

## Agenda Item: Decision on Application 2018-687 Mecklenburg ABC Board

**DATE:** August 8, 2018  
**FROM:** Jay Camp

### Background/Issue:

- On July 24th, Planning Board voted unanimously to recommend approval of the rezoning request.
- Since the Public Hearing, the maximum square footage was increased from 6,500 to 7,000 square feet. A footprint showing the expansion is shown on the site plan.
- New building elevations depict a completely renovated exterior with the main entrance facing either Windsor Square Drive or Independence Pointe Parkway.
- New sidewalk is proposed along Windsor Square Dr from Independence Pointe to the driveway entrance.

### Proposal/Solution:

- The proposed building elevations show all four sides of the building and depict four attached signs. The UDO only allows 3 attached signs per building. The applicant proposes the following updated language under the signs section of the conditional notes: ***“Up to three attached signs shall be allowed on the building located on the Site, and such signs shall be reviewed and approved separately from approval of this Rezoning Application in a manner consistent with the requirements of the Ordinance.”*** This new text should be incorporated into a motion to approve.

### Financial Impact:

None

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

Quality of Life

Economic Development/Land Use Planning

### Recommended Motion/Action:

Approve Rezoning Application 2018-687

**DRAFT---FOR APPROVAL**

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

ZONING APPLICATION # 2018-687  
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 and nearby uses and allows a lower intensity retail use to replace a former restaurant location along US74.**

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**REASONABLE: The rezoning is reasonable due to the anticipated traffic intensity reduction. It also allows for the adaptive reuse of a former restaurant building.**

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**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: The rezoning with inconsistent with the Land Use Plan recommendation to prohibit impulse commercial uses on US74.**

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**NOT REASONABLE: The rezoning is not reasonable as it would create an expansion of an impulse retail use on US74 resulting in increased traffic at the site. The expansion of the building could allow for a future more intense use on the site.**

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*(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: *August 13, 2018*