

Agenda Item: Zoning Application 2020-711, Change in Conditions, 1641 Matthews Township Pkwy

TO: Mayor and Board of Commissioners

FROM: Mary Jo Gollnitz, Senior Planner

DATE: August 10, 2020

Background/Issue:

- Request is to add catering business to the allowable Table of Permitted uses for 1641 Matthews Township Parkway.
- There have been no site plan changes since the Public Hearing.
- The applicant has agreed to delete the uses of funeral homes and brewpubs from the B-H use table (see attached)
- On July 28, Planning Board unanimously recommended approval of the change in condition request.

Proposal/Solution

A catering business is a retail use that would be compatible to neighboring properties.

Financial Impact

None

Related Town Goal

Quality of Life
Economic Development

Recommended Action

Approved the rezoning request 2020-711 Christlife Church to add catering business to the Table of Permitted Uses as most recently amended.

DRAFT---FOR APPROVAL

**STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES
Planning Board Recommendation on Zoning-Related Issues**

ZONING APPLICATION # _____ **2020-711** _____

ZONING MOTION # _____

ADMINISTRATIVE AMENDMENT _____

Matthews Planning 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 (or other document(s)), as follows:

CONSISTENT: with Matthews Land Use Plan and allows a retail use to the existing building. Allowable uses have been removed that would not be compatible with neighboring properties.

REASONABLE: The rezoning is reasonable because it allows for the building to house a banquet facility for meetings and other events in close proximity to local businesses that would otherwise have to look outside of Matthews for such facilities.

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 is inconsistent with the Land Use Plan because it increases traffic along an already busy thoroughfare.

NOT REASONABLE: The rezoning is not reasonable as it would create an expansion of existing retail space within a condensed site.

(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 10, 2020*

Final Table of Uses for DECISION on August 10, 2020

TABLE OF ALLOWED USES: TRADITIONAL AND PARALLEL TRADITIONAL DISTRICTS	
USES BY GROUPING	
RESIDENTIAL USES	B-H
Accessory residential use and structure clearly incidental to the permitted principal residential use	ACC
Dormitory for senior high and post-secondary school operated by and located on the principal site of the institution served.	P
Limited food and beverage sales in neighborhood common facility, subject to § 155.506.14	PC
Propane storage or other home fuel storage, accessory to a permitted principal use or building, subject to the Fire Prevention Code of the National Board of Fire Underwriters	ACC
INSTITUTIONAL & GOVERNMENTAL USES	B-H
Adult care home	P
Adult day care facility	P
Assisted living facility	P
Church and place of worship without size restrictions	P
College and university without stadium	P
Cultural Community Center, subject to § 155.506.07	P
Fire and/or EMS station, police station	P
School, elementary, middle, and senior high, public and private	P
Skilled Nursing Facility, subject to § 155.506.17	PC
OFFICE & SERVICE USES	B-H
Bank, credit union, and similar financial service	P
Barber shop, beauty salon, nail salon, and similar personal service	P
Civic, fraternal, and social club	P
Contractor's office without accessory storage	P
General and professional office	P
Laboratory and research facility, medical, dental or optical	P
Medical, dental, optical office and clinic	P
Museum and art gallery operated on a noncommercial basis	P
Office with display of sample merchandise to wholesalers and retailers when the samples are only visible within the building and no sales, inventory or delivery of merchandise from building	P
Spa, massage service	P
Telephone exchange	P
GENERAL COMMERCIAL USES	B-H
Alcohol and alcoholic beverage, wine, and beer production and sales, subject to § 155.506.45	PC
Animal grooming facility, subject to § 155.506.42	PC
Armory for meetings and training of military organizations	P
Auction house	P
Bakery, retail including manufacturing of goods for sale on the premises only	P
Ballroom, banquet or meeting/catering hall	P
Boat and watercraft sales, new and used	P

Brewpub, subject to § 155.506.45	PC
Building material storage and wholesale and retail sales without outside storage	P
Call center	P
Car wash	P
Coin operated laundry	P
Commercial school and school providing adult training in any of the arts, sciences, trades, or professions, without retail sales of merchandise	P
Commercial or catering kitchen, without on-site customer/client food service	P
Communications tower and antenna, subject to § 155.506.41	PC
Copy, printing and photo processing	P
Crematorium, when located on same lot as a cemetery or funeral home, subject to 155.506.13	P
Crematorium, stand alone, or on an adjacent parcel to a cemetery or funeral home only when such parcel is commercially or industrially zoned, subject to 155.506.13	PC
Drive up service window, subject to § 155.506.33	ACC
Florist shop	P
Funeral home	P
Gas station with convenience store, subject to § 155.506.49	PC
Gas pump without convenience store	ACC
Heliport	P
Hotels, subject to § 155.506.32	PC
Hotel, Extended Stay, subject to § 155.506.32	PC
Installation and servicing of accessory equipment (i.e. audio, security, navigational, etc.) for vehicles sold within an enclosed building with internal storage only	P
Internet sweepstakes, or adult gaming facility § 155.506.50	PC
Kennel, animal day care, subject to § 155.506.42	PC
Laundry and dry cleaning establishment not to exceed 4,500 sq ft gross floor area	P
Laundry and dry cleaning establishment not to exceed 10,000 sq ft gross floor area	P
Manufactured home sales	P
Microbrewery, subject to § 155.506.45	PC
Mini storage facility	P
Mobile vendor, subject to § 155.506.43	PC
Motor vehicle service facility limited to oil change, tire rotation and replacement, and similar minor maintenance service, all activity taking place within the building, not over 3 service bays and no overnight vehicle storage	P
Motor vehicle repair garage including engine overhaul, body and paint shop and similar operations	P
Motor vehicle, passenger, and motorcycle, new and used, sales and rental	P
Motor vehicle, commercial or recreational, new and used, sales and rental	P
Motoreycle safety training course, subject to § 155.506.18	PC
Museum or art gallery	P
Nursery, commercial, with or without greenhouse	P
Outdoor equipment and machinery, sales and repair	P

Outdoor sales in conjunction with a permanent business, subject to § 155.506.36	← PC
Parking lot and parking garage/structure	P
Pat. cemetery, including any accessory structure	P
Post Office	P
Professional, financial, personal and recreational service not otherwise listed	P
Pushcart vending, subject to § 155.506.43	
Radio and television station	P
Repair and servicing, indoors only, of any article the sale of which is permitted in the district, except as otherwise listed	P
Restaurant, lounge and nightclub without drive-thru or drive-in service	P
Restaurant with drive-thru or drive-in service	P
Retail sales, general merchandise, unless otherwise listed	P
Secondhand goods, retail sales without outside storage, unless otherwise listed	P
Selling from a semitruck without a cab, subject to § 155.506.36	← PC
Sign printing	P
Solar collector installation, subject to § 155.506.48	ACC/PC
Specialty sales establishment with substantial on-site assembly, processing, packaging, and/or distribution, and processes sales for off-site customers, subject to § 155.506.39	PC
Studio for gymnast, artist, designer, photographer, musician, sculptor, and similar	P
Towing operation with vehicle storage only within an enclosed structure	P
Upholstering in a workroom setting not to exceed 1,500 sq. ft. of gross floor area	P
Utility trailer, not exceed a loading capacity of 500 cubic feet, sales and rental	P
Veterinary clinic or hospital, subject to § 155.506.42	PC
RECREATION & ENTERTAINMENT USES	
B-H	
Amusement, commercial outdoors, including miniature golf, golf course, golf driving range, ride, slide, waterpark, paintball course and similar commercial enterprise requiring physical dexterity, except as regulated elsewhere, subject to § 155.506.40	← PC
Arcade, game room	P
Bowling alley	P
Community recreation center, fitness/health center, gymnasium, YMCA, and similar use with multiple physically involved activities, primarily indoor, can take place concurrently	P
Ice or roller rink	P
Park and playground, not otherwise listed	P
Skateboard facility, subject to § 155.506.40	PC
Theater, housed within an enclosed structure	P
INDUSTRIAL & MANUFACTURING USES	
B-H	
Mail order facility	P

Manufacturing, processing, assembling of components into completed craft or custom-made items in facilities not exceeding 3,000 sq. ft.	P
MISCELLANEOUS USES	
Auction sale of real and personal property located on site for the purpose of liquidating assets, subject to § 155.506.43.	ACC
Accessory use, clearly incidental to the principal permitted use or structure on the lot	ACC
Community Garden	P
Donation Drop-Off Facility	ACC
Electric and gas substation, sewage treatment plant and control house, pump and lift station, water storage tank, well lot and similar use, subject to § 155.506.11	PC
Farm, urban, subject to § 155.506.19	PC
Garage sale, yard sale, and similar, subject to § 155.506.43	ACC
On-site demolition disposal site, subject to § 155.506.37	PC
On-site demolition disposal site, accepting off-site material, subject to § 155.506.37	PC
Parking for uses permitted within the district	ACC
Propane storage or other fuel storage, accessory to a permitted principal use or building, subject to the Fire Prevention Code of the National Board of Fire Underwriters	ACC
Public utility transmission and distribution lines	P
Railroad right-of-way	P
Short term temporary use or festival of civic or nonprofit nature, subject to § 155.506.44	PC
Sidewalk sale, end of season sale, clearance sale, subject to § 155.506.43	ACC
Temporary building and storage of materials in conjunction with construction of a building on a lot where construction is taking place or on adjacent lots, the temporary use to be terminated upon completion of construction, issuance of Certificate of Occupancy, or invalidation of building permit (see also § 155.506.43.C.4)	ACC
Temporary, self-contained storage unit, subject to § 155.506.20	ACC
Temporary use for business purpose, subject to § 155.506.43	PC
Transit stop shelter, subject to § 155.506.34	PC
Transit station (bus, rail, etc.)	P
Utility equipment stand, meter, box, and backflow preventer for single or groups of parcels	ACC
Vending machine, immediately adjacent to building under overhang only	P
(Am. Ord. 2025A, passed 6-9-14; Am. Ord 2059, passed 12-8-14; Am. Ord. 2083, passed 5-11-15; Am. Ord 2141, passed 4-11-16; Am. Ord 2188, passed 6-12-17; Am. Ord. 2264, passed 10-9-17; Am. Ord 2388, passed 5-13-19; Am.	