Agenda Item: Decision on Application 2013-600 Funderburk-Plaxco Home

DATE: September 3, 2013
RE: Decision on Application 2013-600
FROM: Jay Camp, Senior Planner

Background/Issue:
On September 4th, final updated plans and a landscape plan were submitted to staff for review. Planning Board voted 6-1 to recommend approval of “Option B”. However, it appears in the minutes that Mr. Fuller misspoke when describing which plan he preferred and intended to present Option A as the site plan. The color landscape plan is drawn using Option A as the layout. Option A features most parking alongside the building with 3 spaces facing the undeveloped portion of the lot to the rear of the property. The request states that 4 additional spaces facing the undeveloped lot may be added in the future with Planning Board approval.

The most pertinent changes to the plans are modification of the parking layout and restriction of uses. Signage is now limited to a monument sign of 6’ or less in height and 50 square feet.

The Board of Adjustment will review several variance requests for the site on September 5th. These variances must be granted for the rezoning to be approved.

Related Town Strategy:
28. (Ec Devt/Land Use Planning) To streamline the development process to make Matthews “open for business” and explore giving staff responsibility for the detailed plan review.

Recommended Motion:
Staff recommends approval of the rezoning request upon agreement on what parking layout is most appropriate for the site.
Existing Poplars

Proposed Trees
- Selections to comply w/Town of Matthews Approved Plant List
- Flowering shrubs & perennials*
  - Knockout Roses - 4’ Lt.
- Small Evergreen Shrubs*
  - Loquat Tree - 2’-3’ Lt.
  - Unripe
- Large Evergreen Shrubs*
  - Little Gem Magnolia - 6-8’ Lt.

Existing Screen
Existing Large Trees

*Owner reserves the right to substitute plant varieties compliant w/Town of Matthews Approved Plant List.
Lists of allowed uses for Application 2013-600 Funderburk Plaxco House

(B) Permitted uses. The following uses are permitted by right in office districts.

(1) Arboretum.
(2) Dwellings, one-family detached.
(3) Dwellings, one-family semi-detached.
(4) Dwellings, condominium.
(5) Dwelling, two-family.
(6) Dwellings, multi-family, a single building on a lot.
(7) Farms, either in conjunction with or separate from dwellings, which may conduct retail sales of products produced on the premises.
(8) Fraternal organizations.
(9) Parks and playgrounds, operated on a noncommercial basis for purposes of public recreation.
(10) Trailer, recreational, and overnight camping vehicles (stored unoccupied on a lot behind a line established by front of building).
(11) Banks.
(12) Beauty shops.
(13) Barber shops.
(14) Buildings for display of sample merchandise to wholesalers and retailers of the merchandise displayed, provided that retail sales and deliveries of merchandise are not made from the premises and materials displayed are visible only from within the building.
(15) Business and professional offices, provided that retail sales and deliveries of merchandise are not made from the premises and that merchandise displayed is visible only from within the building.
(16) Civic organizations.
(17) Clinics, medical, dental, and doctor offices.
(18) Commercial schools and schools providing adult training in any of the arts, sciences, trades or professions, provided that no retail sales of merchandise or services are made on the premises.
(19) Contractors' offices, excluding accessory storage.
(20) Food service for employees with no direct entry from the outside of building, and with the area of the food service facility limited to 10% of the gross floor area of the building.
(21) Funeral homes and crematories.
(22) Government office buildings and public utility office buildings, such as telephone exchanges and similar uses.

(23) Laboratory, dental, medical, and optical.

(24) Offices.

(25) Post offices.

(26) Social and social service organizations.

(27) Public utility transmission and distribution lines.

(28) Radio and television stations and/or offices.

(29) Railroad rights-of-way.

(30) Telephone booths.

(31) Telephone exchanges.

(32) Temporary buildings and storage of materials in conjunction with construction of a building on a lot where construction is taking place or on adjacent lots, those temporary uses to be terminated upon completion of construction, issuance of certificate of occupancy, or invalidation of building permit.

(33) Heliport, medically related.

(34) Social gatherings, seminars, receptions which are ancillary to the business of the permitted principal of use, limited to a maximum of 99 persons and on such properties or within such districts designated as historical by the Town. (Ord. No. 1505-A, passed 7-10-06)

(C) Uses under prescribed conditions. The following uses are permitted subject to the conditions governing each use as specified in the appropriate section.

(1) Cemeteries, public and private. See § 153.189.

(2) Churches, synagogues, and related uses. See § 153.053.

(3) Community recreation centers. See § 153.186.

(4) Colleges and universities with all accessory facilities except stadium subject to the regulations in § 153.053.


(6) Country clubs and swimming clubs operated on a noncommercial membership basis. See § 153.186.

(7) Customary home occupations. See § 153.166.

(8) Child day care facilities. See § 153.181.

(9) Dwellings, one family attached. See § 153.171.
Dwellings, planned multi-family developments. See § 153.165.

Fire stations. See § 153.053.

Golf courses, public and private, for daytime use only. See § 153.186.

Hospitals and sanatorium. See § 153.053.

Public libraries. See § 153.053.

Museums and art galleries, operated on a noncommercial basis. See § 153.053.

Nursing homes, rest homes, and homes for the aged. See § 153.182.

Police stations. See § 153.053.

Room renting. See § 153.177.

Schools elementary, junior and senior high, public and private. See § 153.053.

Child day care homes. See § 153.181.

Commercial uses in conjunction with multi-family and office buildings, including beauty shops, barber shops, laundry and dry cleaning pick-up stations, restaurants, cafeterias, snack bars, sundries shops, dispensing of drugs and flower shops. See § 153.168.

Commercial uses associated with motels, motor courts, and hotels, including dispensing of drugs, flower shops, laundry and dry cleaning pick-up stations, restaurants, lounges, snack bars and sundries shops. See § 153.173.

Drive-in service window as an accessory part of the principal structure or operations subject to the requirements listed in § 153.178.

Florist shops. See § 153.168.

Motels, motor courts, and hotels. See § 153.173.

Electric and gas sub-stations. See § 153.183.

Electric and telephone poles supporting hardwire systems and communications antennas or communications towers. See § 153.172. (Ord. 912, passed 1-27-97)

Telephone repeater stations and huts. See § 153.183.

Demolition disposal site. See § 153.190.

Temporary uses when such uses are allowed as permanent uses in the district, and short-term temporary uses of seven days or less duration which are of a civic or nonprofit nature, or a festival of local, national or historic significance. See § 153.191.

Transit stop shelters. See § 153.184.

Bed and Breakfast establishments. See § 153.169.

Adult care home. (Ord. No. 1562-A, passed 6-11-07)
(D)  **Accessory uses.** The following accessory uses are permitted in all office districts.

(1)   Accessory residential structures and uses, clearly incidental to the permitted principal use, including servants' quarters, guest houses, and bomb shelters, excluding accessory dwellings of other types.

(2)   Petroleum storage, accessory to a permitted principal use or building, subject to the Fire Prevention Code of the National Board of Fire Underwriters.

(3)   Vending machines for cigarettes, candy, soft drinks and similar items located within an enclosed building, and coin-operated laundries located within an enclosed building as an accessory to the uses in the principal building or buildings.

(4)   Accessory uses, clearly incidental to the permitted principal use or structure on the lot.

(5)   Parking for uses permitted within the districts.

(6)   Water storage tanks for fire protection purposes only.

(7)   A temporary, self-contained storage unit, not including trailers for office use, which is intended to be picked up and moved to various locations on demand. Prior to placement, the property/and or business owners providing the storage unit at a specific site are required to register it with the Town Planning Department, showing a scale drawing of its placement in relation to driveways, any existing buildings, fences, or landscaping, street rights-of-way, and any neighboring drives or street intersections within 150' of the proposed placement location. A temporary storage unit shall not be placed within the required front setback. Maximum time a temporary storage unit shall be placed on an occupied parcel is 90 days.

(Ord. No. 1532, passed 1-8-07)