

## **Agenda Item: 2014-5 Spring Park Rezoning**

**DATE:** August 27, 2014  
**FROM:** David Nelson

### **Background/Issue:**

The Town received a written request from the primary property owner of land parcels on Sam Newell Road and Lakeview Circle to initiate a new zoning action to remove the current R-VS designation. The proposed development project, called Spring Park, was zoned in 2008 as a small neighborhood with a mix of alleys, private and public streets, and cottage homes over detached garage units on the same lots as detached houses. Although a specific group of developers and home builders prepared the application and were ready to move forward at that time, the recession stopped the project, the team no longer exists, and the primary landowner has been unable to find a buyer for the land. He therefore is asking the Town to utilize a provision in our code to essentially "un-do" the R-VS zoning designation.

### **Proposal/Solution:**

The Zoning Ordinance provides a process for removing conditional zoning projects from the zoning map when no activity toward development has occurred after 3 years. Planning Board is responsible for preparing a report on the inactive conditionally zoned site, and may recommend to Council what further zoning action would be acceptable. For this site, Planning Board is recommending the entire R-VS designated land be rezoned to R-15, the category it had prior to 2008 and which is the predominate zoning of surrounding properties.

### **Financial Impact:**

None.

### **Related Town Goal(s) and/or Strategies:**

Quality of Life: #1 To implement plans, updating each as appropriate, and ensure they coordinate with and fulfill the goals of each other.

### **Recommended Motion/Action:**

Approve the rezoning request from R-VS to straight R-15 zoning designation.

### **Project Summary**

<b>Location:</b>	3015 and 3033 Sam Newell Road 2918, 3010, and 3018 Lakeview Circle
<b>Parcel No. (s)</b>	193-134-20, 193-134-21, 193-134-22, 193-134-23, 193-134-28, 193-134-29, 193-134-30
<b>Owner:</b>	Spring Park Land LLC; Brian and Jill Wooten (193-134-20)
<b>Agent:</b>	Town of Matthews Planning Staff
<b>Current Zoning</b>	R-VS
<b>Proposed Zoning:</b>	R-15
<b>Existing Use:</b>	Single-family residential
<b>Proposed Use:</b>	Single-family residential
<b>Community Meeting</b>	N/A

### **Summary of Request**

Several adjoining parcels of land along Sam Newell Road and Lakeview Circle are zoned R-VS as a planned multi-family development.

### **Staff Recommendation**

Staff recommends approval of the rezoning request.

## **Planning Staff Review**

### **Background and History**

In October 2008, several adjoining parcels of land along Sam Newell Road and Lakeview Circle were zoned to R-VS as a planned multi-family development with an approved site plan. Six parcels are owned by Spring Park Land LLC. A separate couple owns the seventh parcel, a portion of which is in the planned development. The development was never built, and the various parcels remain essentially the same today as they were in 2008.

Spring Park Land LLC approached the Town of Matthews Planning Department earlier this year with a request to rezone the area out of the R-VS designation. They are unable to develop the property as the original development partnership no longer exists, and have been unable to find a buyer interested in developing the adopted site plan. After review of the situation, Planning Board recommended on March 25, 2014 that the zoning designation be changed back to R-15. The hearing was subsequently deferred for five months as Spring Park Land LLC pursued selling the property.

### **Details of the Site Plan**

There is no site plan associated with rezoning request. The attached map is for reference only.

### **Summary of Proposed Conditions**

There are no proposed conditions; all parcels would be zoned straight R-15.

### **Outstanding Issues/Staff Comments**

None.

**Consistency with Adopted Plans and Policies and Town Vision Statement**

The request is compliant with the Land Use Plan in regard that the Land Use Plan calls for the continuation of single-family residential land use in areas where it has already been established.

**Reports from Town Departments and County Agencies**

**Matthews Police**

No concerns.

**Matthews Fire**

No concerns.

**Public Works**

No concerns.

**Matthews Park and Recreation**

No concerns.

**Charlotte Mecklenburg Schools**

No concerns.

**PCO Concept Plan Approval Required**

No concerns.

**Charlotte Area Transit**

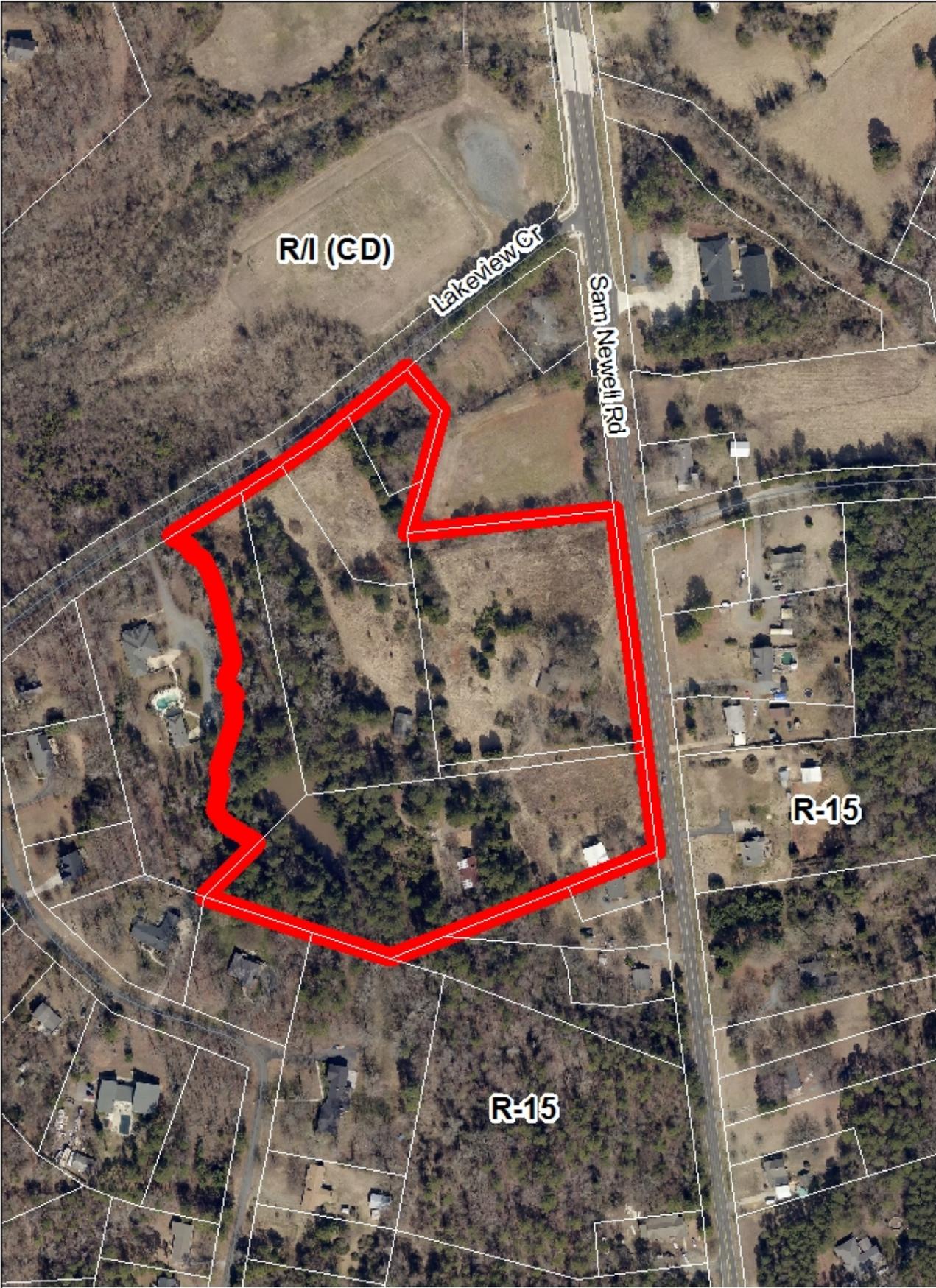
No concerns.

### **Impact Analysis**

R-15 zoning designation would allow for approximately 19 house lots. This would be a reduction from the approved site plan of the R-VS zoning action, which planned for 41 homes plus up to 10 accessory apartments.

### **Project Financial Impact if Vacant Land is Developed**

Since no improvements are planned, there is no financial impact associated with this request.



1 inch = 250 feet