PLANNING BOARD MEETING

Wednesday, January 3, 2024
6:00 PM
City Hall Council Chambers
300 West Crowell Street
Monroe, NC

REVISED AGENDA

Item 1. **Call to Order – Roll Call**

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

Item 3. **Approval of Minutes- December 6, 2023**

Item 4. **Zoning map amendment for the property located at 807 and 809 West Franklin Street and further identified as tax parcel 09-273-013 from Residential Medium Density (RMD) to Residential High Density (RHD).**

Item 5. **Zoning text amendment to Section 3.3.4 and 3.3.4 titled "Board of Adjustment and Planning Board".**

Item 6. **Next Meeting: February 7, 2024**

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**
Terry Sholar
Richard Long

PLANNING BOARD MEETING

December 6, 2023 @ 6:00 PM
City Hall – Council Chambers
300 W. Crowell Street, Monroe, NC

Emailed to HR on: 11/30/2023

Item 1. Call to Order/Roll Call

Chair, Richard Yercheck called the December 6, 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), Margaret Desio, Kenneth Deal and Archie Morgan
Members Absent:	Patrick Furr
Staff Present:	Doug Britt, Senior Planner, Terry Sholar, Senior Staff Attorney, Ashlyn Penegar, Administrative Assistant II
Guests:	Brice Demitrick, Aaron T. Maye, Loretta Melancon, Martha Lacher, Mike McComb, Donna Carter, Louis Philippi, Parker Mills, Daryl Anderson

Chair said absent is David Dotson, who was recently elected to City Council, so we will say congratulations to him. We are sorry he is not here this evening, but he is in the audience.

Item 2. Pledge of Allegiance and Moment of Silence

Item 3. Approval of Minutes- October 4, 2023 and November 1, 2023

Motion: Jennifer Smith made a motion to approve the minutes from October 4, 2023 and November 1, 2023
Second: Margaret Desio
Action: The motion passed unanimously with the following votes:

AYES: Richard Yercheck, Jennifer Smith, Margaret Desio, Kenneth Deal, and Archie Morgan
NAYS: None

Item 3. Zoning Map Amendment for the property located at 530 Patton Avenue and further identified with tax parcel 09-267-129A. The request is to rezone property from RHD (Residential High Density) to CO (Conditional Office) to retain the existing uses as well as allow a 9,600 square foot addition for office space.

Keri Mendler approached the podium and introduced herself. He said tonight, I am presenting a zoning map and text amendment request for the property located at 530 Patton Avenue and further identified with tax parcel 09-267-129A from RHD (Residential High Density) to Conditional District Office.

The property is currently improved with an existing 11,500 +/- square foot brick building and paved parking. The proposed rezoning is requested to allow a 9,600 square foot building addition for office space, additional parking, and retain the existing non-profit use, which includes office space for counseling and educational programs.

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Townhome Community	Concord Avenue Overlay – Sub district A
East	Townhome Community	Concord Avenue Overlay – Sub district A
South	Single Family Residential	RMD, Residential Medium Density
West	Union County Transportation	GI, General Industrial

Density & Dimensional Standards
The applicant is proposing for the addition to meet the ordinance setback requirements, which are as follows:
Front: 15-feet
Side: 5-feet
Rear: 10-feet

Landscaping
The ordinance requires a Type 3 (25-ft) perimeter landscape buffer and a Type 1 (10-ft) street landscape buffer. The applicant is requesting a deviation of the Type 3 buffer along the western property line due to the existing development on the site. The applicant is also requesting a deviation to the fence requirement along the northern and eastern property line. The property currently has a vinyl fence around a portion of the site and the applicant is requesting to retain the existing location of the vinyl fence rather than relocate the fence to the perimeter buffer areas.

Tree Preservation
The site currently has a number of well-established trees, many of which are being retained. However, there are two trees larger than 75-inches in circumference that will require mitigation; final mitigation will be determined during the permitting process.

Open Space
The project is required to provide 5% open space, which would equal .18 acres. The applicant is providing .65 acres or 17.47% open space. The open space includes existing playground equipment in various location, a covered patio, and benches.

Elevations
The developer is proposing the addition will meet the ordinance requirements as outlined in section 8.7.4. The elevations will be reviewed during the permitting process.

Parking
The ordinance requires 63 parking spaces and the applicant is proposing a total of 63 parking spaces.

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.

Transportation
The site is accessed by two existing driveways along Patton Avenue.

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. Office uses are a priority use in the classification.

Planning staff believes the request is consistent with the Land Use and Transportation Plan and believes the proposal is reasonable as it acts as a buffer between higher intensity industrial and residential uses and I will be happy to answer any questions that you might have and a representative of the applicant is here as well.

Chair asked does anybody have any questions for Keri? Hearing none, would anyone like to speak in favor of this project? Hearing none, would anyone like to speak against this project? Hearing none, I will entertain a motion.

Motion: **Archie Morgan made a motion to recommend adoption of the Resolution Approving Land Use and Transportation Plan Compliance**
Second: **Jennifer Smith**
Action: **The motion passed unanimously with the following votes:**

AYES: **Richard Yercheck, Jennifer Smith, Margaret Desio, Kenneth Deal, and Archie Morgan**
NAYS: **None**

Motion: **Archie Morgan made a motion to recommend adoption of the Ordinance amending Section 157.1.2.1- Official Zoning Map**
Second: **Jennifer Smith**
Action: **The motion passed unanimously with the following votes:**

AYES: **Richard Yercheck, Jennifer Smith, Margaret Desio, Kenneth Deal and Archie Morgan**
NAYS: **None**

Item 4. **Annexation and Zoning Map Amendment for the property located along Ellie Rose Drive and further identified with parcel 09-0811-003A. The request is to rezone property from RMD (Residential Medium Density) to CR (Conditional Residential) to construct a 96 lot single family development on 55.94 acres.**

Doug Britt approached the podium and introduced himself. He said I am here to present an annexation and Conditional Residential rezoning of 55.94 acres in order to develop a residential subdivision that will consist of 96 single-family detached homes. The total area of the project is 55.94 acres, with 19.28 acres or 34% of that reserved as common open space. The net density of this project is 2.05 units per acre.

Adjoining Land Uses and Zoning District.

	Existing Uses	**Zoning District**
North	Monroe Expressway	Residential Medium Density (RMD)
East	Vacant	Residential Medium Density (RMD)
South	Industrial-City of Monroe Sewer Treatment Plant	General Industrial (GI)
West	Vacant	Residential Medium Density (RMD)

The applicant is requesting a Conditional Residential rezoning in order to develop a residential subdivision that will consist of 96 single-family detached homes. The total area of the project is 55.94 acres with 19.28 acres or 34% of that reserved as common open space. The developer is proposing for the minimum lot width to be 70-foot wide lot. The minimum heated square footage of the homes will be 1,500 square feet excluding the garage.

Density & Dimensional Standards
The net density of the proposed project is 2.05 units per acre. The minimum lot size is 7,900 square feet with an average lot size of 10,665 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 are as follows:
Residential
Front: 20 feet
Side: 10 feet
Corner Lot Side: 15 feet
Rear: 20 feet
Maximum Building Height: 3 stories

Buffering & Landscaping
The ordinance requires a ten-foot street yard buffer along the street frontages of all developments, but the developer for this project is proposing to provide a 25-foot street yard buffer along Ellie Rose Drive. The ordinance requires a 25-foot perimeter buffer along the eastern and western property lines and a 50-foot buffer along the southern property line, which is required to be improved with trees, shrubs, and a six (6) foot berm, fence or wall.

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 that seventy-five (75) inches in circumference outside of the buffer. A tree survey was provided which depicted all trees on the site that are greater than seventy-five (75) inches in circumference. The ordinance requires 10% tree save area which the applicant has satisfied. The developer is proposing for the buffers and flood plain area 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 Condition Residential (C-R) the developer is requesting a deviation to not install the six (6) foot berm, fence or wall within the buffer.

All single family homes will have sodded front yards prior to the issuance of the certificate of occupancy. 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.

Open Space
The project is required to provide 20% open space, which would equal 11.18 acres. The applicant has provided approximately 19.28 acres, which is 34% of the total site. The site plan delineates the stormwater features will cover approximately 3.9 acres, which is 34.5% of the required open space. 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 8.1 acres of stream buffers/flood plain and the ordinance will allow 2.24 acres to count towards open space.

	Ordinance Standards	Provided
Open Space (20% of project area required)	11.18 acres (20% of total project area)	19.28 acres (34% of total project area)
Stormwater Feature Area within Required Open Space	2.24 acres (20% maximum allowed of required open space)	3.9 acres (34.5% of required open space)
Environmentally Sensitive Lands (flood plain, stream buffers, and wetlands) within Required Open Space	2.24 acres (20% maximum allowed of required open space)	8.1 acres (72.4% of required open space)

Residential Developments greater than fifty acres in size are required open space shall include at least one (1) small or medium open space type and one (1) large open space type. The small open space areas require a range of area from 500 square feet to 1 acre and the large requires 2.5 acres or more. The open space features proposed for this project are as follows:

-Small amenity areas (1): pocket park with sitting areas
-Large amenity area (1): linear park with open play areas, benches, trail, and pavilion.

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, brick, stone, or stucco. 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 25% architectural elements of either brick, stone, or stucco with the remaining material to be fiber cement (i.e. cedar shake, board & batten, panel). Garages shall not extend more than five (5) feet beyond the front façade. The developer is proposing for sixty percent of the homes to be thirty-nine feet or wider.

Parking
All homes will be furnished with a minimum of a two (2) car garage. All garages shall 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.

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/Flood Plain
All streams located on the site have been provided with a 50 ft. undisturbed stream buffer on both sides as required by the ordinance. There is approximately 8.1 acres of flood plain within the project that the developer is reserving as open space.

Schools
The Ellie Rose Drive subdivision is planned to be 96 single family unit just off the Monroe Expressway between Olive Branch and Monroe-Ansonville Roads. It will be within the following school attendance areas:

Rock Rest Elementary	Currently at 76% rated capacity
East Union Middle	Currently at 66% rated capacity
Forest Hills High	Currently at 65% rated capacity

This development is not expected to adversely impact school enrollments.

Transportation
The development is proposed to be accessed by one entrance off of Ellie Rose Drive which is accessed off of Olive Branch Road. A traffic impact analysis was not required for this project.

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. 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 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 2.05 units per acre.

The applicant mailed an information letter and held a neighborhood meeting on October 12, 2023 at the Lee Park Baptist Church to discuss the project with local residents.

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.

Planning staff recommends approval of the annexation and the Condition Residential (C-R) rezoning and I am happy to answer any questions that you might have and the applicant is here as well.

Jennifer Smith asked did you say this was built by right?

Doug Britt said no, if it was built by right, we wouldn't be here tonight. The last few ordinance amendments we did, you can still do by right, but anything that's more than 49 lots is going to be required to go through Planning Board and City Council. The only thing they can do by right, is if they want to do 48 lots, provided they met the 75 ft. lot width and the 12,000 square foot lot size. But, the

main thing to remember is if they are doing 49 lots or more, its ultimately going to need City Council approval, as per the Ordinance and how it's written.

Kenneth Deal asked the two culd-de-sacs, will they be built to provide sufficient space for school buses and garbage collection?

Doug Britt said yes, and fire trucks and so forth. All of that was already reviewed and that radius for the culd-de-sac and it will be required to meet so Fire Trucks and school buses can go around it.

Archie Morgan asked due to the number of homes going in here, no traffic study was required?

Doug Britt said no, it's only 96 lots. I will say that they will touch on it in their presentation, but of the projects out on Olive Branch Road, all of those projects are doing the left turn lanes and right turn lanes into their projects. There was Scotch Meadows…

Stephen Bennett stood up and said, just for clarity, we did a TIA.

Doug Britt said I wasn't aware of that because it wasn't required by the City of Monroe. If they did a TIA, it wasn't required by the City of Monroe, based on the lot count being 96 lots.

Chair said great.

Margaret Desio asked how many other subdivisions are planned for that area?

Doug Britt said there's Scotch Meadows, which is the closest, then there is another one that's not approved and it's a by right project called Corbin Hills. It's not approved, but its proposed as by right, at this point in time. I checked today, that was a total of 346 lots and Scotch Meadows was 162 and then as you go down the road, it was approved as Monroe Chase, but now they are calling it Willowbeck Hills, that was approved at 197 lots.

Archie Morgan asked the other one was 346 by right?

Doug Britt said that's correct. There is one, right before this project, called Ashton Park, it was approved as Olive Branch, and that was a total of 81 lots. All of those projects are required to do right turn lanes and left turn lanes into the project. When I did the Monroe Chase, they were required to do a left turn lane into their project, as well as a left turn lane on Morgan Mill Road on Olive Branch Road onto Cyrus Edwards Road. Also, DOT has gotten involved with it also through and so there's a larger part of DOT where they are going to put a traffic signal at the intersection at Olive Branch and Morgan Mill Road. I know that hasn't been finalized and worked out, but I know DOT is involved in it and there will be a traffic signal there. They will realign that intersection so it's not at an acute angle, as it is now. Scotch Meadows, Corbin Hills, Willowbeck and then Olive Branch and with the Ellie Rose at 96 lots tonight. The only other one I added, which was Sycamore Commons, which was apartments, that's not off Olive Branch, but it's basically directly across Olive Branch and Morgan Mill Road, so if you add up all of those right there and the ones that's been approved, that would be 715 lots. With what's being processed tonight with the 96 lots and the Corbin Hills at 346, that would be 442 lots.

But, the Corbin Hills is not approved. I'm not sitting here saying what is approved and what isn't, we've reviewed it a couple times, but it's not been approved. That would be 1,150, give or take.

Archie Morgan asked can you say that again?

Doug Britt said between the by right project, the Corbin Hills at 346, and what's already been approved is 715. But, if you add that 715 to the 96 being proposed tonight, it all comes to right at 1,150.

Chair asked do we have any more discussions or questions for Doug? Hearing none, would the developer like to talk in favor of this project?

Brice Demitrick with Century Communities approached the podium and introduced himself. He said I actually have a unique opportunity here to speak on this one. Not only am I the developer/builder, I am actually one of the residents, with my neighbors here of the community that is just north of this site, but a mile. For me, this is a little bit more personal than what our side would be, but going into, we spend months looking at it and trying to figure out what we could do to put this area and take into account all of the developments that you all have heard. By right, you are looking at RMD anywhere from 3 units per acre, if you cluster it, to 4 units per acre. Then, bring that down to 2 units per acre for us, so going through our vision, we were trying to make a master plan for Monroe to try to balance out going north coming off of Morgan Mill on Olive Branch and now off on to Ellie Rose Drive. With that, we wanted to give multiple house options for the residents that are moving in, whether its 2 story or ranch style, anywhere from 1,800 square feet all the way up to 2,600 square feet and give a broadband so that we bring new residents in, whether it's a younger generation that's looking to buy their first house or an older generation that is downsizing into a ranch. The other thing is, is trying to give a unique perspective for the current residents that drive past it every day. We would make a nice entrance monument and landscape as much as we can along the front, for the residents driving by. The other aspect that we looked at is, how can we utilize the natural topography, as well as the natural elements for the community through it. We have a nice stream that runs all the way on the western side of it, so let's come up with the idea of utilizing that area for an active open space for the community, so all of the residents can go out there and use it. With that, we came up with our full design with the 55 acres, within the ETJ and we are RMD, we are at 2 units per acre. We were trying to compare going across as the previous subdivisions that were approved, they weren't by gross density, not net density. At that time when they were approved, that was how Monroe was calculating. So, I give the comparison here where 2.0 units per acre for net, but we are 1.7 for gross. If we really wanted to take a deeper dive, we can go down to Scotch Meadows that was approved at 3.4 units per acre, we go up to Monroe Chase and that was 2.3 units per acre and if we go to Ashton Woods or Olive Branch, however you want to recognize that one, that's at 2.09 units per acre. So, we are trying to take it and blend it down as you keep going north towards I live and where my neighbors live and come through, before you hit the bypass. With that, we are trying to make it as wider lots, we are trying to make it a nicer subdivision and a nicer neighborhood with homes for families and residents, for plenty of room for schools. We are at 76% for elementary and 66% and 65% for middle and high. I know there is a new high school that is being built for Forest Hills from the bond that was approved last year, when we voted here. But, moving forward, we wanted to take those amenities and really broadcast what we are trying to do. With the linear park, make a walking trail, biking trail, all the way down that creek and then come into a gazebo, where families and residents can spend time with their families, whether they

have visitors coming in or other community members within that neighborhood. But, to be able to enjoy time with everyone and get out and enjoy the outdoors. You see most of these people going to pools, instead of utilizing the natural areas. We also put a smaller open space, where you can have more recreational areas for kids and parents to enjoy, in the center of the community. With that, some of the homes, we did take into account some of the feedback that we've heard. We were trying to give options for everyone, whether it's a 2 story, front load garage, side load garage, and trying to get ranches for those that want to downsize or a larger product for those that want a larger house with larger families. Whatever lot this homeowner wants to come in and do, we are going to have an option, it's all going to depend as to what constraints that lot will have. In speaking of traffic, as everyone likes to point out, Scotch Meadows has been busy on Olive Branch Road. With that, I wanted to point out that we were required to do a TIA with Monroe and with NC DOT. The Engineering staff requested us to do this, as we are feeding out on Olive Branch Road. At the time when we did it, we had 123 lots initially, then we cut it down to 96. With that TIA, it came out that there were no road improvements for us, due to all of the other road improvements that are going in from the neighboring subdivisions. Starting at Morgan Mill and Olive Branch, there is going to be a signal that will be put in, as well as a right turn lane coming north on Morgan Mill turning onto Olive Branch, as well as a right turn lane coming on Olive Branch turning onto Morgan Mill. As you continue further along, Scotch Meadows had to install a right turn lane and left turn lane in front of their site. As you keep going north, Corbin Hills will have to do the same thing of installing a right turn lane and a left turn lane, pretty much making a 3 lane section going all the way up from Morgan Mill to the Bypass. As we get to Corbin Hills, they had a little bit extra that they had to do, not only did they have right and left turn lane in front of their site, Doug mentioned that there is also a left turn lane that is coming onto Cyrus Edwards from Olive Branch Road. As we continue north, we get to Ashton Park, which will then have a right and left turn lane. Through that whole strip, that road is going to widen to a 3 lane road, from Morgan Mill all the way up to the Bypass. This will then alleviate a lot of the traffic concerns that I know my fellow residents have, as well as the light at Morgan Mill and Olive Branch. Continuing through, we tried to look at what commitments that we can make tonight on this, to make sure that we can give the Planning Board what they want, as well as City Council and make sure that they agree that everything that Planning Board wants. We are going to do 25 ft. and 50 ft. perimeter buffers, whether its eastern and northern will be the 25 ft. The southern side will be a 50 ft., as well as a 5 ft. sidewalk throughout that neighborhood. That sidewalk will then connect into the trail that is along the western edge of the property and that trail that we are looking at, we are looking at 2/3 of a mile of just that trail. We came up with a mile and a half of sidewalk that the community can be active throughout this whole area. With it, we are adding street trees and additional yard trees and the gazebo and walking trail, we are trying to make this more of an active community, versus those that don't get out and don't want to do anything. We want neighbors who want to be with neighbors and spend time with everyone. We want to make it as much of a neighborhood and not a subdivision. I am available for any questions that you guys might have. We are starting at $415,000 and going up. When this finally comes online, that price will be adjusted, depending on the market.

Jennifer Smith asked is there any kind of rental cap?

Mr. Dimitris said we can do a rental cap, yes.

Kenneth Deal said 10% sounds good.

Mr. Demitrick said I can do 10%, that is not a problem.

Chair said some of the elevations that we are seeing are showing side load garages and some are front loading garages, if all of the lot sizes are the same size, can we do all side loads?

Mr. Demitrick said the lots are not all the same size. We average to a quarter of an acre and some are going to be larger and some are going to be on the smaller end, depending as to where we are at, within that neighborhood.

Chair said ok and asked what other questions do we have for the developer?

Jennifer Smith asked are these pretty much what you are going by, these elevations?

Chair said the elevations that we are seeing here are different than what we've got in our packets.

Mr. Demitrick said correct, we updated a little bit from what you guys have, from what we initially submitted to Doug.

Chair asked if this is approved or not approved, but you go to City Council, are you taking these elevations from tonight to them?

Mr. Demitrick said correct.

Archie Morgan said you have to convince me more on the traffic, I used to live down Olive Branch before Scotch Meadows or anything else was built and it was still a nightmare getting out on Morgan Mill. The devil is in the details, if you take a sniff of any social media around the City and the County, people hate the traffic, so you are going to have to convince me on this traffic deal. I don't see left and right turning lanes helping me much.

Mr. Demitrick said the biggest thing is going to be the light coming in at Morgan Mill and Olive Branch, that's going to be the biggest help for that intersection.

Archie Morgan asked for 1,150 homes or lots?

Mr. Demitrick said yes. Right now, I travel it every day and go in at 7:15 and sit behind maybe one or two cars in the morning, whether I go down to Morgan Mill or whether I cut across to Cyrus Edwards.

Archie Morgan said I doubt it's improved since I've moved away from there. It was way more than two or three cars every morning, come on Brice, I'm not buying it.

Mr. Demitrick said I just did it this morning, I went down to Morgan Mill and hung a right to get gas at the Marathon.

Archie Morgan said that wasn't my experience, but I appreciate you saying that. I'm just concerned about the potential of 1,150 lots all trying to wait on one stop light at Morgan Mill trying to get out of there. I'm not convinced.

Chair said folks, if we can keep the sidebar conversations and commentary down until you get an opportunity to come up and speak, we would appreciate it. Thank you.

Mr. Demitrick said the other aspect is that most of the traffic is going to Cyrus Edwards. Most of the traffic is going to take the Bypass and not go towards 74. As we've noticed, the lights on 74 are slowing down quite a bit, trying to get from Monroe, all the way to Charlotte. So, most people are going to hit Cyrus Edwards and hang a right on Morgan Mill and then hang another right to get on the Bypass. That's going to be the biggest traffic that we will see.

Chair asked what is the timeline for the road improvements? Do we have any idea?

Mr. Demitrick said Scotch Meadows is done and completely phased and everything is in for them. Ashton Woods is currently under construction now and they should be bringing in their road improvements sometime this coming year, so that will be the right and left turn lanes right there by the Bypass. As far as Corbin Hills and Willowbeck Hills, I know Corbin Hills is currently going through the design phase, so hopefully you will see those coming in towards the end of 2024-2025. Then, Willowbeck Hills, I am unsure as to where their project is standing right now.

Chair asked what is your timeline, if approved, how long is it going to take you to build out 96 houses?

Mr. Demitrick said if approved, we are looking at, starting engineering come February and we will get through engineering by the end of 2024 and then we will start construction in 2025. Then, we will probably start going vertical towards the end of 2025 and beginning of 2026 and then it will take about 3 years to build that out, at most.

Chair asked you are talking about the first house coming up out of the ground in 2026.

Mr. Demitrick said yes, 2026.

Chair said ok.

Jennifer Smith said I have to say, I am not impressed with any of these elevations. We've seen I don't know how many subdivisions that look just like this. I'm tired of seeing houses that every third one is the same thing or the same color. I just would like to see something way different, that's just my personal opinion.

Archie Morgan said it's an improvement on Scotch Meadows, where they all look the same. It just doesn't quite go far enough, I don't think.

Jennifer Smith said it's got these little small hallways that look like a closet that goes into the front door.

Mr. Demitrick asked are you talking about on the ranches?

Jennifer Smith said yes. On the 2 stories, we have the front were you have the door, but you also have the front patio with the screen on the left. We also have, again, top left, bottom left.

Kenneth Deal asked I want to know where this board was last month, that's my thoughts. I could triple every bit of this last month, on that project and nobody said anything.

Jennifer Smith said there is no architecture to it at all.

Chair asked do we have any more questions for Brice? Hearing none, is there anyone else here that would like to speak in favor of this project? Hearing none, who would like to speak against this project? Please state your name and where you live for the record.

Daryl Anderson approached the podium and introduced himself. He said I live in Mallard Landing at 2924 Duckpoint Drive, which is in the city limits of Monroe. We don't need another high density development, until we get the intersection of Morgan Mill and Olive Branch fixed, period. I wanted to say thank you for letting me speak. Believe it or not, I have a petition here, from just the people on my street, that has 25 signatures on it and they've asked me to speak for them. So, I might need more than a couple minutes. I also have information for everyone here that I can pass out. I am here to ask the Planning Board for your help in elimination a Monroe Community Safety Issue. I am here about safety and I'm not here about developments, I am here about the unintended consequences that comers from high density developments on a very, very heavily trafficked road. What the problem is and what the gentleman alluded to, we have an already unsafe design. If you haven't been out there, you should at least go visit. It's a "V" Intersection, when you pull up, you have to swerve left, so that you can look both ways and be able to make the turn, so it's already a poor design. It's becoming more unsafe, based on the Scotch Meadows development, which is 189 homes, maybe that's been changed some. Then, we have the new development that they just finished doing the earthwork on, which is 89 homes. I believe I read that the Ellie Rose high density development is going to be 96 homes, so I just did some simple math. With 2 cars per house for all of those, we are adding 700 new vehicles to the road, within 9/10 of a mile and I measured it tonight before I came in, to the Morgan Mill intersection at Olive Branch. On top of that, because of this, we have gone from what I call very courteous people to very frustrated and aggressive drivers, that we've almost never seen before. We are getting double lined passing going toward Morgan Mill for people who want to hurry up and get up there before they get jammed up behind all those cars at work time. We are getting turning in the gravel area, where you aren't even supposed to go in to and I know people have told me about it. When they go there, you can't even see, you have to wait for that person to turn. What's happened to me is, I put my signal on to turn left and I pull up and there's a car that's pulled up beside me with their turn signal on, so I try to be a nice guy about it and get on with it. So, we are looking at adding 200 homes, and if you haven't driven that road, you need to think about this. I know there is going to be children, because I've been going in the communities. We have bus drivers now and so we have that issue. I've given you the problem, so I'm going to give you what we consider is the solution. The solution is to make the intersection safe, period. What's the action that we need to take to make this happen, we want to ask the Planning Board to delay and I never said stop, the approval on this, until the intersection is fixed. Once its fixed and safe, the community is fine. People need homes. We ask the developer to use their influence with the DOT to make it happen and we suggested the developer engage with the DOT and for those who saw this, there was an infrastructure bill that was just announced by Senator Tillis. There is 7.2-billion-dollar bill and we had a whole bunch that came to Union County and we are talking about what kind of intersection we want at the intersection of Morgan Mill and 218, if you know that. For some reason, some traffic safety person said that they needed a roundabout, but they don't even have a problem. I go up there all the time up there to the farmer's market and there is no issue. The

money has been allocated and they are going to spend $1,569,098.00 to put in a new roundabout on Morgan Mill. So, that's why I am challenging the developer too, because they have all these connections. In the Unified Development Ordinance, on the very first two pages, it says the UDO's purpose is to promote health, safety and general welfare of the citizens of the City of Monroe and I call us a community. I'm asking you all to look at that and take that into consideration, we aren't saying to stop the development, we are saying, "Make this safe for the community". That's all we are asking. I got 25 signatures just from 31 homes. We do have Cyrus Edwards and you might go down there and sit there for about 10 minutes waiting for all of the Bypass traffic to come off, so maybe the developer has a way to unload this new development to the backside, rather than dumping it all on Olive Branch. Does anyone have any questions?

Chair asked does anyone have any questions for Mr. Anderson? Hearing none, thank you very much.

Chair said please give your documents to Ashlyn. Do we have anyone else that is wanting to speak against this project?

Loretta Melancon approached the podium and introduced herself, she said I am at 2923 Meadowcreek Lane here in Monroe, in the Lakeside subdivision. I deal with everything he said and I have such mixed feelings about all of this. If I could believe that the DOT and the City of Monroe would do what they need to do to improve the traffic situation, in a timely manner, I would be for this. We are going grow and we have to grow for a lot of different reasons. But, I have never seen anything happen in a timely manner in terms of DOT or the City doing what they need to do. We are not proactive, we are reactive. DOT promises and I've been talking with the DOT because of my involvement with Litter Busters on Olive Branch for 7 years now and its not been done yet. My concern is the improvements in the traffic situation and the safety situation are not going to be done in time. I've dealt with both of these engineers from Scotch Meadows and this new project. I know they mean well and they've been a lot of thought into the project, but they are not able to live every day, except one of them is my neighbor, and experience what we have to put up with. That's what I have to say and I have signed Mr. Andersons petition. That's all I have to say.

Chair asked who else would like to speak against this project?

Todd Clark approached the podium and introduced himself. He said I live at 1007 Legacy Lake Drive, which is also Mallard Landing. I didn't get the petition on our street, but I would reinforce everything that these two individuals said. I moved here from Indiana 6 years ago and we avoid going down Olive Branch to get to downtown. All the improvements downtown are great and they are attracting us to go there, but just at others have said, after 5 pm, you aren't going to see me go until 8 pm. We do detours down Cyrus Edwards too, so I would recommend a light there, if you are going to put one light in, you might as well do two and it will just move it down the road. I think a roundabout is a perfect example. I'm pro-development and pro-taxes to create the revenue to build these things, but it's a severe safety hazard down there, for sure. Aggressive is the right way to say it. Thank you.

Chair asked is there anyone else that would like to speak against this project? Mr. Anderson, you have a follow up?

Mr. Anderson approached the podium and said my wife reminded me that I forgot two things. Olive Branch Road is the highway for the trash trucks, they go to the dump. That's everything from 74 that is the City people and everyone who has a pick-up truck and that's the main road and it is heavy. The second thing I should have said is that you should always expect a timeline and I don't want to hear what we are going to do. I heard this two years ago from my City fathers and it took 2 and a half years for the current Mayor to give me a response. So, I don't want to hear about we are going to do this, I want to know when we are going to do this.

Chair asked is there anyone else that would like to speak against this? Hearing none, is there any Board discussion as it relates to this project?

Archie Morgan said I have a question for Doug.

Doug Britt approached the podium.

Archie Morgan said Loretta mentioned the words proactive and reactive, what's the City's stance and a lot of people here seem to be ok with this project, but they would like to see some improvements. Time after time, they get promised improvements that never materialize or that take forever. Is this an instance where the City would say that we are going to have some traffic issues here, so before these subdivisions come in, we are going to go ahead and make those improvements. Is the City going to be proactive and work on traffic problems? Or be reactive once all the subdivisions are built?

Doug Britt said one thing is, the roads are DOT maintained roads. So, the City is not going to make improvements to a DOT street. You asked, but we are not going to make improvements to a DOT street. But, with engineering and there's been so many projects in that area and all of that, we did get active with DOT. Typically, when a project comes through the process, its reviewed independently upon itself, there are so many things going on that she did reach out to the DOT so DOT can take the lead to coordinate. That's why they are doing the traffic signal at Morgan Mill and Olive Branch, I know it's taken a while and I know it's going to happen, I can't tell you a time frame.

Archie Morgan said the developer's argument is that the majority of these people are going to head north and turn on Cyrus Edwards and then take a right to get on the Bypass and it's going to be three lanes, he said.

Doug Britt said yes, it will be 3 lanes in that area for sure. It's going to get dispersed, either coming back to Monroe or going out Cyrus Edwards to get to Morgan Mill Road or getting on the Bypass itself. So, which was is going to be the most? I don't know. That's why Sarah McAllister got involved, our director of Engineering. They were reviewed independently and independent of their self, the largest project was around 400 lots or so. So, independent of themselves, there's not a huge project with 700-800 lots. The projects are what I call, small to medium size, but the reason we got involved with it is because of cumulative. It just does take a while for DOT improvements to happen, unfortunately. That's the best answer I have.

Chair said I've sat up here for a long time now and I kind of get a sense from the vibe here. My inclination and I am not making a motion, this is just my inclination, is that we table this project until January of 2025. I don't know what you all think about that.

Archie Morgan asked 2025?

Jennifer Smith said 2024.

Chair said no, 2025. A year from now.

Archie Morgan asked is there a reason for that?

Chair said let's see what the road improvements do.

Kenneth Deal said I have just a little bit of a different take on that.

Chair said I would be interested.

Kenneth Deal said this is an annexation. This development being proposed is not in the city limits. The other developments that are already approved are in the city limits and from what Doug said, if I understood right. Those are the projects that are funding the road improvements to alleviate the traffic. For the citizens of Monroe, we should be focusing on their roads straight for them first, before we pile on additional housing that's coming down that road. The project itself is a good project, but again, it's an annexation and adding almost another 100 homes on an already overburdened road. I know that road very well. I would like to see those road improvements, at least under construction because these houses go under construction. So, I am going to agree with the Chairman. I think we should push it a year down the road, to 2025.

Chair asked does anyone else have a thought on that? Hearing none, Mr. Deal, would you like to make a motion?

Motion: **Kenneth Deal made a motion to recommend postponement of a recommendation to City Council on this project until January of 2025**
Second: **Archie Morgan**
Action: **The motion to adjourn passed unanimously with the following votes:**

AYES: **Richard Yercheck, Jennifer Smith, Margaret Desio, Kenneth Deal, and Archie Morgan**
NAYS: **None**

Richard Long said I can't tell you that you can actually do that, I don't know.

Chair said ok.

Richard Long said I think they would call for a vote.

Kenneth Deal said if they insist on a vote to City Council, they have that right. They can go forward to City Council or they can take our recommendation.

Doug Britt said just because Planning Board made a motion to table it, it's going to City Council regardless. Whether you all are thumbs up or thumbs down…. This will go to City Council no matter what.

Audience discusses.

Doug Britt said they will go to City Council with a…

Chair said a no recommendation. Here is what's going to happen, if these folks would like to go forward, they will go to City Council with no recommendation from Planning Board. So, that's where we will leave it.

Kenneth Deal said keep in mind that if it goes to City Council and City Council disapproves it, then there is your year right there and you come back with it and you will be at 2025 and we will see you then.

Jennifer Smith said that's true.

Item 6. **Next Meeting: January 3, 2024**

Item 7. **Adjournment**

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

AYES: **Richard Yercheck, Jennifer Smith, Margaret Desio, Kenneth Deal, and Archie Morgan**
NAYS: **None**

.
The meeting was adjourned at 6:15 p.m.

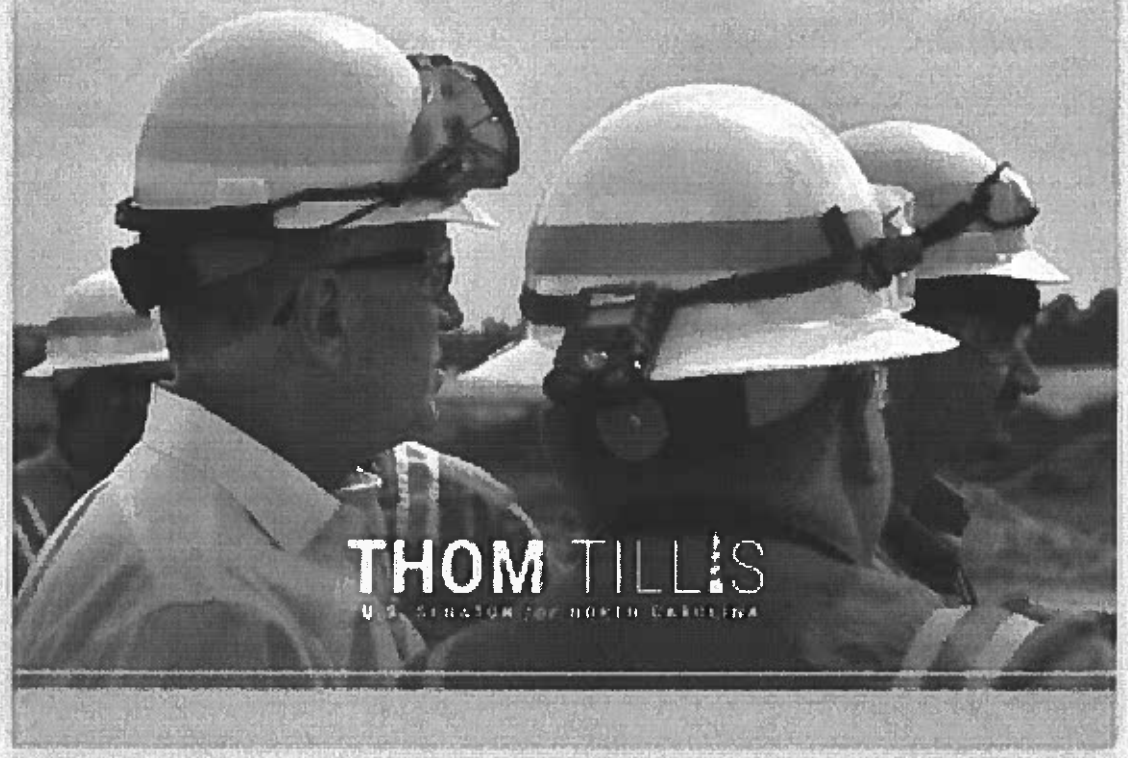
Respectfully Submitted,

Richard Yercheck, Chair
Planning Board

Ashlyn Penegar
Secretary to the Board

THE BIPARTISAN INFRASTRUCTURE LAW

Building Real Results for North Carolina



Highway Planning and Construction $432,247

Upgrade guardrail end units at various locations in Surry County

Union County

Charlotte-Monroe Executive - EQY $295,000

The money can be invested in runways, taxiways, safety and sustainability projects, as well as terminal, airport-transit connections and roadway projects

Highway Planning and Construction $9,674,159

Widen to multi-lane facility in Indian Tail - SR 1009 (Old Monroe Rd) from West of Morningside Meadow Ln to East of SR 1377 (Wesley Chapel Stouts Rd)

Safety Improvements $4,466,566

Railway-highway crossing closure at SR 1432 (Tory Path Rd) and CSX transportation crossing #638898H near Waxhaw

Pedestrian Improvements $1,603,062

Facilities for Pedestrians/Bicycles on Union County Indian Trail in Unionville (Indian Trail Rd and Sardis Rd)

Safety Improvements $1,569,098

Install roundabout on NC 200 (Morgan Mill Rd) and NC 218

Bridge Improvements $1,568,700

Bridge improvements on SR 1004 (Lawyers Rd) and SR 1525 (Mill Grove Rd) near Hemby Bridge

Safety Improvements $1,361,700

Construct roundabout at SR 1004 (Lawyers Rd) at SR 1532 (Indian Trail/Fairview Rd)

Katy Anderson

Spectrum 7:37 AM

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2022-29

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:

TEXT AMENDMENT

Section 1. **Amend Section §157.1 INTRODUCTION" as follows:**

§157.1 **INTRODUCTION**

SECTION 1. INTRODUCTION

1.1. TITLE, INTENT AND APPLICABILITY

1.1.1. TITLE

A. The official title of this document is Chapter 157: Unified Development Ordinance for the City of Monroe, North Carolina and is referred to throughout this document as "the Unified Development Ordinance", "this Ordinance", or "this UDO".

B. This UDO is adopted pursuant to the authority contained in Chapter 160D of the North Carolina General Statutes, and as amended, and for the purpose of

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promoting the health, safety, morals, or general welfare of the citizens of the City of Monroe.

1.1.2. INTENT

This UDO is adopted to protect and promote the public health, safety and general welfare of residents and businesses in the City of Monroe. Forward Monroe is recognized as the City's blueprint for development and the foundation upon which land use decisions are based. While Forward Monroe serves as a guide for land use and future development, the UDO shall act as an implementation and regulatory document for all policies and goals contained within the Forward Monroe and other officially adopted plans. Specifically, this UDO intends to accomplish the following objectives:

A. Provide regulations to support compatible, orderly growth and development within the City;

B. Support and encourage economic development;

C. Preserve and enhance the visual attractiveness and vitality of Monroe;

D. Promote the safety and well-being of the citizens of Monroe;

E. Secure the safety of landowners and residents from flooding, fire, seismic activity, and dangers presented from extreme weather events, to the extent possible;

F. Protect and revitalize Monroe's neighborhoods and gateways;

G. Ensure the provision of adequate open space;

H. Facilitate the adequate and economical provision of transportation, water, sewage, schools, parks, and other public services;

I. Improve the built environment and provide a comfortable environment for pedestrians;

J. Encourage development patterns that support a variety of housing stock and community forms;

Spectrum 7:37 AM

K. Maintain the character of areas within the City, including commercial corridors, downtown, and suburban and traditional neighborhoods;

L. Allow for a mixture of uses in certain areas of the City and promote compact urban form and walkability;

M. Ensure sufficient land availability for public rights-of-way and utilities;

N. Better manage and lessen congestion in the streets;

O. Encourage increased densities in areas which can support an increase in dwelling units; and

P. Require safe, compatible development through the use of development regulations.

1.1.3. EFFECTIVE DATE

This UDO was adopted on_____and became effective on_____by Ordinance No. _____, and repeals and replaces Monroe's form Unified Development Ordinance, as originally adopted on December 16, 2003, and subsequently amended, which is referred to throughout this document as "the previous Unified Development Ordinance", "the previous Ordinance", or "the previous UDO."

1.1.4. AUTHORITY

A. This UDO is consolidates the City's zoning, subdivision, and flood damage prevention regulations, as authorized by the North Carolina General Statutes.

B. This UDO is adopted in accordance with:

1. The Monroe City Charter;
2. Chapter 160A, Article 8 (Police Powers);
3. North Carolina General Statute (G.S.) § 160D-103 (Unified development ordinance);

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Daryl Anderson

Monroe Planning Board Presentation 12/06/2003

Introduce myself, where I live and discussion with neighbors. ~25 SIGNED

Thank You for giving me time to share with you our Community Concerns

Presentation Purpose: I am here to ask the Planning Board for help in eliminating a Monroe Community Safety Problem.

Problem: The Oliver Branch/Morgan Mill Intersection. Unsafe by design less safe and congested and unsafe because of the additional traffic volume coming from the new Scotch Meadows (189) development . The problem will increase with the 2nd approved High-Density Development (89). Worse with the Ellie Rose high-density development (96). Over 700 vehicles (2x per home), within 1 mile.

We have frustrated AND aggressive drivers almost never seen before. (Double line passing/Turning in Gravel area/Lane Jumping and of course the impatient horn honking. Unsafe by design and less safe by additional traffic flow. For those who do not know Olive Branch is the primary traffic route to the City Dump for traffic from Independence (RT 74). Not to mention School Bus issues.

Solution: We need the intersection made safe for ALL? Existing and new Community Members and for our kids on School Buses!

ACTION:

1: We ask the Planning Board to delay the Ellie Rose Development until the OB/MM Intersection is made Safe.

2: We ask the Developer to use their influence with the DOT to make it happen. We suggest the Developer engage with the DOT on the recent (12/05/23) announcement of $7.2 Billion Federal Funds from the Bipartisan Law allocated to NC.

As stated in Section 1 of the **Unified Development Ordinance:** "The UDO's purpose is to promote health, safety, and general welfare of the Citizens of the City of Monroe.

Summary: We are asking the Planning Board for their help in providing **OUR Monroe Community** a Safe Intersection at Olive Branch/Morgan Mill.

Copy 1/

Mallard Landing Petition

Petition Purpose: To get Monroe Planning Board to delay the High Density Re-Zoning Approval for the 55 acres (96) homes on Ellie Rose Drive, Monroe NC 28110 until the Olive Branch/Morgan Mill Intersection is made **SAFER!**

Problem: The addition of 2 approved high-density developments has made the OB/MM intersection congested and unsafe exiting from OB to MM. A 3rd development will compound the problem as all exit onto OB.

Solution: New Safer Intersection to handle the high traffic volume.

Action: Monroe Planning Board inform Developer no zoning approval will be made. Approval will be made after the Developer engage with State of NC and the new **SAFER** intersection is installed.

7

	Name	Address	Contact Info	Date
1	Daryle E. Anderson	Mallard Landing	704.488.2325	12/2/23
2	Robin Anderson	" "	"	12/2/23
3	Beverly Dickerson	" "	"	12/2/23
4	Paul Lewis	" "	"	12/2/23
5	Drema Larkin	" "	"	12/2/23
6	Patricia E. Yow	Mallard Landing	704-776-8872	12/2/23
7	Randy Yow	" "	"	12/2/23
8	Sony R. Bullen	" "	"	12/2/7
9	Beverly Bruhns	"	704-591-1293	12/2/2
10	Carl J. Molica	Mallard Landing	704-694-8584	12/21
11	Pat Molica		704-242-1128	12/2/2
12	Therera Cannon		740-602-0880	12/2/
13	David Cannon		740-272-0181	12/21
14	Basil Marie Crowell		704-408-8541	12/2/2
15	Richmond A Brooks III		704-290-6505	
16	[illegible]		704-292-3873	2/12/
17	[illegible]		"	"

21

Mallard Landing Petition

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(17)

Name	Address	Contact Info	Date
Jim Collurt	Mallard Landing		12/09/2023
Fran Collurt	Mallard Landing		12/09/2023
Whit Herlin	Mallard Landing		12/09/2023
Geri Herlin	Mallard Landing		12/09/2023
Linda Bundy	Duck Point Drive		12/09/2023
Ligon Bundy	Duck Point Drive		12/9/2023
Dean Kellar			12/9/2023
Marie Brown	Duck Point Drive		12/9/2023
William MacTaggart	Duck Pt Drive		12/9/2023
Linc MacTaggart	Duck Pt Drive		12/9/2023
Tracy K Price	Duck Pt Drive		12/9/2023
~~James~~ K. Price	3109 Duck Point DR.		12/9/2023
Shannon K. Powell	Duck Point Dr.		12/9/2023
Tiena Powell	Duck Point Dr.		12/9/2023
Ajah Powell	Duck Point Dr.		12/9/2023
IZABETH SYLVESTER	NON	561.542.0717	12/11/23
GER SENEFF	NON	704.282.1250	12/11/23

Mallard Landing Petition

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Action: Monroe Planning Board inform Developer no zoning approval will be made. Approval will be made after the Developer engage with State of NC and the new **SAFER** intersection is installed.

	Name	Address	Contact Info	Date
18	Michael R Korzelius	Mallard Landing		12-3-23
19	Caroline Hoefferle	"		"
20	Martha Lachey	Olive Branch Rd		12/6/23
21	Daniel L. Wall	"	"	12/6/23
22	Randy Outlaw	Mallard Landing		12/6/23
23	Teresa Outlaw	Mallard Landing		12/6/23
24	Michael McComb	Unionville		12/6/23
25	Donna Carter	Monroe		12/6/23
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STAFF REPORT

TO: Planning Board

DATE: January 3, 2024

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Patrick Blaszyk, Planner

SUBJECT: Zoning Map Amendment for the property located at 807 & 809 West Franklin Street and further identified as tax parcel 09-273-013

SUMMARY STATEMENT

Planning Board is requested to consider a zoning map amendment for the property located at 807 and 809 West Franklin Street and further identified as tax parcel 09-273-013 from Residential Medium Density (RMD) to Residential High Density (RHD).

REVIEW

The City of Monroe has received a request from Evan Abrnmowitz to rezone the 0.348 acres from Residential Medium Density (RMD) to Residential High Density (RHD). The Residential High Density (RHD) district is intended to permit for a denser development pattern and is intended to allow for a mixture of housing types, including multifamily. The RHD zoning district is intended to be utilized in areas that feature a design and scale that encourage townhouse/attached single family, duplex/triplex/quadplex, and multifamily development and may permit compatible uses as permitted in Section 7: Permissible Uses and Standards.

This property is currently occupied by a structure that was constructed in 1925 and is presently being utilized as a duplex. This lot is also located in the City of Monroe Historic District. The applicant is requesting the rezoning in order to convert the duplex into condominiums.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Single Family Residential	Residential Medium Density (RMD)
East	Single Family Residential	Residential Medium Density (RMD)

South	Single Family Residential	Residential Medium Density (RMD)
West	Single Family Residential	Residential Medium Density (RMD)

LAND USE AND TRANSPORTATION PLAN CONSISTENCY

The Land Use and Transportation Plan indicates this area as Traditional Development. This form of development surrounds the downtown core and 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.

Planning staff believes the request is consistent with the Land Use and Transportation Plan because multi-family is a priority use and allows 10 units per acre and this rezoning would result in 5.75 per acre.

PUBLIC NOTIFICATION

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

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

RECOMMENDATION

Planning staff recommends approval of the rezoning request.

Approval Actions

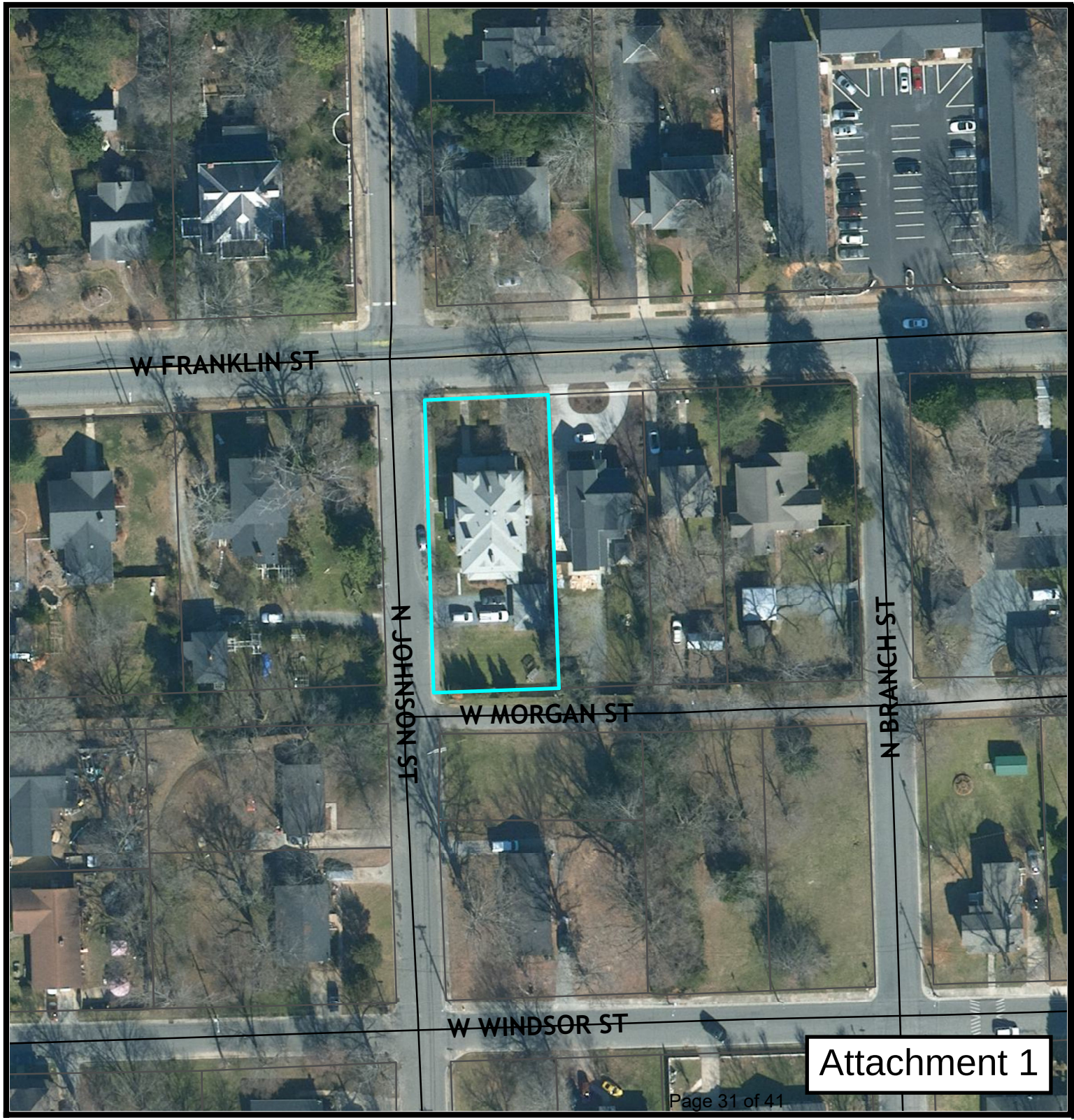
1. Motion to recommend adoption of a Resolution *Approving* Land Use and Transportation Plan compliance
2. Motion to recommend adoption of the Ordinance amending Section 157.1.2.1- Official Zoning Map

Denial Actions

1. 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 authorization for the Chair to sign at a later date.
2. Motion to recommend denial of the zoning text amendment

Attachments:
Attachment 1-Ortho Map
Attachment 2-Zoning Map
Attachment 3-Future Land Use Map

Attachment 4-FLUM Description
Attachment 5-R-2023-XX Approval
Attachment 6-R-2023-XX Denial
Attachment 7-O-2023-XX Section 157.1.2.1



City of Monroe
Where Heartland Meets High Tech

Ortho Map

Case #: PLMA 2024-00126

807 & 809 West Franklin Street

Legend

- Centerlines
- Parcels
- Subject Property

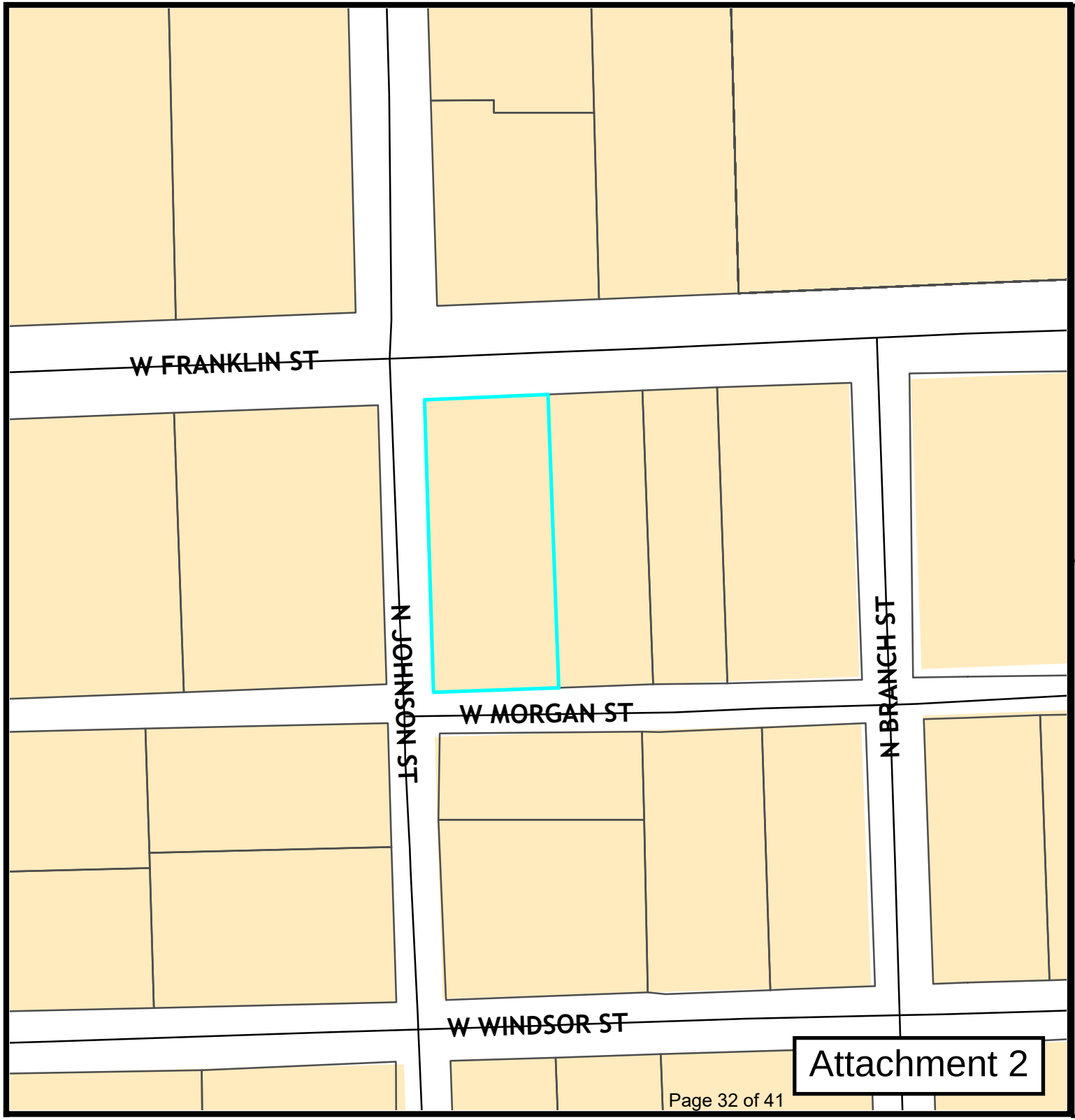
Owner: Coniston LLC

Acres: 0.348

N
W E
S

0 100 200 Feet

Attachment 1



City of Monroe
Where Heartland Meets High Tech

Zoning Map

Case #: PLMA 2024-00126

807 & 809 West Franklin Street

Legend

- Centerlines
- Parcels
- Subject Property

Zoning Districts

- RMD

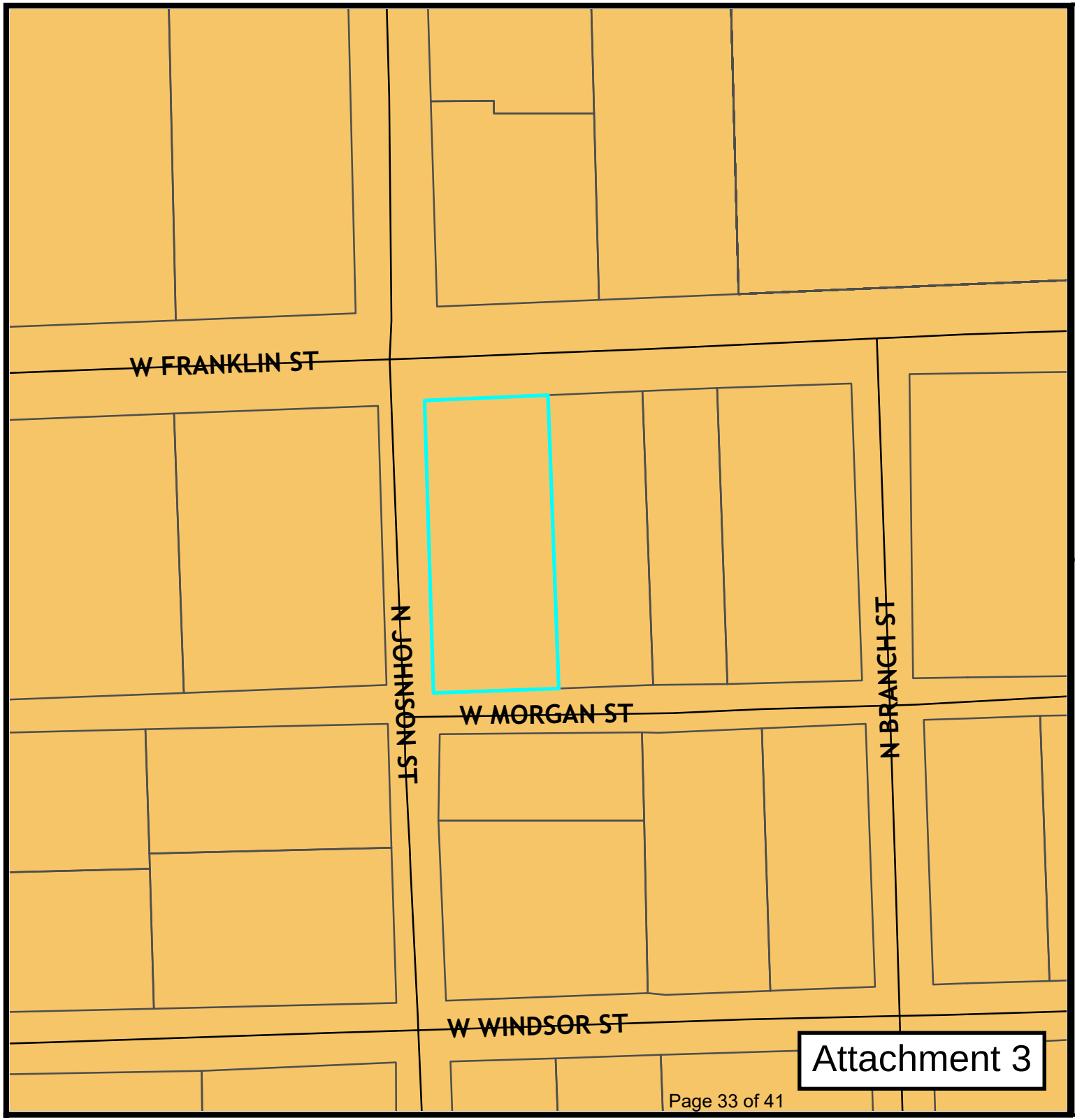
Owner: Coniston LLC

Acres: 0.348

N
W E
S

0 100 200 Feet

Attachment 2



City of Monroe
Where Heartland Meets High Tech

Future Land Use Map

Case #: PLMA 2024-00126

807 & 809 West Franklin Street

Legend

- Subject Property
- Centerlines
- Parcels

FLUM

- Traditional Development

Owner: Coniston LLC

Acres: 0.348

N
W E
S

0 100 200 Feet

Attachment 3

Land Use and Transportation Plan Description

The Land Use and Transportation Plan indicates this area as Traditional Development. This form of development surrounds the downtown core and 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.

Attachment 4

RESOLUTION APPROVING LAND USE AND TRANSPORTATION PLAN COMPLIANCE

R-2024-XX

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for the property located at 807 and 809 West Franklin Street further described below is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan indicates this area as Traditional Development, multi-family residential is listed as a priority use and allows up to 10 units per acre, this proposal is 5.75 units per acre; therefore, it is consistent. This form of development surrounds the downtown core and is anchored by the city's most historic neighborhoods. The proposal is reasonable and in the public interest because the use of the property is not changing with the rezoning request, the property is currently utilized as a duplex and the rezoning will allow a condo with the same number of units.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Approving Land Use and Transportation Plan Compliance of the zoning map amendment for the property with Union County Tax Parcel Number: 09-273-013.

Adopted this 3rd day of January, 2024.

_____

Richard A. Yercheck, Planning Board Chair

Attest:

_____

Ashlyn Penegar, Secretary to Planning Board

Attachment 5

RESOLUTION DENYING LAND USE AND TRANSPORTATION PLAN COMPLIANCE

R-2024-XX

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for the property located at 807 and 809 West Franklin Street further described below is consistent with the adopted Land Use and Transportation Plan. The Land Use and Transportation Plan indicates this area as Traditional Development. This form of development surrounds the downtown core and is anchored by the city's most historic neighborhoods. Multi-family residential is listed as a priority use and allows up to 10 units per acre, this proposal is 5.75 units per acre; therefore, it is consistent. However, this proposal 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 of the zoning map amendment for the property with Union County Tax Parcel Number: 09-273-013.

Adopted this 3rd day of January, 2024.

_____
Richard A. Yercheck, Planning Board Chair

Attest:

_____
Ashlyn Penegar, Secretary to Planning Board

Attachment 6

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 157: ZONING CODE
O-2024-XX

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 157 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

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

Rezone the property located at 807 and 809 West Franklin Street further identified with parcel ID # 09-273-013 from Residential Medium Density (RMD) to Residential High Density (RHD).

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 13th day of February, 2024

Attest:

Robert A. Burns, Mayor

Bridgette H. Robinson, City Clerk

Attachment 7

City of Monroe
Where Heartland Meets High Tech

STAFF REPORT

TO: Planning Board

DATE: January 3, 2024

FROM: Terry Sholar, Senior Staff Attorney

PREPARED BY: Terry Sholar, Senior Staff Attorney

SUBJECT: Text Amendment Provide Alternates to Planning Board and Board of Adjustment

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SUMMARY STATEMENT

Planning Board is requested to consider amending Chapter 157 3.3.3 and 3.3.4 to add alternate members to the Planning Board and Board of Adjustment.

REVIEW

Currently the Planning Board and Board of Adjustment has seven members each. Planning Board is asked to add two alternate members each to the Planning Board and Board of Adjustment. Both boards provide specific functions when hearing land usage matters and need a full board to make decisions. The Board of Adjustments conducts specific quasi-judicial hearings regarding variances and appeals. The UDO amendment is to add alternates to each board to fill in a case-by-case bases when a regular member is absent or disqualified from hearing a case.

RECOMMENDATION

Staff recommends adoption of the ordinance amending the Chapter 157 of the Zoning Code to provide for alternate members on the Planning Board and Board of Adjustment.

Attachment(s):
1. Approval Resolution
2. Denial Resolution
3. Ordinance Amendment O-2024-

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USAGE
CHAPTER 157: ZONING CODE
O-2024-07

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 157 OF THE MONROE ORDINANCES IS HEREBY AMENDED AS FOLLOWS:

Section 1. Delete §3.3.3A1, 4, and 5 in their entirety and replace them to read as follows:

§3.3.3 BOARD OF ADJUSTMENT

A. Appointment and Terms of Board of Adjustment.

1. **Generally.** The Board of Adjustment (BOA) shall consist of seven (7) regular members plus two alternate members which shall replace and substitute for an absent or disqualified regular member not available to hear a matter on a case by case basis.
4. **Participating and Voting.** The concurring vote of four-fifths of the then sitting regular members of the board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari.
5. **Board Member Attendance**. Any member of the BOA, including alternates, who misses more than three consecutive regular meetings or more than half of the regular meetings in a calendar year shall be subject to removal and replacement by CC.

Section 2. Delete §3.3.4A1, 4, and 5 in their entirety and replace them to read as follows:

§3.3.4. PLANNING BOARD (PB).

A. Appointment and Terms of Planning Board Members.

1. **Generally.** The Planning Board (PB) shall consist of seven (7) regular members plus two alternate members which shall replace and substitute for an absent or disqualified regular member not available to hear a matter on a case by case basis.
4. **Participating and Voting**. The concurring vote of a majority of the then sitting regular members of the board shall be required on all matters. A majority of the members shall be required to decide any other matter or to determine an appeal made in the nature of certiorari.

5. **Board Member Attendance**. Any member of the PB, including alternates, who misses more than three consecutive regular meetings or more than half of the regular meetings in a calendar year shall be subject to removal and replacement by CC.

Section 3. This Ordinance shall be effective upon adoption.

Attest: Robert A Burns., Mayor

Bridgette H. Robinson, City Clerk

RESOLUTION RECOMMENDING APPROVAL OF ADDING ALTERNATE MEMBERS TO PLANNING BOARD AND BOARD OF ADJUSTMENT
R-2024-05

WHEREAS, Chapter 157 Section 3.3.3 provides for the membership of the Monroe Board of Adjustment but does not include alternate members; and

WHEREAS, Chapter 157 Section 3.3.4 provides for the membership of the Monroe Planning Board but does not include alternate members; and

WHEREAS, it is important for both the Board of Adjustment and Planning Board to have full board participation to hear and decide specific cases in its subject area including quasi-judicial decisions; and

WHEREAS, occasionally, regular members of a board are absent or disqualified from participating in hearing a case and alternates are needed to fill in for absent or disqualified members.

NOW, THEREFORE, after due hearing and consideration, the Monroe Planning Board recommends City Council adopt the proposed ordinance amending Section 3.3.3A1, 4, and 5 and Section 3.3.4A1, 4, and 5 to add two alternate members to both the Board of Adjustment and the Planning Board.

Adopted this 3rd day of January, 2024.

_____
Richard Yercheck, Chair

Attest:

_____
Ashlyn Penegar, Clerk for Monroe
Planning Board