Agenda Item: Administrative Amendment –Landscape and Note Change – Mt. Harmony Townhomes.

TO:   Town of Matthews Board of Commissioners
FROM: Robert Will, Senior Planner
DATE: January 6, 2021

Background/Issue:

Mt. Harmony Townhome development, located at 2115 Stevens Mill Road and Mt. Harmony Church Road is requesting an Administrative Amendment to change plant type on the berm/buffer and clarify a note on the rezoning petition. The Board of Commissioners approved the rezoning on June 11, 2018.

- The previously approved Leland Cypress had a density of 9 trees/100lf in a staggered configuration. As recommended by the Town arborist, the applicant is proposing the same 9 trees/100lf in the same staggered layout, but with the Nellie Steven Holly, which is on the approved list of trees permitted beneath Duke powerlines.
- The second item the applicant is to request in this change is clarification on the language highlighted in sheet RZ-7, Note 7B, stating “The Berm shall terminate at the pedestrian walking trail”. This note implies they are not permitted to continue beyond the walking trail. The intention of that note may have been to state it is to “extend” to the walking trail.
- No changes have been made to the footprint of the site plan.

Proposal/Solution

The requested changes are in reaction to the power poles being relocated and now a landscape buffer compatible to Duke specifications must be found. The Planning Board unanimously recommended approval to the Board of Commissioners of the proposed amendments at their regular meeting on December 22, 2020.

Financial Impact

None

Related Town Goal

Economic Development/Land Use Planning

Recommended Action

Review, discuss and make a determination if the requests for the administrative amendments are appropriate.
DRAFT – FOR APPROVAL

STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES
Final Decisions on Zoning-Related Issues

ZONING APPLICATION # ______________________________
ZONING MOTION # __________________________________________
ADMINISTRATIVE AMENDMENT __ Mt. Harmony Townhomes ______

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 revised plantings from the original conditional rezoning request will have the same effect and will be compatible with Duke Energy guidelines.

REASONABLE: Because the change in vegetation is required by Duke Energy and will be similar in appearance.

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 revised plantings are inconsistent with the Land Use Plan in that this location is directly adjacent to a single-family residence.

NOT REASONABLE: The rezoning is not reasonable as it is directly adjacent to a single-family residence.

(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: January 11, 2021
ARCHITECTURAL STANDARDS

A.

Adapted by the Planning Board as a variance, sectional view of the front, side, and rear elevations of the proposed building(s) shall be submitted in the form of a plot plan with a minimum scale of 1"=20' as required by the Planning Board. Such plans shall be submitted as a separate sheet and not as part of the application. The plans shall be submitted in accordance with the requirements of the Planning Board.

B.

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### Species Approved by Duke

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Scientific Name</th>
<th>City Tree Ordinance Approved</th>
<th>CIP/ROW Approved</th>
<th>City Zoning Approved (Large or Small Matured)</th>
<th>Duke Transmission Zone(T) or Distribution line(D) Approved</th>
<th>Shade Tolerant</th>
<th>Tolerates Poor Drainage</th>
<th>Native</th>
<th>Blooming</th>
<th>Foliage (Deciduous, Semi-deciduous, or Evergreen)</th>
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<td>Ilex X 'Emily Brunner'</td>
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