

**PLANNING BOARD  
REGULAR MEETING  
TUESDAY, JUNE 23, 2020  
7:00 PM  
REMOTE MEETING**

The regular meeting of the Planning Board will be conducted remotely using the Zoom virtual meeting platform.

**TO WATCH LIVE:** The meeting will be available via Zoom. To join from a PC, Mac, iPad, iPhone or Android device, click this URL: <https://zoom.us/j/96001779608>. An account is not necessary to join.

**TO LISTEN LIVE:** The meeting audio will be available by calling 888-788-0099 (Toll Free) or 877-853-5247 (Toll Free) and entering meeting ID 960 0177 9608

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES – MAY 27, 2020
- III. ZONING MOTION 2020-1 – Unified Development Ordinance Text Amendment for Outdoor Illumination
- IV. ADMINISTRATIVE AMENDMENT – Creek Bend Monument Sign
- V. ADJOURNMENT

**MINUTES  
PLANNING BOARD  
WEDNESDAY, MAY 27, 2020  
7:00 PM  
ZOOM VIRTUAL MEETING**

***ALL PARTICIPANTS MET REMOTELY***

**PRESENT:** Vice-Chairman Kerry Lamson; Members Mike Foster, Jana Reeve; Natasha Edwards, and Mike Rowan; Alternate Member Jonathan Clayton; Acting Town Attorney Craig Buie; Planning Director Jay Camp; Senior Planners Mary Jo Gollnitz and Rob Will; Transportation Planner Dana Stoogenke; Senior Administrative Specialist/Deputy Town Clerk Shana Robertson

**CALL TO ORDER**

Vice-Chairman Kerry Lamson called the meeting to order at 7:08 pm. Mr. Lamson recognized the members of Planning Board that were in attendance.

Mike Foster motioned to appoint Alternate Member Jonathan Clayton as voting member for the May 27, 2020 Planning Board meeting. The motion was seconded by Natasha Edwards and unanimously approved

**APPROVAL OF THE MINUTES**

Mike Rowan motioned to approve the minutes from the February 25, 2020 Planning Board meeting as presented. Mr. Foster seconded the motioned and it was unanimously approved.

**PUBLIC IMPROVEMENT VARIANCE– PMC Holdings, College Street**

Senior Planner Mary Jo Gollnitz reviewed the Public Improvement Variance request from PCM Holdings. The applicant wished to develop four homes by-right along the unimproved College Street and was seeking a relief from the 50 foot standard road cross-section. Ms. Gollnitz explained that there was a 65 foot unimproved public right-of-way along this portion of College Street. The applicant was proposing to build a 20 foot wide street with no curb or gutter. A five foot sidewalk will be installed along the property and the roadside swale to carry stormwater runoff. Ms. Gollnitz reviewed the site plans and the requirements of the R-12 zoning district. Ms. Gollnitz said that the proposed cross-section would be compatible with the neighboring streets in the area. Ms. Gollnitz said that Planning staff and Public Works staff were comfortable with the request.

Mr. Foster asked if Jefferson Street was required to construct the street with curb and gutter. Planning Director Jay Camp said that there was a drainage swale and the approved Public Improvement Variance did not require the developer to install curb and gutter, just a side walk on the side where Outen Pottery is located.

Mr. Rowan asked if the Town had the right-of-way on Freemont Street. Ms. Gollnitz said that the older neighborhoods around downtown Matthews were subdivided and recorded in the early 1900's and the right-of-way was platted for College Street. College Street was never accepted by the Town as the street was never developed. Ms. Gollnitz added that once it is developed it will need to be accepted by the Town.

Wes Hinnson, attorney with Hinson Faulk P.A and representing PCM Holding, said that the goal was to construct College Street with the same character as the surrounding area. Mr. Hinnson reviewed the existing conditions of College Street and the requested Public Improvement Variance (Exhibit A attached and made part of these minutes). Mr. Hinnson said that a hardship of adding curb and gutter would be that they would lead to nowhere as the site deadened to a proposed hammerhead turnaround.

Ms. Edwards said that she agrees with the overall idea and suggested that in the future, when or if College Street connected to S Freemont, speed tables be considered to prevent drivers from driving too fast. Ms. Gollnitz said that was typically a request that was made by the neighborhood but staff could make a note to look at that request in the

future. Mr. Camp said that wider streets encourage faster speeds and he was comfortable with the variance request. Mr. Hinnson added that College Street was a little over 400 feet long and not a full intersection at either end.

Mr. Foster agreed that the street be constructed similar to others in the area.

Mr. Lamson asked if the hammerhead abutted to an existing property. Ms. Gollniz said that it did. Mr. Lamson asked if any consideration was given to possible pedestrians cutting through the private property to access Freemont Street or if there was going to be a buffer to protect that property owner from the hammerhead. Ms. Gollnitz said the 65 foot area had always been planned for future growth but would note the consideration of a buffer being left in place.

Mr. Rowan motioned that the College Street Public Improvement Variance be recommended for approval and Ms. Edwards seconded. The motion passed unanimously.

### **Presentation- Matthews Subarea Travel Demand and Land Use Model**

Transportation Planner Dana Stoogenke gave a brief overview of the model that included both land use patterns currently and, in the future, and how that relates to transportation patterns. Ms. Stoogenke explained that the Town currently relied on regional and state models for that type of data. The Subarea Demand and Land Use Model would help the Town make decisions on new development patterns and how those would shape the future of Matthews. Ms. Stoogenke said that the model was funded 20% by the Town of Matthews and 80% by the NCDOT (North Carolina Department of Transportation) and CRTPO (Charlotte Regional Transportation Planning Organization).

Craig Gresham from Clearcast Forecasting Group and Matt Noonkester of City Explained presented the Scenario Planning and Likely Impacts Analysis Tools to the Planning Board Members (Exhibit B attached and made part of these minutes). Mr. Noonkester said that Matthews is a very desirable place to live and work. Because of the desirability, a lot of discussion has been had on how to move people and cars into and through the Town of Matthews. Mr. Noonkester said that the tools that are available were not refined and the model that he was working on would help make that information more concise to Matthews.

Mr. Rowan asked if the data would take into consideration the current state of the area and the effects that Covid-19 will have in future. Mr. Noonkester said that zoning and land use data was provided for how Matthews wants to shape itself. Factors could be added to the model to calculate different scenarios such as car trips per household or land density. Mr. Lamson said that this would be a valuable tool for Matthews to have a more comprehensive view of market impacts in the area and needs of the citizens. Planning Board Members discussed the model at length and were pleased with the tools that would be available to the community. Members were provided the presentation to examine in depth for additional feedback.

### **ADMINISTRATIVE AMENDMENT- Quick Trip, 10621 Monroe Road, Request to Modify Façade**

Senior Planner Rob Will Reported that Quick Trip, located at 10621 Monroe Road, was seeking an administrative amendment to change the existing elevations. Mr. Will explained that the Board of Commissioners approved the rezoning and elevations on February 10, 2014. The approved elevations were constructed with black vertical tile as an accent finish on the front and ends of the facility. Mr. Will said that because of long term maintenance issues, the applicant was needing to cover the tiled area with a metal panel system that has an exterior insulation and finish system (EIFS). The finish would be black and match the color that is currently in place. Mr. Will said that there were no requests to change the footprint of the building.

Mr. Foster said that the request seemed straight forward and Ms. Edwards agreed.

Mr. Foster motioned that Administrative Amendment for Quick Trip, request to modify building façade, be approval as currently amended and had been found to be consistent with the Matthews Land Use Plan as there is no significant impact to building façade. The request was found to be reasonable because the change in building elevations is necessary for the long-term maintenance of the structure and is in character with the façade that was approved during the rezoning in 2014. Jana Reeve seconded the motion and it passed unimanually.

**ADMINISTRATIVE AMENDMENT- Matthews United Methodist, Request to Add Columbarium to Site Plan.**

Ms. Gollnitz said that the Matthews United Methodist Church was requesting an Administrative Amendment to their approved 2001 site plan. Ms. Gollnitz said that the property at 801 S Trade Street was zoned R/I (CD) (Residential/Institutional Conditional District) that showed future expansion to the choir room. Ms. Gollnitz reviewed the site plan and the requested area for the addition of a columbarium. The applicant wished to add a “stair step” brick wall that will serve as a boundary between the memorial garden and the church. The brick wall will be 5 feet in height on either end and increase to 7 feet in height at the center. There will be a single niche against the wall as part of the initial phase of development and a double niche placed towards north side of the property. Future phases will have a second double niche directly across from initial double niche toward the south. The final expansion will include two more double niches across from the wall.

A fountain in the center of the memorial will be installed, along with walkways from the northwest parking lot and within the garden area. A metal fence with column partitions will surround 3 sides of the memorial garden. Outside the fence will be a mix of boxwood shrubs and flowering camellias to soften the area. Ms. Gollnitz said that additional landscaping will also be installed on the interior of the memorial garden. Columbarium are allowed by right in the R/I district under prescribed conditions of Section 155.506.15 of Matthews Unified Development Ordinance and the location of proposed memorial garden and columbarium meet the requirements.

Mary Ayers and David Bingham, representing Matthews United Methodist Church, reviewed the request with the members of Planning Board and presented them with elevations of the requested columbarium and a proposed landscaping plan (Exhibit C attached and made part of these minutes). Mr. Bingham said this would be the first columbarium in the Matthews area. Ms. Ayers said that this project had been in the planning stage for several years and had received blessings from the Matthews Methodist Board of Trustees and the church Pastor.

Mr. Lamson asked if there was a time frame for the first phase of the project. Mr. Bingham said that, if approved, the church was ready for construction of the first phase beginning August of this year and complete by the end of September 2020 with a dedication in time for All Saints Day in November.

Mr. Lamson said that the landscape plan showed boxwood bushes that were facing Country Place and asked if those were being placed for screening. Mr. Bingham said that they were and those would be planted before the initial construction. The brick wall would face the church and there will be a future request from the applicant to extend the choir room up to the brick wall.

Mr. Foster motioned that Administrative Amendment for Matthews United Methodist Church Columbarium and Memorial Garden be approved as currently amended and had been found to be consistent with the Matthews Land Use Plan as there is no significant traffic impact to the area and it provides an additional service that is common with religious campus facilities. The request was found to be reasonable because it allows a use that is permitted by right within the Residential/Institutional zoning district. Mr. Rowan seconded the motion and it passed unanimously.

**ADJOURNMENT**

Ms. Reeve motioned to adjourn and Mr. Clayton seconded. The motion passed unanimously and the meeting adjourned 9:00 pm.

Respectfully submitted,

Shana Robertson  
Senior Administrative Specialist/Deputy Town Clerk

## Zoning Motion 2020-1, UDO Text Amendments to Outdoor Illumination

**TO: Matthews Planning Board Members**  
**DATE: June 16, 2020**  
**FROM: Mary Jo Gollnitz, Senior Planner**

During the Public Hearing for Text Amendments to Outdoor Illumination, questions were raised regarding the lack of lighting in certain areas of parking lots. The concern was with the proposed reduction of footcandles at the property lines and if it could cause additional dark spots and lack of safety.

Staff has researched neighboring communities' requirements for footcandle levels at the property line. The results:

- Mint Hill---no specific requirements
- Huntersville---1.0 onto adjacent property or public road
- Indian Trail---1.0 residential and 2.0 commercial
- Charlotte---no specific requirements

Staff is comfortable bringing the commercial requirement footcandle limit back up to 2.0 of initial illumination at the property line (in Section 155.609.7.A). The text as presented at the Public Hearing reads:

All new lighting installations and renovations to existing lighting fixtures adjacent to a commercial property shall show the intent to limit footcandle (FC) levels at property lines to ~~two (2)~~ one (1) footcandle~~s~~ initial illumination.

Staff suggests that the Planning Board forward a favorable recommendation of zoning Motion 2020-1 Text Amendment to Outdoor Illumination to the Board of Commissioners: 1) as presented at the Public Hearing or 2) revert the text in Section 155.609.7.A back to two (2) foot candles.

**DRAFT---FOR APPROVAL**

**STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES  
Planning Board Recommendation on Zoning-Related Issues**

ZONING APPLICATION # \_\_\_\_\_

ZONING MOTION # \_\_\_\_\_ **2020-1** \_\_\_\_\_

ADMINISTRATIVE AMENDMENT \_\_\_\_\_

Matthews Planning Board adopts the checked statement below:

A)  The requested zoning action, as most currently amended, is recommended for **approval**, and has been found to be **CONSISTENT** with the Matthews Land Use Plan (or other document(s)), as follows:

**CONSISTENT: because it updates text language to match current technology requirements and it provides additional definitions in order to assist developers in understanding the regulations**

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**REASONABLE: The text amendment is reasonable because it promotes public safety through best practice standards.**

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**OR**

B)  The requested zoning action, as most currently amended, is **not approved**, and has been found to be **INCONSISTENT** with the Matthews Land Use Plan (or other document(s)), as follows:

**INCONSISTENT: The text amendment is inconsistent with the Land Use Plan because it requires illumination standards that are difficult to enforce.**

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**NOT REASONABLE: The text amendment is not reasonable as it would create an expansion of requirements on developers.**

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*(In each case, the Statement must explain why the Board deems the action reasonable and in the public interest (more than one sentence). Reasons given for a zoning request being "consistent" or "not consistent" are not subject to judicial review.)*

Date: *June 23, 2020*

## Agenda Item: Administrative Amendment – Entrance Monument

**DATE:** June 23, 2020  
**RE:** Creek Bend  
**FROM:** Mary Jo Gollnitz, Planner II

### Background/Issue:

Under approved Rezoning Application 2017-661, Land Investment Resources, LLC (now Creek Bend Subdivision) conditional note #10 Entrance Monuments/Street Frontage Fence states:

- A. *“Applicant shall install a monument on each side of the vehicular access into the Rezoning Site in the locations generally depicted on the Rezoning Plan (the “entrance Monument”). The actual location of each Entrance Monument is subject to minor modifications during the design review and permitting process.”*
- B. *Attached to the Rezoning Plan are several images of entrance monuments that are intended to depict the general conceptual style, design treatment and character of each Entrance Monument to be constructed on the Rezoning Site. Accordingly, each Entrance Monument shall be designed and constructed so that it is substantially similar in appearance to one the attached images. Notwithstanding the foregoing, changes and alterations to each Entrance Monument that do not materially change the overall conceptual style, design treatment and character shall be permitted.*

Matthews Planning staff is of the opinion that the new proposed monument sign does not meet the intent of approved conditional Notes #10.A and B.

The original proposed and approved Entrance Monument is a rustic gazebo style design with roof and seating capacity (see attached). The proposed revised subdivision shows a 2-foot knee wall on both sides of the street entrance and a single column sign on the western side of the subdivision along Idlewild Road. The proposed sign will be constructed of a stone base and column with a single hanging Creek Bend identifier attached (see attached photo and drawings).

Matthews UDO provides three levels of approvals for Administrative Amendments; staff review, Planning Board Action, and Board of Commissioners action. Because the Entrance Monuments are an intricate part of the subdivision design and streetscape, staff believes that the changes should be reviewed by the Planning Board for a recommendation to the Commissioners. The Board of Commissioners then can take action at their July 13, 2020 meeting.

If the Planning Board wishes to take action, the Statement of Consistency and Reasonableness is provided for your convenience.

**SUGGESTED  
STATEMENTS OF CONSISTENCY AND REASONABLENESS  
Final Decisions on Zoning-Related Issues**

**ADMINISTRATIVE AMENDMENT---Creek Bend Entrance Monument**

**Matthews Planning Board makes the following 2 conclusions:**

- 1)  The requested zoning action, as most currently amended, **IS CONSISTENT** with the policies for development as outlined by the Matthews Land Use Plan and Town's long-range Vision Statements (as specified below)

**OR**

The requested zoning action, as most currently amended, **IS NOT CONSISTENT** with the Matthews Land Use Plan and/or other adopted land development policies and plans.

*(A requested zoning can be found "consistent" and not approved, or found to be "not consistent", but approved.)*

- 2)  The requested zoning action **IS REASONABLE** and in the public interest because:  
*(ex., may be appropriate with specific surrounding land uses; has been shown that it will not create significant new traffic beyond area roads' capacities; creates/increases desirable use in Town.)*

**There is no significant impact to neighboring properties and still allows for subdivision signage.**

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**OR**

The requested zoning action **IS NOT REASONABLE** and in the public interest because:

**Because the proposed monument does not meet the rustic design that was approved in the original rezoning of 2017-661.**

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*(Reasons given for a zoning request being "reasonable" or "not reasonable" are not subject to judicial review.)*

Decision Date  June 23, 2020

Entrance Will Have Distinctive, Rustic  
'Retreat' Style Amenities



Representative Styles – Similar  
To Features Planned At Entry



# LandInvestmentResources

COMPREHENSIVE LAND CONSULTING

June 12, 2020

Ms. Mary Jo Gollnitz  
Senior Planner/Zoning Administrator  
Town Of Matthews  
232 Matthews Station Street  
Matthews, NC 28105

Good Afternoon Ms. Gollnitz

As we have spoken about several times, we would like to request a change to the entrance features previously proposed for the Creek Bend subdivision. As is well known there was a number of ownership changes with the previous builder we were under contract with, and they ultimately terminated the contract. Shortly thereafter we signed a new agreement with Century Homes, whom we brought back in to approve elevations. Century seems to have developed a good reputation in the Town.

As a part of our agreement there were also some changes they have requested to the original 'gazebo' features proposed for the front entrance. In a simple statement, they believe that those structures are too involved for the narrow entrance areas, and would pose a potential safety hazard. In addition, they believe that the homeowners in this small community will be very sensitive to the high costs involved in the maintenance, repair and liability of those structures. There is also a concern about non-residents utilizing or vandalizing them.

Accordingly, we are requesting a change to simpler, more traditional entrance features. Apologizing in advance for the somewhat simple nature of the exhibits, we have tried to get this submitted in time to have it approved prior to their closing. Attached is a basic sketch showing the approximate location of two low 2 foot tall curved stone walls. These will be located behind the sight triangles in the strip of land between the Idlewild right of way and the side yards of Lots 1 and 29. They will not impede the view of Idlewild Road.

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COMPREHENSIVE LAND CONSULTING



3440 Toringdon Way  
Suite 205  
Charlotte, NC  
28277

Behind the westernmost wall will be a stone post with a hanging wooden sign indicating the name of the community. A photograph of this is also enclosed. None of the required landscaping (as shown on the third attachment) would be affected by these features, and they would not encroach on the adjacent lots.

Please let me know if you have any further questions regarding this request.

With Best Regards,



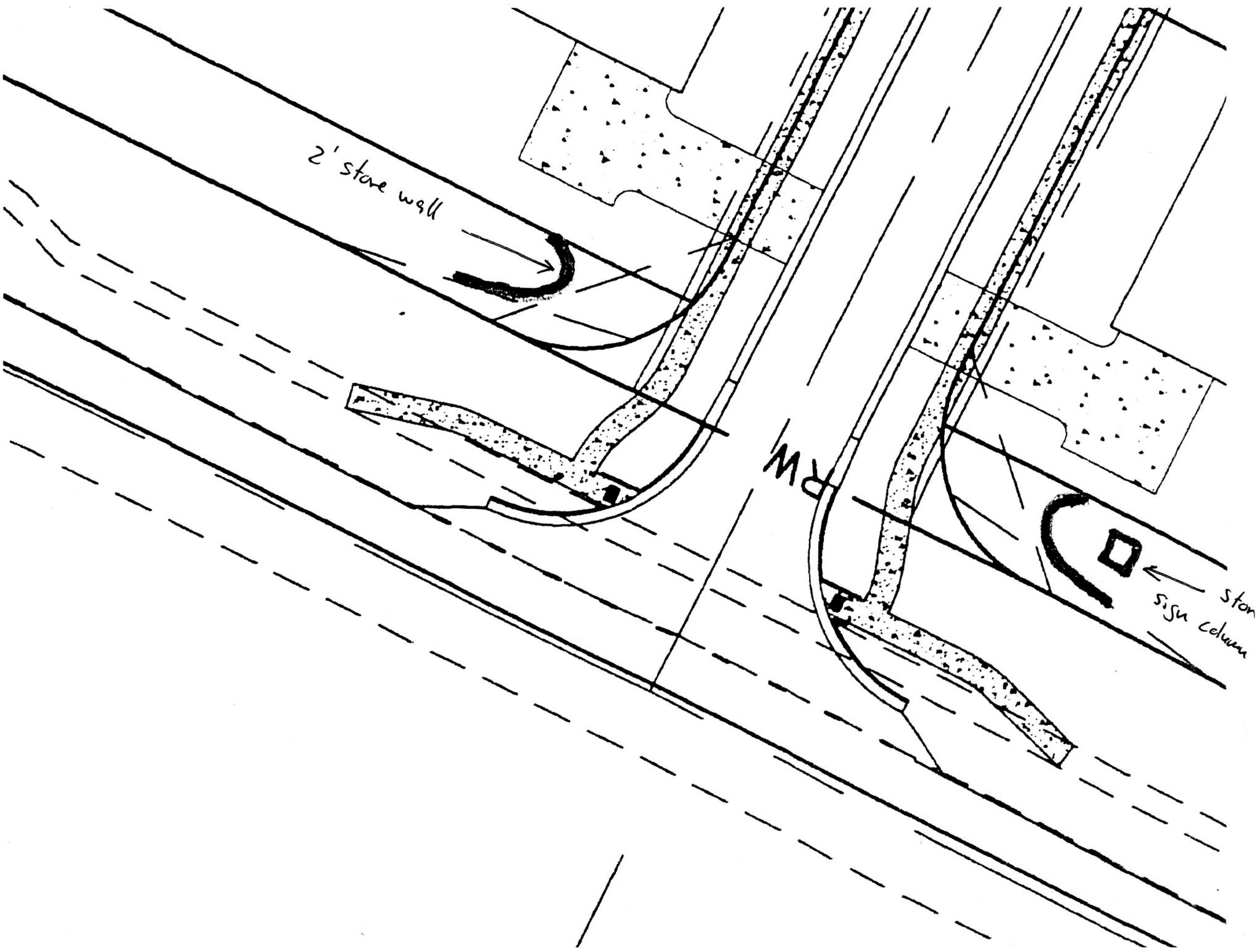
Philip M. Hayes

President

**LandInvestmentResources**  
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A stone pillar with a wooden crossbar supporting a sign that reads "MARVIN CHASE". The pillar is constructed from stacked, irregular stones in shades of tan and brown. A thick wooden beam is mounted horizontally across the pillar. A rectangular sign with a white background and a dark border is suspended from the beam. The sign features the text "MARVIN CHASE" in a bold, serif font. The scene is set outdoors with trees and a road in the background.

*MARVIN  
CHASE*

