

Agenda Item: Decision on Application 2017-672, Conditional to B-1(CD), John & Mechelle Hanna

DATE: February 5, 2018
FROM: Mary Jo Gollnitz

Background/Issue:

Planning Board recommended approval of the request at their January 23rd meeting with the following conditions:

- Revised list of uses that were agreed upon at the January 8, 2018 Public Hearing (attached)
- A second entrance/exit door will be added to the proposed building to meet building code standards (attached).
- Vinyl will be used sparingly, only around trim and windows. Cementitious product such as Hardiplank will be used as noted on elevations.

Proposal/Solution:

Planning Board unanimously recommended approval of the rezoning request with noted conditions.

Related Town Goal(s) and/or Strategies:

Quality of Life
Economic Development/Land Use Planning

Recommended Motion/Action:

Approve rezoning application 2017-672 as revised.

***Please note: We have been asked to provide possible language for motions both in favor of, and in opposition to, this Zoning Application. These 2 optional pages are enclosed here, with suggested language regarding this case's Consistency with adopted land use plans and policies, and whether it is Reasonable. Feel free to add or revise these statements to make them fit your Board's conclusions.*

GENERAL COMMERCIAL USES		B-1
Alcohol and alcoholic beverage, wine, and beer production and sales, subject to § 155.506.45		PC
Animal grooming facility, subject to § 155.506.42		PC
Auction house		P
Bakery, retail including manufacturing of goods for sale on the premises only		P
Ballroom, banquet or meeting/catering hall		P
Bed and breakfast establishment, subject to § 155.506.4		PC
Brewpub, subject to § 155.506.45		PC
Building material storage and wholesale and retail sales without outside storage		P
Coin operated laundry		P
Commercial school and school providing adult training in any of the arts, sciences, trades, or professions, without retail sales of merchandise		P
Commercial or catering kitchen, without on-site customer/client food service		P
Communications tower and antenna, subject to § 155.506.41		PC
Copy, printing and photo processing		P
Crematorium, when located on same lot as a cemetery, subject to 155.506.13		P
Crematorium, stand alone, or on an adjacent parcel to a cemetery or funeral home only when such parcel is commercially or industrially zoned, subject to 155.506.13		PC
Drive-up service window, subject to § 155.506.33		ACC
Florist shop		P
Funeral home		P
Greenhouse, commercial, without retail sales		P
Kennel, animal day care, subject to § 155.506.42		PC
Laundry and dry cleaning establishment not to exceed 4,500 sq ft gross floor area		P
Live work unit		P
Microbrewery, subject to § 155.506.45		PC
Mini storage facility		P
Mobile vendor, subject to § 155.506.43		PC
Motel and hotel		P
Motor vehicle service facility limited to oil change, tire rotation and replacement, and similar minor maintenance service, all activity taking place within the building, not over 3 service bays and no overnight vehicle storage		P
Museum or art gallery		P
Nursery, commercial, with or without greenhouse		P
Outdoor sales in conjunction with a permanent business, subject to § 155.506.36		PC
Parking lot and parking garage/structure		P
Pet cemetery, including any accessory structure	-	-
Post Office		P
Professional, financial, personal and recreational service not otherwise listed		P
Repair and servicing, indoors only, of any article the sale of which is permitted in the district, except as otherwise listed		P

GENERAL COMMERCIAL USES	B-1
Restaurant, lounge and nightclub without drive thru or drive in service	P
Retail sales, general merchandise, unless otherwise listed	P
Secondhand goods, retail sales without outside storage, unless otherwise listed	P
Selling from a semitruck without a cab, subject to § 155.506.36	PC
Sign printing	P
Social gathering, seminar, reception, which is ancillary to the principal permitted use and on property designated historic by the Town	P
Solar collector installation, subject to § 155.506.48	ACC/ PC
Specialty sales establishment with substantial on-site assembly, processing, packaging, and/or distribution, and processes sales for off-site customers, subject to § 155.506.39	PC
Studio for gymnast, artist, designer, photographer, musician, sculptor, and similar	P
Upholstering in a workroom setting not to exceed 1,500 sq. ft. of gross floor area	P
Veterinary clinic or hospital, subject to § 155.506.42	PC

**SECOND ENTRANCE/EXIT DOOR TO BE ADDED ON
RIGHT SIDE ELEVATION.
MUST MEET BUILDING CODE REQUIREMENTS.**



**LEFT SIDE ELEVATION
(RIGHT SIDE SIMILAR)**



**CEMENTIOUS PRODUCT SUCH AS
HARDIPLANK**

FRONT ELEVATION

FUTURE MEDICAL OFFICE BUILDING

DRAFT---FOR APPROVAL

**STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES
Final Decisions on Zoning-Related Issues**

ZONING APPLICATION # 2017-672

ZONING MOTION # _____

ADMINISTRATIVE AMENDMENT _____

Matthews Board of Commissioners adopts the checked statement below:

A) The requested zoning action, as most currently amended, is **approved**, and has been found to be **CONSISTENT** with the Matthews Land Use Plan (or other document(s)), and to be **REASONABLE**, as follows:

CONSISTENT: with Matthews Land Use Plan in that it encourages compact building design and urban style development to achieve more efficient use of space where appropriate. It meets the Land Use Plan goal for Northeast Parkway for appropriate office development, and consolidating driveways.

REASONABLE: The rezoning will bring the property into a modern zoning classification. The applicant has agreed to limit the uses in the future building.

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)), and **NOT REASONABLE**, as follows:

INCONSISTENT:

NOT REASONABLE:

OR

C) The requested zoning action, as most currently amended, is **not approved**, although it has been found to be **CONSISTENT** with the Matthews Land Use Plan (or other document(s)), it is **NOT REASONABLE**, as follows:

CONSISTENT:

NOT REASONABLE:

OR

D) _____ The requested zoning action, as most currently amended, is **approved**. This action also **concurrently amends** the Matthews Land Use Plan as specifically outlined below. *(Provide explanation of the change in conditions making the Matthews Land Use Plan inconsistent to meet the development needs of the community, and include reference to specific text in Plan document):*

AMENDMENT TO LAND USE PLAN:

REASONABLE:

(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 **February 12, 2018**

DRAFT---In opposition

STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES
Final Decisions on Zoning-Related Issues

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CONSISTENT: with Matthews Land Use Plan in that it encourages compact building design and urban style development to achieve more efficient use of space where appropriate. It meets the Land Use Plan goal for Northeast Parkway for appropriate office development, and consolidating driveways.

NOT REASONABLE: The property already has one building on the site and a second building would generate more traffic. Because there is no pedestrian access directly to the site, area residents may wish to walk to the location.

OR

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