

## Rezoning Decision: Zoning Motion 2019-2

TO: Mayor and Board of Commissioners

FROM: Jay Camp, Planning Director

DATE: November 6, 2019

### Background/Issue:

- On May 21, Planning Board voted to recommend the rezoning of 433 East John Street and voted to recommend denial of the rezoning of 11210 Brigman Road and 1364 Matthews-Mint Hill Rd.
- Two new rezoning applications were submitted for properties that are a part of the Zoning Motion.

### Proposal/Solution:

Since this Zoning Motion was filed, a rezoning request for 1364 Matthews-Mint Hill Road was approved and a decision on the rezoning request for 433 East John Street is pending. Due to these circumstances, staff recommends withdrawal of the Motion.

### Financial Impact:

None

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

Quality of Life

Economic Development/Land Use Planning

### Recommended Motion/Action:

Withdraw Zoning Motion 2019-2

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

**Zoning Motion 2019-2, 433 East John Street**

**The Town Board adopts the checked statement below:**

A)  The requested zoning action, as most currently amended, is **recommended for approval**, and has been found to be **CONSISTENT** with the Matthews Land Use Plan as follows:

1. Maintain and preserve residential uses along East John Street, except as discussed in the East John Street/I-485 Interchange section.

The proposed zoning change creates consistency with regard to surrounding R-12 single family zoned properties.

**OR**

B)  The requested zoning action, as most currently amended, is **is not recommended for approval**, and has been found to be **INCONSISTENT** with the Matthews Land Use Plan as follows:

1. The zoning would create a legal nonconformity in the area.

The request would establish residential zoning over a current warehouse use.

*(Statement must explain why the Board deems the action reasonable and in the public interest. Reasons given for a zoning request being "consistent" or "not consistent" are not subject to judicial review.)*

Date November 11, 2019

## Zoning Motion 2019-2, 1364 Matthews-Mint Hill Road

The Town Board adopts the checked statement below:

A) \_\_\_ The requested zoning action, as most currently amended, is **recommended for approval**, and has been found to be **CONSISTENT** with the Matthews Land Use Plan as follows:

**OR**

B) \_\_\_ The requested zoning action, as most currently amended, is **is not recommended for approval**, and has been found to be **INCONSISTENT** with the Matthews Land Use Plan as follows:

**OR**

B) \_\_\_ The requested zoning action, as most currently amended, is **recommended for approval**, and hereby modifies the boundaries of the ENT Small Area Plan to exclude the subject parcel.

1. The current zoning of the property would allow uses that are primarily reserved for major thoroughfares such as Monroe Road and US 74. The Land Use Plan calls for the preservation of residential uses along Matthews-Mint Hill Road.

Date November 11, 2019

## Zoning Motion 2019-2, 11210 Brigman Road

The Town Board adopts the checked statement below:

A)  The requested zoning action, as most currently amended, is recommended for approval, and has been found to be **CONSISTENT** with the Matthews Land Use Plan as follows:

**OR**

B)  The requested zoning action, as most currently amended, is is not recommended for approval, and has been found to be **INCONSISTENT** with the Matthews Land Use Plan as follows:

The proposed zoning change is inconsistent with the ENT Small Area Plan, which calls for the development of a mixed-use neighborhood developed under the ENT zoning category.

**OR**

B)  The requested zoning action, as most currently amended, is recommended for approval, and hereby modifies the boundaries of the ENT Small Area Plan to exclude the subject parcel.

2. The current zoning of the property would allow uses that are primarily reserved for major thoroughfares such as Monroe Road and US 74. The Land Use Plan calls for the preservation of residential uses along Matthews-Mint Hill Road.

Date November 11, 2019