Agenda Item: Zoning Petition 2021-740, 400 Matthews Mint Hill Rd. Change in Zoning from R-20 to B-1 (CD).

TO: Matthews Board of Commissioners  
DATE: December 8, 2021  
FROM: Robert Will, Senior Planner

Background/Issue:  
The applicant proposes to change the zoning of the property from R-20 single family to O (CD) for the purpose of converting the existing single-family residence into a general or professional office use.

Proposal/Solution:  
Previously the applicant had pursued a B-1 Zoning with a number of prohibited uses. The Planning Board discussed this proposal at length and motioned to not approve the requested zoning action because a better fit for the site would be Office (O) zoning with a list of permitted uses rather than prohibited uses. The motion passed five to two.

Since the Planning Board meeting the applicant has revised the request and site plan in a number of ways to address Planning Board concerns. They are no longer seeking the B-1 (CD) zoning designation but rather Office (CD) with the only permitted use being General or Professional offices. Additionally, the applicant is proposing to replace any trees that are to be removed in kind. And finally, the driveway will now be where the existing curb cut is located toward the center of the property.

Financial Impact:  
None

Related Town Goal(s) and/or Strategies:  
Economic development/Land Use Planning

Recommended Motion/Action:  
Approval of zoning Application 2020-740 Change in Zoning from R-20 to O (CD) with conditions
DRAFT – FOR APPROVAL

STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES

Board of Commissioners Decision on Zoning-Related Issues

ZONING APPLICATION # 2020-740
ZONING MOTION # __________________________________________
ADMINISTRATIVE AMENDMENT __________________________________________

Matthews Board of Commissioners adopts the checked statement below:

A) __X___ 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 is consistent with the land use plan because it is creative reuse of an existing residential structure that is in close proximity to the Downtown.

REASONABLE: The change in zoning is reasonable in that it will tailor the uses of the existing zoning site plan to the neighborhood.

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 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 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: December 13, 2021
CURRENT ZONING DISTRICT: R-20 [Single Family Residential]

PROPOSED ZONING DISTRICT: O (CD) [Office District - w/ conditions]

CONDITIONAL LAND USE:
- General and Professional Office

PARKING CALCULATION:
1 space/ 300 sq. ft. GFA
2,392 sq. ft. GFA = 8 SPACES REQ'D