

Agenda Item: Zoning Application 2019-695, UDO Text Amendment on Required Side Yards

DATE: April 2, 2019

FROM: Mary Jo Gollnitz

Background/Issue:

- Viking Partners Matthews Corners, LLC received rezoning 2017-659 approval for Academy sports building in 2017.
- Viking Partners wishes to subdivide the Academy Sports building from the attached shops and the new outparcel being developed.
- The requested text amendment would add Footnote #18 to § 155.604.3 Table of Dimensional Standards.
- The proposed text would read:
(18) Side yards are not required along the interior lot lines of parcels or lots created as part of a shopping center.
- A text change as proposed would not only apply to the specific site which is the reason for the request, but for any other locations that could take advantage of it. This means other locations could use this text revision to create lot lines between nonresidential buildings that might not be possible today.
- The request is to apply a footnote similar to dimensional standards for the B-1 Neighborhood Business, B-H Highway Business, B-3 High Rise Business, I-1 Light Industrial districts to the B-1 SCD Shopping Center District.

Proposal/Solution:

The proposed text change is to allow subdividing property within shopping center properties.

Financial Impact:

None

Related Town Goal(s) and/or Strategies:

Quality of Life

Economic Development/Land Use Planning

Recommended Motion/Action:

Information for Public Hearing. No Action necessary.



232 Matthews Station Street
Matthews, NC 28105
704.847.4411

**ZONING APPLICATION FOR UNIFIED DEVELOPMENT ORDINANCE TEXT CHANGE
AS PROVIDED IN THE UDO AT 155.401.3**

APPLICATION NUMBER 2019-695 DATE FILED 2/14/2019
APPLICANT'S NAME Viking Partners c/o Stephen Horner
APPLICANT'S MAILING ADDRESS 4901 Hunt Rd, Ste 102, Cincinnati, OH 45242
APPLICANT'S PHONE NUMBER/EMAIL ADDRESS 513.985.1110; shorner@vikingprt.com
AGENT: Keith MacVean; 704.331.3531; keithmacvean@mvalaw.com

I request consideration of the following change in text of the Matthews Unified Development Ordinance:

Requested text change is:

- a change in wording to existing Section(s)
- an addition to Section(s)
- a deletion of wording at existing Section(s)

Below is the text requested to be changed, added or deleted:

Existing Section 155.604.3 - table of dimensional standards Proposed Section _____

Amend section 155.604.3 Table of Dimensional Standards to add a new foot note #18. As follows:
- Side yards are not required along the interior lot lines of parcels or lots created as part of a shopping center.

SEE TABLE 155.604.3 ATTACHED

(continue on additional page(s) as necessary)

TOWN OF MATTHEWS UNIFIED DEVELOPMENT ORDINANCE

155.604.3 TABLE OF DIMENSIONAL STANDARDS									
CONDITIONAL-ONLY ZONING DISTRICTS									
	R-VS	CFC	SRN ⁽¹²⁾	C-MF	MUD ⁽¹²⁾	TS	B-1SCD	ENT ⁽¹²⁾	AU
Minimum lot area (ft or ac)	⁽¹³⁾	7,500 ⁽⁹⁾	NA	NA	NA	NA	NA	NA	NA
Minimum overall development area (ft or ac)	1/2 AC	NA	1 AC	3 AC ⁽¹⁴⁾	15 AC ⁽¹⁵⁾	NA	3 AC	NA	NA
Maximum overall development area (ft or ac)	15 AC	NA	15 AC	15 AC	NA	6 AC	NA	NA	2 AC
Minimum lot width (ft)	⁽¹⁶⁾	65 ⁽⁹⁾	40	40	NA	NA	NA	NA	NA
Minimum width when a corner lot (ft)	⁽¹⁶⁾	65	40	40	NA	NA	NA	NA	NA
Minimum front setback (ft)	⁽¹⁷⁾	25 ⁽⁹⁾	NA	NA	14	NA	40	NA	40
Maximum build-to-line (ft)	NA	NA	20	20	20	20	NA	20	NA
Minimum side yard, interior (ft) ⁽¹⁸⁾⁽¹⁴⁾	⁽¹⁸⁾	8 ⁽⁹⁾	10	10 ⁽¹⁴⁾	NA	NA	25	NA	20
Minimum corner side yard (street-side) (ft) ⁽¹⁷⁾	10	10	10	10	NA	NA	25	NA	20
Minimum rear yard (ft) ⁽¹⁷⁾	⁽¹⁸⁾	30 ⁽⁹⁾	10	10 ⁽¹⁴⁾	NA	NA	25	NA	20
Maximum building height/ max ht with increased yards (ft)	35	35	45	45/60 ⁽¹⁸⁾⁽¹⁴⁾	45/60 ⁽¹⁸⁾	60	40/50 ⁽¹⁸⁾	60/80 ⁽¹⁸⁾	35
Minimum building height (ft)	NA	NA	NA	18	18	24	14	24	NA
Exterior project edge adjacent to any residential district: undeveloped/developed	NA	NA	NA	^a />3 ac: 60 ⁽¹⁸⁾ ^b /<1 1/2 ac: 20 ⁽¹⁴⁾	50/100	NA	NA	NA	NA
Exterior project edge adjacent to all other districts	NA	NA	NA	^a />3 ac: 25 ⁽¹⁸⁾ ^b /<1 1/2 ac: 10 ⁽¹⁴⁾	15	NA	NA	NA	NA
Minimum Setback/yard along an interstate highway	NA	NA	NA	NA	50	NA	NA	NA	NA

Any parcels within the Downtown Overlay or Highway 51 Overlay shall also meet build-to lines, minimum lot sizes, and minimum setbacks/yards

For corner lots or through/double frontage lots, see also § 155.601.11

For lots adjacent to existing or proposed thoroughfares, see also § 155.601.18

(9) Dimensions for single parcels of development sites under five (5) acres not being developed as a SF detached subdivision. See other dimensional standards at §155.503.2

(10) Required minimum side and rear yards must be increased one foot (1') for each foot or fraction of a foot in height over the given maximum when adjacent to a residential district, or one foot (1') for each two feet (2') in height over the maximum given limit when adjacent to all nonresidential districts

(11) Dimensional standards vary depending on the overall tract area and style of housing provided. See § 155.604.4

(12) Single-family attached and detached, all styles, must follow R-VS dimensional standards at § 155.604.4 or Cottage Cluster provisions at §155.506.22

(13) A C-MF designation within one-half (1/2) mile of the intersection of Trade and John Streets shall be less than one and one-half (1 1/2) acres, with no required minimum size.

(see §155.503.4.C.2)

(14) See § 155.503.4.C.3 and 4 for further qualifications. (Ord. 2025A, passed 6-9-14)

(17) See § 155.601.11 for further standards when a lot adjoins a railroad, waterfront, or thoroughfare. (Am. Ord. 2231, passed 6-12-17)

(18) Side yards are not required along the interior lot lines of parcels or lots created as part of a shopping center.

ZONING APPLICATION FOR ORDINANCE TEXT CHANGE
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What is the intended effect of this request?

To allow shopping centers to create parcels (subdivide) within the development without having to provide the minimum side yards along the new interior boundaries of the property.

APPLICANT SIGNATURE _____



(continue on additional page(s) as necessary)