

PLANNING BOARD MEETING

Wednesday, October 5, 2022

6:00 PM

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

Agenda

- Item 1. Call to Order – Roll Call**
- Item 2. Approval of Minutes –September 7, 2022**
- Item 3. Zoning map amendment for the property located at 2733 W. Roosevelt Boulevard further identified as tax parcel #09-301-067. The request is to rezone the property from Conditional District “Genesis Holdings” to General Business (GB).**
- Item 4. Discussion: Consideration of Requesting City Council to Approve Adding the Pledge Allegiance and Moment of Silence at the Beginning of each Planning Board Meeting.**
- Item 5. Next Meeting: October 18, 2022 (Joint Planning Board and City Council Meeting at 4:00 in the City Hall Conference Room)**
- Item 6. Adjournment**

ATTENTION BOARD MEMBERS:

Please contact Ashlyn Penegar at 704.282.4527 or Lisa Stiwinter at 704.282.4569 to confirm your attendance. Thank you.

**cc: Planning Staff
 Ashley Britt
 Mujeeb Shah-Khan**

PLANNING BOARD MEETING

September 7, 2022 @ 6:00 PM
City Hall – Council Chambers
300 W. Crowell Street, Monroe, NC

Emailed to S. Laney on: 09/15/2022

Item 1. Call to Order/Roll Call

Chair called the September 7, 2022 meeting to order at 6:03 p.m. Ashlyn Penegar called the roll and noted there was a quorum was present.

Members Present: Richard Yercheck (Chair), Jennifer Smith (Vice Chair), Richard Ali, Patrick Furr, Margaret Desio, Kenneth Deal, David Dotson and Archie Morgan

Members Absent:

Staff Present: Keri Mendler, Senior Planner, Megan Brightharp, Planner I, Ashley Britt, Assistant City Attorney, Ashlyn Penegar, Administrative Assistant II

Guests: Pam & Andy Duda, Susan Sganga, Ann Yow, Terry Huey, Shawn Santee, Denis Rorie, Brandon Pridemore, Stephen Bennett, Anna Dowdy, Todd Akers, Klaytan Haita

Item 2. Approval of Minutes of Meeting- July 13, 2022

Motion: Jennifer Smith made a motion to approve the July 13, 2022 minutes.

Second: Archie Morgan

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

AYES: Richard Yercheck, Jennifer Smith, Richard Ali, Patrick Furr, Margaret Desio
Kenneth Deal, David Dotson and Archie Morgan

NAYS: None

Chair said I wanted to touch base, I have our legal team here with our new UDO and we've got a new rule change that moving forward, there won't be any abstentions unless there is some sort of conflict. There won't be any, no I don't want to vote on this project, so I abstain. If you have some sort of conflict, you can be excused, but other than that, you have to vote either yes or no.

David Dotson asked if there is a vote on abstentions? Is there a board vote allowing people to abstain?

Chair said so, if someone says they have a conflict and it's a recognizable conflict, then the Chair will say you are excused. If they were going to leave the meeting for whatever reason, the Board would have to excuse that member if they were leaving entirely. If you leave and the Board has not approved it, as I understand it and Ashley may correct me later, if you leave, then your vote is then counted as yes.

Ashley Britt said that is correct. For any vote, it's going to be an automatic, affirmative vote, unless you vote no or have a conflict. If you have a conflict, that needs to be raised before the item has started and you can either recuse yourself or be excused by vote from the Board and step down off the dais.

Chair asked if everyone is good on the new procedures and if there are any questions? The Chair said hearing none, we have a request from Pam Duda to speak before our presentations. The Planning Board, Pam, doesn't generally do a general public comment, but if you would like 3 minutes, unless someone on the Board has an objection, I will give Pam 3 minutes before we start our presentations. You are also on Union County's Planning Board.

Pam Duda said yes.

Chair said we are going to consider this a professional courtesy and we are not starting a new trend.

Pam Duda said thank you sir, I appreciate you all for allowing me to do this.

Pam Duda said it's been a while since I've been to some of these meetings. So, I have 2 requests of the Planning Board this evening. The first one is the Pledge of Allegiance and moment of reflection. As an American citizen and resident of Monroe, I would like to see the Pledge of Allegiance and a moment of reflection included prior to the start of each meeting. I feel it's a sign of respect and honor to our service members, our community and country. So, I ask that you consider that. We do it in Union County Planning Board and I respect that. I would ask that you consider that as well. It only takes a few minutes. My second request and I'm asking you guys to request the Planning department to begin presenting aggregated statistics and geospatial maps, overlays of all developments approved and in the pipeline to date by project status at each Planning Board and City Council meetings as soon as possible. Due to the volume and the speed by which these developments have been and are being approved, it's way past due that the Planning Board, Council and public have access and visibility to this information impact on how these areas are being developed. I was told that after the UDO was approved, resources were going to be allocated to convert the Planning department's excel spreadsheet, which I got from Lisa, into an interactive map for the ease of review and transparency of all developments. A picture is worth a thousand words and it doesn't need to be complicated. You can have search engine, filters, data points using from Lisa's spreadsheet. Include a dashboard summary page with aggregated, including current school enrollment numbers and color grading overlay for crime statistics. Why crime statistics you ask? Because I was surprised and dismayed to hear that Monroe has the highest crime rate in the nation, as you look at people vs. people within the cities. So, I drafted an example of some of my thoughts and consideration. I've tried to send this to Lisa and to the Planning department, but I have not heard anything back and I would like to share that with you. How can you make an educated informed decision without statistics, such as these, approving these annexations and rezoning requests as one off, without referring to aggregate impact to the surrounding communities and all of Monroe is supporting an overdevelopment nightmare and that is not a smart growth initiative and it's a recipe for disaster. Rolling your eyes when residents speak about traffic and school congestion and crime when a new development is presented, we need to start talking about these issues in a public forum and I would ask that we do it here and I would ask that we start doing it during Council meetings. It's going to build respect and trust throughout the community. I just ask that you consider asking for this information. Thank you.

Chair said Pam, if you can just state your name and your address.

Pam said Pam Duda, 821 Victoria Lane, Monroe.

Chair said thank you very much.

Margaret Desio asked Pam if she shared this information with Chief Gilliard?

Pam Duda said no I did not. It's actually on a reliable site and I have it quoted on the document I gave out, it's from one of the city towns. It's a viable source and I gave you my last copy, but yes, it is....

Chair said let's circle back to that since we are kind of jumping out of protocol here with that. You can talk to her off line. Moving on, we are going to go with item number 4 since item number 3 is deferred.

Item 3. Zoning map and text amendment for the properties located along W. Jefferson St. and W. Crowell St. further identified as tax parcels: 09-273-004A, 09-273-004B, 09-273-004C, 09-273-004D, 09-273-004E, 09-273-004F from RMD (Residential Medium Density) to Conditional District (CD) "Jefferson & Crowell". –Deferred until October 5, 2022

Item 4. Zoning map and text amendment for the properties located along Old Charlotte Highway further identified as tax parcels: 09-301-059, 09-301-059A, 09-301-060A, 09-301-045, and 09-301-047. The request is to rezone the properties from NB (Neighborhood Business), RMD (Residential Medium Density), and RLD (Residential Low Density) to Conditional District "Regent Pines - 2022".

Keri Mendler, Senior Planner, stepped up to the podium and said I do apologize. The projector is not speaking to the computer, so we are going a little old school tonight with paper copies. Tonight I am presenting a zoning map and text amendment for the properties located along Old Charlotte Highway. This project did come before Planning Board on July 13 and Planning Board did recommend approval of the Future Land Use and Transportation Plan Compliance resolution, however, due to a tie vote on the rezoning and text amendment, the project moved forward without a recommendation. At the August 9, 2022 City Council meeting, the applicant requested to go back to Planning Board with modifications to the project. The applicant has site plan revisions to present to Planning Board for consideration. So, I will present all of those changes tonight. The applicant, Old Charlotte Land Group, is requesting a Conditional District rezoning in order to develop 96 detached single-family homes. The total area of the project is 30.03 acres with 14 acres (46.9%) of open space. The site is currently zoned a mixture of Business and Residential. The properties can currently be developed for commercial uses on the front portion and residential uses on the rear portion. This applicant did submit the rezoning application prior to the UDO being adopted on April 12, so they are being processed under the old Unified Development Ordinance. The site is currently zoned a mixture of business and residential and this is attachment 2 in your packet. The property to the North and East is zoned residential. The property to the South is residential and business and the property to the West is zoned industrial. Moving on to the next attachment, which is the site plan. The applicant is requesting a Conditional District in order to develop 96 detached single family homes. The total area of the project is 30.03 acres with 14 acres (46.9%) open space.

Density & Dimensional Standards

The density of this project is 3.2 units per acre. The minimum lot size for the homes is 3,674 square feet. The applicant has provided a mix of lot widths; 71- 35-foot wide lots and 25- 40-foot wide lots.

Open Space

The project is required to provide 12.5% open space, which would equal 3.75 acres. The applicant has provided approximately 14 acres, which is 46.9% of the total site. The open space also includes a covered pavilion with an outdoor grill station, a walking path, a playground area, and a general purpose activity field.

Parking

The applicant is proposing that all homes will have a two-car rear load garage, which will be accessed by alleyways. Each driveway will be able to accommodate at least two (2) vehicles. The revised site plan includes overflow parking areas throughout the site with a total of 33 parking spots and an additional three parking spots at the mailbox center.

Keri Mendler said so those were the changes, otherwise, the project is the same as it was in July. As a reminder, the Land Use and Transportation plan did indicate that this area is located in the suburban character area. Single family uses are listed as a priority and the density for suburban is 2-4 units per acre and the proposed project is consistent with the Future Land Use Plan, again with the single family homes and a density of 3.2 units per acre. Just to go over each modification so you have a clear idea of what has changed, they did reduce the total number of lots to 96. In July it was 99. I believe some of those were to increase open space amenities as well as overflow parking. They did add an additional park interior to the development, which is located between lot 70 and 71. They added 5 parallel spaces across the street from lots 66 and 96 on the site plan. They also added an overflow parking area with 4 parking spaces near the Roland Dr. entrance and they added another additional overflow parking area with 24 parking spaces near the front of the site off of Old Charlotte Highway. They added the covered pavilion with grill station in the existing open space. They also provided a 60 x 100 ft. general purpose field near the front side of the site, again near the Old Charlotte Highway. They did provide some additional lot sizes, so there is now a mix of 35 ft. wide lots and 40 ft. wide lots. Staff does recommend approval of the rezoning and I will be happy to answer any questions that you may have.

Chair asked if there are any questions for Keri? Keri, you guys liked this one better than the first?

Keri Mendler said staff did recommend approval when it first came, but we believe that this site, being on Old Charlotte Highway, it's a mix of uses and you have industrial and you have commercial. It's not particularly conducive for a traditional detached single family house in staff's opinion. It backs up to multifamily and so the fact that they have only bettered it with the additional parking, which was a concern of Planning Board, and added some additional amenities, I think it only benefitted the project.

Margaret Desio asked is that little house in the middle going to be staying?

Keri Mendler said I don't believe that that will be staying as indicated on the site plan, they will ultimately demolish that and would develop it as proposed, I am assuming. All of these parcels are owned by the same owner, who has of course consented to the rezoning.

Chair asked if there are any updates from the other businesses or the church or anything like that? Have we received any new comments from them?

Keri Mendler said I believe I received one phone call after it was supposed to go to Council in August. He did express some concerns about the project.

Chair asked if that was an individual homeowner?

Keri Mendler said yes, I don't recall his address or his location. But, it was in the vicinity.

Chair asked how did the businesses and the church feel?

Keri Mendler said the church actually, if I am not mistaken and Mr. Bennett if you will confirm, I believe they provided a letter of support that was handed out last time or emailed to Planning Board before the July meeting. But, other businesses, I don't recall receiving any feedback one way or another.

Chair said thank you Keri. Is there anyone that would like to speak in favor of this project? Come on up Mr. Bennett.

Stephen Bennett came forward and said my name is Stephen Bennett and my business address is 314 North Hayne St. and that is my law firm, which is Helms Bennett and I represent the applicant in connection to this application. Keri has done an excellent job giving you the overview and I know we all spoke back in July, so I'm not going to belabor the point here, but I do have representatives from the applicant, as well as the builder, which is Meritage Homes here to answer any specific questions that you might have about the homes themselves or more about the development that I can't personally answer. A couple things that I did want to note, as Keri did mention, these are all rear load garages fed by alleyways. The houses are approximately 1800 to 2200 square feet in size. The price point is the low \$400,000's. The community also has 5 ft. sidewalks and 25 ft. landscape buffers around there. Keri mentioned that yes, we are back here because there has been a lot of changes, at least in our mind. That's why we are back here and I wanted to touch on a couple of those. She mentioned that a couple of the units have been removed and we are 99 down to 96 and that was for 2 reasons, to increase some of the lot sizes that are 25 40 ft. wide lots here now, as well as the centralized playground area. A lot of folks have mentioned the need for additional amenities and we did listen, it just took some time to develop those and that's why we are back here. The overflow parking that's been located throughout the project, so that's not centralized up at the front. That way folks who are visiting somebody in the very rear don't have to walk half a mile to get back there. The 60-100 ft. activity field is going to be graded and sodded. It's not just going to be a patch of dirt. The surface of the planned trail, that's no longer going to be left up to Mother Nature, that's going to be crushed stone, so it will be a nice trail. Ideally, I would like to have my power point up here to show you what that looks like, but I think you have print outs and there is a little picture of what a nice stone trail looks like. Some other things that I did want to mention, when we came before you in July, we were considering a 20% cap on rentals, that has been reduced to a 10% cap on rentals. That means the max amount of rental units that could ever exist in this community is going to be 9. So, I know there has been concerns by a lot of folks in Monroe that there are neighborhoods turning into rental areas and the quality does down, that can't happen here. Additionally, there is going to be a prohibition on overnight parking. That's going to be written into the restrictive covenants as well and I know that was a concern the first go around and that's honestly the best way to deal with that issue, to just prohibit the people from parking on the streets overnight, as well as providing them with parking places to park that are not in everybody's way. I know there are some concerns about Saturday's and Sunday's when folks come to visit and when you have family over and we are trying to address that as best as we can. In the back section on the power point handout, we wanted to give you some actual pictures of what Meritage has actually built and what they want to build. The last slide is a street scape of what this neighborhood would look like, should it get approved. I believe that's pretty super imposed.

Jennifer Smith (Vice Chair) asked do you have any of what the entrance will look like?

Stephen Bennett asked the entrance of the neighborhood?

Jennifer Smith (Vice Chair) said yes.

Stephen Bennett said I don't have that. We don't have that, it's still....

Archie Morgan asked can you explain the difference in the 60 ft. by 100 ft. general purpose grass activity area and the park or playground?

Stephen Bennett said sure. They are 2 separate things, so the 60 x 100 ft. field, for lack of a better reason, that's going to be in the front for folks who want to go out there and play soccer or if they have a child who wants to play soccer or throw a Frisbee or do whatever, or have a picnic. That playground would be centrally located so you don't have to walk all the way to the front, especially if you are some of the folks in the back. That was one of the things that came up in the first one, eventually whether or not we are targeting this area for families or not, it's for young adults, like I imagine myself to be, but no longer am, are going to move into there and eventually have kids and maybe before they move out, they are going to want to have a place for their kids to play.

Archie Morgan asked how big is the playground?

Stephen Bennett said the playground, I believe that is .14 acres. So, it's essentially the width of 2 units or so.

Archie Morgan asked is there any playground equipment?

Stephen Bennett said it wasn't meant to be an open field.

Brandon Pridemore came forward and said 1186 Stonecrest Blvd. Tega Cay, SC. I am with RJH and I am the consulting engineer. To answer your question about the playground, the area is going to be 60 x 120 and it's going to support, probably 12-18 people. It could be swing sets, slides, that hasn't been fully vetted. But, they are promising that they will provide physical playground equipment to be there. So, it's going to be a flat, graded area and it will be very usable and it will be the same as the general purpose field. It's not going to just be an open space that can be on a 4% slope, we are going to grade that out at 1-2%; it's going to be a nice area for the people to go enjoy, take their dogs, take their kids and things like that.

Stephen Bennett said the general purpose of the neighborhood is not necessarily young families, the general focus is younger professionals, without families, or perhaps right sizing adults. But, folks are going to move into this.

Brandon Pridemore said if I can add to it, the front we are going to have some natural trees there and that playground, having it there towards the front, it may be a little bit of a concern by it being next to a major road, Charlotte Highway there, but we are going to be over 100 ft. away from the right of way. So, it's a pretty safe distance, with some natural trees that will be there.

Jennifer Smith (Vice Chair) asked what's the school district there?

Keri Mendler said it's in your staff report.

Chair said it's Monroe.

Keri Mendler said it's Rocky River Elementary, Monroe Middle and Monroe High School.

Stephen Bennett said to answer a question that you had for Keri and yes, there is a letter in the packet from First Assembly of God and they were in support of it. They are actually adjacent and there is another letter where a couple folks have signed on in support of it as well. I will end on this, from the first presentation we also had some folks here who are from an organization called Purple Heart Homes. There is a commitment to provide down payment assistance for at least 5 veterans that would like to live in Regent Pines. They aren't here tonight, but I wanted to mention it again. If anybody has any questions, I'm more than happy to address them.

Patrick Furr said I've got one. One of the questions that's came up, even though I push my garbage to the front, I'm sure everybody else pushes their garbage to the front. Are we going to have it so where they can just go right around the side? It was one of the questions that came up at the last meeting when we had it with the Commissioners. So, let's put that dog to rest. Are they just going to wheel their garbage out to the front?

Stephen Bennett said you bring up an interesting point because garbage is a tough... Engineering originally wanted dumpsters for this neighborhood. I think everyone can agree that dumpsters are not a good solution to this. One being, if you put dumpsters here, then this person has to walk half a mile to get there.

Brandon Pridemore said we did explore that and we reached out to the City's Solid Waste as well as finding out what are the options and from a presentation standpoint, the City wants to be able to pick it up if they are going to provide service. It's my understanding that the City wants to provide service, but if we have to go to the alley, which with the road radius requirements, we just can't meet, it's tough to do when you do an alley with this type of product. Boom, then it would go to private service and go to dumpsters, which the City doesn't really want to do. So, if the City wants to provide service, we do have to require them to roll out to the front.

Patrick Furr said that's no problem, I think everybody here has to. Are you going to come down that alley and have them put it at the end of the alley or are they going to come around to the side of the house and put it at the front?

Brandon Pridemore said they will go around the side of the house because there is a minimum of 10 ft. between the houses. They've got the space to get there.

Patrick Furr said great.

Patrick Furr said I've spoken to several of the Commissioners and the garbage was a situation.

Brandon Pridemore said the City wants to maintain service.

Stephen Bennett said it's not a perfect solution, but statutorily, the City has the right to pick up the trash. It's not as easy to say, yeah, let's just hire a private contractor to come in. We can't do that. The center line permit radius to get the big garbage trucks down the alleyway, is not there.

Brandon Pridemore asked does that address your question?

Patrick Furr said yes.

Chair asked who else has a question for Mr. Bennett?

David Dotson said I've got a question. Number 13 in the City of Monroe standards notes and conditions reads, homeowners association will responsible for the ownership and maintenance of space, common areas, etc. HOA will be responsible for enforcing the prohibition on overnight parking in Regent Pines. A restriction will be added to the governing documents for Regent Pines, as well as a limitation of the number of rentals in Regent Pines to 10% of the total units. Said restriction will be added to the governing documents. I think it's a great thing to put in there. I think we can't ask for that as a condition, but I think that going forward that this is something that we might want to look into, even though we can't enforce it, at some point your HOA can enforce it. Correct? They will.

Stephen Bennett said I have a few HOA clients and over the years you see the older neighborhoods calling to ask about how difficult it is to add a rental cap. You can do it, but you have to get 75% or 2/3 of a neighborhood to sign off on that. So, it's easier just to do it at the beginning, which is why we are doing it now.

David Dotson said it's nearly impossible. So, it is part of the site plan, so we all see it and it's here. So, we can go in the future and look and it will be in the covenants of the new HOA.

Stephen Bennett said it is. I know a restrictive covenant is a civil route, but I would point out that they are also enforceable, not only by the HOA, but as a private course of action by any homeowner who lives in there.

Chair asked if there are any other questions for Mr. Bennett. There were none. Chair said thank you sir.

Chair asked do we have anybody else that would like to speak in favor of this project? Do I have anyone that would like to speak against this project? There was none. Chair said I would like to entertain a motion as it relates to this project.

Motion: Richard Yercheck made a motion to recommend adoption of the resolution approving Land Development Compliance.

Second: Richard Ali

Action: The motion to recommend approval of the adoption of the resolution approving Land Development Compliance passed with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Kenneth Deal, Archie Morgan, Margaret Desio, Patrick Furr, Richard Ali, David Dotson

NAYS: None

Motion: Richard Yercheck made a motion recommending the adoption of the ordinance amending section 157.1.2.1 Conditional Districts Established and section 157.1.3.1 Official Zoning Map.

Second: Jennifer Smith

Action: The motion to recommend adoption of the ordinance amending section 157.1.2.1 Conditional Districts Established and section 157.1.3.1 Official Zoning Map passed with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Kenneth Deal, Archie Morgan, Margaret Desio, Patrick Furr, Richard Ali, David Dotson

NAYS:

Item 6. Next Meeting- October 5, 2022

Item 7. Joint Planning Board and City Council Meeting on October 18, 2022 at 4:00 in the City Hall Conference Room.

Chair said we don't have an "Other" line item, but we will call it 7a, does anyone else have anything that they would like to bring up or have comments on? Everybody doing good?

Archie Morgan said I don't know the protocol Pam brought up about the Pledge of Allegiance, but is this the proper time to discuss that?

Chair said absolutely.

Archie Morgan said I am all in favor of that.

Ashley Britt said that would be something that the Council would need to consider because historically our boards have not done pledges or moments of silence, so that would be for Council to decide.

Pam Duda said I am going before Council next week.

Chair said we will bring this up, both comments from Pam, to City Council and we will see what we can get them to do.

David Dotson said I am not trying to extend this any longer, but there used to be something in these packets, correct? When they went before Council and what services would be required, like calls for service, that type of thing. Wasn't that one of the things that was in these packets at one time?

Keri Mendler said for annexations only.

David Dotson asked for annexations only, which is the ETJ? That's what you are concerned about, I know in general.

Keri Mendler said it only goes to Council.

David Dotson asked is it not something that we can possibly get?

Keri Mendler said possibly. Obviously we would have to send it out to all the departments, so it would just be requesting that information prior to. I can speak to Lisa, the director.

David Dotson said I know as Planning Board, one of the things that's written in the UDO is asking for that type of thing.

Chair said bring that up when we are together with Council on October 18th. Again, we will bring up a desire to add the pledge and a moment of silence if everyone is in agreement with that. But, the meeting on the 18th will be when we have an opportunity to do that kind of thing.

Margaret Desio asked Keri, when does City Council meet and have their work session?

Keri Mendler asked strategic meetings? Is that what you are talking about?

Margaret Desio said yes.

Keri Mendler said they usually meet at 4:00 prior to Council. On the same Council meeting day, just at 4.

Margaret Desio asked when will that take place or did they just have it?

Keri Mendler said it will take place Tuesday of next week.

Ashley Britt said it's actually at 4:30 now.

Chair said if everybody will take their cards and pens so it's easy for Ashlyn to collect, that would be great.

Item 7. **Adjournment**

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

Motion: **David Dotson made a motion to adjourn.**

Second: **Jennifer Smith**

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

AYES: **Richard Yercheck, Jennifer Smith, Patrick Furr, Kenneth Deal, Margaret Desio,
Richard Ali, David Dotson and Archie Morgan**

NAYS: **None**

The meeting was adjourned at 6:39 p.m.

Respectfully Submitted,

Richard Yercheck, Chair
Planning Board

Ashlyn Penegar
Secretary to the Board



STAFF REPORT

TO: Planning Board

DATE: October 5, 2022

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Doug Britt, Senior Planner

SUBJECT: Zoning Map Amendment for the property identified as tax parcel 09-301-067

SUMMARY STATEMENT

Planning Board is requested to consider a zoning map amendment for the property located at 2733 W. Roosevelt Boulevard and further identified as tax parcel 09-301-067 from Conditional District “Genesis Holdings” to General Business (GB).

REVIEW

The City of Monroe has received a request from Durban Development, LLC to rezone the subject property from Conditional District “Genesis Holdings” to General Business (GB). The General Business (GB) district is intended to permit commercial establishments of varying scales and may include an individual business on its own parcel or multiple businesses located together as a single parcel. The General Business (GB) district allows for large-scale commercial uses which attract a customer base from outside the immediate area. The General Business (GB) district is designed to accommodate a mixture of commercial, public and institutional, and office/medical uses. The property is currently improved with a 2,200 +/- square foot house on the site. The existing conditional district authorized uses within the OT (Office Transitional) zoning district in the previous Unified Development Ordinance, excluding residential, on the property.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Commercial & Golf Course	Conditional District “Citizens South” & Residential Low Density (RLD)

East	Residential/Church	Conditional District “RH Properties”
South	Residential	Residential Medium Density (RMD)
West	Commercial	Conditional District “First Citizens”

LAND USE AND TRANSPORTATION PLAN CONSISTENCY

The Land Use and Transportation Plan indicates this area is Community Corridor. The Community Corridor area generally covers most of US 74 and areas adjacent to intersecting major streets. The area serves as a primary conduit to downtown, epicenter of the city’s commercial activity, and the spine of the community with critical connections to major employers and activity centers. Commercial is a priority use in this designation.

Planning staff believes the request is consistent with the Future Land Use and Transportation Plan being that the property is located on Roosevelt Boulevard.

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 recommends approval of the rezoning.

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

- *Motion to recommend adoption of Resolution Approving Land Development Compliance*
OR
- *Motion to recommend adoption of Resolution 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:

- *Motion to recommend adoption of the Ordinance amending Section 157.1.2.1- 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-Future Land Use Map
Attachment 4-FLUM Description
Attachment 5-R-2022-XX Approval
Attachment 6-R-2022-XX Denial
Attachment 7-O-2022-XX Section 157.1.2.1



Ortho Map

Case #: PLMA2023-00039

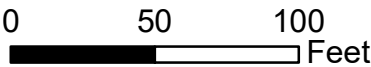
Legend

-  Centerlines
-  Parcels

Existing: CD
"Genesis Holdings"

Owner: Prevail Holdings, LLC

Acres: .72



Zoning Map

Case #: PLMA2023-00039

Legend

— Centerlines

□ Parcels

Zoning Districts

CD

NB

GB

RLD

RMD

Existing: CD
"Genesis Holdings"

Owner: Prevail Holdings, LLC

Acres: .72



0 90 180
Feet

Future Land Use Map

Case #: PLMA2023-00039

Legend

-  Centerlines
-  Parcels
-  Community Corridor
-  Suburban

Existing: CD
"Genesis Holdings"

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Acres: .72



0 90 180
 Feet

Land Use and Transportation Plan Description

The Land Development Plan indicates this area is Community Corridor. The Community Corridor area generally covers most of US 74 and areas adjacent to intersecting major streets. The area serves as a primary conduit to downtown, epicenter of the city's commercial activity, and the spine of the community with critical connections to major employers and activity centers. Single family residential is not a priority use in this designation, while commercial uses are a priority use.

**RESOLUTION APPROVING LAND USE AND
TRANSPORTATION PLAN COMPLIANCE**

R-2022-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 the property located at 2733 W. Roosevelt Boulevard further described below is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan identifies this area as Community Corridor where commercial is a priority use. Commercial development mostly serves the needs of nearby residents and often locates along corridors with higher traffic volumes and near prominent intersections. Commercial, public and institutional, and office/medical uses are allowed in the proposed rezone to General Business. The proposed rezone is a reasonable use and in the public interest because it will be consistent with the majority of the parcels in the area having frontage along W. Roosevelt Boulevard.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Approving Land Use and Transportation Plan Compliance of the zoning map amendment for property with Union County Tax Parcel Number: 09-301-067.

Adopted this 5th day of October, 2022.

Richard A. Yercheck, Planning Board Chair

Attest:

Ashlyn Penegar, Secretary to Planning Board

**RESOLUTION DENYING LAND USE AND
TRANSPORTATION PLAN COMPLIANCE**

R-2022-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 the property located at 2733 W. Roosevelt Boulevard further described below is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan identifies this area as Community Corridor where commercial is a priority use. Commercial development mostly serves the needs of nearby residents and often locates along corridors with higher traffic volumes and near prominent intersections. Commercial, public and institutional, and office/medical uses are allowed in the proposed rezone to General Business. However, the potential for a commercial development at this location could have an adverse impact on the residential properties to the rear of the property, therefore the proposed rezoning is not a reasonable use or in the public interest. Based on this information, the conditions have changed which justify amending the Land Development Plan. As a result of this zoning map amendment request recommendation for denial, the Land Development Plan would be amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Denying Land Use and Transportation Plan Compliance of the zoning map amendment for property with Union County Tax Parcel Number: 09-301-067.

Adopted this 5th day of October, 2022.

Richard A. Yercheck, Planning Board Chair

Attest:

Ashlyn Penegar, Secretary to Planning Board

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2022-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 157 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §157.1.2.1 OFFICIAL ZONING MAP as follows:

Rezone the property located at 2733 W. Roosevelt Boulevard further identified with parcel ID # 09-301-067 from Conditional District “Genesis Holdings” to General Business (GB).

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 8th day of November, 2022

Attest:

Marion L. Holloway, Jr., Mayor

Bridgette H. Robinson, City Clerk