the actual countdown on 30 days. He said the effective date is the date that it is signed but the 30 day-grace period doesn't begin until it is delivered to the recipient. He asked what is the significance of the effective date. Mr. McCollum said the effective date is the date the decision is made. He said the mailing date is the date that the 30 days start so they can appeal to Superior Court.

Keri said staff takes care of the required notices of the meeting. She said staff posts the subject property, sends legal notices to the adjoining property owners and publishes the legal notice in the paper.

Louis Philippi said when you bring in an expert witness or witnesses, they may have different opinions, so you will have to pick the one you want. He said just because an expert says this, it doesn't mean the Board will have to believe him. Mr. McCollum said it is up to the Board to decide credibility. Mr. Philippi said to keep in mind that the applicant picks his expert. Doug said it was stated that to consider property values and traffic, it has to be done by an expert witness who has done studies.

Mr. Massey said he had a question about swearing people in. He said at the last meeting a lady came up and said she wasn't going to swear or affirm on the Bible, but she elected to sit down. He asked if they do not want to swear or affirm on the Bible, can they still testify? Mr. McCollum said they can still affirm. He said it is not required that they have a hand on the Bible. Mr. Massey said she did not want to do either. Mr. McCollum said she would have to do one or another.

Item 4. **Other**

Doug said at the next meeting, provided we have the time, we will see another video. He said the next two (2) videos are on variances and special use permits. Louis Philippi asked if these videos can be found on the internet. Keri said no, these are not available for public viewing. She said we were able to get this through the City at a special purchase. She said to Mr. Philippi that he can try going through the UNC School of Government website and see what resources they have.

Mr. McCollum said he represented some neighbors who were fighting a radio tower a number of years ago in the County. He said both sides paid for experts. He said that hearing was finally concluded at 4:00 a.m.

Item 5. **Next Meeting - July 23, 2020**

Item 6. **Adjournment**

Mr. Massey said he would entertain a motion to adjourn at this time.

Motion: William Draper made a motion to adjourn the meeting.

Second: Julius Marsh, Jr.

Action: The motion to adjourn passed unanimously.

The meeting was adjourned at 8:22 p.m.

Respectfully submitted,

George Massey
Chairman

Maryann Brown
Clerk of the Board

HISTORIC DISTRICT COMMISSION MINUTES
MONDAY, MAY 11, 2020 AT 6:30 PM
CONFERENCE ROOM - CITY HALL
300 West Crowell Street, Monroe, North Carolina

To be Approved at the June 2020 Meeting
Attendees to Sheri Laney on 5-12-20

ITEM 1: Call to Order.

Richard F. Ali, Chairman, called the meeting to order at 6:30 p.m. Maryann Brown called the roll.

Members Present: Richard F. Ali, Bob Bullard, Philip Millward, Jennifer Smith, Susan Sganga (alternate) and Archie Morgan (alternate)

Members Absent: James Kerr and Megan Wozeah

Staff Present: Keri Mendler, Planner, Ashley Britt, Assistant City Attorney (on Zoom) and Maryann Brown, Administrative Assistant (on Zoom)

Guests: John Wiggins, Jordan Hennessee and Dale Loberger

Susan Sganga (alternate) and Archie Morgan (alternate) were seated in the audience. Chairman asked Susan Sganga and Archie Morgan to sit on the dais with the Commission to fill in for James Kerr and Megan Wozeah, who were absent.

Chairman said this Commission is a quasi-judicial body and its processes and proceedings are governed by North Carolina State Law. He said, therefore, tonight's proceeding is a quasi-judicial evidentiary hearing, the same as a court hearing. He said all witnesses must be sworn in or affirmed. He said our discretion in these matters is limited. He said we are obligated to base our decisions upon factual evidence and not our person opinion. He said this applies to all those testifying and also to Commission members.

ITEM 2: Approval of Minutes.

Chairman asked the Board if there were any questions, additions or deletions to the minutes of the December 9, 2019 meeting. He called for a motion to adopt the minutes of the meeting.

Motion: Jennifer Smith moved to approve the minutes of the December 9, 2019 meeting.

Second: Philip Millward

Action: The motion to approve the minutes passed unanimously.

ITEM 3: Conflicts of Interest.

There were no conflicts of interest.

ITEM 4: **COA 20-15000026 Certificate of Appropriateness – The Historic District**
Commission is requested to consider a Certificate of Appropriateness request from James Harkey to change the design of three (3) windows on the front elevation from nine (9) over one (1) pane design to one (1) over one (1) pane design at the property located at 105 W. Houston Street (Tax ID #09-235-041)

Keri Mendler informed the Commission that this COA request was withdrawn by the applicant. She said the applicant had previously replaced sashes on a window and installed a one over one window and the old window was a nine over one pane design. She said late last week the applicant had gone ahead and put in the nine over one pane design back. She said the applicant is no longer requesting that design change and therefore there is nothing further for the Commission to consider.

Chairman said to Keri that he knows that this meeting was held tonight so that this request did not go into that period of time where it was automatically approved. He asked Keri if they are aware that this is off the table now and they would have to come back to us. Keri said yes, she told him that any other changes will require approval. She said the application is withdrawn and there is nothing else to consider with it.

Jennifer Smith said there are two (2) separate families living in that house. Philip Millward said in looking at the house, the left hand side was condemned and as far as he is aware someone is living in there now. Keri said we can check into this. She said Code Enforcement and the Senior Planner have gone into the house and did see that it was converted to a single family. She said we should not have any more discussion on this since it is not in the purview of the Historic District.

ITEM 5. **COA 20-15000029 Certificate of Appropriateness – The Historic District**
Commission is requested to consider a Certificate of Appropriateness request from John Wiggins to install an exterior door on the west side façade and approval of previously removing two (2) trees at the property located at 400 West Windsor Street (Tax ID #09-232-209)

Chairman asked any parties offering testimony to come forward and be sworn. Keri Mendler and John Wiggins came forward to be sworn.

Keri Mendler, Planner, introduced this item and said this is a COA request from John Wiggins to add a door on the left elevation in order to access a basement and receive approval for previously removing two (2) trees on the left side of the property at 400 West Windsor Street. She said the findings are as follows:

Findings:

1. The subject property located at 400 West Windsor Street is owned by Kristofer Carlson and is zoned R-10 (Residential-High Density). (Exhibit 1,2)
2. The property is located in the South Monroe Historic District expansion. (Exhibit 3)

3. On March 16, 2020, the applicant applied for a COA in order to request approval to add a concrete stairway and metal door with a glass panel on the west side elevation. This door is necessary because the homeowner is constructing a basement in the existing crawl space and building code requires a means of ingress/egress from the basement. (Exhibit 4, 5)

Mr. Wiggins made a correction to the request. He said it would be a solid, wood door, not metal.

4. The application also includes a request of previously removing two (2) trees on the left side of the house. In August of 2019, an individual on behalf of Mr. Carlson requested a staff level approval to remove two (2) trees on the left side of the house. Staff requested a tree report from the Union County Arborist. The tree report indicated the trees should be monitored annually for changes in the roots, trunk and limb junctions and that damage to the crown should be cleaned of all dead and hanging limbs and branches. The report was sent to the applicant and the information was relayed that staff could not approve the removal at staff level but if they wished, they could seek approval from the Historic District Commission. Staff did not receive any guidance on how they wished to proceed. In March 2020, a new application was filed for the basement work and staff noticed the trees had been removed in the pictures submitted for that work and informed the homeowner/applicant that the tree removal should be added to this application. (Exhibit 6, 7)
5. The proposed structure does meet the review criteria for a Certificate of Appropriateness according to Section 156.202 of the Unified Development Ordinance.
6. All adjacent property owners have been notified of the Certificate of Appropriateness request. (Exhibit 8)

Keri said staff has provided the appropriate guidelines and conclusions in the staff report. She said she would be happy to answer any questions and the applicant is here as well to answer any questions. She also said there is a sample motion sheet in front of you. She said Ashley Britt wanted to remind you that you do not have to read out the conditions part unless you are actually approving conditions on the application.

Chairman asked if there were any questions for Keri.

Jennifer Smith asked Keri if the trees had been removed. Keri said yes.

Chairman asked if there were any questions for Mr. Wiggins.

Bob Bullard asked Mr. Wiggins if the owner had any plans for replacing the trees. Mr. Wiggins said he does. He said according to the report, the trees were irreparably damaged at the time that the arborist came and they had already been cut by a professional tree service. He said they were apparently cut incorrectly. He said there was a lot of money put into the tree house in the biggest tree, but due to structural failing of the tree, the tree house was removed. He said they had submitted to remove the trees and were told that they should be monitored annually, not to remove the trees. He said while Kris was in Florida over Christmas last year, they had a lot of water going into the basement and had some big cracks that Mr. Woodruff has noticed. He said Mr. Woodruff had originally submitted for the removal of the trees and the trees were removed. He said this is how the story was relayed to him. He said in reading the report from the Union County Arborist, he could see that the trees had already sustained damage. He said Kris loves trees and will have a professional landscape designer in and is going to do some new

landscaping and planting some new trees. He said everything that Kris has promised in this community he has always carried through.

Jennifer Smith asked Mr. Wiggins if they were designated trees or 100-year old trees. Mr. Wiggins said he did not think they were. Keri said typically Bill Smith will include in his report if the trees were tagged. She said she did not see this in the report.

Archie Morgan asked Keri what the criteria is for replacing trees. Bob Bullard said he read that it has to be either the same type of tree that was cut down or similar. He said on Church Street we have lost eight (8) major trees. He said as far as he knows, none of them have been replaced. He said at the rate we are going, it won't be long before we have no tree covering in the Historic District. He said many of the trees are 100-years old or more and are diseased.

Archie Morgan said what he has seen is that nothing has been done to the trees. He said periodically you have to cut the dead out, do selective pruning, etc. He said we are talking a lot of money. He said Arbor Guard charges \$1,000 to treat an elm tree with Dutch Elm.

Keri said to Mr. Morgan that the guidelines do state that trees or hedges that are removed due to disease or storm damage must be replaced with a new tree or hedge of the same species or similar appearance. She said we also have a list of trees in the guidelines at the back.

Chairman asked Keri if this Commission would require the tree to be replaced. Keri said the Commission can make that a stipulation. She also said that since the application says a metal door and the Commission feels that they would want a wood door, that should also be part of your motion.

Jennifer Smith asked Mr. Wiggins if he was building a trench or walkway to that door because it looks like you would have to crawl underneath. Mr. Wiggins said they will build a stairwell so that it will start before the door, go down and then make a right into the space.

Jennifer Smith asked Mr. Wiggins how long the property owner has been living at the house. Mr. Wiggins said for some time. He said they moved into Tom Woodruff's house and that is where they now reside until the house is finished. He said they do want to move back in. He said the house is undergoing renovation, including this basement. He said the basement is the only part he is involved in.

Archie Morgan asked Keri if the tree list in the guidelines talk about the size of the tree. Keri said no, but the City of Monroe zoning code requires a 1.5-inch caliper tree for new homes.

Chairman asked if there were any questions. There were none.

Chairman asked if someone would like to make a motion on the Findings of Fact for COA 20-15000029.

Motion: Philip Millward moved that the Historic District Commission find as fact that the proposed project COA application No. 20-15000029, if constructed according to the plans reviewed at this meeting, is congruous with the character of the district because the guidelines state that...

Keri said as a reminder the relevant design guidelines are in the staff report.

Mr. Millward said the new concrete stairway to be used to access the basement and a new wooden, mahogany door will be added to the basement. Therefore, the application is generally in harmony with the special character of the neighboring properties and/or the historic district as a whole.

Discussion was held on adding replacement of the trees as part of the motion. Keri said that Mr. Millward can refer to the zoning code so that it is clear for everyone and the applicant is agreeable with a 1.5-inch caliper. Mr. Wiggins asked Keri if they would become canopy trees. Keri said yes. Mr. Wiggins said as long as we don't circumscribe where you can put the trees on the property, he did not think that would be a problem at all. Keri said it is up to this Commission. She said as long as they are somewhere far enough away from the foundation and won't cause future damage. Mr. Wiggins agreed.

Jennifer Smith asked how many trees will be replaced. Chairman said two (2) trees were taken down, two (2) need to be replaced.

Keri asked Mr. Millward if this was part of his motion. Mr. Millward said yes. Keri also asked if there should be mention about the door. Chairman said the motion should state that the application was amended from a metal door to a wood, mahogany door. Mr. Millward agreed.

Motion: Philip Millward moved that the Historic District Commission find as fact that the proposed project COA application No. 20-15000029, if constructed according to the plans reviewed at this meeting, is congruous with the character of the district because of the guidelines as stated, with the following conditions:

1. A new wooden, mahogany door will be added to the basement. The application was amended from a metal door to a wood door.
2. Replacement of two (2) trees that were removed, to comply with the City of Monroe Zoning Ordinance.

Therefore, the application is generally in harmony with the special character of the neighboring properties and/or the historic district as a whole.

Second: Richard Ali

Action: The motion to approve passed unanimously.

Motion: Richard Ali said based on the preceding findings of fact, he moves that the Historic District Commission approve a Certificate of Appropriateness to John Wiggins regarding the proposals as shown in application No. 20-15000029, with the condition that the door be changed from metal to wood (mahogany) and the two (2) trees that were removed be replaced, to comply with the City of Monroe zoning code.

Second: Archie Morgan

Action: The motion to approve passed unanimously.

ITEM 6. **COA 20-15000028 Certificate of Appropriateness – The Historic District Commission is requested to consider a Certificate of Appropriateness request from Jordan Hennessee to add a wooden deck on the rear elevation at the property located at 321 E. Houston Street (Tax ID #09-231-131)**

Chairman asked any parties offering testimony to come forward and be sworn. Keri Mendler and Jordan Hennessee came forward to be sworn.

Keri Mendler, Planner, introduced this item and said this is a COA request from Jordan Hennessee to construct a deck on the rear elevation at 321 E. Houston Street. She said the findings are as follows:

Findings:

1. The subject property located at 321 E. Houston Street is owned by Jordan Hennessee and is zoned R-10 (Residential-High Density). (Exhibit 1-2)
2. The property is located in the South Monroe Historic District. (Exhibit 3)
3. On March 16, 2020 the applicant applied for a COA to add a deck in the rear yard. (Exhibit 4-6)
4. The proposed structure does meet the review criteria for a Certificate of Appropriateness according to Section 156.202 of the Unified Development Ordinance.
5. All adjacent property owners have been notified of the Certificate of Appropriateness request. (Exhibit 7)

Keri said staff has provided the appropriate guidelines and conclusions in the staff report. She said she would be happy to answer any questions and the applicant is here as well to answer any questions.

Keri said that Philip did have this house at one point and he applied for a slightly smaller deck. She said that since his request wasn't acted on and this deck is a different design, Mr. Hennessee had to reapply.

Chairman asked if the deck was going to be constructed with no railing. Mr. Hennessee said yes. He said it is about 30 inches at the farthest end of the deck, which is within the code. Keri said Mr. Hennessee will be applying for a permit so if there is an issue with the deck height, then that would be addressed at that time.

Philip Millward asked if the deck would be attached to the house. Mr. Hennessee said no, but it will be at the floor level of the house, but not attached.

Chairman asked if there were any further questions. There were none.

Chairman asked if someone would like to make a motion on the Findings of Fact for COA No. 20-15000028.

Motion: Jennifer Smith moved that the Historic District Commission Findings of Fact for COA No. 20-15000028 be approved and constructed according to the plans reviewed at this meeting and is congruous with the character of the district because of the guidelines as stated, and therefore, the application is in harmony with the special character of the neighboring properties and/or the historic district as a whole.

Second: Susan Sganga

Action: The motion to approve passed unanimously.

Motion: Philip Millward said based on the preceding findings of fact, he moves that the Historic District Commission approve the Certificate of Appropriateness to Jordan Hennessee regarding the proposals as shown in application No. 20-15000028.

Second: Jennifer Smith

Action: The motion to approve passed unanimously.

**ITEM 7. COA 20-15000032 Certificate of Appropriateness – The Historic District
Commission is requested to consider a Certificate of Appropriateness request from
Dale Loberger for approval of a previous request to demolish an interior chimney
at the property located at 502 S. Washington Street (Tax ID #09-235-220)**

Chairman asked any parties offering testimony to come forward and be sworn. Keri Mendler and Dale Loberger came forward to be sworn.

Keri Mendler, Planner, introduced this item and said this is a COA request from Dale Loberger for previously demolishing an interior chimney at 502 S. Washington Street. She said this was approved by staff based on the opinion of our Building Inspector that an unsafe situation was present with the deterioration of this chimney. She said, however, that staff did make the approval contingent on Mr. Loberger seeking approval from the Historic District Commission to leave it as is, i.e., no chimney (she said the chimney has been removed) or, reconstruction of the chimney from the roofline up would be required. She said this has been done in the past by this Commission. She said the findings are as follows:

Findings:

1. The subject property located at 502 S. Washington St. is owned by Dale Loberger and is zoned R-10 (Residential-High Density). (Exhibit 1, 2)
2. The property is located in the South Monroe Historic District. (Exhibit 3)
3. On April 9, 2020, Mr. Loberger contacted staff about a concern he had regarding the deterioration of one of his interior chimneys at his home. After reviewing his concerns, contacting other jurisdictions in the State and seeking advice from the State Historic Preservation Commission, staff requested a building inspector conduct a safety inspection. After the inspection, Bryan McAllister indicated the deterioration of the chimney created an unsafe condition and should be removed immediately. (Exhibit 4-6)
4. According to North Carolina General Statute §160A-400.13, the regulation of historic landmarks shall not be construed to prevent the demolition of any such feature which the building inspector or similar official shall certify is required by the public safety because of an unsafe or dangerous condition. With that being said, staff did approve Mr. Loberger to remove the interior chimney and did indicate that as a condition of that approval, he would have to appear before the Historic District Commission and seek approval of the chimney removal or to see if the Commission would require a re-construction of the chimney above the roofline as has been done in the past. (Exhibit 7, 8)
5. The proposed structure does meet the review criteria for a Certificate of Appropriateness according to Section 156.202 of the Unified Development Ordinance.

6. All adjacent property owners have been notified of the Certificate of Appropriateness request. (Exhibit 9)

Keri said staff has provided the appropriate guidelines and conclusions in the staff report. She said she would be happy to answer any questions and the applicant is here as well to answer any questions.

Chairman asked if there were any questions for Keri.

Archie Morgan asked if we are basically deciding whether we would require the chimney to be replaced. Keri said yes. Mr. Morgan asked if this Commission has required this in the past. Keri said there was one that was required by the Commission to be reconstructed. She said the only thing she can say about that is it was very visible from the road. Mr. Morgan said this is a chimney that you cannot see from the front of the house and if you want to see it you basically have to trespass on the property in the back. He said he does not think the Historic District is losing much by losing a chimney that no one can see.

Chairman asked Mr. Loberger if his preference is not to reconstruct the chimney. Mr. Loberger said correct. He said the fireplace is actually in the dining room. He said his house is also a designated property for the County. He said one of the three features of his house is that particular mantle. He said part of the reason he did not want to reconstruct the chimney is that he could not make it a functioning fireplace without changing the dimensions of the fire box. He said he has already rebuilt the fire box and it is almost the exact dimensions of the original. He said the reason a lot of this work was already done prior to this meeting is because he stepped on the hearth to wind the clock and the hearth went through the floor.

Archie Morgan asked Mr. Loberger if he was going to put in some gas logs. Mr. Loberger said no.

Chairman asked if there were any further questions. There were none.

Chairman asked if someone would like to make a motion on the Findings of Fact for COA No. 20-15000032. Keri said to relate back to the design guidelines in your staff report when making your motion.

Motion: Archie Morgan moved that the Historic District Commission find as a fact that the proposed COA No. 20-15000032, if constructed according to the plans reviewed at this meeting, is congruous with the character of the district in regard to the retention and preservation of functional and decorative masonry features that are important in defining the overall historic character of a district building and site – such as walls, foundations, chimneys, and piers – as well as their decorative details including bonding patterns, tooling, coatings, and colors, with the exception that this particular chimney is out of sight and therefore we will not require that it be replaced. Therefore, the application is generally in harmony with the special character of the neighboring properties and/or the historic district as a whole.

Second: Philip Millward

Action: The motion to approve passed unanimously.

Motion: Philip Millward said based on the preceding findings of fact, he moves that the Historic District Commission grant a Certificate of Appropriateness to Dale Loberger regarding the proposals as shown in application COA No. 20-15000032.

Second: Richard Ali

Action: The motion to approve passed unanimously.

ITEM 8. **Other**

Keri said she had provided a copy of the latest Certificate of Appropriateness log with the packets. She asked if there were any questions. She said COA applications are starting to pick up. She said there have been a lot of trees that have been received for staff approval.

Archie Morgan asked Keri what was in place where we can remind the homeowner that a tree needs to be replaced. Keri said we will just need to follow up on a staff level. She said part of the staff approval process includes the guideline where the tree needs to be replaced. Mr. Morgan asked if that was not this Board's purview. Keri said you can certainly let your neighbors know but when it is approved at staff level it is going to be staff's responsibility to make sure it is done. She said she has to make sure that it can be done at staff level since they are guidelines. She said she will look into this.

Chairman asked Keri what mechanism is in place to know when a tree is removed. He said if we are going to require a tree be replaced, how do we know if someone has taken down a tree and it needs to be replaced. Keri said not knowing if a tree has been taken down is one aspect of this. Keri said if we know that a tree has been taken down, our only avenue right now is to come before this Board.

Archie Morgan said there was a huge tree on Houston that fell, and it is going to cost an arm and leg to clean it up and the owner is not going to pay it. He asked who would take care of this. Keri said Code Enforcement has some regulations on tree limbs or large trees. She said she does not know the exact specifics of it, but it came out of one of the Neighborhood Walks a few years ago. She said she believes that Code Enforcement can go in and abate this and then put a lien on the property. She said she believes that this is how they do it.

Jennifer Smith said she wonders why their homeowner's insurance would not pay for the tree. Keri said there are some financial issues to begin with so she is not sure why.

Jennifer Smith said on Friday, a huge tree was taken out of the front yard of the house that sits on the corner of Houston and Church. Keri said she believes they have a COA. Chairman asked if the homeowner has to replace that tree. Keri said she will have to find out how this works. Jennifer Smith said there is no space for a tree unless the stump is removed.

Archie Morgan asked Keri if Code Enforcement works by report only or do they drive around looking. Keri said they actively ride around. She said they do get phone calls where they have to check things as well. She said if you see something, there is an online reporting system on the website.

Bob Bullard asked if the property owner at 407 Church was informed that they have to replace the tree. Keri said the guidelines say that you should replace a tree that has been removed with a similar species. She said when it is at staff level, she has to receive more guidance on staff's enforcement ability.

Bob Bullard said Archie brought up something earlier that you can put a one (1) gallon tree out or you can put out a tree that you need some equipment to plant the tree. Keri said if it is something that we approved tonight, we would refer back to the zoning code which is the 1.5-inch caliper tree.

Dale Loberger said the younger the tree, the better chance of its survival. He said a larger tree is going to run into more potential issues. He said he has planted many seedlings that are now 60-foot oak trees in his yard.

Archie Morgan said one thing that is devastating to a tree is ivy growing up them. He said ivy is all over the trees in the Historic District and it will kill every tree in time. Keri said unfortunately we do not have anything in the guidelines for this.

Chairman asked if there was anything else to discuss. There was no other discussion.

ITEM 9: **Next Meeting**

Chairman said the next meeting is scheduled for June 8, 2020 at 6:30 p.m. Keri said we have one (1) item for the agenda.

ITEM 10: **Adjournment.**

Motion: Jennifer Smith made a motion to adjourn this meeting.

Second: Philip Millward

Action: The motion to adjourn passed unanimously.

The meeting adjourned at 7:47 pm.

Respectfully submitted,

Richard F. Ali
Chairman

Maryann Brown /s/
Secretary to the Board

HISTORIC DISTRICT COMMISSION MINUTES

MONDAY, JUNE 8, 2020 AT 6:30 PM

CONFERENCE ROOM - CITY HALL

300 West Crowell Street, Monroe, North Carolina

To be Approved at the July 2020 Meeting
Attendees to Sheri Laney on 6-9-20

ITEM 1: Call to Order.

Richard F. Ali, Chairman, called the meeting to order at 6:30 p.m. Maryann Brown called the roll.

Members Present: Richard F. Ali, Bob Bullard, Philip Millward, Jennifer Smith, Susan Sganga (alternate) and Archie Morgan (alternate)

Members Absent: James Kerr and Megan Woazeah

Staff Present: Keri Mendler, Planner, Ashley Britt, Assistant City Attorney (on Zoom) and Maryann Brown, Administrative Assistant

Guests: Hayden Desio

Susan Sganga (alternate) and Archie Morgan (alternate) were seated in the audience. Chairman asked Susan Sganga and Archie Morgan to sit on the dais with the Commission to fill in for James Kerr and Megan Woazeah, who were absent.

ITEM 2: Approval of Minutes.

Chairman asked the Board if there were any questions, additions or deletions to the minutes of the May 11, 2020 meeting. He called for a motion to adopt the minutes of the meeting.

Motion: Jennifer Smith moved to approve the minutes of the May 11, 2020 meeting.

Second: Philip Millward

Action: The motion to approve the minutes passed unanimously.

ITEM 3: Conflicts of Interest.

Chairman said there is a conflict of interest tonight. Philip Millward recused himself from Item 4.

Chairman said Philip is recusing himself from the vote but he is going to make a presentation on behalf of the property owner.

ITEM 4: COA 20-15000033 Certificate of Appropriateness – The Historic District Commission is requested to consider a Certificate of Appropriateness request from Philip Millward to enclose half of the existing deck with a screened in area and roof at the property located at 203 S. Washington Street (Tax ID #09-232-144)

Chairman asked any parties offering testimony to come forward and be sworn. Keri Mendler and Philip Millward came forward and were sworn.

Keri Mendler, Planner, introduced this item and said this is a COA request from Philip Millward to enclose half of the existing deck with a screened in area and roof at 203 S. Washington Street. She said the findings are as follows:

Findings:

1. The subject property located at 203 S. Washington Street is owned by Hayden Desio and is zoned R-10 (Residential-High Density) and OT (Office Transitional). (Exhibit 1-2)
2. The property is located in the South Monroe Historic District. (Exhibit 3)
3. On April 30, 2020 the applicant applied for a COA to construct a screened in area and roof over half of the existing deck on the rear elevation. (Exhibit 4-6)
4. The proposed structure does meet the review criteria for a Certificate of Appropriateness according to Section 156.202 of the Unified Development Ordinance.
5. All adjacent property owners have been notified of the Certificate of Appropriateness request. (Exhibit 7)

Keri said staff has provided the appropriate guidelines and conclusions in the staff report. She said she would be happy to answer any questions and Philip is here as well to answer any questions.

Chairman asked if there were any questions.

Archie Morgan said to Philip that there is a door from the deck going to the screened porch. He asked if there was access from inside the home. Philip said there are two (2) doors---a single door and the French doors.

Chairman asked Philip if the size of the screened in part is 14' x 14'. Philip said yes.

Chairman asked if there were any questions. There were none.

Chairman asked if someone would like to make a motion on the Findings of Fact for COA 20-15000033.

Keri said as a reminder the relevant design guidelines are in the staff report and you have a sample motion sheet.

Motion: Jennifer Smith moved that the Historic District Commission find as fact that the

proposed project COA application No. 20-15000033, if constructed according to the plans reviewed at this meeting, is congruous with the character of the district because of the guidelines as stated. Therefore, the application is generally in harmony with the special character of the neighboring properties and/or the historic district as a whole.

Second: Archie Morgan

Action: The motion to approve passed unanimously.

Motion: Bob Bullard said based on the preceding findings of fact, he moves that the Historic District Commission grant a Certificate of Appropriateness to Philip Millward regarding the proposals as shown in application No. 20-15000033.

Second: Richard Ali

Action: The motion to approve passed unanimously.

ITEM 6. Other

Discussion on Code Enforcement was held. Archie Morgan said he was under the assumption that everything we do is under State regulation as far as what we can approve and disapprove in the historic district. He said the City of Monroe does have Code Enforcement. Keri said yes. He said he wanted to discuss this with this Board first, before going to City Council. He said anyone in the City can report anything they see; the City makes it very easy. He said Code Enforcement tells the property owner who reported the complaint with the City. He said that is wrong. He said if Code Enforcement shows up and there is not grass two (2) feet tall, then they drive on by. He said if they tell someone that Archie down the street reported them for high grass, that person is potentially going to come to his house. He said there is no need to put your name down when you make a report.

Keri said Ashley is on the line if she is needed. She said basically, if we receive any kind of complaint or even if it is not a complaint, a phone call, etc., it is in the public record unless you request to remain anonymous. Archie Morgan said you really cannot because the public issue reporting section on the City website asks for your name and where you live. Keri said she cannot speak to you about this because it is not just for Code Enforcement when you make a complaint in this system. She said when somebody puts in a complaint or concern about something, it then gets filtered to whatever department that needs to handle it, not just Code Enforcement.

Archie Morgan said if you report something on the website, you can put in a fake name and address. He said with Code Enforcement telling people who complained, it is potentially hazardous. He said there is no real need for names to be given. He said if they are in violation, they are in violation. Keri said she does understand this concern but unfortunately it is public record. She said if we are asked who called or made the complaint, we are required to give that information because it is public record.

Philip Millward said you have to tell the employee not to mention your name. Keri said this does not address the online forum, but once you put your information out there, that is a public record. She said if we are asked who called or who made the complaint, we have to release that information if we are asked.

Bob Bullard asked why do you have to release someone's name, is it a law? Keri said yes. She said it is just like the Freedom of Information Act. Mr. Bullard said if he sees his neighbor beat his wife...Keri said legal matters like that are different.

Chairman asked why is it that when you call 911 and they ask for your name, it is never given out. Keri said she is not sure.

Chairman asked Keri if Code Enforcement is acting proactively or on a complaint only basis. Keri said it is her understanding that it is proactively, they drive around and look for high grass, etc. Archie Morgan said the Code Enforcement vehicles never stop. He said they never get out of the car. Keri said they are constantly rotating throughout the City. She said they write down addresses and get a picture as needed.

Ashley Britt said she wanted to add that law enforcement has an exception to the public records law and that is why they may not have to disclose some information when you call in for law enforcement reasons. She said the City of Monroe has to disclose anything we have a record of because of public records laws and that is from the State.

Chairman asked Ashley if the City of Monroe acts differently than say other cities of like size, like Concord or Salisbury. Ashley said no, every City has to abide by State law. She said if we have a record of a name for a Code Enforcement reason, we have to disclose this. She said if it is an e-mail or voice mail, that is something that can be disclosed. She said if somebody asks for it, it does not fall into an exception to the law, like a police investigation would.

Ashley said if somebody was talking to us and there was no written record of it and they asked to remain anonymous, there would be no record to disclose so we would not have to tell. She said otherwise, we do not have a choice.

Chairman asked Ashley for the ways that a resident can make a complaint so that information is not given out. Ashley said if they call and talk to somebody directly on the phone vs leaving a voice mail (which would be leaving a record) there would be no record to disclose in that case. She said she would have to get with the IT Department in terms of the online complaint form. She said she does not know if there is a way that you can do this without giving a name. She said she is not sure how this would work. She said if IT could do this without you having to give a name, then we would have no names to give if we were ever asked for it.

Chairman said to Ashley if someone calls in, even if they do not give their name, you know who has called in. He asked if this was correct. Ashley said it does not matter if we know it because the information is not a public record. She said we are not obligated to create a record. She said if a record exists, we have to turn it over. She said if you were to send an e-mail, that record would exist and we would have to disclose it. She said if we were just having a conversation, there is no record per se of it to turn over. She said this is how the law defines public record.

Jennifer Smith said to Ashley that about six (6) years ago somebody reported some things that she and her husband were doing to their house. She said her husband asked Code Enforcement who reported the complaint and Code Enforcement would not tell. Ashley said that might have been because Code Enforcement spoke to the person over the phone. She said the person can request to be anonymous if there is no actual record that exists. She said if the person who complained e-mailed Code Enforcement, then State law would require Code Enforcement to give you that e-mail. She said if they just spoke to somebody on the street and had a conversation, that is different because that is not a record.

Chairman said he had been on another board where the same type of questions were asked. He said is the name given only if that person asks who reported the complaint or is Code Enforcement bound to give out the name of the person who gave the complaint whether or not the person asked. Ashley said it is only if somebody asks. She said we have tons of things that are public record but if nobody requests them, then we do not give them out. She said it is only if somebody asks for it.

Archie Morgan asked Ashley what if Code Enforcement was told about a particular property for literally years and nothing has been done about it. He asked what is the next avenue. Ashley said she would need to know the property and talk to Code Enforcement because she knows they do act on complaints that they receive. She said if the property does not comply there are several avenues we can go through to enforce compliance. She said it is a process so anything like that she would need specific information.

Archie Morgan said let's say you have a house in the historic district and you have a wraparound front porch. He said the porch is full of junk, old furniture, refrigerator and you can't even get around the porch because of all this stuff. He asked if that is a violation of the historic district.

Keri said Code Enforcement has its rules and regulations. She said the historic district does not do anything like minimum housing or public health nuisances. Chairman said the house that Archie is talking about, regardless of whether it is in the historic district or outside of the historic district, it is still a violation of City Code. Archie Morgan said he understands what she is saying. He said it is not an historic district matter...Keri said you have to be treated the same way by Code Enforcement, whether you are in the historic district or outside the historic district.

Archie Morgan asked if the historic district had any purview of what can be in your yard, i.e., vehicles, tagged or untagged, uncovered boats. Keri said it is not historic district specific, it is Code Enforcement or Police Department.

Jennifer Smith said she has reported five (5) times that there are four (4) properties on the backside of Parker Street that have dog runs in the front yard and the dogs do not have any shelter or any screening from heat. She said nothing has been done; they are still out in the front yard. Chairman said if that is like Jennifer says it is, it shouldn't have to be called in. He said that should be Code Enforcement driving by and they should see it on a daily basis. Keri said Code Enforcement doesn't handle animal concerns. Archie Morgan said if someone complains about this, then the City's job is to decide who will handle this.

Jennifer Smith asked if you can have farm animals in the City Limits. Keri said she does understand all your concerns but unfortunately it is not just Code Enforcement that deals with this. She said yes, you are all citizens and have concerns. She said this is a little bit outside the purview of the Historic District. She said she recommended if you have these concerns, submit them or give Planning and/or Code Enforcement a call. She said animal concerns are usually the Police Department.

Chairman asked if it would be appropriate for someone to brief us at one of our meetings on Code Enforcement in general so that we know how they operate. He said he understands that this is not in this Board's purview. Ashley said it is not in this Board's purview to discuss general Code Enforcement matters. She said she did not know if your meeting would be the appropriate forum for that. She will talk to the City Attorney about this.

Chairman said obviously someone can go to City Council and bring this up but would there be any way of having an item on a City Council agenda that would be the topic of Code Enforcement and detail how Code Enforcement is operating, the proactive vs. the complaint only, the public record part of it, what is a violation of code, etc.

Ashley said the City Manager would be the person who would place an item where it needs to be. She said we have several Council committees that deal with various issues. She said Public Safety deals with Police and Animal Control issues. She said it might be appropriate to take it to one of those committee or possibly a Strategic Meeting of City Council, rather than a regular Council meeting.

Archie Morgan said these are legitimate complaints and if they are falling on deaf ears you are going to have only as good as a city or historic district as you have teeth in these regulations. He said there are people that keep their dogs tied up in the yard in the sun, people piling up trash in their backyards, lawn mowers that haven't cranked in 20 years sitting out in the weeds, and boats not covered with mosquitoes breeding in the water in the boats. Ashley said a lot of times the stuff in the back yards is harder to enforce from a Code Enforcement standpoint. She said certainly something like a breeding ground for mosquitoes is definitely a public health issue. She said there are some things that may not be pretty or are unsightly but that doesn't necessarily rise to the level of a public health nuisance. She said the City is limited by what we can do with that as well.

Archie Morgan said that he understands all of that but you can plainly see all he is talking about. He said there is a house at Church and Green that had staff approval for a privacy fence. He asked Keri if she looked at that fence. Mr. Morgan asked if she saw any problem with the fence. Keri said it meets the guidelines and zoning ordinance. Jennifer Smith said that is the problem. She said the guidelines need to be changed. Mr. Morgan said the fence was put up to hide all of their stuff in the backyard. He said the fence is multi-level and there are big gaps underneath it. He said it was not properly built and if he paid to have a fence installed this is something he would not have envisioned. Keri said the City has sent letters to that property owner regarding home occupation and they said they are not bringing a business there and unfortunately we have our purview as well and if we cannot tell if a business is actually going on, it's hard for us to actually enforce.

Chairman said that since this has been brought up tonight, he has only lived in Monroe for five (5) years. He said he knows for a fact that going back ten (10) years, people within that general radius of that house have complained about the house to Code Enforcement numerous times. He said it's about the untagged cars in the back, the uncovered boats that bring mosquitoes, and the commercial landscaping equipment that leaves every morning after they sharpen their equipment. He said every morning the workers come and park their vehicles in the backyard during the day. He asked how could that not be a commercial business. He said the gentleman then brings home his cuttings from the job and piles them up on Green Street for Waste Pro to pick up at our expense. He said this is not right. He said he has reported this to City Council. He said one (1) of our City Council members drove by to look at the house with him. He said the Council Member picked up the phone, while he (Richard Ali) was with him, called Code Enforcement, and said this is not right. He said this was three (3) years ago. He said the people next door have complained for health reasons because their daughter is deathly allergic to mosquitoes. He said if she gets bitten, she has major health issues. He said mosquitoes breed in those boats.

Keri said if they are leaving every morning and by the time we get there we cannot see if a business is operating, it is hard for us to prove. Chairman said if you give him some kind of immunity he will take photos or video every morning. He said what bothers him is that people that live around there have reported that house for at least ten (10) years. He said he knows the people that live in the house, and he feels bad for saying it because they try to have a good family life. He said the rest of it interferes, but the fact that they say they are not bringing in commercial business, they are, and they are running a business without a license. He said if you read City code about home occupation businesses, you can have a home business if it is family members that are working the business, not laborers or workers that are coming, parking their vehicles on the property during the day and driving out the big heavy commercial trucks loaded down with all the landscaping equipment.

Archie Morgan said over the weekend there are trailers there full of limbs. Chairman said usually there are 4 – 5 untagged cars in the backyard. Jennifer Smith said she walks there every night with her dogs and she sees this.

Archie Morgan said this is a valid concern. Jennifer Smith asked what it would take to get somebody to act on this. She said if this is recorded and it goes to City Council, why isn't something done? Archie Morgan said at our meetings we have to swear under oath and all that stuff to put a door in but people can have trash, untagged cars and boats on their property. He said our job here is the integrity of the historic district. He said he understands that code enforcement is not our purview...Bob Bullard said for folks that live in the historic district it is our purview.

Jennifer Smith said she understands that this Board has no control over this but who do you go to that does? Archie Morgan said you have to go to City Council meetings and sign up to speak. Jennifer Smith said she went door-to-door and collected every name in the neighborhood to get speed bumps put in on Houston Street and Parker Street and they use them as ramps. She said they just fly across them until they come to the stop sign. She said nobody stops; they run the four-way stop sign all the time.

Chairman explained to Keri that he was at the vet's office in Waxhaw with one of his animals. He was talking to one of the people there that he knows fairly well and who lives off of Concord Avenue. He said she spoke about a next door neighbor that had all this junk in their yard, several vehicles, and somebody living in one of the cars at night. He said he called a Council Member who went over the next morning with a Police Officer and an Officer who works with Code. He said all the junk was cleared out of the yard. He said the following day they went back with trucks and took all the cars out of the yard and made the owner clean up the yard. He asked why was this doable and no other things?

Chairman asked Ashley if she had anything to add. Ashley said she would talk to the City Attorney and get back to everyone at the next meeting about the proper forum for discussion about these issues. Chairman said to Ashley that we all understand that this is not a matter that is under the Historic District Commission.

Jennifer Smith asked Keri if she was able to check into the house at 105 Houston to see if it was operating as a duplex. Keri said she did. She said Code Enforcement had been in that house and they have indicated that it is a single-family home. Ms. Smith said there are two (2) sets of families living there and they have four (4) cars. Keri said the people living there have actually opened up the inside of the house and put an archway in the main wall. Philip Millward said there is one (1) single meter.

Discussion was held on duplexes and the 180-day rule regarding meters. Keri said they do get asked frequently about duplexes and meters but the house on Houston Street has one (1) meter so there are times when it is difficult to figure out who is living there. She said the entire duplex has to go vacant for more than 180 days to lose its non-conforming status, not just one (1) side. She said if they keep the utilities on, then it is considered active.

Chairman asked Keri about the house at 612 S. Hayne Street. Keri said the roof was staff approved.

Archie Morgan asked about the house at the very end of Washington Street and Lancaster Avenue. Discussion was held on the status of the home and the dilapidated state. Keri said she will ask Code Enforcement to check into the status of the home.

Chairman asked if there were any other issues of concern. There were none.

ITEM 7: **Next Meeting**

Chairman said the next meeting is scheduled for July 13, 2020 at 6:30 p.m.

ITEM 8: **Adjournment.**

Motion: Jennifer Smith made a motion to adjourn this meeting.

Second: Philip Millward

Action: The motion to adjourn passed unanimously.

The meeting adjourned at 7:20 pm.

Respectfully submitted,

Richard F. Ali
Chairman

Maryann Brown /s/
Secretary to the Board



**Economic Development Board of Advisors
Regular Meeting Minutes
Monroe City Hall – Large Conference Room
300 W. Crowell Street
Monroe, North Carolina 28112
7:30 am – March 10, 2020**

Members Attending: Mr. Ray Black; Mr. Scott Byrum; Mr. Steven Coward; Mr. Hunter Dalton; Mr. Jeff Duke; Ms. Jennifer Duru; Mr. Chad Griffin; Mr. John Hendley; Mr. Hunter Latham; Mr. Mike Lutes; Ms. Pamela Sanders; Mr. Todd Shapiro; Mr. Gary Summerfield

Members Absent: Mr. Jonathan Edwards; Mr. Will Howie

Ex-Officio Members in Attendance: Dr. Rhett Brown; Mr. Marion Holloway; Mr. Bobby Kilgore; Mr. Mark Watson

Ex- Officio Members Absent: Mr. Frank Aikmus; Mr. Larry Faison; Dr. Andrew Houlihan; Ms. Pat Kahle; Dr. Maria Pharr

City Staff in Attendance: Ms. Jan Ball; Ms. Lynell Hillhouse; Mr. Ron Mahle; Mr. Evan Mozingo; Mr. Chris Platé

Guests in Attendance: Mr. Thomas Foster; Ms. Michelle Lancaster

1. Call to Order and Welcome Guests

Mr. Dalton called the meeting to order at 7:32 a.m.

2. Approval of Minutes

The minutes from the February 12, 2020 regular meeting were presented for review and approval. Ms. Sanders made a motion to approve the minutes. The motion was seconded by Mr. Coward and unanimously approved by the Board of Advisors.

3. Office Report

Presenter:

Mr. Platé

REDI

Mr. Platé informed the Board the current Civilian Labor force as of December 2019 was at 125,003 which showed an increase of 3,318 since October 2018. Also noted was as of December 2019 the Union County unemployment rate was at 2.9%.

Figures pertaining to the Active Project Funnel along with the current fiscal year-to-date figures pertaining to the Active Project Pipeline were reviewed to the Board. As per March 2020 Board meeting date, figures within the Active Project Funnel include 69 Suspects, 12 Prospects, 14 Projects, 5 Announced. Fiscal year to date capital investment of \$20m along with job creation of 27 were additionally reported to those present.

Social Media

Mr. Mozingo reported on the social media and marketing analytics to the Board. The Board was informed of the implementation of additional steps to the monthly contests. It would encourage viewers to look deeper into the website for answers in the hopes to increase their knowledge of Monroe-Union County Economic Development.

Events

Mr. Platé explained due to the Coronavirus (COVID-19), office travel will be limited temporarily, thus explaining why the number of prospects may stay flat during this time.

Mr. Platé informed the Board of an upcoming Airsoft event hosted by Union County EDGE, Inc. targeted towards Emerging Executives.

4. Existing Industry

Presenter:

Mr. Ron Mahle

EI Activity Matrix

Mr. Mahle encouraged the Board to review the report provided to them.

Mr. Mahle detailed that on February 26, 2020 a seminar titled Recruit – Train – Retain Maintenance Personnel had 22 people in attendance. Mr. Mahle introduced information about the Lucas Group to the audience, explaining they were an Executive Recruitment Search Firm specializing in placing transitioning military members into successful civilian careers.

Mr. Duke added to this by stating his intention on utilizing this resource for his company for future hiring needs.

Mr. Mahle introduced Project Emerald to the Board. The company is considering the construction of a new 50,000 square-foot manufacturing and distribution facility with a potential value totaling \$5,000,000. The hiring of 3-4 full-time employees are associated with the investment. The economic development staff has reviewed the details of this project and conducted a cost-benefit analysis that shows a 1.7 to 1.0 ratio over the first 5 years (grant period) of the project and a 5:36 to 1.0 ratio over the life of the project.

Mr. Hendley made a motion to recommend to the Union County Board of Commissioners to consider and approve an Economic Development Incentive Grant in support of the construction of a new manufacturing facility in Union County. The “STEP 2” Economic Development Incentive Grant is in an amount not to exceed \$115,000 over a five-year period

beginning in FY 2022. The motion was seconded by Ms. Duru and unanimously approved by the Board of Advisors.

The presentation by staff to the Union County Board of Commissioners will occur on Monday, April 6, 2020.

Product Development

Mr. Platé confirmed that a contract for the Spec Building IV had been sent to a potential buyer and was awaiting its return with comments. He cautioned the Board it was in early stages and would keep the Board updated on this item.

Mr. Platé concluded the Product Development report informing those present about the potential acquisition of land for a new county industrial park.

5. Open Forum

Discussion took place between those present regarding the current climate relating to the Coronavirus (COVID-19) including but not limited to vulnerability within the manufacturing field in North America, health care advice, public and private agencies preparedness.

Mr. Griffin asked staff for a brief presentation in the near future regarding solar farms and their impact to the community.

Mr. Platé encouraged attendance at the March 21, 2020 Dancin' in the Clover event benefiting the Union County 4-H Foundation that both he and Ms. Lancaster, Deputy County Manager are co- emceeing.

6. Adjourn

Presenter:

Mr. Dalton

With no further business, Mr. Dalton asked for a motion to adjourn. Mr. Summerfield made a motion to adjourn the meeting at 8:13 a.m. The motion was seconded by Mr. Shapiro and unanimously approved by the Board of Advisors.

PLANNING BOARD MEETING

March 4, 2020 @ 6:00 PM
City Hall – Council Chambers
300 W. Crowell Street, Monroe, NC

*To Sheri Laney on March 5, 2020
Scheduled for adoption at the April 2020 meeting*

Item 1. Call to Order/Roll Call

Richard Yercheck, called the March 4, 2020 meeting to order at 6:00 p.m.

Motion: John Ashcraft made a motion to appoint Richard Yercheck as Temporary Chairman for tonight's meeting.

Second: Renee Hartis

Action: The motion to appoint Richard Yercheck passed unanimously.

Maryann Brown called the roll. Chairman noted that a quorum was present.

Members Present: Richard Yercheck, Edith Covington, Vickie Greene, John Harris (late), John Ashcraft, Renee Hartis, Richard Ali and Jennifer Smith (alternate)

Members Absent: Russ Asti and Mary Ann Rasberry

Staff Present: Doug Britt, Senior Planner; Keri Mendler, Planner; Ashley Britt, Assistant City Attorney; Maryann Brown, Administrative Assistant

Guests: Chad Loyd, M/I Homes; Jess Perry, Walt Perry Real Estate; Christian Helms

At the suggestion of Ashley Britt, Chairman asked Jennifer Smith (alternate) who was seated in the audience to sit with the Commission to fill in for an absent member and welcomed her to the Board.

Item 2. Approval of Minutes of Meeting

Motion: John Ashcraft made a motion to adopt the minutes of the February 12, 2020 meeting.

Second: Renee Hartis

Action: The motion to adopt the minutes passed unanimously.

Item 3. Zoning Map Amendment request for a Conditional District "Secrest Landing" for the property located along Secrest Shortcut Road (Parcel ID #s: 07-027-007 and 07-027-007A)

Keri Mendler, Planner, introduced this item and said tonight she is presenting a Zoning Map and Text Amendment request. She said the applicant is requesting the rezoning in order to develop 172 townhomes. She said the total area of the project is 30.48 acres with 15.73 acres left as common open space. She said the density of this project is 5.64 units per acre. She said the subject property is currently zoned R-40

(single-family residential). She said the adjoining zoning is R-40 to the North and to the East there is some R-40 zoning. She said to the South there is some R-20 zoning and the property to the West is in Indian Trail's jurisdiction and RA-20 (County).

Keri said the applicant is requesting the rezoning in order to develop 172 townhomes. She said the total area of the project is 30.48 acres and the density of the project is 5.64 units per acre. She said the project is required to provide at least 50% open space, which would equal 15.24 acres. She said the total area of open space provided is 15.73 acres, or 51.6%. She said the open space also includes a walking trail with benches and a paved area with grills and tables.

Keri said street trees will be provided at a rate of three (3) per building and each building will also have two (2) trees outside of the right-of-way. She said there will also be landscaping along the Secrest Shortcut Road frontage of the property.

Keri said the townhomes will have a mix of one (1) and two (2) car garages. She said all interior units will have at least a one (1) car garage while the end units will have a two (2) car garage. She said all of the front-load garages will have carriage-style trim and/or hardware that mimics carriage-style doors. She said the driveways will also be able to accommodate at least two (2) vehicles.

Keri said all of the interior streets will have a five (5)-foot wide sidewalk on both sides. She said there will also be an eight (8)-foot wide sidewalk provided along frontage of Secrest Shortcut Road.

Keri said the development will have two (2) full access entrances. She said a traffic impact analysis was not required for this project. She said that was a call made by the NC Department of Transportation and the City of Monroe Engineering Department. She said, however, there will be left turn lanes at each entrance in order to turn into the development.

Keri said the developer is proposing the townhomes be a minimum of 1,300 heated square feet. She said the proposed exterior building materials will include fiber cement, stone, stucco, brick and/or vinyl. She said if vinyl is used it will be the high quality vinyl and is at least .044 inches thick. She said it will also have backing material, must be heat resistant with UV reflective additives and must be wind resistant.

Keri said the development falls within the Poplin Elementary, Porter Ridge Middle and Porter Ridge High School for the 2019/2020 school year.

Keri said as far as neighborhood notification, the applicant did hold a neighborhood meeting on September 11, 2019 at the Carillon Assisted Living Facility. She said a rezoning notification sign will also be posted ten (10) days prior to the public hearing and an official rezoning notification letter will be sent to the adjacent property owners within at 150 feet. She said in your packet there is also a summary of the neighborhood meeting for your consideration as well.

Keri said the Land Development Plan indicates that this project falls within the Regional Mixed-Use Center. She said Regional Mixed-Use Centers attract people beyond Monroe for shopping, entertainment, employment or recreation. She said it is likely that the Regional Mixed-Use Centers will support the most intense concentration of retail, employment, high-density residential and other mixed uses. She said these areas typically locate near major highways to ensure ease of access for longer trips. She said the Land Use Plan does not specify an actual density for these Mixed-Use Centers due to the fact they are for higher-density residential and other higher intensity uses.

Keri said the proposed project is consistent with the Future Land Use Plan and staff recommends approval of the rezoning with the condition that vinyl be used for trim work only.

Keri went over a map which showed the general location the City wants for the Regional Mixed-Use Center. She said when you have these Centers you want the more intensive uses in the center and as you work your way out toward the outside of the circle you lower the intensity. She said since it is still in the circle, you want the higher density residential but towards the outside of the circle vs. the center of the circle. She said not every parcel may necessarily be developed as a Regional Center.

Keri said she would be happy to answer any questions and the applicant is here as well.

John Harris said the development is right by the nursing home. He said there is a little hill or incline on Secrest Shortcut Road. Keri said she cannot speak about there being an incline but they will have the left turn lanes which will help with some of the site distance issues. She said the Engineer might be able to address this better.

Chairman asked if there were any other questions for Keri. There were none.

Chairman asked if there was anyone who would like to speak in favor of this project.

Mr. Matthew Kirchner of Eagle Engineering, came forward and said Keri did a very good job with her presentation so he would be brief. He presented a map of the development and site plan of the development. He asked if there were any questions.

Jennifer Smith asked what the townhomes would sell for. Mr. Chad Loyd from M/I Homes said the townhomes would be the low- to-mid \$200,000's. He said they would have 3 – 4 bedrooms, 1,300 to 1,800 square feet, 21-foot wide and 22-foot wide on the sides, 52 to 60-foot depth.

John Harris asked about the incline on Secrest Shortcut Road and if any of the entrances were going to be past the incline. Mr. Kirchner said even though a traffic impact study was not required they are going to add left turn lanes. He said we will do site triangles and site distance to make sure that there is clearance to get on the entrance. He said they will widen and repave the roads.

Edith Covington asked about the parking. Mr. Kirchner said there would be a minimum of two (2) and the driveway. He said the end units will have a double driveway. He said you would be able to get four (4) vehicles in the driveway plus two (2) in the garage. He said the middle units will have at least two (2) in the driveway and one (1) in the garage.

Edith Covington asked which fire department would serve this development if approved. Keri said the City of Monroe, Station 4 and Bakers. Mr. Kirchner said during the review process we will make sure that Fire will actually review this subdivision.

Edith Covington asked how the school system felt about this area being developed and how this would impact them. Mr. Kirchner said all schools are funded afterwards so they have to basically take in these students. He said the homes are in the \$200,000 price range so there will probably be a younger community out there. He said the schools will keep adding students until they get to a point where they cannot handle any more and build another school. He said the cost of building another school is so great that they will have to add a lot of students before they do this.

John Harris asked how long will it be before you build out the development. Mr. Chad Loyd with M/I Homes came forward and said if approved, they would go into the permitting stage right after rezoning with City Council. He said the process typically takes 6 – 10 months depending on what we get into. He said you are looking at construction starting in the early 2021-time frame for the horizontal construction. He said you won't likely see the first houses until the end of 2022. He said it takes a good 11 months to get the horizontal done. He said it would be phased over time.

Edith Covington asked Mr. Loyd how long are the phases. She asked if this was a 5-year plan. Mr. Loyd said it would depend on the market. He said he hopes it goes quickly. He said it could be anywhere from 3.5 to 4+ years. He said people will not show up all at once; it will be over time. He said it is entirely market dependent.

Renee Hartis asked Mr. Loyd if there is overflow parking on the site. Mr. Kirchner said they did provide some on-street parking. He said they are able to put in some parking where they don't have townhomes and possible some additional parking. Ms. Hartis said if people have birthday parties, etc., there is really nowhere to park. She said a lot of places will do a parking lot at some point on the development where, if people need to, they can have their families park.

John Ashcraft said he was concerned about the density. He asked staff if they ever dealt with over 6 units per acre before. He said he does not remember getting that high. Keri said she does not believe so but just as a reminder it is in that regional mixed-use center where you want the higher intensity and higher density uses.

Mr. Loyd pointed out that these are not apartments. He said these are "for sale" units. He said apartments are allowed in the Land Use Plan as well but you can have much higher density than a townhome.

John Ashcraft asked Keri to address the issue regarding vinyl siding. Keri said she apologized because the applicant had made some changes from when they originally submitted. She said staff has requested that no vinyl be used and they did come back and say that they would not use vinyl on the fronts or sides. She said if they use vinyl it would only be in the rear. She said there is a note on the conditional site plan that said something to that effect. Mr. Loyd corrected Keri and said if they use vinyl it will be on the sides and back.

Mr. Loyd said in the Land Use Plan there are repeated references to diversity of housing mix to serve all the residents of Monroe. He said one of the things we look at as we do our market analysis on a site is what is going to sell out there. He said there are some extra maladies out there right down the street---Iron Peddler's yard and the wrecker service. He said there are some extra maladies that could be a concern from a price standpoint. He said there is a material difference in the price out there and to deliver that mix of product that can be more affordable to some residents, that's what's driving that question. He said we can have a discussion about it and he would be curious to hear the other sentiments of the Board. He said it is a new area that is developing with the Expressway out this way.

John Ashcraft said as time progresses, the highest and best use may change that whole area into a shopping center complex. Mr. Loyd said that is in the Land Use Plan as well but you are looking to entice...Mr. Ashcraft said what it is now may not be what it is 5 – 10 years from now. Mr. Loyd said the Land Use Plan talks about wanting to induce private investment in Monroe and this area has been designated for that private investment. He said having these clustered homes in there will encourage the retail uses, encourage neighborhood services and encourage the employment centers. He said bringing those rooftops and families in there could certainly induce more private investment to bring those kind of services in.

John Ashcraft asked if they considered different density levels when doing projections for the site. He asked why did they pick 6-units per acre. Mr. Loyd said that is what the site would bear and that is consistent with your Land Use Plan. Mr. Ashcraft said he is not asking that question. He said he is asking if you considered other densities, like lower or higher, or is that the max you could build out on that site on the 15 acres. Mr. Loyd said it is consistent with the Land Use Plan to do apartments at this site. He said they could have had many more units.

Mr. Kirchner said this is a good fit for the townhomes they are planning to do. He said this is a good number for the product, still leaving 50% of the project as open space.

Chairman said he lives about three (3) miles from there on Secrest Shortcut. He said he is okay with the project but the piece he is not real comfortable with is the vinyl. He asked if they could just do Hardie board all the way around and use vinyl for the trim. He asked how much is that going to kill your bottom line. Mr. Loyd said as the Planning Board you can put this condition on approval.

Chairman asked Keri if there was a grocery store, a Harris Teeter, at some point in time that was zoned in that node. Chairman was told he was thinking about Stinson Crossing in Indian Trail.

Mr. Loyd said we can do Hardie board but it is a matter of price sensitivity and trying to be available to as many residents of Monroe and those that can come into Monroe. He said if this is the sentiment of the Board, we can commit to that.

Richard Ali asked Mr. Loyd if the same product was built somewhere else in Union County. Mr. Loyd said not in Union County. He said we built it elsewhere in Mecklenburg County. He said there is a project approved, but not yet permitted, in Indian Trail. He said this will be prototyped in Tega Cay. Mr. Ali asked if they were the same elevations and materials. Mr. Loyd said somewhat, the elevations can vary. He said it would be the same footprint of the plans. Mr. Ali asked Mr. Loyd for the price point on those homes. Mr. Loyd said the price point is still in the mid-\$200,000's.

Jennifer Smith asked if the school system had any mobile units outside because she noticed that they said they are currently at 91% capacity. Chairman said they do have mobile units and they will continue to put learning cottages out there until they can't put learning cottages out there. He said then the County Commissioners will get together and do a bond referendum and they will either expand or build a new school.

Mr. Loyd said there is not much of the City of Monroe in the Porter Ridge High School District, the north side of Hwy 74. Jennifer Smith said it is a popular school. Mr. Loyd said it is a great school and that is why he is knocking on your door. He said this offers an opportunity for a diverse price point in that area. He said they are building and they have been approved on other projects, including Poplin Grove. He said they are building there and will be solidly in the mid-\$300,000's and probably above that. He said this is a mix that they are bringing to the community. He said there is another community called Stallings Brook that they are going through and that is in the permitting process right now and it has been rezoned. He said it will be somewhere probably in the middle.

John Ashcraft asked if the mid-\$300,000's price point would work there. Mr. Loyd said no. He said the price per square foot would be extremely high like uptown Charlotte. Mr. Ashcraft said to Mr. Loyd that he just said he was doing it right down the road. Mr. Loyd said not for the same product, for bigger houses. He said these are single-family, detached units, they are big (50-foot wide), and there is less density. Keri said that staff would say that single-family detached is not consistent in that location because of the

Regional Mixed-Use. She said the priority uses are multi-family, commercial, and mixed-use in those centers. Mr. Loyd said townhomes are specifically called out in your Land Use Plan with the Regional Mixed-Use Centers.

Richard Ali asked Mr. Loyd if the products he was talking about were townhomes. Mr. Loyd said no. He said they are detached, larger homes. Mr. Ali said he thinks he spoke quite a bit last meeting. He said one of the problems he has is density, whether it is attached townhomes or single-family. He said he thinks we are getting pretty high. He said last month we talked about 3-4 units per acre. He said he realizes that townhouses tend to run a little bit higher. Richard Yercheck said he does not disagree but in those nodes that is what our Future Land Use Plan calls for. He said we can't put low density single-family homes in there and get what those are designed for. He said in the future we are not going to be able to draw in the commercial that we want unless we have the rooftops that we can put in those nodes. He said what we were talking about last week was outside of this node.

Richard Yercheck said staff has done a good job with our consultants who have been coming in and helping us redo the UDO so that we can get projects like this. He said the issue gets to be that if staff brings a project in and we change what they want because we don't like it, but that is what it is designed for, then who are we serving. He said, personally, he is happy it is not apartments. He said he lives three (3) miles from there.

Mr. Loyd said the question on the price points, talking about the diversity of the housing mix out there, there are a range of houses that are for sale and the projects that we have done have been higher price levels at this point. He said coming back to the diversity of housing mix, we reached out to a third-party market research firm called Metrostudy. He said they are very well respected. He said what we asked them to do is an analysis of affordability of homes in Monroe at particular price points. He distributed a copy of the analysis. He said the chart that you are looking at compares the affordability of home price points. He said it starts at \$199,000 then it goes up to \$249,000, \$299,000, \$399,000 and so on. He said this analysis is comparing Monroe to Charlotte to Weddington. He said this is based on the affordability percentage (Monroe is in blue, Charlotte is in orange, and Weddington is in gray). He said this is based on an income distribution of households in each of these areas. He said it is based on a conventional 30-year fixed mortgage with 20% down. He said what you see clearly in this analysis is as you get more affordable (our project is between the \$199,000 to \$249,000, maybe a little above that depending on market conditions) the households that are currently in Monroe can afford that price point is over 50%. He said when you get into \$300,000, \$400,000 and \$500,000, only 15% of people that live and work in Monroe can afford that price point, 85% cannot. He said for something like this with the density, it allows us to have the efficiency of a site that you can cluster, a site that has sewer and water, and direct access to the Monroe Expressway.

John Ashcraft asked why is Weddington in the analysis and not Indian Trail. He said Indian Trail and Monroe are the same size. Mr. Loyd said we can certainly provide that. Mr. Ashcraft said Weddington is a different market and they only have one (1) house per acre. He said Indian Trail is comparable to the Monroe population size. He said to Mr. Loyd that he is saying that these price points are in the market range of the people that live here in Monroe. He said because of the location of this proposed project, right there at the Bypass, why would you not consider drawing up and coming professionals out of the Charlotte market to locate here because they would have an easy way to get back in there. He said that price point is moot then. He said we are trying to attract a higher demographic, in his opinion. He said this is all immaterial because we are looking to draw up and coming professions out of the Charlotte market to relocate here and that site would be an ideal location and where you can get a higher price point on a home.

Mr. Loyd said these are smaller townhomes so the price per square foot is high. Mr. Ashcraft said if you lower the density and increase the size you can draw up and coming professionals, moms and pops, out of the Charlotte market to live there. Mr. Loyd said in his professional opinion he does not believe we can do that. He said from a market analysis standpoint to draw people out to a higher square foot price...Mr. Ashcraft asked Mr. Loyd how Indian Trail grew so big as a bedroom community of Charlotte. He said a majority of those people work in Charlotte. He said there is not a whole lot of business over there. He said to Mr. Loyd that what he is saying is that didn't work in Indian Trail. He said it is working there and you are building units there. Mr. Loyd said we have the same product that was approved in Indian Trail. Mr. Kirchner said what we are going back to is the City's planning for the area. Mr. Ashcraft said to Mr. Loyd that he is not saying that. He said to Mr. Loyd that he is saying the price point of these units is based on what the people living in Monroe could afford. He said to Mr. Loyd that he is not saying drawing somebody from another market to come live here.

Mr. Kirchner said you have to have something to start with. He said he is a resident of the City of Monroe, he lives right down street. He said he understands exactly what Mr. Ashcraft is saying. He said you have to have rooftops. He said if you only have Iron Peddler's and storage places you are not going to have those bigger projects coming. He said you have to start with something and build your way up to it. He said that is why the City has these nodes for that purpose. He said you can start with density there and work as you get to the middle to more commercial. He said you spread out of the nodes to less density.

John Ashcraft said if he was a developer and he was looking at that geographic location, right near a Bypass with access straight into Charlotte, for professional workers, you could certainly go for a higher price point. Mr. Kirchner said, for example, the Wingate master students just graduating are looking for that entry level house. He said we have other areas we can do higher-end houses. He said you have to have something of everything.... Mr. Ashcraft said this Board has been approving that. Mr. Kirchner asked if they were \$200,000 homes. Mr. Ashcraft said yes. He said he does not know how many are pending but there are a lot of them.

Chairman asked if there were any further questions. John Harris said he agrees with John Ashcraft. Edith Covington said she agreed as well.

Chairman asked if there was anybody else who would like to speak in favor of this project.

Keri asked to read an e-mail she received from Cynthia Hinson today:

Dear Ms. Mendler,

My husband, Rich Ansite and I are the property owners next to the proposed project referenced above.

We did want to insure that our comments in favor of this project are noted, as we will be unable to attend the planning meeting tonight.

Thank you.

Cynthia Hinson

Keri indicated on the map the property owned by Ms. Hinson.

Mr. Jess Perry, Walt Perry Realty, thanked everyone for letting him speak. He said they represent the Funderburk family. He said they (the Funderburks) were very selective in who was going to buy their property. He said they represent the property owners in most of our dealings because they want the property owners in Union County to get a fair deal. He said he has been working with M/I Homes, representing the owners, for about three (3) years. He said they do a good product and are very good to deal with. He said they have also been working with M/I on the Stallings Brook project. He said they believe that to be a good project. He said M/I has been very patient in developing that project (76 acres).

Mr. Perry said being in commercial real estate on a day-to-day basis they are fortunate they get calls from all over the country. He said this is one of the few intersections in the entire County that will have a product that will serve everybody and be in the best interest of everybody.

Mr. Perry said the other intersection close by is Unionville-Indian Trail and Secrest Shortcut. He said Mr. Ashcraft asked why Indian Trail developed so quickly. He said it is because they are closest to Charlotte. He said anybody who is on the west side of Charlotte, closest to Mecklenburg County, naturally has been the area that will develop first because they have so many people who work and travel in Mecklenburg County. He said they want to get to Mecklenburg County as quickly as they can. He said he is sorry Indian Trail was not included in the analysis. He said he understands what Mr. Ashcraft is saying.

Mr. Perry said the Bypass has opened up tremendous opportunity for Monroe because when we have a developer call about a commercial development they are told that this place (Monroe) is green and there aren't enough rooftops around here. He said you have to start somewhere. He said as far as the price points and what we see in our expanse, it is right along the lines of what we believe would work very well. He said it is not for just people in Monroe, but also for people who are living in Charlotte. He said what usually happens in commercial development is that you will have residential come in first. He said not many people will want a \$500,000 house right there. He said that is too close to the intersection. He said we will get income levels of all sorts of people and you will have higher density closer to the intersection. He said as you get away from the intersection you will have lower density and maybe some of those \$500,000 homes.

Mr. Perry said that is why he believes, as far as the price point is concerned, a \$200,000 - \$250,000 townhome would suit millennials, young professionals just getting started would suit them just perfectly.

Mr. Perry said he believes the City's plan is an excellent plan and as far as the density is concerned it is right on. He said it is good to have a mixture of all price levels. He said townhomes are a good thing and it is an excellent spot for this particular project.

Chairman asked if anyone had a question for Mr. Perry. There were no questions.

Mr. Loyd said there was a question about starter homes and the quality of these homes. He said he wanted to assure you that the quality of these homes is very high. He said M/I Homes has the wherewithal to deliver a quality community. He said they are traded on the NY Stock Exchange. He said every house that they build and sell comes with a 15-year transferable structural warranty. He said he does not know any other builder like M/I Homes that is doing anything like that. He said every house that they do is energy efficient. He said they have an in-house customer care team. He said he spent a lot of time with the Land Use Plan. He said some of the concerns of the neighborhood was upkeep. He said they would charter with this a Homeowner's Association that would maintain a high community standard in here. He said they charter this and ultimately it gets turned over to the neighborhood. He said these are solid houses. He said these are not cheap homes. He said these are very nice townhomes that M/I Homes delivers. He said he

hopes that you can get out and see some of our other neighborhoods to get a feel for the fit and finish of M/I Homes that we currently build in Monroe.

Renee Hartis said to Mr. Loyd that she felt the Board wants something that is high quality and very attractive. She said the elevations all really look the same except for different colors. She said Lake Park has some adorable townhomes and they have some character. She said there are different looks and they are not just several buildings that all look the same.

Richard Ali said we got the same “cookie cutter” homes last month. Renee Hartis said yes, but she was talking about this particular project. She said they all look exactly the same except for color. She said she didn’t know if money was the problem. Mr. Loyd said there is a mix of materials that would be required with these houses. He said there is brick and stone on some elevations. He said there are combinations of hardi plank shake, board and batten, and traditional laps. He said there is a mix out there. He said there is good articulation on the front of these homes. He said we feel that it’s a very nice looking project. He said landscaping and open spaces would be very attractive and very inviting for folks. He said they have been doing this a long time. He said the company has been in business for over 40 years. He said if we don’t do a good job and are not a good neighbor, then we don’t sell houses in other neighborhoods.

Edith Covington asked about visiting a project that M/I Homes had developed so she can see for herself the work that you do. She said she can rest better when she makes a decision. Chairman said to Edith she should get with Mr. Loyd to get some information.

Richard Ali said to Mr. Loyd that he gave a price range for the 172 homes that are being built. He asked how many of the homes are at the bottom of the price range and how many are at the top. Mr. Loyd said we won’t know until about 2022 when we start building homes so prices will fluctuate. He said prices rarely go down, but the square footage range is north of 1,300 square feet to 1,700 square feet. He said we will not likely know this until we get there. He said part of it is actually when we do the engineering and design of the neighborhood because if you hit rock somewhere you have to be able to absorb that cost. He said this has an impact of what ultimately the final price is going to be. He said probably the base pricing will be in the \$225,000 range on the lower end to maybe around \$250,000. He said options will be on top of this and increase the price from the higher \$200,000’s to approaching \$300,000. He said it depends on the customer.

Richard Ali asked what were the comments from the attendees at the neighborhood meeting. Mr. Kirchner said he did not recall any opposition. He said most of the questions were about the stormwater pond. He said there is a stream that goes through the property and they didn’t understand how stormwater ponds work. He said they thought the discharge would go to another property. He said nothing against the project, just clarifications.

Edith Covington asked if there would be a community center at the site. Mr. Kirchner said no.

Renee Hartis asked if there would be a fountain. Mr. Kirchner said it is possible, but until it all gets engineered they won’t know.

Richard Ali said he just wanted to comment that he hears the phrase “starter home” a lot and he hopes we get away from every community being built being classified as “starter homes” and priced as such.

Jennifer Smith asked what the HOA fees would be. Mr. Loyd said we don’t know this yet. He said they have to go through the permitting process and budget the landscaping, irrigation, etc. He said he does not

anticipate that it would be prohibitive. He said these are townhomes so there will be some shared costs like insurance in the fees that are typical to townhomes.

Chairman asked if there was anyone else that would like to speak in favor of this project. There was no one.

Chairman asked if there was anyone who would like to speak against this project.

Vickie Greene said she was concerned with the school system. She said she understands that all of the developments that are coming in with these starter homes will be sending their kids to schools. She said with all these projects we have going on, and all these kids that will be coming, it would be nice to know if someone was playing with the possibility if we are going to have land to build new schools or are we going to sell all of this property to developers to build houses.

Chairman said right now, as it relates to Porter Ridge, that school was designed to be expanded from the very beginning. He said they can add wings to that school as they need to. He said there is also room at Porter Ridge on that whole site between the Elementary, Middle and High School to start another project to make the school bigger. He said the other part that they can do with the schools because they are designed in a way to add wings, they can also go up. He said this will be up to the County Commissioners and the School Board. He said Piedmont is a little tighter but there is also land out there that County could purchase.

Chairman said for this Board, it's part of a thought process and it is not part of our consideration because it is the County and Board of Education that decides when density gets to be such that they are going to stop putting trailers out there and they will then build. He said they will have to decide how they are going to fund this. He said it is generally through a bond referendum. He said if this happens, we will all see our property taxes go up. He said to Vickie that he understands where she is coming from but until the schools are over-capacity for a long period of time, then it's going to be difficult. He said they are not going to build a new school in anticipation of people coming.

Vickie Greene said she understands that but there were statements made "build and they will come" and that this is the County's problem. Chairman said the Board of Education and the County Commissioners are due to have their demographic study redone, but the demographic studies that the Board of Education are working from show a decline in our school system over the next six (6) years. He said our largest bubble that went through our middle schoolers and high schoolers is about a year out. He said our school system theoretically has peaked according to the demographics study that they are working off of right now. He said they should be, next year or the year after, redoing that demographic study and all of this will come into account. He said Don Ogram is constantly talking to the City and County and is consistently being updated on new permits. He said as the new permits come in, they'll factor that in as it relates to their planning. He said this project is probably five (5) or six (6) years away from being completely built out. He said if the demographic study that the Board of Education is working on now is correct, we will see a decline in Porter Ridge, Piedmont and Poplin, and these people will come in and they will backfill those.

Vickie Greene said all the other developments that we have already approved will be coming into play...Chairman said over a five (5) year period of time. He said they are all still breaking ground.

Vickie Greene said it is really important that we try our best to look out for these kids. She said the parents are going to be buying these homes and taking their kids to school that have multiple trailers and are overcrowded. She said the one thing that is a selling point for Union County is our schools. She said it is our obligation to look out for the children.

Chairman said he understands this and our charter as Planning Board is that it is a thought process we should always have because it is not something that we should ever forget. He said as it relates to that enterprise zone and as it relates to what our Board responsibility is, we cannot take on the County's responsibility. He said the County knows that this is happening all over the County, and they are having discussions now about making sure that they can do that. He said the Board of Education is having discussions as well.

Vickie Greene said she wanted to be clear. She said she is not against this project specifically. She said she is speaking of all the other projects that have already been approved. Chairman said he completely understands. He said the other issue that we run into and we have talked about generally at the end of a meeting when we have adjourned is until we have more rooftops East of Hwy 74, we are not going to get new people in the mall and we are not going to get new grocery stores. He said there is too much green out there. He said part of the purpose of having the Bypass go through part of the City and putting these enterprise zones in was so we could do exactly what is happening right now. He said this is a direct effect of the planning from this Board, changing of the UDO and what is going on with City Council. He said we've got to have rooftops first. He said the \$500,000 homes don't come first. He said the \$250,000 homes come first. He said if you look at Forward Monroe, if you look at our Land Use Plan and how these enterprise zones are supposed to be designed, we are doing what the plan is. He said he is all about the schools and has been for a long time. He said he has fought real hard for them and continues to.

Vickie Greene said we cannot be a decision-maker in what the plan is, but she does not think that she can sit here and not voice her concerns. Chairman said to Vickie that he supports and appreciates the fact that is something that you are passionate about. He said, however, that it is not something that should hold us back from following through with what our Land Use Plan and what those enterprise zones were designed to do.

Doug said the school information in the staff report is directly copied and pasted from Don Ogram. Also, he said the list of subdivisions that you see in the staff report were not all approved by the City of Monroe. He said it represents projects approved by Union County, projects approved by Unionville and projects approved by the City of Monroe. He said the bulk of those projects are not subdivisions approved by the City of Monroe.

Vickie Greene said this information is gathered from the schools. She asked Doug if this is just taking into account this project being presented to the school or is the school getting that percentage from the already pre-approved projects plus this. Doug said those numbers and the subdivisions that are there are built into that percentage. He said he has spoken with Don Ogram on these percentages. He said Don Ogram said that if a school is over 100% capacity, they do not cut off students attending the school from new subdivisions being built but do not take any transfer students. He said the school system has a "school of choice" where a student can go to any school as long as the student provides transportation. He said once the schools reach its breaking point it will act.

Richard Ali said that Union County is currently working on the Union County 2050 and he knows that there is a big water problem in the County now. He asked Chairman if the schools are part of that 2050 Plan. Chairman said density and school planning are a part of the 2050 Plan. He said the school system will have its own 2050 Plan. He said they are running 5, 10 and 20 year plans.

John Ashcraft said he is not happy with the density on this project. He said he thinks it is high. He said it seems that every subdivision that we get that comes through here is maxed out. He said the developers go for the highest number of units and the quality is not what he considers admirable. He said no disrespect

to Mr. Loyd, he said he is sure his product is the greatest product in the region. He said the vinyl is not going to happen. He said he has served eight (8) years on the City Council and then the Planning Board and he has never seen any development on Secrest Shortcut that came before us that had no opposition. He said there is no opposition to this project from the neighbors so it appears that the neighbors are happy with it and he has not seen this before. He said it is unusual.

Chairman asked if anybody has anything else they would like to say before he asks for a motion.

Mr. Loyd said he has one more thing to say. He said if there is a motion for approval and you wanted to add a condition for the vinyl siding on the sides and back we would be willing to do that. Doug said yes, it would be no vinyl except for the eaves and soffits. Mr. Loyd agreed.

Chairman asked for a motion on this proposal to either recommend approval or denial of the adoption of the Resolution of Land Development Plan Compliance.

Ashley Britt said if the Board wanted to add a condition, this is the appropriate place.

Motion: John Ashcraft made a motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance with the condition that vinyl be excluded as a building material except for the eaves and soffits.
Second: Edith Covington
Action: The motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance with the condition passed with opposition from Vickie Greene.

Chairman asked for a motion on the Ordinance amending Section 156.98 – Conditional Districts Established and Section 156.106 – Official Zoning Map.

Motion: John Ashcraft made a motion to recommend the adoption of the Ordinance amending Section 156.98 - Conditional Districts Established and to recommend the adoption of the Ordinance amending Section 156.106 - Official Zoning Map.
Second: Edith Covington
Action: The motion to recommend adoption passed with opposition from Vickie Greene.

Item 4. Zoning Map Amendment request for a Conditional District “EC Customs” for the property located at 1749 Williams Road (Parcel ID #: 09-261-005G)

Keri Mandler, Planner, introduced this item. She said she is here to present a Zoning Map and Text Amendment for the property located at 1749 Williams Road. She said the request is to rezone the property from General Industrial (GI) to Conditional District “EC Customs” in order to add retail sales as an allowed use on this property. She said the property is West of Williams Road, and Nelda Drive branches off the road.

Keri said as she mentioned the property is currently zoned General Industrial (GI). She said to the North and South is General Industrial (GI), to the East is CD “Union Baptist Association”, to the West is CD “1717 Williams Road”.

Keri said the applicant is requesting a rezoning in order to add retail sales as an allowed use at this site. She said there is an existing 9,600 square foot building with paved parking on site and there are approximately 32 striped paved parking spaces in front of the building.

Keri said the Land Development Plan indicates this property is located in the Manufacturing, Logistics and Aerospace/Industrial area. She said these areas support manufacturing and production at a variety of scales, including assembly and processing, warehousing and distribution, bulk storage and utilities. She said clusters of uses that support or serve similar industrial uses typically locate nearby.

Keri said that staff does think that the proposal is consistent with the Land Development Plan and it is reasonable and in the public interest.

Keri said staff will post the property and notify all the property owners within 150 feet of the subject property ten (10) days prior to the public hearing.

Keri said she would be happy to answer any questions and the applicant is here as well.

John Ashcraft asked what kind of retail will there be. Keri said she believes that they sell guns and gun parts. She said she would let them address this. Applicant said sporting goods.

Chairman said there is a small gun store there now with fabrication in the back.

John Ashcraft asked if there was an indoor shooting range. Applicant said no.

Mr. Scott Ferguson came forward and said he would be working for Ed and Tommy Helms.

John Ashcraft asked Mr. Ferguson what kind of sporting goods. Mr. Ferguson said firearm sales, all parts and accessories. He said with Gander going out of business, Walmart taking their stand and reducing inventory, the only place in Monroe and Union County to buy firearm parts and accessories is pawn shops or drive all the way out to Matthews. He said they are poised in a unique area to be able to come out and supply Monroe and specifically Union County.

John Ashcraft asked Doug if that location would be suitable for an indoor firing range. Doug said this would be more for building code. He said if it was outside there may be an issue. He said there is an indoor shooting range in Mooresville right off of Hwy 150, right there by other businesses. Renee Hartis said there is one in Matthews right off Monroe Road. Mr. Ferguson said they both are the same company called "Point Blank Range".

Chairman asked Mr. Ferguson to talk about the expansion plan since right now it is a small store. Keri said the rezoning is just to add retail sales. She said if they wanted to come back and do an indoor shooting range, that would be a Conditional District.

Richard Ali said to Mr. Ferguson that he had said the store would be for sporting goods. He asked if it would be just guns and parts. Mr. Ferguson said ammunition, holsters, accessories, hunting accessories, clothing, camouflage, etc.

Mr. Christian Helms came forward in favor of the project and said his parents were business partners at this venture.

Chairman asked if there were any questions for Mr. Helms. There were none.

Chairman asked if there was anyone else who would like to speak in favor of this project. There was no one.

Chairman asked if there was anyone else who would like to speak against this project. There was no one.

Chairman asked for a motion on this proposal to either recommend approval or denial of the adoption of the Resolution of Land Development Plan Compliance.

Motion: John Ashcraft made a motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance.

Second: Edith Covington

Action: The motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance passed unanimously.

Chairman asked for a motion on the Ordinance amending Section 156.98 – Conditional Districts Established and Section 156.106 – Official Zoning Map.

Motion: Renee Hartis made a motion to recommend the adoption of the Ordinance amending Section 156.98 - Conditional Districts Established and to recommend the adoption of the Ordinance amending Section 156.106 - Official Zoning Map.

Second: Richard Ali

Action: The motion to recommend adoption passed unanimously.

Item 5. **Other**

There was no other business.

Item 6. **Adjournment**

Chairman said if there are no further questions, he would entertain a motion at this time to adjourn.

Motion: Edith Covington made a motion to adjourn the meeting.

Second: John Ashcraft

Action: The motion to adjourn passed unanimously.

The meeting was adjourned at 7:28 pm.

Respectfully Submitted,

Richard Yercheck, Acting Chairman
Planning Board

Maryann Brown
Secretary to the Board

PLANNING BOARD MEETING

July 22, 2020 @ 6:00 PM

City Hall – Conference Room

300 W. Crowell Street, Monroe, NC

To Sheri Laney on July 23, 2020

Scheduled for adoption at the August 2020 meeting

Item 1. Call to Order/Roll Call

Vice Chair Mary Ann Rasberry called the July 22, 2020 meeting to order at 6:00 p.m. Keri Mendler called the roll. Vice Chair noted that a quorum was present.

Members Present: Mary Ann Rasberry, Richard Yercheck, John Harris (late), John Ashcraft, Renee Hartis, Richard Ali and Jennifer Smith (alternate)

Members Absent: Russ Asti, Edith Covington and Vickie Greene

Staff Present: Doug Britt, Senior Planner; Keri Mendler, Planner; Ashley Britt, Assistant City Attorney (Zoom); Maryann Brown, Administrative Assistant (Zoom)

Guests:

Item #1 – “Waxhaw Landing”/Waxhaw Highway/Highway 75

John Ross, Eagle Engineering, Inc.

Matthew Kirchner, Eagle Engineering, Inc.

Charlton Plyler, Monroe Township Farms, LLC

Item #2 – “Jonhaven Townhomes”/N. Rocky River Road

Matthew Villmer, Edge 5 Realty

Scott Swierski, Edge 5 Realty

Item #3 – “Founders Point”/Highway 74/James Hamilton Road

Matt Mandle (ESP Associates), Pulte Homes

William Morris, Pulte Homes

Fred Matrulli, Pulte Homes

Drew Ritter, Ramey Kemp and Associates

Tina Groesbeck, 2722 James Hamilton Road, Monroe

Mary Thompson, 810 S. Potter Road, Monroe

Wesley Thompson, 810 S. Potter Road, Monroe

Terry Richardson (broker)

Brian and Schaine Carter

Item 2. Approval of Minutes of Meeting

Motion: John Ashcraft made a motion to adopt the minutes of the March 4, 2020 meeting and the Staff Notes from the Special Meeting with Planning Board and City Council of February 26, 2020.

Second: Richard Ali

Action: The motion to adopt the minutes passed unanimously.

Item 3. Annexation of 169.47 acres located along Waxhaw Highway and further identified as Parcel ID #09-351-014

Item 4. Zoning Map Amendment request for Conditional District “Waxhaw Landing” for the property located along Waxhaw Highway and further identified as Parcel ID #09-351-014

Keri Mendler, Planner, said tonight she would be presenting two (2) separate items under one (1) presentation. She said the first item is an Annexation request and the second item is a Zoning Text and Map Amendment request.

Keri said the applicant is requesting an Annexation and Conditional District rezoning in order to develop a 500 single-family lot subdivision. She said the total area of the project is 169.47 acres with 49.08 acres left as common open space. She said the density of this project is 2.95 units per acre. She said the property is one (1) parcel located south of Waxhaw Highway.

Keri said the subject property is currently zoned RA-20 and RA-40. She said it is located in the County and there is an Annexation request. She said the adjoining zoning is also RA-20 and RA-40.

Keri said the applicant is requesting a rezoning in order to develop 500 single-family lots. She said the total area of the project is 169.47 acres. She said the density is 2.95 units per acre. She said the minimum lot size is 6,000 square feet with 7,628 square feet as the average lot size. The proposed setbacks are 25 feet for the front and rear, 5 feet for the side and 10 feet for the corner side lots.

Keri said the project is required to have at least 12.5% of open space which would equal 21.83 acres. She said the total area of open space provided is 49.08 acres or 29.5%. She said the open space will include a clubhouse and pool and several pocket parks which will have walking paths, park benches, exercise equipment and/or playground equipment.

Keri said there are a couple of blue line streams on the site plan and they will provide the required 50-foot stream buffer. She said there will be street trees provided at a rate of one (1) per lot and all houses will have at least two (2) yard trees provided prior to the CO. She said landscaping will also be provided along Waxhaw Highway.

Keri said each home will have a minimum of a 2-car garage. She said all front load garages will have carriage-style trim and/or hardware that mimics carriage-style doors. She said driveways will accommodate at least four (4) vehicles.

Keri said there will be 5-foot wide sidewalks along both sides of the interior streets throughout the development. She said an 8-foot sidewalk will be provided along Waxhaw Highway.

Keri said the development will have two (2) entrances on Waxhaw Highway. She said there will be a right and left turn added to the western entrance and a left turn lane will be added on the eastern entrance. She said due to the number of lots, this development was required to do a Traffic Impact Analysis (TIA). She said there were some other various offsite improvements outlined in your staff report as well.

Keri said the developers are proposing that the homes will be a minimum of 1,400 heated square feet. She said the proposed exterior building materials will include fiber cement, stone, stucco and/or brick. She said vinyl will only be used for trim work. She said the front façade will also include a mix of materials with a minimum of 25% being brick, stone or stucco.

Keri said the development falls within the Walter Bickett Elementary, Monroe Middle and Monroe High Schools for the 2020 and 2021 school year. She said as far as neighborhood notification, the applicant did hold a neighborhood meeting on June 28, 2020 at Grace Baptist Church. She said two (2) individuals attended this meeting. She said a summary of the meeting was prepared and is in your packet for your review. She said in addition, a zoning notification sign will be posted ten (10) days prior to the public hearing. She said an official rezoning notification will be sent to the adjacent property owners located within at least 150 feet, ten (10) days prior to the public hearing.

Keri said the Land Development Plan does indicate this area as Suburban. She said that while residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. She said the density for Suburban residential is 2-4 units per acre, and the proposed project is consistent with the Future Land Use Plan

Keri said staff recommends approval of the rezoning and she would be happy to answer any questions you might have.

Vice Chair asked if there were any questions for Keri.

John Ashcraft said that the applicant is proposing 2.9 units per acre. He said the zoning is currently either R-20 and R40. Keri said correct, it has a split zoning. Mr. Ashcraft said if they followed the R-20 guidelines for development, would they still have to come for a Conditional District. Keri said this property is located in the County right now so it is an Annexation. She said she does not know what the County's requirements are if they were to develop in the City. Mr. Ashcraft said if the applicant develops the property as R-20...Keri said 20,000 square foot minimum lots would not come before the Planning Board. She said this Board would not have a say over minimum house size or exterior materials. Mr. Ashcraft said he understands all of that. He said just because we approve the Annexation, it doesn't force us to approve the development. He asked if that was correct. Keri said it would ultimately be up to City Council to make that decision, but it is correct that they could annex the property and not approve the rezoning. She said it would have to be rezoned to something within a certain time period if it was annexed.

John Ashcraft said he was asking all of these questions for his own clarification. He said to approve the rezoning means that you do not mind the development being in the road. He said if you do not approve the actual development, then there are certain conditions that we are not happy with. Keri said she is not sure she understands the question. Mr. Ashcraft asked if we could approve the Annexation but not approve the Conditional District. Keri said correct.

Vice Chair asked if there were any other questions. There were none.

Vice Chair asked if there was anyone who would like to speak in favor of the proposal.

Mr. John Ross of Eagle Engineering came forward and introduced Mr. Matthew Kirchner with Eagle Engineering and Mr. Charlton Plyler representing Monroe Township Farms, the owner and applicant of the property. He thanked the Board for allowing everyone to speak tonight. He said it is always a challenge following a presentation made by the City of Monroe. He said staff here is very thorough with their technical review, so much so where we have been through the Technical Review Committee and we have been through a couple of iterations of the site plan to get to this point. He said Keri steals all of their thunder and excitement when it comes to a presentation.

Mr. Ross said this site is primarily an agricultural use right now. He said the southeast corners have some wooded areas. He said there are some fairly significant trees. He said their goal is to save as many

significant trees because that is the dome of the site, the hot point of the site or the beacon. He said that is where they are proposing to have the clubhouse and swimming pool. He said their goal is to work that design around as many of those significant trees as we possibly can.

Mr. Ross said there are a couple of blue line streams that were noted on the site and a few wetland areas. He said we have reworked our site plan to avoid those areas.

Mr. Ross said we have done a full traffic impact analysis. He said there were a total of 12 intersections that were studied including our two (2) access point. He said there were some recommendations for improvements all along the frontage of the site, as well as our two (2) access points. He said there are three (3) other locations off-site. He said the developer has committed to making all of those off-site improvements as part of this development. He said they are all outlined in the upper left corner of Sheet RG2.

Mr. Ross said we did a full wetlands assessment on the site. He said their consultant did meet with the Army Corp of Engineers and gained their concurrence. He said, again, they made modifications to the site for avoidance of wetlands rather than mitigation.

Mr. Ross said because this plan is also working with site topographic conditions, we are working to maintain the existing ponds and areas of established trees, and also working to minimizing grading and maintaining as many of those trees as possible.

Mr. Ross said Keri went through most of the amenities, but we will have a centralized clubhouse and a pool complex. He said the 49 acres of common open space and pocket parks will include walking paths, park benches, exercise equipment and/or playground equipment.

Mr. Ross said Keri also went over the elevations. He said all of the notes identify the 1,400 square foot homes with brick, stone, stucco, no vinyl. He said 25% of the frontage of every home will be either brick, stone or stucco. He said if there are vinyl materials to be used, they would only be allowed for trim work. He said slab foundations, as opposed to crawl spaces, will be required to have four (4) courses of brick extending up the face of that slab. He said the frontage of each home will have articulation meaning that no more than 24 linear feet of that frontage will be without a break. He said all of the front-loaded garages will have carriage-style trim.

Mr. Ross said their plan is consistent with the Future Land Use Plan. He said we are meeting and mitigating all the traffic impacts generated by this site. He said we are avoiding wetlands. He said we are working with the natural constraints of the site. He said they are very pleased that City staff is finding that there is a favorable recommendation and that there is a statement of consistency to be made.

Vice Chair asked if there were questions for Mr. Ross.

John Harris asked Mr. Ross what his build-out time would be. Mr. Ross said it would be about ten (10) years.

John Ashcraft asked Mr. Ross what is the timeline for the amenities to be put in place. He asked if the project was to be completely built out. Mr. Ross said not completely built out. He said it is normally driven by the developer and market conditions. He said normally you need about 100 units in place before something like the pool complex will be built. He said within each phase, where there is a pocket park or an amenity associated with that phase, they would be built concurrent with the phase. Keri said staff has

started requesting the requirement that the commencement of the main amenities start with 50% of occupancy of the subdivision. She said staff will stop giving COs until the commencement of the main amenities start. Mr. Ross said in this case we would want to commit that it would be sooner than that. Keri said that is the threshold on the site plan and agreed to.

Richard Yercheck said to Mr. Ross that it is a minimum of 1,400 square feet. He asked how big are you going to go and what are your price points looking like. Mr. Ross said the price point for entry level, being a 1,400 foot-home at a minimum, would be starting in the mid-\$250,000s and as we open up, the high \$300,000s (\$380,000, \$390,000). He said the larger homes might be in the 3,200-square foot range. He said some of the homes (with the 3-car garage) are the 3,200 to 3,500-square foot type.

Richard Yercheck said his daughter just graduated from Monroe High School and he knows for a fact that it is a Title 1. He said so is Walter Bickett and Monroe Middle. He said there is no foreseeable change to that. He asked Mr. Ross how this would affect this build-out and a \$300,000 house. Mr. Ross said that is a very fair question. He said market analysis says this area in particular (the western side of Monroe) is a growing area. He said there is demand and need. He said not everyone who lives in one of these homes will necessarily work in the City of Monroe—he said Weddington, that direction. He said GAP analysis tells us that this is the sweet spot and this is the demand.

Richard Yercheck said this subdivision will be in the Monroe cluster. He said the Monroe cluster is still having difficulty. He said one of the issues we run into with getting people to move into the Monroe area is they don't like the schools. John Ashcraft said students have the opportunity to opt out but they cannot do that in Monroe now. Richard Yercheck said Samuel Clemens had a saying "There are lies, there are damn lies and there are statistics." He said they have the opportunity to opt out. He said to Mr. Ross that he is excited that you want to do this in Monroe. He said with the ten (10) year build-out, he wanted everyone to understand some of the challenges. Mr. Ross said they recognize that a lot of good things could happen in ten (10) years.

John Ashcraft said right around the corner on M.L. King, on the Secrest Family Property, about 350 single-family homes were approved. He said multi-family has been taken out of it. Keri said she had not been involved with this project.

Vice Chair said that we've been told previously that houses that you build are based on the client's choice. She said to Mr. Ross that if you don't have anybody that comes in and says they want one of the 3,500-square foot homes, could you end up with all starter homes. Mr. Ross said very unlikely but he said the minimum is a 1,400-square foot home which we anticipate will be a \$250,000 home. He said he is not sure that this qualifies as a starter home, but that would be a lower end in this community. Vice Chair said it could be that everyone that comes before you may want the smaller home or lesser expensive of the homes. She asked the applicant if they had a limit on the \$250,000 homes. Mr. Ross said it would be market-driven. Keri said if the Planning Board is concerned about that, you have the ability to make the recommendation limiting the number of 1,400-square foot homes. She said to be honest, that is hard for staff to keep track of but that is an option.

Richard Yercheck said you would want to sell as many of the bigger houses as possible...Mr. Ross said there is a mix of 51 and 61 or two (2) different types of lots. He said the lots around the perimeter are a little bit larger lots. He said the lot prices will drive the home price up. He said normally the lot price is about 22% of the new price home. He said the lots themselves would work toward increasing that number. John Ashcraft said the lots on the water would be a little bit higher. Mr. Ross said yes, any of the premium

lots backing up to the tree-save or common areas or some of the larger interior pod lots, certainly they would be premium lots.

Richard Yercheck asked how do we limit, in 20 years, the amount of rentals that could potentially show up. He said as we hear from the community, Planning Board and City Council, we have too many rental homes in Monroe. He said how do we keep some of these corporations from coming in and buying homes and making rentals out of them. Mr. Ross said we are not building a rental product; we are building a home product for sale. He said we only have the control of that to the point that it is sold to an individual.

Richard Yercheck asked if we could put something in the HOA that limits or excludes rental. Mr. Ross said we would have to talk to an attorney on that.

John Ashcraft said his son lives in Charlotte in Myers Park. He said he is in a condo. He said he thinks the maximum number of units that can be non-rental is like 10%. He said once you reach that level, you cannot rent to anyone. Mr. Ross said the question is how to enforce this. He said they would be willing to work with staff on this. Mr. Yercheck said what your HOA does, we cannot control but he is excited that we are putting in a quality product in Monroe. John Ashcraft said he appreciates all the amenities. He said we get these things all the time and nobody adds anything.

Vice Chair said while we are discussing the HOA, she asked Mr. Ross about street parking. She said the streets are only about 20 feet. Mr. Ross said the streets are consistent with the subdivision design requirements of the City. He said we are also providing that every driveway will be allowed to park four (4) cars in addition to the 2-car garage. Vice Chair asked if it could be put in the HOA rules that you cannot park on the street. Mr. Ross said he does not believe that an HOA can enforce that but certainly we can put that in there. Vice Chair said if there is a car parked on both sides a fire truck cannot get down the street.

Vice Chair said to Mr. Ross, on the homes per acre, when you take out the 49.08 acres of common ground of the 169.47 acres with almost 3 houses per acre, then you are looking at about 4.15 houses. Mr. Ross asked Vice Chair why she would take out the common area. Vice Chair said the way the houses look when you drive into the subdivision...Mr. Ross said the goal is to cluster the homes and create more community open space. Vice Chair said on the front of the property it says that the lots will take up 87.50 acres which then drives the appearance of 5.7 houses per acre. She said when you are driving in they are pretty close. Mr. Ross said that does not account for the fact that there are street rights-of-way. He said that 89 acres are purely the individual residential lots, not the subdivision less common open space. Vice Chair said when you look at the houses, side-by-side, it is the visual and it makes a difference on how it looks.

Vice Chair asked if the houses were ten (10) feet apart. Keri said the setback proposed is 5-feet for the side.

Richard Ali asked Mr. Ross for the reactions of the two (2) people that attended the neighborhood meeting. Mr. Ross said both people lived across the street on Midtown Road. He said one (1) gentleman is, he believes, the owner of Elizabethan Gardens and he was more interested if this project would get him utilities for his property. He said the man said he did not want to oppose the project; he was just interested in what was going on. He said the other person was a resident who expressed concern that during construction there would be noise.

Vice Chair asked Mr. Ross if he had an average home size he would like to see. Mr. Ross said he would like to see them all at 3,000 square feet but he did not think that was realistic. He said he thought they will be more of the 2,200-2,400 square foot range just as an average. He said this is what most new type homes are.

Vice Chair asked everyone if they would like to talk about the possible percentage of minimum square footage. John Ashcraft said he wouldn't know what to put. He said he would like it to be in there but it may be something for staff and legal counsel. Richard Ali said what is difficult is that this is a ten (10)-year project. He said who knows what the market will be like eight (8) years from now. He said it is hard to project. Keri said to that point, with a ten (10) span it has been proven to be difficult to keep up with percentages to make sure they don't go over. She said it has been difficult for staff to keep track of information for projects that were approved in the 2006, 2007 era.

John Ashcraft said with his son's condo, the HOA monitors this. Keri asked if he was referring to the rental or minimum house size. Mr. Ashcraft said the rental. Keri said we cannot regulate rental or home ownership through the City. She said they might be able to do this through their HOA.

Richard Ali said in eight (8) years from now, \$350,000 might be realistic or very unrealistic.

Jennifer Smith asked Mr. Ross if the 1,400-square foot houses are going to be interspersed with the larger homes. Mr. Ross said typically the 1,400 would be on the interior lots. He said the larger homes would be around the perimeter or premium lots.

Vice Chair asked Mr. Ross how many homes (on the site plan) would be in the orange color and how many would be in the tan color. Mr. Ross said the orange would be 276 and the tan are 224. He said not quite a 50/50 split.

Vice Chair asked if there were any other questions for Mr. Ross. There were none.

Vice Chair asked if there was anyone else who would like to speak in favor of the project. There was no one.

Vice Chair asked if there was anyone who would like to speak in opposition to the proposal. There was no one.

Richard Ali said to Mr. Ross that enrollment at the schools is 70% - 80% right now. He said this project is going to be an extended project and we have a lot of projects already approved in the same school districts. He asked how this was going to impact the schools. Mr. Ross said these enrollments are significantly lower than any of the other schools in the County right now. He said there is ten (10) years to respond and act if there is a need. He said this project doesn't even have the first children for enrollment. He said we are a year to get site grading permits to begin construction and a year and a half before the first house probably starts and probably two (2) years before there is somebody waiting at a bus stop. He said there is plenty of reactionary time.

Jennifer Smith said when you opt out of the schools, do you then have to pay whatever school you apply to a monthly fee since you are out of that district. Richard Yercheck said if you are going to opt out of your school and go to another one, you don't have to pay anything but you will have to provide your own transportation. Vice Chair said there are certain schools you cannot opt for because they are at capacity.

Vice Chair asked if there were any further questions or comments from the Board. There were none.

Vice Chair asked for a motion on this proposal.

Motion: Richard Yercheck made a motion to recommend approval of the Annexation of 169.47 acres located along Waxhaw Highway and further identified with parcel ID #09-351-014.
Second: Renee Hartis
Action: The motion to recommend approval of the Annexation request passed unanimously.

Vice Chair asked for a motion on this proposal to either recommend approval or denial of the adoption of the Resolution of Land Development Plan Compliance.

Motion: Richard Yercheck made a motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance.
Second: John Ashcraft
Action: The motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance passed unanimously.

Vice Chair asked for a motion on the Ordinance amending Section 156.98 – Conditional Districts Established and Section 156.106 – Official Zoning Map.

Motion: Richard Yercheck made a motion to recommend the adoption of the Ordinance amending Section 156.98 - Conditional Districts Established and to recommend the adoption of the Ordinance amending Section 156.106 - Official Zoning Map.
Second: Richard Ali
Action: The motion to recommend adoption passed unanimously.

Item 5. Zoning Map Amendment request for Conditional District “Jonhaven Townhomes” for the properties located along N. Rocky River Road and further identified as Parcel ID #09-342-117 and 09-342-117D

Keri Mendler, Planner, introduced this item. She said tonight she is presenting a Zoning Text and Map Amendment request. She said the applicant is requesting the rezoning in order to develop 38 townhomes. She said the total area of the project is 13.39 acres with 7.49 acres left as common open space. She said the density of this project is 2.84 units per acre. She said the property is located along N. Rocky River Road and to the northwest corner is Union Power Cooperative. She said the neighborhood behind the property is the Colonial Village Subdivision.

Keri said the subject property is currently zoned R-20 and the adjoining zoning is R-10-SU (a Special Use approved in 1998/1999). She said this is an older Special Use district that we no longer have. She said there is R-20 zoning to the north and south. She said across Rocky River Road is the GI zoning district.

Keri said the applicant is requesting the rezoning in order to develop 38 townhomes. She said the total acreage of the project is 13.39 acres. Again, she said the density is 2.84 units per acre. She said the project is required to provide at least 50% open space because it has that multi-family component to it. She said

this equals 6.69 acres. She said the total area of open space provided is 7.49 acres or 56%. She said the open space will include some recreation areas with playgrounds and fenced dog parks.

Keri said street trees will be provided at a rate of three (3) per building. She said each set of townhomes will also have two (2) trees outside of the right-of-way. She said there will also be landscaping around the perimeter of the site. She said there will also be landscaping along N. Rocky River Road.

Keri said the townhomes will all have 2-car garages and the front-load garages will have carriage-style trim and/or hardware that mimics the carriage-style doors. She said driveways will be able to accommodate at least two (2) vehicles. She said a 5-foot wide sidewalk will be provided along both sides of the interior roads throughout the development. She said there will also be 8-foot wide sidewalk along N. Rocky River Road.

Keri said the development will have one (1) full access entrance and a left turn lane will be added on N. Rocky River Road into the development. She said due to the number of lots, a Traffic Impact Analysis (TIA) was not required by NCDOT or the City of Monroe, but one of NCDOT's requirements was a left turn lane.

Keri said for the elevations, the developer is proposing the townhomes to be a minimum of 1,974 heated square feet. She said the proposed exterior building materials will include vinyl, stone and/or brick. She said the vinyl will be high quality vinyl that is at least .044 inches thick. She said the vinyl also has a backing material, must be heat resistant with UV reflective additives and must be wind resistant. She said the applicant has agreed to a minimum of 25% brick or stone on the front façade.

Keri said the development does fall within the Rocky River Elementary, Monroe Middle and Monroe High Schools for the 2020/2021 school year. She said as far as neighborhood notification, the applicant did hold a neighborhood meeting at the project site on July 17th. She said three (3) households attended this meeting, all from the Colonial Village Subdivision. She said they seemed to be accepting of the project, with no noticeable disagreement to this project during the meeting.

Keri said a notification sign will be posted ten (10) days prior to the public hearing. She said an official rezoning notification letter will be sent to the adjacent property owners within at least 150 feet of the subject property, again ten (10) days prior to the public hearing.

Keri said the Land Development Plan indicates this area is Suburban. She said a mix of housing types and sizes is preferred in Suburban locations. She said attached and multi-family housing is suitable in mixed-housing neighborhoods and activity centers. She said the density for Suburban residential is 2-4 units per acre.

Keri said the proposed project is consistent with the Future Land Use Plan. She said staff recommends approval of the rezoning with the condition that vinyl be used for trim work only. She said she would be happy to answer any questions. She said the applicant is here as well to answer any questions.

Richard Ali asked Keri about the elevations. Keri said the applicant could better answer.

Mr. Scott Swierski of Edge 5 Realty came forward and said there would be stone or brick and a 4-foot wrap with a nice ledge on it. He said each dormer would be wrapped with brick or stone. He said there would be the wrap around the front and then the dormers would be fully wrapped in stone. He said it would give it a nice appearance and also carry that work up top.

John Ashcraft asked Mr. Swierski for the square footage. Mr. Swierski said 1,974 square feet. He said they will all be similar. He said they are going to change up the buildings a little bit so they don't look alike. He said they will be three (3) bedrooms, two and a half (2.5) baths, with hardwood floors and granite. He said they will be very nice for the area.

Renee Hartis asked Mr. Swierski if he would be willing to do fiber cement or something like that instead of the vinyl. Mr. Swierski said they have discussed this with staff but they would prefer the vinyl because they are trying to keep the price point consistent with the project and the area. He said the starting price will be around \$252,000. He said they do plan on having an HOA and restrictive rentals. He said if that is a requirement (fiber cement), then yes, they would be happy to accommodate and do that.

Richard Yercheck asked Mr. Swierski how many different designs are the buildings going to be. He said right now they are all the same. Mr. Swierski said that is right, this is just an elevation for the blueprint. He said they are all going to be the same but they will change the exterior of each one. He said one may have stone, one may have brick, one may be a cream color, etc.

Richard Yercheck asked Mr. Swierski if they were all going to have carriage-style doors. Mr. Swierski said yes. He said roof shingle will probably stay the same, doors will stay the same, and trim color will stay the same.

Richard Yercheck said to Mr. Swierski that he is doing good except for the vinyl siding. He said he knows that you are working on a price point so that the profit margin is in there and we are working on what happens in 12 years. Mr. Swierski said he agreed. He said he started building when he was a little boy, Carpenter's Union, etc. He said he built many homes for himself. He said half of the problem where you see vinyl flapping off the building is because of the quality of the vinyl and installation. He said he will commit right now to do hardi-board.

Vice Chair asked if there were any other questions from the Board. Richard Yercheck said the design and the concept is good. He said it is a good fit for the space. He said he appreciates all the houses coming in but that is a needed product as well. He asked Mr. Swierski for the build out time. Mr. Swierski said 18 months. He said he has been in real estate for 25 years. He said he met Keri two (2) years ago and she is the one that brought up the Future Land Use. He said he started studying the plan. He said he discovered we do not have any townhomes and when we do get them, just outside of Indian Trail, they go very fast. He said once they receive official approval from City Council they will advertise. He said he feels they will be in and out in 18 months.

John Ashcraft said he likes the concept, it is not a huge development and making good use of the space. He said his daughter lives in Charlotte across from Blakeney. He said the condos there look exactly like these townhomes. He said he would like to recommend or encourage to designate no more than a certain amount to be rentals before going to City Council. Keri said this is something for HOA documents, we cannot regulate at the City level. She said City Council cannot make their decision on this because we cannot enforce it. Mr. Swierski said we hear you on this.

John Ashcraft said he feels that amenities are always good. He said especially for children. He said if there are none, they will be riding bikes out on the highway. He asked Mr. Swierski if this is going to be done at the beginning or after it is all built. Mr. Swierski said it is going to be as they move along. He said because there will only be 38 units and two (2) streets, it will go very fast. He said whether they sell or not will not dictate the speed of the project. He said he would anticipate being completely done from start to

finish in 18 months. He said he would anticipate the recreation area on the first street to the left will probably go within six (6) months.

Vice Chair asked if the dog park would be fenced. Mr. Swierski said yes, both will be fenced. He said the recreation areas will also be fenced and they are going to add benches.

Richard Yercheck said the next concern would be the stormwater pond. Mr. Swierski said they plan on running a fence across that as well that mimics the other fences. He said there would also be landscaping.

Richard Ali asked Mr. Swierski if \$252,000 would be the starting price. Mr. Swierski said yes but it will probably be around \$278,000 because we are going to give them some standard things, granite in the kitchen, hardwood floors, stainless steel appliances, on all of them. He said they will be able to upgrade a few things such as appliances, a door or window, or a Jacuzzi tub. He said it will raise the price.

Vice Chair asked if there was anyone who would like to speak in favor of the proposal. There was no one.

Vice Chair asked if there was anyone who would like to speak in opposition to the proposal. There was no one.

Vice Chair asked for a motion on this proposal to either recommend approval or denial of the adoption of the Resolution of Land Development Plan Compliance.

Motion: Richard Yercheck made a motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance with staff recommendations and that hardi-board be used in place of vinyl.
Second: Jennifer Smith
Action: The motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance passed unanimously.

Vice Chair asked for a motion on the Ordinance amending Section 156.98 – Conditional Districts Established and Section 156.106 – Official Zoning Map.

Motion: Richard Yercheck made a motion to recommend the adoption of the Ordinance amending Section 156.98 - Conditional Districts Established and to recommend the adoption of the Ordinance amending Section 156.106 - Official Zoning Map.
Second: John Ashcraft
Action: The motion to recommend adoption passed unanimously.

Item 6. **Zoning Map Amendment request for Conditional District “Founders Point” for the properties located along W. Highway 74 and James Hamilton Road and further identified as Parcels ID #09-339-163-C, 09-339-163-F, 09-339-164, 09-339-197 portion and 09-339-197-C01 portion**

Doug Britt said there are people in the Council Chambers that will be speaking as citizens.

Doug Britt, Senior Planner, introduced this item. He said tonight he is presenting a Zoning Map and Text Amendment. He said the request is by Pulte Homes Company, LLC for the property located along W.

Highway 74 and James Hamilton Road. He said the applicant is requesting to rezone to a Conditional District to develop a 153 lot subdivision that will consist of both single-family attached homes and single-family detached homes. He said the total area of the project is 36.23 acres. He said the property backs up to the Karrington Place Subdivision as well as backs up to Kempars Lane and commercial development on Hwy 74 near James Hamilton Road.

Doug said this property is a combination of GB (General Business) as well as R-40 (Single-Family Residential). He said the piece of land furthest away from Hwy 74 is R-40 and then everything from that point back to Hwy 74 is zoned GB. He said typically, GB zoning district allows retail sales and services in a commercial district and R-40 is a single-family residential zoning district.

Doug said it will be a total of 153 lots. He said the applicant is requesting 8.50 acres of open space. He said single-family detached homes will have a lot size ranging from 5,000 square feet to approximately 1,200 square feet. He said the average townhome lot size will be 2,400 square feet. He said the overall density of the project is 4.22 units per acre. He said the townhomes are located directly parallel to Hwy 74. He said the single-family homes are located on the other side of the creek, backing up to Karrington Place.

Doug said the setbacks for the townhomes are proposed at a 20-foot front, 20-foot rear and side (end units) will be 10 feet. He said the single-family detached homes will have a 20-foot front, 20-foot rear and a 5-foot side yard setback. He said the townhomes are being proposed on a 21-foot-wide lot and the detached homes are being proposed on a 41-foot-wide lot.

Doug said all single-family homes will have sodded front yards prior to the issuance of the CO. He said the applicant has proposed for each single-family detached home to have at least two (2) trees planted in the front yard. He said the single-family attached townhomes will have at least one (1) tree planted per building. He said a 50-foot landscape buffer will be provided along James Hamilton Road. He said the buffer will utilize existing vegetation as well as new plantings. He said the developer is also proposing a 30-foot buffer screening along the adjacent residential lots that back up to Karrington Place.

Doug said the project is required to provide at least 12.5% open space, which would be 4.5 acres. He said the applicant is proposing 23% or 8.5 acres. He said the developer is proposing the amenity area to consist of a tot lot and benches.

Doug said the project is providing a 2-car garage for each single-family detached home and the single-family attached townhomes will have a 1-car garage. He said the detached homes will have two (2) parking spaces in the driveway and the attached homes will have one (1) parking space in the driveway.

Doug said the developer is proposing to install 5-foot sidewalks on both sides of interior streets as well as an 8-foot sidewalk along James Hamilton Road.

Doug said the stormwater management program will be reviewed and analyzed at the building permit stage, if approved by City Council. He said the subdivision will be required to meet all stormwater requirements of the City of Monroe for both water quality and water quantity.

Doug said the proposed project is located off of James Hamilton Road and Highway 74. He said James Hamilton Road is maintained by the City of Monroe and Highway 74 is maintained by the North Carolina Department of Transportation (NCDOT). He said the developer is proposing for all streets in the development to be constructed to the City of Monroe street standards and be maintained by the City. He said due to number of lots (153) being proposed for the project a Traffic Impact Analysis was not required.

by the City of Monroe Engineering Department or NCDOT. He said the access off of James Hamilton Road will be a full movement access. He said a left turn lane will be required to be installed on James Hamilton Road to serve the proposed project. He said the access off of Highway 74 will be right in/right out and there are no improvements required at this access by NCDOT.

Doug provided an image off Google Maps of the area which helped identify the turns into and out of the subdivision. He explained that the purpose of a Traffic Impact Analysis (TIA) is not to address the existing traffic. He said the purpose is to mitigate the impact that their project is having on the surrounding roads. He said that is why they are putting a left turn in on James Hamilton Road to help mitigate any burden they are bringing to the area. He said eventually John Moore Road will be a Michigan Left and you will not have the ability to cross over like you do on Rocky River Road. He said you will need to turn right to go toward Indian Trail and then make a U-turn to come back toward Monroe. He said there will be no left turns at that intersection when it is all said and done.

Doug said there is a plan in coordination with the Superstreet at Rocky River Road. He said James Hamilton Road will be realigned so that it will directly intersect perpendicular to Myers Road. He said the City has given around \$250,000 or \$300,000 toward that project but all DOT projects have been pushed back. Further discussion was held on proposed transportation projects.

Mary Ann Rasberry asked Doug if there is any worry about people going through James Hamilton Road into the subdivision and coming out onto Hwy 74 to turn right. Doug said when staff reviewed the plan, this was a point that he brought up. He said the applicant can better address this.

Doug said the building materials for the proposed project will be brick, fiber cement, stone and stucco. He said the developer is not necessarily opposed to mixed materials on the front facades of the homes. He said the developer states that the front facades of the homes, on a per front elevation basis, may be comprised of fiber cement board or alternatively, contain a combination of either brick or stone or stucco in conjunction with the fiber cement board as the predominant building elevation material. He said the only vinyl or aluminum that they will use will be for eaves, soffits, windows, and garage doors. He said the developer is proposing to provide landscaping around foundations of the homes in lieu of providing the typical four (4) courses of brick veneer extending up the slab. He said, additionally, the developer has stated garage doors shall contain, but not be limited to, carriage-style hardware on the garage doors.

Doug said the minimum square footage for the single-family attached townhomes will be 1,400 square feet, with a 1-car garage, and the minimum square footage for the detached homes will be 1,600 square feet, with a 2-car garage.

Doug said there would be a 41-foot wide lot with a 5-foot setback. He said the house is roughly 30-feet wide.

Doug said the project does fall within the Porter Ridge Elementary and Piedmont Middle and Piedmont High School capacity enrollment areas.

Doug said the Land Development Plan indicates this property is located within the Community Corridor and the back portion is the Suburban land use area. He said the Community Corridor does support multi-family and commercial. He said Suburban supports some commercial and single-family, but at lower densities. He said the Suburban category allows up to 2-4 units and the Community Corridor allows up to 4-10 units per acre. He said the project is located in both these Land Use categories and based on the allowed densities in each character area, an overall project density of 4.22 units per acre is consistent with the Land Development Plan.

Doug said the developer did have a neighborhood meeting on December 2, 2019. He said he did not go to the meeting, but Keri did go and there were probably between 20-30 people that attended the meeting. He said from reading the meeting notes there was concern about the traffic in this area. He said the concerns were that this project would further aggravate transportation. He said there was also concern about the exterior materials from some of the adjacent homes. He said it was probably in Karrington Place because the houses were all brick and the proposed homes will not be all brick.

Doug said this rezoning will go to City Council on August 18th for a public hearing. He said staff will post the property and notify all people within 150 feet of the project property.

Doug said if the Planning Board does choose to recommend approval, planning staff would suggest the following conditions:

1. All front load garages shall have windows along the top or carriage-style trim and/or hardware that mimics carriage-style doors.
2. Driveways for the single-family attached townhomes shall be able to accommodate two (2) vehicles.
3. Landscape buffer shall be provided along the rear of the townhomes lots 13-40. The landscaping buffer should consist of both deciduous and evergreen trees. He said the ordinance typically requires that there be a 50-foot buffer if there is multi-family. He said staff did not see the need for this because all the property is still GB and it has frontage on Hwy 74. He said staff thought it would be a good trade-off for the 50-foot buffer to have landscaping of deciduous and evergreen trees to help buffer the townhomes. Richard Yercheck asked if there would be a berm and John Ashcraft asked if there would be a fence. Doug said that would be up to the Board's discretion. He said his reason for making that recommendation is because he does not know when the commercial area will develop. He said his thought was to provide some type of buffer for the existing townhomes.
4. Provide a mix of materials on the front elevations of both the single family attached townhomes and detached homes, so that at least 25% of the front elevation consist of brick or stone.
5. Houses built on slab foundations shall have a minimum four course brick, of standard size, extending up the face of the slab.
6. Accessory structures shall not be located beyond the front corner of the home and shall maintain a five (5) foot setback from all property lines. Accessory structures shall not be located within public easements.

Doug said these are staff recommendations if the Planning Board chooses to move this forward with the recommendation of approval.

Doug said he would be glad to answer any questions.

John Ashcraft said that there are no amenities in here for children. Doug said there is a tot lot. Mr. Ashcraft said what about teenagers. Doug said staff did raise this concern to the developers. Richard Yercheck asked Doug what were the amenities being proposed. Doug said a tot lot is a swing set.

John Ashcraft expressed concern that there was nothing for teenagers to do. Doug said there is a fine line as to what amenities are offered based on 150 lots. He said you would probably not have a big pool or clubhouse with 150 lots. He said it is up to this Board's discretion. Mr. Ashcraft said he is not talking about a pool or clubhouse, but a basketball court... Mary Ann Rasberry said picnic tables or barbeque. Doug said staff has raised that question also.

Jennifer Smith asked how much more traffic will be added to the area. Doug said there is someone here tonight that will address traffic. He said the purpose of the left turn lane is to help mitigate traffic they are bringing to the area. He said access on Hwy 74 will have to be right in/right out because you can't turn left. He said there is concern that people will use the subdivision as a cut-through to get to Hwy 74. He said eventually there will have to be speed humps.

Doug said this concludes his presentation. He said he is here to answer more questions and the applicant is also here. He said there are several citizens from the community here to speak as well.

Vice Chair asked if there were any more questions for Doug. There were none.

Vice Chair asked if there was anyone who would like to speak in favor of the proposal.

Mr. Matt Mandle with ESP Associates located at 3475 Lakemont Blvd, Fort Mill, SC came forward to speak. He said there are several other members of his team here tonight: William Morris with Pulte Homes, Fred Matrulli with Pulte Homes and Drew Ritter with Ramey Kemp who is our Traffic Engineer. He said Doug did a great job summarizing the project.

Mr. Mandle said he has one (1) clarification to Doug's staff report. He said the community meeting was February 27, 2020, not December. He said regarding the conditions, they had several conversations with Doug and the applicant, and they are agreeable to committing to all conditions as part of the project.

Mr. Mandle said the existing zoning, as Doug pointed out, is GB and R-40. He said regarding the Future Land Use Map, this is the City's plan for future development and a guiding document that staff is researching as they review these applications as they are provided. He said they do have some consistency with that document as they provided two (2) different land uses and densities to be consistent. He said the Community Corridor area permits a density up to 4-10 units per acre. He said the Suburban permits a density of 2-4 units per acre. He said overall, their density is right at 4.22, so if you blend the average of those two they are well within the permitted density of the Land Use Plan.

Mr. Mandle said they did not have to do a traffic study because the trips generated from their project did not require a traffic study. He said access on Hwy 74 will be a right in/right out with full movement access on James Hamilton Road with a left turn lane into the community.

Mr. Mandle said their traffic consultant is here as well to speak more about some of the trip generation of this development vs. the existing zoning and even some densities that could occur under the permitted uses of the Land Use Plan.

Mr. Mandle said they are trying to preserve many of the natural tree canopy features of the site as possible to serve as a buffer between the townhomes and single-family and also to provide some aesthetic views.

Mr. Mandle said there will be sidewalk on both sides of the street so there would be a lot of walkability.

Mr. William Morris of Pulte Homes, 11121 Carmel Commons Blvd, Charlotte, came forward and said the townhomes are 22-feet wide, 1-car garage and the single-family homes are 30-feet wide, 2-car garage. He said the square footage is from 1,600 to 2,800 square feet. He said we will commit to all exterior elevation specs that Doug spoke of: 4 courses of brick around the foundation, carriage-style doors, 25% brick or stone front facades. He said these are the single-family elevations.

Vice Chair asked Doug about the ordinance that said you needed 2.5 parking spaces for a 3-bedroom townhome. Mr. Mandle said there would be two (2) parking spaces in the driveway and one (1) in the garage. He said that would give you three (3) spaces. Doug said that is reasonable.

Richard Yercheck said are we doing hardi-board and no vinyl except for trim. Mr. Mandle said correct.

Richard Ali asked what is above on the front garage. Mr. Mandle said that is hardi-board.

Richard Yercheck asked if there would be room in the open space to put up a basketball court and/or sand volleyball court, etc. Mr. Mandle said part of this is getting feedback from all of you. He said we have an idea of what we like to provide our residents, but would like to hear suggestions. Mr. Yercheck mentioned a tot lot. Vice Chair said that is for little people. Mr. Ashcraft said teenagers need something to do. Mr. Yercheck said also preteens until they start driving.

Vice Chair asked if there would be an HOA. Mr. Mandle said yes. Vice Chair asked about rentals. Richard Yercheck said the next big fear that we have is that ten (10) years down the road these will all be rental units. He asked if there was a way you could put restrictions on the HOA to keep rentals down to 10% or less. Mr. Mandle said we can certainly put this in the HOA. Mr. Yercheck said somewhere down the line they can vote to change this but if it is there on the front end, they are less likely to change it and less likely to think about it on the front end unless you do this.

Mr. Fred Mattrulli from Pulte Homes, same Charlotte address, came forward and spoke about rentals and the investor purchasing into communities. He said we get this a lot from investors who want to come in and buy a whole string of townhomes or single-family homes. He said Pulte has sold to investors but they are very strategic about how we do that. He said we don't group them together or sell large amounts. He said we may sell to one or three investors. Richard Yercheck said we are in the community, living here and listening to our friends and neighbors talk about one of the biggest issues we've got in Monroe which is too many rentals. He said whether they are nice rentals or not, we want people to buy, live here and buy into the community. He said if they are living in a rental, that tends to make them transient and less likely to commit to the community. Vice Chair said also less like to take care of the exterior property.

Jennifer Smith asked what the garage door is made out of. She was told it would be vinyl. Renee Hartis said they have agreed to the recommendation of hardi-board on the top of the garage.

Jennifer Smith said there is a little, small entrance where you go into the house and then you have this massive part of the garage which is the focal point or all you see. Doug said that is the by-product of a 40-foot lot with 5-foot setbacks.

Richard Ali asked if there were any Pulte Homes in Monroe. Applicant said that Pulte is all over the Charlotte-Metro area. Mr. Ali asked where has Pulte built this same elevation near here. Applicant said we built these homes in Starmount Cove in South Charlotte. He said nothing in Union County. Jennifer Smith asked how long ago was Starmount Cove built. Applicant said it was recently closed out a few

months ago. He said it is the same basic home, but vinyl. He said the elevations are less attractive, not as much masonry.

Mr. Mandle said these elevations probably aren't rendered to match the commitment of materials. He said there will be a totally different look along with the garage treatment.

Richard Ali asked about the price points on the homes. Mr. Mandle said probably in the mid-\$200,000s for the townhomes and high \$200,000s and low \$300,000 for single-family.

Vice Chair asked if there was any chance that you not do the townhomes and do some other homes. Applicant said we did look at that at some point, but we had some direction from staff. Doug said yes because the Community Corridor node does not encourage single-family detached homes. He said it talks about doing higher density, multi-family, townhomes or commercial uses. Vice Chair said on Hwy 74? Doug said his reaction would be that he does not think that single-family detached homes as you get closer to Hwy 74 are very conducive to being located on Hwy 74.

Richard Yercheck said as this is going to be part of the entry into Monroe, it has to look good. He said it will be one of the first things people see coming into Monroe. He said it would be nice if there were some more amenities, not just for the little kids but for some older kids. He said he likes the project but he wants to make sure that when somebody is sitting there with a 12 or 13-year-old (like John's point), they have something to do besides riding their bike to the BP and hanging out there.

Richard Ali asked how wide are the townhomes. Mr. Mandle said 22 feet wide. Vice Chair said 1,400-foot heated? Mr. Mandle said they start at closer to 1,500. Vice Chair said they are not all the same? Mr. Mandle said there are two (2) different floor plans so you'll get variations in square footage. Doug said he is not trying to persuade this Board, but as it is zoned right now, the GB zoning portion equates to retail sales and service. He said theoretically, their request is really a down-zone from the property right now. He said within the Land Use Plan, this property is projected for the Community Corridor node, which talks about multi-family, townhomes, retail sales and services. He said he cannot speak about the traffic part because he knows that traffic is a big concern of the community. He said he will say that it ends up being a transition to go to the townhomes and single-family. Vice Chair said it is just too many.

Mr. Mandle asked the traffic engineer to speak about what he studied. He said it will give you an idea of what the trips would be under the current zoning vs. what we are proposing.

Richard Ali asked what are the interior finishes to these houses. Mr. Mandle said there will be a wide range of selections that the buyer can choose from. He said it is typically between hard woods, granite countertops. Mr. Ali asked what would be the base. Mr. Mandle said the base home would have a mixture between hard wood or tile in the kitchen, with carpet in the bedrooms. Mr. Ali said granite would then be an upgrade. Mr. Mandle said yes.

Mr. Drew Ritter from Ramey Kemp came forward to speak about traffic. He said he knows there are questions on how many trips this would generate. He said to touch on Doug's point, this is going to be less intensive than with commercial. He said one (1) fast food business could generate 2,800 daily trips. He said what they are proposing here will generate less than half of that. He understands a lot of issues that are being brought up, but what they are proposing is less intensive. He said a traffic study was not required and there would be no anticipated offsite improvements, other than the left turn lane on James Hamilton. He said he would expect a lot of the traffic to exit the site at the right in/right out on Hwy 74.

Mr. Ritter said also, for the rezoning, this just gives you another comparison. He said per the ordinance, the applicant can do up to 270 townhomes and that would be about 2300 or 2400 daily trips. He said he understands a lot of the traffic concerns, but this is going to be a lot less intensive of what could go in there.

Doug Britt asked Mr. Ritter if he could speak about the trip generation as far as gaining access to the site, like coming from Charlotte. He said what did it show in reference to the Superstreets and the access of this project being east of the U-turn. Mr. Ritter asked Doug if he was saying where they would enter the site. Doug said yes.

Mr. Ritter said there are approximately 41,000 vehicles a day on Hwy 74 per NCDOT count stations. He said there are approximately 7,700 vehicles per day on N. Rocky River Road. He said to answer Doug's question, he projected that with some of the traffic leaving on James Hamilton, you would expect some of them, if going toward Charlotte, to come out the full access. He said exiting he had about 65% going toward Charlotte from the right in/right out (going north on Hwy 74). Doug ask what about gaining access. Mr. Ritter said entering he had approximately half of the traffic entering the full access on James Hamilton and the remaining 35%....He said you are only looking at eight (8) vehicles in the peak hour and 28 vehicles in the p.m. peak hours. He said that is the worst that it will be.

Vice Chair asked Mr. Ritter what he meant by 8 trips. Mr. Ritter said eight (8) new vehicles added to that intersection in the a.m/p.m. peak hour. Vice Chair said only eight (8) with all the new townhomes?

Richard Yercheck asked Mr. Ritter how many he was anticipating on a normal day less the eight (8)? Mr. Ritter said he would have to pull a traffic count for this actual intersection. Mr. Yercheck said eight (8) extra trips to what number? Mr. Ritter said to whatever this left turn volume is in the a.m/p.m. peak hour. He said if it is 200 left turns in the a.m peak hour, he would add eight (8) to that 200. Vice Chair said only eight (8) people are going to get up in the morning to go to work? Mr. Ritter said eight (8) additional to 200. He said these generations in these tables are accounting for the traffic in the proposed project or the trips coming from the proposed project. Mr. Yercheck said it is very confusing the way that it is being presented because we do not know the base number. He said you are giving us the icing without the cake.

Mr. Ritter said say there are 200 left turns there in the peak hour. He said this site would only be adding eight (8). Richard Ali said even though you are building this development, you are adding eight (8) trips to that existing 200? Mr. Ritter said the eight (8) is based on the distribution. He said there are going to be vehicles coming from all different directions, but based on the distribution of what is coming from Charlotte and going back entering into the subdivision, it would be eight (8) on that left turn. He said that would be eight (8) for the entire hour.

Vice Chair said the trips are scattered out all through the day. She said this subdivision is going to be mostly early morning and afternoon, coming and going from work. She said it is going to be a little more intense at some more times of the day than a shopping center is. Mr. Ritter said right. He said you would anticipate the heaviest between 7:00 a.m and 9:00 a.m and 4:00 p.m to 6:00 p.m.

Mr. Ritter presented some additional tables showing trip generation. He said if a fast food business was to come in at this time, it would generate 92 trips in the a.m. entering the site, 87 trips exiting the site, in that a.m. peak hour.

Further discussion was held on traffic and tables presented. Doug explained that that this is a traffic study of a particular projection. He said it is not saying what exactly what the counts will be. Mr. Ritter said it is an estimated guess based on some historical data in the area. He said this is going to generate less than

half of what they could add to this site. He said if a fast food business were to go in on this site, it would generate double the amount of traffic of what is being proposed for this site.

Mr. Ritter said this site did not require a traffic study so there is no need to get all caught up in the numbers.

John Ashcraft suggested that the Board move off this topic. He said unless they can get this cleared up, City Council is going to slam dunk this thing. He said he knows that some people on Council who are adamantly opposed to anything being built out there. He said it might be an uphill battle.

Vice Chair asked if there was anyone else who would like to speak in favor of this proposal.

Ms. Mary Thompson came forward and said she lives at 810 S. Potter Road. She said she is here to represent the family selling this property. She said her family does have a choice of who they sell the property to. She said she knows that it is currently zoned General Business and we could very easily be talking to a Super Walmart or anybody like that but her father had this land for her entire life so well over 60 years. She said he has been very careful about who he leases to and sells to. She said he lives in the area so he has an interest as well. She said we do not need approval for rezoning; she said they do not have to go to City Council to get that approved because it is already business. She said he is choosing not to do that. She said the majority of the land he owns and the family owns is business. She said they are trying to make a wise choice for the community. She said one of the Board members mentioned that “you want people who are going to come here, buy here, live here, and take care of your land.” She said that is what her father and the family wants too. She said by choosing to sell to Pulte, we feel like we are making a wise decision and that we are making a good, conscience decision for the City of Monroe. She said if we allow more business to come in, you are going to increase your crime and you are going to increase the traffic flow. She said you were just talking about traffic. She said traffic is here to stay and that is the way you grow a City. She said it is just going to happen, it is inevitable. She said let’s make a smart decision on how we grow it and protect our community. She said she is just asking that you consider that when you make your decision to present this in favor to the City Council.

Keri said she was going to bring in citizens that were for or against this proposal. Vice Chair agreed.

Ms. Tina Groesbeck came forward and said she lives at 2722 James Hamilton Road. She said she is one of the homeowners in the community that will be one of the most impacted by this new development coming in. She said she is a licensed North Carolina and South Carolina broker and also works in new home construction. She said she is definitely for development in the area. She said there are a few things that she would like to point out to you and make a proposal to possibly bridge some of the gaps between everybody. She said at first, when this development came about, she was undecided. She said she has not once been approached by Pulte to talk about the development and the proposal. She said she came home one day and there were flags on her front yard. She said she knows this is a gas easement because she is knowledgeable about that. She said she is okay with this but nobody explained what they were doing or how they were doing this. She said her children were at home because of the pandemic and there were literally vehicles driving on her front yard through the easement. She said and when the children called her to let her know, she pulled it up and unfortunately it was not ESP, because she was looking for a mark on the vehicle. She said it was not the gas company or ESP. She said she does not know who it was driving literally through the front yard.

Ms. Groesbeck said she did her due diligence in order to find out about this meeting. She said other than that, she would not be here or know anything about it. She said she would like to be able to speak to somebody and she feels that a developer would want to come to a homeowner and discuss the berm or lack

thereof of a berm. She said there is no indication of how they are going to give us any sort of privacy separate from the 40-foot lots.

Ms. Groesbeck said she also wanted to mention that where they are building the road that comes up where there is a cul-de-sac in the back, that part of her house is her bedroom. She said if somebody is driving up the street, where are the headlights going. She said a lot of the trees are dead. She said she would like to propose for a tree survey before we proceed forward.

Ms. Groesbeck said if they are doing multi-family, currently it is her understanding that the response time from the Fire Department is at least 8 – 9 minutes. She said she knows there is a proposed Fire Station in the northwest part of town but that does not cover this.

Ms. Groesbeck showed a map of the development and different communities just around Fowler Secret that are full-brick homes on more than a half an acre, except for the patio community. She said the patio community is also full brick. She said that although she understands and agrees that hardi-board is a great material, she said staying in conformity with the development and neighborhood should be considered as well. She said she proposes more brick. Jennifer Smith asked Ms. Groesbeck if she thought this would devalue her property. Ms. Groesbeck said it could possibly devalue the area.

Richard Ali asked Ms. Groesbeck if she was not in favor of this. Ms. Groesbeck said as proposed she is not in favor. She said she did go to the community meeting and beyond that there was nothing. Mr. Mandle said we had the community meeting in February. He said this is the first meeting of public notification since that time frame. He said Planning Board meeting is the first meeting and the next meeting would be City Council. He said to Ms. Groesbeck that there are representatives from Pulte here and they can talk with you further to address your concerns. He said the area adjacent to your home will be a landscaped area so if there aren't existing trees there to be preserved, they would be installing a landscaped area between your home and the property line so that there would be a visual screen. Ms. Groesbeck asked if there could be consideration of a berm. Mr. Mandle said we are not into design but it is something we can consider.

Doug said he wanted to explain that the Planning Board meeting is a public meeting but not a meeting where we notify the public. He said that would be the City Council meeting.

Ms. Groesbeck said there is one other thing she would like to mention. She said she lives off of Hwy 74 and there is going to be traffic regardless and it is going to be heavy because they are in a Suburban area. She said she thinks that the Bypass was not mentioned previously. She said traffic will be on James Hamilton Road going out to hit the Bypass. She said she would like someone to consider site distance because of the curve on James Hamilton.

Mr. Brian Carter came forward and said he lives at 2802 James Hamilton Road. He said the development will be at the side and back of this property. He said he wasn't at the first meeting but there has been little contact from Pulte. He said he has asked for some things that they were going to do in this development as to isolation of his home from the rest of the development. He said if they are going to do this for the townhomes, they can do this for our existing homes as well. He said his home is brick and the neighbor homes are brick. He said the development going in would not match the homes. He said we are larger parcels with brick homes. He said that is what James Hamilton is. He said if you want to elevate the value of Monroe, he said this is the wrong direction. He said this is not the right thing to do.

Mrs. Schaine Carter spoke and said she is also at 2802 James Hamilton Road. She said she is opposed right now because Pulte has not come to us and demonstrated how they can make us part of this community that we did not choose to be engulfed in. She said she also has a problem with the amount of homes and how they are not spread out on larger lots and all brick like the rest of the other homes. She said she feels that it does devalue their homes and as far as the traffic, there is definitely a traffic issue. She said this will only add to the problem. She said the schools are already burdened and the Fire Department response already burdened. She asked the Board to please consider the emergency response situation for their area with this much added to it.

Vice Chair asked if there was any further questions or comments.

John Ashcraft said it appears by what was said that there are several people who live over in that area that are not very privy on this and this is going to impact them. He said they certainly wanted Pulte to have a meeting with them so that concerns are cleared up before City Council.

Richard Yercheck asked how dated the material presented to us was because somebody had mentioned that Pulte had an update...Mr. Mandle said they have been communicating with Doug and actually had a submittal as recent as July 15, 2020. He said he thinks this is where some of the lapse is with some of the neighbors. He said he would be happy to have a talk with them and go through some of these items that have been updated. He said as Doug mentioned, they were not notified of this meeting but they would be happy to reach out and talk to them and show them some of the updates. He said some of the updates do address some of their concerns about landscaping and buffering on their property.

Richard Yercheck said he does not dislike the project but he is not really on top of it and doesn't feel good about it right now. He said he would like to see the updated plans that Pulte has. Doug said the updated site plan was in the Board packets. Mr. Mandle said some of the additions as of July 15th were to add some of the landscaped areas and also along the perimeters and property lines. Doug said that is why he added a second sheet with site plan notes and that is the most recent.

John Ashcraft said to Doug and the Vice Chair that this can still go forward either with our recommendation, or no recommendation. Doug said it would be forwarded with no recommendation, recommendation for approval or recommendation for disapproval.

Richard Yercheck said to the applicant that you would be well-served before you go to City Council to have a community meeting. He said that is entirely up to you. He said this is Pulte's first foray into Monroe, Union County so if those same folks show up at City Council, it is going to be a tough meeting.

John Ashcraft said the traffic information has to be clarified because Council is always concerned about that.

Doug reminded the Board, before they make any motion, that the applicant did agree to staff's recommendations but he didn't get any direction about the amenity area.

Vice Chair asked for a motion on this proposal to either recommend approval or denial of the adoption of the Resolution of Land Development Plan Compliance.

Motion: Richard Yercheck made a motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance with staff recommendations and added amenities for teens and tweens.
Second: John Ashcraft
Action: The motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance passed unanimously.

Vice Chair asked for a motion on the Ordinance amending Section 156.98 – Conditional Districts Established and Section 156.106 – Official Zoning Map.

Motion: Richard Yercheck made a motion to recommend the adoption of the Ordinance amending Section 156.98 - Conditional Districts Established and to recommend the adoption of the Ordinance amending Section 156.106 - Official Zoning Map.
Second: John Ashcraft
Action: The motion to recommend adoption passed with Mary Ann Rasberry opposing.

Richard Yercheck said to the applicants that he is not too crazy about their project. He said it is too dense and there will be more neighbors coming out and talking about it. He said you need a much cleaner, clearer traffic study.

Item 7. **Other**

There was no other business.

Item 8. **Adjournment**

Vice Chair said if there are no further questions, she would entertain a motion at this time to adjourn.

Motion: Richard Ali made a motion to adjourn the meeting.
Second: Jennifer Smith
Action: The motion to adjourn passed unanimously.

The meeting was adjourned at 8:40 pm.

Respectfully Submitted,

Mary Ann Rasberry, Vice Chair
Planning Board

Maryann Brown
Secretary to the Board



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: Bridgette H. Robinson, City Clerk

PREPARED BY: Sherry K. Hicks, Deputy City Clerk

SUBJECT: Summary of Contracts Awarded, Change Orders Approved and City Manager's Settlement of Claims

SUMMARY STATEMENT

To inform City Council of the award of contracts pursuant to Ordinance O-2001-17, Change Orders [CO] approved pursuant to Resolution R-2000-76 and Settlement Claims pursuant to Ordinance O-2018-50.

REVIEW

The following is a summary of contracts recently awarded and approved change orders.

Date	Name	Purpose	Fiscal Impact	
			Fund	Amount
07/08/2020	Yaro Plumbing, Inc.	Miscellaneous/emergency plumbing repairs and services to Parks and Recreations facilities	Parks and Recreation	\$5,000
07/08/2020	Social Networking Assistance	Social networking for Monroe-Union County Economic Development	Economic Development	\$8,400
07/08/2020	Cutting Edge Lawn Care & Landscaping	Annual maintenance of plant beds and landscape areas at MCC Golf Course	Parks and Recreation	\$10,360
07/08/2020	Carolina Green Corp.	Annual maintenance for	Parks and	\$16,300

Date	Name	Purpose	Fiscal Impact	
			Fund	Amount
		Parks Williams Athletic Complex soccer fields and to provide installation and sod for conversion of field at Walter Bickett Stadium	Recreation	
07/08/2020	Lucian Krant, dba SRK Fence	Miscellaneous/emergency fence repairs at Parks and Recreation facilities	Parks and Recreation	*\$3,000
07/08/2020	Smith Turf & Irrigation	Miscellaneous repairs to irrigation system at MCC Golf Course and parts to repair equipment	Parks and Recreation	*\$4,000
07/08/2020	Carolina Clay Connections	Miscellaneous repairs to kilns at Ellen Fitzgerald Senior Center and Rosa Bell Ceramics Center	Parks and Recreation	*\$800
07/08/2020	Two Brothers Power Washing	Power washing at Parks and Recreation facilities	Parks and Recreation	*\$2,000
07/08/2020	University Auto Care	Miscellaneous/emergency repairs to Parks and Recreation vehicles	Parks and Recreation	*\$1,200
07/08/2020	Booth & Associates	Creation of Substation Spill Prevention, Control and Countermeasures (SPCC) Plan	Energy Services	\$5,900
07/08/2020	H & H Lawn Sprinklers	Miscellaneous/emergency repairs to irrigations systems	Parks and Recreation	*\$3,000
07/08/2020	Union County Economic Development Growth Enterprise, Inc.	Host special events for Monroe-Union County Economic Development	Economic Development	\$40,000
07/08/2020	South Piedmont Community College	Annual rent for offices at SPCC	Economic Development	\$36,600
07/09/2020	McCollum Trucking and Grading	Provide 2020-2021 trucking services as needed	Engineering	\$10,000
07/09/2020	Mark Matheny	Construction plans review services as needed	Planning and Development	\$5,000
07/09/2020	Henry Black	Public Health Nuisance Abatement	Code Enforcement	\$20,000
07/09/2020	Donnie Gay Landscaping	Public Health Nuisance Abatement	Code Enforcement	\$20,000
07/09/2020	ProPump & Controls	Preventative maintenance and repairs to Irrigation	Parks and Recreation	\$7,500

Date	Name	Purpose	Fiscal Impact	
			Fund	Amount
		Pump Station at MCC Golf Course		
07/09/2020	RCS, Inc.	Repair of septic tank damaged by Natural Gas Division	Energy Services	*\$2,300
07/21/2020	Morris Berg	Pilot Pedlet Design	Downtown	*\$4,500
07/21/2020	Spiro's Hilltop Fish Fare and Steakhouse	Breakfast catering for EGGS Breakfast on August 7, 2020; October 2, 2020; and December 4, 2020 at City Hall due to COVID-19	Human Resources	*\$575
07/21/2020	Sunbelt Rentals	Miscellaneous/emergency equipment rental	Parks and Recreation	*\$3,000
07/21/2020	Tony Belk	Miscellaneous/emergency painting needs at MCC, Golf Course, Parks and Recreation facilities	Parks and Recreation	*\$1,000
07/21/2020	Carolina Golf Cars	Miscellaneous/emergency golf cart repairs	Parks and Recreation	*\$2,500
07/21/2020	Smart, Inc.	Semi-annual preventative maintenance services of equipment at Old Armory and Winchester Community Centers and miscellaneous repairs	Parks and Recreation	*\$1,127
07/21/2020	Schneider Tree Care	Miscellaneous/emergency tree services at various Parks and Recreation Division locations	Parks and Recreation	*\$4,000
07/21/2020	The Smoke Pit	Employee Appreciation Celebration on September 8, 2020	Human Resources	*\$4,725
07/23/2020	Vision Technologies	Bi-annual maintenance of surge protection and chemically charged grounding electrode systems at the Charlotte-Monroe Executive Airport	Airport	*\$4,270
07/23/2020	JF Acquisition	Annual inspection, QC and product filter change on aviation equipment	Airport	*\$2,711
07/23/2020	JF Acquisition	Semi-annual inspection, QC and product filter	Airport	*\$1,421

Date	Name	Purpose	Fiscal Impact	
			Fund	Amount
		change on aviation equipment		
07/23/2020	American Rewinding	Preventative maintenance service twice a year on hangar doors 1, 2, 3, 4, and 5	Airport	*\$1,960
07/23/2020	Resolve Environmental [CO #3]	Slab removal at PD Headquarters	Downtown	\$6,584
07/23/2020	Resolve Environmental [CO #4]	Slab removal at PD Headquarters	Downtown	\$26,005
07/23/2020	RCS, Inc.	Portable restroom services at City Parks and various special events	Parks and Recreation	\$6,440
07/23/2020	Aquatic Resource Group	Provide pool repairs/replacement as needed at MAFC	Parks and Recreation	\$5,000
07/23/2020	ENERCO Energy Services, Inc.	Wood pole inspections of Electric Distribution and Transmission Poles	Energy Services	\$20,000
07/23/2020	Summit	Police Department Headquarters geotechnical engineering services	Downtown	\$9,310
07/23/2020	Lynches River Consulting [CO #3]	Asphalt Paving Program 2019-2020	Engineering	\$25,570
07/24/2020	Hamilton Stephens Steele + Martin, PLLC	Legal services for bankruptcy issue	Legal	*\$4,999
07/27/2020	Perfection Equipment [CO #3]	Auditorium seating for Center Theatre	Downtown	<\$5,000>
07/27/2020	Lawrence Associates	Provide on-call professional surveying service for various stormwater projects	Engineering	\$20,000
07/27/2020	On-Spec Engineering	Provide materials testing and inspection services for roadway paving	Engineering	\$50,000
07/27/2020	Hinson Services, Inc.	Provide VAC repairs and replacements as needed at MAFC	Parks and Recreation	\$46,000
07/27/2020	Lefler Electronics, Inc.	Annual fire alarm monitoring and miscellaneous repairs	Parks and Recreation	*\$2,000
07/30/2020	Hinson Services, Inc.	Miscellaneous HVAC repairs as needed at City	Facility Maintenance	\$30,000

Date	Name	Purpose	Fiscal Impact	
			Fund	Amount
		buildings		
07/30/2020	All Fire Services, LLC	Annual fire inspections for the Dowd Center Theatre and Monroe Science Center	Facility Maintenance	*\$1,718
07/30/2020	A to Z Farms, LLC	Provide landscaping and mowing services for Charlotte-Monroe Executive Airport	Airport	\$79,500
07/30/2020	Wilson Fence Company	Deese Road and Stitt Street Natural Gas Regulation Stations perimeter security chain fencing	Energy Services	\$10,500
08/06/2020	Schneider Tree Care [CO #1]	Miscellaneous/emergency tree services at various Parks and Recreation locations as needed	Parks and Recreation	*\$3,000
08/07/2020	Brushy Mountain Builders [CO #1]	Removal and replacement of existing valves and filter blowers at the WWTP	Water Resources	\$12,107
08/07/2020	Underwriters Laboratories	Annual testing of all ground ladders and aerial apparatus	Fire	\$10,410
08/07/2020	Blended Ideas	Billboard advertising for MAFC	Parks and Recreation	\$20,283
08/07/2020	Cox Door Company	Fire Station Bay Door service and repair	Fire	*\$4,999
08/07/2020	MC2 Engineering	Annual inspection and repair as needed for the BMP System located at Fire Station #4	Fire	*\$750
08/07/2020	Stallings Refrigeration	Annual service and repair of Fire Station ice makers	Fire	*\$4,999
08/07/2020	Automated Fire Systems	Fire extinguisher repair, service and testing at all City Fire Station facilities and apparatus	Fire	*\$2,500
08/07/2020	Minerva Bunker Gear Cleaners	Firefighting gear (PPE) inspection, cleaning and repair	Fire	*\$3,500
08/07/2020	Air Cleaning Specialist	Plymovent System service and repair	Fire	*\$4,844
08/07/2020	Leonard Buildings & Truck Accessories	To spray bed liner and insert decked tool box in a	Finance	*\$1,830

Date	Name	Purpose	Fiscal Impact	
			Fund	Amount
		2019 Nissan Frontier pickup		
08/07/2020	Municipal Emergency Services	Service of all breathing air compressor and related systems along with SCBA's and the service of Hurst Rescue Tools and equipment as needed	Fire	\$10,500
08/07/2020	Atlantic Emergency Solutions	Service, repair and parts for Fire apparatus	Fire	\$15,000
08/07/2020	Hinson Services	HVAC Preventative Maintenance for all City buildings	Facility Maintenance	\$41,214
08/07/2020	Brooks-Berry-Haynie	Provide on call and emergency repair services to the airfield lighting system located at the Charlotte-Monroe Executive Airport	Airport	*\$4,999
08/07/2020	Delta Star, Inc.	Oil reclamation and bushing replacement at Airport 34.5 kV Power Transformers	Energy Services	\$98,030
08/07/2020	Yaro Plumbing, Inc.	Provide plumbing repairs as needed at the MAFC	Parks and Recreation	*\$2,000
08/07/2020	WaynCo Roofing	Provide miscellaneous/emergency roof repairs as needed at the MAFC	Parks and Recreation	*\$2,000
08/07/2020	American MTS	Provide miscellaneous and emergency pool pump and motor repairs at the MAFC	Parks and Recreation	*\$1,000
08/07/2020	Reliable Tree Service	Provide miscellaneous and emergency tree services at various Parks and Recreation locations as needed	Parks and Recreation	*\$2,000
08/07/2020	Wind River Environmental, LLC	Cleaning out wash pits at Parks and Recreation facilities as needed	Parks and Recreation	*\$4,300
08/07/2020	Crossroads Body Shop	Collision repair of COM vehicles	Human Resources	\$15,000
08/07/2020	Certified Collision Services	Collision repair of COM vehicles	Human Resources	\$20,000

Date	Name	Purpose	Fiscal Impact	
			Fund	Amount
*Approved by Department Director			Total	\$857,040

The following is a summary of all claims settled from July 10, 2020 through August 18, 2020:

Date of Incident	Claimant(s)	Claims Asserted	Fiscal Impact	
			Fund	Amount
05/02/2019	Perry Gene Rushing	Personal Injury	Property Casualty	\$7,250 – Mr. Rushing was in an accident with a City police vehicle, with the Officer at fault. The property damage claim was resolved, but a lawsuit was filed for the personal injury claim. Case settled following a mediation, and settlement was in the reasonable value for the case.

RECOMMENDATION

No action required – for Council Information only.
08182001



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: David E. Lucore, Director of Energy Services

PREPARED BY: Robert Miller, General Manager of Engineering

SUBJECT: Natural Gas Main Extensions to Edwards Wood Products, Inc.

SUMMARY STATEMENT

The City Council is requested to consider proposals for the labor and equipment to construct the 6-inch portion of the pipeline to Edwards Wood Products, Inc. to award the contract for construction.

REVIEW

The Energy Services Department contracted Ertel Construction, Inc. to construct the 6" and 4" natural gas pipeline expansion to serve Edwards Wood Products, Inc. in two locations in Marshville. The project includes the construction of 9,600 feet of 6-inch polyethylene pipe and 33,000 feet of 4-inch polyethylene pipe. Ertel Construction and the City agreed to remove the 6-inch portion of the project from Ertel's contract. On July 21, 2020, Council approved a change order reducing the contract amount to Ertel Construction by \$549,327.

The Energy Services Department solicited bids for the 6-inch portion of the project on June 29, 2020. The City received 2 updated proposals to provide labor and equipment to install the 6-inch portion of the project on July 21, 2020. Dawn Development provided the lowest proposal at \$713,339.

Since the bid amount by Dawn Development is \$164,021 more than the reduction to Ertel's contract, it will require budget ordinance, BO-2020-11, to fund the contract for capital project NG 1903. These funds will be recovered by gas sales to customers that request service along the pipeline route.

This matter was presented to the Public Enterprise Committee on August 18, 2020.

RECOMMENDATION

The Public Enterprise Committee and Staff recommend that the City Council award the contract for the construction of the remaining 6-inch pipeline to Dawn Development in the amount of \$713,339, adopt a Capital Project Budget Ordinance in the amount of \$164,012 to be added to Project NG1903 (funds are available in the Natural Gas Fund Balance for the addition to the capital project) and authorize the City Manager to execute any and all necessary documents.

Attachments: 6-inch EWP Proposal Comparison
Capital Project Budget Ordinance BO-2020-11

**CAPITAL PROJECT BUDGET ORDINANCE
NATURAL GAS LINE EXTENSION TO
EDWARDS WOOD PRODUCTS, INC. PROJECT
BO-2020-11**

WHEREAS, City of Monroe, North Carolina (the “City”) has been approached by Edwards Wood Products, Inc. of Marshville, NC (the “Customer”) concerning extending natural gas service to customers facilities in Marshville and Eastern Union County; and,

WHEREAS, it has been determined that net revenues from sale of natural gas to the Customer’s facilities and the contribution-in-aid along with future growth in the Town of Marshville will recover the construction cost for the line extensions within eight years; and,

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Monroe transfers the following to capital project NG1903 for construction of natural gas lines to serve the Customer’s facilities in Marshville and Eastern Union County.

Natural Gas Fund:

Revenue:

Appropriation of Fund Balance	\$164,012
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Expense:

Transfer to Capital Project Fund	\$164,012
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Natural Gas Capital Project Fund:

Revenue:

Transfer from Natural Gas Fund	\$164,012
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Expense:

Project Costs	\$164,012
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Adopted this 18th day of August, 2020.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk



Dawn Development
7/21/2020 Bid

SEC
7/21/2020 Bid

PROPOSAL FOR PRICE PER ITEM

1	Steel main tie-in fittings <i>Includes traffic control, excavating, welding, coating repairs, jeeping, backfilling, installing caution tape, compacting backfill, cleaning up, and other work necessary. Includes all work from fitting to transition fitting. (City of Monroe personnel will complete tapping/stopping and completion of fittings).</i>
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Item	QTY	Description	Unit of Measure	Cost	
1.1	1	6" Spherical 3-WAY Tee	Each	\$8,000.00	\$8,000.00
				Total	\$8,000.00

Cost	
\$13,740.55	\$13,740.55
Total	\$13,740.55

2	PE Main Installation <i>Includes traffic control, excavating, fusing, backfilling, installing caution tape, installing tracer wire, compacting backfill, cleaning up, pigging 3 times, pressure testing, and other work necessary. Main installation price includes Rock Excavations. Padding Dirt is compensated under item 10. (Tie-ins are a separate item)</i>
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Item	QTY	Description	Unit of Measure	Cost	
2.1	6824	6" HDPE Pipe	Linear Foot	\$50.00	\$341,200.00
2.2	15	4" HDPE Pipe	Linear Foot	\$50.00	\$750.00
				Total	\$341,950.00

Cost	
\$58.93	\$402,138.32
\$108.42	\$1,626.30
Total	\$403,764.62

4	PE Service tie-over <i>Includes traffic control, excavating, installing tapping tee with EFV (electrofusion), squeeze off, abandoning of old service line (purge, cap/plug/seal open ends of pipe), reconnecting by fusion (1" and 3/4" - stab couplings), pressure testing, purging, backfilling, compacting of backfill, cleaning up, and other work as necessary. (City of Monroe personnel will activate</i>
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Item	QTY	Description	Unit of Measure	Cost	
4.1	1	4" HDPE	Each	\$3,000.00	\$3,000.00
				Total	\$3,000.00

Cost	
\$6,940.22	\$6,940.22
Total	\$6,940.22

5	PE main tie-in fittings and methods <i>Includes traffic control, excavating, squeezing off, purging, fusing, leak testing, tapping, purging, backfilling, installing caution tape, compacting backfill, cleaning up, and other work necessary. (Work will be in conjunction with new PE pipe installation). (City of Monroe personnel will restore service to customers, if needed)</i>
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Item	QTY	Description	Unit of Measure	Cost	
5.1	2	4" squeeze off and tie-in (fusion)	Each	\$3,000.00	\$6,000.00
				Total	\$6,000.00

Cost	
\$7,518.58	\$15,037.16
Total	\$15,037.16

6	PE Main Abandonment <i>Includes traffic control, excavating, squeezing off (as Applicable), purging, abandoning of old main (cap/plug/seal open ends of pipe), backfilling, compacting of backfill, cleaning up, and other work necessary.</i>
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Item	QTY	Description	Unit of Measure	Cost	
6.10	1	4" HDPE Main (Approximately 1900 FT)	Each	\$2,000.00	\$2,000.00
				Total	\$2,000.00

Cost	
\$9,253.63	\$9,253.63
Total	\$9,253.63

7	Valve Installation <i>New main installation: Includes fusing, valve box installing, (valve boxes installed on bricks or concrete supports off of pipe) (PE valves - tracer wire brought up into for locating purposes), installing concrete ring after completion of clean up. (See Detail 14)</i>
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Item	QTY	Description	Unit of Measure	Cost	
7.1	7	6" HDPE Valve	Each	\$1,000.00	\$7,000.00
7.2	3	4" HDPE Valve	Each	\$700.00	\$2,100.00
				Total	\$9,100.00

Cost	
\$875.14	\$6,125.98
\$816.80	\$2,450.40
Total	\$8,576.38

8	Test Stations and Markers <i>Test station for HDPE consists of installing tracer wire inside flush mount or aboveground test station. City of Monroe Inspector to install pipeline markers. (See CP 16.2 Details)</i>
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Item	QTY	Description	Unit of Measure	Cost	
8.1	8	Test Station on HDPE Main	Each	\$200.00	\$1,600.00
				Total	\$1,600.00

Cost	
\$612.60	\$4,900.80
Total	\$4,900.80

9	Pavement and Concrete Cut, Removal, and Replacement
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Item	QTY	Description	Unit of Measure	Cost	
9.1	350	Removal of asphalt, backfill with crusher run gravel, re-asphalt	Square Feet	\$9.00	\$3,150.00
				Total	\$3,150.00

Cost	
\$27.60	\$9,660.00
Total	\$9,660.00

10	Padding Dirt / Crusher Run Gravel <i>(Purchased and Placed by Contractor)</i>						
Item	QTY	Description	Unit of Measure	Cost		Cost	
10.1	968	Screened backfill material	Cubic Yards	\$60.00	\$58,080.00	\$42.50	\$41,140.00
10.2	5	Crusher run gravel	Ton	\$60.00	\$300.00	\$49.00	\$245.00
					Total		\$41,385.00
11	Erosion Control <i>(Purchased and Placed by Contractor)</i> <i>(Install Erosion Control Measures per Erosion Details of Plans)</i>						
Item	QTY	Description	Unit of Measure	Cost		Cost	
11.2	6824	6" PE Main Seed & Straw	Linear Foot	\$1.00	\$6,824.00	\$1.38	\$9,417.12
11.3	350	Erosion Control Blanket - SC 150	Square Yard	\$6.00	\$2,100.00	\$5.00	\$1,750.00
11.4	350	Silt Fence Install and Remove	Linear Foot	\$4.00	\$1,400.00	\$5.99	\$2,096.50
					Total		\$13,263.62
12	Dry Bore <i>Includes installation of pipe, installation of tracer wire (for HDPE), pressure test, and other work necessary to meet depths detailed on the plans. Typical bores will be for driveways, roadways, utility crossings, drainage crossings, etc.</i>						
Item	QTY	Description	Unit of Measure	Cost		Cost	
12.1	621	6" HDPE	Linear Foot	\$85.00	\$52,785.00	\$58.93	\$36,595.53
					Total		\$36,595.53
13	Horizontal Directional Drilling (HDD) <i>Includes installation by horizontal directional drilling and testing of pipe. Install HDPE pipe with two tracer wires. Contractor will be required to submit bore log for the pipe installation. Compensation is for HDD Bore not including rock bore head or mud motor.</i>						
Item	QTY	Description	Unit of Measure	Cost		Cost	
13.1	1730	6" HDPE Main	Linear Foot	\$85.00	\$147,050.00	\$58.93	\$101,948.90
					Total		\$101,948.90
14	Casing <i>Includes excavation of bore pits, bore, and installation of casing and carrier pipe with centralizers and end seals. Casing will include 2 vent stacks, 2 test station installations, and (2) #10 wires thermite welded to casing. Construction will be backfilled, compacted, cleaned up, and carrier pipe pressure tested.</i>						
Item	QTY	Description	Unit of Measure	Cost		Cost	
14.1	280	10" Casing	Linear Foot	\$250.00	\$70,000.00	\$454.31	\$127,206.80
					Total		\$127,206.80
					Grand Total		\$792,273.21



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: Russell Colbath, Water Resources Director

SUBJECT: Outside City Sewer Service Request, 3101 Watkins Rd.

SUMMARY STATEMENT

City Council consideration for an outside City sewer service request at 3101 Watkins Rd.

REVIEW

Water Resources Department Staff has received a request from Venton Bell for outside City sewer service for his home at 3101 Watkins Rd. This property is not a good candidate for voluntary annexation.

All outside City service requests require both City Council approval, and Union County Board of Commissioner (UCBC) approval pursuant to City Ordinances and the Water and Sewer Master Agreement with Union County. The UCBC has approved this request. The August Public Enterprise Committee meeting was canceled, therefore this item is being presented directly to Council per the Committee Chair. As a matter of policy, outside city water and sewer customers pay double tap fees and double monthly customer base charges on their city accounts

RECOMMENDATION

It is the recommendation of Staff that City Council take the following action:

Motion to approve outside City sewer service to 3101 Watkins Rd. for one single family home.



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: Bruce Bounds, IT Director

PREPARED BY: Chris Stiwwinter, GIS Coordinator

SUBJECT: Small Government Term Enterprise License Agreement with ESRI

SUMMARY STATEMENT

Staff has been using ESRI's ArcGIS suite of software for over 22 years to provide software licensing, technical support and upgrades of its GIS software for use by city employees in all departments at the city. Our contract with ESRI is up for renewal this year. Staff has acquired budget approval from City Council for \$35,000 for the first year of the 3 year proposed contract with ESRI.

Staff requests City Council to renew the Small Government Term Enterprise License Agreement with ESRI for 3 years.

REVIEW

Staff requests City Council to renew the Small Government Term Enterprise License Agreement with ESRI's ArcGIS suite of software for 3 years for a total cost of \$105,000 to be distributed out over 3 years at \$35,000 a year.

ArcGIS is a set of proprietary software that are owned and manufactured by ESRI. It is also the sole-source provider of software maintenance of its products.

Included in the 3 year contract is unlimited use of the software, including maintenance on all the software and virtual training. Benefits of the contract is a lower cost per unit for the licensed software, fixed annual payments and the ability to deploy unlimited quantities of ESRI products.

RECOMMENDATION

Staff recommends that Council approve the Small Government Term Enterprise License Agreement with ESRI for three years and authorize the City Manager to execute any and all necessary documents.



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: Lisa Strickland, Finance Director

PREPARED BY: Bethany Hawver, Revenue Manager

SUBJECT: Tax Releases for July 2020

SUMMARY STATEMENT

City Council is requested to consider approval of tax releases.

REVIEW

Pursuant to North Carolina General Statute 105-381, refunds and releases are being reported to City Council. The total releases for July equal \$2,442.72. These releases were created by a change or reduction in value for the City of Monroe by the Union County Tax Assessor. Union County Commissioners have previously approved these releases; they are now before City Council for their approval as well.

RECOMMENDATION

City Council is requested to approve the tax releases for the month of July 2020, in the amount of \$2,442.72.

Attachment(s): Unpaid Tax Listing
Tax Adjustment Listing

UNPAID TAXES AS OF JULY 2020

	2020	2019	2018
Beginning Balance	\$0.00	\$189,365.56	\$89,669.33
Releases	\$0.00	(\$200.94)	\$0.00
Adjustments	\$0.00	\$0.00	\$0.00
Advertising Cost	\$0.00	\$0.00	\$0.00
Discoveries	\$0.00	\$0.00	\$0.00
Payments	\$0.00	(\$17,248.48)	(\$5,029.88)
Ending Balance	\$0.00	\$171,916.14	\$84,639.45
Outstanding Liens	\$0.00	\$30,406.00	\$24,025.47
Outstanding Account Total	\$0.00	\$202,322.14	\$108,664.92
	2017	2016	2015
Beginning Balance	\$68,684.63	\$46,715.49	\$40,592.67
Releases	\$0.00	\$0.00	\$0.00
Adjustments	\$0.00	\$0.00	\$0.00
Discoveries	\$0.00	\$0.00	\$0.00
Payments	(\$1,603.39)	(\$753.75)	(\$1,102.13)
Ending Balance	\$67,081.24	\$45,961.74	\$39,490.54
Outstanding Liens	\$29,882.00	\$53,172.05	\$28,593.96
Outstanding Account Total	\$96,963.24	\$99,133.79	\$66,891.67
	2014	2013	2012
Beginning Balance	\$45,007.74	\$59,661.91	\$30,332.71
Releases	(\$1,120.89)	(\$1,120.89)	\$0.00
Adjustments	\$0.00	\$0.00	\$0.00
Discoveries	\$0.00	\$0.00	\$0.00
Payments	(\$1,102.13)	(\$301.95)	(\$312.03)
Ending Balance	\$43,584.90	\$56,914.71	\$30,020.68
Outstanding Liens	\$31,308.89	\$68,757.20	\$29,210.00
Outstanding Account Total	\$74,893.79	\$125,671.91	\$59,230.68
	2011	2010	Total
Beginning Balance	\$23,774.74	\$30,371.39	\$624,176.17
Releases	\$0.00	\$0.00	(\$2,442.72)
Adjustments	\$0.00	\$0.00	\$0.00
Discoveries	\$0.00	\$0.00	\$0.00
Payments	(\$159.40)	(\$196.75)	(\$27,809.89)
Ending Balance	\$23,615.34	\$30,174.64	\$593,399.38
Outstanding Liens	\$2,152.00	\$11,884.33	\$309,391.90
Outstanding Account Total	\$25,767.34	\$42,058.97	\$901,598.45
GAP Billing	2020	2019	Total w/ GAP
Beginning Balance	\$0.00	\$12,252.99	\$636,429.16
Releases	\$0.00	\$0.00	(\$2,442.72)
Adjustments	\$0.00	\$0.00	\$0.00
Discoveries	\$0.00	\$0.00	\$0.00
Payments	\$0.00	(\$167.70)	(\$27,977.59)
Ending Balance	\$0.00	\$12,085.29	\$605,484.67
		Outstanding Liens	\$309,391.90
Cumulative Citywide Total			\$913,683.74

PREPARED 8/07/20, 11:05:25
 PROGRAM TX420L
 City of Monroe, North Carolina

TAX ADJUSTMENT LISTING
 7/01/20 - 7/31/20
 BY TRANSACTION DATE

All account types
 All roll codes
 ADJ CODE: RLS

PAGE 1

TRANS DATE OWNER NAME	ACCT ID	YR	RL	P	ENT	CBC	TRANS AMOUNT	TAXABLE AMT DELQ	TRAN CODE DATE ADJ	ADJUSTMENT COMMENT ADJUSTMENT DESCRIPTION	USER REF NBR	SRC REF
7/17/20 EUREST DINING SERVICES	9040345	13	PP	1	15LL	PERS C 28110	13.88- 2228750		- BASE RLS	DUPLICATE ASETS ON 432959 RELEASE 0000000	BEDWARDS 80714	071620
7/17/20 EUREST DINING SERVICES	9040345	13	PP	1	15P	C 28110	138.75- 2228750		- BASE RLS	DUPLICATE ASETS ON 432959 RELEASE 0000000	BEDWARDS 80715	071620
7/17/20 EUREST DINING SERVICES	9040345	14	PP	1	15LL	C 28110	13.88- 2228750		- BASE RLS	DUPLICATE ASETS ON 432959 RELEASE 0000000	BEDWARDS 80716	071620
7/17/20 EUREST DINING SERVICES	9040345	14	PP	1	15P	C 28110	138.75- 2228750		- BASE RLS	DUPLICATE ASETS ON 432959 RELEASE 0000000	BEDWARDS 80717	071620
7/17/20 SHEAR DELITE BEAUTY SALON STE	9040485	13	PP	1	15LL	C 28112	44.01- 2231310		- BASE RLS	BUS CLOSED IN 2012 RELEASE 0000000	BEDWARDS 80720	071020
7/17/20 SHEAR DELITE BEAUTY SALON STE	9040485	13	PP	1	15P	C 28112	440.12- 2231310		- BASE RLS	BUS CLOSED IN 2012 RELEASE 0000000	BEDWARDS 80721	071020
7/17/20 SHEAR DELITE BEAUTY SALON STE	9040485	14	PP	1	15LL	C 28112	44.01- 2231310		- BASE RLS	BUS CLOSED IN 2012 RELEASE 0000000	BEDWARDS 80722	071020
7/17/20 SHEAR DELITE BEAUTY SALON STE	9040485	14	PP	1	15P	C 28112	440.12- 2231310		- BASE RLS	BUS CLOSED IN 2012 RELEASE 0000000	BEDWARDS 80723	071020
7/17/20 SHEAR DELITE SALON % FLORETHA	9040486	13	PP	1	15LL	C 28112	44.01- 2231313		- BASE RLS	DUP OF ACCT 9040485 RELEASE 0000000	BEDWARDS 80724	071020
7/17/20 SHEAR DELITE SALON % FLORETHA	9040486	13	PP	1	15P	C 28112	440.12- 2231313		- BASE RLS	DUP OF ACCT 9040485 RELEASE 0000000	BEDWARDS 80725	071020
7/17/20 SHEAR DELITE SALON % FLORETHA	9040486	14	PP	1	15LL	C 28112	44.01- 2231313		- BASE RLS	DUP OF ACCT 9040485 RELEASE 0000000	BEDWARDS 80726	071020
7/17/20 SHEAR DELITE SALON % FLORETHA	9040486	14	PP	1	15P	C 28112	440.12- 2231313		- BASE RLS	DUP OF ACCT 9040485 RELEASE 0000000	BEDWARDS 80727	071020
7/17/20 W L MURRAY CONSTRUCTION LLC MU	9044952	19	PP	1	15LL	C 28112	18.27- 415870		- BASE RLS	BUSINESS CLOSED 2/28/20 RELEASE 0000000	BEDWARDS 80718	071720
7/17/20 W L MURRAY CONSTRUCTION LLC MU	9044952	19	PP	1	15P	C 28112	182.67- 415870		- BASE RLS	BUSINESS CLOSED 2/28/20 RELEASE 0000000	BEDWARDS 80719	071720

PREPARED 8/07/20, 11:05:25
 PROGRAM TX420L
 City of Monroe, North Carolina

TAX ADJUSTMENT LISTING
 7/01/20 - 7/31/20
 BY TRANSACTION DATE
 RECAP TOTALS BY ENTITY/YEAR

All account types
 All roll codes
 ADJ CODE: RLS

PAGE 2

ENTITY/YR	+ BASE	PAYMT REF	PYMT VOID	- BASE	CR REF	+/-TX DUE	TRANS FRM	TRANS TO
15LL 13	.00	.00	.00	101.90-	.00	.00	.00	.00
15LL 14	.00	.00	.00	101.90-	.00	.00	.00	.00
15LL 19	.00	.00	.00	18.27-	.00	.00	.00	.00
15LL TOTALS	.00	.00	.00	222.07-	.00	.00	.00	.00
15P 13	.00	.00	.00	1018.99-	.00	.00	.00	.00
15P 14	.00	.00	.00	1018.99-	.00	.00	.00	.00
15P 19	.00	.00	.00	182.67-	.00	.00	.00	.00
15P TOTALS	.00	.00	.00	2220.65-	.00	.00	.00	.00
TOTALS	.00	.00	.00	2442.72-	.00	.00	.00	.00

PREPARED 8/07/20, 11:05:25
 PROGRAM TX420L
 City of Monroe, North Carolina

TAX ADJUSTMENT LISTING
 7/01/20 - 7/31/20
 BY TRANSACTION DATE
 RECAP TOTALS BY YEAR/ADJUSTMENT CODE

All account types
 All roll codes
 ADJ CODE: RLS

PAGE 3

YR/ADJ CODE	+ BASE	PAYMT REF	PYMT VOID	- BASE	CR REF	+/-TX DUE	TRANS FRM	TRANS TO
13 RLS	.00	.00	.00	1120.89-	.00	.00	.00	.00
13 TOTALS	.00	.00	.00	1120.89-	.00	.00	.00	.00
14 RLS	.00	.00	.00	1120.89-	.00	.00	.00	.00
14 TOTALS	.00	.00	.00	1120.89-	.00	.00	.00	.00
19 RLS	.00	.00	.00	200.94-	.00	.00	.00	.00
19 TOTALS	.00	.00	.00	200.94-	.00	.00	.00	.00
TOTALS	.00	.00	.00	2442.72-	.00	.00	.00	.00



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: Russell Colbath, Water Resources Director

PREPARED BY: Russell Colbath, Water Resources Director

SUBJECT: Contract Award – Flatbed Dump Truck Purchase

SUMMARY STATEMENT

City Council is requested to consider an award for the purchase of a flatbed dump truck in the Water Resources Construction Division.

REVIEW

Budgeted funds are available in the FY21 budget to replace a 2005 model flatbed dump truck in the Water Resources Construction Division that has reached the end of its useful life. Water Resources staff worked with the City Garage and Purchasing personnel to find the best procurement strategy for this purchase. Purchasing identified an opportunity to use a piggy back bid from the Excel Truck Group. Based on the proposal obtain by the Purchasing Division, which met all City requirements, staff is recommending the following award:

Flat Bed Dump Truck Model M-2
Provided by Excel Truck Group
Price \$97,460.00

Because budgeted funds are available, and based on the Mayoral Committee Principals dated November 19, 2019, this contract award is coming directly to City Council without a committee recommendation.

RECOMMENDATION

It is the recommendation of Staff that City Council award the purchase contract to Excel Truck Group in the amount of \$97,460 and authorize the City Manager to execute all necessary documents.



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: List Stiwinter, Planning and Development Director

PREPARED BY: Keri Mendler, Planner

SUBJECT: Annexation 169.47 acres located along Waxhaw Highway and further identified with parcel ID number 09-351-014.

SUMMARY STATEMENT

City Council is requested to consider the annexation of 169.47 acres located along Waxhaw Highway and further identified with parcel ID number 09-351-014

REVIEW

This is an annexation request by Franklin Howey on behalf of Monroe Township Farms, LLC to annex 169.47 acres located along Waxhaw Highway and further identified with parcel ID number 09-351-014. The annexation is being requested in order to develop 500 single family residential lots.

SERVICE DELIVERY IMPACT ANALYSIS

Administration / Finance / Human Resources:

The current tax rate is .6163. The additional yearly tax revenue based on the developer's average single family house price of \$320,000 would generate approximately \$1,972.16 for each single family home. Assuming a 50% build out, the yearly tax revenue would be \$493,040; assuming a 100% build out, the yearly tax revenue would be \$986,080.

Law Enforcement Services:

The residents, businesses and property owners of the City of Monroe receive service and protection from the City of Monroe Police Department. The department is funded through the City's General Fund budget and serves all incorporated areas of the City.

CURRENT LEVEL OF SERVICE

Police service within the City of Monroe is currently provided by a municipal department made up of 94 full time sworn officers, 5 part-time officers, 6 part-time civilian employees and 11 fulltime civilian employees. At the current population figure of 35,034, the number of sworn positions reflects a police citizen ratio of 2.5 sworn officers per 1,000 residents.

The current geographical service area encompasses 29.63 square miles, containing approximately 169 centerline miles of City and DOT maintained streets, plus private roads, parking areas and alleys.

All sworn personnel are trained and certified law enforcement officers while several officers possess specialized training and experience in the administration of breath tests for alcohol, and the use of moving and stationary radar speed detection equipment. Each sworn officer is subjected to continued in-service training in such areas as the use of firearms, criminal investigation, crisis control and professional conduct.

The Department headquarters is located in historic downtown Monroe and serves the City through a total of four response zones. The department deploys officers through a single-car, one officer per car, patrol system that has proven to be economically sound and operationally efficient. Uniformed patrols are currently conducted utilizing 12-hour shifts that rotate every 28 days between day and night. Patrol operations are conducted on a 24-hour basis seven days a week. Supervisors direct the operation of patrol officers and can make adjustments in assignments as required to compensate for existing demand levels.

Statistical and computational data regarding current service area and existing level of police services provided are reflected in **Table 1**, Data for Existing Service Area.

TABLE 1 - DATA FOR EXISTING SERVICE AREA

Estimated Population:	35,034
Classification of Area:	Urban & suburban
Geographical Area (Size):	29.63 square miles
Linear Highway Miles:	169 miles (City & DOT)
Annual Calls for Service	69,194 (2 calls per resident)
Average Response Time:	3.38 minutes (all priorities included)

TABLE 2 - DATA FOR ALL REZONING AREAS

Estimated Population:	1,500 (Based on 500 homes multiplied by the average of 3 persons per household.)
Classification of Area:	Urban & suburban
Geographical Area (Size):	Less than 1 square mile
Linear Highway Miles:	Less than 1 mile
Projected annual calls for service	943 (Est. Based on calls for Service in Fieldstone Farm of 1.88 per unit)
Projected Average Response Time:	4.5 Minutes (all priorities included)

Fieldstone Farm vs Waxhaw Landing

In looking at potential impacts on law enforcement services we analyzed Fieldstone Farm Sub-Division in Indian Trail which is similar to the proposed annexation property.

Fieldstone Farm (Indian Trail)		Waxhaw Landing	
Average acreage	0.20 Acre	Average acreage	Est. 0.17 Acre
Homes	480	Homes	500
Average Value	\$273,000	Average Value	\$320,000
Calls for Service 2019	906	Est. Calls for Service per Year	940

LEVEL OF SERVICE TO ANNEXATION AREA

On the effective date of rezoning by the City, all residents and property owners will be eligible to receive police service on substantially the same basis and in the same manner by which these services are provided to the rest of the City prior to annexation.

The proposed annexation area will be absorbed into the current district and response zones. Service to the proposed rezoned area with continuing growth in the area will have a long-term effect at our current officer allocation. Deployment of personnel will be monitored and adjusted to accommodate the expanded service area and provide traffic enforcement and control services to the expanded jurisdiction. The increase in demand for service in the general area will have an impact on timely service delivery at our current officer allocation.

Based on this analysis, we feel that the additional land, area, street mileage and dwelling units will have future impact on police services and additional employees will be required.

Fire Services:

The proposed annexation will be served from existing Monroe Fire Stations and there will be no immediate measurable cost impact to the fire department to serve this area, however the fire department will not be able to meet our response time goals inside of this sub division if it were built today. As the city limits continues to expand to the southwest and the population and housing density increases in this direction an additional fire station will be needed to meet response time goals. Fire Station 1 and Station 3 are similar distances from the proposed annexation. The fire department would likely expand the existing planning zone (MF07).

The Springs Volunteer Fire Department (VFD) currently provides service to the proposed annexation area with two fire stations and there could be some debt service payments required. The proposed annexed area is estimated to be approximately 169 acres. The total district size of the Springs VFD area is approximately 43 square miles or approximately 27,520 acres. Thus, the proposed annexation area is a very small percentage of Springs total area. The required debt service is expected to be minimal.

Monroe Fire Department would have primary responsibility to provide services to the annexed area. If needed, Monroe Fire Department would request assistance from Springs VFD via the automatic and mutual aid agreement with them. Our current agreements are reciprocal with no financial cost to either party. It is anticipated the current practice of aid between the two agencies would remain in place without any potential aid cost.

Engineering and Stormwater, and Solid Waste Collection and Recycling

The City of Monroe's Engineering Department is responsible for street maintenance as well as the City's stormwater drainage system. The proposed annexation of the Waxhaw Landing Subdivision off NC 75 is expected to have no immediate impact on the operating budgets for the Department provided that the proposed streets and drainage system serving the development are built in accordance with the City of Monroe Standard Specification and Detail Manual. A minimum level of maintenance service is typically provided on newer streets for the first 15 to 20 years. Basic maintenance including debris removal, catch basin routes, street sweeping, snow removal, etc. is provided on the streets once they are accepted for maintenance. The average life expectancy for a pavement structure is 15 to 20 years with costs increasing as the roads deteriorate due to pavement repairs and ultimately need resurfacing as they become eligible under the City's Pavement Management Program. Approximately 3.95 miles of new public streets are proposed within the Waxhaw Landing Subdivision. Based on current Powell Bill receipts, the subdivision is expected to generate annual Powell Bill revenue in the amount of \$30,862 upon completion. The Vehicle Tax of \$35 per vehicle should generate \$28,000 per year assuming 1.6 vehicles per household and the 500 lot subdivision. By General Statute 136-41.3, Powell Bill funds are *"primarily for the resurfacing of streets within the corporate limits of the municipality but may also be used for the purposes of maintaining, repairing, constructing, reconstructing or widening of any street or public thoroughfare including bridges, drainage, curb and gutter, and other necessary appurtenances within the corporate limits of the municipality or for meeting the municipality's proportionate share of assessments levied for such purposes, or for the planning, construction and maintenance of bikeways, greenways, or sidewalks."* The Vehicle Tax is used exclusively for resurfacing municipal eligible Powell Bill streets. Depending upon necessary repairs completed in conjunction with the street resurfacing,

costs have averaged \$400,085 per mile of roadway for the past four years. Street lighting is provided by the City of Monroe on all public streets with an estimated annual cost of \$22,975 for the development based on current costs. Street lighting costs are provided by the General Fund. Stormwater fees will be required monthly for each constructed lot in accordance with the Stormwater Utility and Enterprise Fees established by the Fees Schedule Ordinance. Solid Waste fees for the individual lots will also be in accordance with the Fee Schedule Ordinance as adopted by City Council. Based on the current rates charged by Waste Pro and the fees established by the City, total cost for the service to the citizens by the vendor is estimated at \$8,715 with a revenue for 500 hundred homes of \$10,225. The revenue pays for City staffing and additional services such as litter pickup, cart replacement and community maintenance.

Planning Department:

The 2010 United States Census states that the average household size was 2.58; assuming this is still accurate, the projected population of this development, once complete, would be approximately 1,290.

Energy Services:

The electric service for Waxhaw Landing will be provided by Duke Power.

For natural gas service, service to the subdivision is available today with no extension required. The City operates a 4" PE gas main along Highway 75 at both entrance points for Waxhaw Landing. The estimated construction cost for the natural gas infrastructure to serve the subdivision is \$424,855. The construction cost will be recovered within the required eight (8) year revenue period.

Water Resources:

1. The project proposes 500 single family residential lots. Using an assumed 3-bedroom house per lot at 120 gpd/bedroom, the anticipated average daily flow demand upon build-out is approximately 180,000 gpd.
2. The rezoning approval of this property will require the following capacity commitments:
 Sewer Capacity – 180,000 gallons per day
 Water Capacity – 180,000 gallons per day
 Available Capacity Summary

	<u>Wastewater</u>	<u>Water</u>
Current	10.4 MGD	12.99 MGD
Current Demand	6.94 MGD (Avg. Day)	9.20 MGD (Max Day)
Current On-Paper (Including this re-zoning request)	2.28 MGD	1.68 MGD
Available Uncommitted	1.18 MGD	2.11 MGD

Note: On-Paper capacity commitments that exceed available capacity will require NCDEQ approval via a special Planning Assessment showing capital project and financial commitments to future system expansions.

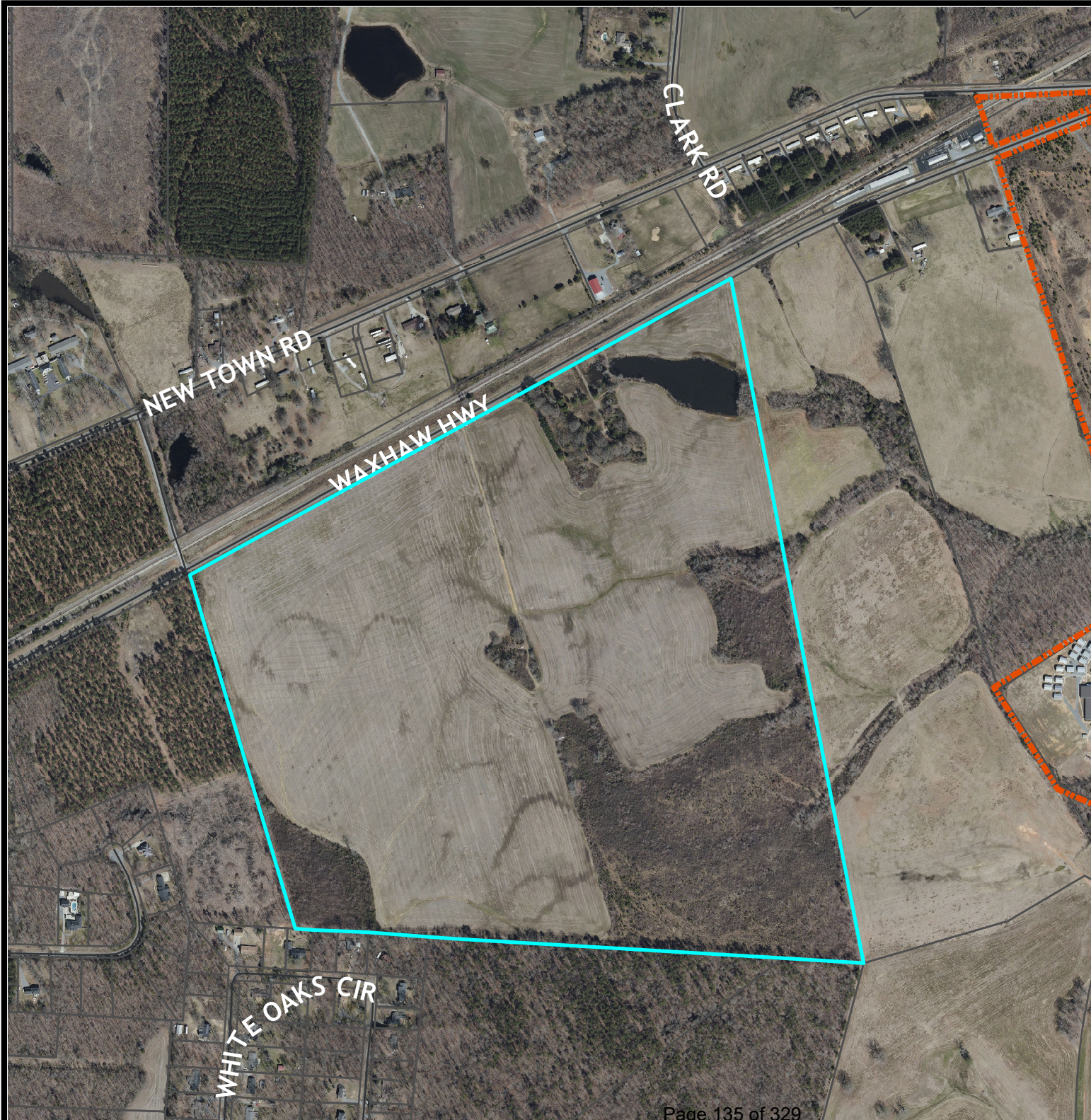
3. Additionally, we have reviewed the proposed annexation for anticipated cost to serve and provide the following comments:
- a. All capital cost of water and sewer main extensions will be funded by the developer at no cost to the City per the City Water and Sewer Extensions Policy.
 - b. Water and wastewater treatment plant capacity cost will be fully offset by existing capacity fees to be paid by the property owner at the time they request a meter connection to the system.
 - c. Meter reading and billing costs will be fully offset by existing utility rates paid by each customer once they establish utility service.
 - d. Water distribution costs will be dependent on the final demand for water exhibited by each customer connecting to the water system, but will be fully offset by existing utility rates.
 - e. Sewer collection costs will be dependent on the final volume of sewer discharged to the City system, as exhibited by each customer connecting to the sewer system, but will be fully offset by existing utility rates.

RECOMMENDATION

Planning Board and Planning Staff recommend approval of the annexation.

Attachment(s):
Ortho Map
Annexation Plat
Certificate of Sufficiency
Ordinance O-2020-31

Prepared by: KEM 8-6-20



Ortho Map

Legend

-  Centerlines
-  Parcels
-  City Limits

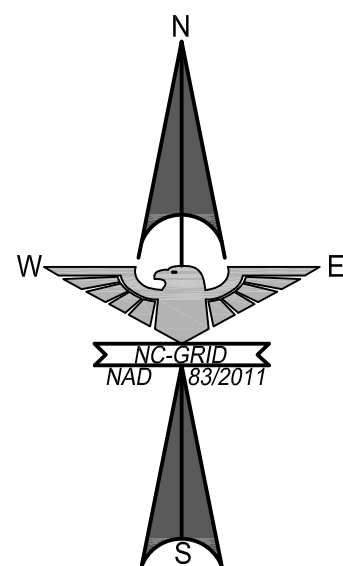
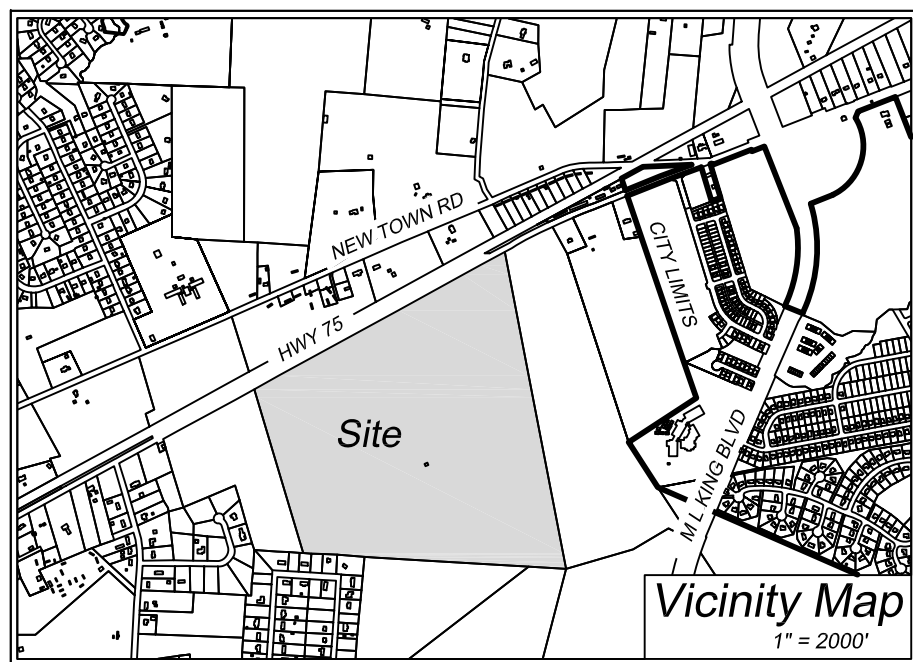
**Existing: RA-20 & RA-40
(Residential- Union County)**

**Owner: Monroe Township
Farms, LLC**

Acres: 169.47



0 575 1,150
 Feet



REVIEW OFFICER

STATE OF NORTH CAROLINA
COUNTY OF UNION

I, _____, A REVIEW OFFICER OF UNION COUNTY,
CERTIFY THAT THE MAP OF PLAT TO WHICH THIS CERTIFICATION IS
AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING

DATE _____ REVIEW OFFICER _____

CITY CLERK APPROVAL

I, _____, CITY CLERK OF THE CITY OF
MONROE, NORTH CAROLINA, HEREBY CERTIFY THAT ON THE _____ DAY
OF _____, 2020 THE CITY COUNCIL APPROVED THIS PLAT FOR
ANNEXATION AND RECORDING.

DATE _____ CITY CLERK _____ (SEAL)

NGS MONUMENT "T 51"
PID: EC0164
NAD 83/2011
N:449,653.53
E:1,523,300.79
ELEV. 643.9'
CGF = 0.99985815
CONVERGENCE
ANGLE = -0°55'06.7"

N/F
PARCEL #09351013
ELIZABETH CLAY HARTSELL
DB 4203, PG. 90
ZONING: RA-20
(UNINCORPORATED
UNION COUNTY)

N/F
PARCEL #09351013B
HARVEY & JESSIE LANEY
DB 1442, PG. 410
ZONING: RA-20
(UNINCORPORATED
UNION COUNTY)

N/F
HENRY B. BROWNING AND
WIFE, LORETTA M. BROWNING
BK. 401, PG. 572
(SECOND TRACT)
PARCEL #09321003B
ZONING: B-2
(UNINCORPORATED
UNION COUNTY)

CSX TRANSPORTATION, INC.
100' RAILROAD R/W
REF. DB 7279, PG. 602

N 64°09'E 1.436' +/- TO
CLOSEST POINT OF
MONROE CITY LIMITS
BK 7464-563
(PLAT CAB. O-820)

N/F
PARCEL #09321003
ROBERT L. BROWNING, JR.
DB 444, PG. 325
ZONING: RA-20 / RA-40
(UNINCORPORATED
UNION COUNTY)

N/F
PARCEL #09351015A
JIMMY & JO MOORE
DB 4663, PG. 385
ZONING: RA-20 / RA-40
(UNINCORPORATED
UNION COUNTY)

N/F
PARCEL #09351011
EDWARD LAWINGS
DB 5783, PG. 255
ZONING: RA-20
(UNINCORPORATED
UNION COUNTY)

NC HIGHWAY 75 - WAXHAW HIGHWAY
NO RECORDED RIGHT OF WAY FOUND FOR N.C. HWY. 75
RIGHT OF WAY IS LIMITED TO AREA MAINTAINED BY NCDOT
(SEE NOTE NUMBER 14 ON SHEET 2)

EDGE OF PAVEMENT
24.5' +/- EOP TO EOP

2" EIR
N:448585.78
E:1521453.47
NAD 83/2011

N/F
PARCEL #09351014
MONROE TOWNSHIP FARMS, LLC
DB 7279, PG. 602
ZONING: RA-20 / RA-40
(UNINCORPORATED
UNION COUNTY)

7,382,094 sq.ft.
169.470 acres

N/F
PARCEL #09351015
D. WARD STARNES
ZONING: RA-20 / RA-40
(UNINCORPORATED
UNION COUNTY)

APPROXIMATE LOCATION
OF ZONING BOUNDARY
PER UNION COUNTY GIS

RA-20 ZONING

RA-40 ZONING

THIS PROPERTY IS SUBJECT TO
RURAL LINE PERMIT TO MONROE
TELEPHONE COMPANY RECORDED IN
BOOK 182, PG. 416 AND EASEMENT TO
DUKE POWER COMPANY RECORDED IN
BOOK 124, PAGE 166.

MATCH LINE
SEE SHEET 2 of 2

SURVEYORS CERTIFICATION

STATE OF NORTH CAROLINA
UNION COUNTY

I, RUSSELL L. WHITEHURST, PROFESSIONAL LAND SURVEYOR HEREBY CERTIFY
THAT THIS MAP DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY
MADE UNDER MY SUPERVISION OF A TRACT OF LAND WHOSE TITLE
REFERENCES ARE SHOWN ON THE FACE OF THIS PLAT; THAT THE RATIO OF
PRECISION AS CALCULATED IS 1:10,000; THAT THE MAXIMUM FIELD ERROR OF
ANGULAR CLOSURE IS 7.5 SECONDS; THAT THE BOUNDARIES NOT SURVEYED
ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN DEED BK.
(see notes) PG.(see notes); AND THAT THIS MAP WAS PREPARED IN ACCORDANCE
WITH G.S. 47-30 AS AMENDED.

THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF
EXISTING PARCELS, A COURT ORDERED SURVEY, OR OTHER EXCEPTION TO
THE DEFINITION OF SUBDIVISION.

THIS IS TO CERTIFY THAT THIS SURVEY IS AN ANNEXATION SURVEY, WHICH IS
AN EXCEPTION TO THE DEFINITION OF "SUBDIVISION" PURSUANT TO GENERAL
STATUTE 47-30f.11d

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL.

THIS 10th DAY OF APRIL, 2019.

RUSSELL L. WHITEHURST
PROFESSIONAL LAND SURVEYOR
NO. L-3661

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, NOTARY PUBLIC IN AND FOR THE COUNTY
OF _____ AND THE STATE OF NORTH CAROLINA, DO
HEREBY CERTIFY THAT _____ SURVEYOR,
PERSONALLY APPEARED BEFORE ME THIS DAY AND
ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING
CERTIFICATE AND UPON HIS OATH, SWORE TO THE TRUTH OF
THE STATEMENTS SET FORTH THEREIN.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF
_____, 2020.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____ SEAL

ANNEXATION NOTES

TOTAL LINEAR FEET OF BOUNDARY: 11,100.34'

LINEAR FEET OF BOUNDARY CONTIGUOUS WITH
EXISTING MONROE SATELLITE CITY LIMITS: 0'

TOTAL AREA ANNEXED: 169.470 ACRES

GRAPHIC SCALE

0 200' 400'

(IN FEET)
1 inch = 200 ft.

ANNEXATION BOUNDARY FOR THE CITY OF MONROE



2013-A Van Buren Avenue
Indian Trail, NC 28079
(704) 882-4222
www.eagleonline.net

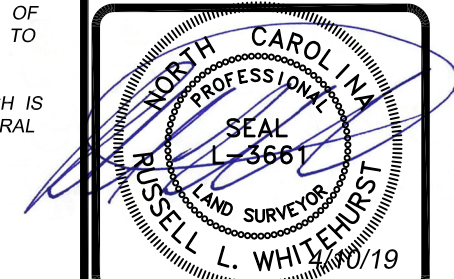
REVISION
NO. DATE BY R/W REVISED PER CITY OF MONROE COMMENTS
1 3/27/20 RLW
2 4/8/20 RLW REVISED RIGHT OF WAY NOTATIONS ON N.C. 75.
3 4/22/20 RLW CORRECT OVERALL AREA ON SHEET ONE
4 5/15/20 RLW UPDATE RAILROAD NAME
5 5/20/20 RLW UPDATE PURPOSE STATEMENT
6 5/21/20 RLW

THE PROPERTY OF:
MONROE TOWNSHIP FARMS, LLC
MONROE TOWNSHIP,
UNION COUNTY, NC

OWNER:
MONROE TOWNSHIP FARMS, LLC
P.O. BOX 429
MONROE, NC 28111

ANNEXATION PLAT

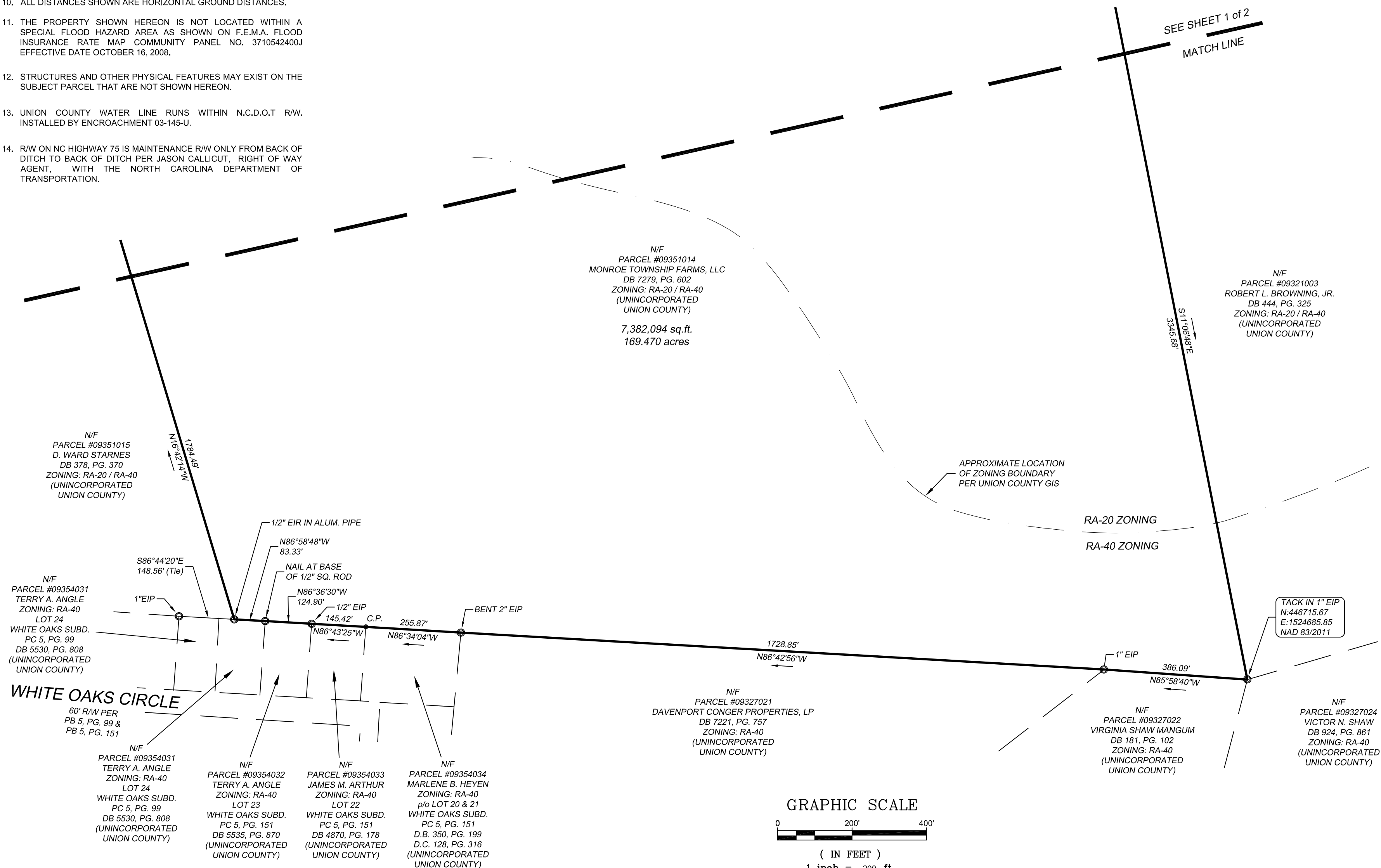
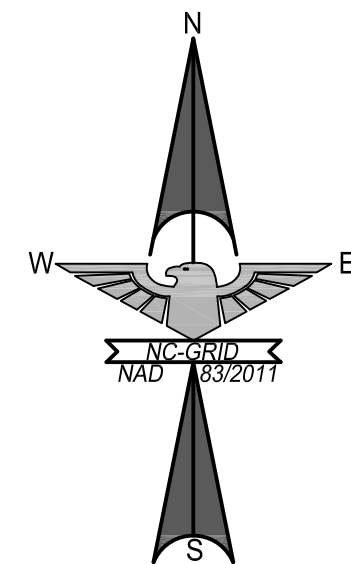
Drawn By: DCG Approved By: RLW Date: APRIL 10, 2019
Location: *LAND PROJECTS 160726 Scale: 1" = 200' EEL Project 6726



1 of 2

1. GRID POSITIONS WERE DETERMINED USING A TRIMBLE 5800 GNSS GPS RECEIVER UTILIZING THE NORTH CAROLINA GEODETIC SURVEY VRS NETWORK. ALL COORDINATES AND BEARING SHOWN ARE BASED ON NAD 83/2011.
2. AREAS COMPUTED USING COORDINATE GEOMETRY.
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE MARKED.
4. IRON REBARS AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
5. DEED REFERENCE: AS SHOWN.
6. ALL ADJOINING PROPERTY OWNER INFORMATION IS TAKEN FROM CURRENT DEEDS AND TAX RECORDS AND ARE CONSIDERED "NOW OR FORMERLY".
7. RAW ERROR OF CLOSURE: 1:10,000+. BOUNDARY TRAVERSE WAS ADJUSTED USING THE LEAST SQUARES METHOD.
8. OTHER UNDERGROUND UTILITIES MAY EXIST BUT THEIR LOCATIONS ARE NOT KNOWN.
9. THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND.
10. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.
11. THE PROPERTY SHOWN HEREON IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 3710542400J EFFECTIVE DATE OCTOBER 16, 2008.
12. STRUCTURES AND OTHER PHYSICAL FEATURES MAY EXIST ON THE SUBJECT PARCEL THAT ARE NOT SHOWN HEREON.
13. UNION COUNTY WATER LINE RUNS WITHIN N.C.D.O.T. R/W. INSTALLED BY ENCROACHMENT 03-145-U.
14. R/W ON NC HIGHWAY 75 IS MAINTENANCE R/W ONLY FROM BACK OF DITCH TO BACK OF DITCH PER JASON CALLICUT, RIGHT OF WAY AGENT, WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

EIP - EXISTING IRON PIPE
EIR - EXISTING IRON REBAR
NIR - NEW IRON REBAR
S.T. - SIGHT TRIANGLE
M.B.S. - MINIMUM BUILDING SETBACK
P.S.D.E. - PUBLIC STORM DRAINAGE EASEMENT
S.S.E. - SANITARY SEWER EASEMENT
SSMH - SANITARY SEWER MANHOLE
R/W - RIGHT OF WAY
P.S.S.E. - PRIVATE SANITARY SEWER EASEMENT
GPUE - GENERAL PUBLIC UTILITY EASEMENT
C.P. - COMPUTED POINT
ECM - EXISTING CONCRETE MONUMENT
E.P.K. - EXISTING P.C. NAIL
CGF - COMBINED GRID FACTOR.



ANNEXATION BOUNDARY FOR THE CITY OF MONROE



**EAGLE
ENGINEERING**

2013-A Van Buren Avenue
Indian Trail, NC 28079
(704) 882-4222
www.eagleonline.net

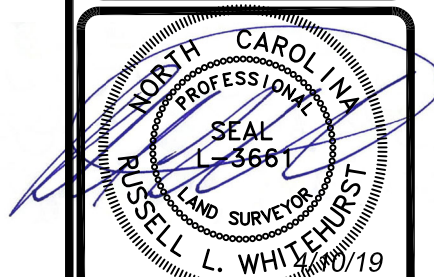
NO.	DATE	BY	REVISION
1	3/27/20	RLW	REVISED PER CITY OF MONROE COMMENTS
2	4/8/20	RLW	REVISED PER CITY OF MONROE COMMENTS
3	4/22/20	RLW	REVISED RIGHT OF WAY NOTATIONS ON N.C. 75.
4	5/15/20	RLW	CORRECT OVERALL AREA ON SHEET ONE
5	5/20/20	RLW	UPDATE RAILROAD NAME
6	5/21/20	RLW	UPDATE PURPOSE STATEMENT

THE PROPERTY OF:
MONROE TOWNSHIP FARMS, LLC
MONROE TOWNSHIP,
UNION COUNTY, NC

OWNER:
MONROE TOWNSHIP FARMS, LLC
P.O. BOX 429

ANNEXATION PLAT

Drawn By:	DCG	Approved By	RLW	Date	APRIL 10, 2019
Location:	XULAND PROJECTS R216726			Scale:	1" = 200'
				EEI Project	6726



2 of 2

CERTIFICATE OF SUFFICIENCY
169.47 ACRES LOCATED ALONG WAXHAW HIGHWAY
TAX PARCEL #09-351-014

To the City Council of the City of Monroe, North Carolina:

I, Bridgette H. Robinson, City Clerk, do hereby certify that I have investigated the Petition attached hereto and have found as a fact that said Petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Monroe, this 22nd day of July, 2020.



Bridgette H. Robinson
Bridgette H. Robinson, City Clerk



CITY OF MONROE
Petition Requesting Annexation

DATE: May 30, 2019

To the City Council of the City of Monroe:

1. I/We the undersigned owner(s) of real property respectfully request that the area described in Item 2 below be annexed to the City of Monroe. Furthermore, I/we do declare and certify that all legal owners of real property in the annexation area have signed this petition in Item 3 below.

2. The area to be annexed is (choose one):

☐ Contiguous to the primary corporate limits of the City of Monroe. A complete and accurate legal description of the property and a recently prepared survey map are attached.

OR

☒ Not contiguous to the primary corporate limits of the City of Monroe. A complete and accurate legal description of the property, a recently prepared survey map, and a map showing the area proposed for annexation in relation to the primary corporate limits of the City are attached. In addition, in compliance with Session Law 2003-321, I/we certify that:

(A) The nearest point on the proposed satellite corporate limits must be not more than two miles from the primary corporate limits of the annexing city or must be contiguous to the satellite corporate limits of the annexing city; and

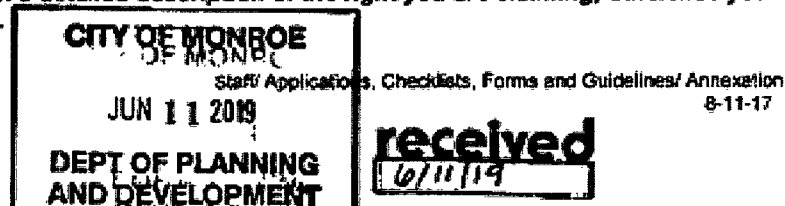
(B) No point on the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the annexing city, except that this subdivision does not apply if the area proposed for annexation is contiguous to the satellite corporate limits.

3. I/We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. If zoning vested rights are claimed, indicate below and attach proof (copy of a valid building permit, conditional use permit, etc.)

Name (please type or print)	Address (please type or print)	Vested Rights? * (yes or no)	Signature
Franklin Howey for Monroe Township Farms, LLC	PO Box 429, Monroe NC, 28111	No	<i>Franklin Howey for Monroe Township Farms, LLC</i>

*If you answer yes, you must attach a detailed description of the right you are claiming; otherwise you will forfeit this right within the City.

Page 1 of 3



**ORDINANCE TO EXTEND CORPORATE LIMITS OF
CITY OF MONROE, NORTH CAROLINA
O-2020-31**

WHEREAS, the City Council has been petitioned under G.S. 160A-58.1 to annex the area described below; and

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

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the City Hall Council Chambers at 6:00 p.m. on August 18, 2020, after due notice by publication on August 8, 2020 and August 15, 2020; and

WHEREAS, the City Council finds that the petition meets the requirements of G.S. 160A-58.1; and

WHEREAS, the City Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Monroe and of the area proposed for annexation will be best served by annexing the area described.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Monroe, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.1, the following described territory is hereby annexed and made part of the City of Monroe as of August 18, 2020:

LEGAL DESCRIPTION OF 169.470 ACRES OF THE MONROE TOWNSHIP FARMS, LLC AND FURTHER IDENTIFIED AS TAX PARCEL 09-351-014, DEED RECORDED IN RECORD BOOK 7279, PAGE 602

Being in North Carolina, Union County, Monroe Township **BEGINNING** at the National Geodetic Survey monument "T 51" having North Carolina Geodetic coordinates in survey feet of: North 449,653.53 and East 1,523,300.79 and tied to the North American Datum 83/2011: thence N 65° 2' 39" E, 816.59 feet to a nail at the base of an existing bent iron pipe, said pipe being on the common line of now or formerly the Monroe Township Farms, LLC property recorded in Record Book 7279, Page 602 in the Union County Register of Deeds and of now or formerly the Robert L. Browning, Jr. property recorded in Deed Book 444, Page 325 in the Union County Register of Deeds; thence with the said Browning property N 11° 6' 48" W, 37.91 feet to a computed point in the centerline of Waxhaw Highway (NC Highway 75), said computed point being a common corner with now or formerly the Henry B. Browning and wife Loretta M. Browning property recorded in Deed Book 401, Page 572 in the Union County Register of Deeds; thence with the said Browning property N 11° 6' 48" W, 107.28 feet to a computed point in the centerline of the CSX Transportation, Inc. railroad right-of-way (said right-of-way being 100 feet in width), and said computed point being on the line of now or formerly the Harvey and Jessie Laney property recorded in Record Book 1442, Page 410 in the Union County Register of Deeds, the **TRUE POINT AND PLACE OF BEGINNING**: thence with the said Browning property S 11° 6' 48" E, 107.28 feet to a computed point in the centerline of Waxhaw Highway (NC Highway 75), said computed point being a common corner with now or formerly the Robert L. Browning, Jr. property recorded in Deed Book 444, Page 325 in the Union County Register of Deeds; thence with the said Browning property S 11° 6' 48" E, 37.91 feet to a nail at the base of an existing bent iron pipe; thence continuing with the said Browning property S 11° 6' 48" E, 3,345.68 feet to a tack in an existing 1-inch iron pipe, a common corner of now or formerly the Victor N. Shaw property recorded in Record Book 924, Page 861 in the Union County Register of Deeds and of now or formerly the Virginia Shaw Mangum property recorded in Deed Book 181, Page 102 in the Union County Register of Deeds; thence with the said Virginia Shaw Mangum property N 85° 58' 40" W, 386.09 feet to an existing 1-inch iron pipe, a common corner of now or formerly the Davenport Conger Properties, LP property recorded in Record Book 7221, Page 757, in the Union County Register of Deeds; thence with the said Davenport Conger Properties, LP property N 86° 42' 56" W, 1,728.85 feet to an existing 2-inch bent iron pipe, a common corner of now or formerly the Marlene B. Heyen property recorded in Deed Book 350, Page 199 in the Union County Register of Deeds and being the north eastern corner of Lot 21 of White Oaks Subdivision recorded in Plat Book 5, Page 151 in the Union County Register of Deeds; thence with the said Heyen property and the northern line of the said White Oaks Subdivision N 86° 34' 4" W, 255.87 feet to a computed point, a common corner of now or formerly the James M. Arthur property recorded in Record Book 4870, Page 178 in the Union County Register of Deeds; thence

with the said Arthur property and continuing with the northern line of the said White Oaks Subdivision N 86° 43' 25" W, 145.42 feet to an existing 1/2-inch iron pipe, a common corner of now or formerly the Terry A. Angle property recorded in Record Book 5535, Page 870 in the Union County Register of Deeds; thence with the said Angle property and continuing with the northern line of the said White Oaks Subdivision N 86° 36' 30" W, 124.90 feet to a nail at the base of a 1/2-inch square rod, a common corner of now or formerly the Terry A. Angle property recorded in Record Book 5530, Page 808 in the Union County Register of Deeds and the northeastern corner of Lot 24 of the S. M. Cox and wife Kate Agnes Cox Subdivision (a/k/a White Oaks Subdivision) recorded in Plat Book 5, Page 99 in the Union County Register of Deeds; thence with the said Angle property and continuing with the northern line of the said S. M. Cox and wife Kate Agnes Cox Subdivision N 86° 58' 48" W, 83.33 feet to an existing 1/2-inch iron rebar inside an aluminum pipe, a common corner of now or formerly the D. Ward Starnes property recorded in Deed Book 378, Page 370 in the Union County Register of Deeds; thence with the said Starnes property N 16° 42' 14" W, 1,784.49 feet to an existing 2-inch iron rebar on the southern side of Waxhaw Highway (NC Highway 75); thence continuing with the said Starnes property and with now or formerly the Jimmy and Jo Moore property recorded in Record Book 4663, Page 385 in the Union County Register of Deeds N 16° 42' 14" W, 136.47 feet to a computed point in the centerline of the CSX Transportation, Inc. railroad right-of-way, a common corner of now or formerly the Edward Lawings property recorded in Record Book 5783, Page 255 in the Union County Register of Deeds; thence with the centerline of the CSX Transportation, Inc. railroad right-of-way and with the said Lawings property and with now or formerly the Elizabeth Clay Hartsell property recorded in Record Book 4203, Page 90 in the Union County Register of Deeds and with now or formerly the Marianne G. Wescoat property recorded in Record Book 5661, Page 183 in the Union County Register of Deeds and with now or formerly the Harvey and Jessie Laney property recorded in Record Book 1442, Page 410 in the Union County Register of Deeds N 61° 16' 52" E, 2,963.45 feet to the **POINT AND PLACE OF BEGINNING** and containing 169.470 acres more or less as shown on a plat entitled "Annexation Boundary for the City of Monroe, the property of Monroe Township Farms, LLC" prepared by Eagle Engineering, Inc., (Russell L. Whitehurst, PLS) and dated April 10, 2019 and last revised May 21, 2020. Said annexation plat is recorded in Plat Cabinet _____, Files _____ & _____ in the Union County Register of Deeds.

Section 2. Upon and after August 18, 2020, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Monroe and shall be entitled to the same privileges and benefits as other parts of the City of Monroe. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Monroe shall cause to be recorded in the office of the Register of Deeds of Union County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in

Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Union County Board of Elections, as required by G.S. 163-288.1.

Adopted this 18th day of August, 2020.

Bobby G. Kilgore, Mayor

Attest:

APPROVED AS TO FORM:

Bridgette H. Robinson, City Clerk

S. Mujeeb Shah-Khan, City Attorney

**NORTH CAROLINA
UNION COUNTY**

I, Sherry K. Hicks, Notary Public, in and for said County and State, do hereby certify that Bridgette H. Robinson personally appeared before me this day and acknowledged that she is the City Clerk of the City of Monroe, a municipal corporation of said state, and that by virtue of said office is also Clerk to the City Council of said City, and that by authority duly given and as an act of said City, the foregoing instrument was signed in the name of the City and in her presence by its Mayor, sealed with the corporate seal of said City, and attested by herself as its City Clerk.

Witness my hand and notarial seal, this 18th day of August, 2020.

_____(SEAL)
Sherry K. Hicks, Notary Public

My Commission Expires: 01/04/2021



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Keri Mendler, Planner

SUBJECT: Zoning Map Amendment request for Conditional District “Waxhaw Landing” (Parcel ID #: 09-351-014)

SUMMARY STATEMENT

City Council is requested to consider a zoning text and map amendment for the property located along Waxhaw Highway further identified with parcel ID number 09-351-014 from RA-20 and RA-40 (County Residential Zoning) to Conditional District (CD) “Waxhaw Landing”

REVIEW

The applicant, Monroe Township Farms, LLC, is requesting a conditional district rezoning in order to develop 500 single family lots. The total area of the project is 169.47 acres, with 49.08 acres or 29% of that left as common open space. The density of this project is 2.95 units per acre.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	CSX Railroad/Residential	RA-20 (Residential, County)
East	Vacant/Farming	RA-20 & RA-40 (Residential, County)
South	Vacant/Residential	RA-40 (Residential, County)
West	Residential	RA-20 & RA-40 (Residential, County)

Proposal

The applicant, Monroe Township Farms, LLC, is requesting a conditional district rezoning in order to develop 500 single family lots with 49.08 acres or 29% of open space.

REQUIREMENTS

Density & Dimensional Standards

The density of the proposed project is 2.95 units per acre. The minimum lot size is 6,000 sqft. with a 7,628 sqft average lot size. The data below is simply to provide the board with information to compare the proposed density being to what is allowed by the zoning ordinance in other residential districts in Monroe.

Zoning District	Maximum Allowable Density
R-10	4 units per acre
R-20	2 units per acre

The minimum setbacks proposed are as follows:

Front: 25 feet

Side: 5 feet

Corner Lot Side: 10 feet

Rear: 25 feet

Landscaping

Street trees will be provided at a rate of one (1) per lot and all houses will have at least two (2) yard trees. Landscaping will also be provided along the frontage of Waxhaw Landing.

Open Space

The project is required to provide at least 12.5% open space which would equal 21.83 acres. The total area of open space provided is 49.08 acres or 29%. The open space includes a clubhouse and pool and several pockets parks which will have walking paths, park benches, exercise equipment and/or playground equipment.

Elevations

The developer is proposing the homes will be a minimum of 1,400 heated square feet. The proposed exterior building materials will include fiber cement, stone, stucco, and/or brick. Vinyl will only be used for trim work. The front façade will include a mix of materials with a minimum of 25% being brick, stone, or stucco.

Parking

Each home will have a minimum of a two (2) car attached garage. All front load garages will have carriage style trim and/or hardware that mimics carriage style doors. Driveways will be able to accommodate at least four (4) vehicles.

Sidewalk

A five foot (5') wide sidewalk will be provided along both sides of the interior roads throughout the development with the exception of one small cul-de-sac that has a 45-foot right-of-way. Eight foot (8') wide sidewalk will be provided along Waxhaw Highway.

Stormwater

The applicant will be required to provide stormwater management to treat the stormwater runoff for the project. The stormwater will be evaluated and reviewed, if the project is approved by City Council, at the building permit stage of the process.

Stream Buffer

All blue line streams on the site have been provided with a 50' buffer on both sides as required by the ordinances.

Schools

The following is the information provided by Don Ogram with the school system:

“It is proposed to be located along Hwy 75 near Walter Bickett ES and will be within the following school attendance boundaries for the 2020-2021 school year:

Walter Bickett Elementary School	Currently at 72% of rated capacity
Monroe Middle School	Currently at 80% of rated capacity
Monroe High School	Currently at 69% of rated capacity

By our accounting, this will bring the number of planned and not built housing units in the Walter Bickett ES area to approximately 1072.

This includes:

- Secrest Commons (Hwy 75) 495 units
- Alexander Commons (Hwy 75) 77 units

Also within the Monroe attendance area (for a total of 1408 units) are:

- Willoughby Woods (Weddington Rd) 60 additional units
- Dogwood Forest (John Moore Rd) 21 units
- Village at Rocky River (corner of Weddington and Rocky River Rds) 180 units
- Medlin Forest (Medlin Rd) 75 units

This proposed subdivision is not expected to present an adverse impact to enrollment at the above schools.”

Transportation

The proposal includes two (2) entrance points on Waxhaw Highway/Highway 75. Due to the number of lots in this development a TIA (Traffic Impact Analysis) was conducted for this project. The following onsite improvements are required:

1. A right and left turn lane will be added at the western entrance; and
2. A left turn lane will be added at the eastern entrance.

The following off-site improvements are required at NC 200 & NC 84:

1. Construction of a westbound NC 84 right-turn lane with 250' of storage;
2. Westbound right turn lanes shall be brought under signal control and “pork chop” island shall be removed;
3. Signal modifications shall be provided to accommodate the new lane; and

4. Eastbound and westbound left turn signals shall be converted to protected/permitted flashing yellow arrow.

The following off-site improvements are required at NC 75 & NC 84:

1. Construct a westbound NC 75 right turn lanes with 175' of storage.

The following off-site improvements are required at NC 75 & Newtown Road:

1. Construct a westbound right turn lane with 100' of storage.

LAND DEVELOPMENT PLAN CONSISTENCY

The Land Development Plan indicates this area is Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Attached and multi-family housing is suitable in mixed-housing neighborhoods and activity centers. Commercial development mostly serves the needs of nearby residents and often locates along corridors with higher traffic volumes and near prominent intersections. Emphasis should be placed on integrating the design of commercial centers with surrounding neighborhoods. Multimodal connectivity between neighborhoods and to nearby center also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

The proposed project is consistent with the Future Land Use Plan. The project is a reasonable use and in the public interest because it provides a mix of lot sizes and is consistent with the allowable density.

PUBLIC NOTIFICATION

The applicant held a neighborhood meeting on June 28, 2020 at Grace Baptist Church. Two individuals attended this meeting and a summary prepared by the applicant's engineer is attached.

A rezoning notification sign was posted 10 days prior to the public hearing.

An official rezoning notification letter was sent to the adjacent property owners located within at least 150 feet, 10 days prior to the public hearing.

RECOMMENDATION

Planning Board and Planning Staff recommend approval of Conditional District "Waxhaw Landing".

Council annexation action needed – Motion that the petition met the requirements of North Carolina General Statute 160A-58.1 **OR** motion that petition did not meet the requirements

Council annexation action needed *(only required if petition requirements satisfied)* – Motion to adopt an Ordinance to extend the corporate limits **OR** Motion to deny

Council zoning action needed *(only required if annexation approved)* – Motion to adopt Resolution approving land development plan compliance **OR** Motion to adopt Resolution denying land development plan compliance

Council zoning action needed – Motion to adopt Ordinance amending Section 156.106 **OR** Motion to deny zoning map amendment

Council zoning action needed *(only required if zoning map amendment approved)* – Motion to adopt Ordinance amending Section 156.98

Attachments:

1. Ortho Map
2. Zoning Map
3. Site Plan
4. Building Elevations
5. FLUM Map
6. FLUM Description
7. APO Mailing List
8. APO Mailing Map
9. Summary of Neighborhood Mtg.
10. Draft PB Minutes
11. Approval Resolution
12. Denial Resolution
13. Ordinance 156.106
14. Ordinance 156.98

Ortho Map

Legend

-  Centerlines
-  Parcels

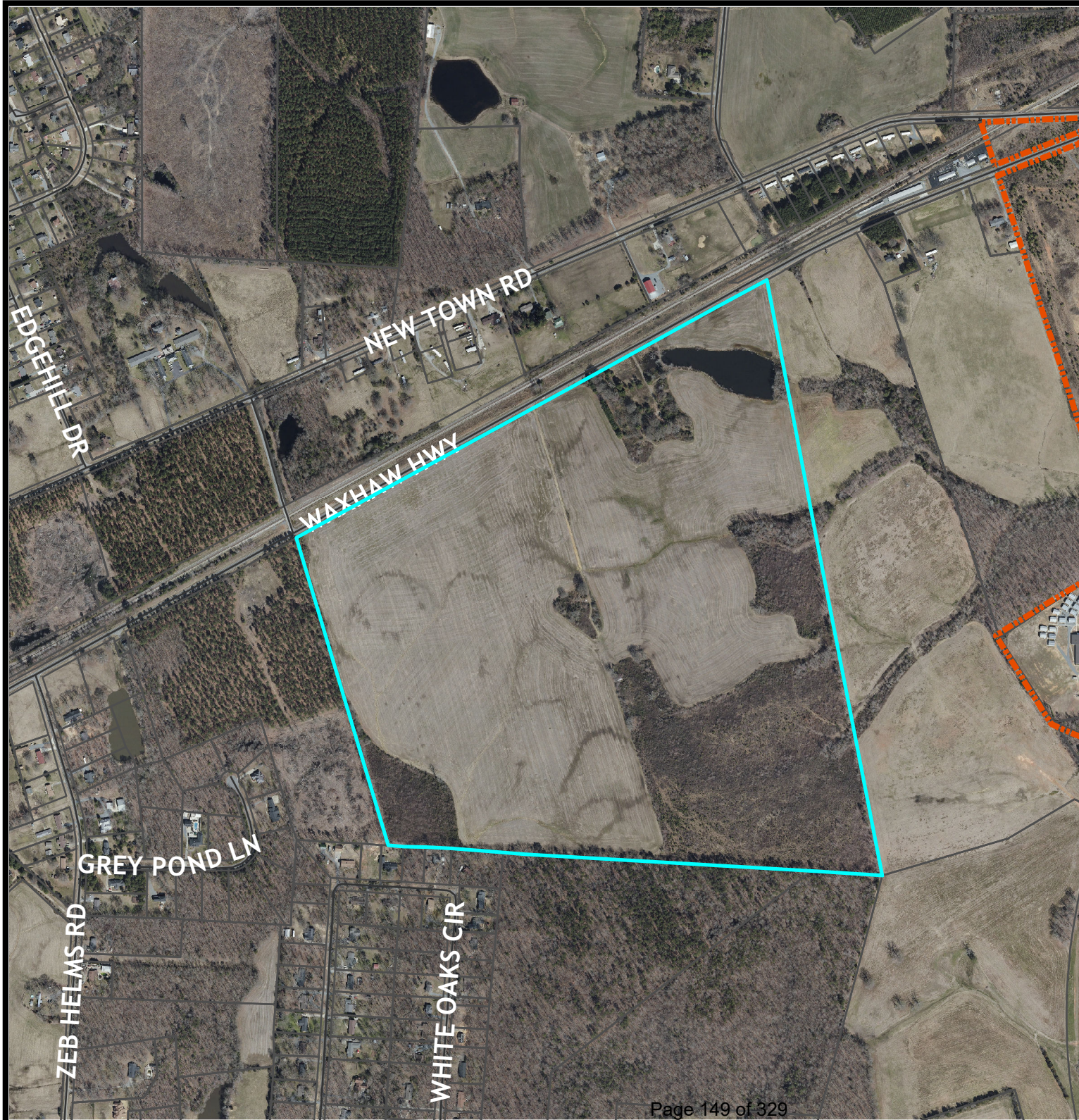
**Existing: RA-40 & RA-20
(County Residential
Low Density)**

**Owner: Monroe Township
Farms, LLC**

Acres: 169.47



0 660 1,320
 Feet



Zoning Map

Legend

Centerlines

Parcels

UC Zoning Districts

B-2

RA-20

RA-40

Zoning Districts

R-20

GB

CD

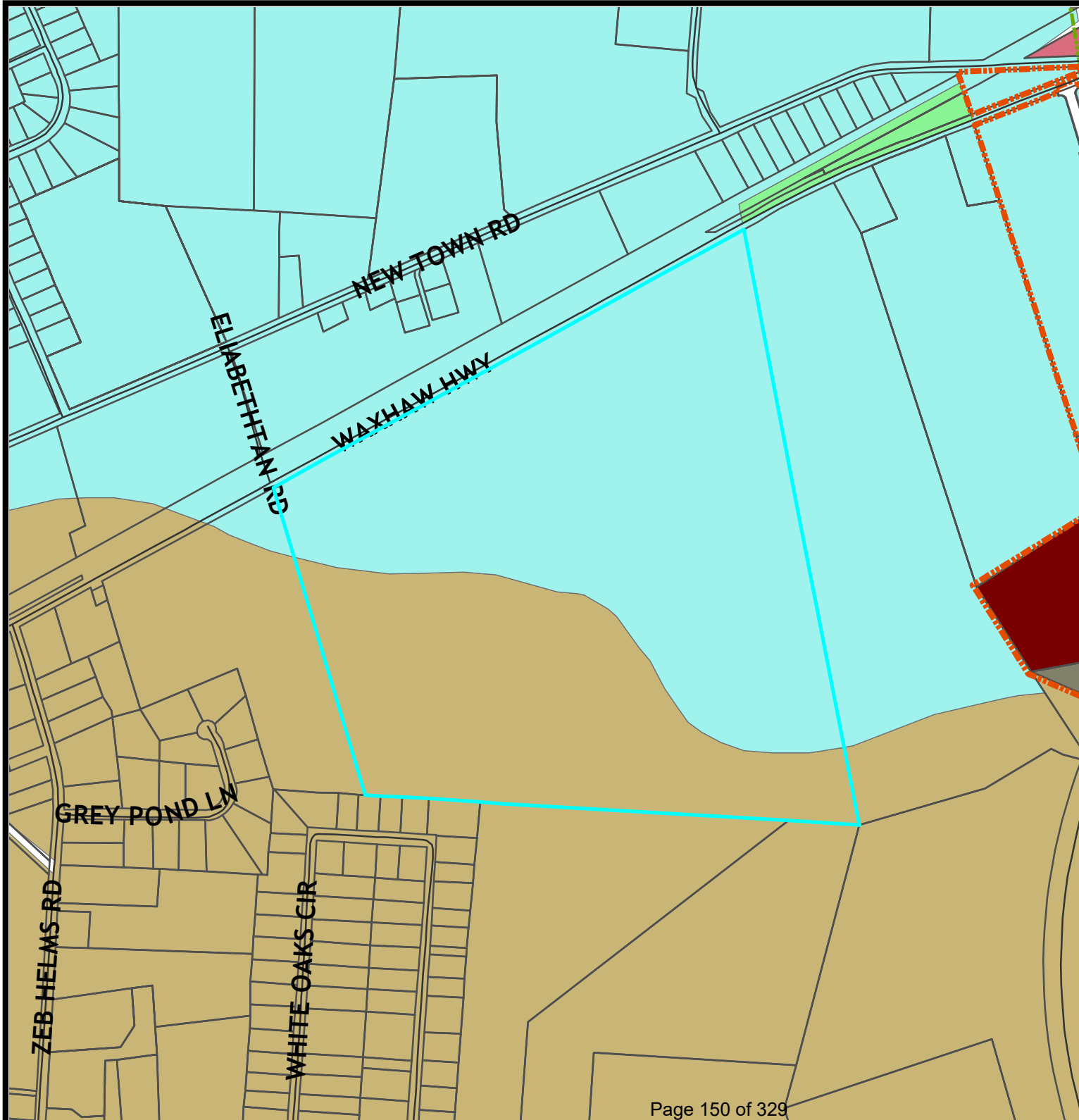
**Existing: RA-40 & RA-20
(County Residential
Low Density)**

**Owner: Monroe Township
Farms, LLC**

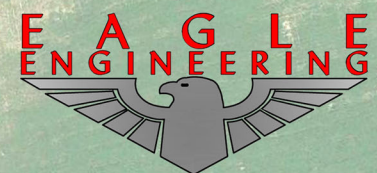
Acres: 169.47



0 660 1,320
Feet



WAXHAW LANDING





NO.	DATE	BY	ISSUE
1	01/07/2020	KEL	REVISIONS PER PLANNING COMMENTS

WAXHAW LANDING
MONROE, NC

MONROE TOWNSHIP FARMS, LLC.
P.O. BOX 429
MONROE, NC 28111

DESIGNED BY	6726	DRAWN BY	KEL	CHECKED BY	JHR
Scale	AS SHOWN	DATE	6/11/19	JOB NUMBER	6726

*PRELIMINARY
NOT FOR
CONSTRUCTION*

7/27/20

Sheet

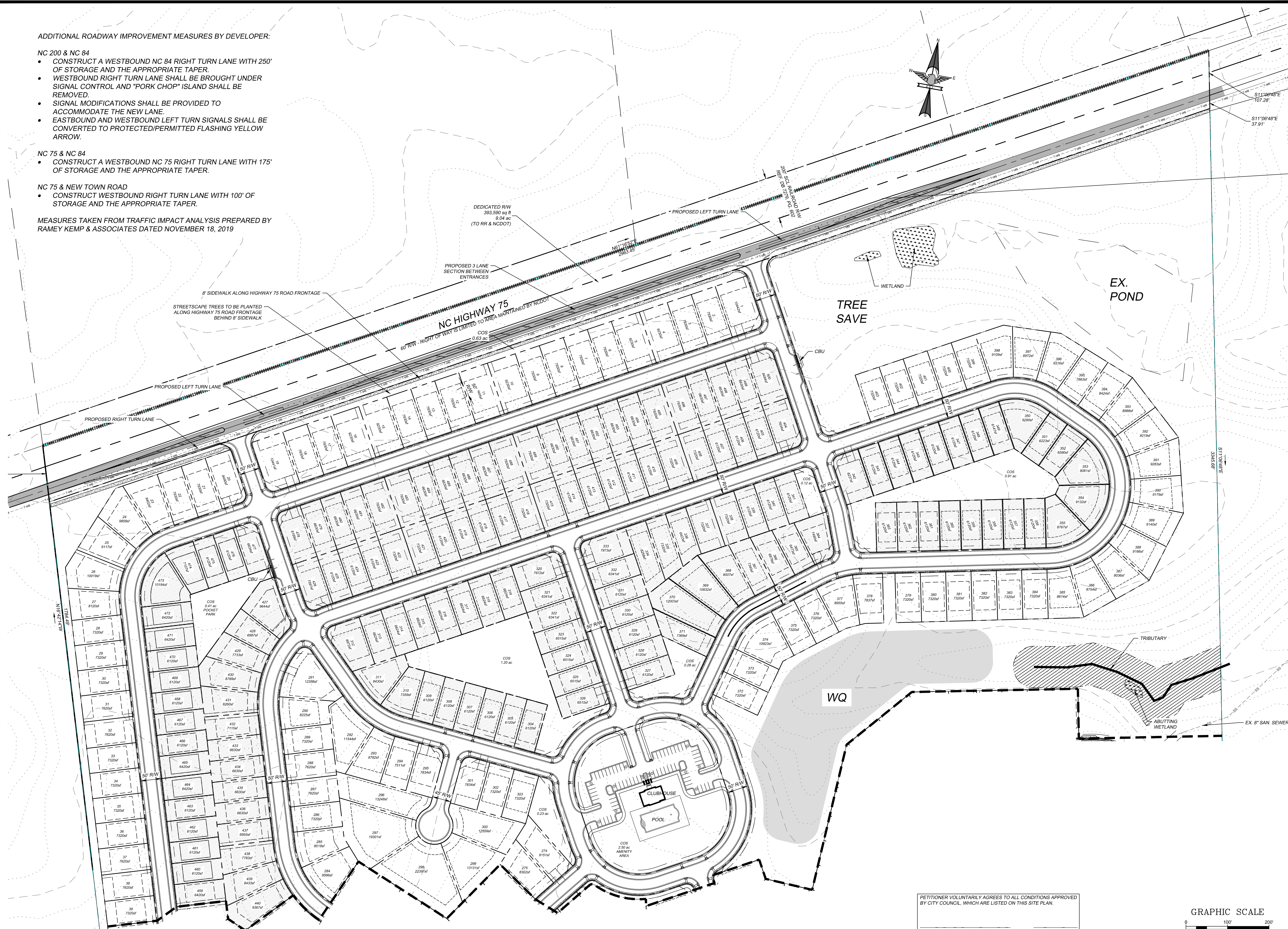
RZ-1

- CONSTRUCT A WESTBOUND NC 84 RIGHT TURN LANE WITH 250' OF STORAGE AND THE APPROPRIATE TAPER.
- WESTBOUND RIGHT TURN LANE SHALL BE BROUGHT UNDER SIGNAL CONTROL AND "PORK CHOP" ISLAND SHALL BE REMOVED.
- SIGNAL MODIFICATIONS SHALL BE PROVIDED TO ACCOMMODATE THE NEW LANE.
- EASTBOUND AND WESTBOUND LEFT TURN SIGNALS SHALL BE CONVERTED TO PROTECTED/PERMITTED FLASHING YELLOW ARROW.

- **CONSTRUCT A WESTBOUND NC 75 RIGHT TURN LANE WITH 175' OF STORAGE AND THE APPROPRIATE TAPER.**

- CONSTRUCT WESTBOUND RIGHT TURN LANE WITH 100' OF STORAGE AND THE APPROPRIATE TAPER.

MEASURES TAKEN FROM TRAFFIC IMPACT ANALYSIS PREPARED BY
RAMEY KEMP & ASSOCIATES DATED NOVEMBER 18, 2019



PETITIONER VOLUNTARILY AGREES TO ALL CONDITIONS APPROVED
BY CITY COUNCIL, WHICH ARE LISTED ON THIS SITE PLAN.

PETITIONER SIGNATURE _____ DATE _____

GRAPHIC SCALE



(IN FEET)

1 inch = 100 ft.

**EAGLE
ENGINEERING**

FIRM LICENSE # C-0873

2013A Van Buren Avenue
Indian Trail, NC 28079
(704) 882-4222

P.O. BOX 551
Alpharetta, GA 30009
(678) 339-0640

www.eagleonline.net

NO.	DATE	BY	ISSUE
1	01/07/2020	KEL	REVISIONS PER PLANNING COMMENTS
2	05/14/2020	KEL	ADDITIONAL ROADWAY IMPROVEMENT NOTES

WAXHAW LANDING MONROE, NC	MONROE TOWNSHIP FARMS, LLC. P.O. BOX 429 MONROE, NC 28111
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DESIGNED BY	6726	DRAWN BY	KEEL	CHECKED BY	JHR
Scale	AS SHOWN	DATE	6/11/19	JOB NUMBER	6726

*PRELIMINARY
NOT FOR
CONSTRUCTION*

7/27/20

Sheet

RZ-2

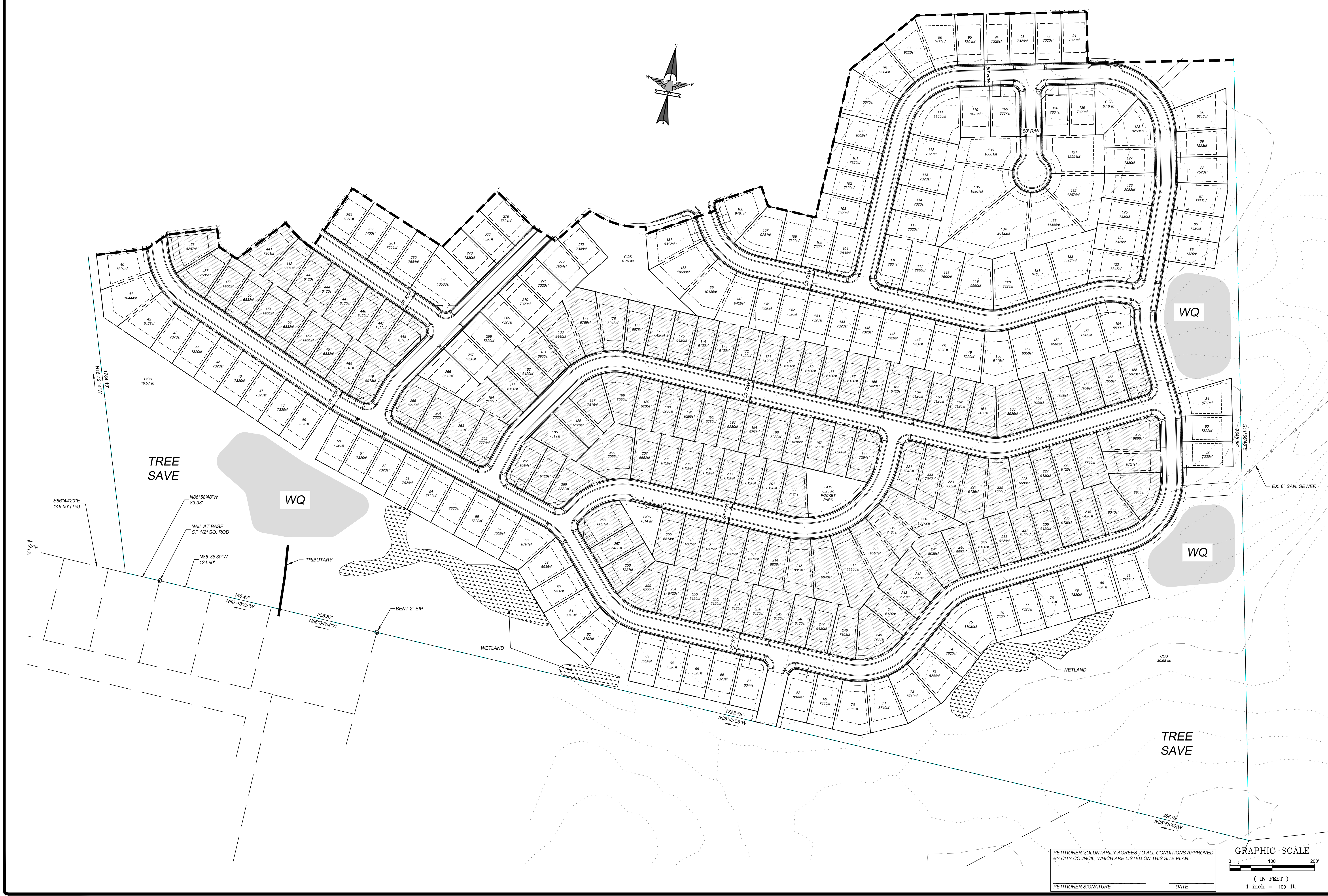
NO.	DATE	BY	ISSUE	REVISIONS PER PLANNING COMMENTS
1	01/07/2020	KEL		

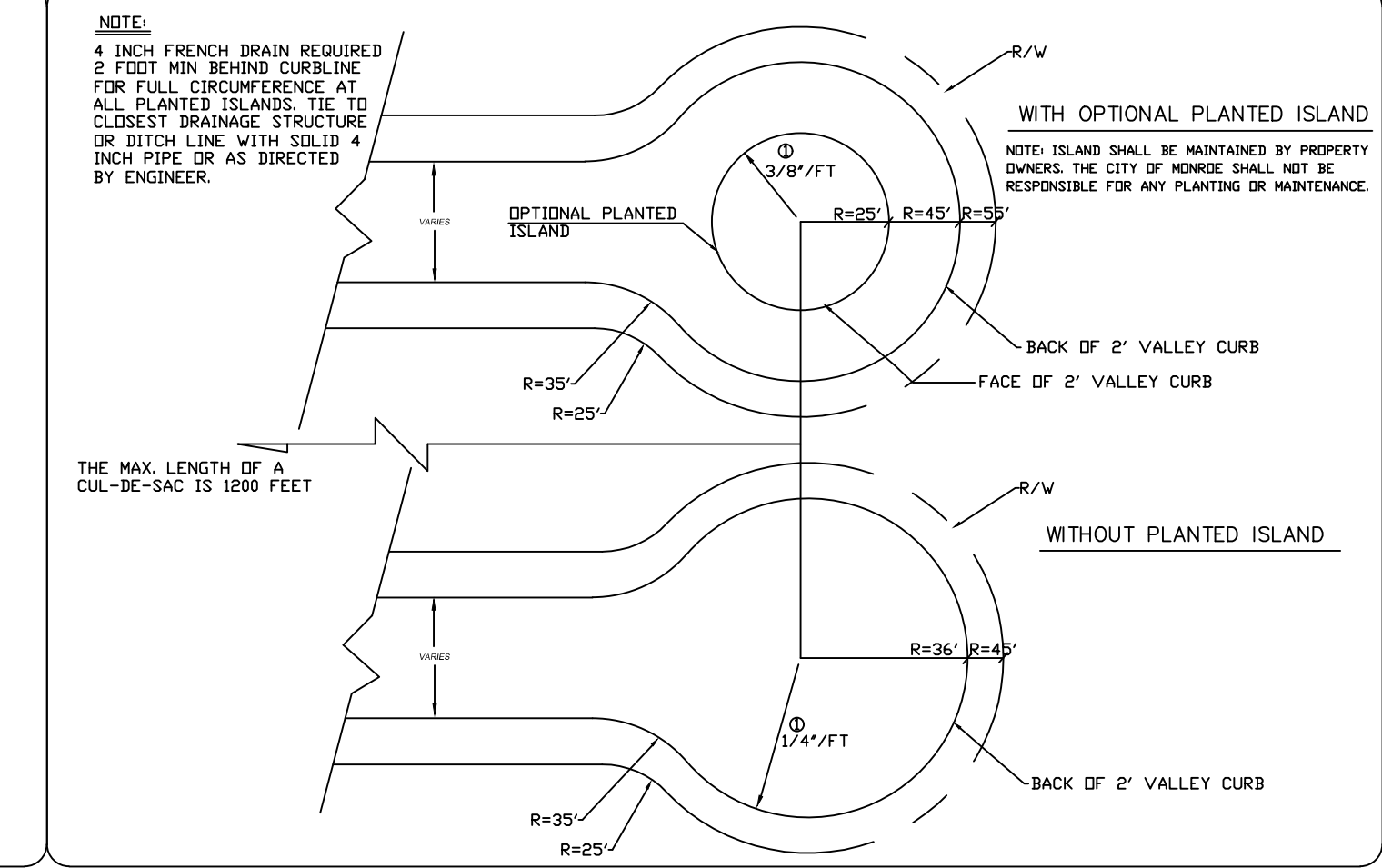
WAXHAW LANDING
MONROE, NC
MONROE TOWNSHIP FARMS, LLC.
P.O. BOX 429
MONROE, NC 28111

DESIGNED BY	6726	DRAWN BY	KEL	CHECKED BY	JHR
AS SHOWN		DATE	6/11/19	JOB NUMBER	6726

PRELIMINARY
NOT FOR
CONSTRUCTION

Sheet
RZ-3





IN ANY AREA THAT IS LOCATED OUTSIDE A DESIGNATED FLOODPLAIN BUT WHERE A STREAM IS LOCATED, NO BUILDING OR FILL MAY BE LOCATED WITHIN A DISTANCE OF THE STREAM BANK EQUAL TO FIVE TIMES THE WIDTH OF THE STREAM AT THE TOP OF THE BANK OR 35 FEET ON EACH SIDE, WHICHEVER IS GREATER.

(A) SETBACK REQUIREMENT

A PERENNIAL OR INTERMITTENT SURFACE WATER SHALL BE DEEMED PRESENT IF THE FEATURE IS SHOWN ON EITHER THE MOST RECENT VERSION OF THE SOIL SURVEY MAP PREPARED BY THE NATURAL RESOURCES CONSERVATION SERVICE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) OR THE MOST RECENT COMPLETE VERSION OF THE 1:24,000 SCALE (7.5 MINUTE) QUADRANGLE TOPOGRAPHIC MAPS PREPARED BY THE UNITED STATES GEOLOGICAL SURVEY (USGS). AN EXCEPTION TO THIS REQUIREMENT MAY BE ALLOWED WHEN SURFACE WATER IS NOT PRESENT IN ACCORDANCE WITH THE PROVISIONS OF 15A NCAC 2B .0233 (3)(A) OR SIMILAR SITE-SPECIFIC DETERMINATION MADE USING *DIVERSION*-APPROVED METHODOLOGY.

- WETLANDS SHOWN HEREON ARE TAKEN FROM A STUDY PERFORMED BY WETLANDS & WATERS, INC. AND ARE APPROXIMATE REGARDING LOCATION, DIMENSIONS OR ORIENTATION.
- US ARMY CORPS OF ENGINEERS AND NCDEQ PERMITS RELATED TO WETLANDS WILL BE SECURED AS MAY BE REQUIRED PRIOR TO GRADING ACTIVITIES.



 PETITIONER VOLUNTARILY AGREES TO ALL CONDITIONS APPROVED
 BY CITY COUNCIL, WHICH ARE LISTED ON THIS SITE PLAN.

 PETITIONER SIGNATURE

 DATE

16. **STREET TREES SHALL BE PROVIDED AT A RATE OF 1 PER LOT WITH A CALIPER OF 1½ INCHES MEASURED 6 INCHES ABOVE GRADE. STREET TREES SHOULD BE A VARIETY OF SPECIES**
17. **EACH LOT SHALL HAVE AT LEAST 2 TREES, SUITABLE FOR HEALTHY GROWTH IN OUR CLIMATE. EACH TREE SHALL HAVE MINIMUM CALIPER OF 1½ INCHES MEASURED 6 INCHES ABOVE GRADE.**
18. **ALL DRIVEWAYS SHALL BE PAVED WITH CONCRETE OR ASPHALT FROM THE ROAD TO THE GARAGE. EACH DRIVEWAY SHALL BE ABLE TO ACCOMMODATE AT LEAST FOUR (4) VEHICLES.**
19. **ALL HOUSES SHALL HAVE A STANDARD TWO CAR ATTACHED GARAGE (MINIMUM).**
20. **THE FRONT WALL OF ALL HOUSES SHALL NOT RUN UNBROKEN (UNARTICULATED) FOR A DISTANCE OF MORE THAN 24 LINEAR FEET. ALL WALL OFFSETS SHALL BE A MINIMUM OF ONE (1) FOOT IN DEPTH.**
21. **THE MAJORITY OF ALL ROOF AREAS ON ANY HOUSE SHALL HAVE A MINIMUM 6/12 PITCH ROOF.**
22. **ALL EXPOSED CHIMNEYS SHALL BE STUCCO OR BRICK VENEER CONSISTENT WITH THE ARCHITECTURE.**
23. **FRONT LAWNS OF ALL SINGLE FAMILY HOMES SHALL BE SODDED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.**
24. **ALL FRONT LOAD GARAGES SHALL HAVE CARRIAGE STYLE TRIM AND/OR HARDWARE THAT MIMICS CARRIAGE STYLE DOORS.**
25. **NO PORTION OF A DRIVEWAY MAY FALL WITHIN A SIGHT TRIANGLE. SINGLE WIDTH FRONT LOAD GARAGES MAY BE USED IN LIEU OF DOUBLE DRIVEWAYS TO ACCOMMODATE TRAFFIC.**
26. **COMMON OPEN SPACE AND CLUBHOUSE LANDSCAPING SHALL REMAIN SHORTER THAN THE SIGHT TRIANGLES OF ALL DRIVEWAYS.**
27. **COMMON OPEN SPACES DESIGNATED AS POCKET PARKS SHALL INCLUDE WALKING PATHS AND EXERCISE EQUIPMENT AND/OR PLAYGROUND EQUIPMENT.**
28. **COMMENCEMENT OF THE AMENITY AREA SHALL BEGIN NO LATER THAN 50% OF THE OCCUPANCIES ISSUED.**

WAXHAW LANDING

SAMPLE ELEVATIONS



Future Land Use Map

Legend

 City Limits

 Centerlines

 Parcels

Future Land Use Character Area

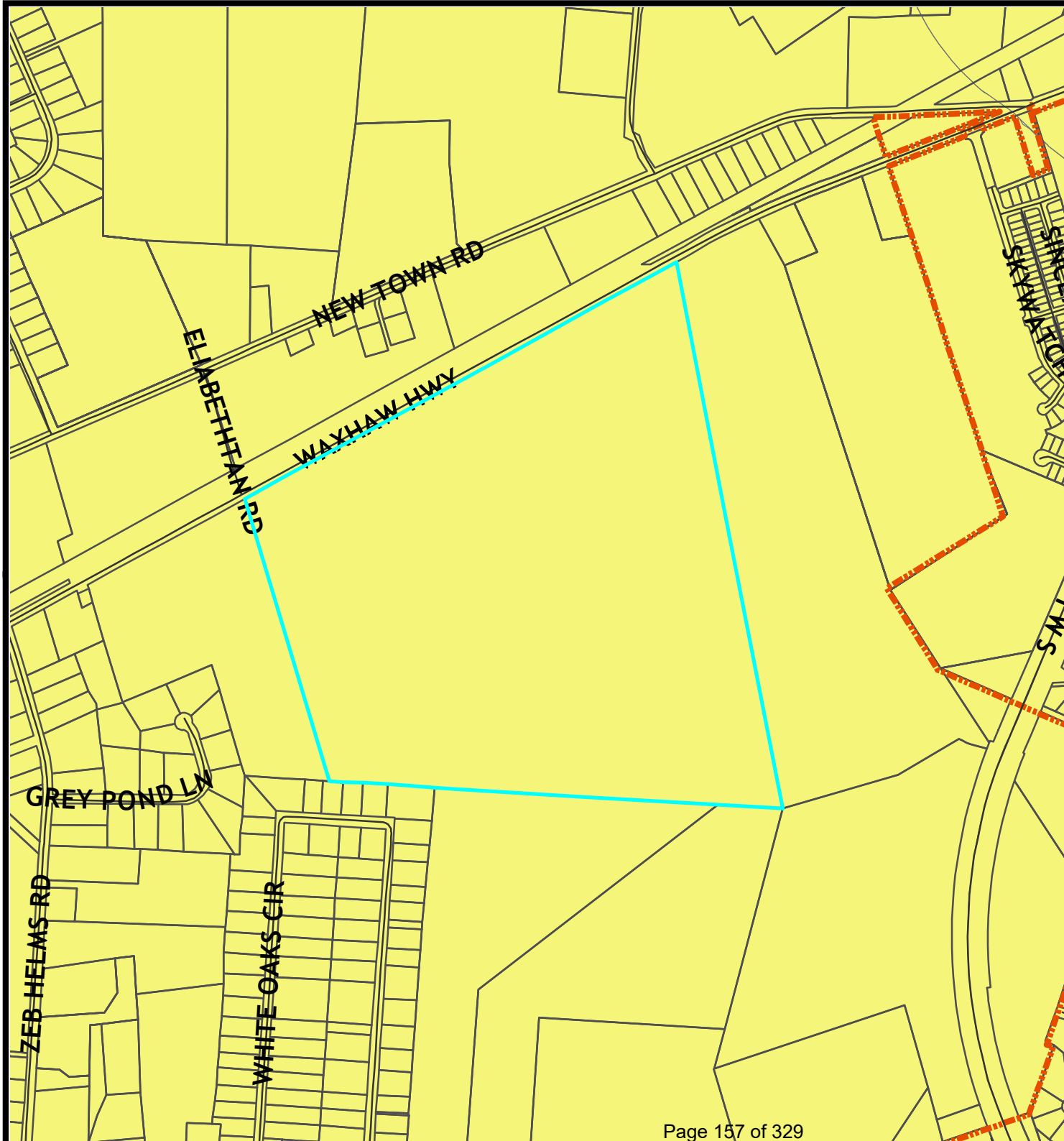
 Suburban

**Owner: Monroe Township
Farms, LLC**

Acres: 169.47



0 810 1,620
 Feet



Future Land Use Description

This property falls within the Suburban character area. The suburban character area residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

CD "WAXHAW LANDING"

09321013
BROWNING HENRY B & WIFE LORETTA
2401 WAXHAW HWY
MONROE NC 28112

09327021
DAVENPORT CONGER PROPERTIES LP
CORINTH CHURCH ROAD LLC
PO BOX 3511
MIDLAND TX 79702

09351013B
LANEY HARVEY & WIFE JESSIE
1003 WINDCARVED LANE
MONROE NC 28110

09351015A
MOORE JIMMY F & JO M
2004 NEW TOWN RD
MONROE NC 28110

09354074
BEDNARIK JOHN A
909 WHITE OAKS CIR
MONROE NC 28112

09354075
TYSON CLAUDE BILLY & TRINA HOLT
915 WHITE OAKS CIR
MONROE NC 28112

09321014
BROWNING HENRY B & WIFE LORETTA
2401 WAXHAW HWY
MONROE NC 28112

09354028
LEE JATHEN
LEE DONNA
918 WHITE OAKS CIR
MONROE NC 28112

09354034
HEYEN MARLENE B
15398 NALL RD
COUNCIL BLUFFS IA 515032513

09354036
ROWELL WILLIAM M & TERRI C
820 WHITE OAKS CIR
MONROE NC 28112

09351015
STARNES D WARD
2450 TRIBAL RD
LANCASTER SC 29720

09354031
ANGLE TERRY A
ANGLE MUN S
910 WHITE OAKS CIR
MONROE NC 28112

09354033
ARTHUR JAMES M
906 WHITE OAKS CIR
MONROE NC 28110

09354037
MARTIN VANN
816 WHITE OAKS CIR
MONROE NC 28112

09354073
BEDNARIK JOHN A
909 WHITE OAKS CIR
MONROE NC 28112

09351144
LAWINGS EDWARD
P O BOX 786
MONROE NC 28111

09351145
LAWINGS EDWARD
P O BOX 786
MONROE NC 28111

09354032
ANGLE TERRY A
ANGLE MUN S
910 WHITE OAKS CIR
MONROE NC 28112

09327022
MANGUM VIRGINIA SHAW
1008 OAKHILL DR
MONROE NC 28112

09351146
LAWINGS EDWARD
P O BOX 786
MONROE NC 28111

09321003
BROWNING ROBERT LOCKE JR
790 OAKDALE DR
SUNSET VALLEY TX 78745

09351013
HARTSELL ELIZABETH CLAY
1517 NEW TOWN RD
MONROE NC 28110

09351014
MONROE TOWNSHIP FARMS LLC
PO BOX 429
MONROE NC 28111

09351143
LAWINGS EDWARD
P O BOX 786
MONROE NC 28111

09351147
LAWINGS EDWARD
PO BOX 786
MONROE NC 28111

09321012
BROWNING HENRY B & WIFE LORETTA
2401 WAXHAW HWY
MONROE NC 28112

09327024
SHAW VICTOR N
2050 CORINTH CHURCH RD
MONROE NC 28112

09351011
LAWINGS EDWARD
PO BOX 786
MONROE NC 28111

09351013A
WESCOAT MARIANNE GILES
1419 NEW TOWN RD
MONROE NC 28110

09351148
LAWINGS EDWARD
P O BOX 786
MONROE NC 28111

09354030
ANGLE TERRY A
ANGLE MUN S
910 WHITE OAKS CIR
MONROE NC 28112

09354072
LANEY JERRY L & PATSY
817 WHITE OAKS CIR
MONROE NC 28112

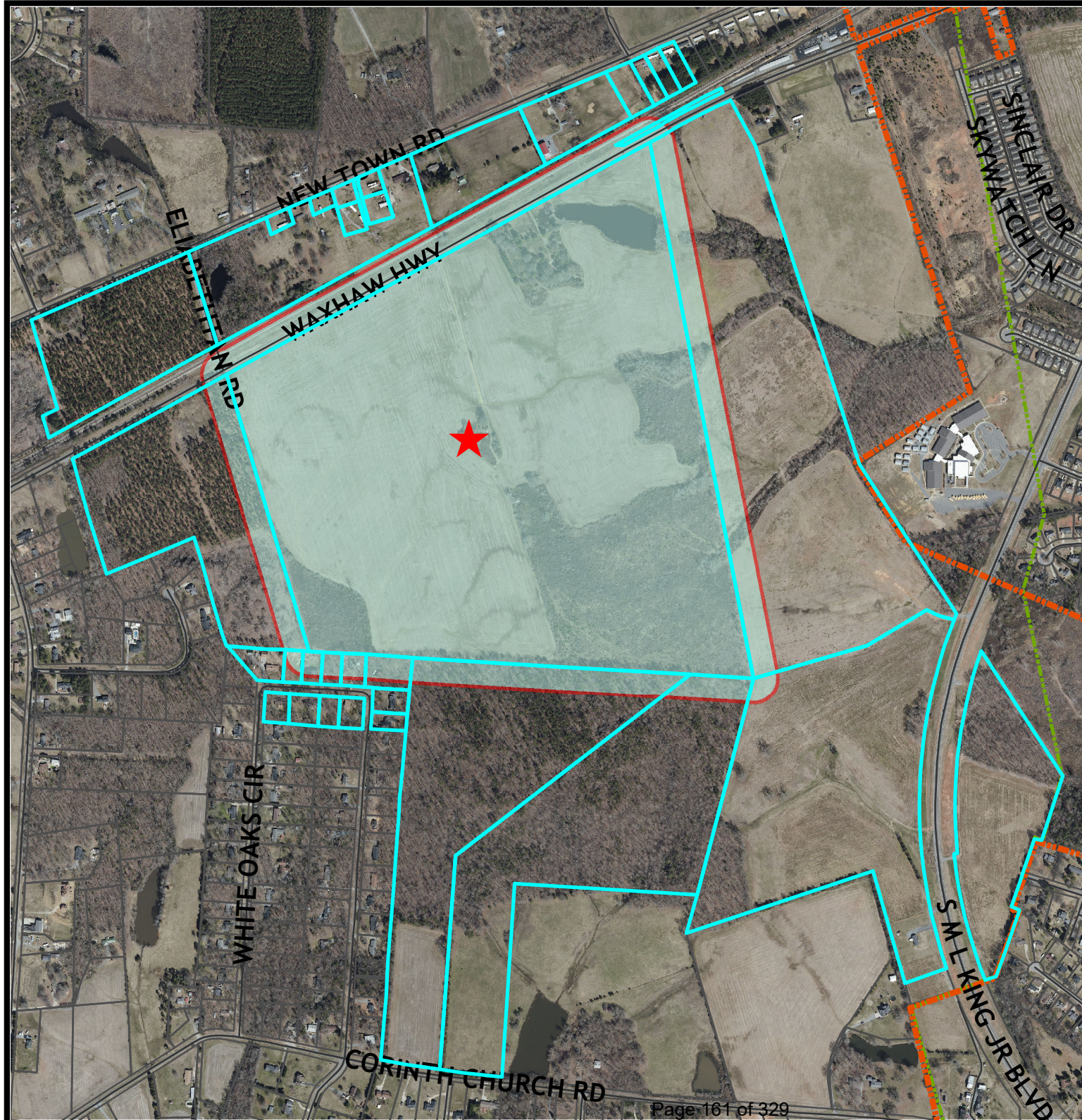
APO Map

CD "Waxhaw Landing"

Legend

- Centerlines
- Parcels
- 150 foot buffer

- Notified Properties
- Subject Property





Neighborhood Meeting Minutes

To: Ms. Keri Mendler (City of Monroe Planning Department)
From: Eagle Engineering, Inc.
EI Job No.: 6726-NC
Date & Time: June 28, 2020 6:00pm to 7:30pm
Location: Grace Baptist Church, Monroe
Re: Waxhaw Landing

Summary:

Attendees from the Development Team included Mr. John Ross (Eagle Engineering, Inc.) and Mr. Matthew Kirchner (Eagle Engineering, Inc.). Additionally, Ms. Keri Mendler (City of Monroe Planning) was in attendance. Mr. Ross indicated that the meeting would be recorded for accuracy in developing notes summarizing the conversation.

1. Mr. Ross introduced the Development Team and provided a general description of the site location and planned development of the project. Mr. Ross outlined the zoning process within the City of Monroe for the project which include technical review, public information meeting, planning board, public hearing and City Council decision. The purpose of this meeting is to provide attendees an overview of the project and to receive comments from the public.
2. Mr. Ross noted the project will likely be heard at the July 22 Planning Board meeting and the August City Council meeting for a public hearing and decision. Notification for the City Council meeting date will be provided by the City.

Discussion Points from the Public Information Meeting regarding the Waxhaw Landing Annexation and Rezoning Petition:

3. **What is the total project size and number of residential lots to be developed?** *The project consists of 168.5 Acres and the proposed development includes 500 single family lots. The lots are divided into two lot widths, 61' and 51' wide, with the larger lots around the site perimeter and the smaller lots typically located toward the interior of the development.*
4. **Has a builder for the homes been selected?** *Discussions with the project builder are in process, but a final decision has not been made. The character and building materials for the homes to be constructed are presented on the "Building Elevations" board and the "Conditional Notes" sheet of the plan set.*

5. **What about wetlands on the site?** *A complete wetlands study and delineation has been conducted and a letter of concurrence has been secured from the Army Corps of Engineers. The Site Plan has been adjusted to avoid wetland impacts.*
6. **Where are the entrance locations and what traffic improvements will be required?** *There are two points of access from Highway 75 and additional right of way is reserved on the southern property line to allow for future connectivity if needed. A Traffic Impact Analysis has been conducted in accordance with City and NCDOT scoping requirements. A total of 12 intersections in the vicinity of the site were studied. As outlined in the TIA, improvements include the two site entrances, along the property frontage, and at two off-site intersections. The improvement will be constructed as part of the project development.*
7. **When would construction begin?** *Beyond the zoning and annexation process, the project would go through construction document and permitting phases. It would likely be a year or more before construction activities would occur on site; and a few months beyond that before home construction would begin.*

Attendees at the meeting were encouraged to sign the Attendance Sheet. A copy of the attendance list is attached.

NEIGHBORHOOD MEETING

WAXHAW LANDING CONDITIONAL DISTRICT

DATE: Tuesday, June 30, 2020

Monroe Township Farms, LLC

Grace Baptist Church

Parcel 09351014

TIME: 6:00pm - 7:30pm

Thank you for attending the Neighborhood Meeting for the Waxhaw Landing site. We encourage you to provide comments and opinions on this project so that we may consider them in our planning process.

The Monroe Township Farms, LLC application is to annex and rezone a 169.48-acre parcel located along Highway 75 in Monroe, NC.

	NAME	ADDRESS	E-MAIL	PHONE
1	John Ross	Eagle Engineering, Inc. 2013A Van Buren Avenue Indian Trail, NC	jross@eagleonline.net	704-882-4222
2	Matthew Kirchner	Eagle Engineering, Inc. 2013A Van Buren Avenue Indian Trail, NC	mkirchner@eagleonline.net	704-882-4222
3	Keri Mender	City of Monroe, Planning Dept 300 W. Crowell Street, Monroe NC 28112	kmender@monroenc.org	704-282-5797
4	Jimmy Moore	2004 New Town Rd Monroe, NC 28110	Jimmy Fom Moore @msn.com	843 385 1890
5	BETH WARREN	1517 NEW TOWN RD MONROE, NC 28110	SHARPSHEARS 4me GMAIL.com	404 282 7984
6				
7				
8				
9				
10				
11				

Item 3. Annexation of 169.47 acres located along Waxhaw Highway and further identified as Parcel ID #09-351-014

Item 4. Zoning Map Amendment request for Conditional District “Waxhaw Landing” for the property located along Waxhaw Highway and further identified as Parcel ID #09-351-014

Keri Mendler, Planner, said tonight she would be presenting two (2) separate items under one (1) presentation. She said the first item is an Annexation request and the second item is a Zoning Text and Map Amendment request.

Keri said the applicant is requesting an Annexation and Conditional District rezoning in order to develop a 500 single-family lot subdivision. She said the total area of the project is 169.47 acres with 49.08 acres left as common open space. She said the density of this project is 2.95 units per acre. She said the property is one (1) parcel located south of Waxhaw Highway.

Keri said the subject property is currently zoned RA-20 and RA-40. She said it is located in the County and there is an Annexation request. She said the adjoining zoning is also RA-20 and RA-40.

Keri said the applicant is requesting a rezoning in order to develop 500 single-family lots. She said the total area of the project is 169.47 acres. She said the density is 2.95 units per acre. She said the minimum lot size is 6,000 square feet with 7,628 square feet as the average lot size. The proposed setbacks are 25 feet for the front and rear, 5 feet for the side and 10 feet for the corner side lots.

Keri said the project is required to have at least 12.5% of open space which would equal 21.83 acres. She said the total area of open space provided is 49.08 acres or 29.5%. She said the open space will include a clubhouse and pool and several pocket parks which will have walking paths, park benches, exercise equipment and/or playground equipment.

Keri said there are a couple of blue line streams on the site plan and they will provide the required 50-foot stream buffer. She said there will be street trees provided at a rate of one (1) per lot and all houses will have at least two (2) yard trees provided prior to the CO. She said landscaping will also be provided along Waxhaw Highway.

Keri said each home will have a minimum of a 2-car garage. She said all front load garages will have carriage-style trim and/or hardware that mimics carriage-style doors. She said driveways will accommodate at least four (4) vehicles.

Keri said there will be 5-foot wide sidewalks along both sides of the interior streets throughout the development. She said an 8-foot sidewalk will be provided along Waxhaw Highway.

Keri said the development will have two (2) entrances on Waxhaw Highway. She said there will be a right and left turn added to the western entrance and a left turn lane will be added on the eastern entrance. She said due to the number of lots, this development was required to do a Traffic Impact Analysis (TIA). She said there were some other various offsite improvements outlined in your staff report as well.

Keri said the developers are proposing that the homes will be a minimum of 1,400 heated square feet. She said the proposed exterior building materials will include fiber cement, stone, stucco and/or brick. She said vinyl will only be used for trim work. She said the front façade will also include a mix of materials with a minimum of 25% being brick, stone or stucco.

Keri said the development falls within the Walter Bickett Elementary, Monroe Middle and Monroe High Schools for the 2020 and 2021 school year. She said as far as neighborhood notification, the applicant did hold a neighborhood meeting on June 28, 2020 at Grace Baptist Church. She said two (2) individuals attended this meeting. She said a summary of the meeting was prepared and is in your packet for your review. She said in addition, a zoning notification sign will be posted ten (10) days prior to the public hearing. She said an official rezoning notification will be sent to the adjacent property owners located within at least 150 feet, ten (10) days prior to the public hearing.

Keri said the Land Development Plan does indicate this area as Suburban. She said that while residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. She said the density for Suburban residential is 2-4 units per acre, and the proposed project is consistent with the Future Land Use Plan

Keri said staff recommends approval of the rezoning and she would be happy to answer any questions you might have.

Vice Chair asked if there were any questions for Keri.

John Ashcraft said that the applicant is proposing 2.9 units per acre. He said the zoning is currently either R-20 and R40. Keri said correct, it has a split zoning. Mr. Ashcraft said if they followed the R-20 guidelines for development, would they still have to come for a Conditional District. Keri said this property is located in the County right now so it is an Annexation. She said she does not know what the County's requirements are if they were to develop in the City. Mr. Ashcraft said if the applicant develops the property as R-20...Keri said 20,000 square foot minimum lots would not come before the Planning Board. She said this Board would not have a say over minimum house size or exterior materials. Mr. Ashcraft said he understands all of that. He said just because we approve the Annexation, it doesn't force us to approve the development. He asked if that was correct. Keri said it would ultimately be up to City Council to make that decision, but it is correct that they could annex the property and not approve the rezoning. She said it would have to be rezoned to something within a certain time period if it was annexed.

John Ashcraft said he was asking all of these questions for his own clarification. He said to approve the rezoning means that you do not mind the development being in the road. He said if you do not approve the actual development, then there are certain conditions that we are not happy with. Keri said she is not sure she understands the question. Mr. Ashcraft asked if we could approve the Annexation but not approve the Conditional District. Keri said correct.

Vice Chair asked if there were any other questions. There were none.

Vice Chair asked if there was anyone who would like to speak in favor of the proposal.

Mr. John Ross of Eagle Engineering came forward and introduced Mr. Matthew Kirchner with Eagle Engineering and Mr. Charlton Plyler representing Monroe Township Farms, the owner and applicant of the property. He thanked the Board for allowing everyone to speak tonight. He said it is always a challenge following a presentation made by the City of Monroe. He said staff here is very thorough with their technical review, so much so where we have been through the Technical Review Committee and we have been through a couple of iterations of the site plan to get to this point. He said Keri steals all of their thunder and excitement when it comes to a presentation.

Mr. Ross said this site is primarily an agricultural use right now. He said the southeast corners have some wooded areas. He said there are some fairly significant trees. He said their goal is to save as many significant trees because that is the dome of the site, the hot point of the site or the beacon. He said that is

where they are proposing to have the clubhouse and swimming pool. He said their goal is to work that design around as many of those significant trees as we possibly can.

Mr. Ross said there are a couple of blue line streams that were noted on the site and a few wetland areas. He said we have reworked our site plan to avoid those areas.

Mr. Ross said we have done a full traffic impact analysis. He said there were a total of 12 intersections that were studied including our two (2) access point. He said there were some recommendations for improvements all along the frontage of the site, as well as our two (2) access points. He said there are three (3) other locations off-site. He said the developer has committed to making all of those off-site improvements as part of this development. He said they are all outlined in the upper left corner of Sheet RG2.

Mr. Ross said we did a full wetlands assessment on the site. He said their consultant did meet with the Army Corp of Engineers and gained their concurrence. He said, again, they made modifications to the site for avoidance of wetlands rather than mitigation.

Mr. Ross said because this plan is also working with site topographic conditions, we are working to maintain the existing ponds and areas of established trees, and also working to minimizing grading and maintaining as many of those trees as possible.

Mr. Ross said Keri went through most of the amenities, but we will have a centralized clubhouse and a pool complex. He said the 49 acres of common open space and pocket parks will include walking paths, park benches, exercise equipment and/or playground equipment.

Mr. Ross said Keri also went over the elevations. He said all of the notes identify the 1,400 square foot homes with brick, stone, stucco, no vinyl. He said 25% of the frontage of every home will be either brick, stone or stucco. He said if there are vinyl materials to be used, they would only be allowed for trim work. He said slab foundations, as opposed to crawl spaces, will be required to have four (4) courses of brick extending up the face of that slab. He said the frontage of each home will have articulation meaning that no more than 24 linear feet of that frontage will be without a break. He said all of the front-loaded garages will have carriage-style trim.

Mr. Ross said their plan is consistent with the Future Land Use Plan. He said we are meeting and mitigating all the traffic impacts generated by this site. He said we are avoiding wetlands. He said we are working with the natural constraints of the site. He said they are very pleased that City staff is finding that there is a favorable recommendation and that there is a statement of consistency to be made.

Vice Chair asked if there were questions for Mr. Ross.

John Harris asked Mr. Ross what his build-out time would be. Mr. Ross said it would be about ten (10) years.

John Ashcraft asked Mr. Ross what is the timeline for the amenities to be put in place. He asked if the project was to be completely built out. Mr. Ross said not completely built out. He said it is normally driven by the developer and market conditions. He said normally you need about 100 units in place before something like the pool complex will be built. He said within each phase, where there is a pocket park or an amenity associated with that phase, they would be built concurrent with the phase. Keri said staff has started requesting the requirement that the commencement of the main amenities start with 50% of occupancy of the subdivision. She said staff will stop giving COs until the commencement of the main

amenities start. Mr. Ross said in this case we would want to commit that it would be sooner than that. Keri said that is the threshold on the site plan and agreed to.

Richard Yercheck said to Mr. Ross that it is a minimum of 1,400 square feet. He asked how big are you going to go and what are your price points looking like. Mr. Ross said the price point for entry level, being a 1,400 foot-home at a minimum, would be starting in the mid-\$250,000s and as we open up, the high \$300,000s (\$380,000, \$390,000). He said the larger homes might be in the 3,200-square foot range. He said some of the homes (with the 3-car garage) are the 3,200 to 3,500-square foot type.

Richard Yercheck said his daughter just graduated from Monroe High School and he knows for a fact that it is a Title 1. He said so is Walter Bickett and Monroe Middle. He said there is no foreseeable change to that. He asked Mr. Ross how this would affect this build-out and a \$300,000 house. Mr. Ross said that is a very fair question. He said market analysis says this area in particular (the western side of Monroe) is a growing area. He said there is demand and need. He said not everyone who lives in one of these homes will necessarily work in the City of Monroe—he said Weddington, that direction. He said GAP analysis tells us that this is the sweet spot and this is the demand.

Richard Yercheck said this subdivision will be in the Monroe cluster. He said the Monroe cluster is still having difficulty. He said one of the issues we run into with getting people to move into the Monroe area is they don't like the schools. John Ashcraft said students have the opportunity to opt out but they cannot do that in Monroe now. Richard Yercheck said Samuel Clemens had a saying "There are lies, there are damn lies and there are statistics." He said they have the opportunity to opt out. He said to Mr. Ross that he is excited that you want to do this in Monroe. He said with the ten (10) year build-out, he wanted everyone to understand some of the challenges. Mr. Ross said they recognize that a lot of good things could happen in ten (10) years.

John Ashcraft said right around the corner on M.L. King, on the Secrest Family Property, about 350 single-family homes were approved. He said multi-family has been taken out of it. Keri said she had not been involved with this project.

Vice Chair said that we've been told previously that houses that you build are based on the client's choice. She said to Mr. Ross that if you don't have anybody that comes in and says they want one of the 3,500-square foot homes, could you end up with all starter homes. Mr. Ross said very unlikely but he said the minimum is a 1,400-square foot home which we anticipate will be a \$250,000 home. He said he is not sure that this qualifies as a starter home, but that would be a lower end in this community. Vice Chair said it could be that everyone that comes before you may want the smaller home or lesser expensive of the homes. She asked the applicant if they had a limit on the \$250,000 homes. Mr. Ross said it would be market-driven. Keri said if the Planning Board is concerned about that, you have the ability to make the recommendation limiting the number of 1,400-square foot homes. She said to be honest, that is hard for staff to keep track of but that is an option.

Richard Yercheck said you would want to sell as many of the bigger houses as possible...Mr. Ross said there is a mix of 51 and 61 or two (2) different types of lots. He said the lots around the perimeter are a little bit larger lots. He said the lot prices will drive the home price up. He said normally the lot price is about 22% of the new price home. He said the lots themselves would work toward increasing that number. John Ashcraft said the lots on the water would be a little bit higher. Mr. Ross said yes, any of the premium lots backing up to the tree-save or common areas or some of the larger interior pod lots, certainly they would be premium lots.

Richard Yercheck asked how do we limit, in 20 years, the amount of rentals that could potentially show up. He said as we hear from the community, Planning Board and City Council, we have too many rental homes

in Monroe. He said how do we keep some of these corporations from coming in and buying homes and making rentals out of them. Mr. Ross said we are not building a rental product; we are building a home product for sale. He said we only have the control of that to the point that it is sold to an individual.

Richard Yercheck asked if we could put something in the HOA that limits or excludes rental. Mr. Ross said we would have to talk to an attorney on that.

John Ashcraft said his son lives in Charlotte in Myers Park. He said he is in a condo. He said he thinks the maximum number of units that can be non-rental is like 10%. He said once you reach that level, you cannot rent to anyone. Mr. Ross said the question is how to enforce this. He said they would be willing to work with staff on this. Mr. Yercheck said what your HOA does, we cannot control but he is excited that we are putting in a quality product in Monroe. John Ashcraft said he appreciates all the amenities. He said we get these things all the time and nobody adds anything.

Vice Chair said while we are discussing the HOA, she asked Mr. Ross about street parking. She said the streets are only about 20 feet. Mr. Ross said the streets are consistent with the subdivision design requirements of the City. He said we are also providing that every driveway will be allowed to park four (4) cars in addition to the 2-car garage. Vice Chair asked if it could be put in the HOA rules that you cannot park on the street. Mr. Ross said he does not believe that an HOA can enforce that but certainly we can put that in there. Vice Chair said if there is a car parked on both sides a fire truck cannot get down the street.

Vice Chair said to Mr. Ross, on the homes per acre, when you take out the 49.08 acres of common ground of the 169.47 acres with almost 3 houses per acre, then you are looking at about 4.15 houses. Mr. Ross asked Vice Chair why she would take out the common area. Vice Chair said the way the houses look when you drive into the subdivision...Mr. Ross said the goal is to cluster the homes and create more community open space. Vice Chair said on the front of the property it says that the lots will take up 87.50 acres which then drives the appearance of 5.7 houses per acre. She said when you are driving in they are pretty close. Mr. Ross said that does not account for the fact that there are street rights-of-way. He said that 89 acres are purely the individual residential lots, not the subdivision less common open space. Vice Chair said when you look at the houses, side-by-side, it is the visual and it makes a difference on how it looks.

Vice Chair asked if the houses were ten (10) feet apart. Keri said the setback proposed is 5-feet for the side.

Richard Ali asked Mr. Ross for the reactions of the two (2) people that attended the neighborhood meeting. Mr. Ross said both people lived across the street on Midtown Road. He said one (1) gentleman is, he believes, the owner of Elizabethan Gardens and he was more interested if this project would get him utilities for his property. He said the man said he did not want to oppose the project; he was just interested in what was going on. He said the other person was a resident who expressed concern that during construction there would be noise.

Vice Chair asked Mr. Ross if he had an average home size he would like to see. Mr. Ross said he would like to see them all at 3,000 square feet but he did not think that was realistic. He said he thought they will be more of the 2,200-2,400 square foot range just as an average. He said this is what most new type homes are.

Vice Chair asked everyone if they would like to talk about the possible percentage of minimum square footage. John Ashcraft said he wouldn't know what to put. He said he would like it to be in there but it may be something for staff and legal counsel. Richard Ali said what is difficult is that this is a ten (10)-

year project. He said who knows what the market will be like eight (8) years from now. He said it is hard to project. Keri said to that point, with a ten (10) span it has been proven to be difficult to keep up with percentages to make sure they don't go over. She said it has been difficult for staff to keep track of information for projects that were approved in the 2006, 2007 era.

John Ashcraft said with his son's condo, the HOA monitors this. Keri asked if he was referring to the rental or minimum house size. Mr. Ashcraft said the rental. Keri said we cannot regulate rental or home ownership through the City. She said they might be able to do this through their HOA.

Richard Ali said in eight (8) years from now, \$350,000 might be realistic or very unrealistic.

Jennifer Smith asked Mr. Ross if the 1,400-square foot houses are going to be interspersed with the larger homes. Mr. Ross said typically the 1,400 would be on the interior lots. He said the larger homes would be around the perimeter or premium lots.

Vice Chair asked Mr. Ross how many homes (on the site plan) would be in the orange color and how many would be in the tan color. Mr. Ross said the orange would be 276 and the tan are 224. He said not quite a 50/50 split.

Vice Chair asked if there were any other questions for Mr. Ross. There were none.

Vice Chair asked if there was anyone else who would like to speak in favor of the project. There was no one.

Vice Chair asked if there was anyone who would like to speak in opposition to the proposal. There was no one.

Richard Ali said to Mr. Ross that enrollment at the schools is 70% - 80% right now. He said this project is going to be an extended project and we have a lot of projects already approved in the same school districts. He asked how this was going to impact the schools. Mr. Ross said these enrollments are significantly lower than any of the other schools in the County right now. He said there is ten (10) years to respond and act if there is a need. He said this project doesn't even have the first children for enrollment. He said we are a year to get site grading permits to begin construction and a year and a half before the first house probably starts and probably two (2) years before there is somebody waiting at a bus stop. He said there is plenty of reactionary time.

Jennifer Smith said when you opt out of the schools, do you then have to pay whatever school you apply to a monthly fee since you are out of that district. Richard Yercheck said if you are going to opt out of your school and go to another one, you don't have to pay anything but you will have to provide your own transportation. Vice Chair said there are certain schools you cannot opt for because they are at capacity.

Vice Chair asked if there were any further questions or comments from the Board. There were none.

Vice Chair asked for a motion on this proposal.

Motion: Richard Yercheck made a motion to recommend approval of the Annexation of 169.47 acres located along Waxhaw Highway and further identified with parcel ID #09-351-014.

Second: Renee Hartis

Action: The motion to recommend approval of the Annexation request passed unanimously.

Vice Chair asked for a motion on this proposal to either recommend approval or denial of the adoption of the Resolution of Land Development Plan Compliance.

Motion: Richard Yercheck made a motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance.

Second: John Ashcraft

Action: The motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance passed unanimously.

Vice Chair asked for a motion on the Ordinance amending Section 156.98 – Conditional Districts Established and Section 156.106 – Official Zoning Map.

Motion: Richard Yercheck made a motion to recommend the adoption of the Ordinance amending Section 156.98 - Conditional Districts Established and to recommend the adoption of the Ordinance amending Section 156.106 - Official Zoning Map.

Second: Richard Ali

Action: The motion to recommend adoption passed unanimously.

**RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “WAXHAW LANDING”
R-2020-51**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the zoning map amendment for Conditional District “WAXHAW LANDING” further described below property is consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as Suburban. The suburban character area states the density is 2-4 units per acre. This development is 2.95 units per acre therefore it is consistent. The proposed development is a reasonable use and in the public interest because the suburban character area recommends a mix of housing types and lots size which this development will supply for the area. This project is providing a mix of lot widths that consist of 51-foot and 61-foot wide lots and the lot sizes range from 6,000 square feet to 22,391 square feet.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the Resolution Approving Land Development Plan Compliance for property with Union County Tax Parcel Number(s): 09-351-014

Adopted this 18th day of August, 2020.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk

**RESOLUTION DENYING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “WAXHAW LANDING”
R-2020-51**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the zoning map amendment for Conditional District “WAXHAW LANDING” further described below property is consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as Suburban. The suburban character area states the density is 2-4 units per acre. This development is 2.95 units per acre therefore it is consistent. However, the surrounding parcels in this area are larger vacant/agricultural lots; the proposed project is not a reasonable use or in the public interest because of the agricultural nature of the surrounding parcels. Based on this information, the conditions have changed which justify amending the Land Development Plan. As a result of this zoning map amendment denial, the Land Development Plan is amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the Resolution Denying Land Development Plan Compliance for property with Union County Tax Parcel Number(s): 09-351-014.

Adopted this 18th day of August, 2020.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2020-32

Preamble

Pursuant to authority conferred by Chapter 160A-381 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §156.106 **OFFICIAL ZONING MAP** as follows:

Rezone the properties located along Waxhaw Highway further identified with parcel ID number 09-351-014 from RA-20 and RA-40 (County Residential-Low Density) to Conditional District (CD) “Waxhaw Landing”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 18th day of August, 2020.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2020-33**

Preamble

Pursuant to authority conferred by Chapter 160A-381 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §156.98 **CONDITIONAL DISTRICTS ESTABLISHED** as follows:

Conditional District (CD) “Waxhaw Landing”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 18th day of August, 2020.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Doug Britt, Senior Planner

SUBJECT: Zoning Map Amendment request for Conditional District “Founders Point” (Parcel ID #'s: 09-339-163-C, 09-339-163-F, 09-339-164, 09-339-197 portion & 09-339-197-C01 portion)

SUMMARY STATEMENT

The City Council is requested to consider a zoning map and text amendment for the properties located along W. Highway 74 and James Hamilton Road and further identified as tax parcel #'s 09-339-163-C, 09-339-163-F, 09-339-164, 09-339-197 portion & 09-339-197-C01 portion. The request is to rezone the properties from R-40 (Residential-Low Density) and GB (General Business) to Conditional District “Founders Point”.

REVIEW

The applicant, Pulte Homes Company, LLC is requesting a conditional district rezoning in order to develop a 153 lot subdivision that will consist of both single attached and detached homes. The total area of the project is 36.23 acres, with 23% or 8.50 acres of common open space. The density of this project is 4.22 units per acre.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
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North	Single-Family Residential	R-40 (Single Family Residential)
East	Multi-family Apartments & Vacant	GB (General Business) & R-40 (Single Family Residential)
South	Automotive Repair & Sales & Retail	GB (General Business) & Conditional District
West	Truck Repair	R-40 (Single Family Residential) & Conditional District

Proposal

The applicant is requesting a conditional district rezoning in order to develop a 153 lot residential subdivision with approximately 8.5 acres of open space. The developer is proposing fifty-nine (59) single family attached townhome units and ninety-four (94) single family detached dwellings. The single family attached town home lot sizes within the development will average 2,574 square feet. The single family detached home lot sizes within the development will range from 5,125 square feet to 12,143 square feet with an average lot size of 5,560 square feet. The proposed single family attached townhome units will have a minimum heated square footage of 1,400 square feet with a one (1) car garage and the detached dwelling units will have a minimum heated square footage of 1,600 square feet with a two (2) car garage.

REQUIREMENTS

Density & Dimensional Standards

The density of the total project is 4.22 units per acre.

Setbacks

Single Family Attached Townhome Units

Front: 20 ft.

Side (end units): 10 ft.

Rear: 20 ft.

Single Family Detached Units

Front: 20 ft.

Side: 5 ft.

Corner: 10 ft.

Rear: 20 ft.

Zoning District	Maximum Allowable Density
R-40	1 units per acre
R-20	2 units per acre

Elevations

The exterior building materials for the proposed project will be brick, fiber cement, stone and stucco. The developer is proposing a minimum of 25% brick or stone shall be used on the front facades of all the homes. Vinyl or aluminum will only be used for eaves, soffits, windows, and garage doors. The proposed single family attached townhome units will have a minimum heated

square footage of 1,400 square feet with a one (1) car garage and the detached dwellings will have a minimum heated square footage of 1,600 square feet with a two (2) car garage. The homes constructed on slab foundations will provide a minimum of four (4) courses of brick veneer extending up the slab. All front load garages shall have windows along the top or carriage style trim and/or hardware that mimics carriage style doors.

Landscaping/Buffering

All single family homes will have sodded front yards prior to the issuance of the certificate of occupancy. The applicant is proposing for each single family detached lot to have at least two (2) trees planted per front yard at the time of the certificate of occupancy. The single family attached townhome lots will be provided with one (1) tree per building. Street trees will also be provided at a rate of one (1) tree per fifty (50) foot throughout the development. A fifty (50) foot landscaped buffer will be provided along James Hamilton Road. The buffer will utilize the existing vegetation as well as new plantings. The developer is also proposing a thirty (30) foot buffer and screening along the adjacent residential lots in Karrington Place.

Additionally, the ordinance requires multi-family projects provide a fifty-foot (50) landscape buffer around the perimeter of the townhome portion of the project. The fifty-foot (50) landscape buffer for this project is required along townhome lots 13-40 which are adjacent to properties zoned GB (General Business) that have frontage along Highway 74. The applicant is proposing the buffer in this area to be reduced to fifteen (15) feet, but will utilize the existing tree canopy as well as supplemental landscaping to provide a buffer for the townhomes at this location.

Open Space

The project is required to provide at least 12.5% open space for the total land area of the site which would equal 4.53 acres. The applicant is providing 23% or 8.5 acres of open space. The developer is proposing the amenity area to consist of a community gathering area with a tot lot and benches.

Parking

Each single family detached home will have a two (2) car garage while the single family attached townhomes will have one (1) car garages. All driveways of both the single family attached townhomes and detached homes will have driveways that can accommodate two (2) vehicles.

The ordinance requires multi-family projects to provide parking at a rate of one (1) space per bedroom plus an additional ½ spacer per unit. Based on fifty-nine (59) three-bedroom townhome units there would be a total of two hundred seven (207) parking spaces required for the single family attached townhome portion of the project. The applicant is proposing for each townhome to have a one (1) car garage and a paved driveway that will accommodate at least two (2) vehicles for a total of one hundred eighteen (177) parking spaces. Additionally, the developer is proposing a visitor parking lot with twenty (20) parking spaces for an overall total of one hundred ninety-seven (197) parking spaces for the townhome portion.

Schools

The following is the information provided by Don Ogram with the school system:
The proposed 153 lot residential subdivision would be located within the following school attendance areas for the 2020-2021 school year:

Porter Ridge Elementary School (Current enrollment 84% of capacity)
Piedmont Middle School (Current enrollment 100% of capacity)
Piedmont High School (Current enrollment 83% capacity)

By our accounting, this development will bring the number of planned and not built housing units in the Porter Ridge ES area to approximately 1297. This includes:

- Goose Creek Farm: 8 units
- Poplin Grove: 129 units
- Stratford: 207 units
- Stallings Brook: 140 units
- Woodlands Creek: 21 additional units
- Redwood: 119 units
- Simpson Farms: 194 units
- Stewarts Creek: 48 units
- Fowler Secrest Subdivision: 105 units
- Stewarts Crossing: 173 units

Also within the Piedmont cluster attendance area (for a total of approximately 1524 housing units) are:

- Victoria Estates: 14 units
- Sikes Mill Crossing: 8 units
- Ashe Meadows: 65 units
- Windsong: 27 units
- Williamston: 7 units
- Damon Hills: 12 units
- Kellystone: 5 additional units
- Bickett Ridge: 5 additional units
- The Oaks at Camden: 28 additional units
- Emerald Estates: 7 additional units
- Serena Hill: 14 units
- Kellerton Place: 228 units
- Olive Branch Subdivision: 186 units
- Ridge Rd MUD: 258 units

Per Board of Education policy, Piedmont Middle school is no longer accepting any further transfers due to high enrollment. Additional residential construction contributes to high enrollments, which in turn exacerbate problems such as:

- Additional mobile classrooms
- Inadequate capacity for food service and rest room facilities
- Rationing of access to the Media Center
- Insufficient parking and queuing space for parents to safely deliver or pick up their children.
- Inadequate planning/meeting space for additional staff.

Sidewalk

The developer is proposing to install five (5) foot minimum sidewalks on both sides of the interior streets as well as an eight (8) foot sidewalk along James Hamilton Road.

Stormwater

The applicant will be required to provide stormwater management to treat the stormwater runoff for the project. The stormwater will be evaluated and reviewed, if the project is approved by City Council, at the building permit stage of the process. The location, size and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and actual site discharge points. At the time of site plan submittal, the site will meet stormwater management requirements in accordance with chapter 159 stormwater management ordinance of the Monroe city code.

Stream Buffer

All blue line streams on the site have been provided with a 50' buffer on both sides as required by the ordinances.

Transportation

The proposed project is located off of James Hamilton Road and Highway 74. James Hamilton Road is maintained by the City of Monroe and Highway 74 is maintained by the North Carolina Department of Transportation (NCDOT). The developer is proposing for all streets in the development to be constructed to the City of Monroe street standards and be maintained by the City. Due to the number of lots (153) being proposed for the project a traffic impact analysis was not required by the City of Monroe or NCDOT. The access off of James Hamilton Road will be a full movement access. A left turn lane will be required to be installed on James Hamilton Road to serve the proposed project. The access off of Highway 74 will be right in/right out and the developer will be required to install a right turn/declaration lane on Highway 74.

LAND DEVELOPMENT PLAN CONSISTENCY

The Land Development Plan indicates this property is located in the Community Corridor and the Suburban land use area.

The Community Corridor generally covers most of US 74 and areas adjacent to intersecting major streets. The area serves as a primary conduit to downtown, and the spine of the community with critical connections to major employers, Charlotte-Monroe Executive Airport, the hospital, and the Concord Avenue Area. For this reason, the area's design and performance is important to the entire community. The Community Corridor designation encourages a more unified approach to improving the area's physical environment and economic viability. While linear due to its orientation on US 74, the vision for the Community Corridor is for redevelopment to occur as nodes of activity (preferred with a mixture of uses). This may be achieved by focusing more intense commercial/mixed-use nodes at key intersections with transitional uses between nodes and as a buffer to adjacent residential areas. Priority uses in the Community Corridor include:

multi-family residential, commercial, office, medical, civic, industrial, and mixed-use. Allowable density in this area is 4 to 10 dwelling units per acre.

The Suburban land use area typically takes the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Attached and multi-family housing is suitable in mixed-housing neighborhoods and activity centers. Commercial development mostly serves the needs of nearby residents and often locates along corridors with higher traffic volumes and near prominent intersections. Emphasis should be placed on integrating the design of commercial centers with surrounding neighborhoods. Connectivity between neighborhoods and to nearby centers also should be emphasized. Priority uses in the Suburban land use area include: single-family residential, multi-family residential, commercial, office, medical, and civic. Allowable density in this area is 2 to 4 dwelling units per acre.

Based on the allowable densities in each character area and the overall project density of 4.22 units per acre the project is consistent with the Land Development. The project is a reasonable use and in the public interest because it provides a mix of single family residential lot sizes.

PUBLIC NOTIFICATION

The applicant sent a notification letter to the property owners within 150 feet of the subject property and held a neighborhood meeting on Thursday, February 27th to discuss the project.

A rezoning notification sign was posted 10 days prior to the public hearing.

An official rezoning notification letter was sent to the adjacent property owners located within 150 feet, 10 days prior to the public hearing.

RECOMMENDATION

The Planning Board recommended approval of Conditional “Founders Point” with the following conditions:

1. All front load garages shall have windows along the top or carriage style trim and/or hardware that mimics carriage style doors. *The developer agreed to this condition and modified the site plan.*
2. Driveways for the single family attached townhomes shall be able to accommodate two (2) vehicles. *The developer agreed to this condition and modified the site plan.*
3. Landscape buffer shall be provided along the rear of the townhomes lots 13-40. The landscaping buffer should consist of both deciduous and evergreen trees. *The developer agreed to this condition and modified the site plan.*

4. Provide a mix of materials on the front elevations of both the single family attached townhomes and detached homes, so that at least 25% of the front elevation consist of brick or stone. The developer agreed to this condition and modified the site plan.
5. Houses built on slab foundations shall have a minimum four course brick, of standard size, extending up the face of the slab. *The developer agreed to this condition and modified the site plan.*
6. Accessory structures shall be not located beyond the front corner of the home and shall maintain a five (5) foot setback from all property lines. Accessory structures shall not be located within in public easements. *The developer agreed to this condition and modified the site plan.*
7. Additional amenity features for teens. *The developer verbally agreed to this condition at the meeting, but there were not additional amenities added to the site plan.*

COUNCIL ACTION

Motion to adopt Resolution approving Land Development Plan Compliance **OR** Motion to adopt Resolution denying Land Development Plan Compliance

Council action needed – Motion to adopt Ordinance amending Section 156:106 **OR** Motion denying zoning map amendment request

Council action needed **(only required if zoning map amendment approved)** – Motion to adopt Ordinance amending Section 156:98

Attachments:

Attachment 1-Ortho Map
Attachment 2-Zoning Map
Attachment 3-Site Plan & Elevations
Attachment 4-Site Plan Notes
Attachment 5-Future Land Use Map
Attachment 6-Future Land Use Description
Attachment 7-APO List
Attachment 8-APO Map
Attachment 9-Draft PB Minutes
Attachment 10-R-2020-47 Approval
Attachment 11-R-2020-47 Disapproval
Attachment 12-O-2020-30
Attachment 13-O-2020-29

Ortho Map

Case #: 20-20000022

Legend

- Centerlines
- Parcels

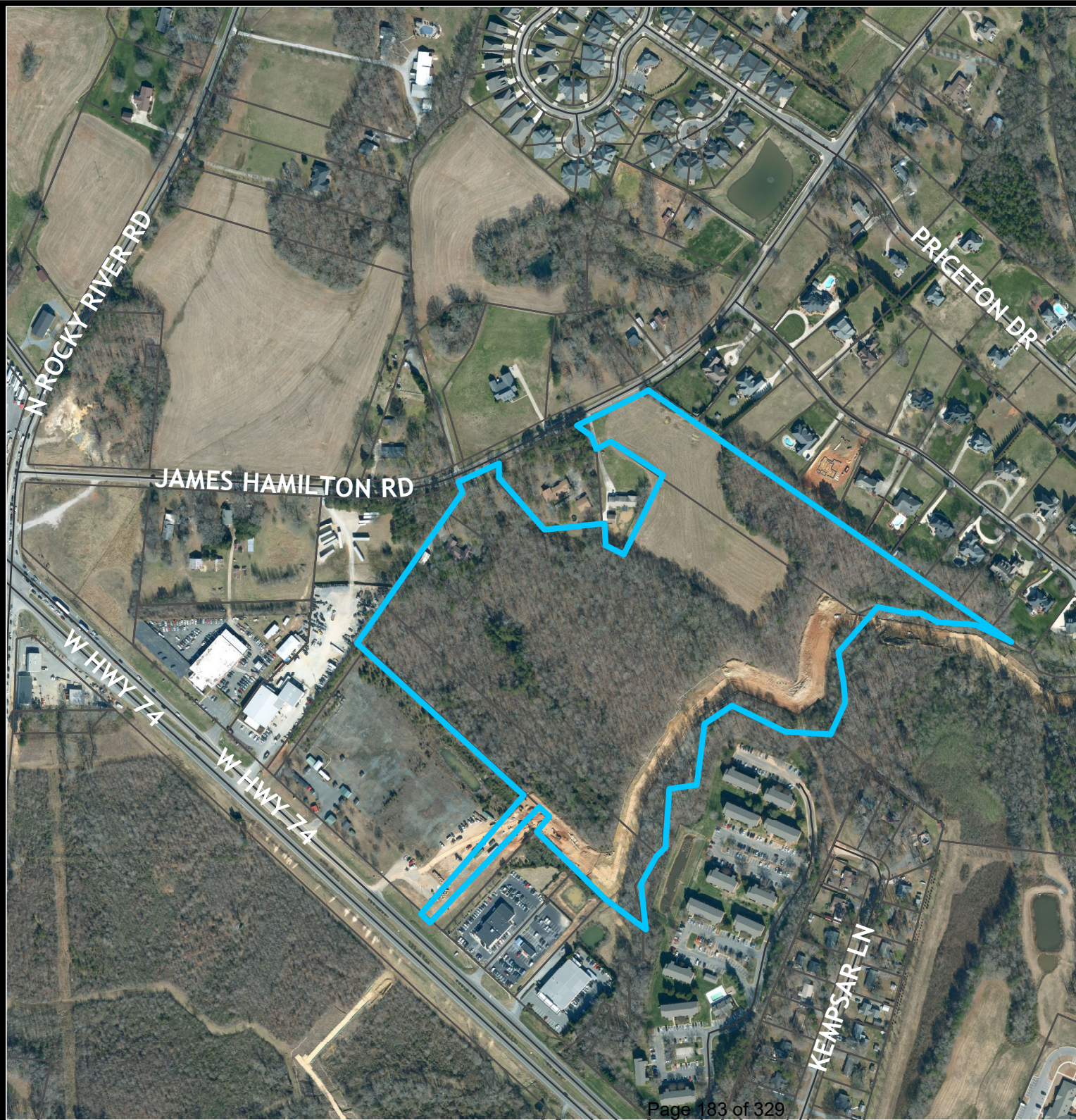
**Existing: R-40
(Residential- Low Density) &
GB (General Business)**

**Proposed: Conditional District
"Founders Point"**

Acres: 36.23



0 390 780
Feet



Zoning Map

Case #: 20-20000022

Legend

— Centerlines

▭ Parcels

Zoning Districts

Code

 R-20

 R-40

 GB

 CD

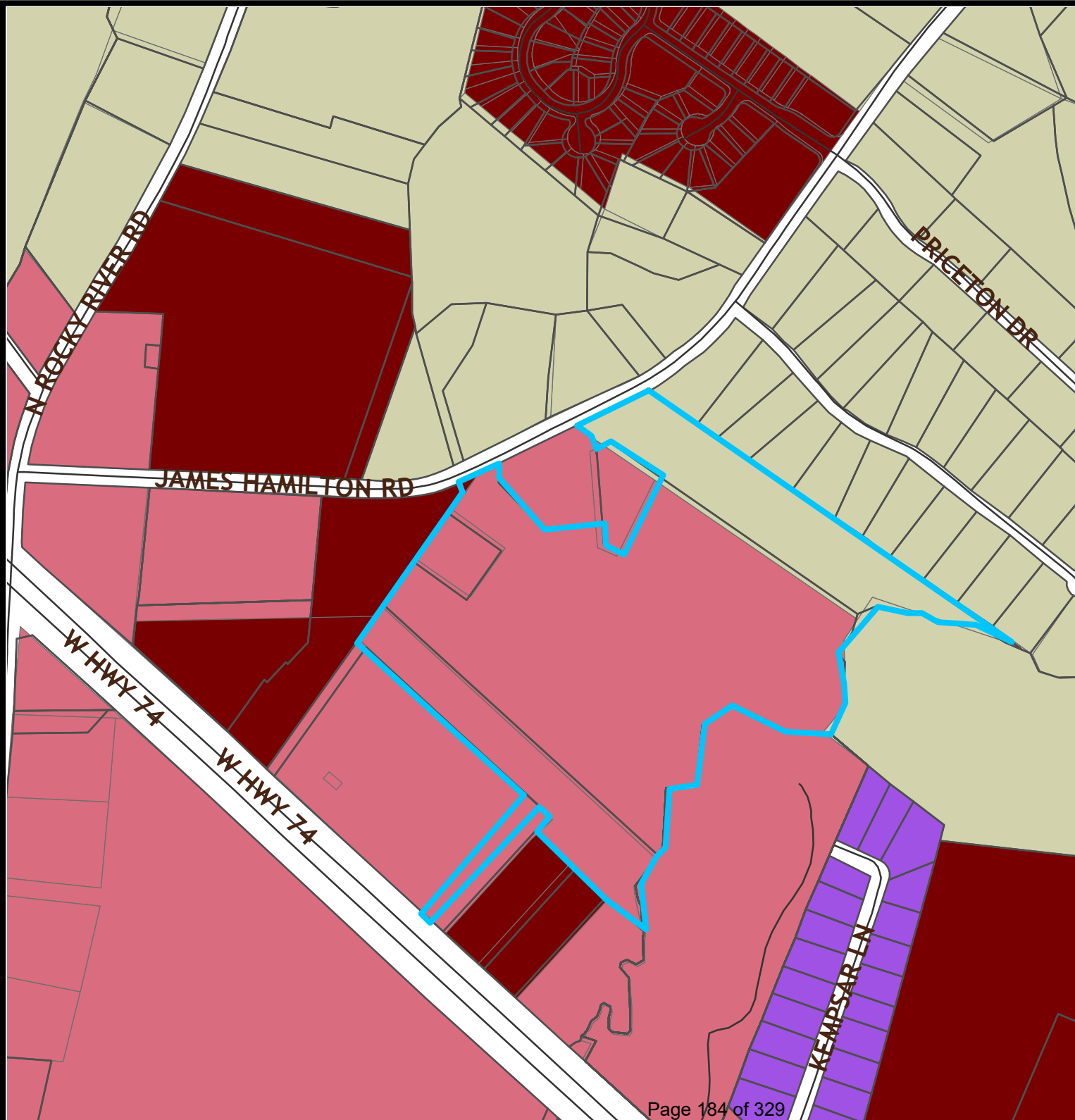
**Existing: R-40
(Residential- Low Density) &
GB (General Business)**

**Proposed: Conditional District
"Founders Point"**

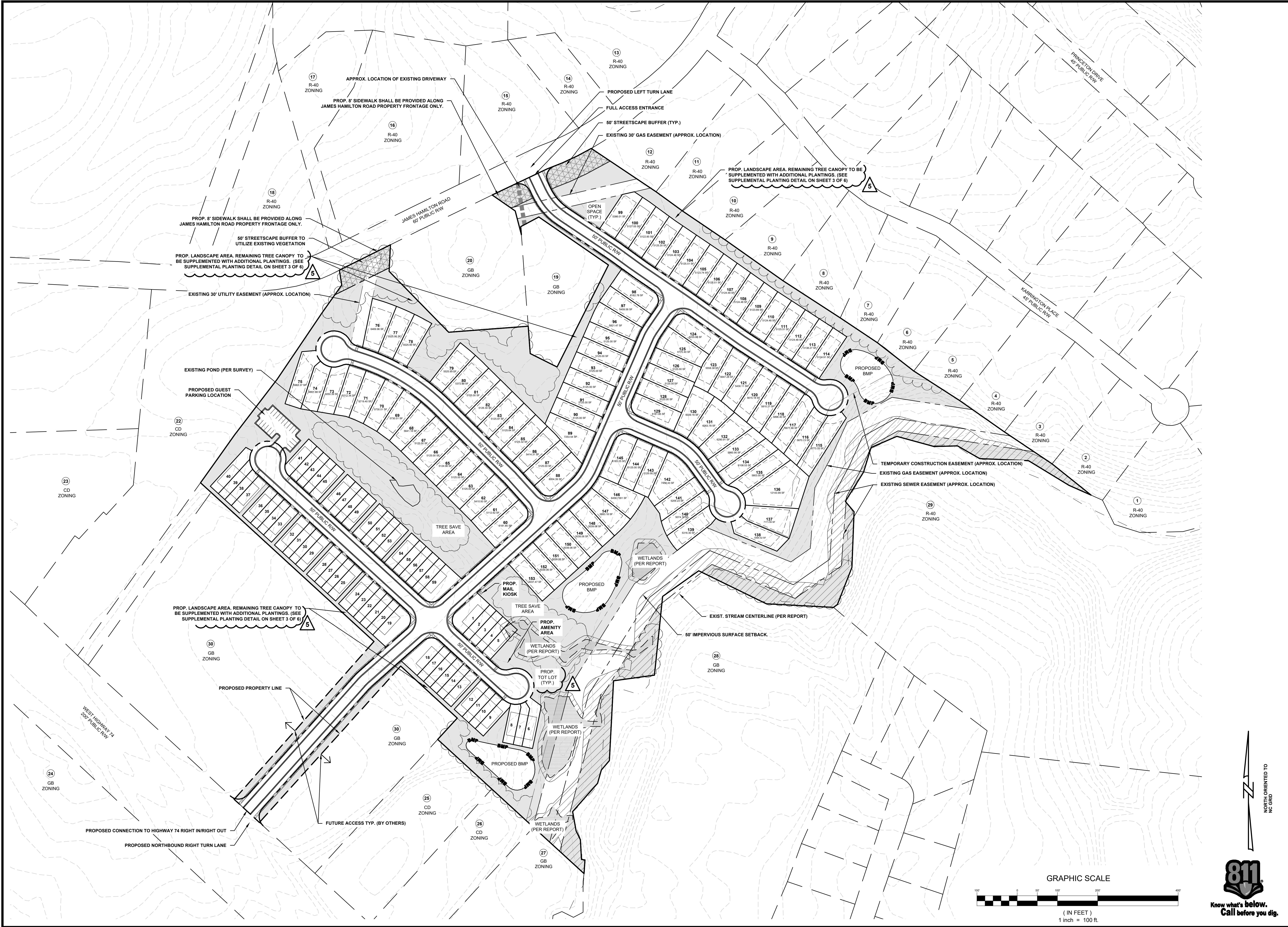
Acres: 36.23



0 390 780
 Feet



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BY

AJW

ZW

LH

ZW

SW

NO.

1

2

3

4

5

DATE

3/20/2020

06/09/2020

7/22/2020

7/15/2020

08/15/2020

REVISION

REVISED PER STAFF COMMENTS

REVISED PER STAFF COMMENTS

PLAN REVISIONS

REVISIONS PER STAFF COMMENTS

REVISIONS PER STAFF COMMENTS

FOUNDERS POINT - CONDITIONAL DISTRICT

SITE PLAN (2 OF 6)

FOUNDERS POINT

CITY OF MONROE, NC

PULTE HOME COMPANY, LLC

PROJECT INFORMATION

PROJECT MANAGER: MM

DESIGNED BY: SH

DRAWN BY: SH

PROJECT NUMBER: HQ58.101

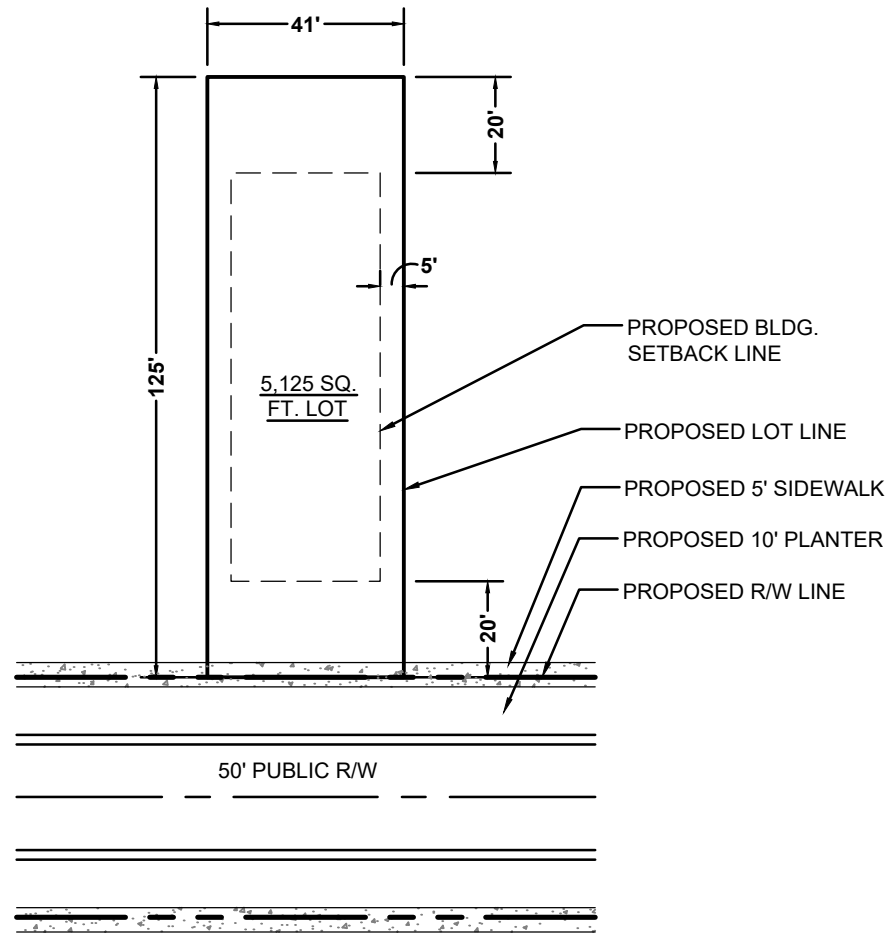
ORIGINAL DATE: 01/29/2020

SHEET:

2 OF 6

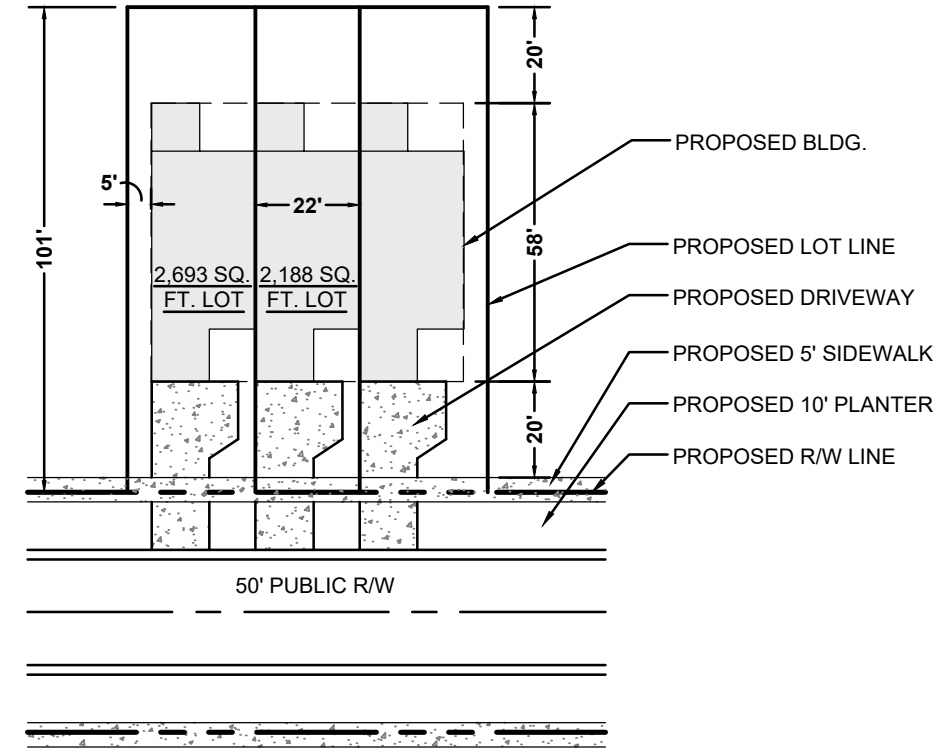
Page 186 of 329

TYPICAL SINGLE FAMILY DETACHED DETAIL
NTS



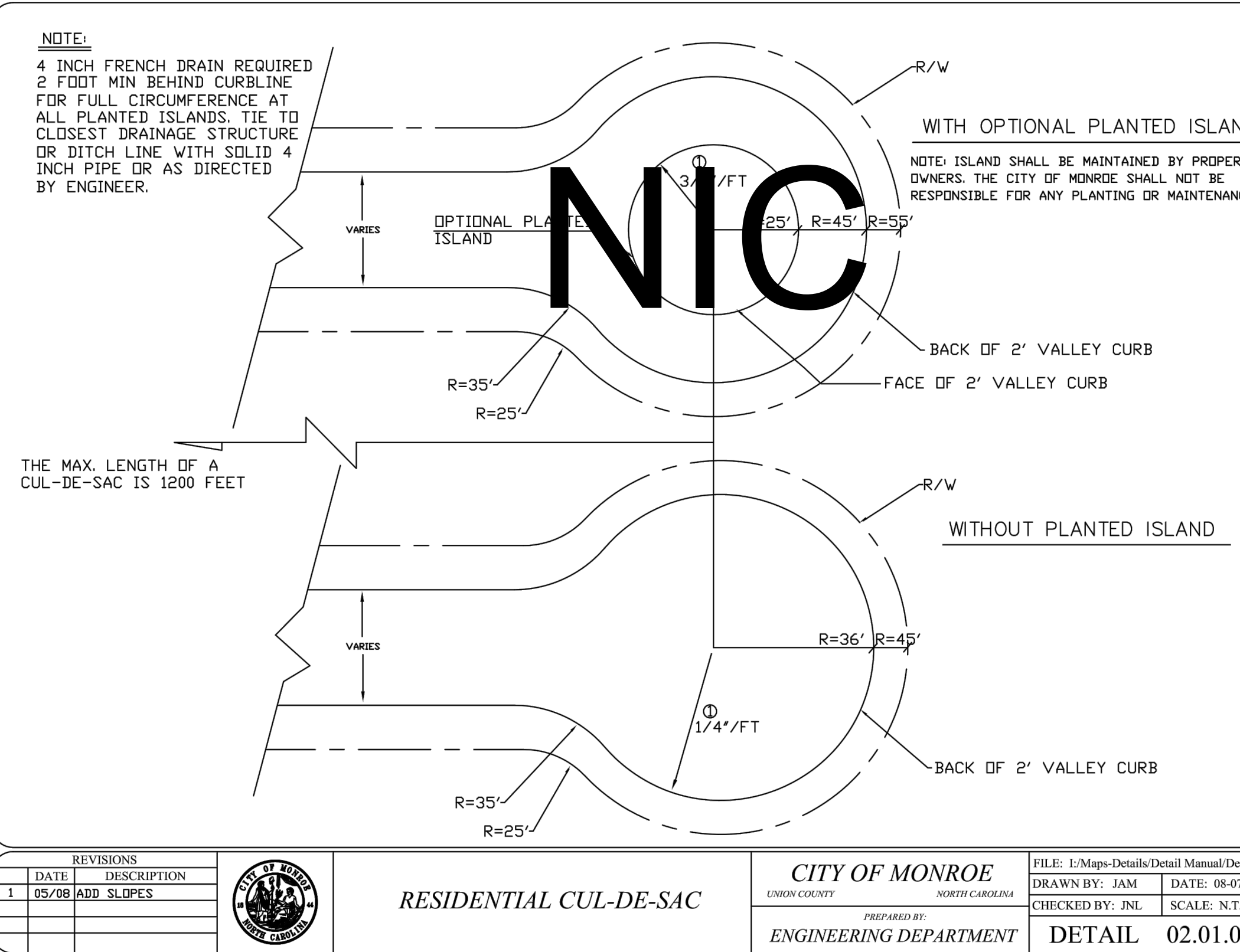
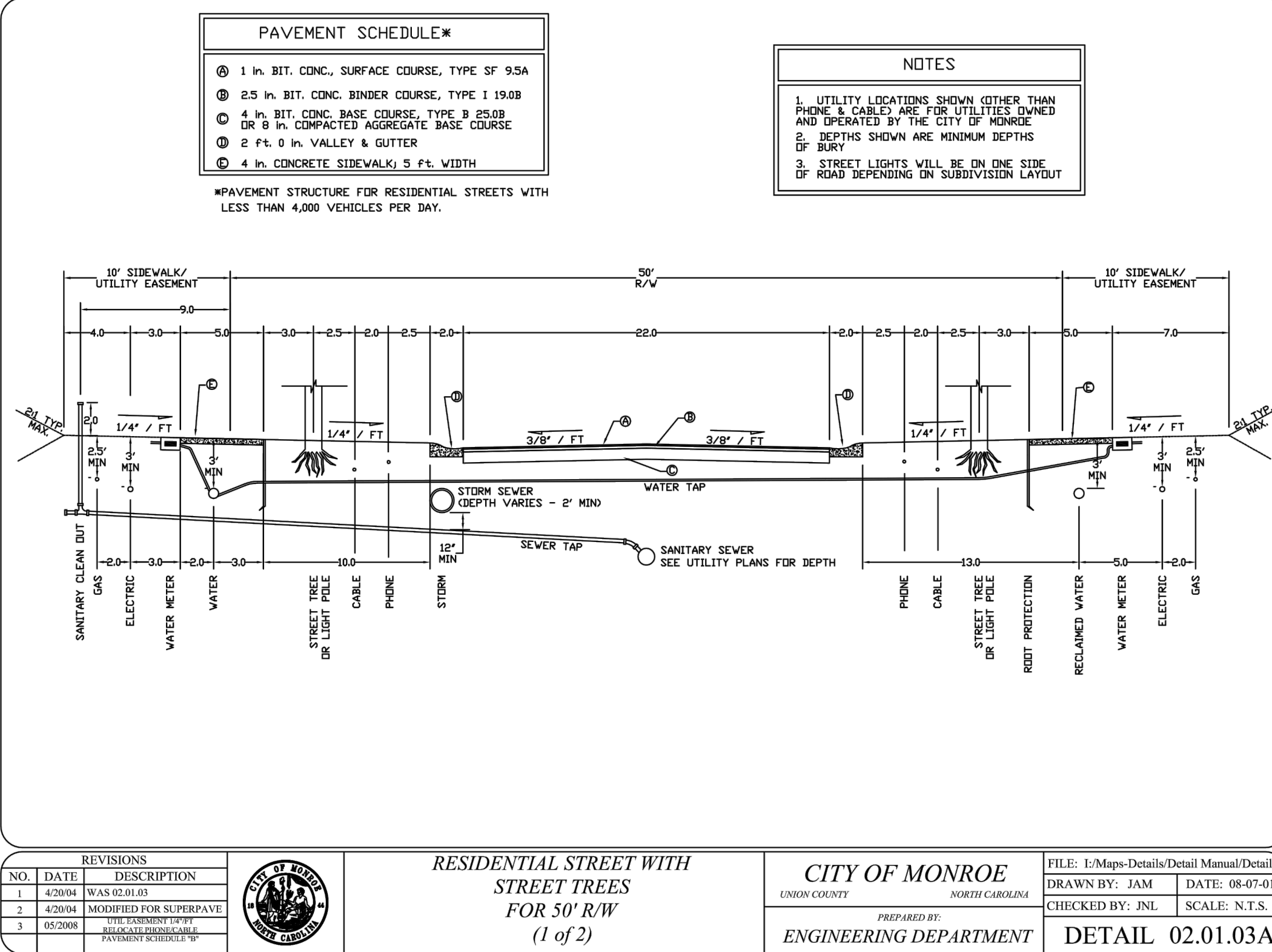
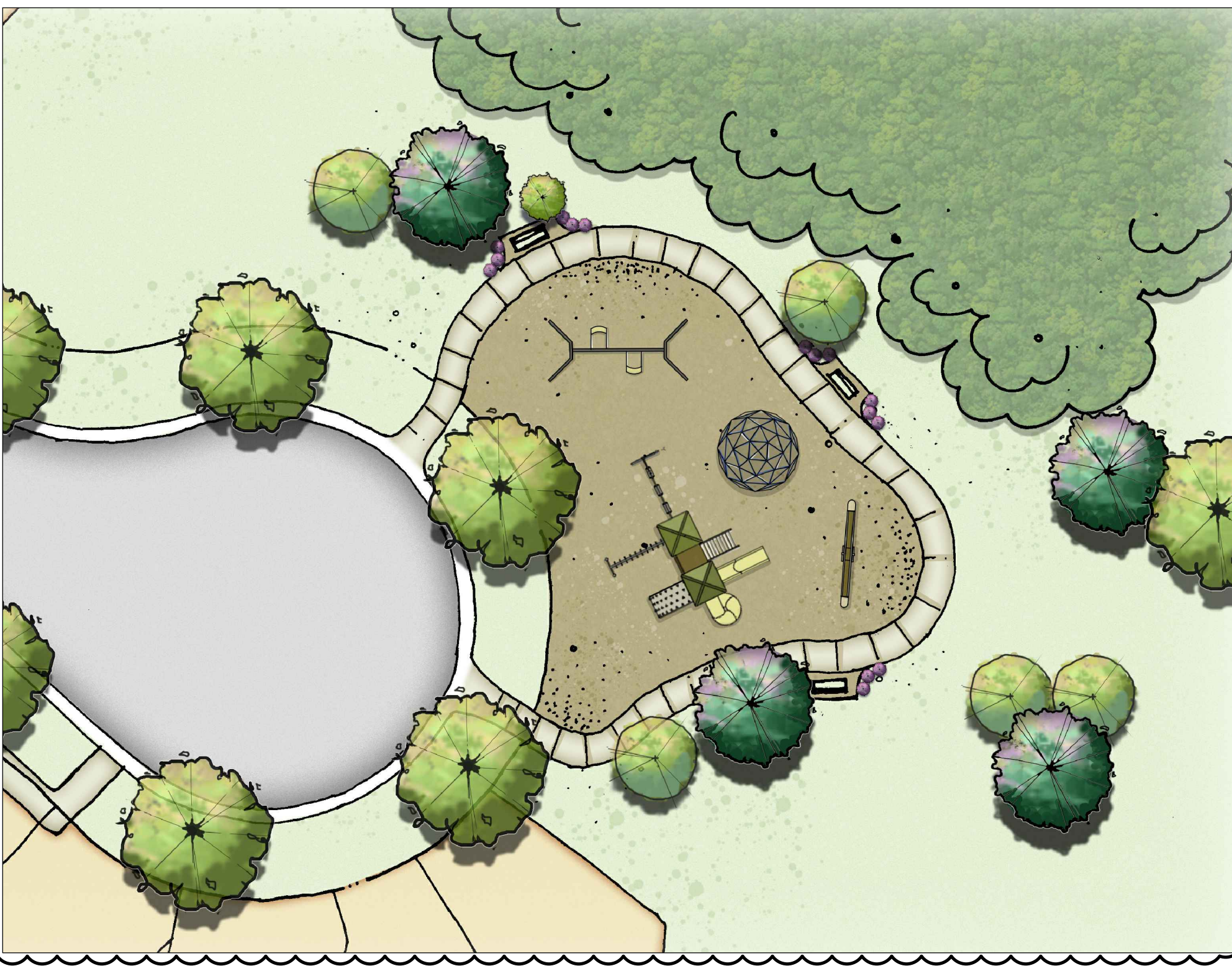
SETBACKS:
FRONT: 20'
SIDE: 5'
CORNER: 10'
REAR: 20'

TYPICAL SINGLE FAMILY ATTACHED UNIT DETAIL
NTS



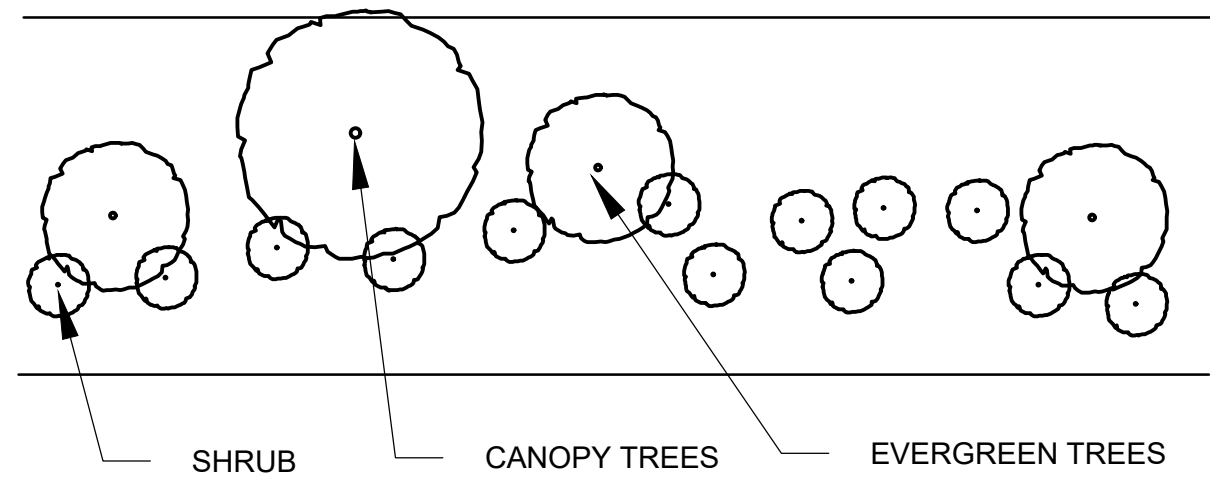
PROPOSED SETBACKS:
FRONT: 20' BACK OF SIDEWALK
SIDE: 5'
MIN. SIDE (TOWNHOME END UNITS): 10'
REAR: 20'

CONCEPTUAL TOT LOT AREA
NTS



TYPICAL SUPPLEMENTAL LANDSCAPE AREA
NTS

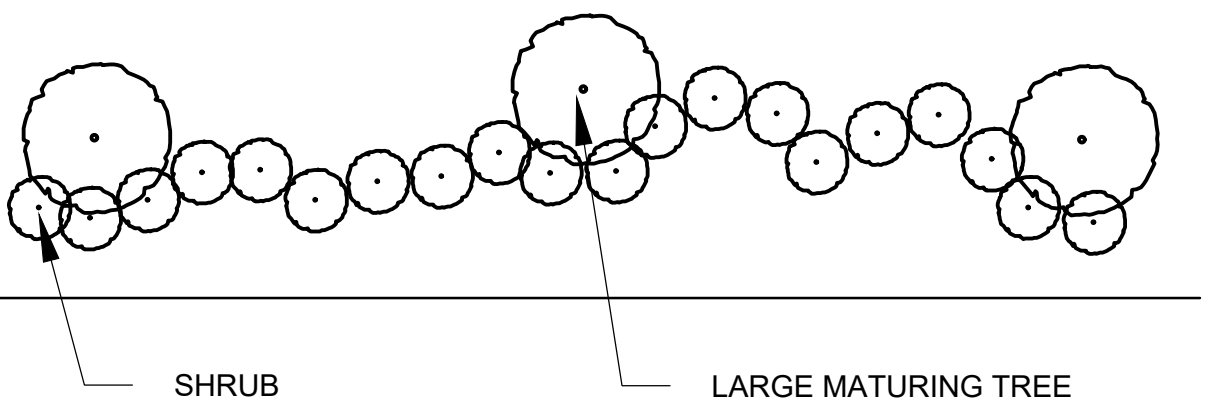
SUPPLEMENTAL LANDSCAPE SCREEN: 100' SHOWN



SUPPLEMENTAL PLANTINGS:
-1 CANOPY TREE (PER 100')
-3 EVERGREEN TREES (PER 100')
-10 SHRUBS (PER 100')

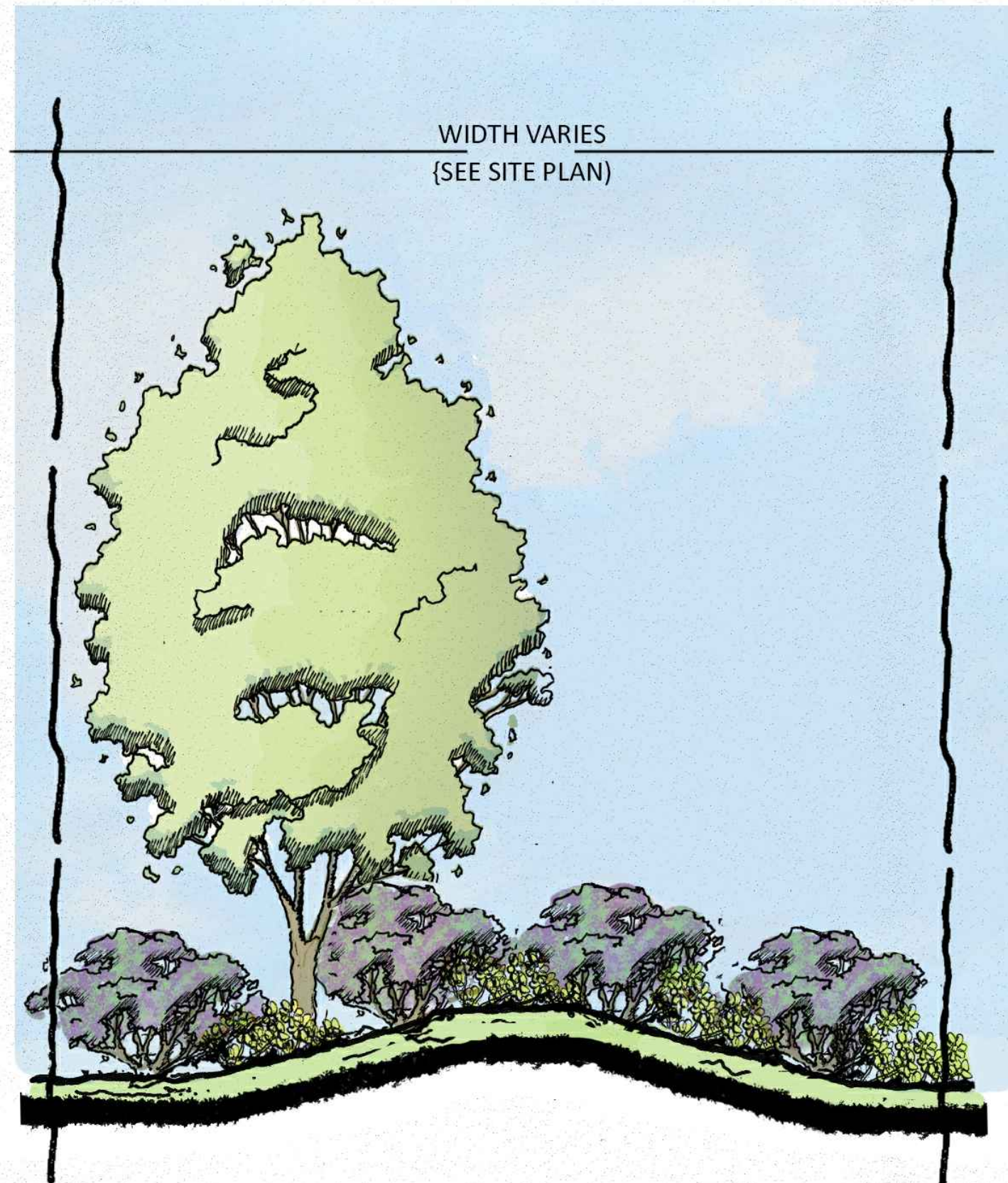
TYPICAL STREETSCAPE BUFFER ALONG JAMES HAMILTON ROAD
NTS

STREETSCAPE BUFFER: 8' MINIMUM REQUIRED, 50' SHOWN



STREETSCAPE BUFFER PLANTING REQUIREMENTS:
-3 TREES (PER 100')
-20 SHRUBS (PER 100')

TYPICAL LANDSCAPE AREA WITH BERM
NTS



SUPPLEMENTAL PLANTINGS:
-LANDSCAPING ALONG PARCELS 19 & 20
-PLANTINGS TO BE DETERMINED IN CONSTRUCTION DETAILS PHASE



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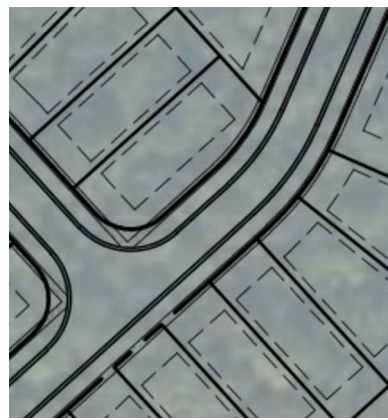
BY	DATE	REVISION	REVISION PER STAFF COMMENTS
AJM	03/20/2020	1	REVISED PER STAFF COMMENTS
ZW	06/09/2020	2	REVISED PER STAFF COMMENTS
LH	7/2/2020	3	PLAN REVISIONS
ZW	7/15/2020	4	REVISIONS PER STAFF COMMENTS
SW	08/12/2020	5	REVISIONS PER STAFF COMMENTS

FOUNDERS POINT - CONDITIONAL DISTRICT
SITE DETAILS (3 OF 6)

FOUNDERS POINT

PROJECT INFORMATION	
PROJECT MANAGER:	MM
DESIGNED BY:	SH
DRAWN BY:	SH
PROJECT NUMBER:	HQ58.101
ORIGINAL DATE:	01/29/2020

SHEET:
3 OF 6

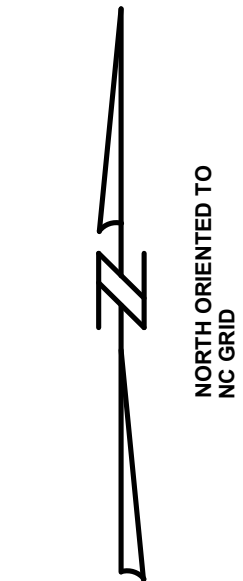
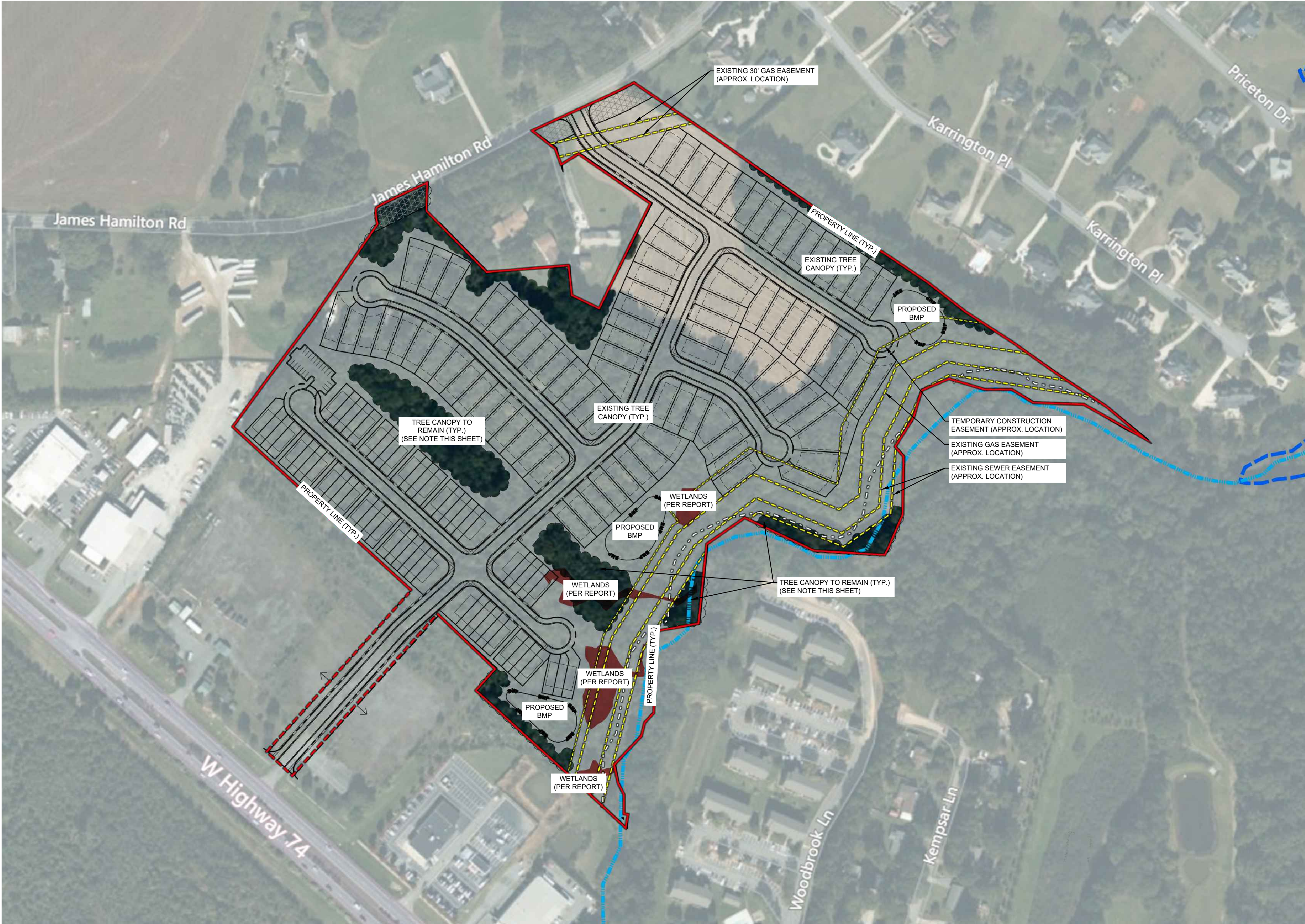


EXISTING TREE CANOPY



CANOPY TO REMAIN

NOTE: TREE ZONES ILLUSTRATED ON THIS EXHIBIT MAY BE ADJUSTED TO ACCOMMODATE TRANSITIONAL GRADING AND UTILITY EASEMENTS AS NEEDED DURING THE FINAL CD DESIGN AND SITE CONSTRUCTION PHASE.



NTS

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BY

AJW

ZW

LH

ZW

SW

NO.

1

2

3

4

5

DATE

03/29/2020

06/09/2020

7/2/2020

7/15/2020

08/25/2020

REVISION

REVISED PER STAFF COMMENTS

REVISED PER STAFF COMMENTS

PLAN REVISIONS

REVISIONS PER STAFF COMMENTS

REVISIONS PER STAFF COMMENTS

FOUNDER'S POINT - CONDITIONAL DISTRICT

TREE PLAN (4 OF 6)

FOUNDER'S POINT

PULTE HOME COMPANY, LLC

CITY OF MONROE, NC

PROJECT INFORMATION

PROJECT MANAGER: MM

DESIGNED BY: SH

DRAWN BY: SH

PROJECT NUMBER: HQ58.101

ORIGINAL DATE: 01/29/2020

SHEET:

4 OF 6



NOTE: IMAGES ARE REPRESENTATIONAL ONLY
AND ARE NOT FINAL DESIGNS. FINAL HOME
ELEVATION DESIGNS ARE SUBJECT TO CHANGE.

5



FOUNDERS POINT - CONDITIONAL DISTRICT
REPRESENTATIVE ELEVATIONS (5 OF 6)

FOUNDERS POINT

PULTE HOME COMPANY, LLC

CITY OF MONROE, NC

PROJECT INFORMATION					
PROJECT MANAGER:	MM	BY	AJW	ZW	LH
DESIGNED BY:	SH	DATE	03/21/2020	REVISION	REVISED PER STAFF COMMENTS
DRAWN BY:	SH	NO.	1	2	3
PROJECT NUMBER:	HQ58.101		06/09/2020	06/09/2020	06/09/2020
ORIGINAL DATE:	01/29/2020		7/2/2020	7/15/2020	06/15/2020
SHEET:	5 OF 6				

ESP

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FOUNDERS POINT - CONDITIONAL DISTRICT
ILLUSTRATIVE SITE PLAN (6 OF 6)

FOUNDERS POINT

PULTE HOME COMPANY, LLC CITY OF MONROE, NC

PROJECT INFORMATION	
PROJECT MANAGER:	MM
DESIGNED BY:	SH
DRAWN BY:	SH
PROJECT NUMBER:	HQ58.101
ORIGINAL DATE:	01/29/2020
SHEET:	

NO.	DATE	REVISION	BY
1	03/20/2020	REVISED PER STAFF COMMENTS	AJW
2	06/09/2020	REVISED PER STAFF COMMENTS	ZW
3	7/2/2020	PLAN REVISIONS	LH
4	7/15/2020	REVISIONS PER STAFF COMMENTS	ZW
5	08/12/2020	REVISIONS PER STAFF COMMENTS	SW



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FOUNDERS POINT SITE PLAN NOTES

SITE DATA:

TAX PARCELS: 09339163C; 09339164; 09339163F; & A PORTION OF 09339197 AND 09339197C01

TOTAL ACREAGE: +/- 36.23 ACRES (APPROXIMATE)

EXISTING LOCATION: MONROE, NC

ZONING:

EXISTING: R-40 & GB

PROPOSED: "FOUNDERS POINT" CONDITIONAL DISTRICT

TOTAL POTENTIAL UNITS: 153 UNITS

SINGLE FAMILY DETACHED: 94 LOTS

SINGLE FAMILY ATTACHED: 59 UNITS

SINGLE FAMILY DETACHED MINIMUM SETBACKS:

FRONT: 20'

SIDE: 5'

CORNER: 10'

REAR: 20'

MINIMUM LOT SIZE: 5,125 SF

MINIMUM LOT WIDTH: 41'

AVERAGE LOT SIZE: 5,560 SF

SINGLE FAMILY ATTACHED - PROPOSED MINIMUM SETBACKS:

FRONT: 20'

SIDE: 5'

SIDE (TOWNHOME END UNITS): 10' MIN.

REAR: 20'

MINIMUM LOT SIZE: 2,222 SF

MINIMUM LOT WIDTH: 22'

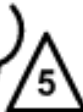
AVERAGE LOT SIZE: 2,574 SF

OVERALL DENSITY: 4.22 DU/AC

COMMON OPEN SPACE:

REQUIRED OPEN SPACE: +/- 4.5 ACRES (12.5%)

PROVIDED OPEN SPACE: +/- 8.5 ACRES (23%)



PULTE HOMES COMPANY, LLC
FOUNDERS POINT, MONROE, NC
DEVELOPMENT STANDARDS

I. GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE CONDITIONAL REZONING PLAN ASSOCIATED WITH THE CONDITIONAL REZONING PETITION. THE PETITION FILED BY PULTE HOMES COMPANY, LLC (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 36.23-ACRE SITE LOCATED WITH FRONTAGE ALONG JAMES HAMILTON ROAD, DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS FURTHER DESCRIBED AS A COMBINATION OF TAX PARCEL NUMBERS 09339163C, 09339164, 09339163F, & A PORTION OF 09339197 AND 09339197C01.
2. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE CONDITIONAL REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF MONROE UNIFIED DEVELOPMENT ORDINANCE - UDO. (THE "ORDINANCE").
3. BASE INFORMATION PROVIDED TO ESP BY UNION COUNTY GIS, SURVEY PREPARED BY ESP ASSOCIATES, INC. TITLED "ALTA/NSPS LAND TITLE SURVEY OF: PROPERTY OF WC HELMS, II, JANE E. HELMS AND HELMS ASSOCIATES, LLC." DATED 2/12/2020 AND "APPROXIMATE DEPICTION OF AQUATIC RESOURCES" PROJECT: JAMES HAMILTON, DEVELOPED BY WETLANDS & WATERS, INC. DATED 05/026/2020 (REVISED) AND APPROVED BY U.S. ARMY CORPS OF ENGINEERS - WILMINGTON DISTRICT - ACTION ID SAW-2019-02104 .

II. PERMITTED USES

1. THE SITE SHALL BE DEVOTED TO A SINGLE-FAMILY RESIDENTIAL COMMUNITY CONTAINING +/- 153 UNITS INCLUDING ATTACHED AND DETACHED DWELLINGS AND ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN RESIDENTIAL ZONING DISTRICT(S).
2. GRADING AND LOCATION OF RETAINING WALLS SHALL BE PROVIDED DURING THE CONSTRUCTION DOCUMENTATION PHASE.

III. TRANSPORTATION

1. VEHICULAR ACCESS TO THE PROPERTY SHALL BE AS GENERALLY DEPICTED ON THE CONDITIONAL REZONING PLAN. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINTS SHOWN ON THE CONDITIONAL REZONING PLAN ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS ALONG WITH ANY ADJUSTMENTS REQUIRED BY THE CITY AND/OR NCDOT FOR APPROVAL.
2. AS DEPICTED ON THE CONDITIONAL REZONING PLAN, THE SITE SHALL BE SERVED BY INTERNAL PUBLIC STREETS. MINOR ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PUBLIC STREETS SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
3. THE PETITIONER SHALL CONSTRUCT INTERNAL STREETS TO MEET CITY OF MONROE PUBLIC ROADWAY STANDARDS.

IV. STREETScape / LANDSCAPING / UTILITIES

1. STREET LIGHTING, STREET SIGNAGE AND MAIL KIOSKS WITHIN THE PROPOSED DEVELOPMENT SHALL ADHERE TO THE CITY OF MONROE UDO. RECOMMENDED SCALING OF STREET LIGHTS IS SUBJECT TO APPROVAL OF THE ENGINEERING DEPARTMENT. THE CITY OF MONROE SHALL BECOME RESPONSIBLE FOR MONTHLY COSTS ONCE THE ROADWAYS ARE ACCEPTED FOR MAINTENANCE.
2. LANDSCAPING TO MEET MINIMUM ORDINANCE REQUIREMENTS.
3. 5' SIDEWALKS SHALL BE PROVIDED ON BOTH SIDES OF INTERNAL STREETS. SIDEWALKS SHALL MEET ADA REQUIREMENTS AND INCLUDE CURB RAMPS, LANDING, FLARES, AND TRUNCATED DOMES. DETAILS TO BE PROVIDED DURING CONSTRUCTION DOCUMENTATION PHASE.
4. STREET SIGNS SHALL BE CONSISTENT WITH CITY OF MONROE STANDARD DETAIL OR APPROVED EQUIVALENT. DECORATIVE STREET SIGNS MAY BE INSTALLED (IF DESIRED) AS LONG AS THEY MEET OR EXCEED THE MINIMUM SPECIFICATION ESTABLISHED BY CITY OF MONROE. DETAILS SHALL BE PROVIDED DURING CONSTRUCTION DOCUMENTATION PHASE. DECORATIVE STREET SIGNS SHALL REQUIRE APPROVAL BY CITY ENGINEERING FOR PLACEMENT IN THE STREET RIGHT-OF-WAY.
 - a. TRAFFIC SIGNS AND TRAFFIC CONTROL DEVICES PLACED ON THE MUNICIPAL STREET SYSTEM MUST CONFORM TO THE APPEARANCE CRITERIA OF THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. (GEN. STATUE 136-30).
 - b. THE DECORATIVE POSTS SHOULD BE OF A SUITABLE BREAKAWAY OR YIELDING DESIGN.
 - c. A PLAN SHALL BE PREPARED AND SUBMITTED SHOWING LOCATIONS, SIGN DESIGN, LETTERING, INSTALLATION DETAILS, ETC. FOR APPROVAL BY THE ENGINEERING DEPARTMENT.
 - d. INSTALLATION OF THE DECORATIVE SIGNS (IF DESIRED) SHALL BE THE RESPONSIBILITY OF THE PETITIONER AND COORDINATED WITH THE CITY'S CONSTRUCTION INSPECTOR.
 - e. IF THE DECORATIVE POSTS SHOULD BECOME DAMAGED OR BECOME IN NEED OF REPAIR/MAINTENANCE, IT SHALL BE THE HOMEOWNER'S ASSOCIATION'S RESPONSIBILITY TO CORRECT AT THEIR COST. THE CITY RESERVES THE RIGHT TO RE-INSTALL ANY SIGN WITH A GALVANIZED POST UNTIL REPLACEMENT DECORATIVE POST(S) CAN BE INSTALLED BY THE HOMEOWNER'S ASSOCIATION.
5. PROJECT SHALL FOLLOW SIGN REGULATIONS FOR RESIDENTIAL ZONING DISTRICTS.
6. ENTRY MONUMENTATION SHALL BE PERMITTED SEPARATELY.
7. FIRE HYDRANTS SHALL BE SPACED AN AVERAGE OF 500 FEET, PER TABLE C105.1 IN APPENDIX C OF THE NORTH CAROLINA STATE BUILDING CODE: FIRE PREVENTION CODE. FIRE HYDRANTS SHALL MEET NORTH CAROLINA FIRE CODE AT TIME OF CONSTRUCTION.
8. WATER AND SEWER CONNECTIONS TO BE COORDINATED WITH CITY OF MONROE WATER RESOURCES DEPARTMENT.
9. SIDEWALK AND UTILITY PLACEMENT SHALL BE IN ACCORDANCE WITH THE CITY OF MONROE'S STANDARD SPECIFICATION AND DETAILS MANUAL.
10. STREET TREES SHALL BE PROVIDED ON BOTH SIDES OF PUBLIC STREETS AT A RATE OF ONE (1) PER FIFTY (50) LINEAR FEET WITH A CALIPER OF 1.5 INCHES MEASURED 6 INCHES ABOVE GRADE. STREET TREES SHOULD BE A VARIETY OF SPECIES AND LOCATED IN ACCORDANCE WITH THE CITY OF MONROE'S STANDARD SPECIFICATION AND DETAILS MANUAL. STREET TREES WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE IN ACCORDANCE WITH DETAIL 02.01.03A RESIDENTIAL STREET WITH STREET TREES FOR 50' RIGHT-OF-WAY.
11. PRESERVATION OF EXISTING TREES IN OPEN SPACE AREAS AND REQUIRED BUFFERS SHALL BE DELINEATED AND FINALIZED DURING CONSTRUCTION DOCUMENTATION.
12. EACH SINGLE FAMILY DETACHED HOME SHALL HAVE AT LEAST TWO (2) FRONT YARD TREES, SUITABLE FOR HEALTHY GROWTH IN OUR CLIMATE. EACH TREE SHALL HAVE A MINIMUM CALIPER OF 1 ½ INCHES MEASURED 6 0 INCHES ABOVE GRADE.
13. EACH SINGLE FAMILY ATTACHED HOME SHALL HAVE AT LEAST ONE (1) FRONT YARD TREES PER BUILDING, SUITABLE FOR HEALTHY GROWTH IN OUR CLIMATE. EACH TREE SHALL HAVE A MINIMUM CALIPER OF 1 ½ INCHES MEASURED 6 INCHES ABOVE GRADE.

14. DEVELOPMENT SHALL COMPLY WITH PARAGRAPH 156.221 OF THE CITY OF MONROE UNIFIED DEVELOPMENT ORDINANCE. TREES THAT ARE 75" OR GREATER IN DIAMETER SHALL BE EVALUATED FOR HEALTH BY A CERTIFIED ARBORIST AND THEIR EXACT LOCATION SHOWN ON CONSTRUCTION PLANS FOR PRESERVATION PURPOSES. TREES THAT FALL WITHIN REQUIRED UTILITY AND TRANSPORTATION RIGHT-OF-WAYS AND EASEMENTS MAY BE REMOVED.
15. FRONT YARDS SHALL BE SODDED PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY.
16. LANDSCAPING SHALL BE KEPT IN A THRIVING CONDITION.
17. AN 8' SIDEWALK SHALL BE PROVIDED ALONG JAMES HAMILTON ROAD PROPERTY FRONTAGE ONLY. DESIGN AND LOCATION TO BE COORDINATED DURING CONSTRUCTION DOCUMENTATION PHASE
18. LANDSCAPE AREA SHALL BE PROVIDED ALONG THE REAR OF THE TOWNHOMES LOTS 13-40. THE LANDSCAPE BUFFER SHALL CONSIST OF BOTH DECIDUOUS AND EVERGREEN TREES.



V. OPEN SPACE

1. THE PETITIONER SHALL PROVIDE COMMON OPEN SPACE AREAS AS GENERALLY DEPICTED ON THE CONDITIONAL REZONING PLAN.
2. COMMON OPEN SPACE SHALL BE RECORDED AND DEEDED TO THE HOMEOWNERS ASSOCIATION FOR THE JAMES HAMILTON ROAD COMMUNITY.
3. COMMUNITY AMENITY FEATURES SHALL CONSIST OF TOT LOT AND BENCHES. SPECIFIC DESIGN DETAILS OF THE AMENITY AREA ARE TO BE DETERMINED DURING THE CONSTRUCTION DOCUMENT PHASE. COMMUNITY MAIL KIOSKS SHALL BE COORDINATED WITH THE USPS FOR APPROVED LOCATION(S).
4. COMMENCEMENT OF THE AMENITY AREA SHALL BEGIN NO LATER THAN 77th OF THE CERTIFICATE OF OCCUPANCY'S BEING ISSUED

VI. ENVIRONMENTAL FEATURES

1. THE PETITIONER SHALL COMPLY WITH THE CITY OF MONROE'S ADOPTED STORMWATER MANAGEMENT ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORMWATER MANAGEMENT SYSTEMS DEPICTED ON THE CONDITIONAL REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORMWATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
2. HOMEOWNER'S ASSOCIATION SHALL BE RESPONSIBLE FOR THE OWNERSHIP AND MAINTENANCE OF OPEN SPACE, COMMON AREAS, BMP AREAS, ECT.
3. FLOODPLAIN INFORMATION OBTAINED FROM FEMA FIRM PANEL 3710542700J. EFFECTIVE DATE OF STUDY 10/16/2008.
4. STREAM/WETLAND INFORMATION BASED ON PRELIMINARY INFORMATION PROVIDED TO ESP BY WETLANDS & WATERS, INC. TITLED DELINEATION OF WETLANDS AND WATERS OF THE US JAMES HAMILTON PROPERTY DATED 09/25/2019.

VII. LIGHTING

1. PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURES SHALL BE INSTALLED THROUGHOUT THE SITE ALONG ALL INTERNAL ROADS, LIGHTING FIXTURES SHALL BE UNIFORM IN DESIGN. SPACING OF STREET LIGHTS TO BE COORDINATED WITH CITY OF MONROE ENGINEERING DEPARTMENT. CITY OF MONROE SHALL BE RESPONSIBLE FOR MONTHLY COSTS WHEN ROADWAYS ARE ACCEPTED FOR MAINTENANCE.
2. THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED TWENTY-FIVE (25) FEET.

VI. ENVIRONMENTAL FEATURES

1. THE PETITIONER SHALL COMPLY WITH THE CITY OF MONROE'S ADOPTED STORMWATER MANAGEMENT ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORMWATER MANAGEMENT SYSTEMS DEPICTED ON THE CONDITIONAL REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORMWATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
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2. THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED TWENTY-FIVE (25) FEET.

IX. PHASING

1. THE SITE SHALL BE CONSTRUCTED IN A SERIES OF PHASES WHICH MAY INVOLVE UP TO 3 OR 4 PHASE COMPONENTS. THE PHASING AND CONSTRUCTION SCHEDULE MAY BE MODIFIED AND SHALL BE DETERMINED BY THE DEVELOPER AS NECESSARY DURING THE DEVELOPMENT OF THE PROPOSED RESIDENTIAL COMMUNITY.

X. AMENDMENTS TO REZONING PLAN

1. FUTURE AMENDMENTS TO THE CONDITIONAL REZONING PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF A PARTICULAR TRACT WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS IN THE ORDINANCE.

XI. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

1. IF THIS CONDITIONAL REZONING PETITION IS APPROVED, CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS SHALL, 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. ALL ELEVATIONS, PACKETS, OR OTHER SUPPLEMENTAL MATERIALS SUBMITTED TO STAFF, PLANNING BOARD, AND CITY COUNCIL IN REFERENCE AND SUPPORT OF ANY CONDITIONAL DISTRICT SHALL BE REGARDED AS AN INTEGRAL ELEMENT OF THE APPROVED SITE PLAN; MINOR DEVIATIONS FROM SUBMITTED MATERIAL SHALL BE ALLOWED AT THE DISCRETION OF THE PLANNING DIRECTOR OR HIS DESIGNEE.
3. 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.

VIII. HOUSING

HOME BUILDING ELEVATION MATERIALS SHALL BE COMPRISED OF FIBER CEMENT BOARD (I.E.: HARDPLANK OR SIMILAR MATERIAL), AND/OR CONCRETE FIBER CEMENT BOARD WITH SHAKE ACCENTS. THE FRONT FACADE OF THE HOMES, ON A PER FRONT ELEVATION BASIS, MAY BE COMPRISED OF FIBER CEMENT BOARD (I.E.: HARDPLANK OR SIMILAR MATERIAL). AT LEAST 25% OF THE FRONT ELEVATION SHALL CONSIST OF BRICK OR STONE. A MIX OF MATERIALS SHALL BE PROVIDED ON THE FRONT ELEVATIONS OF BOTH THE SINGLE FAMILY ATTACHED TOWNHOMES AND DETACHED HOMES. SLAB FOUNDATIONS SHALL INCLUDE, BUT NOT LIMITED TO FOUR (4) COURSES OF BRICK. SIDE AND REAR ELEVATIONS SHALL CONSIST OF CONCRETE FIBER CEMENT BOARD (I.E.: HARDPLANK OR SIMILAR TYPE MATERIAL). VINYL OR METAL (ALUMINUM) BUILDING MATERIAL PRODUCTS MAY BE UTILIZED AS AN EXTERIOR BUILDING MATERIAL ON WINDOWS, CASINGS, DOORS, GARAGE DOORS, SOFFITS, TRIM AND/OR RAILINGS.

3. IN ADDITION, EACH DETACHED HOME SHALL HAVE:
 - a. A MINIMUM OF 1,600 SF OF HEATED FLOOR AREA
 - b. A TWO (2) CAR GARAGE
 - c. A PAVED DRIVEWAY.
 - d. ALL DRIVEWAYS SHALL BE PAVED WITH CONCRETE OR ASPHALT FROM THE ROAD TO THE GARAGE AND SHALL BE ABLE TO ACCOMMODATE AT LEAST TWO (2) VEHICLES.
3. IN ADDITION, EACH ATTACHED TOWNHOME HOME SHALL HAVE:
 - a. A MINIMUM OF 1,400 SF OF HEATED FLOOR AREA
 - b. A ONE (1) CAR GARAGE
 - c. A PAVED DRIVEWAY.
 - d. ALL DRIVEWAYS SHALL BE PAVED WITH CONCRETE OR ASPHALT FROM THE ROAD TO THE GARAGE AND SHALL BE ABLE TO ACCOMMODATE AT LEAST TWO (2) VEHICLES.
4. THE FRONT WALL OF ALL HOUSES SHALL NOT RUN UNBROKEN (UNARTICULATED) FOR A DISTANCE OF MORE THAN 24 LINEAR FEET. ALL WALL OFFSETS SHALL BE A MINIMUM OF ONE (1) FOOT IN DEPTH.
5. ALL EXPOSED CHIMNEYS SHALL BE STUCCO OR BRICK VENEERED CONSISTENT WITH THE ARCHITECTURE OF THE HOMES. THIS SHALL NOT APPLY TO VENTS.
6. THE MAJORITY OF ALL ROOF AREAS ON ANY HOUSE SHALL HAVE A MINIMUM $\frac{4}{12}$ PITCH ROOF.
7. ALL FRONT LOAD GARAGES SHALL HAVE WINDOWS ALONG THE TOP OR CARRIAGE STYLE TRIM AND/OR HARDWARE THAT MIMICS CARRIAGE STYLE DOOR.
8. HOUSES BUILT ON SLAB FOUNDATIONS SHALL HAVE A MINIMUM FOUR COURSE BRICK, OF STANDARD SIZE, EXTENDING UP THE FACE OF THE SLAB.
9. ACCESSORY STRUCTURES SHALL NOT BE LOCATED BEYOND THE FRONT CORNER OF THE HOME AND SHALL MAINTAIN A FIVE (5) FOOT SETBACK FROM ALL PROPERTY LINES. ACCESSORY STRUCTURES SHALL NOT BE LOCATED WITHIN PUBLIC EASEMENTS.

Future Land Use Map

Legend

- Centerlines
- Parcels
- Community Corridor
- Suburban

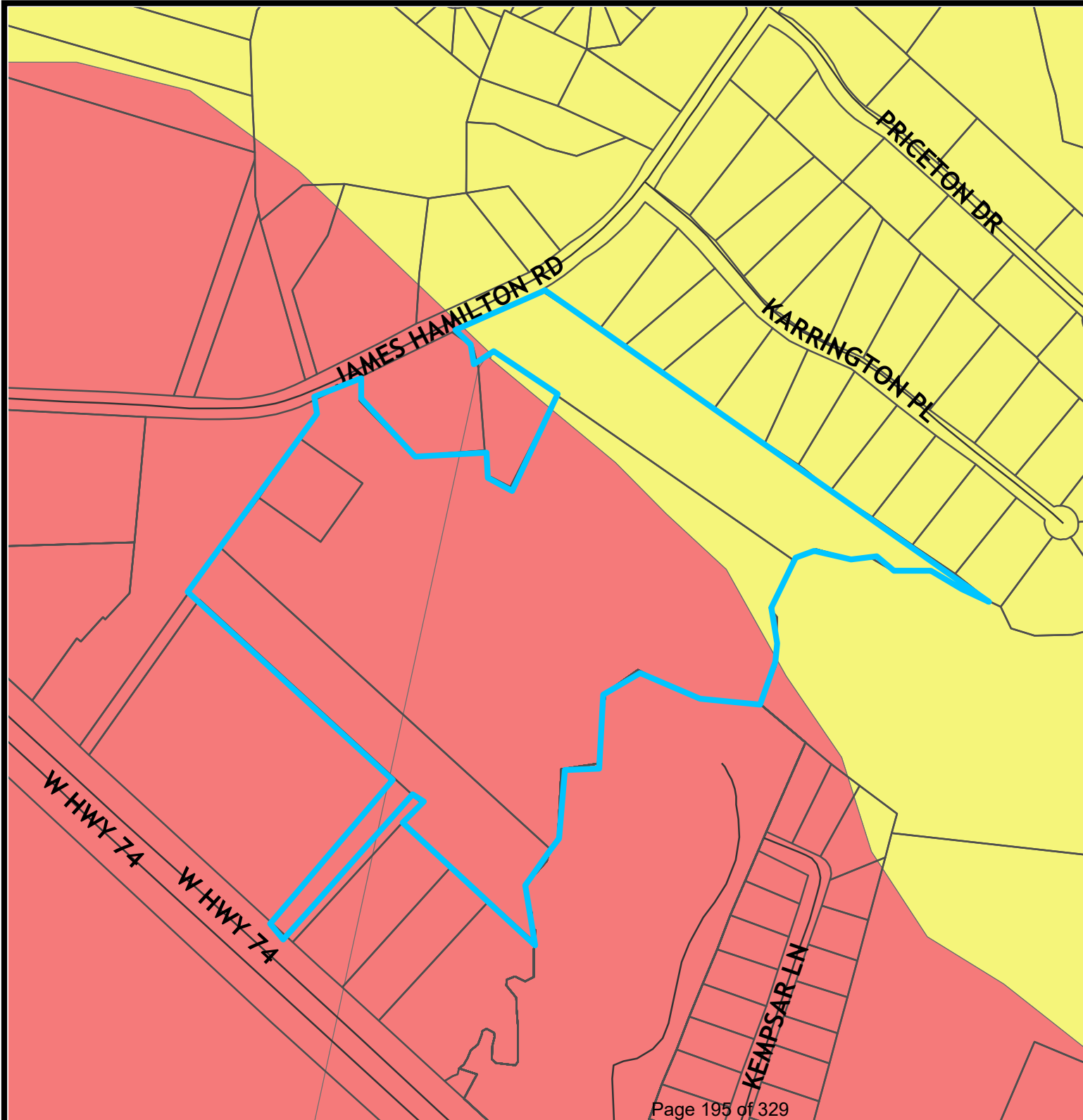
**Existing: R-40
(Residential- Low Density) &
GB (General Business)**

**Proposed: Conditional District
Founders Point**

Acres: 36.23



0 325 650
Feet



Future Land Use Description

The front portion and majority of this project falls within the Community Corridor character area while the rear portion falls within the Suburban character area.

The suburban character area residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations.

Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for the Suburban Residential is 2-4 units per acre. Priority uses include: single-family residential, multi-family residential, commercial, office, medical, and civic.

The Community Corridor area generally covers most of US 74 and areas adjacent to intersecting major streets. The area serves as a primary conduit to downtown, epicenter of the city's commercial activity, and the spine of the community with critical connections to major employers and activity centers. For this reason, the area's design and performance is important to the entire community. Currently, the corridor is characterized by uncoordinated visual design, uncontrolled curb cuts, and disinvestment. The density for the Community Corridor is 4-10 units per acre. Priority uses include: multi-family residential, commercial, office, medical, civic, and mixed use.

ACCTNO	OWNERNAME1	OWNERADDRE	OWNERCITY	STATE	ZIP
09336029A	BRASWELL JAMES L	2713 JAMES HAMILTON RD	MONROE	NC	28110
09339163A	GOOSE CREEK HOLDINGS LLC	4000 HWY 74 WEST	MONROE	NC	28110
09339163F	HELMS WALTER CLYDE II & JANE M	4026 SAINT JAMES WAY	MONROE	NC	28110
09339165	BMA MONROE III APARTMENTS LLC	1900 DALROCK RD	ROWLETT	TX	75088
09336025L	TRULL CHYREL E & RICHARD W	2723 JAMES HAMILTON RD	MONROE	NC	28110
09339164	HELMS W.C II	2722 JAMES HAMILTON RD	MONROE	NC	28110
09339165	BMA MONROE III APARTMENTS LLC	1900 DALROCK RD	ROWLETT	TX	75088
09339165	BMA MONROE III APARTMENTS LLC	1900 DALROCK RD	ROWLETT	TX	75088
09336025	BRASWELL JAMES L & TRINA S	2713 JAMES HAMILTON RD	MONROE	NC	28110
09339163	GROESBECK KURT G	2722 JAMES HAMILTON RD	MONROE	NC	28110
09295081	KNAPP ARTHUR L	3813 KARRINGTON PL	MONROE	NC	28110
09295083	JACKSON BETSY R	3821 KARRINGTON PL	MONROE	NC	28110
09339163A	GOOSE CREEK HOLDINGS LLC	4000 HWY 74 WEST	MONROE	NC	28110
09339165	BMA MONROE III APARTMENTS LLC	1900 DALROCK RD	ROWLETT	TX	75088
09295089	PATEL ALKESH & SPOUSE AWANI	3921 KARRINGTON PL	MONROE	NC	28110
09339181	QUICK JAZMIN	2530 KEMPSAR LN	MONROE	NC	28110
09295078	HEH STEVEN	3801 KARRINGTON PL	MONROE	NC	28110
09295079	BRISSETTE BRENDA	3805 KARRINGTON PL	MONROE	NC	28110
09295080	BURWELL VENABLE B & WIFE MARY H	3809 KARRINGTON PL	MONROE	NC	28110
09298067D	ASH ARROWHEAD LLC	632 MARLOWE ROAD	RALEIGH	NC	27609
09336027	EUDY VIRGINIA	2817 JAMES HAMILTON RD	MONROE	NC	28110
09336027A	EUDY CURTIS WILSON & TAMRA P	2815 JAMES HAMILTON RD	MONROE	NC	28110
09336028	TRULL CHYREL EUDY	2723 JAMES HAMILTON RD	MONROE	NC	28110
09339165	BMA MONROE III APARTMENTS LLC	1900 DALROCK RD	ROWLETT	TX	75088
09339165	BMA MONROE III APARTMENTS LLC	1900 DALROCK RD	ROWLETT	TX	75088
09339197	HELMS ASSOCIATES LLC	4026 SAINT JAMES WAY	MONROE	NC	28110
09339197A	HELMS ASSOCIATES LLC	4026 SAINT JAMES WAY	MONROE	NC	28110
09339197C01	HELMS ASSOCIATES LLC	4026 SAINT JAMES WAY	MONROE	NC	28110
09339197F	C&H INVESTMENT COMPANY LP	PO BOX 52427	ATLANTA	GA	30355
09295084	KEETER LILLIE T	3901 KARRINGTON PL	MONROE	NC	28110
09295088	CRAWFORD WILLIAM E JR	3917 KARRINGTON PL	MONROE	NC	28110
09339162	RR/74 LLC	PO BOX 748	MONROE	NC	28111
09339163C	KONOPA WILLIAM JOHN & CHERYL ANN	2718 JAMES HAMILTON RD	MONROE	NC	28110

09339163E	B & G MONROE PROPERTY LLC	PO BOX 919	WHITEVILLE	NC	28472
09339165	BMA MONROE III APARTMENTS LLC	1900 DALROCK RD	ROWLETT	TX	75088
09339165	BMA MONROE III APARTMENTS LLC	1900 DALROCK RD	ROWLETT	TX	75088
09339197E	MPI MONROE LLC	60 S 6TH ST STE 2800	MINNEAPOLIS	MN	55402
09295082	HELMS RODNEY & KIMBERLY	3817 KARRINGTON PL	MONROE	NC	28110
09295085	JOHNSON DONALD E	3905 KARRINGTON PL	MONROE	NC	28110
09295086	KIKER PAUL A & TINA J	3909 KARRINGTON PL	MONROE	NC	28110
09295087	PARIKH HIMANSU M	3800 KARRINGTON PL	MONROE	NC	28110
09339165	BMA MONROE III APARTMENTS LLC	1900 DALROCK RD	ROWLETT	TX	75088
09339165	BMA MONROE III APARTMENTS LLC	1900 DALROCK RD	ROWLETT	TX	75088
09339165	BMA MONROE III APARTMENTS LLC	1900 DALROCK RD	ROWLETT	TX	75088
09339165	BMA MONROE III APARTMENTS LLC	1900 DALROCK RD	ROWLETT	TX	75088
09339165	BMA MONROE III APARTMENTS LLC	1900 DALROCK RD	ROWLETT	TX	75088
09339182	DIEHL JESSICA A	2532 KEMPSAR LN	MONROE	NC	28110
09339183	RESCH CHARLTON NELSON	2534 KEMPSAR LN	MONROE	NC	28110
09339197G	CAG REALTY LLC	7226 FOREST RIDGE RD	MATTHEWS	NC	28104

APO Map

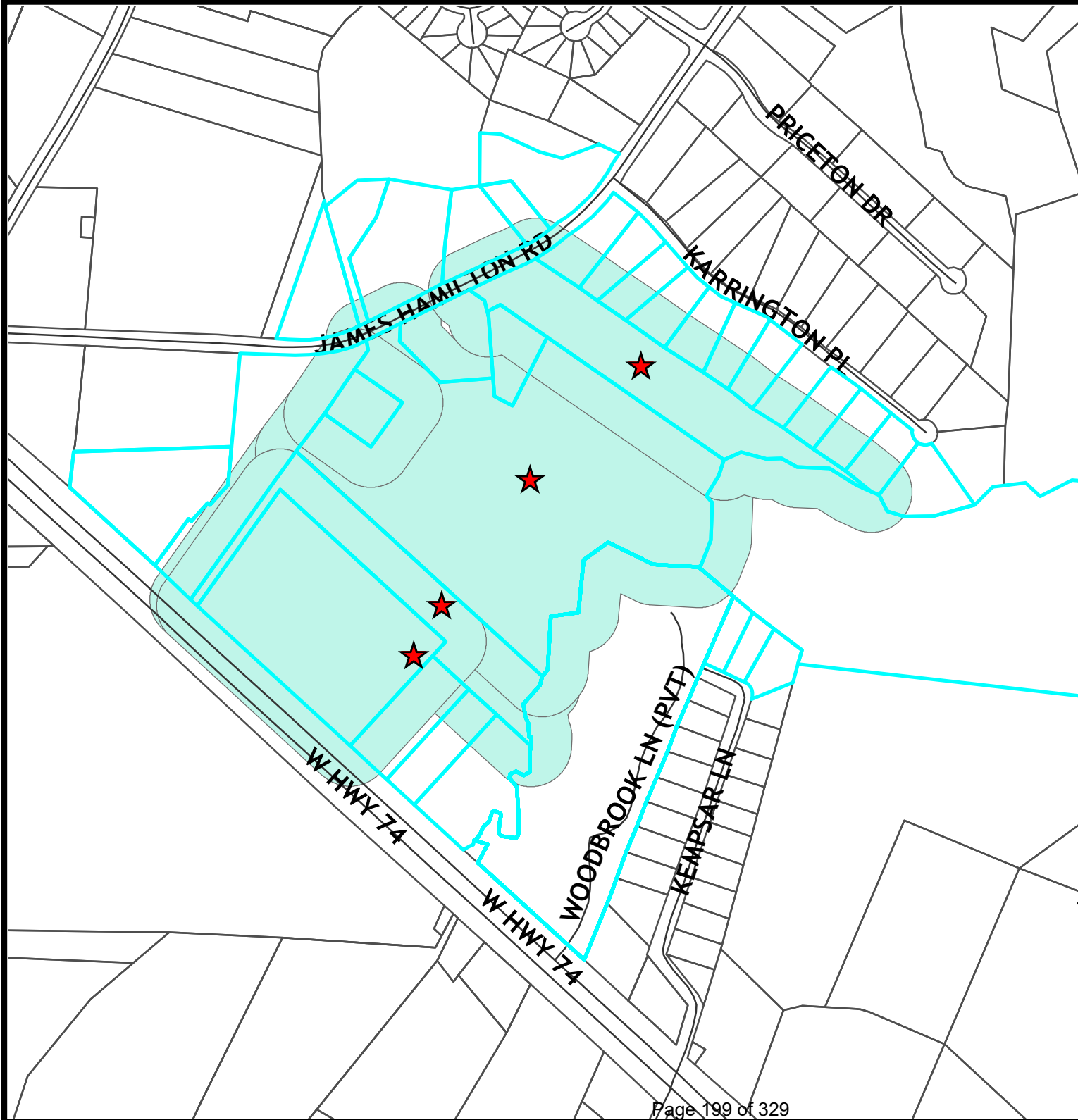
CD "Founders Point"

Legend

-  Centerlines
-  Parcels
-  150 Foot Buffer
-  Subject Property



0 440 880
 Feet



PLANNING BOARD MEETING

July 22, 2020 @ 6:00 PM

City Hall – Council Chambers

300 W. Crowell Street, Monroe, NC

Zoning Map Amendment request for Conditional District “Founders Point” for the properties located along W. Highway 74 and James Hamilton Road and further identified as Parcels ID #09-339-163-C, 09-339-163-F, 09-339-164, 09-339-197 portion and 09-339-197-C01 portion

Doug Britt said there are people in the Council Chambers that will be speaking as citizens.

Doug Britt, Senior Planner, introduced this item. He said tonight he is presenting a Zoning Map and Text Amendment. He said the request is by Pulte Homes Company, LLC for the property located along W. Highway 74 and James Hamilton Road. He said the applicant is requesting to rezone to a Conditional District to develop a 153 lot subdivision that will consist of both single-family attached homes and single-family detached homes. He said the total area of the project is 36.23 acres. He said the property backs up to the Karrington Place Subdivision as well as backs up to Kempers Lane and commercial development on Hwy 74 near James Hamilton Road.

Doug said this property is a combination of GB (General Business) as well as R-40 (Single-Family Residential). He said the piece of land furthest away from Hwy 74 is R-40 and then everything from that point back to Hwy 74 is zoned GB. He said typically, GB zoning district allows retail sales and services in a commercial district and R-40 is a single-family residential zoning district.

Doug said it will be a total of 153 lots. He said the applicant is requesting 8.50 acres of open space. He said single-family detached homes will have a lot size ranging from 5,000 square feet to approximately 1,200 square feet. He said the average townhome lot size will be 2,400 square feet. He said the overall density of the project is 4.22 units per acre. He said the townhomes are located directly parallel to Hwy 74. He said the single-family homes are located on the other side of the creek, backing up to Karrington Place.

Doug said the setbacks for the townhomes are proposed at a 20-foot front, 20-foot rear and side (end units) will be 10 feet. He said the single-family detached homes will have a 20-foot front, 20-foot rear and a 5-foot side yard setback. He said the townhomes are being proposed on a 21-foot-wide lot and the detached homes are being proposed on a 41-foot-wide lot.

Doug said all single-family homes will have sodded front yards prior to the issuance of the CO. He said the applicant has proposed for each single-family detached home to have at least two (2) trees planted in the front yard. He said the single-family attached townhomes will have at least one (1) tree planted per building. He said a 50-foot landscape buffer will be provided along James Hamilton Road. He said the buffer will utilize existing vegetation as well as new plantings. He said the developer is also proposing a 30-foot buffer screening along the adjacent residential lots that back up to Karrington Place.

Doug said the project is required to provide at least 12.5% open space, which would be 4.5 acres. He said the applicant is proposing 23% or 8.5 acres. He said the developer is proposing the amenity area to consist of a tot lot and benches.

Doug said the project is providing a 2-car garage for each single-family detached home and the single-family attached townhomes will have a 1-car garage. He said the detached homes will have two (2) parking spaces in the driveway and the attached homes will have one (1) parking space in the driveway.

Doug said the developer is proposing to install 5-foot sidewalks on both sides of interior streets as well as an 8-foot sidewalk along James Hamilton Road.

Doug said the stormwater management program will be reviewed and analyzed at the building permit stage, if approved by City Council. He said the subdivision will be required to meet all stormwater requirements of the City of Monroe for both water quality and water quantity.

Doug said the proposed project is located off of James Hamilton Road and Highway 74. He said James Hamilton Road is maintained by the City of Monroe and Highway 74 is maintained by the North Carolina Department of Transportation (NCDOT). He said the developer is proposing for all streets in the development to be constructed to the City of Monroe street standards and be maintained by the City. He said due to number of lots (153) being proposed for the project a Traffic Impact Analysis was not required by the City of Monroe Engineering Department or NCDOT. He said the access off of James Hamilton Road will be a full movement access. He said a left turn lane will be required to be installed on James Hamilton Road to serve the proposed project. He said the access off of Highway 74 will be right in/right out and there are no improvements required at this access by NCDOT.

Doug provided an image off Google Maps of the area which helped identify the turns into and out of the subdivision. He explained that the purpose of a Traffic Impact Analysis (TIA) is not to address the existing traffic. He said the purpose is to mitigate the impact that their project is having on the surrounding roads. He said that is why they are putting a left turn in on James Hamilton Road to help mitigate any burden they are bringing to the area. He said eventually John Moore Road will be a Michigan Left and you will not have the ability to cross over like you do on Rocky River Road. He said you will need to turn right to go toward Indian Trail and then make a U-turn to come back toward Monroe. He said there will be no left turns at that intersection when it is all said and done.

Doug said there is a plan in coordination with the Superstreet at Rocky River Road. He said James Hamilton Road will be realigned so that it will directly intersect perpendicular to Myers Road. He said the City has given around \$250,000 or \$300,000 toward that project but all DOT projects have been pushed back. Further discussion was held on proposed transportation projects.

Mary Ann Rasberry asked Doug if there is any worry about people going through James Hamilton Road into the subdivision and coming out onto Hwy 74 to turn right. Doug said when staff reviewed the plan, this was a point that he brought up. He said the applicant can better address this.

Doug said the building materials for the proposed project will be brick, fiber cement, stone and stucco. He said the developer is not necessarily opposed to mixed materials on the front facades of the homes. He said the developer states that the front facades of the homes, on a per front elevation basis, may be comprised of fiber cement board or alternatively, contain a combination of either brick or stone or stucco in conjunction with the fiber cement board as the predominant building elevation material. He said the only vinyl or aluminum that they will use will be for eaves, soffits, windows, and garage doors. He said the developer is proposing to provide landscaping around foundations of the homes in lieu of providing the typical four (4) courses of brick veneer extending up the slab. He said, additionally, the developer has stated garage doors shall contain, but not be limited to, carriage-style hardware on the garage doors.

Doug said the minimum square footage for the single-family attached townhomes will be 1,400 square feet, with a 1-car garage, and the minimum square footage for the detached homes will be 1,600 square feet, with a 2-car garage.

Doug said there would be a 41-foot wide lot with a 5-foot setback. He said the house is roughly 30-feet wide.

Doug said the project does fall within the Porter Ridge Elementary and Piedmont Middle and Piedmont High School capacity enrollment areas.

Doug said the Land Development Plan indicates this property is located within the Community Corridor and the back portion is the Suburban land use area. He said the Community Corridor does support multi-family and commercial. He said Suburban supports some commercial and single-family, but at lower densities. He said the Suburban category allows up to 2-4 units and the Community Corridor allows up to 4-10 units per acre. He said the project is located in both these Land Use categories and based on the allowed densities in each character area, an overall project density of 4.22 units per acre is consistent with the Land Development Plan.

Doug said the developer did have a neighborhood meeting on December 2, 2019. He said he did not go to the meeting, but Keri did go and there were probably between 20-30 people that attended the meeting. He said from reading the meeting notes there was concern about the traffic in this area. He said the concerns were that this project would further aggravate transportation. He said there was also concern about the exterior materials from some of the adjacent homes. He said it was probably in Karrington Place because the houses were all brick and the proposed homes will not be all brick.

Doug said this rezoning will go to City Council on August 18th for a public hearing. He said staff will post the property and notify all people within 150 feet of the project property.

Doug said if the Planning Board does choose to recommend approval, planning staff would suggest the following conditions:

1. All front load garages shall have windows along the top or carriage-style trim and/or hardware that mimics carriage-style doors.
2. Driveways for the single-family attached townhomes shall be able to accommodate two (2) vehicles.
3. Landscape buffer shall be provided along the rear of the townhomes lots 13-40. The landscaping buffer should consist of both deciduous and evergreen trees. He said the ordinance typically requires that there be a 50-foot buffer if there is multi-family. He said staff did not see the need for this because all the property is still GB and it has frontage on Hwy 74. He said staff thought it would be a good trade-off for the 50-foot buffer to have landscaping of deciduous and evergreen trees to help buffer the townhomes. Richard Yercheck asked if there would be a berm and John Ashcraft asked if there would be a fence. Doug said that would be up to the Board's discretion. He said his reason for making that recommendation is because he does not know when the commercial area will develop. He said his thought was to provide some type of buffer for the existing townhomes.
4. Provide a mix of materials on the front elevations of both the single family attached townhomes and detached homes, so that at least 25% of the front elevation consist of brick or stone.
5. Houses built on slab foundations shall have a minimum four course brick, of standard size, extending up the face of the slab.
6. Accessory structures shall not be located beyond the front corner of the home and shall maintain a five (5) foot setback from all property lines. Accessory structures shall not be located within public easements.

Doug said these are staff recommendations if the Planning Board chooses to move this forward with the recommendation of approval.

Doug said he would be glad to answer any questions.

John Ashcraft said that there are no amenities in here for children. Doug said there is a tot lot. Mr. Ashcraft said what about teenagers. Doug said staff did raise this concern to the developers. Richard Yercheck asked Doug what were the amenities being proposed. Doug said a tot lot is a swing set.

John Ashcraft expressed concern that there was nothing for teenagers to do. Doug said there is a fine line as to what amenities are offered based on 150 lots. He said you would probably not have a big pool or clubhouse with 150 lots. He said it is up to this Board's discretion. Mr. Ashcraft said he is not talking about a pool or clubhouse, but a basketball court... Mary Ann Rasberry said picnic tables or barbeque. Doug said staff has raised that question also.

Jennifer Smith asked how much more traffic will be added to the area. Doug said there is someone here tonight that will address traffic. He said the purpose of the left turn lane is to help mitigate traffic they are bringing to the area. He said access on Hwy 74 will have to be right in/right out because you can't turn left. He said there is concern that people will use the subdivision as a cut-through to get to Hwy 74. He said eventually there will have to be speed humps.

Doug said this concludes his presentation. He said he is here to answer more questions and the applicant is also here. He said there are several citizens from the community here to speak as well.

Vice Chair asked if there were any more questions for Doug. There were none.

Vice Chair asked if there was anyone who would like to speak in favor of the proposal.

Mr. Matt Mandle with ESP Associates located at 3475 Lakemont Blvd, Fort Mill, SC came forward to speak. He said there are several other members of his team here tonight: William Morris with Pulte Homes, Fred Matrulli with Pulte Homes and Drew Ritter with Ramey Kemp who is our Traffic Engineer. He said Doug did a great job summarizing the project.

Mr. Mandle said he has one (1) clarification to Doug's staff report. He said the community meeting was February 27, 2020, not December. He said regarding the conditions, they had several conversations with Doug and the applicant, and they are agreeable to committing to all conditions as part of the project.

Mr. Mandle said the existing zoning, as Doug pointed out, is GB and R-40. He said regarding the Future Land Use Map, this is the City's plan for future development and a guiding document that staff is researching as they review these applications as they are provided. He said they do have some consistency with that document as they provided two (2) different land uses and densities to be consistent. He said the Community Corridor area permits a density up to 4-10 units per acre. He said the Suburban permits a density of 2-4 units per acre. He said overall, their density is right at 4.22, so if you blend the average of those two they are well within the permitted density of the Land Use Plan.

Mr. Mandle said they did not have to do a traffic study because the trips generated from their project did not require a traffic study. He said access on Hwy 74 will be a right in/right out with full movement access on James Hamilton Road with a left turn lane into the community.

Mr. Mandle said their traffic consultant is here as well to speak more about some of the trip generation of this development vs. the existing zoning and even some densities that could occur under the permitted uses of the Land Use Plan.

Mr. Mandle said they are trying to preserve many of the natural tree canopy features of the site as possible to serve as a buffer between the townhomes and single-family and also to provide some aesthetic views.

Mr. Mandle said there will be sidewalk on both sides of the street so there would be a lot of walkability.

Mr. William Morris of Pulte Homes, 11121 Carmel Commons Blvd, Charlotte, came forward and said the townhomes are 22-feet wide, 1-car garage and the single-family homes are 30-feet wide, 2-car garage. He said the square footage is from 1,600 to 2,800 square feet. He said we will commit to all exterior elevation specs that Doug spoke of: 4 courses of brick around the foundation, carriage-style doors, 25% brick or stone front facades. He said these are the single-family elevations.

Vice Chair asked Doug about the ordinance that said you needed 2.5 parking spaces for a 3-bedroom townhome. Mr. Mandle said there would be two (2) parking spaces in the driveway and one (1) in the garage. He said that would give you three (3) spaces. Doug said that is reasonable.

Richard Yercheck said are we doing hardi-board and no vinyl except for trim. Mr. Mandle said correct.

Richard Ali asked what is above on the front garage. Mr. Mandle said that is hardi-board.

Richard Yercheck asked if there would be room in the open space to put up a basketball court and/or sand volleyball court, etc. Mr. Mandle said part of this is getting feedback from all of you. He said we have an idea of what we like to provide our residents, but would like to hear suggestions. Mr. Yercheck mentioned a tot lot. Vice Chair said that is for little people. Mr. Ashcraft said teenagers need something to do. Mr. Yercheck said also preteens until they start driving.

Vice Chair asked if there would be an HOA. Mr. Mandle said yes. Vice Chair asked about rentals. Richard Yercheck said the next big fear that we have is that ten (10) years down the road these will all be rental units. He asked if there was a way you could put restrictions on the HOA to keep rentals down to 10% or less. Mr. Mandle said we can certainly put this in the HOA. Mr. Yercheck said somewhere down the line they can vote to change this but if it is there on the front end, they are less likely to change it and less likely to think about it on the front end unless you do this.

Mr. Fred Matrulli from Pulte Homes, same Charlotte address, came forward and spoke about rentals and the investor purchasing into communities. He said we get this a lot from investors who want to come in and buy a whole string of townhomes or single-family homes. He said Pulte has sold to investors but they are very strategic about how we do that. He said we don't group them together or sell large amounts. He said we may sell to one or three investors. Richard Yercheck said we are in the community, living here and listening to our friends and neighbors talk about one of the biggest issues we've got in Monroe which is too many rentals. He said whether they are nice rentals or not, we want people to buy, live here and buy into the community. He said if they are living in a rental, that tends to make them transient and less likely to commit to the community. Vice Chair said also less like to take care of the exterior property.

Jennifer Smith asked what the garage door is made out of. She was told it would be vinyl. Renee Hartis said they have agreed to the recommendation of hardi-board on the top of the garage.

Jennifer Smith said there is a little, small entrance where you go into the house and then you have this massive part of the garage which is the focal point or all you see. Doug said that is the by-product of a 40-foot lot with 5-foot setbacks.

Richard Ali asked if there were any Pulte Homes in Monroe. Applicant said that Pulte is all over the Charlotte-Metro area. Mr. Ali asked where has Pulte built this same elevation near here. Applicant said we built these homes in Starmount Cove in South Charlotte. He said nothing in Union County. Jennifer Smith asked how long ago was Starmount Cove built. Applicant said it was recently closed out a few months ago. He said it is the same basic home, but vinyl. He said the elevations are less attractive, not as much masonry.

Mr. Mandle said these elevations probably aren't rendered to match the commitment of materials. He said there will be a totally different look along with the garage treatment.

Richard Ali asked about the price points on the homes. Mr. Mandle said probably in the mid-\$200,000s for the townhomes and high \$200,000s and low \$300,000 for single-family.

Vice Chair asked if there was any chance that you not do the townhomes and do some other homes. Applicant said we did look at that at some point, but we had some direction from staff. Doug said yes because the Community Corridor node does not encourage single-family detached homes. He said it talks about doing higher density, multi-family, townhomes or commercial uses. Vice Chair said on Hwy 74? Doug said his reaction would be that he does not think that single-family detached homes as you get closer to Hwy 74 are very conducive to being located on Hwy 74.

Richard Yercheck said as this is going to be part of the entry into Monroe, it has to look good. He said it will be one of the first things people see coming into Monroe. He said it would be nice if there were some more amenities, not just for the little kids but for some older kids. He said he likes the project but he wants to make sure that when somebody is sitting there with a 12 or 13-year-old (like John's point), they have something to do besides riding their bike to the BP and hanging out there.

Richard Ali asked how wide are the townhomes. Mr. Mandle said 22 feet wide. Vice Chair said 1,400-feet heated? Mr. Mandle said they start at closer to 1,500. Vice Chair said they are not all the same? Mr. Mandle said there are two (2) different floor plans so you'll get variations in square footage. Doug said he is not trying to persuade this Board, but as it is zoned right now, the GB zoning portion equates to retail sales and service. He said theoretically, their request is really a down-zone from the property right now. He said within the Land Use Plan, this property is projected for the Community Corridor node, which talks about multi-family, townhomes, retail sales and services. He said he cannot speak about the traffic part because he knows that traffic is a big concern of the community. He said he will say that it ends up being a transition to go to the townhomes and single-family. Vice Chair said it is just too many.

Mr. Mandle asked the traffic engineer to speak about what he studied. He said it will give you an idea of what the trips would be under the current zoning vs. what we are proposing.

Richard Ali asked what are the interior finishes to these houses. Mr. Mandle said there will be a wide range of selections that the buyer can choose from. He said it is typically between hard woods, granite countertops. Mr. Ali asked what would be the base. Mr. Mandle said the base home would have a mixture between hard wood or tile in the kitchen, with carpet in the bedrooms. Mr. Ali said granite would then be an upgrade. Mr. Mandle said yes.

Mr. Drew Ritter from Ramey Kemp came forward to speak about traffic. He said he knows there are questions on how many trips this would generate. He said to touch on Doug's point, this is going to be less

intensive than with commercial. He said one (1) fast food business could generate 2,800 daily trips. He said what they are proposing here will generate less than half of that. He understands a lot of issues that are being brought up, but what they are proposing is less intensive. He said a traffic study was not required and there would be no anticipated offsite improvements, other than the left turn lane on James Hamilton. He said he would expect a lot of the traffic to exit the site at the right in/right out on Hwy 74.

Mr. Ritter said also, for the rezoning, this just gives you another comparison. He said per the ordinance, the applicant can do up to 270 townhomes and that would be about 2300 or 2400 daily trips. He said he understands a lot of the traffic concerns, but this is going to be a lot less intensive of what could go in there.

Doug Britt asked Mr. Ritter if he could speak about the trip generation as far as gaining access to the site, like coming from Charlotte. He said what did it show in reference to the Superstreets and the access of this project being east of the U-turn. Mr. Ritter asked Doug if he was saying where they would enter the site. Doug said yes.

Mr. Ritter said there are approximately 41,000 vehicles a day on Hwy 74 per NCDOT count stations. He said there are approximately 7,700 vehicles per day on N. Rocky River Road. He said to answer Doug's question, he projected that with some of the traffic leaving on James Hamilton, you would expect some of them, if going toward Charlotte, to come out the full access. He said exiting he had about 65% going toward Charlotte from the right in/right out (going north on Hwy 74). Doug ask what about gaining access. Mr. Ritter said entering he had approximately half of the traffic entering the full access on James Hamilton and the remaining 35%....He said you are only looking at eight (8) vehicles in the peak hour and 28 vehicles in the p.m. peak hours. He said that is the worst that it will be.

Vice Chair asked Mr. Ritter what he meant by 8 trips. Mr. Ritter said eight (8) new vehicles added to that intersection in the a.m/p.m. peak hour. Vice Chair said only eight (8) with all the new townhomes?

Richard Yercheck asked Mr. Ritter how many he was anticipating on a normal day less the eight (8)? Mr. Ritter said he would have to pull a traffic count for this actual intersection. Mr. Yercheck said eight (8) extra trips to what number? Mr. Ritter said to whatever this left turn volume is in the a.m/p.m. peak hour. He said if it is 200 left turns in the a.m peak hour, he would add eight (8) to that 200. Vice Chair said only eight (8) people are going to get up in the morning to go to work? Mr. Ritter said eight (8) additional to 200. He said these generations in these tables are accounting for the traffic in the proposed project or the trips coming from the proposed project. Mr. Yercheck said it is very confusing the way that it is being presented because we do not know the base number. He said you are giving us the icing without the cake.

Mr. Ritter said say there are 200 left turns there in the peak hour. He said this site would only be adding eight (8). Richard Ali said even though you are building this development, you are adding eight (8) trips to that existing 200? Mr. Ritter said the eight (8) is based on the distribution. He said there are going to be vehicles coming from all different directions, but based on the distribution of what is coming from Charlotte and going back entering into the subdivision, it would be eight (8) on that left turn. He said that would be eight (8) for the entire hour.

Vice Chair said the trips are scattered out all through the day. She said this subdivision is going to be mostly early morning and afternoon, coming and going from work. She said it is going to be a little more intense at some more times of the day than a shopping center is. Mr. Ritter said right. He said you would anticipate the heaviest between 7:00 a.m and 9:00 a.m and 4:00 p.m to 6:00 p.m.

Mr. Ritter presented some additional tables showing trip generation. He said if a fast food business was to come in at this time, it would generate 92 trips in the a.m. entering the site, 87 trips exiting the site, in that a.m. peak hour.

Further discussion was held on traffic and tables presented. Doug explained that that this is a traffic study of a particular projection. He said it is not saying what exactly what the counts will be. Mr. Ritter said it is an estimated guess based on some historical data in the area. He said this is going to generate less than half of what they could add to this site. He said if a fast food business were to go in on this site, it would generate double the amount of traffic of what is being proposed for this site.

Mr. Ritter said this site did not require a traffic study so there is no need to get all caught up in the numbers.

John Ashcraft suggested that the Board move off this topic. He said unless they can get this cleared up, City Council is going to slam dunk this thing. He said he knows that some people on Council who are adamantly opposed to anything being built out there. He said it might be an uphill battle.

Vice Chair asked if there was anyone else who would like to speak in favor of this proposal.

Ms. Mary Thompson came forward and said she lives at 810 S. Potter Road. She said she is here to represent the family selling this property. She said her family does have a choice of who they sell the property to. She said she knows that it is currently zoned General Business and we could very easily be talking to a Super Walmart or anybody like that but her father had this land for her entire life so well over 60 years. She said he has been very careful about who he leases to and sells to. She said he lives in the area so he has an interest as well. She said we do not need approval for rezoning; she said they do not have to go to City Council to get that approved because it is already business. She said he is choosing not to do that. She said the majority of the land he owns and the family owns is business. She said they are trying to make a wise choice for the community. She said one of the Board members mentioned that "you want people who are going to come here, buy here, live here, and take care of your land." She said that is what her father and the family wants too. She said by choosing to sell to Pulte, we feel like we are making a wise decision and that we are making a good, conscience decision for the City of Monroe. She said if we allow more business to come in, you are going to increase your crime and you are going to increase the traffic flow. She said you were just talking about traffic. She said traffic is here to stay and that is the way you grow a City. She said it is just going to happen, it is inevitable. She said let's make a smart decision on how we grow it and protect our community. She said she is just asking that you consider that when you make your decision to present this in favor to the City Council.

Keri said she was going to bring in citizens that were for or against this proposal. Vice Chair agreed.

Ms. Tina Groesbeck came forward and said she lives at 2722 James Hamilton Road. She said she is one of the homeowners in the community that will be one of the most impacted by this new development coming in. She said she is a licensed North Carolina and South Carolina broker and also works in new home construction. She said she is definitely for development in the area. She said there are a few things that she would like to point out to you and make a proposal to possibly bridge some of the gaps between everybody. She said at first, when this development came about, she was undecided. She said she has not once been approached by Pulte to talk about the development and the proposal. She said she came home one day and there were flags on her front yard. She said she knows this is a gas easement because she is knowledgeable about that. She said she is okay with this but nobody explained what they were doing or how they were doing this. She said her children were at home because of the pandemic and there were literally vehicles driving on her front yard through the easement. She said and when the children called her to let her know, she pulled it up and unfortunately it was not ESP, because she was looking for a mark on the vehicle. She said it was not the gas company or ESP. She said she does not know who it was driving literally through the front yard.

Ms. Groesbeck said she did her due diligence in order to find out about this meeting. She said other than that, she would not be here or know anything about it. She said she would like to be able to speak to somebody and she feels that a developer would want to come to a homeowner and discuss the berm or lack thereof of a berm. She said there is no indication of how they are going to give us any sort of privacy separate from the 40-foot lots.

Ms. Groesbeck said she also wanted to mention that where they are building the road that comes up where there is a cul-de-sac in the back, that part of her house is her bedroom. She said if somebody is driving up the street, where are the headlights going. She said a lot of the trees are dead. She said she would like to propose for a tree survey before we proceed forward.

Ms. Groesbeck said if they are doing multi-family, currently it is her understanding that the response time from the Fire Department is at least 8 – 9 minutes. She said she knows there is a proposed Fire Station in the northwest part of town but that does not cover this.

Ms. Groesbeck showed a map of the development and different communities just around Fowler Secrest that are full-brick homes on more than a half an acre, except for the patio community. She said the patio community is also full brick. She said that although she understands and agrees that hardi-board is a great material, she said staying in conformity with the development and neighborhood should be considered as well. She said she proposes more brick. Jennifer Smith asked Ms. Groesbeck if she thought this would devalue her property. Ms. Groesbeck said it could possibly devalue the area.

Richard Ali asked Ms. Groesbeck if she was not in favor of this. Ms. Groesbeck said as proposed she is not in favor. She said she did go to the community meeting and beyond that there was nothing. Mr. Mandle said we had the community meeting in February. He said this is the first meeting of public notification since that time frame. He said Planning Board meeting is the first meeting and the next meeting would be City Council. He said to Ms. Groesbeck that there are representatives from Pulte here and they can talk with you further to address your concerns. He said the area adjacent to your home will be a landscaped area so if there aren't existing trees there to be preserved, they would be installing a landscaped area between your home and the property line so that there would be a visual screen. Ms. Groesbeck asked if there could be consideration of a berm. Mr. Mandle said we are not into design but it is something we can consider.

Doug said he wanted to explain that the Planning Board meeting is a public meeting but not a meeting where we notify the public. He said that would be the City Council meeting.

Ms. Groesbeck said there is one other thing she would like to mention. She said she lives off of Hwy 74 and there is going to be traffic regardless and it is going to be heavy because they are in a Suburban area. She said she thinks that the Bypass was not mentioned previously. She said traffic will be on James Hamilton Road going out to hit the Bypass. She said she would like someone to consider site distance because of the curve on James Hamilton.

Mr. Brian Carter came forward and said he lives at 2802 James Hamilton Road. He said the development will be at the side and back of this property. He said he wasn't at the first meeting but there has been little contact from Pulte. He said he has asked for some things that they were going to do in this development as to isolation of his home from the rest of the development. He said if they are going to do this for the townhomes, they can do this for our existing homes as well. He said his home is brick and the neighbor homes are brick. He said the development going in would not match the homes. He said we are larger parcels with brick homes. He said that is what James Hamilton is. He said if you want to elevate the value of Monroe, he said this is the wrong direction. He said this is not the right thing to do.

Mrs. Schaine Carter spoke and said she is also at 2802 James Hamilton Road. She said she is opposed right now because Pulte has not come to us and demonstrated how they can make us part of this community that we did not choose to be engulfed in. She said she also has a problem with the amount of homes and how they are not spread out on larger lots and all brick like the rest of the other homes. She said she feels that it does devalue their homes and as far as the traffic, there is definitely a traffic issue. She said this will only add to the problem. She said the schools are already burdened and the Fire Department response already burdened. She asked the Board to please consider the emergency response situation for their area with this much added to it.

Vice Chair asked if there was any further questions or comments.

John Ashcraft said it appears by what was said that there are several people who live over in that area that are not very privy on this and this is going to impact them. He said they certainly wanted Pulte to have a meeting with them so that concerns are cleared up before City Council.

Richard Yercheck asked how dated the material presented to us was because somebody had mentioned that Pulte had an update...Mr. Mandle said they have been communicating with Doug and actually had a submittal as recent as July 15, 2020. He said he thinks this is where some of the lapse is with some of the neighbors. He said he would be happy to have a talk with them and go through some of these items that have been updated. He said as Doug mentioned, they were not notified of this meeting but they would be happy to reach out and talk to them and show them some of the updates. He said some of the updates do address some of their concerns about landscaping and buffering on their property.

Richard Yercheck said he does not dislike the project but he is not really on top of it and doesn't feel good about it right now. He said he would like to see the updated plans that Pulte has. Doug said the updated site plan was in the Board packets. Mr. Mandle said some of the additions as of July 15th were to add some of the landscaped areas and also along the perimeters and property lines. Doug said that is why he added a second sheet with site plan notes and that is the most recent.

John Ashcraft said to Doug and the Vice Chair that this can still go forward either with our recommendation, or no recommendation. Doug said it would be forwarded with no recommendation, recommendation for approval or recommendation for disapproval.

Richard Yercheck said to the applicant that you would be well-served before you go to City Council to have a community meeting. He said that is entirely up to you. He said this is Pulte's first foray into Monroe, Union County so if those same folks show up at City Council, it is going to be a tough meeting.

John Ashcraft said the traffic information has to be clarified because Council is always concerned about that.

Doug reminded the Board, before they make any motion, that the applicant did agree to staff's recommendations but he didn't get any direction about the amenity area.

Vice Chair asked for a motion on this proposal to either recommend approval or denial of the adoption of the Resolution of Land Development Plan Compliance.

Motion: Richard Yercheck made a motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance with staff recommendations and added amenities for teens and tweens.

Second: John Ashcraft

Action: The motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance passed unanimously.

Vice Chair asked for a motion on the Ordinance amending Section 156.98 – Conditional Districts Established and Section 156.106 – Official Zoning Map.

Motion: Richard Yercheck made a motion to recommend the adoption of the Ordinance amending Section 156.98 - Conditional Districts Established and to recommend the adoption of the Ordinance amending Section 156.106 - Official Zoning Map.

Second: John Ashcraft

Action: The motion to recommend adoption passed with Mary Ann Rasberry opposing.

Richard Yercheck said to the applicants that he is not too crazy about their project. He said it is too dense and there will be more neighbors coming out and talking about it. He said you need a much cleaner, clearer traffic study.

RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “FOUNDERS POINT”

R-2020-47

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the zoning map amendment for Conditional District *“Founders Point”* further described below property is consistent with the adopted Land Development Plan because the proposed use and density are in keeping with the spirit of the plan. The Land Development Plan identifies the project area is located within the Community Corridor and the Suburban land use character areas. The Community Corridor character area serves as a primary conduit to downtown, and the spine of the community with critical connections to major employers, Charlotte-Monroe Executive Airport, and the hospital. The Community Corridor character area designation encourages a more unified approach to improving the area’s physical environment and economic viability. The Community Corridor indicates multi-family is a priority use and the allowable density is 4-10 units per acre. The Suburban land use area typically takes the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Attached and multi-family housing is suitable in mixed-housing neighborhoods and activity centers. The allowable density in the Suburban character area is 2-4 units per acre. This project has an overall density of 4.22 units per acre which is in general harmony and conformity with the Land Development Plan for this area.

The proposed project is a reasonable use and in the public interest because it provides a mix of housing types and varied lot sizes. The lot sizes range is from 2,200 square feet to 12,000 square feet. Additionally, having the townhomes closer to Highway 74 provides a buffer and transition between potential future commercial along Highway 74 and the proposed Single family residential of this project and existing single family residential along James Hamilton Road.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the Resolution Approving Land Development Plan Compliance for properties with Union County Tax Parcel Numbers: 09-339-163-C, 09-339-163-F, 09-339-164, 09-339-197 portion & 09-339-197-C01 portion.

Adopted this 18th day of August, 2020

Bobby G. Kilgore, Mayor

Attest:

Bridgette H. Robinson, City Clerk

RESOLUTION DENYING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “FOUNDERS POINT”

R-2020-47

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the zoning map amendment for Conditional District *“Founders Point”* further described below property is consistent with the adopted Land Development Plan because the proposed use and density are in keeping with the spirit of the plan. The Land Development Plan identifies the project area is located within the Community Corridor and the Suburban land use character areas. The Community Corridor character area serves as a primary conduit to downtown, and the spine of the community with critical connections to major employers, Charlotte-Monroe Executive Airport, and the hospital. The Community Corridor character area designation encourages a more unified approach to improving the area’s physical environment and economic viability. The Community Corridor indicates multi-family is a priority use and the allowable density is 4-10 units per acre. The Suburban land use area typically takes the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Attached and multi-family housing is suitable in mixed-housing neighborhoods and activity centers. The allowable density in the Suburban character area is 2-4 units per acre. This project has an overall density of 4.22 units per acre which is in general harmony and conformity with the Land Development Plan for this area.

The proposed project is not a reasonable use or in the public interest because the project does not provide a mix of uses such as commercial and residential in the Community Corridor designation. Additionally, the single family lot sizes on the back portion of the property are much smaller than surrounding single family lots on James Hamilton Road. Based on the lack of commercial development in the Community Corridor designated area and the amount of larger single family lots in the area, the conditions have changed which justify amending the Land Development Plan. As a result of this zoning map amendment denial, the Land Development Plan is amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the Resolution Denying Land Development Plan Compliance for properties with Union County Tax Parcel Numbers: 09-339-163-C, 09-339-163-F, 09-339-164, 09-339-197 portion & 09-339-197-C01 portion.

Adopted this 18th day of August, 2020

Bobby G. Kilgore, Mayor

Attest:

Bridgette H. Robinson, City Clerk

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2020-29

Preamble

Pursuant to authority conferred by Chapter 160A-381 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §156.106 OFFICIAL ZONING MAP as follows:

Rezone the properties located along James Hamilton Road and W. Highway 74 and further identified as tax parcel #'s 09-339-163-C, 09-339-163-F, 09-339-164, 09-256-003 & 09-256-003-A. The request is to rezone the properties from City of Monroe R-40 and Union County RA-40 to Conditional District (CD) "Founders Point".

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 18th day of August, 2020.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2020-30

Preamble

Pursuant to authority conferred by Chapter 160A-381 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §156.98 **CONDITIONAL DISTRICTS ESTABLISHED** as follows:

Conditional District (CD) “Founders Point”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 18th day of August, 2020.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Keri Mendler, Planner

SUBJECT: Zoning Map Amendment request for Conditional District “Jonhaven Townhomes” (Parcel ID #'s: 09-342-117 and 09-342-117D)

SUMMARY STATEMENT

City Council is requested to consider a zoning text and map amendment for the properties located along N. Rocky River Road further identified with parcel ID numbers 09-342-117 and 09-342-117D from R-20 (Residential-Low Density) to Conditional District (CD) “Jonhaven Townhomes”

REVIEW

The applicant, Scott Swierski on behalf of Edge 5 Realty, Inc., is requesting a conditional district rezoning in order to develop 38 townhomes. The total area of the project is 13.39 acres, with 7.49 acres or 56% of common open space. The density of this project is 2.84 units per acre.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Single Family Residential	R-20 (Residential, City)
East	Colonial Village Subdivision	R-10SU (Special Use District for Residential
South	Single Family Residential	R-20 (Residential, City)
West	Industrial/Commercial	GI (General Industrial)

Proposal

The applicant, Scott Swierski on behalf of Edge 5 Realty, Inc., is requesting a conditional district rezoning in order to develop 38 townhomes with 7.49 acres or 56% of common open space.

REQUIREMENTS

Density & Dimensional Standards

The density of the proposed project is 2.84 units per acre. The minimum lot size for the townhomes is 2,280 sqft. The data below is simply to provide the board with information to compare the proposed density being to what is allowed by the zoning ordinance in other residential districts in Monroe.

Zoning District	Maximum Allowable Density
R-10	4 units per acre
R-20	2 units per acre

The proposed minimum setbacks are as follows:

Front: 15 feet

Exterior Side: 5 feet

Interior Side: 0 feet

Rear: 19 feet

The ordinance requires multi-family projects to provide a fifty-foot landscaping buffer around the perimeter of the property. The applicant is proposing a fifty-foot buffer along the northern, southern, and western property line and a twenty-five-foot buffer along the eastern property line. The applicant is proposing to install a wooden fence along the eastern property line. The ordinance does allow a 10-foot reduction in the required buffer if a fence is installed, making the required buffer along this property line 40-feet. The applicant is requesting a deviation of 15-feet as part of this rezoning.

Landscaping

Street trees will be provided at a rate of one (1) per building with two (2) units, and at a rate of three (3) per building with three or more units. Each set of units will also have two (2) trees outside of the right-of-way. Landscaping will be provided in the perimeter buffer of the site as well as along the wetland and stream buffer.

Open Space

The project is required to provide at least 50% open space which would equal 6.69 acres. The total area of open space provided is 7.49 acres or 56%. The open space includes recreation areas with playgrounds and fence dog parks.

Elevations

The developer is proposing the townhomes will be a minimum of 1,974 heated square feet. The proposed exterior building materials primarily be fiber cement; the applicant has agreed to a minimum of 25% brick or stone on the front facade. Vinyl will only be used for trim work.

Parking

The townhomes will have two (2) car garages. All front load garages will have carriage style trim and/or hardware that mimics carriage style doors. Driveways will be able to accommodate at least two (2) vehicles.

Sidewalk

A five foot (5') wide sidewalk will be provided along both sides of the interior roads throughout the development. Eight foot (8') wide sidewalk will be provided along N. Rocky River Road.

Stormwater

The applicant will be required to provide stormwater management to treat the stormwater runoff for the project. The stormwater will be evaluated and reviewed, if the project is approved by City Council, at the building permit stage of the process.

Stream Buffer

All blue line streams on the site have been provided with a 50' buffer on both sides as required by the ordinances.

Schools

The following is the information provided by Don Ogram with the school system:

"The above 38 townhome project, located on Rocky River Rd N across from the Union Power Cooperative, will be within the following school attendance areas for the 2020-2021 school year:

Rocky River Elementary	Currently at 82% rated capacity
Monroe Middle	Currently at 80% rated capacity
Monroe High	Currently at 69% rated capacity

PLEASE NOTE: Although the above schools are the current assignments for this area, the Union County Public Schools Board of Education has the obligation and reserves the right to modify assignments in order to optimize facility utilization and efficiency.

By our accounting, this will bring the number of planned and not built housing units within the Rocky River ES area to approximately 308 units.

This includes:

- Willoughby Woods: 60 additional units
- Dogwood Forest: 21 units
- Village at Rocky River: 180 units

Also within the Monroe cluster attendance area (for a total of approximately 1568 housing units) are:

- Medlin Forest: 75 units
- Greywood Estates: 11 additional units
- Twin Brook: 14 additional units
- Thomas Estates: 13 additional units
- Fieldstone: 53 additional units

- Ridgewood: 22 additional units
- Secrest Commons: 495 units
- Alexander Commons: 77 units
- Waxhaw Landing: 500 units

This proposal is not expected to present an adverse impact to enrollment at the above schools.”

Transportation

The development will have one (1) full access entrance, a left turn lane will be constructed on N. Rocky River Road to access this development. Due to the number of proposed lots the North Carolina Department of Transportation did not require a Traffic Impact Analysis for this project, the City’s Engineering Department did not require a TIA for this project either.

LAND DEVELOPMENT PLAN CONSISTENCY

The Land Development Plan indicates this area is Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Attached and multi-family housing is suitable in mixed-housing neighborhoods and activity centers. Commercial development mostly serves the needs of nearby residents and often locates along corridors with higher traffic volumes and near prominent intersections. Emphasis should be placed on integrating the design of commercial centers with surrounding neighborhoods. Multimodal connectivity between neighborhoods and to nearby center also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

The proposed project is consistent with the Future Land Use Plan. Staff believes this use is a reasonable use for the property as it is along a major thoroughfare and provides a transition from industrial uses to single-family uses.

PUBLIC NOTIFICATION

The applicant held a neighborhood meeting on July 17, 2020 at the proposed development site. Three households attended this meeting.

A rezoning notification sign was posted 10 days prior to the public hearing.

An official rezoning notification letter was sent to the adjacent property owners located within at least 150 feet, 10 days prior to the public hearing.

RECOMMENDATION

Planning Board and Planning Staff recommend approval of Conditional District “Jonhaven Townhomes” with the condition that no vinyl be used, except for trim work. The applicant has agreed to this and has updated the plan accordingly.

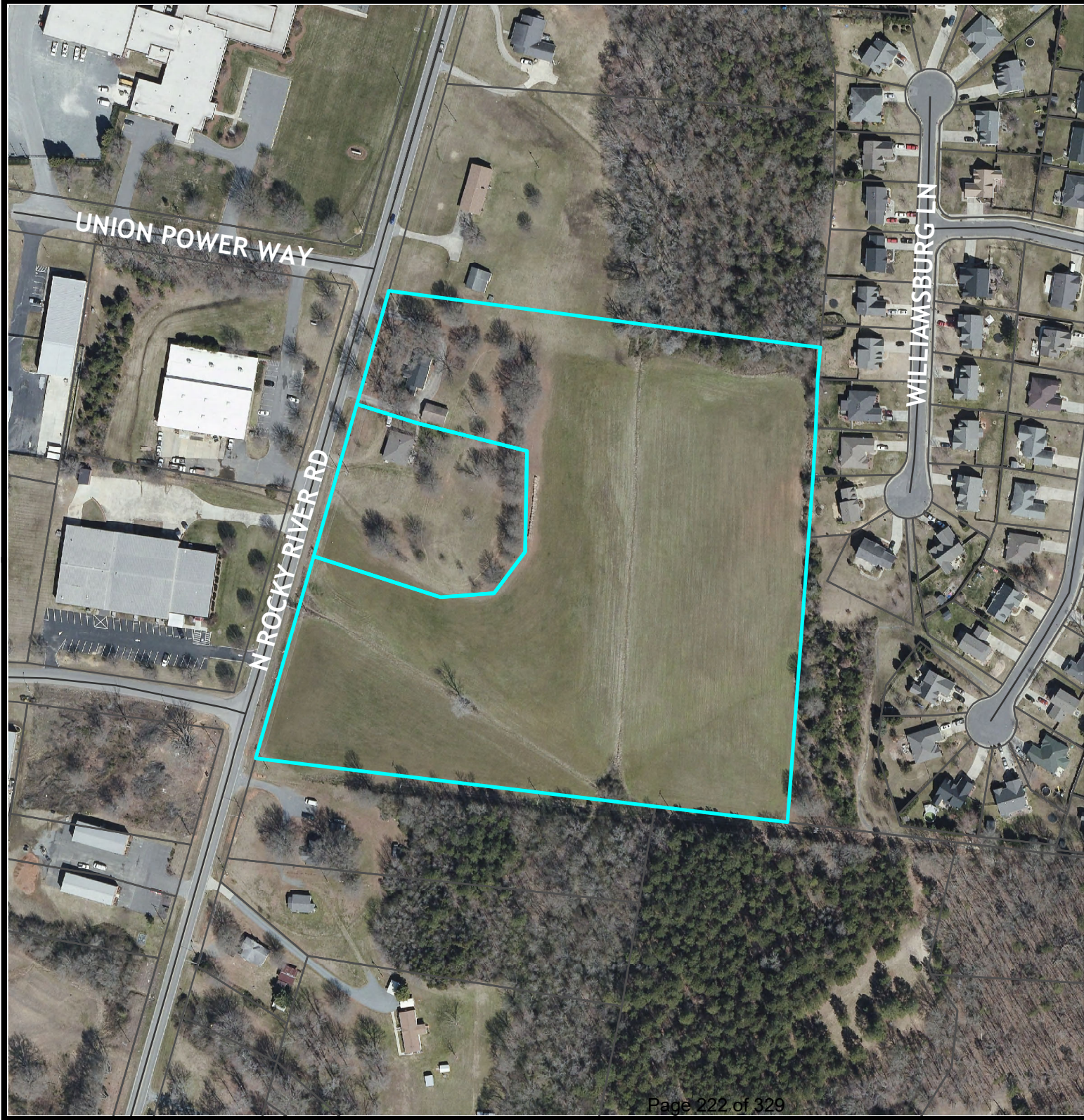
Council action needed – Motion to adopt Resolution approving Land Development Plan Compliance **OR** Motion to adopt Resolution denying Land Development Plan Compliance

Council action needed – Motion to adopt Ordinance amending Section 156:106 **OR** Motion denying zoning map amendment request

Council action needed *(only required if zoning map amendment approved)* – Motion to adopt Ordinance amending Section 156:98

Attachments:

1. Ortho Map
2. Zoning Map
3. Site Plan
4. Building Elevations
5. FLUM Map
6. FLUM Description
7. APO Mailing List
8. APO Mailing Map
9. Draft PB Minutes
10. Approval Resolution
11. Denial Resolution
12. Ordinance 156.106
13. Ordinance 156.98



Ortho Map

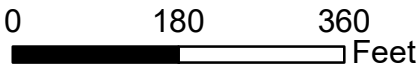
Legend

- Centerlines
- Parcels

**Existing: R-20
(Residential- Low Density)**

**Owner: Edge 5
Realty, Inc**

Acres: 13.39



Zoning Map

Legend

Centerlines

Parcels

Zoning Districts

R-20

R-10SU

G-I

GB

CD

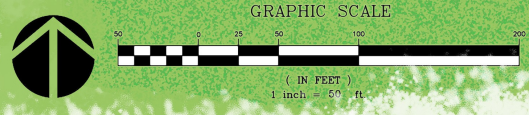
**Existing: R-20
(Residential- Low Density)**

**Owner: Edge 5
Realty, Inc**

Acres: 13.39



0 180 360
Feet



JONHAVEN SUBDIVISION



1
A-6
FRONT ELEV.
SCALE: 1/4" = 1'-0"
0 5' 10'
GRAPHIC SCALE



2
A-6
REAR ELEV.
SCALE: 1/4" = 1'-0"
0 5' 10'
GRAPHIC SCALE

PROPOSED TOWNHOUSES
N ROCKY RIVER RD
MONROE, NC 28110

PREPARED FOR: SCOTT T. SWIERSKI



DRAWN BY: SAID IDY
7047805473
Tanjoa1973@gmail.com
Date: 12/02/19 Scale: 1/4"

NO.	REVISIONS DESCRIPTIONS	DATE	SHEET#

A6

Future Land Use Map

Legend

 City Limits

 Centerlines

 Parcels

Future Land Use Character Area

 Suburban

 Industrial

Owner: Edge 5 Realty

Acres: 13.39



0 230 460
 Feet

Future Land Use Description

These properties fall within the Suburban character area. The suburban character area residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

" JONHAVEN "

09342187
JESHURUN CORPORATION
1503 N ROCKY RIVER RD
MONROE NC 28110

09342408
RORIE THOMAS JR
RORIE MARIE E
1424 WILLIAMSBURG LN
MONROE NC 28110

09342415
AINO NC LLC
103 FOULK RD STE 900
WILMINGTON DE 19803

09342420
WGH NORTH CAROLINA LLC
103 FOULK RD STE 900
WILMINGTON DE 19803

09342409
MCCALL CHRISTOPHER DAVID
& AMELIA L
1420 WILLIAMSBURG LN
MONROE NC 28110

09342114R
UNION ELECTRIC MEMBERSHIP CORP
1525 N ROCKY RIVER RD
MONROE NC 28110

09342398
STEELE ERIC R
STEELE ANASTASIYA
1400 STANDISH DR
MONROE NC 28110

09342400
ROJAS JOHN
REYES LILLIANA
1409 STANDISH DR
MONROE NC 28110

09342412
2017-2 IH BORROWER LP
%INVITATION HOMES
DALLAS TX 75201

09342413
WGH NORTH CAROLINA LLC
103 FOULK RD STE 900
WILMINGTON DE 19803

09342114R
UNION ELECTRIC MEMBERSHIP CORP
1525 N ROCKY RIVER RD
MONROE NC 28110

09342419
CRUZ MARIO & KILEY MARIE
1421 WILLIAMSBURG LN
MONROE NC 28110

09342432
HOMEOWNERS ASSOCIATION
FOR COLONIAL
P O BOX 79032
CHARLOTTE NC 28271-7047

09342117A
HIGGS PATRICIA A
1512 N ROCKY RIVER RD
MONROE NC 28110

09342117D
EDGE 5 REALTY INC
PO BOX 78914
CHARLOTTE NC 28271

09342118A
HAND DANNY WADE
HAND PATRICIA
1406 N ROCKY RIVER RD
MONROE NC 28110

09342124
BIGHAM DANIEL HENRY
3108 GOLDMINE RD
MONROE NC 28110

09342416
MARTINEZ VICTOR MORALES
1409 WILLIAMSBURG LN
MONROE NC 28110

09342114R
UNION ELECTRIC MEMBERSHIP CORP
1525 N ROCKY RIVER RD
MONROE NC 28110

09342117
EDGE 5 REALTY INC
PO BOX 78914
CHARLOTTE NC 28271

09342410
WATTS RANDALL B & FRANCESCA B
1416 WILLIAMSBURG LN
MONROE NC 28110

09342417
THOMAS LARRY C
THOMAS SANDRA K
1413 WILLIAMSBURG LN
MONROE NC 28110

09342118
HAND BETTY RUTH P
1410 ROCKY RIVER RD N
MONROE NC 28110

09342190
SPENCE JEFFREY O TRUSTEE
SPENCE MARY-BRIGID R TRUSTEE
1023 HAWTHORNE DR
INDIAN TRAIL NC 28079

09342399
COLLINS STEPHEN C & WIFE KIMBERLY A
1401 STANDISH DR
MONROE NC 28110

09342411
SIMPSON WRISTON DAVIS
1412 WILLIAMSBURG LN
MONROE NC 28110

09342418
GAMBLE ANDREW W
1417 WILLIAMSBURG LN
MONROE NC 28110

09342188
MIDWAY AIRCRAFT INSTRUMENT
CORPORATION
1419 N ROCKY RIVER
MONROE NC 28110

09342191A
JAUCH JOHN A & LYNN L
PO BOX 523
MONROE NC 28111

09342414
JARRAHI MOHAMMAD
1401 WILLIAMSBURG LN
MONROE NC 28110

APO Map

CD "Jonhaven"

Legend

- Centerlines
- Parcels
- 150 foot buffer

Notified Properties

Subject Properties



Item 5. Zoning Map Amendment request for Conditional District “Jonhaven Townhomes” for the properties located along N. Rocky River Road and further identified as Parcel ID #09-342-117 and 09-342-117D

Keri Mendler, Planner, introduced this item. She said tonight she is presenting a Zoning Text and Map Amendment request. She said the applicant is requesting the rezoning in order to develop 38 townhomes. She said the total area of the project is 13.39 acres with 7.49 acres left as common open space. She said the density of this project is 2.84 units per acre. She said the property is located along N. Rocky River Road and to the northwest corner is Union Power Cooperative. She said the neighborhood behind the property is the Colonial Village Subdivision.

Keri said the subject property is currently zoned R-20 and the adjoining zoning is R-10-SU (a Special Use approved in 1998/1999). She said this is an older Special Use district that we no longer have. She said there is R-20 zoning to the north and south. She said across Rocky River Road is the GI zoning district.

Keri said the applicant is requesting the rezoning in order to develop 38 townhomes. She said the total acreage of the project is 13.39 acres. Again, she said the density is 2.84 units per acre. She said the project is required to provide at least 50% open space because it has that multi-family component to it. She said this equals 6.69 acres. She said the total area of open space provided is 7.49 acres or 56%. She said the open space will include some recreation areas with playgrounds and fenced dog parks.

Keri said street trees will be provided at a rate of three (3) per building. She said each set of townhomes will also have two (2) trees outside of the right-of-way. She said there will also be landscaping around the perimeter of the site. She said there will also be landscaping along N. Rocky River Road.

Keri said the townhomes will all have 2-car garages and the front-load garages will have carriage-style trim and/or hardware that mimics the carriage-style doors. She said driveways will be able to accommodate at least two (2) vehicles. She said a 5-foot wide sidewalk will be provided along both sides of the interior roads throughout the development. She said there will also be 8-foot wide sidewalk along N. Rocky River Road.

Keri said the development will have one (1) full access entrance and a left turn lane will be added on N. Rocky River Road into the development. She said due to the number of lots, a Traffic Impact Analysis (TIA) was not required by NCDOT or the City of Monroe, but one of NCDOT’s requirements was a left turn lane.

Keri said for the elevations, the developer is proposing the townhomes to be a minimum of 1,974 heated square feet. She said the proposed exterior building materials will include vinyl, stone and/or brick. She said the vinyl will be high quality vinyl that is at least .044 inches thick. She said the vinyl also has a backing material, must be heat resistant with UV reflective additives and must be wind resistant. She said the applicant has agreed to a minimum of 25% brick or stone on the front façade.

Keri said the development does fall within the Rocky River Elementary, Monroe Middle and Monroe High Schools for the 2020/2021 school year. She said as far as neighborhood notification, the applicant did hold a neighborhood meeting at the project site on July 17th. She said three (3) households attended this meeting, all from the Colonial Village Subdivision. She said they seemed to be accepting of the project, with no noticeable disagreement to this project during the meeting.

Keri said a notification sign will be posted ten (10) days prior to the public hearing. She said an official rezoning notification letter will be sent to the adjacent property owners within at least 150 feet of the subject property, again ten (10) days prior to the public hearing.

Keri said the Land Development Plan indicates this area is Suburban. She said a mix of housing types and sizes is preferred in Suburban locations. She said attached and multi-family housing is suitable in mixed-housing neighborhoods and activity centers. She said the density for Suburban residential is 2-4 units per acre.

Keri said the proposed project is consistent with the Future Land Use Plan. She said staff recommends approval of the rezoning with the condition that vinyl be used for trim work only. She said she would be happy to answer any questions. She said the applicant is here as well to answer any questions.

Richard Ali asked Keri about the elevations. Keri said the applicant could better answer.

Mr. Scott Swierski of Edge 5 Realty came forward and said there would be stone or brick and a 4-foot wrap with a nice ledge on it. He said each dormer would be wrapped with brick or stone. He said there would be the wrap around the front and then the dormers would be fully wrapped in stone. He said it would give it a nice appearance and also carry that work up top.

John Ashcraft asked Mr. Swierski for the square footage. Mr. Swierski said 1,974 square feet. He said they will all be similar. He said they are going to change up the buildings a little bit so they don't look alike. He said they will be three (3) bedrooms, two and a half (2.5) baths, with hardwood floors and granite. He said they will be very nice for the area.

Renee Hartis asked Mr. Swierski if he would be willing to do fiber cement or something like that instead of the vinyl. Mr. Swierski said they have discussed this with staff but they would prefer the vinyl because they are trying to keep the price point consistent with the project and the area. He said the starting price will be around \$252,000. He said they do plan on having an HOA and restrictive rentals. He said if that is a requirement (fiber cement), then yes, they would be happy to accommodate and do that.

Richard Yercheck asked Mr. Swierski how many different designs are the buildings going to be. He said right now they are all the same. Mr. Swierski said that is right, this is just an elevation for the blueprint. He said they are all going to be the same but they will change the exterior of each one. He said one may have stone, one may have brick, one may be a cream color, etc.

Richard Yercheck asked Mr. Swierski if they were all going to have carriage-style doors. Mr. Swierski said yes. He said roof shingle will probably stay the same, doors will stay the same, and trim color will stay the same.

Richard Yercheck said to Mr. Swierski that he is doing good except for the vinyl siding. He said he knows that you are working on a price point so that the profit margin is in there and we are working on what happens in 12 years. Mr. Swierski said he agreed. He said he started building when he was a little boy, Carpenter's Union, etc. He said he built many homes for himself. He said half of the problem where you see vinyl flapping off the building is because of the quality of the vinyl and installation. He said he will commit right now to do hardi-board.

Vice Chair asked if there were any other questions from the Board. Richard Yercheck said the design and the concept is good. He said it is a good fit for the space. He said he appreciates all the houses coming in but that is a needed product as well. He asked Mr. Swierski for the build out time. Mr. Swierski said 18 months. He said he has been in real estate for 25 years. He said he met Keri two (2) years ago and she is the one that brought up the Future Land Use. He said he started studying the plan. He said he discovered we do not have any townhomes and when we do get them, just outside of Indian Trail, they go very fast. He said once they receive official approval from City Council they will advertise. He said he feels they will be in and out in 18 months.

John Ashcraft said he likes the concept, it is not a huge development and making good use of the space. He said his daughter lives in Charlotte across from Blakeney. He said the condos there look exactly like these townhomes. He said he would like to recommend or encourage to designate no more than a certain amount to be rentals before going to City Council. Keri said this is something for HOA documents, we cannot regulate at the City level. She said City Council cannot make their decision on this because we cannot enforce it. Mr. Swierski said we hear you on this.

John Ashcraft said he feels that amenities are always good. He said especially for children. He said if there are none, they will be riding bikes out on the highway. He asked Mr. Swierski if this is going to be done at the beginning or after it is all built. Mr. Swierski said it is going to be as they move along. He said because there will only be 38

units and two (2) streets, it will go very fast. He said whether they sell or not will not dictate the speed of the project. He said he would anticipate being completely done from start to finish in 18 months. He said he would anticipate the recreation area on the first street to the left will probably go within six (6) months.

Vice Chair asked if the dog park would be fenced. Mr. Swierski said yes, both will be fenced. He said the recreation areas will also be fenced and they are going to add benches.

Richard Yercheck said the next concern would be the stormwater pond. Mr. Swierski said they plan on running a fence across that as well that mimics the other fences. He said there would also be landscaping.

Richard Ali asked Mr. Swierski if \$252,000 would be the starting price. Mr. Swierski said yes but it will probably be around \$278,000 because we are going to give them some standard things, granite in the kitchen, hardwood floors, stainless steel appliances, on all of them. He said they will be able to upgrade a few things such as appliances, a door or window, or a Jacuzzi tub. He said it will raise the price.

Vice Chair asked if there was anyone who would like to speak in favor of the proposal. There was no one.

Vice Chair asked if there was anyone who would like to speak in opposition to the proposal. There was no one.

Vice Chair asked for a motion on this proposal to either recommend approval or denial of the adoption of the Resolution of Land Development Plan Compliance.

Motion: Richard Yercheck made a motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance with staff recommendations and that hardi-board be used in place of vinyl.
Second: Jennifer Smith
Action: The motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance passed unanimously.

Vice Chair asked for a motion on the Ordinance amending Section 156.98 – Conditional Districts Established and Section 156.106 – Official Zoning Map.

Motion: Richard Yercheck made a motion to recommend the adoption of the Ordinance amending Section 156.98 - Conditional Districts Established and to recommend the adoption of the Ordinance amending Section 156.106 - Official Zoning Map.
Second: John Ashcraft
Action: The motion to recommend adoption passed unanimously.

**RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “JONHAVEN TOWNHOMES”
R-2020-52**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the zoning map amendment for Conditional District “JONHAVEN TOWNHOMES” further described below property is consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as Suburban. The suburban character area states the density is 2-4 units per acre. This development is 2.84 units per acre therefore it is consistent. The proposed development is a reasonable use and in the public interest because it will provide a transition between the industrial uses on the west side of N. Rocky River Road and the single-family detached subdivision behind this property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the Resolution Approving Land Development Plan Compliance for property with Union County Tax Parcel Number(s): 09-342-117 and 09-342-117D

Adopted this 18th day of August, 2020.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk

**RESOLUTION DENYING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “JONHAVEN TOWNHOMES”
R-2020-52**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the zoning map amendment for Conditional District “JONHAVEN TOWNHOMES” further described below property is consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as Suburban. The suburban character area states the density is 2-4 units per acre. This development is 2.84 units per acre therefore it is consistent. However, the surrounding parcels in this area are larger residential lots; the proposed project is not a reasonable use or in the public interest because of the multi-family nature of the proposed development. Based on this information, the conditions have changed which justify amending the Land Development Plan. As a result of this zoning map denial, the Land Development Plan is amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the Resolution Denying Land Development Plan Compliance for property with Union County Tax Parcel Number(s): 09-342-117 and 09-342-117D.

Adopted this 18th day of August, 2020.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2020-34

Preamble

Pursuant to authority conferred by Chapter 160A-381 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §156.106 OFFICIAL ZONING MAP as follows:

Rezone the properties located along N. Rocky River Road further identified with parcel ID numbers 09-342-117 and 09-342-117D from R-20 (Residential-Low Density) to Conditional District (CD) “Jonhaven Townhomes”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 18th day of August, 2020.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2020-35

Preamble

Pursuant to authority conferred by Chapter 160A-381 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §156.98 **CONDITIONAL DISTRICTS ESTABLISHED** as follows:

Conditional District (CD) “Jonhaven Townhomes”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 18th day of August, 2020.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: Russell Colbath, Water Resources Director

SUBJECT: Wastewater Treatment Plant Flow Equalization Storage Improvements and Capital Budget Ordinance

SUMMARY STATEMENT

City Council is requested to approve a Budget Ordinance to provide needed funds for improvements to the WWTP flow equalization storage. Budget Ordinance BO2020-12 is attached.

REVIEW

Background

Effective and strategic allocation of the existing City WWTP capacity has resulted in significant recent economic development for the city. While balancing industrial, commercial, and residential developments, the property tax base growth from utilizing the WWTP capacity will add significant revenue to the City's general and utility fund budgets.

The recent interest in properties voluntarily annexing into Monroe to gain our services has been unprecedented. We now have over 5,300 residential lots approved, or in the approval process. WWTP and water supply capacity has been reserved for these commitments. The WR Department has received speculative inquiries for undeveloped acreage that could create 2,600 or more additional lots that may come to City Council for considerations in the near future. Therefore, continued effective management of the City's WWTP capacity is essential for sustaining this economic development.

WWTP Capacity Review

There are 3 key regulatory criteria that govern the City's WWTP capacity, they are; (1) annual average-day flow, (2) monthly average-day flow, and (3) peak daily flow. The significance of these criteria is as follows:

- **Annual Average-Day Flow:** The WWTP is currently permitted for 10.4 million gallons per day (MGD). Our current annual average-day flow is 7.3 MGD, just below 70% of capacity. The NCDEQ 80/90% rule will require certain master planning and permitting activities as the flow reaches 80 and 90 %. The City is well positioned to meet all criteria.

Additionally, the annual average-day flow plus on-paper commitments made by the City are tracked to make additional sewer extension permit and zoning commitments. The annual average-day flow plus on-paper commitments must not exceed 10.4 MGD without special capacity planning approval from NCDEQ. The City's total on-paper flow added to the 7.3 MGD noted above is currently 9.3 MGD, or 89%. The 1.1 MGD remaining surplus capacity will continue to provide capacity for economic development project commitments.

The City's master planning efforts and established capital reserve fund, in concert with the proactive uniform annual rate increases approved by City Council, position the city to expand and replace the existing WWTP in the mid 2030's to meet ongoing regulatory requirements and additional future wastewater needs.

- **Monthly Average-Day Flow:** The WWTP operates under a stringent NPDES permit. This permit regulates the concentration of pollutants that the WWTP can discharge into Richardson Creek. It also sets the allowable volume of treated wastewater discharge at 10.4 MGD, based on the monthly average-day flow. Since 2016, there have only been 2 months (out of 55) where the WWTP has exceeded this limit. This due to heavy rainfall months. The City's aggressive wastewater collection system rehabilitation program is addressing rainwater inflow and infiltration into the system and will continue to help reduce high monthly average flows.
- **Peak Daily Flow:** High intensity and extended duration rainfall events have created wet weather challenges for the City WWTP. The 10.4 MGD plant can sustain instantaneous maximum hydraulic throughput of 22 MGD. Once influent flows (Monroe plus Union County eastside system) exceed 22 MGD, flow must be diverted to the existing on-site flow equalization storage basin. The current EQ storage volume is 10 million gallons. In prolonged rainfall events, as this storage volume fills up, the WWTP must by-pass certain treatment processes for flows exceeding 22 MGD. These by-pass events must be reported to NCDEQ pursuant to the WWTP NPDES permit. While historically these bypass event did not lead to enforcement action against the City, recent discussion with NCDEQ staff indicates this will likely change in the future for all statewide wastewater systems. Given the current economic development interest in Monroe, and the time frame until the WWTP future expansion, it is prudent to make WWTP improvements now that will enhance NPDES permit compliance and maximize the value of our surplus WWTP capacity to support economic development projects.

Proposed WWTP Flow Equalization Basin Improvements

The 2008 WWTP Master Plan identified the need for added equalization flow storage, likely in advance of the 2030's plant expansion timeframe. In 2009 the City purchased a 23 acre parcel

adjacent to the WWTP for future needs, including this flow storage improvement. Staff has prepared the attached Preliminary Engineering Report (PER) that forms the basis for implementing these improvements. It is important to note that the EQ basin storage improvement does not change or increase the 10.4 MGD permitted capacity of the WWTP, but will allow the plant to operate more effectively and improve NPDES permit compliance within this rated capacity.

The highlights of proposed project are as follows:

- Hurricane Florence used as design storm event to evaluate/size EQ storage needs.
- Total identified storage volume needed = 22.9 MG (additional 12.9 MG).
- Prudent to maximize the 23-acre land parcel to gain 15+/- MG of storage (if rock conditions allow). This to accommodate future weather changes and uncertainty.
- NCDEQ Dam Safety Rules are a key consideration to be addressed.
- Existing WWTP influent pump can be used to serve the new storage basins (cost savings).
- Preliminary evaluation of endangered species and wetlands indicate no restrictions.
- Preliminary geotechnical borings indicate mostly suitable soils (rock conditions still being evaluated).
- Prudent to construct EQ improvements now based on economic development activity.

The preliminary cost estimates for this project are as follows:

EQ Basin Construction	\$3,224,000
Contractor OH, Bonds, Profit (22.5%)	\$ 725,000
Engineering/Permitting (8% of project)	\$ 316,000
Contingency (5% of project)	<u>\$ 213,000</u>
Total	\$4,478,000

Union County will be responsible for funding 25.48% of the project as a non-capacity WWTP improvement as defined in our interlocal agreement. They will also pay 25.48% of the land value for the 23-acre parcel purchased by the City. Budget Ordinance BO 2020-12 is attached and outlines the funding sources. Payment received from Union County will be deposited back into the capital reserve fund upon receipt. There is currently \$15.3 million in the capital reserve fund to support funding for this project.

Due to cancellation of the Public Enterprise Committee August meeting, the Committee Chair has approved this item to go directly to the City Council for consideration.

RECOMMENDATION

It is the recommendation of Staff that City Council take the following action:

Motion to approve Budget Ordinance BO 2020-12

Attachments - BO-2020-12

**CAPITAL PROJECT BUDGET ORDINANCE
WASTE WATER TREATMENT PLANT
FLOW EQUALIZATION BASIN IMPROVEMENTS
BO-2020-12**

WHEREAS, the City desires to provide reliable, quality wastewater service to the citizens of Monroe; and

WHEREAS, it is imperative to effectively maintain and operate the City's Waste Water Treatment Plant (WWTP) and related regulatory compliance to support current and future economic development; and

WHEREAS, a detailed Preliminary Engineering Report has identified needed improvements to the WWTP flow equalization storage; and

WHEREAS, the estimated total project cost is \$4,478,000; and

WHEREAS, it is recommended to repurpose the remaining bond funds originally planned for the WWTP Chlorine Gas Scrubber project SR1826 and investment earnings on bond funds to this needed project; and

WHEREAS, it is recommended that \$3,315,855 be transferred from the Capital Reserve Fund to fund this project; and

WHEREAS, Union County will be responsible for funding 25.48% of the project as a non-capacity WWTP improvement as defined by interlocal agreement, plus the land value of property purchased by the City. The payment received from Union County (estimated to be \$1,231,766) will be deposited back into the capital reserve fund upon receipt.

NOW, THEREFORE, BE IT ORDAINED that the City Council hereby establishes the Wastewater Treatment Plant Flow Equalization Basin Improvements capital project (SR2127) funding as follows:

Water & Sewer Capital Reserve Fund:

Revenues:

Appropriation of Fund Balance	\$3,315,855
-------------------------------	-------------

Expenses:

Transfer to Water & Sewer Capital Project Fund	\$3,315,855
--	-------------

Water & Sewer Capital Project Fund:

Revenues Capital Project SR2127:

Transfer from Capital Project WR1730	\$108,362
--------------------------------------	-----------

Transfer from Capital Project SR1826	\$1,053,783
--------------------------------------	-------------

Transfer from Capital Reserve Fund Proceeds	\$3,315,855
---	-------------

Expenditures Capital Project SR2127:

Capital Improvements	\$4,478,000
Revenues Capital Project WR1730:	
Investment Earnings	\$108,362
Expenditures Capital Project WR1730:	
Transfer to Capital Project (SR2127)	\$108,362
Revenues Capital Project SR1826:	
Investment Earnings	\$48,297
Expenditures Capital Project SR1826:	
Transfer to Capital Project (SR2127)	\$1,053,783
Capital Improvements	(\$1,005,486)

Adopted this 18th day of August, 2020.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk



City of Monroe Water Resources
WWTP Flow Equalization Basin Expansion
Preliminary Engineering Report

July 20, 2020



Russell G. Colbath, PE

rcolbath@monroenc.org

704-282-4624

Project Background

The City of Monroe Water Resources Department operates a wastewater treatment plant (WWTP) located at 775 Treeway Drive in Monroe, North Carolina. The plant meets the wastewater treatment needs of the City of Monroe and the Union County East Side Sewer System. The WWTP has a current capacity of 10.4 MGD, with 2.65 MGD allocated to Union County via interlocal agreement. The WWTP also has a 10 MG earthen flow equalization (EQ) basin to divert high influent flows during wet weather events.

The WWTP Master Plan, completed in 2008 by Hazen and Sawyer, identified the future need for an additional 10 MG of flow EQ storage (Attachment 1), generally to be timed with the next WWTP expansion. The Plan does indicate that this added EQ storage could be beneficial prior to the WWTP expansion based on need and available funding. The WWTP expansion, potentially to 15.0 MGD in partnership with Union County, is projected to occur in the early 2030's.

During high intensity and extended duration rainfall events, the WWTP has experienced flows exceeding the hydraulic capacity and EQ storage volume of the plant. This has resulted in the bypass of some treatment processes. All bypass events have been reported to the North Carolina Department of Environmental Quality (NCDEQ) per state standards and pursuant to the City's NPDES permit. Based on all considerations, the City believes it is prudent to move forward with the design, permitting, and construction of expanded EQ storage basin volume to improve WWTP operations, permit compliance, and prepare for the future WWTP expansion.

Sewer Collection System Asset Management

WWTP hydraulic overloading during heavy wet weather events is an indication of sanitary sewer collection system inflow and infiltration (I&I) and system rehabilitation needs. The City has a comprehensive sewer asset management program and is committed to collection system upgrades and repairs. The City sewer system asset management plan includes the following:

- Sewer main replacement by City Water Resources crews using pipe bursting technology.
- Sewer main replacement using cured in place (CIPP) lining. The current project approach is to bid annual "find and fix" contracts where CCTV is utilized to find high priority repairs which are then rehabilitated using CIPP.
- Manhole rehabilitation using spray on cementitious liners (calcium aluminate for high corrosion areas).
- Smoke testing of sewer collection system basins, with current goal of 20% of the system per year. Top of ground repairs, such as sewer cleanouts, etc., are completed when found.
- Sewer main and lateral point repairs, either by City crews or by CIPP contractors.
- Regular sewer outfall inspections after all 2-inch or greater rainfall events.

In 2014, the City established a goal to replace or rehabilitate 1% of the collections system sewer main footage annually. Attachment 2 shows the historical performance toward meeting this goal.

Attachment 3 shows the financial commitment to sewer asset management, totaling \$6.1 million since FY2010. The City will continue to aggressively identify, assess, and rehabilitate/replace aging sewer collection system infrastructure to limit rainfall I&I into the system.

WWTP Wet Weather Flow Analysis

The City's sewer collection system response to rainfall events, and the associated high flow impact to the WWTP, varies greatly with the type, intensity, spacial distribution, and duration of the rainfall event. It is also significantly influenced by antecedent moisture conditions, and ground water levels. Table 1 shows the historical storm events for the past 5 years that resulted in hydraulic overloading and subsequent WWTP process bypass.

Table 1.		
Date(s)	Rainfall (In.)	Reported WWTP Bypass (Gal.)
March 7-8, 2014	2.0"	2,221,965
April 19-20, 2014	2.75"	3,562,960
October 3-7, 2015	8.75"	1,022,021
November 2-3, 2015	4.5"	2,441,280
2016		None
2017		None
September 15-17, 2018	10.9"	10,803,690 (Hurricane Florence = Design Storm)
2019		None
February 7, 2020	3.4"	4,223,750
May 20-21, 2020	7.0"	12,146,000 (note 1)
May 28, 2020	2.5"	531,000 (note 1)

Note 1. Post storm collection system inspection found 2 manholes with covers off. Bypass volume likely not representative of historical performance.

Based on all data and considerations, the September 2018 storm event (Hurricane Florence) was selected as the design storm event for additional EQ storage analysis. The following data is relevant to the analysis:

- Recurrence frequency – based on NOAA Atlas 14, approximately 200-year event.
- WWTP maximum hydraulic capacity (flow throughput) = 22 MGD.
- Peak WWTP influent flow rate during Hurricane Florence = 46 MGD.
- Total WWTP process bypass volume reported to NCDEQ = 10.8 MG.

The 200-year recurrence frequency of this storm is greater than required design standards. However, using this storm for EQ storage volume planning provides a safety factor for climate change uncertainty where future storms may be more frequent and intense, future flow growth from economic development, plus added storage to protect the WWTP until the planned future expansion.

Table 2 shows the analysis of WWTP flow and EQ volume needed to eliminate WWTP flow bypass during the design storm. The current 10.4 MGD WWTP is capable of sustained hydraulic throughput of approximately 22 MGD for the extended periods of time typical of most large rain events. The table

Table 2.		WWTP Influent Flow Data			Rain	US Climate Data.com	
		Hurricane Florence			9/15/2018	0.81	
					9/16/2018	5.81	
					9/17/2018	4.3	
						10.92	Inches
Date	Time	Total City Influent	Total County Influent	Total WWTP Influent	WWTP Hydraulic Rate	Flow to EQ	Volume to EQ
	1:00	MGD	MGD	MGD	MGD	MGD	MG
9/16/2018	3:25 AM	15.0	7.0	22.0	22	0.0	0.00
	4:25 AM	18.9	8.1	27.0	22	5.0	0.21
	5:25 AM	22.3	8.3	30.6	22	8.6	0.36
	6:25 AM	25.2	8.3	33.5	22	11.5	0.48
	7:25 AM	30.1	8.9	39.0	22	17.0	0.71
	8:25 AM	31.0	7.3	38.3	22	16.3	0.68
	9:25 AM	31.7	9.1	40.8	22	18.8	0.78
	10:25 AM	32.4	10.0	42.4	22	20.4	0.85
	11:25 AM	33.1	10.0	43.1	22	21.1	0.88
	12:25 PM	34.1	10.0	44.1	22	22.1	0.92
	1:25 PM	35.5	10.0	45.5	22	23.5	0.98
	2:25 PM	35.8	10.0	45.8	22	23.8	0.99
	3:25 PM	36.1	10.0	46.1	22	24.1	1.00
	4:25 PM	36.1	10.0	46.1	22	24.1	1.00
	5:25 PM	36.3	10.0	46.3	22	24.3	1.01
	6:25 PM	35.9	10.0	45.9	22	23.9	1.00
	7:25 PM	36.0	9.8	45.8	22	23.8	0.99
	8:25 PM	35.9	9.7	45.6	22	23.6	0.98
	9:25 PM	35.7	9.6	45.3	22	23.3	0.97
	10:25 PM	35.1	9.4	44.5	22	22.5	0.94
	11:25 PM	34.9	8.4	43.3	22	21.3	0.89
9/17/2018	12:25 AM	34.2	9.3	43.5	22	21.5	0.90
	1:25 AM	33.7	7.7	41.4	22	19.4	0.81
	2:25 AM	33.6	8.2	41.8	22	19.8	0.83
	3:25 AM	32.9	7.3	40.2	22	18.2	0.76
	4:25 AM	32.1	6.9	39.0	22	17.0	0.71
	5:25 AM	31.8	6.6	38.4	22	16.4	0.68
	6:25 AM	19.8	5.2	25.0	22	3.0	0.13
	6:38 AM	17.4	4.6	22	22	0.0	0.00
	7:38 AM	Time WWTP reached 22 MGD			Total EQ Volume (MG)		21.42
					EQ Reserve for Filter Backwash (MG)		1.5
					Total Needed EQ Volume (MG)		22.92

shows only those hours where the total WWTP influent flow exceeded 22 MGD. Based on the design storm, including an EQ reserve for filter backwash, 23 MG of total EQ storage is needed. Therefore, 13 MG of added EQ storage is needed to supplement the existing 10 MG EQ basin.

Proposed EQ Basin Expansion

Figure 1 shows the preliminary concept for a proposed EQ basin expansion. The land parcel was purchased by the City in 2009 and contains 23.75 acres. It is zoned General Industrial which will support the intended project land use. The parcel is wooded with topography generally sloping to the north toward Richardson Creek. While a minimum of 13 MGD is indicated by the design storm, the city believes it is prudent to maximize the EQ volume on the property. The incremental cost of adding 2 MGD, to create a 15 MG basin, will likely be low. The EQ basin project will be funded by the City's Water and Sewer Enterprise fund and with funding from Union County consistent with the interlocal agreement. No state or federal funding will be used. The following factors and considerations will form the basis of detailed design, permitting, and construction.

Geotechnical Evaluation – Attachment 4 provides the results of the preliminary geotechnical evaluation conducted by GTA and Associates. Additional geotechnical testing will be completed during design and construction as needed. Generally, the evaluation shows the site is suitable for the intended purpose.

NCDEQ Dam Safety – Preliminary communications with NCDEQ Dam Safety staff have occurred concerning the new EQ basin. The City will submit a Jurisdictional Determination/Hazard Classification Request as part of the design phase of the project. It is the City's intent to limit the EQ basin embankment height to less than 25-feet and less than 50 ac-ft (16MG+/-) of storage to meet the exemption requirements of high hazard dam classification. The City's existing EQ basin constructed in 2004 did not require such permitting due to the earthen berm dimensions and EQ basin volume.

Wetlands and Endangered Species – A preliminary investigation of the site for wetlands and endangered species was conducted by a Hazen and Sawyer environmental scientist on June 19, 2020. Attachment 5 shows the preliminary findings. There were no areas of concern identified. Any additional evaluations of these items will be conducted during project design, and in coordination with NCDEQ.

Earthen EQ Basin Design Concept – The proposed earthen EQ basin will use similar design concepts as the existing 10 MG EQ basin. The basin will be lined with a geosynthetic clay liner (GCL) to achieve the required low permeability and hydraulic barrier. Operational cover (typically 18 inches) will protect the GCL from erosion or damage. Preliminary analysis indicates that the effective operating range could be from 504 to 511 feet elevation +/-, with typical berm cross slopes of approximately 1:3. The force main discharge inlet will be designed to protect the basin floor and liner using large rip-rap, concrete, or other energy dissipating features to be determined during design. An NCDEQ Erosion and Sedimentation Control permit will be obtained for the entire project. The entire basin will be fenced per NCDEQ requirements.

FIGURE 1



Proposed EQ Basin Expansion (Cont.)

Inlet Force Main Hydraulic Analysis – The inlet force main for the new EQ basin will be a combination of 24 and 30 inch piping, flow control valve (motorized eccentric plug valve), flow meter, and appropriately placed isolation valves. The force main will be connected to the existing 24-inch discharge header for WWTP influent pump stations (IPS) #1 and #2 that have the following characteristics:

IPS #1

- Four (4) identical pumps (Fairbanks Morse 8" 54x6 pump curve (Attachment 6).
- Individual capacity 3440 GPM at 80-feet TDH.
- All pumps replaced/new in 2018.

IPS #2

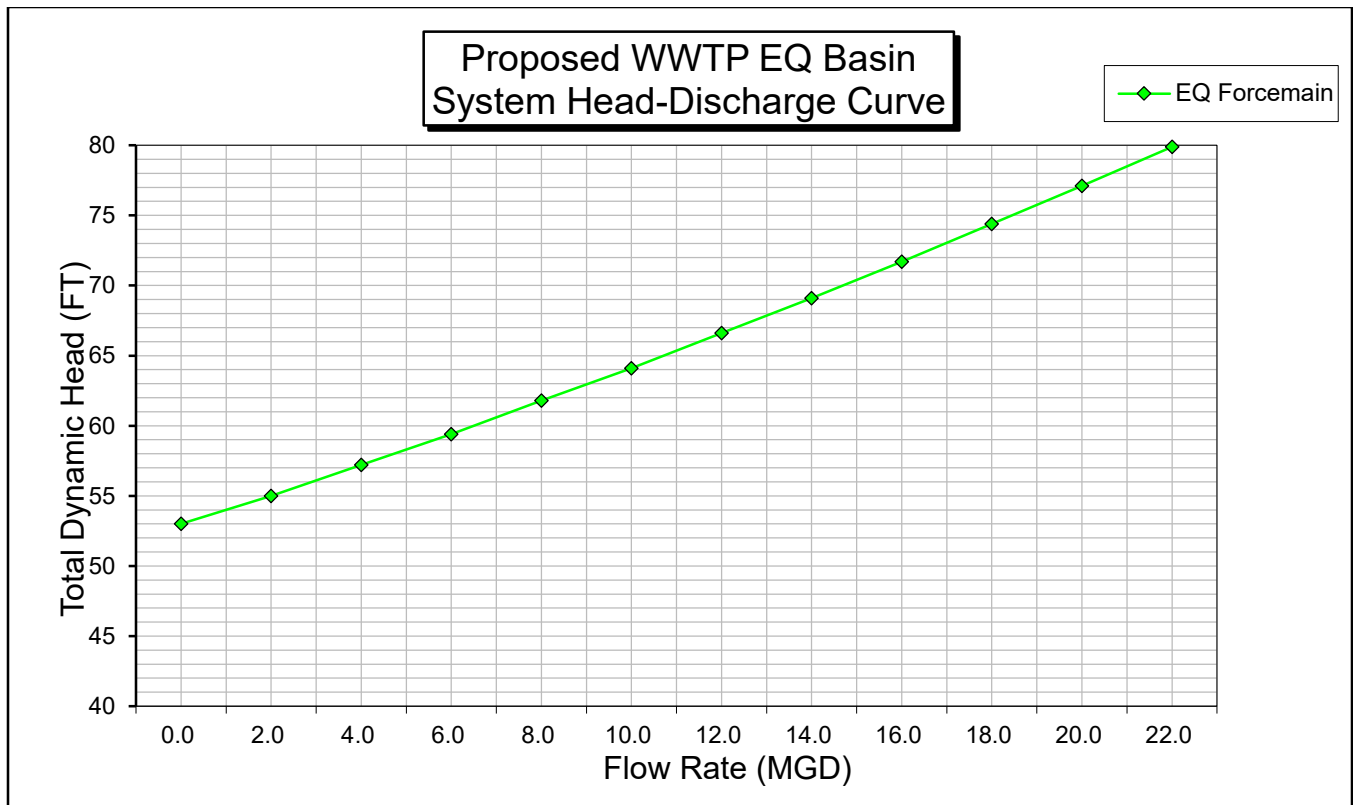
- Two (2) identical pumps (Fairbanks Morse 10" M5440 pump curve (Attachment 7).
- Individual capacity 5800 GPM at 80-feet TDH.
- All pumps replaced/new in 2018.

Note: Union County system flows are pumped to the WWTP screenings building by separate pump stations.

During heavy rainfall events, after the WWTP total influent flow reaches 22 MGD, operations staff activate flow diversion to EQ basin storage to maintain steady flow rates through the plant. With a new/second EQ basin available, it is anticipated that in the early stages of a rainfall event the existing EQ basin will be activated first as has been done in the past. As a storm event evolves, and flows increase, flow diversion will be shifted to the new EQ basin. The anticipated design flow range for the new EQ basin will be 3 to 20 MGD. A system head curve was developed for the proposed EQ basin force main using this flow range and the following:

- Pipe lengths: 24 Inch = 85LF, 30 Inch = 675LF.
- Elevations: Existing Influent pumps 453', wet well operating level 458', new EQ basin max 511'.
- Hazen Williams Roughness Coefficient for DIP = 120.
- Total of minor head losses at maximum flow = 20'.

The system curve indicates that the proposed EQ basin force main will require 77-feet of total dynamic head (TDH) to deliver the desired 20 MGD flow rate to the basin, at the maximum basin level of 511-feet. Review of the attached pump curves and operational data indicate the existing influent pump stations can meet this flow and TDH while delivering the balance of the influent flow to the WWTP headworks and screening building. It is important to note that the existing WWTP EQ basin has an operating range of 509-516' elevation, compared to the proposed elevation of 504-511' for the new EQ basin. This, in addition to the demonstrated flow diversion capacity of the existing EQ basin and force mains, provides added confirmation that the proposed force main system will deliver the desired 20 MGD flow rate to the new basin.



The existing filter backwash waste pit pumps that currently discharge to the existing 10 MG EQ basin will be connected to the new force main with appropriate valving to allow discharge to either EQ basin (See Figure 1.). This will allow operational flexibility, promote odor control, and limit anaerobic conditions in the stored wastewater. Given that the new EQ basin operating range will be 5 feet +/- lower than the existing EQ basin, the performance characteristics of the existing backwash waste pit pumps will function properly with the new EQ basin.

Outlet Piping/ Return Flow to WWTP

After each rainfall event, historical records show that the WWTP influent flow drops quickly as the sewer collection system I&I dissipates. As the total WWTP flow drops under 22 MGD, operations staff initiate returning stored wastewater back into the plant at the appropriate timing and flow rate so as not to overload WWTP processes. The existing EQ basin pumps return flow to the WWTP process at a maximum flow rate of 4.0 MGD. This allows dewatering of the 10 MG basin in 48 to 72 hours.

The new EQ basin will be dewatered using a flow control valve, outlet meter, and 20-inch pipe. The return flow to the WWTP will utilize the existing 30-inch sewer collection system interceptor as shown on Figure 1. As-built drawings for the 30-inch pipe show a slope of 0.0014 from manhole 6 to the termination at the WWTP influent pump stations. Using Mannings equation with $n=0.013$ and as-built slope data, the full pipe capacity is 9.97 MGD. Field measurements of this 30-inch interceptor after rainfall events subside indicate a normal flow depth of 5-inches. This is because the existing 54-inch

sewer interceptor on the opposite (north) side of Richardson Creek carries the majority of flow to the WWTP. The 30-inch interceptor acts as a high flow relief main. This allows the 30-inch pipe to quickly return to normal base flow levels after a rain event. The proposed return flow rates from the new EQ basin will range from 1 to 5 MGD. Therefore the 30-inch interceptor has sufficient capacity to receive this flow without surcharging.

EQ Basin Operations, Instrumentation

The new EQ basin will be operated by WWTP staff as described above and in coordination with the existing EQ basin. The following instrumentation will be available to operators via SCADA telemetry:

- Force main influent flow rate
- EQ basin level
- EQ basin effluent flow rate

SCADA and localized alarm annunciators will be installed to alert operators of high or low operational values for flow, level, etc.

Control of Odors, Anaerobic Conditions, and limiting WWTP Adverse Impacts

The WWTP staff have successfully operated the existing EQ basin for many years. The key to avoiding odors and anaerobic condition is to dewater the basin immediately after high flow events when the WWTP influent flow rate (wet weather flows) drops below 22 MGD. The discharge of filter backwash water to the EQ basins also plays an important role, bringing in tertiary effluent that contains dissolved oxygen and a chlorine residual of 1.0 mg/l +/- . Operations data shows that the WWTP will be able to return flow from both EQ basins after major rain events, with capacity to dewater the basins on an average of 96 hours +/- . This combined with the backwash water additions will help avoid odors, septic conditions, and any adverse impacts to the WWTP process.

For the existing EQ basin, removal of any accumulated solids is managed by contracting a floating dredge to pump solids to a dewatering belt press, with the dewatered solids sent to the Anson County Landfill after appropriate sampling. This has only been needed on an interval of approximately 5 years. Solids accumulations in the new EQ basin will be managed and removed using the same approach.

Summary

The City of Monroe Water Resources Department is committed to operating and maintain their wastewater collection and treatment system in an effective, efficient, and environmentally responsible way. This report provides the framework and direction to move forward with the design, permitting, and construction of expanded WWTP EQ storage capacity. This expansion will improve WWTP operations, permit compliance, and prepare the city for the future WWTP expansion planned for the early 2030's.

List of Attachments

1. Hazen and Sawyer Engineering – WWTP 2008 Master Plan Layout with New EQ Storage
2. Sewer Infrastructure Renewal/Replacement Data
3. Sewer Asset Management Program History
4. Preliminary Geo Technical Report
5. Preliminary Investigation for Wetlands and Endangered Species
6. Existing WWTP Influent Pump Station #1 Pump Curve (Typ. Of 4)
7. Existing WWTP Influent Pump Station #2 Pump Curve (Typ. Of 2)

Attachment 1

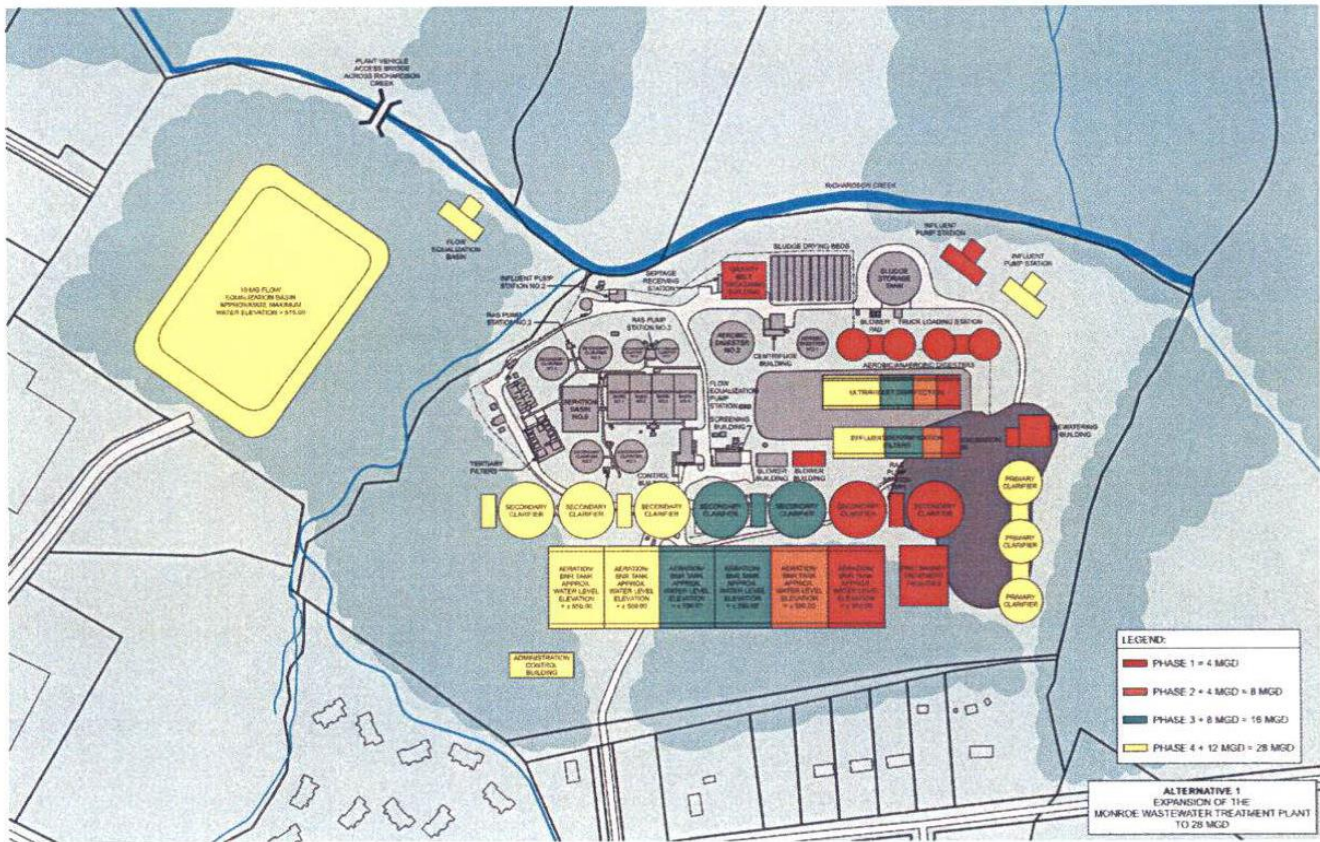
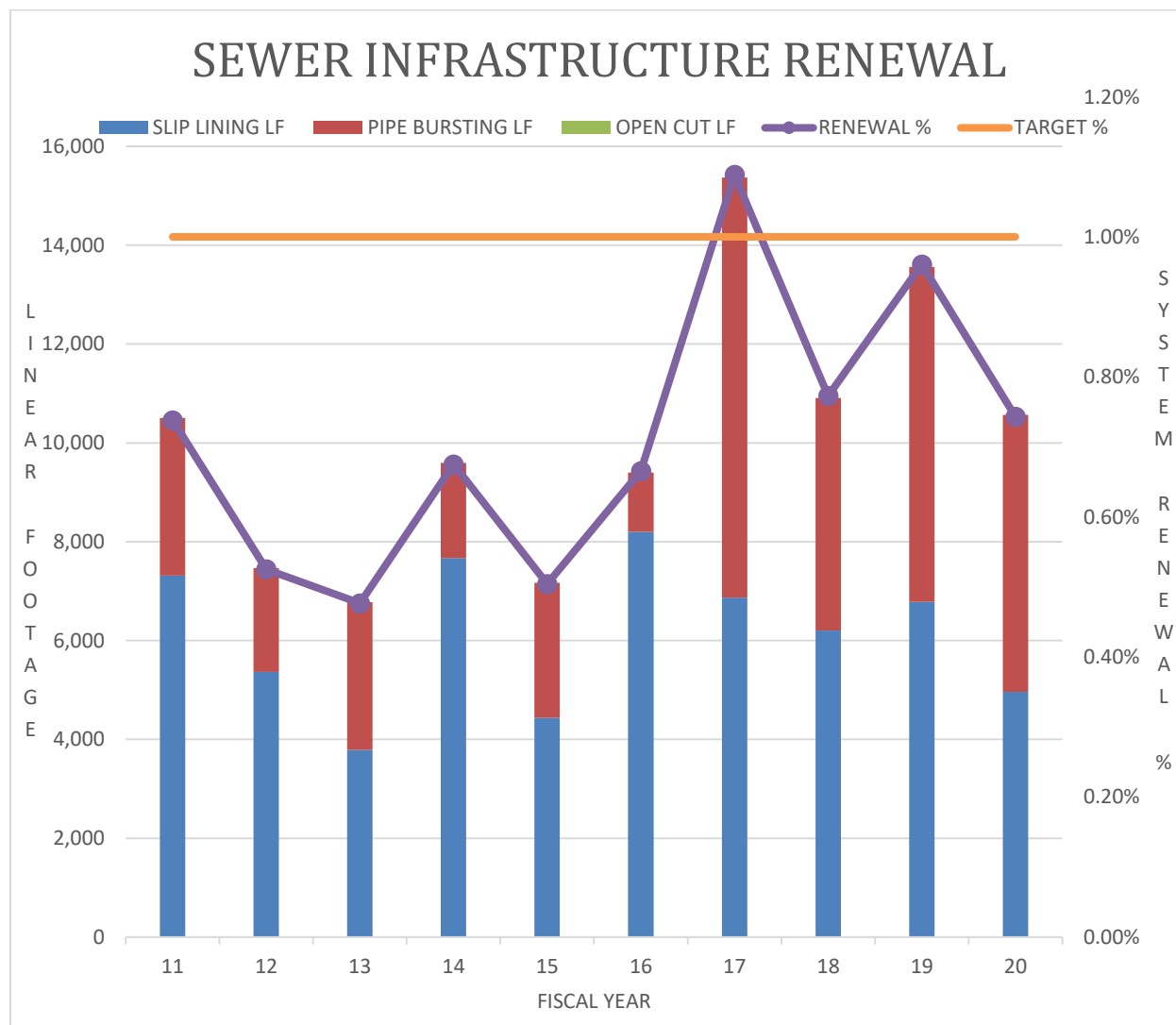


Figure 4-9
Site Layout for 28 mgd Plant on the Existing Plant Site

Attachment 2



Attachment 3
City of Monroe Water Resources
Sanitary Sewer System

Rehabilitation and Inflow-Infiltration Control

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Total
<u>Sewer Main Pipebursting Rehabilitation</u>												
Total Feet Complete	4,014	3,188	2,098	2,988	1,928	2,736	1,194	8,499	4,709	6,779	5,604	43,737
Total Cost (equivalent)	\$139,650.00	\$115,793.20	\$77,483.39	\$112,403.53	\$74,163.25	\$105,123.40	\$46,239.15	\$334,072.09	\$190,107.56	\$276,757.52	\$228,027.20	\$1,699,820.30
<u>Sewer Main Lining Rehabilitation</u>												
Total Feet Complete	3,941	7,315	5,368	3,790	7,669	4,435	8,204	6,869	6,202	6,784	7,400	67,977
Total Cost	\$142,516.00	\$248,402.90	\$184,320.30	\$190,069.10	\$272,404.29	\$286,480.03	\$146,488.35	\$294,486.93	\$295,917.22	\$427,661.60	\$468,168.69	\$2,956,915.41
<u>Sewer Manhole Rehabilitation</u>												
Total Manholes	31	18	37	30	45	0	46	0	163	0	142	512
Total Cost	\$19,849.50	\$69,181.90	\$25,209.90	\$27,678.40	\$47,961.40	\$0.00	\$52,273.88	\$0.00	\$169,393.82	\$0.00	\$164,533.59	\$576,082.39
<u>Sewer Main Smoke Testing</u>												
Total Feet Complete	32,801	0	0	0	0	0	431,199	370,003	313,323	254,929	268,002	1,670,257
Total Cost (Est.)	\$5,576.17	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$81,108.09	\$70,641.27	\$61,438.96	\$50,551.49	\$52,967.25	\$322,283.23
<u>Sewer Point Repairs</u>												
Total Repairs	8	55	42	47	29	36	26	26	34	3	27	333
Total Cost (equivalent)	\$9,019.04	\$75,892.99	\$47,349.96	\$64,694.93	\$32,694.02	\$56,073.70	\$87,651.77	\$52,222.22	\$56,828.30	\$1,215.00	\$71,747.00	\$555,388.93
											Note 2	
FY Total Cost	\$316,610.71	\$509,270.99	\$334,363.55	\$394,845.96	\$427,222.96	\$447,677.13	\$413,761.24	\$751,422.51	\$773,685.87	\$756,185.61	\$985,443.74	\$6,110,490.25

Note - FY20 Projection of Actual

ATTACHMENT 4

REPORT OF PRELIMINARY GEOTECHNICAL SUBSURFACE EXPLORATION

**15 MB EQUALIZATION BASIN
City of Monroe WWTP
Monroe, Union County, North Carolina**

July 10, 2020

Prepared For:

City of Monroe
300 W. Crowell Street
Monroe, North Carolina 28112

Attn: Mr. Russ Colbath

Prepared By:

GTA ASSOCIATES, INC.
Geotechnical and Environmental Consultants
710 Peninsula Lane, Suite B
Charlotte, N.C. 28273
(704) 553-2300 – Office
(704) 553-2400 - Facsimile

GTA Job No: 35200850

GTA ASSOCIATES, INC.

GEOTECHNICAL AND
ENVIRONMENTAL CONSULTANTS

A Practicing Geoprofessional Business Association Member Firm



July 10, 2020

City of Monroe
300 W. Crowell Street
Monroe, North Carolina 28112

Attn: Mr. Russell Colbath, P.E.
Water Resources Director

Re: Report of Preliminary Geotechnical Subsurface Exploration
Proposed 15MG Equalization Basin
City of Monroe Wastewater Treatment Plant
Industrial Drive - +25 Acres
Monroe, Union County, North Carolina

Dear Mr. Colbath:

In accordance with our agreement executed on May 29, 2020, GTA Associates, Inc. (GTA) has performed a preliminary geotechnical subsurface exploration for a 15-million-gallon equalization basin located to the west of the existing Wastewater Treatment Plant in Monroe, North Carolina. The results of the field testing and our preliminary recommendations regarding design and construction of the proposed equalization basin are included in this report. Unless other arrangements are made by the City of Monroe, GTA will discard the soil samples within sixty days from the date of this report.

GTA appreciates the opportunity to assist you with this project. Should you have questions or require additional information, please contact at our office at (704) 553-2300.

Sincerely,
GTA ASSOCIATES, INC.

Andrew Beaty
Staff Professional

John P. Wille, P.E.
Vice President



7-10-20

Z:\Project\2020\City of Monroe\WWTP\Report of Preliminary Geotechnical Subsurface Exploration.doc
Job No.

710 Peninsula Lane, Suite B, Charlotte, NC 28273

Phone: (704) 553-2300

Fax: (704) 553-2400

◆ Abingdon, MD ◆ Baltimore, MD ◆ Laurel, MD ◆ Frederick, MD ◆ Waldorf, MD ◆ Sterling, VA ◆ Malvern, OH ◆ Somerset, NJ
◆ NYC Metro ◆ New Castle, DE ◆ Georgetown, DE ◆ York, PA ◆ Quakertown, PA ◆ Charlotte, NC ◆ Raleigh, NC

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ASFE—Important Information About Your Geotechnical Engineering Report

Appendix A – Figures

- Figure No. 1 – Site Location Plan
- Figure No. 2 – Exploration Location Plan
- Figure No. 3 – Site Topography Plan

Appendix B – Soil Boring Logs

- Notes for Exploration Logs (1 Sheet)
- Summary of Subsurface Exploration (1 Sheet)
- Soil Boring Logs (15 Sheets)

Appendix C – Laboratory Results (1 Sheet)

REPORT OF PRELIMINARY GEOTECHNICAL SUBSURFACE EXPLORATION
15 MG EQUALIZATION BASIN – CITY OF MONROE WWTP
MONROE, UNION COUNTY, NORTH CAROLINA

INTRODUCTION

The City of Monroe (Client) is planning to construct a 15 million-gallon equalization basin located to the west of the existing City of Monroe Wastewater Treatment Plant. The site encompasses approximately 25 acres of undeveloped wooded land located north of Industrial Drive and west of the Waste Water Treatment Plant in Monroe, Union County, North Carolina. Detailed information regarding the design plans and site grading information has not been provided to us at this time. Please refer the Site Location Plan included as Figure 1 in Appendix A for the approximate location of the site.

GTA was retained to perform a preliminary geotechnical subsurface exploration of the project site to characterize the general near-surface subsurface conditions in the proposed equalization basin area. The scope of this study included a field exploration as well as an engineering and laboratory analysis. Included in our field exploration were eighteen (15) Standard Penetration Test borings to depths ranging from approximately 6.1 to 14 feet below the existing ground surface. Preliminary conclusions and recommendations regarding general site development were derived from the engineering analysis of the field and laboratory data.

SITE CONDITIONS

The site is located at the north end of Industrial drive and west of the existing waste water treatment plant in Monroe, Union County, North Carolina. The site encompasses approximately 25 acres of undeveloped land and is designated as Parcel Identification Number (PIN) 09111008. At the time of our investigation, the subject site is moderately to heavily wooded. The site is bordered to the west by the waste water treatment plant and Joes Branch Creek, to the north by Richardson Creek, and to the south by a manufacturing facility and associated parking.

Based on the topographic information provided on the Union County GIS, the ground surface elevations across the site range from a high of approximate Elevation 515 feet above mean sea level (AMSL), near the central portion of the subject property, to a low of approximate Elevation 495 feet AMSL, along the western portion of the subject property. Please refer to the attached Topographic Map presented as Figure 3 in Appendix A for more detailed information.

PROPOSED CONSTRUCTION

GTA was provided with a copy of a “Preliminary Site Plan” of the Equalization Basin provided by the City of Monroe. The Plan indicates that the subject property is proposed to be developed with an equalization basin in the center of the property that will be approximately 550 feet in length by 550 feet in width and approximately 6 feet deep. In addition, the Plan indicates that 2 utility lines will be constructed; a 36-inch force main extending approximately 600 linear feet along the western portion of the subject property to the WWTP, and a 24-inch return line extending approximately 250 linear feet along the northern portion of the property to Richardson Creek.

Detailed information regarding the site grading, slope embankment details, as well as inlet and outlet structure information has not been provided to us at this time. However, based on our site reconnaissance, we anticipate that general site grading may consist of cut depths on the order of 6 feet and fill depths up to approximately 10 feet to establish final design grades for the embankment.

SITE GEOLOGY

The site is located in the Charlotte Belt of the Piedmont Plateau Geologic Province. According to the *Geologic Map of North Carolina* (1985), the site is underlain by metamudstone and meta argillite (CZmd₂) also known as the “Cid Formation”. Ground surface elevations within the Piedmont Plateau vary from approximately 400 feet above sea level (AMSL) in the east to 2,000 feet (AMSL) in the west.

The typical residual soil profile associated with the Charlotte Belt consists of fine-grained soils (clays/silts) near the surface, where soil weathering is more advanced, underlain by more coarse-grained soils (sandy silts/silty sands) with depth. The boundary between the soil and rock is not sharply defined. This transitional zone, termed weathered rock, is normally found overlying the parent bedrock. The degree of weathering is influenced by fractures, joints, and by the presence of less resistant rock types. Therefore, the profile of the weathered rock and hard rock is quite irregular and erratic, even over short horizontal distances. Lenses, boulders, hard rock, and zones of weathered rock are often encountered within the soil mantle, well above the general unweathered bedrock level.

The topography of the Piedmont Plateau consists of well-rounded hills and long rolling ridges with a northeast-southwest trend. This rolling topography is the result of streams flowing across and acting on rocks of unequal hardness. The Piedmont Plateau region is underlain by older crystalline (metamorphic and igneous) rock formations that trend northeast-southwest and vary greatly in their resistance to weathering and erosion. The major streams generally flow across the rock structures that are more highly fractured and more prone to weathering. Please refer to the publications for a more detailed description of the geologic units.

SUBSURFACE EXPLORATION

The field exploration consisted of drilling Standard Penetration Test (SPT) borings at fifteen (15) locations, designated as B-1 through B-15, across the property. The soil test borings were selected and field located by GTA using the existing topography and aerial photographs by visual estimation. The approximate location of the soil test borings is shown on the attached Exploration Location Plan presented as Figure 2 in Appendix A. Elevations provided on the boring logs were interpolated from site topography provided by Union County GIS. Please note that the boring locations have not been instrument surveyed and thus, all locations and elevations should be considered approximate.

The borings were drilled on June 17 and 18, 2020 to depths ranging from approximately 6.1 to 14 feet below the existing ground surface using an ATV-mounted CME 550X and ATV-mounted D-50 drill rig provided by HPC. A dozer was required to clear a path to gain access to the boring locations. Therefore, some topsoil was partially/completely removed in the vicinity of the borings during the clearing process.

Standard Penetration Testing was performed in the boreholes, with soil samples obtained at approximately 2½-foot intervals in the upper 10 feet and at 5-foot intervals thereafter. Standard Penetration Testing involves driving a 2-inch O.D., 1 ¾ -inch I.D. split-spoon sampler with a 140-pound hammer free-falling 30 inches. The SPT N-value, given as blows per foot (bpf), is defined as the total number of blows required to drive the sampler from 6 to 18 inches. Samples retrieved from the borings were returned to GTA's laboratory for visual classification by laboratory personnel. Descriptions as provided on the logs are visual.

Boring logs were prepared using the observations made in the field during drilling, as well as the visual – manual classification in the laboratory. A geotechnical staff professional classified each soil sample on the basis of color, texture, and plasticity characteristics in general accordance with the USCS classification system. The geotechnical staff professional grouped the various soil types into the major zones noted on the boring logs. The stratification lines designating the interface between each material on the boring logs is approximate; the transition between the strata may be gradual in both the vertical and horizontal directions.

SUBSURFACE CONDITIONS

The borings confirm the underlying geologic formation as metamudstone and meta argillite (CZmd₂). The test borings typically encountered native residual soils underlain by soft/hard weathered rock. Beneath the topsoil layer in the borings, residual soils were encountered. The residual soils generally consist of sandy silt. SPT N-values in the residual soils ranged from 7 to 77 blows per foot (bpf), averaging 38 bpf, indicating these soils are generally stiff to very hard in consistency.

Beneath the residual soils at Borings B-1 through B-15, soft weathered rock (SWR) was encountered at depths ranging from approximately 1 to 13.5 feet below the existing ground surface. In addition, a lens of SWR was encountered at Borings B-9 and B-14 at depths ranging from approximately 3.5 to 5 feet. Based on the North Carolina Building Code, soft weathered rock is defined as “broken and partially weathered rock with standard penetration resistance (ASTM D 1586) between 50 blows per 6 inches and 50 blows per inch.” SWR is a decomposed rock that serves as the transitional zone between soil and rock. SWR is most commonly delineated from residual soil when SPT values of 100 bpf are exhibited by the SPT sampler. While SWR is a rock-like material, it is often visually classified as a sandy silt as the SPT sampler pulverizes the material as it is driven.

Underlying the residual soils and/or SWR at Borings B-2 and B-3, hard weathered rock (HWR) was encountered at a depth of approximately 6 feet below the existing ground surface. Based on the North Carolina Building Code, hard weathered rock is defined as “broken and partially weathered rock of sufficient hardness to refuse soils sampling tools; normally has standard penetration resistance (ASTM D 1586) in excess of 50 blows per 1 inch.”

Borings B-1 through B-15 were terminated in the SWR/HWR upon auger refusal at depths ranging from approximately 6.1 to 14 feet below the existing ground surface. Auger refusal is defined as material that could not be penetrated with the drill rig equipment used on the project. Auger refusal may be due to large boulders, rock ledges, lenses, seams, or the top of parent bedrock. Core drilling techniques would be required to evaluate the character and continuity of the refusal material. However, core drilling was beyond the scope of this study.

Groundwater was not encountered in the borings at the termination of drilling. Boring cave-in depths ranged from approximately 4.7 to 12.1 feet below the existing ground surface. The boring cave-in depths can be an indication of the groundwater level or may result from the soil falling in as the augers are removed from the borehole upon completion. Please be advised that groundwater levels are expected to fluctuate with changes in precipitation, drainage, and other factors.

LABORATORY TESTING

Recovered soil samples were transported to our laboratory where they were subjected to visual - manual classification by a geotechnical staff professional. Boring Logs were prepared using the observations made in the field during drilling, as well as the visual – manual classification in the laboratory, supplemented by laboratory testing.

A sample obtained from Boring B-10 at a depth of 1 to 2.5 feet was tested in our laboratory for Grain-Size Analysis, Atterberg Limits and natural moisture content. The Grain-Size Analysis and Atterberg Limits testing were performed to determine the Unified Soil Classification System (USCS) designation for the soil. The USCS classifications provide information regarding soil engineering behavior. The results are below in Table 1 as well as in Appendix C:

TABLE 1: SUMMARY OF LABORATORY TESTING

Boring No.	Depth (ft)	USCS Classification	LL	PI	Moisture Content (%)
B-10	1.0 - 2.5	ML	45	13	15.3

Selected samples from the borings were tested in our laboratory for natural (in-situ) moisture content. The tested samples from Borings B-1, B-3, B-5, B-8, B-11, and B-12 indicated natural moisture contents ranging from 12.8 to 25.3 percent, with an average moisture content of approximately 18 percent.

One bulk near-surface sample from Boring B-10 was tested for moisture-density relationships in accordance with the Standard Proctor. The results of these tests are summarized in Table 2. Please refer to the laboratory test data provided in Appendix C for further information.

TABLE 2: SUMMARY OF COMPACTION DATA

Standard Proctor (ASTM D698)

Boring No.	Depth (ft)	Maximum Dry Density (pcf)	Optimum Moisture (%)	Natural Moisture (%)
B-10	1 – 2.5	104.7	20.5	15.5

PRELIMINARY CONCLUSIONS AND RECOMMENDATIONS

Based upon the results of this study, it is our opinion that the proposed construction is feasible, given that the geotechnical recommendations are followed, and that the standard level of care is maintained during construction. Please note that the presence of weathered and/or unweathered rock as well as moisture-sensitive soils wet of optimum for compaction will impact the design and construction of the proposed development and associated costs. Please note, depending upon the final grading and utility design, costs associated from the removal of weathered and/or unweathered rock could be significant. A discussion of GTA's preliminary assessment and conclusions with respect to the proposed construction is presented in the following paragraphs.

As discussed, only conceptual plans have been provided at this time. This report is intended to assist the client with preliminary feasibility and planning. When final mass grading/development plans become available, it is recommended that additional explorations be performed to further identify the limits and characteristics of the near-surface soils and soft/hard weathered rock. Depending on final design grades and building layouts, geotechnical recommendations should be developed for the design and construction of foundations and parking/drive areas.

1. Preliminary Foundation Support

In general, the proposed cast-in-place concrete structures including inlet and outlet structures can be supported on shallow spread footings. The medium stiff to very hard and medium dense to very dense native non-plastic soils are generally considered suitable for support of foundations using an allowable bearing pressure of 2,500 pounds per square foot (psf). Please note that higher allowable bearing pressures may be available if the foundations are bearing on or near the soft/hard weathered rock. This should be further evaluated in the field during final design of the foundations.

Exterior footings should be founded a minimum of 12 inches below final exterior grade to provide protection from frost action. Depending upon the foundation bearing elevation, some undercutting and/or recompaction of any soft or very loose near-surface soils should be anticipated. Footings should be supported on stable medium stiff non-plastic natural soils, or properly compacted structural fill as outlined in this report. New fill for support of foundations should be placed in accordance with GTA's site grading recommendations.

Any soft, disturbed, or unstable soil present at the footing subgrade elevation should be excavated to a stable stratum. In addition, if rock is encountered at the foundation bearing elevation, a minimum of 6-inches of #57 washed stone should be placed between the top of the rock and the bottom of the foundation bearing elevation to provide a uniform transition and prevent a "point load" condition on the footings. Over-excavation and replacement, if required, should be performed under the observation of the project geotechnical engineer or their qualified representative based on actual conditions encountered in the field at the time of construction. Bearing capacity evaluations should be performed using a combination of visual observation, hand-auger probing, and Dynamic Cone Penetrometer (DCP) testing. Concrete placement should be performed the same day the footings are excavated to prevent exposure and potential weakening of the foundation subgrade.

2. Site Grading for Embankments

Prior to the placement of fill, where required, the existing subgrade surface should be stripped and grubbed to remove all existing trees, surface vegetation, topsoil/rootmat and other deleterious matter. The stripping thickness will be dependent on a variety of factors, including the soil moisture, construction traffic disturbance, weather during construction, and contractor care.

As previously indicated, moisture contents from the various soil test borings ranged from 15.3 to 25.3 percent, with an average moisture content of approximately 18 percent. In addition, the natural moisture content of the Proctor sample obtained at B-10 was 15.5 percent. Therefore, if plans are to reuse the excavation materials for structural fill, some moisture conditioning of the soils should be anticipated, especially for moisture contents greater than 23 percent. To minimize the economic impact associated with poor workability and/or trafficability of wet subgrade soils due to moisture sensitive soils, GTA recommends construction during the dry season (summer/fall) to reduce the effort and cost required for drying of the wet soils. GTA recommends that a contingency be established for drying and/or over-excavating, chemical treatment, and replacing unsuitable soils.

After stripping, the fill subgrade should be proof-rolled with a loaded, 10-wheel tandem-axle dump truck. The proof-rolling should be observed by a geotechnical engineer or their qualified representative. Any soft or otherwise unsuitable soils should be dried and re-compacted or removed prior to placement of fill. No fill should be placed until the subgrade is approved by the geotechnical engineer.

Off-site borrow, if required, should meet Unified Soil Classification System (USCS) designation SM, SP, SW, GP, GM, or GW and be approved by the Geotechnical Engineer. All fills should be constructed in maximum 8-inch thick loose lifts and be compacted to the following specifications:

COMPACTION SPECIFICATIONS

Structure / Fill Location	Compaction / Moisture Specification
Below foundations, retaining walls, inlet/outlet structures, and within wall backfill or slopes steeper than 5H:1V	95% of ASTM D-698 Moisture: $\pm 3\%$ of optimum

All compactive effort should be verified by in-place density testing. New fills constructed on slopes steeper than 5H:1V (horizontal to vertical) should be keyed into existing slopes for stability considerations. All fill slopes steeper than 5H:1V should generally be placed as structural fill and be controlled and compacted to minimum densities as specified above. Fill for slopes in non-structural areas, such as landscape berms, can be constructed as steep as 3H:1V up to a height of ten feet.

Detailed information regarding the height and slope of the new embankments have not been provided to us at this time. Depending on the height of the new embankment slopes, a slope stability analysis should be performed prior to construction.

3. Difficult Excavation

As previously indicated, detailed information regarding the site grading and final design grades have not been provided to us at this time. Based on the results of the field exploration, it is GTA's opinion that the majority of the excavations less than 5 feet below the existing grades can be made by conventional means, i.e. scraping. However, results of the borings indicate that soft/hard weathered rock (SWR/HWR) was encountered in Borings B-1 through B-15 at depths ranging from approximately 1 to 13.5 feet below the existing ground surface.

The depth to, and thickness of the soft/hard weathered rock, rock lenses, seams, or bedrock, can vary dramatically in short distances, especially between the boring locations. Therefore, soft/hard weathered rock and/or bedrock should be anticipated during excavation in these areas.

It has been our past experience in this geologic area, that materials having SPT ‘N’ values of less than 50 blows per 4 inches can generally be excavated using pans and scrapers by first loosening with a single tooth ripper attached to a suitable size dozer, such as a Caterpillar D-8 or D-9. It should be noted that ripping is dependent on the equipment and techniques used as well as the operator’s skill and experience. The success of the ripping operation is dependent on finding the proper combination for the conditions encountered. Excavation of the weathered rock is typically much more difficult in confined excavations, such as utility excavations. Jack hammering or blasting should be anticipated for materials having SPT ‘N’ values in excess of 50 blows per 2 inches, or at or near the level that auger refusal is encountered. Test pits should be performed prior to construction to determine whether these materials can be excavated.

On projects requiring ripping or jack hammering, a controversy sometimes develops as to whether the material can be removed by ripping or whether blasting is required. The project specifications and contract should be carefully prepared to reduce the potential for disputes and claims relating to excavation of very dense weathered or unweathered rock.

4. Subsurface Utilities

The natural soils are considered suitable for support of below grade utilities; however, GTA recommends a minimum 6-inch-thick granular bedding to provide uniform support as dictated by site conditions or as required by local code. Based upon the results of the borings, GTA anticipates that the excavations may be accomplished using standard utility construction equipment to a depth of up to approximately 5 feet below existing grades throughout the majority of the site depending upon the excavator utilized. However, auger refusal material was encountered in Borings B-1 through B-15 at depths ranging from

approximately 6.1 to 14 feet below the existing ground surface. Jacking or blasting should be anticipated below these depths.

After the utility alignments and elevations are designed and prior to construction, test pits should be performed to determine if invert elevations can be achieved. Due to the potential for collapse of unsupported excavations, the utility contractor should be prepared to provide adequate earth support systems during utility construction.

Compaction of the soils to the degree specified in the *Site Grading* section of this report may require that the soils be moisture conditioned prior to placement and compaction within the trench. If the excavated materials are wet of the optimum moisture content, they should be spread in thin layers and aerated by discing to within 2 to 4 percentage points of the optimum moisture. If soils are not dried, suitable borrow material will need to be imported from other areas of the site for utility trench backfill.

5. Surface and Subsurface Drainage

As previously indicated, detailed information regarding the site grading and final design grades have not been provided to us at this time. However, final grades should be carefully established to provide adequate surface drainage away from the foundations. A minimum grade of 3 percent in landscape areas is recommended to direct surface water away from the proposed structures.

Groundwater was not encountered in the borings at the termination of drilling. The boreholes were backfilled at the termination of drilling for safety reasons. Please note that groundwater levels are likely to fluctuate due to variation in rainfall and other factors. It is GTA's opinion that excavations to depths of 10 feet or less should not be impacted by groundwater. However, groundwater may be encountered in excavations at greater depths, especially along any low-lying portions of the site. There is also a potential for perched or trapped groundwater to be encountered at shallow depths in localized portions of the site, particularly within granular soil seams underlain by less permeable material or at

fill/natural ground interfaces. In the event that localized perched water is encountered, the contractor should be prepared to dewater the excavations.

ADDITIONAL SERVICES

We recommended that during construction of the subject project, a geotechnical engineer be retained to provide observation and testing services for the following items.

- Review final site and structural plans to evaluate if they conform with the intent of this report.
- If necessary, perform a design phase geotechnical exploration consisting of additional borings and/or test pits to further evaluate the weathered and/or unweathered rock on-site.
- Observe and test the preparation of the equalization basin area.
- Provide observation and testing during fill placement to evaluate if the work is being performed in accordance with the project specifications and intent of this report.
- Observe the proof-rolling of fill subgrade in the embankment areas prior to placing fill to evaluate stability.

LIMITATIONS

This report has been prepared for the exclusive use of the City of Monroe in accordance with generally accepted geotechnical engineering practice. No warranty, express or implied, is made. The analysis and recommendations contained in this report are based on the data obtained from limited observation and testing of the surface materials. The borings indicate soil conditions only at specific locations and times, and only to the depths penetrated. They do not necessarily reflect strata variations that may exist between boring locations. Consequently, the analysis and recommendations must be considered preliminary until the subsurface conditions can be verified by direct observation at the time of construction. If variations in subsurface conditions from those

described are noted during construction, recommendations in this report may need to be re-evaluated.

In the event that any changes in the nature, design, or location of the facilities are planned, the conclusions and recommendations contained in this report should not be considered valid unless the changes are reviewed and conclusions of this report are verified in writing. GTA Associates, Inc. is not responsible for any claims, damages, or liability associated with interpretation of subsurface data or reuse of the subsurface data or engineering analysis without the express written authorization of GTA Associates, Inc.

In accordance with the guidelines of Geoprofessional Business Association (GBA), it is recommended that GTA Associates, Inc. be retained to provide continuous soils engineering services for this project. Participation of GTA will facilitate compliance with GTA's recommendations, and allow changes to be made in these recommendations, in the event that subsurface conditions are found to vary from those anticipated prior to the start of construction.

This report and the attached logs are instruments of service. If certain conditions or items are noted during our investigation, GTA Associates, Inc. may be required by prevailing statutes to notify and provide information to regulatory or enforcement agencies. GTA Associates, Inc. will notify our Client should a required disclosure condition exist.

This report was prepared by GTA Associates, Inc. (GTA) for the sole and exclusive use of GTA Associates, Inc. and the City of Monroe. Use and reproduction of this report by any other person without the expressed written permission of GTA or the City of Monroe is unauthorized and such use is at the sole risk of the user.

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GTA ASSOCIATES, INC.

Important Information about Your Geotechnical-Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

Geotechnical Services Are Performed for Specific Purposes, Persons, and Projects

Geotechnical engineers structure their services to meet the specific needs of their clients. A geotechnical-engineering study conducted for a civil engineer may not fulfill the needs of a construction contractor or even another civil engineer. Because each geotechnical-engineering study is unique, each geotechnical-engineering report is unique, prepared *solely* for the client. No one except you should rely on your geotechnical engineering report without first conferring with the geotechnical engineer who prepared it. *And no one — not even you — should apply the report for any purpose or project except the one originally contemplated.*

Read the Full Report

Serious problems have occurred because those relying on a geotechnical-engineering report did not read it all. Do not rely on an executive summary. Do not read selected elements only.

A Geotechnical-Engineering Report Is Based on a Unique Set of Project-Specific Factors

Geotechnical engineers consider many unique, project-specific factors when establishing the scope of a study. Typical factors include: the client's goals, objectives, and risk-management preferences; the general nature of the structure involved, its size, and configuration; the location of the structure on the site; and other planned or existing site improvements, such as access roads, parking lots, and underground utilities. Unless the geotechnical engineer who conducted the study specifically indicates otherwise, do not rely on a geotechnical engineering report that was:

- not prepared for you,
- not prepared for your project,
- not prepared for the specific site explored, or
- completed before important project changes were made.

Typical changes that can erode the reliability of an existing geotechnical-engineering report include those that affect:

- the function of the proposed structure, as when it's changed from a parking garage to an office building, or from a light-industrial plant to a refrigerated warehouse,

- elevation, configuration, location, orientation, or weight of the proposed structure,
- composition of the design team, or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project changes—even minor ones—and request an assessment of their impact. *Geotechnical engineers cannot accept responsibility or liability for problems that occur because their reports do not consider developments of which they were not informed.*

Subsurface Conditions Can Change

A geotechnical-engineering report is based on conditions that existed at the time the study was performed. *Do not rely on a geotechnical-engineering report* whose adequacy may have been affected by: the passage of time; by man-made events, such as construction on or adjacent to the site; or by natural events, such as floods, droughts, earthquakes, or groundwater fluctuations. *Always* contact the geotechnical engineer before applying the report to determine if it is still reliable. A minor amount of additional testing or analysis could prevent major problems.

Most Geotechnical Findings Are Professional Opinions

Site exploration identifies subsurface conditions only at those points where subsurface tests are conducted or samples are taken. Geotechnical engineers review field and laboratory data and then apply their professional judgment to render an opinion about subsurface conditions throughout the site. Actual subsurface conditions may differ—sometimes significantly—from those indicated in your report. Retaining the geotechnical engineer who developed your report to provide construction observation is the most effective method of managing the risks associated with unanticipated conditions.

A Report's Recommendations Are *Not* Final

Do not overrely on the construction recommendations included in your report. *Those recommendations are not final*, because geotechnical engineers develop them principally from judgment and opinion. Geotechnical engineers can finalize their recommendations *only* by observing actual

subsurface conditions revealed during construction. *The geotechnical engineer who developed your report cannot assume responsibility or liability for the report's recommendations if that engineer does not perform construction observation.*

A Geotechnical Engineering Report Is Subject to Misinterpretation

Other design team members' misinterpretation of geotechnical-engineering reports has resulted in costly problems. Lower that risk by having your geotechnical engineer confer with appropriate members of the design team after submitting the report. Also retain your geotechnical engineer to review pertinent elements of the design team's plans and specifications. Contractors can also misinterpret a geotechnical-engineering report. Reduce that risk by having your geotechnical engineer participate in prebid and preconstruction conferences, and by providing construction observation.

Do Not Redraw the Engineer's Logs

Geotechnical engineers prepare final boring and testing logs based upon their interpretation of field logs and laboratory data. To prevent errors or omissions, the logs included in a geotechnical engineering report should *never* be redrawn for inclusion in architectural or other design drawings. Only photographic or electronic reproduction is acceptable, *but recognize that separating logs from the report can elevate risk.*

Give Contractors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can make contractors liable for unanticipated subsurface conditions by limiting what they provide for bid preparation. To help prevent costly problems, give contractors the complete geotechnical-engineering report, *but* preface it with a clearly written letter of transmittal. In that letter, advise contractors that the report was not prepared for purposes of bid development and that the report's accuracy is limited; encourage them to confer with the geotechnical engineer who prepared the report (a modest fee may be required) and/or to conduct additional study to obtain the specific types of information they need or prefer. A prebid conference can also be valuable. *Be sure contractors have sufficient time to perform additional study.* Only then might you be in a position to give contractors the best information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions.

Read Responsibility Provisions Closely

Some clients, design professionals, and contractors do not recognize that geotechnical engineering is far less exact than other engineering disciplines. This lack of understanding has created unrealistic expectations that

have led to disappointments, claims, and disputes. To help reduce the risk of such outcomes, geotechnical engineers commonly include a variety of explanatory provisions in their reports. Sometimes labeled "limitations," many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are Not Covered

The equipment, techniques, and personnel used to perform a *geoenvironmental* study differ significantly from those used to perform a *geotechnical* study. For that reason, a geotechnical-engineering report does not usually relate any geoenvironmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated environmental problems have led to numerous project failures.* If you have not yet obtained your own geoenvironmental information, ask your geotechnical consultant for risk management guidance. *Do not rely on an environmental report prepared for someone else.*

Obtain Professional Assistance To Deal with Mold

Diverse strategies can be applied during building design, construction, operation, and maintenance to prevent significant amounts of mold from growing on indoor surfaces. To be effective, all such strategies should be devised for the *express purpose* of mold prevention, integrated into a comprehensive plan, and executed with diligent oversight by a professional mold-prevention consultant. Because just a small amount of water or moisture can lead to the development of severe mold infestations, many mold-prevention strategies focus on keeping building surfaces dry. While groundwater, water infiltration, and similar issues may have been addressed as part of the geotechnical-engineering study whose findings are conveyed in this report, the geotechnical engineer in charge of this project is not a mold-prevention consultant; ***none of the services performed in connection with the geotechnical engineer's study were designed or conducted for the purpose of mold prevention. Proper implementation of the recommendations conveyed in this report will not of itself be sufficient to prevent mold from growing in or on the structure involved.***

Rely on Your GBA-Member Geotechnical Engineer for Additional Assistance

Membership in the GEOPROFESSIONAL BUSINESS ASSOCIATION exposes geotechnical engineers to a wide array of risk confrontation techniques that can be of genuine benefit for everyone involved with a construction project. Confer with your GBA-member geotechnical engineer for more information.



**GEOPROFESSIONAL
BUSINESS
ASSOCIATION**

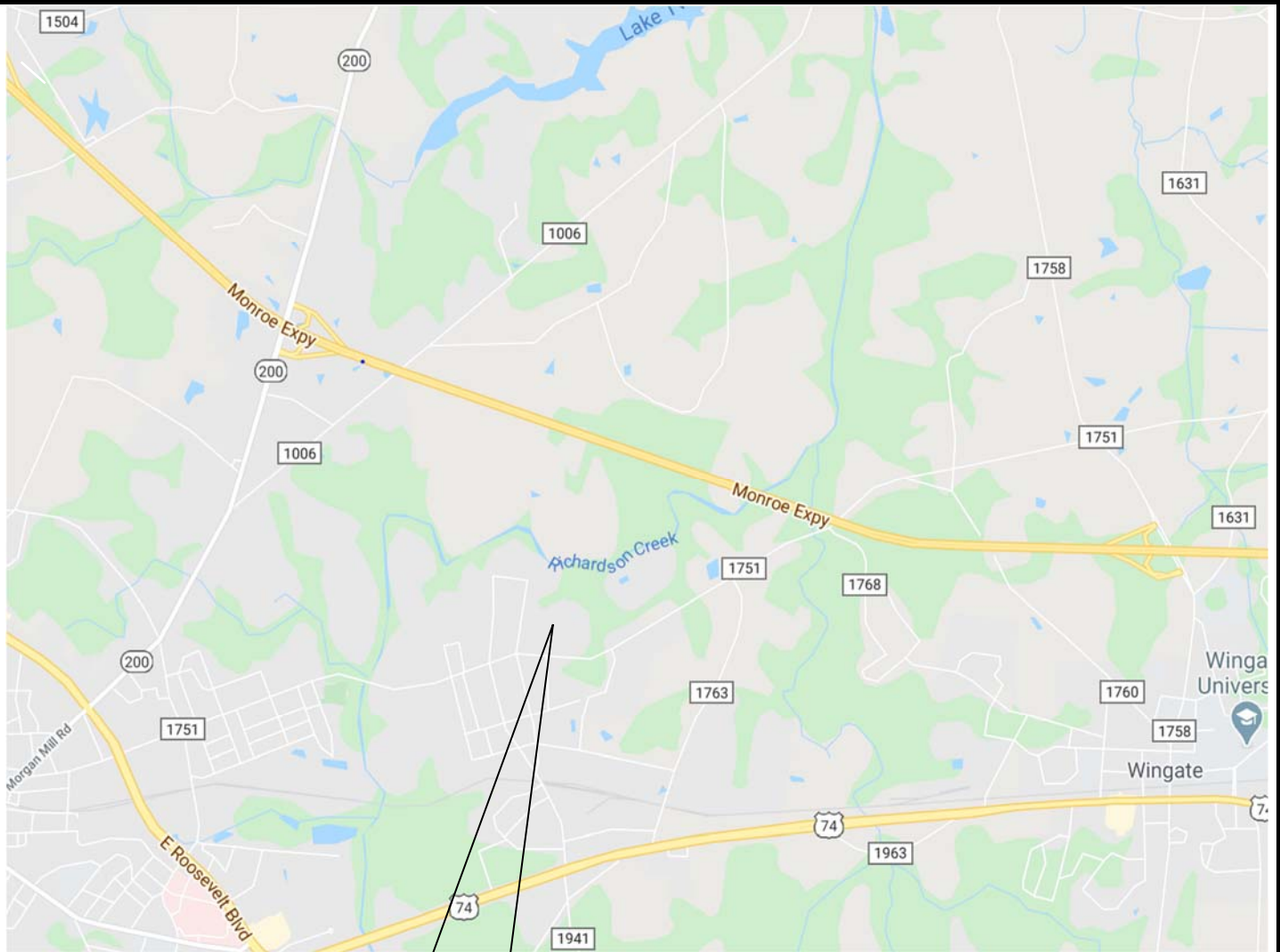
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IIGER 0914/5.0MRP

APPENDIX A

FIGURES



**APPROXIMATE SITE
LOCATION**



Base map obtained from Google Maps
Monroe, Union County, North Carolina
2020

GTA ASSOCIATES, INC.
GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

710 Peninsula Lane, Suite B
Charlotte, North Carolina 28273

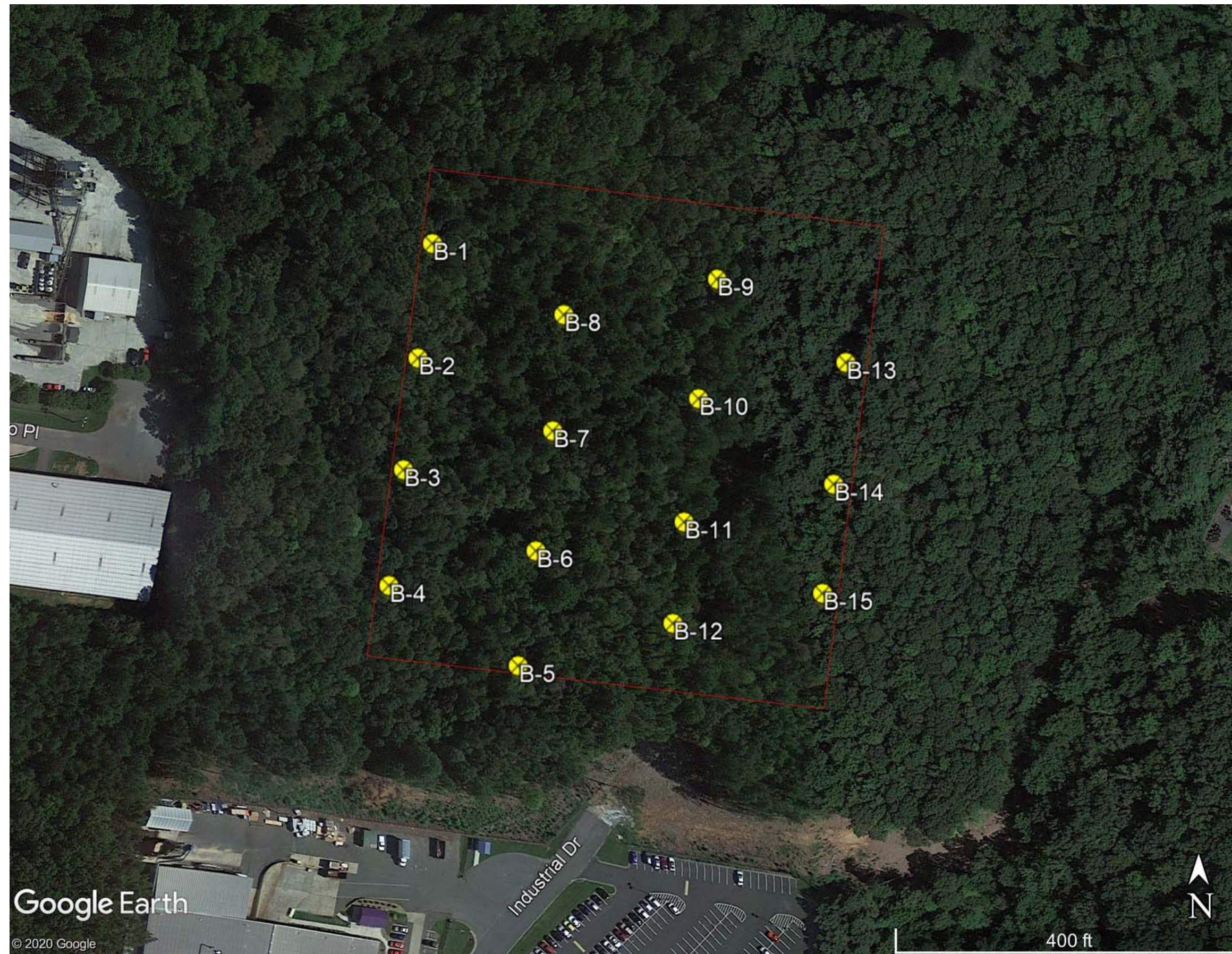
Ph. (704) 553-2300
Fax (704) 553-2400

CITY OF MONROE WWTP EQ BASIN

SITE LOCATION PLAN

MONROE, NORTH CAROLINA

JOB NO:	DATE:	SCALE:	DRAWN BY:	REVIEWED BY:	FIGURE NO:
35200770	JUNE 11, 2020	NTS	GTA	JPW	1



LEGEND:

 SOIL TEST BORING LOCATIONS



GTA
ASSOCIATES

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LANE, SUITE B

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28273
(704) 553-2300 O
(704) 553-2400 F

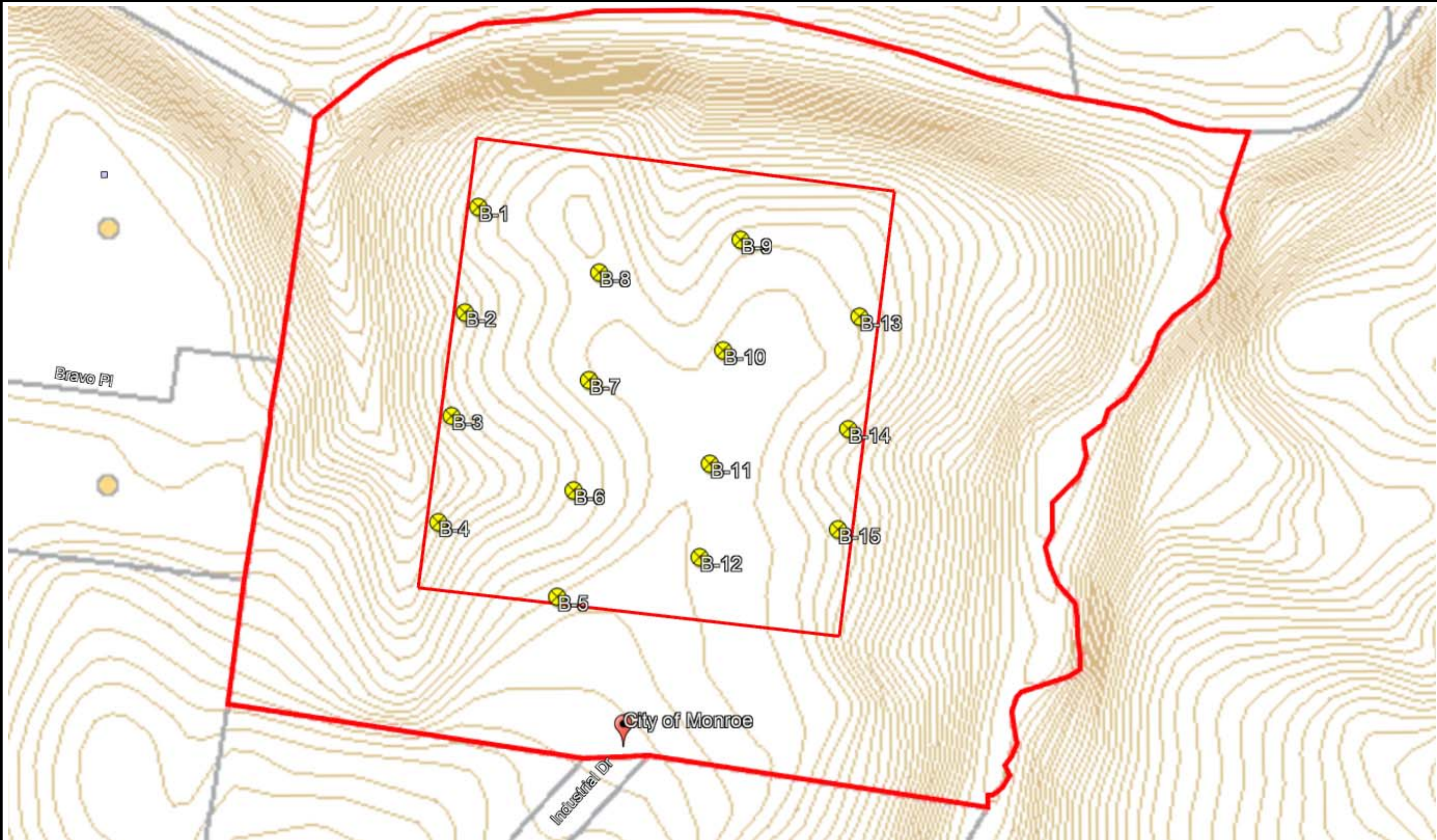
EXPLORATION
LOCATION
PLAN

INDUSTRIAL
DRIVE,
MONROE, NC

DATE:
June 11, 2020

FIGURE NO.

2



LEGEND:

 SOIL TEST BORING LOCATIONS



GTA
ASSOCIATES

710 PENINSULA
LANE, SUITE B

CHARLOTTE, NC
28273
(704) 553-2300 O
(704) 553-2400 F

TOPOGRAPHIC
PLAN

MONROE
WWTP EQ
BASIN -
INDUSTRIAL
DRIVE,
MONROE, NC

DATE:
June 11, 2020

FIGURE NO.

2

APPENDIX B

BORING LOGS

**TABLE 1
SUBSURFACE EXPLORATION SUMMARY
CITY OF MOROE WWTP EQUALIZATION BASIN**

GTA JOB NO. 35200850

Boring No.	Depth of Boring (ft.)	Approximate Depth of Soft / Hard Weathered Rock (ft.)	Approximate Depth of Auger Refusal (ft.)	Approximate Level of Groundwater Depth (ft)	Boring Cave-in Depths (ft.)	Moisture Content (%) / (Depth)
B-1	7.4	6	7.4	Dry	4.7	16.1 (1-2.5')
B-2	6.1	1	6.1	Dry	5	
B-3	6.1	6	6.1	Dry	5.2	15.3 (1-2.5')
B-4	6.4	4	6.4	Dry	5.1	
B-5	9.9	9.5	9.9	Dry	6.9	21.5 (1-2.5')
B-6	6.2	4	6.2	Dry	4.7	
B-7	6.4	4.5	6.4	Dry	4.8	
B-8	9.3	9	9.3	Dry	6.8	12.8 (3.5-5')
B-9	9.9	4	9.9	Dry	6.8	
B-10	14	13.5	14	Dry	12.1	
B-11	9.8	9.5	9.8	Dry	6.8	17.2 (3.5-5')
B-12	6.7	6.5	6.7	Dry	5.6	25.3 (3.5-5')
B-13	6.8	4.5	6.8	Dry	4.8	
B-14	9.8	4.5	9.8	Dry	7.8	
B-15	7	4.5	7	Dry	4.6	

NOTES FOR EXPLORATION LOGS

KEY TO USCS TERMINOLOGY AND GRAPHIC SYMBOLS

MAJOR DIVISIONS (BASED UPON ASTM D 2488)				SYMBOLS		
				GRAPHIC	LETTER	
COARSE- GRAINED SOILS MORE THAN 50% OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE	GRAVEL AND GRAVELLY SOILS MORE THAN 50% OF COARSE FRACTION RETAINED ON NO. 4 SIEVE	CLEAN GRAVELS (LESS THAN 15% PASSING THE NO. 200 SIEVE)			GW	
		GRAVELS WITH FINES (MORE THAN 15% PASSING THE NO. 200 SIEVE)			GP	
	SAND AND SANDY SOILS MORE THAN 50% OF COARSE FRACTION PASSING ON NO. 4 SIEVE	CLEAN SANDS (LESS THAN 15% PASSING THE NO. 200 SIEVE)			SW	
		SANDS WITH FINES (MORE THAN 15% PASSING THE NO. 200 SIEVE)			SP	
					SM	
					SC	
FINE- GRAINED SOILS MORE THAN 50% OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE	SILT OR CLAY ($<15\%$ RETAINED ON THE NO. 200 SIEVE) SILT OR CLAY WITH SAND OR GRAVEL (15% TO 30% RETAINED ON THE NO. 200 SIEVE)		SILTS AND LEAN CLAYS LIQUID LIMIT LESS THAN 50			ML
						CL
						OL
	SANDY OR GRAVELLY SILT OR CLAY ($>30\%$ RETAINED ON THE NO. 200 SIEVE)		ELASTIC SILTS AND FAT CLAYS LIQUID LIMIT GREATER THAN 50			MH
						CH
						OH
HIGHLY ORGANIC SOILS					PT	

NOTE: DUAL SYMBOLS ARE USED TO INDICATE COARSE-GRAINED SOILS WHICH CONTAIN AN ESTIMATED 5 TO 15% FINES BASED ON VISUAL CLASSIFICATION OR BETWEEN 5 AND 12% FINES BASED ON LABORATORY TESTING; AND FINE-GRAINED SOILS WHEN THE PLOT OF LIQUID LIMIT & PLASTICITY INDEX VALUES FALLS IN THE PLASTICITY CHART'S CROSS-HATCHED AREA. FINE-GRAINED SOILS ARE CLASSIFIED AS ORGANIC (OL OR OH) WHEN ENOUGH ORGANIC PARTICLES ARE PRESENT TO INFLUENCE ITS PROPERTIES. LABORATORY TEST RESULTS ARE USED TO SUPPLEMENT SOIL CLASSIFICATION BY THE VISUAL-MANUAL PROCEDURES OF ASTM D 2488.

ADDITIONAL TERMINOLOGY AND GRAPHIC SYMBOLS

ADDITIONAL DESIGNATIONS	DESCRIPTION		GRAPHIC SYMBOLS
	TOPSOIL		
	MAN MADE FILL		
	GLACIAL TILL		
	COBBLES AND BOULDERS		
RESIDUAL SOIL DESIGNATIONS	DESCRIPTION	"N" VALUE	
	HIGHLY WEATHERED ROCK	50 TO 50/1"	
	PARTIALLY WEATHERED ROCK	MORE THAN 50 BLOWS FOR 1" OF PENETRATION OR LESS, AUGER PENETRABLE	

COARSE-GRAINED SOILS (GRAVEL AND SAND)

DESIGNATION	BLOWS PER FOOT (BPF) "N"
VERY LOOSE	0 - 4
LOOSE	5 - 10
MEDIUM DENSE	11 - 30
DENSE	31 - 50
VERY DENSE	>50

NOTE: "N" VALUE DETERMINED AS PER ASTM D 1586

FINE-GRAINED SOILS (SILT AND CLAY)

CONSISTENCY	BPF "N"
VERY SOFT	<2
SOFT	2 - 4
MEDIUM STIFF	5 - 8
STIFF	9 - 15
VERY STIFF	16 - 30
HARD	>30

NOTE: ADDITIONAL DESIGNATIONS TO ADVANCE SAMPLER INDICATED IN BLOW COUNT COLUMN:
WOH = WEIGHT OF HAMMER
WOR = WEIGHT OF ROD(S)

SAMPLE TYPE

DESIGNATION	SYMBOL
SOIL SAMPLE	S-
SHELBY TUBE	U-
ROCK CORE	R-

WATER DESIGNATION

DESCRIPTION	SYMBOL
ENCOUNTERED DURING DRILLING	
UPON COMPLETION OF DRILLING	
24 HOURS AFTER COMPLETION	

NOTE: WATER OBSERVATIONS WERE MADE AT THE TIME INDICATED. POROSITY OF SOIL STRATA, WEATHER CONDITIONS, SITE TOPOGRAPHY, ETC. MAY CAUSE WATER LEVEL CHANGES.

LOG OF BORING NO. B-1

Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
PROJECT NO.: **35200850**
PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
DATE: **6-18-20**
CAVED (ft): **4.7**

DATE STARTED: **6-18-20**
DATE COMPLETED: **6-18-20**
DRILLING CONTRACTOR: **HPC**
DRILLER: **Zack Kiker**
DRILLING METHOD: **Hollow Stem Auger**
SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
GROUND SURFACE ELEVATION: **506**
DATUM: **AMSL**
EQUIPMENT: **CME 550X**
LOGGED BY: **A.B.**
CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
					506.0	0			Topsoil (5")	
S-1	0.4	16	4-7-17	24	505.6		ML		Brown, moist, very stiff, sandy SILT	M.C.=16.1%
									same, hard	
S-2	3.5	16	7-15-22	37		5				
					500.0		SWR		Brown, dry, hard, Soft Weathered Rock	
S-3	6.0	14	17-22-50/5	100+	498.6				BORING TERMINATED AT 7.4 FEET UPON AUGER REFUSAL	
						10				
						15				
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



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Charlotte, NC 28273

LOG OF BORING NO. B-1

Sheet 1 of 1

LOG OF BORING NO. B-2

Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
 PROJECT NO.: **35200850**
 PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
 DATE: **6-18-20**
 CAVED (ft): **5.0**

DATE STARTED: **6-18-20**
 DATE COMPLETED: **6-18-20**
 DRILLING CONTRACTOR: **HPC**
 DRILLER: **Zack Kiker**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
 GROUND SURFACE ELEVATION: **500**
 DATUM: **AMSL**
 EQUIPMENT: **CME 550X**
 LOGGED BY: **A.B.**
 CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
					500.0	0				
S-1	0.5	8	28-50/6	100+	499.5		SWR		Topsoil (6") Gray, dry, hard, Soft Weathered Rock	
S-2	3.5	2	50/3	100+		5			same	
S-3	6.0	.5	50/1	100+	494.0 493.9		HWR		Gray, dry, hard, Hard Weathered Rock BORING TERMINATED AT 6.1 FEET UPON AUGER REFUSAL	
						10				
						15				
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



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 Charlotte, NC 28273

LOG OF BORING NO. B-2

Sheet 1 of 1

LOG OF BORING NO. B-3

Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
 PROJECT NO.: **35200850**
 PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
 DATE: **6-18-20**
 CAVED (ft): **5.2**

DATE STARTED: **6-18-20**
 DATE COMPLETED: **6-18-20**
 DRILLING CONTRACTOR: **HPC**
 DRILLER: **Zack Kiker**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
 GROUND SURFACE ELEVATION: **498**
 DATUM: **AMSL**
 EQUIPMENT: **CME 550X**
 LOGGED BY: **A.B.**
 CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
					498.0	0			Topsoil (8")	
S-1	0.8	16	6-7-8	15	497.2		ML		Brown, moist, stiff, sandy SILT	M.C.=15.3%
S-2	3.5	16	6-13-22	35					same, hard	
S-3	6.0	1	50/1	100+	492.0 491.9		HWR		Brown, dry, hard, Hard Weathered Rock	
									BORING TERMINATED AT 6.1 FEET UPON AUGER REFUSAL	
						10				
						15				
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



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LOG OF BORING NO. B-3

Sheet 1 of 1

LOG OF BORING NO. B-4

Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
 PROJECT NO.: **35200850**
 PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
 DATE: **6-18-20**
 CAVED (ft): **5.1**

DATE STARTED: **6-18-20**
 DATE COMPLETED: **6-18-20**
 DRILLING CONTRACTOR: **HPC**
 DRILLER: **Zack Kiker**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
 GROUND SURFACE ELEVATION: **495**
 DATUM: **AMSL**
 EQUIPMENT: **CME 550X**
 LOGGED BY: **A.B.**
 CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
					495.0	0			Topsoil (7")	
S-1	0.6	16	6-8-18	26	494.4		ML		Brown, moist, very stiff, sandy SILT	
					491.5					
S-2	3.5	5	28-50/5	100+			SWR		Brow, dry, hard, Soft Weathered Rock	
						5				
S-3	6.0	.5	50/4	100+	488.6				same	
									BORING TERMINATED AT 6.4 FEET UPON AUGER REFUSAL	
						10				
						15				
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



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LOG OF BORING NO. B-4

Sheet 1 of 1

LOG OF BORING NO. B-5

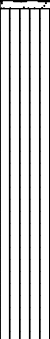
Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
 PROJECT NO.: **35200850**
 PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
 DATE: **6-18-20**
 CAVED (ft): **6.9**

DATE STARTED: **6-18-20**
 DATE COMPLETED: **6-18-20**
 DRILLING CONTRACTOR: **HPC**
 DRILLER: **Zack Kiker**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
 GROUND SURFACE ELEVATION: **514**
 DATUM: **AMSL**
 EQUIPMENT: **CME 550X**
 LOGGED BY: **A.B.**
 CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
S-1	0.2	13	6-8-14	22	514.0 513.8	0	ML		Topsoil (2") Brown, moist, very stiff, sandy SILT	M.C.=21.5%
S-2	3.5	16	13-23-34	57					same, hard	
S-3	6.0	16	30-36-38	74					same	
S-4	8.5	16	22-31-50/5	100+	505.5 504.1		SWR		Brown, dry, hard, Soft Weathered Rock	
						10			BORING TERMINATED AT 9.9 FEET UPON AUGER REFUSAL	
						15				
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



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LOG OF BORING NO. B-5

Sheet 1 of 1

LOG OF BORING NO. B-6

Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
 PROJECT NO.: **35200850**
 PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
 DATE: **6-18-20**
 CAVED (ft): **4.7**

DATE STARTED: **6-18-20**
 DATE COMPLETED: **6-18-20**
 DRILLING CONTRACTOR: **HPC**
 DRILLER: **Zack Kiker**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
 GROUND SURFACE ELEVATION: **504**
 DATUM: **AMSL**
 EQUIPMENT: **CME 550X**
 LOGGED BY: **A.B.**
 CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
					504.0	0				
S-1	0.5	10	4-4-27	31	503.5		ML		Topsoil (5") Brown, moist, hard, sandy SILT	
					500.5					
S-2	3.5	6	21-50/4	100+		5	SWR		Brown, dry, hard, Soft Weathered Rock	
					497.8				same	
S-3	6.0	2	50/2	100+					BORING TERMINATED AT 6.2 FEET UPON AUGER REFUSAL	
						10				
						15				
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



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LOG OF BORING NO. B-6

Sheet 1 of 1

LOG OF BORING NO. B-7

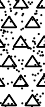
Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
 PROJECT NO.: **35200850**
 PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
 DATE: **6-18-20**
 CAVED (ft): **4.8**

DATE STARTED: **6-18-20**
 DATE COMPLETED: **6-18-20**
 DRILLING CONTRACTOR: **HPC**
 DRILLER: **Zack Kiker**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
 GROUND SURFACE ELEVATION: **512**
 DATUM: **AMSL**
 EQUIPMENT: **CME 550X**
 LOGGED BY: **A.B.**
 CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
					512.0	0				
S-1	0.5	15	9-11-10	21	511.5		ML		Topsoil (6") Tan, moist, very stiff, sandy SILT	
S-2	3.5	16	35-27-50/5	100+	508.5		SWR		Tan, dry, hard, Soft Weathered Rock	
S-3	6.0	3	50/5.5	100+	505.6				same BORING TERMINATED AT 6.4 FEET UPON AUGER REFUSAL	
						10				
						15				
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



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LOG OF BORING NO. B-7

Sheet 1 of 1

LOG OF BORING NO. B-8

Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
 PROJECT NO.: **35200850**
 PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
 DATE: **6-18-20**
 CAVED (ft): **6.8**

DATE STARTED: **6-18-20**
 DATE COMPLETED: **6-18-20**
 DRILLING CONTRACTOR: **HPC**
 DRILLER: **Zack Kiker**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
 GROUND SURFACE ELEVATION: **511**
 DATUM: **AMSL**
 EQUIPMENT: **CME 550X**
 LOGGED BY: **A.B.**
 CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
S-1	0.0	16	7-9-11	20	511.0	0	ML		Tan, moist, very stiff, sandy SILT	M.C.=12.8%
S-2	3.5	14	16-22-43	65		5			same, hard	
S-3	6.0	16	17-33-44	77					same	
S-4	8.5	3	27-50/3	100+	502.5 501.7	10	SWR		Tan, dry, hard, Soft Weathered Rock	
									BORING TERMINATED AT 9.3 FEET UPON AUGER REFUSAL	
						15				
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



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710 Peninsula Lane, Suite B
 Charlotte, NC 28273

LOG OF BORING NO. B-8

Sheet 1 of 1

LOG OF BORING NO. B-9

Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
 PROJECT NO.: **35200850**
 PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
 DATE: **6-17-20**
 CAVED (ft): **6.8**

DATE STARTED: **6-17-20**
 DATE COMPLETED: **6-17-20**
 DRILLING CONTRACTOR: **HPC**
 DRILLER: **Zack Kiker**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
 GROUND SURFACE ELEVATION: **509**
 DATUM: **AMSL**
 EQUIPMENT: **D-50T**
 LOGGED BY: **A.B.**
 CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
					509.0	0				
S-1	0.3	16	3-4-3	7	508.7		ML		Topsoil (3") Red, moist, medium stiff, sandy SILT	
					505.5		SWR		Red, dry, hard, Soft Weathered Rock	
S-2	3.5	9	19-50/5	100+		5				
					503.0		ML		Brown, moist, hard, sandy SILT	
S-3	6.0	5	20-33-29	62						
					500.5		SWR		Brown, dry, hard, Soft Weathered Rock	
S-4	8.5	13	7-30-50/5	100+	499.1	10			BORING TERMINATED AT 9.9 FEET UPON AUGER REFUSAL	
						15				
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



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710 Peninsula Lane, Suite B
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LOG OF BORING NO. B-9

Sheet 1 of 1

LOG OF BORING NO. B-10

Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
 PROJECT NO.: **35200850**
 PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
 DATE: **6-17-20**
 CAVED (ft): **12.1**

DATE STARTED: **6-17-20**
 DATE COMPLETED: **6-17-20**
 DRILLING CONTRACTOR: **HPC**
 DRILLER: **Zack Kiker**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
 GROUND SURFACE ELEVATION: **512**
 DATUM: **AMSL**
 EQUIPMENT: **D-50T**
 LOGGED BY: **A.B.**
 CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
					512.0	0				
S-1	0.3	18	6-9-11	20	511.7		ML		Topsoil (3") Brown, moist, very stiff, sandy SILT	
S-2	3.5	16	16-27-26	53					same, hard	
S-3	6.0	18	12-21-29	50					same	
S-4	8.5	17	18-22-30	52					same	
						10				
					498.5					
S-5	13.5	4	50/6	100+	498.0		SWR		Brown, dry, hard, Soft Weathered Rock	
						15			BORING TERMINATED AT 14.0 FEET UPON AUGER REFUSAL	
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



GEO-TECHNOLOGY ASSOCIATES, INC.

710 Peninsula Lane, Suite B
 Charlotte, NC 28273

LOG OF BORING NO. B-10

Sheet 1 of 1

LOG OF BORING NO. B-11

Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
 PROJECT NO.: **35200850**
 PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
 DATE: **6-17-20**
 CAVED (ft): **6.8**

DATE STARTED: **6-17-20**
 DATE COMPLETED: **6-17-20**
 DRILLING CONTRACTOR: **HPC**
 DRILLER: **Zack Kiker**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
 GROUND SURFACE ELEVATION: **512**
 DATUM: **AMSL**
 EQUIPMENT: **D-50T**
 LOGGED BY: **A.B.**
 CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
					512.0	0			Topsoil (3")	
S-1	0.3	16	8-11-23	34	511.7		ML		Brown, moist, hard, sandy SILT	
S-2	3.5	16	16-23-36	59		5			same	
S-3	6.0	18	32-31-39	70					same	
S-4	8.5	13	18-34-50/4	100+	503.5		SWR		Brown, dry, hard, Soft Weathered Rock	
					502.2	10			BORING TERMINATED AT 9.8 FEET UPON AUGER REFUSAL	
						15				
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



GEO-TECHNOLOGY ASSOCIATES, INC.

710 Peninsula Lane, Suite B
 Charlotte, NC 28273

LOG OF BORING NO. B-11

Sheet 1 of 1

LOG OF BORING NO. B-12

Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
 PROJECT NO.: **35200850**
 PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
 DATE: **6-18-20**
 CAVED (ft): **5.6**

DATE STARTED: **6-18-20**
 DATE COMPLETED: **6-18-20**
 DRILLING CONTRACTOR: **HPC**
 DRILLER: **Zack Kiker**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
 GROUND SURFACE ELEVATION: **512**
 DATUM: **AMSL**
 EQUIPMENT: **CME550X**
 LOGGED BY: **A.B.**
 CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
					512.0	0			Topsoil (7")	
S-1	0.6	10	4-4-5	9	511.4		ML		Brown, moist, stiff, sandy SILT	
									same	M.C.=25.3%
S-2	3.5	10	4-6-9	15		5				
					506.0		SWR		Brown, dry, hard, Soft Weathered Rock	
S-3	6.0	6	45-50/3	100+	505.3				BORING TERMINATED AT 6.7 FEET UPON AUGER REFUSAL	
						10				
						15				
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



GEO-TECHNOLOGY ASSOCIATES, INC.

710 Peninsula Lane, Suite B
 Charlotte, NC 28273

LOG OF BORING NO. B-12

Sheet 1 of 1

LOG OF BORING NO. B-13

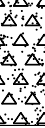
Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
 PROJECT NO.: **35200850**
 PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
 DATE: **6-18-20**
 CAVED (ft): **4.8**

DATE STARTED: **6-18-20**
 DATE COMPLETED: **6-18-20**
 DRILLING CONTRACTOR: **HPC**
 DRILLER: **Zack Kiker**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
 GROUND SURFACE ELEVATION: **510**
 DATUM: **AMSL**
 EQUIPMENT: **CME550X**
 LOGGED BY: **A.B.**
 CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
					510.0	0				
S-1	0.5	16	11-14-28	42	509.5		ML		Topsoil (5") Brown, moist, hard, sandy SILT	
S-2	3.5	14	13-45-50/3	100+	506.5		SWR		Brown, dry, hard, Soft Weathered Rock	
S-3	6.0	8	50/4	100+	503.2				same	
									BORING TERMINATED AT 6.8 FEET UPON AUGER REFUSAL	
						10				
						15				
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



GEO-TECHNOLOGY ASSOCIATES, INC.

710 Peninsula Lane, Suite B
 Charlotte, NC 28273

LOG OF BORING NO. B-13

Sheet 1 of 1

LOG OF BORING NO. B-14

Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
 PROJECT NO.: **35200850**
 PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
 DATE: **6-18-20**
 CAVED (ft): **7.8**

DATE STARTED: **6-18-20**
 DATE COMPLETED: **6-18-20**
 DRILLING CONTRACTOR: **HPC**
 DRILLER: **Zack Kiker**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
 GROUND SURFACE ELEVATION: **506**
 DATUM: **AMSL**
 EQUIPMENT: **CME550X**
 LOGGED BY: **A.B.**
 CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL	DESCRIPTION	REMARKS
					506.0	0				
S-1	0.5	18	7-11-19	30	505.5		ML		Topsoil (5") Brown, moist, very stiff, sandy SILT	
S-2	3.5	15	18-34-50/6	100+	502.5		SWR		Brown, dry, hard, Soft Weathered Rock	
S-3	6.0	17	28-45	45	500.0		ML		Brown, moist, hard, sandy SILT	
S-4	8.5	12	14-20-50/4	100+	497.5		SWR		Brown, dry, hard, Soft Weathered Rock	
					496.2	10			BORING TERMINATED AT 9.8 FEET UPON AUGER REFUSAL	
						15				
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



GEO-TECHNOLOGY ASSOCIATES, INC.

710 Peninsula Lane, Suite B
 Charlotte, NC 28273

LOG OF BORING NO. B-14

Sheet 1 of 1

LOG OF BORING NO. B-15

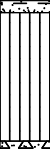
Sheet 1 of 1

PROJECT: **City of Monroe WWTP**
 PROJECT NO.: **35200850**
 PROJECT LOCATION: **Industrial Drive, Monroe, N.C.**

WATER LEVEL (ft): **DRY**
 DATE: **6-18-20**
 CAVED (ft): **4.6**

DATE STARTED: **6-18-20**
 DATE COMPLETED: **6-18-20**
 DRILLING CONTRACTOR: **HPC**
 DRILLER: **Zack Kiker**
 DRILLING METHOD: **Hollow Stem Auger**
 SAMPLING METHOD: **Standard Penetration Testing**

WATER ENCOUNTERED DURING DRILLING (ft) **DRY**
 GROUND SURFACE ELEVATION: **506**
 DATUM: **AMSL**
 EQUIPMENT: **CME550X**
 LOGGED BY: **A.B.**
 CHECKED BY: **J.P.W.**

SAMPLE NUMBER	SAMPLE DEPTH (ft.)	SAMPLE RECOVERY (in.)	SAMPLE BLOWS/6 inches	N (blows/ft.)	ELEVATION (ft.)	DEPTH (ft.)	USCS	GRAPHIC SYMBOL		
									DESCRIPTION	REMARKS
					506.0	0				
S-1	0.3	4	2-3-4	7	505.7		ML		Topsoil (4") Brown, moist, medium stiff, sandy SILT	
					502.5					
S-2	3.5	16	15-42-50/6	100+		5	SWR		Brown, dry, hard, Soft Weathered Rock	
									same	
S-3	6.0	10	34-50/5	100+	499.0				BORING TERMINATED AT 7.0 FEET UPON AUGER REFUSAL	
						10				
						15				
						20				
						25				
						30				

NOTES: **GROUND SURFACE ELEVATIONS ARE APPROXIMATE BASED ON TOPOGRAPHIC SURVEY**



**GEO-TECHNOLOGY
ASSOCIATES, INC.**

710 Peninsula Lane, Suite B
 Charlotte, NC 28273

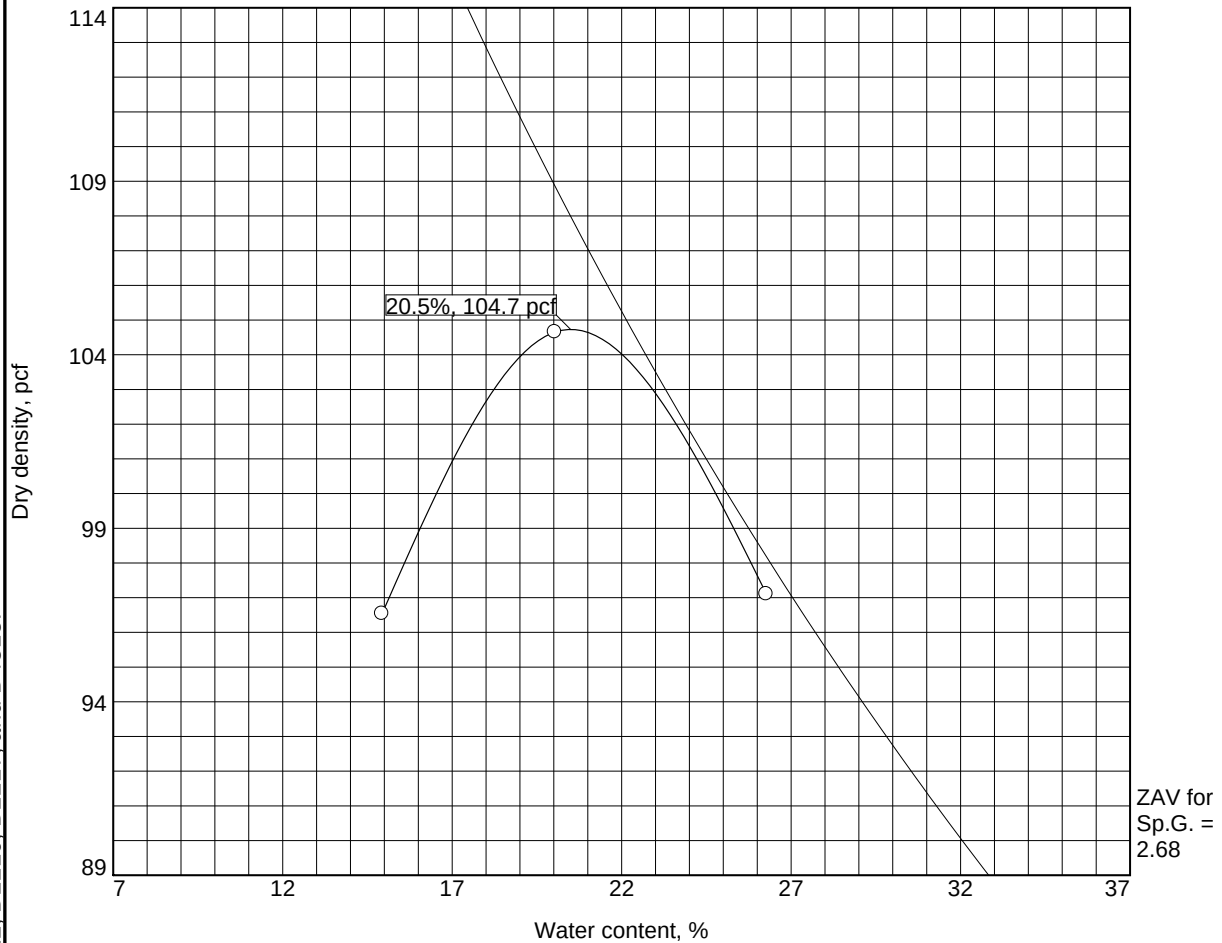
LOG OF BORING NO. B-15

Sheet 1 of 1

APPENDIX C

LABORATORY RESULTS

MOISTURE DENSITY RELATIONSHIP TEST REPORT



Test specification: ASTM D 698-91 Procedure B Standard

Elev/ Depth	Classification		Nat. Moist.	Sp.G.	LL	PI	% > 3/8 in.	% < No.200
	USCS	AASHTO						
S-1	ML		15.5	2.68	45	13	1	60

TEST RESULTS		MATERIAL DESCRIPTION
Maximum dry density = 104.7 pcf		(ML) Red Orange SANDY SILT.
Optimum moisture = 20.5 %		
Project No. 35200850 Client: City of Monroe Project: Monroe WWTP Date: 7/9/20 Location: B-10 Sample Number: 1		Remarks:
 GEO-TECHNOLOGY ASSOCIATES, INC. 14280 Park Center Drive, Suite A Laurel, MD 20707		

Figure

Tested By: SC Checked By: _____

Hazen

Technical Memorandum

July 2, 2020

To: Russell Colbath, Director of Water Resources

From: Jarrod Karl, Senior Principal Scientist
Jim Struve, Vice President

**Re: Natural Resources Technical Memorandum
Monroe WWTP Flow Equalization Basin
Monroe, Union County, North Carolina**

The purpose of this technical memorandum is to document potential Waters of the United States, Waters of the State and federally-protected threatened or endangered species at the location of the proposed Flow Equalization (EQ) Basin adjacent to the Monroe Wastewater Treatment Plant (WWTP). The location of the proposed basin is immediately adjacent to the WWTP site, separated by a small perennial stream (Joes Branch). Hazen Staff (Jim Struve and Jarrod Karl) met with Kyle Ketchum on June 25, 2020 to review the proposed project area in the field prior to walking the site and conducting field investigation of potential waters, habitats and species. The following sections summarize the methods and results for the desktop and field investigations.

Preliminary Desktop Assessment

Methods

Hazen performed a preliminary desktop assessment to collect background information related to wetlands, waters and protected species prior to conducting the on-site field investigation. To determine the potential presence of streams, wetlands and open waters in the proposed project area, Hazen consulted the United States Geological Survey National Map (TNM)¹, the United States Fish and Wildlife Service National Wetlands Inventory (NWI) Wetlands Mapper² and United States Department of Agriculture - Natural Resources Conservation Service Web Soil Survey (WSS)³ maps pertaining to the proposed project area. To determine the potential presence of protected species or critical habitat in the proposed project area, Hazen consulted the United States Fish and Wildlife Service (USFWS) Endangered and Threatened Species and Species of Concern by County for North Carolina⁴ online database for Union County and Natural Heritage Element Occurrence (NHEO) Geographic Information System (GIS) shapefiles⁵. To determine the presence of historic or cultural resources, Hazen consulted the North Carolina State Historic Preservation Office's HPOWEB 2.0 web application⁶.

¹ United States Geological Survey, The National Map. <https://viewer.nationalmap.gov/basic/>.

² United States Fish and Wildlife Service, Wetlands Mapper. <https://www.fws.gov/wetlands/Data/Mapper.html>.

³ United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey. <https://websoilsurvey.nrcs.usda.gov/>.

⁴ United States Fish and Wildlife Service, Raleigh Field Office. Endangered and Threatened Species and Species of Concern by County for North Carolina. <https://www.fws.gov/raleigh/species/cntylist/union.html>.

⁵ North Carolina Natural Heritage Program, Natural Heritage Element Occurrence Shapefiles. Updated April, 2020.

⁶ North Carolina Historic Preservation Office, HPOWEB 2.0. <https://nc.maps.arcgis.com/home/item.html?id=d2d04d8d7e03403f889419526e682529>.

Results

Maps reviewed for the presence of potential wetlands and waters indicated the presence of two streams, Richardson Creek and Joes Branch, that border the proposed project area to the north and east, respectively. A potential stream channel was identified on the western border of the proposed project area. No hydric soils or wetlands were indicated. The list of protected species for Union County indicates the potential presence of one endangered mussel species (Carolina heelsplitter (*Lasmigona decorata*)) and two endangered plant species (Michaux's sumac (*Rhus michauxii*) and Schweinitz's sunflower (*Helianthus schweinitzii*)). Based on a review of the GIS shapefiles for protected species, there are no records of federally protected species in the project area. One state-listed significantly rare mussel (eastern creekshell (*Villosa delumbis*)) may be present in Richardson Creek. No historic or cultural resources were identified.

On-Site Field Investigation

Methods

Hazen Staff walked upland areas, drainageways, and floodplains within and adjacent to the project area to determine the presence of wetlands, streams and suitable habitat for protected species. Photographs of the site were taken to document existing conditions at the time of the investigation.

Results

Two perennial streams (Richardson Creek and Joes Branch) border the proposed project area. No other streams, open waters or wetlands were identified in or adjacent to the proposed project area. Habitat within the proposed project area includes forested upland areas with dense tree canopy and floodplain areas that are frequently flooded. Photographs of the site are located in Appendix A.

Conclusions

The proposed project is expected to result in impacts to one perennial stream (Joes Branch) due to construction of a force main connecting the proposed EQ basin to the existing WWTP. Impacts to Richardson Creek are not anticipated. No Michaux's sumac or Schweinitz's sunflower plants or suitable habitats are present in proposed project area. These two species typically occupy disturbed areas or open woods with an abundance of sunlight. The forested upland areas present in the proposed project area do not provide the sunlight required to support the two species due to the dense tree canopy. The floodplain areas do not support the two species due dense tree canopy and frequent flooding. Richardson Creek is not expected to be impacted by the proposed project, therefore direct impacts to the eastern creekshell should not occur. Indirect impacts to Richardson Creek resulting from downstream sedimentation during construction are possible. Therefore, Hazen recommends consultation with the United States Army Corps of Engineers prior to construction to determine potential requirements.

Qualifications of the Investigator

Jarrold Karl is a Senior Principal Scientist in Hazen's Charlotte Office. He has a Bachelor of Science in Environmental Studies from the University of North Carolina at Asheville and has 23 years of experience conducting natural resources assessments, including stream and wetland delineations and endangered species evaluations. Prior to joining Hazen in 2015, Mr. Karl spent 13 years working for Charlotte-Mecklenburg Storm Water Services where he oversaw the City's Section 401-404 permitting program and stream and wetland mitigation bank.

Appendix A: Photographs



Photo 1. Typical view of upland forested areas with dense tree canopy.



Photo 2. View of recent clearing to conduct geotechnical explorations.

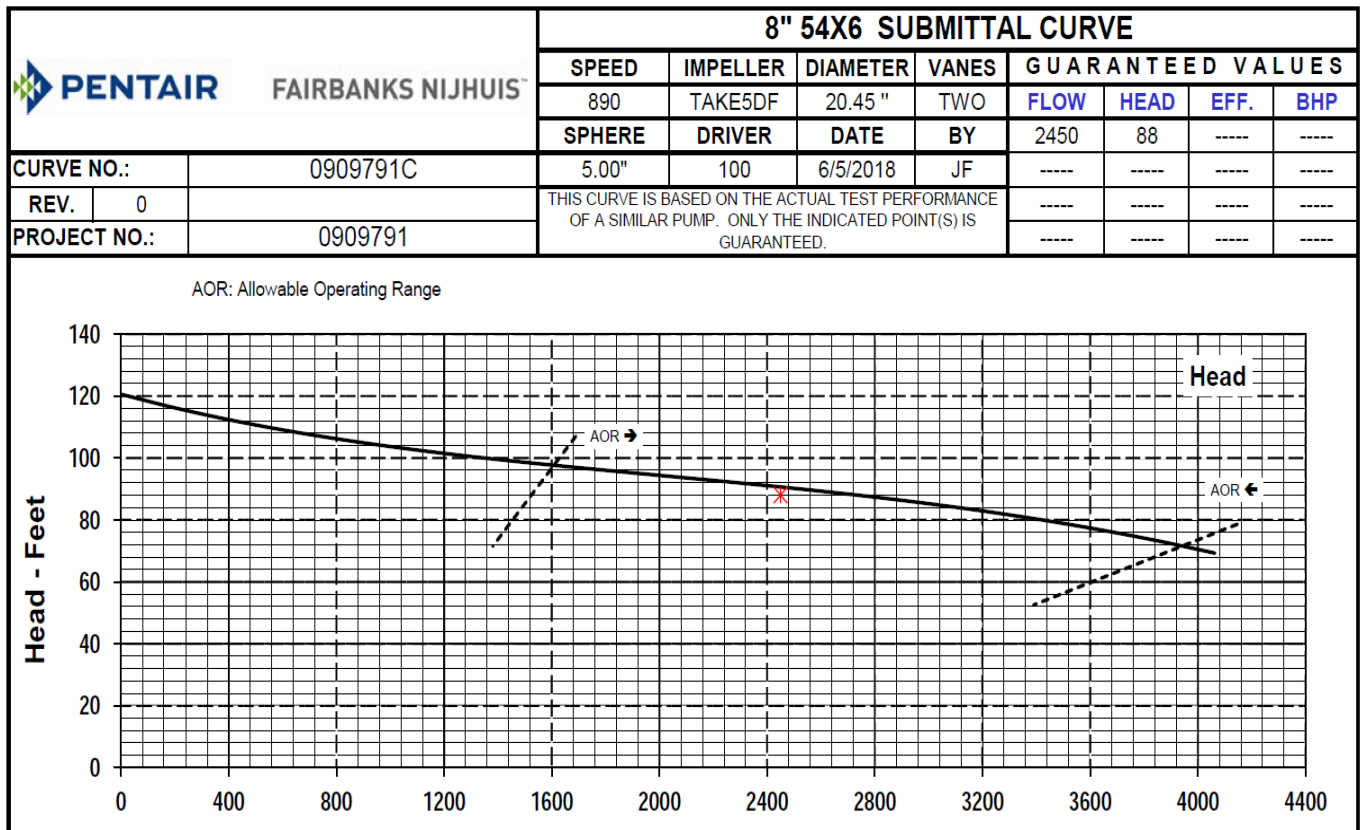


Photo 3. Upstream view of Joes Branch, a perennial tributary to Richardson Creek. Joes Branch and adjacent areas near the confluence with Richardson Creek are inundated by flooding during large storm events.

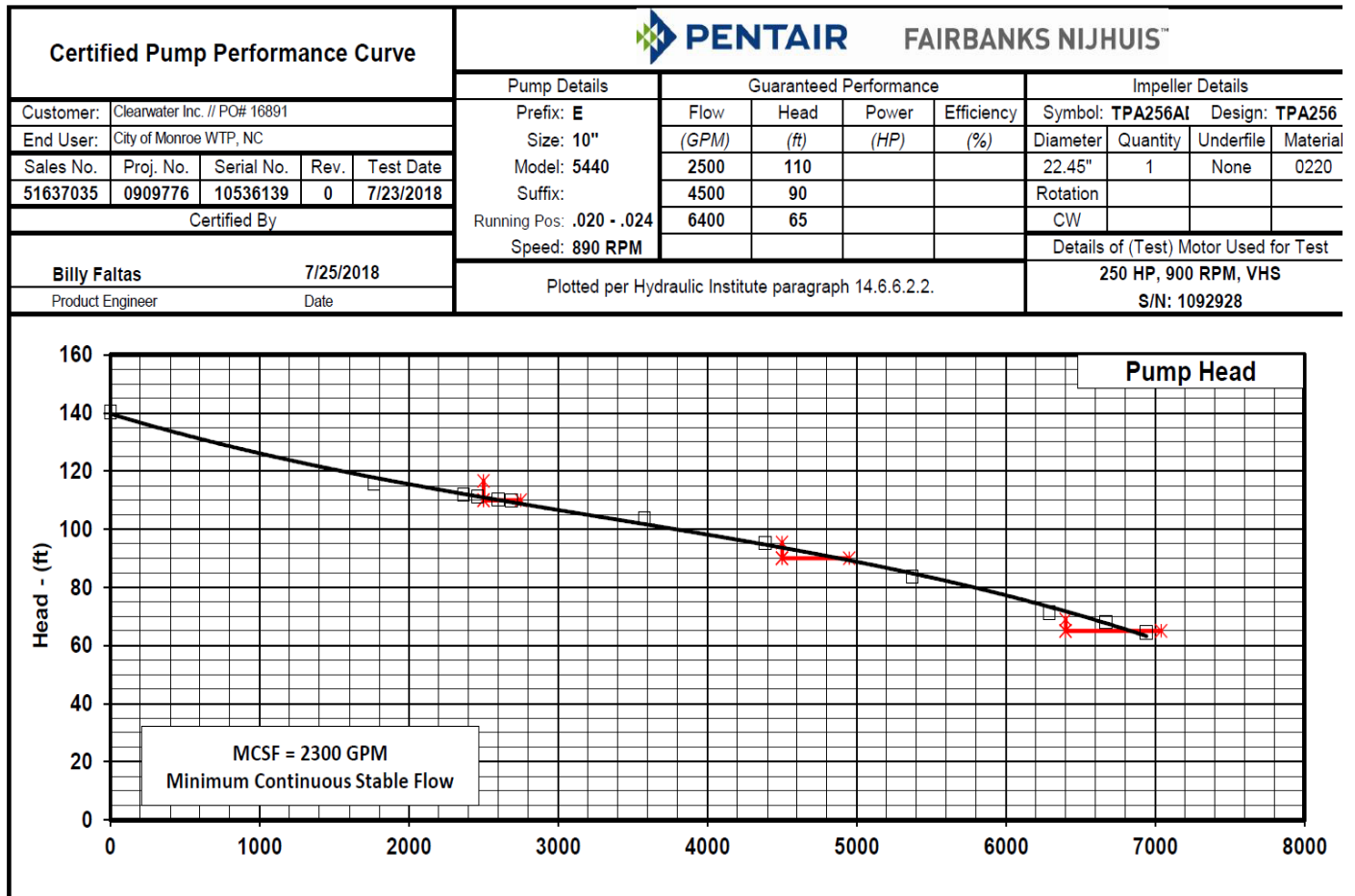


Photo 4. View of narrow floodplain area and sanitary sewer right-of-way adjacent to Richardson Creek. A steep slope is present at the edge of the right-of-way. The floodplain is shaded by tree canopy and frequently floods.

Attachment 6



Attachment 7





STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: Peter Hovanec, Communications and Tourism Officer

SUBJECT: Monroe Science Center Exhibits

SUMMARY STATEMENT

City Council is requested to consider awarding a \$316,800 contract to Boss Display for the construction, delivery and installation of several exhibits for use in the Science Center. A Capital Project Budget Ordinance in the amount of \$192,000 from miscellaneous donations designated for Science Center Exhibits is required to fund this contract.

REVIEW

Staff is moving forward with the renovation and development of the 16,000-square-foot science center facility at 316 E. Franklin Street. The architect has nearly completed the overall design, and Verner Johnson has been secured to assist in the exhibit design development. Staff would like to award a \$316,800 contract to Boss Display for the construction, delivery and installation of several exhibits outlined in the attached quote.

With construction is nearing completion, staff is working to develop the exhibit areas and raise the needed funds for the exhibit purchases. Staff, along with our consulting firm, Verner Johnson, has researched and identified several exhibits that can be secured and be ready for installation over the next six months. Staff, in working through our consultant, has identified several companies which we are pursuing exhibit design and construction. Boss Display is the only company the consultant found that can offer the overall variety and volume of specialty exhibits set forth in this contract. Boss Display also offered a multiple-exhibit discount to help bring the costs down. Staff will work with Boss Display and our consultant on overall construction and design of the exhibits, as well as the installation. The exhibits will fit within the predetermined hands-on areas of aerospace and health sections with some crossover between the sections.

Some highlights of the exhibit purchase include:

- Paper Airplane Launchers
- A Kid-Power area with multiple manipulative stations
- A Bernoulli Blower demonstrating flight
- A 16-foot long by 10-foot high magnetic ball wall
- An interactive 16-foot-long water table
- A slate water painting wall

Funds will be used out of the TDA project fund for exhibits, which includes a mix of Occupancy Tax funds and donations/grants. A proposed budget ordinance of \$192,000 from miscellaneous donations is designated for these Science Center Exhibits.

RECOMMENDATION

Staff recommends awarding the contract for exhibits to Boss Display in the amount of \$316,800, adopting a Capital Project Budget Ordinance for the acceptance of \$192,000 in donations and authorization for the City Manager to execute any and all documents.

Attachments: Quote
Capital Project Budget Ordinance

Quotation and Specification

6/26/2020

To	Contact	Quote	Terms
Verner Johnson, Inc. c/o WeWork 200 Berkeley Street, Floor 19 Boston, MA 02116	Brad Barkan	1000	30/30/30/10

Description	Total Price
Paper Airplane Launchers (set of 2) 28" L x 15" D x 10" H painted steel and plastic construction explanatory graphic swivel adjust horizontally lever with button to adjust vertically and to release plane button activation requires (1) outlet in floor or ceiling	11,000.00
Kid Power 16' L x 16' W x 120" H design development illuminated channel lettering sign ~ 144" L x 4" D x 24" H rotating cam powered by pull rope tilts "MONROE" lettering up and down orbiting LED lights within "O's" in "MONROE" (2) 12" dia. handwheels control variable speed on color of "O's" in sign (2) pairs of overhead ball tube runs hand pump and double hand crank build up LED "power bar" at stations in pair 1 running pad and horizontal hand crank build up LED "power bar" at stations in pair 2 push button to activate blower and "use" stored power custom electronics throughout requires multiple outlets in floor or ceiling	150,000.00

Quotation and Specification

6/26/2020

To	Contact	Quote	Terms
Verner Johnson, Inc. c/o WeWork 200 Berkeley Street, Floor 19 Boston, MA 02116	Brad Barkan	1000	30/30/30/10

Description	Total Price
Momentum Bernoulli Blower 50" Dia. x x 40" H 26" H table base painted steel, plywood, and plastic construction (3) blower stations with push button activation and universal joint output (3) electronic circuits with start buttons and time delay relays requires multiple electrical outlets	16,500.00
Custom Magnetic Ball Wall (similar to Cleveland) 192"L x 18"W x 120"H painted steel and plastic construction galvanized steel wall panel with painted metal frame (1) fixed conveyor lift (1) blower tube with ball track (1) fixed tick-tock diverter (1) interactive tilty trough (1) fixed auger ramp (34) magnetic parts with Monroe Pipe logo (3) collection bins requires (1) outlet in floor or ceiling **BUILT USING TUBING FROM MONROE PIPE COMPANY - COORDINATE W/CLIENT	29,700.00

Quotation and Specification

6/26/2020

To	Contact	Quote	Terms
Verner Johnson, Inc. c/o WeWork 200 Berkeley Street, Floor 19 Boston, MA 02116	Brad Barkan	1000	30/30/30/10

Description	Total Price
Interactive Water Table (similar to Mighty) 192"L x 48"W x 60"H design development stainless steel and plastic construction (2) intertwined boat tracks (60) custom boats various topography with river channels (1) interactive fountain with (4) tethered wands (1) storage bin for interactive fountain wands (1) fog mushroom (2) interactive rain clouds (1) dump bucket (1) hand pump faucet with (2) water toys pumps, plumbing, and filtration system requires floor drains, electrical outlets, and water supply	65,000.00
Slate Wall 80"h x 120" w x 10" d painted steel frame, slate, and plastic construction (4) brush containers (3) water trays	8,500.00
Freight and Install- Monroe, NC Travel will be booked after proof of site completion is received	36,100.00

Notes:

Hard water is very rough on water exhibits. If you are aware that your area has hard water please reach out to your local water company for advice on how best to soften the water to the table.

Thank you for choosing Boss Display

Boss Display is NOT liable for ANY state or local taxes including but not limited to sales, use or contractors tax. In the event that Boss Display is found liable by the state or local taxing authority, the Client is liable to Boss Display for payment of such taxes.

Boss Display Corporation warrants all exhibit components to be free of any and all defects in workmanship for a minimum of one year after installation. This warranty excludes remedy for damage or defect caused by abuse, modifications not executed by Boss Display, improper or insufficient maintenance, improper operation, or normal wear and tear. Regular maintenance is outlined in the operating manual. Warranty work will only be performed after installation. No warranty work will be performed on past due accounts.

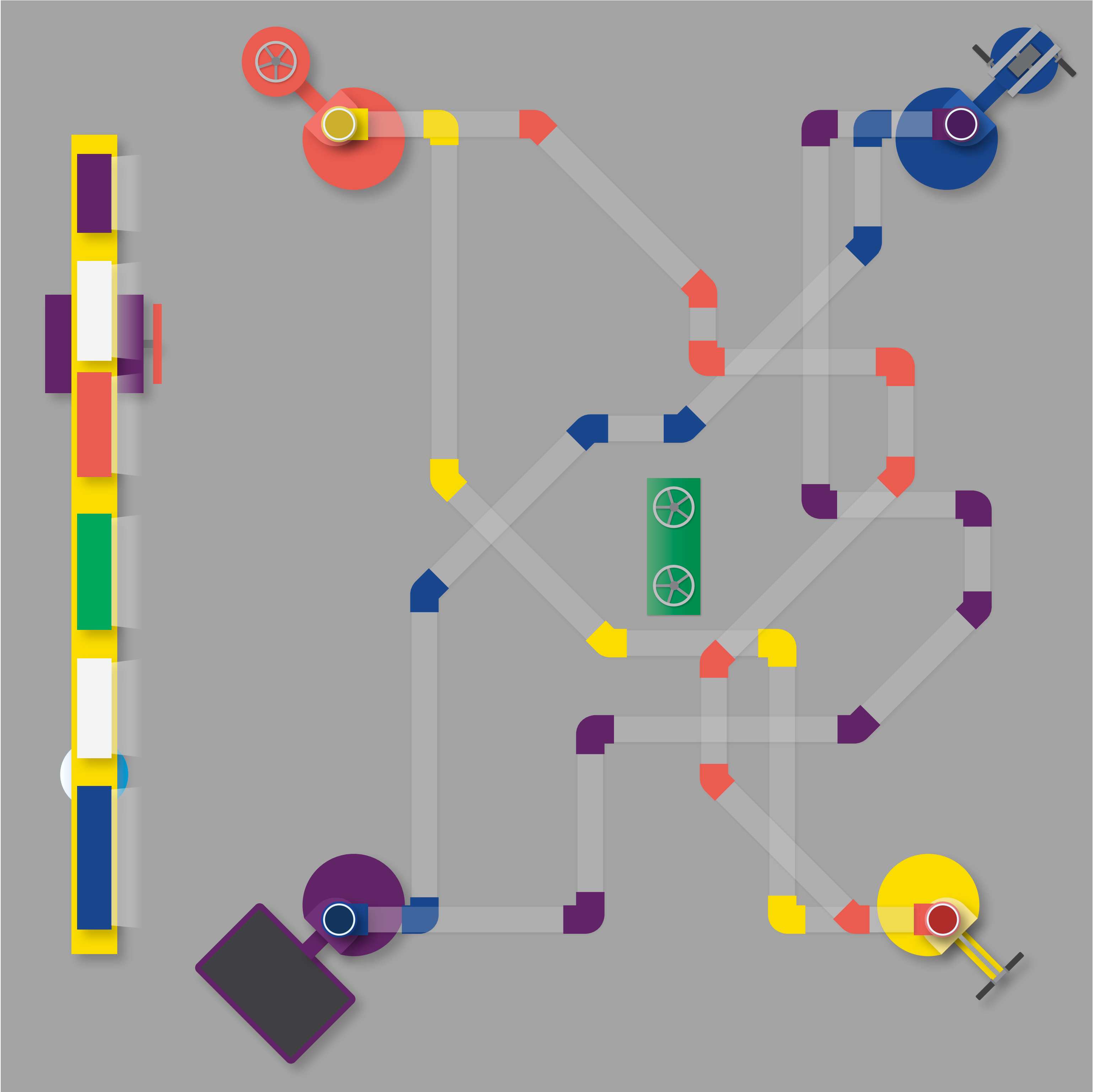
This quote is good for 30 days from the date above.

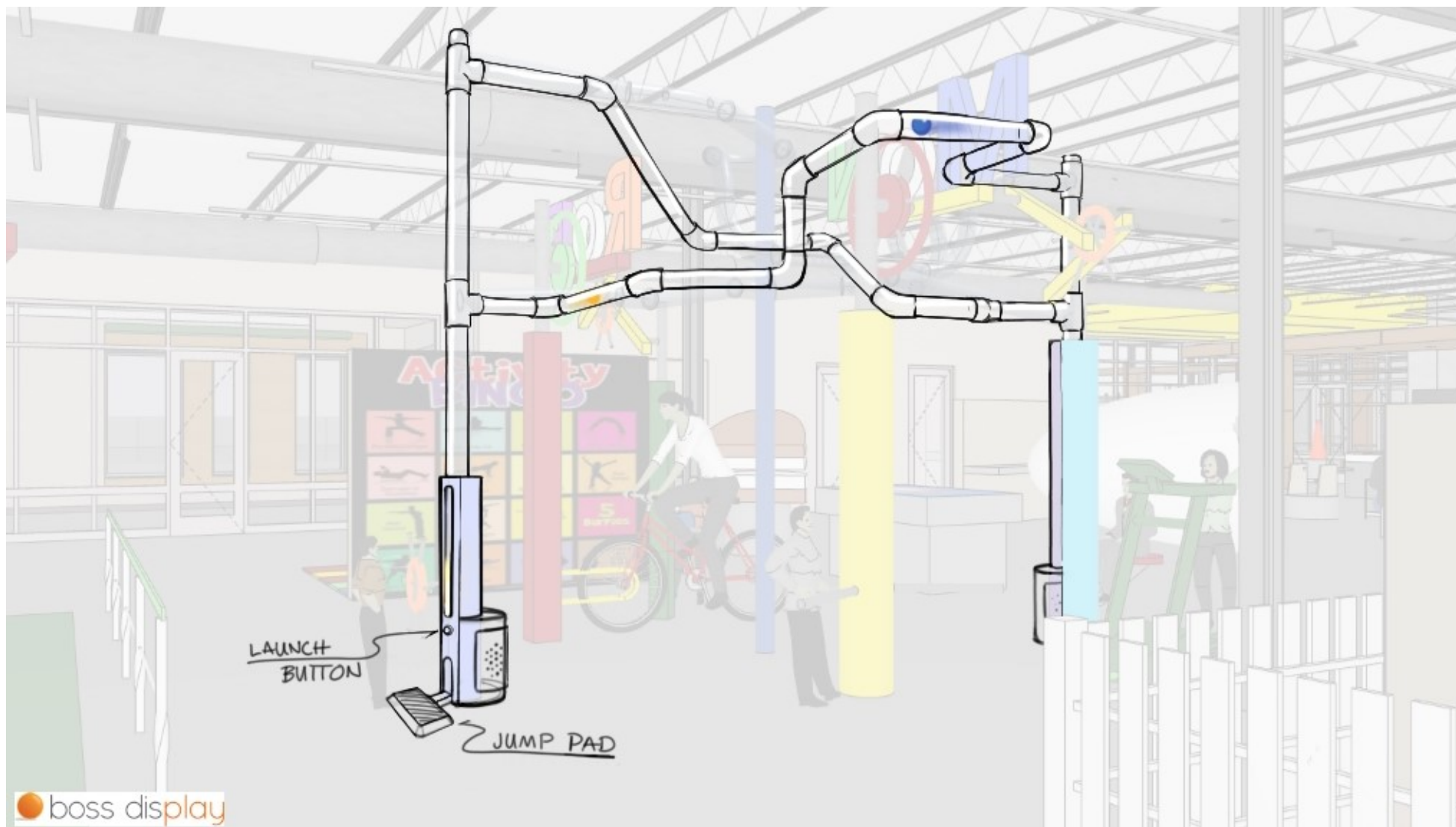
Subtotal	\$316,800.00
Sales Tax (0.0%)	\$0.00
Total	\$316,800.00

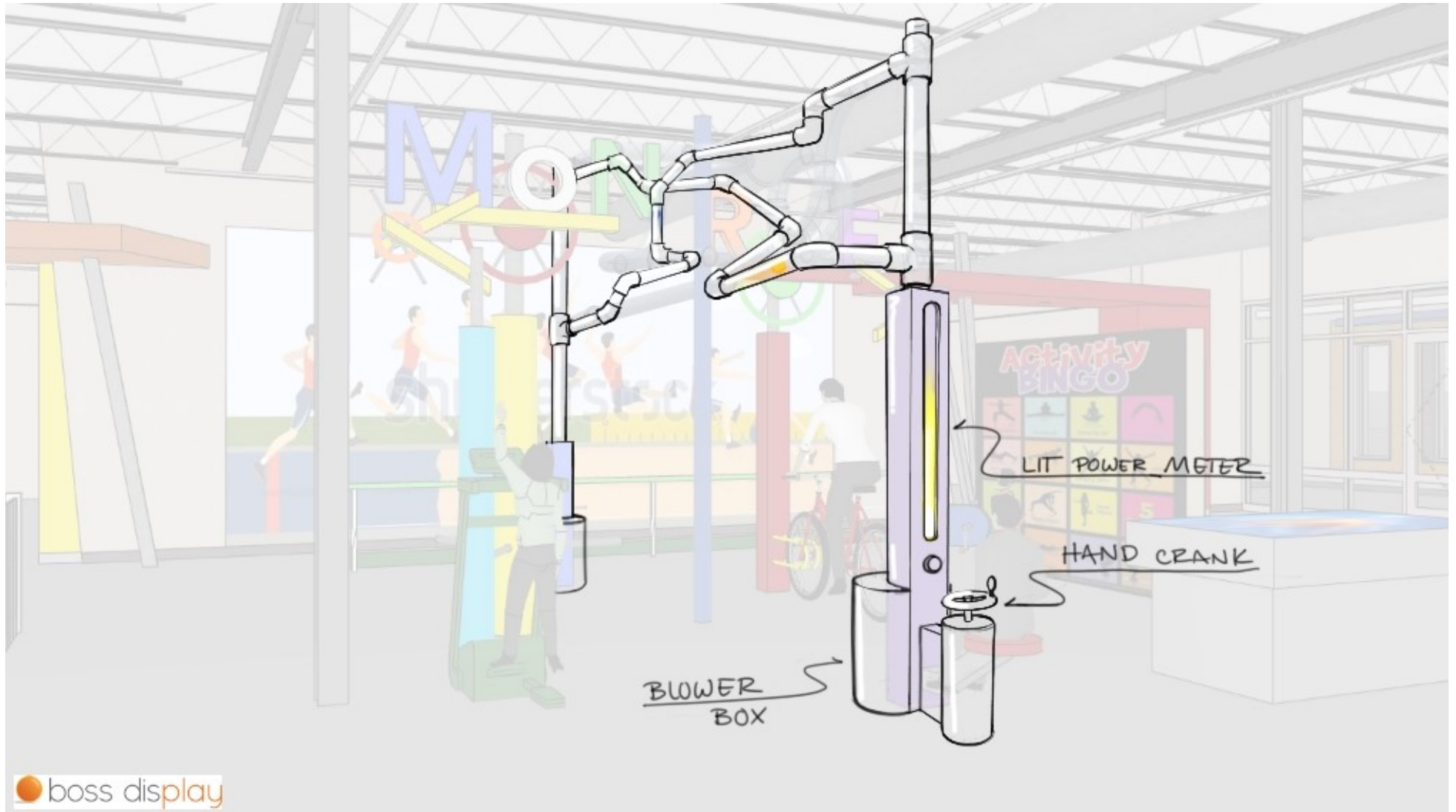
Sign Elevation



Floor Plan







**CAPITAL PROJECT BUDGET ORDINANCE
MONROE SCIENCE CENTER EXHIBITS PURCHASE/INSTALLATION
BO-2020-13**

WHEREAS, City of Monroe, North Carolina (the “City”) has previously approved an allocation for the purchase of exhibits for the Science Center; and

WHEREAS, it has been determined that the City can benefit from purchasing specialty exhibits from Boss Display; and

WHEREAS, donations have been received specifically to be used to purchase exhibits in the Science Center; and

WHEREAS, an appropriation is needed to recognize the donations for this purchase and installation contract with Boss Display.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Monroe provides an appropriation for the purchase of the exhibits in capital project number OT1901 for Science Center Exhibits:

Occupancy Tax Project Fund:

Revenue:

Miscellaneous (Donations)	\$192,000
---------------------------	-----------

Expense:

Project Costs OT1901	\$192,000
----------------------	-----------

Adopted this 18th day of August, 2020.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: City Council

VIA: E.L. Faison, City Manager

DATE: August 18, 2020

FROM: Brian J. Borne, Assistant City Manager

PREPARED BY: Brian J. Borne, Assistant City Manager

SUBJECT: The Charters of Freedom, Foundation Forward, Inc. Partnership with Union County to install setting in Main Street Plaza

SUMMARY STATEMENT

City Council is requested to consider a partnership with Union County Government for the installation of The Charters of Freedom: Declaration of Independence, US Constitution and Bill of Rights in Main Street Plaza.

REVIEW

Foundation Forward is a 501 (c) (3) non-profit educational organization that builds Charters of Freedom settings in communities across the country. The installation provides easy and open access for all to visit three founding documents: Declaration of Independence, US Constitution and Bill of Rights, The Charters of Freedom. Burke County, Morganton, NC was the first Charters of Freedom setting installed outside of Washington, DC. It was dedicated July 2, 2014. Installations in North Carolina include, Cherokee, Henderson, Cabarrus, Bertie, Caldwell, Polk, McDowell, Catawba, Halifax, Ashe and Jackson counties.

The Charters of Freedom was secured by Union County and in selecting an appropriate site, central to the community, with high visibility, high foot traffic and easy access for schoolchildren and veterans, approached the City of Monroe to locate the setting in Main Street Plaza. The location would be at the front of the plaza adjacent to the fountain and flag poles, see conceptual layout attached. Materials used in the construction of the Charters of Freedom will complement the materials found in the Plaza and adjacent structures.

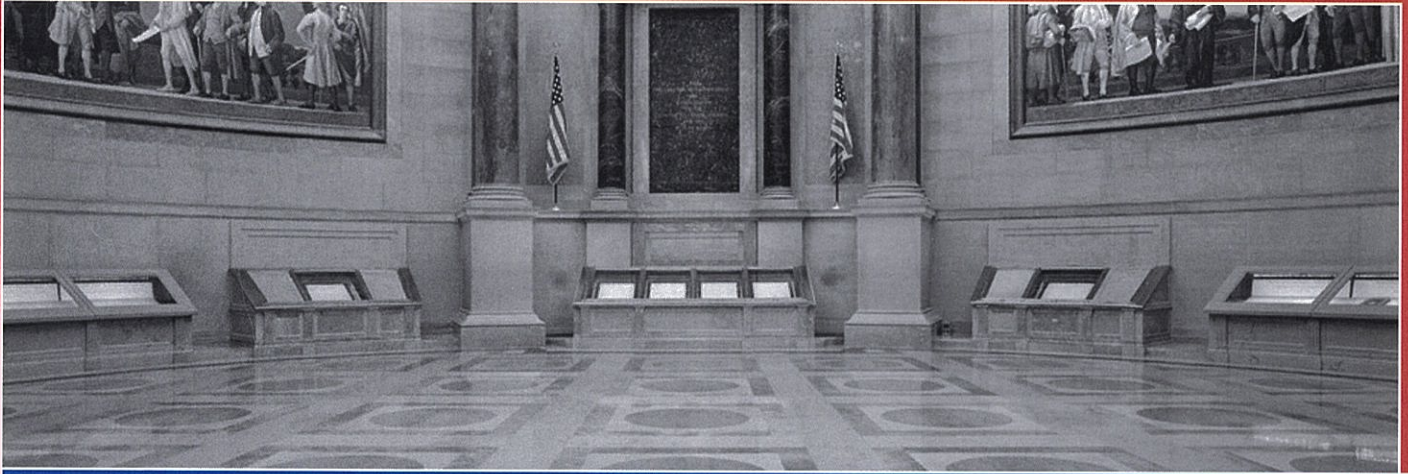
Union County will be responsible for the maintenance and upkeep of the Charters for Freedom monument and the City will continue to maintain MS Plaza, as done currently. A Memorandum of Understanding (MOU) will be drafted to reflect Union County and City responsibilities as noted above. City of Monroe will dedicate an easement for the construction and permanent location for the Charters of Freedom monument.

General Services Committee Chair, Lynn Keziah agreed to move this item to full Council without committee review due to August 20, 2020 timing of the Committee meeting.

RECOMMENDATION

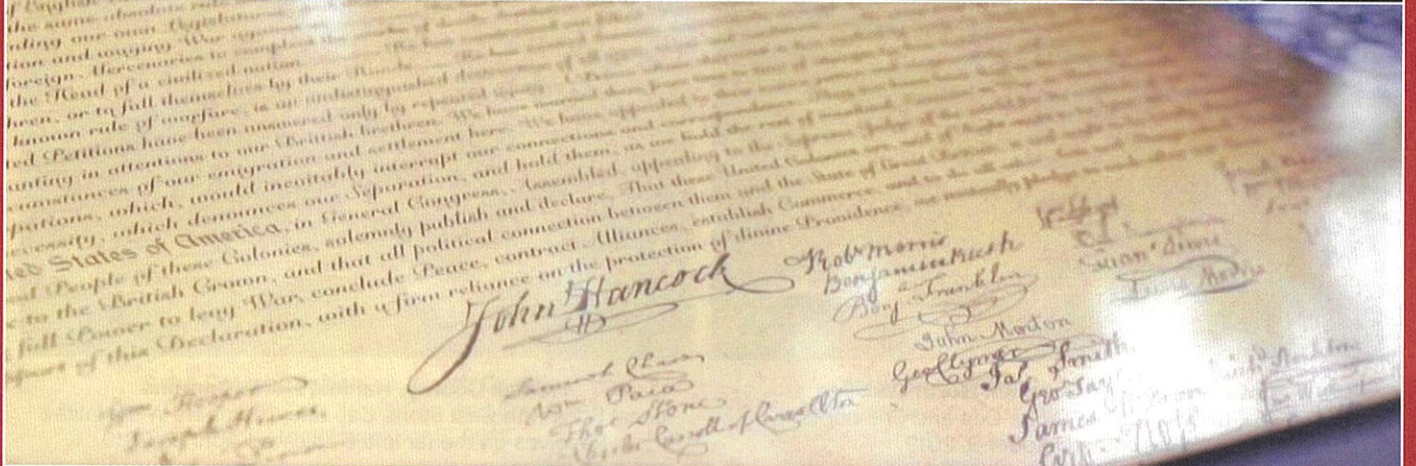
Staff requests City Council consider approval of the partnership with Union County Government to locate the Charters of Freedom installation in Main Street Plaza and authorize Staff to coordinate construction with Foundation Forward, Inc. and Union County.

Attachments: The Charters of Freedom brochure
 Conceptual Layout sketch



THE CHARTERS OF FREEDOM

DECLARATION OF INDEPENDENCE ★ UNITED STATES CONSTITUTION ★ BILL OF RIGHTS



North Carolina Settings



Burke County, Morganton, North Carolina

First Charters of Freedom Setting outside of Washington, D.C.
Polished Granite. Dedicated July 2, 2014



Cherokee County, Murphy, North Carolina

Polished Granite
Dedicated September 17, 2014



Bertie County, Windsor, North Carolina

Local Brick with Cast Stone Cap and Chambers
Dedicated August 24, 2017



Caldwell County, Lenoir, North Carolina

Local Brick with Cast Stone Cap and Chambers
Dedicated July 3, 2019



Catawba County, Conover, North Carolina

Local Brick with Cast Stone Cap and Chambers
Dedicated October 9, 2019



Halifax County, Halifax, North Carolina

Local Brick with Cast Stone Cap and Chambers With Halifax
Resolves on the far left. Dedicated April 12, 2019

Where history meets the future.

Foundation Forward Inc.

An Educational, Nonprofit, 501(c)(3) Organization

North Carolina Settings



Henderson County, Hendersonville, North Carolina
Special Stone Fascia with Cast Stone Cap and Chambers
Dedicated September 19, 2018



Cabarrus County, Harrisburg, North Carolina
Cast Stone Fascia with Cast Stone Cap and Chambers
Dedicated November 11, 2019



Polk County, Columbus, North Carolina
Local Brick with Cast Stone Cap and Chambers
Dedicated September 17, 2019



McDowell County, Marion, North Carolina
Local Brick with Cast Stone Cap and Chambers
Dedicated June 21, 2019



Ashe County, Jefferson, North Carolina
Local Brick with Cast Stone Cap and Chambers
Dedicated November 5, 2018



Jackson County, Sylva, North Carolina
Local Brick with Cast Stone Cap and Chambers
Dedicated May 19, 2017

Settings Across the Country



Hamilton County, Noblesville, Indiana
Local Brick with Indiana Limestone Cap and Chambers; Internally lighted with Donor Pedestals; Dedicated September 28, 2019



Richland County, Columbia, South Carolina
Polished Granite Setting
Dedicated May 26, 2016



Howard County, Kokomo, Indiana
Indiana Limestone Setting
Dedicated September 26, 2015



Carson City, Nevada
Polished Granite Setting
Dedicated June 14, 2018



Dodge County, Uehling, Nebraska
Local Brick with Cast Stone Top and Chambers
Dedicated November 12, 2018



Clark County, Clark, South Dakota
Local Brick with Cast Stone Top and Chambers
Dedicated November 11, 2018



Hanover College, Hanover, Indiana
Indiana Limestone Setting
Dedicated September 19, 2017



Tripp County, Winner, South Dakota
Custom Concrete Fascia with Cast Stone Caps and Chambers
Dedicated September 2, 2019



Morgan County, Jacksonville, Illinois
Indiana Limestone Setting
Dedicated May 26, 2015

Where history meets the future.

Our Mission



Our Founding Fathers authored the Declaration of Independence, the United States Constitution, and the Bill of Rights. These three founding documents are known as:

The Charters of Freedom

These three documents declare:

- We are an independent people;
- We are governed as a Democratic Republic;
- We are secure in our freedom and rights as citizens of the United States of America.

Foundation Forward is an educational, nonprofit organization that builds Charters of Freedom settings in communities across the country. These settings are replicas of the displays of our founding documents as seen in the National Archives in Washington, D.C. These settings are built to last 300-500 years.

Our Mission is to teach and preserve American history and civics, so all will know how our government is meant to serve and protect *We the People*.



Grade school children are taking field trips to their local Charters of Freedom setting to learn about American history and civics. These field trips are remarkable life experiences for our young future leaders and they love them!

Our Story



It all started in the Fall of 2011 when Vance and Mary Jo Patterson were in Washington, D.C. They decided to go to the National Archives because they had never seen the Declaration of Independence and the United States Constitution.

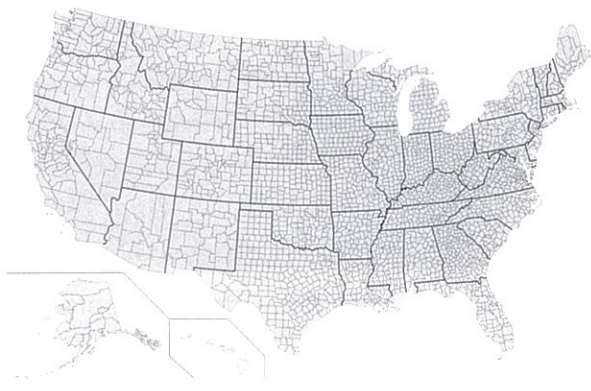
Vance recalls, "Seeing something our Founding Fathers had actually penned and then seeing their signatures, Thomas Jefferson, Benjamin Franklin, John Adams, Rutledge, Wilson, and the others, I just got goosebumps. And, then when we moved over to see the Constitution and those three words, *We the People*, I got a lump in my throat. I looked over at Mary Jo and she had tears in her eyes. It was, really, an emotional experience for us."

The next year, back home in western North Carolina, Vance was thinking about the experience and the thought came to him, "What if I could duplicate that experience we had in Washington when we saw the founding documents for the first time? What if I could bring that experience back to the citizens of Burke County?"

Two years later, on July 2, 2014, Vance and Mary Jo gifted and dedicated the first Charters of Freedom setting outside of Washington, D.C. to the children, veterans, and citizens of Burke County, on the Historic Courthouse green in downtown Morganton, NC. This was only the beginning.

In 2013, the Pattersons started Foundation Forward, Inc. a 501(c)(3) nonprofit educational project to promote civics education and preserve American history. Over 30 settings have been dedicated across the country. Locations include North Carolina, South Carolina, Kentucky, Indiana, Illinois, Nebraska, South Dakota, and as far west as Nevada.

The long-term goal is to place Charters of Freedom settings in as many communities as possible over the next 10 years.



Where history meets the future.

Access and Community



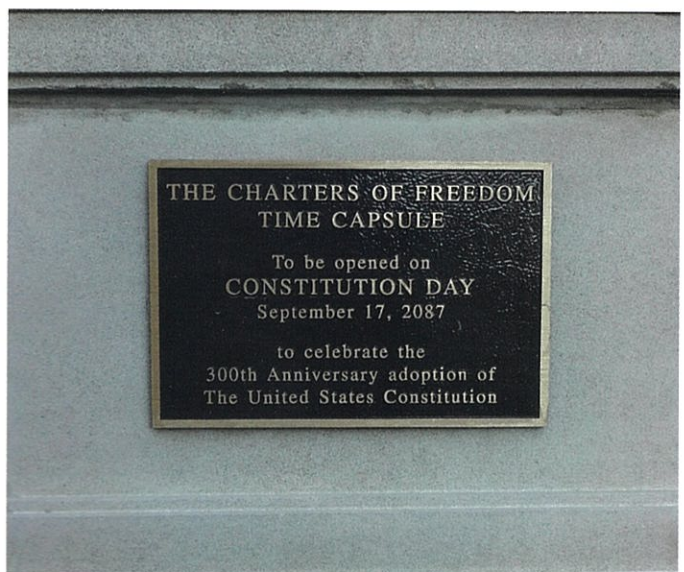
Not everyone can get to our nation's capital to see the Declaration of Independence, the United States Constitution, and the Bill of Rights. "It took me over 60 years to get to the National Archives in Washington, D.C. to see our founding documents," Founder Vance Patterson explains. "Even though it's free and open to the public, most people will never see and experience these documents in a proper setting."

The goal of Foundation Forward is to bring these documents to local communities in life-sized replicas of the settings in the National Archives. Your Charters of Freedom setting will be placed in a location central to the community, with high visibility, high foot traffic, and easy access for schoolchildren and veterans. They are built to last 300 to 500 years!

Your Charters of Freedom will be a firm basis on which to teach and preserve American history surrounding the time of our country's founding. Civics and government can be taught so all will know how our government is meant to serve and protect *We the People*.

Veterans will feel a renewed sense of pride and comfort because they swore an allegiance to the United States Constitution.

On the 300th anniversary of our United States Constitution Day, September 17, 2087, your community will participate in the opening of the vaults containing the time capsules, along with all the other communities around the country.



History Government Civics



It's amazing how many people come to the Charters of Freedom setting, read the documents and say, "That's all there is to our Constitution . . . only four pages?"

You would not believe how many people do not know that our first approved Ten Amendments are our Bill of Rights! Many citizens do not realize the First Amendment, which guarantees Freedom of Speech, Freedom of Assembly, Freedom of the Press, and the Freedom and Right to Petition the Government is only 45 words!

After the presentation dedication ceremony of Your Charters of Freedom setting, schoolteachers will begin bringing their 3rd-5th-grade classes on field trips to see these founding documents in a proper setting. While students are there, they learn about American history, at the time of our County's founding. Schoolchildren will learn about government and how it is to serve and protect, *We the People*. Students will also learn about civics and how they can participate in local, state, and national programs, to serve our Country. This is now happening in communities across the Country where students and others have their Charters of Freedom setting. The students love it!

"Our hope is that our future leaders will come from communities with their own Charters of Freedom," says Vance. "They will grow up not just talking about the Constitution and Bill of Rights in Washington, but talking about *their* Constitution and *their* Bill of Rights, the ones they grew up with, right in their home community. And they will know how government is supposed to work to protect and serve *We the People*."

Dedications and Celebrations

The dedication and gifting of the Charters of Freedom is a historic event for the community.



PRESENTATION OF COLORS



PRAYER



PLEDGE



HIGH SCHOOL BANDS & CHOIRS



HIGH SCHOOL STUDENTS



COLLEGE STUDENTS



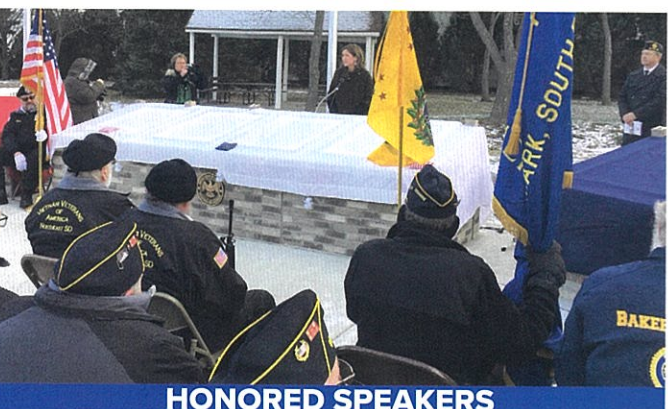
FAMILIES



DEDICATION CANNON SALUTE



SCOUTS FIRING CANNON SALUTE



HONORED SPEAKERS



EVENTS

828-522-1400
chartersoffreedom.com

Our Team



Vance and Mary Jo Patterson

Founders

Vance is a proud industrial manufacturer. Two of the companies he currently operates make industrial fans. A serial entrepreneur, he has started 21 companies and taught Entrepreneurship at the University of Oxford, England. Vance is a father of four and has been married 45 years to his wife and Foundation Forward co-founder, Mary Jo.



Perry Snider

Operations Manager - Materials, Construction, and Veterans Action

Perry is responsible for Operations, Materials, and Veterans Action. Perry organizes schedules, procures materials and coordinates operations throughout the Foundation. As a Command Sergeant Major, United States Army (retired) he has spent 11 years in Iraq and Afghanistan building and sustaining camps for the United States military.



Mike Unruh

Communications and Resources

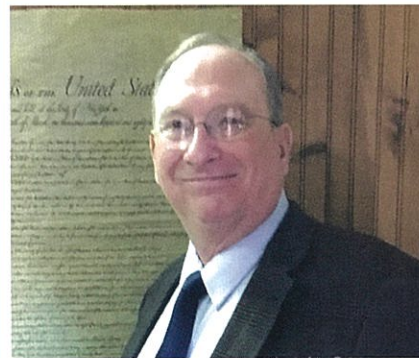
Mike works with national organizations and businesses to promote our mission around the United States. This includes the procuring of materials and tax-deductible donations. In addition, Mike works with media outlets to communicate the principles of Foundation Forward and update the community on the progress of projects. His background includes working as a Constituent Advocate for Military and Veterans Affairs for the United States Senate.



Jennifer McMillan

Communications and Resources

Jennifer meets with local business owners, civic groups, and individuals to set up community support for the projects. This involves working with our local Champion and steering committee to plan promotional events, which allows the community to be part of the process and “pay it forward” to share this experience with others across the country. Jennifer’s background in account management and building partnerships helps Foundation Forward create strong and relevant relationships in your community.



David Streater, Ph.D

Director of Education

David constructs descriptive research of the Founding Fathers and develops supplemental educational materials to be shared with educators across the United States. These materials are used for field trips to local settings and assisting teachers. Dr. Streater is a criminologist with past careers in probation and parole holding officer and leadership positions, in addition to college teaching and administration. In the Navy, Dr. Streater served aboard the USS Nitro and the JAG office, NTC Orlando. David and his wife, Vivian, have been married for more than 40 years, having two sons and a granddaughter.

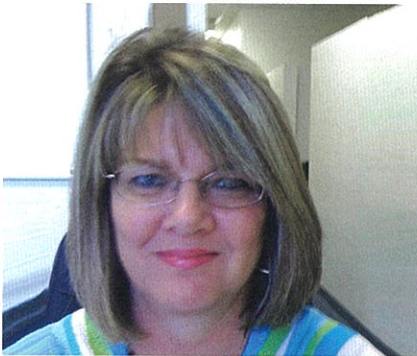
Our Team



Ron Lewis

Facilitator, Spokesman, and Foundation Treasurer

Ron will be the first contact for those counties considering a Charters of Freedom setting in their communities. He schedules presentations and speaks on behalf of Foundation Forward. Ron also works directly with our Community Support and Out Reach Programs. Ron is a retired County Manager and Communication Officer in the United States Marines. Kay Lewis is his lovely wife and together they enjoy their three sons and three grandchildren.



Connie Snider

Office Manager

Connie manages all daily activities for the corporate office in Valdese, North Carolina. She has over 30 years of experience in office duties such as bookkeeping, accounting, banking, scheduling, filing, and working with the public and an office team. Being a part of the team is part of what makes her world go around. Connie has family in North Carolina and Florida and enjoys her time with both! She has two grown adults she raised in Florida. Connie has no grandchildren, however several grand pups, with several pups, cats, and seven baby chickens of her own.



Don Ramsey

Construction Manager and Santa

Don assists community volunteers and contractors with the installation of the Charters of Freedom settings. He coordinates materials and labor from each community, and provides site plans and construction documents for each setting. Don is a graduate of North Carolina State University (the *only* State University), a father of two Eagle Scouts, and is married to Patti Ramsey since 1983.



Justin Smith

Fabrication and Construction

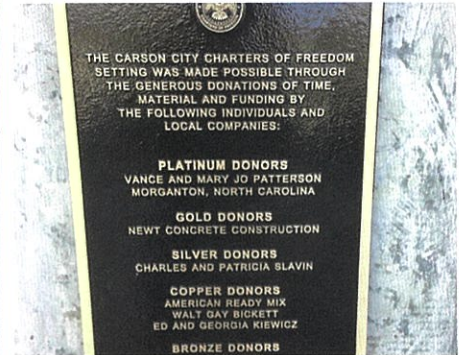
Justin Smith is a native of Caldwell County, North Carolina. He is the mason for Charters of Freedom. In addition, he teaches and supervises others in masonry. He has over 25 years of construction experience, and is a father of two intelligent children and a loving husband to Pamela Smith since 1998.



Carlton Ramsey

Construction

Carlton is a graduate of Brevard College with a degree in Environmental Science. He is also an Eagle Scout. Mr. Ramsey has four years of construction and management experience. He brings a love of American history and craftsmanship to our team.

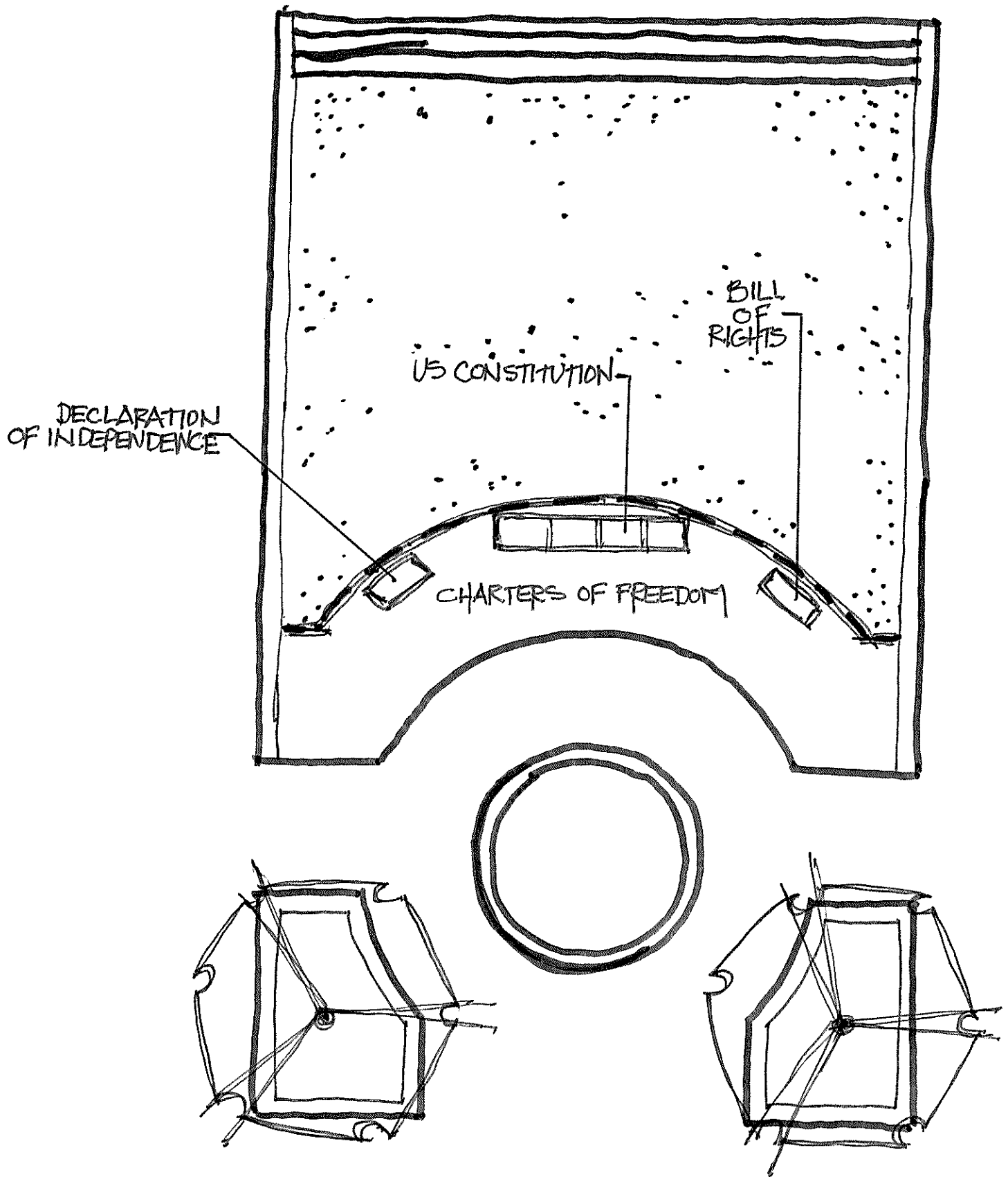


Memorial Tribute for Mark Finegan

whose tireless effort brought the
Charters of Freedom to Hamilton
County, Noblesville, Indiana in
September 2019.

All Honor To His Name.
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MAIN STREET PLAZA
CHARTERS OF FREEDOM
CONCEPTUAL LAYOUT · N.T.S.
MONROE, NC