

## **Decision on Application 2017-663, Bainbridge Apartments**

**DATE: November 8, 2017**

**FROM: Jay Camp**

On 10/24, Planning Board voted 4-3 to recommend approval of the rezoning request. Since the Public Hearing, the applicant has made the following commitments:

1. Committed to public access easement for pocket parks from the hours of 9-5 but with the caveat that the applicant can revoke the easement in the future.
2. Committed \$125,000 for the construction of mast arm style traffic signals should the signals become permanent. These funds would be returned to the applicant if the roundabout is installed by NCDOT.
3. The applicant will dedicate the right-of-way for the uncompleted portion of Northeast Parkway that is onsite if construction coincides with the construction of the apartments. Otherwise, NCDOT will be required to acquire the right-of-way.
4. Committed to the installation of a traffic signal if it meets warrant as determined by NCDOT.
5. 50% of facades facing Matthews-Mint Hill and Northeast will be masonry; 30% of all other facades to be at least 30% masonry.

### **Outstanding Staff Concerns – Planning and Public Works**

1. A connection to the “jug handle” improvement that will connect to US 74 should be made to alleviate congestion.
2. Right of way should be dedicated not just reserved.
3. Public works recommends the construction of the roundabout as part of this project.
4. The Town should use the \$125,000 towards the installation of mast arm poles or intersection improvements in the future with no requirement to return the funds.
5. Standard street lights (not just pedestrian style) should be installed at the intersection.
6. If Northeast Parkway cannot be connected, the road should be completed to the property line.
7. The roundabout should be overlaid to show the impacts to the pocket parks.
8. Improvements to design the intersection for the installation of a traffic signal would be destroyed only a few years later to install a roundabout. The \$125,000 financial commitment and approximately \$60,000 cost of temporary signals could be applied to roundabout construction now. Based on the attached design from the traffic study, it appears no additional right-of-way would be required.
9. Note 10d should reference that all electrical service will be placed underground.
10. If the intersection is approved in place of the roundabout, adequate left turn lane storage should be provided to meet NCDOT standards.

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

Quality of Life

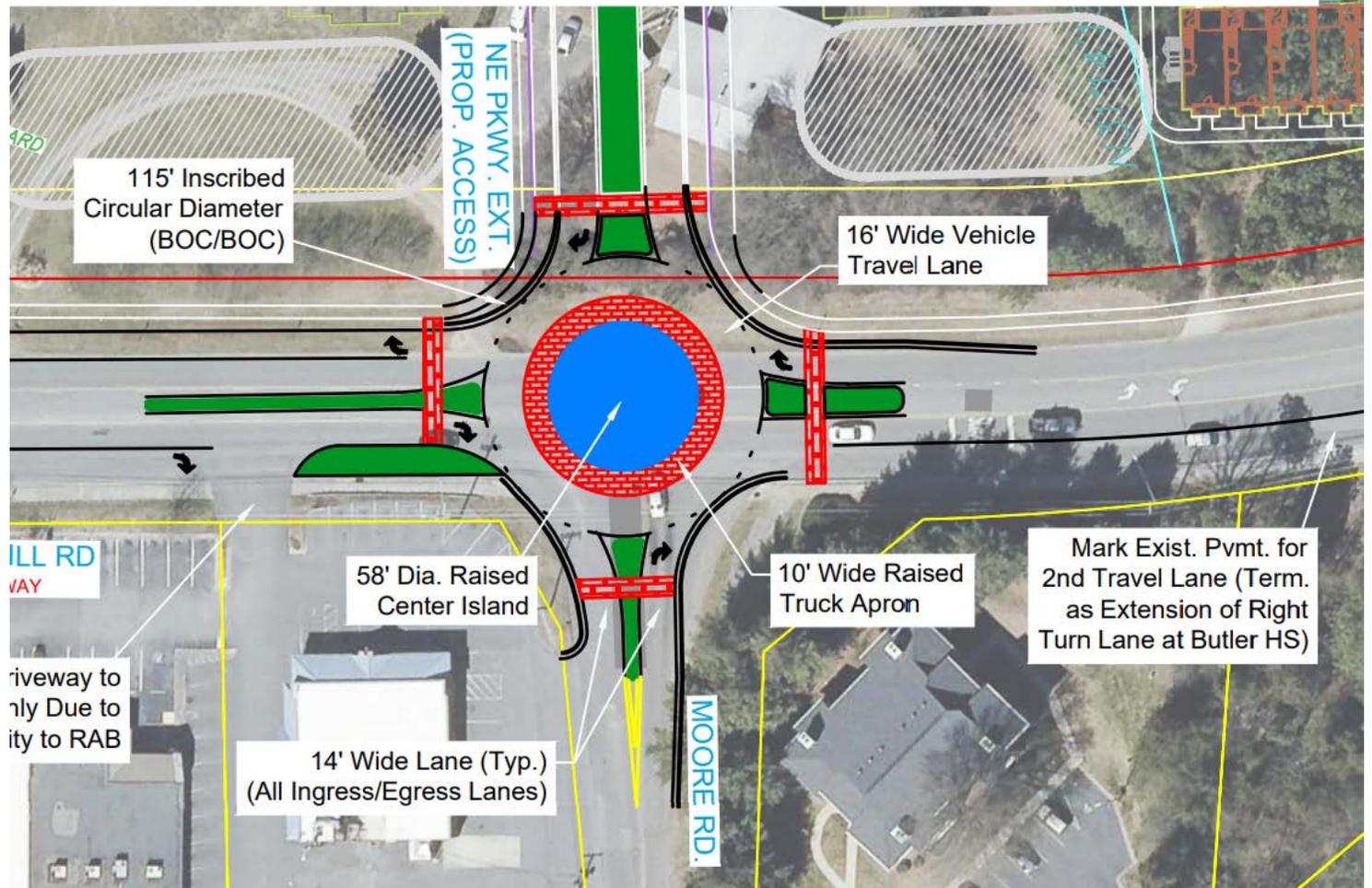
Economic Development/Land Use Planning

Transportation: #18 Work with NCDOT to implement transportation plans for Matthews which will allow for multi-modal uses, promote connectivity, and set priorities for transportation projects

**Recommended Motion/Action:**

At this time, staff cannot recommend approval of this project. There are unresolved issues primarily related to road improvements that we feel create a level of uncertainty that is not typical of rezoning projects that are approved in the Town of Matthews. The developer needs to rectify the above stated concerns from staff before a decision is made on this rezoning request.

# NE RD./NE PKWY. EXT. (PROP. ACCESS) - 1 LANE ROUNDABOUT



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

**ZONING APPLICATION # 2017-663**

**Matthews Board of Commissioners 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.

**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.)*

**OR**

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

The Town of Matthews will be adversely impacted by the development of a 350-unit multifamily community that would be developed with minimal area road improvements to mitigate the increases in traffic and congestion in the area. Until Northeast Parkway is connected over to NC 51, there are public safety concerns for these new residents.

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

Decision Date 11/13/17