ZONING APPLICATION FOR UNIFIED DEVELOPMENT ORDINANCE TEXT CHANGE AS PROVIDED IN THE UDO AT 155.401.3

APPLICATION NUMBER 2021-745
APPLICANT'S NAME The NRP Group
APPLICANT'S MAILING ADDRESS c/o Jason Mochizuki, 6605 Central Pacific Avenue, #104, Charlotte, NC 28210
APPLICANT'S PHONE NUMBER/EMAIL ADDRESS 510-295-3252/JMochizuki@nrpgroup.com

DATE FILED December 1, 2021

I request consideration of the following change in text of the Matthews Unified Development Ordinance:

Requested text change is:

☒ a change in wording to existing Section(s)
☐ an addition to Section(s)
☐ a deletion of wording at existing Section(s)

Below is the text requested to be changed, added or deleted:

Existing Section 155.504.3.C.3 (Exhibit A) Proposed Section See Exhibit B attached hereto

(continue on additional page(s) as necessary)
What is the intended effect of this request?

To amend Section 155.504.3.C.3 of the Unified Development Ordinance by adding language that allows more than 600 dwelling units in the ENT-O District to receive construction permits and certificates of occupancy prior to the date on which 40,000 square feet of new commercial space has been completed or is under construction in the ENT-O District provided that each development project that includes dwelling units contains a specified minimum amount of new commercial space.

APPLICANT SIGNATURE  See Attached Signature Page

(continue on additional page(s) as necessary)
EXHIBIT A

Text Change Application Filed by The NRP Group

C. DEVELOPMENT STANDARDS.
In addition to the requirements of the underlying zoning district(s), development and improvements in the ENT-O District shall comply with the following requirements, and where the regulations in this Section are in conflict with the regulations of the underlying zoning district, the regulations in this Section shall prevail:

1. Proposed development within the ENT-O District shall be subject to the development standards, design principles and review criteria contained within § 155.503.8.E, F and G.

2. Given the Town’s goal of creating an environment for a mix of businesses, no single “big box” retail establishment (defined as merchandise sales as sole or primary activity in excess of 70,000 square feet) shall be allowed. Hotels/conference centers and movie theatres are exempted from this limitation.

3. Residential to commercial ratios: no more than 600 dwelling units are to receive construction permits until at least 40,000 square feet of commercial space is under construction or completed within the District.

4. Commercial to residential ratios: no more than 120,000 square feet of commercial space is to receive construction permits until at least 240 dwelling units are under construction or completed within the district.

5. Right-of-way width for the future Independence Pointe Parkway through the district is to be planned and reserved during the subdivision process for 140-foot width in order to accommodate multi-modal travel, including automobiles, pedestrians, bicyclists, on-street parking and future public transit/fixed guideway, as well as right-of-way amenity features.

6. Transportation networks and connectivity proposed as part of development in the district shall comply with the locational, dimensional, and design requirements as specified in:
   a. Town of Matthews Entertainment District Small Area Plan (2014)
   b. Town of Matthews Comprehensive Transportation Plan (2013)
   d. Charlotte Area Transit System 2030 Transit Corridor System Plan (as updated)
   e. Charlotte Area Transit System design and engineering studies for the Silver Line light rail

In any instance where the above-referenced requirements may be seen to conflict, the more stringent requirement shall be applied to proposed land development.
EXHIBIT B

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Residential to commercial ratios: no more than 600 dwelling units are to receive construction permits until at least 40,000 square feet of new commercial space is under construction or completed within the District. "New commercial space" as used herein shall be defined as commercial space constructed or under construction in the ENT District after the date on which the ENT-O District was adopted. Notwithstanding the foregoing, a project may receive construction permits and certificates of occupancy for dwelling units prior to the date on which 40,000 square feet of new commercial space has been completed or is under construction in the District if such project includes not less than (1) an average of at least 500 square feet of new commercial space per acre of the project and (2) an average of at least 25 square feet of commercial space per residential unit of the project. When a total of 40,000 square feet of new commercial space has been constructed or is under construction there shall be no further requirement for new commercial space prior to issuance of construction permits for dwelling units. For all purposes herein, new commercial space shall be required to be completed or under construction, but it shall not be required to be occupied in the calculation of the residential to commercial ratio.
THE NRP GROUP

By: [Signature]

Name: Noam Magence

Title: Secretary

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