

Agenda Item: Application 603 – Goddard School

DATE: October 8, 2013
FROM: David Nelson

Background/Issue:

The property tenant approached planning staff inquiring about increasing the sign allotment on site. Since this property is zoned Conditional, 'C', a rezoning would be necessary to alter the approved sign plan. Staff explained to the applicant that the Conditional zoning classification is being phased out and that a proper current zoning designation for this site would be Office, O-9 (CD). The applicant is amenable to rezoning the property and has elected to have planning staff represent him through the process.

Rezoning to Office, O-9 (CD) corresponds with the requirements of the zoning ordinance. Existing setbacks, yard requirements, parking, and landscaping requirements are all in compliance with the requirements for Office, O-9 (CD). The applicant has amended the site plan to remove note of an approved sign plan and added a note stating that signage requirements at this site should be defined per those stipulated under the Office, O-9, category in the zoning ordinance.

Recommended Motion:

Planning staff recommends opening the public hearing on the Goddard School Rezoning Application, 2013-603.

ZONING PETITION STAFF CHECKLIST

IDENTIFYING DATA

Name of Owner Robert & Joyce Freeman
 Address of Property 9631 Northeast Parkway
 Tax Parcel Number(s) 193-431-27
 Date 10/08/2013

GENERAL BACKGROUND DATA

Current Zoning C Proposed Zoning O-9 (CD)
 Current Use Child Day Care Proposed Use Child Day Care
 Property Dimensions
 Lot Width 134 ft Lot Area 43,995
 Established front setback, if structure present 40 ft

DIMENSIONAL REQUIREMENTS

Current Zoning C Proposed Zoning O-9 (CD)
 Lot Area None Proposed Lot Area N/A
 Lot Width None Proposed Lot Width N/A
 Front Setback 40 ft Proposed Front Setback 30 ft
 Side Yards 10 ft Proposed Side Yards 8 ft and 6 ft
 Rear Yards 40 ft Proposed Rear Yards 40 ft
 Max. Height None Proposed Max. Height N/A
 Open Space None Proposed Open Space N/A
 Comments: None

MISCELLANEOUS PROVISIONS

If considered necessary, has a copy of the petition been sent by the applicant to the property's fire department for their review? N/A

Date sent N/A

Is any portion of this property in floodplain? No

Are there any known zoning violations on this site? No

If so, explain:

Tax records indicate the owner(s) as: **Robert & Joyce Freeman**

This application is submitted by: **the owner listed above**
X an agent for the owner
other

If agent or other, what documentation has been provided from owner or is none required?
Authorization Form

LAND USE PLAN CONFORMANCE

Is there a discrepancy between current or proposed zoning and the Land Use Plan? If so, what is the discrepancy? **none**

Land Use Plan elements that impact the subject property: **None**

ADDITIONAL CRITERIA FOR CONSIDERATION

1. **What changes have, or are, occurring in the area to justify a change in zoning?**
Elimination of Conditional (“C”) zoning designation.

2. **What are adjacent properties zoned, and what are adjacent land uses?**

Direction	Zoning	Land Use
North	R	Residential
Northeast	R	Residential
East	C	Office
Southeast	C	Business
South	C	Business
Southwest	C	Business
West	C	Undeveloped
Northwest	R	Residential

3. **What are development plans in the area – roads, schools, future commercial development, etc.?** **Continued office / business along Northeast Parkway**

4. **Is there a reason the current land use cannot continue to be feasible as it now exists?**
No, current use can continue.

5. **List some potential uses under existing zoning.** **“Office” per previously approved site plan. There is a list of allowed uses per Petition 1997-314.**

6. **List some potential uses under proposed zoning.**

Office, per Petition 1997-314 list.

7. **Are any of these uses inappropriate for this location, and if so, why?** **No**

8. **(A) What is applicant’s stated reason for requesting rezoning?** **To increase signage allotment per the Office district regulations.**

(B) Comments:

9. **(A) What will be the benefits to the surrounding properties?** **N/A**

(B) What will be the detriments to the surrounding properties? **N/A**

10. **Is a traffic study required for this petition?** **No**

If so, what are the recommendations of the study? N/A

11. What does the purpose statement of the proposed zoning district say?

O-9: “The purpose of these districts is to provide areas which are conducive to the establishment and continuance of offices, institutions, and commercial activities not involving the sale of merchandise. Standards are so designed that these districts, in some instances, may be established as a buffer between residential districts and any other use districts.”

12. Will this proposal meet the intent of the above purpose statement? Yes

OUR TOWN – *Our Vision*

9. Balanced, Compatible Commercial Development Town leaders have navigated a careful course, balancing the need for sustained economic development against the potential threats to the community from over-commercialization. Small, locally owned shops have been especially encouraged by a zoning and regulatory environment conducive to small business. Both small and large businesses alike have been required to take on development forms that blend easily into a small town setting and image. Previously vacant commercial and industrial buildings have been renovated and adapted for use as cultural facilities, retail enterprises, office and institutional use, innovative housing, and as small business development centers. Policies have been implemented to prevent indiscriminate abandonment and prolonged vacancies of “big boxes” left behind for “bigger boxes”.

12. Healthy, Sustainable Environment In managing its growth, Matthews has worked to minimize adverse impacts to the region's air and water quality. The Town's growth policies and development standards have reduced automobile dependency; many residents of Matthews are able to walk or bicycle to most daily activities. Matthews' walkable neighborhoods and nearby services are designed to generate less traffic and require shorter distances to shop or work. Streams and drainage ways passing through Matthews receive less storm water runoff and pollution due, in part, to policies on tree preservation, landscaped parking areas, and vegetated buffer strips adjoining stream channels and roadsides. Solid waste levels have been substantially reduced through area-wide recycling efforts.

CONDITIONAL DISTRICT ZONING PETITION STAFF CHECKLIST

Attach to:

ZONING PETITION STAFF CHECKLIST IF A CHANGE IN ZONING DISTRICT

Name of Petitioner:	Kevin Murray
Address of Property:	9631 Northeast Parkway
Tax Parcel Number(s):	193-431-27
Name/Address of Owner if Different:	Robert & Joyce Freeman PO Box 2686, Florence, OR 97439-0100

DIMENSIONS

Actual property dimensions from site plan:

Lot width	134 ft
Lot area	43,995 sf
Front setback	40 ft
Side yards	10 ft
Rear yards	40 ft
Max height	35 ft
Open Space	None

DESCRIPTION OF REQUEST

This rezoning seeks to convert the zoning designation from the outdated Conditional (“C”) district to a designation relevant in the current zoning ordinance. Given the intent of the original site plan and the development and use of the property, either Neighborhood Business (“B-1 (CD)”) or General Business (“B-2 (CD)”) districts seem most appropriate. The petitioner seeks “B-2 (CD)” designation in order to obtain the same development opportunities allowed on adjacent East Point properties.

SITE PLAN DATA

1. **What existing structures are on this property?** One building (8,000 sf)
2. **What is current land use?** Business / Office
3. **Does this plan show:**
 - A. **specific lots with buildings.**
 - Will additional site plan review by the Town be required?** No **When?** N/A
 - B. **a generalized development plan.**
 - Will individual site plan approval by Town Board be necessary on a lot-by-lot basis?** No
 - C. **a change in conditions to earlier zoning site plan.**
 - What previous approved plan(s) will this amend, if approved?** 1997-314
4. **What changes or expansions of land use are proposed?** None planned

5. **What new structures or additions are proposed?** None

CURBCUTS

Number of curbcuts on site plan: 1

Distance between closest curbcuts on property and/or adjacent property: 0 ft (shared drive with property to the east)

Are curb cuts connecting to:

NCDOT maintained road.

Town maintained road.

Private street.

Thoroughfare designated on MUMPO Thoroughfare Plan.

Zoning conditions for curbcuts: 1 per street front.

Are zoning conditions being met? Yes.

PARKING AND LOADING

Proposed land use: O-9 (CD)

How is parking calculated for this use in the Zoning Ordinance? 1 space per each 2 adult attendants and 1 space per each ten children.

Number of parking spaces required? 22

Number of parking spaces proposed? 26

Square footage of structure(s): 8,000 sf

Number of employees on shift of greatest employment: N/A

Will this use require a loading dock or zone? No

If so, is it designed so it will not interfere with parking areas, driveways, streets or sidewalks? N/A

SIGNS

Number of signs proposed attached: 0 **detached:** 1

Size(s) of attached signs: N/A

Which way do attached signs face? N/A

Location of detached signs: In front setback along Northeast Parkway

Size(s) of detached signs: max 50 sf

Zoning conditions for signs: 1 sign max, either attached or freestanding; 50 sf max

LANDSCAPING AND OVERLAY REQUIREMENTS FOR SUBSEQUENT STAFF REVIEW

This property is subject to landscaping provisions as found in:

Landscaping Chapter of Zoning Ordinance

Highway Overlay

Downtown Overlay

 Screening Requirements for lots with rear yards or side yards abutting a thoroughfare.

Have any plans been provided with sufficient detail to determine that landscaping or overlay provisions appear in general to be met? Observation of existing conditions.

If so, what deviations or deficiencies should be noted here? None.

NEIGHBORHOOD MEETING

Has the required neighborhood/community informational meeting been held? Yes.

If yes, date of meeting: October 1, 2013.

What, if any, changes are proposed by the petitioner as a result of the meeting? None.

LAND USE PLANS

Has the applicant provided an explanation of how the petition will comply with adopted land use plans covering the geographical location of the Conditional Petition? Yes.

Is the explanation consistent with adopted plans? Yes.

If not, what is the discrepancy? None.

ADDITIONAL REQUIREMENTS OR COMMENTS:

30ft undisturbed buffer on rear property line to be brought forward from original site plan.