

**PLANNING BOARD
REGULAR MEETING
TUESDAY, SEPTEMBER 22, 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/97159834928>. 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 971 5983 4928

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES – August 25, 2020
- III. REZONING APPLICATION 2020-715 – Williams Business Properties, LLC – R-15 to R-12MF (CD) – 1700 Weddington Road
- IV. DISCUSSION ON PLANNING BOARD GOALS
- V. ADJORNMENT

MEMO

TO: Planning Board Members
FROM: Jay Camp
DATE: September 17, 2020
RE: September 22nd Regular Planning Board Meeting

We have a fairly light agenda this month with only one item coming to us after Public Hearings last week. Due to the short timeframe between the Public Hearing and Planning Board review of the project at 1700 Weddington Road, the applicant has not submitted any revisions to the plan or responses to board and citizen comment. We expect the applicant to have some updates prepared for our meeting on Tuesday.

I would like to take a moment to summarize Planning Staff recommendation on this project at this time. As you all are aware, Matthews has dwindling available land resources for future development. Every development site, no matter how large or small, is important. In addition to evaluation of traffic, school, environmental and even aesthetic impacts, we much also consider the long-term financial sustainability of the community so that the Town has the resources to provide services and maintain a reasonable tax rate. We also must keep in mind that the majority of traffic we see on our roadways and near this location in particular, does not originate within the Town. Even if this land remains vacant, traffic from growth in Charlotte and Union County will continue to increase. The completion of the South Trade project and the Weddington Road interchange will increase capacity and alter traffic patterns. A low to moderate density development at this site will contribute to an overall small increase in daily traffic volumes when compared to anticipated growth over the next 20 years.

Generally, we like to see multifamily, higher density projects (in excess of 10 units per acre) in areas supported by services such as transit and shopping. All new multifamily projects approved over the last decade have been in proximity or close proximity to some or all of these items. Our recommendation for this project is to reduce the density to that of a small lot single family project or attached townhome development, which would be roughly 5-6 units per acre. The nearest multifamily style project to this site, the expansion of Plantation Estates, is approved for build out at a density of about 5.5 units per acre. The Land Use Plan calls for R-VS development along Weddington Road and while this development is not an R-VS zoning, a density of 5-6 dwellings per acre is consistent with many R-VS proposals.

We view this recommendation to reduce the size of the project to somewhere between 85 and 100 units as a compromise that reduces traffic and school impacts while allowing a well- designed development with 2-story buildings facing the street to anchor the southern gateway into the Town.

**MINUTES
PLANNING BOARD
TUESDAY, AUGUST 25, 2020
7:00 PM
ZOOM VIRTUAL MEETING**

ALL PARTICIPANTS MET REMOTELY

PRESENT: Chairman Mike Foster; Vice-Chairman Natasha Edwards; Members Jonathan Clayton, Jim Johnson, Kerry Lamson, Jana Reeve, and Mike Rowan; Alternate Member Tom Dorsey; Acting Town Attorney Craig Buie; Planning Director Jay Camp; Planner Darin Hallman; Senior Administrative Specialist/Deputy Town Clerk Shana Robertson

ABSENT: Alternate Member Matt Main

CALL TO ORDER

Chairman Mike Foster called the meeting to order at 7:00 pm.

APPROVAL OF THE MINUTES

Mike Rowan motioned to approve the minutes from the July 28, 2020 Planning Board meeting as presented. Jana Reeve seconded the motioned and it was unanimously approved.

REZONING APPLICATION 2020-713 – Home Depot, 1837 Matthews Township Parkway, B-1SCD (Shopping Center District) Change of Conditions

Planner Darin Hallman said that there were a few updates since the Public Hearing and he also had a clarification on the 120-day requirement for the garden coral. Home Depot had made an update to their application requesting that the 120-day limitation for the garden coral be removed. Mr. Hallman said that Home Depot had also agreed to some wording in the Conditional Note regarding the rear driveway access to the future Independence Pointe Parkway. An exact location would need to be determined and approved by NCDOT and the property owner as the road project materializes. Other changes to the Site Plan included the exact layout for the garden coral, fencing examples, storage area layouts, and examples of large format equipment that would be available on site.

Mr. Hallman said that staff and Home Depot had discussed the facilities truck rentals and it was determined that those would not be classified as large format equipment but would be allowed as an accessory use. Mr. Hallman said that the applicant had 6 or 7 spaces available above their minimum parking requirements. This parking count took into count the garden coral and the large format equipment areas. Mr. Hallman said that the applicant could return and request more compact spaces at a later date to allow for more truck rental spaces.

Mr. Foster asked if the equipment examples that were presented were larger than what they have previously provided. Mr. Rowan said that the front-end tractors had been available by the retailer in the past.

Mr. Rowan said that he had already noticed upgrades to the new landscaping that was added around the old movie theater. Mr. Hallman said that since the Public Hearing, Home Depot had replaced all the trees in the parking lot area and added the plantings around the old movie theater site.

Mr. Foster asked if the rental trucks would be parked outside of the rental equipment area. Mr. Hallman said that was correct and that the Home Depot site had 541 parking spaces and the minimum parking requirement was 535 spaces. Mr. Hallman said that Home Depot could install compact parking spaces. Currently Home Depot was requesting 25 compact spaces for the large equipment rentals. The Unified Development Ordinance would allow 107 compact parking spaces. Mr. Foster said that his concern was that the rental area could creep into the entire drive isle. Mr. Hallman said it would be limited to 107 compact spaces but only the large equipment area was depicted on the site plan. Any additional restriping would need to be submitted to the Town for approval.

Laura Goode, Attorney with Parker Poe, represented the applicant. Ms. Goode said that truck rental area was a new issue that was recently raised. Ms. Good said that based on the current site plan, Home Depot would be limited to seven rental vehicle spaces at any time parked in the lot. Ms. Goode confirmed that any more spaces that would require restriping would be subject to Town Board approval.

Mr. Foster said that he did not see five to seven vehicle rental spaces to be an issue but did not want to see an entire drive isle filled with equipment rentals. Ms. Goode said that the applicant could space the vehicle rentals out so it would not look like a car rental lot. Mr. Foster said that he was ok with this because any addition would require the applicant to get approval from the Board.

Tom Dorsey said that he had noticed that on the west side of the site there were a number of rental trailers stored and asked if they intended to have two rental areas. Ms. Goode clarified that this was towards the rear of the store. Mr. Dorsey said that they were and parked against the fence. Ms. Goode said that she would speak to Home Depot about those and it was not a space they were intending to store equipment. Ms. Goode reviewed the updated site plan and the locations of rental equipment, garden coral, and pine straw trailers. The pine straw trailers would be limited to 120 days until a text amendment was approved to allow year long availability.

Mr. Lamson asked what the dimensions were of the mobile planter. Mr. Hallman said that he did not have the dimensions of the planters only the general location of their placement. Mr. Hallman said the planters would line the equipment rental area. Ms. Goode said that they had not sourced the planters yet but based on what was available they would potentially be 3 to 6 feet in length, 2 feet wide, and 18 inches to 2 feet in height for just the planter with additional height added for the plantings. Mr. Lamson said that the examples of the large equipment rentals depicted items that were quite tall and they would not be screened by small planters. Mr. Lamson said that was a concern and suggested that equipment that stood taller than 6 to 8 feet be located in the back-storage area. Ms. Goode said she would speak the applicant about the concern and recommendation.

Mr. Lamson said there were some 50-foot flatbed trailers along the site that looked to be used by the store to make deliveries. Mr. Lamson said that these were not shown on the site plan and currently were parked in regular spots. Ms. Goode said that she would clarify that equipment with Home Depot. Mr. Foster said that those may be the trailers that deliver sod and roofing type materials and could be the same trailers that Mr. Dorsey had concerns about.

Mr. Lamson asked for clarification on the compact parking spaces and parking requirements for Home Depot. Mr. Hallman said that what was mentioned earlier was the proposed number of parking spaces after the restriping for the large equipment rental area, trailer area, and garden coral. Mr. Hallman said staff was unable to get an exact count as some spaces were blocked by callouts but staff was working to get clarification on the exact number of parking spaces. Mr. Lamson asked about the parking spaces where the sheds were located. Mr. Hallman said that if these proposed changes were approved then those spaces would need to be cleared.

Mr. Lamson said he had concerns about the flow of traffic for deliveries and the possibility that the large trucks would not have enough room to make turns.

Mr. Lamson asked what the side yard setback would be for the property. Mr. Hallman said there was setback for B-1SCD and the UDO did not an increased setback if it abutted a residential district, just the standard setback with a added buffer area. Mr. Lamson said that the theater had drive access on its right side that had been cleared to the perimeter. Mr. Lamson said the area appeared to be at grade and suggested that the garden coral be relocated to that area. Mr. Hallman said that staff would look into the suggestion.

Ms. Goode said that the width of drive isle was reviewed by the Fire Chief and there were no concerns. Mr. Hallman confirmed that and the only comments were from Matthews Planning Department and the Public Works Department.

Mr. Lamson said that he was an advocate for Home Depot and the services that it provided residence and businesses in and around the Town of Matthews but he was not comfortable yet with what was being proposed.

Ms. Edwards motioned that Rezoning Application 2020-713, Home Depot, B-1SCD Change of Conditions be recommended for approval with the consideration to move the taller equipment to the side rental area. The request

was found to be consistent with the Matthews Land Use Plan as it supports the economic viability of the existing business in a retail center. The rezoning was found to be reasonable as it brings the use into further conformity with the current zoning district and standards set in the Unified Development Ordinance. Ms. Reeve seconded the motion.

Jim Johnson asked if the recommendation to approve would include the request for the garden coral to forever be located on the parking lot. Mr. Foster said that was correct. Mr. Johnson said that he wished members would have talked about that aspect more but he could support the recommended motion.

Mr. Lamson said that he could not support the motion because it did not explore the relocation of the garden coral.

The motion to recommend approval passed six to one with Mr. Lamson in opposition.

SILVER LINE UPDATE

Ms. Edwards said that the Silver Line Task Force started in May 2020. There were four members from Planning Board on the Task Force. Local business owners, developers, and Matthews residents made up the 15 member Task Force group. Ms. Edwards said that information that the group had gathered from presentations by Andy Mock, Senior Project Manager for the LYNX Silver Line had so far been technical engineered data. Members were now working on taking that information and finding what may be the best route for the Town of Matthews. Ms. Edwards said this recommendation by the Silver Line Task Force would be presented to the Board of Commissioners in November 2020.

Ms. Edwards reviewed the 2016 approved Locally Preferred Alignment (LPA) and the alternative routes to the members of Planning Board (Exhibit A attached and made part of these minutes). Members of Planning Board briefly discussed the routes and development opportunities.

Mr. Lamson said that there would be a Charlotte Area Transit System (CATS) public forum for the Matthews area in October 2020.

PLANNING BOARD GOALS

Mr. Foster said that he would like members to think about what goals the Planning Board would like to work towards for a discussion at the September 22, 2020 Planning Board meeting. Mr. Foster said that past Planning Board projects had included the subcommittee on Matthews Affordable Housing.

Planning Director Jay Camp informed the members of Planning Board of the Town Councils' decision to test live meetings. Mr. Camp said that the September 14th meeting would still be conducted virtually but Council was going to attempt a live meeting on September 28th. After that meeting Council would allow each advisory board the option to resume live meetings or continue virtual meetings. Mr. Camp said there would be more information in the coming month.

ADJOURNMENT

Mr. Rowan motioned to adjourn. Johnathan Clayton seconded the motion and it passed unanimously. The meeting adjourned at 8:15 pm.

Respectfully submitted,

Shana Robertson
Senior Administrative Specialist/Deputy Town Clerk

DRAFT – FOR CONSIDERATION

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

ZONING APPLICATION # 2020-715

ZONING MOTION # _____

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: The Land Use Plan states that 60% of the land area of Matthews is zoned for single family and that additional housing styles should be allowed to provide for housing diversity. If developed at a density of under 6 units per acre, the development would be of a density lower than other multifamily communities in Matthews. The following goals under policy 1 of the Land Use Plan (page 10) are addressed:

Strategy 1B: Provide expanded zoning options that will encourage developers to design attractive niche neighborhoods that will positively impact existing residential neighborhoods.

Strategy 1F: Actively endorse a variety of housing values and residency types (owner and renter) to be built within the Town to the local development community.

REASONABLE: The request is reasonable as it allows for the addition of new housing opportunities in the form of a rental community with a significant number of townhome style units within walking or biking distance of the greenway and downtown Matthews. The development would create an attractive streetscape along an identified gateway corridor into downtown Matthews. The scale and architecture (if some of the larger multifamily buildings are removed) contributes to the small town feel and character desired by citizens and Town government.

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: Although the Land Use Plan makes no specific recommendation for this corner, the area surrounding the site is primarily single family zoned. The introduction of attached and stacked multifamily is inconsistent with neighborhood character.

NOT REASONABLE: The development would, according to the report from CMS, create overcrowding issues. Traffic impacts, although hard to predict due to the pending Weddington Road interchange, could exasperate traffic issues into Matthews.

(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: *September 22, 2020*