MEMO

To: Mayor and Board of Commissioners
From: David Nelson, Planner II
Date: January 5, 2012
Re: Petition #579 Summary

Petition #579 Summary

Petition #579, Independence Commerce Park, requests the following zoning modifications:

- Extension of Independence Commerce Drive from current terminus to Stevens Mill Road. This extension will traverse parts of parcels 215-094-02 and 215-094-06.
- The Mecklenburg County Land Development Standards Manual and Town of Matthews Zoning Ordinance require the following provisions, as detailed on the attached diagram:
  - 18' lane width
  - 2'6" curb-and-gutter
  - 8' planting strip
  - 5' sidewalk
  - 1' tie-in

Under these provisions, the acceptable ROW is a minimum of 69' in width.
- The petitioner has stated he faces two interconnected challenges:
  1. Reducing the ROW to approximately 60' in order to minimize disturbance to the topography of the site, and
  2. Limiting the total built-upon area to less than 20,000 sf in order for this project to remain below the Post-Construction Stormwater Ordinance threshold for mitigation. This will entail a ROW with no more than 46 cross-sectional feet of built environment (sidewalks, curb-and-gutter, and road pavement).

- The petitioner previously submitted zoning petition 2011-570 depicting a 60' ROW. This cross-section differed from the Mecklenburg County Land Development Standards Manual (MCLDSM) and Town of Matthews Zoning Ordinance requirements in the following detail:
  A. Reduction of one planting strip from 8' to 4'.
  B. Elimination of sidewalk on one side of the street, which would satisfy the aforementioned second challenge.

The combination of “A” and “B” would satisfy the first challenge.
- A zoning variance was acquired on 9/8/11 permitting the reduction of one planting strip from 8' to 4'.
- Zoning petition #570, approved on 9/12/11, required sidewalk on both sides of the street. Therefore, the total built-upon area exceeded 20,000 sf and the ROW totaled 65', satisfying neither challenge.
- Petition #579 differs from #570 by reducing the lanes width from 18' to 15'-6''. This adjustment reduces the total ROW to 60' and the built-upon ROW to 46', satisfying both challenges. A variance will be needed to accommodate this adjustment.
INDEPENDENCE COMMERCE DRIVE ROW CROSS-SECTIONS

Commercial Street Typical Section: Class V - C

Original Proposed Section (07/11/11)

Current Proposed Cross-Section

A  Reduce one planting strip from 8' to 4' (Variance approved on 09/08/11).
B  Eliminate one sidewalk (Subdivision Variance denied on 09/12/11).
C  Reduce two driving lanes from 18' to 15' 6" (Variance request pending).