

MEMORANDUM

**TO: MAYOR AND TOWN BOARD OF COMMISSIONERS;
TOWN PLANNING BOARD**

FROM: BILL SHERRILL

RE: ZONING PETITION 2010-558

SUBJECT: ZONING PLAN REVISIONS / STAFF COMMENTS

DATE: APRIL 15, 2011

The following are highlights of changes to the zoning plan as reflected in the revised site plan received on April 13, 2011 with additional comments provided by staff.

1. The number of dwelling units has been reduced from 24 to 17 with a corresponding reduction in site density from 7.59 to 5.38 units per acre. All units are single-family detached.
2. In the redesigned site layout most dwelling units are oriented toward a common green and all units include detached garages.
3. Access is by way of a private one-way shared driveway/alley with an option for a gated entry. If the gated access is not provided, then the turn around area and the median located at the entrance from South Trade Street would not be provided.
4. Minimum lot size has been increased from 2,750 square feet to 4,000 square feet, but required lot lines are not shown on Sheet RZ-2 as required for RVS development.
5. All units are to have a front porch except that the porches for the dwelling units that are closest and adjacent to South Trade will have porches on the side facing the street.
6. The 750 sq ft clubhouse amenity has been replaced with an optional arbor, gazebo or covered area within the common open space.
7. Other improvements in the COS such as outdoor seating, fire pit, recreation area and an area for gardening included on the previous plan are now listed as optional on the revised plan.
8. For trash removal each unit is to have a rollout container with pick-up at rear of each unit along the private drive/alley.
9. Plan notes indicated 50 parking spaces are to be provided for the 17 dwelling units including 34 garage spaces. However, only 46 spaces are shown on the site plan 34 garages spaces plus 12 spaces along the drive/alley.
10. Each dwelling unit is separated from the detached garage by approximately 10 feet. This space should be described in the notes as patio space if that is the intended use with a minimum 10 feet separation between the house and garage.
11. Post Construction Stormwater Concept Plan (PCO-1) was approved by Mecklenburg County for the previous site plan layout. However, because of the extensive changes in the current plan a new PCO-1 approval is required. The petitioner has indicated that another deferral of the decision date by Town Board will be requested in order to provide adequate time for PCO-1 approval.

MEMORANDUM

TO: MAYOR AND TOWN BOARD OF COMMISSIONERS
FROM: BILL SHERRILL
RE: ZONING PETITION 2010-558
GREENWAY COTTAGES
SUBJECT: POST CONSTRUCT STORMWATER (PCO-1) APPROVAL
DATE: FEBRUARY 10, 2011

The Greenway Cottages Zoning Petition (2010-558) is on the agenda for your action at the February 14, 2011 Town Board of Commissioners Meeting. Typically your board has required PCO-1 approval by Mecklenburg County LUESA prior to taking action on a Zoning Petition. Because of recent site plan changes in response to issues raised at the Public Hearing LUESA staff will be unable to complete review of the PCO-1 submittal prior to your February 14, 2011 meeting. I spoke with M J Namin of LUESA today and he told me that based on a preliminary review of the submittal that it "looked good" and could be approved with some minor adjustments but that he would be unable to complete a full review prior to the February 14, 2011 meeting. Action by Town Board could be contingent on PCO-1 approval or action could be deferred until PCO-1 has been approved.

Print Form



232 Matthews Station Street
Matthews NC 28105

Staff Analysis

Rezoning Petition
Date Revision 1 Revision 2
Public Hearing

REQUEST

This petition seeks to rezone three existing R-20 zoned parcels to R-VS Innovative to accommodate the development of a residential community containing a maximum of 27 dwelling units that will be comprised of 18 single-family detached dwelling units and 9 single-family attached dwelling units

LOCATION

269 and 269 S. Trade Steet

PROPERTY OWNER

William and Sharon Burnette and Betty Suzanne Burton

PETITIONER

Brookchase Properties, LLC/Garry Smith

**AGENT/
REPRESENTATIVE**

John Carmichael

PLANNING STAFF REVIEW

Elements of the Request

18 single-family detached dwelling units, 9 single-family attached dwelling units and one club house building

Does Request Support Adopted Plans and Policies? Yes No
(If no, see unresolved and outstanding issues)

Are any Zoning Variances needed? Yes No

Previous Action on this Property

None

Existing Improvements on Parcel

2 single-family residential structures and 2 accessory structures

PLANNING STAFF REVIEW CONT'D

Requirement	Meets Requirement?		Staff Recommended Changes?		Changes Made?	
Setbacks and Yards	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Parking	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Landscaping	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Off Site Improvements	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Fire Access	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Connectivity	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Signage	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No

PUBLIC INFRASTRUCTURE

Report Received From:	Issues Identified?		If yes, see outstanding issues
Matthews Fire Department	<input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
LUESA	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
CMS	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Matthews P&R	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Is project subject to PCO concept plan approval before zoning decision?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Traffic impact study received?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
What improvements are recommended and/or committed to?	<div style="border: 1px solid black; height: 40px;"></div>		

UNRESOLVED OR OUTSTANDING ISSUES

See attachment

STAFF COMMENTS AND RECOMMENDATION

See attachment.

PLANNING STAFF ANALYSIS ATTACHMENT
ZONING PETITION 2010-558

January 5, 2011

UNRESOLVED OR OUTSTANDING ISSUES

1. Post Construction Concept Plan approval is required prior to a zoning decision by the Town Board of Commissioners.
2. The Petitioner needs to modify the conditional notes to include innovative development standards for minimum lot area and minimum lot width. With the addition of a third parcel the property now exceeds 3 acres. R-VS development standards are different for properties greater than 3 acres and for properties of less than 3 acres.
3. If parking provided is on a first come basis the dwelling units facing S. Trade Street could at times be quite removed from available parking.
4. The nine parking space above the minimum required parking may not be adequate to provide guest parking for the proposed 27 dwelling units.
5. A note needs to be provided on the site plan addressing how garbage pick-up is to be accommodated.
6. A note needs to be provided on the site plan that internal streets are to be private built to appropriate private standards and are to be maintained by the homeowners association.
7. The Public Hearing for this petition was deferred from December 13, 2010 to January 10, 2011 for transportation related issues particularly in regard to requirements for a left turn lane into the site from S. Trade Street. Even though NCDOT has determined that the State will not require a left-turn lane Public Works Staff and Planning Staff have concerns that the project needs to be revised to accommodate the required additional R/W and future road improvements even if road improvements are not required as part of this development. In that regard the Public Works Director has offered the following comments to the Petitioner regarding this portion of South Trade Street:
 - a. This section of Trade Street needs to be a three-lane section ultimately from the school to the intersection with existing Country Place.
 - b. The alignment of the curb line on the opposite side of the street is how it should be, running from Main Street all the way into Town.
 - c. Future expansion needs to be on the west, (school) side of the road.
 - d. S. Trade is shown on the Thoroughfare Plans as a minor thoroughfare, so a dedication of up to 70 feet is required. I am still not clear regarding the existing R/W width of S. Trade in this area; this additional footage would probably need to come from your side.
 - e. Whether or not the left turn lanes are constructed now or in the future. Garry's project needs to be designed to accommodate the expansion that you have shown, with added setback, R/W dedication etc.
 - f. Have you done any sort of estimate for the cost of the plan you presented? It would be good to have an estimate.
 - g. It's a policy decision of the Board regarding the actual construction at this time. The DOT has indicated that they will not require a turn lane at this time and I am not sure that the development by itself mandates the necessity. This was a result of efforts by the Town. I think a payment into escrow, along with the necessary R/W dedications and setback modifications could be a possibility, rather than mandatory construction at this time.

Page 2 **Staff Analysis Attachment – Zoning Petition 2010-558**

January 5, 2010

STAFF COMMENTS AND RECOMMENDATIONS

The development concept proposed by this petition is appropriate for this location and is consistent with Land Use Plan and Downtown Master Plan recommendations for this area. However, the proposed 27 units may be excessive for this small 3.16 acres site (8.5 units/acre) particularly in regard to parking and tree save concerns. The Freemont Street Cottages project approved in 2003 is the most similar project previously approved in Matthews at approximately 7 units/acre.

Because of the continuing issues regarding S. Trade Street improvements and the need for site plan revisions to accommodate these improvements whether or not they are constructed now or in the future, staff cannot recommend approval of this petition until these issues are resolved.

PETITION # 558

ZONING PETITION STAFF CHECKLIST

IDENTIFYING DATA

Name of Owner Betty Burton and William and Sharon Burnette
Address of Property 259 and 269 South Trade Street
Tax Parcel Number(s) 227-211-04, 227-211-05 and 227-211-06
Date 01/04/11

GENERAL BACKGROUND DATA

Current Zoning R-20 **Proposed Zoning** R-VS Innovative
Current Use single-family residential **Proposed Use** single-family residential
Property Dimensions
Lot Width 390ft +/- along S. Trade Street **Lot Area** 3.16 acres
Established front setback, if structure present 70' +/-

DIMENSIONAL REQUIREMENTS

Current Zoning R-20 **Proposed Zoning** R-VS INNOVATIVE
Lot Area 20,000sf **Proposed Lot Area** 4,500sf and 3,000sf
Lot Width 90ft **Proposed Lot Width** 40ft and 30ft/du
Front Setback 50' **Proposed Front Setback** 20ft and 20ft
Side Yards 12ft **Proposed Side Yards** 6'8" and 0'8" for end unit
Rear Yards 60' **Proposed Rear Yards** 30' and 20'
Max. Height 35' **Proposed Max. Height** 35'
Open Space 70% **Proposed Open Space** 25% and 20%
Comments: none

MISCELLANEOUS PROVISIONS

If considered necessary, has a copy of the petition been sent by the applicant to the property's fire department for their review? yes

Date sent 10/18/10

Is any portion of this property in floodplain? no

Are there any known zoning violations on this site? no

If so, explain: na

Tax records indicate the owner(s) as: Betty Burton and William Burnette and Sharon Burnette

This application is submitted by: the owner listed above
 an agent for the owner
 other

If agent or other, what documentation has been provided from owner or is none required?
na

LAND USE PLAN CONFORMANCE

Is there a discrepancy between current or proposed zoning and the Land Use Plan? If so, what is the discrepancy? none

Land Use Plan elements that impact the subject property: Land Use Plan pages 13-15

Objectives

- To meet the housing needs of all area residents by providing a maximum range of choice in type, density and location of housing while preventing the adverse impacts to the environment and quality of life.
- To provide adequate amounts of land in varying densities to accommodate a broad range of housing.

Recommendations

- Medium to high density single- and multi-family developments should be located in areas fronting or near major or minor thoroughfares and located in areas where services and utilities are available or projected to be within five years.
- Encourage R-VS requests on those parcels identified as appropriate elsewhere in this document, and/or where clustering of homes will allow substantial protection of the environment.

DOWNTOWN MASTER PLAN – pages 3-4 – Recommendation 3a.

* In accordance with the recommended architectural guidelines, encourage a variety and blend of housing types including both for-sale and rental, attached and detached. Single-family detached housing types should include the provisions for alternatives to conventional lots including “cluster” type detached and semi-detached such as zero lot line and patio homes. Attached single-family may include townhouse or brownstone-style housing and duplexes. Multi-family should avoid the suburban apartment project solution and instead advocate more traditional apartment buildings which are smaller and designed to blend into larger neighborhoods. Elderly housing should also be provided for. It is intended that a variety of age and income levels be encouraged in the downtown housing market.

ADDITIONAL CRITERIA FOR CONSIDERATION

1. What changes have, or are, occurring in the area to justify a change in zoning?
Recent rezoning for Continuing Care Retirement Center nearby
2. What are adjacent properties zoned, and what are adjacent land uses?

Direction	Zoning	Land Use
North	R-20	single-family residential
Northeast	R/I	Elementary School
East	R/I	Elementary School
Southeast	R/I	Elementary School
South	R-15	single-family residential

- | | | |
|------------------|-----------------|-----------------------------|
| Southwest | R-12 & R/I (CD) | single-family residential & |
| vacant land | | |
| West | R-12 | single-family residential |
| Northwest | R-12 | fire department |
3. **What are development plans in the area – roads, schools, future commercial development, etc.?** Future widening of S. Trade Street and other road improvement/changes associated with the development of the recently approved continuing care retirement facilities and the Matthews United Methodist Church parking lot expansion.
 4. **Is there a reason the current land use cannot continue to be feasible as it now exists?**
no
 5. **List some potential uses under existing zoning.** Dwellings, one family detached; Parks and playgrounds; Family care home; Churches and related uses; Customary home occupations; Fire stations; Bed and Breakfast guest homes; Schools, elementary, junior and senior high, public and private, which have a capacity of up to 100 students; Child day care homes; and Accessory apartments.
 6. **List some potential uses under proposed zoning.** Same as above plus Dwellings, single-family semi-detached; Dwellings, single-family attached; Dwellings, two family; Dwellings, zero-lot line and Sheltered households and assisted living facilities limited to the same maximum size as a sheltered household.
 7. **Are any of these uses inappropriate for this location, and if so, why?** no
 8. **(A) What is applicant’s stated reason for requesting rezoning?** "To accommodate the development of a residential community containing a maximum of 27 dwelling units that will be comprised of 13 single-family detached dwelling units and single-family attached dwelling units. A maximum of 9 of the dwelling units may be single-family attached dwelling units."

(B) Comments: none
 9. **(A) What will be the benefits to the surrounding properties?** The proposed zoning would maintain single-family residential zoning in the area.

(B) What will be the detriments to the surrounding properties? The proposed zoning provides for residential development at a higher density level than surrounding properties and may have a minor traffic impact in an already congested area.
 10. **Is a traffic study required for this petition?** no

If so, what are the recommendations of the study? na
 11. **What does the purpose statement of the proposed zoning district say?** The purpose of the R-VS is to create beneficial new higher-density yet single-family like housing opportunities not traditionally found in Matthews, such as zero-lot line homes, single-family semi-detached, single-family attached including townhouses, patio homes, duplexes, pinwheel design, and similar styles. This district is primarily intended to be employed: near the downtown as shown in the Downtown Master Plan; at specific sites identified in the Land Use Plan; and on a petitioner requested basis when the proposed can be demonstrated to accommodate the increased density and exhibits a thoughtful, imaginative use of the land.
 12. **Will this proposal meet the intent of the above purpose statement?** yes

OUR TOWN – *Our Vision*

1. Small Town Feeling and Identity Matthews has kept its small town feeling and identity, while continuing to grow. Attractive neighborhoods, a variety of churches, quality schools and an outstanding medical center make for a full service community. Above all, people feel safe and secure here. Streets in Matthews exude a small town charm - overarching street trees, attractive landscaping, understated signage, and wide, shaded sidewalks. Small parks and natural areas dot the community. Retail parking lots, once viewed as "seas of asphalt", have been broken up, softened, and shaded with landscaped islands and perimeter buffers. Matthews has avoided "anywhere USA" franchise-style development. Instead, buildings, old and new, honor the 100-year-plus heritage of the community. New buildings are largely of modest height and scale, and are finished in traditional wood and brick architectural themes.

2. Well-Planned, Functional Transportation System A system of improved arterial roads, combined with traffic calming measures downtown, have successfully diverted non-local, commuter traffic away from downtown Matthews. These improvements were part of a comprehensive transportation plan, pushed through as a priority with State and regional funding. Trade and John Streets have especially benefited, and are now better able to serve patrons of downtown shops, restaurants and other attractions, as well as local residents. The character of these and most other town streets reflect a more pedestrian-friendly environment. A new mass transit service, with several stops in Matthews, provides a useful alternative for those seeking a stress free trip to and from Charlotte.

X - The proposed development would be walkable to Downtown Restaurants, Commercial Services, Social Services and area churches and the adjacent greenway. **3. Walkable and Bikeable Community** Matthews continues to work toward becoming a very walkable and bikeable community. New streets, as well as improvements to existing streets, are designed for multiple users (motorists, bicyclists, and pedestrians) -according to the level of traffic intended. Most streets have sidewalks on both sides; many larger streets have bike lanes. Designated crosswalks are evident throughout Matthews, especially in the downtown area. In general, there is a high level of connectivity between streets, sidewalks, bikeways, walking trails, and greenway trails. Parking lots are also connected to allow shoppers to go from store to store without entering the highway. This continuous system provides for a multitude of driving, walking and bicycling alternatives. Cul de sacs are employed sparingly, in favor of fully connected neighborhood streets.

X – The proposed development would provide new residential opportunities in walking distance to Downtown. **4. Vibrant, Pedestrian-Friendly Downtown** Downtown Matthews has gained even more prominence as the social and cultural heart of the community. The downtown has become a true destination in the region, with a reputation for quality restaurants, quaint shops, boutiques and other thriving businesses. Sidewalks and streets are filled with people of all ages day and night, drawn by the historic character and beauty of the area, the human scale of its buildings and public spaces, and a constantly changing venue of arts and entertainment offerings. New, moderate-density housing at the edge of the downtown and in the upper floors of downtown buildings provides support to merchants and twenty-four hour security for downtown visitors. The Town government has been proactive in creating a physical, financial, and regulatory environment especially conducive to small business development in the downtown area.

5. Extensive Park and Open Space System As the community has grown, Matthews has steadily added to its system of parks and open space. Several larger park and open space areas have come about, through advanced planning and property acquisition by the Town. Many smaller park and open space areas have been created as part of the Town's routine development approval process. Tools such as cluster development, open space incentives, conservation easements, and land dedication (or fees in lieu of land dedication) have ensured that new developments provide for their fair share of park and open space areas. In addition, an extensive system of greenway trails, primarily adjoining area streams, connects many schools, parks, open spaces, and neighborhoods in Matthews.

6. Locally Controlled, Neighborhood Schools Schools in Matthews have been planned well in advance of growth to avoid overcrowding and the need for mobile classrooms. Instead of building large, impersonal schools, new smaller schools have been located and designed to serve and be accessible to the local areas around them. Rather than functioning as single purpose "factories to educate children", schools in Matthews, whether public or private, serve as true neighborhood centers, providing meeting space for community gatherings, recreational events and other functions. As part of this trend toward smaller, community-oriented schools, oversight of public schools in Matthews has shifted from regional governance to town governance.

7. Healthy Town Financial Footing By facilitating compact growth and efficient development patterns, Matthews has continued to deliver quality municipal services for a tax rate below regional averages. In addition, the Town has been able to maintain a healthy balance of quality residential development and compatible commercial development—thereby affording the Town a favorable tax base. Impact fees and infrastructure improvements, paid for by developers, have been successful in offsetting the costs of additional infrastructure and services brought about by growth-induced demand. This has lessened reliance upon existing property tax payers to pay for growth.

8. Firm and Fair Growth and Development Process The town government of Matthews has continued to advance a firm and fair process for managing growth and development. Through its land use plan and development ordinances, the Town has set clear policies and standards to assure quality development. The Town enforces these standards diligently and consistently. The Town's development review process emphasizes effective communication and consensus among all parties, including the Town Council, the Planning Board, the Town staff, the developer, other Town advisory boards, and the public. The Town requires that necessary infrastructure, including especially adequate roads, schools, open space and greenways, sidewalks, and drainage, must be in place prior to the occupancy of the new development it serves.

9. Balanced, Compatible Commercial Development Town leaders have navigated a careful course, balancing the need for sustained economic development against the potential threats to the community from over-commercialization. Small, locally owned shops have been especially encouraged by a zoning and regulatory environment conducive to small business. Both small and large businesses alike have been required to take on development forms that blend easily into a small town setting and image. Previously vacant commercial and industrial buildings have been renovated and adapted for use as cultural facilities, retail enterprises, office and institutional use, innovative housing, and as small business development centers. Policies have been implemented to prevent indiscriminate abandonment and prolonged vacancies of "big boxes" left behind for "bigger boxes".

X- This proposal can provide a new walkable neighborhood convenient to Downtown and the new Greenway. 10.

Quality Residential Development

Matthews has remained mostly a low density, single-family residential community. Within this context, housing innovations have evolved to address two key issues: (1) traffic congestion and (2) quality affordable housing. To cut down on the growth in traffic, walkable neighborhoods convenient to appropriate, pedestrian-scaled areas, as well as transit services, have been favored over automobile-dependent, cookie-cutter subdivisions. The affordable housing needs of service workers, senior citizens, young couples, and others have been met through a variety of housing forms compatible with single family neighborhoods (rather than typical large complexes of apartments, condominiums or institutional housing). New and old neighborhoods alike are well maintained, having benefited from the town's strategic location, sustained economic prosperity, and overall quality of life.

11. Destination for Arts and Culture

Matthews has solidified its position as a major destination for arts and culture in the Charlotte region. Appreciation for the arts and culture begins with value placed on the unique heritage of the area, exemplified by the preservation of historic buildings and landmarks throughout the community. Cultural activities include a broad selection of traditional and contemporary art forms, festivals, concerts, plays, movies, sporting venues, and cross-cultural events. Young and old, as well as people from many ethnic backgrounds, are drawn to a constantly changing array of indoor and outdoor events. It is this great variety of offerings that has given Matthews an outstanding reputation in the cultural and social landscape of the region.

12. Healthy, Sustainable Environment

In managing its growth, Matthews has worked to minimize adverse impacts to the region's air and water quality. The Town's growth policies and development standards have reduced automobile dependency; many residents of Matthews are able to walk or bicycle to most daily activities. Matthews' walkable neighborhoods and nearby services are designed to generate less traffic and require shorter distances to shop or work. Streams and drainage ways passing through Matthews receive less storm water runoff and pollution due, in part, to policies on tree preservation, landscaped parking areas, and vegetated buffer strips adjoining stream channels and roadsides. Solid waste levels have been substantially reduced through area-wide recycling efforts.

PETITION # 558

CONDITIONAL DISTRICT ZONING PETITION STAFF CHECKLIST

Attach to:

ZONING PETITION STAFF CHECKLIST IF A CHANGE IN ZONING DISTRICT

Name of Petitioner: Brookechase Properties, LLC
Address of Property: 269 South Trade Street
Tax Parcel Number(s): 227-211-05, 227-211-06
Name/Address of Owner if Different: William and Sharon Burnette, 1910 Crest Ridge Drive,
Papillion, NE 681333

DIMENSIONS

Actual property dimensions from site plan:

Lot width	390ft +/- along South Trade Street
Lot area	3.16 acres
Front setback	20'
Side yards	5' & 0'8' for single-family attached buildings
Rear yards	20'
Max height	35'
Open Space	not given

DESCRIPTION OF REQUEST

This petition seeks to rezone three existing R-20 zoned parcel to R-VS Innovative to accommodate the development of a residential community containing a maximum of 27 dwelling units that will be comprised of 18 single-family detached dwelling units and 9 single-family attached dwelling units.

SITE PLAN DATA

- What existing structures are on this property?** 2 single-family residential structure and 2 accessory structures
- What is current land use?** single-family residential
- Does this plan show:**
 - _X_ specific lots with buildings.**
Will additional site plan review by the Town be required? no **When?** na
 - ___ a generalized development plan.**
Will individual site plan approval by Town Board be necessary on a lot-by-lot basis?
 - ___ a change in conditions to earlier zoning site plan.**
What previous approved plan(s) will this amend, if approved?

4. **What changes or expansions of land use are proposed?** Development of a residential community containing a maximum of 27 dwelling units that will be comprised of 18 single-family dwelling units and 9 single-family attached dwelling units.
5. **What new structures or additions are proposed?** 18 new single-family detached residential structures, 2 duplex structures and one three-unit attached residential structure.

CURBCUTS

Number of curbcuts on site plan: 1

Distance between closest curbcuts on property and/or adjacent property: 170ft +/-

Are curb cuts connecting to:

NCDOT maintained road.

Town maintained road.

Private street.

Thoroughfare designated on MUMPO Thoroughfare Plan.

Zoning conditions for curbcuts: All lots or parcels are entitled to at least one driveway construction per street frontage on any street, except those along which access is otherwise limited or controlled.

Are zoning conditions being met? yes

PARKING AND LOADING

Proposed land use: single-family residential

How is parking calculated for this use in the Zoning Ordinance? 2 spaces per dwelling unit

Number of parking spaces required? 54

Number of parking spaces proposed? 63

Square footage of structure(s): not given

Number of employees on shift of greatest employment: na

Will this use require a loading dock or zone? no

If so, is it designed so it will not interfere with parking areas, driveways, streets or sidewalks? na

SIGNS

Number of signs proposed attached: not given **detached:** not given

Size(s) of attached signs: na

Which way do attached signs face? na

Location of detached signs: na

Size(s) of detached signs: na

Zoning conditions for signs: 1 freestanding sign per street corner per major entrance
- 9sf maximum.

LANDSCAPING AND OVERLAY REQUIREMENTS FOR SUBSEQUENT STAFF REVIEW

This property is subject to landscaping provisions as found in:

Landscaping Chapter of Zoning Ordinance

Highway Overlay

X Downtown Overlay

Screening Requirements for lots with rear yards or side yards abutting a thoroughfare.

This property is exempt from landscape requirements.

Have any plans been provided with sufficient detail to determine that landscaping or overlay provisions appear in general to be met? Yes.

If so, what deviations or deficiencies should be noted here? none

NEIGHBORHOOD MEETING

Has the required neighborhood/community informational meeting been held? yes

If yes, date of meeting: 11/18/10

What, if any, changes are proposed by the petitioner as a result of the meeting? none

LAND USE PLANS

Has the applicant provided an explanation of how the petition will comply with adopted land use plans covering the geographical location of the Conditional Petition? yes

Is the explanation consistent with adopted plans? yes

If not, what is the discrepancy? none

ADDITIONAL REQUIREMENTS OR COMMENTS:

1. Post Construction Concept Plan approval is required prior to a zoning decision by the Town Board of Commissioners.
2. When the existing petition was amended to include an additional parcel the total property went from less than 3 acres to over 3 acres. Properties over 3 acres have different development standards than properties less than 3 acres. Because of the different standards the petitioner will need to request additional innovative development standards for minimum lot area and minimum lot width.
3. Will parking spaces be assigned/reserved for each dwelling unit? If parking is on a first come basis the dwelling units facing South Trade could at times be quite removed from available parking. Are nine parking spaces above the required minimum adequate to accommodate guest parking?
4. How will garbage pick-up be accommodated?

5. The Public Hearing for this petition was deferred from December 13, 2010 to January 10, 2011 to give the petitioner additional time to work on transportation related issues. The original indication from NCDOT was that a left turn lane into the site would be required. Following meetings with the Petitioner and Town Public Works staff NCDOT determined that a left turn lane would not be required. After the determination by NCDOT and receipt of additional requested information from the Petitioner the Town Public Works Director offered additional comments concerning this portion of South Trade Street in an email to the Petitioner. These comments are listed below. A meeting is scheduled for 01/07/11 with the Petitioner, Public Works Staff and Planning Staff to discuss these issues and possible impacts on the proposed site plan.

PUBLIC WORKS COMMENTS

1. This section of Trade Street needs to be a three lane section ultimately from the school to the intersection with existing Country Place.
2. The alignment of the curb line on the opposite side of the street is how it should be, running from Main Street all the way into Town.
3. Future expansion needs to be on the west, (school) side of the road.
4. S. Trade is shown on the Thoroughfare Plan as a minor thoroughfare, so a dedication of up to 70 feet is required. I am still not clear regarding the existing R/W width of S. Trade in this area, this additional footage would probably need to come from your side.
5. Whether or not the left turn lanes are constructed now or in the future, Garry's project needs to be designed to accommodate the expansion that you have shown, with added setback, R/W dedications etc.
6. Have you done any sort of estimate for the cost of the plan you presented? It would be good to have an estimate.
7. It's a policy decision of the Board regarding the actual construction at this time. The DOT has indicated that they will not require a turn lane at this time and I am not sure that the development by itself mandates the necessity. This was a result of efforts by the Town. I think a payment into escrow, along with the necessary R/W dedications and setback modifications could be a possibility, rather than mandatory construction at this time.

Petition No: Town of Matthews - Greenway Cottages

RECOMMENDATION

We have the following comments that are critical to CMS' support of this petition:

Adequacy of existing school capacity in this area is a significant problem. We are particularly concerned about rezoning cases where school utilization exceeds 100% since the proposed development will exacerbate this situation. Approval of this petition will increase overcrowding and/or reliance upon mobile classrooms at the schools listed below.

The total estimated capital cost of providing the additional school capacity for this new development is \$160,000 calculated as follows:

Elementary School: 8x \$20,000 = \$160,000

CMS recommends the petitioner schedule a meeting with staff to discuss any opportunities that the petitioner/developer may propose to improve the adequacy of school capacity in the immediate area of the proposed development.

TOTAL IMPACT FROM PROPOSED DEVELOPMENT

Proposed Housing Units: 27 dwelling units (18 single-family detached and 9 single-family attached) under R-VS innovative zoning

CMS Planning Area: 11

Average Student Yield per Unit: 0.6177

This development will add approximately 17 students to the schools in this area.

The following data is as of 20th Day of the 2010-11 school year.

<i>Schools Affected</i>	<i>Capacity Without Mobiles</i>	<i>20th Day, 2010-11 Enrollment (non-ec)</i>	<i>Additional Students As a result of this development</i>	<i>Total Enrollment As a result of this development</i>	<i>20th Day, 2010-11 Utilization (Without Mobiles)</i>	<i>Utilization As a result of this development(Without Mobiles)</i>	<i>Number of Mobiles</i>
MATTHEWS ES	876	993	8	1001	120%	120%	10
CRESTDALE MS	1342	993	4	997	74%	75%	0
BUTLER HS	2535	2171	5	2176	85%	85%	2

INCREMENTAL IMPACT FROM PROPOSED DEVELOPMENT*

Existing number of housing units allowed: 6 single-family residential units under R-VS innovative zoning

Number of students potentially generated under current zoning: 4 students (2 elementary, 1 middle, 1 high)

The development allowed under the existing zoning generates 4 students, while the development allowed under the proposed zoning will produce 17 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 13 students.

As requested, we are also providing information regarding the difference in the number of potential students from the existing zoning to the proposed zoning. Please note that this method of determining potential numbers of students from an area underestimates the number of students CMS may gain from the new development.