

PLANNING BOARD MEETING

Wednesday, June 2, 2021

6:00 PM

**Council Chambers
300 West Crowell Street
Monroe, NC**

REVISED AGENDA

- Item 1. Call to Order – Roll Call**
- Item 2. Approval of Minutes – Meeting of May 5, 2021 and Special Joint Meeting with City Council on March 30, 2021**
- Item 3. Annexation of 20.795 acres located along the Monroe Expressway and Rocky River Road and further identified with Parcel ID #08-303-006**
- Item 4. Zoning Map Amendment request for Conditional District “Rocky River Crossing” for the properties located along N. Rocky River Road/Lacey Paige Road and the Monroe Expressway and further identified as Parcel ID #'s 08-303-005, 08-303-005-A, 08-303-005-B & 08-303-006**
- Item 5. Annexation of 125.272 acres located along Helms Short Cut Road and further identified with Parcel ID #09-289-001**
- Item 6. Zoning Map Amendment request for Conditional District “Cody Downs” for the property located along Helms Short Cut Road and further identified with Parcel ID #09-289-001**
- Item 7. Zoning Ordinance Text Amendment to Conform to Chapter 160D**
- Item 8. Other**
- Item 9. Adjournment**

ATTENTION BOARD MEMBERS: Please contact Maryann Brown at 704.282.4527 or Lisa Stiwinter at 704.282.4569 to confirm your attendance. Thank you.

cc: Planning Staff
 Ashley Duncan
 Mujeeb Shah-Khan

**CITY OF MONROE
PLANNING BOARD
SPECIAL JOINT STRATEGIC MEETING
WITH
CITY COUNCIL
MARCH 30, 2021 @ 4:00 PM**

Mayor Kilgore called the Planning Board Special Joint Strategic Meeting with City Council of March 30, 2021 to order at 4:00 p.m. and took roll call.

City Council Present: Mayor Bobby Kilgore *(via Zoom)*, Mayor Pro Tem Marion Holloway *(via Zoom)*, Council Member Surluta Anthony *(via Zoom)*, Council Member Freddie Gordon *(via Zoom)*, Council Member Angelia James *(via Zoom)*, Council Member Franco McGee *(via Zoom)*,

City Council Absent: Council Member Lynn Keziah

Chairman MaryAnn Rasberry called the roll of the Planning Board. A quorum was present.

Planning Board Present PB Chair MaryAnn Rasberry *(via Zoom)*, PB Vice Chair Richard Yercheck *(via Zoom)*, PB Member Rich Ali *(via Zoom)*, PB Member Margaret Desio *(via Zoom)*, PB Member Patrick Furr *(via Zoom)*, PB Member Renee Hartis *(via Zoom)*, PB Member Jennifer Smith *(via Zoom)*

Planning Board Absent PB Member Edith Covington

Staff Present City Manager Larry Faison *(via Zoom)*, City Attorney S. Mujeeb Shah-Khan *(via Zoom)*, Ashley Britt, Assistant City Attorney *(via Zoom)*, City Clerk Bridgette Robinson *(via Zoom)*, Brian Borne *(via Zoom)*, Bruce Bounds *(via Zoom)*, Pete Hovanec *(via Zoom)*, Sarah McAllister *(via Zoom)*, Lisa Stiwinter *(via Zoom)*, Doug Britt *(via Zoom)* and Keri Mendler *(via Zoom)*

Guests: Kimley Horn and Associates: Kelley Klepper *(via Zoom)*, James Ehrmann *(via Zoom)*
Poyner Spruill: Bob Hagemann *(via Zoom)* and Nick Tosco *(via Zoom)*

Item 2. Introduction

Lisa Stiwinter, Director of Planning and Development with the City of Monroe, said welcome everyone to this meeting. She said today's meeting is designed to be an informal, interactive workshop, but it also serves as a regular electronic meeting for City Council and Planning Board so the electronic meeting rules will apply for the meeting. She said since this is an electronic meeting she asked that anyone wishing to

speak during the meeting please do so, but state your name for the record before you speak. She said each of you should have received a PowerPoint presentation in your agenda packet.

Lisa said before getting started, she just wanted to introduce our consultants that are participating in today's meeting. She said we have Kelley Klepper and James Erhmann with Kimley Horne and Associates, a planning and engineering firm that has been assisting the Planning Department with the rewrite of our Unified Development Ordinance and our Zoning Map. She said we also have Bob Hagemann and Nick Tosco with Poyner Spruill, a law firm that has also been assisting our department with performing legal review of our Unified Development Ordinance. She said she appreciates all of you being here with us today.

Lisa said, as previously mentioned, planning staff has been working with Kimley Horne and Associates on a project called "Transform Monroe" which is the rewrite of our Unified Development Ordinance and update to our Zoning Map. She said Transform Monroe is the City's Unified Development Ordinance (UDO) and is a consolidated document that contains all of the City's land use and development requirements. She said Transform Monroe is the Planning Department's tool that serves to implement the vision for growth and development that was identified in the City of Monroe's Land Use Plan, called Forward Monroe that we updated in 2018. She said to date, Kimley Horne and Associates and the City of Monroe planning staff have facilitated three (3) joint Planning Board and City Council workshops. She said one was held in June 2019, one in September 2019 and then another in February 2020. She said it has been almost a year due to Covid that we have not been able to have a workshop.

Lisa said the topics that we did discuss at the previous workshop included the Unified Development Ordinance existing code analysis, the proposed definitions and standards in the new ordinance, and introduction of the parking and signage requirements. She said we also went into depth about the proposed traditional and mixed-use districts and the development standards for those districts. She said we discussed the non-residential design standards, allowable uses and the development standards, as mentioned before.

Lisa said the purpose of today's workshop is to provide a general status update of where we are now in the rewrite of the ordinance, initiate the public review aspect of the project on those ordinance sections that we have drafted, reviewed and completed today. She said we want to kick off the update to the Zoning Map, which will be our next big step in this process.

Lisa said specific draft sections of the ordinance that will be discussed today include residential design standards, landscaping, buffering, fences and walls, subdivisions and open space requirements.

Lisa turned the meeting over to Kelley Klepper with Kimley Horne and Associates to kick off our presentation for today.

Kelley thanked Lisa and said they have had a phenomenal working relationship with Lisa, Doug and Keri. He said he appreciates the insight and input from the outside counsel. He said they have been providing some very good direction and clarification on items.

Kelley started the presentation. He said if you have any questions as we are going through the presentation, it would be a lot easier to talk about something as we are dealing with it and there is something on the screen. He said as Lisa said, we have a general status update and we want to walk through non-residential design standards, optional design standards, landscaping and buffering.

Kelley said the current code is identified as Chapter 156 and there are approximately 17 components to it. He said going through the process with staff, we have consolidated or reimagined portions of it and put things where we thought it would be easier to follow from a logistical standpoint, as well as just an overall

review. He said the updated outlying components are actually going into Chapter 157, which has been labeled and identified as the Unified Development Ordinance (UDO). He said there are also specific references to 160D, which is the NC General Statutes section that consolidated portions of the State Planning Laws into 160D. He said there are certain provisions and certain things that the City has to take care of and address in a certain manner and in a certain way, and more importantly, in a certain timeframe. He said we have been doing those cross checks as it relates to 160D and the information available to make sure we are being consistent with that.

Kelley said what you will see is the status of each of the 11 sections. He said anything that says complete are basically things that we have provided to staff, staff has reviewed, we have worked through those, provided to the legal team, received comments back, and discussed, revised and anything that needed to be resolved is resolved. He said the legal team has seen every component that we have provided as part of the UDO. He said they have been an integral part of this process.

Design Standards

Mr. James Ehrmann of Kimley Horne and Associates came forward and said that as one of the big components of the new code, we wanted to provide some additional non-residential design standards. He said these are different standards that would qualify throughout the City and will provide more aesthetically pleasing buildings and ensure that we are providing that contextual visual style that we all find appealing. He said there are some great ways to achieve this in the Code that provide some level of flexibility and some level of creativity because we do not want to prohibit some good design. He said we want to encourage it and provide a menu of options to get those buildings to pop and have visually interesting and appealing aesthetical structures.

James said ways we can do this are by having requirements for things such as color, overall design and building materials and materials we prohibit. He gave some examples on the screen of how we visually demonstrate different architectural techniques with things like transparency of floors, which would be the amount of windows or doorways within the actual façade of the structure. He said it is also what architectural features we are seeing such as cornices, different projections and different recessions in the walls. He said these are all different ways that we can make sure that buildings are going to be interesting to look at and add to the character of the City and that visual appeal we are looking for when you think of great places.

Façade Design Requirements

James said there are architectural terms that may be a little complicated but we are trying to get through some basic concepts here. He said we should address things such as vertical mass, rooflines and wall offsets. He said many of the different purposes for these techniques we want to try would limit those things like blank walls. He said by providing these options and requirements we are saying that here is a list of the different things that we are going to categorize as a possibility for the design. He said you will have to choose a few of these out of this list and they have to come together in a way that will make a building that we want to see within the City. He said how things are divided between the different stories between the ground floors and the upper floors are techniques we can use and codify throughout the Code.

Council Member Surluta Anthony asked if this is a commercial design standard. James said it would be a commercial design standard. He said it really applies to any sort of non-residential building but we will also see as we go through this that we will have some particular standards for industrial buildings because they are a little different than some of the commercial or non-residential. He said Kelley will go into some of the optional residential standards that we have too.

James provided some more representations of what we are really getting at. He said he previously spoke about that blank wall area and provided some examples of monotonous walls that we want to limit in the structure and design of these buildings, as well as require transparency. He said, naturally, where there are more doors and windows on the ground floor, we want to hone in on those being the most interesting parts of the building to look at from a pedestrian point of view. He said we do lower requirements as we move up through the stories of the buildings themselves. He said this is a common best practice throughout we have seen and used in the past for great success of some of these designs of buildings.

James said on the blank walls you will notice that we do have such things as windows, awnings, features, cornices or columns. He said these are all different types of accepted standards of great buildings.

James said another thing we have been working on is introducing the concept of Outparcel Buildings or “Liner Buildings”. He said these are some of the larger-style developments that you might see. He said it might be an anchor store in the back, grocery store, or a big box retailer store in the back. He said when you drive by them, there may be a big parking lot in the front, a little bit of buffering, etc. He said they wanted to allow the concept in the development of some of the outparcel buildings that really hug the street and create a much more inviting type of pedestrian access point. He said also provide those buildings along the pathway so you can easily walk, get in and out of these developments, and really institute some standards within the parking lots themselves as well that provide pedestrian pathways through some of those islands, some of those terminals. He said we are really trying to create a more inviting big box or larger retail environment for some of the uses you see throughout the City. He said we are trying to encourage clustering of those outparcels liner buildings along the street, require those pedestrian connectivity options, and really trying to emphasize consistent themes so these buildings look like they belong together, fit together and look like a complete package.

Industrial Design Standards

James said Industrial Design Standards are another thing we have looked at in the updated UDO. He said this is definitely something that many communities have questions about. He said we are seeing more and more and a lot of increased demand for warehouses and fulfillment-type uses. He said we want to make sure that we address those as they come on line more and more throughout the City. He said we want to make sure that we have some level of façade [some recording missing] treatments required; we want to limit those blank walls. We really want to go ahead and say that we would like some foundation plantings required throughout those developments. He said we also would want a detail of how to handle things like parking, unloading areas, equipment areas, and making sure those things are screened appropriately. He said we would want to make sure that we have developments or business parks whereby a business from out-of-town would want to relocate to.

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

Residential Design Standards

Kelley said we are going to be talking about Sections 8.7.2 and 8.7.3. He said 8.7.3 is the multi-family design standards. He said similar to the commercial and office standards, what we identified in this specific section are standards to supplement the zoning code and identify key components to work within the building and the massing. He said we are trying to break the vertical mass of the building so that it is not just one (1) big wall. He said we are trying to create those roofline components, such as peaked roofs compared to flat roofs. He said we started looking at the horizontal mass, the change of materials, color variations, the use of balconies, awnings, projecting walls, etc. He said it is a very similar type of approach to the commercial standards. He said these are specific to multi-family. He said we know that it is a little bit easier to create some flexibility in building designs here and we definitely want to encourage those. He

said at the same time we do not want to not say anything about it because ultimately, if there is not a specific standard, our concern is always that folks will go to the least common denominator for a building.

Kelley said for single-family, which would be Section 8.7.2, this is a big item because this is a consent component. He said there is a voluntary consent that an applicant must agree to in order for the City to regulate these types of elements. He said 160D-7-2(b) is very specific as it relates to one (1) or two (2) family dwellings and the fact that you cannot, just as a right, do things like the number of parking spaces, signage, landscaping and trees. He said you cannot regulate single-family or duplex design components the way you would in other areas of the City. He said he knows that this was a concern or discussion we were having early on so that the various groups within the City wanted to make sure that there were certain standards they could ask for or require certain things as it relates to single-family so we do not get the same things. He said there is a way to do it but it is under this voluntary consent statement. He said there is a process that goes along with it as well. He said we made sure to be very clear both in the references to 160D as well as the statement, so that you know we are being consistent with those aspects. He said you will see that there are certain design guidelines and what the intent is, and the elements that we address within that specific section of the UDO. He said, again, this is a voluntary component.

Kelley asked if there were any questions as it relates to multi-family or single-family. There were none.

Landscaping

Kelley said landscaping includes buffering, fences and walls. He said this is Section 8.3 of the UDO. He said what we are talking about here are components for new development as well as redevelopment. He said we do not want to penalize all redevelopment for a couple of different reasons. He said depending on how we define redevelopment in some of those standards, we can actually be more punitive in the way we apply components of the UDO. He said we have added in provisions if there is not an increase in the floor area [basically the amount of building that is there] or we are not increasing by more than 20% the amount of impervious [sidewalks and parking and things covered by a hard surface]. He said there are standards that would differentiate between what would then kick in to the full-blown landscape standards. He said we are talking about new structures, improvements, expansions and additions that have a certain percentage increase over what is currently on the ground today. He said we did provide a series of standards within the UDO, including the landscape plans, and we have identified specific provisions for that. He said we have also identified standards for the plant types and materials. He said we have identified the types of trees, the types of shrubs, and how those are to be utilized.

Kelley said we then started on the buffers and the perimeter buffer standards. He said this is something we are going to spend a little bit of time on in just a second. He went over a chart on Perimeter Buffer Types. He said similar to what we have been talking about as we have been developing the UDO, it is all about flexibility. He said at the same time, it is ensuring that what the City wants is what the City is going to end with. He said what we have said is there is some flexibility because we realize that every site, every piece of property and every project is not the same. He said we have talked about that previously. He said as an example, Chik Fil A is not the same as a McDonald's or even a PDQ. He said they are grouped together because they are all technically fast food. He said we came up with some variations. He said there are minimum standards and maximum standards similar to what we have done with the parking and some of our building setbacks. He said it is depending on what the property is zoned that you are currently developing and what is adjacent. He said it is what is new vs. what is existing. He said in this way we start identifying what type of buffer do we actually require on the piece of property that is being developed. He said depending on whether it is a 1 - 5 [Perimeter Buffer Types], we will determine what type of buffer, whether it is 7.5 feet with a certain number of trees or a certain number of shrubs or 15 feet with the options listed on the chart. He said we do also have provisions in there allowing some creativity in the buffer design so that there is not a tree every 30 feet along that property. He said we do allow some clustering and

groupings of those, but we also identify that there is a maximum space between trees. He said the reason we do that is because we realize that there are utility easements, there are driveways, there are overhead power lines, there may be site lines for whatever, and we do not want to be so strenuous in our code to where there is not that flexibility. He said it can also look a little more natural than the row of tin soldiers that we sometimes refer to.

Kelley presented a chart showing different Perimeter Buffer types 1, 3 and 5. He said the exteriors should have the wall on the backside of the buffer and the trees and the shrubs between the wall and the property line and the adjacent use. Similarly, he said on Type 5, you will see that we have provided for a berm, as well as additional trees. He said you start creating what we call 100% opacity so that there is a continuous wall, as well as a continuous wall of trees and shrubs. He said this is where you have potentially incompatible uses [i.e., industrial next to an office setting] and we are okay with it being there but we need to make sure they are screened appropriately. He said an example would be General Business (GB) adjacent to Office Medical (OM), which is one of the proposed districts. He said this would require that Type 3 buffer.

Kelley said on Type 3, you can vary the number of trees and shrubs. He said the one thing that is locked-in is the fence. He said there is nothing in our code that is so strict that there is not a design alternative or a variance opportunity for a specific hardship. He said we wanted to make sure that here is the standard, but at the same time, an applicant always has the ability to ask for some modification to the standard based on a justification or reason.

Kelley asked if there were any questions on the buffers or table.

Mayor Pro Tem Marion Holloway asked if we can put a restriction on planting Bradford Pear trees. Kelley said he did not think Bradford Pears were permitted at all. He said Bradford Pears are great to look at but after they are a couple of years old, they are smelly, unsightly, and the branches do not hold up. He said we do not allow Bradford Pears.

Council Member Freddie Gordon asked if fences were material specific. Kelley said yes, we do have provisions for the types of materials. He said we do allow certain types of fences in a rural setting vs. the urban settings. He said we do get into specific fence materials. He said it cannot be chained link with the slats. CM Gordon asked if this is included in this presentation. Kelley said we did not incorporate that but while he is talking, James can pull this up for us and he can talk about it more.

CM Gordon said it is not a big deal but for any of us who have been involved with this before for any length of time. He said most of the commercial developments pick out the least expensive wood that deteriorates quickly. He said this was his concern and he was curious about this. Kelley said we do provide material types and there is a difference when you start looking at the fence vs. a wall. He said he knows exactly what he [CM Gordon] is talking about because we have run into this before. He said this was also one of the reasons that we said that the fence needs to be interior vs. the exterior.

James said he found the section on fences. He said the fence “Must be constructed of materials, including brick and stone, stucco over concrete, treated wood, wrought iron composite fencing, PVC vinyl and other materials as approved by the Department of Planning and Development”. He said there is a list there, but if there are items that are not necessarily thought through, there is a potential to approve those as well.

Kelley said that was a great question. He asked if there were any other questions. There were none.

Use (Zoning District) and Parking Area Buffers

Kelley presented graphics that we talked about throughout the UDO, and how and where those are applied. He said they wanted to make sure that where they have text it is very clear. He said they are providing the graphics so that you can see how the text will actually be applied from a project perspective.

PB Member Coach Furr asked Kelley if he could answer a few questions on the landscaping standards. He asked why is there not a Certified Landscape Architect designing these projects, just as it is done at our parks. He asked who is going to approve it for the City even if there is a Certified Landscape Architect. He also said on the plant list there is no size designation for the trees, etc.

Kelley said these are good questions. He said we have talked about a Certified Landscape Architect but there are some other alternatives that we have seen being used, whether it is a Landscape Designer, Nursery, or something that is just as competent. He said we did not necessarily want to restrict; however, if that is the wish of the City, we can absolutely provide some additional language. He asked James if the Landscape Architects provided minimum standards as far as installation for the various types of trees.

James said he is going through some of the code but language can certainly be added to the standards of the code. He said he believes that we have some of those standards for the installation as well.

Kelley said in the meantime we will absolutely go back and look at this. He said we will get with our Landscape Architects that we are working with. He said we will confirm both the species types as well as the height at installation. He said canopy trees have to be a minimum of 8 feet with a 2-inch caliper. He said we will make sure this is all really clear and that it is meeting expectations of the City.

City Attorney Mujeeb Shah-Khan spoke and said PB Member Richard Yercheck was logged in twice and he did not know if PB Member Furr was logged in as PB Member Yercheck. He said we are trying to make sure we have a list of everybody who is here for the minutes. PB Member Furr said he is over at Richard's office. He said Richard was kind enough to put him on a computer and that is why there are two (2) Richard Yerchecks. Mr. Shah-Khan said thank you to PB Member Furr. He said we will note that you are in this meeting. He said to PB Yercheck that he was logged in but did not respond to the roll call. He also asked PB Member Yercheck if he was here or has he muted and shut down his camera and is not actually in the room. There was no reply. Mr. Shah-Khan said he was going to take that as PB Member Yercheck is muted, shut down his camera and is not in the room. PB Member Furr said he is in another room and on another phone so he does not know.

Kelley asked if he was free to go ahead with the presentation. Mr. Shah-Khan said to Kelley to go ahead and proceed.

Kelley said another item is the tree preservation standards. He said under Section 8.3.8 of the UDO there are requirements for a preservation plan of certain types of trees and certain standards. He said this is an area where we get several questions on, especially when asked about deciduous vs. evergreen and what are the sizes, etc. He said there is actually a master list and a master series of standards that the State of North Carolina actually utilizes as part of some of its tree preservation components. He said we are trying to utilize this as much as possible. He said we have reviewed those and if there are specific things that individuals want to make sure are addressed as part of tree preservation, we can definitely include that as part of continued discussion in the development of the UDO.

PB Member Jennifer Smith said she had a question for Kelley. She said in four (4) or five (5) years down the line and the trees and plantings die out, is there anybody responsible to replace them. Kelley referred this to staff, especially as it relates to an approved site and development. He said he is not sure if this is a Code Enforcement related issue on the replacement of a required tree. He said he would assume so. Lisa Stiwinter, Planning and Development, said for commercial type of development and even residential subdivisions, if there are required plantings that do die, we would require those to be replaced. She said many times with residential subdivisions you have your Homeowners Associations that usually maintain and keep the trees and living. Otherwise, she said we do provide enforcement on those matters.

CM Anthony said in older neighborhoods where trees were not planted, are they grandfathered in. Lisa said yes. She said if it was an older development or neighborhood and they were to expand their floor area or impervious surface, then some of the landscaping requirements may come into play at that time. She said as far as existing development that does not choose to provide any additions or redevelopment, yes they would be grandfathered.

PB Member Smith asked about fencing. She said she has seen a lot of vinyl fencing in Monroe, especially subdivisions, where it gets mold on it and they don't seem to do anything about it. She said she does not know if this is the Homeowner Association's responsibility in a subdivision. She also asked if the same requirements would be held for wood fencing if it rots and needs to be replaced. Lisa said if it is an existing fence that is starting to deteriorate or dilapidate as far as wood rotting or missing planks, yes this would be a Code Enforcement issue. She said, however, mold is not something that the City would enforce. She said keep in mind that the fence materials that are proposed within this ordinance are all drafts. She said as we review any of these sections, City Council and Planning Board may decide to remove some types of material from the fence requirements. She said this is the time to do that. Again, she said as far as mold, we cannot really enforce that.

Kelley said he loves the questions being asked. He said if we need to go back because someone is having issues coming off of mute, there is no problem whatsoever. He said he wants to make sure that you walk away here with at least some semblance of an answer or us with a takeaway to get back with staff with a specific response for you.

Kelley said there are other provisions in that portion of the UDO besides Tree Preservation, such as Service Area Screening, including the outdoor display of components. He said we then circled back around with Fences, Walls and Berms, including limitations on Barbed Wire. He said we do provide certain components of that, especially if it is an agricultural setting and certain other instances. He said we realized that you are not necessarily going to have Barbed Wire in the Downtown area, but there are some outlying areas where the City is abutting the County where a Barbed Wire fence is more appropriate than some of the other fence types we have talked about.

Kelley said he made a comment to confirm with our Landscape Architect with respect to the Tree Standards and Maintenance. He said the Landscape Architect will also look at the Approved Plant List to make sure we are good with the species that we are providing as far as the large, medium, etc. He said when we talk about the height and width, we are talking about at maturity. He said we will confirm the minimum standards for planting as well as tree replacement.

Cluster Subdivision Standards

Kelley said if there are no other questions on the Landscaping, we will move into Cluster Subdivision Standards. He asked Lisa if she had any thoughts or input on this as well, please feel free to speak. He said Cluster Subdivisions are conventional subdivisions much like older, existing neighborhoods. He said when these were laid out, they were laid out in a grid pattern. He said they did not set aside open space. He said it was almost like a cookie cutter approach to many of the lot sizes. He said there is tremendous architecture in and around the Downtown area and some of the conventional neighborhoods that you see.

Kelley said before we start getting out into some of the Transitional areas and the Suburban areas where we are seeing the transitions from the urban, suburban to the rural, what we start seeing is especially in practice today is more of the planned unit development type of approach. He said where we have areas that we want to preserve, we wanted to incentivize from a single-family approach. He said if you are willing to do the cluster subdivision, then there are some offsets with that we are proposing which is a density increase and decrease of the lot sizes. He said but there are trade-offs that requires at least 30% open space, three (3) different housing types [we have to define what is a housing type itself] and must provide interconnected neighborhoods and those connections. He said this becomes an either/or situation so it is an opt-in type of deal. We are not saying that somebody has to utilize the cluster. He said they can go out and develop a conventional subdivision, no questions, no qualms, no nothing. However, he said if you are willing to do certain things, then we are willing to potentially offset some of those higher design components.

Kelley said he has a couple of different subdivision scenarios. He said the first is a conventional subdivision. He said this property is about 9.35 acres, 8 total lots, each lot is about an acre, excluding the roadway, and there is zero open space. He said they utilize the full extent of the 9.35-acre property between the lots and the road. He said the trees that were utilized from a buffer standpoint were highlighted but they are either on existing lots or along the existing lot line. He said they are actually not required per your UDO nor most codes today do that.

Kelley said if we went to a cluster opportunity, let us assume there was not a density bonus and we had a provision for 50% open space. He said you still have your eight (8) lots, the road is probably a little smaller, the lot sizes go to about ½ acre in size and there is 50% open space. He said this is a simplistic approach and there are different variations you can have. He said if you wanted to go the route of the incentive, then you would get 33% open space, approximately 10 lots, and still about ½ acre per lot. He said this gives you a couple of ideas and options, especially on a smaller scale.

Kelley asked Lisa if she would like to interject anything at this point. Lisa said not at this point.

Kelley said there is the conventional, the cluster with no density incentives and the cluster with density incentives. He said this is out there for City Council and Planning Board's comments and thoughts.

Lisa Stiwinter, Planning and Development, said one thing that she wanted to point out is the goal for them to be able to cluster and get smaller lot sizes and increased density so that we are able to have voluntary consent that they would comply with some residential design guidelines. She said if they are willing to do a cluster development, then we would expect them to voluntarily consent to provide those residential design guidelines. She said we would also have a decent amount of open space and we would be looking for amenities. She said they would get a little bit smaller lot size but an additional density of two (2) units.

CM Anthony asked if this was purely voluntary. Lisa said yes, if they were not willing to volunteer a consent to the residential design guidelines, then they would not be allowed to do the cluster development. She said they would not get the additional density and they would not get the small lot sizes.

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

Kelley showed a graphic of a much larger residential project. He said the phase is called Neighborhood 1 or Phase 1. He said it is about 422 acres (1,025 overall) and 732 lots. He said there would be over 250 residential units or two (2) units per acre. He said there are four (4) housing types: 10,000 square foot or greater lots; 6,000 square foot – 10,000 square foot lots; less than 6,000 square feet and attached/2-family dwellings as well. He said the open space accounts for about 42% of this site and about 36% of the site is set aside as part of the common areas, habitats, buffers and some internal park spaces as well. He showed an aerial view of the site that was actually developed. He said this project meets the cluster standards. He said these projects can be a small or large scale but as Lisa said, it is going to be a voluntary-type consent.

PB Member Furr asked Kelley if he remembered the square footage of the houses on this project. Kelley said 1,200 to 1,800 square feet and 2,800 to 3,600 square feet. He said there is quite a difference between the sizes.

Kelley asked Lisa if she had anything else on clusters. Lisa said she did not think there is any additional information now as long as no one else has questions.

CM Gordon asked Kelley about the higher density clusters in the project that was just shown. He said we are just starting to see some modern designs like this and it is hard for some of us to understand how you can mix 1,200 and 3,600 square foot houses in a subdivision and find them appealing. He said just because we are new at this kind of growth, what are your thoughts? He said everyone wants to attach size with desire, but we all know that not everyone can afford 3,600 square feet. He said is this a challenge that comes with growth. Kelley said that this is a great question. He said you can see from the 10,000 square foot lots where there are the 3,600 square foot houses that there are only 30 of these homes. He said what you see the vast majority of are the 6,000 – 10,000 square foot lots, which are the 1,800 – 2,600 square foot houses. He said they were purposely laid out so that we have the main spine road and everything is interconnected. He said off of that spine road are different kinds of sub-neighborhoods or sub-communities so that it is not a 3,600 square foot house next to a 1,400 square foot house. He said there are some cases where we do have that but we kind of set these up in smaller pods that can be developed so you have similar types of houses within those areas. He said this is something you will actually see more and more. He said it is not just a phenomenon you will see in the Charlotte Metro area. He said you are seeing this more in that area but most of your high growth areas are starting to see more of your national homebuilders and more of this type of approach.

PB Member Yercheck said to CM Gordon that we saw this at Lake Park and we saw it again at Bonterra. He said they did not have any trouble at all. Mr. Shah-Khan asked PB Member Yercheck to identify himself. He said to PB Member Yercheck that he did not answer the roll call. PB Member Yercheck said he is here.

PB Member Yercheck reiterated that we have seen this design already in our area, which was Bonterra and Lake Park. He said they went from townhouses or zero lot line or little houses where you did not have to cut your grass. He said you just planted flowers and your HOA cut your grass. He said they went to some pretty monster homes in those areas. He said we are not doing anything new. He said this has already been done within a five (5) or six (6)-mile radius of the City of Monroe. He said this is what we are seeing and what people want: Lake Park with its Village and a little bit of shopping, a restaurant or two. He said it is a very popular place.

CM Gordon said he agreed that it is what is desired now, rather than the one (1) house per acre. He said it is something going forward that we will all have to get used to because the marketplace is dictating this and it is truly what more people want. He said as it is proposed, he does not know how the word gets out but

Council starts getting e-mails from all over the County stating that they do not like it, they do not want it, they don't need it, etc. He said all he can say for those of us in the City who are getting this, we are going to have to get more used to it because it is what is being desired and developers are going to provide.

PB Member Yercheck said we cannot build for the people already here; we have to build for the people we would like to come here. He said we have to put projects together for the people we want to attract. He said this is to him the most important thing. He said to CM Gordon that he would like to go into an area, bring his builder with him, have an acre or two and build something that he wanted. He said that is not the way they do it anymore.

Council Member Franco McGee said these subdivisions are geared to more diverse communities having different size homes and different style homes. He said this would be an opportunity for us to diversify our communities a little bit more than what we already would have. He said he totally likes this cluster option.

CM Gordon said he just wanted to point all of this out that it is becoming more popular. He said it may not be for everybody but Monroe is going to have to look forward to it because we only have a certain amount of space available in the City. He said we do have utilities for it, especially water and sewer.

Mujeeb Shah-Khan said there is a consensus of people who want to take a 5-minute break. He said all members can then return about 5:09 pm if that is the will of the Mayor and the Chair. Mayor Kilgore said it is fine with him. He asked Council to feel free to take a 5-minute break. Chair MaryAnn Rasberry said to Planning Board Members that there will be a 5-minute break, so be back at 5:09 pm.

BREAK

Mayor Kilgore called the roll upon return from the break:

Mayor Pro Tem Marion Holloway *(via Zoom)*, Council Member Surluta Anthony *(via Zoom)*, Council Member Freddie Gordon *(via Zoom)*, Council Member Angelia James *(via Zoom)*, Council Member Franco McGee *(via Zoom)*, Council Member Lynn Keziah (absent)

Chair MaryAnn Rasberry asked if she needed to call the Planning Board roll again. Mr. Shah-Khan said no.

Kelley said James would be doing the next section. He said he will be providing commentary along the way.

Open Space

James said what we have tried to do in the updated UDO is craft some good standards that are going to require the introduction of some really codified open space sizes, whether it be parks or a different type of activity centers. He said he will be showing graphics of what the open space types look like, what their sizes are and whether it is a residential development, non-residential development, mixed-use or planned development. He said we have provided the base-level design standards to make sure we are implementing those open space types that people are going to want to utilize, they are going to be an attractive part of the community and be an important part moving forward.

James said they have provided graphics of some of the open space types:

Pocket parks

He said you might see in a typical residential community, particularly if you have a subdivision. He said they are great to include as an area for kids to get together or have community events.

Green

He said this might include a more informal play area, sports, and open space amenities.

Square

He said this is a more organized and may be more civic or city-type field. He said you might see this implemented throughout the City or in some new developments along those arterial blocks.

Neighborhood Park

He said he thinks this would fit very well in what Kelley or Lisa talked about in previous screens, providing that very large sectional gathering plain in a large development or cluster subdivision, where you can have those neighborhood amenities for people to meet up and use for any type of events.

Amenity Center

He said many of us have seen these, whether it is a new type of development, townhomes, planned developments.

Plaza

He said this is somewhat similar to Squares.

Linear Park

He said these are unique features you might see along bodies of water, a bicycle path, scooters, roller blades, etc.

James said they do categorize these open spaces in different ways. He said some of these can be categorized in more than one size. He said we don't necessarily say that an Amenity Center has to be small, it can also be medium. He said there is some flexibility on how they are going to be introduced throughout the community. He said a small, open space park might be something as simple as a 500 square foot Pocket Park. Alternatively, he said it might go as complicated as a large development where we see those neighborhood parks that he alluded to before. He said here is where we control how they are categorized and provide that range of acreage as well.

James said going into the medium and large open spaces, these are where we have some of the larger type uses. He said these are going to be one of those 2.5 acres or greater open space types that we see. He said this could be the Plaza or a large Amenity Center. He said they [could not hear] standards in the UDO here of how many open space types they are required to have in the new subdivisions or within these developments. He said they will have to include a certain type of open space depending on how large the new development is.

James said this is going to be a great way moving forward with new developments to ensure that we are getting these amenities, we are getting these open spaces and we are providing all these.

James showed a graphic which gave the percentage requirements of open space by acreage. He said we want to ensure that you have those baseline standards, we are requiring a mix of those open space types, and within those open space types is going to be the concept of whether it is going to be an active type or a passive type of use. He said we want to make sure we provide a mix, whether it is just open space with some greenery and gardens, or maybe we want to ensure that we have those active walking/bicycling opportunities. He said we went ahead and designated all the different types of standards as well. He said we are very happy with the draft we ended up with Lisa and her team in the Planning Department thus far.

James asked Lisa if there was anything else she wanted to add. Lisa said she just wanted to add that within our current UDO, we have some open space that we can require but it certainly doesn't have any type of standards of how many different types of open space, amenities, or pocket parks a subdivision has. She said the only way that we are getting any of that stuff right now is through the conditional district rezoning process and planning staff negotiating with the development team. She said an open space section or ordinance that spells out different sizes of open space and provides whether it is passive or active and a variety of different amenities that can be an open space is going to be a very good tool for staff to be able to work with developers going forward.

Kelley said when we start talking about small and medium open spaces; one of the things that you will not see and hear is mention of a tot lot or playground. He said there are a couple of reasons why. He said we came across this one in another community. He said they were told for the first 100 units they had to have a tot lot. He said the only problem was that this was in a retirement or age targeted community in 55 and older so they had to go through the process and get a variance to the open space and park components. He said this is another one of those where we wanted to have the flexibility, based off of the type of development that we are looking at, to see what is best for that development. He said staff would have that level of input as well.

James asked if there were any further questions. He said it is an exciting new portion of the code that we are definitely excited to bring to the City.

PB Member Smith said we are seeing more and more of developers bringing in projects that the properties are so close together that you can pass a sandwich through the window to the house next to you. She said another thing we are seeing is that all of the houses pretty much look alike. She said they have a six (6) foot entryway and then the rest of the house is all garage. She said there is this glaring, big white garage door, every other house is the same and the same color. She said it seems like this is approved as long as they meet the requirements for materials. She asked if there is any way to regulate that not every other home is the same as the house next to it.

Kelley said to PB Member Smith this is a great question and he went back to the residential design standards. He said Section 160(D) actually precludes certain aspects of the single-family from the one and two-family components. He said there has to be a consent and it has to be voluntary, otherwise we cannot get into the types of materials and other things that you are talking about at this point.

Lisa Stiwinter said to PB Member Smith that to elaborate on this a little bit, the residential projects that have been coming before Planning Board and City Council are part of that site-specific Conditional District reasoning process. She said it is a mutually agreed upon development between the developer and the City. She said the City has the ability to request conditions and the developer has the ability to request deviations from Ordinance standards. She said through that process, the staff, the Planning Board, City Council can negotiate to get some of those exterior building requirements or the additional open space and the amenities. She said if there is a development that does not go through the Conditional District process and it is a residential development that is allowed by right on a residential, 20,000 square foot piece of property, then we cannot require any type of design standards for those type of projects. She said currently, our only tool

is the Conditional District rezoning process. She said moving forward, we have developed that cluster subdivision-type section that states that if you voluntarily consent to design standards, then you can get an additional two (2) units per acre and we would require a certain amount of open space. She said this is kind of our way of trying to move forward with some type of standards within the Ordinance that we can get quality development.

Lisa said to Ms. Smith, as far as your question as to whether we can require that you cannot have the same house on the same street, she thinks Kelley spoke to that and she did not think we could legally do that.

Kelley said actually underneath our residential components where we talked about the consent, one of the subsections we have in there is the architectural variability. He said we do start to call out the number of houses that can be the same color, same type. He said this is with the voluntary consent.

PB Member Furr said to Kelley that one of his companies builds sportsplexes up and down the East Coast. He said they have noticed lately that they are building sportplexes and building the residential and commercial around the sportplexes. He asked Kelley if he has seen this to be a trend in your development design. Kelley said we are seeing a lot of that. He said keep in mind that Kimley Horne is a national firm and we do a lot of master plan communities as well as park facilities like those that you are talking about. He said we are seeing more and more of these integrated types of uses for a couple of different reasons. He said you are doubling up on your open space provisions, your recreational components. He said you are not having to get in a car and drive 10 minutes to get to the sports complex---it is right there in your community. He said there are some studies that actually say that there is an increase in property valuations in those aspects as well. He said we are seeing more and more of those integrated types of uses.

Kelley asked if there were any further questions or thoughts before moving into the Zoning Map section. There were none.

Zoning Map

Kelley said before he hands this back to James he wanted to say that we are not intending tonight to get into the individual property level. He said there is going to be a significant amount of time that we are rolling this out so that there can be public review and public comment. He said right now you are looking at a static map that is the City's existing zoning. He said we have also created this for the proposed zoning and we are doing certain conversions of districts. He said the information that we are preparing is in a GIS database. He said it is a computerized mapping so that the City staff can actually zoom in and look at individual properties and individual components of the City vs. looking at it like you see right here which is a small image and very limited amount of detail that we have at this point. He said he wanted to let you know that there is a significant process that is getting ready to be unveiled and rolled out as it relates to that. He said he knows that there has been quite a bit of discussion with the legal team as far as ensuring what we do, how we do it, and when we do it when changing zoning designation and ensuring property rights and certain notification processes. He said prior to Covid we did have a very good discussion with the legal team so he believes we are all on the same page.

James said we will be showing tonight the current zoning and proposed zoning. He said within the UDO, we have changed some of the districts and changed names. He said we have introduced some new concepts as well, such as the mixed-use districts. He said the proposed map has a key of all the new different zoning districts that we have, as well as the Concord Avenue Overlay District. He provided a screen shot of each district so everyone can get an idea of how that looks throughout the City.

James said we have not made many changes to the Concord Avenue Overlay map. He said we have not made many changes to that district, so it will be the same as it is now.

James said with the Conditional Districts, we have gone ahead and plotted out where those Conditional Districts are throughout the City, and as Lisa stated earlier, they go through the rezoning process through the Conditional District zoning process due to the different types of developments. He said those standards are more or less locked in with site-specific standards for all those developments.

James went through the mixed-use districts. He said the first one is the Community Corridor, which is implemented in two (2) geographic areas. He said these will provide for those updated mixed-use standards that we have previously discussed. He said this is where we will allow those extra uses with retail, residential and provide some different kind of considerations.

James said the next is the MX-2 district. He said this is going to be a little bit less intense and these are almost neighborhood mixed-use type fields and less intense uses.

James said the Downtown Center was known as in the previous code as the Commercial Business District or CBD. He said this is the heart of the City and we went ahead and worked with the Planning staff to designate those properties that previously may have been the Commercial Business District and we are incorporating those new standards for the new mixed-use development that we will see in the Downtown District here.

James said almost hugging and on the outside of the Downtown Center will be the Downtown Gateway. He said these are properties that we thought would be appropriate to include some of [recording not working for a minute] mixed-uses [?] and really add to that Downtown area being respectful of what is there and what we would like to see moving forward based upon some of the City-approved plans like the Downtown Master Plan and some of the other ordinances that we have previously gone through.

James said Medical Mixed-Use by the Medical Center is going to be a different mixed-use district where the uses permitted within here are going to be more similar to what we see for a medical campus-style development, allowing for a mixture of retail, office, medical uses, and also some of those typical residential uses that we might see, including things such as townhomes and almost like student housing type uses.

James said the Regional Mixed-Use is going to be along the northern portion of the City. He said these are going to be some of the larger retail-style developments that we see or some of those larger anchor developments that provide a mixture of uses, some higher density residential uses. He said this is where the growth of the City is going to start moving to.

James said Office Medical was previously referred to in the current UDO as OT or Office Transitional. He said these are some of those transitional areas that we might see along the Downtown area. He said we will have a lot more office-type uses that will more or less play as a buffer between some of the residential or traditional neighborhoods we see outside of Downtown. He said you will see a lot of green scattered throughout the City where we have some of those current properties.

James said General Business is one of the most predominant uses especially along Hwy 74. He said these will be many of the larger-style developments for retail. He said they are spread throughout, mostly along the major corridors and recognizing some of those larger retail establishments that the City has right now.

James said we have also crafted a Neighborhood Business District. He said this is something, in examining how the retail establishments were scattered throughout the City, we went ahead and said let's see if there are opportunities to really have less intense commercial uses off of some of those major corridors. He said these are going to some of those smaller neighborhood establishments, smaller restaurants, smaller shops, that are really closer immediately to some of the residential. He said we wanted to make sure we included

those because they are a little different from some of the big box style retail developments that we see along the major corridors.

James said next is General Industrial. He said you will recognize some of the areas of the City that are more industrial in nature right now. He said we wanted to go ahead and actually provide two (2) different Industrial Districts. He said we have the General Industrial and Heavy Industrial. He said we went ahead and crafted standards for these districts and applied them throughout the City.

James said Residential Low Density was previously the R-40 district in the current UDO. He said here you will find some of the low-density residential development, single-family predominantly. He said this is going to match up well with what is currently on the ground. He said a large portion of the south part of the City we may have some more open space developments, less intense uses right now, and we have mapped those out accordingly throughout the City as well.

James said Residential Medium Density was previously the R-20 district in the current UDO. He said these really are transfers over of what we would see in the medium density residential type uses. He said this is where we might start allowing some more townhome style developments, villas, things such as that, in addition to single-family detached uses.

James said Residential High Density was previously the R-M-F district in the current UDO. He said these are going to be where we allow some of the higher pockets of density, multi-family apartments, condominiums, things like that. He said they are closer to corridors, closer to Downtown, places where some of these higher density residential uses makes sense to place.

James said we wanted to provide an overview of the districts, how those are playing out, how those are going to work together with the district standards that we have written and we have talked about previously for the traditional and mixed-used districts. He asked if there were any questions.

PB Member Furr said he lives in the National Historic District. He asked if you were going to work with designs for the Monroe Historic District and the National Historic District. James said he knows we have some Historic Districts throughout the City, and we do have some standards built in of what is permitted and not permitted as far as design standards and the processes you would go through in order to change anything. He said Lisa and Kelley might have thoughts on this as well.

Lisa said we currently have Historic District design guidelines and the City received a grant to go through the process to update those design guidelines. She said they are already in place. She said as far as properties that are located outside of our local Historic District, the design guidelines would not apply to those properties and it would be through the Union County Historic Preservation Commission. She said yes, we do have a Historic District overlay district, we do have processes in place of how one would repair their home and we do have recently updated design guidelines for the Historic District.

Lisa asked if there were any additional questions. She said she knows the zoning map was a lot of information. She said this is our first step in the public review process and it is just to kick it off and introduce it. She said it is at a high level and we recognize that. She said there will be additional review and revisions. She said there will definitely be additional public meetings for everyone to have an opportunity to review these various different zoning districts.

PB Member Smith asked Lisa if somebody bought a lot that was in the Historic District, would they have to conform to the guidelines in building that home so it represented the area well. Lisa said yes. She said it is in our design guidelines. She said not only additions, repairs or renovations, but new construction would adhere to those guidelines if the property were located in the local Historic District.

PB Member Gordon said to Lisa that we talked about a timeline and he thought we were going to start this on January 1, 2021 but apparently, that didn't go down. He asked Lisa when exactly you would expect that this might go into play. Lisa said that is a very good question and staff has been discussing this amongst our team. She said the section 160(D) was supposed to go into effect January 1 but due to Covid that has been delayed to July 1. She said in an ideal world it would be great if we could get the Ordinance and Zoning Map adopted by the July 1 deadline, but we are almost in April and we certainly would not want to rush the Zoning Map portion of it as far as the public review. She said we are hoping by the end of the summer. She said she spoke to Mujeeb Shah-Khan, the City Attorney, earlier today and it may be that we end up having to do a revision to our current Ordinance to meet that July 1st deadline for a month or so to have something in place so we are meeting our legal requirements. She said staff has a meeting with Kimley Horne and Associates tomorrow and we can certainly talk about our timeline. She said we are all anxious and ready for this project to get underway and certainly don't want to end up rushing the public comment portion of the Zoning Map.

Mujeeb Shah-Khan clarified the issue to CM Gordon. He said 160(D), which changes the planning and zoning development statutes in North Carolina, is already in effect. He said, however, it imposes requirements on cities that originally were to go into effect in August and they moved it up to July. He said they gave an extension and then moved it back a little. He said there are certain requirements in 160(D) that we have to have in our Zoning Ordinance. He said it is possible that if we cannot have the full UDO and the Zoning Map ready for July 1st without impacting public ability to comment and to also make sure that the public is aware of all the changes being made, we might have a temporary set of changes that ensures that the City fully complies. He said that is why you are hearing that and from a staff perspective, we do have some concerns but are ready to make sure that we fully comply by July 1st and that your UDO ends up in the position it needs to be in so that everyone is aware of what changes are being made.

CM Anthony said to Mr. Shah-Khan, when you say temporary, do you mean until the entire UDO is completed. Mr. Shah-Khan said the answer is that what we are looking at is it would be in effect for July 1. He said a temporary bridge Ordinance would be in place. He said let's say, hypothetically, the UDO is ready for adoption, effective August 1, it would only be a month. He said if it's September, October or November, you still are complying with all the areas of state law that have changed. He said you have a bridge that is available for as long as we need it. He said our sincere hope is that we do not need it for very long, if we need it at all.

Kelley said we will be meeting with Lisa tomorrow so we will be definitely mapping that out. He said at the same time he wants to make sure if there are any other questions as it relates to the Zoning Map or any of the standards we have identified and provided for all of you tonight.

PB Member Furr asked if this would be open to the public and would it be in an area where the public can come in and look over exactly what is being proposed before a final decision is made. Mr. Shah-Khan said we will make sure that whatever input we have will involve the public. He said it, of course, will depend on the continued evolution of the pandemic state of emergency. He said if we can only have a few people in, we will do that, and we will make sure that the public has access and is able to provide comments based on whatever requirements the Governor has in the various Executive Orders.

CM Anthony said if there are no questions, and the presentation is over, she would move that we adjourn. Mr. Shah-Khan said to Ms. Anthony that he would defer to our friends at Kimley Horne to tell us if they are indeed finished, and if they are, then he would defer to the Mayor to see if he wishes to adjourn. He said you have made a motion and if they are done, then I would ask the Mayor to ask for a second and a roll call vote.

Kelley said for the record, yes, we are officially done with our presentation.

Lisa said she wanted to thank everybody for their time and participation and Kimley Horn for their presentation. She said she appreciates all of this. She said she also wanted to mention that this is our step for kicking off the Zoning Map and providing public review on those Ordinance sections that are 100% complete. She said we do have a website, *Transform Monroe* that will talk about getting that updated with this workshop information on there. In addition, she said possibly those Ordinance sections that are already completed that can begin the public review process. She said she can also send out an e-mail to everyone once we get the website updated.

Mayor Pro Tem Holloway said we wanted to thank staff and the presenters for a job well done and well prepared. He said we certainly appreciate it.

Mayor Kilgore said he wanted to thank everyone also for this afternoon. He said he appreciates the Planning Board meeting with us also. He said he has a motion and asked for a second. CM McGee seconded.

Mayor Kilgore called the vote via a roll call: Council Member Surluta Anthony – yes (*via Zoom*), Council Member Freddie Gordon—yes (*via Zoom*), Mayor Pro Tem Marion Holloway—yes (*via Zoom*), Council Member Angelia James—yes (*via Zoom*), Council Member Franco McGee—yes (*via Zoom*), Council Member Lynn Keziah (absent)

Motion passed unanimously.

PB Chair MaryAnn Rasberry asked for a motion and a second. PB Yercheck made a motion to adjourn. PB Richard Ali seconded.

Mujeeb Shah-Khan said to PB Chair Rasberry that there needs to be a roll call.

PB Chair MaryAnn Rasberry called the vote via a roll call: PB Vice Chair Richard Yercheck – yes (*via Zoom*), PB Member Rich Ali—yes (*via Zoom*), PB Margaret Desio—yes (*via Zoom*), PB Member Patrick Furr—yes (*via Zoom*), PB Member Renee Hartis—yes (*via Zoom*), PB Member Jennifer Smith –yes (*via Zoom*), PB Member Edith Covington (absent)

Motion passed unanimously.

The Special Joint Strategic Meeting with Planning Board and City Council adjourned at 5:50 p.m.

**PB Special Mtg with CC on 3-30-21 Rev AB
mab**

PLANNING BOARD MEETING

May 5, 2021 @ 6:00 PM
City Hall – Conference Room
300 W. Crowell Street, Monroe, NC

*To Sheri Laney on May 6, 2021
Scheduled for adoption at the June 2021 meeting*

Item 1. Call to Order/Roll Call

Chair MaryAnn Rasberry called the May 5, 2021 meeting to order at 6:00 p.m. Keri Mendler called the roll. Chair noted that a quorum was present.

Members Present: MaryAnn Rasberry, Richard Yercheck, Richard Ali, Renee Hartis, Jennifer Smith, Patrick Furr (ETJ member) and Margaret Desio

Members Absent: Edith Covington

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

Guests: **CD “Morgan Mill Townhomes”**

Vincent Arey, Arey Properties
Wes S. (sp?), Arey Properties
Benji Layman, The Isaacs Group
Lanny Stack, Stack Properties
Peter Alexander, Raya Construction
Fred Matrulli, Pulte Homes

Annexation/CD “Riverstone”

Brad Donahue
Ken Holbrooks, Provident Bayard
Tim Co, Provident Bayard
Weston Boles, WK Dickson
Kristin Dillard, Provident Bayard
Troy K , WK Dickson
Kevin Secrest
Larry and Jean Leonard
Teresa Gordon
Tom Waters, Applicant
Tommy McLester, Riverstone

Item 2. **Approval of Minutes of Meeting**

Motion: Renee Hartis made a motion to approve the minutes of the April 7, 2021 meeting.

Second: Jennifer Smith

Action: The motion to approve the minutes passed unanimously with the following votes:

AYES: **MaryAnn Rasberry, Richard Yercheck, Richard Ali, Renee Hartis, Jennifer Smith, Patrick Furr and Margaret Desio**

NAYS: **None**

Item 3. **Zoning Map Amendment request for the property located along Morgan Mill Road from R-20 (Residential Low Density) to Conditional District (CD) “Morgan Mill Townhomes” and further identified as Tax Parcel ID 09-185-012 [Tabled from April 7, 2021 Meeting]**

Keri Mendler, Planner, introduced this item and said tonight she is here to present a Zoning Map and Text Amendment request for the property located along Morgan Mill Road. She said as a reminder, this request was tabled at the April 7, 2021 meeting in order to allow City Staff the time to review the changes presented at the meeting.

Keri said the applicant is requesting a Conditional District rezoning in order to develop 53 attached single-family homes, also known as townhomes. She said the total area of the project is 14.71 acres with 9.25 acres of open space.

Keri said the property is located west of Morgan Mill Road. She said the site is currently zoned R-20. She said the R-20 zoning district consists of 20,000 square foot lot sizes with an allowable density of two units per acre. She said adjoining zoning is General Industrial (GI) on all sides, with the exception of a few Conditional Districts.

Keri said the applicant is requesting a Conditional District in order to develop 53 townhomes with an overall density of 3.6 units per acre. She said the total area of the project is 14.71 acres with 9.25 acres or 63% of that left as common open space. She said the applicant is proposing the setbacks to be 20 feet to the front, 10 feet to the rear, and 5 feet to the exterior sides. She said the Ordinance requires a 50-foot landscape buffer around the perimeter of this site, which has been provided on all sides. Additionally, she said street trees will be provided at a rate of one (1) tree for every 50 feet of road. She said each building or set of townhomes will have at least two (2) trees.

Keri said as she had mentioned, the project is providing 9.25 acres of open space, which is 63% of the total site. She said they are required to provide at least 50% of open space, which would equal 7.35 acres so they are over that threshold. She said open space will include a small amenity area that will have benches and a dog station. She said sidewalks will be provided internally and the sidewalk will be five (5)-feet wide. She said an eight (8)-foot wide sidewalk will be provided along Morgan Mill Road.

Keri said the project will be accessed by one (1) entrance off Morgan Mill Road. She said there will be a left turn lane constructed on Morgan Mill Road so that you can turn into the development.

Keri said the developer is proposing the exterior building materials to include fiber cement, stone, stucco or brick. She said at least 25% of each unit will contain brick or stone, and vinyl will only be utilized for trim work. She said the townhomes will have a heated floor area of 1,430 square feet minimum. She said

the applicant is proposing that all units will have two (2)-car attached garages and all front load garages will have carriage-style trim and/or hardware to mimic carriage-style doors. Additionally, she said each driveway will be able to accommodate at least two (2) vehicles.

Keri said based on the Ordinance requirements, 186 parking spaces will be required for this project and they are currently proposing a minimum of 212 parking spaces with the two (2)-car garages and the two (2) parking spaces in the driveway.

Keri said this development falls within the Rock Rest Elementary, Monroe Middle and Monroe High school district, and according to Don Ogram with the school system, they do not currently anticipate that this development will present an adverse impact on school enrollments.

Keri said the applicant did send a notification letter to adjacent property owners on March 8, 2021. She said she believes that Planning Board received an e-mail from that letter. She said staff has not received any more correspondence from anybody from that point or from the last meeting. Additionally, a rezoning notification sign will be posted ten (10) days prior to the public hearing, as well as an official rezoning notification letter sent to adjacent property owners located within 150 feet, ten (10) days prior to the public hearing.

Keri said the Land Development Plan indicates this area is located within the Community Corridor. She said the Community Corridor generally covers most of US 74 and areas adjacent to intersecting streets. She said the allowable density is 4-10 units per acre and the proposed project is no longer consistent with the Future Land Use Plan as the density for the Community Corridor as stated before is 4-10 units per acre and this project is now at 3.6 units per acre.

Keri went over the modifications since the April 7, 2021 meeting:

1. The applicant has reduced the number of units from 62 to 53, which has reduced the density from 4.21 units per acre to 3.6 units per acre.
2. The applicant has increased the minimum lot width from 20 feet to 24 feet.
3. The applicant has revised the townhome elevations so that each townhome has a two (2)-car garage. She said the last elevations submitted only had one (1)-car garages for the units. Additionally, due to that change, each driveway will also be able to accommodate at least two (2) vehicles whereas it was one (1) vehicle on the first submittal.
4. Decreasing the units also increased the open space from 8.85 acres or 60.2% to 9.25 acres or 63%.

Keri said she would be happy to answer any questions you have and the applicant is here as well. She said the applicant does have a short presentation as well.

Richard Ali asked Keri what was the change in units and density. Keri said units were changed from 62 to 53 and density was reduced from 4.21 to 3.6 units per acre.

Chair asked Keri about the setbacks and sidewalks. Keri said the interior unit setbacks will be zero. She said there will potentially be ten (10)-feet in between the sets of units. Chair asked Keri for the width of the garages. Keri said the garages would be 19 feet and 4 inches by 20 feet and 4 inches. She said the units are 24 feet wide with basically a garage door and entrance.

Jennifer Smith asked Keri how many cars were allowed in the driveway. Keri said two (2) cars in the driveway and two (2) cars in the garages.

Chair said to Keri if she bought a townhome and she wanted to have six (6) friends over to dinner one night, where are they going to park if she parks her two cars in the driveway and the garage is used as storage. Keri said the streets would be public so there is potential for parking on the street. She said it would be a public street, which would allow parking on the street. She said many of our single-family detached homes will also have two (2)-car garages with two (2) parking spaces in the driveway. She said some homes have four (4) spaces in the driveway, but there are many that have the two (2) and two (2) for a total of four (4).

Chair said she sees three (3) parking spaces in one section. Keri said that will be for overflow. Chair said there were additional parking spaces on the map last time. Keri said that map was reworked after they heard some of your concerns about density and the number of units. She said they have increased the lot width and they added the two (2)-car garage vs. one (1)-car garage. She said therefore you probably lost some of that parking that was on the map.

Margaret Desio asked about the boxes at the end of each street, which is for turnaround of fire trucks, etc. She asked Keri if guest parking would be allowed in those boxes. Keri said theoretically, there really should not be any parking in the area because if there is a fire, a fire truck may need to turn around. Chair asked if it was just going to be an asphalt slab. Keri said yes. She said it will be part of the public right-of-way.

Jennifer Smith asked if you parked down the street in front of somebody else's house, how will they get out if you have them blocked in. Vice Chair said you don't park in front of a driveway; it is the same thing in anybody's neighborhood.

Patrick Furr asked Keri about the amenities. Keri said the current site plan indicates that there will be benches and a dog station. She said the applicant has agreed to something additional in their presentation that we would require before it goes to City Council to be reflected on the site plan. She said from a planning department standpoint, with 53 lots we would not necessarily require a whole lot. She said, however, we do agree that something more than a dog station and benches would be appropriate.

Patrick Furr asked Keri if she knew what the prices would be on these townhomes. Keri said she did not but the applicant can speak to that.

Chair asked if there were any further questions of staff.

Renee Hartis asked if staff had a recommendation on this project. Keri said staff does not have a recommendation on this project. She said we did have some concerns as far as the existing industrial in the area and potential for adverse impacts on additional residential.

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

Chair asked the applicant if he would like to come forward and make his presentation.

Mr. Benji Layman with the Isaacs Group came forward and said he is the Civil Engineer for the site. He gave a presentation which included the changes made from the last submittal. He said the plan that was originally sent to planning staff for review included just a dog station and benches. He said he agreed that they could do more and before they go to Council they will add a dog park, swing set and a nature trail that winds back to the flood plain. He said it will be more of a circular pedestrian path. Chair said the area in the back is pretty steep. Mr. Layman said as part of their grading plan, they will flatten their developed area. He said once you get to the flood plain there is an area that flattens off so it will be strategically placed.

Mr. Layman said we do not need the Future Land Use Plan because we are actually below the future land use density of 4-10 units at 3.6 units.

Mr. Layman said one of Keri's concerns was our location vs. some of the industrial and commercial developments or uses that are around here. He said from the standpoint of a homebuilder, they view it as a great location even though it is next to industrial or some commercial uses. He said it has great access to the expressway and good access into Monroe. He said it provides a good opportunity for people that work downtown or even towards Charlotte.

Mr. Layman provided an overview of the elevations.

Chair asked Mr. Layman if the townhomes would look like the ones on the bottom? Mr. Layman said yes. He said he wanted to point out that he knows the Planning Board does not like vinyl siding. Chair said or white garage doors.

Chair asked if there would be flower beds in the front. Mr. Layman said we will be putting in two (2) trees per building so we won't necessarily have flower beds. He said there will be 20 feet in the backyards. He said a good portion of the units face the 50-foot buffer so there will actually be the nice, landscape 50-foot buffer and then the additional 20 foot usable backyard.

Richard Ali asked if there would be a fence. Mr. Layman said there probably would not be a fence due to the amount of landscaping that we have. He said we have not discussed a fence.

Richard Ali asked if there was an exit at the lower level in the rear. Mr. Layman said yes. Mr. Ali asked if there was any divider between units or is there just one big yard for everybody. Keri said she is not speaking for the developer but typically what we will see with townhomes is the individual property owner, if they want some kind of fence or barrier, would do this after they purchase the townhome. She said some times you will see on townhomes a section of fence that separates the townhomes but typically the homeowner does this.

Chair asked if the property owners would be mowing their own grass in the back. Mr. Layman said he thinks the HOA would be responsible for all of the landscaping, buffers, etc. Chair said putting up fences would limit the ease of mowing. Mr. Layman said yes. Richard Yercheck said it would have to be approved by the HOA. He said if the HOA says you can fence the whole thing in, you will mow your own grass for the 20 feet.

Mr. Layman said as far as the parking, now we are up to four (4) spaces per unit. He said there will be a couple of guest parking spaces on the ends. He said there is some areas between building units that has about 20 feet which is space for each building to have street parking without blocking someone's driveway.

Margaret Desio asked Mr. Layman if he was going to require [could not hear]. Mr. Layman said we do and that is because there are two (2) just barely distinct drainage basins that eventually go down to the flood plain.

Jennifer Smith said the price point is \$250,000. Mr. Layman said it will be a little higher than \$250,000. He said he thought they would start at \$250,000 but that will be before upgrades. He said it would probably be pushing \$300,000s. Chair asked if there would be 2 – 3 bedrooms. [could not hear].

Chair said she would like to know about the driveways. She said living out there [could not hear]. Mr. Layman said we had a rough grading study and ...[could not hear – referred to site plan]. Mr. Layman said we will have to meet the criteria for road standards for vertical curves, so we can only change the grade so much.

Margaret Desio said she felt like it was a great place to put this. She said looking at that lot there is not a whole lot else you can do.

Chair asked if there was anybody else that would like to speak for or against this project.

Mr. Lanny Stack, the applicant, came forward and spoke on behalf of the project. He said this opportunity we have for Monroe and Union County is fairly unique and as Ms. Desio said, it is a light industrial setting. He said the true amenities of the project is the lot itself. He said he has always been sold on it and it has tremendous old growth hardwoods. He said it is fairly secluded but you cannot tell from the map. He said it is private and this type of living is very popular now. He said the design is very functional.

Chair asked if there were any further questions or comments. There were none.

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

Second: Renee Hartis

Action: The motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance passed with the following votes:

AYES: MaryAnn Rasberry, Renee Hartis, Jennifer Smith and Margaret Desio

NAYS: Richard Yercheck, Richard Ali and Patrick Furr

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 Section 156.106 - Official Zoning Map.

Second: Renee Hartis

Action: The motion to recommend adoption of the Ordinance amending Section 156.98 – Conditional Districts Established and Section 156.106 – Official Zoning Map passed with the following votes:

AYES: MaryAnn Rasberry, Renee Hartis, Jennifer Smith and Margaret Desio

NAYS: Richard Yercheck, Richard Ali and Patrick Furr

Item 4. **Annexation of 157.741 acres located along Poplin Road and Rocky River Road and further identified with parcel ID numbers 07-012-007-A (portion), 08-300-033-90, 08-300-035-E, 08-300-040-B, 08-300-054, 08-300-054-A, 08-300-054-D, & 08-300-054-E**

Item 5. **Zoning Map Amendment and Text Amendment request for Conditional District “Riverstone” (Parcel ID #'s: 07-012-007, 07-012-007-A (portion), 07-012-010, 07-027-034-C, 08-300-033-90, 08-300-035-E, 08-300-040-B, 08-300-054, 08-300-054-A, 08-300-054-D, & 08-300-054-E**

Doug Britt, Senior Planner, introduced both items and said he would be presenting them together. He said when making a motion at the end, you can combine both requests. He said this is an Annexation and Zoning and Text Amendment request filed by Provident Bayard, LLC for the properties located along Poplin Road and Rocky River Road. He said the applicant has requested an Annexation and Conditional District rezoning in order to develop a 564 lot residential subdivision that will consist of both single-family attached and detached homes, as well as a commercial area that is identified for future development. He said the total area of the project is 173.13 acres and 157.41 acres of that is being requested for annexation.

Doug said the subject property is zoned R-40 (single-family residential) and RA-40 (Union County). He said the applicant has requested a Conditional District in order to develop a 564 lot residential subdivision that will consist of both single-family attached and detached homes with approximately 30.5% or 49.36 acres of open space. He said the minimum lot size for the single-family attached townhome lots will be 1,980 square feet and the minimum size for the single-family detached lots will range from approximately 3,100 square feet to 19,000 square feet. He said the density for the total project is 3.4 units per acre.

Doug went over the site plan. He said the 22-foot wide townhomes are single-family attached with a one (1)-car rear loading garage. He said the 28-foot wide townhomes are single-family attached with a two (2)-car front loading garage. He said the 35-foot wide lots are single-family detached with a one (1)-car rear loading garage. He said the 51-foot wide lots are single-family detached with a two (2)-car front loading garage. He said the 61-foot wide lot townhomes are single-family attached with a two (2)-car front loading garage. He said the breakdown would be as follows:

22-foot wide townhome lots	99
28-foot wide single-family attached lots	73
35-foot wide single-family detached lots	130
51-foot wide single-family detached lots	149
61-foot wide single-family attached lots	<u>113</u>
Total	564

Doug said the setbacks would be as follows:

Single Family Attached Townhome
Unit (Front-Load Garages)

Front: 20 ft.

Side (end units): 10 ft.

Rear: 10 ft.

Building Separation: 20 ft.

Single Family Attached Townhome
Unit (Rear-Load Garages)

Front: 10 ft.

Side (end units): 10 ft.

Rear: 20 ft.

Building Separation: 20 ft.

Single Family Detached
Unit (Front-Load Garages)

Front: 20 ft.
Side: 5 ft.
Corner: 10 ft.
Rear: 20 ft.

Single Family Detached
Unit (Rear -Load Garages)

Front: 10 ft.
Side: 5 ft.
Corner: 10 ft.
Rear: 20 ft.

Doug said the developer has committed to doing five (5)-foot wide sidewalks on both sides of the interior streets, as well as an eight (8)-foot wide sidewalk along the property frontage of Poplin Road and Rocky River Road.

Richard Yercheck asked Doug how many entrances will there be. Doug said there is an entrance off of Rocky River Road and Poplin Road and there will be a connection to Forest Drive. He said there will be three (3) access points off of the project.

Doug said the project is providing 30.5% or 49.36 acres of open space. He said the developer is proposing seven (7) amenity areas for the project. He said five (5) areas are proposed as passive areas and two (2) areas as active. He said, additionally, the applicant will provide a trail system. He said the passive amenity areas will include features such as benches/sitting areas and greenspace/landscaping. He said one of the active areas will include the following: benches, bike rack, cabana, greenspace/landscaping and a swimming pool. He said the other active area will include greenspace/gathering area with benches and children's playground equipment.

Doug said all homes within the project will have sodded front yards prior to the issuance of the certificate of occupancy. He said the single-family attached townhomes will have one (1) tree per yard and the single-family detached homes will have two (2) trees per yard. He said there will be street trees throughout the project. Additionally, he said the Ordinance requires a 50-foot buffer adjacent to the townhome portion of the project. He said the applicant is requesting a 25-foot buffer which will have landscaping and a solid vinyl fence in that area. He said they are requesting this minor deviation. He said the City does allow this once in a while for projects.

Doug said the applicant has approximately 12.27 acres of flood plain within the project. He said all of the flood plain is located within the open space. He said all streams located on the site have been provided with a 50-foot buffer on both sides.

Doug said stormwater will be evaluated and reviewed, if the project is approved by City Council, at the building permit stage.

Doug said the applicant is proposing an access point and a connection to Forest Drive. He said Forest Drive goes down to Unionville-Indian Trail Road. He said the applicant had a traffic study performed. He said the traffic study required the following improvements:

Forest Drive

Installation of a westbound left turn lane on Unionville-Indian Trail Road at Forest Drive with 100' of storage.

Poplin Road

Installation of a northbound left-turn lane on Poplin Road with 100' of storage.

Rocky River Road

Installation of a northbound right-turn lane on Rocky River Road with 100' of storage as well as a southbound left-turn lane on Rocky River Road with 100' feet of storage to mitigate the impact on roads in the area.

Doug said the developer is proposing the project to include both private streets and public-maintained streets. He said the HOA will maintain the private streets and the public streets will be maintained by the City of Monroe. He said private streets will be ones that have the rear access garages. He said they will be accessed by alleyways and alleyways will be privately maintained. He said as with all streets, even though there will be private streets and alleyways, they will still have to meet City standards and they will be inspected during the process.

Doug said this project falls within the attendance areas of Porter Ridge Elementary, Porter Ridge Middle and Porter Ridge High School. He read, verbatim, comments from the Union County School Systems: Although the currently assigned schools are within rated capacity, the volume of planned residential construction in this area threatens the ability of existing schools to handle increased enrollments. 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

This additional pressure could force the need for a large scale student reassignment or a large capital expenditure for new schools.

Doug said the exterior building materials for the proposed project will consist of brick, fiber cement, stone and stucco. He said the developer is proposing the front façade to consist of at least 25% brick or stone. He said vinyl will only be used for eaves, soffits, trim, garage doors and windows. He said the minimum heated square footage for the townhomes will be 1,400 square feet heated, excluding the garage, and the minimum square footage for the single-family detached lots will be 1,600 square feet, excluding the garage. He said houses built on slab foundations shall have four (4) courses of brick of standard size, extending up the face of the slab on all sides. He said all garages shall include, but not be limited to, carriage-style hardware.

Doug said the project is located within the Suburban Land Use area and partially within a Regional Mixed-Use Center. He said Suburban area allows a density of 2 – 4 units per acre. He explained the Regional Node and said it does not have a cap on density.

Doug said staff feels this project is consistent with the Land Development Plan at 3.4 units per acre and is a reasonable use because the project is partially located within the Regional and Mixed Use Node.

Doug said the applicant held a neighborhood meeting on March 11, 2021. He said there were approximately about 15 people who attended in person and the meeting was held virtually via Zoom as well. He said there were about 100 properties that were notified of this project.

Doug said planning staff has recommended approval of the project with one (1) condition: The amenity areas are provided with additional active features, rather than just the main one.

Doug said he would be happy to answer any questions if you have any at this time.

Richard Ali said there was a neighborhood meeting. He asked Doug if he knew what the comments were. Doug said a lot of the comments referred to the connection to Forest Drive. He said the residents who live on Forest Drive obviously don't want the connection to the project. He said there is someone here who lives on Forest Drive. He said when somebody submits a project, we are going to ask them to make a connection. He said he gets this from a planning standpoint and a City service standpoint. He said the more connections you provide to a property, the more you can better serve it. He said, however, the residents feel this is going to impact them.

Jennifer Smith asked Doug if the alleyways were in the back of the house where you entered into the garages. She said this was how Bonterra was set up. Doug said yes. Ms. Smith asked who maintained the alleyways. Doug said the HOA. He said the HOA will maintain the alleyways and the rest of the streets will be maintained by the City. He also explained that nobody will face the back of another house with the way the homes are arranged.

Patrick Furr asked Doug if there was going to be any street lighting. Doug said all subdivisions have street lighting. He said the lighting does not come into play until they get into the construction phase. He said this is just a preconcept of what the subdivision will look like. He said the applicant will not plan lighting out until approval is received.

Richard Ali said if this project is approved, what is the anticipated start date of construction. [did not hear an answer].

Chair said she was a little confused on the rear load. She said looking at the map, there are four (4) PTRGs and then some language [could not hear]. Doug went over the site plan, explaining the alleyways and garages in detail.

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

Chair asked if the applicant would come forward at this time.

Mr. Ken Holbrooks of Provident Bayard came forward and said his address is 1108 Industrial Drive in Matthews. He introduced Tim Coey, Tom Waters and Kristin Dillard, all of which are part of the development group. He also introduced Fred Matrulli from the builder's. He said there are other people here as well.

Mr. Holbrooks said if anyone has a question, please feel free to interrupt him. He said we have been working 15 months on this with the consultants, DOT and staff. He said Doug and Lisa have been fantastic to work with. He said a lot of the dialogue that happened with this was regarding commercial, that node and the remaining property. He said the dialogue regarding the alleyway is important and it is something we do all the time in Huntersville, Davidson, and Cornelius. He said it is just a little bit newer for you. He said it is a product that is done in those areas; he has probably done 2,000 in Huntersville alone. He said it really creates a "look" and hits the demographic that we are going for. He said when you are doing a property of nearly 600 lots, you cannot hit just one group. He said we are trying to hit the age of 55 and older. He said the previous presentation was three (3)-story townhomes. He said these are all two (2)-story.

Mr. Holbrooks said outside the node, it is really a 2-4 unit thing. He said if you take your overall density looking outside the node, we are really under 3. He said inside the node is uncapped. He said we actually are at 4.9 units there. He said those homes outside the circle are really meant to be the more traditional, suburban, more kid-friendly neighborhood. He said we also, in terms of open space, are overall 2.5 times the open space required. He said a good portion of the lots back up into open space.

Mr. Holbrooks said there was a discussion about parking. He said we have over 600 parking spots for the community and it is 200 beyond code.

Renee Hartis asked if there would be overflow parking at the pool and clubhouse. Mr. Holbrooks said we are meeting the normal requirements for that commercial building, but we did additional parking that can be used just for the amenity. Ms. Hartis asked how many spaces would there be. Mr. Holbrooks said he thought it would be 35.

Mr. Holbrooks said one of the things we heard before this meeting was that the Planning Board does not like garages. He said inside that node, 70% of the homes do not have front-load garages; that was intentional.

Mr. Holbrooks spoke about the actual product being built. He said it will be the end of next year before they start building a house. He said the first quarter of the following year will be sales. He said we are two (2) years out. He said when we talk about product, you never create product two (2) years in advance. He said you are kind of tweaking it as you go. He said it is harder to give you actual stuff. He said renderings are a much better representation.

Discussion was held on the proposed styles of the homes.

Mr. Holbrooks said there will be seven (7) amenities within the project. He indicated on the site plan where the amenity areas will be. He provided example pictures of proposed amenities and landscaping. Patrick Furr asked if the lighting in the pictures was typical lighting that is put in projects like this. Mr. Holbrooks said we usually use whatever the electric jurisdiction will allow. He said it will be upscale lighting. Mr. Furr also asked if the extra areas will be sodded and irrigated. Mr. Holbrooks said yes.

Jennifer Smith asked Mr. Holbrook if there would be a certain age bracket for the project; i.e., 55 and older. Mr. Holbrooks said [did not hear].

Patrick Furr asked Mr. Holbrooks for the price points. Mr. Holbrooks said \$500,000 on the bigger homes.

Mr. Holbrooks said as Doug pointed out, there are requirements we go through with staff. He said we are doing a lot of things, improvement-wise, the Traffic Impact Analysis requires etc.

Mr. Holbrooks said a proposed access point is Forest Drive. He said adjacent neighbors of Forest Drive came to the neighborhood meeting and said they do not want that traffic on their road. He said we understood and went back to see what they could do. He said if the Board does not want this to connect to Forest Drive, we are ready to do this. He said instead, the Board can approve traffic going out of Forest Drive but only the Fire and Ambulance can get in.

Chair asked Mr. Holbrooks about the 50-foot buffer that he would like to reduce to 25-feet and put in a vinyl fence. She said she is worried about the appearance of the fence in time. Mr. Holbrooks said they don't mind making this area as part of the common open space.

Chair said she would also like to know more about the left turns going in and out on Poplin and Rocky River. Mr. Holbrooks explained the turns and indicated them on the site plan.

Chair asked if she would have to go through the commercial area when going out to Rocky River Road. Mr. Holbrooks said yes.

Discussion was held on turns going in and out.

Chair asked Mr. Holbrooks if he had a picture of a house he had developed. Mr. Holbrooks said he did not have one but could probably pull up on Google Earth. He said he can provide a list of communities to look at.

Chair asked if there was anyone else who would like to speak.

Mr. Brad Donahue of 4206 Forest Drive came forward and said he is representing the whole street. He said none of them want access to this neighborhood down their road. He said the road has ten (10) homes and seven (7) of us are blood-related and the other three (3) have lived there since the 1960s and 1970s. He said he was the last person buying a house on that road, 15 years ago. He said half the road is retired and another four will be retired within the next ten (10) years, and then there is him. He explained the many reasons why none of the residents want connection to the neighborhood.

Richard Yercheck said to Brad if we vote on this to block the access except for EMS and Police, will that take care of what your folks need. Brad said 95%. He explained how if GPS was incorrect, it would have drivers going up and down Forest Drive.

Patrick Furr asked if this Board can add a condition on approval. Vice Chair said they already said they would go whichever way we wanted to go...cul-de-sac or EMS access. Mr. Donahue said they would prefer the cul-de-sac. He said if Forest Drive has to be open all the way, then we are completely against the neighborhood as a whole.

Chair asked if there were any other questions or would someone else like to speak.

Vice Chair asked Doug if Fire and EMS had an opinion on this because he did not disagree with Brad. He said Bakers will be coming in one way and Unionville the other end. He said Forest Drive would be a nice to have but he doesn't know if Forest Drive would be a "have to have". Doug said they would need to have two (2) access points. Vice Chair asked if Chief Fowler from the Fire Department said this project really needs three (3) because of the size of it. Doug said he did not.

Vice Chair asked Doug to show the site plan again. Discussion was held.

Motion: Renee Hartis made a motion to recommend approval of the Annexation of 157.741 acres located along Poplin Road and Rocky River Road and further identified with parcel ID numbers 07-012-007-A (portion), 08-300-033-90, 08-300-035-E, 08-300-040-B, 08-300-054, 08-300-054-A, 08-300-054-D, & 08-300-054-E

Second: Richard Yercheck

Action: The motion to recommend approval of the Annexation failed with the following votes:

AYES: Richard Yercheck, Renee Hartis and Patrick Furr

NAYS: MaryAnn Rasberry, Jennifer Smith, Richard Ali and Margaret Desio

Ashley Britt said any conditions can be added to the next motion.

Motion: Richard Yercheck made a motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance.
Second: Renee Hartis

Doug Britt said to Ashley that the Annexation motion was for approval and it failed 3-4. He asked if they need to make a motion for denial. Ashley said yes, she thought the prior motion passed, but since it failed, then yes, if the Board wants to recommend denial, then they need to make a motion to recommend denial of the Annexation, since a failed motion to recommend approval is not the same as a recommendation for denial.

Motion: Richard Ali made a motion to recommend **denial** of the Annexation of of 157.741 acres located along Poplin Road and Rocky River Road and further identified with parcel ID numbers 07-012-007-A (portion), 08-300-033-90, 08-300-035-E, 08-300-040-B, 08-300-054, 08-300-054-A, 08-300-054-D, & 08-300-054-E

Second: Margaret Desio

Action: The motion to recommend **denial** of the Annexation passed with the following votes:

AYES: MaryAnn Rasberry, Jennifer Smith, Richard Ali and Margaret Desio

NAYS: Richard Yercheck, Renee Hartis and Patrick Furr

Motion: Margaret Desio made a motion to recommend adoption of the Resolution Denying the Land Development Plan Compliance.

Second: Jennifer Smith

Action: The motion to recommend **adoption** of the Resolution Denying the Land Development Plan Compliance passed with the following votes:

AYES: MaryAnn Rasberry, Richard Ali, Jennifer Smith and Margaret Desio

NAYS: Richard Yercheck, Renee Harris and Patrick Furr

Ashley said the Board needs to now make a motion to recommend denial of the Zoning Map Amendment.

Motion: Richard Ali made a motion to recommend **denial** of the Zoning Map Amendment.

Second: Jennifer Smith

Action: The motion to recommend **denial** of the Zoning Map Amendment passed with the following votes:

AYES: MaryAnn Rasberry, Richard Ali, Jennifer Smith and Margaret Desio

NAYS: Richard Yercheck, Renee Harris and Patrick Furr

Item 6. **Other**

There was no other business.

Item 7. **Next Meeting – June 2, 2021**

Item 8. **Adjournment**

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

Motion: Richard Yercheck made a motion to adjourn the meeting.

Second: Renee Hartis

Action: The motion to adjourn passed unanimously with the following votes:

AYES: MaryAnn Rasberry, Richard Yercheck, Richard Ali, Renee Hartis,
 Jennifer
 Smith, Patrick Furr and Margaret Desio

NAYS: None

Respectfully Submitted,

MaryAnn Rasberry, Chair
Planning Board

Maryann Brown
Secretary to the Board



STAFF REPORT

TO: Planning Board Members

DATE: June 2, 2021

FROM: Doug Britt, Senior Planner

PREPARED BY: Lisa Stiwinter, Planning and Development Director

SUBJECT: Annexation of 20.795 acres located along the Monroe Express Way and Rocky River Road and further identified with parcel ID number 08-303-006

SUMMARY STATEMENT

Planning Board is requested to consider the annexation of 20.795 acres located along the Monroe Express Way and Rocky River Road and further identified with parcel ID number 08-303-006.

REVIEW

Liquid Management LLC is requesting annexation of 20.795 acres located along the Monroe Express Way and Rocky River Road and further identified with parcel ID number 08-303-006. The annexation is being requested in order to develop a mixed-use project consisting of apartments and commercial uses.

RECOMMENDATION

Staff recommends approval of the annexation.

Attachments:
Attachment 1- Ortho Map
Attachment 2- Annexation Plat

Ortho Map

CD Rocky River Crossing

Legend

-  City Limits
-  Centerlines
-  MONROE.Regional_Centers
-  Parcels
-  streams

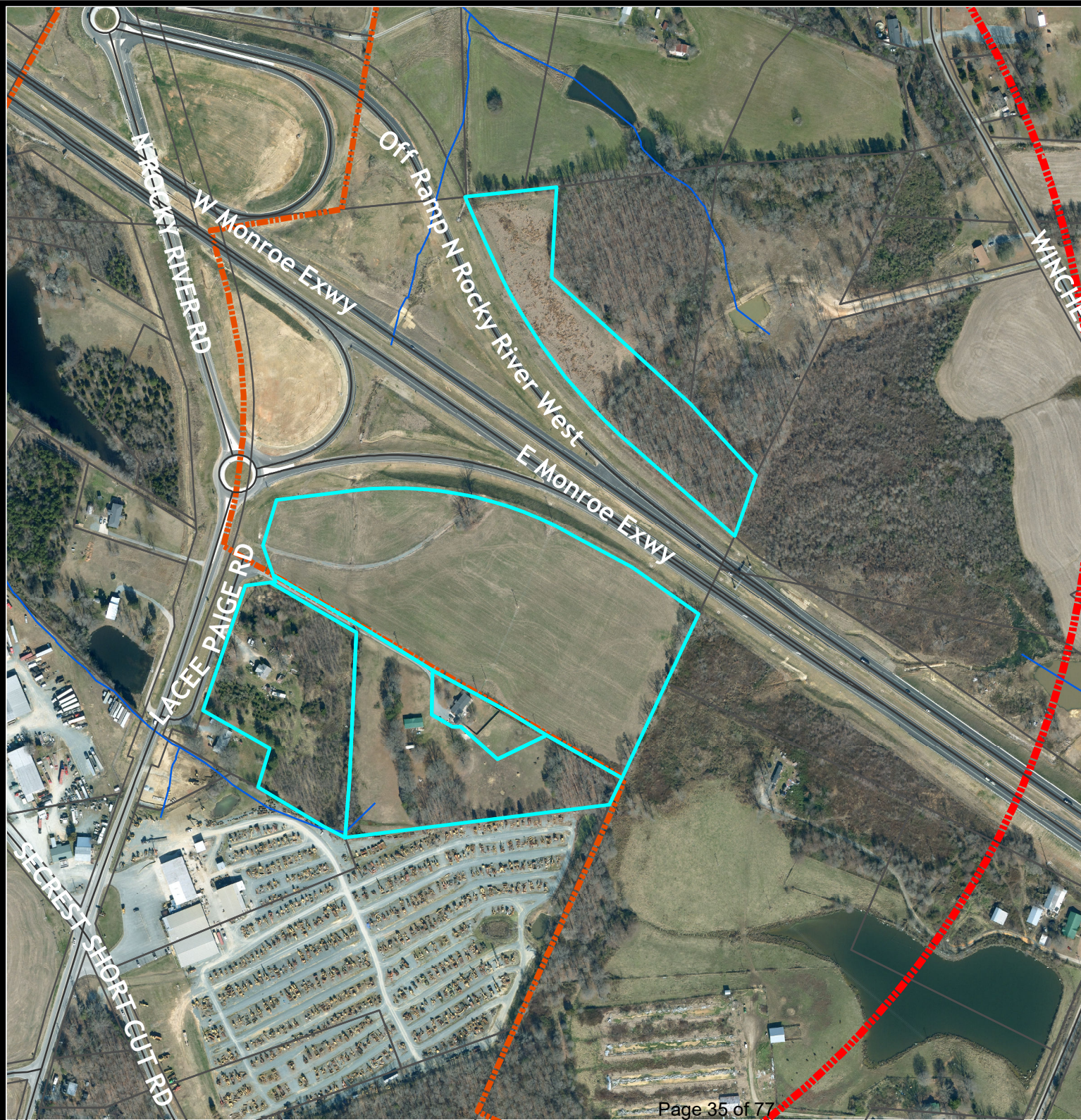
**Existing: R-40
& RA-40 Union County
(Residential Low Density)**

**Owner: Mary Ann Sheppley,
Decorative Creations Inc.,
Liquid Management LLC,
Randy & Kalleen Morelli**

Acres: 33.15



0 360 720
Feet





LEGEND OF SYMBOLS & ABBREVIATIONS

(IN FEET)

1 inch = 100 ft.

MISCELLANEOUS NOTES

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. 3710542800J, EFFECTIVE DATE OCTOBER 16, 2008.

ROW DISK
N:480856.42
E:1523704.03
(NAD 83/2011)

DEPARTMENT OF
TRANSPORTATION
BK. 6526-417
TAX PIN: 08303004A
(FEE SIMPLE TO NCDOT
FOR ROADWAY PURPOSES)

ANNEXATION NOTES

TOTAL LINEAR FEET OF BOUNDARY: 6,462.06'

LINEAR FEET OF BOUNDARY CONTIGUOUS WITH
EXISTING MONROE CITY LIMITS: 1,248.17'

TOTAL AREA ANNEXED: 20.795 ACRES

THE PURPOSE OF THIS PLAT IS TO ANNEX THE
20.795 ACRES SHOWN HEREON INTO THE
MUNICIPAL LIMITS OF THE CITY OF MONROE,
UNION COUNTY, NORTH CAROLINA.

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 _____, 2021 THE CITY COUNCIL APPROVED THIS PLAT FOR
ANNEXATION AND RECORDING.

DATE CITY CLERK (SEAL)

TRACT 2
258,709 sq.ft.
5.939 acres

MARY ANN SHEPLEY,
BK. 1660-451 & 454
MEGAN E. RICHARDSON
DAVID T. RICHARDSON
BK. 5926-521
PHILIP C. PULASKI
BK. 5926-523
TAX PIN: 08303006

U. S. HIGHWAY 74
BY-PASS
VARIABLE WIDTH R/W
MONROE EXPRESSWAY

TRACT 1
647,135 sq ft

MARY ANN SHEPLEY,
BK. 1660-451 & 454
MEGAN E. RICHARDSON
DAVID T. RICHARDSON
BK. 5926-521
PHILIP C. PULASKI
BK. 5926-523
TAX PIN: 08303006

**PROPERTY OWNER
ADDRESS INFORMATION**

MARY ANN SHEPLEY
106 WALTER DRIVE
RAEFORD, N.C. 28371
BK. 1660 - 451 & 454

DAVID T. RICHARDSON &
MEGAN E. RICHARDSON
185 CLUSTER CIRCLE
MOORESVILLE, NC 28117
BK. 5926 - 521

PHILLIP C. PULASKI
5450 WINTERCREST LANE
CHARLOTTE, NC 28209
BK. 5926-523



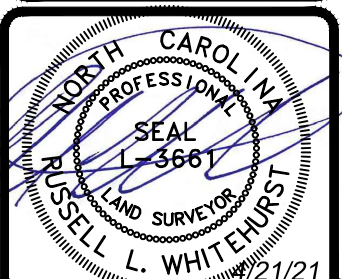
2013-A Van Buren Avenue
Indian Trail, NC 28079
(704) 882-4222
www.eagleonline.net
FIRM# C-0873

NO.	DATE	BY	REVISION
1	04/21/21	ASD	COMMENTS PER THE CITY OF MONROE
2	5/3/21	RLW	COMMENTS PER THE CITY OF MONROE
3	5/7/21	RLW	ADD TRACT NUMBERS
4	5/11/21	RLW	ADD COMMENTS PER THE CITY OF MONROE
5	5/11/21	RLW	ADD COMMENTS PER THE CITY OF MONROE
6	5/14/21	RLW	COMMENTS PER THE CITY OF MONROE

THE PROPERTY OF:
MARY ANN SHEPLEY,
DAVID T. RICHARDSON,
MEGAN E. RICHARDSON &
PHILLIP C. PULASKI

ANNEXATION PLAT

Drawn By:	RLW	Approved By	RLW	Date	MARCH 29, 2021
Location:	XULAND PROJECTS R217180			Scale:	1" = 200'
				EEI Project	7180



1 OF 1



STAFF REPORT

TO: Planning Board Members

DATE: June 2, 2021

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Doug Britt, Senior Planner

SUBJECT: Zoning Map Amendment request for Conditional District “Rocky River Crossing”

SUMMARY STATEMENT

The Planning Board is requested to consider a zoning map amendment for the properties located along N. Rocky River Road/Lacey Paige Road and the Monroe Expressway and further identified as tax parcel #'s 08-303-005, 08-303-005-A, 08-303-005- B & 08-303-006. The request is to rezone the properties from City of Monroe R-40 and Union County RA-40 (Residential Low Density) to Conditional District “Rocky River Crossing”.

REVIEW

The applicant, Liquid Management LLC, is requesting a Conditional District rezoning for the properties located along N. Rocky River Road/Lacey Paige Road and the Monroe Expressway. The total area of the project is 33.15 acres with 8.15 acres (29.6%) of open space. The properties are currently zoned City of Monroe R-40 and Union County RA-40 (Residential Low Density). Parcel 08-303-006 is 20.795 acres and is one of the parcels within the request, which happens to be bisected by the Monroe Expressway. The developer is requesting to annex and rezone the entire parcel, but for calculation purposes only the portion of the parcel (14.856 acres) south of the Monroe Expressway is included within the development proposal.

AREA CHARACTERISTICS

The properties are currently zoned City of Monroe R-40 and Union County RA-40 (Residential Low Density). The R-40 zoning district consists of 40,000 square foot lots with an allowable density of one (1) unit per acre.

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Single Family Residential & Vacant	RA-40 Union County (Residential Low Density)
East	Single Family Residential & Vacant	RA-40 Union County (Residential Low Density)
South	Commercial & Single Family Residential	GB (General Business) & R-40 (Residential Low Density) City of Monroe
West	Single Family Residential	R-40 City of Monroe (Residential Low Density)

REQUIREMENTS

Proposal

The applicant is requesting a conditional district in order to develop 360 market rate apartments, a 150-room hotel and a 90,000 square foot climate controlled storage facility. The apartment portion of the development will be comprised of 24 three-story buildings. The applicant is also providing a clubhouse, leasing office and 52 garage units. The total area of the project that is being requested for development is 27.53 acres with 8.15 acres (29.6%) of open space.

Density & Dimensional Standards

The density of this project is 13.08 units per acre. The data below is simply to provide the board with information to compare the proposed density to what is allowed by the zoning ordinance in other residential districts in Monroe.

Zoning District	Maximum Allowable Density
R-40	1 unit per acre
R-20	2 units per acre
R-10	4 units per acre
R-MF	6 units per acre

The proposed minimum setbacks are as follows:

Front: 10 feet

Side: 25 feet

Rear: 25 feet

Elevations

The developer is proposing the exterior building materials to include fiber cement, stucco, and stone/brick. Vinyl siding may be utilized for eaves, soffits, and windows. The minimum square footages for the one-bedroom units will be 727 heated square feet and the minimum square footage for the two-bedroom units will be 1,148 heated square feet.

Landscaping/Buffering

The ordinance requires the multi-family portion of the project provide a fifty (50) foot landscaped buffer in order to screen the project from adjoining land uses. The applicant has provided a landscape plan that includes a mixture of large maturing deciduous trees, small maturing deciduous trees and evergreen trees in order to satisfy the intent and spirit of the

ordinance. Additionally, the applicant will be required to provide a streetscape buffer along Lacey Paige Road as well as parking lot landscaping as required by the ordinance.

Open Space and Amenities

The project is required to provide at least 50% of open space per the ordinance for multi-family projects, which equals 13.77 acres. As part of the conditional district, the applicant is requesting to provide 8.15 acres or 29.6%. The applicant is providing a clubhouse with laundry room, exercise room, dog park and swimming pool.

Parking

The ordinance requires multi-family projects provide parking at a rate of one (1) space per bedroom plus an additional ½ space per unit. Based on the estimate the project would develop with 180 one-bedroom units and 180 two-bedroom units there would be 720 parking spaces required for the multifamily portion of the project. The developer is proposing 604 surface spaces and 52 garage spaces for a total of 656 parking spaces for the multifamily portion of the project.

The proposed parking spaces provided for the commercial portion of the project are as follows:

Hotel (150 rooms): 166 spaces

Storage facility: 54 spaces

Total Spaces for Commercial Uses: 220 spaces

Total Spaces for Project: 876 spaces

Schools

The proposed development is currently within the following school attendance areas:

Porter Ridge Elementary	Currently at 80% rated capacity
Porter Ridge Middle	Currently at 88% rated capacity
Porter Ridge High	Currently at 91% rated capacity

Although the currently assigned schools are within rated capacity, the volume of planned residential construction in this area threatens the ability of existing schools to handle increased enrollments. 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

This additional pressure could force the need for a large scale student reassignment or a large capital expenditure for new schools.

Sidewalk

The developer is proposing to install an eight (8) foot sidewalk along Lacey Paige Road as required by city ordinances. Additionally, the applicant is providing internal sidewalks throughout the site to provide a neighborhood environment.

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, site will meet stormwater management requirements in accordance with Chapter 159 Stormwater Management Ordinance of the Monroe Code of Ordinances.

Stream Buffer

All streams located on the site have been provided with a 50 ft. undisturbed stream buffer on both sides as required by the ordinance.

Transportation

The project is located off N. Rocky River Road/Lacee Paige Road, which is maintained by the North Carolina Department of Transportation. Since this is a multifamily and commercial project there will not be any publicly maintained streets within the project. The owner(s) will maintain all private drive aisles and parking areas within the project. The City of Monroe will not have any street maintenance responsibilities within the development.

A traffic impact study was completed for this project and was reviewed by both the City of Monroe Engineering Department and the North Carolina Department of Transportation (NCDOT). The required transportation improvements for the project are as follows:

N. ROCKY RIVER ROAD AND LACEE PAIGE ROAD

- Northbound right-turn lane along N. Rocky River Road at Lacee Paige Road
- Southbound left-turn lane along N. Rocky River Road at Lacee Paige Road

LAND DEVELOPMENT PLAN CONSISTENCY

The Land Development Plan indicates this area is located in a regional mixed-use center. These centers are usually large-scale, measuring one mile in diameter that represents approximately a 20-minute walking distance. These centers are master-planned areas that are built in phases with a mix of non-residential, residential, and civic uses. It is likely that Regional Mixed-Use Centers will support the most intense concentrations of retail, employment, high-density residential and other mixed uses. These areas typically locate near major highways to ensure ease of access for longer trips.

The Future Lane Use Map designates two future interchanges of the Monroe Expressway as Regional Mixed Use Centers; however, the FLUM does not specify a dominant land use (or uses) for the center to respect market conditions and allow flexibility. Priority uses within the mixed-use centers include multi-family residential, commercial, office, medical, civic, and mixed-use.

Planning staff is of the opinion the development pattern of a mixed-use development with multifamily residential development at this location is consistent with the Land Development

Plan at 13.08 units per acre and is a reasonable use due to the project being located within a Regional Mixed-Use Center.

PUBLIC NOTIFICATION

The applicant held a neighborhood meeting on Thursday, February 18th to discuss the project with the neighbors.

A rezoning notification sign will be posted 10 days prior to the public hearing.

An official rezoning notification letter will be sent to the adjacent property owners located within 150 feet, 10 days prior to the public hearing.

RECOMMENDATION

Staff recommends approval of Conditional District “Rocky River Crossing”.

Planning Board will need to take action on the following items:

1. *Motion to recommend adoption of Resolution Approving/Denying Land Development Compliance;*

If the Resolution of Land Development Plan Compliance is recommended for approval, the Planning Board will also need to make the following motion:

1. *Motion to recommend adoption of the Ordinance amending section 156.98- Conditional Districts Established and section 156.106- Official Zoning Map.*

If the Resolution of Land Development Plan Compliance is recommended for denial, the Planning Board will also need to make the following motion:

1. *Motion to recommend denial of the zoning map amendment.*

Attachments:

Attachment 1-Ortho Map
Attachment 2-Zoning Map
Attachment 3-Site Plan & Elevations
Attachment 4-Future Land Use Map
Attachment 5-FLUM Description
Attachment 6-R-2021-XX Approval
Attachment 7-R-2021-XX Denial
Attachment 8-O-2021-XX 156.98
Attachment 9-O-2021-XX 156.106

Ortho Map

CD Rocky River Crossing

Legend

-  City Limits
-  Centerlines
-  MONROE.Regional_Centers
-  Parcels
-  streams

**Existing: R-40
& RA-40 Union County
(Residential Low Density)**

**Owner: Mary Ann Sheppley,
Decorative Creations Inc.,
Liquid Management LLC,
Randy & Kalleen Morelli**

Acres: 33.15



0 360 720
Feet

Zoning Map

CD Rocky River Crossing

Legend

-  City Limits
-  Centerlines
-  Regional Centers
-  Parcels
-  streams

Municipal

-  Union County

Zoning Districts

Code

-  R-40
-  GB

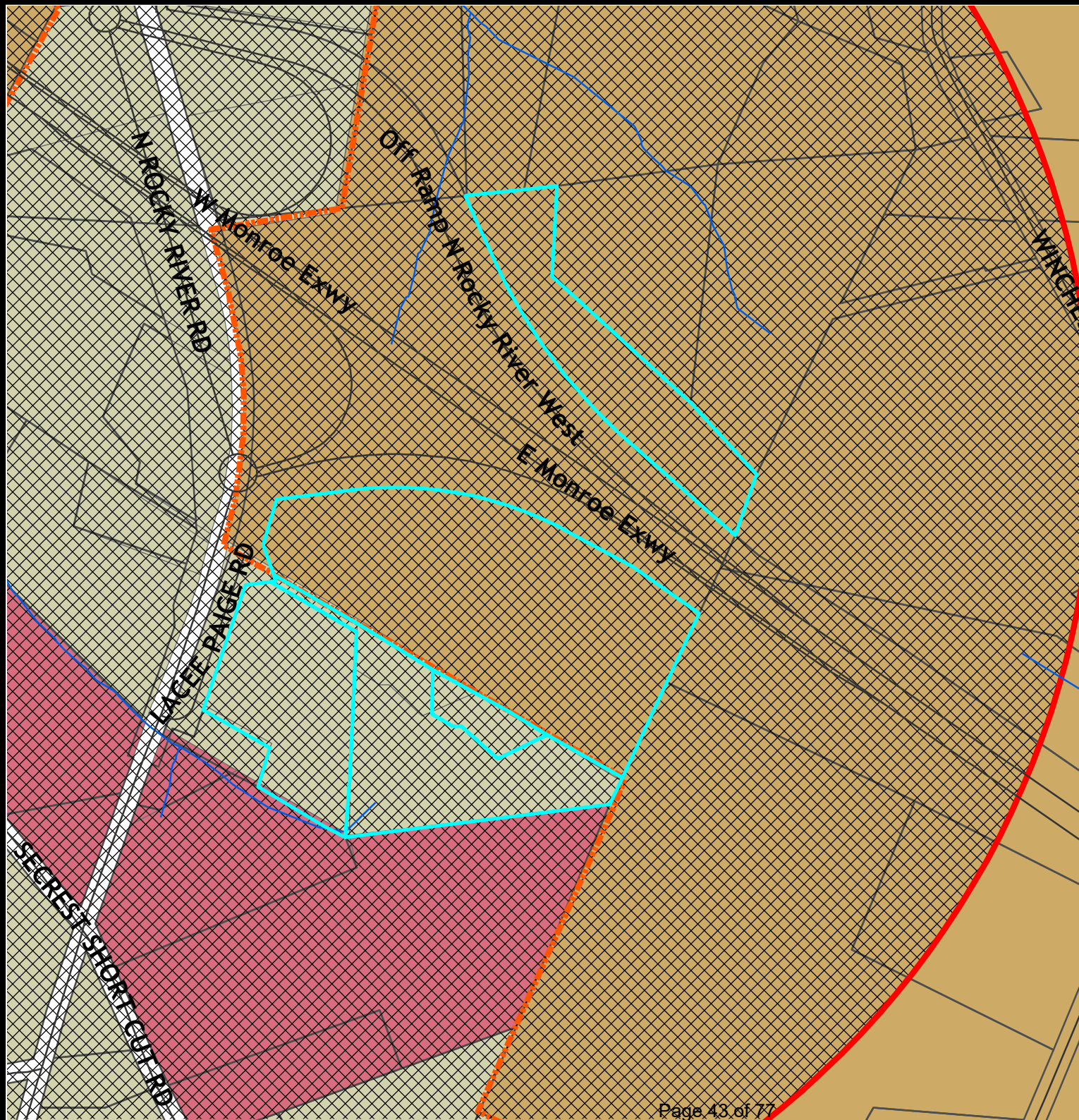
**Existing: R-40
& RA-40 Union County
(Residential Low Density)**

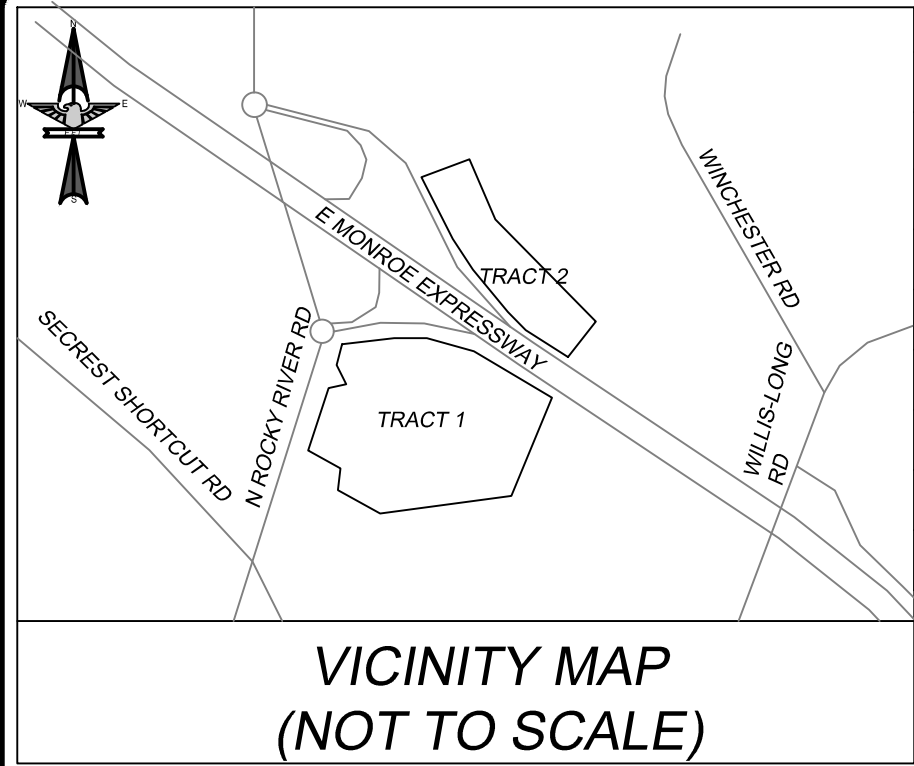
**Owner: Mary Ann Sheppley,
Decorative Creations Inc.,
Liquid Management LLC,
Randy & Kalleen Morelli**

Acres: 33.15

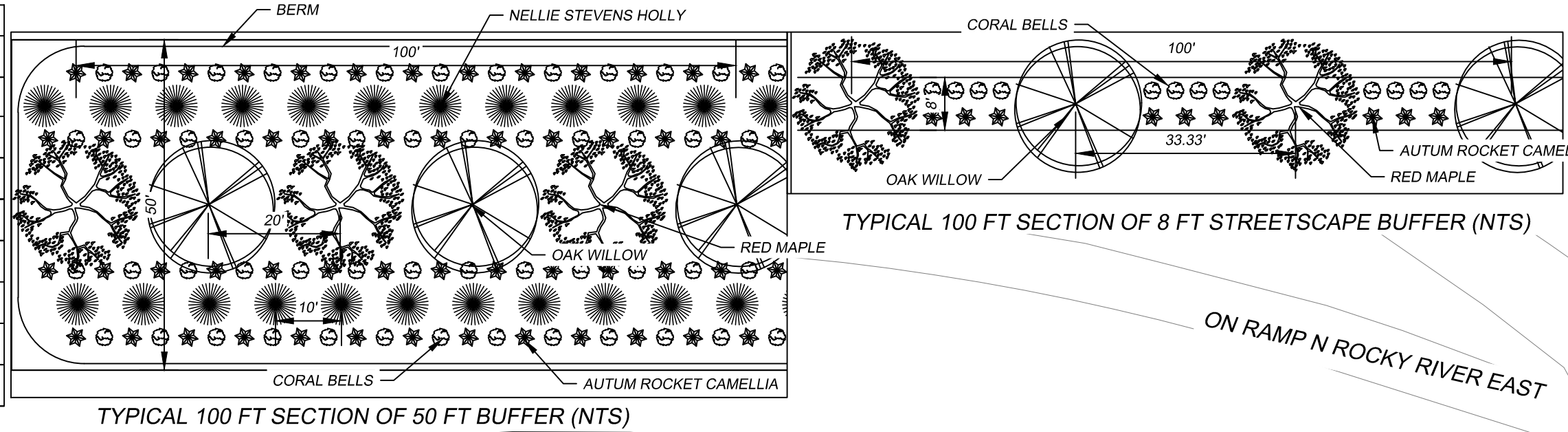


0 360 720
 Feet

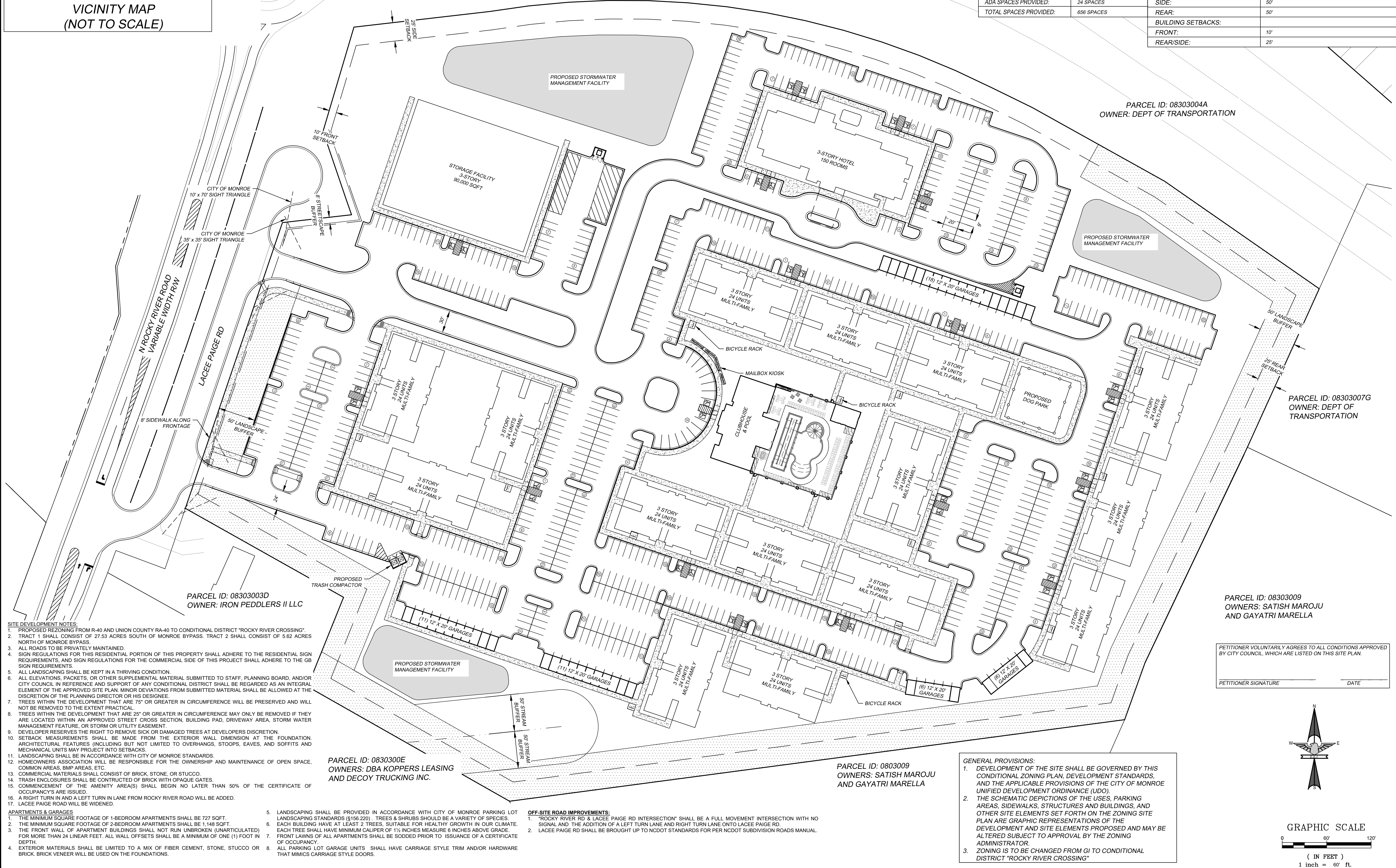




PLANT SCHEDULE		
COMMON NAME	BOTANICAL NAME	HT
TREES		
RED MAPLE	ACER RUBRUM	40'-50'
OAK WILLOW	QUERCUS PHELLOS	40'-50'
TREES (EVERGREEN)		
NELLIE STEVENS HOLLY	ILEX X NELLIE STEVENS	15'-20'
SHRUBS		
AUTUMN ROCKET CAMELLIA	CAMELLIA SASANGUA AUTUMN ROCKET	8'-10'
CORAL BELLS	HEUCHERA X GEORGIA PEACH	1'-3'



PARKING REQUIREMENTS		SITE AND DEVELOPMENT DATA	
COMMERCIAL		JURISDICTION	CITY OF MONROE
BUILDING	PROVIDED SPACES	TAX PARCEL(S):	08303006, 08303005A, 08303005B, 08303005
HOTEL SPACES PROVIDED:	158 SPACES	SITE ADDRESS:	3626, 3730, 3736 & 3616 LACEE PAIGE RD.
ADA SPACES PROVIDED:	8 ADA SPACES	ZONING	RA-40 (UNION COUNTY) R-40 (MONROE)
STORAGE FACILITY PROVIDED:	52 SPACES	PROPOSED ZONING	CONDITIONAL DISTRICT "ROCKY RIVER CROSSING"
ADA SPACES PROVIDED:	2 SPACES	USE CLASSIFICATION	COMMERCIAL/ MULTIFAMILY RESIDENTIAL
TOTAL SPACES PROVIDED:	220 SPACES	TOTAL AREA	27.53 ACRES
MULTIFAMILY		COMMON AREA	8.15 ACRES (29.60%)
	UNITS:	UNITS:	24 UNITS x 15 BUILDINGS = 360 UNITS
	SPACES PROVIDED:	DENSITY:	13.08 UNITS/ACRE
	GARAGE SPACES PROVIDED:	LANDSCAPE BUFFER:	
ADA SPACES PROVIDED:	24 SPACES	FRONT:	0'
TOTAL SPACES PROVIDED:	656 SPACES	SIDE:	50'
		REAR:	50'
		BUILDING SETBACKS:	
		FRONT:	10'
		REAR/SIDE:	25'



EAGLE ENGINEERING

2013A Van Buren Avenue
Indian Trail, NC 28079
(704) 882-4222
www.eagleonline.net

PRELIMINARY
NOT FOR
CONSTRUCTION

ROCKY RIVER CROSSING
MONROE, NC

LIQUID MGMT., LLC.

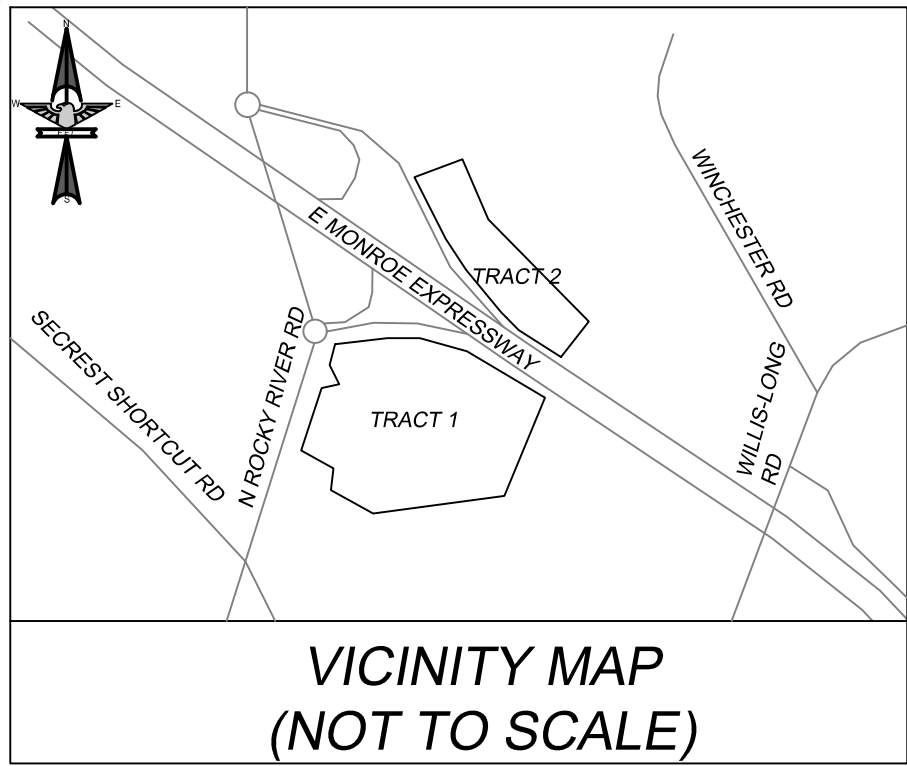
231 POST OFFICE DR. SUITE B8
INDIAN TRAIL, NC 28079

REZONING PLAN
CONDITIONAL DISTRICT
"ROCKY RIVER CROSSING"

DESIGNED BY: KEEL
CHECKED BY: MCK
DATE: 5/7/21
JOB NUMBER: 77180

Sheet

RZP-1.0



PETITIONER VOLUNTARILY AGREES TO ALL CONDITIONS APPROVED BY CITY COUNCIL, WHICH ARE LISTED ON THIS SITE PLAN.

PETITIONER SIGNATURE _____ DATE _____

- GENERAL PROVISIONS:
1. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THIS CONDITIONAL ZONING PLAN, DEVELOPMENT STANDARDS, AND THE APPLICABLE PROVISIONS OF THE CITY OF MONROE UNIFIED DEVELOPMENT ORDINANCE (UDO).
 2. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, AND OTHER SITE ELEMENTS SET FORTH ON THE ZONING SITE PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT AND SITE ELEMENTS PROPOSED AND MAY BE ALTERED SUBJECT TO APPROVAL BY THE ZONING ADMINISTRATOR.
 3. ZONING IS TO BE CHANGED FROM GI TO CONDITIONAL DISTRICT "ROCKY RIVER CROSSING"

PARCEL ID: 08300054D
OWNERS: SCHERBAN COSTEL

PARCEL ID: 08300054
OWNERS: LEMMOND JOSEPH TIMOTHY

PARCEL ID: 08300054A
OWNERS: LEMMOND THOMAS MITCHELL

PARCEL ID: 08300054C
OWNERS: NC DEPARTMENT OF TRANSPORTATION

PARCEL ID: 08303006B
OWNERS: NC DEPARTMENT OF TRANSPORTATION

PARCEL ID: 08303006A
OWNERS: LORENZO CONSTRUCTION LLC

PARCEL ID: 08303007
OWNERS: WINCHESTER JACK C

PARCEL ID: 08303004A
OWNER: NC DEPT OF TRANSPORTATION

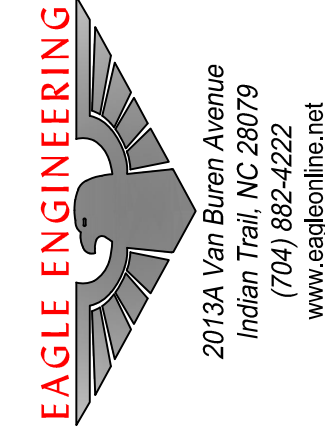
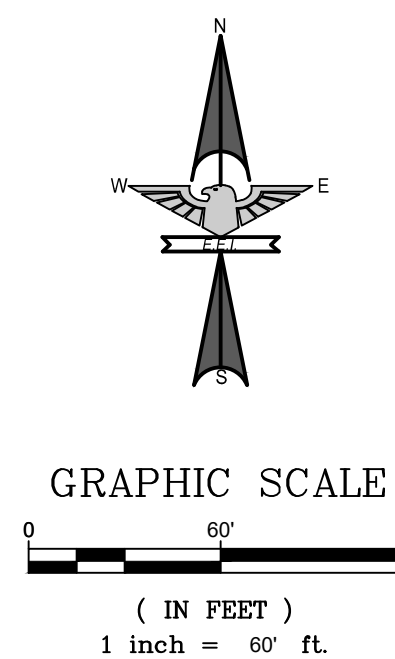
TRACT 2
5.62 ACRES
FUTURE
DEVELOPMENT

MONROE BYPASS WEST

MONROE BYPASS EAST

ON RAMP N ROCKY RIVER EAST

OFF RAMP N ROCKY RIVER



2013A Van Buren Avenue
Indian Trail, NC 28079
(704) 882-4222
www.eagleonline.net

PRELIMINARY
NOT FOR
CONSTRUCTION

NO.	DATE	BY	ISSUE
1	10-20-2020	DAM	REVISED LAYOUT
2	02-10-2021	DAM	CITY OF MONROE COMMENTS
3	05-07-2021	BLD	CITY OF MONROE COMMENTS

ROCKY RIVER CROSSING
MONROE, NC

LIQUID MGMT., LLC.
231 POST OFFICE DR. SUITE B8
INDIAN TRAIL, NC 28079

REZONING PLAN
CONDITIONAL DISTRICT
"ROCKY RIVER CROSSING"

DESIGNED BY	KEEL	DRAWN BY	DAM	CHECKED BY	MCK
Scale	AS SHOWN	DATE	5/7/21	JOB NUMBER	7180

Sheet
RZP-1.1



GENERAL PROVISIONS:
 1. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THIS CONDITIONAL ZONING PLAN, DEVELOPMENT STANDARDS, AND THE APPLICABLE PROVISIONS OF THE CITY OF MONROE UNIFIED DEVELOPMENT ORDINANCE (UDO).
 2. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, AND OTHER SITE ELEMENTS SET FORTH ON THE ZONING SITE PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT AND SITE ELEMENTS PROPOSED AND MAY BE ALTERED SUBJECT TO APPROVAL BY THE ZONING ADMINISTRATOR.
 3. ZONING IS TO BE CHANGED FROM RA-40 (UNION COUNTY), R-40 (MONROE) TO CONDITIONAL DISTRICT "ROCKY RIVER CROSSING"

EAGLE ENGINEERING
 2013A Van Buren Avenue
 Indian Trail, NC 28079
 (704) 882-4222
 www.eagleonline.net

PRELIMINARY
 NOT FOR
 CONSTRUCTION

NO.	DATE	BY	ISSUE
1	10-20-2020	DAM	REVISED LAYOUT
1	02-10-2021	DAM	CITY OF MONROE COMMENTS

ROCKY RIVER CROSSING
 MONROE, NC
 LIQUID MGMT., LLC.
 231 POST OFFICE DR. SUITE B8
 INDIAN TRAIL, NC 28079

REZONING ILLUSTRATIONS			
DESIGNED BY	DRAWN BY	CHECKED BY	Scale
KEL	DAM	MCK	7/180
AS SHOWN	DATE	JOB NUMBER	
	5/7/21		

Sheet
RZP-1.1

Future Land Use Map CD Rocky River Crossing

Legend

-  City Limits
-  Centerlines
-  Regional Centers
-  Parcels
-  streams

Municipal

-  Union County

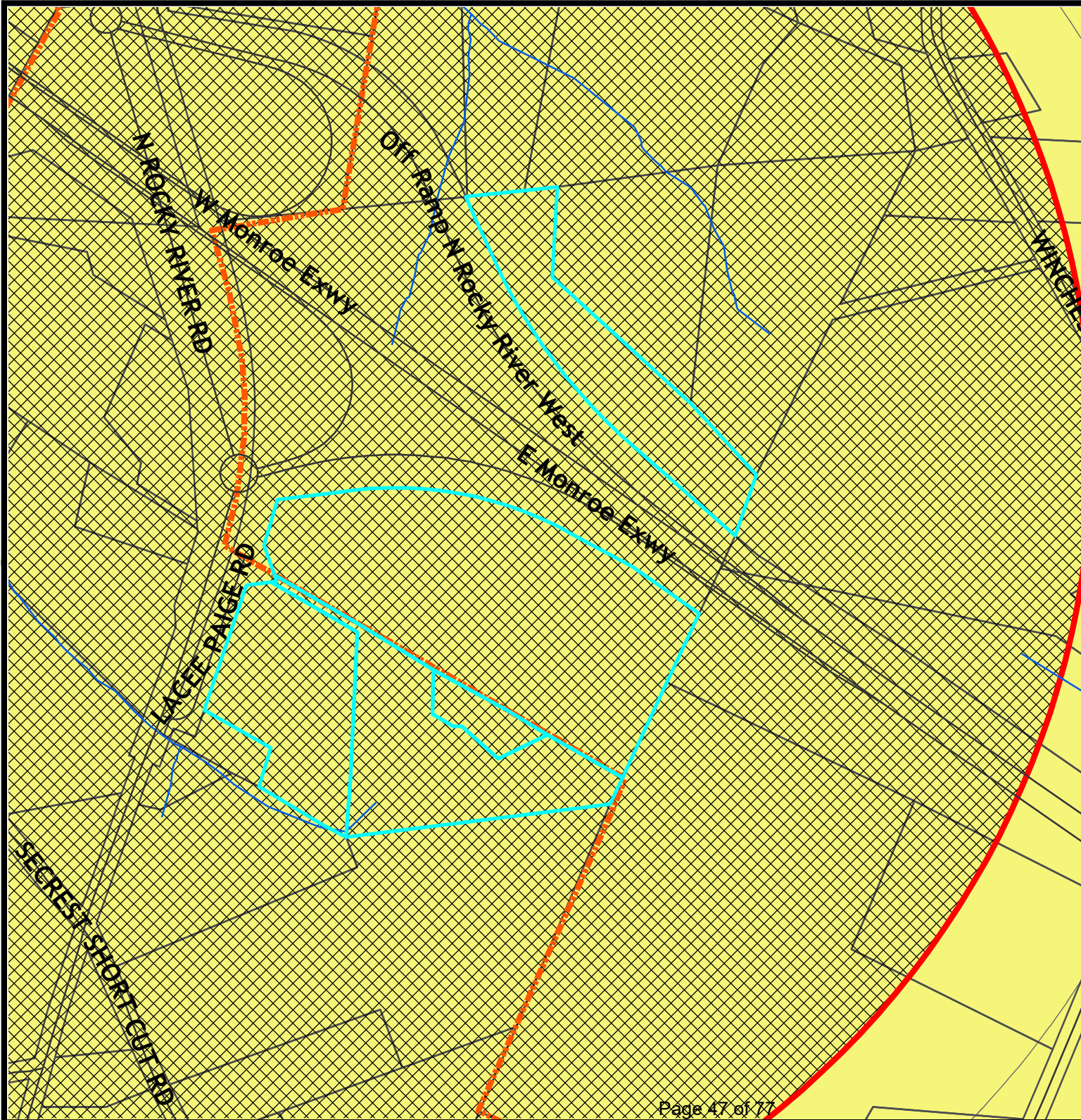
**Existing: R-40
& RA-40 Union County
(Residential Low Density)**

**Owner: Mary Ann Sheppley,
Decorative Creations Inc.,
Liquid Management LLC,
Randy & Kalleen Morelli**

Acres: 33.15



0 360 720
 Feet



FUTURE LAND USE PLAN

Mixed-Use Centers attract people beyond Monroe for shopping, entertainment, employment, or recreation. These centers are usually large-scale, measuring one mile in diameter that represents approximately a 20-minute walking distance. These centers are master-planned areas that are built in phases with a mix of non-residential, residential, and civic uses. It is likely that Regional Mixed- Use Centers will support the most intense concentrations of retail, employment, high-density residential and other mixed uses. These areas typically locate near major highways to ensure ease of access for longer trips. Single-family residential should typically be discouraged within the center, but can be located to the periphery of the center as a transitional use.

The FLUM designates two future interchanges of the Monroe Expressway as Regional Mixed Use Centers; however, the FLUM does not specify a dominant land use (or uses) for the center to respect market conditions and allow flexibility.

Priority uses within the mixed-use centers include: multi-family residential, commercial, office, medical, civic, and mixed-use.

**RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “ROCKY RIVER CROSSING”**

R-2021-XX

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District *“Rocky River Crossing”* further described below property is consistent with the adopted Land Development Plan. The Land Development Plan indicates this area is located in a regional mixed-use center. These centers are master-planned areas that are built in phases with a mix of non-residential, residential, and civic uses. It is likely that Regional Mixed-Use Centers will support the most intense concentrations of retail, employment, high-density residential and other mixed uses. These areas typically locate near major highways to ensure ease of access for longer trips. Single-family residential should typically be discouraged within the center, but can be located to the periphery of the center as a transitional use. The project is consistent with the plan because it offers both a commercial and residential component located at a major highway; the Monroe Expressway. The proposed development is a reasonable use and in the public interest because the Regional Mixed-Use Center recommends concentrations of retail, employment, and high-density residential that this development will offer by providing multifamily apartments and commercial uses.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Approving Land Development Plan Compliance for properties with Union County Tax Parcel Numbers: 08-303-005, 08-303-005-A, 08-303-005-B & 08-303-006.

Adopted this 2nd day of June, 2021.

MaryAnn Rasberry, Chair

Attest:

Maryann Brown, Secretary to Planning Board

**RESOLUTION DENYING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “ROCKY RIVER CROSSING”**

R-2021-XX

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A- 383, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “Rocky River Crossing” further described below property is consistent with the adopted Land Development Plan. The Land Development Plan indicates this area is located in a regional mixed-use center. These centers are master-planned areas that are built in phases with a mix of non-residential, residential, and civic uses. It is likely that Regional Mixed-Use Centers will support the most intense concentrations of retail, employment, high-density residential and other mixed uses. These areas typically locate near major highways to ensure ease of access for longer trips. Single-family residential should typically be discouraged within the center, but can be located to the periphery of the center as a transitional use. The project is consistent with the plan because it offers both a commercial and residential component located at a major highway; the Monroe Expressway. However, the proposed density for this development at 13.08 units per acre is significantly higher than the existing surrounding lots and the density in conjunction with the proposed commercial uses on an already congested corridor could have a negative impact on the surrounding area; therefore, the proposed project is not a reasonable use or in the public interest. Based on this information, the conditions have changed which justify amending the Land Development Plan. As a result of this zoning map amendment request recommendation for denial, the Land Development Plan would be amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends the adoption of the Resolution Denying Land Development Plan Compliance for properties with Union County Tax Parcel Numbers: 08-303-005, 08-303-005-A, 08-303-005-B & 08-303-006.

Adopted this 2nd day of June, 2021.

MaryAnn Rasberry, Chair

Attest:

Maryann Brown, Secretary to Planning Board

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2021-xx

Preamble

Pursuant to authority conferred by Chapter 160D-701 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) “Rocky River Crossing”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 13th day of July, 2021.

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-2021-xx

Preamble

Pursuant to authority conferred by Chapter 160D-701 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/Lacee Paige Road and the Monroe Expressway and further identified as tax parcel #'s 08-303-005, 08-303-005-A, 08-303-005- B & 08-303-006. The request is to rezone the properties from City of Monroe R-40 and Union County RA-40 to Conditional District "Rocky River Crossing".

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 13th day of July, 2021.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: Planning Board Members

DATE: June 2, 2021

FROM: Doug Britt, Senior Planner

PREPARED BY: Keri Mendler, Planner

SUBJECT: Annexation 125.272 acres located along Helms Short Cut Road and further identified with parcel ID number 09-289-001.

SUMMARY STATEMENT

Planning Board is requested to consider the annexation of 125.272 acres located along Helms Short Cut Road and further identified with parcel ID number 09-289-001.

REVIEW

This is an annexation request by BHR Land Holdings, LLC to annex 125.272 acres located along Helms Short Cut Road and further identified with parcel ID number 09-289-001. The annexation is being requested in order to develop a single-family detached subdivision.

RECOMMENDATION

Staff recommends denial of the annexation.

Planning Board will need to make a motion to recommend approval or denial of the annexation request.

Attachments:

1. Aerial Map
2. Annexation Plat

Prepared by: KM 5-25-21

Aerial Map

CD "Cody Downs"

Legend

-  Centerlines
-  Parcels
-  Monroe ETJ

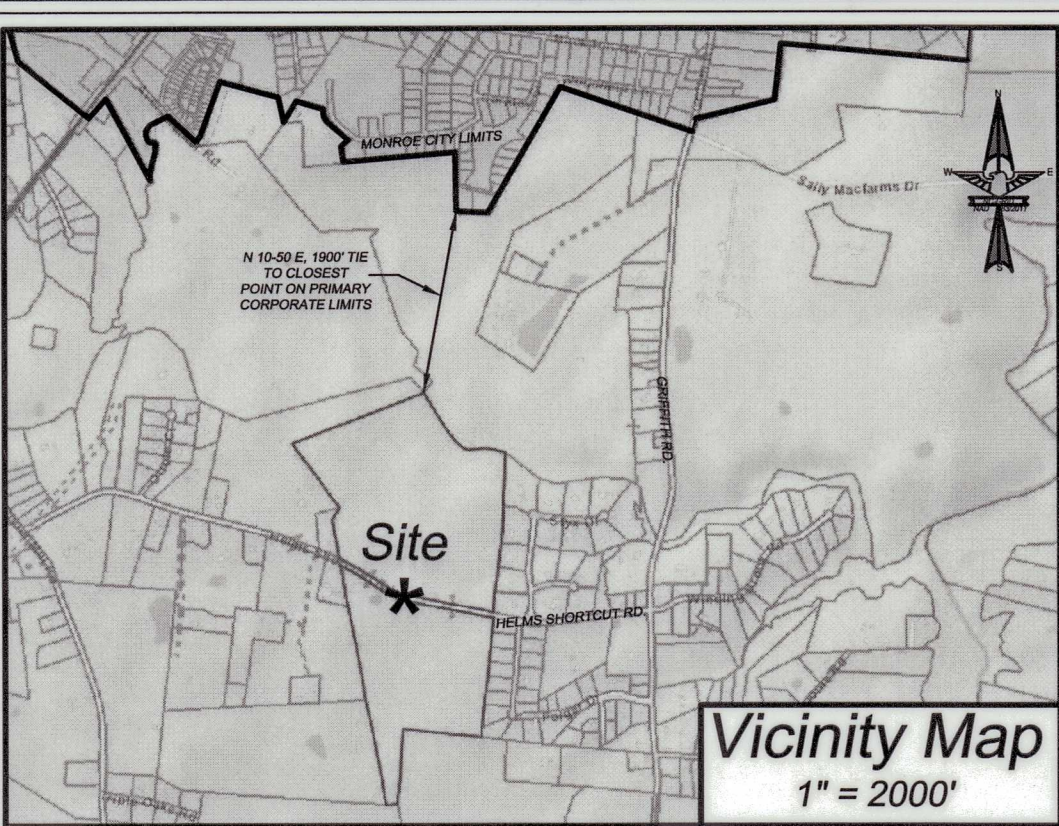
Existing: RA-40
(Union County)

Owner: BHR Land
Holdings, LLC

Acres: 125.27



0 580 1,160
 Feet

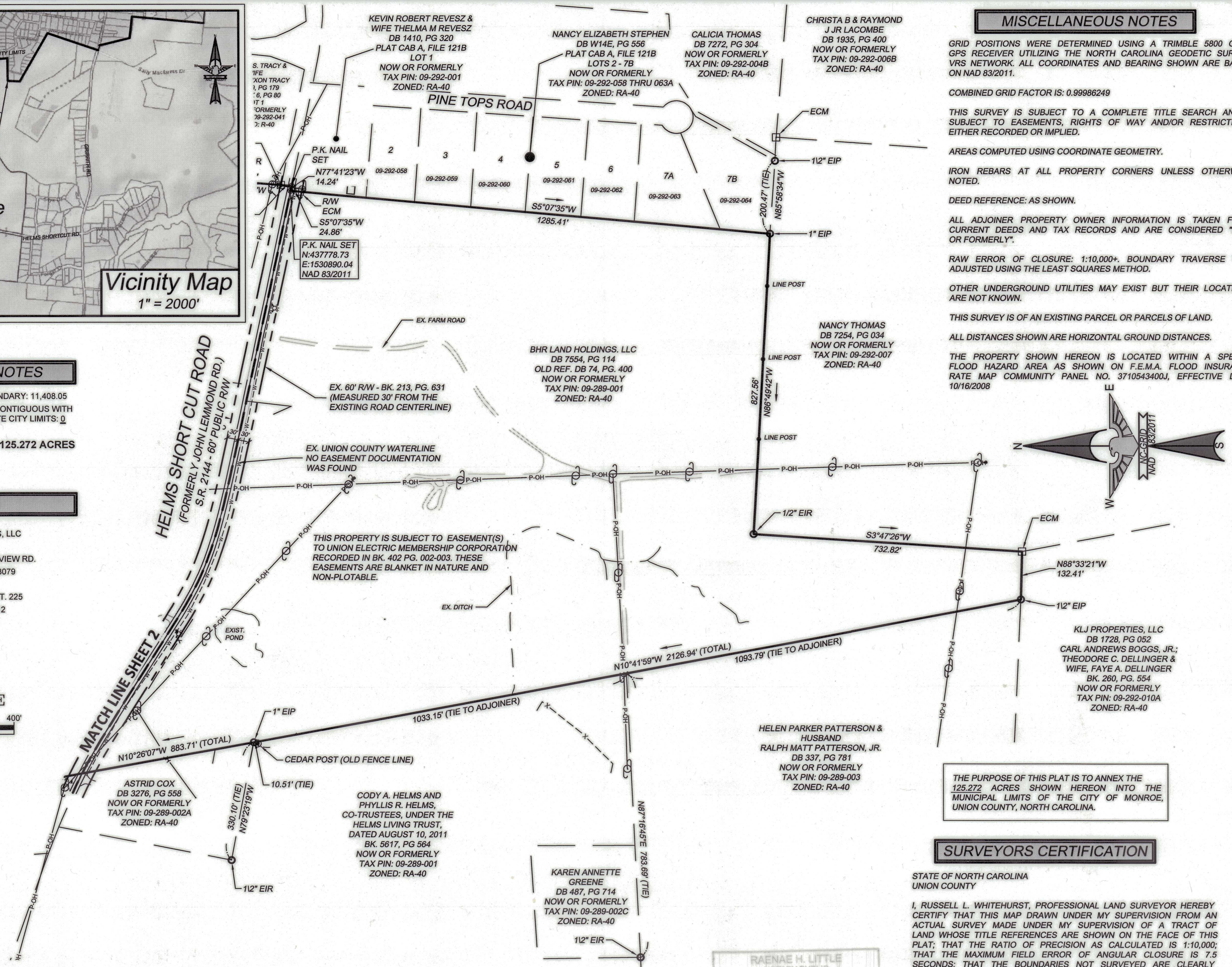
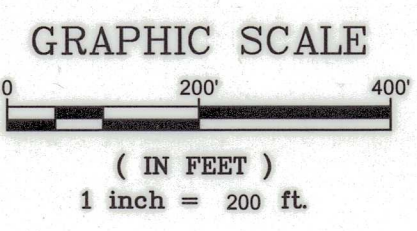


ANNEXATION NOTES

TOTAL LINEAR FEET OF BOUNDARY: 11,408.05
LINEAR FEET OF BOUNDARY CONTIGUOUS WITH EXISTING MONROE SATELLITE CITY LIMITS: 0
TOTAL AREA ANNEXED: 125.272 ACRES

OWNER

BHR LAND HOLDINGS, LLC
4389 INDIAN TRAIL- FAIRVIEW RD.
INDIAN TRAIL, NC 28079
(O): (704) 774-1964 EXT. 225
(C): (631) 612-8312



MISCELLANEOUS NOTES

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.

COMBINED GRID FACTOR IS: 0.99986249

THIS SURVEY IS SUBJECT TO A COMPLETE TITLE SEARCH AND IS SUBJECT TO EASEMENTS, RIGHTS OF WAY AND/OR RESTRICTIONS EITHER RECORDED OR IMPLIED.

AREAS COMPUTED USING COORDINATE GEOMETRY.

IRON REBARS AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

DEED REFERENCE: AS SHOWN.

ALL ADJOINER PROPERTY OWNER INFORMATION IS TAKEN FROM CURRENT DEEDS AND TAX RECORDS AND ARE CONSIDERED "NOW OR FORMERLY".

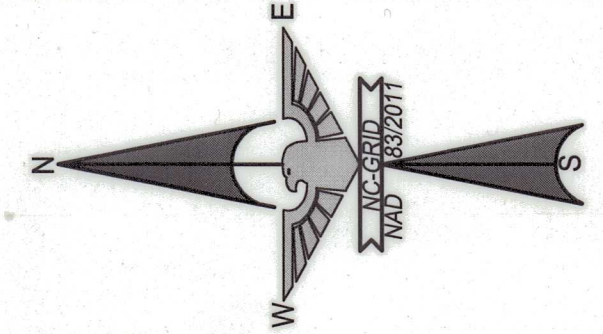
RAW ERROR OF CLOSURE: 1:10,000+. BOUNDARY TRAVERSE WAS ADJUSTED USING THE LEAST SQUARES METHOD.

OTHER UNDERGROUND UTILITIES MAY EXIST BUT THEIR LOCATIONS ARE NOT KNOWN.

THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND.

ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.

THE PROPERTY SHOWN HEREON IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 3710543400J, EFFECTIVE DATE 10/16/2008



USERS OF THIS PLAT ARE REQUIRED TO USE SHEETS 1 AND 2 RECORDED HERewith.

CITY CLERK APPROVAL

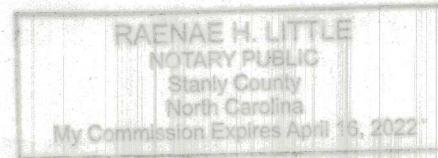
I, _____, CITY CLERK OF THE CITY OF MONROE, NORTH CAROLINA, HEREBY CERTIFY THAT ON THE _____ DAY OF _____, 2021 THE CITY COUNCIL APPROVED THIS PLAT FOR ANNEXATION AND RECORDING.

STATE OF NORTH CAROLINA
COUNTY OF Stanly

I, NOTARY PUBLIC IN AND FOR THE COUNTY OF Stanly, AND THE STATE OF NORTH CAROLINA, DO HEREBY CERTIFY THAT Russell L. Whitehurst 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 12th DAY OF May 2021.

Raenae H. Little
NOTARY PUBLIC
MY COMMISSION EXPIRES 4-16-2022 SEAL



SURVEYORS CERTIFICATION

STATE OF NORTH CAROLINA
UNION COUNTY

I, RUSSELL L. WHITEHURST, PROFESSIONAL LAND SURVEYOR HEREBY CERTIFY THAT THIS MAP DRAWN 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 12th DAY OF MAY, 2020.

Russell L. Whitehurst
PROFESSIONAL LAND SURVEYOR
NO. L-3661

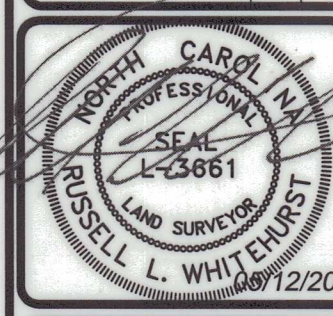
ANNEXATION BOUNDARY
FOR THE CITY OF MONROE

THE PROPERTY OF BHR LAND
HOLDINGS, LLC
TAX ID: 09-289-001
MONROE TSWP., UNION COUNTY, NC

OWNER:
BHR LAND HOLDINGS, LLC

ANNEXATION PLAT

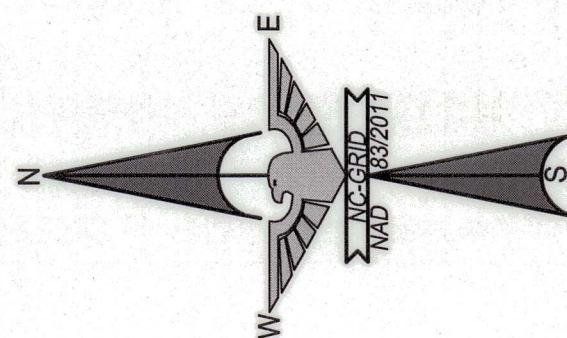
Drawn By: _____ Date: MAY 12, 2020
Approved By: _____ Scale: 1" = 200'
Location: XLAND PROJECTS 624636 EEL Project 6871



EAGLE ENGINEERING

2013A Van Buren Avenue
Indian Trail, NC 28079
(704) 882-4222
www.eagleonline.net

NO.	DATE	BY	REVISION
1	10/4/2021	RTF	REVISED PER REVIEW COMMENTS
2	3/01/2021	RTF	REVISED PER REVIEW COMMENTS
3	3/18/2021	RTF	REVISED TO SHOW UTILITY OWNERSHIP
4	5/9/2021	RTF	REVISED PER REVIEW COMMENTS
5	5/11/2021	RLW	REVISED PER REVIEW COMMENTS
6	5/14/2021	RLW	REVISED PER REVIEW COMMENTS
7	5/17/2021	RLW	REVISED PER REVIEW COMMENTS
8	5/17/2021	RLW	REVISED TO ADD PUNCTUATION TO ADJOINING PROPERTY REFERENCES PER CITY OF MONROE REVIEW COMMENTS.
9	5/24/2021	RLW	REVISED PER CITY OF MONROE REVIEW COMMENTS.



2013-A Van Buren Avenue
Indian Trail, NC 28079
(704) 882-4222
www.eagleonline.net

REVISION
BY
DATE
NO.

1	RTF	10/4/2021	REVISED PER REVIEW COMMENTS
2	RTF	3/22/2021	REVISED PER REVIEW COMMENTS
3	RTF	3/19/2021	REVISED TO SHOW UTILITY OWNERSHIP
4	RLW	5/3/2021	REVISED PER REVIEW COMMENTS
5	RLW	5/11/2021	REVISED PER REVIEW COMMENTS
6	RLW	5/14/2021	REVISED PER REVIEW COMMENTS
7	RLW	5/14/2021	REVISED TO ADD PLANTING AND NOTES TO ADJOINING PROPERTY
8	RLW	5/17/2021	REVISED TO ADD PUNCTATION TO ADJOINING PROPERTY
9	RLW	5/24/2021	REVISED PER CITY OF MONROE REVIEW COMMENTS

THE PROPERTY OF BHR LAND
HOLDINGS, LLC
TAX ID: 09-289-001
MONROE TSWP., UNION COUNTY, NC
OWNER:
BHR LAND HOLDINGS, LLC

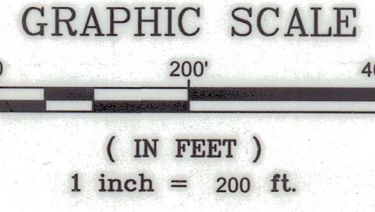
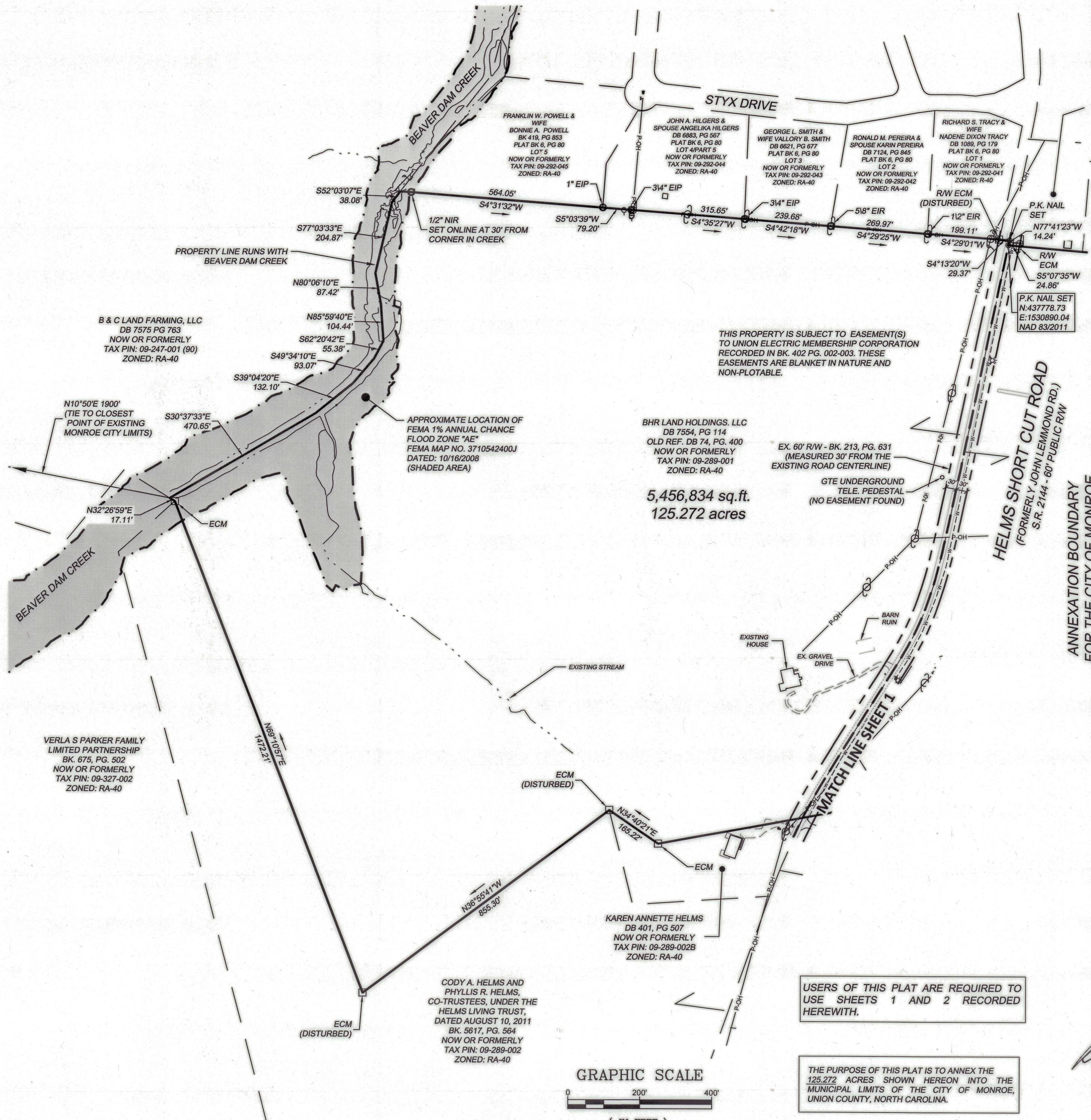
ANNEXATION PLAT
Drawn By: FDA
Approved By: RLW
Date: MAY 12, 2020
Scale: 1" = 200'
Location: XLAND PROJECTS 124536
EEL Project
6971



2 of 2

LEGEND OF SYMBOLS & ABBREVIATIONS

- 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.K. NAIL
- HANDICAPPED PARKING
- TRANSMISSION TOWER
- UTILITY POLE
- UNDERGROUND GASLINE
- OVERHEAD UTILITY LINE
- SANITARY SEWER LINE
- SANITARY SEWER MANHOLE
- FIRE HYDRANT
- WATER VALVE
- WATER WELL
- YARD INLET / AREA DRAIN
- RAILROAD TRACK
- MONITORING WELL
- ELECTRIC BOX/TRANSFORMER
- CURB INLET
- STORM DRAIN
- WATER LINE
- FENCE LINE
- ZONING LINE
- T-UG - UNDERGROUND TELEPHONE



USERS OF THIS PLAT ARE REQUIRED TO
USE SHEETS 1 AND 2 RECORDED
HEREWITH.

THE PURPOSE OF THIS PLAT IS TO ANNEX THE
125.272 ACRES SHOWN HEREON INTO THE
MUNICIPAL LIMITS OF THE CITY OF MONROE,
UNION COUNTY, NORTH CAROLINA.



STAFF REPORT

TO: Planning Board Members

DATE: June 2, 2021

FROM: Doug Britt, Senior Planner

PREPARED BY: Keri Mendler, Planner

SUBJECT: Zoning Map Amendment request for Conditional District “Cody Downs”
(Parcel ID #:09-289-001)

SUMMARY STATEMENT

The Planning Board is requested to consider a zoning text and map amendment for the property located off Helms Short Cut Road and further identified with parcel ID number 09-289-001. The request is to annex and rezone the parcels from Residential (RA-40) to Conditional District “Cody Downs.”

REVIEW

The applicant, Carolina Development, LLC, is requesting a conditional district rezoning in order to develop 319 single-family lots. The total area of the project is 125.3 acres, with 57.3 acres or 45.7% of that left as common open space. The density of this project is 2.54 units per acre. This property is currently located in the County with an RA-40 zoning designation, which allows one unit per acre with a 40,000 square foot minimum lot size.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Vacant	RA-40 (Residential, County)/ R-20 (Residential, City)
East	Single Family Detached Lots	RA-40 (Residential, County)
South	Vacant	RA-40 (Residential, County)
West	Vacant/Single Family Detached Lots	RA-40 (Residential, County)

Proposal

The applicant, Carolina Development, LLC, is requesting a conditional district rezoning in order to develop 319 single-family lots with 57.3 acres or 45.7% of open space.

REQUIREMENTS

Density & Dimensional Standards

The density of the proposed project is 2.54 units per acre. The minimum lot size is 6,000 square feet with an average lot size of 7,504 square feet. 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
R-40	1 unit per acre

The minimum setbacks proposed are as follows:

Front: 20 feet

Side: 5 feet

Corner Lot Side: 5 feet

Rear: 10 feet

Landscaping

Street trees will be provided at a rate of one (1) per fifty (50) linear feet and all houses will have at least two (2) yard trees. A 25-foot landscaped buffer will also be provided along Helms Short Cut Road on both sides.

Open Space

The project is required to provide at least 12.5% open space which would equal 15.66 acres. The total area of open space provided is 57.3 acres or 45.7%. The open space also includes a pool, clubhouse, pickle ball courts, playground, picnic areas, and walking trails throughout the site. A total of 3.3 acres or 5.8% of the open space is located with the flood plain.

Elevations

The developer is proposing the minimum heated floor area for the two (2)-story homes will be 1,600 square feet while the minimum heated floor area for the one(1)-story homes will be 1,200 square feet. The proposed exterior building materials will include fiber cement, stone, stucco or brick; vinyl will only be used for trim work. A minimum of 25% of the front façade will be stone, stucco, or brick.

Parking

Each home will have a two (2)-car 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

Five-foot (5') wide sidewalks will be provided along both sides of the roads throughout the development. A five-foot (5') wide sidewalk will also be provided along both sides of the development along Helms Short Cut 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, site will meet stormwater management requirements in accordance with Chapter 159 Stormwater Management Ordinance of the Monroe Code of Ordinances.

Stream Buffer

All blue line streams on the site have been provided with a 50' buffer on both sides.

Schools

The following is the information provided by Don Ogram with the school system:

The referenced development 319 single-family unit subdivision within the following school attendance areas for the current school year:

Prospect Elementary	Currently at 71% rated capacity
Parkwood Middle	Currently at 82% rated capacity
Parkwood High	Currently at 76 rated capacity

“By our accounting, this will bring the total number of planned and not yet built housing units in the Prospect attendance area to approximately 391. We do not currently anticipate that this development will present an adverse impact on school enrollments.”

Transportation

The development will have two (2) full movement entrances along Helms Short Cut Road; the access points will line up across from each other for both sections of the project. Each access point will have opposing left turn lanes to enter the development. A traffic impact analysis was completed for this development. The traffic impact analysis required the construction of a left turn lane on Lancaster Avenue to turn left onto Plyler-Mill Road.

LAND DEVELOPMENT PLAN CONSISTENCY

The northern portion of this property is located within the Rural Character area while the southern portion of the property is not located within our Future Land Use Planning area. With that said, if the southern portion of the property were in our Future Land Use planning area it would likely have the same character designation of Rural. The Rural area includes mostly residential land uses and abundant open space. While homes may be widely separated with larger

lots, cluster developments or conservation-based subdivisions that set aside large areas for permanent open space are appropriate to minimize environmental impacts and disruption of the landscape. The intent of this character area is to maintain rural character. Large suburban-style subdivisions with small lots and limited common open space should be discouraged. The density for rural residential is 1-2 units per acre. This project is not consistent with the Land Use Plan as the density is 2.54 units per acres. Staff is of the opinion the proposed project is not reasonable or in the public interest.

PUBLIC NOTIFICATION

The applicant held a neighborhood meeting on December 16, 2020. This meeting was held via zoom with the option to attend in person at Eagle Engineering's offices. Approximately seven individuals attended the meeting.

A rezoning notification sign will be posted 10 days prior to the public hearing.

An official rezoning notification letter will be sent to the adjacent property owners located within 150 feet, 10 days prior to the public hearing.

RECOMMENDATION

Staff recommends denial of Conditional District "Cody Downs."

Planning Board will need to take action on the following items:

1. *Motion to recommend adoption of Resolution Approving **OR** Denying Land Development Compliance;*

If the Resolution of Land Development Plan Compliance is recommended for **approval**, the Planning Board will also need to make the following motion:

1. *Motion to recommend adoption of the Ordinance amending section 156.98- Conditional Districts Established and section 156.106- Official Zoning Map.*

If the Resolution of Land Development Plan Compliance is recommended for **denial**, the Planning Board will also need to make the following motion:

1. *Motion to recommend denial of the zoning map amendment*

Attachments:

1. Ortho Map
2. Zoning Map
3. Site Plan
4. Elevations
5. FLUM Map
6. FLUM Description
7. Denial Resolution
8. Approval Resolution
9. Ordinance 156.106
10. Ordinance 156.98

Aerial Map

CD "Cody Downs"

Legend

-  Centerlines
-  Parcels
-  Monroe ETJ

**Existing: RA-40
(Union County)**

**Owner: BHR Land
Holdings, LLC**

Acres: 125.27



0 580 1,160
 Feet

Attachment 1

Zoning Map

CD "Cody Downs"

Legend

— Centerlines

□ Parcels

Zoning Districts

City Zoning

R-20

Monroe ETJ

Union County

**Existing: RA-40
(Union County)**

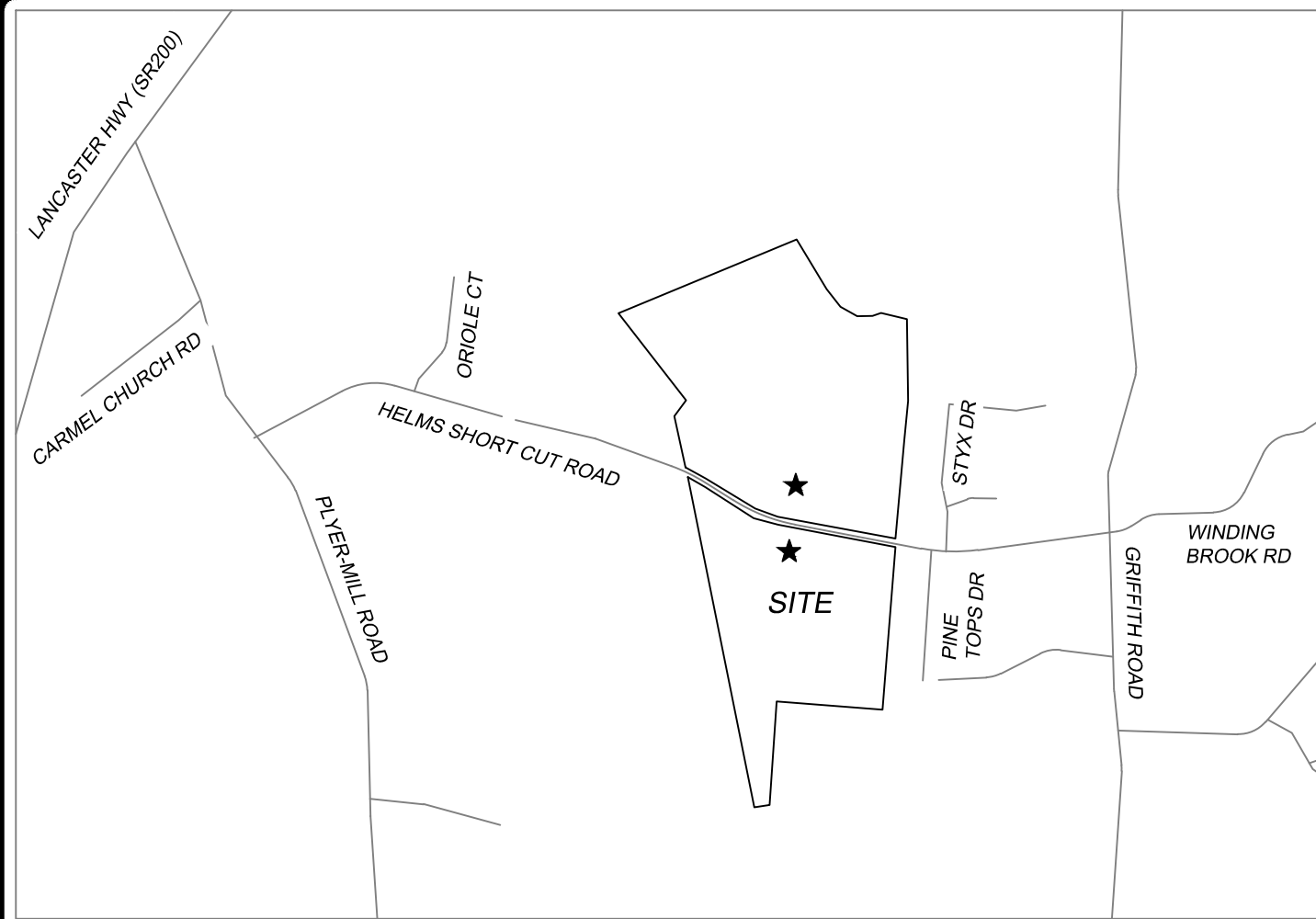
**Owner: BHR Land
Holdings, LLC**

Acres: 125.27



0 800 1,600
Feet

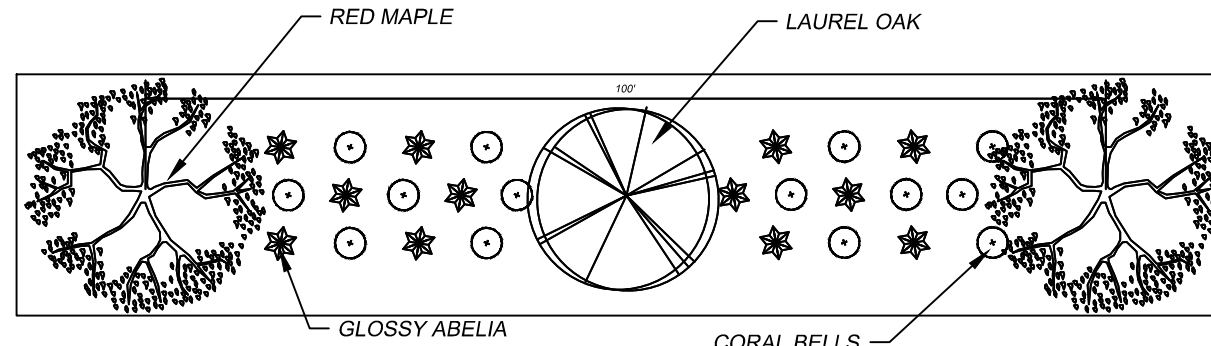
Attachment 2



VICINITY MAP
(NOT TO SCALE)

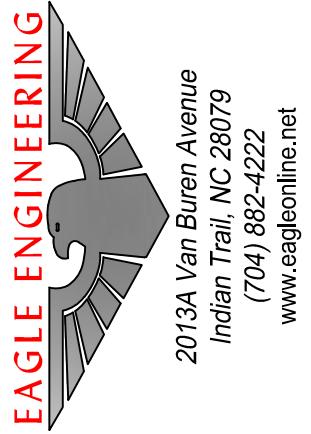
- SITE DEVELOPMENT NOTES:**
1. PROPOSED REZONING FROM RA-40 (UNION COUNTY) TO CONDITIONAL DISTRICT "CODY DOWNS".
 2. ROADS WILL BE PUBLIC STREETS CONSTRUCTED IN ACCORDANCE WITH CITY OF MONROE STANDARDS.
 3. SIGN REGULATIONS FOR THIS PROPERTY SHALL ADHERE TO THE RESIDENTIAL SIGN REQUIREMENTS.
 4. ALL LANDSCAPING SHALL BE KEPT IN A THRIVING CONDITION.
 5. ALL ELEVATIONS, PACKETS, OR OTHER SUPPLEMENTAL MATERIAL SUBMITTED TO STAFF, PLANNING BOARD, AND/OR 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/HER DESIGNEE.
 6. TREES WITHIN THE DEVELOPMENT THAT ARE 75" OR GREATER IN CIRCUMFERENCE WILL BE PRESERVED AND WILL NOT BE REMOVED TO THE EXTENT PRACTICAL.
 7. TREES WITHIN THE DEVELOPMENT THAT ARE 25" OR GREATER IN CIRCUMFERENCE MAY ONLY BE REMOVED IF THEY ARE LOCATED WITHIN AN APPROVED STREET CROSS SECTION, BUILDING PAD, DRIVEWAY AREA, STORM WATER MANAGEMENT FEATURE, OR STORM OR UTILITY EASEMENT.
 8. DEVELOPER RESERVES THE RIGHT TO REMOVE SICK OR DAMAGED TREES AT DEVELOPER'S DISCRETION.
 9. SETBACK MEASUREMENTS SHALL BE MADE FROM THE EXTERIOR WALL DIMENSIONS AT THE FOUNDATION. ARCHITECTURAL FEATURES (INCLUDING BUT NOT LIMITED TO OVERHANGS, STOOPS, EAVES, AND SOFFITS) AND MECHANICAL UNITS MAY PROJECT INTO SETBACKS.
 10. ACCESSORY STRUCTURES SHALL NOT BE LOCATED BEYOND THE FRONT CORNER OF THE HOME, AND SHALL MAINTAIN A MINIMUM FIVE FOOT (5') SETBACK FROM ALL PROPERTY LINES. ACCESSORY STRUCTURES SHALL NOT BE LOCATED WITHIN PUBLIC EASEMENTS.
 11. LANDSCAPING SHALL BE IN ACCORDANCE WITH CITY OF MONROE STANDARDS.
 12. HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR THE OWNERSHIP AND MAINTENANCE OF OPEN SPACE, COMMON AREAS, BMP AREAS, ETC.
 13. COMMENCEMENT OF THE AMENITY AREA SHALL BEGIN NO LATER THAN 80% OF THE CERTIFICATE OF OCCUPANCY'S BEING ISSUED.
 14. THE PERIMETER BUFFER ALONG THE EAST SIDE OF THE PROPERTY SHALL INCLUDE AN 8' TALL BERM.
 15. MINIMUM LOT SIZE IS 6,000 SF. AVERAGE LOT SIZE IS 7,504 SF.
 16. EXTERIOR MATERIALS SHALL BE A LIMITED TO A MIX OF FIBER CEMENT, STONE, STUCCO, OR BRICK. VINYL SHALL ONLY BE USED FOR TRIM WORK ONLY. HOUSE FRONTAGE SHALL HAVE A MINIMUM OF 25%.
- ARCHITECTURAL ELEMENTS OF EITHER STONE, STUCCO, OR BRICK MATERIAL. HOUSES BUILT ON SLAB FOUNDATIONS SHALL HAVE MINIMUM FOUR COURSE BRICK/BRICK VENEER OF STANDARD SIZE, EXTENDING UP THE FACE OF THE SLAB.**
17. MINIMUM HOUSE SIZE SHALL BE 1,600 SF FOR TWO (2)-STORY AND 1,200 SF FOR ONE (1)-STORY RANCH STYLE HOUSES.
 18. STREET TREES SHALL BE PROVIDED AT A RATE OF 1 PER EVERY 50' WITH A CALIPER OF 1 1/2 INCHES MEASURED 8 INCHES ABOVE GRADE. STREET TREES SHOULD BE A VARIETY OF SPECIES.
 19. EACH LOT SHALL HAVE AT LEAST 2 YARD TREES, SUITABLE FOR HEALTHY GROWTH IN OUR CLIMATE. EACH TREE SHALL HAVE MINIMUM CALIPER OF 1 1/2 INCHES MEASURED 8 INCHES ABOVE GRADE. 1 TREE MAY BE PLACED IN REAR OF LOT TO MEET THIS REQUIREMENT.
 20. ALL FRONT LOAD GARAGES SHALL HAVE CARRIAGE STYLE DOORS. ALL HOUSES SHALL HAVE A STANDARD TWO (2) CAR ATTACHED GARAGE.
 21. 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.
 22. ALL EXPOSED CHIMNEYS SHALL BE STUCCO OR BRICK VENEER CONSISTENT WITH THE ARCHITECTURE.
 23. 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.
 24. THE MAJORITY OF ALL ROOF AREAS ON ANY HOUSE SHALL HAVE A MINIMUM 6/12 PITCH ROOF.
 25. ALL FRONT LAWNS OF ALL SINGLE FAMILY HOMES SHALL BE SODDED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
 26. MAIL KIOSK LOCATIONS WILL BE COORDINATED WITH USPS AND WILL HAVE AT LEAST 1 HANDICAP PARKING SPACE FOR EACH LOCATION.
- OFF-SITE ROAD IMPROVEMENTS:**
1. "INTERSECTION A" SHALL BE A FULL MOVEMENT INTERSECTION WITH NO SIGNAL AND THE ADDITION OF OPPOSING LEFT TURN LANES INTO THE SITE ON HELMS SHORTCUT ROAD.
 2. "INTERSECTION B" SHALL BE A FULL MOVEMENT INTERSECTION WITH NO SIGNAL AND THE ADDITION OF OPPOSING LEFT TURN LANES INTO THE SITE ON HELMS SHORTCUT RD.
 3. THE INTERSECTION OF LANCASTER HWY (SR200) AND PLYER-MILL RD, A LEFT TURN LANE FROM LANCASTER HWY (SR200) ONTO PLYER-MILL RD SHALL BE CONSTRUCTED.
 4. ALL ROAD IMPROVEMENTS SHALL BE IN ACCORDANCE WITH NCDOT STANDARDS AND SHALL FOLLOW THE APPROVED TIA BY IMPACT DESIGNS INC.

PLANT SCHEDULE			
	COMMON NAME	BOTANICAL NAME	QTY HT
TREES			
	RED MAPLE	ACER RUBRUM	283 40'-60'
	LAUREL OAK	QUERCUS LAURIFILIA	294 40'-60'
SHRUBS			
	GLOSSY ABELIA	ABELIA x GRANDIFLORA 'KALEIDOSCOPE'	737 24" MIN
	CORAL BELLS	HEUCHERA x 'GEORGIA PEACH'	738 12"
	BOXWOOD	BUXUS x 'GREEN MOUNTAIN'	131 24" MIN



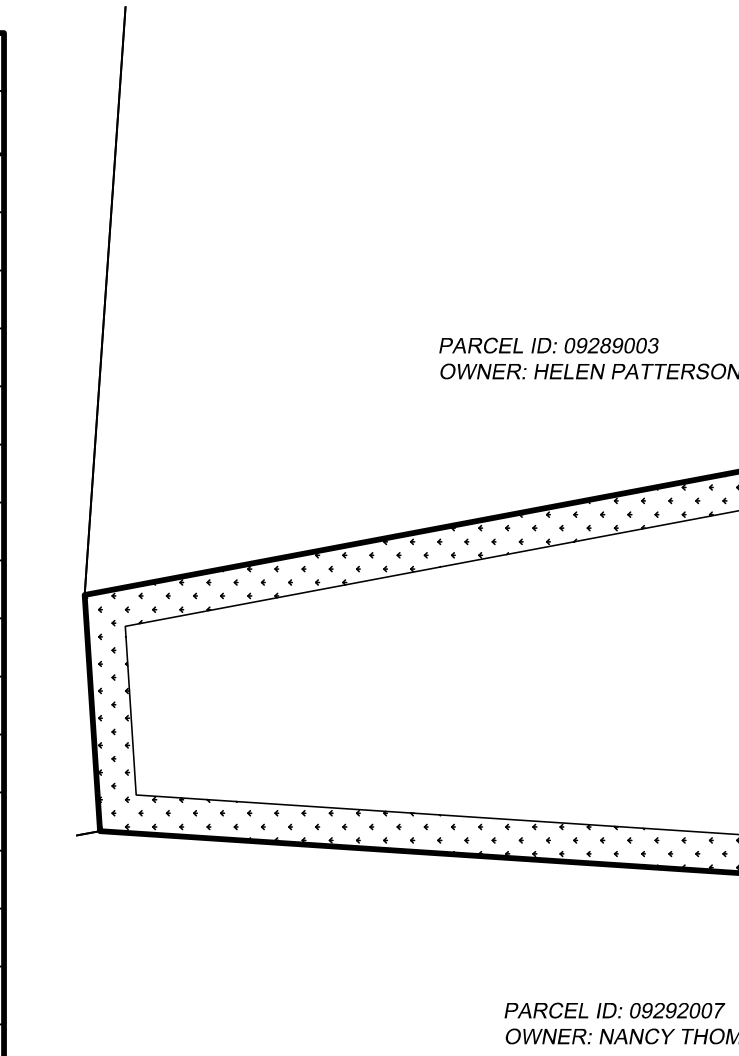
TYPICAL 25'/20' LANDSCAPE BUFFER (NTS)

SITE AND DEVELOPMENT DATA	
JURISDICTION	UNION COUNTY
PROPOSED JURISDICTION	CITY OF MONROE
TAX PARCEL(S)	09289001
DEED BOOK AND PAGE	B 7554, PG 114
SITE ADDRESS	HELMS SHORT CUT RD.
ZONING	RA-40 (UNION COUNTY)
PROPOSED ZONING	CONDITIONAL DISTRICT "CODY DOWNS"
TOTAL AREA	+/- 125.3 ACRES
LOTS	50' LOTS
TOTAL LOTS	319 LOTS
DENSITY	2.54 UNITS/ ACRE
AREA IN LOTS	54.5 ACRES (43.5%)
OPEN SPACE	57.3 ACRES (45.7%)
OPEN SPACE IN FLOOD PLAIN	3.3 ACRES (5.8% OF OPEN SPACE)
SETBACKS IN CONDITIONAL DISTRICT	
MINIMUM FRONT SETBACK	20'
MINIMUM CORNER/SIDE SETBACK	5'
MINIMUM REAR SETBACK	10'
MINIMUM LOT SIZE	6,000 SQ. FT.
MINIMUM LOT WIDTH	50'

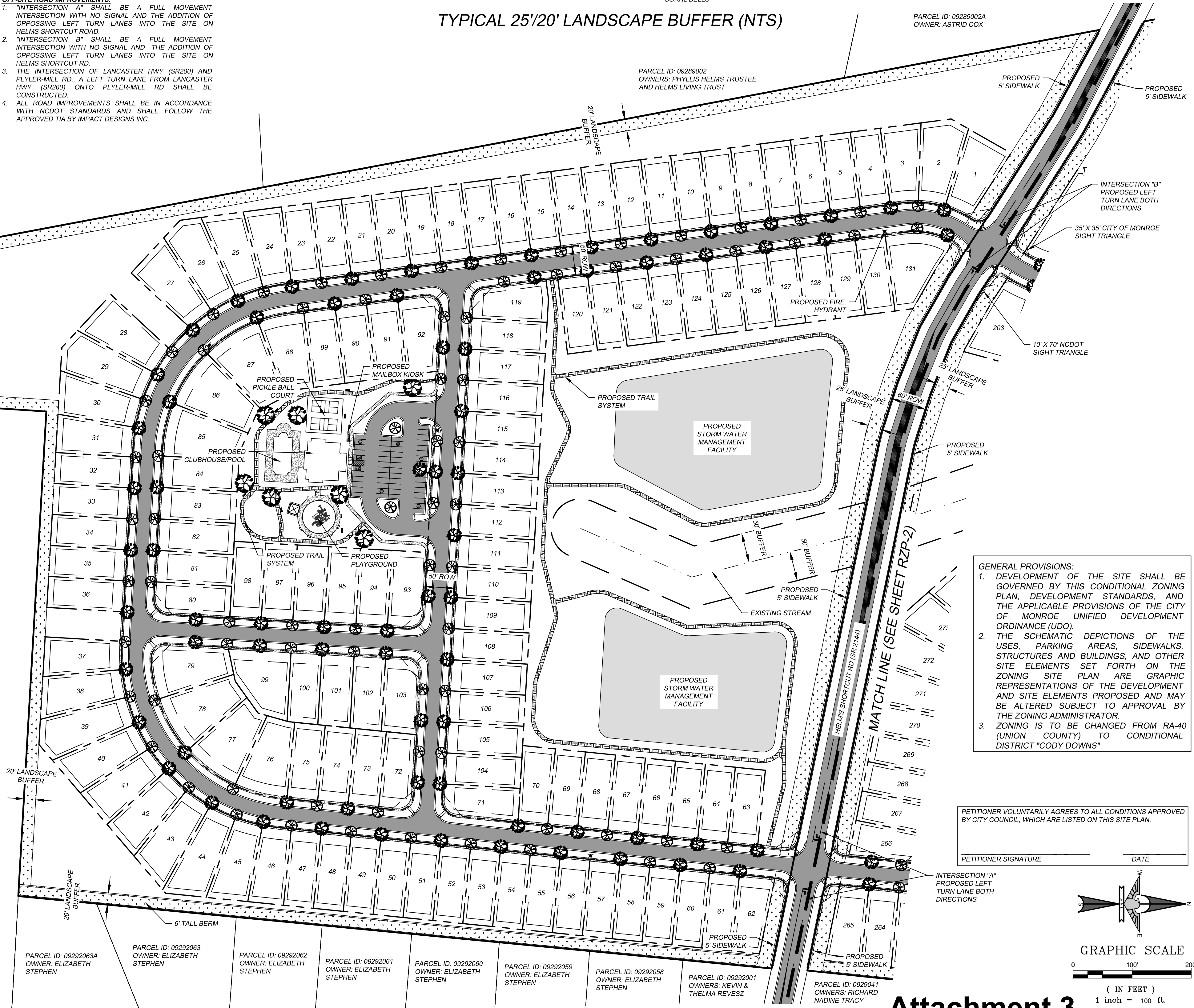


PRELIMINARY
NOT FOR
CONSTRUCTION

Parcel Table			Parcel Table		
Parcel #	Sq. Ft.	Acres	Parcel #	Sq. Ft.	Acres
1	8395	0.19	47	6606	0.15
2	9014	0.21	48	6606	0.15
3	7669	0.18	49	6606	0.15
4	6643	0.15	50	6606	0.15
5	6643	0.15	51	6606	0.15
6	6643	0.15	52	6606	0.15
7	6643	0.15	53	6606	0.15
8	6643	0.15	54	6606	0.15
9	6643	0.15	55	6606	0.15
10	6643	0.15	56	6606	0.15
11	6643	0.15	57	6606	0.15
12	6643	0.15	58	6606	0.15
13	6643	0.15	59	6606	0.15
14	6643	0.15	60	6606	0.15
15	6643	0.15	61	6606	0.15
16	6643	0.15	62	6995	0.16
17	6643	0.15	63	6630	0.15
18	6643	0.15	64	6630	0.15
19	6643	0.15	65	6630	0.15
20	6643	0.15	66	6630	0.15
21	6643	0.15	67	6630	0.15
22	6643	0.15	68	6630	0.15
23	6643	0.15	69	6630	0.15
24	7434	0.17	70	6887	0.16
25	8272	0.19	71	6986	0.16
26	9251	0.21	72	6920	0.16
27	8889	0.20	73	6754	0.16
28	9134	0.21	74	6754	0.16
29	9492	0.22	75	6754	0.16
30	8433	0.19	76	9131	0.21
31	7524	0.17	77	9614	0.22
32	6828	0.16	78	9794	0.22
33	6828	0.16	79	9396	0.22
34	6828	0.16	80	6866	0.16
35	6828	0.16	81	6935	0.16
36	6828	0.16	82	6935	0.16
37	7559	0.17	83	6935	0.16
38	8367	0.19	84	6935	0.16
39	9590	0.22	85	9369	0.22
40	8635	0.20	86	10089	0.23
41	7968	0.18	87	10146	0.23
42	8107	0.19	88	8576	0.20
43	9082	0.21	89	6966	0.16
44	9303	0.21	90	6941	0.16
45	8018	0.18	91	6941	0.16
46	7154	0.16	92	8100	0.19



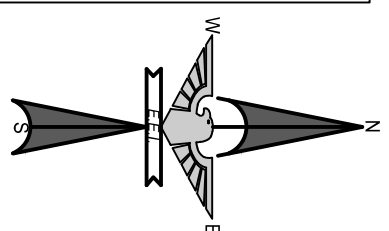
Parcel Table			Parcel Table		
Parcel #	Sq. Ft.	Acres	Parcel #	Sq. Ft.	Acres
93	7666	0.18	120	6603	0.15
94	6946	0.16	121	6603	0.15
95	6946	0.16	122	6603	0.15
96	6946	0.16	123	6603	0.15
97	6946	0.16	124	6603	0.15
98	6946	0.16	125	6603	0.15
99	9498	0.22	126	6603	0.15
100	6303	0.14	127	6603	0.15
101	6705	0.15	128	6603	0.15
102	6693	0.15	129	6603	0.15
103	7530	0.17	130	6603	0.15
104	6848	0.16	131	9649	0.22
105	6848	0.16			
106	6848	0.16			
107	6848	0.16			
108	6848	0.16			
109	6848	0.16			
110	6848	0.16			
111	6848	0.16			
112	6848	0.16			
113	6848	0.16			
114	6848	0.16			
115	6848	0.16			
116	6848	0.16			
117	6848	0.16			
118	6848	0.16			
119	7772	0.18			



- GENERAL PROVISIONS:**
1. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THIS CONDITIONAL ZONING PLAN, DEVELOPMENT STANDARDS, AND THE APPLICABLE PROVISIONS OF THE CITY OF MONROE UNIFIED DEVELOPMENT ORDINANCE (UDO).
 2. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, AND OTHER SITE ELEMENTS SET FORTH ON THE ZONING SITE PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT AND SITE ELEMENTS PROPOSED AND MAY BE ALTERED SUBJECT TO APPROVAL BY THE ZONING ADMINISTRATOR.
 3. ZONING IS TO BE CHANGED FROM RA-40 (UNION COUNTY) TO CONDITIONAL DISTRICT "CODY DOWNS".

PETITIONER VOLUNTARILY AGREES TO ALL CONDITIONS APPROVED BY CITY COUNCIL, WHICH ARE LISTED ON THIS SITE PLAN.

PETITIONER SIGNATURE _____ DATE _____



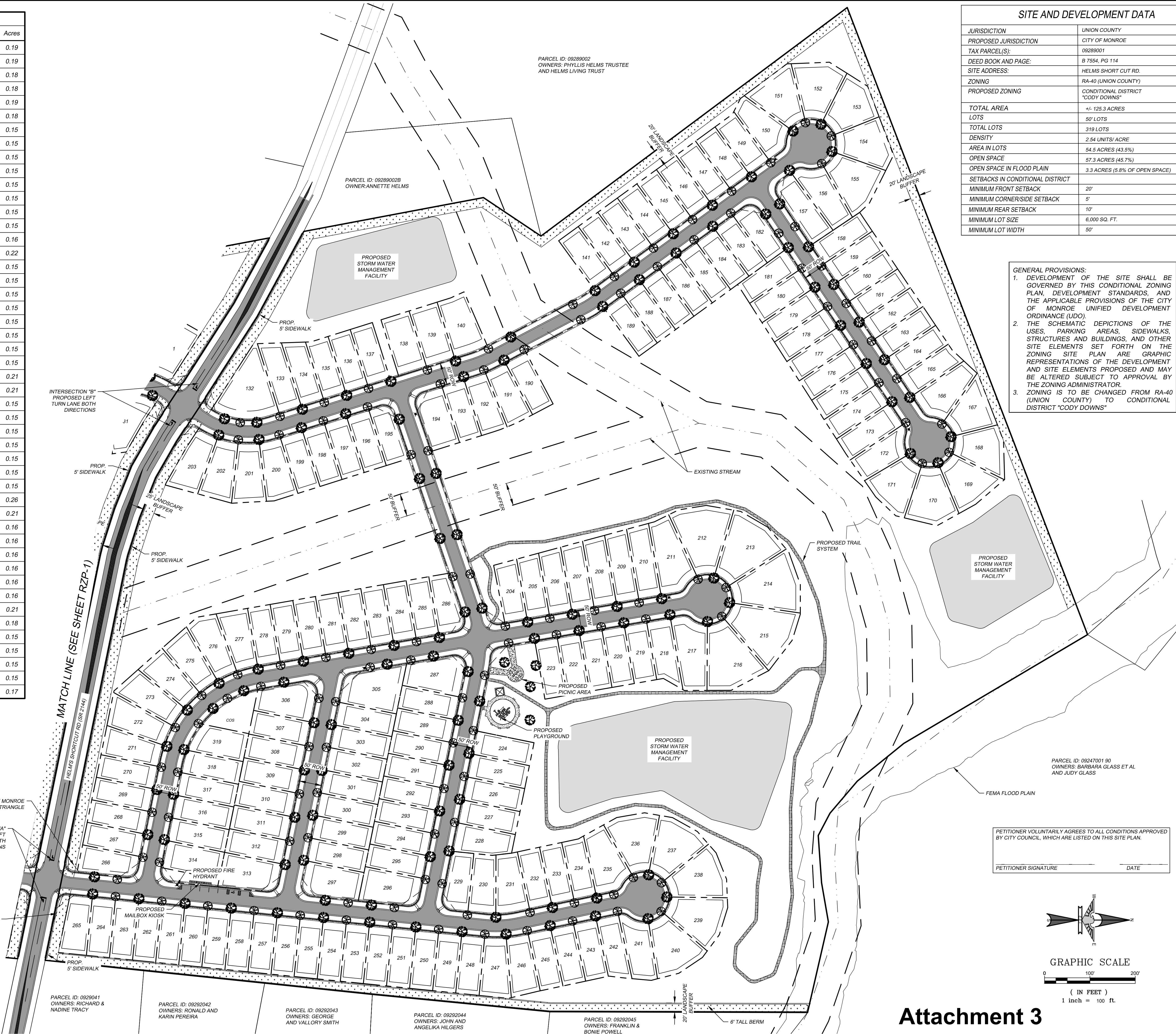
GRAPHIC SCALE
0 100' 200'
(IN FEET)
1 inch = 100 ft.

CONDITIONAL DISTRICT
"CODY DOWNS"
CITY OF MONROE, NC
FOR THE BENEFIT OF:
CAROLINA DEVELOPMENT
SERVICES LLC

REZONING SITE PLAN (1 OF 2)	DESIGNED BY BLD	CHECKED BY BLD	DATE 09-22-2020	JOB NUMBER 6971
--------------------------------	--------------------	-------------------	--------------------	--------------------

RZP-1

Parcel Table			Parcel Table			Parcel Table		
Parcel #	Sq. Ft.	Acres	Parcel #	Sq. Ft.	Acres	Parcel #	Sq. Ft.	Acres
132	13797	0.32	202	8140	0.19	272	8391	0.19
133	7909	0.18	203	8368	0.19	273	8491	0.19
134	7180	0.16	204	6746	0.15	274	7697	0.18
135	6669	0.15	205	6855	0.16	275	7820	0.18
136	6650	0.15	206	7085	0.16	276	8395	0.19
137	6650	0.15	207	7315	0.17	277	7737	0.18
138	8422	0.19	208	7544	0.17	278	6590	0.15
139	8422	0.19	209	7774	0.18	279	6590	0.15
140	9183	0.21	210	8004	0.18	280	6590	0.15
141	6927	0.16	211	11046	0.25	281	6590	0.15
142	6927	0.16	212	14004	0.32	282	6590	0.15
143	6927	0.16	213	13984	0.32	283	6590	0.15
144	6927	0.16	214	13975	0.32	284	6590	0.15
145	6927	0.16	215	13939	0.32	285	6590	0.15
146	6927	0.16	216	13689	0.31	286	7011	0.16
147	6927	0.16	217	10553	0.24	287	9398	0.22
148	6927	0.16	218	7514	0.17	288	6630	0.15
149	6935	0.16	219	6503	0.15	289	6630	0.15
150	8429	0.19	220	6503	0.15	290	6630	0.15
151	9938	0.23	221	6503	0.15	291	6630	0.15
152	10466	0.24	222	6503	0.15	292	6630	0.15
153	9409	0.22	223	6503	0.15	293	6630	0.15
154	9519	0.22	224	6715	0.15	294	6630	0.15
155	10384	0.24	225	6715	0.15	295	6630	0.15
156	8652	0.20	226	6715	0.15	296	9097	0.21
157	8890	0.20	227	6715	0.15	297	8982	0.21
158	6500	0.15	228	7298	0.17	298	6630	0.15
159	6500	0.15	229	7045	0.16	299	6630	0.15
160	6500	0.15	230	7212	0.17	300	6630	0.15
161	6500	0.15	231	8068	0.19	301	6630	0.15
162	6500	0.15	232	6500	0.15	302	6630	0.15
163	6500	0.15	233	6500	0.15	303	6630	0.15
164	6500	0.15	234	6525	0.15	304	6630	0.15
165	6634	0.15	235	9632	0.22	305	11386	0.26
166	9121	0.21	236	10694	0.25	306	9124	0.21
167	8356	0.19	237	10694	0.25	307	6918	0.16
168	8856	0.20	238	10694	0.25	308	6918	0.16
169	9557	0.22	239	10693	0.25	309	6918	0.16
170	10115	0.23	240	10692	0.25	310	6918	0.16
171	9346	0.21	241	8085	0.19	311	6918	0.16
172	7407	0.17	242	6893	0.16	312	6918	0.16
173	7835	0.18	243	6648	0.15	313	9097	0.21
174	7133	0.16	244	6648	0.15	314	7930	0.18
175	7075	0.16	245	6855	0.15	315	6630	0.15
176	7016	0.16	246	7478	0.17	316	6630	0.15
177	6958	0.16	247	7838	0.18	317	6630	0.15
178	6899	0.16	248	6689	0.15	318	6596	0.15
179	6840	0.16	249	6648	0.15	319	7451	0.17
180	6782	0.16	250	6648	0.15			
181	6867	0.16	251	6648	0.15			
182	6802	0.16	252	6648	0.15			
183	6501	0.15	253	6648	0.15			
184	6501	0.15	254	6648	0.15			
185	6501	0.15	255	6648	0.15			
186	6501	0.15	256	6648	0.15			
187	6501	0.15	257	6648	0.15			
188	6501	0.15	258	6648	0.15			
189	6501	0.15	259	6648	0.15			
190	6630	0.15	260	6648	0.15			
191	7226	0.17	261	6648	0.15			
192	7082	0.16	262	6648	0.15			
193	6630	0.15	263	6648	0.15			
194	8541	0.20	264	6648	0.15			
195	6704	0.15	265	7232	0.17			
196	6640	0.15	266	7084	0.16			
197	6640	0.15	267	6590	0.15			
198	6640	0.15	268	6590	0.15			
199	6640	0.15	269	6590	0.15			
200	7788	0.18	270	6590	0.15			
201	8130	0.19	271	7442	0.17			



SITE AND DEVELOPMENT DATA	
JURISDICTION	UNION COUNTY
PROPOSED JURISDICTION	CITY OF MONROE
TAX PARCEL(S)	09289001
DEED BOOK AND PAGE	B 7554, PG 114
SITE ADDRESS	HELMS SHORT CUT RD.
ZONING	RA-40 (UNION COUNTY)
PROPOSED ZONING	CONDITIONAL DISTRICT "CODY DOWNS"
TOTAL AREA	+/- 125.3 ACRES
LOTS	50' LOTS
TOTAL LOTS	319 LOTS
DENSITY	2.54 UNITS/ ACRE
AREA IN LOTS	54.5 ACRES (43.5%)
OPEN SPACE	57.3 ACRES (45.7%)
OPEN SPACE IN FLOOD PLAIN	3.3 ACRES (5.8% OF OPEN SPACE)
SETBACKS IN CONDITIONAL DISTRICT	
MINIMUM FRONT SETBACK	20'
MINIMUM CORNER/SIDE SETBACK	5'
MINIMUM REAR SETBACK	10'
MINIMUM LOT SIZE	6,000 SQ. FT.
MINIMUM LOT WIDTH	50'

GENERAL PROVISIONS:

1. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THIS CONDITIONAL ZONING PLAN, DEVELOPMENT STANDARDS, AND THE APPLICABLE PROVISIONS OF THE CITY OF MONROE UNIFIED DEVELOPMENT ORDINANCE (UDO).
2. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, AND OTHER SITE ELEMENTS SET FORTH ON THE ZONING SITE PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT AND SITE ELEMENTS PROPOSED AND MAY BE ALTERED SUBJECT TO APPROVAL BY THE ZONING ADMINISTRATOR.
3. ZONING IS TO BE CHANGED FROM RA-40 (UNION COUNTY) TO CONDITIONAL DISTRICT "CODY DOWNS"

2013A Van Buren Avenue
Indian Trail, NC 28079
(704) 882-4222
www.eagleonline.net

PRELIMINARY
NOT FOR
CONSTRUCTION

NO.	DATE	BY	ISSUE
1	10-01-2020	DAM	UPDATED LOT SIZES AND COUNTS
2	12-08-2020	DAM	ADDRESSED CITY OF MONROE COMMENTS
3	03-17-2021	DAM	ADDRESSED CITY OF MONROE COMMENTS
4	05-12-2021	BLD	ADDRESSED CITY OF MONROE COMMENTS

CONDITIONAL DISTRICT
"CODY DOWNS"
CITY OF MONROE, NC
FOR THE BENEFIT OF:
CAROLINA DEVELOPMENT
SERVICES LLC

DESIGNED BY	BLD	CHECKED BY	BLD
DRAWN BY	DAM	DATE	09-22-2020
AS SHOWN	DATE	JOB NUMBER	6971

REZONING
SITE PLAN (2 OF 2)

Sheet
RZP-2













30' Meritage Homes Plans



LIFE. BUILT. BETTER.

Page 71 of 77

 MeritageHomes[®]

Setting the standard for energy-efficient homes[™]

LAND DEVELOPMENT PLAN CONSISTENCY

The northern portion of this property is located within the Rural Character area while the southern portion of the property is not located within our Future Land Use Planning area. With that said, if the southern portion of the property were in our Future Land Use planning area it would likely have the same character designation of Rural. The Rural area includes mostly residential land uses and abundant open space. While homes may be widely separated with larger lots, cluster developments or conservation-based subdivisions that set aside large areas for permanent open space are appropriate to minimize environmental impacts and disruption of the landscape. The intent of this character area is to maintain rural character. Large suburban-style subdivisions with small lots and limited common open space should be discouraged. The density for rural residential is 1-2 units per acre.

This project is not consistent with the Land Use Plan as the density is 2.54 units per acres. Staff is of the opinion the proposed project is not reasonable or in the public interest.

Future Land Use Map CD "Cody Downs"

Legend

- Centerlines
- Parcels
- ETJ

Future Land Use Character Area

- Rural
- Suburban

Other Municipalities

- Union County

Owner: BHR Land Holdings, LLC

Acres: 125.27



0 580 1,160
Feet

Attachment 6

**RESOLUTION DENYING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “CODY DOWNS”
R-2021-XX**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “*Cody Downs*” further described below property is not consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as the Rural Character area. The rural character area allows 1-2 units per acre, this development is 2.54 units per acre therefore it is not consistent. The intent of the rural character area is to maintain rural character. Large suburban-style subdivisions with small lots should be discouraged. The proposed development is not a reasonable use or in the public interest because there are over 300 lots and the minimum lot size proposed is 6,000 square feet which is much smaller than the surround $\frac{3}{4}$ acre and larger lots in the area which does not maintain a rural character.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Denying Land Development Plan Compliance for property with Union County Tax Parcel Number(s): 09-289-001.

Adopted this 2nd day of June, 2021.

MaryAnn Rasberry, Chair

Attest:

Maryann Brown, Secretary to Planning Board

**RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “CODY DOWNS”
R-2021-XX**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “*Cody Downs*” further described below property is not consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as the Rural Character area. The rural character area allows 1-2 units per acre, this development is 2.54 units per acre therefore it is not consistent. The Rural Character area includes residential uses and abundant open space. While homes may be widely separated with larger lots, cluster developments that set aside large areas for permanent open space may be appropriate to minimize environmental impacts. The proposed project is reasonable and in the public interest because the development is proposing 45% open space. Based on this information, the conditions have changed which justify amending the Land Development Plan. As a result of this zoning map amendment request recommendation for approval, the Land Development Plan would be amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Approving Land Development Plan Compliance for property with Union County Tax Parcel Number(s): 09-289-001.

Adopted this 2nd day of June, 2021.

MaryAnn Rasberry, Chair

Attest:

Maryann Brown, Secretary to Planning Board

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2021-XX

Preamble

Pursuant to authority conferred by Chapter 160D-701 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 Helms Short Cut Road (Tax Parcels 09-289-001) from RA-40 (Residential Agriculture-Low Density) to Conditional District (CD) “Cody Downs”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 13th day of July, 2021.

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-2021-XX**

Preamble

Pursuant to authority conferred by Chapter 160D-701 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) “Cody Downs”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 13th day of July, 2021.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk