

PLANNING BOARD MEETING

Wednesday, September 1, 2021

6:00 PM

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

- Item 1. Call to Order – Roll Call**
- Item 2. Approval of Minutes – Meeting of August 4, 2021 and Special Joint Meeting of August 10, 2021**
- Item 3. *WITHDRAWAL* Zoning Map and Text Amendment request for property located along Wesley Hill Trail, located off of Lancaster Avenue, further identified with Parcel ID #09-327-001 from Conditional District (CD) “Fieldstone Phase II” to Conditional District “Fieldstone Phase II Amendment 1”**
- Item 4. Zoning Map and Text Amendment request for properties located along N. Rocky River Road, further identified with parcel ID #s09-342-117, 09-342-117A and 09-342-117D, from Conditional District "Jonhaven Townhomes" and R-20 (Residential Single-Family) to Conditional District "Jonhaven Townhomes - Amendment 1" and R-20 (Residential Single-Family)**
- Item 5. Zoning Map and Text Amendment request for property located at 1657 Pageland Highway, further identified with parcel ID # 09-158-028, from R-10 (Residential Single-Family) to Conditional District “Ground 40 – Pageland Highway”**
- Item 6. Zoning Map and Text Amendment request for property located along W. Highway 74 and further identified with parcel ID #09-298-068-A, from GB (General Business) to Conditional District “Secrest Price Road Site”**
- Item 7. Chair and Vice Chair Appointments**
- Item 8. Other**
- Item 9. Next Meeting: October 6, 2021**
- Item 10. 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**

PLANNING BOARD MEETING

August 4, 2021 @ 6:00 PM
City Hall – Council Chambers
300 W. Crowell Street, Monroe, NC

*To Sheri Laney on August 5, 2021
Scheduled for adoption at the September 2021 meeting*

Item 1. **Call to Order/Roll Call**

Chair MaryAnn Rasberry called the August 4, 2021 meeting to order at 6:00 p.m. Maryann Brown called the roll. Chair noted that a quorum was present.

Members Present: MaryAnn Rasberry, Richard Ali, Renee Hartis, Jennifer Smith, Patrick Furr (ETJ member), Margaret Desio, Ken Deal and Archie Morgan (Alternate)

Members Absent: Richard Yercheck

Staff Present: Doug Britt, Senior Planner; Keri Mendler, Planner; Ashley Britt, Assistant City Attorney; William Nance, Planning Intern and Maryann Brown, Administrative Assistant

Guests: See Attached List of Attendees

Chair asked Archie Morgan (Alternate) to sit on the dais and fill in for Richard Yercheck. She welcomed both Archie Morgan and Kenneth Deal as members of the Planning Board.

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

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

Second: Jennifer Smith

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

AYES: MaryAnn Rasberry, Richard Ali, Renee Hartis, Jennifer Smith, Patrick Furr, Margaret Desio, Ken Deal and Archie Morgan

NAYS: None

Item 3. **Zoning Map Amendment for the property located at 1107 Parker Street from R-MF (Residential Multi-Family) to R-10 (Residential High Density) and further identified as Tax ID #09-238-150A**

William Nance, Intern, Planning Department, came forward to introduce this item. He said this is a zoning map amendment request regarding property located at 1107 Parker Street. He said the subject property is currently zoned R-MF (Residential Multi-Family). He said the applicant is requesting a general rezoning of the subject property from R-MF (Residential Multi-Family) to R-10 (Residential High Density). He said the property is currently vacant.

William said the neighboring zoning classifications are R-MF, R-10, and a Conditional District to the west of the property.

William said the Land Development Plan indicates this area is in the Traditional Development District. He said the Traditional Development area surrounds the downtown core and is anchored by the City's most historic neighborhoods. He said the dense transportation network offers easy access to downtown. He said the design and scale of the neighborhoods encourage active living and affords residents the ability to live, work, and shop, within a walkable community. He said residential uses are a priority use in this designation.

William said the proposed rezoning is consistent with the Land Development Plan and staff is of the opinion that the proposed use is reasonable and within the public interest because of the neighboring R-10 designation.

William said a rezoning notification sign will be posted ten (10) days prior to the public hearing. He said an official rezoning notification letter will be sent to the adjacent property owners located within 150 feet, ten (10) days prior to the public hearing.

William said the planning staff recommends approval of the rezoning and he would be happy to answer any further questions. He said the applicant is also here to answer any questions you may have.

Margaret Desio asked William how big was the tract of land. William said it is .39 acres. Ms. Desio said would this hold two (2) houses. Keri said the lot is 16,000 square feet so they would not be able to subdivide. William said they would not be able to subdivide any further since it is at 16,000 square feet. He said in the R-10 district they would not be able to subdivide.

Chair said if you look across the street there are two (2) houses. Doug said they can only have one (1) house since it is 16,000 square feet. Margaret Desio said there is only 16,000 square feet and each house has to have 10,000 square feet. She said they can use 10,000 square feet for one (1) house but they would only have 6,000 square feet left. She said, therefore, they can only put one (1) house on that lot.

Patrick Furr asked why they are going from multi-family zoning. Margaret Desio asked if they can build a duplex. William said no.

Discussion was held on the R-MF and R-10 classifications. Doug said the R-MF is a high residential district in R-10. He said you cannot build a single-family house on R-MF so that is the reason for the rezoning. He said R-MF is a more intense multi-family. He said R-10 is a less intensive district than R-MF.

Chair asked if they can build four (4) houses on less than an acre. Doug said no because R-10 means a 10,000 square foot lot. He said if there is 16,000 square feet and they use 10,000 square feet for the house, there would not be enough room to put another house. He said they could not subdivide the property any further. He said this is a general rezoning and you cannot put conditions on a general rezoning like a conditional district.

Chair asked how many houses are they planning to build. Doug said one (1) that is all they are allowed to build.

Jennifer Smith asked if they can make a duplex out of the house. Doug said you can do a duplex in R-MF but they only want to do a single-family home. He said you cannot do a single-family home in the R-MF district. He said this is the whole purpose of the rezoning.

Patrick Furr asked how close is this property to the Historic District. William said this is in the portion of Parker Street that is below Sunset Drive. He said it is not close to the Historic District. Jennifer Smith said it is past the Food Lion. Renee Hartis said it is near Treehouse Vineyards. William said yes, the conditional district you see across the street is Treehouse Vineyards.

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

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

Mr. David Long came forward and said he is the General Contractor and partnering with the landowner. He said they did not realize it was zoned multi-family and went ahead and created plans to build an 1,800 square foot ranch-style house. He said that is all they are trying to do. He said just one house with as big a backyard as they can possibly get.

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

Chair asked for a motion.

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

Second: Jennifer Smith

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

AYES: Mary Ann Rasberry, Richard Ali, Renee Hartis, Jennifer Smith, Patrick Furr, Margaret Desio, Ken Deal and Archie Morgan

NAYS: None

Motion: Margaret Desio made a motion to recommend the adoption of the Ordinance amending Section 156.106 - Official Zoning Map.

Second: Renee Hartis

Action: The motion to recommend adoption of the Ordinance amending Section 156.106 – Official Zoning Map passed unanimously with the following votes:

AYES: Mary Ann Rasberry, Richard Ali, Renee Hartis, Jennifer Smith, Patrick Furr, Margaret Desio, Ken Deal and Archie Morgan

NAYS: None

Item 4. Zoning Map Amendment for the property located along W. Highway 74 from GB (General Business) to Conditional District “Exchange Apartments” and further identified as Tax ID #s 09-339-033-B, 09-339-159 and 09-339-160

Doug Britt, Senior Planner, introduced this item. He said this is a Zoning Map and Text Amendment request for the properties located along W. Highway 74 near the intersection of Wilson Avenue. He said the applicants have requested a Conditional District to develop a market rate apartment complex. He said the total area of the project is 16.2 acres with 11.1 acres of open space.

Doug said the Conditional District rezoning process is a voluntary process with mutually agreed upon conditions by the applicant and the City. He said the Conditional District rezoning is a site specific rezoning that creates its own set of requirements.

Doug said the property is along Highway 74 near Wilson Avenue. He said Melody Drive backs up to the property. He said the property is zoned GB (General Business) which is retail sales, service and restaurants, Target, Walmart, things of that nature. He said the properties to the west are GB. He said properties to the north, off Highway 74, are GB. He said properties to the east are GB and portions of Wilson Avenue are R-20 (Residential Low Density). He said properties to the south are R-20 and a little bit of GB.

Doug said the applicant is requesting a Conditional District in order to develop a 242-market rate apartment complex. He said the project will be comprised of seven (7) three-story buildings. He said the applicant also has an amenity area. He said the project is comprised of 24 three (3)-bedroom units, 146 two (2)-bedroom units, and 72 one (1)-bedroom units. He said the density of the project is a total of 14.9 units per acre. He said as far as open space, the Ordinance requires that multi-family projects provide 50% of open space. He said in that case, based on the 16.2 acres there would be a minimum required of 8.1 acres of open space. He said the applicant in this case has provided 11.1 acres of open space of 68%. He said the buildings themselves are not considered open space, nor is the parking lots.

Doug said the Ordinance also requires multi-family projects to provide a 50-foot landscape buffer in order to screen the project from adjoining land uses. He said the applicant has provided a landscape plan that includes a mixture of large maturing deciduous trees in order to satisfy the intent and spirit of the Ordinance. He said, additionally, the applicant has provided a streetscape buffer along W. Highway 74 and parking lot landscaping as required by the Ordinance.

Doug said the applicant intends to leave the buffer as much undisturbed as possible but if they do have to plant something for grading purposes, it will be something required by the Ordinance. He said most developers, if they can, will utilize the existing tree canopy. He said the idea is to keep as many mature trees as possible, not take down trees only to plant new trees. He said regardless, they will have a 50-foot landscape buffer around the site, with the exception of the front. He said the front is usually anywhere from an 8-10 foot streetscape buffer as required throughout the Ordinance.

Doug said all streams located on the site will have a 50-foot undisturbed buffer on both sides as required by the Ordinance.

Doug said the applicant will be required to provide both water quality and water quantity stormwater measures. He said he knows there are residents here who will be speaking about the stormwater in the area. He said if this project is approved by City Council, then stormwater management will be reviewed by the Engineering Department at the time of construction plan review. He said what will happen is the water that leaves the site post construction should not be increased as it is in preconstruction. He said that is why there are holding ponds on the site that will hold the water. He said as required by the State, they are

required to treat the water before it leaves the site to remove the sediment. He said this is done through sand filters to remove impurities from the water before it leaves the site.

Doug said the Ordinance requires the site to provide 557 parking spaces. He said the applicant has provided 564 parking spaces in this case.

Doug said the project has an access point, a right-in and right-out on Highway 74 which means you can only get into the project by turning right. He said if you go to leave the project you can only turn right. He said there is a U-turn right across the street from the project. He said there is also access off Melody Drive. He said that access is supposed to be gated and it will be a siren-activated gate that will only be operated for emergency purposes. He said it will not be available for residents of the apartment complex. He said there are residents that will speak about this because of concerns about the emergency access gate. He said the gate siren will have to be at a certain decibel level for it to be activated and opened.

Doug said the Engineering and Fire Departments require that if there are more than 100 units or 100 lots (When he talks about units he is referring to apartments and when talking about lots, he is referring to single-family) there be two (2) access points. He said the developer in this case, knowing that Melody Drive is a narrow street, is not proposing a full access there, only emergency access. He said this was approved by Fire and there were no improvements recommended for Melody Drive from the Engineering or Fire Departments.

Doug said the project was required to do a Traffic Impact Analysis (TIA) based on the number of units. He said the only thing that came out as far as improvements or recommendations for that was a right deceleration lane along Highway 74. He said there was nothing required on Wilson Avenue. He said the only thing that came out of the traffic study was the addition of the right decel lane on Highway 74 turning into the project. He said the TIA was reviewed by the City Engineer Department as well as NCDOT.

Doug said all the drive aisles and parking spaces will be privately owned by the owner or applicant. He said they will be privately maintained with no City responsibility for any kind of maintenance.

Doug said the developer of these apartments will have to do a ten (10)-foot multi-use path at the property frontage along Highway 74. He said multi-use paths are just wide sidewalks. He said many times they do eight (8) feet but they will be required to do ten (10) feet. He said there will be sidewalks throughout the interior project to connect the buildings to the parking spaces.

Doug said this project does fall within the Rocky River Elementary, Monroe Middle and Monroe High School. He said the capacity rates are 78% for Rocky River Elementary, 92% for Monroe Middle and 72% for Monroe High.

Doug said the developer is proposing exterior building materials to include fiber cement, stone and/or brick. He said vinyl siding will only be used for eaves, soffits and windows. He said the minimum square footages will be:

One (1)-bedroom unit	600 heated square feet
Two (2)-bedroom unit	900 heated square feet
Three (3)-bedroom unit	1,100 heated square feet

Doug said the amenities provided for this project will be a gym workout room, a business center, a leasing office, a dog park, a swimming pool, a playground and a car wash. He provided pictures of the type of gates that will be on the back of the property. He said these are siren-activated gates. He said there are different ways you can activate the gate. He said one is called a "Knox box" which is a box that has a key in it. He said the applicant is open to different ideas but what they are proposing now is a siren-activated gate.

Doug showed the Future Land Use Map. He said the property is located in the Community Corridor and Suburban land use area. He said the Community Corridor talks about non-residential uses, multi-family and allows a density up to 10 units per acre. He said Suburban allows up to four (four units) per acre. He said this project is at 14.9 units. He said the project is over density and not consistent but staff does feel it is a reasonable use because it is located along Highway 74 and believes it is reasonable for that reason.

Doug said the applicant did have a neighborhood meeting on June 7, 2021 to discuss the project with the neighbors. He said there were about 25 or 30 people at the meeting. He said some of the items that were brought up were traffic, stormwater run-off, displacing the wildlife, having a multi-family project besides single-family and the idea of the apartments being three (3) stories next to single-family homes and just the development in general. He said there are neighbors that will bring these points up at this meeting as well as the developers when they make their presentation.

Doug said staff does recommend approval and he will be glad to answer any questions.

Archie Morgan asked Doug where this is located on Highway 74. Doug said it is across the street from where The Corral used to be located.

Chair said she was curious about the siren-activated gate. She said once the fire trucks get into the subdivision, they have to turn the sirens off. Doug said he cannot answer any question but he did say that there are different ways to achieve that rear access but the main purpose was that the applicant does not want to make it open for everybody. He said they want to limit it to Fire and emergency vehicles. He said Fire would not support the project without a secondary entrance in the rear. He said you can do what they call a Knox box, which is basically a box with a key in it. He said the box from the outside has a universal key that Fire has to unlock the gate and get in.

Chair asked if Melody Drive belongs to the City. Doug said yes, it is a City-maintained street.

Margaret Desio said her biggest concern in the effect this is going to have on Helms Park. She asked if there was any thought given to gating this project or putting fencing all around. Doug showed the site plan that showed proposed fencing and buffering. He said the fencing will not be on the property line but inside their site.

Archie Morgan asked if there would be elevators in the apartments. Doug said the applicant can address this question.

Doug said if this project is approved by City Council, the applicant will submit the construction drawings that are reviewed by all the departments as far as building code. He said when staff does a conditional district, drawings are routed to all departments for comments.

Jennifer Smith said it will dump a lot of traffic off Highway 74. Doug said yes. He said it is a tough sale for this project because it is zoned GB anyway. He said it will make an impact on Highway 74 and to Wilson Avenue no matter what is developed there. He said being zoned GB, a project can be developed

“by right”. He said what he means “by right” is that they would just have to meet the minimum requirements of the Ordinance and submit to our Permit Center. He said it would be reviewed and approved. He said there is no Planning Board or City Council meetings. He said it can be a restaurant, a McDonalds or shopping center.

Jennifer Smith said at the light at Poplin Place, if you go through at 6:00 pm, the traffic is just backed up all the way to WalMart. Doug said eventually Highway 74 is going to be widened to three (3) lanes.

Doug distributed to the Board a spreadsheet showing the number of units that have already been approved in Monroe. Short discussion was held on the numbers.

Margaret Desio asked if this project would have an impact on water and sewer. Doug said from talking with Russ Colbath, Water Resources, we are fine with water and sewer capacity.

Jennifer Smith asked Doug for the school districts. Doug said Rocky River Elementary, Monroe Middle and Monroe High. He said in talking with Don Ogram with the school system, he said “the proposed development is not expected to have an adverse effect on school enrollment or capacity”.

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

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

James Allen Lee of Helms, Robison, Lee and Bennett came forward and said he is here on behalf of Southern Realty LLC, the developer of this project. He said he is a life-long resident of Monroe; he has lived here his whole life. He said he takes pride in this City and what we do. He said we have had a community meeting and have made many changes to this plan in trying to accommodate the neighbors. He said we feel this is the right project, at the right place and at the right time. He said Monroe has some apartments but these apartments are located where you are coming from Mecklenburg County or Indian Trail into Monroe. He said this is the gateway, right by Rocky River Road. He said we need something good there. He said it will be a nice looking apartment complex for young people to live in. He said he has heard all about the traffic and he agrees. He said he does not want to drive in traffic either but this is the major corridor we have in Union County. He said this project is located on Highway 74. He said there is not a bigger road or a better place to put this. He said in his opinion we need to infill around the major corridors. He said we have done a lot of things to try to accommodate the neighbors. He said he spoke to Chief Ron Fowler about the secondary access at the back. He said Melody Drive is not conducive to having traffic coming in and out. He said we do not want that but we need a secondary access because emergency people need to come in. He said at the community meeting it was said that we will have sirens going all the time. He said the primary access is Highway 74. He said most calls will come from Bakers Fire Department. He said they will come down Rocky River Road and come in the main entrance. He said Chief Fowler said they can’t say they will never use that back entrance. He said, however, the developer is amenable to any reasonable request regarding the project. He said he at this point he will turn this over to Sara Shirley, American Engineering, and she has some specifics to go over the project.

Sara Shirley came forward and said she is with American Engineering in Charlotte, NC. She said they just want to reiterate that they are genuinely excited about this project. She said it is needed for the City of Monroe. She said the City needs Class A, high quality apartments to meet that market demand. She said right now there is a lack of young professionals, newly single or single people, empty nesters, people who are looking for a low maintenance lifestyle. She said there is not a lot of choices to stay in the City in order to make that happen.

Ms. Shirley went over the changes that were made after hearing from the community. She said the neighbors were concerned with:

Proximity of Buildings to the Property Line

She said they changed the entrance based on NCDOT comments. She said instead of it crossing where there is a median break on 74, we have it crossing closer to Wilson Avenue where we can control that right in, right out access. She said they also moved two (2) buildings away from the property line. She said those buildings were rotated so there are no windows facing the adjacent property. She said they also extended the fence. She said it is not just a six (6)-foot privacy fence but there is a evergreen hedgerow and vegetation going in to help soften the fence and screen the headlights.

Water Flow

She said the highest point on the site is the southeast corner. She said everything drains to the northwest corner. She said this is why you see the areas reserved for stormwater compliance in these corners because that is how the site is sloping. She said they will use the stormwater ponds and/or stormwater measures in those places to catch the majority of the stormwater on site.

Melody Drive Access Entrance

She understands the concerns and wants to gate off the access however the Fire Department deems compatible with their own use, whether it is siren activated or a Knox box. She said this is a solution that we do not know right now. She said, however, their intent is to keep it permanently closed unless there is an emergency.

Commercial Zoning vs. Residential

She said in terms of the density and intensity of use on the site, residential use, even if it is apartments, is still less dense than a commercial use on the site. She said this is due to the hours of operation for a commercial site, the number of patrons vs. a residential site and the apparent nature of people to sleep at night.

Ms. Shirley said there are a couple of things that we worked through and changed as part of the plan. She said they are looking at good, quality design and beautiful spaces that people want to inhabit. She showed some pictures of the proposed site: fitness center, playgrounds, community gathering spaces, dog parks, etc.

Ms. Shirley said she is available to answer questions. Patrick Furr asked Ms. Shirley if this project going to be irrigated throughout and does it have a nice entrance design with landscaping, plus street lighting with interior lighting. Ms. Shirley said yes. She said this project comes with a Licensed Landscape Architect.

Patrick Furr asked Ms. Shirley if she can provide a picture of some of your other projects. Ms. Shirley said they can provide this but she does not have this for the presentation tonight.

Chair asked if there was going to be a clubhouse. Ms. Shirley said within the main building, they carve out the bottom four (4) units to be the clubhouse. She said it will be the leasing center, fitness center and gathering room.

Jennifer Smith asked about the pool area. She asked if the pool would be in the front center of the main building as in the picture. Ms. Shirley said yes. Ms. Smith also asked if there would be fencing. Ms. Shirley said pool standards are very strict and there is almost always a state standard that requires pool fencing with a gate. She said there would be a fence and gate around this pool.

Chair asked about the building color. Ms. Shirley said we have a local architect and this is one suggestion. She said we can provide different color palettes.

Jennifer asked if the same apartment sizes are all on one floor. Ms. Shirley said they are mixed. She said there might be two (2) one-bedroom apartments on the same floor with a two (2)-bedroom apartment.

Jennifer Smith asked what rent would be for a 600 square foot apartment. Ms. Shirley said she is not sure what the range is. She said market pricing comes in play when they come on line. She said what the price is now is not what the price would be in two (2) or more years.

Patrick Furr asked about elevators. Ms. Shirley said there would be no elevators. She said the steps are inside. She said there is usually a breezeway that is in the middle and the stairs are right beside.

Archie Morgan said if this project is approved what is the projected date for completion. Ms. Shirley said after approval we have to go through civil design first. She said that would take about a year or so. She said if they had all their ducks in a row they could potentially break ground sometime in the second quarter of 2022.

Ken Deal asked if the manager of the complex is going to be a 24/7 site manager who is there after the office closes. Ms. Shirley said usually what happens is that there is an emergency number that is available to call. She said the office itself might be closed after a certain hour but there is an emergency number to call. She said it would be a maintenance-type person.

Ms. Shirley said it is her understanding that the rear gate, once it is opened, doesn't stay open perpetually. She said it closes after a certain amount of time.

Jennifer Smith asked if you would have to key in a code to open the gate. Ms. Shirley said no, that would only be for residents that need to access the gate. She said this a security gate purely for the purpose of the fire department. She said it will be a key that only emergency personnel have or the siren is pushed and the gate will open up.

Chair asked if there were any more questions for Ms. Shirley. There were none.

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

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

The following people spoke against the project:

- Ruth Helms
- James Main
- Linda Price
- C.W. Ford
- Tommy Outen
- Jeffrey L. Helms
- Terry Bolick

Concerns:

- Stormwater flooding on their property; apartment property maintaining water flow of water.
- Access gate on Melody Drive. With 500 or 600 people living in apartments there will be emergency calls all the time. Emergency calls not just for fire but also for police, ambulances.
- Additional traffic due to people living at apartments.
- Streets not paved in years and not wide enough.
- Wilson Avenue used as a cut-thru. Problem with trucks going through Helms Park, even with No-Thru signs put up by the City.
- People are not invested in apartments vs. owning a condominium.
- People who live in Helms Park should be taken into consideration.

Linda Price distributed a petition against the project signed by a majority of the residents of Helms Park

Patrick Furr asked Sara Shirley and James Lee to come forward so that he may speak to them. He said there is a water situation that needs to be addressed. He said the City of Monroe is not going to address it. He said he knows this would come out of your pocket. He said this seems to be a major factor. He said he knows you cannot do anything about the roads. He said this project can be tabled. He asked if there was any way you can all come together and talk this over. He said there should be 60-inch pipes to get these people out of their water situation.

Mr. James Lee said this property is downhill so it drains through this property. He said after listening to everyone, there has been a problem on this property down the creek where it is backed up. He said DENR comes in and tells you that you have to have a stormwater plan for this property. He said we cannot create more problems. He said he agrees, we cannot stop the water that is coming to them but we can keep that from increasing. He said we are required to do this and that is part of their plan.

Patrick Furr asked Mr. Lee if you would be willing to go back and look at this problem.

Ms. Sara Shirley said part of the scope that we have to do is look at offsite drainage. She said that will be taken care of as part of this process. She said we have to do an evaluation of all offsite drainage that comes to their site. She said if there is a problem that exists, we have to take care of it. She said that is already a given.

Patrick Furr said this is for your site but the problem is off your site. Ms. Shirley said she understands but drainage doesn't abide by property lines so you have to take care of things as they come onto your property. She said we have to look at the offsite drainage and remedy that if there is a problem.

Archie Morgan said from what he is hearing, your project is not going to contribute to their already flooded property because it runs downhill. Ms. Shirley said correct.

Ruth Helms (?) said they had two (2) engineers from the County that said they could not handle the property. She said she had one (1) from the City who said they couldn't handle the property. She said it is all backed up and all that. She said we had a pond down there at one time and it used to back up on us all the time. She asked what would happen with their pond. She asked if it is going to back up on them.

Ms. Shirley said it is a terrifying prospect of being in your house and the water is flooding. She said what happened as part of this is we have to do our due diligence. She said currently there is a problem. She said with the development that comes in you have to address that problem. She said that is the benefit of having to go through this process. Someone said to Ms. Shirley that the water has to be filtered in your pond and then there is a slower process. Ms. Shirley said what that means is when the water is filtered in those ponds

if filters out all of the sediment and all of the chemicals and things that get washed off as part of the rainfall. She said it doesn't slow the water to back it up; it meets the needs of the land. Someone said it has to slow it down; it has to go through its course. Ms. Shirley said there is also drainage that come through naturally the site now. She said that continues to be on its course and we have to make sure that it continues to be on its course. She said then there is what we are affecting on the property that we have to treat on the property with those ponds. She said there are two (2) different things that is happening at the same time that we have to balance to make it work. She said the benefit of us going through this Conditional District process is that we get to have this conversation and the questions get to be answered. She said if we were going to do this by right and build a Target or WalMart, there is no feedback that you get as part of that process. She said we are trying to come in as a good faith effort and be able to answer questions.

Patrick Furr said to Ms. Shirley that he understands what she is saying but he was trying to delay this so that you could go back and talk to people. He said you have nothing to do with the road in the back that has two (2) little 12-inch pipes and they need some help. He asked Ms. Shirley, as a builder, are you going to jump in and help your neighbors. He asked Ms. Shirley if you would be willing to put in along the backside of these houses some 12 foot Leland Cypresses. Ms. Shirley said we do have evergreen trees that are being put along the fence line. [Could not understand...several people talking.]

Patrick Furr said to the Chair that there seems to be some discussion that could take place and maybe the water problem can be solved or maybe it won't be solved. He said the road issue is a City issue which he understands going to be taken care of. He said he has nothing to do with this. He asked Ms. Shirley if they would entertain this idea. He said this request can be tabled so that you may discuss these specific problems.

Ms. Shirley said this happens as part of the process. She said we heard the neighbors and understand what their concerns are. She said we are saying that will happen throughout the rest of this process. She said this is a request for the use. She said all the design details are going to get worked out as part of the civil design process and we have to do that by law. She said we are willing to do that because we want to make a good project. She said we also want to be a good neighbor. She said they are saying that there is not a discussion that they have to have because they are already going to answer that question as a yes, we are going to help.

Mr. Lee said part of the issue is conditional zoning. He said we are having community meetings and having that back and forth between everyone trying to work these issues out. He said if this was zoned (by right?), and you could put this on here, we would be having a different discussion with staff and everyone else about all the specifics of the engineering. He said it is not all done yet. He said that is why it is a conceptual plan. He said we don't know if it can be done so you cannot spend all that money on final engineering. He said his client has made great accommodations. He said they are talking about 50 feet. He said...Mr. Furr said it is not an evergreen buffer. Mr. Lee said it is. Mr. Furr asked what kind of evergreens are there. Ms. Shirley said the native vegetation that is there is a mix of pines, cedar, hardwood varieties such as maples and oaks. She said it is mix of evergreen and deciduous. She said when you have a forest cover you have smaller canopies because everything is closer together. She said the benefit of putting in planted material is that you naturally give that planted material more space to grow. She said there will be a wider tree, a bigger canopy, so you will get more coverage. She said what we are doing is that we are keeping that existing vegetation but adding planted vegetation.

Jennifer Smith said to Ms. Shirley and Mr. Lee that it really is not your responsibility to help these people out and put in the large pipe to defer the water from their properties. She said you can work with them on this but what would the cost be for something like this. Mr. Lee said he cannot answer that question because he does not know what the cost of that is but he can tell you that we are regulatory required, when they put this plan together, to address the stormwater that drains onto this site. Mr. Lee said because the water drains

downhill so it will not go from our property back up to their property. He said the problem they are having is that the water is backing up either in the pipe under Nelda Drive or somewhere downstream. Ms. Smith said that is what she is saying; you really don't have any responsibility to help these people. Mr. Furr said other than working with your neighbors in trying to fix this.

Woman came up and said that property has been zoned General Business all along. She asked the Board if they would consider leaving it General Business. She said we know there could be a building but we would rather have that than apartments. She said she has friend on John Moore Road... [could not understand]. She said they built holding ponds and all this stuff and guess what. She said two (2) of the neighbors have already had to have their air conditioning and heating systems on their house replaced because it did not work. She said we don't want this.

Archie Morgan said he does not know if this is the best use for that property, with the water issues and traffic, but there is a real need for this project some place. He said that not everyone can afford a single-family home. He said the medium price for a home is now \$340,000. He said there is waiting list for some of the apartments we have, and they are not even that good. He said this looks like a nice apartment complex. He said it should go somewhere in the City. He said it is needed.

Renee said she agrees with Archie. She said she thinks it is a great project. She said any time something is built next to homes, of course you are fearful of what it is going to mean. She said it sounds to her like the people have really tried to mitigate all the concerns and they really want to have the people not be unhappy to see their apartments there. She said truthfully, she would rather have apartments there than some big box store or a bar where people are there until 2:00 a.m. hollering and carrying on. She understands both sides but she thinks Monroe needs this.

Chair said she understands the concern about the cut-thru between Highway 74 and Charlotte because she lives behind Chik Fil A and Rolling Hills Drive is a cut-thru.

Chair thanked everyone for coming tonight and sharing your concerns.

Chair asked for a motion.

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

Second: None

Action: The motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance failed due to lack of a second.

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

Second: Richard Ali

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, Patrick Furr,
Margaret Desio, Ken Deal and Archie Morgan

NAYS: Renee Hartis

Motion: Richard Ali made a motion to recommend denial of the Zoning Map Amendment.
Second: Patrick Furr
Action: The motion to recommend denial of the Zoning Map Amendment passed with the following votes:

AYES: MaryAnn Rasberry, Richard Ali, Jennifer Smith, Patrick Furr,
Margaret Desio, Ken Deal and Archie Morgan
NAYS: Renee Hartis

Item 5. **Annexation of 80.518 acres located along Weddington Highway and N. Rocky River Road and further identified with Parcel ID #s 09-375-014, 09-375-015, 09-375-015B and 09-375-015C**

Zoning Map Amendment request for the property located along Weddington Highway and N. Rocky River Road from Union County R-20 to Conditional District (CD) “Villages at Rocky River West” and further identified as Parcel ID #s 09-375-014, 09-375-015, 09-375-015B and 09-375-015C

Keri Mendler, Planner, introduced this item and said tonight she will be presenting two (2) separate items under one presentation. She said the first item is an Annexation request and the second item is a Zoning Text and Map Amendment request. She said the applicant is requesting an Annexation and Conditional District rezoning in order to redevelop residential and commercial. She said the total area of the project is 80.518 acres with 21.53 acres reserved as common open space. She said the density of this project is 3.66 units per acre and the total acreage dedicated to the residential portion of the project is 65.59 acres. She said the total acreage dedicated to the commercial portion of the project is 14.92 acres.

Keri said the properties are at the corner of Weddington Road and N. Rocky River Road. She said the property is currently located in the County and it has an R-20 (Residential) zoning district. She said the adjoining zoning is also County R-20 and RA-20. She said there is also City GB (General Business) to the south across Weddington Road, as well as City Conditional District “Villages at Rocky River” which was done in 2018 for single-family residential development.

Keri said the applicant is requesting a Conditional District rezoning in order to develop a total of 295 housing units and 98,178 square feet of commercial space to include a 48,387 square foot anchor store. She said the breakdown of housing units is as follows:

- 107 attached townhomes with front load garages
- 17 52-foot wide front load garage single-family detached lots
- 62 40-foot wide rear-load garage single-family detached lots
- 81 village cottage rear-load garage lots
- 28 lofts on the upper story of a mixed-use structure

Keri said the proposed setbacks for the residential uses are located in your packet for reference. She said the commercial portions will maintain a 10-foot setback along Weddington Road and N. Rocky River Road. She said the interior setbacks will be a minimum of five (5)-feet with the exception of a 20-foot landscape buffer, which is being provided at the rear of the commercial.

Keri said the project is required to provide at least 12.5% open space, which would equal 10.06 acres. She said the total area of open space provided is 21.53 acres or 26.74%. She said the open space also includes a clubhouse, a pool, a large open space with walking trails in the northwest corner and several pocket parks, which will have walking paths, gazebos and a tot lot. She said commencement of the amenity area will begin no later than 50% of the certificates of occupancy being issued for the residential.

Keri said street trees will be provided along both sides of all interior streets. She said a landscape buffer will be provided around the perimeter of the site. She said the landscape buffer around the residential portion ranges from 20-feet to 50-feet. She said the landscape buffer around the exterior portion of the commercial parcel is 10-feet. She said, again, that it is along Weddington Road and N. Rocky River Road. She said as she stated earlier, they are also providing a 20-foot landscape buffer behind the commercial parcel. Additionally, she said each single-family lot and townhome will have at least two (2) yard trees. She said landscaping will also be provided throughout the commercial portion of the site, as well as parking lot landscaping.

Keri said a 5-foot wide sidewalk will be provided along both sides of the interior public road throughout the development. Additionally, she said an 8-foot wide sidewalk will be provided along Weddington Highway and N. Rocky River Road.

Keri said, as with all projects, the applicant will be required to provide stormwater management to treat the stormwater runoff for this project. She said the stormwater will be evaluated and reviewed if the project is approved by City Council at the building permit stage of the process. She said there is a blue line stream in the northwest corner and it will require a 50-foot buffer.

Keri said as far as the commercial uses, the following uses are proposed and listed on the site plan for the commercial and mixed-use portion. She said all of the uses are listed in the General Business current Table of Uses, Section 156.110. She said if there is a "Z" it means that the use will be allowed. She said if there is an "S" it means that a Special Use Permit must be obtained from the Board of Adjustment. She said additional uses are the neighborhood retail uses such as those offering basic services and frequently purchased goods to the immediate surrounding residential areas. She said for the most part, they will typically fall under the General Business table; however, they did list a number of specific uses which are in your packet and in the site plan.

Keri said additionally, they are requesting self-storage as an allowed use with interior access only. Also, she said gas station/convenience store with or without gas pumps, auto emissions inspection station, electric vehicle charging stations, ATM's, banks with or without drive-thru, and drive-thru service shall be permitted for any use as well.

Keri said due to the different uses and product types of this development, each type will be broken down as follows:

Townhomes (front load garage) – 107 units

The minimum proposed house size is 1,260 heated square feet. The exterior materials will be limited to fiber cement, stone, stucco, and/or brick materials. Vinyl will only be utilized for trim work. Additionally, 25% of the front façade will be brick and/or stone. Houses that are built on slab foundations will have brick, of standard size, extending up the face of the foundation to the top of the slab. All driveways will be paved with concrete or asphalt from the road to the garage and will be able to accommodate at least two (2) vehicles. All the end unit townhomes will have a standard two (2)-car garage and all the interior units will have at least a one (1)-car attached garage. All garages will have hardware that will mimic a carriage-style door.

40-Foot Wide (Rear-load Garage) – 62 units

The minimum proposed house size is 1,400 heated square feet. The exterior materials will be limited to fiber cement, stone, stucco, and/or brick materials. Vinyl will only be utilized for trim work. Additionally, 25% of the front façade will be brick and/or stone. With that said, a home that has a front porch that encompasses more than 75% of the front elevation is not required to have 25% of the front façade as brick and/or stone. Houses that are built on slab foundations will have brick, of standard size, extending up the face of the foundation to the top of the slab. All driveways will be paved with concrete or asphalt from the road to the garage and will be able to accommodate two (2) vehicles. All units will have a two (2)-car rear-load garage. Some of these will have attached garages and some will be detached, but they all will be rear-load from private alleys. All garages will have hardware that will mimic a carriage-style door.

52-Foot Wide (Front Load Garage) – 17 units

The minimum proposed house size is 1,400 heated square feet. The exterior materials will be limited to fiber cement, stone, stucco, and/or brick materials. Vinyl will only be utilized for trim work. Additionally, 25% of the front façade will be brick and/or stone. Houses that are built on slab foundations will have brick, of standard size, extending up the face of the foundation to the top of the slab. All driveways will be paved with concrete or asphalt from the road to the garage and will be able to accommodate two (2) vehicles. All units will have a two (2)-car attached garage. All garages will have hardware that will mimic a carriage-style door.

Village Cottage (Rear-load Garage) - 81 units

The minimum proposed house size is 1,400 heated square feet. The exterior materials will be limited to fiber cement, stone, stucco, and/or brick materials. Vinyl will only be utilized for trim work. Additionally, 25% of the front façade will be brick and/or stone. With that said, a home that has a front porch that encompasses more than 75% of the front elevation is not required to have 25% of the front façade as brick and/or stone. Houses that are built on slab foundations will have brick, of standard size, extending up the face of the foundation to the top of the slab. These Village Cottages will have rear-loaded garages to accommodate at least two (2) vehicles. In addition to the garage, there will be a 9 x 20 grass paved impervious parking area. This will allow flexible use of this space for parking and additional vehicle or utilizing the space for additional outdoor space for the homeowner. There is a shared driveway that accesses the rear and it would not be able to be utilized for parking, but it will be maintained by the HOA.

Commercial/Mixed Use with Lofts – 28 units

The Commercial exterior materials, including the mixed-use building with the lofts, will be limited to brick, stone, stucco or synthetic stucco, fiber cement, or similar. Wood, vinyl, metal, and mirrored glass will be prohibited materials for the Commercial/Mixed Use structure. This structure has a total of 83 parking spaces around it which would be utilized for the loft tenant, as well as the commercial tenants. A total of 424 parking spaces has been provided for the commercial parcel as shown on the site plan, and the outparcels will have additional parking once they are developed.

Keri presented the elevations for the proposed mixed-use structures showing the design and potential materials that would be utilized. She also presented the commercial site plan, which showed the anchor store with additional buildings proposed. She said there will be landscaping throughout this site as well along N. Rocky River Road and Weddington Road and the parking lot. She said there are three (3) proposed outparcels and they will have additional parking once they are developed for the end-user.

Keri also presented the proposed elevations for the commercial showing design and materials.

Keri said as far as the transportation requirements, this development will have a mix of public roads and private alleys so the rear of the townhomes will be accessed through the private alleys as well as the cottage homes. She said other than that there will be some private roads throughout the development that will be built to City of Monroe standards. She said all public roads will be maintained by the City of Monroe. She said all private alleys will be maintained by the HOA. She said the commercial parking areas and drive aisles will be maintained privately as well.

Keri said the proposal includes five (5) entrance points: two (2) on Weddington Road and three (3) on N. Rocky River Road. She said due to the number of lots in this development, a TIA (Traffic Impact Analysis) was required and conducted for this project. The following improvements are required for this development:

At the intersection of N. Rocky River Road and Goldmine Road:

1. Extend the existing southbound left turn lane along N. Rocky River at the intersection of Goldmine Road to accommodate 150-feet of storage.

At the intersection of Weddington Highway and N. Rocky River Road:

1. Construct a westbound right turn lane along Weddington Road with 125-feet of storage.
2. There is an existing NCDOT project on file to add left turn lanes at this intersection; the developer will be responsible for maximizing the storage of the left turn lane from where the NCDOT project stops and access # 3.

Access #1 (northern most entrance along N. Rocky River Road), this entrance is a full movement entrance.

1. Construct a southbound right turn lane into the development with storage.
2. Construct a northbound left turn lane into the development with storage.
3. Construct an exclusive left turn lane to exit the development with storage.
4. Construct a shared through-right lane to exit the development.

Access #2 (middle entrance along N. Rocky River Road), this entrance is a full movement entrance.

1. Construct a southbound right turn lane into the development with storage.
2. Construct a northbound left turn lane into the development with storage.
3. Construct dedicated left and right turn lanes to exit the development.

Access #3 (southern most entrance along N. Rocky River Road), this entrance is a right-in-right out entrance.

1. Construct a southbound right turn lane into the development with storage.
2. Construct a right turn lane to exit the development.

Access #4 (eastern entrance along Weddington Highway), this entrance is a full movement entrance.

1. Construct a westbound right turn lane into the development with storage.
2. Construct an eastbound left turn lane into the development with storage.
3. Construct dedicated left and right turn lanes to exit the development

Access #5 (western entrance along Weddington Highway).

1. Construct a westbound right turn lane into the development with storage.
2. Construct an eastbound left turn lane into the development with storage.
3. Construct a single exit lane to allow for left and right turns.

Archie Morgan asked Keri what she meant by storage. Keri said it is where cars can stack up, where the road tapers.

Keri said the development falls within the following school district for 2021 and 2022 school year:

Rocky River Elementary	78% capacity	School is right across from this development
Sun Valley Middle	98% capacity	
Sun Valley High School	85% capacity	

Keri said as far as the neighborhood notification, the applicant has not held a neighborhood meeting at this point but they are currently making arrangements to hold one prior to City Council. She said the official rezoning notification and annexation notification sign will be posted ten (10) days prior to the public hearing. She said an official rezoning notification letter will be sent to the adjacent property owners located within at least 150 feet, ten (10) days prior to the public hearing.

Keri said the Land Development Plan indicates that this area is the Suburban character area. She said while residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in these locations. She said commercial development mostly serves the need of nearby residents and often locates along corridors with higher traffic volumes and near prominent intersections. She said the density for residential is 2 – 4 units per acre. She said both single-family and multi-family residential and commercial uses are listed as priority uses in this character area. She said mixed-use areas are not listed as a priority use in this character area.

Keri said that staff does believe that the proposed project is consistent with the Future Land Use Plan. She said both residential and commercial uses are listed as priority uses. She said while there is a small mixed-use building as part of this project, overall the project has a separate residential portion and separate commercial portion whereas the mixed-use building is small in comparison to the overall site. She said, therefore, staff does believe the project is reasonable and in the public interest. She said it provides a mix of housing and lot sizes consistent with the allowable density and provides connection with the proposed commercial activity center.

Keri said she would be happy to answer any questions. She said the applicants are also here. She said as a reminder, this is an annexation and a rezoning so you will need to take action on both.

Archie Morgan asked if the road improvements would be required before construction. Keri said the applicants did have a meeting with NCDOT, the developer and our Engineering Department. She said they will have to work with NCDOT. She said if their project comes on board and construction starts before the NCDOT project starts, there will be some mitigation requirements to address the traffic if NCDOT's project lags behind.

Archie Morgan said he just does not see traffic dumping off of Rocky River and Weddington Road before the entrances are finished. Keri said she understands this. She said it looks like the construction timeline for the proposed project is 2025, but sometimes things do get pushed behind. She said, however, they did have a meeting and there will be requirements to mitigate traffic if this project happens before the NCDOT project.

Chair asked Keri if the developer will be able to build a certain number of homes before the road improvements are completed. Keri said yes, one of the requirements NCDOT has requested that the developer only plat build and sell no more than 50 lots before the road improvements will be required. She said in order to build them, the roadway improvements would have to be operational. Chair asked if

this includes all the entrances and exits. Keri said that is her understanding. She said it would probably depend on different phasing.

Chair asked about the development across the road. Keri said this was approved in 2018 and is going through the civil plans and construction drawing phase at this point. She is not sure when building will start. Chair asked how many units are going in this development. Doug said 184. Keri said single-family detached homes. Doug said the minimum house size is 1,400 square feet.

Archie Morgan said with the 184 units and the 295 units for this project, you are talking about a real nightmare before those roads are improved. Keri said the development across the road also had some transportation requirements as well, not any off-site requirements like Goldmine Road. She said they had some left turn lanes and decel lanes for that project.

Patrick Furr asked if this was in the ETJ. Keri said no; it is part of an annexation.

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

Chair asked if there was anyone here who would like to speak for this project.

Mr. Nicholas Parker, President of Amicus Partners, came forward and said he is the land planner and engineer for the residential portion of this project. He said there is not a whole lot to add to this presentation. He said Keri did a tremendous job. He said the intent of our design with this was to truly integrate it with the proposed commercial that Terry will speak to you shortly about. He said they wanted to make this a walkable community with varied product types. He said he thinks they put together a really, well-planned design. He said if there are any questions, he would be happy to answer them.

Chair said she likes the project but does not like the density. She said she also does not like the minimum square footage of 1,400 square feet. She said the project is great but Monroe has so much building going on and it all seems to her to be about the same size. She said we need some variety. She said with this project, there are going to be a lot of people that are going to really love to live here, but some of them are going to want a bigger house with more space. She said she would encourage you to rethink the density on this project.

Margaret Desio said she thinks some 1,400, 1,600 and 1,800 minimum square feet would be preferable.

Jennifer Smith said the house designs are great.

Patrick Furr said he thinks the problem is that we okayed 7,000 of these first time, starter homes, so that we are flooded with them. He asked if Publix is committed to this. Mr. Parker said he cannot say. Mr. Furr said the design is beautiful but he asked that the homes be a little bigger. He said you are going into Weddington, high dollar. He said this is a nice project.

Mr. Parker said he understands where everyone is coming from. He said he wanted to speak about what Mr. Morgan had said previously on the apartment request. He said home prices are rising. He said what you would pay for a 2,400 square foot house two (2) or three (3) years ago, you cannot buy that same house today for that same price. He said we are designing other projects and we see folks that appreciate the opportunity that they can have with a house that may be 1,400 square feet. He said it is going to be at \$300,000. He asked if that was a starter home right now, maybe it is, maybe it isn't. He said if we are questioning 2,200, 2,400 square feet, you are probably creeping up to \$450,000. Jennifer Smith asked what is wrong with that. Mr. Parker said not everybody can afford that.

Chair asked if we have to have all our developments geared toward people who cannot afford that price. She asked if we could have some houses for people that can afford that price. She said this has all we have been getting and there are not going to be any developments with larger homes.

Patrick Furr said he understands the demographics call for this type of housing but there are bunch of houses in Monroe and he cannot understand why we keep approving these houses that are 1,200, 1,400 square feet. He said his guest house is 1,200 square feet.

Chair said she would like to see a minimum of 1,400, 1,600 and 1,800 square feet.

Short discussion was held about the Village Cottage Homes.

Mr. Parker said we could make concessions about the Village Cottage homes and allow them to stay at 1,400 square feet. He said then the rear-load 40 foot lots would go to 1,600 square feet and the front-load to 1,800 square feet. He said if they would make that concession, would it make the Board happy. Consensus was yes. He said this would be made part of the conditions.

Chair asked if this would reduce the number of homes. Mr. Parker said he did not know. He said he feels that their density is, for where it is and what the Land Use Plan calls for, appropriate. He said he would be happy to make some concessions on the size of the homes to appeal to the Board but it would help them if they could maintain that density.

Chair said she is struggling with the lot sizes. She said she knows City Council is going to try and bump up the lot sizes. She said to Mr. Parker that he may run into issues when you go there. She said they do not like the 40 foot wide lots. She said [could not hear]. Mr. Parker said the cottages will be maintained by the HOA, as well as parks, driveways and private alleys.

Mr. Terry Taylor, the President of Mirabeland Investments, came forward and thanked the Board for hearing their presentation. He said Mirabeland is a full-service commercial real estate company headquartered in Marietta, Georgia, founded in 2005. He said they have developed numerous commercial real estate projects throughout the Southeast in the United States and most of their projects have been neighborhood-oriented shopping centers just like what was presented tonight. He said he personally has been entrepreneurial in commercial real estate development since 1995. He described his background in further detail.

Mr. Taylor said he is telling the Board this because he wants everyone to be comfortable with who is doing the shop. He said he has been personally involved with this project since the beginning and he will continue to be personally involved until it is complete. He said we are not a huge company but we are big enough. He said he and his company personally take pride in developing and managing quality projects.

Mr. Taylor said he wanted to thank Keri in the Planning department. He said he has been involved with zoning projects since 1995 and he does think that he ever had a planning department be so thorough in the initial process. He said he is happy to answer any questions regarding the commercial component because that is what he will be involved with.

Chair asked if there would be a Publix. Mr. Taylor said we showed those elevations because they were projects that we had done. He said he does not have at this time a commitment from any of those. He is not saying that he won't get one, but it is not unusual for him not to have it at this point. He said he has

worked with every grocery store chain that you can think of; we are talking to several. He said given the location and the quality of their development and the density of the homes around it, he said he feels like we will be able to bring in a quality grocery store. He said he thinks it is a fantastic location.

Archie Morgan said just to be clear [could not hear]. Chair said no, he said they were not going to reduce density.

Mr. Taylor said the roadway improvements will have to be done before we get the development going. He said that is what NCDOT requires. He said he does not think there is any question about that.

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

Mr. Greg Stephens came forward and said he lives at 522 S. Rocky River Road, 8/10s of a mile from this development. He said he is for this project. He said the Shell Gas Station on the corner has traffic going in and out of this station and it is pretty hectic. He said this intersection is key. He said from what he understands and he is not 100% sure of, is that Frank Howey is in the process of selling several hundred acres all around his farm, across the road from his farm, etc. He said if they put houses in there, the road won't handle all of that plus all of this. He said this is his concern. He said to the applicant to go for this, get it done, what are you waiting for. He said it won't do anything but increase the value of his property and that is what he is here for.

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

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

Chair asked if there was a motion.

Motion: Renee Hartis made a motion to recommend approval of the Annexation of 80.518 acres located along Weddington Highway and N. Rocky River Road and further identified with Parcel ID #s 09-375-014, 09-375-015, 09-375-015B and 09-375-015C

Second: Ken Deal

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

AYES: MaryAnn Rasberry, Jennifer Smith, Renee Hartis, Patrick Furr, Margaret Desio, Ken Deal, Archie Morgan, and Richard Ali

NAYS: None

Motion: Renee Hartis made a motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance with the condition that the minimum square footage be 1,400 square feet, 1,600 square feet and 1,800 square feet.

Second: Archie Morgan

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

AYES: Renee Hartis, Jennifer Smith, Patrick Furr, Margaret Desio, Ken Deal, Archie Morgan, and Richard Ali

NAYS: MaryAnn Rasberry

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

Motion: Renee Hartis made a motion to recommend the adoption of the Ordinance amending Section 156.98 - Conditional Districts Established and Section 156.106 - Official Zoning Map.
Second: Jennifer Smith
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: Renee Hartis, Jennifer Smith, Patrick Furr, Margaret Desio, Ken Deal, Archie Morgan, and Richard Ali
NAYS: MaryAnn Rasberry

Item 6. **Reminder: Joint City Council and Planning Board Meeting of August 10, 2021**

Doug distributed the staff report and informational packets for this meeting. He said there is also a thumb drive which has the entire Unified Development Ordinance (UDO). He said at the meeting the Planning Board will be asked to make a recommendation on the Ordinance as well as the Zoning Map.

Item 7. **Other**

There was no other business.

Item 8. **Next Meeting – September 1, 2021**

Item 9. **Adjournment**

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

Motion: Renee Hartis made a motion to adjourn the meeting.
Second: Jennifer Smith
Action: The motion to adjourn passed unanimously with the following votes:

AYES: Mary Ann Rasberry, Richard Yercheck, Renee Hartis, Jennifer Smith, Patrick Furr, Margaret Desio, Ken Deal, Archie Morgan, and Richard Ali
NAYS: None

The meeting was adjourned at 9:00 p.m.

Respectfully Submitted,

MaryAnn Rasberry, Chair
Planning Board

Maryann Brown
Secretary to the Board

DRAFT

ATTENDANCE LIST

Planning Board Meeting of August 4, 2021

Name: David Long
 Agent For: Dunn Wright Const. Holdings
 Address: 10101 White Cascade Drive
 City & State: Charlotte, NC
 Zip Code: 28269

Name: VENKATESHVARA SURYABOORAN
 Agent For: SINDA REALTY LLC
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**CITY OF MONROE
PLANNING BOARD
SPECIAL JOINT STRATEGIC MEETING
WITH
CITY COUNCIL
AUGUST 10, 2021 @ 4:00 PM**

Mayor Kilgore called the Planning Board Special Joint Strategic Meeting with City Council of August 10, 2021 to order at 4:00 p.m. He turned the meeting over to the Chair of the Planning Board.

Chair MaryAnn Rasberry called the Planning Board to order.

City Council Present: Mayor Bobby Kilgore, Mayor Pro Tem Marion Holloway, Council Member Lynn Keziah, Council Member Surluta Anthony, Council Member Freddie Gordon, Council Member Angelia James, Council Member Franco McGee

Planning Board Present PB Chair MaryAnn Rasberry, PB Vice Chair Richard Yercheck, PB Member Rich Ali, PB Member Margaret Desio, PB Member Renee Hartis, PB Member Jennifer Smith, PB Member Ken Deal and PB Member Archie Morgan (alternate, filling in for a vacancy)

Planning Board Absent PB Member Patrick Furr

Staff Present Interim City Manager Brian Borne, City Attorney S. Mujeeb Shah-Khan, Assistant City Attorney, Ashley Britt, City Clerk Bridgette Robinson, Bruce Bounds, Pete Hovanec, Matt Black, Lisa Stiwinter, Doug Britt, Keri Mendler, William Nance

Guests: Kimley-Horn and Associates: Kelley Klepper and Helen Spruill; Poyner Spruill: Nick Tosco; William Dobson, Michelle King

Item 2. Introduction

Lisa Stiwinter, Director of Planning and Development, came forward and thanked everyone for being here tonight. She said the purpose of this joint meeting is to request for Planning Board and City Council to consider a zoning map amendment request to rezone properties located within the City Limits of Monroe and the Extra Territorial Jurisdiction (ETJ) and a text amendment request to amend the Code of Ordinances to establish Chapter 157, a new Unified Development Ordinance (UDO). She said planning staff is seeking a recommendation from the Planning Board tonight and that recommendation will go before the City Council at their September 14, 2021 meeting. She said each of you should have received an agenda packet in the mail that includes a hard copy of the documents for tonight's meeting, and all the agenda packet information is located online as well. A copy of the PowerPoint presentation is attached to these minutes.

Lisa said it is with great excitement to bring before you the final stages of the Transform Monroe project, which is a rewrite to our UDO and Zoning Map update. She said the planning staff, with the assistance of Kimley-Horn and Associates, a national planning and engineering firm, had been working to develop a new UDO and update our Zoning Map over the last several years. She said Kelley Klepper and Helen Spruill are here tonight from Kimley-Horn and Associates. She said Poyner Spruill, a leading law firm in North Carolina, has provided the City legal assistance in performing the review for the new UDO. She said Nick Tosco is here from Poyner Spruill.

Lisa said this project has been a massive undertaking for the planning department and it has been one of our top strategic goals for the last ten (10) years. She said she wanted to thank City Council and Board Members for the funding and the opportunity, and management for supporting our goal to come to a reality.

Lisa also thanked planning staff and the consultants for all the years of hard work and time spent, as well as thanking all the members of our community that attended one of the four public open house workshops, participated in a stakeholder interview or just simply followed the project on the Transform Monroe website throughout the process.

Lisa presented some background history on the project. She said the purpose of this project is to develop a clean and user-friendly UDO that is consistent with the City's plans and policies and implements the relevant goals and recommendations that came out of Forward Monroe, the update to our Land Use Plan that was adopted in 2018. She said Forward Monroe and the Land Use Plan was designed as the City's blueprint for development, its growth strategy and the foundation upon which future land use decisions were based and prepared the community to accommodate future growth.

Lisa said Forward Monroe also included an action plan that provided a broad set of recommendations that provided additional detail in phases, responsibilities, costs and funding sources, and that provides guidance to staff in implementing the Land Use Plan. She said the action for Forward Monroe recommends approximately six (6) short-term, 2 – 5 year action items that relate to the rewrite of the UDO and the Zoning Map update. She said she was not going to go over all the action items but she wanted to mention one action item which is to complete the Transform Monroe project to rewrite the UDO and as well as update our Zoning Map to codify and adopt zoning standards that assist in implementing our future Land Use Plan. She said the new UDO and Zoning Map update does fulfill this action and serves as the most important information strategy for our Land Use Plan.

Lisa said the City of Monroe's current UDO and Zoning Map dates back to 2003 so it does not reflect the zoning and planning practices. She said with the adoption of Forward Monroe, the existence of some other adopted plans like Concord Avenue and the Downtown Master Plan, and changes in the demographics and development patterns, the City recognizes the need to update our UDO as well as the Zoning Map. She said as she mentioned, it is the main tool to implement the Land Use Plan to respond to community values and goals, policies and strategies that were identified in the Land Use Plan.

Lisa said, as mentioned before, planning staff and Kimley-Horn and Associates have been working together to develop the UDO and update the Zoning Map and there were specific goals that we were aiming to accomplish. She said one was to provide a more predictable set of land use regulations for the community, developers, City officials, by increasing the reliance on provisions of the Ordinance instead of special legislative approvals.

Lisa said we also wanted to update the format and structure to be more user-friendly, provide some graphics and illustrations within the Ordinance, and incorporate new and innovative zoning and land development strategies.

Lisa said Transform Monroe is the City's new UDO and is a consolidated document that contains all the land use and development requirements. She said it does implement the Land Use Plan and other small area redevelopment plans, as well as the Downtown Master Plan. She said it does address the recent amendments to the State's planning laws as you heard referred to as Chapter 160D. She said the new UDO and Zoning Map update applies to all the land within the City Limits and the ETJ. She said the Zoning Map update proposes to rezone all land located within the same boundaries in established various zoning districts.

Lisa said throughout the Transform Monroe process, planning staff and Kimley-Horn have held four (4) joint Planning Board and City Council meetings to present all proposed zoning Ordinance sections and zoning districts, answer questions and receive any feedback and input. She said there has also been four (4) public open house workshops that were held in various areas of the City. She said the purpose of those workshops were to discuss the proposed Ordinance sections, rezonings, as well as to receive input from the public. She said planning staff did mail a postcard inviting all property owners within the City to those workshops. She said there were over 10,000 postcards that were mailed. She said there was a project website that was created called Transform Monroe that has all the documents, Ordinance sections and maps. She said that website was on the postcard as well so if the public were not able to attend a workshop, they would be able to access the website and look at all the documents. She said there was even a tab that you could even submit a comment on any of the information.

Lisa said she wanted to point out one very important message to the Board and Council. She said although we have been working very hard over the years to develop a new UDO with the consultants, legal team review and staff review, we realize that if adopted, we will probably come before Planning Board and Council within the next six (6) months or so with an amendment because we probably won't get it right completely the first time. She said the only way we will really know if all the Ordinance sections are working properly is when we start utilizing the Ordinance.

Lisa turned the meeting over to Kelley Klepper to do his presentation.

Item 3. Transform Monroe – Rewrite to Unified Development Ordinance and Zoning Map Update

Mr. Kelley Klepper of Kimley-Horn came forward and said that this has been a total team effort. He said you have incredible staff. He said we have been working with Lisa, Keri and Doug for the better part of 2+ years. He also gave a huge shout out to the City's legal team and to Nick and the outside legal counsel.

Mr. Klepper said we have quite a lot of information and if you have had a chance to read the proposed UDO you will know that there is pretty much a series of changes that was proposed as part of this. He said as Lisa had stated last time, that it has been almost 18 years since the last major overhaul. He said there has been a lot that has changed since that time. He said when we were first tasked with identifying what is and what should, we started with Forward Monroe. He said we started with the Land Use Plan that the City adopted and approved to kind of set the vision moving forward as to what the City wants to be in the next 5, 10 or 20 years. He said we started looking at what is going on with the current UDO as it stands. He said we can spend an entire week going through all of this information. He said we are going to go through almost 500 pages of code in the course of about an hour. He said there is going to be a lot of high-level discussion. He said he wants to encourage questions, thoughts and ideas. He said if he cannot answer a question, Lisa and the team are here to answer, as well as the legal consultants. He said he will try to go through every component of this and at least get you in the ballpark as far as information.

Transform Monroe

Mr. Klepper said this is the City's proposed UDO. He said it is a total update of not only the current UDO but also the Zoning Map. He said you are going to hear him using many terms, many acronyms, and he said he apologizes if some of that slips out from time-to-time. He said if he starts to see some questionable looks, he will try to do his best. He said just raise your hand and he will try to make sure he addresses your questions. He said we are asking for a recommendation to move this forward to City Council for the September meeting.

Mr. Klepper said we are going to go section by section and he wanted to give you an overall introduction of what is Transform Monroe. He said it is the application and the implementation of Forward Monroe that was your long-range plan. He said this was a priority moving forward and there are a couple of things he wants to point out as part of this UDO that we have to take into consideration. He said the Forward Monroe plan sets the stage. He said your UDO, all of your standards, your regulations, your plans are supposed to be consistent with and based off that comprehensive plan. He said this is a dynamic, growing area. He said the Charlotte-Metro area is one of the fastest growing areas within the country. He said there is a reason. He said no matter what you do here, it is going to affect, and vice versa, other communities. He said a couple of things happened along the way. He said 160D comes into play, officially, which kind of forced us to morph and move a few things. He said Covid put us off schedule; otherwise, we would have been done with this several months ago.

What is Zoning?

Mr. Klepper said zoning is a very basic tool in that we are looking at land uses. He said we are looking at design and development standards and identifying properties within the City and within the ETJ on the map. He said we are color-coding the map to say this is what this means and within the UDO this is how that gets interpreted and defined. He said within each of those districts, within each component of the UDO, we get into things like density, setbacks, building heights, open spaces, parking, signage, design standards, and subdivision and development standards. He said there is a whole lot of information that goes on as part of this UDO, which is in essence the zoning code.

Mr. Klepper said there are a series of items that we will go through. He said we start with the foundations and review the Land Use Plan. He said we did an analysis or diagnostic of the current UDO. He said we interviewed staff, we talked to many different people, and then we started getting into the UDO development. He said then we started working with the legal team to refine certain aspects of it. He said, again, their input has been invaluable throughout this entire process. He said we are in-between Step 3 and Step 4. He said Step 4 is the ultimate adoption.

Proposed UDO

Mr. Klepper displayed the components of the existing and proposed UDO. He said right now there are 18 sections in the UDO. He said we are trying to define and clarify the sections and moving them into a maximum of 11 sections. He said we did not lose anything. He said sections were moved, morphed and put into other things. He said, for example, that Section 15 (Parking) of the current UDO was moved into Section 8 (Supplemental Standards). He said the big-ticket items are Sections 4, 5, 7 and 8. He said these are the traditional districts, the mixed-use districts, the uses, standards, and the supplemental regulations.

Mr. Klepper said the major changes:

- Creation of mixed-use districts
- Parking standards
- Signage
- Non-residential design standards
- Landscape & buffer standards
- Use definitions
- Chapter 160D compliance

He said there is a big focus on graphics to visually illustrate the term that we are talking about.

He said there are some things that came out of Chapter 160D:

- The ability for the City to use one base code districts
- Design and development components
- Administrative approvals (minor amendments not variance)
- Permit lengths for the various types of applications
- Vesting rights

Introduction

Mr. Klepper said this is the who, what, when, where and why of the UDO. He said it establishes the authority, says what we are doing and why, and says here is what is going to happen in these transitional times. He said we are going from the existing UDO to the new UDO.

Forward Monroe and Relationship to the UDO

Mr. Klepper said this is the relationship with Forward Monroe to the UDO. He said we are showing how the Land Use Plan, adopted in 2018, is tied between the two (2) documents.

Administration

Mr. Klepper said this is one of the bigger sections we have and one that we are still working through especially with input from the legal team. He said this section describes the different review bodies, whether it is the Planning Board vs. the City Council vs. the Historic District vs. the Board of Adjustment, etc. He said it identifies the various processes that we have, whether it is a land use amendment, a rezoning, a text amendment, or a variance. He said who gets to do what at what stage of the game. He said all of that is laid out in this section and we start looking at the main UDO itself. He said we actually called out each individual type of process that the City has with a flow chart that explains what is the step-by-step process, who is ultimately reviewing and making a recommendation, who actually has the authority to make approval or denial, and what happens if they get appealed at a certain point. He said this also gives staff the roadmap to say to someone, “we are doing a rezoning so here are the statutes you need to follow and here is what you can expect from a process standpoint.”

Traditional Zoning Districts

Mr. Klepper displayed a chart of both the existing and new zoning districts: residential, commercial, industrial, planned districts and mixed-use. He said there is a new district: neighborhood business. He said there are now two (2) industrial districts: general industrial and heavy industrial. He said there are two (2) new planned districts: planned commerce development and planned unit development.

Mixed-Use Zoning Districts

Mr. Klepper went over the groups that fall within Mixed-Use Zoning Districts. He said all the districts are consistent with Forward Monroe. He said each district has a different set of standards, different set of measurements and different set of flexibility.

Downtown Districts – There are two (2) districts, Central and the Gateway.

Community Corridor, Mixed-Use 1 – These are the areas around Hwy 74 and Rocky River Road as well as Dickerson Blvd. These are the highest intense areas for development or where we want to see increased development.

Community Corridor, Mixed-Use 2 – These are areas primarily around the Expressway, Morgan Mill Road, M.L. King Blvd. and Washington. This area is still intense but it is a little more of a step-down version.

Regional Corridor – These areas are more intensive and are along Rocky River Road, the Expressway, as well as Hwy 601.

Medical – This area is around the Hospital, Roosevelt, Franklin and Pageland. This is more of a hospital, medical campus.

Mixed-Use Zoning District Parking Standards

Mixed-Use Zoning District Incentives

He said Keri passed out 11 x 17 maps of the City Mixed-Use Zoning Districts.

Overlays

Mr. Klepper said many of the Overlay components are regulated by the State Statutes. He said we did not modify the boundaries of the Floodplain, Floodway, the Historic District or the Airport. He said language was updated from a terminology standpoint.

Uses and Standards

Mr. Klepper said this is where we identify the table that says here is your district, here is what you can do in that district and how we define that specific use. He said we went through the list of permitted and prohibited uses that the City had. He said we started looking at the best planning practices approach. He said we simplified the table and looked at it by groups (residential, commercial and industrial). He said we also added a cross-reference to this section that gets into use definitions with additional standards. He said

there is a list that gives staff the guidance of what a use entails. He said it is more clearly laid out. He said for any use that is not listed there is a provision in the UDO that lets staff apply standards to identify what is the closest use. He said every use is listed out and identified by district.

Mr. Klepper asked if there were any questions from either the Council or Planning Board at this time. There were none.

Supplementary Regulations

Mr. Klepper gave an overview of each section and said this is where we moved many of the design development standards so that they are under one section. He said there are ten (10) components to this:

- Subdivision Regulations (lots, connectivity, utilities, conservation standards, etc.)
- Signs (legal team will be very involved with this area)
- Landscaping, Buffering, Fences and Walls
- Parking and Loading
- Electronic Gaming Operations
- Adult Establishments
- Design Standards
- Open Space Standards
- Lighting
- Standards of Measurement

Nonconformities

Mr. Klepper said once we go from the existing UDO to something new we are always going to have nonconforming uses. He said for those items that are grandfathered in, the understanding is that the use that is legally there now can continue without repercussions or having to do something new. He said there is a period of time or if they want to change, then the new standards kick in at that point.

Definitions of Terms

Mr. Klepper said definitions are scattered throughout the UDO. He said there are the definitions that we have in Section 7 which talks about the drive-thrus, funeral homes, banks. He said these are the terms generally used throughout the UDO but are not specific to a specific type of use. He said this is the last section that gets done after the UDO is updated.

Mr. Klepper said before going to the Proposed Zoning Maps, he asked if there were any questions about the UDO before moving forward.

CM James asked if there were any rural areas within the City Limits. Mr. Klepper said there is not a “rural district” but there is a rural land use district that is two units per acre. He said what was R-40 is now similar to an R-20. He said there is no agricultural or rural residential component in there to begin with. CM James asked why there are no clustering options in low-density areas. Mr. Klepper said this was a discussion we had with staff. He said one of the things we were concerned about was in those areas, just maintaining the

fill for more density. He said when we start getting into medium and higher density, you start getting more open spaces and tradeoffs.

PB Member Deal said when you are talking about taking R-40 and R-20 and making it RLD, in effect what you are doing is reducing the density of R-40, one (1) unit per acre, so that standard goes away and everything becomes two (2) units per acre. Mr. Klepper said yes. PB Member Deal said you have taken away the rural area feel in some of the areas where surrounding homes are set on one (1) or more acres and now you are allowing two (2) homes per acre. Mr. Klepper said a city should not have agricultural or rural zoning, especially in a major market developing metro area such as this. He said it is an inefficient use of land in our opinion. He said he knows there are property owners that have more than five (5) acres. He said what you are going to start to see is most of those folks want to do something more because they do have two (2) or three (3) kids. He said if you have to provide services, you are paying more and the return on investment from the City's perspective (police, fire, water, and wastewater) decreases. He said it is a quality of life issue vs. land use and monetary discussion. PB Member Deal said he can agree with that but the point also remains that we have developers coming forward with wanting to put in new developments where they take 800 acres and then say they want to build 2.5 per acre. He said they put actual homes on the property but they are cracker boxes. He said we are asking people to pay \$500,000 for a cracker box, which some people will not do, and we are discouraging people who want to build a large family home and have a back yard, a front yard, a driveway and a rear-loaded garage. He said by setting this standard, you are taking our ability to look at these developments and ask for some larger homes so we can attract a different diversity of people into our neighborhood. He said, instead, what we wind up with is that we give the developer a tool to come in and build cracker boxes. He said they might give you a couple of homes on this side because the math works out for them. He said but on the other side, we are putting everybody in 750-square foot tinderboxes.

Mr. Klepper said in response to Mr. Deal, that you have the ability as a property owner to do one (1) house on five (5) acres. He said we are not saying that you have to do something other than you are doing right now. He said we are giving you the ability, if you did want to sell your land, to do a large lot estate subdivision, if that is what your market is. He said there is nothing in the UDO that says you have to do 10,000-square foot lots in this RLD. He said we are giving you the option to do that. He said we are still saying that it is a maximum of two (2) dwelling units per acre. He said if you want 2.5 units per acre, you have to go to a different district. He said most of the land that was sold in the City was actually R-20. He said the majority that we are proposing retains that residential low density. He said it is an option. He said we do not recommend having one (1) dwelling unit per acre in an urban community. He said this is up to the combined boards as to recommendation and approval.

PB Member Deal said his point is that if we take R-40 away, we have no say-so any longer. PB Member Morgan said it seems like you are making it look easier to put in cracker box neighborhoods. Mr. Klepper said the State says you cannot regulate what the house looks like, especially a one (1) or two (2) family dwelling. He said this is something he and Lisa discussed. He said two (2) dwelling units per acre is still a very low density. He is not saying that we need to be like Charlotte by any means. He asked Lisa if she was tracking comparisons of other communities in the State with a similar size as Monroe. Lisa said some of you may recall, and she thinks this was presented to City Council in May 2020; we had a whole strategic session on residential growth. She said we looked at some of the State statutes that stopped some of our abilities to regulate exterior materials for one (1) or two (2) family dwellings. She said State Statutes have now taken away our ability to regulate the square feet of a house. She said we also discussed how the City compared in our growth to other municipalities within our county. She said there are 14 municipalities in our county and our growth percentage was like 8% and number 11 in growth. She said we talked about how our densities compared to other municipalities that were similar in size of our population. She said what we are proposing is comparable to what some of the other municipalities, Indian Trail, Mooresville, Wake Forest, Matthews and Waxhaw. She said the density that is being proposed is similar to what our

surrounding municipalities are proposing as well. She said we have that presentation. She said she would be happy to send it to everyone again. She said we have looked at the densities that are being proposed within the zoning districts, and if you recall, they go hand-in-hand with the character areas that were established and identified within the Future Land Use Plan, which establishes where we want to grow and how we want to grow, and it did have a vision for different densities. She said this kind of surged to implement that land use vision that was identified in 2018 and adopted.

PB Member Yercheck asked Lisa if she knew who was the primary architect of most of the legislation that is kind of cutting us off at the knees. Mujeeb Shah-Khan said it is not just one individual in the General Assembly. He said it is multiple individuals in the General Assembly. He said what happens is they see a problem or they are told by a person in their district that the city would not let them do this or told them they had to do this. He said we then get a piece of legislation that says the city shall not. He said another issue then comes up and another representative from the General Assembly says he does not like that and tells the city they cannot do that either. He said there are a lot of people. He said we do have some that are looking at building inspections and those issues. He said there are certain members that are leading that but that is not the question you asked. He said on occasion we do see an anti-view of what we do in terms of regulating land use and development. He said if you want to blame anyone, blame the homebuilders and developers who provide contributions to members of the General Assembly.

PB Member Yercheck said he knows this but is just trying to figure out if he wanted to send an e-mail to somebody who has influence over everybody else that seems to be leading the charge. Mr. Shah-Khan said he does not know if it is fair to say that somebody is leading the charge but if you want to send a letter that has some impact, send it to members of our local delegation. He said some of them are involved and many of them have influence. He said some, not necessarily. He said you can also send the letter to all the members of the General Assembly.

Mr. Klepper said to add to what Mujeeb was saying, and he appreciates that perspective and information, you are not the only state that deals with this. He said there are many states out there that you cannot regulate one (1) or two (2) family dwellings. He said you cannot regulate architectural designs outside of the Historic District. He said there are certain states that say that, if you as a community do not process a specific application within this timeframe, it is deemed void [could not hear], whether or not it meets the code or not. He said Mujeeb is 110% correct. He said there is some interesting reading out there with various states.

Mr. Klepper presented the current zoning map. He said the gray area is the current R-20. He said the smaller tan area is along the northern extremes of the City. He said that is the R-40. He said as Lisa said, the areas that we have identified, as going from R-40 to the two (2) units per unit, are also areas that we have identified, because the Expressway was coming through at that time, as mixed-use activity centers. He said there are supposed to be a mix of uses and a higher density or intensity type of project. He said we really do not want a one (1) unit per acre right next to something like that. He said this is what is adopted as of today.

Lisa said all the gray is R-20 but it is residential. She said that is what is going to convert to RLD. She said a majority of the City zoning, as far as the RLD, is not changing. Mr. Klepper said he would get to Lisa the amount of acreage that is actually converting.

PB Member Morgan asked Mr. Klepper to explain the difference between R-10 and the RLD. Mr. Klepper said RLD is still two (2) dwellings per acre. He said R-10 is four (4) dwelling units per acre. He said if he is not mistaken, the R-10 went to RMD zoning. Lisa said that is correct.

Mr. Klepper said there were some handouts that went with the Zoning Map discussions. He said you will be able to see the comparisons of the densities as well as the development standards such as setbacks, height, etc. He said that is really a good piece of information for you to look at. Lisa said City Council and Planning Board should have these maps in their packets. She said they are also online.

Mr. Klepper said the maps will give you the before and after on the densities and design standards. He said R-10, which was defined as high-density, is now Residential Medium. He said what was RMF, which was the Residential Multi-Family, is now high-density. He said the densities are about the same.

PB Member Morgan said [could not understand]. Mr. Klepper said we are changing the color, but not changing the standards. He said the density is the same, the setbacks are the same, and we are just going from what was considered R-20 to a Residential Low, which is still two (2) dwellings per acre.

Mr. Nick Tosco said if you are worried about the density, there is going to be a conditional zoning process or planned district process. He said the City will still have a say. He said what this is referring to is the by-right zoning that is allowed and that is a different process. He said the chances of a huge developer coming in and developing a big subdivision by-right using R-20 is...he has not seen this very often. Mr. Shah-Khan said we have not seen this in the City.

Mr. Klepper asked Nick Tosco how many municipalities do you work with. Mr. Tosco said about [could not hear]. Mr. Klepper said most of the large-scale developers are a little more savvy and a little more adept at what they are doing. He said they will be looking more at that Conditional District. He said they are going to be looking at some of other differences because of the variations and things that they need. He said otherwise, they would be asking for a lot of variances to standards, whereas they can negotiate with the City for a Conditional District.

Mr. Klepper said the proposed Zoning Map looks very different and when you start comparing apples to apples, you will realize that there is not a big difference. He said for the most part it is the mixed-use areas that were called out by Forward Monroe and some of the changes in that. He said within the map series, we took the map and broke it out. He said in the graphics we have identified where the low-density is, where the medium-density is, etc. He said we wanted to make sure that the Concord Avenue Overlay [could not hear].

Mr. Klepper said the quadrant map was broken up so that it is a little easier to see and a little more detailed.

Mr. Klepper said we are hoping that we get a positive recommendation from the Planning Board so that City Council can hear this officially at its next meeting on September 14, 2021. He said we realize that there is probably a little more cleanup that we need to do so he will meet with the planning staff. He said we are asking for an approval recommendation while we modify minor terms and continue to move forward.

Lisa asked if there were any questions or comments about the proposed UDO or Zoning Map. Council Member James asked why the minimum lot sizes are so large for clustering. Lisa said for a cluster subdivision the minimum lot size is 5,000 square feet. She said that if a developer wants to do a development that is in a residential medium-density area, they can either develop it by-right and have 12,000 square foot lots at three (3) units per acre. She said if a developer wants to do a cluster subdivision where the lot sizes are a little smaller and they can preserve more open space, they can get an increased density of four (4) units per acre but the optional caveat is they do have to sign a waiver affidavit that they would adhere to our residential design standards. She said for by-right subdivisions, we can no longer require 1 – 2 family dwellings and do certain exterior materials. She said if they wanted to do the cluster option, then they can incentivize their project and do residential design standards. She said the cluster lot sizes are 5,000 square feet not 12,000 square feet.

Mr. Klepper asked Lisa if she was reading where it has to be a minimum of five (5) acres. Lisa said yes. Mr. Klepper said what we are saying is that in order to even do a cluster, it has to be at least five (5) acres.

PB Member Desio asked Lisa... [could not hear]. Lisa said each district has specific lot widths that are identified. She said for residential low-density, which converted the R-40 and R-20 to the residential low-density, has a minimum lot width of 100 feet. She said for the residential 10,000 square foot zoning district that is being proposed to go to the residential medium-density is a minimum of 75 feet lot width. She said this is for by-right subdivisions, so if the developer chooses to go through the Conditional District site-specific rezoning, he can request to deviate from these standards. She said we have very little of the residential high-density district, which converted our residential multi-family district. She said the minimum lot width is 70 feet.

Mr. Klepper said under the cluster, we proposed five (5) housing types. He said as part of a cluster you have to have at least three (3) of the five (5) housing types. He said you could not have all 50-foot wide lots. He said we also put in there to where it is three (3) housing types, whether it is 20,000 square feet or greater, 10, 20, 7500 or 5,000, and you have to have at least no more than 60% of any one housing type. He said if you are going to do the smallest lots, they cannot be more than 20% of total. He said we put in additional safeguards as far as clusters, but you still have to do these extra steps. He said that is part of the trade-off.

PB Member Desio asked if we had a minimum lot width in a cluster development. Mr. Klepper said it depends on the housing type. He said if you look at Section 4 of your code, page 9, under cluster, there is a table that talks about the cluster standards and the five (5) housing types are defined by lot size, lot width and any placement requirements. He said it talks about what size lots those are, what is the maximum percentage of a certain type, if they have to be internal or along the periphery. He said it also talks about additional buffering standards. He said from a clustering perspective, we tried to make sure that it is not just your clustering and all 50-foot wide lots.

Council Member Gordon said he had a discussion with Kelly and what he is telling you is this: the questions and concerns that you have on the Planning Board were addressed in 2018 and 2020. He said if we want to go back and make any changes to that now, we will not have this approved by January 1, 2022. He asked Mujeeb Shah-Khan if this is correct. Mr. Shah-Khan said yes.

Motion: Richard Yercheck made a motion to recommend the adoption of the Resolution Approving Land Development Compliance.
Second: Renee Hartis
Action: The motion to recommend approval of the Resolution Approving Land Development Compliance passed unanimously with the following votes:
AYES: MaryAnn Rasberry, Richard Yercheck, Richard Ali, Renee Hartis, Jennifer Smith, Margaret Desio, Ken Deal and Archie Morgan
NAYS: None

Motion: Richard Yercheck made a motion to recommend the adoption of the Ordinance Amending Chapter 157 – Establish New Unified Development Ordinance (UDO) and Official Zoning Map.
Second: Richard Ali
Action: The motion to recommend approval of the Ordinance amending Chapter 157 – Establish New Unified Development Ordinance (UDO) and Official Zoning Map passed unanimously with the following votes:

AYES: MaryAnn Rasberry, Richard Yercheck, Richard Ali, Renee Hartis,
Jennifer Smith, Margaret Desio, Ken Deal and Archie Morgan
NAYS: None

Item 4. **Adjournment**

Mayor Kilgore said he wanted to thank everyone for attending this meeting. He said he appreciates the Planning Board meeting with us also. He asked for a motion to adjourn.

Motion: MPT Marion Holloway made a motion to adjourn.
Second: CM Franco McGee
Action: The motion to adjourn passed unanimously with the following votes:

AYES: MPT Marion Holloway, CM Lynn Keziah, CM Surluta Anthony,
CM Freddie Gordon, CM Angelia James, CM Franco McGee, and
Mayor Bobby Kilgore
NAYS: None

Chair MaryAnn Rasberry asked for a motion to adjourn.

Motion: Richard Yercheck made a motion to adjourn.
Second: Richard Ali
Action: The motion to adjourn passed unanimously with the following votes:

AYES: MaryAnn Rasberry, Richard Yercheck, Richard Ali, Renee Hartis,
Jennifer Smith, Margaret Desio, Ken Deal and Archie Morgan
NAYS: None

The Special Joint Strategic Meeting with Planning Board and City Council adjourned at 5:20 p.m.

PB Special Mtg with CC on 8-10-2021
mab



August 10, 2021

Transform **M**onroe

City of Monroe Unified Development Ordinance (UDO)

AGENDA

- Introduce Transform Monroe
- Review entire UDO and Proposed Zoning Map
- Compare previous zoning districts to new zoning districts
- Recommendation for Approval





Introduction

- What is Transform Monroe?
- Significance of UDO
- Where Are We in the Process?

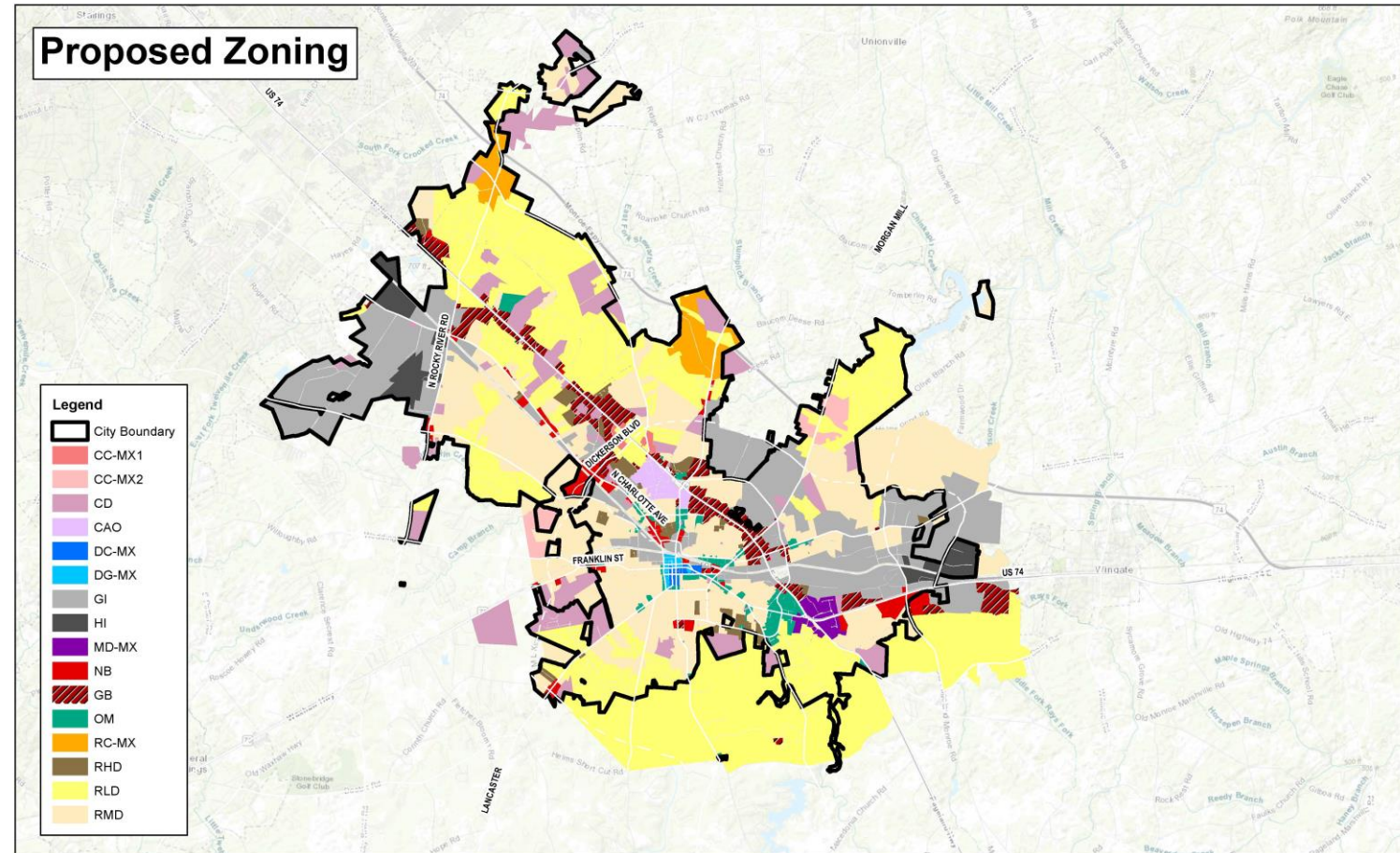
What Is Transform Monroe?

- In 2018, the City adopted *Forward Monroe* (long range planning and transportation plan).
- The plan recommended *Transform Monroe* as a priority.
- Transform Monroe is a new Unified Development Ordinance (UDO)
 - Provides consistency with *Forward Monroe*.
 - Result in a dynamic and progressive city that is a great place to live, work, and visit.
 - Provides a blueprint for how the city's physical environment will change over time.

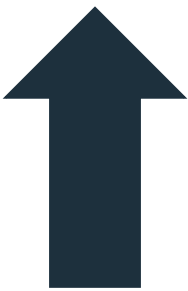


What is Zoning?

- Basic tool of land use
 - Zoning “Districts”
 - Land Uses
 - Permitted/Prohibited/Special Exception (By Permission)
 - Density/Intensity
 - Setbacks/Building Zones
 - Building Height
 - Parking
 - Signage
 - Landscape/Buffering
 - Design Standards
 - Other Conditions/Requirements



Where Are We in the Process?



**You Are
Here!**



Proposed UDO

Existing vs Proposed UDO Layout

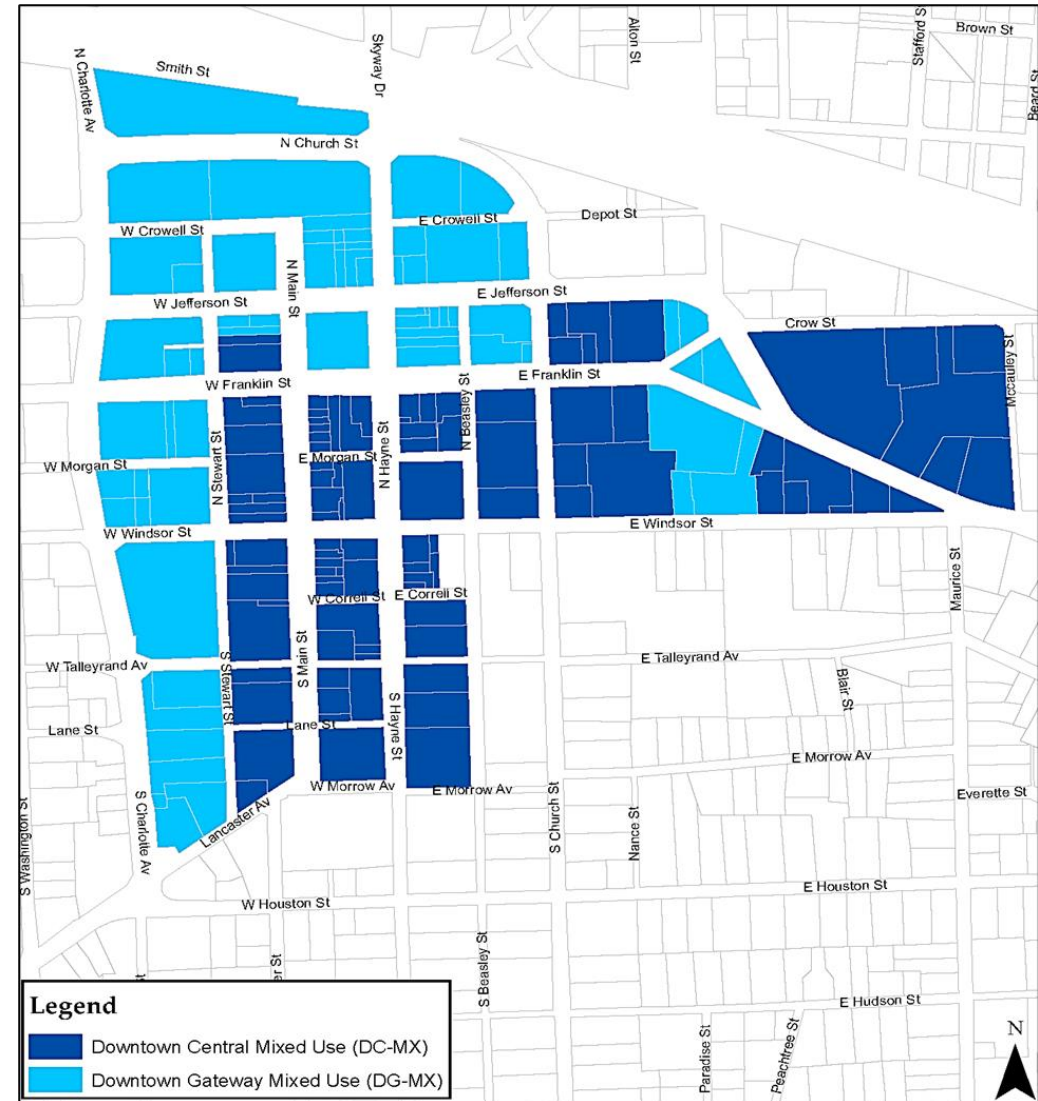
Existing UDO

- Section 1 – General Provisions
- Section 2 – Basic Definitions and Interpretations
- Section 3 – Administrative Mechanisms
- Section 4 – Permits and Final Plat Approval
- Section 5 – Appeals, Variances, and Interpretations
- Section 6 – Hearing Procedures for Appeals and Applications
- Section 7 – Enforcement and Review
- Section 8 – Nonconforming Situations
- Section 9 – Zoning Districts and Zoning Map
- Section 10 – Permissible Uses
- Section 11 – Supplementary Use Regulations
- Section 12 - Density and Dimensional Regulations
- Section 13 – Recreational Facilities and Open Space
- Section 14 – Floodways, Floodplains, Drainage, and Erosion
- Section 15 – Parking
- Section 16 – Historic District Regulations
- Section 17 – Screening, Landscaping, and Tree Preservation
- Section 18 – Amendments

Proposed UDO

- Section 1 – Introduction
- Section 2 – Forward Monroe and Relationship to the UDO
- Section 3 – Administration (Review Process)
- Section 4 – Traditional Zoning Districts
- Section 5 – Mixed-Use Zoning Districts
- Section 6 – Overlays
- Section 7 – Permissible Uses and Standards
- Section 8 – Supplemental Regulations
- Section 9 – Wireless Telecommunication Facilities
- Section 10 – Nonconformities
- Section 11 – Definition of Terms

- Creation of Mixed-Use Districts
- Parking Standards
- Signage
- Non-Residential Design Standards
- Landscape & Buffer Standards
- “Use” Definitions
- *Chapter 160-D Compliance*





Chapter 160D

Chapter 160D

1. Eliminates Combined Conditional Use/Special Use
 - Cannot have district with “just” special uses
2. May use FBC or districts
3. Conditional Zoning requires “consent”
4. Administrative Approvals (minor amendments not variance)
5. Permit “Lengths”



Section 1

Introduction

Section 1 – Introduction

1.1 – Title, Intent and
Applicability

1.2 – Zoning Map

1.3 – Zoning Districts

1.4 – Transitional Provisions

Establishes authority and intent
of the UDO

Applicability

Official Zoning Map

Transitional Provisions





Section 2

Forward Monroe and
Relationship to the UDO

Section 2 – Forward Monroe and Relationship to the UDO

2.1 – Purpose of Forward Monroe

Forward Monroe is the City's blueprint for development and growth

2.2 – Purpose of the UDO

Adopted in April 2018

Guides future citywide plans

The UDO implements the policies and goals of Forward Monroe





Section 3

Administration

Section 3 – Administration

3.1 – Purpose

3.2 – Summary Development Process Table

3.3 – Review and Decision-Making Bodies

3.4 – Review Processes

3.5 – Regulatory Provisions

Establishes Development Review
Processes and Guidelines

Establishes Review Bodies:

- Planning and Development Director
- Technical Review Committee
- Board of Adjustment
- Planning Board
- Historic District Commission
- City Council



Section 4

Traditional Zoning Districts

Section 4 – Traditional Zoning Districts

4.1 – Introduction

4.2 – Residential Zoning Districts

4.3 – Commercial Zoning Districts

4.4 – Industrial Zoning Districts

4.5 – Planned Districts

4.6 – Conditional Zoning

Section 4 – Traditional Zoning Districts

- Establishes Traditional Zoning Districts and development standards including **"New" Districts**

Table 4.1 Traditional Zoning Districts		
Residential Zoning Districts		
RLD	Residential, Low Density	Section 4.2.1.
RMD	Residential, Medium Density	Section 4.2.2.
RHD	Residential, High Density	Section 4.2.3.
Commercial Zoning Districts		
OM	Office/Medical	Section 4.3.1.
NB	Neighborhood Business	Section 4.3.2.
GB	General Business	Section 4.3.3.
Industrial Zoning Districts		
GI	General Industrial	Section 4.4.1.
HI	Heavy Industrial	Section 4.4.2.
Planned Districts		
PCD	Planned Commerce Development	Section 4.5.1.
PUD	Planned Unit Development	Section 4.5.2.
Conditional Districts		
C-R	Conditional, Residential	Section 4.6.E.
C-O	Conditional, Office	Section 4.6.F.
C-C	Conditional, Commercial	Section 4.6.G.
C-I	Conditional, Industrial	Section 4.6.H.

Zoning District Transitions

Zoning District Transitions		
FORMER ZONING DISTRICTS		*NEW* ZONING DISTRICTS
Residential Districts		Residential Districts
R-40 (Residential Low Density)	→	RLD (Residential Low Density)
R-20 (Residential Low Density)	→	RLD (Residential Low Density)
R-10 (High Density)	→	RMD (Residential Medium Density)
R-MF (Residential, Multi Family)	→	RHD (Residential High Density)
R-MH (Residential, Manufactured Home)	→	RLD (Residential Low Density)
Commercial Districts		Commercial Districts
CBD (Commercial Business District)	→	OM (Office/Medical) and DC-MX, DG-MX
OT (Office/Transitional)	→	OM (Office/Medical)
GB (General Business)	→	NB (Neighborhood Business) and GB (General Business)
Industrial Districts		Industrial Districts
GI (General Industrial)	→	GI (General Industrial)
		HI (Heavy Industrial)
		New Planned Districts
		PCD (Planned Commerce Development)
		PUD (Planned Unit Development)
		New Mixed-Use Districts
		DC-MX (Downtown Central Mixed-Use)
		DG-MX (Downtown Gateway Mixed-Use)
		CC-MX1 (Community Corridor Mixed-Use 1)
		CC-MX2 (Community Corridor Mixed-Use 2)
		RC-MX (Regional Corridor Mixed-Use)
		MD-MX (Medical District Mixed-Use)

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Section 5

Mixed-Use Zoning Districts

Section 5 – Mixed-Use Zoning Districts

5.1 – Purpose and Intent

5.2 – Mixed-Use Zoning District Maps, District Development Standards, and Permissible Uses

5.3 – Mixed-Use Zoning District Development Standards of General Applicability

5.4 – Downtown Districts

5.5 – Community Corridor Mixed-Use 1 District (CC-MX1)

5.6 – Community Corridor Mixed-Use 2 District (CC-MX2)

5.7 – Regional Corridor Mixed-Use District (RC-MX)

5.8 – Medical District Mixed-Use (MD-MX)

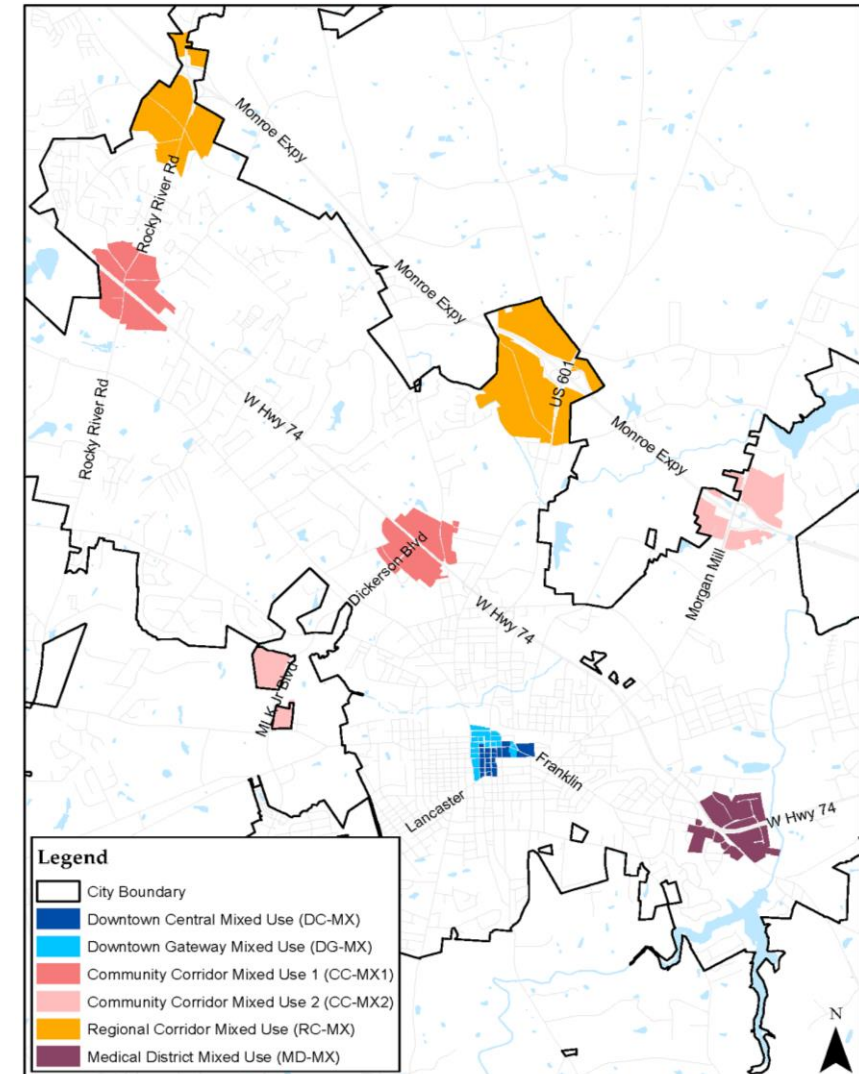
5.9 – Mixed-Use Zoning District Parking Standards

5.10 - Mixed-Use Zoning District Incentives

Section 5 – Mixed-Use Zoning Districts

- Establishes Mixed-Use Zoning Districts and development standards

Table 5.1 Mixed-Use Zoning Districts		
Character Areas (FLUM)	Implementing Mixed-Use Zoning District	UDO
Downtown	DC-MX - Downtown Central Mixed-Use	Sec. 5.4.
	DG-MX – Downtown Gateway Mixed-Use	Sec. 5.4.
Neighborhood Mixed Use Centers	CC-MX1 – Community Corridor Mixed-Use 1	Sec. 5.5.
	CC-MX2 – Community Corridor Mixed-Use 2	Sec. 5.6.
Regional Mixed-Use Centers	RC-MX – Regional Corridor Mixed-Use	Sec. 5.7.
Medical District	MD-MX Medical – Medical District Mixed-Use	Sec. 5.8.



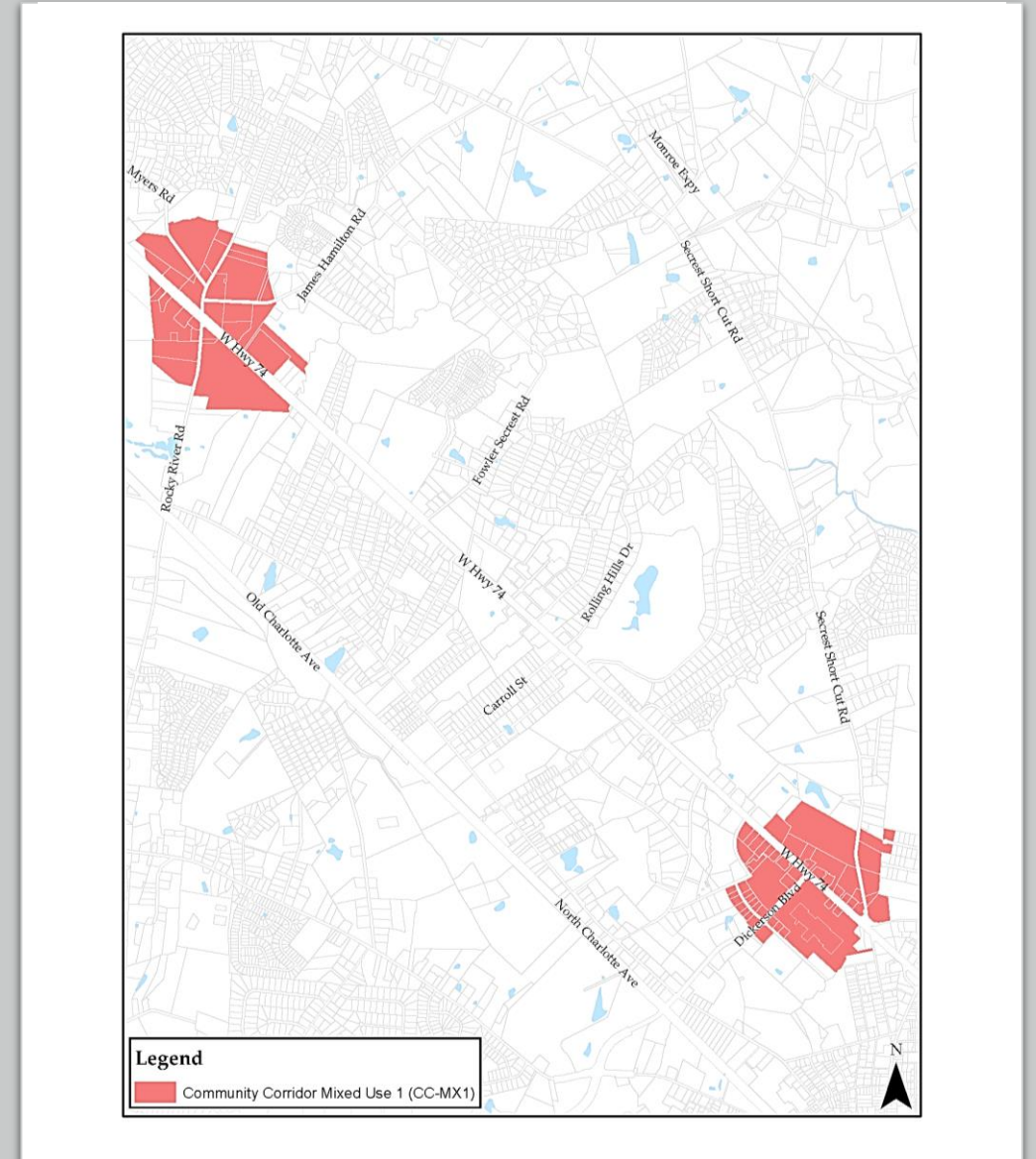
Mixed-Use Zoning Districts (Downtown Districts)

- Downtown Central Mixed-Use (DC-MX)
 - Allows for urban, high-quality development that features a mixture of uses
- Downtown Gateway Mixed-Use (DG-MX)
 - Acts as a gateway to the downtown area
 - Allows for less intense mixture of uses

Downtown Mixed-Use Districts Development Standards			
		Downtown Central Mixed-Use (DC-MX)	Downtown Gateway Mixed-Use (DG-MX)
Building Height		Maximum 3 stories (By Right)	Maximum 3 stories (By Right)
		5 stories (Via Mixed-Use Incentives)	5 stories (Via Mixed-Use Incentives)
Density		10 Units/Acre (By Right)	10 Units/Acre (By Right)
		15 Units/Acre Maximum (See Section 5:10 for Incentives)	15 Units/Acre Maximum (See Section 5:10 for Incentives)
Building Placement	Front/Street	0'/5' ¹	0'/20' ²
	Side ³	0'/5'	0'/10'
(min/max)	Rear ⁴	0'/20'	0'/20'
Lot	Length (min)	25'	50'
	Width (min)	25'	50'
	Coverage (min/max)	75%/100%	50%/75%
Frontage	% Requirement	75%	75%
	Active Use Areas	Permitted	Permitted, but active use area shall not be physically adjacent to residentially zoned property
	Entrances	Front	Front
Parking	Placement	Rear	Side/Rear
	Shared Parking	Permitted (See Section 5.9)	Permitted (See Section 5.9)
	Accessory Parking Structure	Permitted if parking structure allows for a mixture of uses on ground floor	Permitted if parking structure allows for a mixture of uses on ground floor
	Incentives Permitted	Yes (See Section 5.10)	Yes (See Section 5.10)
Open Space		See Section 8.8: Open Space	See Section 8.8: Open Space
Architectural Standards		See Section 8.7: Design Standards	See Section 8.7: Design Standards
		Minimum 50% transparency for ground floor, minimum 40% for upper floors	Minimum 50% transparency for ground floor, minimum 40% for upper floors
Notes:			
¹ Can be increased by a factor of 1.5 where an active use area is provided.			
² Can be increased by a factor of 0.5 where an active use area is provided.			
³ 25' may be permitted to accommodate those lots without access to an alley or shared driveway in order to accommodate a driveway where rear serving parking or loading is provided.			
⁴ Except where served by rear parking, not to exceed 50' without a design alternative.			

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Mixed-Use Zoning Districts (Community Corridor Mixed- Use 1 District)



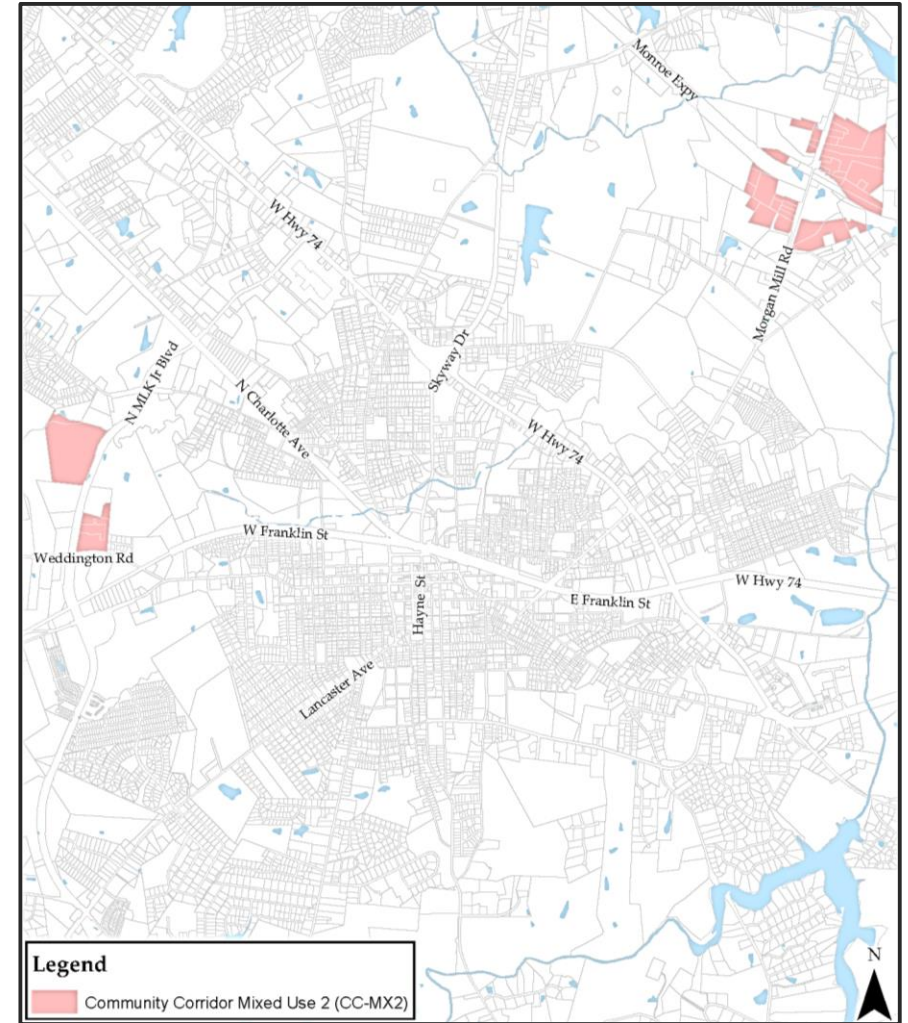
Mixed-Use Zoning Districts

(Community Corridor Mixed-Use 1 District)

- Community Corridor Mixed-Use 1 (CC-MX1)
 - Allows for community level retail for areas in greater radius than the immediate neighborhood
 - Vertical and horizontal mix of uses

CC-MX1 District Development Standards			
Building Height		Maximum 4 Stories Buildings above 3 stories shall be situated closer to US 74 where practicable	
Density		8 Units/Acre (By Right) 10 Units/Acre Maximum (See Section 5:10 for Incentives)	
Building Placement (min/max)	Front/Street ¹	15'/30'	
	Side ²	5'/25'	
	Rear ³	10'/50'	
Lot	Length (min)	100	
	Width (min)	50	
	Coverage (min/max)	50%/85%	
Frontage	% Requirement	75%	
	Active Use Areas	Permitted, but active use area shall not be physically adjacent to residentially zoned property	
	Entrances	Oriented to street	
Parking	Placement	Off-Street	
	Shared Parking	Permitted (See Section 5.9)	
	Accessory Parking Structure	Not Permitted	
Incentives Permitted		Yes (See Section 5.10)	
Open Space		See Section 8.8: Open Space	
Architectural Standards		See Section 8.7: Design Standards Minimum 40% transparency for each story of a building	
<u>Notes:</u> ¹ Can be increased by a factor of 1.5 where an active use area is provided. ² 44' may be permitted to accommodate those lots without access to an alley or shared driveway in order to accommodate a driveway where rear serving parking or loading is provided. ³ Except where served by rear parking, not to exceed 60' without a design alternative. Also accommodates required buffering.			

Mixed-Use Zoning Districts (Community Corridor Mixed- Use 2 District)



Mixed-Use Zoning Districts (Community Corridor Mixed-Use 2 District)

- Community Corridor Mixed-Use 2 (CC-MX2)
 - Allows for neighborhood-oriented commercial uses that are within a convenient traveling distance from the neighborhood in which they serve
 - Vertical and horizontal mix of uses

CC-MX2 District Development Standards		
Building Height		Maximum 3 Stories
Density		6 Units/Acre (By Right) 10 Units/Acre Maximum (See Section 5:10 for Incentives)
Building Placement (min/max)	Front/Street ¹	15'/30'
	Side ²	5'/25'
	Rear ³	10'/50'
Lot	Length (min)	100
	Width (min)	50
	Coverage (min/max)	50% / 75%
Frontage	% Requirement	60%
	Active Use Areas	Permitted, but active use area shall not be physically adjacent to residentially zoned property
	Entrances	Oriented to Street
Parking	Placement	Off-Street
	Shared Parking	Permitted (See Section 5.9)
	Accessory Parking Structure	Not Permitted
Incentives Permitted		Yes (See Section 5.10)
Open Space		See Section 8.8: Open Space
Architectural Standards		See Section 8.7: Design Standards Minimum 40% transparency for each story of a building

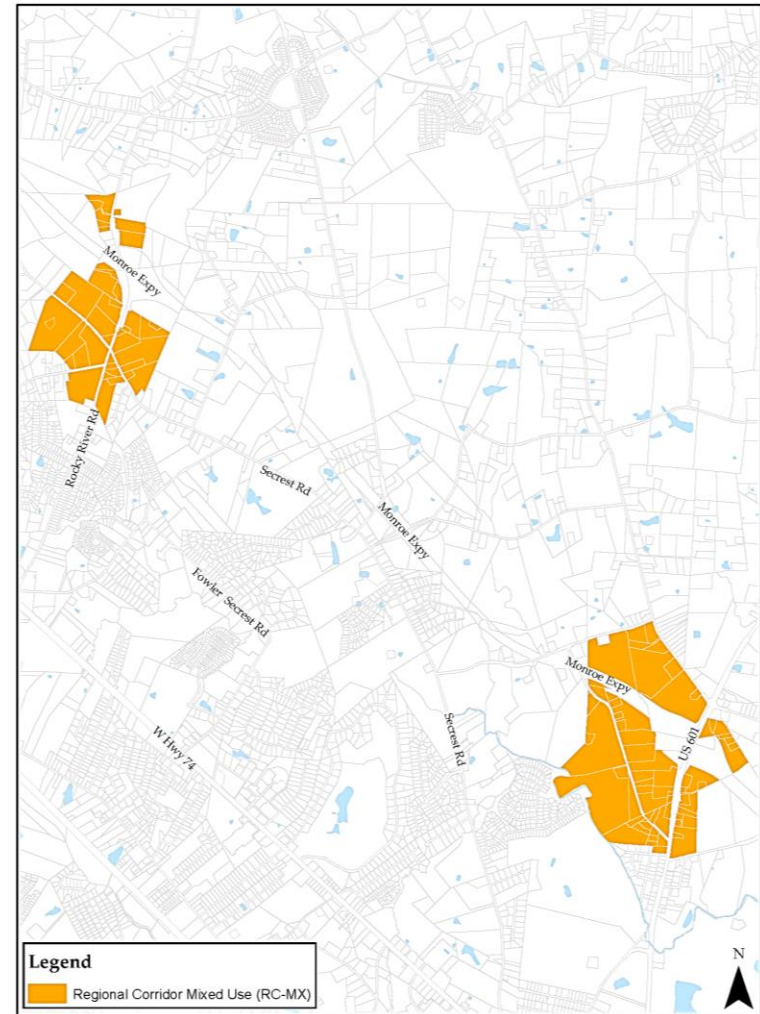
Notes:

¹ Can be increased by a factor of 1.0 where an active use area is provided.

² 44' may be permitted to accommodate those lots without access to an alley or shared driveway in order to accommodate a driveway where rear serving parking or loading is provided.

³ Except where served by rear parking, not to exceed 60' without a design alternative. Also accommodates required buffering.

Mixed-Use Zoning Districts (Regional Corridor Mixed-Use District)



Mixed-Use Zoning Districts (Regional Corridor Mixed-Use District)

- Regional Corridor Mixed-Use (RC-MX)
 - Allows for intense concentrations of retail, employment, and high-density residential uses through a mixed-use development
 - Vertical and horizontal mix of uses

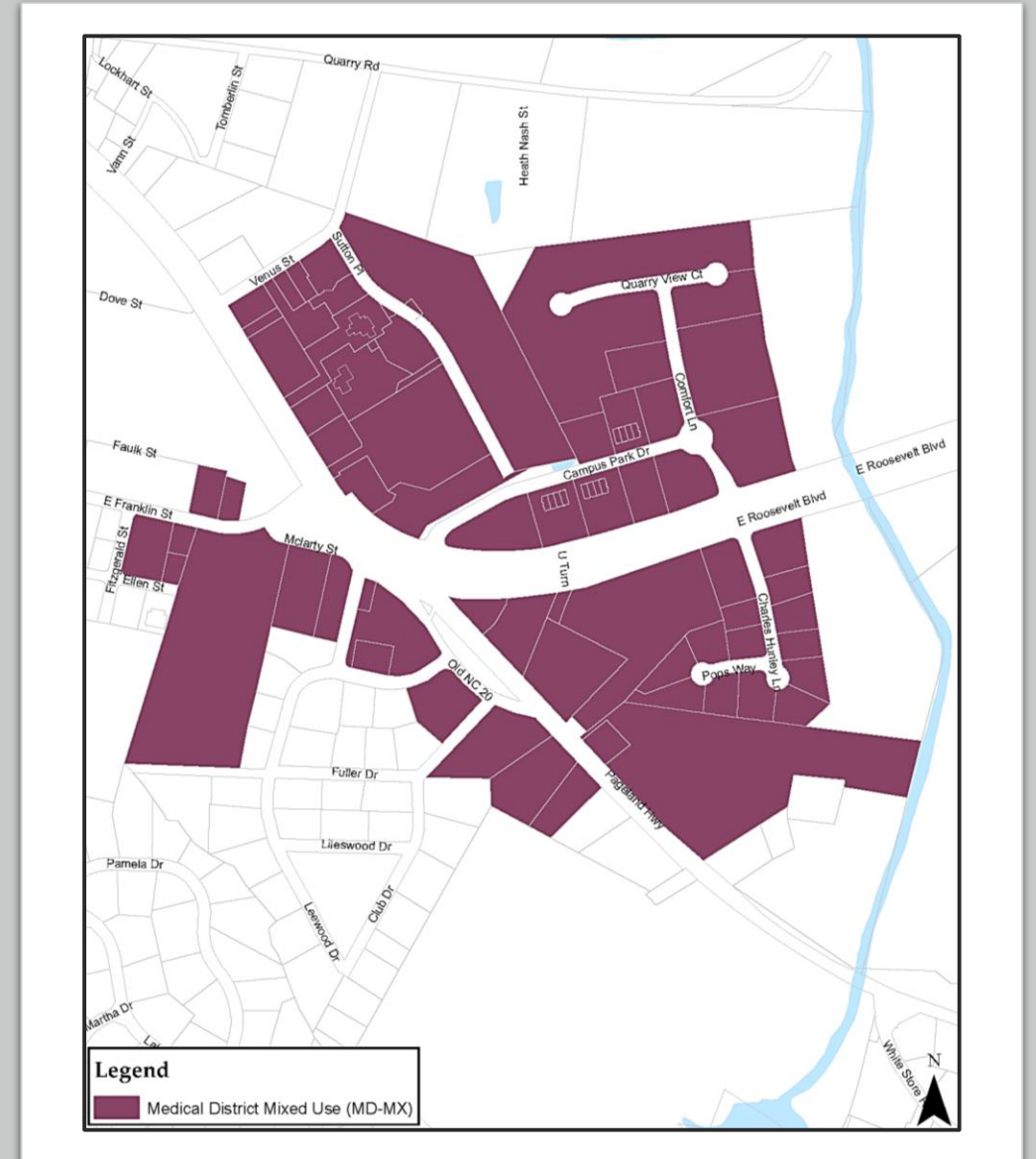
RC-MX District Development Standards		
Building Height		Maximum 5 stories Buildings above 3 stories shall be placed closer to Monroe Expressway where practicable and be placed 100' away from adjacent residential boundaries or provide twice the width of any standard landscape buffer requirement
Density		12 Units/Acre (By Right) 15 Units/Acre Maximum (See Section 5:10 for Incentives)
Building Placement (min/max)	Front/Street	15'/50'
	Side ¹	5'/25'
	Rear ²	10'/100'
Lot	Length (min)	100'
	Width (min)	25'
	Coverage (max)	75%
Frontage	% Requirement	65% Outparcel buildings may be used to meet frontage and entrance requirements. See Section 8.7: Design Standards
	Active Use Areas	Permitted, but active use area shall not be physically adjacent to residentially zoned property
	Entrances	Oriented to street
Parking	Placement	Off-street
	Shared Parking	Permitted (See Section 5.9)
	Parking Structures as an accessory	Permitted
Incentives Permitted		Yes (See Section 5.10)
Open Space		See Section 8.8: Open Space
Architectural Standards		See Section 8.7: Design Standards Minimum 40% transparency for each story of a building

Notes:

¹ 60' may be permitted to accommodate those lots without access to an alley or shared driveway in order to accommodate a driveway where rear serving parking or loading is provided or side yard parking/drive aisle

² Except where served by rear parking, not to exceed 128' without a design alternative.

Mixed-Use Zoning Districts (Medical District Mixed-Use)



Mixed-Use Zoning Districts (Medical District Mixed-Use)

- Medical District Mixed-Use (MD-MX)
 - Addresses the unique needs of a hospital
 - Allows for a mixture of uses, both vertical and horizontal, appropriate for a medical campus

MD-MX District Development Standards		
Building Height		Maximum 4 stories Buildings above 3 stories shall be placed 100' away from adjacent residential boundaries, or provide twice the width of any standard landscape buffer requirement
Density		8 Units/Acre (Residential Density Requires Conditional District) 10 Units/Acre (Special Use Permit and Incentives in Section 5:10)
Building Placement (min/max)	Front/Street ¹	0'/20'
	Side ²	0'/25'
	Rear ³	5'/50'
Lot	Length (min)	50
	Width (min)	50
	Coverage (min/max)	75%/85%
Frontage	% Requirement	85%
	Active Use Areas	Permitted
	Entrances	Oriented to Street
Parking	Placement	Off-street
	Shared Parking	Permitted (See Section 5.9)
	Accessory Parking Structure	Permitted
Incentives Permitted		Yes (See Section 5.10)
Open Space		See Section 8.8: Open Space
Architectural Standards		See Section 8.7: Design Standards
Notes:		
¹ Can be increased by a factor of 1.5 where an active use area is provided.		
² 60' may be permitted to accommodate those lots without access to an alley or shared driveway in order to accommodate a driveway where rear serving parking or loading is provided.		
³ Except where served by rear parking, not to exceed 120' without a design alternative.		



Section 6

Overlays

Section 6 – Overlays

6.1 – Floodplain and Floodway Districts

6.2 – Watershed Districts

6.3 – Neighborhood Overlay Districts

6.4 – Historic Districts

6.5 – Airport Overlay

Establishes Overlays in the City:

- Floodplain and Floodway Districts
- Watershed Districts
- Neighborhood Overlay Districts
- Historic Districts
- Airport Overlay

Unique standards for different development types



Section 7

Uses and Standards

Section 7 – Uses and Standards

7.1 – Tables of Permissible Uses (Traditional and Mixed-Use)

7.2 – Permissible Use Definitions and Standards

7.3 – Temporary Uses

7.4 – Home Occupation

7.5 – Accessory Uses and Accessory Structures

Section 7 – Uses and Standards

- Defines and classifies uses permissible or prohibited by the UDO
- Example Table of Permissible Uses

TABLE 7.1. - TABLE OF PERMISSIBLE USES																		
“P” = Permitted, “S” = Special Use Permit Required, “ ” (Blank Cell) = Prohibited																		
	Traditional Districts											Mixed-Use Districts						
Use Type	RR	RLD	RMD	RHD	OM	NB	GB	GI	HI	PUD	PCD	DC-MX	DG-MX	CC-MX1	CC-MX2	RC-MX	MD-MX	REFERENCE
Residential Uses																		
Single Family Detached	P	P	P	x	P	x	x	x	x	P	x	x	x	x	x	x	x	7.2.4.A
Townhouse/Attached Single Family	x	x	P	P	S	x	x	x	x	P	x	x	P	P	P	x	S	7.2.4.B
Duplex/Triplex/Quadplex	x	x	S	P	S	X	x	x	x	P	x	x	P	x	x	x	x	7.2.4.C
Multifamily	x	x	x	P	x	x	P	x	x	P	P	P	P	P	P	P	S	7.2.4.D
Upperstory Residential	x	X	x	S	x	x	x	x	x	P	x	P	P	P	P	P	P	7.2.4.E
Manufactured Home	x	S	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	7.2.4.F
Residential Care (ALF, ILF, CC)	x	x	x	P	P	P	P	x	x	P	P	x	x	P	P	x	P	7.2.4.G
Family Care Home	P	P	P	S	P	x	x	x	x	x	x	x	x	x	x	x	x	7.2.4.H
Board House/Rooming House	x	x	x	x	S	x	x	x	x	P	x	x	x	x	x	x	x	7.2.4.I



Section 8

Supplemental Regulations

Section 8 – Supplementary Regulations

- 8.1 – Subdivision Regulations
- 8.2 – Signs
- 8.3 – Landscaping, Buffering, Fences and Walls
- 8.4 – Parking and Loading
- 8.5 – Electronic Gaming Operations
- 8.6 – Adult Establishments
- 8.7 – Design Standards
- 8.8 – Open Space Standards
- 8.9 – Lighting
- 8.10 – Standards of Measurement



Section 8.1 – Subdivision Regulations

- Promotes functional, safe and aesthetically pleasing subdivision and development of property
- Establishes on standards for platting and developing subdivisions, including but not limited to:
 - Block design standards
 - Lot standards
 - Access standards
 - Connectivity standards
 - Utility standards
 - Conservation standards

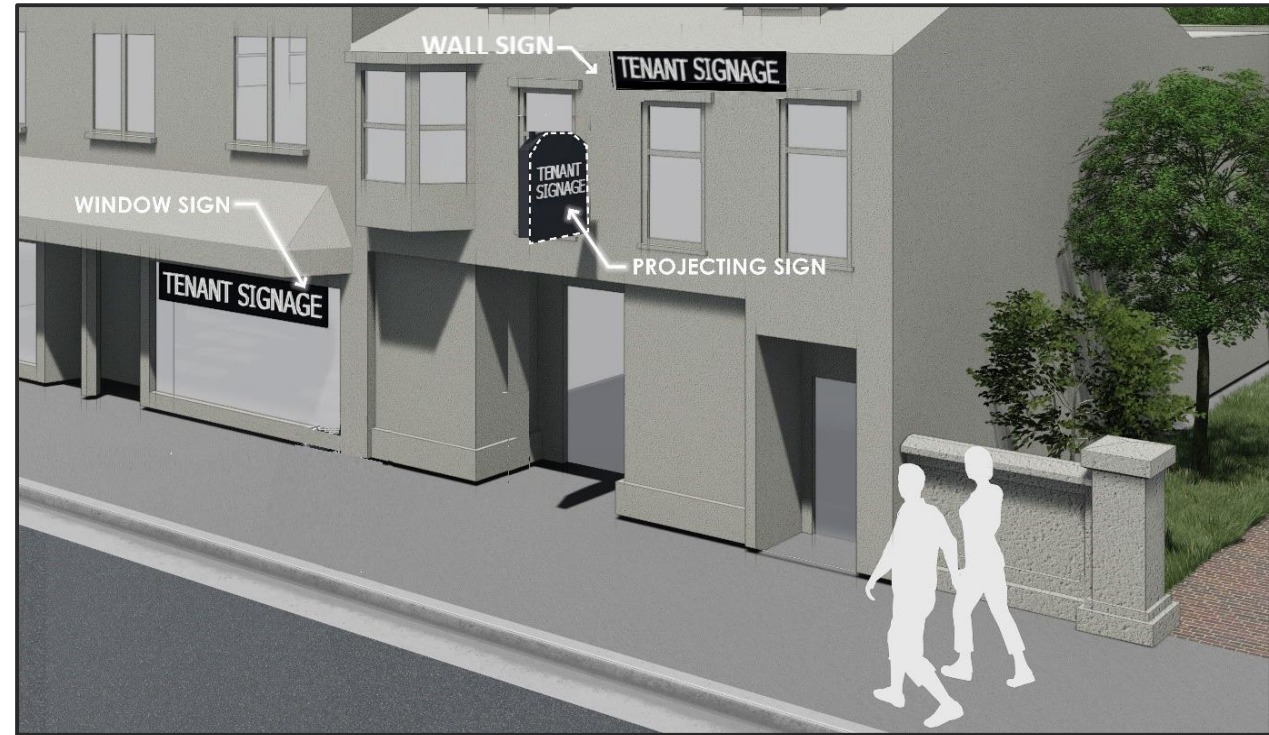
Section 8.2 - Signs

PERMITTED SIGN TYPES IN TRADITIONAL DISTRICTS	RESIDENTIAL				BUSINESS			INDUSTRIAL		PLANNED	
	RR	RLD	RMD	RHD	OM	NB	GB	GI	HI	PUD	PCD
BUILDING SIGNS											
Wall Signs	X	X	X	X	P	P	P	P	P	P	P
Window	X	X	X	X	P	P	P	X	X	P	P
Canopy/Awning	X	X	X	X	X	P	P	X	X	P	P
Projecting/Blade	X	X	X	X	X	P	P	X	X	P	P
FREE-STANDING SIGNS											
Monument/Community	X	X	X	X	P	P	P	P	P	P	P
Sidewalk	X	X	X	X	X	P	P	X	X	P	P
KEY: P = Permitted X = Not Permitted											

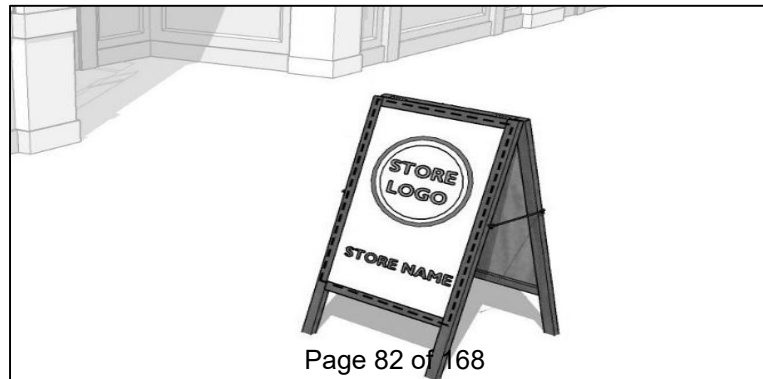
PERMITTED SIGN TYPES IN MIXED-USE DISTRICTS	MIXED-USE DISTRICTS				
	DC-MX	DG-MX	CC-MX	RC-MX	MD-MX
BUILDING SIGNS					
Wall Signs	P	P	P	P	P
Window	P	P	P	P	P
Canopy/Awning	P	P	P	P	P
Projecting/Blade	P	P	P	P	P
FREE-STANDING SIGNS					
Monument/Community	X	P	P	P	P
Sidewalk	P	P	P	P	P
KEY: P = Permitted X = Not Permitted					

Section 8.2 - Signs

- Updated signage code promoting consistent sizes and placements of signs
- Easy to read and understand with graphics
- Remove extra regulations and condense

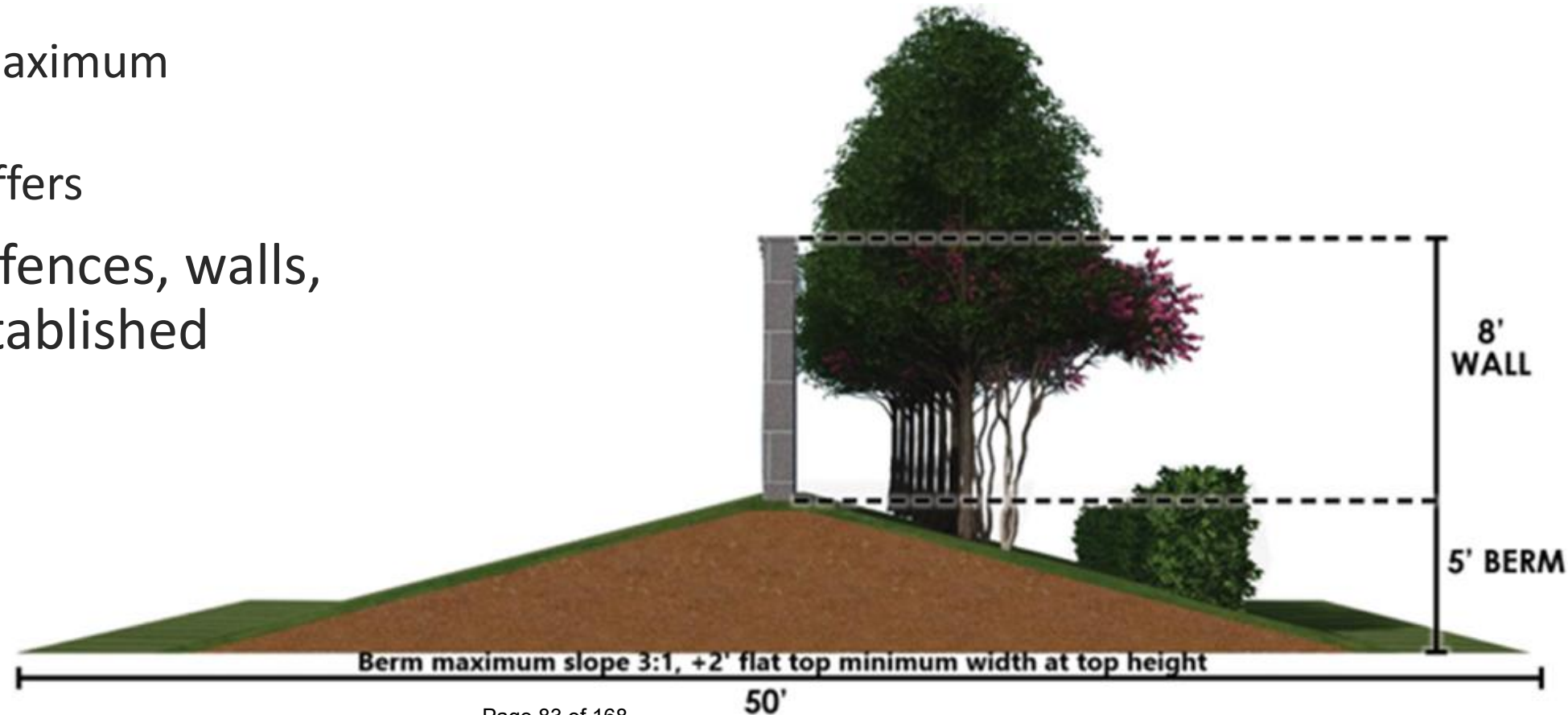


Section 8.2 - Signs



Section 8.3 – Landscaping, Buffering, Fences and Walls

- Landscaping standards established:
 - Minimum/maximum percentages
 - Required buffers
- Standards for fences, walls, and berms established



Section 8.3 – Landscaping, Buffering, Fences and Walls

PERIMETER BUFFER TYPES TABLE			
TYPE	OPTION 1	OPTION 2	OPTION 3
1	7.5' Width 2 Trees 30 Shrubs Per 100 LF	7.5' Width 3 Trees 20 Shrubs Per 100 LF	7.5 Width 4 Trees 10 Shrubs Per 100 LF
2	10' Width 3 Trees 40 Shrubs Per 100 LF 6' Fence	10' Width 4 Trees 30 Shrubs Per 100 LF 6' Fence	10' Width 5 Trees 15 Shrubs Per 100 LF 6' Fence
3	15' Width 3 Trees Per 100 LF 1 Understory Trees Per 100 LF 50 Shrubs Per 100 LF 6' Fence	15' Width 4 Trees Per 100 LF 2 Understory Trees Per 100 LF 30 Shrubs Per 100 LF 6' Fence	15' Width 4 Trees Per 100 LF 3 Understory Trees Per 100 LF 20 Shrubs Per 100 LF 6' Fence
4	25' Width 4 Trees Per 100 LF 2 Understory Trees Per 100 LF 60 Shrubs Per 100 LF 6' Wall	25' Width 5 Trees Per 100 LF 3 Understory Trees Per 100 LF 40 Shrubs Per 100 LF 6' Wall	25' Width 5 Trees Per 100 LF 4 Understory Trees Per 100 LF 25 Shrubs Per 100 LF 6' Wall
5	50' Width, 8 Trees Per 100 LF, 4 Understory Trees Per 100 LF, Continuous Hedge, 8' Wall, 5' High Berm		

Additional Standards:

Required plant material may not be clustered to achieve requirements. A maximum allowable 10' gap may be permitted.

Minimum shrubs may be double staggered.

Required trees may be on both sides of a fence/wall as long as a minimum one half of required trees are in front.

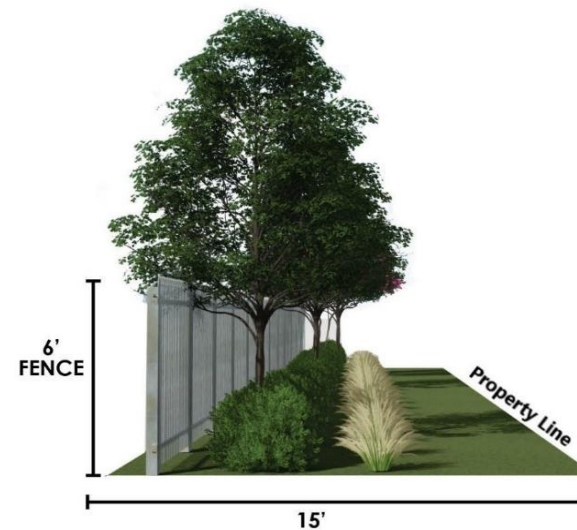
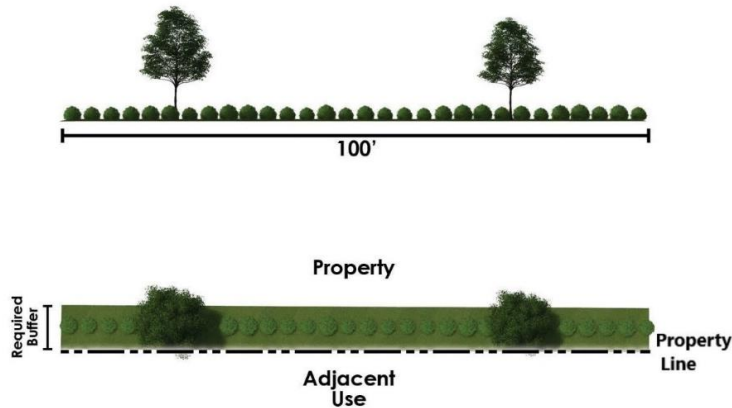
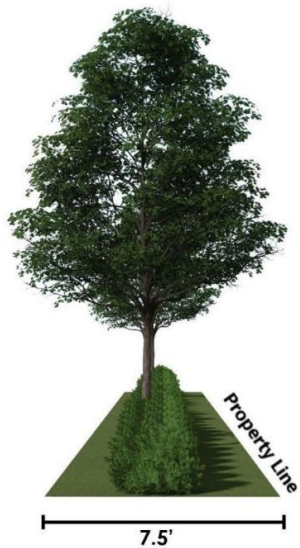
If perimeter buffer types are more intense than a required parking area buffer, the perimeter buffer will take precedent.

Section 8.3 – Landscaping, Buffering, Fences and Walls

- 5 buffer types ranging in width and intensity

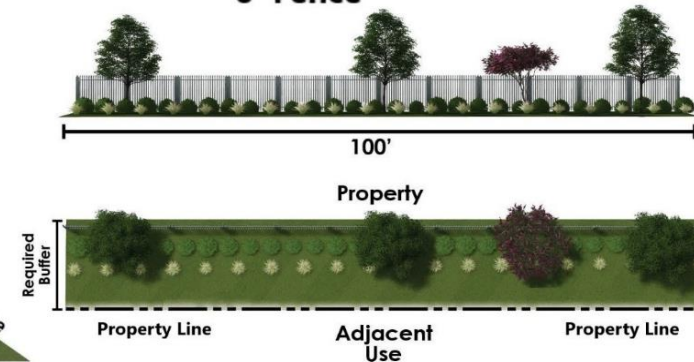
Buffer Type 1

- 7.5' Width
- 2 Trees Per 100 LF
- 30 Shrubs Per 100 LF



Buffer Type 3

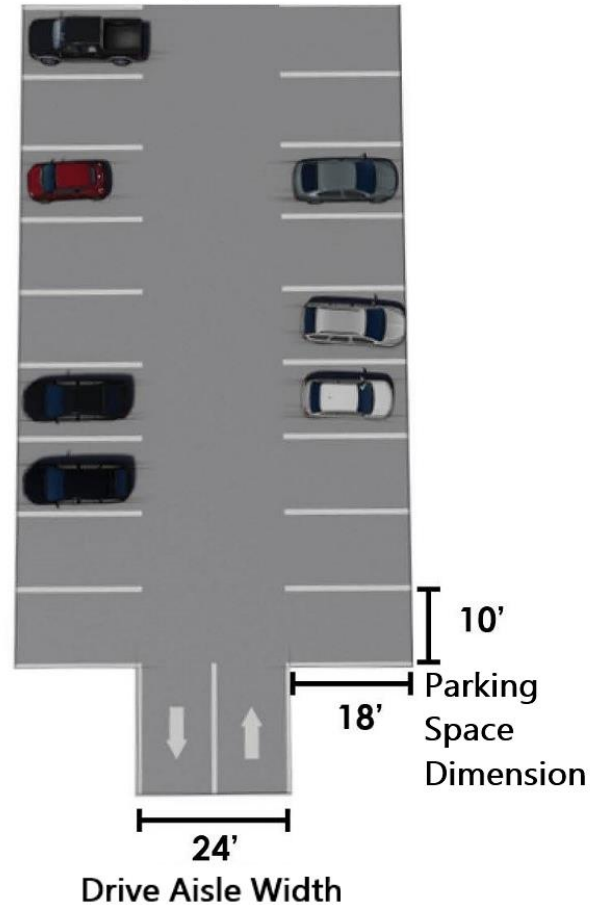
- 15' Width
- 3 Trees Per 100 LF
- 1 Understory Tree Per 100 LF
- 50 Shrubs Per 100 LF
- 6' Fence



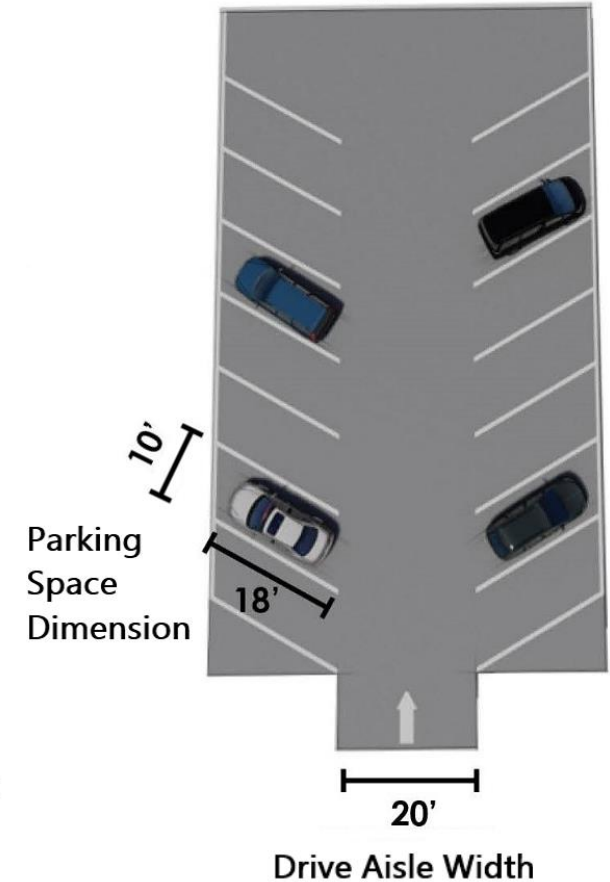
8.4 – Parking and Loading

- Establishes parking standards and requirements
- Minimum and maximum parking (range) to prevent excess parking but provided what is needed
- Parking area design
- Allow for shared parking and alternative parking plans (APP)

90 Degrees - Head-In Parking
Two-Way Drive Aisle



30 Degrees Parking
One-Way Drive Aisle



8.4 – Parking and Loading

(sample from UDO)

Table 8.4.1. Parking Requirements		
Land Use - Category/Specific Use	Minimum Required	Maximum Allowed
Residential Use Classification		
Residential, As Listed Below:	See Below	
<i>Single Family Detached</i>	2.0/Dwelling Unit	No Maximum
<i>Townhouse/Attached Single Family</i>	2.0/Dwelling Unit	No Maximum
<i>Duplex/Triplex/Quadplex</i>	1.5/Dwelling Unit	2.5/Dwelling Unit
<i>Multifamily</i>	1.5/Dwelling Unit	2.5/Dwelling Unit
<i>Upperstory Residential</i>	1.5/Dwelling Unit	2.5/Dwelling Unit
<i>Manufactured Home Park</i>	1.5/Dwelling Unit	2.5/Dwelling Unit
Residential Care (ALF, ILF, CC)	0.5/Bed	1.0/Bed
Family Care Home	2.0/Dwelling Unit	4.0/Dwelling Unit
Board House/Rooming House	2.0/Dwelling Unit	4.0/Dwelling Unit
Student Housing	1.5/Dwelling Unit	2.5/Dwelling Unit
Group Home – 24 Hour Service, Less Than 6 Persons	2.0/Dwelling Unit	4.0/Dwelling Unit
Group Home – 24 Hour Service, 6 Persons Or More	2.0/Dwelling Unit	4.0/Dwelling Unit

Section 8.7 – Design Standards

- Provide minimum requirements for the design and configuration of single family (optional), multifamily, nonresidential, industrial buildings, and developments.
- Standards include, but are not limited to:
 - Required Design Elements
 - Building Orientation and Placement
 - Façade Requirements
 - Transparency
 - Accessory Structures

Section 8.7 – Design Standards



Section 8.7 – Design Standards



A-D	Required Facade Design Elements
A	Vertical Mass
B	Roof Lines
C	Horizontal Mass
D	Wall Offsets

Section 8.8 – Open Space Standards

- Defines open space standards at varying scales
- Active and Passive features required

Active Features	Passive Features
Lawn Games and Concrete Gaming Tables	Walking Trails
Hard Courts (Pickleball, Tennis, Etc.)	Boardwalks
Playgrounds	Gardens
Swimming Pools and Splash Pads	Greens
Athletic Fields (Soccer, Baseball, Etc.)	Picnic Areas
Clubhouse, Pavilions, Amenity Centers	Lakes and Ponds
Exercise Facilities	Benches and Seating Areas
Plazas	Lawns and Natural Areas
	Greenways





Section 10

Nonconformities

Section 10 - Nonconformities

10.1 – General Applicability

10.2 – Nonconforming Lots

10.3 – Nonconforming Uses

10.4 – Nonconforming
Structures

Allow and regulate the continued
existence of nonconformities

Nonconforming structures, uses, and
lots (including parking)

Section 11

– Definition of Terms

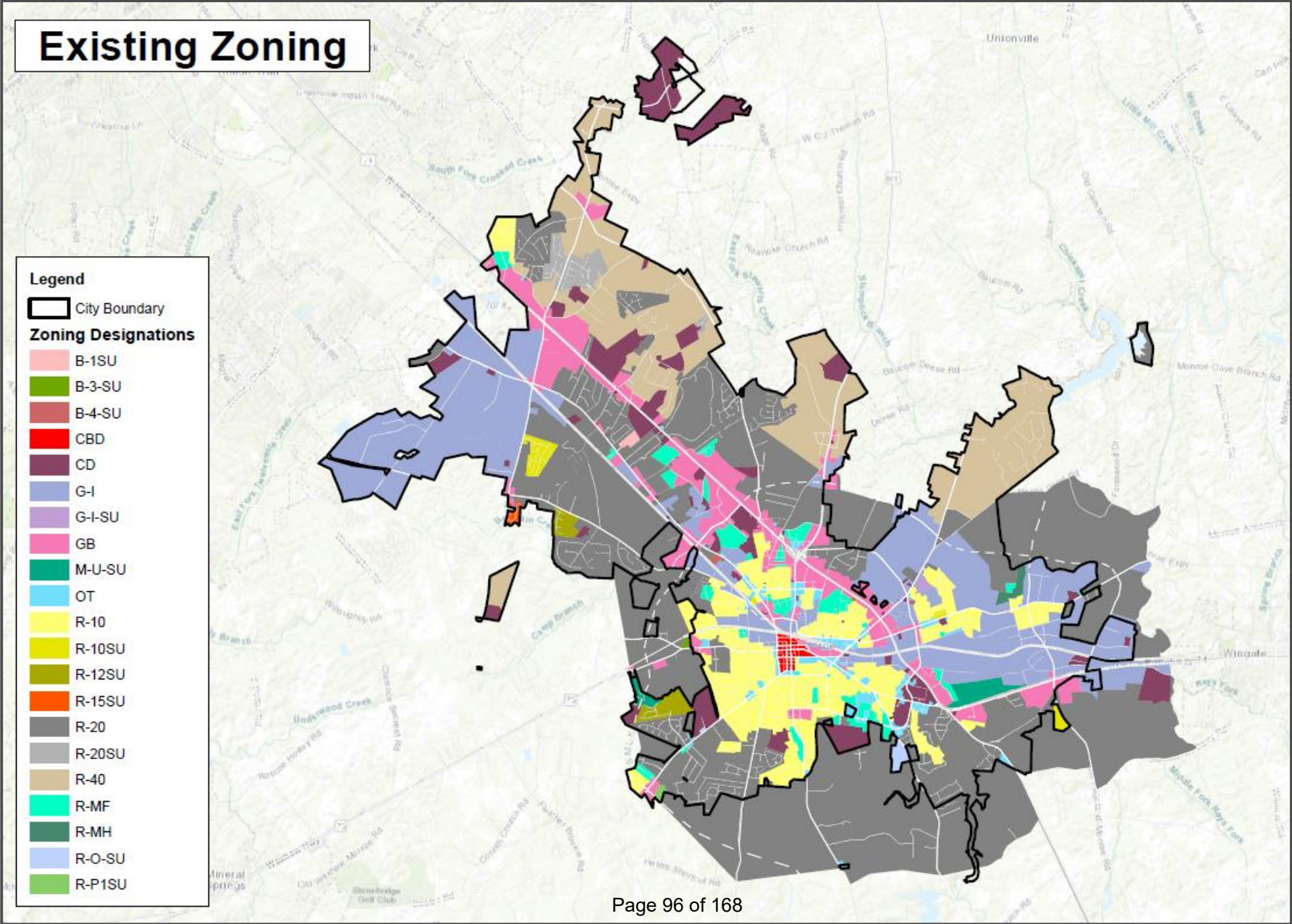
- General definitions used in the UDO
- Examples:
 - **ACCESS.** The right or ability of pedestrians and vehicles to enter and leave a lot or development.
 - **CANOPY.** A permanent structure attached to a building for the purpose of providing shelter or shade or as a decorative feature. A canopy is not completely enclosed.
 - **PARAPET.** A false front or wall extension above the roofline of a building.



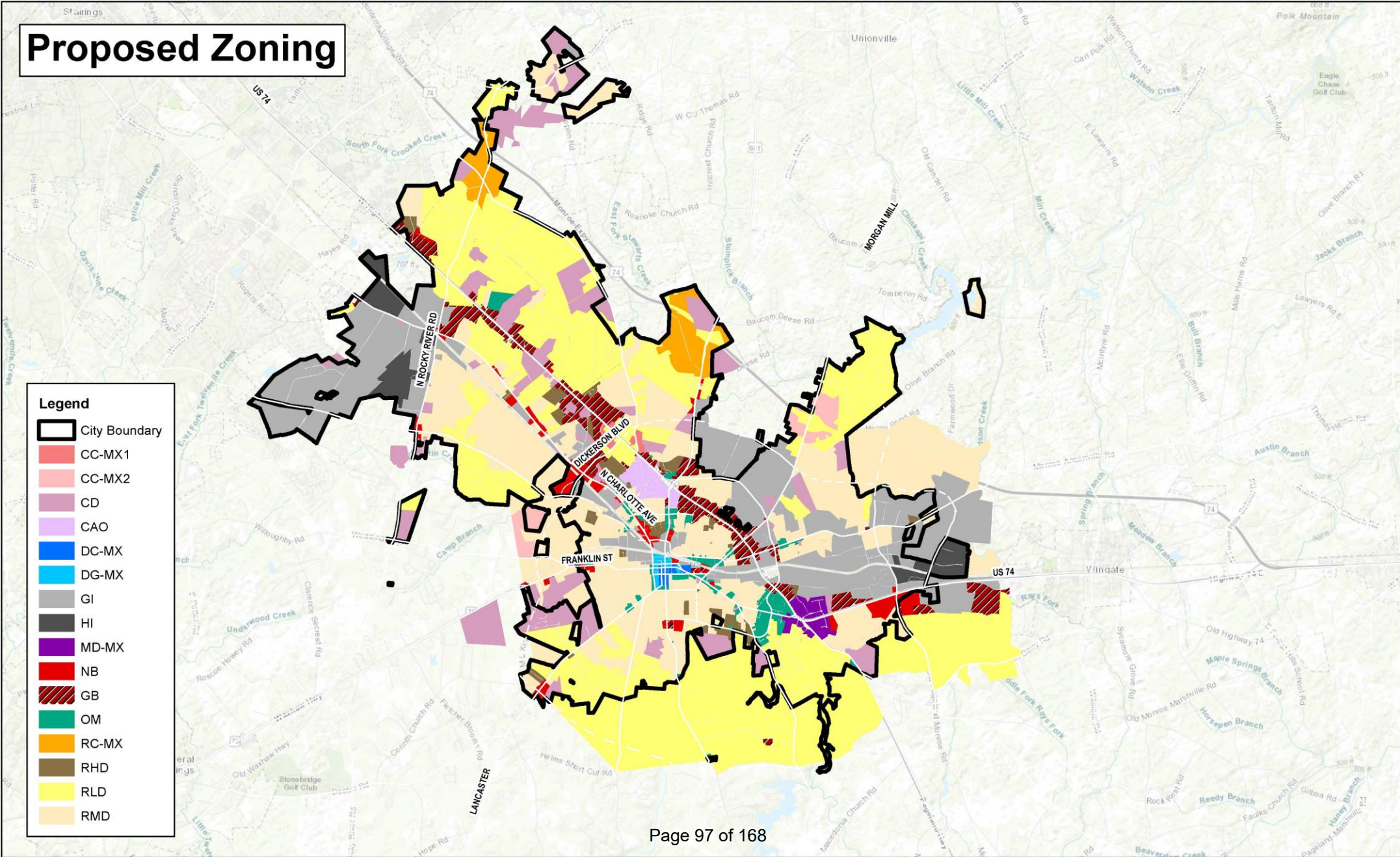
Proposed Zoning Map

Zoning District Changes

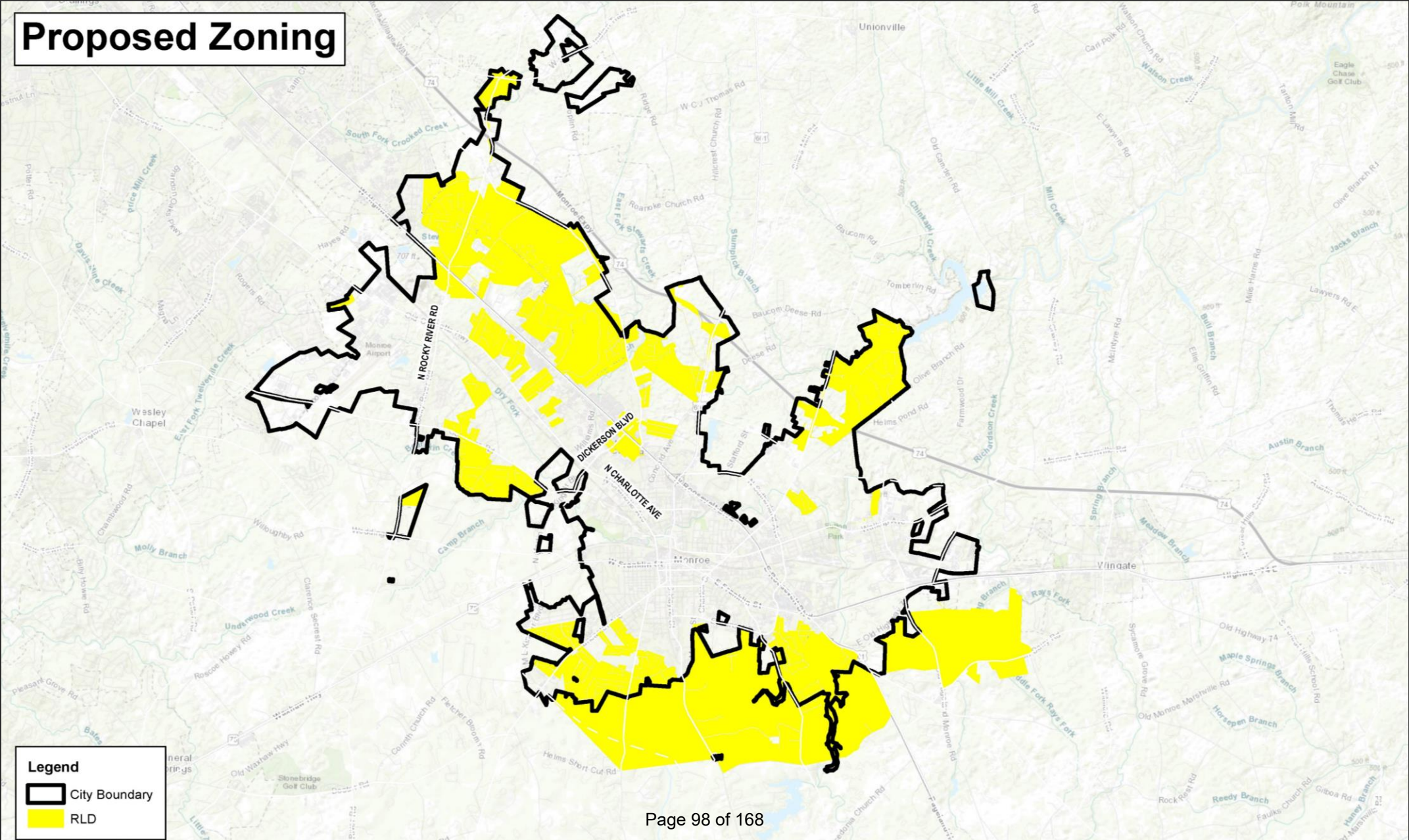
Existing Zoning Map



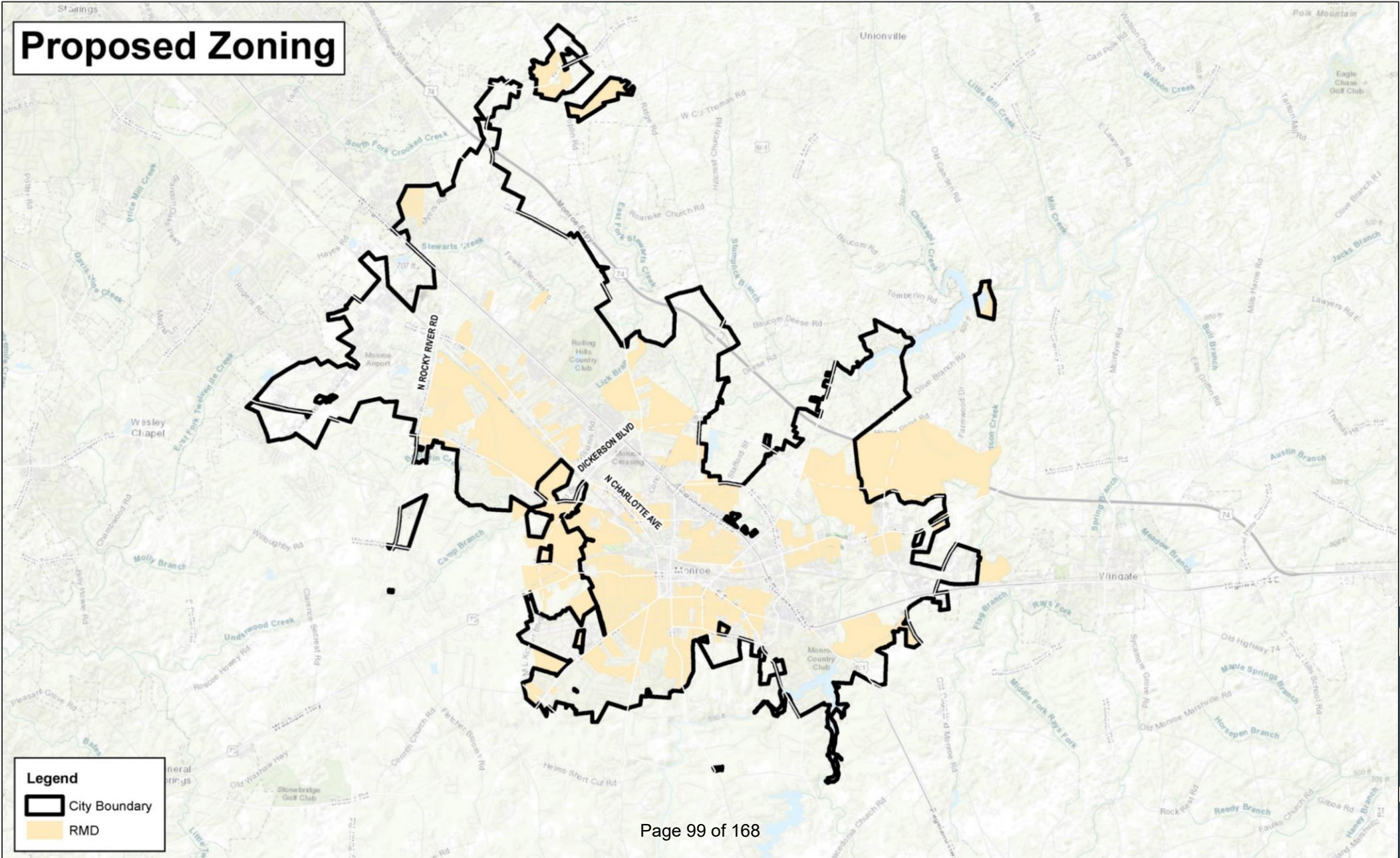
Proposed Zoning Map



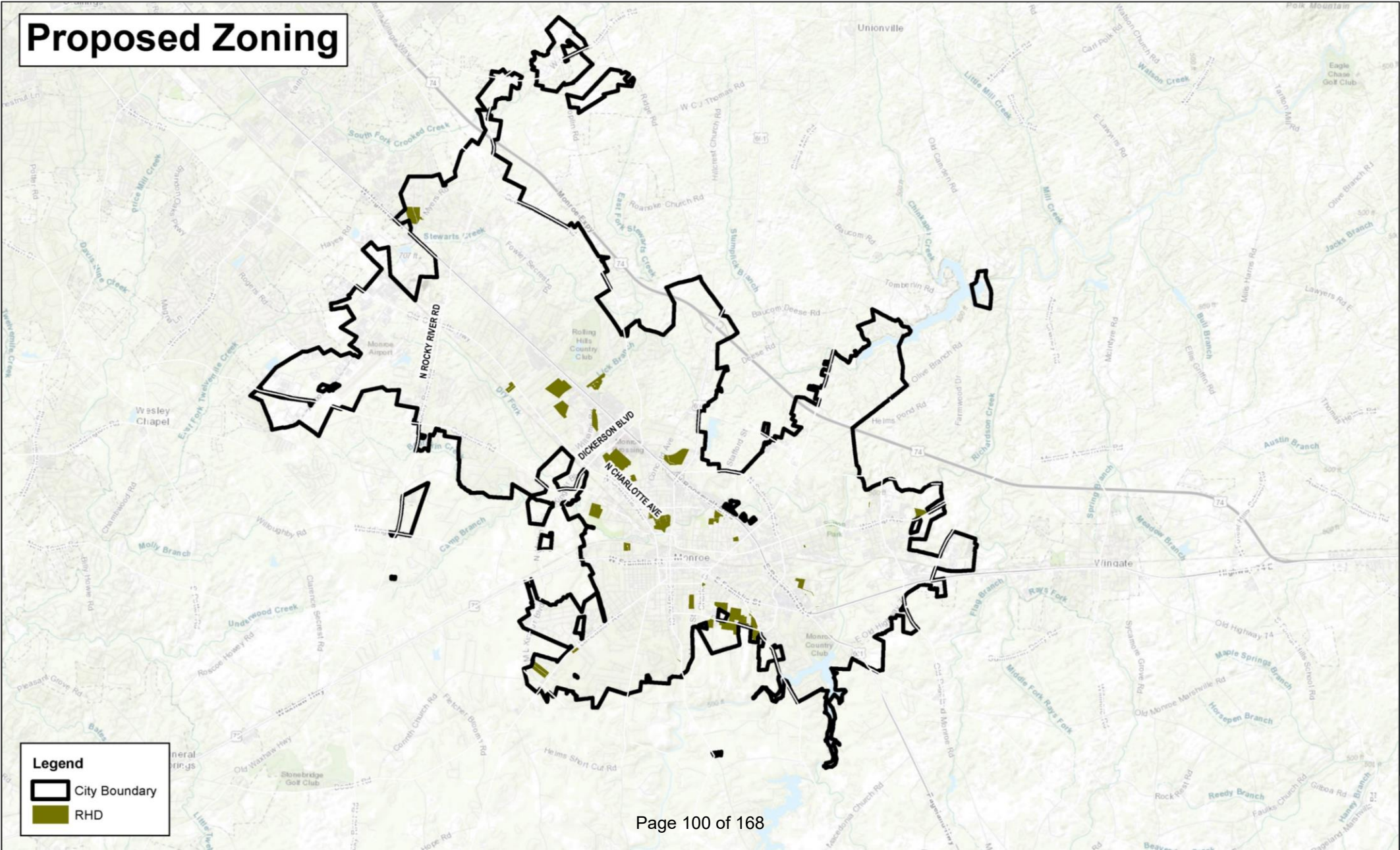
RLD (Residential Low Density) Map



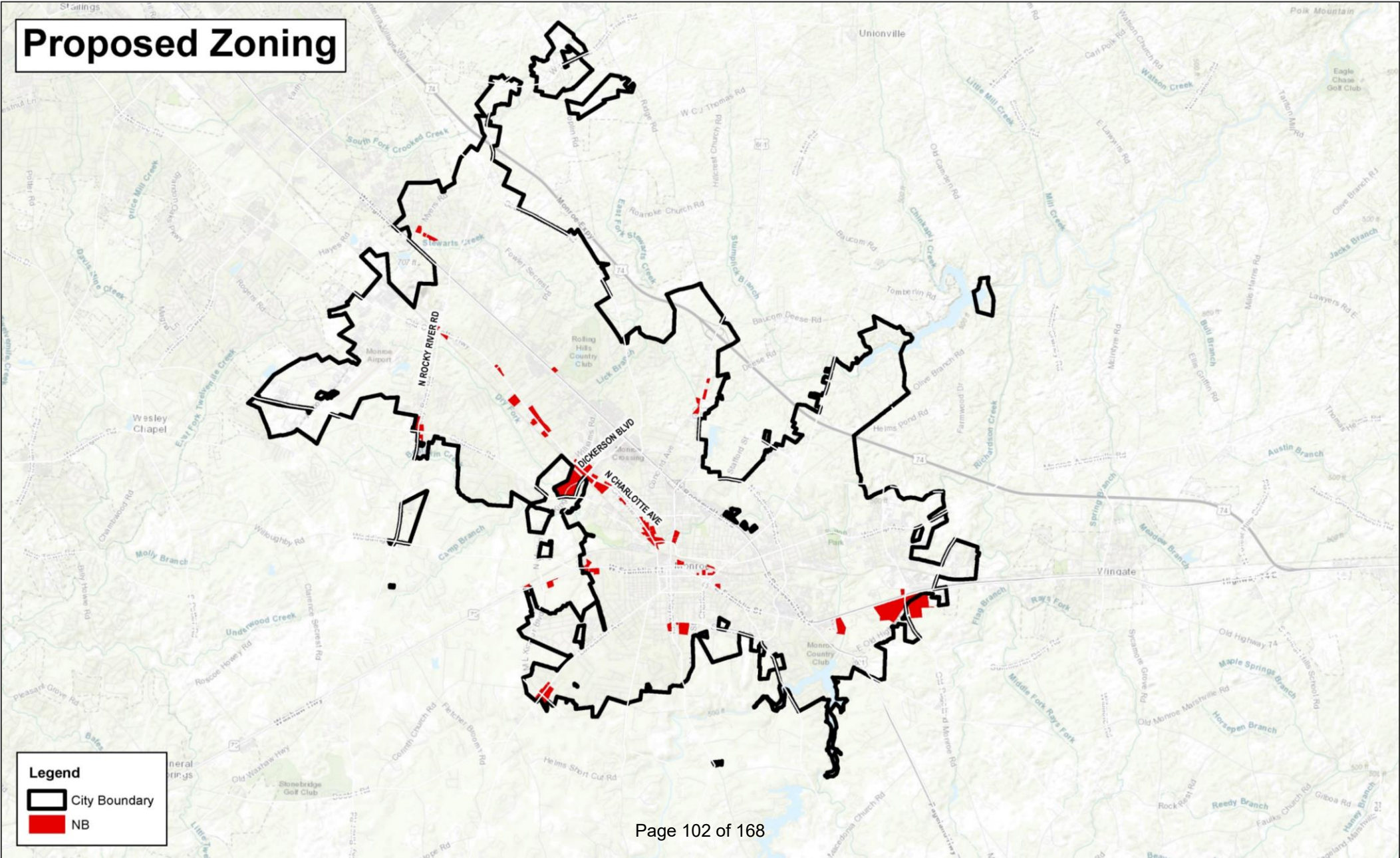
RMD (Residential Medium Density) Map



RHD (Residential High Density) Map

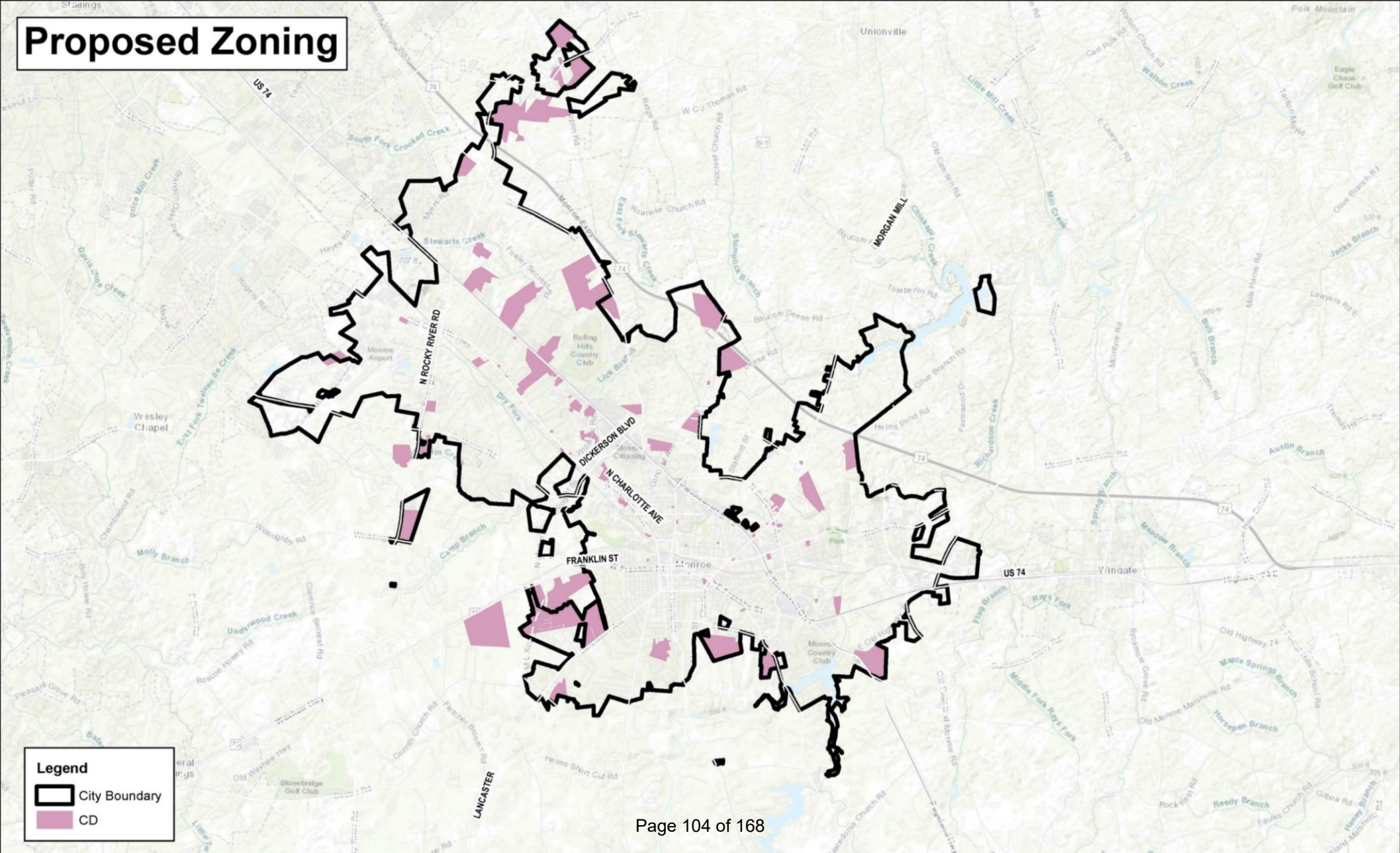


NB (Neighborhood Business) Map

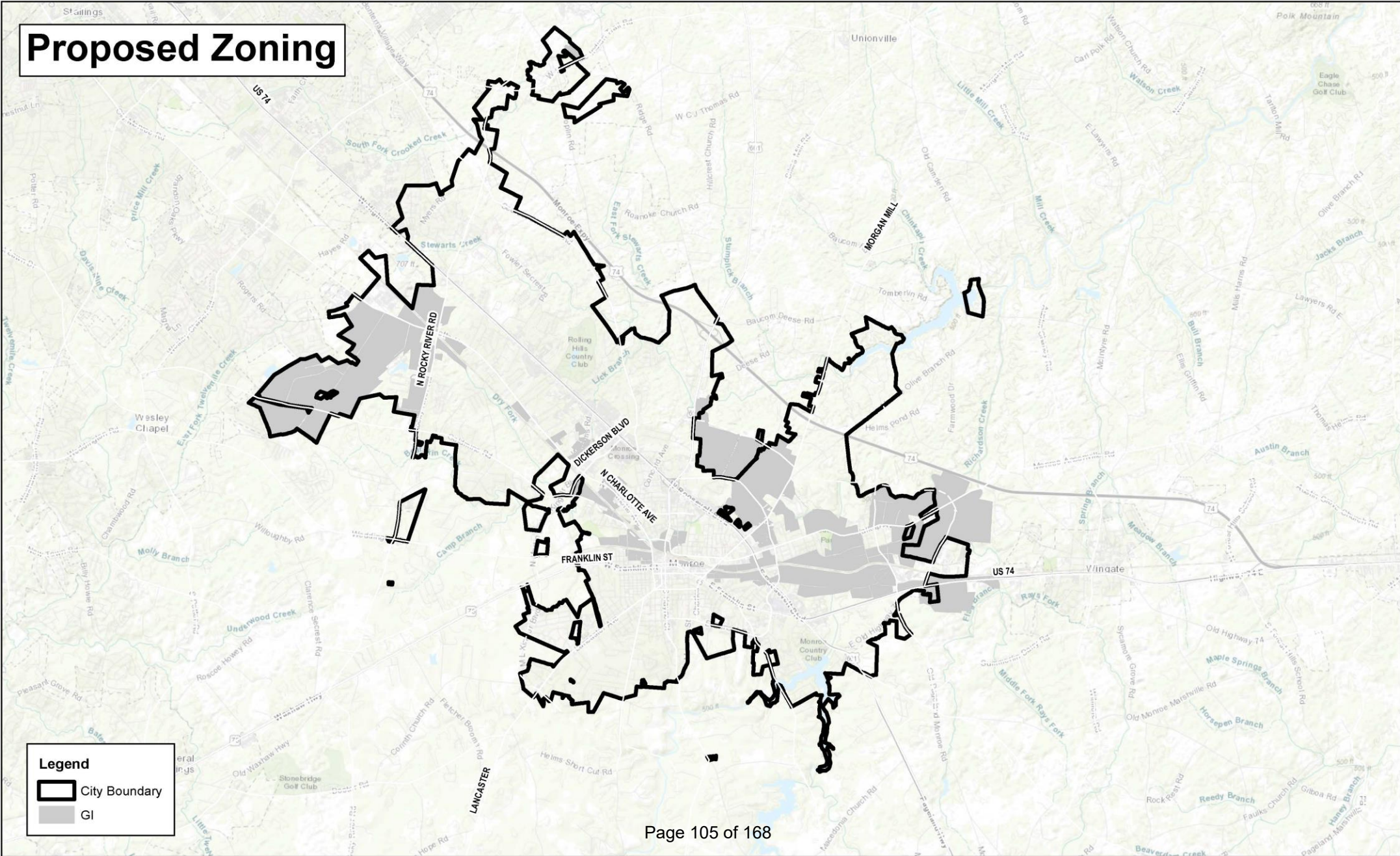




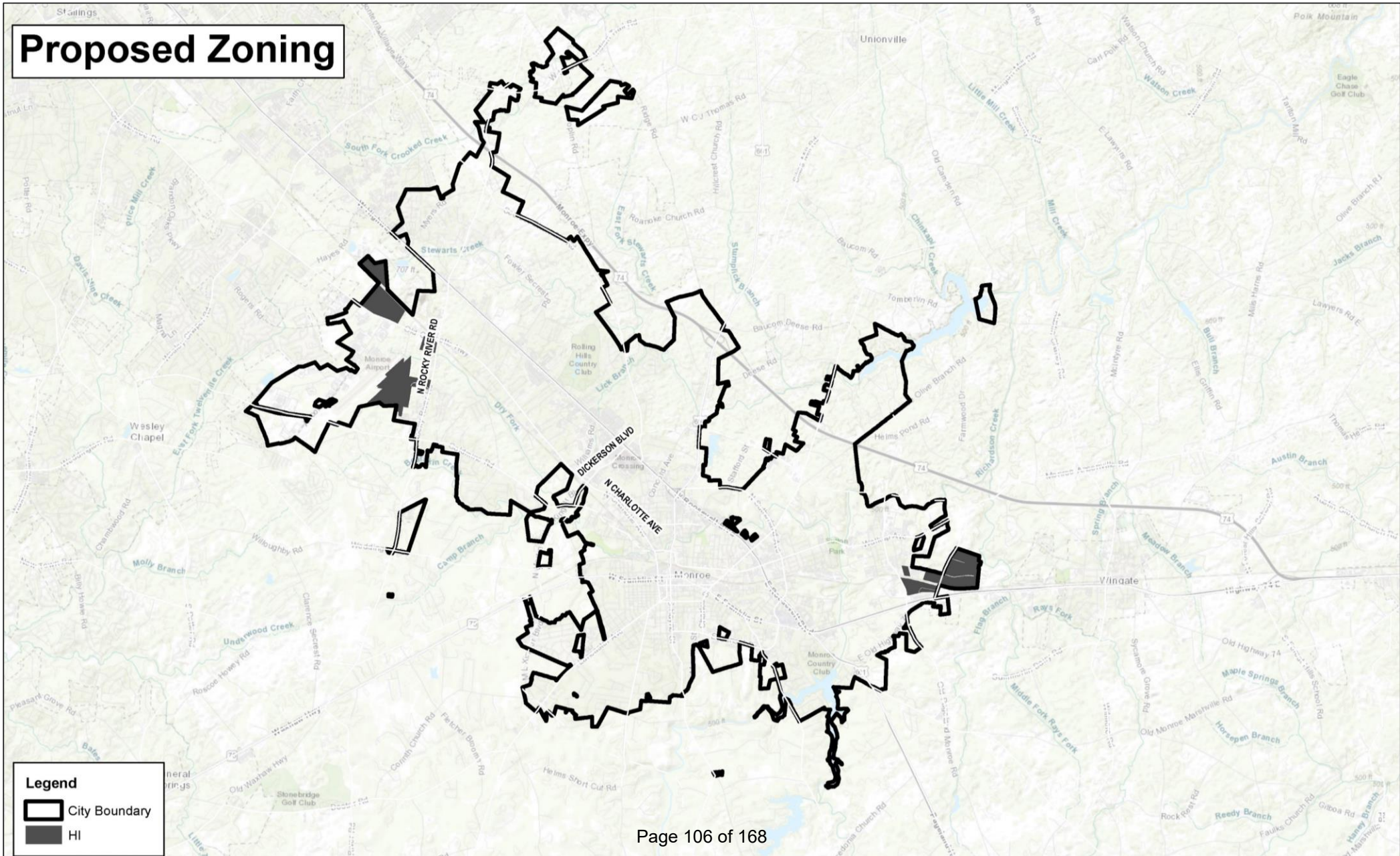
CD () Map



New GI (General Industrial) Map

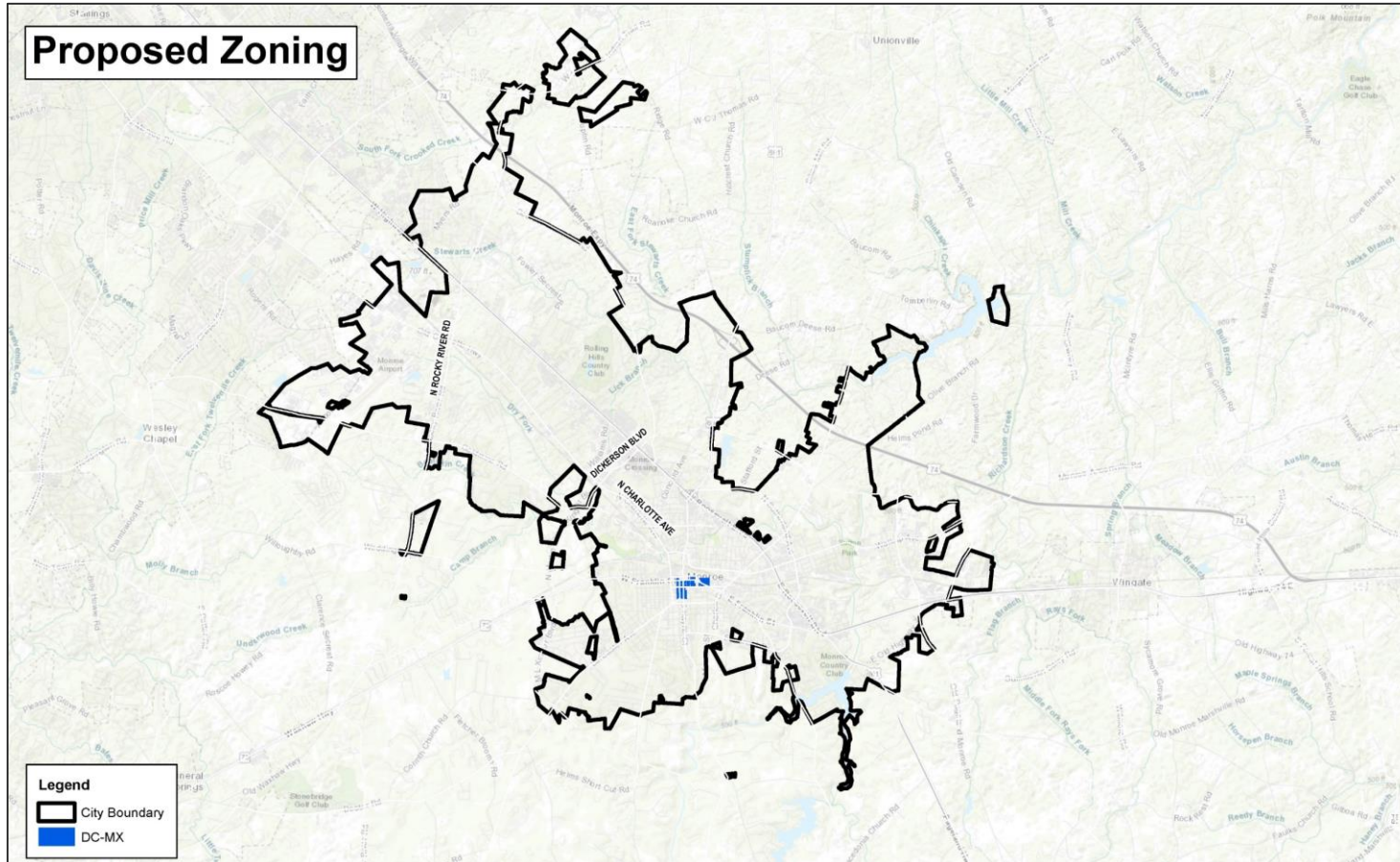


HI (Heavy Industrial) Map

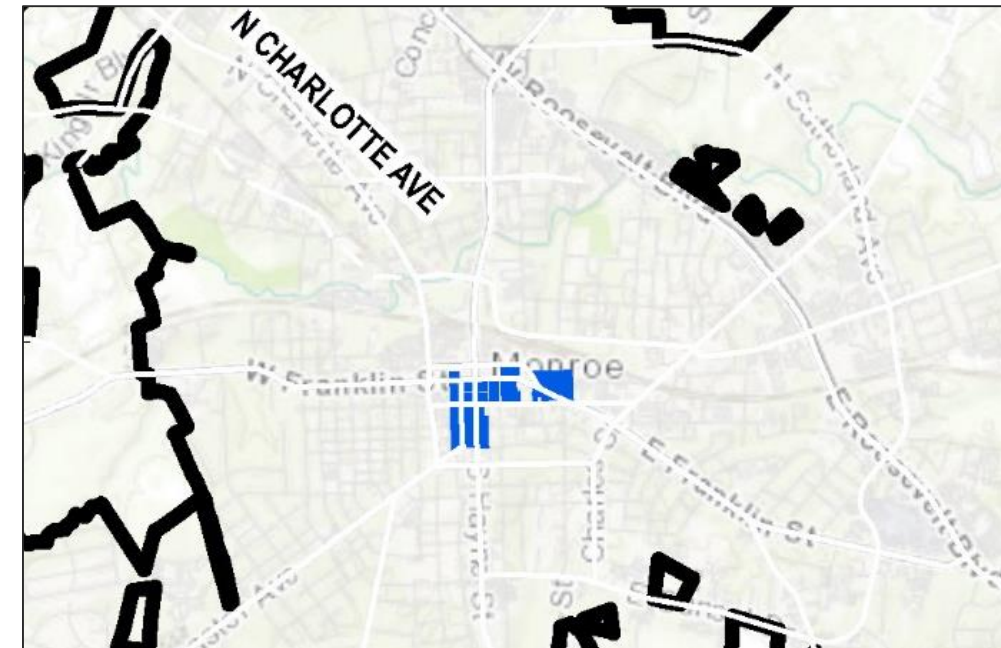


DC-MX (Downtown Central Mixed-Use)

Overview

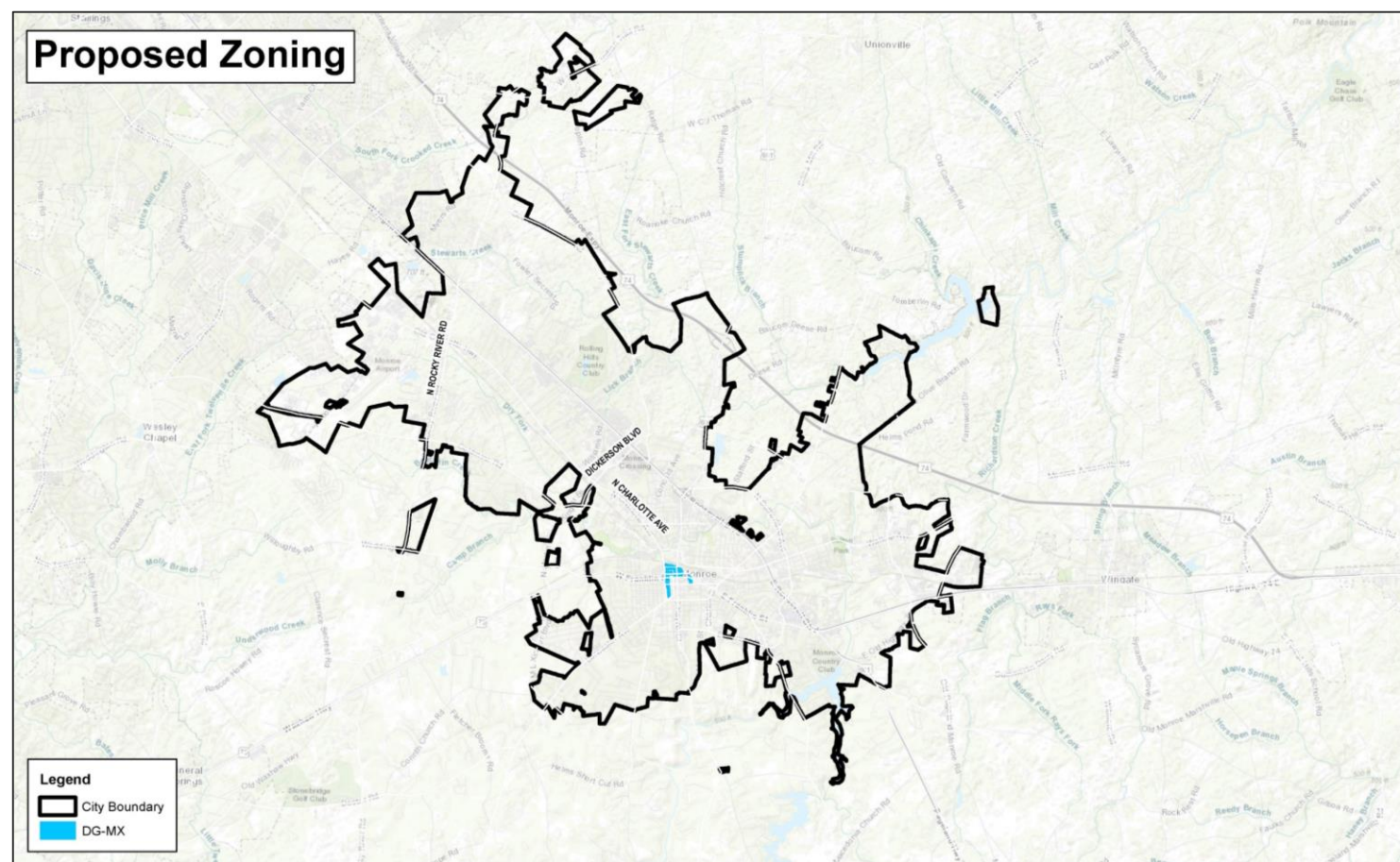


Zoomed In View



DG-MX (Downtown Gateway Mixed-Use)

Overview

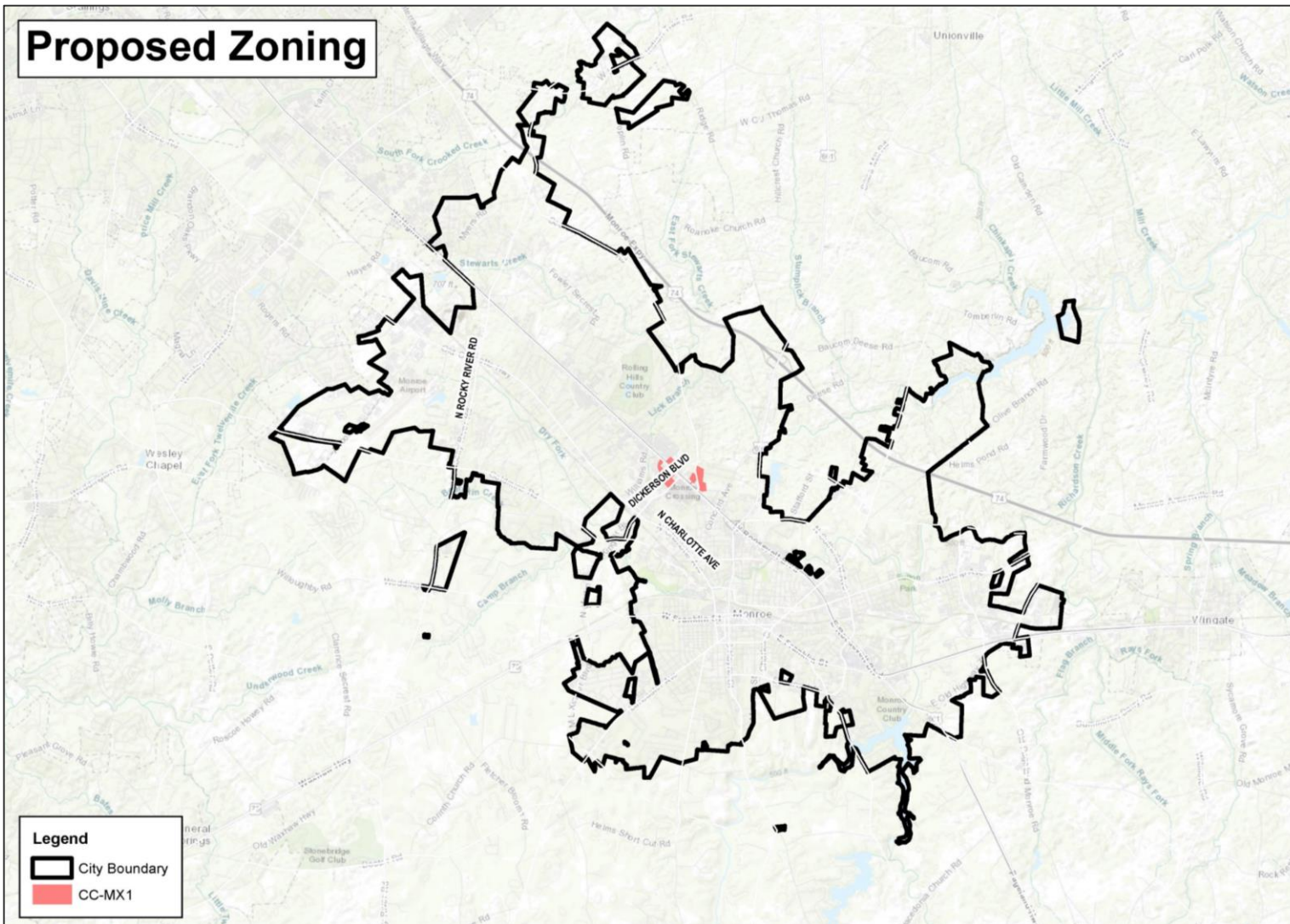


Zoomed In View

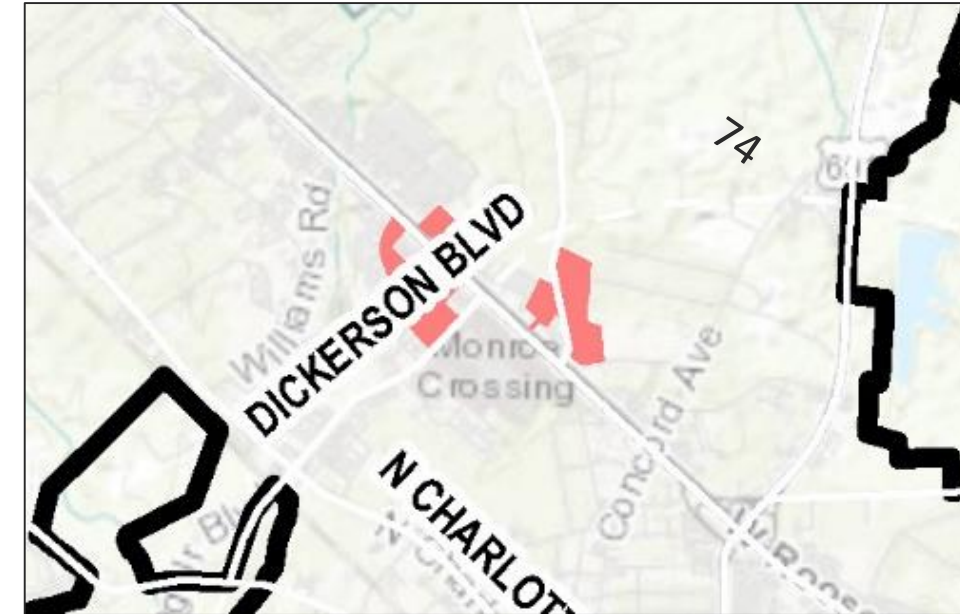


CC-MX1 (Community Corridor Mixed-Use 1)

Overview

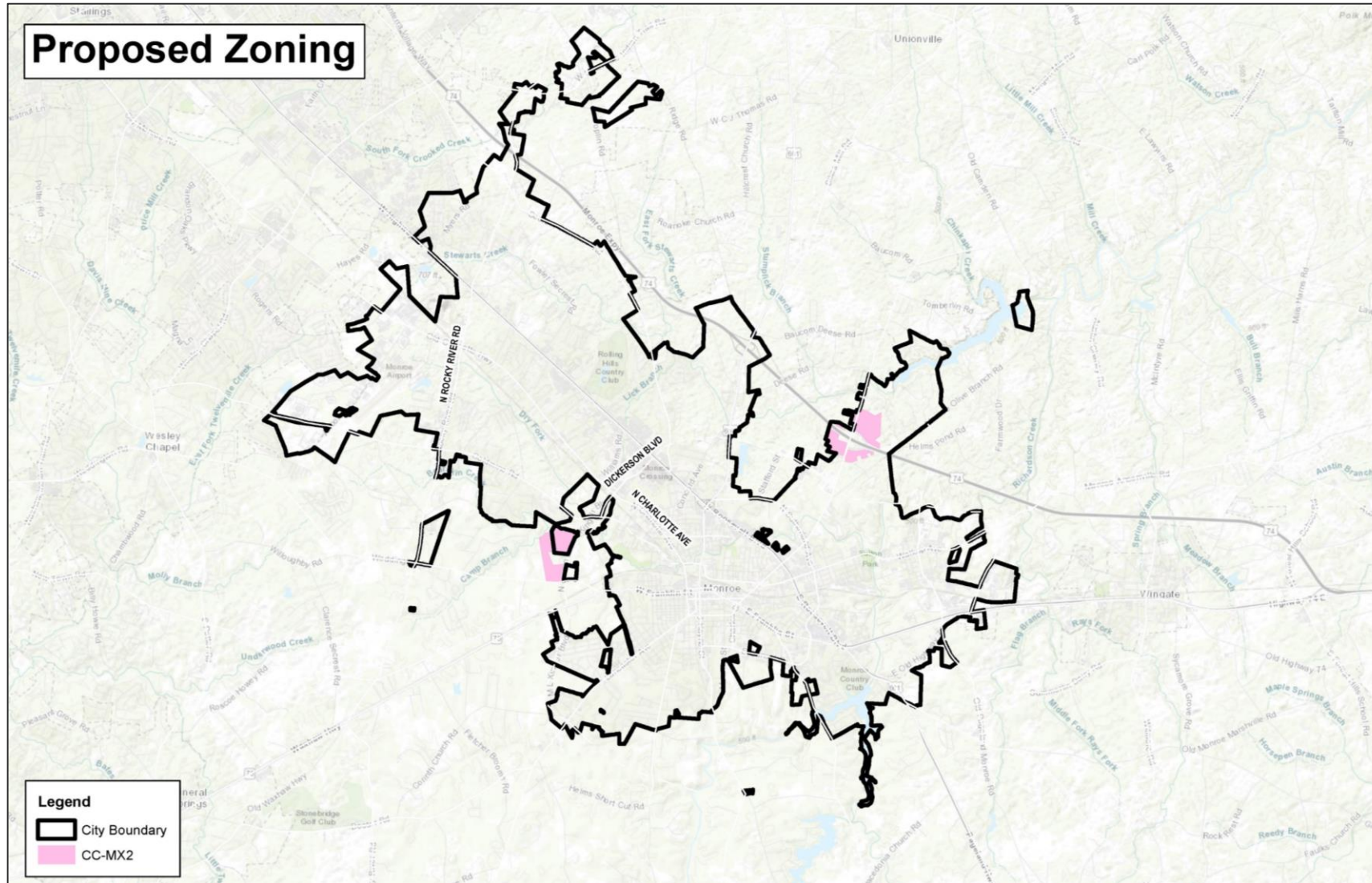


Zoomed In View

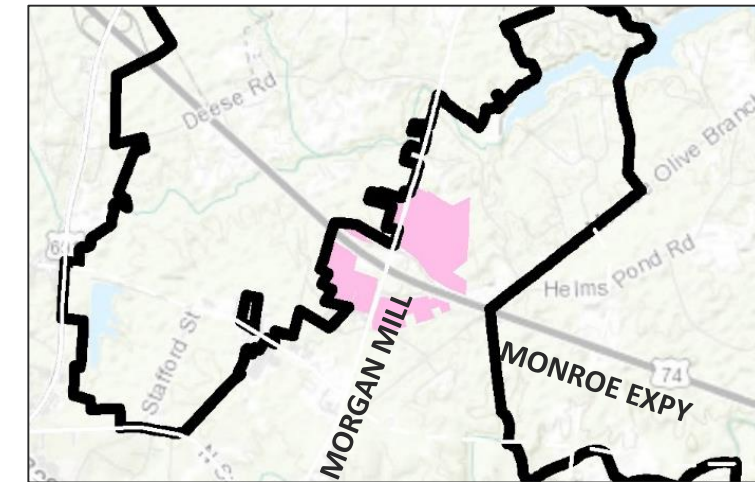
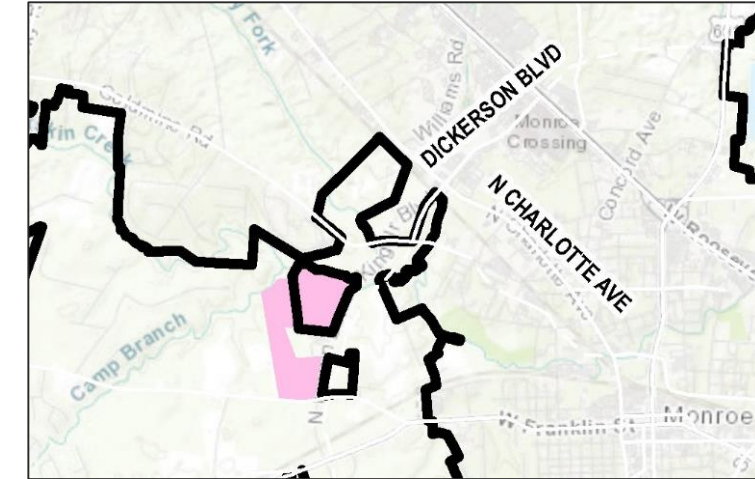


CC-MX2 (Community Corridor Mixed-Use 2)

Overview

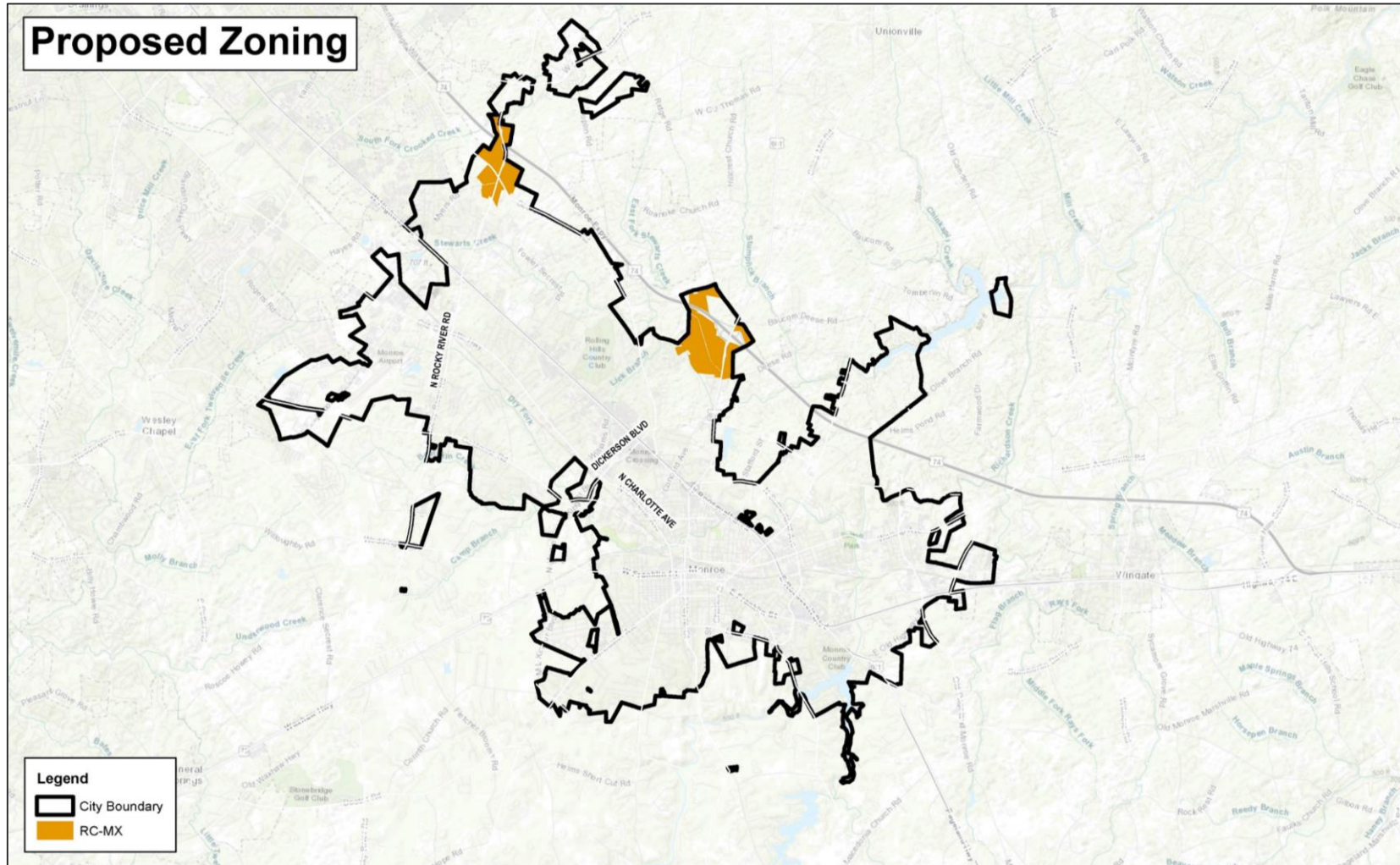


Zoomed In Views

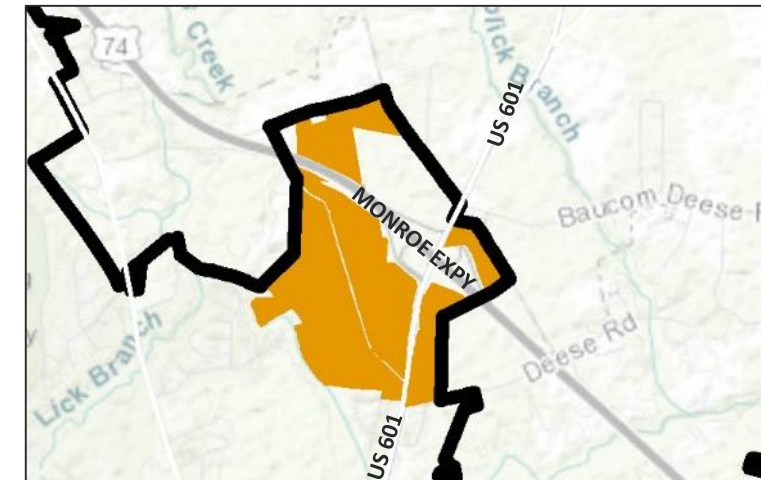
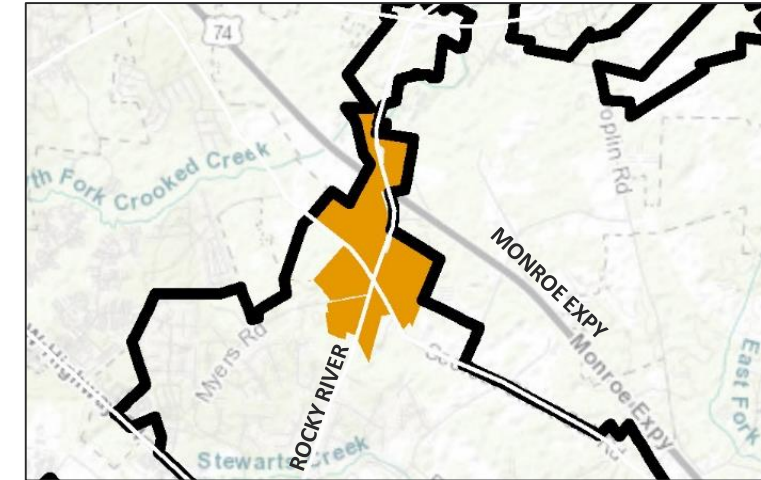


RC-MX (Regional Corridor Mixed-Use)

Overview

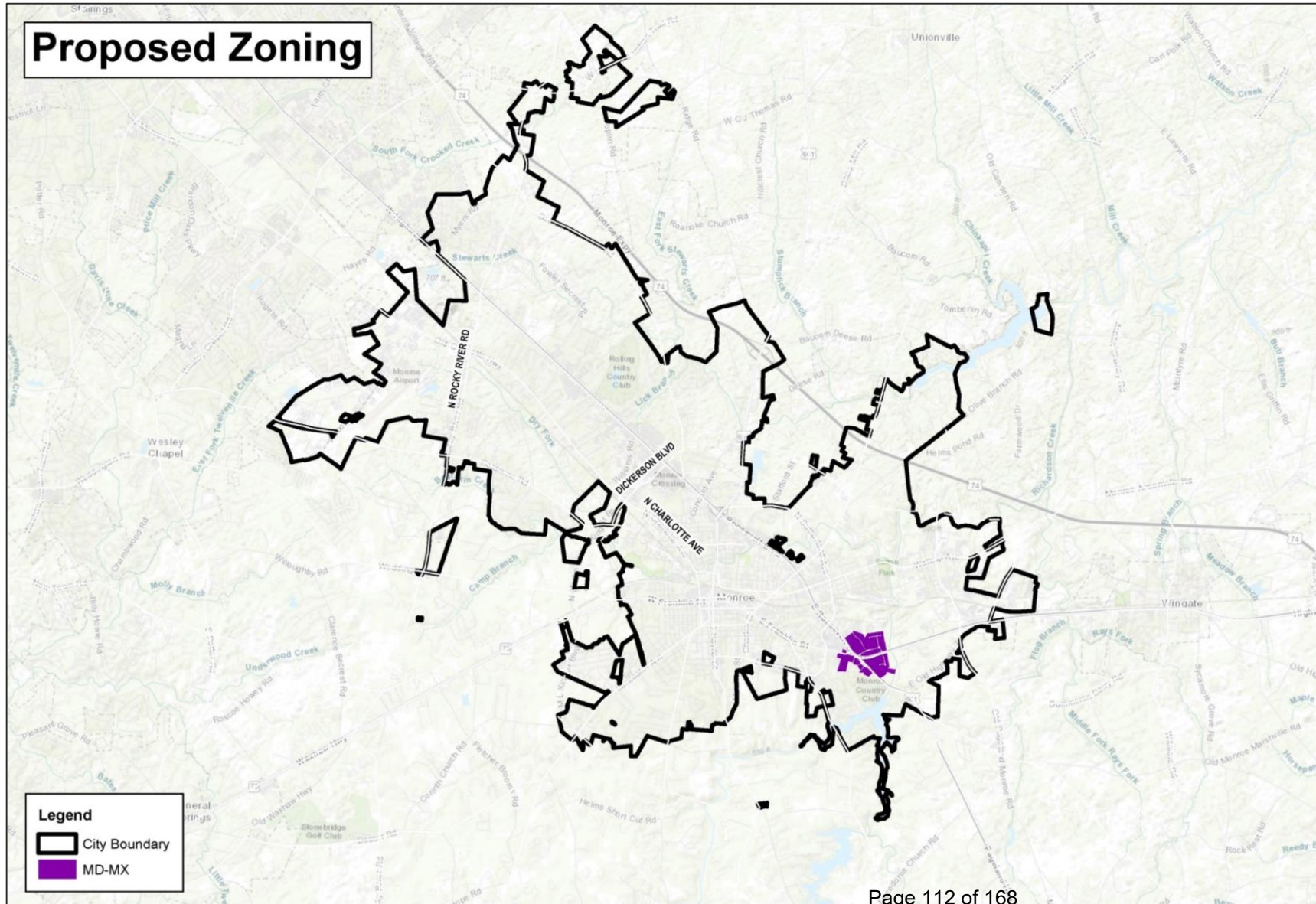


Zoomed In Views

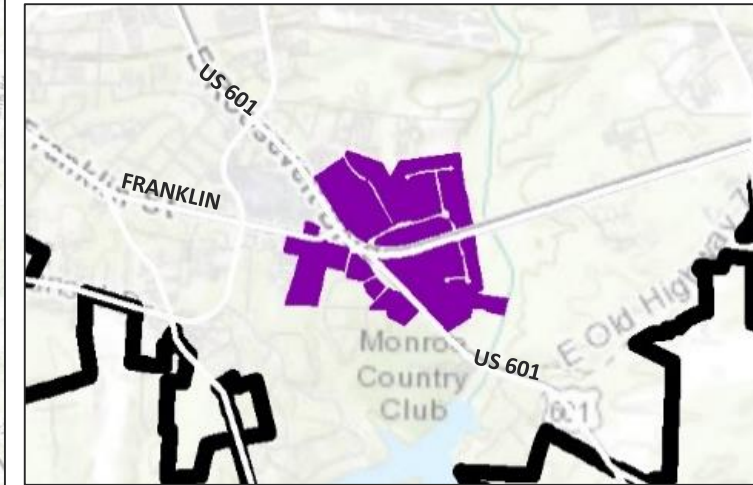


MD-MX (Medical District Mixed-Use)

Overview

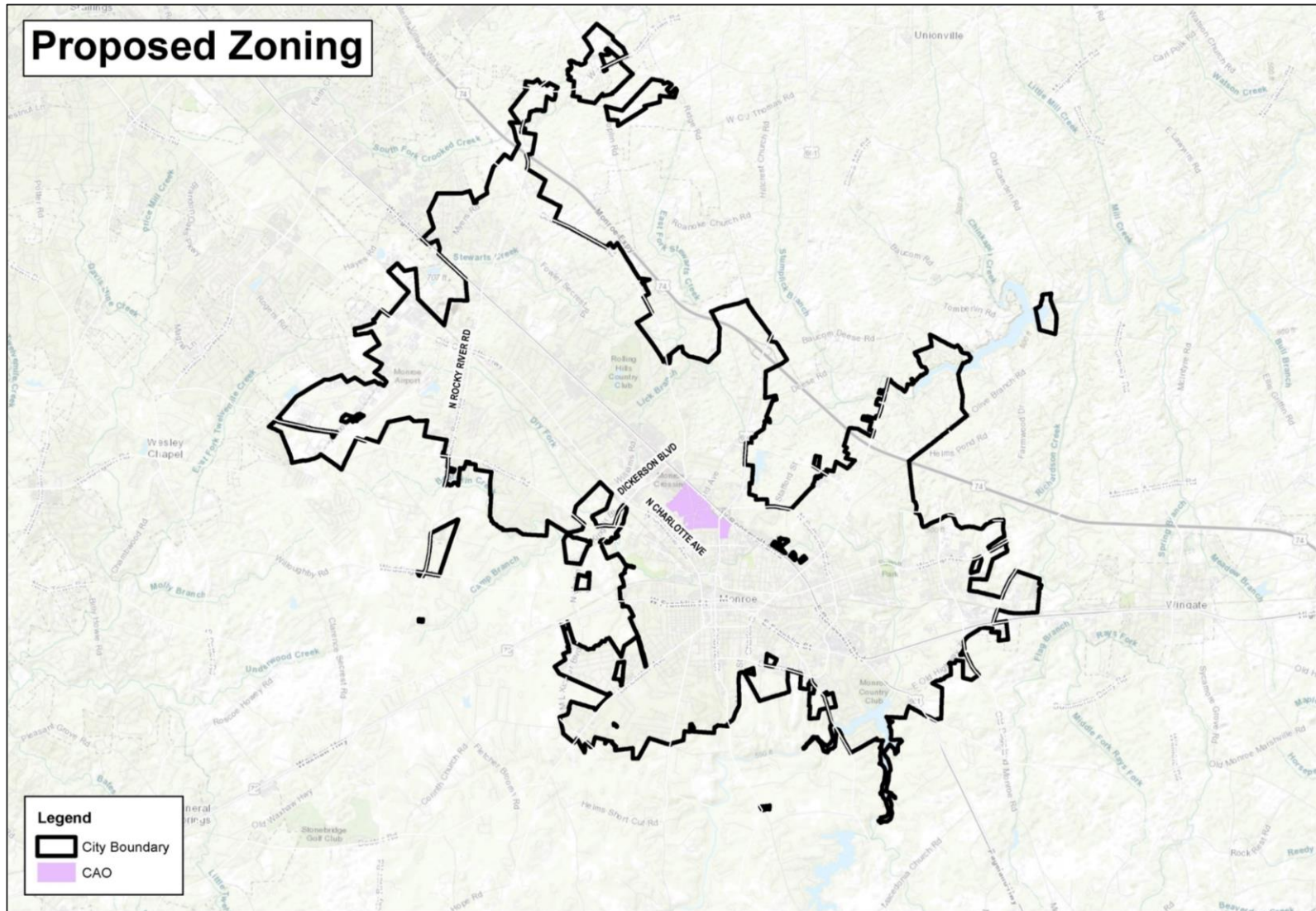


Zoomed In View

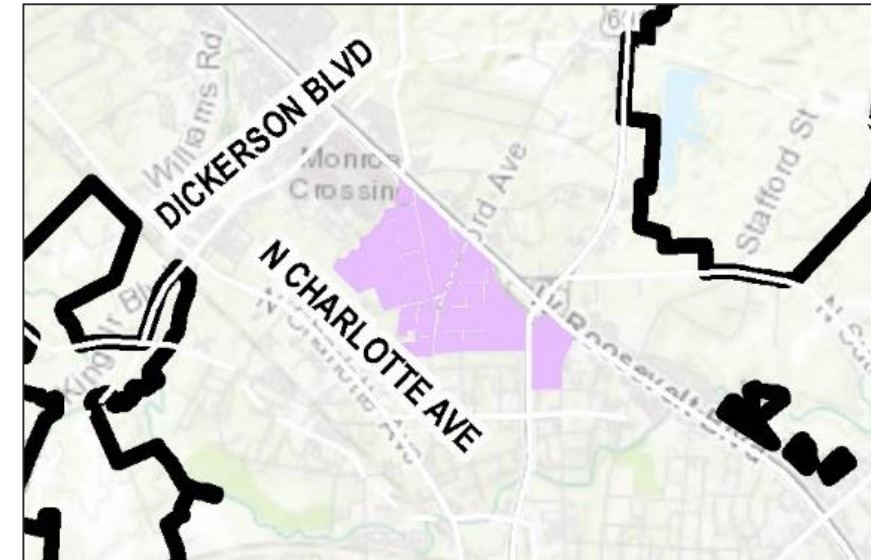


CAO ()

Overview



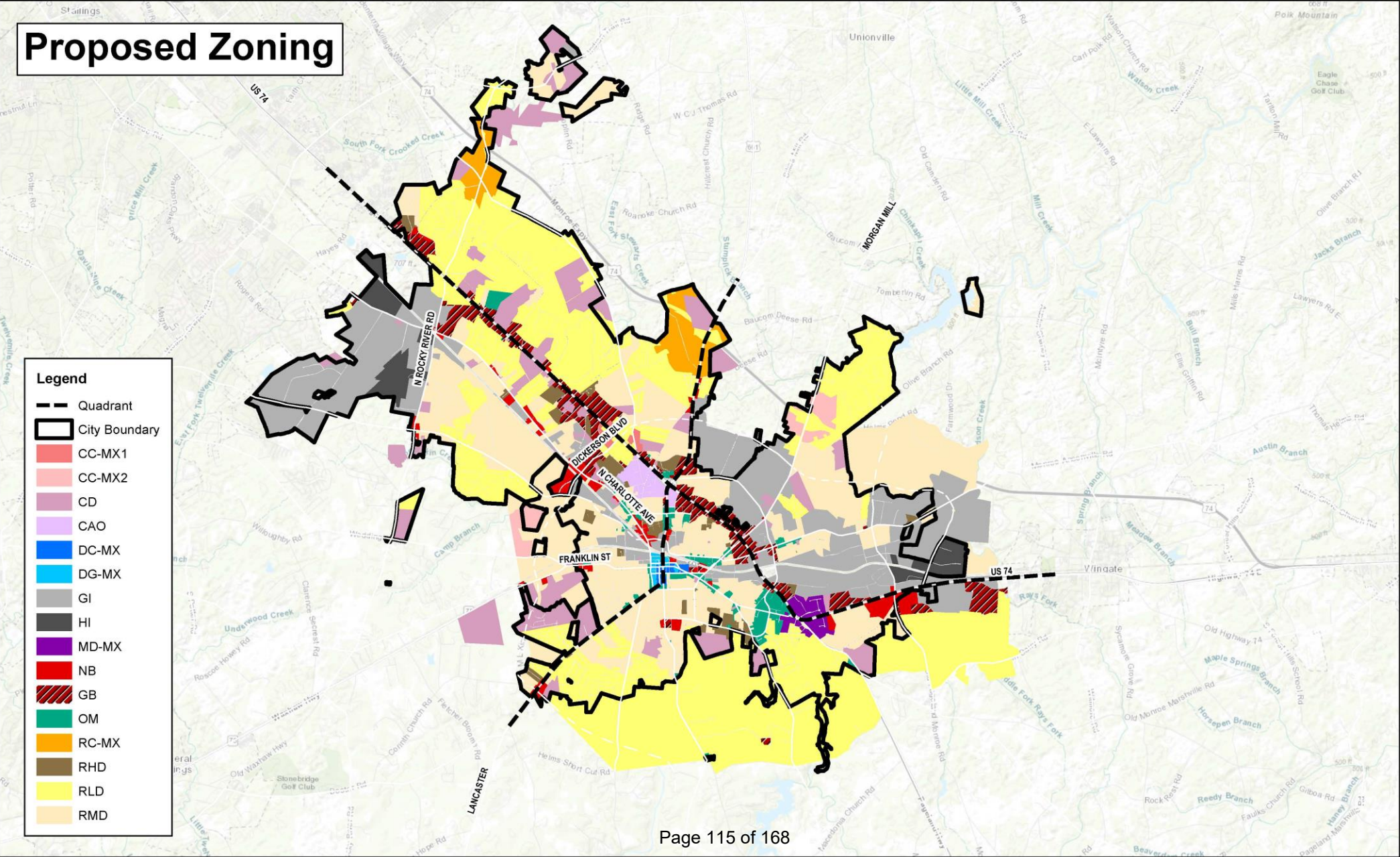
Zoomed In View



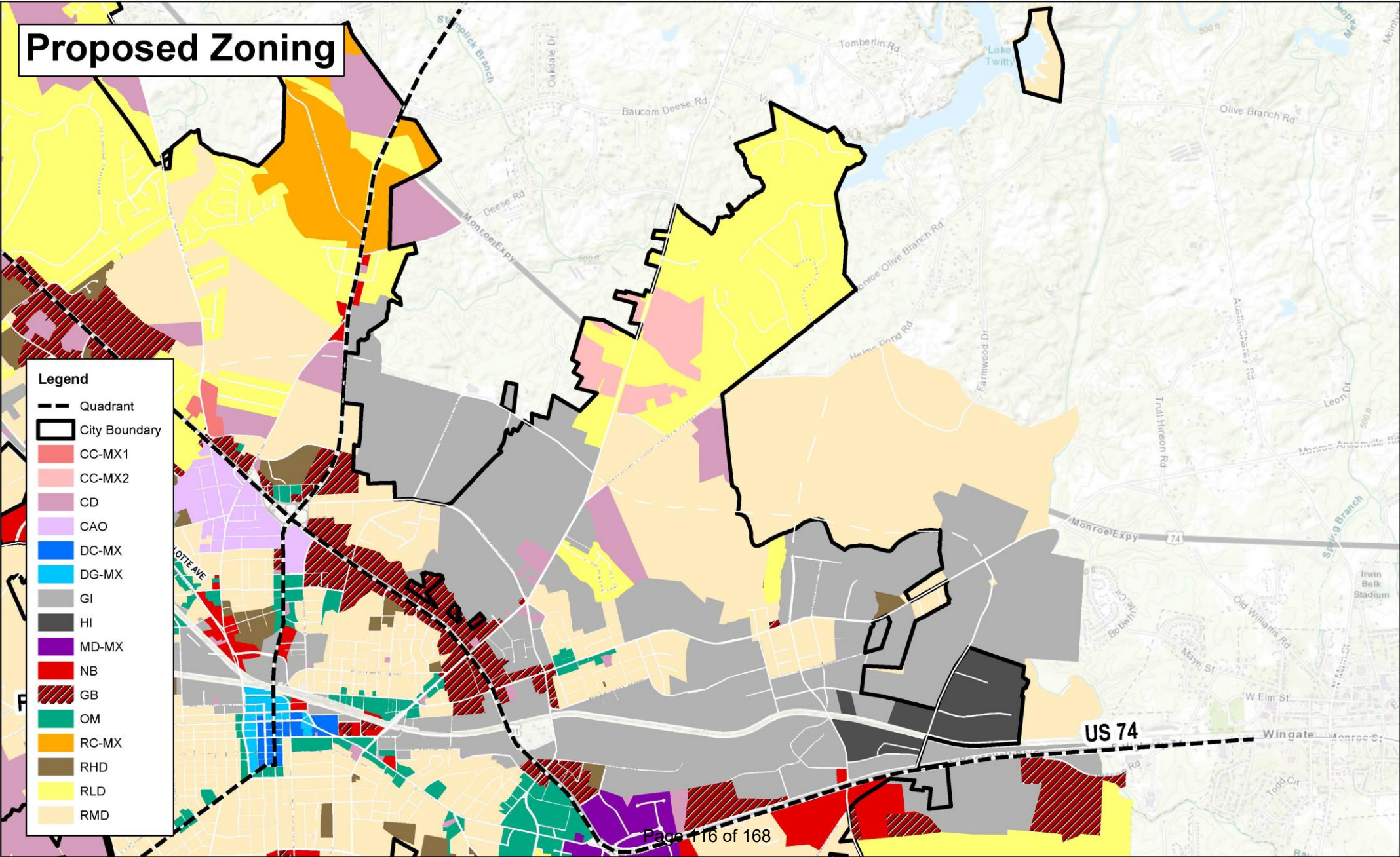


Quadrant Map

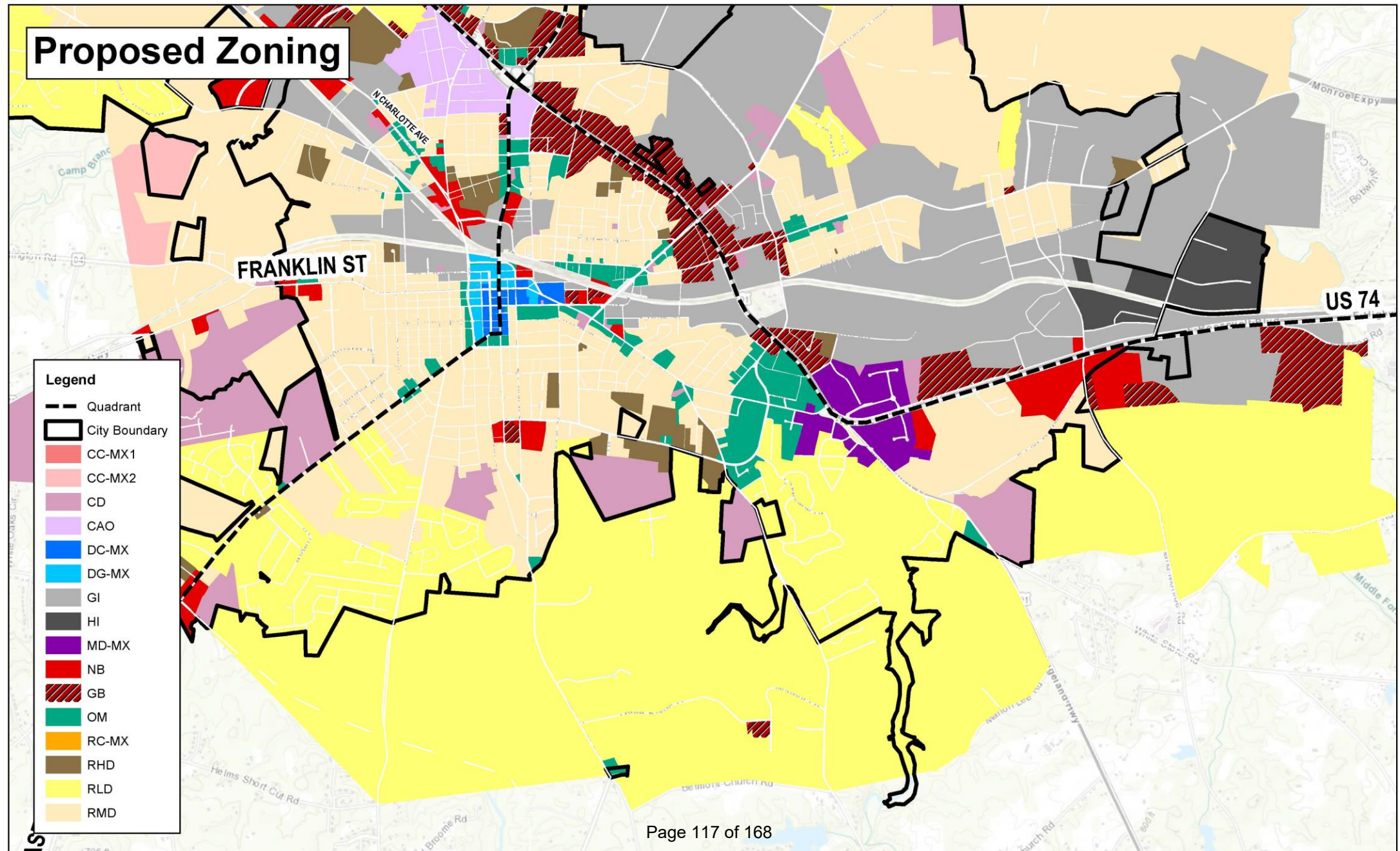
All Quadrants



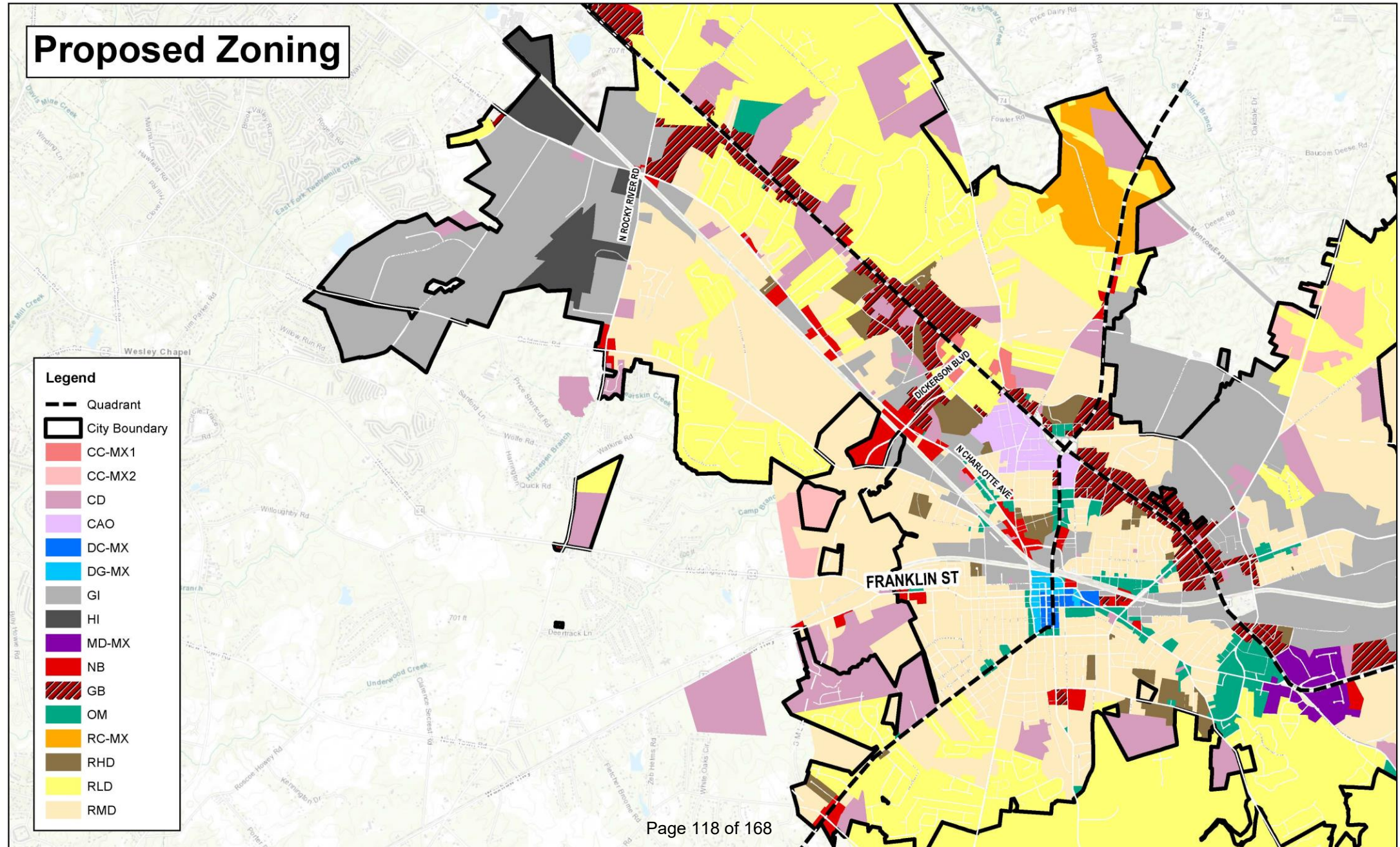
Quadrant 1



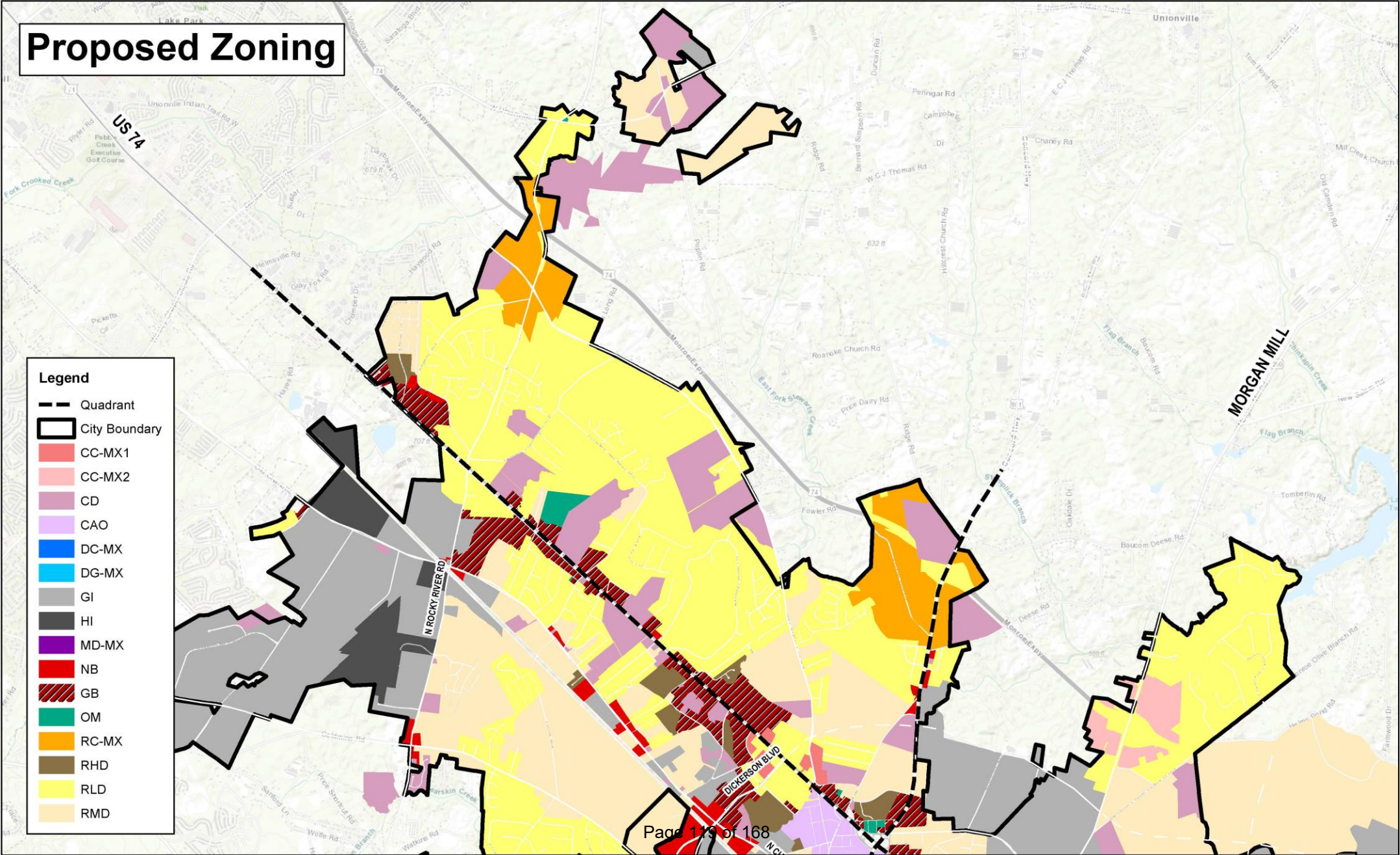
Quadrant 2



Quadrant 3



Quadrant 4





Next Steps

Adoption of UDO

- BOC adopts UDO and Zoning Map, September 14, 2021



Thank You!

Questions or Comments?



STAFF REPORT

TO: Planning Board Members

DATE: September 1, 2021

FROM: Doug Britt, Senior Planner

PREPARED BY: Keri Mendler, Planner

SUBJECT: Zoning Map Amendment request for Conditional District “Jonhaven Townhomes” (Parcel ID #'s: 09-342-117, 09-342-117A, and 09-342-117D)

SUMMARY STATEMENT

The Planning Board is requested to consider a zoning text and map amendment for the properties located along N. Rocky River Road further identified with parcel ID numbers 09-342-117, 09-342-117A, and 09-342-117D from Conditional District (CD) “Jonhaven Townhomes and R-20 (Residential-Single Family) to Conditional District (CD) “Jonhaven Townhomes- Amendment 1” and R-20 (Residential-Single Family).

REVIEW

The applicant, Scott Swierski on behalf of Edge 5 Realty, Inc., is requesting a conditional district rezoning in order to develop 54 townhomes and rezone a portion of parcel 09-342-117 back to R-20. The total area of the project is 18.51 acres. The total area encompassing the townhomes is 16.62 acres; the remaining 1.89 acres is requested to be rezoned back to R-20. The total amount of common open space is 11.96 acres or 72% of the site. The density of this project is 3.24 units per acre. The open space and density do not include the 1.89 acres set aside to be rezoned to R-20.

The original conditional district, Jonhaven Townhomes, was approved in August 2020. It included two parcels totaling 13.39 acres with an overall density of 2.84 units per acre and 7.49 acres or 56% open space.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Single Family Residential	R-20 (Residential)
East	Colonial Village Subdivision	R-10SU (Special Use District for Residential)
South	Single Family Residential	R-20 (Residential, City)
West	Industrial/Commercial	GI (General Industrial)

Proposal

The applicant, Scott Swierski on behalf of Edge 5 Realty, Inc., is requesting a conditional district rezoning in order to develop 54 townhomes with 11.96 acres of open space as well as rezone a portion of parcel 09-342-117 back to R-20.

REQUIREMENTS

Density & Dimensional Standards

The density of the proposed project is 3.24 units per acre. The minimum lot size for the townhomes is 2,280 sqft. The data below is simply to provide the board with information to compare the proposed density to what is allowed by the zoning ordinance in other residential districts in Monroe.

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

The proposed minimum setbacks are as follows:

Front: 15 feet

Exterior Side: 5 feet

Interior Side: 0 feet

Rear: 10 feet

The ordinance requires multi-family projects to provide a fifty-foot landscaping buffer around the perimeter of the property. The applicant is proposing a fifty-foot buffer along the northern, southern, and western property line and a twenty-five-foot buffer along the eastern property line. The applicant is proposing to install a wooden fence along the eastern property line. The ordinance does allow a 10-foot reduction in the required buffer if a fence is installed, making the required buffer along this property line 40-feet. The applicant is requesting a deviation of 15-feet as part of this rezoning.

Landscaping

Street trees will be provided at a rate of one (1) per fifty (50)-feet. Each set of units will also have two (2) trees outside of the right-of-way. Landscaping will be provided in the perimeter buffer of the site.

Open Space

The project is required to provide at least 50% open space which would equal 8.31 acres. The total area of open space provided is 11.96 acres or 72%. The open space includes recreation areas with playgrounds and two fenced dog parks.

Elevations

The developer is proposing the townhomes will be a minimum of 1,974 heated square feet. The proposed exterior building materials will include fiber cement with a minimum of 25% brick or stone on the front façade. Vinyl will be utilized for trim work only.

Parking

The townhomes will have two (2) car garages. All front load garages will have carriage style trim and/or hardware that mimics carriage style doors. Driveways will be paved with concrete or asphalt and be able to accommodate at least two (2) vehicles.

Sidewalk

A five foot (5') wide sidewalk will be provided along both sides of the interior roads throughout the development. Eight foot (8') wide sidewalk will be provided along N. Rocky River Road.

Stormwater

The applicant will be required to provide stormwater management to treat the stormwater runoff for the project. The stormwater will be evaluated and reviewed, if the project is approved by City Council, at the building permit stage of the process. 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 as required by the ordinance.

Schools

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

“Jonhaven will be located within the following school attendance areas for the 2021-2022 school year:

Rocky River Elementary	Currently at 77% rated capacity
Monroe Middle	Currently at 91% rated capacity
Monroe High	Currently at 71% rated capacity

PLEASE NOTE: Although the above schools are the current assignments for this area, the Union County Public Schools Board of Education has the obligation and reserves the right to modify assignments in order to optimize facility utilization and efficiency.

The proposed development is not expected to adversely affect school enrollment versus capacity.”

Transportation

Due to the number of proposed lots, the North Carolina Department of Transportation did not require a Traffic Impact Analysis (TIA) for this project; the City’s Engineering Department did not require a TIA for this project either. With that said, the development will have one (1) full access entrance; a left turn lane will be constructed on N. Rocky River Road to access this development.

LAND DEVELOPMENT PLAN CONSISTENCY

The Land Development Plan indicates this area is Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Attached and multi-family housing is suitable in mixed-housing neighborhoods and activity centers. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

The proposed project is consistent with the Future Land Use Plan. Staff believes this use is a reasonable use for the property as it is along a major thoroughfare and provides a transition from industrial uses to single-family uses.

PUBLIC NOTIFICATION

The applicant held a neighborhood meeting on site on August 23, 2021. There were no attendees at this 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 at least 150 feet, 10 days prior to the public hearing.

RECOMMENDATION

Staff recommends approval of Conditional District “Jonhaven Townhomes- Amendment 1”.

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 motions:

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

Attachments:

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

Ortho Map

CD "Jonhaven Townhomes - Amend .1"

Legend

Centerlines

Parcels

Existing: CD "Jonhaven
Townhomes" & R-20

Owner: Edge 5 Realty, Inc.

Acres: 18.51



0 200 400
Feet

Red dashed line indicates
approximate location of
rezoning back to R-20

Zoning Map

CD "Jonhaven Townhomes - Amend .1"

Legend

Centerlines

Parcels

Zoning Districts

Code

R-20

R-10SU

G-I

GB

CD

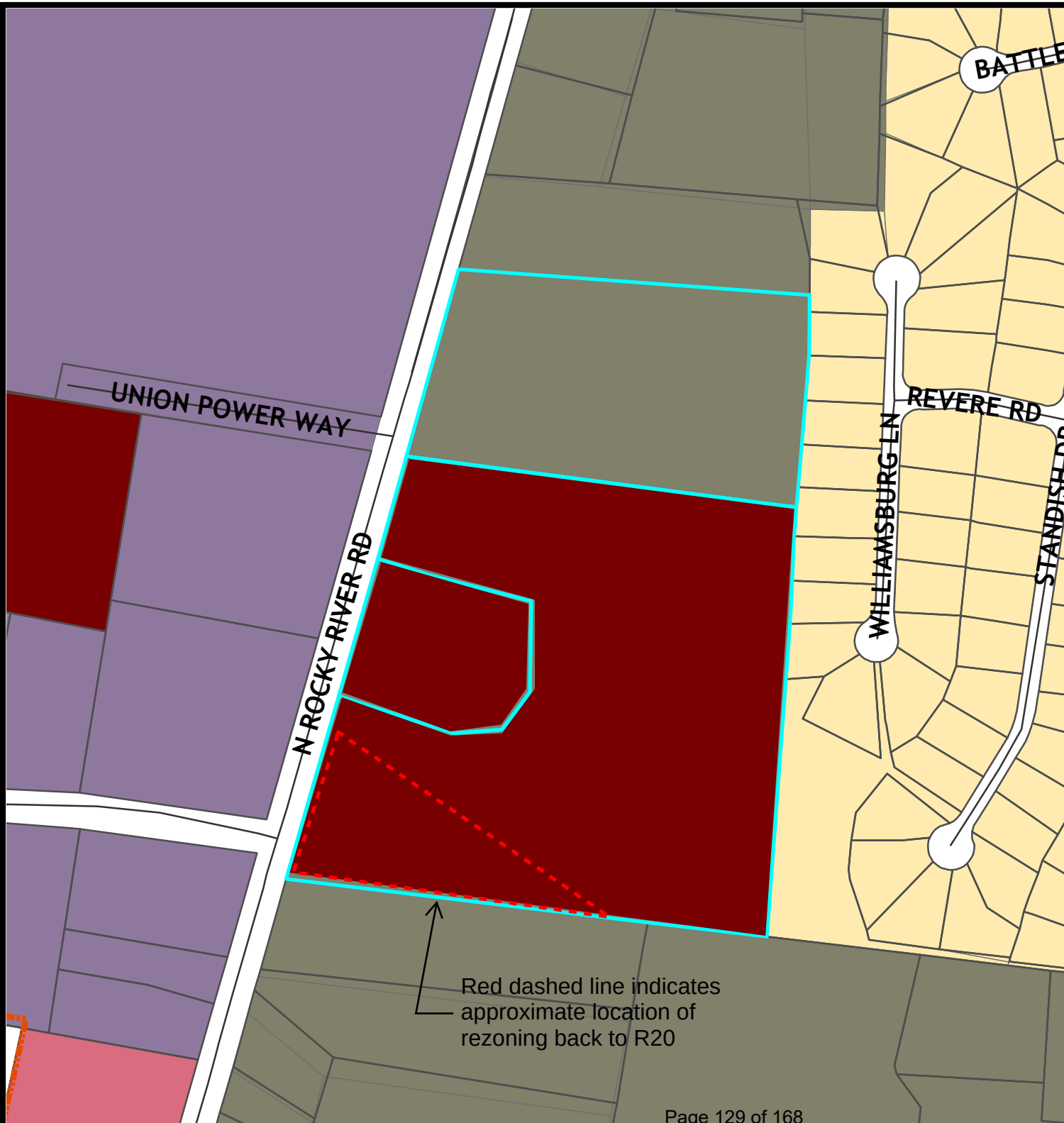
Existing: CD "Jonhaven
Townhomes" & R-20

Owner: Edge 5 Realty, Inc.

Acres: 18.51



0 200 400
Feet

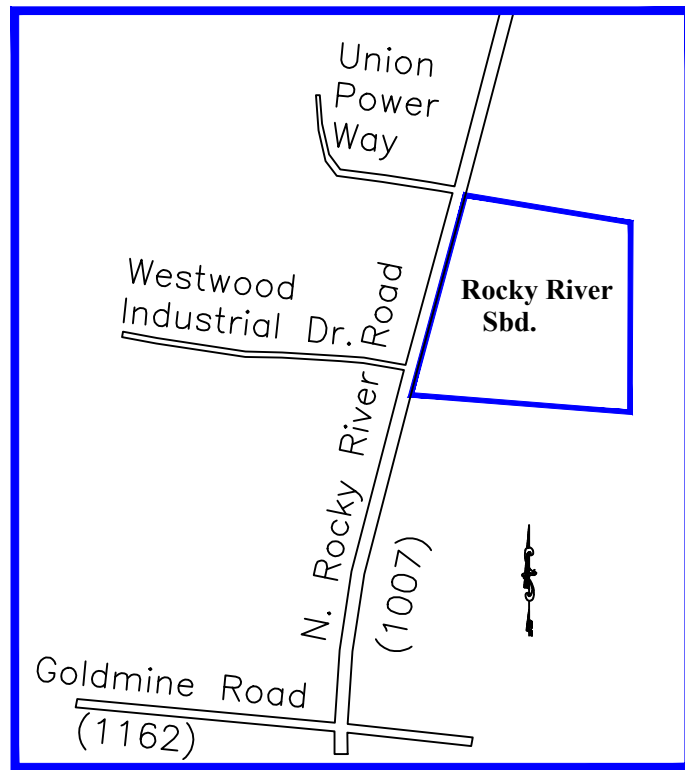


JONHAVEN SUBDIVISION

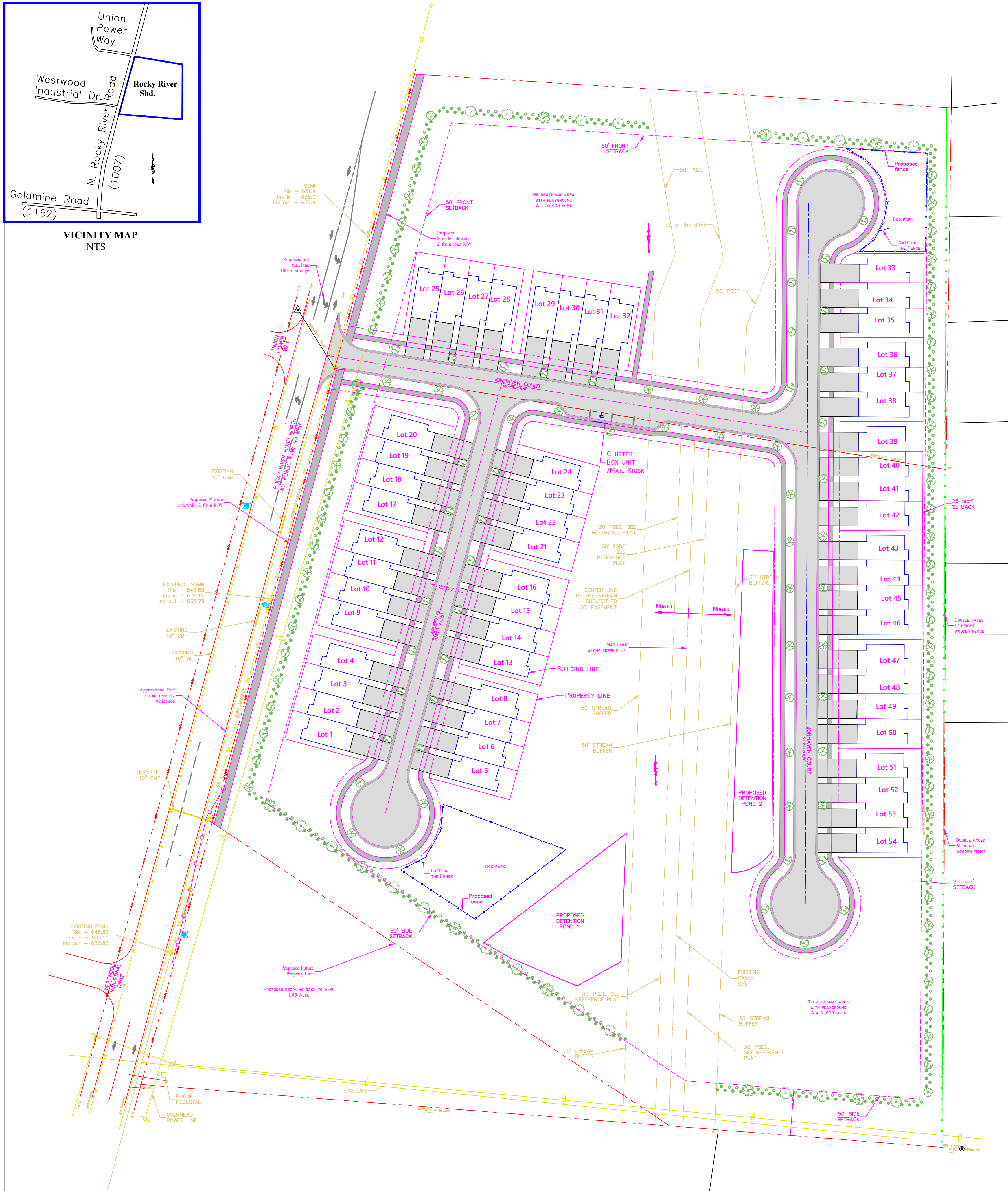
North Rocky River Road

MONROE | UNION COUNTY | NORTH CAROLINA





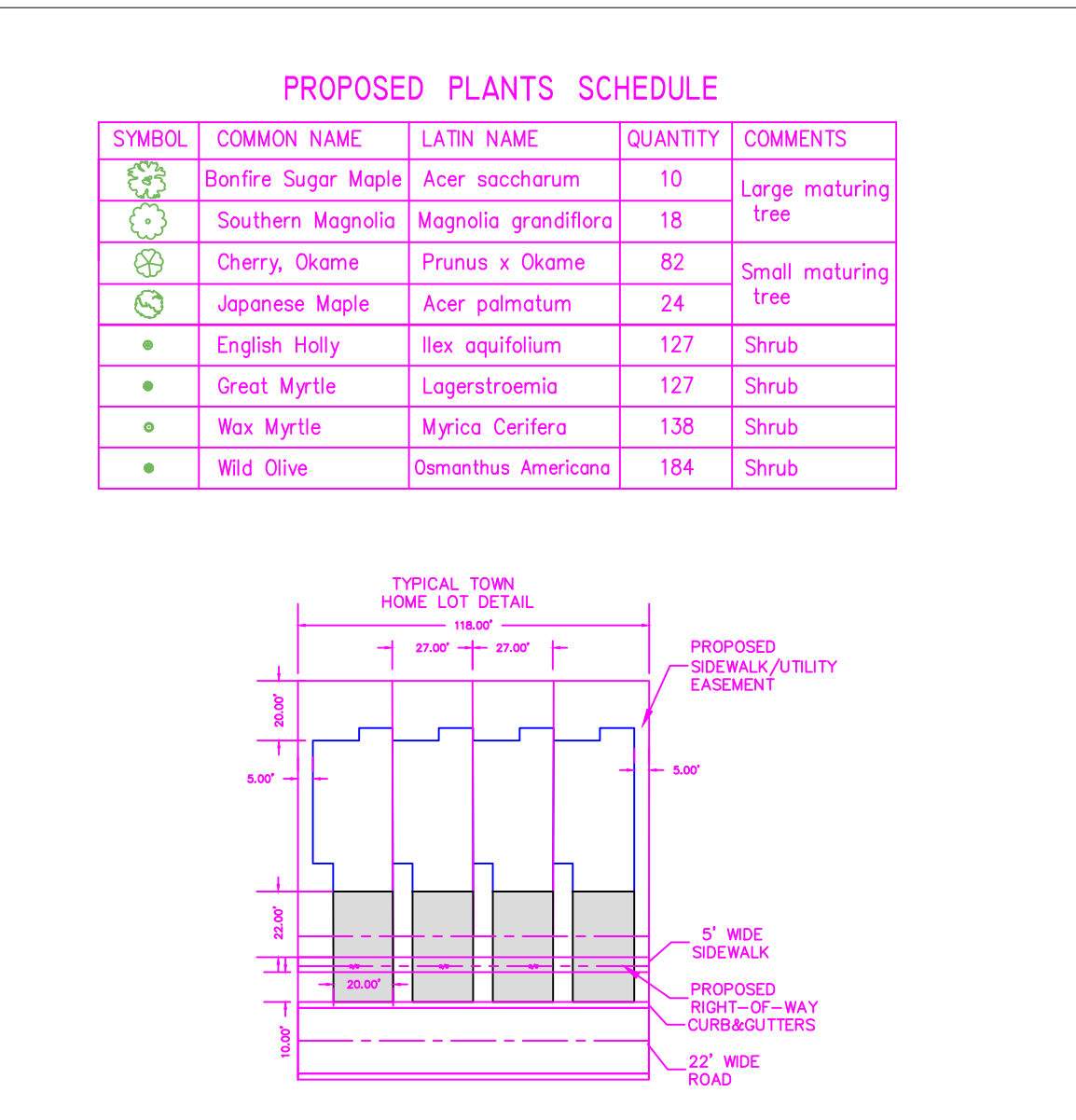
VICINITY MAP
NTS



SITE AND DEVELOPMENT DATA

- Along Rocky River Road North front setback - 50' Northern side setback - 50' Rear setback - 25' (concrete flume is 4' wide, 21' is enough to plant trees and shrubs) Southern side setback - 50' (landscaping will be provided between gas line and property line)
- Development consists of 14 buildings (54 units). Total impervious area (buildings, roads, sidewalks - 4.66 Acres = 28% of total 16.62. Acres. Open space is 72% including 1.81 Acre of Recreational area and two Dog parks. It doesn't include possible future separated parcel of 1.89 Acres.
- 50' buffer along the stream is shown..
- Each townhome unit utilizes rollout carts.
- Size of lots are:

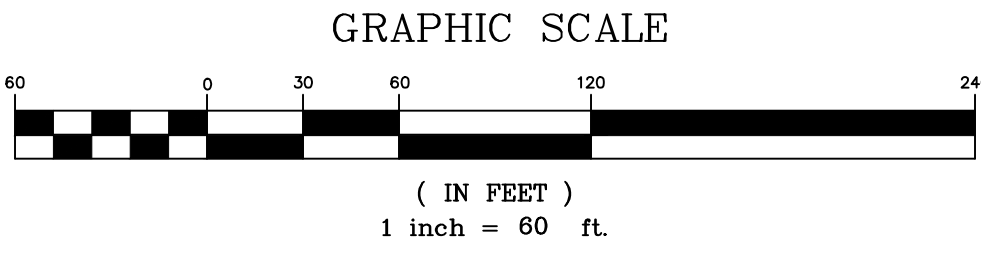
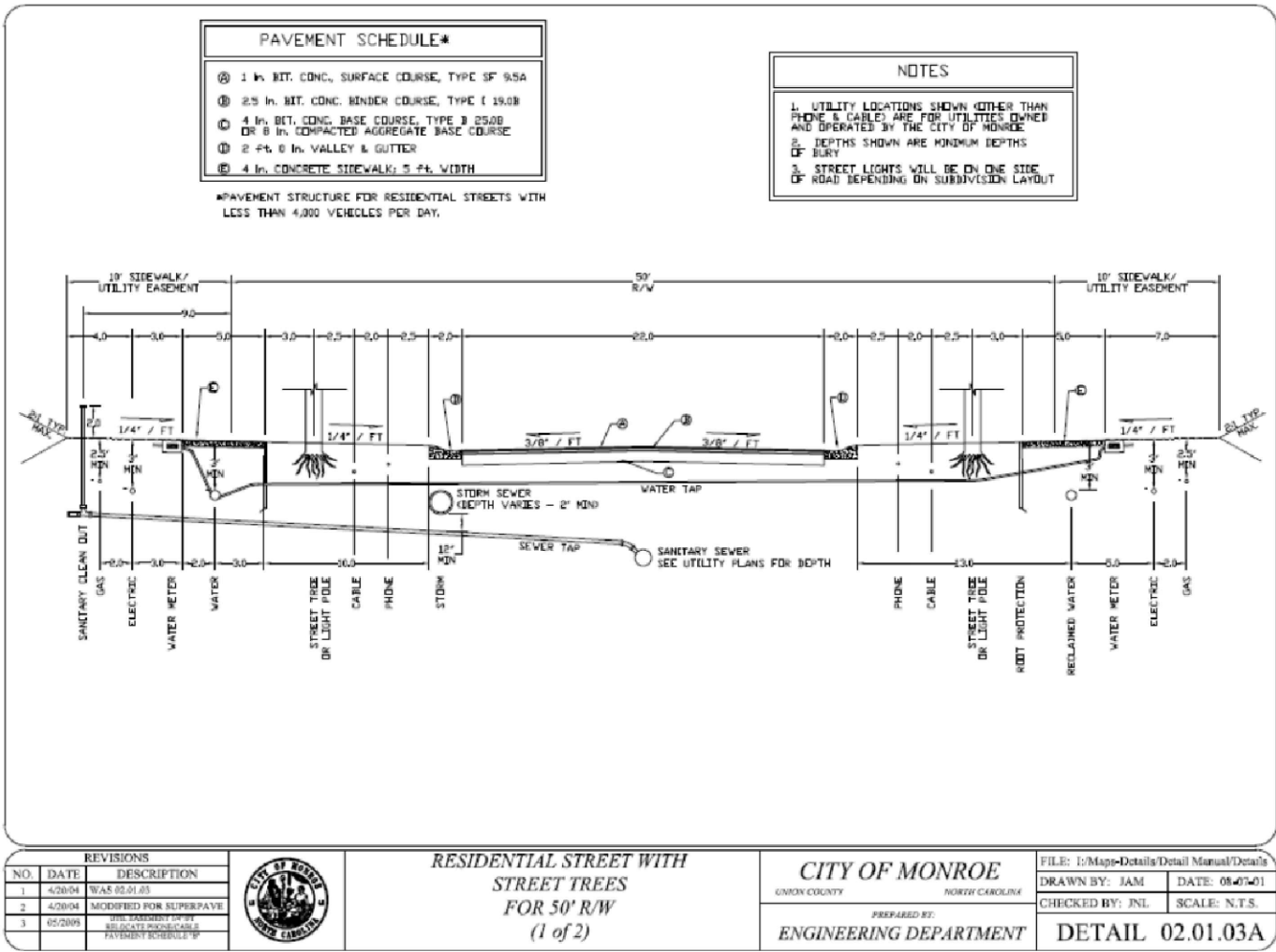
Minimum interior lot size	2,280 sqft/0.05 Acres
Minimum exterior lot size	2,690 sqft/0.06 Acres
- Exterior materials will be fiber cement, the front façade of each unit shall contain a minimum of 25% brick or stone materials. Vinyl will only be used for trim work.
- Development is planning in two (2) phases - before and after stream crossing on Jonhaven Court.
- Density of the project is 54 units/16.62 Acres = 3.24 units/Acre
- There are 54 of 3-bedrooms units
- Parking requirements
Required Parking (1 space per BR plus 0.5 space per unit 54*3+0.5*54 = 189 spaces.
Provided Parking: (2 spaces in driveway, 2 spaces in garage) for each of 54 units = 216 spaces.



NOTES

- Proposed rezoning from R-20 to Conditional District "Jonhaven"
 - Streets will be maintained by the City of Monroe.
 - Minimum lot size - 0.05 Acres.
 - Minimum heating area of the unit - 1,974 sqft.
 - Street trees shall be provided at a rate of 1 tree every 50-feet with a caliper of 1 1/2 inches measured 6 inches above grade. Street trees should be a variety of species.
 - Each set of townhomes shall have at least two (2) front yard trees, suitable for healthy growth in our climate. Each tree shall have minimum caliper of 1 1/2 inch measure 6 inches above grade.
 - All driveways shall be paved with concrete or asphalt from the road to the garage and shall be able to accommodate at least two (2) vehicles.
 - All townhome units shall have a standard two car attached garage.
 - Houses built on slab foundations shall have a minimum four course brick, of standard size, extending up the face of the slab.
 - 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
 - The majority of all roof areas on any unit shall have a minimum 6/12 pitch roof.
 - All exposed chimneys shall be stucco or brick veneered consistent with the architecture of the home.
 - All front lawns shall be sodded prior to issuance of a Certificate of Occupancy.
 - All front load garages shall have carriage style doors or hardware that mimics carriage style doors.
 - Proposed setbacks for townhouse are:
Front - 15'; Rear - 20'; 0' between the units and 5' Side setback for exterior units.
 - Five (5) foot wide sidewalks will be required on both sides of the street throughout the development.
 - Eight (8) foot wide sidewalks will be required on the exterior road along the property frontage.
 - Sign regulations for this property shall adhere to the Residential sign requirements.
 - Homeowner's Association will be responsible for the ownership and maintenance of open space, common areas, BMP areas, etc.
 - All landscaping shall be kept in a thriving condition.
 - 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 designee.
 - Trees within the development that are 75" or greater in circumference must be preserved and shall not be removed.
 - 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, or driveway area.
 - Commencement of the amenity area shall begin no later than 50% of the Certificate of Occupancy's issued.
 - No more than 27 lots will be allowed to be platted prior to the off-site improvements being installed.
- Petitioner agrees to all conditions listed on this site plan and understands the effective date is after approval by City Council and after petitioner signs below.

Scott Swierski _____ Date _____



REVISION

Mr. Scott Swierski
Edge 5 Realty Inc
PO Box 78914
Charlotte, NC 28271
(o): 980/221-0900
email: scott@edge5realty.com

Jonhaven Subdivision
North Rocky River Road
Monroe, Union County, NC
PID: 09342117, 09342117A, 09342117D
PRESENTATION PLAN

DATE: July 2021
SHEET: 1 of 1

NORTH CAROLINA
PROFESSIONAL
SEAL
023717
SCOTT SWIERSKI
08/04/2021

Dmitry Shklovsky, PE
4 Dartmoor Dr., Mandaplan, NJ 07726
E-mail: davshki@gmail.com
(m): 704/497-0081



1
A-6
FRONT ELEV.
SCALE: 1/4" = 1'-0"
0 5' 10'
GRAPHIC SCALE



2
A-6
REAR ELEV.
SCALE: 1/4" = 1'-0"
0 5' 10'
GRAPHIC SCALE

PROPOSED TOWNHOUSES
N ROCKY RIVER RD
MONROE, NC 28110

PREPARED FOR: SCOTT T. SWIERSKI



DRAWN BY:
SAID IDY
7047805473
Tanjoa1973@gmail.com
Date: 12/02/19 Scale: 1/4"

NO.	REVISIONS DESCRIPTIONS	DATE	SHEET#

A6

Future Land Use Map

CD "Jonhaven Townhomes- Amend. 1"

Legend

Centerlines

Parcels

Future Land Use Character Area

Industrial

Suburban

Existing: CD "Jonahaven
Townhomes" & R-20

Owner: Edge 5 Realty, Inc.

Acres: 18.51



0 180 360
Feet

Future Land Use Plan

The Land Development Plan indicates this area is Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

The proposed project is consistent with the Future Land Use Plan.

**RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “JONHAVEN TOWNHOMES- AMENDMENT 1”
R-2021-XX**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “JONHAVEN TOWNHOMES- AMENDMENT 1” and the portion of parcel 09-342-117 rezoning back to R-20 and further described below property is consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as Suburban. The suburban character area states the density is 2-4 units per acre. This development is 3.24 units per acre; therefore, it is consistent. The proposed development is a reasonable use and in the public interest because it will provide a transition between the industrial uses on the west side of N. Rocky River Road and the single-family detached subdivision behind this property.

NOW, THEREFORE, BE IT RESOLVED that the 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): 09-342-117, 09-342-117A, and 09-342-117D.

Adopted this 1st day of September, 2021.

MaryAnn Rasberry, Planning Board Chair

Attest:

Maryann Brown, Secretary to Planning Board

**RESOLUTION DENYING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “JONHAVEN TOWNHOMES- AMENDMENT 1”
R-2021-XX**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “JONHAVEN TOWNHOMES- AMENDMENT 1” and the portion of parcel 09-342-117 rezoning back to R-20 further described below property is consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as Suburban. The suburban character area states the density is 2-4 units per acre. This development is 3.24 units per acre; therefore, it is consistent. However, the surrounding parcels in this area are larger residential lots; the proposed project is not a reasonable use or in the public interest because of the multi-family nature of the proposed development. Based on this information, the conditions have changed which justify amending the Land Development Plan. As a result of this zoning map 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 adoption of the Resolution Denying Land Development Plan Compliance for property with Union County Tax Parcel Number(s): 09-342-117, 09-342-117A, and 09-342-117D.

Adopted this 1st day of September, 2021.

MaryAnn Rasberry, Planning Board 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 N. Rocky River Road further identified with parcel ID numbers 09-342-117, 09-342-117A, and 09-342-117D from R-20 (Residential-Low Density) and Conditional District (CD) “Jonhaven Townhomes” to R-20 (Residential- Low Density) and Conditional District (CD) “Jonhaven Townhomes- Amendment 1”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 12th day of October 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) “Jonhaven Townhomes- Amendment 1”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 12th day of October 2021.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: Planning Board Members

DATE: September 1, 2021

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Doug Britt, Senior Planner

SUBJECT: Zoning Text and Map Amendment request for property located at 1657 Pageland Highway Parcel # 09-158-028

SUMMARY STATEMENT

The Planning Board is requested to consider a zoning map amendment by Aaron Maye for the property located at 1657 Pageland Highway from R-10 (Residential-single family) to Conditional District “Ground 40-Pageland Highway”.

REVIEW

The applicant is requesting a conditional district in order to utilize the existing single family dwelling located at 1657 Pageland Highway as housing for clients of Ground 40 Ministries; Ground 40 ministries serves recovering addicts. The property is currently zoned R-10 (Residential-single family) and has in the past been used as single family residential home.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Vacant	GB (General Business)
East	Single Family Residential	R-20 (Residential-single family)
South	Single Family Residential	R-20 (Residential-single family)
West	Commercial	GB (General Business)

Proposal

The applicant, Aaron Maye is requesting a conditional district rezoning in order for the property at 1657 Pageland Highway to be used as housing for recovering addicts of Ground 40 Ministries.

The Unified Development Ordinance defines a halfway house as a home for not more than nine persons who have demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct, together with not more than two persons providing supervision and other services to such persons, eleven of whom live together as a single housekeeping unit. Halfway homes are only allowed by conditional district approval by City Council.

Per the North Carolina Building Code no more than five individuals not related by blood or marriage can reside inside a dwelling without having the structure being classified as commercial and requiring an upfit to meet the commercial guidelines for both the North Carolina Building and Fire Code.

Density & Dimensional Standards

The applicant is proposing no changes to the current front, side, and rear setbacks of the property.

LAND DEVELOPMENT PLAN CONSISTENCY

The Land Development Plan indicates this area is Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Attached and multi-family housing is suitable in mixed-housing neighborhoods and activity centers. Commercial development mostly serves the needs of nearby residents and often locates along corridors with higher traffic volumes and near prominent intersections. Emphasis should be placed on integrating the design of commercial centers with surrounding neighborhoods. Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre. Planning staff is of the opinion the proposed use is consistent with the future land use plan.

PUBLIC NOTIFICATION

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

Planning staff is of the opinion the proposed use is consistent with the future land use plan. If the Planning Board wishes to approve Conditional District “Ground 40-Pageland Highway”, planning staff would recommend the following condition.

Conditions:

1. Ground 40 shall obtain all permits and complete all required renovations prior to the structure being occupied.

PLANNING BOARD ACTION

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*

Attachment(s):
Attachment 1-Ortho Map
Attachment 2-Zoning Map
Attachment 3-Site Plan
Attachment 4-Future Land Use Map
Attachment 5-FLUM Description
Attachment 6-R2021-xx Approval
Attachment 7- R2021-xx Denial
Attachment 8-O-2021-156.106
Attachment 9-O-2021-156.98

Prepared: 8-25-21 DB

Ortho Map

Case #: PLMA20220017

Legend

- Centerlines
- ▭ Parcels
- streams

**Existing: R-10
(Residential- High Density)**

Owner: Jimmy Taylor

Acres: 13.2



0 280 560
Feet



Zoning Map

Case #: PLMA20220017

Legend

-  Centerlines
-  Parcels
-  streams

Zoning Districts

Code

-  R-20
-  R-10
-  M-U-SU
-  GB
-  CD

Existing: R-10
(Residential- High Density)

Owner: Jimmy Taylor

Acres: 13.2



0 280 560
Feet



E ROOSEVELT BLVD
E ROOSEVELT BLVD

CHARLES HUNLEY LN

POPS WAY

PAGELAND HWY

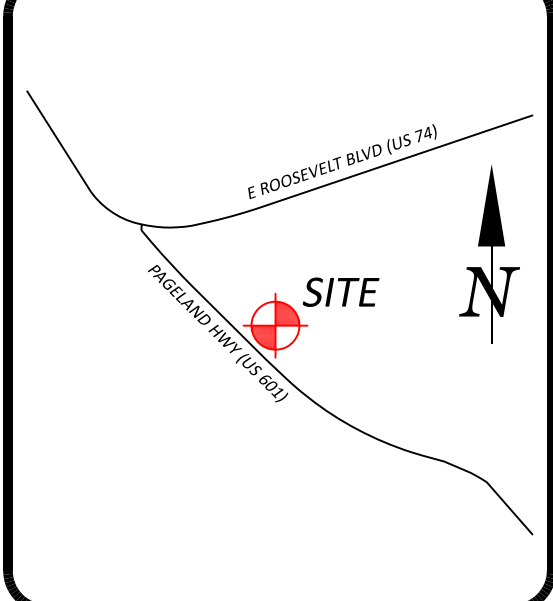
Richardson Creek

Richardson Creek (Lake Lee)

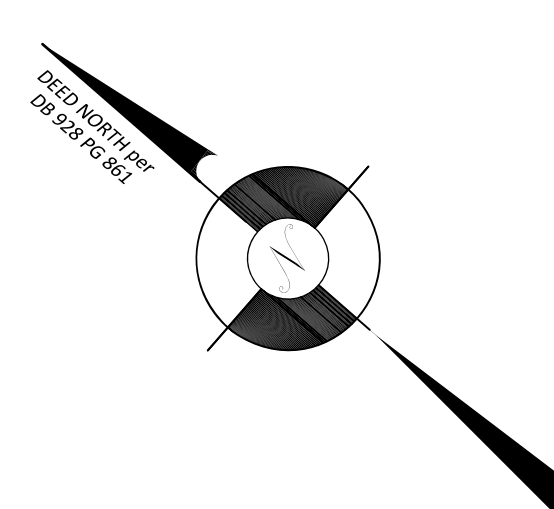
M:_Serve\2021\089 - MISC\089-21-100 1657 PAGELAND HIGHWAY\Drawings\1657 PAGELAND HIGHWAY.dwg

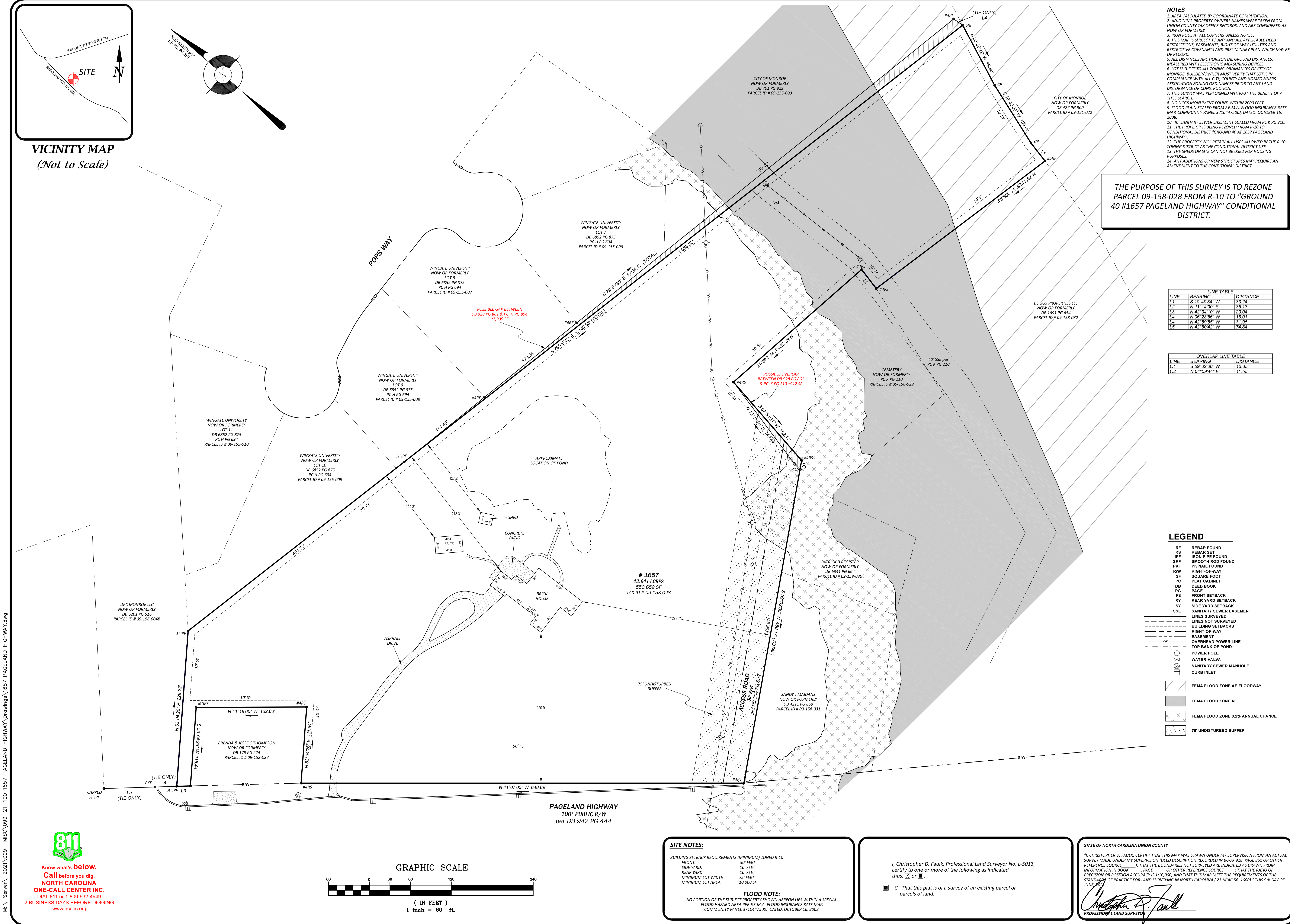


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VICINITY MAP
(Not to Scale)





- NOTES**
1. AREA CALCULATED BY COORDINATE COMPUTATION.
 2. ADDITIONAL PROPERTY OWNERS NAMES WERE TAKEN FROM UNION COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OR FORMERLY.
 3. IRON RODS AT ALL CORNERS UNLESS NOTED.
 4. THIS MAP IS SUBJECT TO ANY AND ALL APPLICABLE DEED RESTRICTIONS, EASEMENTS, RIGHT-OF-WAY, UTILITIES AND RESTRICTIVE COVENANTS AND PRELIMINARY PLAN WHICH MAY BE OF RECORD.
 5. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, MEASURED WITH ELECTRONIC MEASURING DEVICES.
 6. LOT SUBJECT TO ALL ZONING ORDINANCES OF CITY OF MONROE. BUILDER/OWNER MUST VERIFY THAT LOT IS IN COMPLIANCE WITH ALL CITY COUNTY AND HOMEOWNERS ASSOCIATION ZONING ORDINANCES PRIOR TO ANY LAND DISTURBANCE OR CONSTRUCTION.
 7. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH.
 8. NO NCGS MONUMENT FOUND WITHIN 2000 FEET.
 9. FLOOD PLAIN SCALED FROM F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 3710447500, DATED: OCTOBER 16, 2006.
 10. 40' SANITARY SEWER EASEMENT SCALED FROM PC K PG 210.
 11. THE PROPERTY IS BEING REZONED FROM R-10 TO CONDITIONAL DISTRICT "GROUND 40 AT 1657 PAGELAND HIGHWAY".
 12. THE PROPERTY WILL RETAIN ALL USES ALLOWED IN THE R-10 ZONING DISTRICT AS THE CONDITIONAL DISTRICT USE.
 13. THE SHEDS ON SITE CAN NOT BE USED FOR HOUSING PURPOSES.
 14. ANY ADDITIONS OR NEW STRUCTURES MAY REQUIRE AN AMENDMENT TO THE CONDITIONAL DISTRICT.

THE PURPOSE OF THIS SURVEY IS TO REZONE
PARCEL 09-158-028 FROM R-10 TO "GROUND
40 #1657 PAGELAND HIGHWAY" CONDITIONAL
DISTRICT.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 10°49'34" W	33.24'
L2	N 11°14'00" E	35.13'
L3	N 42°34'10" W	20.04'
L4	N 08°28'55" W	16.01'
L5	N 42°59'25" W	11.55'
L6	N 42°50'42" W	74.84'

OVERLAP LINE TABLE		
LINE	BEARING	DISTANCE
O1	S 59°02'00" W	13.35'
O2	N 04°09'44" E	11.55'

LEGEND

RF	REBAR FOUND
RS	REBAR SET
IPF	IRON PIPE FOUND
SRF	SMOOTH ROD FOUND
PKF	PK NAIL FOUND
RW	RIGHT-OF-WAY
SF	SQUARE FOOT
PC	PLAT CABINET
DB	DEED BOOK
PG	PAGE
RY	REAR YARD SETBACK
FS	FRONT SETBACK
RV	REAR YARD SETBACK
SY	SIDE YARD SETBACK
SSE	SANITARY SEWER EASEMENT
---	LINES SURVEYED
---	LINES NOT SURVEYED
---	BUILDING SETBACKS
---	RIGHT-OF-WAY
---	EASEMENT
---	OVERHEAD POWER LINE
---	TOP BANK OF POND
---	POWER POLE
---	WATER VALVE
---	SANITARY SEWER MANHOLE
---	CURB INLET

	FEMA FLOOD ZONE AE FLOODWAY
	FEMA FLOOD ZONE AE
	FEMA FLOOD ZONE 0.2% ANNUAL CHANCE
	75' UNDISTURBED BUFFER

SITE NOTES:

BUILDING SETBACK REQUIREMENTS (MINIMUM) ZONED R-10
FRONT: 30 FEET
SIDE YARD: 10 FEET
REAR YARD: 10 FEET
MINIMUM LOT WIDTH: 75 FEET
MINIMUM LOT AREA: 10,000 SF

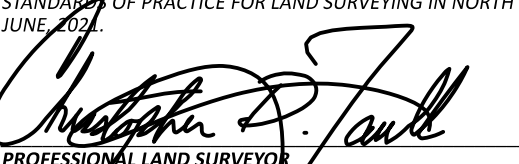
FLOOD NOTE:
NO PORTION OF THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN A SPECIAL FLOOD HAZARD AREA PER F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 3710447500, DATED: OCTOBER 16, 2006.

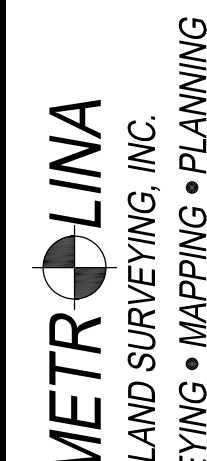
I, Christopher D. Faulk, Professional Land Surveyor No. L-5013, certify to one or more of the following as indicated thus, ☒ or ☐.

☒ C. That this plat is of a survey of an existing parcel or parcels of land.

STATE OF NORTH CAROLINA UNION COUNTY

"I, CHRISTOPHER D. FAULK, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 528, PAGE 861 OR OTHER REFERENCE SOURCE _____), THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK _____, PAGE _____, OR OTHER REFERENCE SOURCE _____, THAT THE RATIO OF PRECISION OR POSITION ACCURACY IS 1:10,000, AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARD PRACTICE OF LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600)." THIS 9th DAY OF JUNE, 2021.


CHRISTOPHER D. FAULK
PROFESSIONAL LAND SURVEYOR



METROLINA
LAND SURVEYING, INC.
SURVEYING • MAPPING • PLANNING

CONDITIONAL DISTRICT

GROUND 40 #1657 PAGELAND HIGHWAY

"GROUND 40" #1657 PAGELAND HIGHWAY
PARCEL ID #09-158-028, DB 928 PG 861
CITY OF MONROE, UNION COUNTY, NORTH CAROLINA

Revisions
1/8/1921 REVISIONS PER PLANNING COMMENTS (CPI)

Job No. 099-21-100
Date 6/9/21
Proj. Mgr. CDF
Drawn JKD

Scale: 1" = 60'

Sheet No. 1



Future Land Use Map

Case #: PLMA20220017

Legend

— Centerlines

▭ Parcels

FLUM

■ Medical Campus

■ Suburban

Existing: R-10
(Residential- High Density)

Owner: Jimmy Taylor

Acres: 13.2



0 280 560
Feet

E ROOSEVELT BLVD
E ROOSEVELT BLVD

CHARLES HUNLEY LN

POPS WAY

Richardson Creek

PAGELAND HWY

Richardson Creek (Lake Lee)

Future Land Use Plan

The Land Development Plan indicates this area is Suburban. While residential uses typically take the form of neighborhoods with uniform housing types and densities, a mix of housing types and lot sizes is preferred in Suburban locations. Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

The proposed project is consistent with the Future Land Use Plan. Staff is of the opinion that this project is a reasonable use and in the public interest.

RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “Ground 40-Pageland Highway”

R-2021-XX

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “Ground 40-Pageland Highway” further described below property is consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as Suburban Development, and residential uses are allowed under this classification. The proposed use is of a residential nature, as people will be living together as a single housekeeping unit. The proposed use is a reasonable use and in the public interest based on current zoning, which includes a mix of residential uses, and projected land uses in the area, which include commercial uses complimentary to mixed housing neighborhoods.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommend adoption of the Resolution Approving Land Development Plan Compliance of the zoning map amendment for properties with Union County Tax Parcel Number: 09-158-028.

Adopted this 1st day of September, 2021

MaryAnn Rasberry, Chair

Attest:

Maryann Brown, Secretary to Planning Board

RESOLUTION DENYING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “Ground 40 Old Charlotte Highway”

R-2021-XX

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “Ground 40-Pageland Highway” further described below property is consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as Suburban Development, and residential uses are allowed under this classification. The proposed use is of a residential nature, as people will be living together as a single housekeeping unit. However, the proposed use is an unreasonable use and not in the public interest based on the potential for the adjacent property values to be adversely affected by the rezone. Surrounding existing residential uses are single-family, and the proposed use to house unrelated persons with a tendency toward addiction, mental illness, antisocial, or criminal conduct is not reasonable or in the interest of the properties in the area. Based on the land uses in the area, the conditions have changed which justify amending the Land Development Plan. As a result of this zoning map amendment denial recommendation, the Land Development Plan would be amended accordingly 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 Denying Land Development Plan Compliance of the zoning map amendment for properties with Union County Tax Parcel Number: 09-158-028.

Adopted this 1st day of September, 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 property at 1657 Pageland Highway further identified with parcel ID number 09-158-028 from R-10 (Residential High Density) to Conditional District “Ground 40 Pageland Highway”.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 12th day of October, 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) “Ground 40 Pageland Highway”.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 12th day of October, 2021.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: Planning Board Members

DATE: September 1, 2021

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Doug Britt, Senior Planner

SUBJECT: Zoning Map and Text Amendment request for Conditional District
“Secrest Price Road Site”

SUMMARY STATEMENT

The Planning Board is requested to consider a zoning map and text amendment for the property located along W. Highway 74 and further identified as tax parcel # 09-298-068-A. The request is to rezone the property from Conditional District “Secrest Place” to Conditional District “Secrest Price Road Site”.

REVIEW

The applicant, Megan Ledbetter on behalf of Taylor Morrison, is requesting a Conditional District rezoning for the property located along W. Highway 74. The total area of the project is 24.58 acres with approximately 11.06 acres (45%) of open space. The site is currently zoned Conditional District “Secrest Place” which is an obsolete conditional district. The previous conditional district authorized the development of a commercial shopping center with a maximum of 650,000 square feet of office and retail uses.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Multi-Family Residential	CD “Redwood”
East	Commercial & Single Family Residential	GB (General Business) & R-20 (Residential Low Density)
South	Vacant	GB (General Business)
West	Medical	CD “Heritage of Union County”

REQUIREMENTS

Proposal

The applicant is requesting a conditional district in order to develop a 156-unit multifamily one-story apartment complex. The applicant is also providing a pavilion/shelter and leasing office. The total area of the project is 24.58 acres with 11.06 acres (45%) of open space.

Density & Dimensional Standards

The density of this project is 6.27 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: 50 feet

Side: 50 feet

Rear: 50 feet

Elevations

The developer is proposing the exterior building materials to include fiber cement, stone and/or brick. At least 25% of the front elevation shall consist of brick or stone. Vinyl siding may be utilized for eaves, soffits, and windows. The minimum square footages of the one-story units will be as follows:

One (1)-bedroom unit 742 heated square feet

Two (2)-bedroom unit 1,052 heated square feet

Landscaping/Buffering

The ordinance requires multi-family projects provide a 50 foot landscaped buffer in order to screen the project from the adjoining land uses. The applicant has provided a landscape plan that utilizes the existing tree canopy as well as including a mixture of trees in order to satisfy the intent and spirit of the ordinance. Additionally, the applicant has provided 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 12.29 acres. As part of the conditional district, the applicant has provided 11.06 acres or 45% of open space. The applicant is providing an amenity package that includes a pavilion/shelter with benches, picnic tables, leasing office, workout facility/yoga room, gathering room, pool, and dog park.

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. There are 92 two-bedroom units and 64 one-bedroom units for a total of 156 bedrooms. Based on ordinance requirements 326 parking spaces are required for the project. The developer is proposing 274 surface spaces and 52 garage spaces for a total of 326 parking spaces for the project.

Schools

The proposed 156-unit multifamily development is currently within the following school attendance area for the 2021-2022 school year:

Porter Ridge Elementary School	Currently at 84% rated capacity
Piedmont Middle School	Currently at 90% rated capacity
Piedmont High School	Currently at 79% rated capacity

Although the above schools are the current assignments for this area, the Union County Public Schools Board of Education has the obligation and reserves the right to modify assignments in order to optimize facility utilization and efficiency.

Per Board of Education policy, Piedmont MS is no longer accepting transfers due to high enrollment. Additional residential construction contributes to high enrollments, which in turn exacerbate problems such as:

- Additional mobile classrooms
- Inadequate capacity for food service and rest room facilities
- Rationing of access to the Media Center
- Insufficient parking and queuing space for parents to safely deliver or pick up their children
- Inadequate planning/meeting space for additional staff.

Sidewalk

The developer is required to provide an eight (8) foot sidewalk along the exterior of the project on W. Highway 74. Additionally, the applicant is providing five (5) foot 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 stormwater 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 W. Highway 74, which is maintained by the North Carolina Department of Transportation. Since this is a multifamily project under one common ownership there will not be any publicly maintained streets within the project. The owner 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 analysis (TIA) was not required for this project based on the number of units and the projected trip generation. The project will be accessed by a right in-right out intersection on W. Highway 74.

The Redwood multifamily project, approved by City Council in 2018, which is located north of the proposed project, has an access easement through the subject property that will allow two-way traffic to navigate between W. Highway 74 and the Redwood project. However, neither the proposed project nor the Redwood project would be able to travel east on Secrest Price Road beyond the roundabout located at the entrance of the Redwood project.

LAND DEVELOPMENT PLAN CONSISTENCY

The Land Development Plan indicates this property is located in the Community Corridor land use area. The Community Corridor generally covers most of US 74 and areas adjacent to intersecting major streets. The area serves as a primary conduit to downtown and the spine of the community with critical connections to major employers, Charlotte-Monroe Executive Airport, the hospital, and the Concord Avenue Area. For this reason, the area's design and performance is important to the entire community. The Community Corridor designation encourages a more unified approach to improving the area's physical environment and economic viability. While linear due to its orientation on US 74, the vision for the Community Corridor is for redevelopment to occur as nodes of activity (preferred with a mixture of uses). This may be achieved by focusing more intense commercial/mixed-use nodes at key intersections with transitional uses between nodes and as a buffer to adjacent residential areas. Priority uses in the Community Corridor include: multi-family residential, commercial, office, medical, civic, industrial, and mixed-use. Allowable density in this area is 4 to 10 dwelling units per acre.

Planning staff is of the opinion the development pattern of multi-family residential at this location at 6.27 units per acre is consistent with the Land Development Plan and is a reasonable use for the property.

PUBLIC NOTIFICATION

The applicant held a neighborhood meeting on Monday, July 26th to discuss the project with the neighbors. The meeting was held virtually but no one attended.

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 “Secrest Price Road Site”.

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-Section 156.106
Attachment 9-O-2021- Section 156.98

Ortho Map

Legend

-  Centerlines
-  Parcels
-  streams

Existing: CD
"Secret Place"

Owner: Monroe-Independence,
LLC

Acres: 24.58



0 275 550
 Feet



Zoning Map

Legend

- Centerlines
- Parcels
- streams

Zoning Districts

Code

- R-40
- R-20
- OT
- GB
- CD

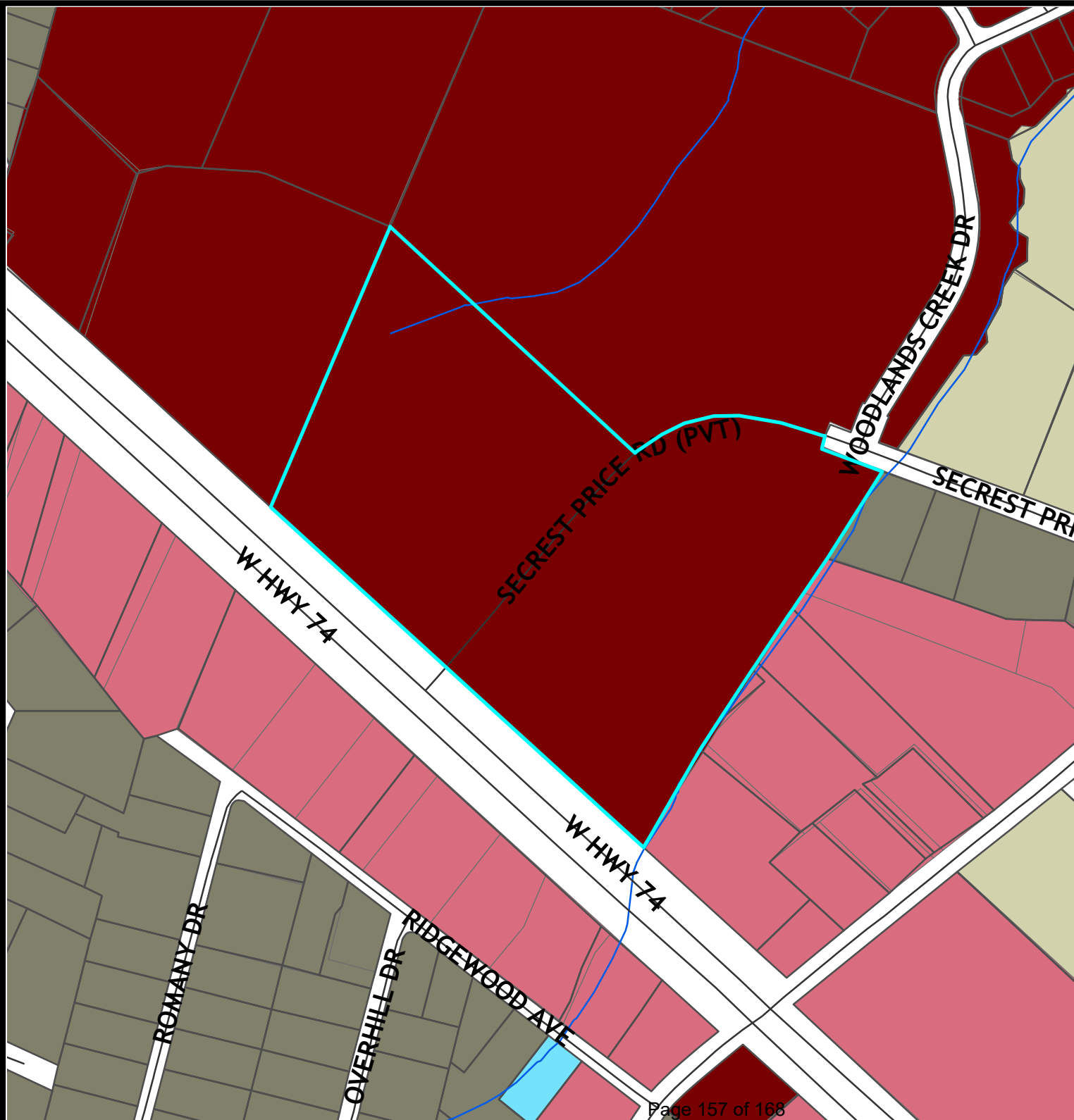
Existing: CD
"Secrest Place"

Owner: Monroe-Independence, LLC

Acres: 24.58



0 275 550 Feet



CONDITIONAL DISTRICT REZONING

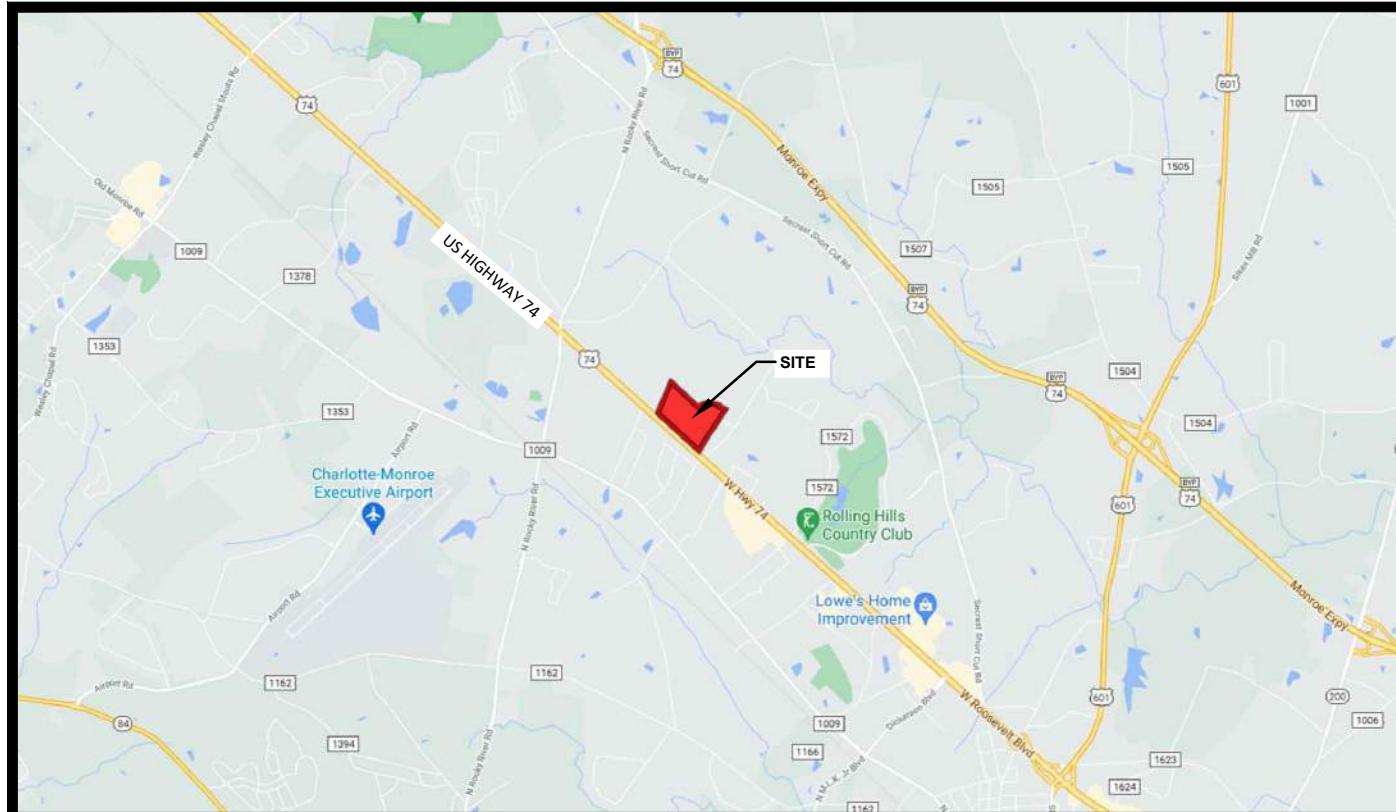
"SECREST PRICE ROAD SITE"

LOCATED IN

CITY OF MONROE, NORTH CAROLINA



ESP Associates, Inc.
P.O. Box 7030
Charlotte, NC 28241
3475 Lakemont Blvd.
Fort Mill, SC 29708
704-583-1946 (NC)
803-582-2440 (SC)
www.espassociates.com



VICINITY MAP
NOT TO SCALE

INDEX OF SHEETS

SHEET NO.	SHEET NAME	ORIGINAL DATE	REVISED DATE
1 OF 5	CONDITIONAL REZONING PLAN - COVER SHEET	05/19/2021	08/18/2021
2 OF 5	CONDITIONAL REZONING PLAN - TECHNICAL DATA	05/19/2021	08/18/2021
3 OF 5	CONDITIONAL REZONING PLAN - TREE PLAN	05/19/2021	08/18/2021
4 OF 5	CONDITIONAL REZONING PLAN - CONCEPTUAL ELEVATIONS	05/19/2021	08/18/2021
5 OF 5	CONDITIONAL REZONING PLAN - ILLUSTRATIVE PLAN	07/14/2021	08/18/2021

Site Number	Parcel Number	Owner	Owner	Mailing Address	Mailing City	Mailing State	Mailing Zip	Book & Page
1	09298069	S & P INVESTMENT PROPERTIES LLC		332 DEERWOOD CRT	WAXHAW	NC	28173	3894 303
2	09298072	DOWDY JOHN CHARLES HEIRS		2153 FOWLER SECRET RD	MONROE	NC	281100943	W15E 1008
3	09298073	CORCORAN MATTHEW HEIRS	C/O BRANDY ROBE	209 CASTLE BOTTOM DR	LAURENSVILLE	GA	300452795	0006 073
4	09298073C	BRAWLEY MARTHA L		2117 FOWLER SECRET RD	MONROE	NC	28110	6232 878
5	09298074	SOUTH CENTRAL OIL CO INC		2121 W MAIN ST	ALBEMARLE	NC	28003	3988 836
6	09298077	CONY BARBARA A		3221 SECRET PRICE RD	MONROE	NC	28110	6474 839
7	09298077	MCCULLUM WILLIAM BRUCE	CONY STEPHEN B	3218 SECRET PRICE RD	MONROE	NC	28110	5627 512
8	09298084	REDWOOD MONROE SECRET PRICE RD NC P1		7007 E PLEASANT VALLEY RD	CLEVELAND	OH	44131	
9	09298084	REDWOOD MONROE SECRET PRICE ROAD NC		7007 E PLEASANT VALLEY RD	CLEVELAND	OH	44131	7516 515
10	09298087H	HERITAGE PROPERTIES OF UNION COUNTY INC		1626 JURGENS CT	NORCROSS	GA	30090	5969 685
11	09298087C	UNION COUNTY RETIREMENT COMMUNITY INC		1626 JURGENS CT	NORCROSS	GA	30093	5274 763
12	09298087	ASH PROPERTIES LLC		4773 RAINBOW RD	ADAMSVILLE	NC	27006	2021 643
13	09298088	WILBURN DONALD W		1339 GARDEN VISTA DR	MATTHEWS	NC	28104	6666 907
14	09298088	HWY 74 LLC		150 BLACK OAK DR	ASHEVILLE	NC	28804	7577 0349

SITE DATA:

TAX PARCELS:	09298068A
TOTAL SITE AREA:	24.89 ACRES (PER SURVEY)*
DEDICATED ROW AREA:	APPROX. 0.31 ACRES
REMAINING SITE AREA:	APPROX. 24.58 ACRES**
EXISTING LOCATION:	CITY OF MONROE, NC
ZONING:	
EXISTING:	CONDITIONAL DISTRICT "SECREST PLACE"
PROPOSED:	CONDITIONAL DISTRICT "SECREST ROAD SITE"
TOTAL PROPOSED UNITS:	156 UNITS
1 BEDROOM (742 SQ. FT.)	64 UNITS
2 BEDROOM (1,052 SQ. FT.)	92 UNITS
PARKING:	
REQUIRED PARKING:	326 SPACES (1 PER BEDROOM + 1/2 SPACE PER UNIT)
PROVIDED PARKING:	326 SPACES
GARAGE PARKING:	52 SPACES
UNCOVERED PARKING:	274 SPACES
OVERALL DENSITY:	6.27 DU/AC*
COMMON OPEN SPACE:	
OPEN SPACE REQUIRED:	12.29 ACRES (50%)
OPEN SPACE PROVIDED:	11.06 ACRES (45%)**
TREE SAVE:	
REQUIRED TREE SAVE:	0.73 ACRES (10%)
PROVIDED TREE SAVE:	0.73 ACRES (10%) MINIMUM ***

*NOTE: DENSITY BASED ON TOTAL SITE AREA (24.89 ACRES).
**NOTE: COMMON OPEN SPACE BASED ON REMAINING SITE AREA (APPROX. 24.58 ACRES).
***NOTE: TREE SAVE BASED ON EXISTING TREE CANOPY ACREAGE (APPROX. 7.35 ACRES)

GENERAL NOTES:

- BASE INFORMATION PROVIDED BY "ALTAINSPS LAND TITLE SURVEY OF: MONROE-INDEPENDENCE, LLC" DATED 07/02/2021 AND UNION COUNTY GIS DATA AND SHOULD BE VERIFIED FOR ACCURACY.
- ALL SITE PLAN, ZONING AND WETLAND INFORMATION UTILIZED IN THE PREPARATION OF THIS PLAN IS CONSIDERED TO BE PRELIMINARY IN NATURE AND SUBJECT TO CHANGE UPON FINAL VERIFICATION.

FLOODPLAIN INFORMATION

FLOODPLAIN INFORMATION OBTAINED FROM FEMA FIRM PANEL 3710542600J EFFECTIVE DATE OF STUDY 10/16/2008.

STREAM/WETLAND INFORMATION

STREAM/WETLAND INFORMATION IS BASED ON PRELIMINARY INFORMATION PROVIDED TO ESP BY CAROLINA WETLAND SERVICES TITLED "APPROXIMATE WETLAND/OTHER WATER BOUNDARIES" DATED 2/18/2021 AND BY UNION COUNTY GIS DATA. FOR PURPOSES OF PREPARATION OF THIS CONDITIONAL DISTRICT REZONING PLAN, ANY POTENTIAL WETLAND AREAS AND STREAM FEATURES DEPICTED ON THE PLAN ARE CONSIDERED TO BE PRELIMINARY IN NATURE AND APPROXIMATE IN LOCATION. THE CONDITIONAL DISTRICT REZONING PLAN WILL NEED TO BE REVISED ONCE ALL AGENCIES APPROVED ON-SITE WETLAND/STREAM AND APPROPRIATE JURISDICTIONAL BOUNDARIES ARE SURVEYED AND VERIFIED WITH ACCEPTABLE LEVELS OF ACCURACY. UNIT LOSS MAY OCCUR.

ACCESS POINTS/DRIVEWAYS/STREETS

1. PROPOSED PROJECT SITE ENTRANCE LOCATIONS ARE CONSIDERED PRELIMINARY IN NATURE AND NEED TO BE VERIFIED WITH ADEQUATE SIGHT DISTANCE.
2. ALL ROADWAY AND STREET SYSTEMS ARE CONSIDERED TO BE PRELIMINARY AND WILL NEED TO BE VERIFIED FOR SUFFICIENCY TO SATISFY OR EXCEED MINIMUM REQUIREMENTS ESTABLISHED IN THE CITY OF MONROE UNIFIED DEVELOPMENT ORDINANCE AND APPLICABLE STANDARDS IDENTIFIED BY NCDOT. STREET CONNECTIONS ARE CONCEPTUAL AND MAY BE SUBJECT TO CHANGE BASED ON AGENCY INPUT/REVIEW.

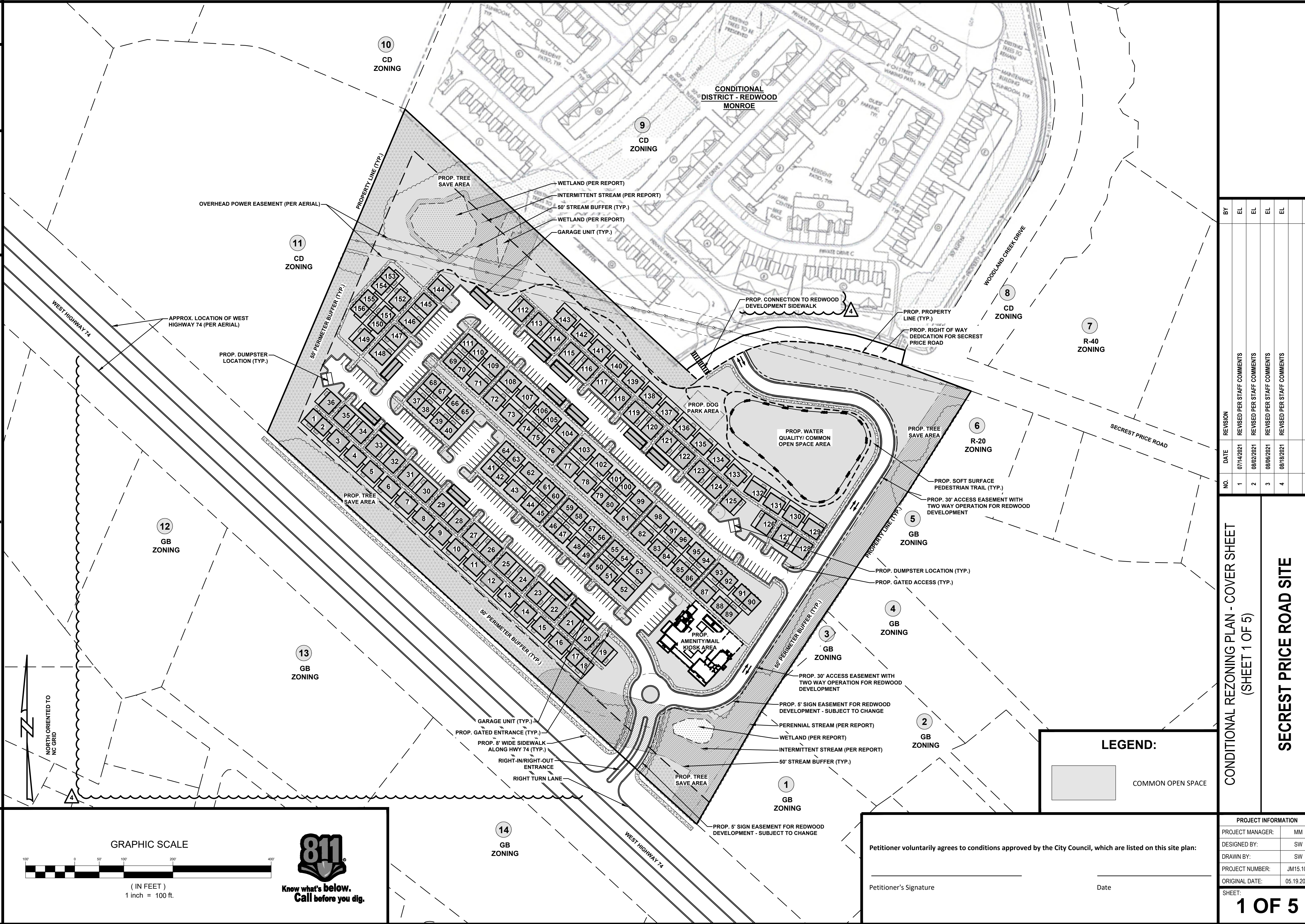
POTENTIAL STORMWATER QUALITY AREAS

LOCATION OF PROPOSED STORMWATER AREAS ARE CONCEPTUAL AND PRELIMINARY AND STILL NEED TO BE DETERMINED. THE EXACT SIZE AND LOCATION OF THESE AREAS WILL CHANGE AS THE CLIENT FINALIZES DECISIONS REGARDING FINAL LAYOUT, PRODUCT ALLOCATION, AND AS OTHER PROPOSED CHANGES TO THE PROJECT ARE BETTER DEFINED. LAYOUT AND UNIT COUNT SUBJECT TO CHANGE BASED ON FINAL DESIGN OF STORMWATER AREAS.

PUBLIC INFORMATION

ESP ASSOCIATES IS NOT RESPONSIBLE FOR PLAN DEFICIENCIES CREATED BY INCORRECT, INCOMPLETE, MISSING OR OUTDATED INFORMATION DERIVED FROM PUBLIC SOURCES SUCH AS GIS, PLANNING AND ZONING DEPARTMENTS.

ENGINEERING FIRM:	ESP ASSOCIATES, INC.
ADDRESS:	3475 LAKEMONT BLVD.
	FORT MILL, SC 29708
PHONE:	(803) 802-2440
FAX:	(802) 802-2515
CONTACT:	MATT MANDE, PLA
DEVELOPER:	TAYLOR MORRISON
ADDRESS:	11405 NORTH COMMUNITY HOUSE RD, SUITE 150
PHONE:	(704) 251 - 8142
CONTACT:	MS. MEGAN LEDBETTER



CONDITIONAL REZONING PLAN - COVER SHEET
(SHEET 1 OF 5)

SECREST PRICE ROAD SITE

MONROE, NORTH CAROLINA

TAYLOR MORRISON

PROJECT INFORMATION	
PROJECT MANAGER:	MM
DESIGNED BY:	SW
DRAWN BY:	SW
PROJECT NUMBER:	JM15.100
ORIGINAL DATE:	05.19.2021
SHEET:	1 OF 5

Petitioner voluntarily agrees to conditions approved by the City Council, which are listed on this site plan:

Petitioner's Signature _____ Date _____

U:\2021 Projects\UJ\JM15 - Secret Price Road\Drawings\08-xx-2021_Secret Price Road Site (BTR) - 5th Rezoning Submittal\Sheets\JM15_TECH.dwg, along

CONDITIONAL DISTRICT - SECREST PRICE ROAD SITE
DEVELOPMENT STANDARDS 08/18/2021

I. GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE CONDITIONAL REZONING PLAN ASSOCIATED WITH THE CONDITIONAL REZONING PETITION FILED BY TAYLOR MORRISON (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 23.16-ACRE SITE LOCATED WITH FRONTAGE ALONG WEST HIGHWAY 74, DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS FURTHER DESCRIBED AS TAX PARCEL NUMBER 09298068A.
2. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE CONDITIONAL REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF MONROE UNIFIED DEVELOPMENT ORDINANCE - UDO. (THE "ORDINANCE").
3. BASE INFORMATION PROVIDED BY UNION COUNTY GIS.

II. PERMITTED USES

1. THE SITE SHALL BE DEVOTED TO A HORIZONTAL MULTI-FAMILY DEVELOPMENT CONSISTING OF ONE-STORY SINGLE AND DUPLEX UNITS RENTAL RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 156 UNITS INCLUDING DETACHED DWELLINGS AND ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN RESIDENTIAL ZONING DISTRICT(S).
- a. THE CURRENT UNIT MIX PROPOSES APPROXIMATELY SIXTY-FOUR (64) ONE-BEDROOM UNITS AND NINETY-TWO (92) TWO-BEDROOM UNITS. THE APPROXIMATE SQUARE FOOTAGE OF ONE-BEDROOM UNITS IS 742 SQUARE FEET AND THE APPROXIMATE SQUARE FOOTAGE OF TWO-BEDROOM UNITS IS 1,052 SQUARE FEET.
2. GRADING AND LOCATION OF RETAINING WALLS, IF NECESSARY, SHALL BE PROVIDED DURING THE CONSTRUCTION DOCUMENTATION PHASE.

III. TRANSPORTATION

1. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE CONDITIONAL REZONING PLAN. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINTS SHOWN ON THE CONDITIONAL REZONING PLAN ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS ALONG WITH ANY ADJUSTMENTS REQUIRED BY THE CITY AND/OR NCDOT FOR APPROVAL.
2. AS DEPICTED ON THE CONDITIONAL REZONING PLAN, THE SITE SHALL BE SERVED BY INTERNAL PRIVATE DRIVES.
3. PETITIONER SHALL PROVIDE A TWO-WAY ACCESS EASEMENT WITH ACCESS TO HIGHWAY 74, AS GENERALLY DEPICTED ON THE REZONING PLAN. ENTRANCE(S) INTO THE DEVELOPMENT MAY BE GATED FOR PRIVATE ACCESS THROUGH THE REZONING SITE.
4. BIKE RACKS WILL BE LOCATE THROUGHOUT THE SITE AS REQUIRED BY ORDINANCE.
5. ALL PARKING AND CIRCULATION AREAS ARE REQUIRED TO BE MAINTAINED AT ALL TIMES AND REASONABLY FREE OF POTHOLES.

IV. STREETScape / LANDSCAPING / UTILITIES

1. STREET LIGHTING, STREET SIGNAGE AND MAIL KIOSKS WITHIN THE PROPOSED DEVELOPMENT SHALL ADHERE TO THE CITY OF MONROE UDO. RECOMMENDED SCALING OF STREET LIGHTS IS SUBJECT TO APPROVAL OF THE ENGINEERING DEPARTMENT.
2. LANDSCAPING TO MEET MINIMUM ORDINANCE REQUIREMENTS.
3. SIDEWALKS AND LEADWALKS SHALL BE PROVIDED IN THE LOCATIONS DEPICTED ON THE SITE PLAN, MODIFICATIONS TO THESE LOCATIONS MAY OCCUR DURING THE DESIGN PROCESS.
4. SIGN REGULATIONS FOR THIS PROPERTY SHALL ADHERE TO THE RESIDENTIAL SIGN REQUIREMENTS.
5. ENTRY MONUMENTATION SHALL BE PERMITTED SEPARATELY.
6. WATER AND SEWER CONNECTIONS TO BE COORDINATED WITH CITY OF MONROE WATER RESOURCES DEPARTMENT.
7. PRESERVATION OF EXISTING TREES IN OPEN SPACE AREAS AND REQUIRED BUFFERS SHALL BE DELINEATED AND FINALIZED DURING CONSTRUCTION DOCUMENTATION.
8. ALL LANDSCAPING SHALL BE KEPT IN A THRIVING CONDITION.
9. FRONT LAWNS OF ALL UNITS SHALL BE SODDED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
10. TREES WITHIN THE DEVELOPMENT THAT ARE 75" OR GREATER IN CIRCUMFERENCES MUST BE PRESERVED AND SHALL NOT BE REMOVED. 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, OR DRIVEWAY AREA.
11. LANDSCAPE AREAS WILL BE IRRIGATED.
12. A FIVE FOOT (5') MONUMENT SIGN EASEMENT SHALL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN FOR USE BY THE ADJACENT REDWOOD DEVELOPMENT. SIGNAGE SHALL BE NO TALLER THAN A FIVE FOOT (5') MONUMENT AND SHALL HAVE NO MORE THAN 32 SQUARE FEET OF COPY.
13. THE PETITIONER SHALL COMPLETE A TREE SAVE STUDY PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

V. OPEN SPACE

1. THE PETITIONER SHALL PROVIDE COMMON OPEN SPACE AREAS AS GENERALLY DEPICTED ON THE CONDITIONAL REZONING PLAN.
2. COMMUNITY AMENITY FEATURES SHALL CONTAIN A COMBINATION OF ANY OF THE FOLLOWING COMPONENTS: COVERED PAVILION/SHELTER WITH BENCHES, PICNIC TABLES, LEASING OFFICE, MAINTENANCE BUILDING(S), WORK OUT FACILITY/YOGA ROOM, GATHERING ROOM, POOL AND DOG PARK. SPECIFIC DESIGN DETAILS OF THE AMENITY AREA ARE TO BE DETERMINED DURING THE CONSTRUCTION DOCUMENT PHASE. COMMUNITY MAIL KIOSKS SHALL BE COORDINATED WITH THE USPS FOR APPROVED LOCATION(S).
3. WATER QUALITY AREAS AND PRIVATE BACKYARDS MAY COUNT TOWARD OPEN SPACE REQUIREMENTS.

VI. ARCHITECTURAL STANDARDS

1. PRIMARY BUILDING EXTERIOR MATERIALS SHALL BE LIMITED TO A MIX OF FIBER CEMENT, STONE, STUCCO, AND/OR BRICK MATERIALS. EXTERIOR MATERIALS FOR GARAGE UNITS AND OTHER ACCESSORY USES SHALL BE OF A COMPLEMENTARY MATERIAL. AT LEAST 25% OF THE FRONT ELEVATION SHALL CONSIST OF BRICK OR STONE.
2. RESIDENCES BUILT ON SLAB FOUNDATIONS SHALL HAVE A MINIMUM FOUR COURSE BRICK/STONE OF STANDARD SIZE, EXTENDING UP THE FACE OF THE SLAB.
3. THE FRONT WALL OF ALL RESIDENCES SHALL NOT RUN UNBROKEN (UNARTICULATED) FOR A DISTANCE OF MORE THAN 24 LINEAR FEET. ALL WALL OFFSETS SHALL BE A MINIMUM OF ONE FOOT IN DEPTH.
4. THE MAJORITY OF ALL ROOF AREAS ON ANY RESIDENCE SHALL HAVE A MINIMUM 5/12 PITCH ROOF AND ALL EXPOSED CHIMNEYS SHALL BE STUCCO OR BRICK VENEERED CONSISTENT WITH THE ARCHITECTURE OF THE HOME.
5. DUMPSTER ENCLOSURES MUST BE CONSTRUCTED OF MASONRY OR STONE MATERIALS WITH OPAQUE GATES.

VII. ENVIRONMENTAL FEATURES

1. THE PETITIONER SHALL COMPLY WITH THE CITY OF MONROE'S ADOPTED STORMWATER MANAGEMENT ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORMWATER MANAGEMENT SYSTEMS DEPICTED ON THE CONDITIONAL REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORMWATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

VIII. LIGHTING

1. PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURES SHALL BE INSTALLED THROUGHOUT THE SITE ALONG ALL INTERNAL ROADS, LIGHTING FIXTURES SHALL BE UNIFORM IN DESIGN. SPACING OF STREET LIGHTS TO BE COORDINATED WITH CITY OF MONROE ENGINEERING DEPARTMENT. CITY OF MONROE SHALL BE RESPONSIBLE FOR MONTHLY COSTS WHEN/IF ROADWAYS ARE ACCEPTED FOR MAINTENANCE.
2. THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED TWENTY-FIVE (25) FEET.

VIII. AMENDMENTS TO REZONING PLAN

1. FUTURE AMENDMENTS TO THE CONDITIONAL REZONING PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF A PARTICULAR TRACT WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS IN THE ORDINANCE.

X. VESTED RIGHTS PROVISION

1. ONCE THIS CONDITIONAL REZONING PETITION IS APPROVED BY THE CITY OF MONROE, THEN THE PETITIONER HEREBY REQUESTS A FIVE-YEAR VESTED RIGHT TO UNDERTAKE AND COMPLETE THE DEVELOPMENT OF THIS SITE UNDER THE TERMS AND CONDITIONS AS SO APPROVED, COMMENCING UPON APPROVAL OF THIS CONDITIONAL REZONING PETITION BY THE MONROE CITY COUNCIL. THE PETITIONER MAKES THIS REQUEST FOR A FIVE-YEAR VESTED RIGHT DUE TO THE SIZE AND PHASING OF THE PROPOSED DEVELOPMENT, MARKET CONDITIONS AND THE LEVEL OF INVESTMENT INVOLVED.

XI. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

1. IF THIS CONDITIONAL REZONING PETITION IS APPROVED, CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS SHALL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
2. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.
3. 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 DESIGNEE.

CONDITIONAL REZONING PLAN -TECHNICAL DATA

(SHEET 2 OF 5)

SECREST PRICE ROAD SITE

TAYLOR MORRISON

MONROE, NORTH CAROLINA

PROJECT INFORMATION	
PROJECT MANAGER:	MM
DESIGNED BY:	SW
DRAWN BY:	SW
PROJECT NUMBER:	JM15.100
ORIGINAL DATE:	05.19.2021

SHEET:

2 OF 5

NO.	DATE	REVISION	BY	
			EL	
1	07/4/2021	REVISED PER STAFF COMMENTS		
2	08/02/2021	REVISED PER STAFF COMMENTS		
3	08/02/2021	REVISED PER STAFF COMMENTS		
4	08/18/2021	REVISED PER STAFF COMMENTS		

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704-583-1949 (NC)
803-582-2440 (SC)
www.espassociates.com

ESP



EXISTING TREE
CANOPY



CANOPY TO
REMAIN

NOTE: TREE ZONES ILLUSTRATED ON THIS
EXHIBIT MAY BE ADJUSTED TO ACCOMMODATE
TRANSITIONAL GRADING AND UTILITY
EASEMENTS AS NEEDED DURING THE FINAL CD
DESIGN AND SITE CONSTRUCTION PHASE.



U:\2021 Projects\U\JM15 - Secret Price Road\Taylor Morrison\Summit Working Drawings\08-xx-2021 Secret Price Road Site (BTR) - 5th Rezoning Submittal\Drawings\JM15_TREE PLAN.dwg TREE PLAN.dwg, along



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CONDITIONAL REZONING PLAN - TREE PLAN
(SHEET 3 OF 5)

SECRET PRICE ROAD SITE
TAYLOR MORRISON
MONROE, NORTH CAROLINA

PROJECT INFORMATION

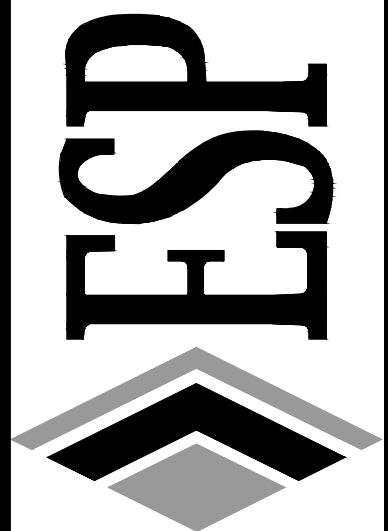
PROJECT MANAGER:	MM
DESIGNED BY:	SW
DRAWN BY:	SW
PROJECT NUMBER:	JM15.100
ORIGINAL DATE:	05.19.2021
SHEET:	3 OF 5

NO.	DATE	REVISION	REVISOR	BY
1	07/14/2021	REVISED PER STAFF COMMENTS		EL
2	08/02/2021	REVISED PER STAFF COMMENTS		EL
3	08/02/2021	REVISED PER STAFF COMMENTS		EL
4	08/18/2021	REVISED PER STAFF COMMENTS		EL

U:\2021 Projects\UJM15 - Secret Price Road (Taylor Morrison)\Submittal Working Drawings\08-XX-2021_Secret Price Road Site (BTR) - 5th Rezoning Submittal\Sheets\JM15_ELEVATIONS.dwg, ELEV, along



ARCHITECTURAL NOTE:
EXAMPLE ELEVATIONS AND CONCEPTUAL ARCHITECTURAL RENDERINGS ARE FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO CHANGE



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NO.		DATE	REVISION	BY
1	07/14/2021	REVISED PER STAFF COMMENTS	EL	
2	08/02/2021	REVISED PER STAFF COMMENTS	EL	
3	08/02/2021	REVISED PER STAFF COMMENTS	EL	
4	08/18/2021	REVISED PER STAFF COMMENTS	EL	

CONDITIONAL REZONING PLAN - CONCEPTUAL
ELEVATIONS (SHEET 4 OF 5)

SECRET PRICE ROAD SITE

TAYLOR MORRISON

MONROE, NORTH CAROLINA

PROJECT INFORMATION	
PROJECT MANAGER:	MM
DESIGNED BY:	SW
DRAWN BY:	SW
PROJECT NUMBER:	JM15.100
ORIGINAL DATE:	05.19.2021
SHEET:	4 OF 5

U:\2021 Projects\U\1616 - Secret Price Road\Taylor Morrison\Submittal Working Drawings\08-22-2021 Secret Price Road Site (BTR) - 5th Rezoning Submittal\Drawings\1616_ILLUSTRATIVE.dwg, TREE, along



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CONDITIONAL REZONING PLAN - ILLUSTRATIVE PLAN
(SHEET 5 OF 5)

SECRET PRICE ROAD SITE

TAYLOR MORRISON
MONROE, NORTH CAROLINA

NO.	DATE	REVISION	BY
1	07/14/2021	REVISED PER STAFF COMMENTS	EL
2	08/02/2021	REVISED PER STAFF COMMENTS	EL
3	08/02/2021	REVISED PER STAFF COMMENTS	EL
4	08/18/2021	REVISED PER STAFF COMMENTS	EL

PROJECT INFORMATION	
PROJECT MANAGER:	MM
DESIGNED BY:	SW
DRAWN BY:	SW
PROJECT NUMBER:	JM15.100
ORIGINAL DATE:	05.19.2021

SHEET:
5 OF 5

Future Land Use Map

Legend

- Centerlines
- Parcels
- streams

FLUM

- Community Corridor
- Suburban

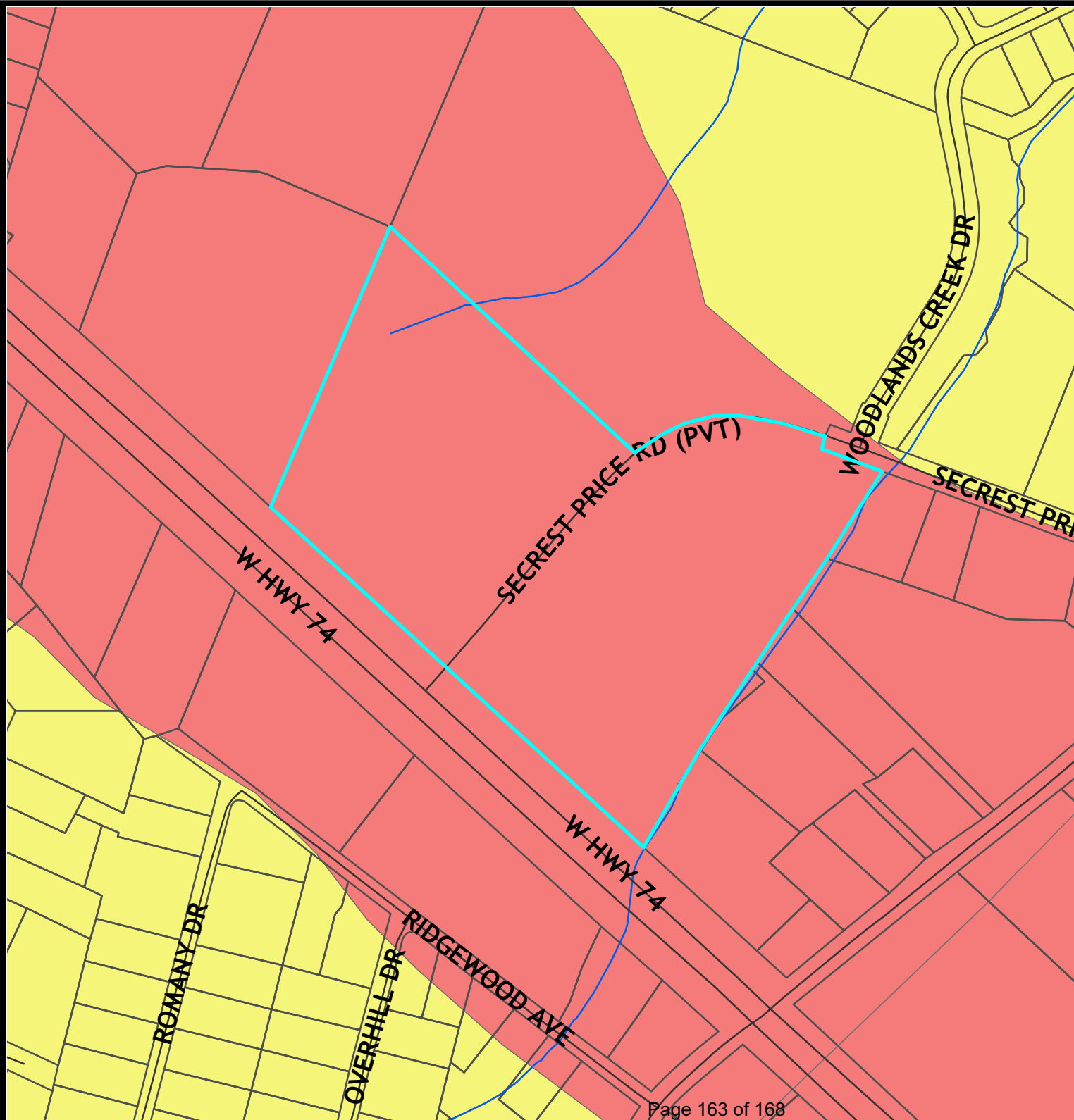
Existing: CD
"Secret Place"

Owner: Monroe-Independence,
LLC

Acres: 24.58



0 275 550
Feet



FUTURE LAND USE PLAN

The Community Corridor generally covers most of US 74 and areas adjacent to intersecting major streets. The area serves as a primary conduit to downtown, and the spine of the community with critical connections to major employers, Charlotte-Monroe Executive Airport, the hospital, and the Concord Avenue Area. For this reason, the area's design and performance is important to the entire community. The Community Corridor designation encourages a more unified approach to improving the area's physical environment and economic viability. While linear due to its orientation on US 74, the vision for the Community Corridor is for redevelopment to occur as nodes of activity (preferred with a mixture of uses). This may be achieved by focusing more intense commercial/mixed-use nodes at key intersections with transitional uses between nodes and as a buffer to adjacent residential areas. Priority uses in the Community Corridor include: multi-family residential, commercial, office, medical, civic, industrial, and mixed-use. Allowable density in this area is 4 to 10 dwelling units per acre.

**RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “SECREST PRICE ROAD SITE”**

R-2021-XX

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “Secrest Price Road Site” further described below property is consistent with the adopted Land Development Plan. The Land Development Plan indicates this property is located in the Community Corridor. The Community Corridor generally covers most of US 74 and areas adjacent to intersecting major streets. Priority uses in the Community Corridor include: multi-family residential, commercial, office, medical, civic, industrial, and mixed-use. The project is consistent with the plan because it offers a multifamily residential component located along Highway 74 that is consistent with the allowable density in this area of 4 to 10 dwelling units per acre. The proposed project is at 6.27 units per acre. The proposed development is a reasonable use and in the public interest, because the subject property is located along W. Highway 74 near nonresidential uses and where higher density residential would primarily locate.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Approving Land Development Plan Compliance of the zoning map amendment for the property with Union County Tax Parcel Number: 09-298-068-A.

Adopted this 1st day of September, 2021.

MaryAnn Rasberry, Chair

Attest:

Maryann Brown, Secretary to Planning Board

**RESOLUTION DENYING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “SECREST PRICE ROAD SITE”**

R-2021-XX

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “Secrest Price Road Site” further described below property is consistent with the adopted Land Development Plan. The Land Development Plan indicates this property is located in the Community Corridor. The Community Corridor generally covers most of US 74 and areas adjacent to intersecting major streets. Priority uses in the Community Corridor include: multi-family residential, commercial, office, medical, civic, industrial, and mixed-use. The project is consistent with the plan because it offers a multifamily residential component located along Highway 74 that is consistent with the allowable density in this area of 4 to 10 dwelling units per acre. The proposed project is at 6.27 units per acre. However, the proposed project is not a reasonable use or in the public interest because the additional residential development along Highway 74 could create a negative impact to adjacent existing and future commercial development. 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 adoption of the Resolution Denying Land Development Plan Compliance of the zoning map amendment for the property with Union County Tax Parcel Number: 09-298-068-A.

Adopted this 1st day of September, 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 property located along W. Highway 74 near Fowler Secrest Road and further identified with parcel ID number 09-298-068-A from Conditional District “Secrest Place” to Conditional District “Secrest Price Road Site”.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 12th day of October, 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) “Secrest Price Road Site”.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 12th day of October, 2021.

Attest:

Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk