

## Project Summary

<b>Location:</b>	9603 East Independence
<b>Owner(s):</b>	Julia and Michael Eugene Todd
<b>Agent:</b>	Colin Brown/Bailey Patrick Jr.
<b>Current Zoning:</b>	Conditional
<b>Proposed Zoning:</b>	B-1 (CD)
<b>Existing Use:</b>	Vacant retail building
<b>Proposed Use:</b>	Restaurant/Retail
<b>Community Meeting:</b>	Occurred 11/6/14

## Summary of Request

The applicant proposes a façade renovation, addition of approximately 1,000-1,500 sq ft of floor area and new parking spaces to allow for the placement of a Newk's restaurant and a Mattress Firm.

## Staff Recommendation

The proposal to renovate the façade of the building and to place active uses in a currently vacant building would be beneficial to the Town and is supported by Town policy to rezone properties zoned Conditional. Numerous buildings along 74 in Matthews have been rebuilt or substantially renovated in recent years, creating both a better image for the Town and additional restaurant offerings. This site, however, is potentially significantly impacted by proposed road widening as well as the conversion of Sam Newell from an at grade intersection to a flyover. At this time, Planning Staff hope to learn more about the timing of road projects and just how much they will impact this site. If the building is to be acquired and demolished as part of pending construction, it may not be prudent to move forward with significant enhancements to the site.

### Planning Staff Review

#### **Background And History**

The existing structure was constructed in 1993 as an independent outparcel connected to Windsor Square shopping center and is zoned Conditional consistent with how all of the Windsor Square area was originally zoned. Cross access easements are in place both to the adjacent McDonalds and to the shopping center property behind the building. Latest estimates for construction of the 74 widening/Sam Newell flyover are 2021.

#### **Details of the Site Plan**

The applicant intends to rework the parking on the Sam Newell side of the building by pushing the parking envelop outward to allow double loaded parking from the existing drive aisle. Two areas of the building that are currently recessed will be filled in with heated, enclosed space, adding up to 1,500 sq ft to the building for a total of 9,184 sq ft. The area of the parking expansion is the portion of the site likely to be most impacted by Sam Newell construction for the grade separation project.

#### **Variance Request**

Board of Adjustment will hear variance requests that address the encroachment of the building into the 40' front setback (due to transitional ROW requirements), use of parking in the transitional ROW for minimum parking requirements and a request to reduce minimum required onsite parking.

#### **Summary of Proposed Conditions**

1. Maximum floor area of 9,184 square feet
2. An enhanced landscaped area will be provided near the street corner.
3. Façade to be renovated consistent with the provided elevation drawings.
4. New sidewalk along both road frontages
5. New shared monument sign

## **Planning Staff Review**

### **Outstanding Issues/Planning Staff Comments**

1. Staff has contacted the NCDOT regarding the 74 widening and Sam Newell flyover plans. While this site will be impacted by these projects, no alignments exist for the bridge project therefore NCDOT cannot assess how much the site will be impacted by future construction work. It is likely there will be an impact, we just do not know the extent at this time
2. If the applicant does not secure the 6 variances requested from the Board of Adjustment, the project is not viable as currently planned and would need to be reconsidered as potentially a 1 tenant building. This is primarily due to parking constraints.

### **Consistency with Adopted Plans and Policies and Town Vision Statements**

Restaurant and Retail uses are appropriate for the Independence Blvd corridor. While the Land Use Plan does not encourage significant increases in retail development, this is existing space that is being expanded by a modest amount.

### **Reports from Town Departments and County Agencies**

#### **Matthews Police**

See Attached

#### **Matthews Fire**

To be provided

#### **Public Works**

See Attached

#### **Matthews Parks and Recreation**

No Comments

#### **Charlotte Mecklenburg Schools**

N/A

#### **PCO Concept Plan Approval Required?**

No

### **Impact Analysis**

There is no anticipated Matthews financial impact from this proposed building renovation. Improvements to the site and structure will ultimately increase the appraised value of the property thus potentially increasing acquisition cost should NCDOT require some or all of the site for road improvements.

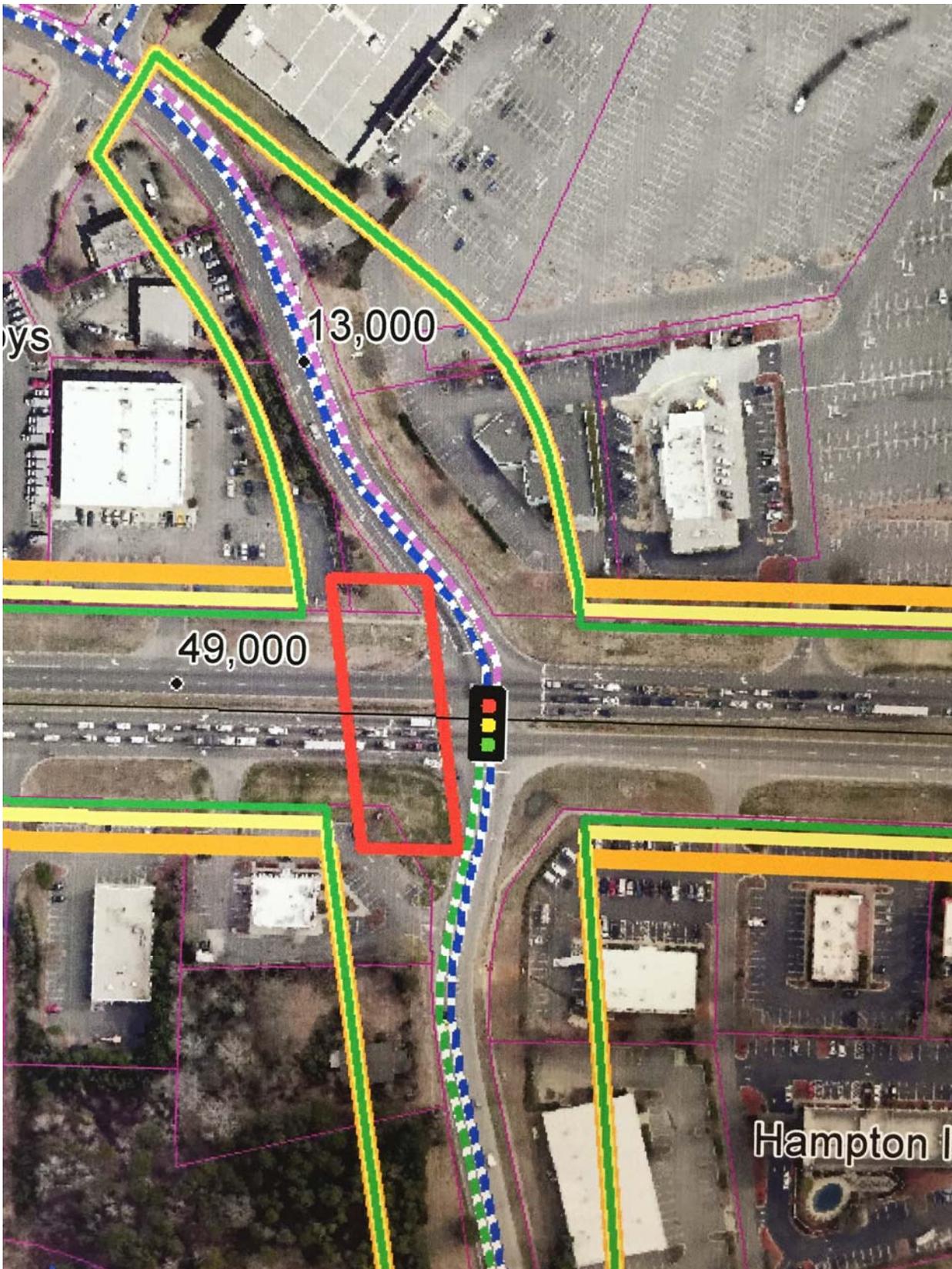
### **Projected Financial Impact of the Request**

The substantial renovation of the adjacent McDonalds generated about a 25% increase in property valuation between the 2013 and 2014 tax bill. Using this rough estimate, the subject property would increase from a valuation of \$1,200,000 to \$1,500,000. These are property values for tax purposes only and would generate about \$950 in additional tax revenue per year for the Town.

Site Images

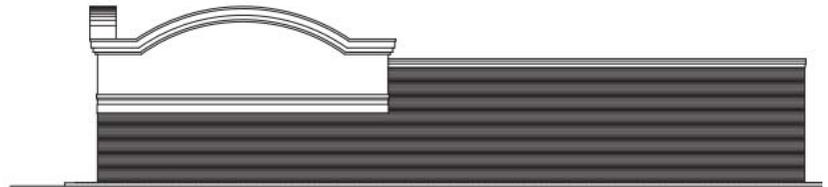


Environmental Study View





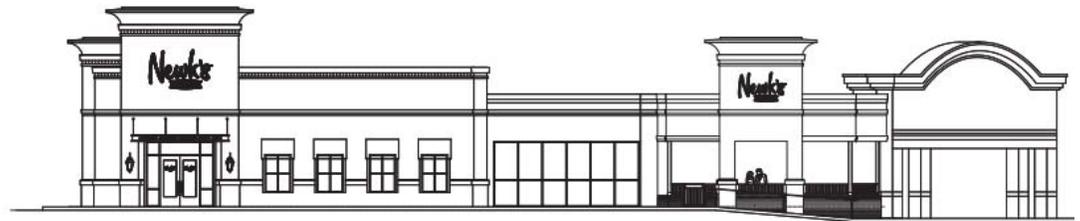
**Building Elevations**



06 EXTERIOR ELEVATION  
SCALE 1/8" = 1'-0"



08 MONUMENT SIGN  
SCALE 1/8" = 1'-0"



04 SAM NEWELL ROAD ELEVATION  
SCALE 1/8" = 1'-0"



To: Jay Camp, Sr. Planner  
From: Ralph S. Messera, Public Works Director  
Date: December 2, 2014  
Subject: Petition 2014-622, Karas, E. Independence Blvd.

The Public Works Department provides the following comments on the most recent set of documents for this project:

1. We have not been provided with any information regarding how storm water is to be handled on the property, nor whether it meets the requirements of the PCO. It does show an additional 3,000+ sq. ft. of impervious area. This needs to be defined and provided prior to plan approval.
2. Project U-2905, the widening of Independence Blvd. calls for the creation of a fly-over bridge at Sam Newell Road, and that construction may require the DOT purchase of much, if not all of this property. The developer acknowledges that possibility in his notes, but the Board needs to be aware of this, too.

## Memorandum

**From:** Chief Rob Hunter  
**To:** Jay Camp, Town Planner  
**Date:** October 27, 2014  
**Subject:** Review of Proposed Site Plan

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**Regarding:** 2014-622 Karas Properties

After a complete review of the applicant and the requested location, I find / recommend the following:

- X No concerns / recommendations with proposed site / location
- Concerns / recommendations with proposed site / location (see below)

**Comments:** No concerns with site, location or proposed development.

If you have any questions, please let me know.

**The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.**

**Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.**

TO: Jay Camp, Senior Planner  
DATE: December 3, 2014  
RE: Comments on Zoning Petitions 2014-621 & 2014-622  
FROM: Corey King, Parks, Recreation & Cultural Resource Director

**Zoning Petition 2014-621**

The pedestrian connections between the two cul-de-sacs, pedestrian bridge, and trail shown heading SE towards the property line are both desirable amenities from our department's perspective. We see potential for "unofficial" access to the existing Four Mile Creek Greenway by residents, and also a convenient looped walking route that residents in this community would be able to take advantage of. I encourage the developer to fulfill the pedestrian connectivity identified in the 11-25-14 submitted revision.

**Zoning Petition 2014-622**

I have no comments related to zoning petition 2014-622.