

Agenda Item: Decision on Zoning Motion 2019-2

DATE: June 5, 2019
FROM: Jay Camp

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.
- New rezoning applications for 433 East John Street (I-1 to I-1 (CD) and 1364 Matthews-Mint Hill Rd (B-H to ENT Early Designation) are on the consent agenda for acceptance. Both applications are submitted by the property owner of east property.
- Staff recommends deferral of 433 East John and 1364 Matthews-Mint Hill until October 14, 2019 to allow for evaluation of the newly received zoning applications for each property.

Proposal/Solution:

Planning Staff is in agreement with Planning Board that the rezoning of 11210 Brigman Road is not the best course of action at this time and recommends denial of the proposed rezoning to R-15.

Financial Impact:

None

Related Town Goal(s) and/or Strategies:

Quality of Life

Economic Development/Land Use Planning

Recommended Motion/Action:

Deny Zoning Motion 2019-2 for 11210 Brigman Road and defer action on 433 East John Street and 1364 Matthews-Mint Hill Rd to October 14, 2019.

**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 June 10, 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 June 10, 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) X 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 June 10, 2019