Agenda Item: Zoning Petition 2021-732, Inner Peaks Change in Zoning from B-1SCD to B-3 (CD)

TO: Matthews Board of Commissioners
DATE: September 9, 2021
FROM: Robert Will, Senior Planner

Background/Issue
- The applicant proposes to change the zoning of the property from B-1SCD shopping center district to B-3 (CD) for the purpose of allowing indoor recreational uses in the existing building (currently a legal nonconforming use) and allowing for future renovations and height increase as permitted.

- Comments Raised at the Public Hearing(s):
  - Concern over the future elevation of any height increase in a portion of the building.

- In response to these comments the applicant submitted elevations showing what the proposed height increase will look like. See attached.

- At their regular meeting on August 24th the Planning Board unanimously recommended approval of zoning Application 2020-732 Change in Zoning from B-1SCD to B-3 (CD) to the Board of Commissioners.

Proposal/Solution:
Included with this memo is the site plan and elevation rendering.

Recommended Motion/Action
Approve zoning Application 2020-732 change in Zoning from B-1SCD to B-3 (CD).
DRAFT – FOR APPROVAL
STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES
Board of Commissioners Decision on Zoning-Related Issues

ZONING APPLICATION # 2020-732
ZONING MOTION # __________________________
ADMINISTRATIVE AMENDMENT __________________________

The Board of Commissioners 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: The rezoning is consistent with the land use plan because it is creative reuse and interior subdivision of big box buildings.

REASONABLE: The rezoning is reasonable in that it will change a legal non-conformity to a conforming use.

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)), as follows:

INCONSISTENT: The rezoning is inconsistent with the Land Use Plan in that this location is too distant from the transit corridor to support higher intensity uses.

NOT REASONABLE: The rezoning is not reasonable as it will create the potential for an increase in height out of character with the surrounding uses.

(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: September 13, 2021
SITE DATA

TAX PARCEL ID 19329303
EXISTING ZONING B-1SCD
BUILDING AREA 21,068 SF
USE INDOOR RECREATION PARKING 1 SPACE / 200 SF
106 PARKING SPACES REQUIRED
132 EXISTING PARKING SPACES PROVIDED
BICYCLE PARKING 7 SHORT TERM SPACES REQUIRED
8 SHORT TERM SPACES PROVIDED
2 LONG TERM SPACES REQUIRED
2 LONG TERM SPACES PROVIDED

PROJECT LOCATION: OWNER:
DOUG COSBY
2220 S. TRYON STREET
CHARLOTTE, NC 28203

NO CHANGE TO EXISTING SIDEWALKS
NO CHANGE TO EXISTING SITE UTILITIES
NO CHANGES TO EXISTING PARKING PLAN

MECKLENBURG COUNTY CODE ENFORCEMENT
The Design In These Construction Documents Have Been Reviewed For Compliance With The State Building Code. It Is The Responsibility Of The Contractor To Construct This Project With Good Engineering Practice And In Compliance With The North Carolina State Building Code.
INNER PEAKS
10715 Independence Point Parkway

<table>
<thead>
<tr>
<th>Property</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax Parcel Number:</td>
<td>193-293-03</td>
</tr>
<tr>
<td>Acreage:</td>
<td>± 3.3 acres</td>
</tr>
<tr>
<td>Existing Zoning:</td>
<td>B-1SCD</td>
</tr>
<tr>
<td>Proposed Zoning:</td>
<td>B-3(CD)</td>
</tr>
<tr>
<td>Existing Use:</td>
<td>Commercial/Indoor Recreation</td>
</tr>
<tr>
<td>Proposed Development:</td>
<td>Uses as permitted by right and under prescribed conditions as allowed in the B-3 zoning district.</td>
</tr>
<tr>
<td>Maximum Building Height:</td>
<td>Up to 50% of the building may be built to the maximum height permitted in the B-3 zoning district. This area shall be located as generally depicted on the Rezoning Plan. The remaining 50% of the building shall not exceed forty (40) feet in height.</td>
</tr>
</tbody>
</table>