Agenda Item: Zoning Petition 2021-735, Oaklore Distillery Change in Zoning Conditions to add Distillery (less than 3,000 gross square feet) as a permitted use to the B-1 (CD) zoning at 11136 Monroe Rd.

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

Background/Issue
• The applicant proposes to change the conditions of the existing zoning to allow a distillery (less than 3,000 gross square feet).

• Comments Raised at the Public Hearing(s):
  - Concern over any noxious odors that will be produced at the site.

• One of the current conditions of a distillery in the UDO is that “No manufacturing of alcohol and alcoholic beverage shall produce or create any noxious smells or odors detectable to the public from the public right-of-way.”

• The applicant is proposing conditions that would govern the parking for any tasting area, patio, retail space, or other area open to the public as part of the facility’s routine business operations. Additionally, they are proposing to install a wooden fence at approximately the rear face of the existing building, continuing to the northwest corner of the property, and along the western boundary with Parcel ID 21301206, terminating at the southwest corner of the property.

• Many of the members of Planning Board had concerns over the location, parking, and the safety of the egress and ingress from Monroe Road. There was a failed motion to recommend approval. The motion to recommend disapproval passed four to three.

Proposal/Solution
Included with this memo is the amended site plan and proposed conditions.

Recommended Motion/Action
Approve zoning Application 2020-735 Change in Zoning Conditions to add Distillery (less than 3,000 gross square feet) as a permitted use to the B-1 (CD) zoning at 11136 Monroe Rd. with the proposed conditions.
DRAFT – FOR APPROVAL

STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES

Board of Commissioners Decision on Zoning-Related Issues

ZONING APPLICATION # __________2020-735______________________
ZONING MOTION # __________________________________________
ADMINISTRATIVE AMENDMENT _______________________________

Matthews 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 change in zoning conditions is consistent with the land use plan because it is creative reuse of an existing commercial structure.

REASONABLE: The change in zoning conditions is reasonable in that it will add more uses to the existing zoning site plan.

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 change in zoning conditions is inconsistent with the Land Use Plan in that this location is too small to support higher intensity uses.

NOT REASONABLE: The change in zoning conditions is not reasonable as it will create the potential for an increase in traffic.

(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
Oaklore Distilling Company – 11136 Monroe Road

Proposed Conditions

1. Unless other UDO requirements apply, parking for any distillery or facility used for the manufacturing of alcohol and alcoholic beverages will be required as follows:

   a. For any tasting area, patio, retail space, or other area open to the public as part of the facility's routine business operations, one parking space shall be provided per 250 square feet of such area; and

   b. For the remainder of the distillery or facility, one parking space shall be provided per 1.5 employees on the shift of greatest employment.

2. Prior to issuance of a building permit, a final parking plan shall be submitted to the Planning Director demonstrating compliance with all applicable UDO requirements. The Planning Director shall, pursuant to UDO § 155.202, approve, approve with conditions, or disapprove the proposed parking plan prior to the issuance of a building permit.

3. Landscaping shall be installed and maintained in accordance with the existing site plan, unless otherwise approved by the Planning Director pursuant to UDO § 155.202.

4. Site perimeter screening along all side and rear yard property boundaries abutting an existing residential use or residentially zoned area shall be provided consistent with Option 3 as described in UDO § 155.606.6.

5. A wooden fence, constructed and installed pursuant to all applicable UDO requirements, shall be provided along the boundary with Parcel ID 21301207, beginning at approximately the rear face of the existing building, continuing to the northwest corner of the property, and along the western boundary with Parcel ID 21301206, terminating at the southwest corner of the property.