

Rezoning Decision: Application 2020-709, BAPS Charlotte, LLC

TO: Mayor and Board of Commissioners

FROM: Robert Will, Senior Planner

DATE: April 9, 2020

Background/Issue

- Due to COVID-19 concerns the March 24, 2020 Planning Board meeting was cancelled. Because the Planning Board was not able to hear the BAPS case within 30 days of the public hearing, the default result is an affirmative recommendation for approval.
- The following noteworthy changes were made since the Public Hearing:
- Increased landscape buffering and a berm have been added to the northern section of the property where the former single family home was located. This is an addition in direct response to concerns of the neighboring property owner.
- The single family home on the newly acquired property has been demolished.
- The attached conditional notes contain the most recent changes.
- The PCO plan is under review with the County at this time.

Proposal/Solution

With the addition of the former single family parcel, this site plan is a superior layout than was previously approved.

Financial Impact

None

Related Town Goal

Quality of Life and Economic Development/Land Use Planning

Recommended Action

Approve Application 2020-709 with attached conditional notes.

DRAFT---FOR APPROVAL

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

ZONING APPLICATION # 2020-709

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 as it allows an institutional use to be developed in the vicinity of the I-485/US74 intersection. The Land Use Plan calls out institutional uses as appropriate in this area of the Town

REASONABLE: The rezoning is reasonable because it establishes a place of worship in a area of Town that is evolving with a mix of both residential and institutional uses.

OR

DRAFT – FOR DENIAL

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 is inconsistent with the Land Use Plan as it allows institutional, not commercial uses to be located near the US74 corridor

NOT REASONABLE: The rezoning is not reasonable as it will create heavy peak time traffic congestion and will result in the loss of significant tree canopy in the neighborhood.

(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: April 13, 2020