

PLANNING BOARD MEETING

Wednesday, May 3, 2023

6:00 PM

City Hall Council Chambers

300 West Crowell Street

Monroe, NC

Item 1. **Call to Order – Roll Call**

Item 2. **Pledge of Allegiance and Moment of Silence**

Item 3. **Approval of Minutes –April 5, 2023**

Item 4. **Annexation of 42.11 acres and a zoning map and text amendment for properties located along Lancaster Avenue and ML King Boulevard further identified as tax parcel #'s: 09-321-008-80, 09-321-008-90, and 09-321-008-A. The request is to annex and rezone the properties from Union County RA-40 and City of Monroe Residential Medium Density (RMD) to Planned Unit Development (PUD) “Lancaster Avenue”.**

Item 5. **Annexation and Zoning Map and Text Amendment request for Planned Unit Development "Monroe Meadows" along E. Sunset Blvd. further identified as tax parcel #'s: 09-195-022-80 and 09-195-022-90. The request is to annex 8.233 acres and rezone a total of 24.828 acres from City of Monroe Residential Medium Density (RMD) to Planned Unit Development (PUD) “Monroe Meadows”.**

Item 6. **Next Meeting: June 7, 2023**

Item 7. **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
Richard Long**

PLANNING BOARD MEETING

April 5, 2023 @ 6:00 PM
City Hall – Conference Room
300 W. Crowell Street, Monroe, NC

Emailed to HR on: 04/24/2023

Item 1. Call to Order/Roll Call

Chair, Richard Yercheck called the April 5, 2023 meeting to order at 6:00 p.m. Ashlyn Penegar called the roll and noted that there was a quorum was present.

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

Members Absent: None

Staff Present: Lisa Stiwinter, Director of Planning & Development, Doug Britt, Senior Planner, Keri Mendler, Senior Planner, Megan Brightharp, Planner I, Richard Long, City Attorney, Ashley Britt, Assistant City Attorney, Ashlyn Penegar, Administrative Assistant II

Guests: Stephen Bennett, Mary Ann Rasberry, Thomas Pope, David Dotson, Michelle Vereckey, Richard Price, Dana Foti, Matt Scarbala

Item 2. Pledge of Allegiance and Moment of Silence

Item 3. Approval of Minutes of Meeting- March 1, 2023

Chair said we are moving on to the approval of the minutes, since I wasn't here, I am going to abstain.

Motion: Archie Morgan made a motion to approve the March 1, 2023 minutes.

Second: Jennifer Smith

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

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

NAYS: None

Item 4. Zoning map amendment for property located at 316 Normand Street and further identified as tax parcel #: 09-192-046 from General Industrial (GI) to Residential Medium Density (RMD).

Megan Brightharp came forward and said tonight I am here presenting a zoning map amendment and text amendment for the property located at 316 Normand Street and further identified as tax parcel 09-192-046 from General Industrial to Residential Medium Density. The City of Monroe has received a request from Dugan Slappe of Piedmont SFR, LLC to rezone the subject property from General Industrial to Residential Medium Density. The Residential Medium Density (RMD) district is intended for a neighborhood development pattern and is intended to allow for a mix of housing types, including single family detached, townhouses/attached single family, and compatible uses.

The property is currently improved with one single family home on the site with a gravel driveway. The proposed use, residential, is not permitted in GI, General Industrial, which the property is currently zoned. The single family home has not had active utilities since September 2000 and that is a correction from your Staff Report that says 2022. The property has since lost its “grandfathered” status for single- family uses. As the property is currently zoned it can be utilized for uses allowed within the General Industrial District.

The Land Use and Transportation Plan indicates this area is Manufacturing, Logistics, and Aerospace. This designation supports manufacturing and production at a variety of scales, including assembly and processing, warehousing and distribution, bulk storage, and utilities. Manufacturing, Logistics, and Aerospace areas are found near major transportation assets (e.g., highway, rail, and/or air) and generally are buffered from surrounding development.

Planning staff believes the request is not consistent with the Land Use and Transportation Plan because the proposed rezoning to RMD will re-establish a residential use in an area designated for industrial development. 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. Planning Staff recommends denial of the rezoning. I am happy to answer any of your questions and the applicant is here as well.

Chair said I’ve got a question for Megan right off the bat. Megan, in looking at this one, I’m seeing what looked to be trailers with some tractors. Can you tell me what the other buildings are there? What else is right there? Do you have any idea?

Megan Brightharp asked the building to the left?

Chair said yes.

Megan Brightharp said my understanding is that that is manufacturing.

Chair said ok, alright. Does anybody have any other questions for Megan?

Margaret Desio said I do and asked, Megan, this lot, I think you said it was .62 acres.

Jennifer Smith said I thought it was .26.

Margaret Desio said .26 acres, that’s even smaller than I thought. Ok, so Medium Density on a .26-acre tract would allow for one house?

Megan Brightharp said that is what exists currently, yes ma'am.

Margaret Desio said I know we have changes in our zoning from R-10 to Medium Density and that kind of thing, so I just wanted to be sure that just one house could be put on it.

Megan Brightharp said yes, ma'am. I don't know the exact translation from acreage to square footage, but the minimum lot size in RMD is 12,000 square feet.

Margaret Desio said ok.

Keri Mendler stepped forward and said, based off the acreage size, they wouldn't be able to further subdivide it either, so what you have there is what they get.

Chair said there's the house that's currently there.

Megan Brightharp said yes. It's been vacant for more than the allowed 180 days.

Jennifer Smith said or cut down any trees. There are some large trees or a large tree on that lot.

Margaret Desio said I think I saw two or three significant trees.

Megan Brightharp asked are you asking if they've cut down?

Jennifer Smith said that they cannot.

Chair said come on up Lisa or Keri.

Keri Mendler said are you asking if they can cut down the trees?

Jennifer Smith said cannot cut them. They cannot cut the trees down that are existing because they are fairly large.

Keri Mendler said sure so, currently since it is zoned industrial, if they were to redevelop the site, it would be subject to the Tree Preservation Ordinance. Depending on the size, you said that they are large, but again depending on their actual size, they may or may not be able to cut them down. But, there are mitigations in that Tree Preservation Ordinance that we do have. So, it would depend on more specifics that we do not have at the meeting right now.

Margaret Desio asked so to answer the question, that means they cannot?

Chair said no, it depends, it would fall under the Tree Ordinance. So, they would have to...

Margaret Desio said those are 100-150-year-old trees.

Archie Morgan said right.

Jennifer Smith said how would they know, I mean, if they aren't tagged or how would they know that they cannot be cut down?

Chair said because the rules are that if they go to cut trees down and they have to come get permission because they are part of the Tree Ordinance.

Archie Morgan said that's not just in the Historic District, that's City wide.

Jennifer Smith said ok.

Kenneth Deal said any developer that submits a plan has to submit a report on the trees and shrubbery on the property before they do any clearing.

Chair said and we have pictures.

Jennifer Smith said ok.

Chair asked are there any other questions for Megan? Hearing none, thank you Megan.

Chair said ok, do we have somebody that would like to speak in favor of this project? Please tell us who you are and where you live.

Matt Scarbala stepped forward and introduced himself. He said I live in Charlotte, North Carolina. I am the proud new owner of this new property. I guess after 20 years, it was bought out of foreclosure and I guess that's how the zoning changed from residential to industrial. I am also in the real estate business and I own 12,000 apartment units in 10 states. So, the single family is kind of a new direction for me and us, my colleagues, as a company. My thoughts here, and you kind of get pigeonholed sometimes when you apply for a zoning variances or rezoning's. As a real estate owner, I love nothing more than this property zoned industrial. If an industrial developer someday wants to come along and obviously they would have to aggregate some sites to build a warehouse, that's great for me, from a value perspective. The reality is, is a .26-acre individual parcel, is not going to build much of a warehouse. So, I think that the end goal or your end goal of creating an industrial area is wonderful, but it's getting from point A to point B. What I was hoping and I don't even know if this is possible, again, rookie here, is there a way to keep the industrial zoning, but simply allow us to spend \$50,000-\$75,000 on the home to make it look good. Right at the moment, it looks like a dilapidated home and it kind of improves the neighborhood and the surrounding and it would allow us to rent it to someone. Our upgrades typically include a new roof, all new kitchens, bathrooms, granite, the whole 9 yards. It ultimately improves the tax value, it would get reassessed based on our purchase price, plus whatever permits we pull to improve the property. Now, as it stands now, it's just a dilapidated home and A, it drags down the immediate neighborhood and B, it just kind of looks bad. The tax value can argue is impaired simply as a function of its usage, the structure is worth zero if it's zoned industrial and you can't use the home for any other purpose. So, what I am hoping is to keep the industrial zoning, I think it's great, it's a longer process for a developer to come in and aggregate the various surrounding parcels to do something. I'm just trying to get from point A to point B, until that developer comes in and wants to do that. So, is there, whether it be a rezoning or is there a way to kind of keep the industrial, but have a variance that allows us to have someone live on the property? I don't even know

if that's a thing. But, that's kind of where my head is. It improves the neighborhood, helps the tax base because you are going to improve the property versus me negotiating the improvements on the parcel were zero. Because as industrial usage, it should technically....

Jennifer Smith said since it's been vacant for over a year now, that's not possible, right?

Archie Morgan said I would like to hear what Staff has to say.

Margaret Desio said I would like to see if Staff has a way to do this.

Megan Brightharp said at this time, rezoning would be the only option. Based on prior conversations with our Board of Adjustment attorney, you cannot get a variance from our use table and the use table says this is not permitted in that district, then rezoning would be the next option.

Chair said Mr. Scarbala is talking about a neighborhood and I see two houses or three houses? What if we kind of got in that general area that's not.... I'm just wondering what else is around it, that's residential.

Megan Brightharp said south of Curtis Street, there is a residential neighborhood that goes along to Durant Street. The industrial district is in their backyard.

Margaret Desio said Durant Street is right next to Curtis and the houses are there.

Megan Brightharp said Durant Street has been marked for traditional development, so it's intended for residential use, but everything north of Curtis Street has not.

Chair said this is fairly far away from that.

Archie Morgan said I would rather see it fixed up than a dilapidated house being there forever. I understand that it's a conundrum.

Margaret Desio asked would the alternative be to zone it medium density and then if by luck, someone comes around and we can change it back to industrial zoning?

Mr. Scarbala said it would make my day. The challenge is on .26 acres, unless that parcel to the left is going to buy it...

Margaret Desio said there is nothing else you can do with it.

Mr. Scarbala said it's tough to build a warehouse on a quarter of an acre.

Margaret Desio said if you put it on the market to sell it, you're not going to get fair market value for it because the only person that would buy it is the people next door.

Jennifer Smith said even if you have invested \$50,000 or \$75,000 in it.

Margaret Desio said I think the thing to do would be to zone it medium density and then go ahead and fix it up and rent it, then if you're lucky enough to get a developer to say hey I'm going to buy this whole block, you say hey, you can have mine too. Then let him get it rezoned industrial.

Mr. Scarbala said yes, it's kind of a bit of a conundrum just given the lot size, quite honestly. There is only so much you can do.

Kenneth Deal asked were you aware of the fact that it was zoned industrial when you purchased it out of foreclosure?

Mr. Scarbala said mea culpa, we had someone executing the acquisitions, is no longer with our company...

Archie Morgan asked because of this project?

Mr. Scarbala said maybe. So, we are here to try and find....

Chair said he is trying to make lemonade.

Mr. Scarbala said exactly.

Kenneth Deal said I have a question for Staff. Was this designation of industrial, your general business, prior to the city wide rezoning?

Megan Brightharp said it was zoned industrial prior to this.

Kenneth Deal said it's been known since it was vacant back in 2000 that it was industrial.

Megan Brightharp said yes.

Archie Morgan said nothing has happened in 23 years on the property.

Megan Brightharp said we don't have any records of any utilities being turned back on, our system only goes back to the year 2000. So, it may have been vacant longer than that.

Archie Morgan said so, no one has been in a rush to do anything on that property, before he came along.

Megan Brightharp said no.

Chair asked is there anyone who would like to speak in opposition to this project? There was no one. Alright, let's have a discussion with the Board before we have a motion or does anyone want to ask any questions to Staff or Mr. Scarbala?

Patrick Furr said you bought you a pig in a poke.

Mr. Scarbala said I did.

Patrick Furr said yes, you did. So, if we turn you down, is the City going to tear this house down if it's dilapidated or are you going to tear it down now that you own the property? What are your intentions if we say no?

Mr. Scarbala said if the intent is to say no, we haven't truthfully thought that far ahead. Tearing it down, I think is probably the only logical option.

Patrick Furr said absolutely.

Chair asked are there any other questions for our guest or Staff?

Archie Morgan said I think if we don't do anything, it's going to sit there another, at least 20 years and nothing will be done there. It's not big enough to do anything on.

Margaret Desio said yes, it's a fourth of an acre.

Archie Morgan said at least there could be some tax revenue.

Chair said Lisa, are you coming up to speak?

Lisa Stiwinter said briefly. I'm Lisa Stiwinter, the Director of Planning and Development. Code Enforcement, unfortunately this isn't the greatest news, but Code Enforcement is housed in Planning and Development and if the property were to continue in vacant, deteriorated dilapidation, it would fall in within the minimum housing ordinance and we would have to go through the process to eventually either have it repaired, removed or demolished.

Chair asked the City would pay for that?

Lisa Stiwinter said the City would, if the property owner did not repair it or demolish it, the City would contract with someone to do it.

Archie Morgan said it can potentially cost the City to tear it down...

Kenneth Deal said the cost of that gets assessed towards the deed of the property.

Lisa Stiwinter said it would be lienied. So, the City does pay the price upfront...

Archie Morgan said or we fix it up and have some tax from it.

Chair said you really brought us a mess.

Mr. Scarbala said I did.

Chair said the vibe I'm getting from the Board; it really goes both ways. Rich, what are you thinking down there?

Richard Ali said probably not.

Chair said I will entertain a motion.

Margaret Desio said I will make a motion if somebody will put on this screen what I have to read.

Richard Ali said it's on the Staff Report.

Chair said Megan is going to bring it back up so you can read it on the screen.

Kenneth Deal said before we make a motion, I'd like to interject just a statement.

Chair said alright.

Kenneth Deal said this has been designated industrial for quite a while and there is a not real large, but a substantial lot next to it. So, if we rezone it back to residential medium density, we may unknowingly turn away a future industrial use for the bigger piece of land sitting next to it because the people that might want to go in there need more land. So, you are starting to eat away at your city's industrial base by rezoning this to medium density housing and you also set a precedent for other claimants to try to do so.

Archie Morgan said if it's zoned medium density, someone could build on that lot beside it.

Kenneth Deal said if there is enough room for what they are wanting to put there.

Board discusses.

Margaret Desio said it's only a fourth of an acre, there is nothing else that can be done with it.

Mr. Scarbala said I would like to say one thing. Sir, to your point, if someone on the larger lot wanted to come in and aggregate those two smaller parcels, they would still have to negotiate with me, right? So, I can hold out and be a thorn in their side or whatever the case may be. I completely understand what you are saying, I'm just trying to make lemonade out of lemons, as someone said.

Board discusses.

Mr. Scarbala said if an industrial usage wants to come along and do something grander, you have no idea how good that is for us. And I am willing to play ball, it's just getting to point A, to point B. Also to your point, it has been 20 plus years and that user hasn't come along. I am all for Monroe and I'll tell you a quick story. One of my colleagues has been out here looking at real estate and is recently your newest resident of Monroe. She liked it so much that she moved from Charlotte out here.

Jennifer Smith said welcome.

Mr. Scarbala said we are all on board for Monroe and seeing the City grow. I think it's a really special place, but yes, I bought a pig in a poke.

Archie Morgan asked how big is that lot beside it? If we rezone this thing for him, won't someone else go in there and put in a rental property or apartments?

Megan Brightharp said I don't have that information, however it's vacant and the subject lot is roughly a quarter of an acre, slightly smaller.

Chair said you are barely going to get a half an acre out of that.

Margaret Desio said I don't want to call anybody out, but I don't know how many people have actually gone over and looked at this piece of property. I went and looked at it and this to me is just a no brainer. I mean, you've got a small piece of property, the manufacturing plant beside it has tons of land, they don't need it. I see no reason to not let him use it for residential use until a better deal comes along and he can sell it to somebody else and we can rezone it back to industrial. There are houses around and it's not one of Monroe's finest areas, I just think it's a good fit to do something with a piece of property that's sitting there as an eyesore.

Mr. Scarbala said if you grant the variance, you will like the end result, I promise.

Chair said I get that and I suspect that it's going to be very nice. The problem goes back to what Ken said, if we do that, then we may get the guy on the other parcel coming in saying hey, let me throw something up there to that I can stick up there for a rental.

Margaret Desio said we can't do that. You couldn't get a house on there after the setbacks.

Chair said that doesn't mean he's not going to come in and ask.

Chair said you could ask us to table this and think about it for another 30 days.

Jennifer Smith said I think that would be nice.

Mr. Scarbala said that's fine. We haven't been in a rush; this is again trying to make lemonade out of lemons.

Archie Morgan asked what's going to happen in 30 days?

Chair said I won't be here.

Margaret Desio asked Megan, do you have any idea how wide the lot next door is? I don't think you can build on it after you get the setbacks taken for the side setbacks, I don't think there is enough room to build a house on.

Megan Brightharp said I do not have the measurements for the adjacent parcels, however, in that case, a variance could be an option. We don't regulate housing size, so if they were to hypothetically build a house, if they can't meet the setbacks, they have the freedom to request a variance.

Margaret Desio said you can get a single wide mobile home on it and turn it sideways. That would probably fit. I'm just wondering how wide that lot is, if it's even usable.

Kenneth Deal said fortunately, you can't put a mobile home in the City limits anymore, so we don't have to worry about that.

Chair asked isn't there some small manufacturing that you could gut the inside of that and...

Mr. Scarbala said I would love to, but I do not, unfortunately and based on a quarter of an acre, what would be the largest industrial use you can build on that space?

Jennifer Smith said landscaping.

Kenneth Deal said Dunkin Donuts.

Mr. Scarbala said if we approve it, the taxes on the property will go up. The improved value would go up. I'm trying to bridge a short term gap for a long term solution, I love that fact that you guys have taken the time to map out different uses for different parcels in Monroe. But, getting from point A, to point B, I think as I look at the map and unless one person owns on the northeast quadrant of Curtis, if those are all different parcels, a developer would have to come in and negotiate with all of those people to have an industrial use. I think it's wonderful that it's zoned industrial, like I said, just in the interim, getting from point A, to point B, industrial land goes for a lot of money, but a quarter of an acre of industrial land doesn't go for much.

Chair asked have you met Chris Plate` yet?

Mr. Scarbala said I have not.

Chair said he heads up our Economic Development.

Mr. Scarbala said is he Monroe or Union County?

Chair said yes.

Mr. Scarbala said I have met him.

Chair said Keri is coming back.

Keri Mendler said you mentioned tabling and it sounds like the applicant is maybe amenable to that. If you choose to table it, then perhaps internally we can discuss an option, like a conditional district, that might suffice what he is requesting as far as keeping the industrial use, but keeping residential. I don't

know if that's an option, but maybe that's something that we can discuss if everyone is amenable to that.

Archie Morgan said I am in favor of letting Staff look at it more.

Jennifer Smith said me too.

Archie Morgan said we would like to help him, I don't see industrial going in there, there's not enough room, but it is kind of a conundrum and if Staff needs some time, I think we give it to them.

Chair said if you all are amenable, I would like to do that, but I would like to move it to the June meeting, because I won't be here for the May meeting. If everyone is ok with that?

Jennifer Smith asked the applicant, are you ok with that?

Mr. Scarbala said I'm sorry, can you say that one more time?

Jennifer Smith said moving it to June.

Mr. Scarbala said yes.

Motion: Richard Yercheck made a motion to table this zoning map amendment for 316 Normand Street until the June 7, 2023 meeting.

Second: Archie Morgan

Action: The motion to table this zoning map amendment for 316 Normand Street until the June 7, 2023 meeting passed with the following votes:

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

NAYS:

Item 5. Zoning map and text amendment for the property located at 212 N. Main Street and further identified as tax parcel #: 09-232-052 from Downtown Central Mixed-Use (DC-MX) to Conditional-Commercial (C-C) "Charlie's Angels".

Megan Brightharp came forward and said tonight I am here presenting a zoning map and text amendment request from Michelle Vereckey on behalf of Land's End Properties, Inc. for the property located at 212 N. Main Street from Downtown Central Mixed-Use District (DC-MX) to Conditional-Commercial (C-C) in order to allow a cat rescue and retain all DC-MX uses. The property currently has an existing 1,481 square foot building and on street parking. The Downtown Master Plan indicates that this property is Mixed Use A classification area of the Downtown Master Plan. Mixed-Use A is the area that, for the most part, flanks both sides of Main and Hayne streets. Utilizing existing buildings, this area would accommodate a variety of uses in rehabilitated space. As a place to concentrate retail and restaurant uses, this area is envisioned to be the shopping and entertainment hub of downtown. The proposed use is

consistent with the Downtown Master Plan and Staff is of the opinion that the proposed use is reasonable and in the public interest. 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. Planning Staff recommends approval of the rezoning.

Archie Morgan asked why does it have to be rezoning? It's all commercial down there, so what makes this place any different than any other retail place downtown?

Megan Brightharp said it's the cat rescue part. It's a cat rescue/rehab situation, along with a café.

Chair said I am ready to talk to Michelle, thanks Megan.

Michelle Vereckey approached the podium and introduced herself and asked do you have specific questions Mr. Yercheck?

Chair said lots.

Ms. Vereckey said I bet you do.

Chair said so, Cat Café, this is a new thing that's buzzing around. So, we are going to be on the front end of being cultured in Monroe.

Ms. Vereckey said that sounds like a good thing.

Chair asked so there's going to be a café on one side, are we going to do beer, wine and coffee? Are you going to get a license?

Ms. Vereckey said yes.

Chair said so, we get them intoxicated and then they go over and pet a cat and adopt.

Chair said ok, so it's going to be one side set aside for cats and the other side, the café. The cats will be spending the night there, they will be living there and that will be the rescue part.

Ms. Vereckey said yep. Most Cat Cafés are for profit and they borrow the cats from a rescue and we are a nonprofit and I established one, it's a long story and I'm not going to bore you with that. I've got the upstairs in my building and I wanted to rescue cats and I don't want to buy a building or build a building when I have the upstairs. I've been in that space for 19 years and I've never renovated or thought about it, now I actually want to spend a ton of money up there. The goal is to not have, she said 1,481 square feet, I've got two stories, so it's times two. I've got the upstairs and I wanted to basically to have a small area where you can buy something to drink or a bag of chips or whatever, then you can go hang out in one of the cat rooms. If you decide you like one of the cats, you can adopt it.

Jennifer Smith asked this is up above your office, correct?

Ms. Vereckey said yes, so we are not going to do anything to the actual outside structure. I have a shared hallway with Mr. Heisman, who has the building next to me, he already uses it to access his upstairs and it's already ready. We just don't use our upstairs and I don't want to put tenants up there. I'm not going to renovate it for something like that. It's just what I want to use it for and I was told that I can't have cats in my building, so I'm asking you to let me have cats in my building.

Chair said I think it's a cool idea.

Margaret Desio asked how many?

Ms. Vereckey said I don't want more than 25 up there. The department of agriculture has already come and looked at the space and said I can have considerably more, according to what their requirements are. But, the point is to make this better than what we have now. Because honestly, if you wanted to adopt a cat right now, your options are to go to PetSmart and hope there is one you like there or you find one online and you have to go to a foster's house.

Chair asked where are you going to get cats from? Will you work with our Humane Society?

Ms. Vereckey said I went to Animal Control in Union County to adopt a cat and when I went, they had all been taken, they didn't have any. There are some rescues in Mecklenburg and Union have pretty good rates at getting cats out of the shelter. There are some counties in North Carolina that kill on average 5 or 6 cats a day, which is a lot if that's your job. We have some where counties actually kill like 70% and 80% of the animals that come in. Some of them are Anson, not too far away, so of course I would take them from Union, if we had them. If not, it would be Catawba, Cabarrus, Gaston, Mecklenburg and wherever else they are.

Archie Morgan said I am assuming the cats are in a separate room from where you're serving so the Health Department can regulate.

Ms. Vereckey said yes, think of it more like a convenient store and you can go in there and get whatever you want and that's completely separate and then you've got other rooms where the cats hang out.

Jennifer Smith said your neighbors next door, I think there is a salon, they are all ok with that too?

Ms. Vereckey said they act like it. I've talked to all of my neighbors and no one has said no, I don't want cats next door. I don't know if they just aren't going to tell me, but everybody seems to be in favor of it.

Margaret Desio said I'm thinking about the noise. Are you going to do anything about soundproofing?

Ms. Vereckey said our walls are brick and they are covered with plaster and I'm told that's really good for soundproofing actually. But, you aren't going to hear cats, if there were dogs up there, that would be a problem. But, it's not going to be like a shelter that you walk into where you hear animals constantly. My whole goal is to make it something completely different from what you've seen. You are going to have a room that has 6 cats in it that's about 21 ft. by 12 ft., that's a huge room for cats to live in. You'll have another room that's about 10 ft. by 8 ft. that will maybe have 2 cats in it. So, the cats would be happy and they wouldn't be in cages screaming to get out. That's the goal anyways.

Margaret Desio asked the smell?

Ms. Vereckey said you've got to keep it clean, so we plan on cleaning it twice a day and we have a regimen in place. I have a cat at my house and I don't want to smell cats. The cat that I rescued initially, I had to put a cat down and that's what inspired me to do all this. I walked up to the building and I could smell urine before I got to the door, it's disgusting, nobody wants that. I own a law office downstairs; I don't want to smell that either. I'm my own neighbor and I understand that that's a concern, but all I can tell you is that it's something I'm planning on taking care of. If you limit the amount of animals, that helps as well. That's why we plan on not having more than 25, even though we can have significantly more than that on site.

Jennifer Smith asked if this is granted and you sold it or moved, would that open up for somebody to bring dogs or parrots, snakes or some other kind of animals?

Ms. Vereckey said it's for cats.

Jennifer Smith asked is it just for cats?

Megan Brightharp said the conditions of this would be for any use that is already allowed in a DC-MX district, with the addition of the cat rescue. If they were to change it up and add or subtract other animals, they would have to come back and amend their request.

Kenneth Deal asked is there going to be someone on site 24/7 where these cats are going to be?

Ms. Vereckey said not 24/7.

Kenneth Deal said they are basically there by themselves.

Ms. Vereckey said they are by themselves at night, just like they are at a vet or honestly any rescue or shelter. I am not a doctor of veterinary medicine at all and I don't plan on being one, I have a really good vet and she's the one that is in charge of medicine and administrating whatever medicine. Once the cats are healthy, then they are available for adoption.

Jennifer Smith asked you take care of having them vaccinated and everything all up front?

Ms. Vereckey said they are going to get vaccinated, they are going to get fixed, they are going to get microchipped, they are going to get tested for AIDS and Feline Leukemia. They are going to get everything so that when you get your cat, it's healthy and you can just take it home and not worry about it.

Archie Morgan asked what would the cost of these cats be with all of that going in to it?

Ms. Vereckey said I haven't quite figured that out yet. But, I can tell you that I've already raised more money than I thought I would from doing this, so we are a non-profit. If you go up there and buy something to drink or a bag of chips, it's a tax deductible donation to you. So, our hope is that people

would want to fund the café and the rescue, so we don't know what the cost is going to be honestly, until we start operating.

Kenneth Deal asked are you going to be accepting deposits of cats at this location? Or only taking them from known sources?

Ms. Vereckey said to be honest with you, no. I don't want to accept any cats at the location and I also know that people are people and I would not be surprised if I go to work at my law office one day and there is a box of cats there at my door. We definitely would say that we do not accept cats at this location, but I can't stop what people would do.

Kenneth Deal said that's one way to get rid of their neighbor's cats. They take them two counties over and deposit them and the owners never see them again.

Ms. Vereckey said the state requires that you hold animals that you've gotten for 72 hours before you can do anything with them. We actually require that they be held longer, because we want to make sure that they are healthy before we give them to anybody. So, if somebody did lose a cat or someone dropped a cat off, they would be held long enough that for whoever is looking for them, would have a chance to look for them if they were at our facility.

Chair asked does anyone have any other questions for Michelle? Is there anybody here that would like to speak in opposition of this concept project? Rich, did you have something?

Richard Ali said no, I'm ready to make a motion whenever you are comfortable.

Chair said go ahead.

Motion: Richard Ali made a motion to recommend adoption of the Resolution Approving the Downtown Master Plan Compliance

Second: Richard Yercheck

Action: The motion to recommend adoption of the Resolution Approving the Downtown Master Plan Compliance failed with the following votes:

AYES: Richard Ali, Richard Yercheck and Archie Morgan

-NAYS: Jennifer Smith, Kenneth Deal, Margaret Desio, Patrick Furr

Chair said I am sorry Michelle, but we are not the end project, that would be the other group.

Richard Ali said I think somebody has to make a motion to recommend denial of the zoning map approval.

Chair asked can somebody that denied make a motion to deny?

Archie Morgan asked can we discuss this first?

Chair said sure.

Archie Morgan said I'm just curious for the people that denied, what was your reason for denial?

Patrick Furr said it's not exactly what we've been envisioned for Downtown Monroe. Monroe is wanting to grow and so far tonight, we've heard about a house that's falling down that we want to rent it out, we've all sat here time and time again and said we don't want any more rentals. But, now to help this gentleman here that bought a pig in a poke, as I said, we are going to go ahead and let him do that, now we got a place for cats and I have nothing against cats. There are facilities for these cats and there are places to take them, we don't need to solve everybody's problems, we've got big things going on in Monroe.

Archie Morgan said something inaudible.

Patrick Furr said cats in Downtown Monroe, I just don't think that goes with...

Margaret Desio said I just don't think it's a good fit. I think it's a very admirable idea and I applaud Michelle for coming up with it, but I just don't think it's a good fit for Downtown Monroe.

Kenneth Deal said it's a wonderful concept and it's probably needed, but Main Street Monroe, NC is not the location for it.

Chair said alright, I need a denial motion.

Motion: Kenneth Deal made a motion to recommend adoption of a Resolution Denying the Downtown Master Plan Compliance, authorization for Staff to draft a resolution based on the reasons provided, and authorization for the Chair to sign the resolution.

Second: Patrick Furr

Action: The motion to recommend adoption of a Resolution Denying the Downtown Master Plan Compliance passed with the following votes:

AYES: Jennifer Smith, Kenneth Deal, Margaret Desio, and Patrick Furr

NAYS: Richard Yercheck, Richard Ali, Archie Morgan

Motion: Kenneth Deal 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: Jennifer Smith, Kenneth Deal, Margaret Desio and Patrick Furr

NAYS: Richard Yercheck, Richard Ali, Archie Morgan

Chair said there you go.

- Item 6. Annexation of 42.11 acres and a zoning map and text amendment for properties located along Lancaster Avenue and ML King Boulevard further identified as tax parcel #'s: 09-321-008-80, 09-321-008-90, and 09-321-008-A. The request is to annex and rezone the properties from Union County RA-40 and City of Monroe Residential Medium Density (RMD) to Planned Unit Development (PUD) "Lancaster Avenue". - *APPLICANT IS DEFERRING TO A FUTURE PLANNING BOARD DATE. THIS ITEM WILL NOT BE HEARD AT THIS MEETING.***
- Item 7. Zoning Text Amendments to Code of Ordinances-Title XV: Land Usage, Chapter 157, Section 4.5: Planned Districts; Sections 5.5: Community Corridor Mixed-Use 1 District; Section 5.6: Community Corridor Mixed-Use 2 District; Section 5.7: Regional Corridor Mixed-Use District; Section 6.3: Historic Districts; Section 7.4: Home Occupation, and Section 8.7: Design Standards-Applicability.**

Lisa Stiwinter approached the podium and introduced herself and said I am the Director of Planning and Development. Before we move into the proposed zoning text amendments, I just wanted to give a little background information. At the March Planning Board Meeting, the Board voted to begin placing sections of the Unified Development Ordinance on the Planning Board agenda for discussion. During the meeting Planning Staff requested the Board provide direction on sections of the UDO they are interested in discussing at the April meeting and a few reasons as to why the request was made; one the UDO is about 11 sections and approximately 450 pages, various sections of the UDO work interchangeably together and they impact one another. Also, we believe that providing specific sections allows an opportunity for the Board to have an effective and efficient meeting, as well as it gives us the opportunity to prepare for those different sections to have a conversation to have with all of you. At the March meeting, Planning Board provided Planning Staff with 3 items that they were interested in discussing. Those 3 items that were mentioned were the density calculations, the multifamily located in the general business district and then setbacks for commercial development. Based on input received from the Planning Board at the last meeting, Planning Staff has prepared several zoning text amendments to the UDO and we believe that the drafted zoning text amendments will serve to initiate the discussion for tonight's meeting, so we can have an effective and efficient meeting. Plus, it gives the Board something to review, as well as potentially reduces the time for processing these amendments. Planning Staff will present each of the zoning text amendments before you tonight and Planning Board can then discuss and consider, they can approve, deny, modify or table the zoning text amendments as they are presented to you. Before Staff presents the text amendments, I do want to point out that due to the transition in the City's attorney's office, the Legal team has not had a chance to review the proposed text amendments at this time. If the text amendments are recommended by the Board to move forward to City Council, the Legal team will be reviewing all the text amendments prior to being scheduled for a Council Meeting. Now, I will turn it over to Keri Mandler with the Planning Department and she will be

presenting one of the text amendments and this one is more of technical minor changes that Staff has generated and then we will move into the other ones.

Chair said Keri, just one second. For everybody that denied, you've got cards. So, I need neat handwriting so we can pass these along to the person who was denied.

Chair asked and said Mr. Long, are you here in relationship to being the City's new attorney?

Richard Long said I am here in that capacity, but I am observing.

Chair asked so I shouldn't ask you if you have an opinion about these things not being reviewed yet?

Mr. Long said you may ask and I will always caution you to not move forward before you've had legal review.

Archie Morgan asked are we putting the cart before the horse here? Are we doing this before the legal department has had a chance to vet these text amendments?

Keri Mendler said that is up to the Planning Board's discretion.

Archie Morgan said we can do a whole lot of discussing here only to be...

Keri Mendler said sure. I can say for at least the text amendments that I will be presenting, Staff feels that they are fairly noncontroversial and fairly straightforward. But, it's up to Planning Board's discretion.

Chair said I say we move forward with what Staff is recommending and if we get one that we feel a little wiggly about, we will table until Mr. Long and his team can review. Is that fair? Ok, sounds good.

Keri Mendler said I am here to present a few text amendments to various sections of the Unified Development Code and I will go through these individually.

The first request is to remove the density cap from the Planned Districts section. Planned Districts are a legislative process, which require Planning Board review and recommendation and City Council approval. Having a cap on these legislative processes really only has the ability to prevent a good higher density project from moving forward; whereas, removing the density cap offers additional flexibility to the city to make decisions on a case by case basis.

The second, third, and fourth request is to remove the maximum setbacks in the mixed-use districts for the side and rear property lines. Staff has had a few conversations with proposed developments in the mixed-use districts and it has been discovered that having minimum and maximum setbacks on all property lines will likely require large buildings to encompass full parcels, leaving little to no room for required parking, landscape buffers, and open space. If the text amendment is not approved, it will likely result in processing multiple variance requests.

The fifth request was pertaining to Certificate of Appropriateness compliance. Upon a brief review by legal (Ashley Britt) right before the meeting, the Unified Development Code has the necessary and permitted language allowed by the State Statutes to address compliance in section 3.4.12. This proposed text amendment is no longer needed for discussion or recommendation, we do have what we need in the code to address those compliance issues.

The sixth request is to remove language pertaining to Home Occupations. The code currently states one commercial vehicle and one attached trailer is permitted for a home occupation. Having language that allows a commercial vehicle for a home occupation is confusing as vehicles considered commercial, such as box trucks or semi-trucks are not permitted in residential areas. So, having this language can cause confusion on what would be permitted.

Archie Morgan asked what about these houses that it's obvious that there are vans parked there with ladders all over them and it's obvious what's going on there. That's a Code Enforcement thing, right?

Keri Mendler said that's a zoning violation. Just similar to how we enforce them now, it would be the same process. This just takes out any confusion, so somebody can't say, well your code says I can have a commercial vehicle. It takes that confusion out of it, by taking it out of the code.

Archie Morgan said I'm saying there isn't a process. We've lived Downtown 3 years and it's gone on and Code Enforcement does nothing, absolutely nothing.

Jennifer Smith said and they are parking up and down the streets too.

Archie Morgan said yes, they are parking up and down the streets and in the yards, everything else.

Keri Mendler said I can't address parking on the streets, because there are some streets that you are allowed to park on the street. Regarding the zoning enforcement, that's the Planning Department. I have personally sent letters for zoning violations, we have enforced a number of things, so there is a process, but there are also a number of different home occupations and it is very difficult for Planning Staff to actually determine if a business is operating during our normal business hours. Say they come in late at night and leave early in the morning, if we can't have proof that a home occupation is being ran at the house, we can't necessarily enforce it, just like if you get a speeding ticket the police officer has to actually catch you speeding to give you the speeding ticket.

Archie Morgan asked do you want pictures, what do you want? I see it every day, it's on my way to work. I see it every single day for the past 3 years.

Keri Mendler said again, if Staff can't actually catch it and they are doing stuff after hours, it's hard for us to enforce those.

Patrick Furr said hold on a second here.

Chair said I'm going to let you go, but we are getting a little off topic. So, go ahead.

Patrick Furr said I want to address this, I went down a road today and it's inside the City. Who is in charge or going around? What department is in charge? You say Planning, but who is in charge of going around and seeing whose property? This one particular place had 6 tree trucks in residential that already tore down the tree and they were all parked out back and it looked like a Walmart parking lot. I know the neighbors can't like it, it's not right for the neighbors. So, who is in charge of going around and monitoring this?

Chair said we are going to let Lisa handle this and then we are going to get back on text amendments.

Lisa Stiwinter said Planning and Development, technically if that is an illegal business is the responsible enforcement division. I will say that Planning and Development is not in the field driving in the field, such as Code Enforcement. We have development projects and text amendments to bring through the process; the ultimate goal in the future is to continue to build the Code Enforcement division, that do drive around proactively enforcing various different ordinances in the City. We have been working to do that since we lost Staff in the downturn of the economy in 2010, we are slowly starting to gain some more, but eventually. It doesn't solve the problem right now, we do it on a complaint basis, as far as illegal businesses for Planning. Code Enforcement assist at times with the eyes in the field, but that is the ultimate goal in the future.

Patrick Furr said I got you.

Margaret Desio said if you see it, right down the address and call Code Enforcement.

Archie Morgan said it doesn't work that way.

Chair said we are going to take the rest of this offline and we are going to come back to text amendments.

Keri Mendler said the seventh and final request is to this section is a request to further clarify when non-residential structures must comply with the design standards. Currently the code does not require structures less than 2,500 square feet to comply with the design standards. Staff is requesting any non-residential structures to comply with the design standards to prevent all metal or vinyl commercial structures. Again, this would apply to non-residential buildings, not residential. Planning Staff does recommend approval of these text amendments and I'll be happy to answer any questions that you might have.

Chair asked does anyone have any questions for Keri on the text amendments that were presented? (there were none) Can we vote on all of these all at one time?

Keri Mendler said from Staff's perspective, yes you can. The only exception, of course is the section 6.3 Historic Districts is no longer for consideration tonight.

Motion: Kenneth Deal made a motion to recommend adoption of the Resolution approving Land Use and Transportation Plan compliance for text amendments 1-7, with the exception of deleting 6.3.

Second: Jennifer Smith

Action: The motion passed unanimously with the following votes:

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

NAYS: None

Motion: Kenneth Deal made a motion to recommend adoption of Ordinance amending Code of Ordinances- Title XV: Land Usage, Chapter 157, Section 4.5: Planned Districts, Section 5.5: Community Corridor Mixed Use 1 District, Section 5.6: Community Corridor Mixed Use 2 District, Section 5.7: Regional Corridor Mixed Use District, Section 7.4: Home Occupation, and Section 8.7: Design Standards-Applicability.

Second: Jennifer Smith

Action: The motion passed unanimously with the following votes:

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

NAYS: None

Item 8. Zoning Text Amendment to Code of Ordinances-Title XV: Land Usage, Chapter 157, Section 7.1: Table of Permissible Uses.

Lisa Stiwinter said Planning Board is requested to consider a text amendment to remove multi-family as an allowed use in the GB – General Business zoning district. Multi-family is defined as a “building containing more than four dwelling units”. Examples of multi-family include: apartments, condominiums, and retirement centers. Planning staff has prepared the text amendment for further discussion based on comments and concerns heard from various Planning Board and City Council members. The Land Use and Transportation Plan is broken into ten (10) character areas. The character areas broadly describe the shape and form of future development intended for each area. The Community Corridor primarily encompasses Highway 74. The plan specifically calls for diverse housing choices as well as multi-family in the Community Corridor area, which is predominately zoned General Business. For this reason, the proposed text amendment to remove multi-family from the General Business zoning district is not consistent with the Future Land Use Plan. Staff does not have a recommendation on this proposed text amendment and if the Planning Board chooses to approve or deny the Land Use Plan Compliance, the Board would need to state whether the zoning text amendment is either a reasonable use or not a reasonable use and whether it is in the public interest.

Chair said if we are popping it from GB, where does it still go? Because we will need for that at some point?

Lisa Stiwinter said if this text amendment is approved, multi-family would not be allowed in the General Business, but it would be allowed in all of the mixed-use zoning districts, like the Downtown and the regional mixed use district at the interchanges on the Bypass at Rocky River and Bypass at 601.

Chair said places we've already designed for high density.

Lisa Stiwinter said and it follows the vision on how we would grow in development that was adopted in the Land Use Plan that we steered our high volume residential and commercial uses to major activity centers along the Bypass and Highway 74 and different areas within the City.

Chair asked does anybody have any further questions for Lisa?

Margaret Desio asked they would be allowed on Highway 74, is that what you are saying, or is it just at the interchanges?

Lisa Stiwinter said if the proposed text amendment is approved or recommend to move forward, Multifamily would not be allowed in General Business, which is primarily located on Highway 74, but you do have 2 mixed use districts on 74 at Rocky River and 74 and then at Dickerson Blvd. and 74. Dickerson Blvd. is pretty much developed, so the only way multifamily or any type of new commercial, would be for a re-development to occur at those areas.

Archie Morgan asked what is that around up there near Rolling Hills Country Club? There are some houses along that side of the road and also across the street. Some are in bad condition.

Jennifer Smith said abandoned.

Archie Morgan asked what is all that zoned up there?

Lisa Stiwinter said I don't know the specific zoning, because I don't have the zoning map in front of me. But, I would imagine that it's probably General Business. I have noticed recently that the roof of one of the houses is falling in. Code Enforcement revised their Minimum Housing Ordinance to address abandoned structures, so we can address commercial abandoned structures.

Archie Morgan asked with this, those houses wouldn't be allowed in there? Just General Business.

Lisa Stiwinter said I would imagine, since it's vacant and the roof is falling in, they probably lost their grandfather status to be used as residential, so if they would want to do something with the property, it would have to be a use allowed in the General Business. But, it is on my list for abandoned structures.

Jennifer Smith said they are eyesores and that's our gateway into Monroe. They are horrible looking.

Lisa Stiwinter said the text amendment before you are to take multifamily out of the General Business, if you have any questions.

Chair asked do we have any questions about taking multifamily out of GB? Hearing none, I would entertain a motion

Motion: Margaret Desio made a motion to recommend adoption of a Resolution Approving Land Use and Transportation Plan compliance, authorization for staff to draft the resolution based on the reasons provided and authorization for the Chair to sign the resolution.

Second: Archie Morgan

Action: The motion passed unanimously with the following votes:

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

NAYS: None

Motion: Margaret Desio made a motion to recommend adoption of the Ordinance amending Section 157.7.1 Table of Permissible Uses of the Unified Development Ordinance (UDO)

Second: Patrick Furr

Action: The motion passed unanimously with the following votes:

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

NAYS: None

Item 9. Zoning Text Amendment to Code of Ordinances-Title XV: Land Usage, Chapter 157, Section 8.10.1.B: Density and Intensity; Section 5.1.B: Mixed-Use Zoning Districts, Purpose and Intent; and Section 11: Definition of Terms.

Doug Britt approached the podium and said Planning Board is requested to consider a text amendment to modify how residential density is calculated from gross acreage to net acreage. Planning staff is proposing to remove existing and proposed street rights-of-ways, stream buffers, and utility easements from the area used to calculate the maximum site density. Staff has revised 3 sections: 5.1.B, as well as 8.10.1.B and section 11, which is the definitions. The 5.1 is to modify one word from gross and net.

Doug explained that most of the text amendment falls within the 8.10.1.B and explained what would be removed and introducing a statement that says existing and proposed street right of ways, stream buffers and utility easements shall not be used to calculate the maximum site density. Also, under the density definition, we would add that same statement to the definition and it would remove any potential or future or proposed street right of ways, as well as stream buffers and any utility easements on a site. Those would be taken out and with the result of acreage after that would be used to calculate the density of a project. I'm happy to answer your questions if you have any.

Motion: Richard Yercheck made a motion to excuse Margaret Desio at 7:00 p.m. (she had to leave the meeting)
Second: Jennifer Smith
Action: The motion passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Kenneth Deal, Patrick Furr, Richard Ali, and Archie Morgan

NAYS: None

Chair said we have a zoning text amendment that is going to re-do how we look at density. Do we have any questions for Doug, as it relates to this?

Jennifer Smith said no.

Chair asked do we have any further discussion?

Kenneth Deal said yes, I've got some discussions. I made a recommendation that one of the things in this where we state stream buffers that it be changed to read streams and stream buffers. When you are dissecting a piece of land by square foot, every square foot matters and if you leave the word stream out, you can technically and legally count the area of the stream and not the stream buffers if you don't say the word stream. I would also recommend that we add to the definition of how you calculate residential density to exclude any parcels of land that are not physically attached to the parcel being considered for development. What you do when you allow detached property that's separated by a main road, like say Martin Luther King Blvd., the open space and the density calculations are including a large swath of land that provides absolutely no benefit whatsoever to the people that are going to live in that new development. So, I would like those languages add to this. Other than that, I'm all for it.

Chair asked and said Doug, Lisa, any comments on the changes that Ken is presenting?

Archie Morgan asked is this one we table so that Legal can have a chance to look at it until they do.

Doug Britt said every project we see that has a stream, they always have a stream buffer. I can't think of one that doesn't have one. Usually you are going to have a stream by itself or a stream will be in the flood plain. If the stream is in the flood plain, obviously that's one thing. But, if it's by itself and not in a flood plain, there is a stream buffer and that's the language that I included. So, how you meander or how you measure a stream, I've never seen one....

Kenneth Deal said if nothing else, it clarifies for the general public by saying streams and stream buffers. There is no loss to adding of the word.

Doug Britt said if might clarify for the general public, but it muddies it for us, for me and for you, trying to work with somebody trying to figure out what useable area they have. I've never seen a stream that's not either in a flood plain or if it's not in a flood plain, it's within a stream buffer as required by the Code. A stream overtime might be here and then 10 years later, it meanders over here. That's why you have the stream buffer, because it's 35 ft. from top of bank to top of bank, so it's 70 ft.

across. I have a more comfort level of keeping the stream buffers, because that's what you talked about last time, but I just feel a little funny when you say stream.

Archie Morgan asked you are saying a stream buffer would encompass that area and if it's a stream, it would be in a flood plain anyways.

Doug Britt said I can't recall a time of us doing a project, usually with a stream, it's either going to be in a flood plain and if it's not in a flood plain, it's required to have a buffer. The part as far as when it's bisected by a road, I know that you are referring to the project that got deferred tonight. I can count on one hand in our last 15 years that that's happened. But, there is some benefit because they can obviously use it for tree save. But, I presented it and you all can do with it as you want.

Chair asked you say they can use it as tree saves, what are you talking about?

Doug Britt said the ordinance requires them for every commercial or residential project, they are required to have a 10% tree save area, so there is from the overall project. It doesn't happen that often, it happens with older properties or in this case it happens with new property because MLK is a new road for that project. So, obviously when the City or DOT went and did that project, it unfortunately bisected this parcel and I think it was like 1.8 acres above it, which they were totally just not doing anything with. But, like I said, if the Board wishes to remove that, it's perfectly fine and Staff doesn't have any issue with that. But, they would remove it from density purposes, but we would still use it for tree save or part of their open space calculation as well.

Chair said I'm more confused than I was in the beginning.

Kenneth Deal said when the Staff Reports come in and they say they have X amount of acreage and the developer's providing X amount of open space.

Chair said they can't use the paved road in the middle.

Doug Britt said what is being taken out is the right of way for the roads and the stream buffers and any utility easements. What Ken is asking for further consideration is to take out any streams and then he said if there is a piece of property that is dissected by a road, you would not allow the residual piece that's bisected by the road, they cannot use that area towards density of the overall project.

Chair asked is they going to affect our tree save area?

Doug Britt said no.

Chair said ok, basically what Ken is saying is they can't use the road itself as open space or to calculate space for density.

Kenneth Deal said no, not the roadway. The detached property.

Chair said ok, the detached property.

Kenneth Deal said let's say it was 10 acres and they were going to develop that as well and it might be phase 2 of their project. They would have to put in an entrance way and roadways and it would be handled as a separate development, basically. But, when it's a small development like this that they can't logically connect it to the property and use it without endangering people trying to run back and forth across MLK Blvd. So, it's not the developer's fault on this particular project because DOT dissected that piece of property and now he's got an unusable piece of property that may have uses down the road. They may sell it off and put a cell tower on it, who knows. But, for density, the reason we look at density is to know how tight the houses are going to be packed together and if we allow them to use that for the density computation, it sounds like there is more room in that development than there physically is. The whole reason for going with net, we want to be open and honest with the net properties that we are putting on a piece of land.

Chair said I'm good with net. I was just confused about the split parcels.

Doug Britt said it's not going to happen very often.

Chair said I'm good with your change on net, as far as the stream goes, I agree with Doug. We keep it as the buffer, does anyone else have a thought or opinion to what Ken was recommending?

Patrick Furr said I agree with Ken on the parcels, same as you just did. If it's not adjoining the property, then it shouldn't be counted, I think that should be in here. But, besides that, I think it's fine and dandy.

Chair asked technical question, do we have to send this back for a re-write or can we just add Ken's...

Doug Britt said Staff feels comfortable adding that language to it.

Chair said you are just directed by the Chair and Board to add that language.

Doug Britt said that's not a problem.

Chair asked do we have any other discussion related to item number 9? Are we comfortable with Ken's additions?

Motion: Kenneth Deal made a motion to recommend adoption of a Resolution Approving Land Use and Transportation Plan Compliance with the addition that parcels that are physically separated from the development plans that are submitted not be considered part of the density computation.

Second: Jennifer Smith

Action: The motion passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Kenneth Deal, Patrick Furr, Richard Ali, and Archie Morgan

NAYS: None

Motion: Kenneth Deal made a motion to recommend adoption of Ordinance amending Code of Ordinances-Title XV: Land Usage, Chapter 157, Section 8.10.1.B: Density and Intensity; Section 5.1.B: Mixed-Use Zoning Districts, Purpose and Intent; and Section 11: Definitions.

Second: Archie Morgan

Action: The motion passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Kenneth Deal, Patrick Furr, Richard Ali, and Archie Morgan

NAYS: None

Item 10. **Next Meeting: May 3, 2023**

Chair said I will not be here on May 3rd, I will not be here, Jennifer will be in charge.

Richard Ali said I just have a comment. I've had the privilege and honor of being on this Board for 6 and half to 7 years now, but I find that it's time for me to step off and I would like to do so at the conclusion of this meeting.

Chair said thank you for that. If you would send that in an email.

Item 11. **Adjournment**

Motion: Richard Ali made a motion to adjourn.

Second: Richard Yercheck

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

AYES: Richard Yercheck, Jennifer Smith, Kenneth Deal, Patrick Furr, Richard Ali, and Archie Morgan

NAYS: None

The meeting was adjourned at 8:01 p.m.

Respectfully Submitted,

Richard Yercheck, Chair
Planning Board

Ashlyn Penegar
Secretary to the Board



STAFF REPORT

TO: Planning Board Members

DATE: May 3, 2023

FROM: Lisa Stiwinter, Director of Planning & Development

PREPARED BY: Doug Britt, Senior Planner

SUBJECT: Annexation and Zoning Map and Text Amendment request for Planned Unit Development “Lancaster Avenue” (Parcel ID #'s: 09-321-008-80, 09-321-008-90, and 09-321-008-A)

SUMMARY STATEMENT

The Planning Board is requested to consider the annexation of 42.11 acres and a zoning map and text amendment for the properties located along Lancaster Avenue and ML King Jr. Boulevard further identified as tax parcel #'s 09-321-008-80, 09-321-008-90, and 09-321-008-A. The request is to annex and rezone the properties from Union County RA-40 and City of Monroe Residential Medium Density (RMD) to Planned Unit Development “Lancaster Avenue”.

REVIEW

The applicant is requesting to annex 42.11 acres and a Planned Unit Development rezoning in order to develop a residential subdivision that will consist of 86 single-family detached homes. The total area of the project is 43.79 acres, with 22.2 acres or 50.6% of that reserved as common open space. The density of this project is 1.96 units per acre.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District. There has been over 1,100 lots approved within a ½ mile radius of the subject property since 2018.

	Existing Uses	Zoning District
North	Residential	Residential Low Density (RLD)
East	Residential	Residential Low Density (RLD) & Residential High Density (RHD)

South	Vacant	RA-40 Union County & Residential Medium Density (RMD) City of Monroe
West	Vacant	RA-40 & RA-20 Union County

Proposal

The applicant is requesting a Planned Unit Development rezoning in order to develop a residential subdivision that will consist of 86 single-family detached homes. The total area of the project is 43.79 acres, with 22.2 acres or 50.6% of that reserved as common open space. The developer is proposing the minimum lot width for the project to be 55 feet with an overall project density of 1.96 units per acre.

REQUIREMENTS

Density & Dimensional Standards

The density of the proposed project is 1.96 units per acre. The minimum lot size is 6,720 square feet with a range up to approximately 13,090 square feet. The data below is simply to provide the board with information to compare the proposed density being requested to what is allowed by the zoning ordinance in other residential districts in Monroe.

Zoning District	Maximum Allowable Density
RMD	3 units/acre by-right; 4 units/acre clustering
RLD	2 units/acre
RR	1 unit/acre

The minimum setbacks and lot width proposed are as follows:

Front: 20 feet

Side: 7 feet

Corner Lot Side: 10 feet

Rear: 20 feet

Maximum Building Height: 35 feet

Lot Width	Number of Lots
55-foot	25
60-foot	42
75-foot	19
Total Lots	86

Buffering & Landscaping

Street trees will be provided at a rate of at least one (1) tree per lot and corner lots will be provided with at least two (2) street trees. All houses will have at least one (1) yard tree per lot. All trees planted will be a minimum of three (3) inches in caliper measured six (6) inches above grade.

A ten (10) foot landscaped street yard buffer has been provided as required by ordinance along Lancaster Avenue and ML King Jr. Boulevard. The ordinance also requires a 50-foot buffer around the perimeter of the site which is required to be improved with trees, shrubs, and a six (6) foot berm, fence or wall. The developer is proposing for the 50 fifty-foot buffer to remain

undisturbed with the exception of utility crossings and will provide landscaping as depicted in the detail on the landscape plan where there are unvegetated areas. As part of the Planned Unit Development (PUD) the developer is requesting a deviation to not install the six (6) foot berm, fence or wall within the buffer. Since the buffer is proposed as undisturbed this will satisfy the ordinance requirement of at least ten percent (10%) of all existing trees shall be preserved. The buffer areas are comprised of 6.55 acres and ten percent (10%) of the site for required tree preservation is 4.29 acres.

According to the Unified Development Ordinance a tree survey is required to show all trees at least twenty-five (25) inches in circumference or greater within the required buffer and all trees greater than seventy-five (75) inches in circumference outside of the buffer. A tree survey was provided which depicted all trees on the site that were greater than twenty-five (25) inches in circumference. As indicated on the site plan both the stream buffers and perimeter buffers are to remain undisturbed with the exception of utility crossings to serve the project site. According to the tree survey provided there are approximately 16 trees that are seventy-five (75) inches in circumference or greater that will need to be removed and mitigated. The final tree mitigation plan will be determined at the erosion control plan review stage if the project is approved.

Open Space

The project is required to provide 35% open space, which would equal 15.33 acres. The applicant has provided approximately 22.2 acres, which is 50.6% of the total site. The ordinance states a maximum of 25% of the total required open space may include stormwater features and only wet stormwater facilities may be counted toward this requirement. Since at this time the stormwater features have not been identified as either a dry or wet stormwater feature the two (2) acre area allocated for stormwater will not be counted toward the open space area. Additionally, a maximum of 20% of the total required open space may be environmentally sensitive lands such as wetlands, protected stream buffers, and floodplains. There is approximately 4.5 acres of stream buffers/wetland areas and the ordinance will allow 3.06 acres to be counted toward the open space area and the remaining 1.44 acres will not be credited.

Required Open Space (35% of project area)	15.33 acres
Provided Open Space	22.2 acres
Stormwater Feature Area not Credited	-2.0 acres
Environmentally Sensitive Lands not Credited	-1.44 acres
Net Usable Open Space	18.76 acres

Planned Unit Developments greater than twenty-five acres in size, but less than fifty acres in size are required to include at least two (2) small open space types, two (2) medium open space types, and one (1) large open space type. The small open space areas require a range of area from 500 square feet to 1 acre, the medium open space type requires 1-2.5 acres, and the large requires 2.5 acres or more. The open space features proposed for this project are as follows:

-Small amenity areas: pocket parks with sitting areas

-Medium amenity areas: children's playground and recreation play green areas

-Large amenity area: linear park area that will include a gazebo with a hardscaped seating area and bike/walking trail.

Elevations

The developer is proposing the homes to be a minimum of 1,500 heated square feet. The proposed exterior building materials will include fiber cement, stone, stucco, and/or brick. Vinyl will only be used for windows, doors, garage doors, soffits, trim and railings. Four courses of brick/brick veneer will extend up the face of the slab. The front facades shall consist of at least 30% of non-lap siding fiber cement (i.e. cedar shake, board & batten, panel), window treatments, front porches, brick, stone, and/or stucco. Brick, stone, or stucco must comprise 15% of the front façade. The developer is proposing for 60% (52) of the homes to be at least a 40-foot wide product. Garages shall not extend more than five (5) feet beyond the front façade.

Parking

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

Sidewalk

A five-foot (5') wide sidewalk will be provided along both sides of the interior roads throughout the development. An eight-foot (8') wide sidewalk will be provided along Lancaster Avenue and ML King Jr. Boulevard.

Stormwater

The applicant will be required to provide stormwater management to treat the stormwater runoff for the project. The stormwater will be evaluated and reviewed, if the project is approved by City Council, at the building permit stage of the process. The location, size and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and actual site discharge points. At the time of site plan submittal, site will meet stormwater management requirements in accordance with Chapter 159 Stormwater Management Ordinance of the Monroe Code of Ordinances.

Stream Buffer

All streams located on the site have been provided with a 35 ft. undisturbed stream buffer on both sides as required by the ordinance.

Schools

The Lancaster Ave PUD is a proposed 86-unit single family unit development on tax parcels 09-321-008-80, 09-321-008-90, and 09-321-008-A located between, and connects to both Martin Luther King Junior Boulevard and Lancaster Avenue. According to David Burnett with Union County Public Schools this development is located within the following school attendance areas:

Walter Bickett Elementary	Currently at 60% of rated capacity
Monroe Middle School	Currently at 85% of rated capacity
Monroe High School	Currently at 72% of rated capacity

This project, by itself, is not expected to adversely impact these listed school enrollments. Should many of the proposed developments with the Monroe cluster be fully realized within a short build-out period, these school enrollments would be problematic.

Transportation

The proposal includes an entrance on Lancaster Avenue. The developer is proposing for the project to have publicly maintained streets by the City of Monroe. The streets will be constructed and inspected to the City of Monroe street standards. A traffic impact study was completed for this project as required by the ordinance and was reviewed by both the City of Monroe Engineering Department and the North Carolina Department of Transportation (NCDOT). The required transportation improvements for the project are as follows:

Lancaster Avenue

1. Construct a northbound left-turn lane along Lancaster Avenue at the project entrance.

The remaining recommendations in the Transportation Impact Analysis were required when an access point was proposed on MLK Jr. Boulevard; however, since that access has been removed, those improvements are no longer warranted.

Water/Sewer

Based on the current water and sewer capacity, flow projections, and planned capital improvements, the City of Monroe has water and sewer capacity to serve the project. The project may require phased permitting and water meter sets pursuant to a development agreement if approved by City Council, and consistent with the schedule for waste water treatment plant expansion. All onsite and offsite water and sewer main extensions for the proposed development shall be designed by a professional engineer, constructed and financed at the developer's expense in accordance with the City of Monroe's Standards and Extension Policy. Any required offsite easements are to be obtained by the Developer at their expense.

LAND USE AND TRANSPORTATION PLAN CONSISTENCY

The Land Use and Transportation Plan indicates this area is Suburban. Residential uses are priority uses within this character area and the permitted density is 2-4 units per acre. 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. Single-family uses are listed as a priority use in this character area. 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 proposed use is not consistent with the Land Use and Transportation Plan because the density requirement for the Suburban land use category is 2-4 units per acre and the proposal has a density of 1.96 units per acre. However, planning staff believes the proposal is a reasonable use because it will provide additional housing options closer to the core versus on the outskirts creating sprawl and will provide a mix of lot sizes.

PUBLIC NOTIFICATION

The applicant mailed an information letter and held a neighborhood meeting on December 13, 2022 at Walter Bickett Elementary School to discuss the project with local residents. There were six (6) people in attendance at the meeting.

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

Official rezoning notification letters will be sent to the adjacent property owners located within at least 150 feet, 10 days prior to the public hearing.

RECOMMENDATION

Planning staff recommends approval of the annexation and rezoning to Planned Unit Development “Lancaster Avenue”.

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

- *Motion to recommend Approving annexation request*
OR
- *Motion to recommend Denying annexation request*
- *Motion to recommend adoption of Resolution Approving Land Use and Transportation Plan Compliance* **OR**
- *Motion to recommend adoption of a Resolution Denying Land Use and Transportation Plan Compliance and authorization for staff to draft the resolution based on the reason(s) provided and authorize the Chair to sign at a later date.*

If the Resolution of Land Use and Transportation 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.*

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

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

Attachments:

Attachment 1-Ortho Map
Attachment 2-Zoning Map
Attachment 3-Annexation Plat
Attachment 4-Site Plan
Attachment 5-Elevations
Attachment 6-TIA Recommendations
Attachment 7-Future Land Use Map
Attachment 8-FLUM Description
Attachment 9-R-2023-xx Approval
Attachment 10-R-2023-xx Disapproval
Attachment 11-O-2023-XX Section 157.1.2.1

Ortho Map

Case #: PLANXA 2023-00026

Legend

- Centerlines
- City Limits
- ETJ
- streams
- Parcels

Existing: Union County RA-40
and Residential Medium
Density-City

Owner: Plyler Farms, LLC

Acres: 42.97



0 580 1,160
Feet

Zoning Map

Case #: PLANXA 2023-00026

Legend

- Centerlines
- City Limits
- ETJ
- streams
- Parcels

Zoning Districts

NEW_ZONING

- CD
- NB
- OM
- RHD
- RLD
- RMD

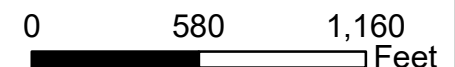
UC Zoning Districts

ZONE

- RA-20
- RA-40

Existing: Union County RA-40
and Residential Medium
Density-City

Owner: Plyler Farms, LLC



***STATE PLANE COORDINATE VALUES
WERE OBTAINED USING A CARLSON
BRX-6 GPS USING THE VIRTUAL
REFERENCE STATIONS***

THE UNION COUNTY
BOARD OF EDUCATION
NOW OR FORMERLY
DB 1821 PG 27
PARCEL # 09-321-002A

BROOKS FARM HOMEOWNERS
ASSOCIATION, INC
NOW OR FORMERLY
COMMON AREA
DB 1315 PG 515
PC E FILE 504 & 505
PARCEL # 09-321-126

DEPARTMENT OF
TRANSPORTATION
AN AGENCY OF THE STATE
OF NORTH CAROLINA
5109-71 FEE SIMPLE
3446-547

BROOKS FARM HOMEOWNERS
ASSOCIATION, INC
NOW OR FORMERLY
COMMON AREA
DB 1315 PG 515
PC E FILE 504 & 505
PARCEL # 09-321-126

I, _____, CITY CLERK OF THE CITY OF MONROE, NORTH CAROLINA,
HEREBY CERTIFY THAT ON THE _____ DAY OF _____, 20____, THE CITY COUNCIL
APPROVED THIS PLAT ANNEXATION AND RECORDING.

DATE _____ CITY CLERK _____ (SEAL)

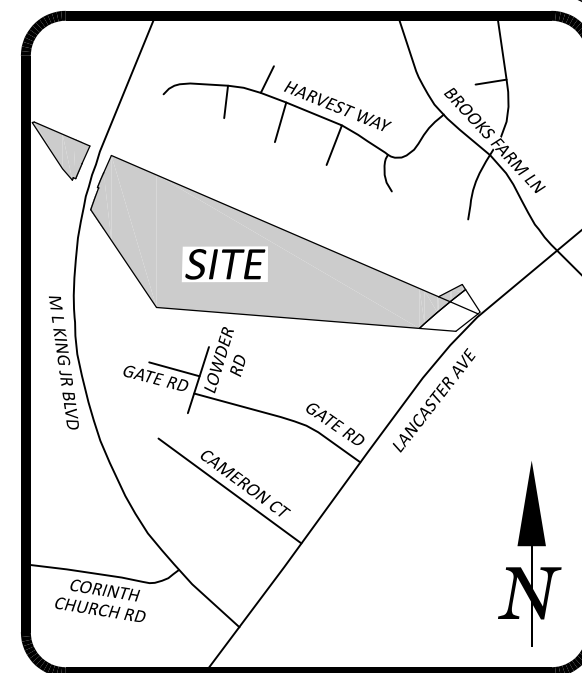
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	3,130.00'	127.83'	127.82'	S 22°56'13" W	2°20'24"
C2	3,150.00'	20.42'	20.42'	S 21°29'48" W	0°22'17"
C3	2,920.00'	179.26'	179.23'	N 20°08'07" E	3°31'03"
C4	2,930.00'	123.86'	123.85'	N 22°50'35" E	2°25'19"

GPS SURVEY

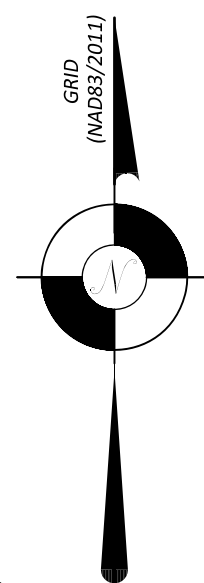
"I, CHRISTOPHER D. FAULK, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY
SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION
AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

1. CLASS OF SURVEY: A (1:10,000)
2. POSITIONAL ACCURACY: 0.07 50ppm±
3. TYPE OF GPS FIELD PROCEDURE: GNSS REAL-TIME NETWORK
4. DATES OF SURVEY: 07/07/2022
5. DATUM/EPOCH: NAD83(2011) / NAVD88
6. PUBLISHED/FIXED CONTROL USE: MONROE CORS
7. GEOID MODEL USED: GEOID 18
8. COMBINED GRID FACTORS: 0.99986249
9. UNITS: US SURVEY FEET

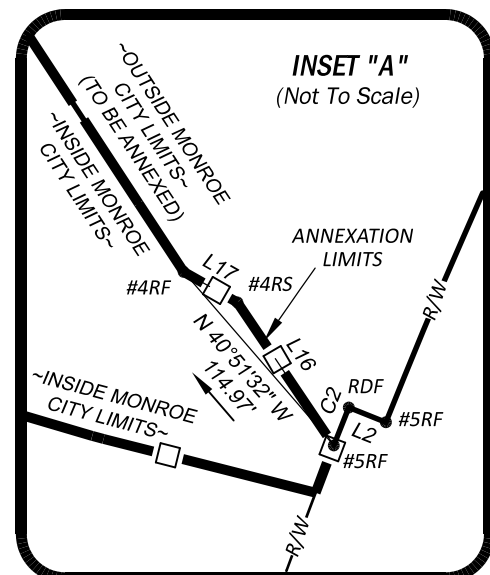
LINE	BEARING	DISTANCE
L1	S 24°01'46" W	147.07'
L2	N 68°20'54" W	20.00'
L3	N 78°37'05" E	16.98'
L4	N 68°57'23" W	9.78'
L5	S 51°53'58" W	21.07'
L6	N 24°02'14" E	146.98'
L7	S 50°25'17" W	129.75'
L8	S 48°33'07" W	131.41'
L9	S 47°08'17" W	54.08'
L10	N 51°59'57" E	294.58'
L11	N 63°27'59" W	566.38'
L12	N 63°19'42" W	887.05'
L13	N 48°03'50" W	3,143.43'
L14	S 51°39'12" W	139.47'
L15	S 50°25'17" W	12.56'
L16	N 33°59'28" W	86.33'
L17	N 60°17'54" W	31.02'



VICINITY MAP
(Not to Scale)



BRD LAND & INVESTMENT
NOW OR FORMERLY
DB 8454 PG 298
PARCEL # 09-321-003



TOTAL ANNEXATION AREA
THIS PLAT IS
42.11 ACRES

LEGEND

- RF REBAR FOUND
- RS REBAR SET
- IPF IRON PIPE FOUND
- RDF R/W DISK FOUND
- CP COMPUTED POINT
- R/W RIGHT-OF-WAY
- SF SQUARE FOOT
- PC PLAT CABINET
- DB DEED BOOK
- PG PAGE
- PUE PERMANENT UTILITY EASEMENT
- SSE SANITARY SEWER EASEMENT
- SS SANITARY SEWER MANHOLE

- LINES SURVEYED
- LINES NOT SURVEYED
- - - RIGHT-OF-WAY
- - - EXISTING EASEMENT
- - - EXISTING CITY LIMITS
- - - SEWER LINE
- - - OVERHEAD POWER LINE
- EXISTING ANNEXED AREA

NOTES

1. AREA CALCULATED BY COORDINATE COMPUTATION.
2. ADJOINING 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. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, MEASURED WITH ELECTRONIC MEASURING DEVICES.
5. NO NCGS MONUMENT FOUND WITHIN 2000 FEET.
6. FIELD WORK WAS COMPLETED JULY, 2022.
7. TOTAL ANNEXATION AREA: 42.11 ACRES

OWNERSHIP INFORMATION :

PARCEL 09-321-008 90, DB 5538 PG 73,
TRACT TWELVE:
PLYLER FARMS, LLC
PO BOX 67, MONROE NC 28110
&
PARCEL # 09-321-008A, DB 5538 PG 81,
A PORTION OF TRACT EIGHT:
PLYLER COMMERCIAL INVESTMENTS, LLC
PO BOX 67, MONROE NC 28110



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ONE-CALL CENTER INC.
DIAL 811 or 1-800-632-4949
2 BUSINESS DAYS BEFORE DIGGING
www.ncocc.org

GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.

Surveyed by: CDF

REVISIONS:		
1)	8-10-22	COMMENTS ADDRESSED TRL
2)	11-02-22	COMMENTS ADDRESSED JKD
3)	12-13-22	COMMENTS ADDRESSED ART
4)	01-23-23	COMMENTS ADDRESSED ART

"I, CHRISTOPHER D. FAULK, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN
ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 5538, PAGE 73 &
81; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THIS PLAT WAS PREPARED IN
ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER
AND SEAL THIS 7TH DAY OF NOVEMBER, A.D., 2022.

"PRELIMINARY PLAT NOT
FOR RECORDATION,
CONVEYANCES, OR SALES"

PROFESSIONAL LAND SURVEYOR L-5013



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.

THIS IS TO CERTIFY THAT THIS SURVEY IS AN ANNEXATION SURVEY, WHICH IS AN EXCEPTION TO
THE DEFINITION OF "SUBDIVISION" PURSUANT TO GENERAL STATUTE 47-30f11d. MADE THIS
13TH, DAY OF JULY 2022.

"PRELIMINARY PLAT NOT FOR
RECORDATION,
CONVEYANCES, OR SALES"

PROFESSIONAL LAND SURVEYOR L-5013

ANNEXATION BOUNDARY FOR THE CITY OF MONROE

AT PROPERTY KNOWN AS
THE PROPERTY OF
PLYLER FARMS, LLC AND
PLYLER COMMERCIAL INVESTMENTS, LLC
MONROE TOWNSHIP, UNION COUNTY, NC

METROLINA
LAND SURVEYING, INC.
SURVEYING • MAPPING • PLANNING

8521 CROWN CRESCENT CT.
CHARLOTTE, NC 28227

P (704) 741-1700
C (980) 721-2353
NC #C-4584 & SC #C-6106

Job No. 099-22-43
Date 7/13/22
Proj. Mgr. DCC
Drawn JKD/TRL/ART
Checked CDF
Sheet 1 OF 1

Note: Images are conceptual in nature and intended to show commitment to amenities package. Actual location and design of elements will be determined at time of construction design submittal and subject to change based on City requirements.



Conceptual Rezoning Plan

Lancaster Avenue

City of Monroe, North Carolina

October 18, 2022

revised: April 11, 2023

Page 1 of 1

Note: NOT FOR CONSTRUCTION - Conceptual Plans Only, lot yield and layout subject to change based on final design and approvals.

Conceptual Rezoning Plan



Lancaster Avenue

City of Monroe, North Carolina

October 18, 2022

revised: April 6, 2023

Page 1 of 1

Note: NOT FOR CONSTRUCTION - Conceptual Plans Only, lot yield and layout subject to change based on final design and approvals.



Conceptual Rezoning Plan



Lancaster Avenue

City of Monroe, North Carolina

October 18, 2022

revised: April 6, 2023

Page 1 of 1

Note: NOT FOR CONSTRUCTION - Conceptual Plans Only, lot yield and layout subject to change based on final design and approvals.











TRAFFIC IMPACT ANALYSIS

Plyler Farms TIA Monroe, North Carolina

MARCH 21, 2023

IMPACT DESIGNS, INC.

Prepared by: Nicholas Burns, PE

TRAFFIC IMPACT ANALYSIS

Plyler Farms

MONROE, NORTH CAROLINA



REPORT PREPARED FOR:

BRD Land & Investment, LP
259 Textile Way, Suite 102
Fort Mill, SC 29715

REPORT PREPARED BY

Impact Designs, Inc.
PO Box 3728
Mooresville, NC 28117
nick@impactdesignsinc.com

4. SUMMARY OF FINDINGS AND RECOMMENDATIONS

A traffic impact study was conducted for the proposed Plyler Farms residential development in accordance NCDOT guidelines. The proposed development is located on the west side of Lancaster Avenue in Monroe, North Carolina. The development is expected to consist of up to 104 single family detached homes to be completed in 2025. Access to the site is to be provided via one full movement connection to Lancaster Avenue and one full movement connection to N M.L.K. Jr. Boulevard.

The study was determined through coordination with NCDOT and consists of the following intersections:

- N M.L.K. Jr. Boulevard and Site Access A
- Lancaster Avenue and Site Access B

For the purpose of this analysis, the study intersections listed above were analyzed under the following scenarios:

- Build (2025) Conditions

Traffic operations during the AM and PM peak hours were modeled for each scenario. The results of each scenario were compared to determine impacts from background traffic growth and the proposed development.

The capacity analysis indicates that all movements at the study intersections are expected to operate at a reasonable LOS. No mitigation is recommended based on capacity.

Recommendations:

- Install a 50' left turn lane with appropriate taper on N M.L.K. Jr. Boulevard at Site Access A. (100' required by NCDOT)

Additional Improvements Required by NCDOT

- Install a right turn lane into Access A with 50' of storage and appropriate taper.
Install a left turn lane into Access B with 100' of storage and appropriate taper.

Future Land Use Map

Case #: PLANXA 2023-00026

Legend

- Centerlines
- City Limits
- ETJ
- streams
- Parcels

FLUM

Future Land Use Character Area

- Suburban

Existing: Union County RA-40
and Residential Medium
Density-City

Owner: Plyler Farms, LLC

0 580 1,160
Feet

Future Land Use Plan Consistency

The Future Land Use 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.

**RESOLUTION APPROVING LAND USE AND TRANSPORTATION PLAN
COMPLIANCE PLANNED UNIT DEVELOPMENT “LANCASTER AVENUE”**

R-2023-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 Planned Unit Development “Lancaster Avenue” further described below property is not consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan identifies this area as Suburban. Single-family uses are listed as a priority use in this character area, and the proposed project is for the development of single-family homes. The suburban character area states the density for residential is 2-4 units per acre. This development is 1.96 units per acre; therefore, it is not consistent. However, this proposal is a reasonable use and in the public interest because it will provide additional housing options closer to the city core versus on the outskirts creating sprawl and offers a mix of lot sizes. Based on this information, the conditions have changed which justify amending the Land Use and Transportation Plan. As a result of this zoning map amendment approval, the Land Use and Transportation Plan would be amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Approving Land Use and Transportation Plan Compliance for properties with Union County Tax Parcel Number(s): 09-321-008-80, 09-321-008-90, and 09-321-008-A.

Adopted this 3rd day of May, 2023.

Jennifer Smith, Vice-Chair

Attest:

Ashlyn Penegar, Secretary to Planning Board

**RESOLUTION DENYING LAND USE AND TRANSPORTATION PLAN
COMPLIANCE PLANNED UNIT DEVELOPMENT “LANCASTER AVENUE”**

R-2023-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 Planned Unit Development “Lancaster Avenue” further described below property is not consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan identifies this area as Suburban. Single-family uses are listed as a priority use in this character area, and the proposed project is for the development of single-family homes. The suburban character area states the density for residential is 2-4 units per acre. This development is 1.96 units per acre; therefore, it is not consistent with the Land Use and Transportation Plan. This proposal is not a reasonable use or in the public interest because:

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe adopts the Resolution Denying Land Use and Transportation Plan Compliance for properties with Union County Tax Parcel Number(s): 09-321-008-80, 09-321-008-90, and 09-321-008-A.

Adopted this 3rd day of May, 2023.

Jennifer Smith, Vice-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-2023-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 properties located along Lancaster Avenue and ML King Jr. Boulevard and further identified as tax parcel #'s 09-321-008-80, 09-321-008-90, and 09-321-008-A. The request is to rezone the properties from Union County RA-40 and City of Monroe Residential Medium Density (RMD) to Planned Unit Development "Lancaster Avenue".

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 13th day of June, 2023.

Attest:

Marion L. Holloway Jr., Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: Planning Board Members

DATE: May 3, 2023

FROM: Lisa Stiwinter, Director of Planning & Development

PREPARED BY: Doug Britt, Senior Planner

SUBJECT: Annexation and Zoning Map and Text Amendment request for Planned Unit Development “Monroe Meadows” (Parcel ID #'s: 09-195-022-80 and 09-195-022-90)

SUMMARY STATEMENT

The Planning Board is requested to consider an annexation and zoning map amendment for the properties located along E. Sunset Drive further identified as tax parcel #'s 09-195-022-80 and 09-195-022-90. The request is to annex 8.233 acres and rezone a total of 24.828 acres City of Monroe Residential Medium Density (RMD) to Planned Unit Development “Monroe Meadows”.

REVIEW

The applicant is requesting to annex 8.233 acres and a Planned Unit Development rezoning in order to develop a residential subdivision that will consist of 144 single-family attached townhomes. The total area of the project is 24.828 acres, with 8.92 acres or 35.9% of that reserved as common open space. The density of this project is 5.8 units per acre.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District.

	Existing Uses	Zoning District
North	Single Family Residential	Residential Medium Density (RMD)
East	Residential, Office, Multi-Family Apartments	Residential Medium Density (RMD), Office Medical (OM), Residential High Density (RHD)
South	Multi-Family Apartments	Residential High Density (RHD)
West	Multi-Family Apartments, Monroe Middle School	Residential High Density (RHD), Residential Medium Density (RMD)

Proposal

The applicant is requesting a Planned Unit Development rezoning in order to develop a residential subdivision that will consist of 144 single-family attached townhomes. The total area of the project is 24.828 acres, with 8.92 acres or 35.9% of that reserved as common open space. The developer is proposing the minimum lot width for the project to be 22 feet. The overall project density is 5.8 units per acre.

REQUIREMENTS

Density & Dimensional Standards

The density of the proposed project is 5.8 units per acre. The minimum lot size is 1,760 square feet. The data below is simply to provide the board with information to compare the proposed density being requested to what is allowed by the zoning ordinance in other residential districts in Monroe.

Zoning District	Maximum Allowable Density
RHD	10 units/acre
RMD	3 units/acre by-right; 4 units/acre clustering
RLD	2 units/acre
RR	1 unit/acre

The minimum setbacks proposed are as follows:

Front: 20 feet

Side: 5 feet

Interior Side: 0 feet

Rear: 6 feet

Maximum Building Height: 3-stories (39-feet)

Buffering & Landscaping

Street trees will be provided as depicted on the site plan with a caliper of 2.5 inches measured 6-inches above grade. Yard trees will be planted in accordance with the elevations submitted.

A ten (10) foot landscaped street yard buffer has been provided, as required by ordinance, along E. Sunset Drive. The ordinance also requires a 50-foot buffer along the northern and a portion of the western property line; the applicant is providing the required buffer in these areas. The ordinance requires a 25-foot buffer along the eastern and a portion of the western property lines; the applicant is providing the appropriate buffer in these areas as well. The buffers are required to include a mix of trees and shrubs. The 50-foot buffer also requires a 6-foot tall berm, fence, or wall; the applicant is proposing a 6-foot tall black aluminum picket style fence. The applicant is proposing to supplement existing vegetation with required plantings in the buffers.

The ordinance requires a 10% tree save area, the applicant has complied with the requirement and is proposing 2.52 acres of 10.2% tree save area, the tree save is indicated with hatches on the site plan. The ordinance also requires a tree survey to show all trees at least twenty-five (25) inches in circumference or greater within the required buffer and all trees greater than seventy-five (75) inches in circumference outside of the buffer. A tree survey was provided which

depicted all trees on the site that were greater than twenty-five (25) inches in circumference. According to the tree survey provided there are approximately six (6) trees that are seventy-five (75) inches in circumference or greater that will either be preserved or mitigated. The final tree mitigation plan will be determined at the erosion control plan review stage if the project is approved.

Open Space

The project is required to provide 35% open space, which would equal 8.69 acres. The applicant has provided approximately 8.92 acres, which is 35.9% of the total site. The ordinance states a maximum of 25% of the total required open space may include stormwater features and only wet stormwater facilities may be counted toward this requirement. The applicant is showing the stormwater feature will cover 1.53 acres, which is 17.6% of the open space.

Planned Unit Developments less than twenty-five (25) acres in size are required to include at least two (2) small open space types and one (1) medium open space type. The small open space areas require a range of area from 500 square feet to 1 acre and the medium open space type requires 1-2.5 acres. The open space features proposed for this project are as follows:

- Small amenity areas: disc golf, dog park, pergola
- Medium amenity areas: event lawn with pergola and trail loop

Elevations

The developer is proposing the townhomes to be a minimum of 1,432 heated square feet. The proposed exterior building materials will include fiber cement, stone, stucco, and/or brick. Four courses of brick/brick veneer will extend up the face of the slab on the front and sides. The front facades shall consist of at least 25% brick or stone.

Parking

All townhomes will be furnished with a one (1) car garage at minimum. All front load garages will have carriage style trim and/or hardware that mimics carriage style doors and/or have windows along the top. Driveways will be paved and will be able to accommodate at least two (2) vehicles.

Sidewalk

A five-foot (5') wide sidewalk will be provided along both sides of the interior roads throughout the development. An eight-foot (8') wide sidewalk will be provided along E. Sunset Drive.

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.

Schools

The Monroe Meadows PUD is a proposed 144-unit single family unit development on tax parcels 09-195-022-80 and 09-195-022-90 located along E. Sunset Drive. The project falls within the following school zones:

East Elementary	Currently at 73% of rated capacity
Monroe Middle School	Currently at 85% of rated capacity
Monroe High School	Currently at 72% of rated capacity

Transportation

The proposal includes an entrance on E. Sunset Drive and Winburn Street. The developer is proposing for the project to have publicly maintained streets by the City of Monroe. The streets will be constructed and inspected to the City of Monroe street standards. A traffic impact study was completed for this project as required by the ordinance and was reviewed by both the City of Monroe Engineering Department and the North Carolina Department of Transportation (NCDOT). A left turn lane will be provided along E. Sunset Drive to enter this site; however, based on the Traffic Impact Analysis, no additional transportation improvements are recommended.

Water/Sewer

Based on the current water and sewer capacity, flow projections, and planned capital improvements, the City of Monroe has water and sewer capacity to serve the project. The project may require phased permitting and water meter sets pursuant to a development agreement if approved by City Council, and consistent with the schedule for waste water treatment plant expansion. All onsite and offsite water and sewer main extensions for the proposed development shall be designed by a professional engineer, constructed and financed at the developer's expense in accordance with the City of Monroe's Standards and Extension Policy. Any required offsite easements are to be obtained by the Developer at their expense.

LAND USE AND TRANSPORTATION PLAN CONSISTENCY

The Land Use and Transportation Plan indicates this area is in the Traditional Character Area. Traditional Development, which surrounds the downtown core, is anchored by the city's most historic neighborhoods. This designation allows some small-scale commercial and service uses that support surrounding residences. The dense transportation network offers easy access to downtown. The design and scale of neighborhoods encourages active living and affords residents the ability to live, work, shop, and play within a walkable community. Buildings are generally oriented toward a comprehensive network of walkable streets. Cul-de-sacs should be limited to the extent possible, such as locations where topography, natural features, or existing development makes other street connections prohibitive. Requiring pedestrian connections and designating stubouts for future street connections is encouraged.

Multi-family, which includes townhomes, is a priority use in this character area. Residential density for this character area is 4-10 units per acre. The proposed project is consistent with the land use and transportation plan.

PUBLIC NOTIFICATION

The applicant mailed an information letter and held a neighborhood meeting on January 19, 2023 at Monroe High School to discuss the project with local residents. There were three (3) people in attendance at the meeting.

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

Official rezoning notification letters will be sent to the adjacent property owners located within at least 150 feet, 10 days prior to the public hearing.

RECOMMENDATION

Planning staff recommends approval of the annexation and rezoning to Planned Unit Development “Monroe Meadows”.

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

Recommendation on Annexation:

- *Motion to recommend Approving annexation request*
OR
- *Motion to recommend Denying annexation request*

Recommendation on Land Use and Transportation Compliance:

- *Motion to recommend adoption of the Resolution Approving Land Use and Transportation Plan Compliance*
OR
- *Motion to recommend adoption of a Resolution Denying Land Use and Transportation Plan Compliance, authorization for staff to draft the resolution based on the reason(s) provided and authorization for the Chair to sign the resolution at a later date.*

If the Resolution of Land Use and Transportation 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.*

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

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

Attachments:

1. Ortho Map
2. Zoning Map
3. Annexation Plat
4. Site Plan & Elevations

5. TIA Recommendations
6. FLUM Map
7. FLUM Description
8. Approval Resolution
9. Denial Resolution
10. Ordinance 157.1.2.1

Ortho Map

Case #: PLANXA 2023-00018

Legend

- Centerlines
- City Limits
- streams
- Parcels

Existing: Residential Medium Density (RMD)

Owner: Tom Eubanks

Acres: 24.82



0 290 580 Feet

Zoning Map

Case #: PLANXA 2023-00018

Legend

-  Centerlines
-  City Limits
-  streams
-  Parcels

Zoning Districts

-  CD
-  OM
-  RHD
-  RLD
-  RMD

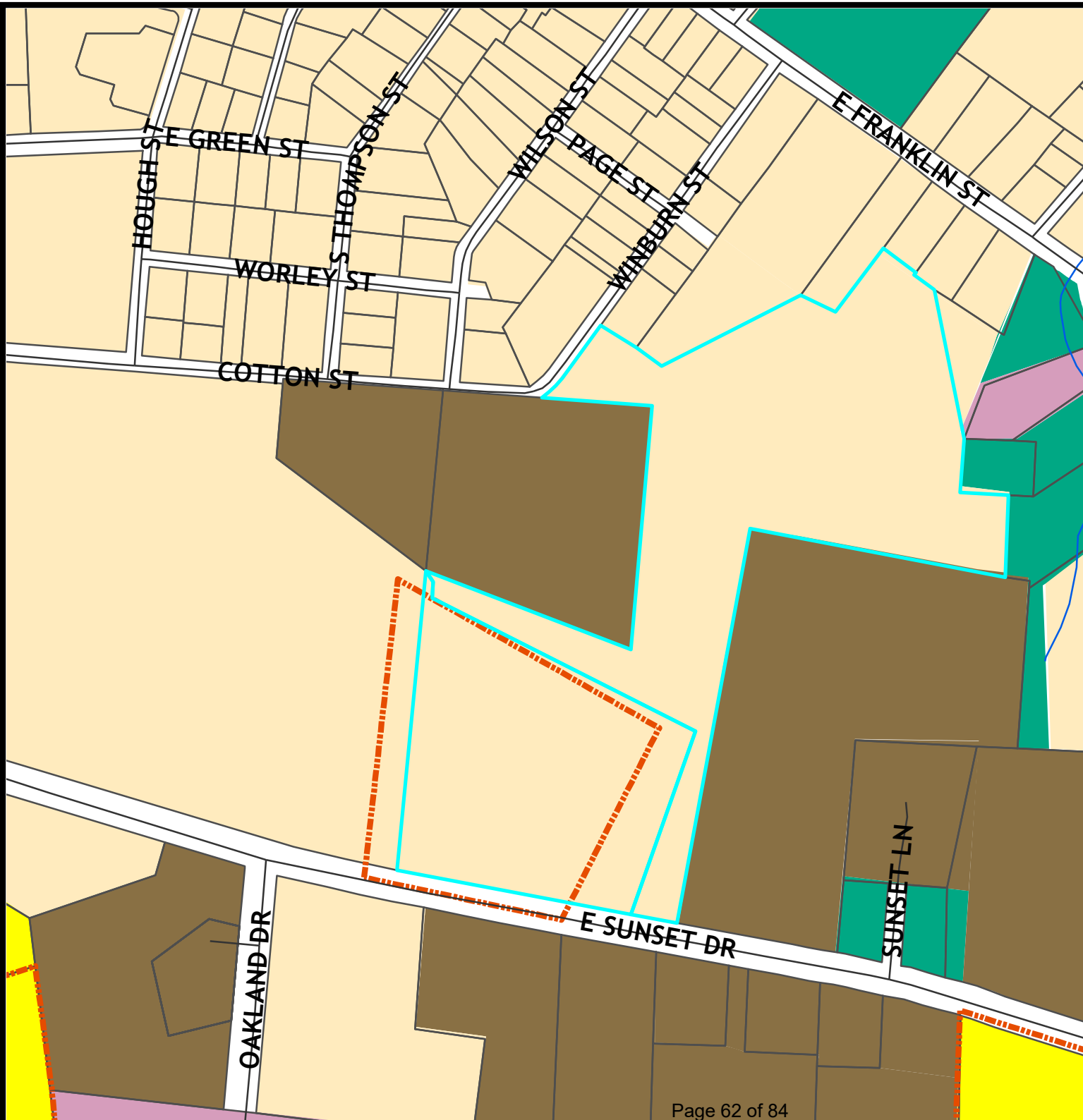
Existing: Residential Medium Density (RMD)

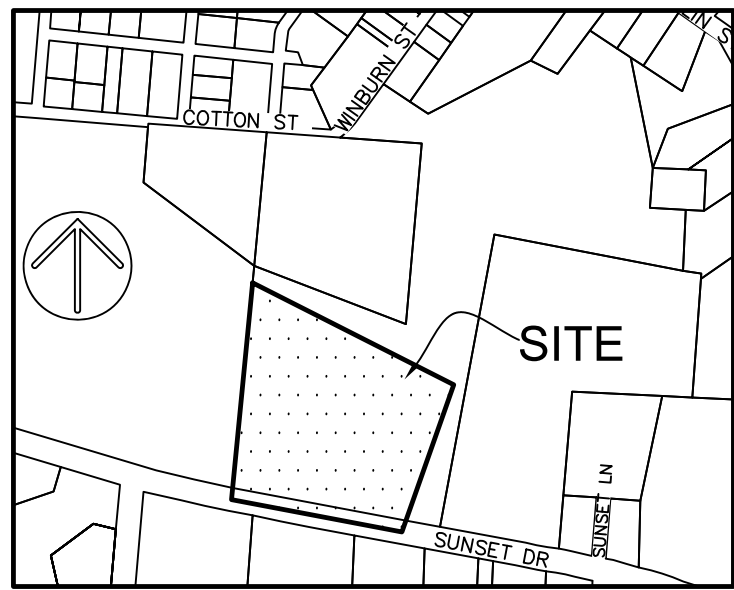
Owner: Tom Eubanks

Acres: 24.82



0 290 580
Feet



VICINITY MAP NOT TO SCALE

- LEGEND
- CP CALCULATED POINT
 - CONC. MONUMENT FOUND
 - RBF IRON REBAR FOUND
 - OTPF OPEN TOP PIPE FOUND
 - RBS IRON REBAR SET
 - POWER POLE
 - RIGHT OF WAY
 - PROPERTY LINE
 - ADJOINING PROPERTY LINE
 - CITY OF MONROE LIMIT LINE
 - OHP OVERHEAD POWER LINE
 - WATER LINE EASEMENT
 - ELECTRIC DISTRIBUTION LINE EASEMENT

ATLAS SURVEYING, INC.

13331 YORK CENTER DRIVE, SUITE E
CHARLOTTE, NC 28273
PHONE: (980) 949-8475
WEBSITE: WWW.ATLASSURVEYING.COM

I, KEITH BURNS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THIS SURVEY:
CLASS OF SURVEY: AA
POSITIONAL ACCURACY: H=0.07
GPS PROCEDURE: REAL-TIME KINEMATIC
DATE OF SURVEY: 05/27/22
DATUM/EPOCH: NAD83/2011
PUBLISHED/FIXED CONTROL USE: AE9513 UN3
GEOID MODEL: 12B
COMBINED GRID FACTOR: 0.99986193
UNITS: US SURVEY FEET

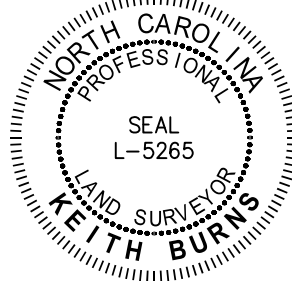
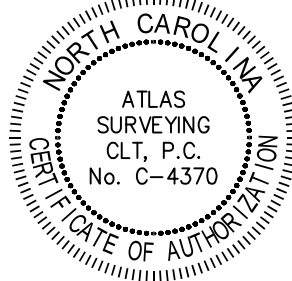
I, KEITH BURNS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (LISTED REFERENCES); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN LISTED REFERENCES; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1:59,155.4; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

THIS IS TO CERTIFY THAT THIS SURVEY IS AN ANNEXATION SURVEY, WHICH IS AN EXCEPTION TO THE DEFINITION OF "SUBDIVISION" PURSUANT TO GENERAL STATUTE 47-30F.11D.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 19TH DAY OF APRIL, A.D., 2023.

KEITH BURNS
P.L.S. No. L-5265

KEITH BURNS
P.L.S. No. L-5265



- NOTES
- THIS PARCEL APPEARS TO LIE IN FEMA FLOOD ZONE DESIGNATION :ZONE X, FIRM MAP 3710543400J AND 3710544400J, COMMUNITY CITY OF MONROE EXTRATERRITORIAL JURISDICTION 370236 AND CITY OF MONROE 370236, EFFECTIVE DATE 10-16-2008.
 - COORDINATES ARE BASED ON NC GRID NAD 83(2011).
 - THE PURPOSE OF THIS PLAT IS TO ANNEX THIS PARCEL INTO THE CITY OF MONROE WITH NO GAPS OR OVERLAPS BETWEEN EXISTING ANNEXATION LIMITS.
 - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 - PROPERTY IS SUBJECT TO ALL RECORDED OR UNRECORDED EASEMENTS, RIGHTS OF WAY AND ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.

REFERENCES

- DB: 8224 PG: 0477
- DB: 7585 PG: 0351
- DB: 7165 PG: 0341
- MB: A PG: 54A
- DB 179 PG 607

EXISTING CITY LIMITS
PER 281-588
PB A PG 54A

N/F
THE MONROE CITY BOARD
OF EDUCATION
259-664
PID 09-234-016

LINE TABLE		
LABEL	BEARING	DISTANCE
L1	S 25°26'43" W	40.47'
L2	N 04°58'34" E	37.20'

20' WATER LINE MAINTENANCE
R/W PER MONROE WATER
RESOURCES (TYP.)
NO EASEMENT RECORD FOUND

20' WATER LINE MAINTENANCE
R/W PER MONROE WATER
RESOURCES (TYP.)
NO EASEMENT RECORD FOUND

30' DISTRIBUTION LINE
MAINTENANCE R/W
PER CITY OF MONROE (TYP.)
NO EASEMENT RECORD FOUND

N/F
OAKLAND BAPTIST, A CHURCH NONPROFIT
CORPORATION
6192-292
PID 09-198-009

N/F
OAKLAND BAPTIST, A CHURCH NONPROFIT
CORPORATION
6192-292
PID 09-198-008B

N/F
CORPORATION OF THE
PRESIDING BISHOP OF THE
CHURCH OF JESUS CHRIST
OF LATTER-DAY SAINTS
352-345
PID 09-198-008A

N/F
WILSON WOOD PROPERTIES

297-755
PB 7 PG 44A - PB A PG 54A
PID 09-195-022 80

N/F
WILSON WOOD PROPERTIES
297-755
PID 09-195-022 80
377819.90 SQ.FT./8.674 AC.
PARCEL ANNEXED INTO CITY OF MONROE
BY THIS PLAT

TOTAL AREA ANNEXED

8.681 AC.

NGS MONUMENT
'UN 3' AE9513
N: 448,399.67
E: 1,545,765.10
COMBINED GRID FACTOR: 0.99986193
UNITS: US SURVEY FEET

S 86°13'24" W 5,758.55'
GRID TIE - NOT TO SCALE
GROUND DISTANCE=5759.35'

I, REVIEW OFFICER OF
UNION COUNTY, CERTIFY THAT THIS MAP OR PLAT TO WHICH
THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY
REQUIREMENTS FOR RECORDING.

REVIEW OFFICER

I, CITY CLERK OF THE
CITY OF MONROE, NORTH CAROLINA, HEREBY CERTIFY THAT ON
THE DAY OF 2023, THE CITY COUNCIL
APPROVED THIS PLAT FOR ANNEXATION AND RECORDING.

DATE CITY CLERK (SEAL)

UNION COUNTY, NORTH CAROLINA

I, A NOTARY
PUBLIC OF UNION COUNTY, NORTH CAROLINA, CERTIFY
THAT KEITH BURNS, A PROFESSIONAL LAND SURVEYOR
PERSONALLY APPEARED BEFORE ME THIS DAY AND
ACKNOWLEDGED THE EXECUTION OF THE FOREGOING
INSTRUMENT. WITNESS MY HAND AND OFFICIAL SEAL
THIS DAY OF 2023.

MY COMMISSION EXPIRES

NOTARY PUBLIC

STAMP OR SEAL

ANNEXATION BOUNDARY PREPARED FOR THE CITY OF MONROE,
THE PROPERTY OF WILSON WOOD PROPERTIES

INSIDE THE CITY OF MONROE EXTRATERRITORIAL JURISDICTION AREA
UNION COUNTY, MONROE TOWNSHIP, NORTH CAROLINA

DATE DRAWN	04-19-2023	BY	JFSV
SURVEYED BY	BC	CITY OF MONROE MAP No.	-
SCALE	1"=80'	DATE OF SURVEY	06-16-2022
PROJECT No.	CLT-22074	SHEET No.	1 OF 1

NOTES

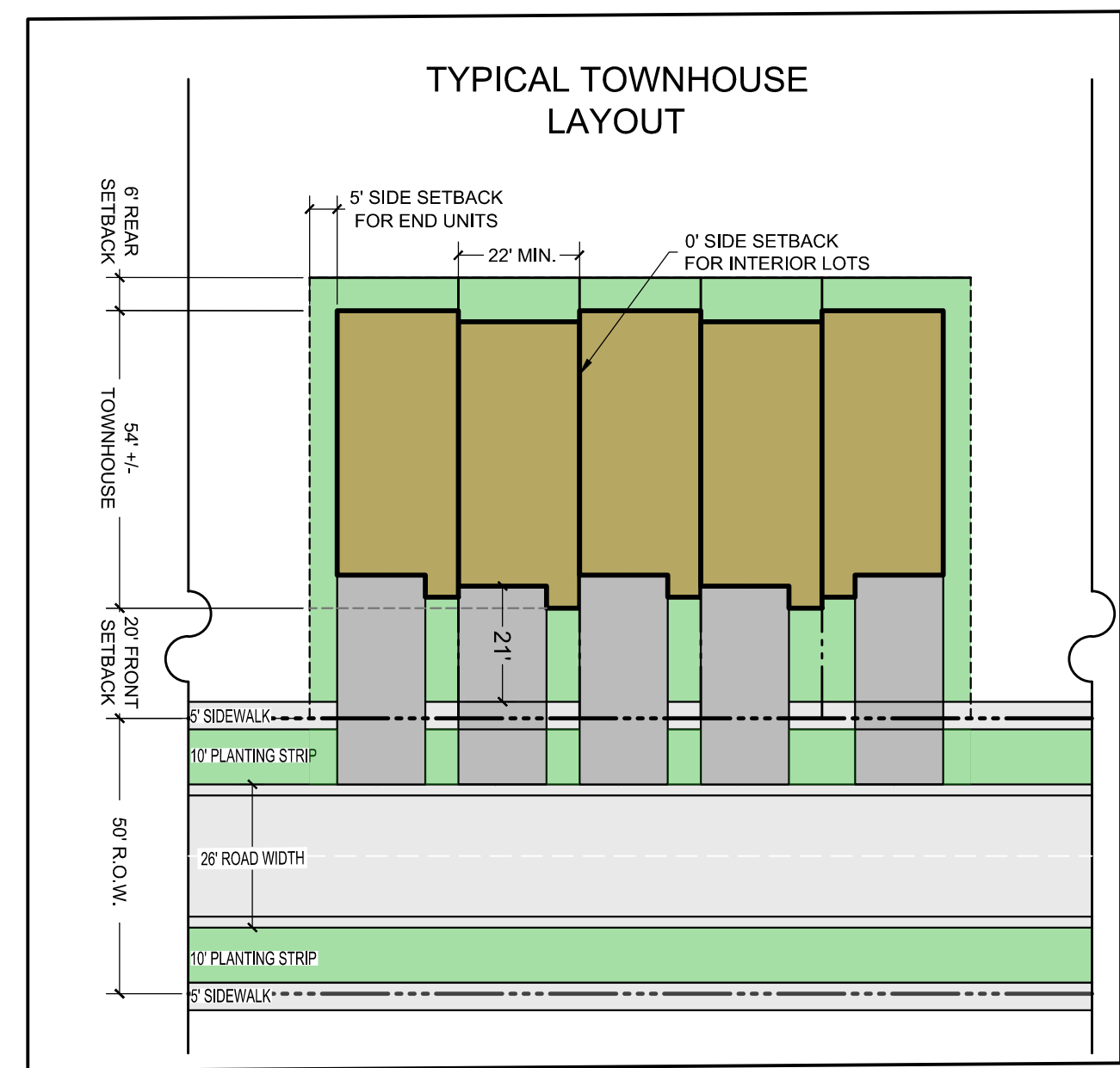
1. EXTERIOR MATERIALS SHALL BE LIMITED TO A MIX OF FIBER CEMENT, STONE, STUCCO, AND/OR BRICK MATERIALS AND THE FRONT FACADES SHALL BE PROVIDED WITH AT LEAST 25% BRICK OR STONE.
2. THE MINIMUM HEATING SQUARE FEET OF THE UNITS IS 1432 SF.
3. ALL DRIVEWAYS SHALL BE PAVED WITH CONCRETE OR ASPHALT FROM THE ROAD TO THE GARAGE AND SHALL BE ABLE TO ACCOMMODATE AT LEAST TWO (2) VEHICLES.
4. UNITS BUILT ON SLAB FOUNDATIONS SHALL HAVE A MINIMUM FOUR COURSE BRICK, OF STANDARD SIZE, EXTENDING UP THE FACE OF THE SLAB ON FRONT AND SIDES OF TOWNHOMES.
5. THE ARCHITECTURAL DESIGN ELEMENTS OF THE UNITS SHALL CONFORM TO THE GENERAL REQUIREMENTS STATED IN THE UDO.
6. THE MAJORITY OF ALL ROOF AREAS ON ANY HOUSE SHALL HAVE A MINIMUM 6/12 PITCH ROOF.
7. FRONT LAWNS OF ALL HOMES SHALL BE SODDED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
8. ALL FRONT LOAD GARAGES SHALL HAVE WINDOWS ALONG THE TOP AND/OR CARRIAGE STYLE DOORS OR HARDWARE THAT MIMICS CARRIAGE STYLE DOORS.
9. FIVE (5) FOOT WIDE SIDEWALKS WILL BE REQUIRED ON BOTH SIDES OF THE STREET THROUGHOUT THE DEVELOPMENT.
10. SIGN REGULATIONS FOR THIS PROPERTY SHALL ADHERE TO THE RESIDENTIAL MEDIUM DENSITY SIGN REQUIREMENTS.
11. HOMEOWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE OWNERSHIP AND MAINTENANCE OF OPEN SPACE, COMMON AREAS, BMP AREAS, ETC.
12. COMMENCEMENT OF THE AMENITIES SHALL BEGIN BEFORE 50% OF THE CERTIFICATE OF OCCUPANCY'S ARE ISSUED.
13. ALL LANDSCAPING SHALL BE KEPT IN THRIVING CONDITION.
14. 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.
15. TREES AT LEAST 25 INCHES IN CIRCUMFERENCE WITHIN REQUIRED BUFFER SHALL BE TAGGED PRIOR TO ANY SITE CLEARANCE AND BE PRESERVED. TREES WITHIN THE DEVELOPMENT THAT ARE 75 INCHES OR GREATER IN CIRCUMFERENCE MUST BE PRESERVED AND SHOWN ON THE SURVEY AND SHALL NOT BE REMOVED EXCEPT AS IDENTIFIED IN SUBSECTION G OF THE CODE. TREE SURVEY MUST BE SUBMITTED PRIOR TO PROJECT BEING PROCESSED.
16. YARD TREES SHALL BE PLANTED IN ACCORDANCE TO THE TOWNHOUSE ELEVATION AND PLAN VIEW EXHIBITS FOR TYPICAL LOT PLANTINGS TO BE INCLUDED IN THE REZONING SUBMITTAL.
17. STREET TREES SHALL BE PROVIDED WHERE POSSIBLE WITH A CALIPER OF 2.5 INCHES MEASURED 6 INCHES ABOVE GRADE. STREET TREES SHOULD BE A VARIETY OF SPECIES.
18. ALL TOWNHOME UNITS SHALL HAVE A MINIMUM OF ONE CAR GARAGES.
19. PHASE 1 BUILD OUT 2025. PHASE 1 WILL CONSIST OF 79 UNITS, STORMWATER BMP, MAIL KIOSK, BERM ALONG SUNSET BOULEVARD, AND DOG PARK.
20. PHASE 2 BUILD OUT 2026. PHASE 2 WILL BE THE REMAINING 65 UNITS AND REMAINING AMENITIES.
21. ALL INTERSECTIONS TO HAVE ACCESSIBLE RAMPS IN ACCORDANCE WITH DETAILS 02.0501A-02.05.
22. THE COMMUNITY DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS SHALL INCLUDE A PROVISION REQUIRING TRASH AND RECYCLING RECEPTACLES TO BE STORED SO AS NOT TO BE VISIBLE FROM THE STREET.
23. A LIGHTING PLAN CONSISTENT WITH ALL CITY REQUIREMENTS SHALL BE INCLUDED WITH CONSTRUCTION PLANS IF PROJECT IS APPROVED.
24. REQUIRED ROAD IMPROVEMENTS, AS GENERALLY SHOWN ON THE PLAN, SHALL MEET NCDOT STANDARDS.
25. PLANNED 50' WIDE BUFFER WITH BERM ALONG E SUNSET DRIVE SHALL PROVIDE CODE REQUIRED STREET TREES AND SHRUBS. BUFFER WIDTH MAY VARY DEPENDING ON TURN LANE IMPROVEMENTS BUT BUFFER SHALL NOT ENCR OACH MORE THAN 50' INTO PROPERTY.

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

PETITIONER SIGNATURE _____ DATE _____

AMENITIES

DOG PARK
EVENT LAWN
SHADE STRUCTURE / PERGOLA
DISC GOLF
TRAIL LOOP



PARKING SUMMARY			
	# OF UNITS	PARKING REQUIRED	PARKING PROVIDED
TOWNHOUSE	144	288	288
ON-STREET PARKING	N/A	0	50
TOTAL PARKING SPACES	144	288	338

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE.



MONROE MEADOWS TOWNHOMES - C2.0

NVR
MONROE, NORTH CAROLINA
CL1283 | MEM | 4.14.2023

PLANT PALETTE

COREOPSIS



SWITCH GRASS



CHINDO VIBURNUM



JAPANESE MAPLE



SHUMARD OAK



GEORGIA BLUE



KARL FOERSTER



CLEYERA



EASTERN REDBUD



GREEN ASH



SNOWBALL BUSH



MUHLY GRASS



CAMELLIA



SAUCER MAGNOLIA



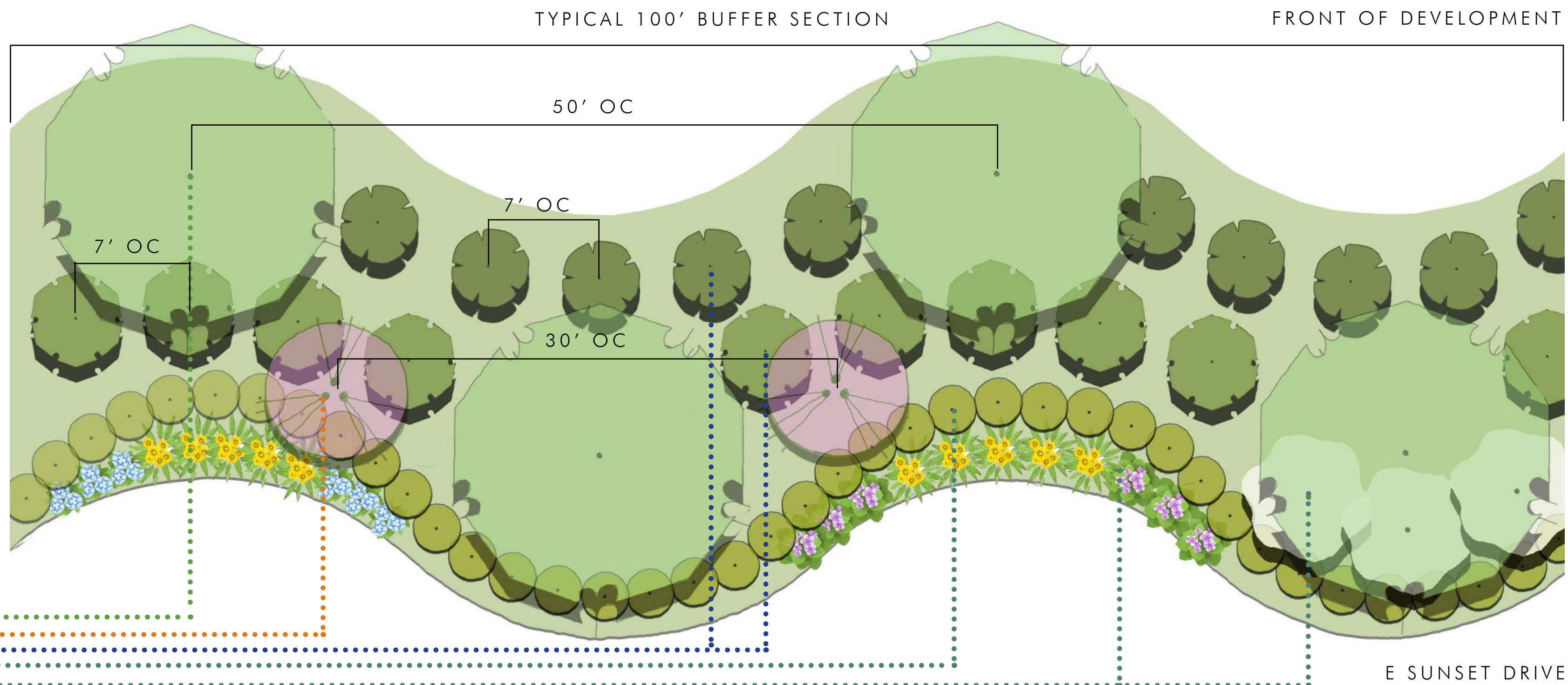
BLACK GUM



BERM SECTION



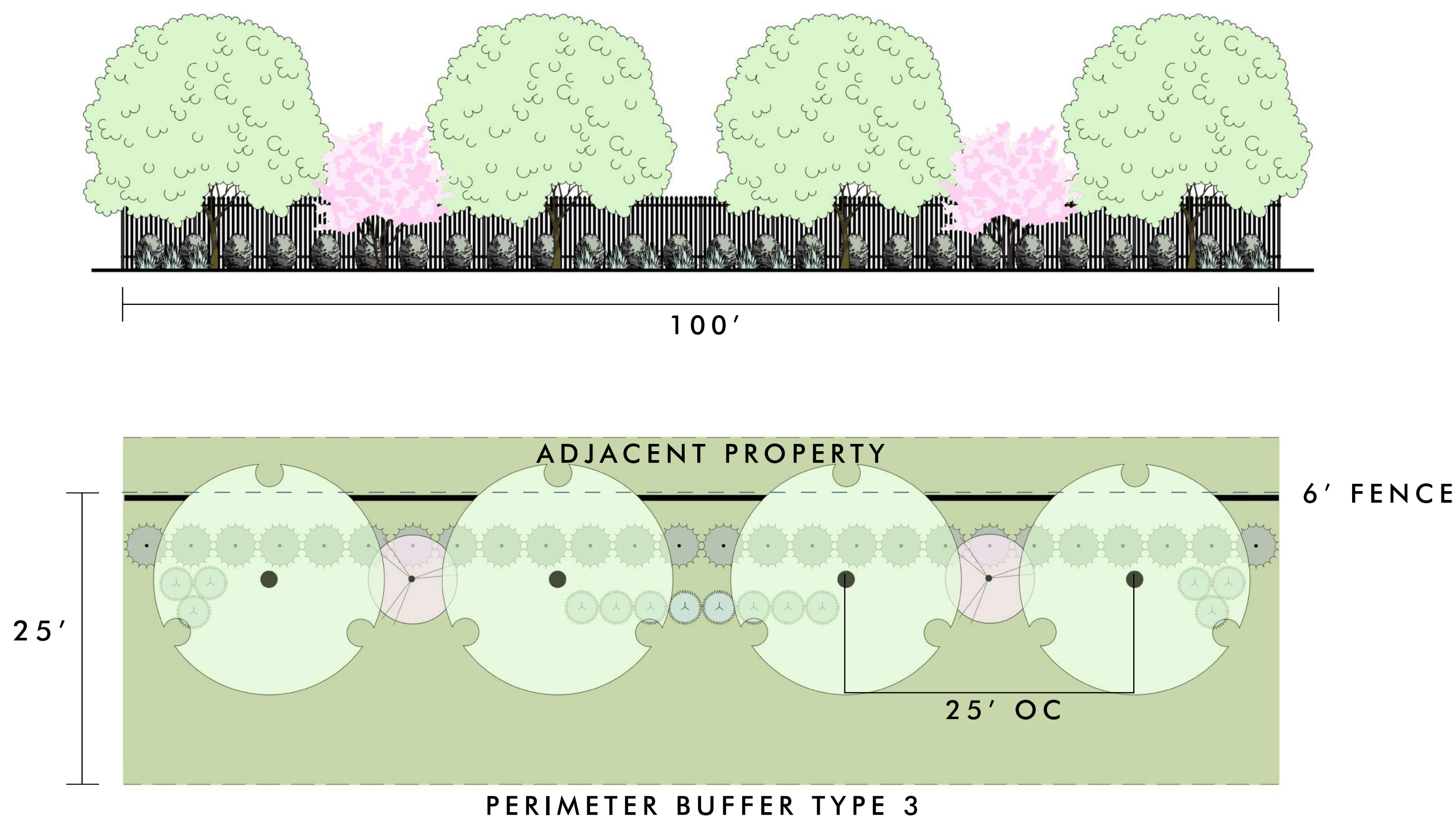
BERM PLANTING PLAN



BERM PLANTING STUDY ALONG E SUNSET DRIVE

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE

PERIMETER BUFFER TYPE 3

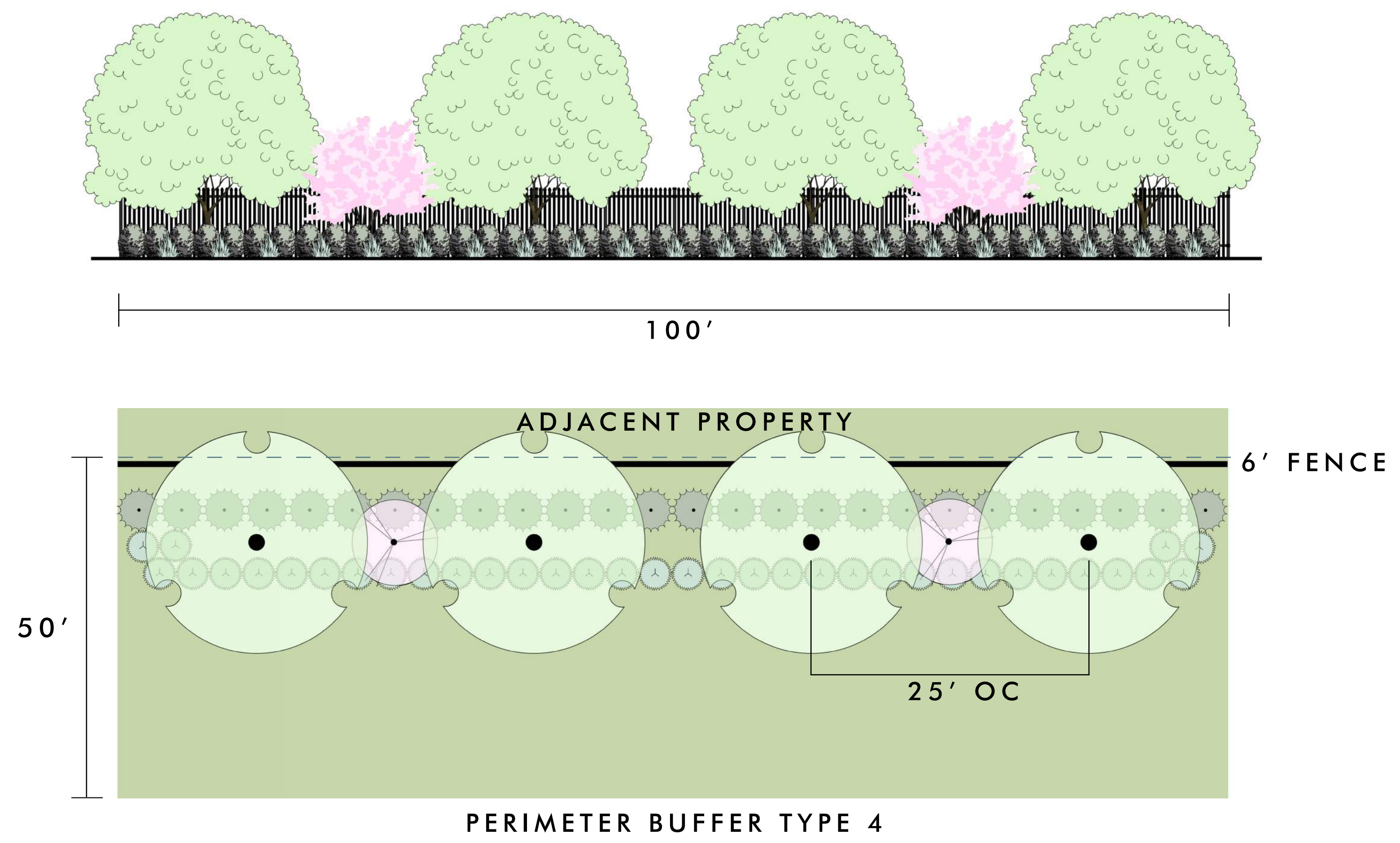


- PLANTING REQUIREMENTS
1. 25' WIDTH
 2. 4 DECIDUOUS/CANOPY TREES PER 100 LINEAR FEET
 3. 2 UNDERSTORY TREES PER 100 LINEAR FEET
 4. 30 SHRUBS/ORNAMENTAL GRASSES PER 100 LINEAR FEET
 5. 6' BLACK ALUMINUM PICKET FENCE
 6. PLANT SIZES SHALL MEET UDO REQUIREMENTS

NOTE: EXISTING TREE SAVE AND VEGETATION PRESERVED WITHIN REQUIRED BUFFER AREAS TO PARTIALLY SATISFY BUFFER REQUIREMENTS. SUPPLEMENTAL PLANTINGS MAY BE REQUIRED AFTER A POST CLEARING EVALUATION AND SITE WALK WITH A CITY OF MONROE PLANNER.



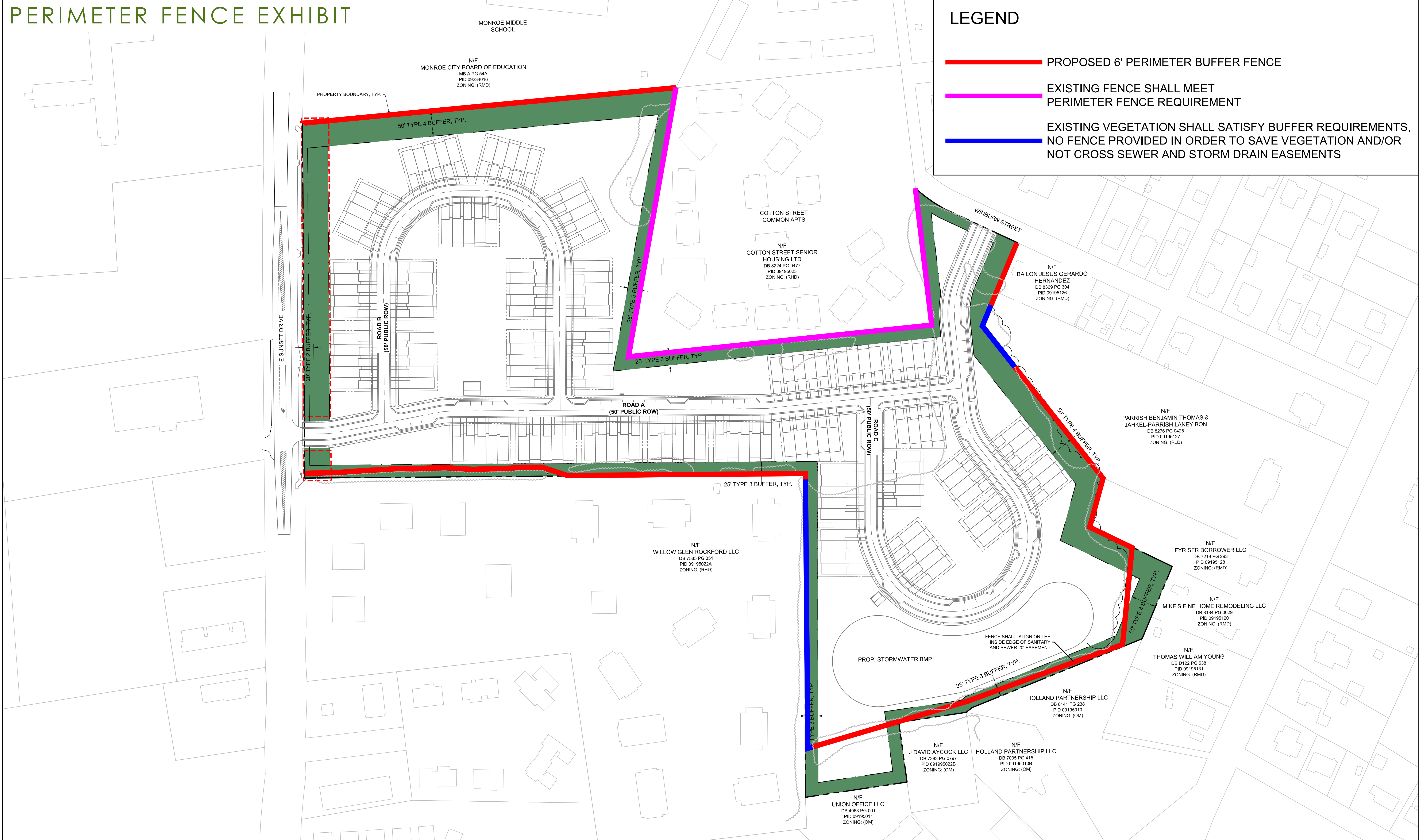
PERIMETER BUFFER TYPE 4



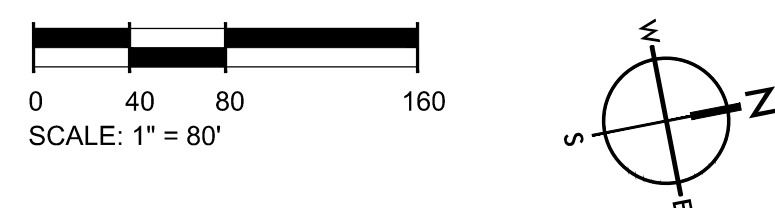
- PLANTING REQUIREMENTS
1. 50' WIDTH
 2. 4 DECIDUOUS/CANOPY TREES PER 100 LINEAR FEET
 3. 2 UNDERSTORY TREES PER 100 LINEAR FEET
 4. 60 SHRUBS/ORNAMENTAL GRASSES PER 100 LINEAR FEET
 5. 6' BLACK ALUMINUM PICKET FENCE
 6. PLANT SIZES SHALL MEET UDO REQUIREMENTS

NOTE: EXISTING TREE SAVE AND VEGETATION PRESERVED WITHIN REQUIRED BUFFER AREAS TO PARTIALLY SATISFY BUFFER REQUIREMENTS. SUPPLEMENTAL PLANTINGS MAY BE REQUIRED AFTER A POST CLEARING EVALUATION AND SITE WALK WITH A CITY OF MONROE PLANNER.

PERIMETER FENCE EXHIBIT



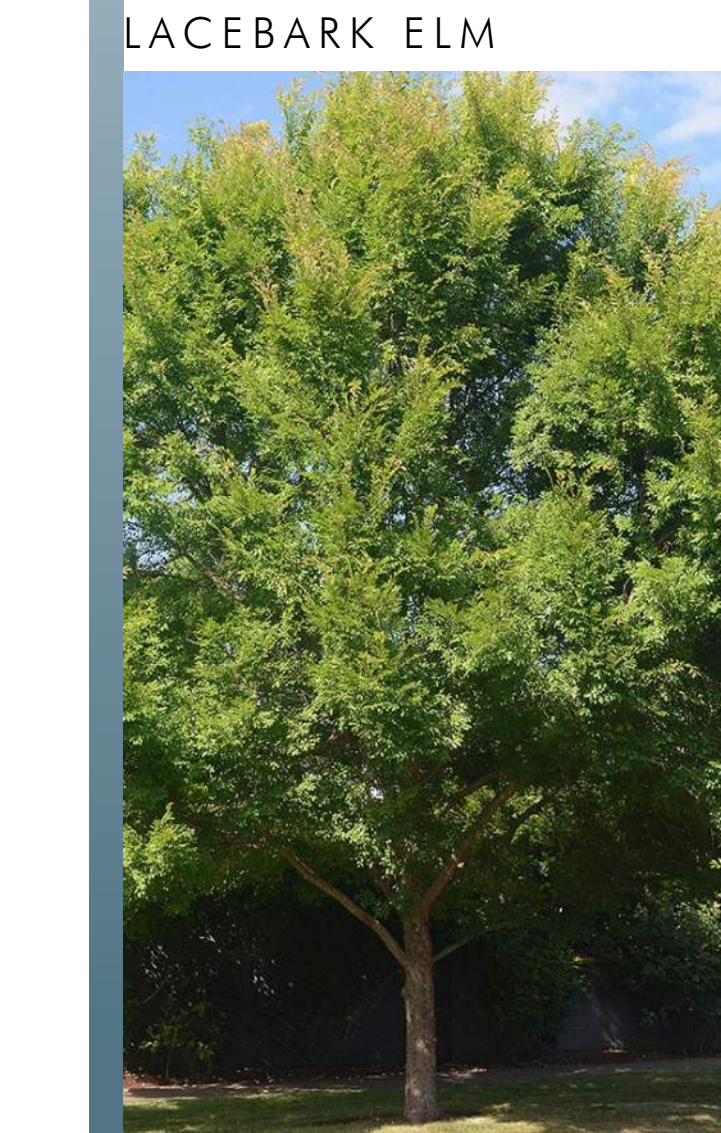
NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE.



MONROE MEADOWS TOWNHOMES - C5.0

NVR
MONROE, NORTH CAROLINA
CL1283 | MEM | 4.13.2023

PLANT PALETTE



STREET TREES

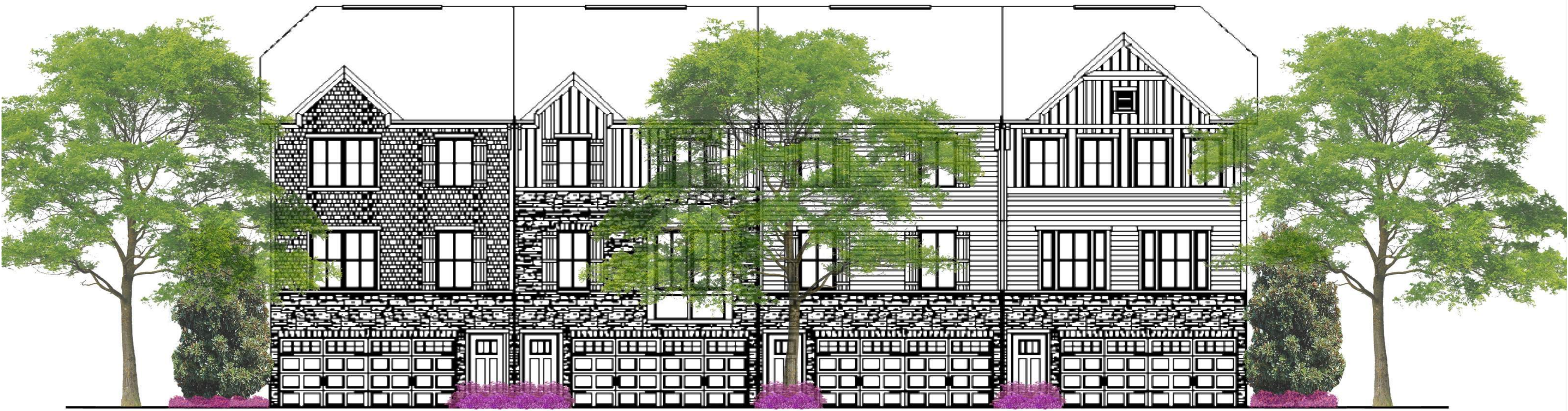


YARD TREES

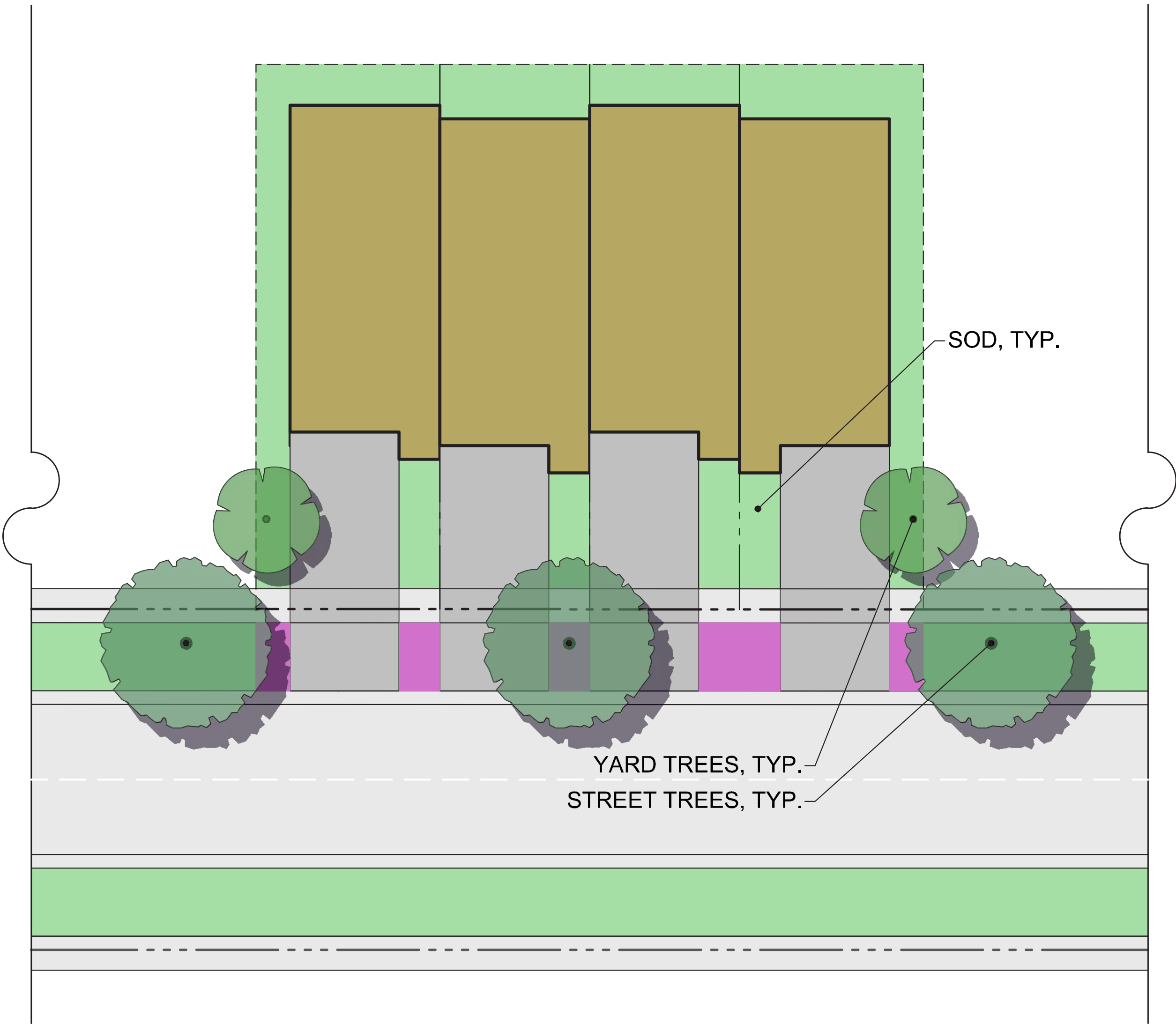


RIGHT-OF-WAY PLANTINGS

TYPICAL 4-UNIT TOWNHOME
TWO CAR GARAGE



TOWNHOME PLANTING ELEVATION



TOWNHOME
PLANTING PLAN

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE

PLANT PALETTE



STREET TREES



YARD TREES

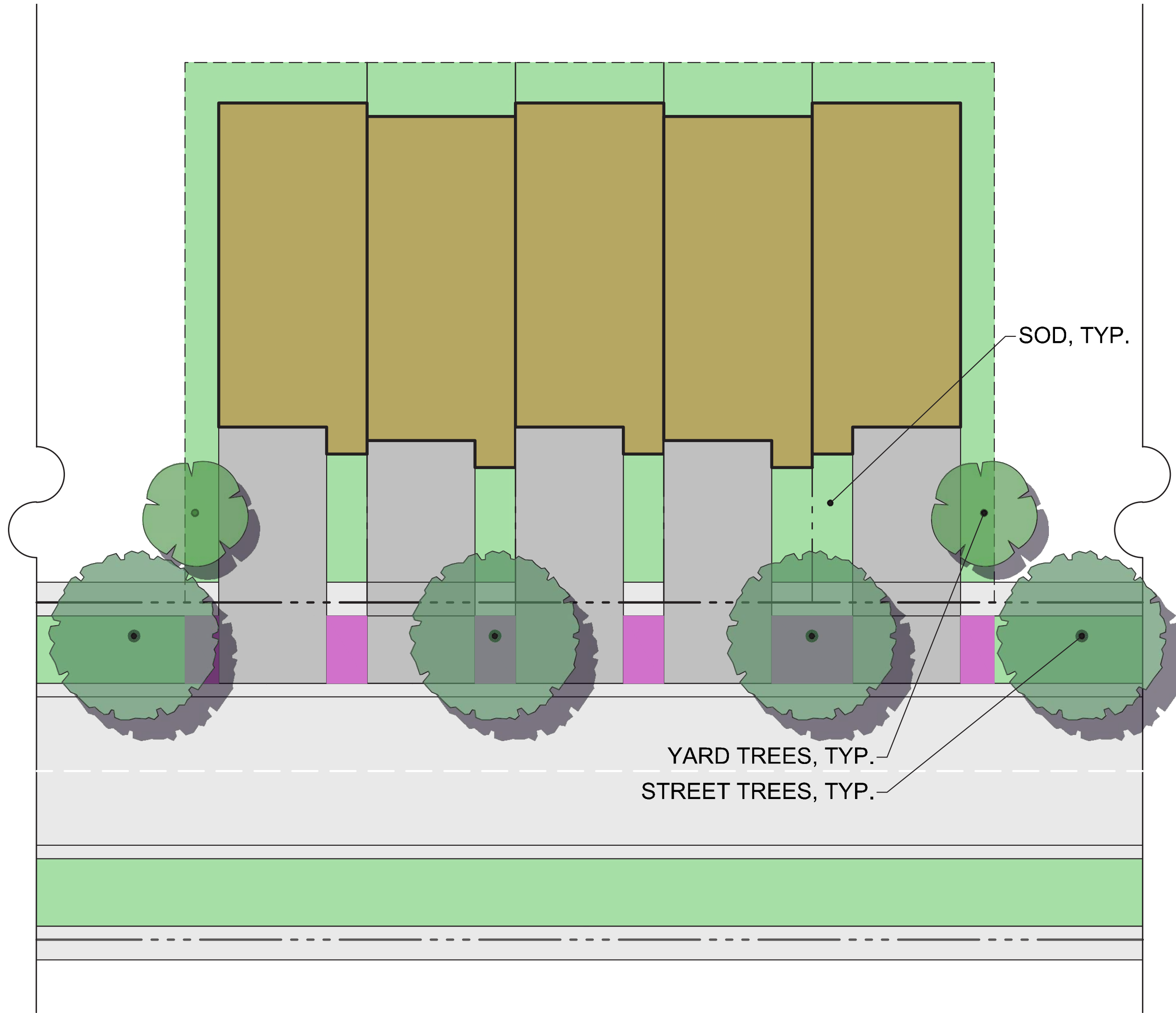


RIGHT-OF-WAY PLANTINGS

TYPICAL 5-UNIT TOWNHOME
TWO CAR GARAGE



TOWNHOME PLANTING ELEVATION



TOWNHOME
PLANTING PLAN

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE

PLANT PALETTE



STREET TREES

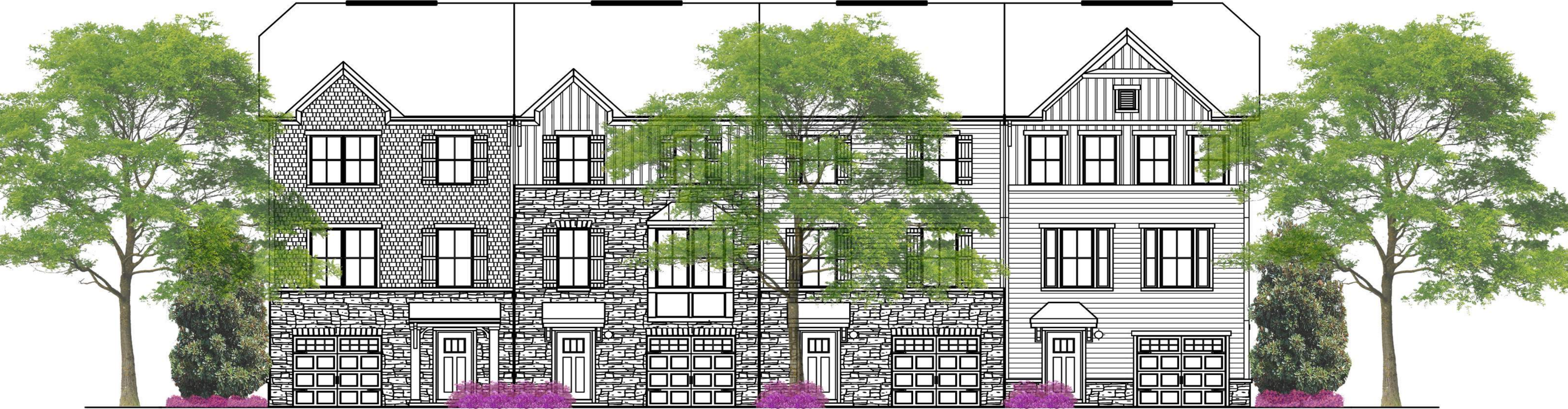


YARD TREES

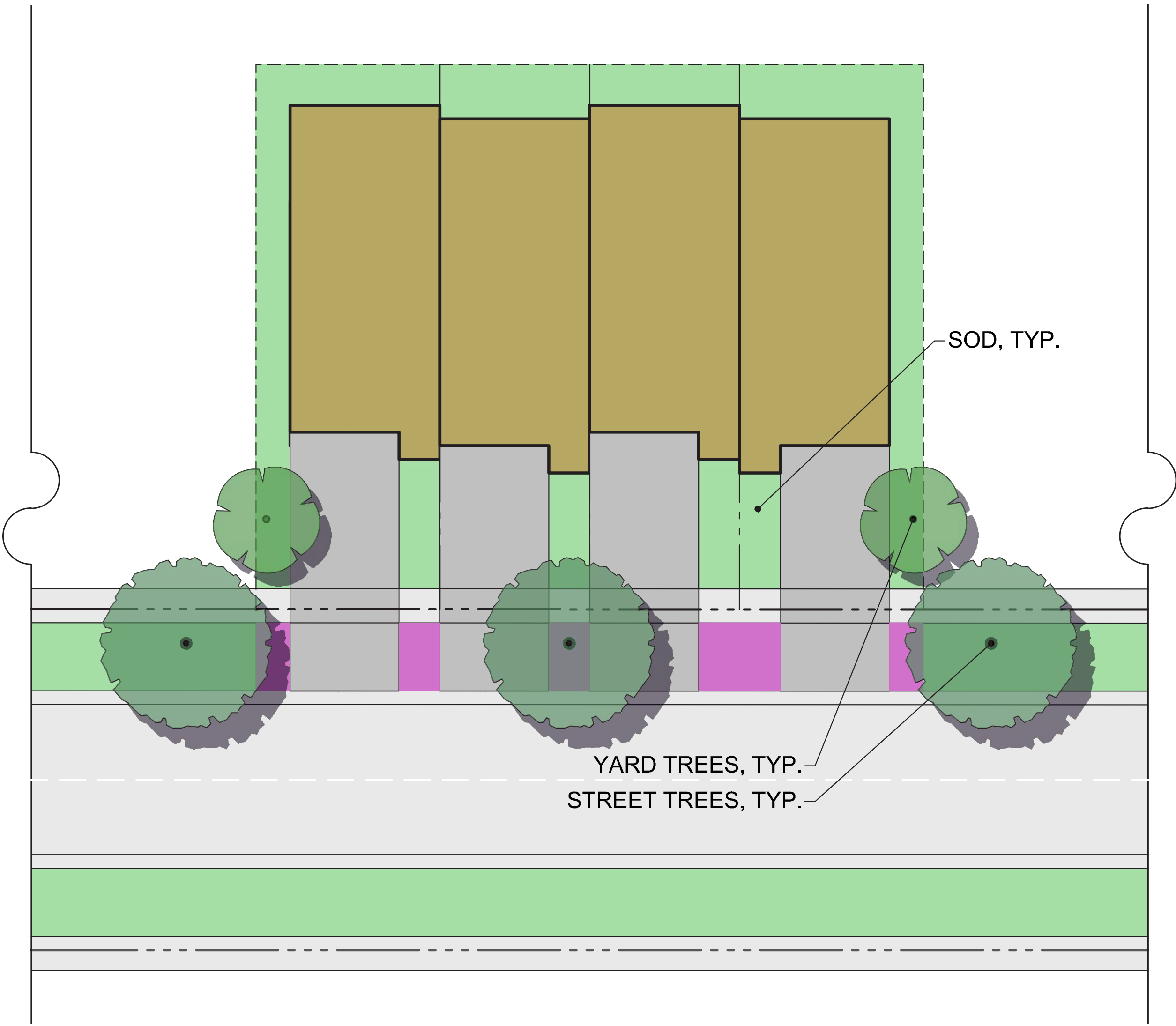


RIGHT-OF-WAY PLANTINGS

TYPICAL 4-UNIT TOWNHOME
ONE CAR GARAGE



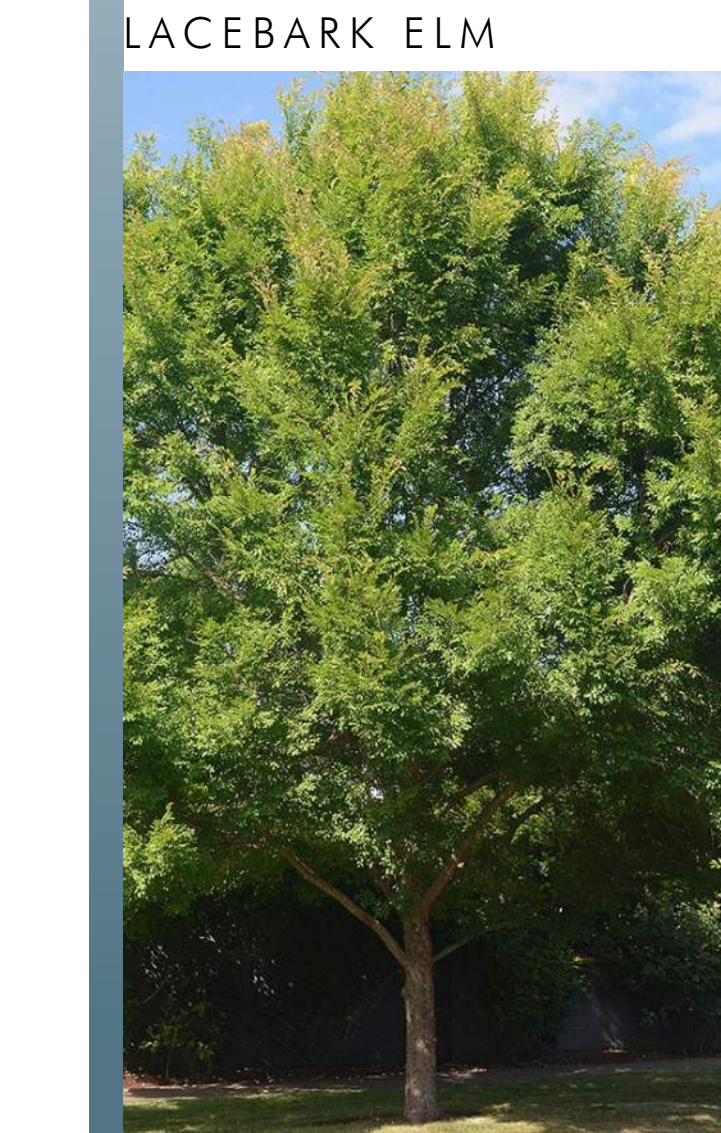
TOWNHOME PLANTING ELEVATION



TOWNHOME
PLANTING PLAN

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE

PLANT PALETTE



STREET TREES



YARD TREES

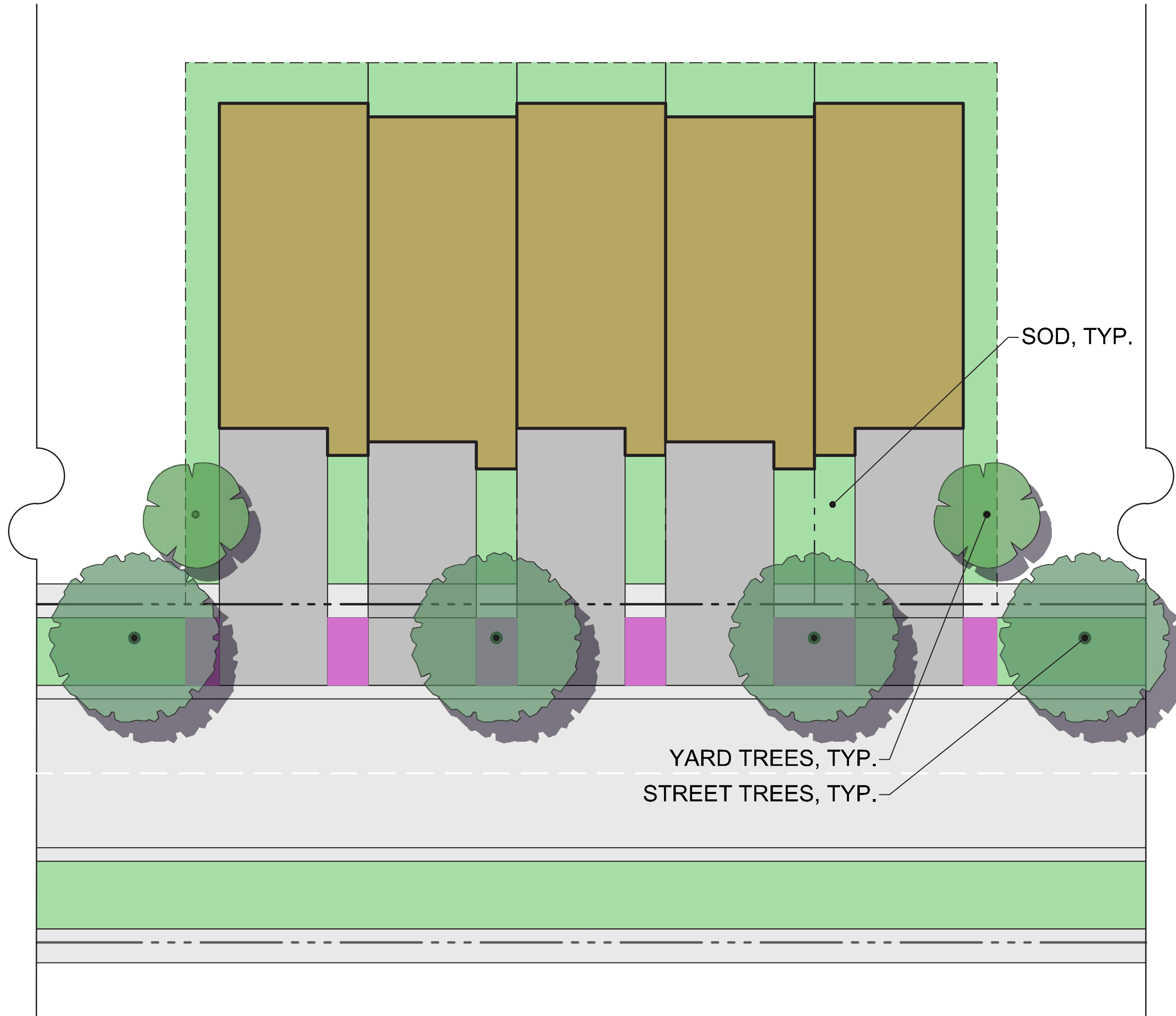


RIGHT-OF-WAY PLANTINGS

TYPICAL 5-UNIT TOWNHOME
ONE CAR GARAGE



TOWNHOME PLANTING ELEVATION



TOWNHOME
PLANTING PLAN

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE

TYPICAL TOWNHOME EXTERIOR



FOUR-UNIT BUILDING / ONE CAR GARAGES

ARCHITECTURAL FEATURES:

- 1. FIBER CEMENT SHAKE, BOARD AND BATTEN, AND HORIZONTAL SIDING
- 2. STONE AND/OR BRICK ACCENTS
- 3. UPDATED EXTERIOR COLOR PALETTE (TO VARY BY BUILDING)
- 4. ROOF BREAKS
- 5. FRONT FACADE BREAKS AT FIREWALL
- 6. GARAGE WINDOWS AND CARRIAGE HARDWARE



FOUR-UNIT BUILDING / ONE AND TWO CAR GARAGES



FOUR-UNIT BUILDING / TWO CAR GARAGES

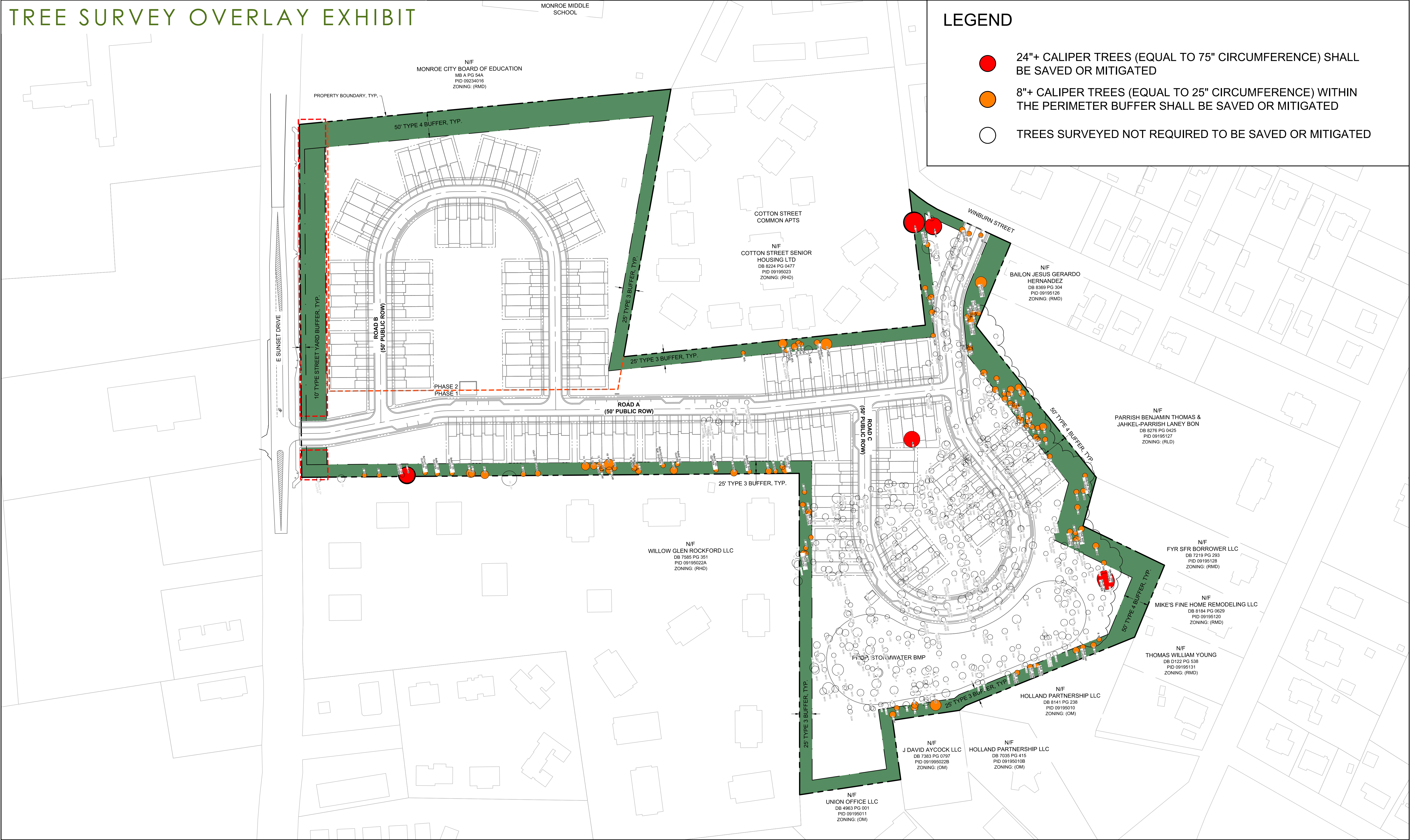
NOTE: EXAMPLE OF EXTERIOR PAINT AND STONE AND/OR BRICK ACCENT PAIRING,
ACTUAL COLORS AND STONE AND/OR BRICK TO VARY PER BUILDING

AMENITY CONCEPTS



NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE

TREE SURVEY OVERLAY EXHIBIT



NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE.



MONROE MEADOWS TOWNHOMES - C6.0

NVR
MONROE, NORTH CAROLINA
CL1283 | MEM | 4.13.2023

TRAFFIC IMPACT ANALYSIS

Monroe Meadows Townhomes TIA

Monroe, North Carolina

MARCH 12, 2023

IMPACT DESIGNS, INC.

Prepared by: Nicholas E. Burns, PE

TRAFFIC IMPACT ANALYSIS

Monroe Meadows Townhomes

MONROE, NORTH CAROLINA



REPORT PREPARED FOR:

NVR Inc.
10710 Sikes Place, Suite 200
Charlotte, NC 28277

REPORT PREPARED BY

Impact Designs, Inc.
PO Box 3728
Mooresville, NC 28117
nick@impactdesignsinc.com

4. SUMMARY OF FINDINGS AND RECOMMENDATIONS

A traffic impact study was conducted for the proposed Monroe Meadows townhome development in accordance NCDOT guidelines. The proposed development is located between E. Franklin Street and E. Sunset Drive, west of Circle Drive, in Monroe, North Carolina. The development is expected to consist of up to 144 townhome units to be completed in 2026. Access to the site is to be provided via a full movement connection to E. Sunset Drive and a full movement access to Winburn Street.

The study was determined through coordination with NCDOT and consists of the following intersections:

- E. Franklin Street and Winburn Street
- E. Sunset Drive and Circle Drive/Medlin Road
- Winburn Street and Access A
- E. Sunset Drive and Access B

For the purpose of this analysis, the study intersections listed above were analyzed under the following scenarios:

- Existing (2022) Conditions
- No-Build (2026) Conditions
- Build (2026) Conditions

Traffic operations during the AM and PM peak hours were modeled for each scenario. The results of each scenario were compared to determine impacts from background traffic growth and the proposed development.

The capacity analysis indicates that all movements at the site access points are expected to operate at LOS B or better. In the AM peak hour, the northbound approach of Winburn Street at E. Franklin Street is anticipated to drop from LOS C to LOS D from No-Build to Build conditions. The expected increase in delay is expected to be minor, so no mitigation is recommended.

Recommendations:

- None

Zoning Map

Case #: PLANXA 2023-00018

Legend

— Centerlines

--- City Limits

— streams

□ Parcels

FLUM

Traditional Development

Existing: Residential Medium Density (RMD)

Owner: Tom Eubanks

Acres: 24.82



0 290 580 Feet

Land Use and Transportation Plan

The Land Use and Transportation Plan indicates this area is in the Traditional Character Area. Traditional Development, which surrounds the downtown core, is anchored by the city's most historic neighborhoods. This designation allows some small-scale commercial and service uses that support surrounding residences. The dense transportation network offers easy access to downtown. The design and scale of neighborhoods encourages active living and affords residents the ability to live, work, shop, and play within a walkable community. Buildings are generally oriented toward a comprehensive network of walkable streets. Cul-de-sacs should be limited to the extent possible, such as locations where topography, natural features, or existing development makes other street connections prohibitive. Requiring pedestrian connections and designating stubouts for future street connections is encouraged. Residential density for this character area is 4-10 units per acre.

**RESOLUTION APPROVING LAND USE AND TRANSPORTATION PLAN
COMPLIANCE PLANNED UNIT DEVELOPMENT
“MONROE MEADOWS”
R-2023-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 Planned Unit Development “*Monroe Meadows*” and further described below property is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan identifies this area as Traditional. Multi-Family, which includes townhomes, is listed as a priority use in this character area, and the proposed project is for the development of townhomes. The traditional character area states the density for residential is 4-10 units per acre. This development is 5.80 units per acre; therefore, it is consistent. The project is reasonable and in the public interest because it will provide additional housing options closer to the city core and downtown and affords residents an opportunity to live, work, shop, and play within a walkable area.

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 for property with Union County Tax Parcel Number(s): 09-195-122-80 and 09-195-122-90.

Adopted this 3rd day of May, 2023

Jennifer Smith, Vice-Chair

Attest:

Ashlyn Penegar, Secretary to Planning Board

**RESOLUTION DENYING LAND USE AND TRANSPORTATION PLAN
COMPLIANCE PLANNED UNIT DEVELOPMENT
“MONROE MEADOWS”
R-2023-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 Planned Unit Development “*Monroe Meadows*” and further described below property is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan identifies this area as Traditional. Multi-Family, which includes townhomes, is listed as a priority use in this character area, and the proposed project is for the development of townhomes. The traditional character area states the density for residential is 4-10 units per acre. This development is 5.80 units per acre; therefore, it is consistent. However, the proposed development is not a reasonable use or in the public interest because:

Based on this information, the conditions have changed which justify amending the Land Use and Transportation Plan. As a result of this zoning map amendment denial, the Land Use and Transportation 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 for property with Union County Tax Parcel Number(s): 09-195-122-80 and 09-195-122-90.

Adopted this 3rd day of May, 2023

Jennifer Smith, Vice-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-2023-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 properties located along E. Sunset Drive and further identified as tax parcel #'s 09-195-122-80 and 09-195-122-90. The request is to rezone the properties from City of Monroe Residential Medium Density (RMD) to Planned Unit Development "Monroe Meadows".

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 13th day of June, 2023.

Attest:

Marion L. Holloway Jr., Mayor

Bridgette H. Robinson, City Clerk