Agenda Item: Zoning Petition 2021-737, Mt. Harmony Cottages, Kinger Homes, LLC Change in Zoning from R-15 to R-9 (CD)

TO: Matthews Planning Board Members  
DATE: October 20, 2021  
FROM: Robert Will, Senior Planner

Request Summary:  
The applicant proposes to change the zoning of the property from R-15 single family to R-9 (CD) for the purpose of constructing 17 single family homes.

Comments Raised at the Public Hearing(s):  
- The term 'masonite' should be defined and is potentially acceptable as an exterior building material.  
- More tree save should be considered  
- The lots 1 and 17, adjacent to Mt. Harmony church Rd., should be buffered or have wrap-around architecture.

In response to these comments the applicant submitted a revised site plan showing an increase in tree save area and replanting areas. Replanting areas include the rear of lots 1, 12, and 13, and in the south east corner of the property close to the storm water BMP and trees along Mt. Harmony Church Rd.

Land Use Plan:  
The Land Use Plan does not specifically make a recommendation for this site, however it considers well-designed infill development, such as R-VS and other higher-density mixed and multi-family uses where appropriate and compatible with existing development.

Recommendation:  
Staff recommends that the Planning Board forward a favorable recommendation of zoning Application 2020-737 Change in Zoning from R-15 to R-9 (CD) to the Board of Commissioners.
DRAFT – FOR APPROVAL

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

ZONING APPLICATION # ________2020-737____________________
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: The rezoning is consistent with the land use plan because it will provide a variety of housing styles, densities and locations and encourage design and construction of alternative style housing and infill development.

REASONABLE: The rezoning is reasonable in that it provides for a compatible land use adjacent to single-family zoning.

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 density uses.

NOT REASONABLE: The rezoning is not reasonable as it will create additional traffic along Mt. Harmony Church Rd.

(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: October 26, 2021
1. The maximum height of any single-family detached dwelling unit shall be 35-feet as measured by the architectural standard.

2. Architectural Standards

   a. Outdoor lighting fixtures installed on the site shall comply with the requirements of the outdoor illumination provisions of the ordinance.

   b. Rezoning Plan and/or these Development Standards may be applied for by the current owner of the Site in accordance with the provisions of the Ordinance.

   c. Binding Effect of the Rezoning Documents and Definitions

      i. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Kinger Homes, LLC (the "Petitioner") to accommodate the development of an approximate 8,974 SF (15%)

      ii. These Development Standards may be applied for by the current owner of the Site in accordance with the provisions of the Ordinance.

      iii. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or subsequent owners of the Site and their respective successors in interest and assigns.

   d. Transportation

      i. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of all buildings, parking areas and access roads shall be subject to any minor modifications required to be approved by the Town of Matthews Planning Staff.

   e. Lighting

      i. Each single-family detached dwelling unit constructed on the site shall include overhangs, brackets and soffits so that it is substantially similar in appearance to at least one of the attached conceptual, schematic images for the front elevation.

      ii. Each single-family detached dwelling unit constructed on the site shall have a covered front porch with a minimum depth of 6-feet.

      iii. Each single-family detached dwelling unit constructed on the site shall have a step with a minimum of 8-inches from the immediately adjacent sidewalk or walkway to the front stoop located at the front entry.

      iv. The front building lines of the single-family detached dwelling units constructed on the site shall be designed and constructed so that they are consistent with the general arrangement of uses and improvements on the Site. The configurations, placements and the use of the single-family detached dwelling units to be constructed on the site. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, trim and other exterior building materials.

      v. The ground floor of the front facade of each single-family detached dwelling unit constructed on the site shall be designed and constructed so that it is substantially similar in appearance to at least one of the attached conceptual, schematic images for the front elevation.

   f. Binding Effect of the Rezoning Documents and Definitions

   g. Rezoning Petition #2021-737

   h. The maximum angle of any single-family detached dwelling unit shall be 55° as measured by the architectural standard.