

## **Decision on Application 2017-665, ENT Text Amendments to the UDO**

**DATE: November 8, 2017**

**FROM: Jay Camp**

Since the Public Hearing, staff and the applicant have worked together to further refine the proposed text. On 10/24, Planning Board voted unanimously to recommend approval of the text amendments. Please note that the applicant decided to remove the items below from the request:

1. Request that would have allowed parking space dimensional standards to be determined by the Charlotte Mecklenburg Land Development Standards Manual instead of the UDO.
2. Request to allow an emergency access to serve as the 2<sup>nd</sup> or 3<sup>rd</sup> required point of access for a development in the ENT district. The Public Improvement Variance was requested in lieu of this text amendment.

Staff has reviewed these proposed text changes and determined that there is no conflict with the UDO tree protection and landscaping ordinance changes proposed by staff. Both proposals can move forward without issue.

### **Proposed Solution**

There are 3 items related to the ENT mixed-use rezoning including this text amendment, the public improvement variances and the conditional plan. Moving forward with a vote on the text now allows reviewers with Mecklenburg County to move forward with the concept plan approval that is tied to some of these proposed text changes.

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

Quality of Life

Economic Development/Land Use Planning

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

Approve Application 2017-665.

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

**ZONING APPLICATION # 2017-665**

**Matthews Board of Commissioners makes the following 2 conclusions:**

**1)**      X   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)**      X   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.)*

The requested text changes are appropriate modifications to the UDO and will offer more design flexibility for future developments within the Town of Matthews.

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**OR**

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

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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