

**MINUTES
PLANNING BOARD
TUESDAY, SEPTEMBER 22, 2015
7:00 PM
HOOD ROOM, MATTHEWS TOWN HALL**

PRESENT: Chairman Steve Lee; Members Barbara Dement, Gary Turner, Alternate David Wieser; Attorney Craig Buie; Youth Voice Carly Newton; Planning Director Kathi Ingrish, Senior Planner Jay Camp, Planner Mary Jo Gollnitz.

ABSENT: Vice Chairman Rob Markiewitz, David Pratt, Michael Ham, Eric Welsh, and Alternate David Barley

MEETING CALLED TO ORDER

Chairman Steve Lee called the meeting to order at 7:05 p.m.

Mr. Turner made a motion to appoint Mr. David Wieser as a voting member for the night's meeting. Ms. Dement seconded the motion and the motion passed unanimously.

APPROVAL OF MINUTES

Ms. Dement made a motion to approve the minutes of the August 18, 2015 and September 8, 2015 meetings. Mr. Wieser seconded that motion and the motion passed unanimously.

ZONING APPLICATION 2015-631 – 11325 E INDEPENDENCE Blvd, From B-H to B-D(CD)

Mr. Camp stated that the public hearing was continued over two months. He reviewed the site plan. The site's main access is Moore Road. There is a second access off E Independence Blvd., but that access has the potential to go away due to road widening. There were some revisions after the first month of public hearing. A note was added to clarify the number of hours that animals could be outdoors. A note was added to indicate that the access on Highway 74 may be eliminated. Hours were given for allowed trash pickup. The building that is currently a feed store encroaches on the applicant's property. Staff has been working with the applicant to address the lot line as well as leave that portion B-H instead of rezoning to B-D(CD). The encroachment is an outstanding issue. The applicant has had issues reaching the adjacent property owners. There are no further updates since the public hearing was closed.

Mark Fee, of 5050 E Galbrath Road, Cincinnati, Ohio, came forward to speak for the applicant. He stated that they are still working on selling a portion of the site to the feed store property owners. The feed store owner is not interested in all of the property, but will be purchasing a portion.

Mr. Lee asked for an update concerning the exterior building materials. Mr. Fee stated the intent is still to maintain the 3 ½ foot wainscoting with a brick bottom. Mayor Pro Tem Query expressed an interest in brick and hardy plank. Mr. Fee stated a concern with the hardy plank's high maintenance. The paint will peel off the hardy plank due to the amount of washing the building will sustain. The metal siding they intend to use mimics hardy plank. The baked enamel will better hold up to the building's maintenance. Mr. Lee stated that in reviewing existing locations, he noticed a variation in roof colors. He asked if the applicant would be willing to explore options. Mr. Fee stated there is flexibility in roof choice. Mr. Lee asked about variations in fencing. Mr. Fee stated the fencing options have gone through an evolution and are flexible as well.

Ms. Dement asked where the dumpster would be located. Mr. Fee indicated on the screen where the privacy fence is extended to conceal the dumpster. Mr. Fee stated they would be okay enclosing the dumpster as well. Ms. Dement inquired about the location of utility connections. Mr. Fee stated they will also be behind the privacy fence. Ms. Dement stated she thinks this will be a great addition to Matthews.

Mr. Wieser asked if the owner of the feed store is cooperating. Mr. Fee stated that the owner is excited about their business coming and in acquiring the land. They cannot sign a lease with Americana until they own the land. Leaving that portion B-H will keep it a conforming use.

Mr. Turner stated that there has been a lot of discussion along the way concerning this project. He feels that it is an appropriate use for the area and will be appealing to Matthews' citizens. Mr. Lee stated that he understood why the Council was discussing brick veneer due to the height of the walls. However, he feels the ordinance is vague concerning this. The roof and fence variations will open up more options for the Council to discuss.

Mr. Wieser stated that he believed the plan looked appropriate.

Mr. Turner made a motion to recommend approval of application 2015-631 as most currently amended due to its consistency with Matthews Land Use policies. It is reasonable and in the public interest because it is an appropriate use for this property. Ms. Dement seconded the motion and the motion passed unanimously.

ZONING APPLICATION 2015-633 – 9709 and 9715 Northeast Pky, Windsor Professional Center, From Conditional to O(CD)

Mr. Camp stated there are two buildings currently built and two being proposed. There were two outstanding issues from the public hearing. One was the screening and painting of utilities along Northeast Parkway which are underway. The second was a list of permitted uses. A letter was received by staff stating that the applicant is proposing all uses permitted in the Office district except for 7 uses. These uses were shown to the board.

Mr. Lee stated there was a comment made about window size along Northeast Parkway during the public hearing. Mr. Camp stated the elevations have been revised since then. There will be a slight difference in elevations due to the two different footprints of the building. Mr. Lee asked about gabled roofing for the building closest to Northeast Parkway.

Mr. Chris Hope, of 2617 Rolling Hills Dr, Monroe, was the engineer on the project. He explained that the first two buildings were built in 2005. Two buildings are now being built to match the first two. He stated the two proposed are also meant to match the existing buildings. Matching windows and gables are on the back of the buildings.

Ms. Dement reminded everyone of the public comment concerning the air conditioning units being painted and screened.

Mr. Lee asked about the tree buffer. Mr. Hope stated there are no plans for any tree removal. Mr. Turner asked if this was noted on the site plan. Mr. Hope stated it was.

Mr. Lee asked about signage. Mr. Hope stated there is an existing sign at the entrance now. Tameka McLary, of 17232 Lancaster Hwy, Suite 108, Charlotte stated that the current signage is smaller than what is allowed. However, she stated a desire to increase the signage based on what the new zoning will allow.

Ms. Dement made a motion to recommend approval of application 2015-633 because it is consistent with the Matthews Land Use policies and reasonable and in the public interest due to the proposed addition complementing the current buildings on the property. Mr. Wieser seconded the motion and the motion passed unanimously.

ZONING APPLICATION 2015-634 – 419 Covenant Church Lane, Christ Covenant Church, From R-15 to R/I

Mr. Camp stated there were no updates since the public hearing. The church is looking to rezone this 1+ acres of the Christ Covenant Church campus. Tree clearing is part of an approved site plan for construction of a new school and other updates. Mr. Lee asked the purpose of the rezoning. Mr. Camp stated it would make it consistent with surrounding properties and give them the opportunity to use it for athletic fields, etc. that are available in the R/I district. Mr. Turner asked if the playing fields encroach on the parcel in question. Mr. Camp stated they do not.

Ms. Dement asked about the two existing homes that the church currently uses. Mr. Camp stated he is unsure of the Church's master plan for the site. Mr. Wieser asked if those two homes are a part of this rezoning. Mr. Camp stated no.

Mr. Lee asked if there was a difference in tree preservation between the districts. Mr. Camp stated he believed it was roughly 12%, but staff would calculate the aggregate for the whole 29 acres once this zoning was approved.

Mr. Wieser made a motion to recommend approval of application 2015-634 because it is consistent with the Matthews Land Use policies. It is reasonable and in the public interest because it is being zoned consistently with the adjacent properties. Mr. Turner seconded the motion and the motion passed unanimously.

PUBLIC IMPROVEMENT VARIANCE – 2105 Rice Road, Walking By Faith

Ms. Gollnitz stated this is for Walking By Faith Church at the corner of Sam Newell and Rice Roads. They have presented a proposal for phasing their church onto the currently vacant property. The first phase would be an all purpose building with classrooms. Later, an additional building is proposed to be added. The variance is to request a delay in installing the sidewalk along Sam Newell until the second phase of construction begins. They are also asking for a waiver for the curb and gutter along Sam Newell. The church will install curb and gutter along Rice Road up to their Phase 1 construction line. They are then asking for a delay for the rest until Phase 2 construction begins. This is due to the unknown design for Rice Road when it becomes a 4-leg intersection, and timing of construction of parallel connector roads (Northeast Parkway-Arequippa Drive).

Ms. Dement asked if the site plan left adequate building envelopes and parking after the road construction happens. Ms. Gollnitz stated their buildings should be in an appropriate place. Mr. Lee asked the distance of the phase 1 sidewalk along Rice Road. Ms. Gollnitz stated it was approximately 273 feet. Mr. Lee asked if there was a timeline proposed for phase 2. Ms. Gollnitz stated that would be a question for the applicant.

Mr. Nate Huggins, of 13001 Idlewild Road, representing Walking By Faith Church came forward. He stated there are many questions still in the air concerning road construction. He stated the church did not want to spend money on construction projects that would be removed once road construction began. They are not a large church. They will comply with the ordinance once the road construction plans provide guidance on where to place those public improvements. The church does not have the finances for a bond on the public improvements. Mr. Huggins stated they hoped to break ground on Phase 1 in the next month. Chris Hope is the engineer/architect and the general contractor is in the audience for any further questions. Mr. Huggins also asked the church members to stand.

Ms. Dement stated that she has voted against these in the past due to the desire of the walkable community. However, she stated that she approved of this because the church was being good stewards of their finances as well as taking care in the installation of the improvements. Mr. Lee stated he understood the request due to the upcoming changes surrounding the property. The Town Board may want a more definitive timeline on phase 2 construction. Mr. Wieser stated that a timeline would be appropriate due to the current issues the town is having with sidewalk installation.

Ms. Dement made a motion to recommend approval of the public improvement variance for the waiver and delay of sidewalk and curb and gutter installation. It is reasonable and in the public interest to have these improvements installed when there is guidance on where to place them. It is consistent with Matthews Land Use policies. Mr. Wieser seconded the motion and the motion passed unanimously.

ADMINISTRATIVE AMENDMENT.

Mr. Camp stated that this was an Administrative Amendment for the Park Place Townhomes on Sadie Drive. The first phase was completed just before the recession. The units did not sell well. A buyer has come in and bought five lots to complete the development. The owner wants to modify the elevations from the original. These units will not have a private courtyard. To alleviate this, they are proposing a courtyard along Sadie Drive as a potential outdoor space. The applicant could not be present at this meeting.

Ms. Dement asked about fencing materials. Mr. Camp stated that it will resemble iron fencing. Ms. Dement stated that this could be a charming use of the property. She asked about an HOA. Mr. Camp stated there is an

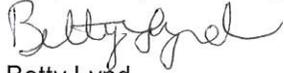
active HOA but he was not sure if a property management company was being used. Mr. Lee stated the current buildings look nice as well.

Mr. Turner made a motion to approve the Administrative Amendment. It is consistent with the Matthews Land Use policies. It is reasonable and in the public interest to complete the development. Ms. Dement seconded the motion and the motion passed unanimously.

ADJOURNMENT

Mr. Turner made a motion to adjourn the meeting at 8:00 p.m. Ms. Dement seconded the motion and the motion passed unanimously.

Respectfully submitted,



Betty Lynd

Administrative Assistant/Deputy Town Clerk