

**PLANNING BOARD  
REGULAR MEETING  
TUESDAY, April 23, 2019  
7:00 PM  
HOOD ROOM, MATTHEWS TOWN HALL**

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES – March 26, 2019
- III. ZONING APPLICATION 2019-694 – 1625 Windsor Square Dr (Discount Tire store), B-1 (CD) to B-H (CD)
- IV. ZONING APPLICATION 2019-695 – Text Amendment, Viking Partners (Request to eliminate interior side yard requirement in the B-1 SCD district)
- V. ZONING APPLICATION 2019-696 – Text Amendment, John Kelly (Request to modify use table listing for recreation uses).
- VI. Discuss Meeting Date Change for May Planning Board Meeting
- VII. ADJORNMENT

MEMO

TO: Planning Board Members  
FROM: Jay Camp  
DATE: April 17, 2019  
RE: April 23rd Regular Planning Board Meeting

I hope everyone is enjoying spring despite the pollen! For the first time in several months we have an agenda with multiple items, including a rezoning and two text amendments. Below is a summary of each case:

**Zoning Application 2019-694** – Discount Tire proposes to raze the former restaurant building at 1625 Windsor Square Drive and construct an 8,192 square foot store for tire sales and installation. Since the Public Hearing, the applicant has made several revisions to the building and site plan based on feedback that was received. Please review the attached memo and architectural drawings from Mary Jo Gollnitz for additional details.

**Zoning Application 2019-695** – The proposed text amendment would modify the table of dimensional standards and would eliminate side yard requirements for interior lot lines. The change would specifically allow for the subdivision of attached buildings located within a shopping center.

**Zoning Application 2019-696** – This proposed text amendment request would modify the use listing “outdoor physical recreation facility intended for use by teams of participants” by adding the words “indoor or” to the beginning of the sentence.

Please be sure to let one of us know if you will be unable to attend next Tuesday’s meeting. Due to Memorial Day, the Town Board has moved their second meeting of the month to May 28<sup>th</sup>, the date of the regular Planning Board meeting. The Board may wish to meet on an alternate date. Tentatively, May 21<sup>st</sup>, appears to be the best date to reschedule. Please check your calendars and we will discuss on Tuesday.

**MINUTES  
PLANNING BOARD  
TUESDAY, MARCH 26, 2019  
7:00 PM  
HOOD ROOM, MATTHEWS TOWN HALL**

**PRESENT:** Chairman David Wieser; Members Mike Foster, Mike Rowan, and Natasha Edwards; Alternate Member Scott Query and Jonathan Clayton; Youth Voice Matheus Sadovsky; Acting Town Attorney Craig Buie; Senior Planner Mary Jo Gollnitz; Senior Administrative Specialist /Deputy Town Clerk Shana Robertson.

**ABSENT:** Vice-Chairman Kerry Lamson; Members Jana Reeve and Larry Whitley

**CALL TO ORDER**

Chairman David Wieser called the meeting to order at 7:02 pm.

Mike Rowan motioned to appoint Alternate Members Scott Query and Jonathan Clayton as voting members for the March 26, 2019 Planning Board meeting. The motion was seconded by Mike Foster and unanimously approved.

**APPROVAL OF THE MINUTES**

Mike Foster motioned to approve the minutes from the February 26, 2019 Planning Board meeting. Scott Query seconded and the motion to approve was unanimous.

**WELCOME- New Planning Board Alternate Jonathan Clayton**

New Planning Board Alternate Member, Jonathan Clayton was welcomed to the Board by Chairman Wieser.

**ZONING MOTION 2019-1 – Tree Text Amendments to the Unified Development Ordinance**

Senior Planner Mary Jo Gollnitz reviewed Motion 2019-1. She said at the March 11, 2019 Public Hearing, Commissioners had requested the removal of Sweet Gum and Black Gum trees from the approved list. The Appearance and Tree Board meet on March 8, 2019 and recommended that Sweet Gum be replaced with a fruitless Rotundiloba Sweet Gum. Ms. Gollnitz said that the advisory committee also noted that Black Gum trees should remain on the approved list because they did not bear fruit/Gumballs.

Mr. Rowan asked if this list was for new plantings or for tree and shrub preservation. Ms. Gollnitz explained that it was a list mainly used by residential and commercial developers. Ms. Gollnitz said that developers have to submit a landscape plan before final approval. She added that private property owners do not have to follow the list but it was suggested by the Town. Mr. Rowan asked for clarification on preserved trees. Ms. Gollnitz said that before a site is developed a vegetation survey is submitted to town staff. Champion and Heritage trees are identified during that review and marked for preservation.

Mr. Weiser asked for the review of possibly removing Virginia Creeper from the list saying that while it was a native plant and it was not invasive, it was an aggressive plant. Ms. Gollnitz said that the Tree and Appearance Advisory Committee reviewed the list and made suggestions. All ground cover that was listed is native to our area. Ms. Gollnitz confirmed that the Virginia Creeper could be an aggressive plant but was not invasive.

Mr. Query made a motion to recommend approval of zoning Motion 2019-1- Text Amendment to Table of Approved Tree List and Shrub List § 155.606.14 as presented because it is consistent with the Matthews Land Use Plan and reasonable as it allowed for an update to the Approved Tree and Shrub List of the Matthews Unified Development Ordinance. Mr. Clayton seconded and the motion passed unanimously.

**DISCUSSION**

Mr. Rowan inquired about the tree removal by Taft Development on Monroe Road and suggested that a recommendation be made to the Tree and Appearance Advisory Committee that values be placed on trees as he felt that the \$50,000 fine was not sufficient. Attorney Craig Buie said that the General Statute allowed for twice the value of the tree. Ms. Gollnitz added that the fine assessed was in accordance to the Town of Matthews Unified Development Ordinance and State Statue.

**ADJOURNMENT**

Mr. Foster motioned to adjourn and Natasha Edwards seconded. The motion passed unanimously and the meeting adjourned at 7:14 pm.

Respectfully submitted,

Shana Robertson  
Senior Administrative Specialist/Deputy Town Clerk

DRAFT

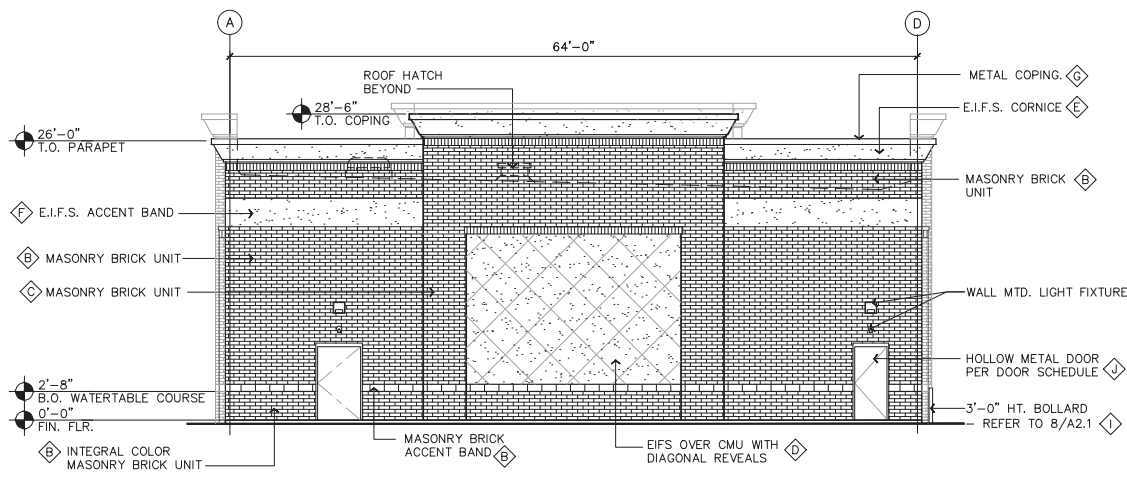
## **Application 2019-694 Discount Tire**

**TO: Matthews Planning Board Members**  
**DATE: April 17, 2019**  
**FROM: Mary Jo Gollnitz**

During the Public Hearing, several questions for the proposed rezoning were raised. Issues and concerns that were noted at the April 8<sup>th</sup> hearing included:

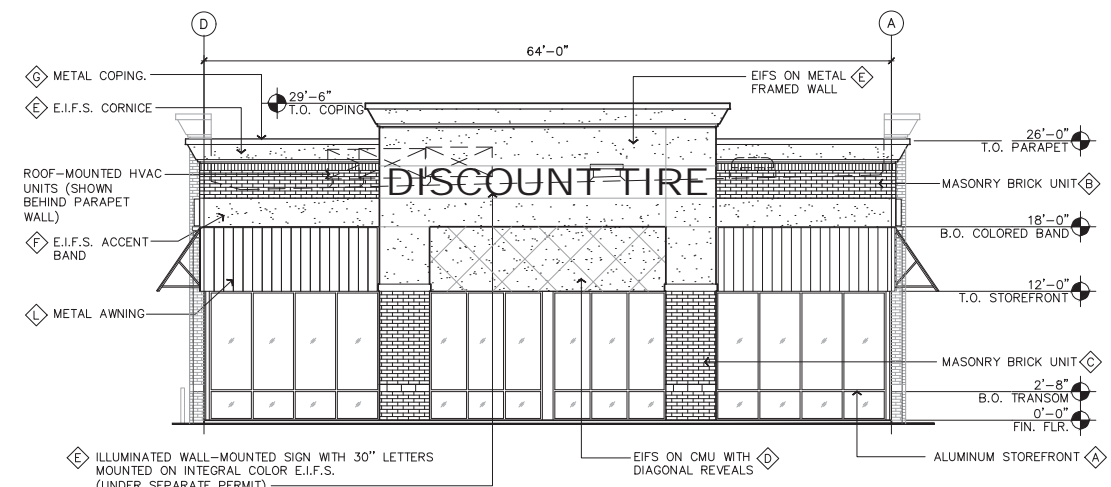
- Elevations should reflect 100% brick. The applicant has submitted revised elevations (see attached)
- Consider flipping the proposed building so the lobby area faces Independence Point Parkway and the bay doors face north towards Red Lobster
- Corrected the transitional right of way and setback lines
- Shift the building closer to Independence Point Parkway
- Preserve all trees that are on the site
- Add note stating that if closure of existing driveway along Windsor Square Dr occurs, due to construction widening of US 74, it may be relocated with Town/NCDOT approval

Staff feels the rezoning is appropriate and suggests that the Planning Board forward a favorable recommendation for the rezoning request to the Board of Commissioners with the condition the applicant continues to address the concerns voiced at the Public Hearing.



**WEST ELEVATION**

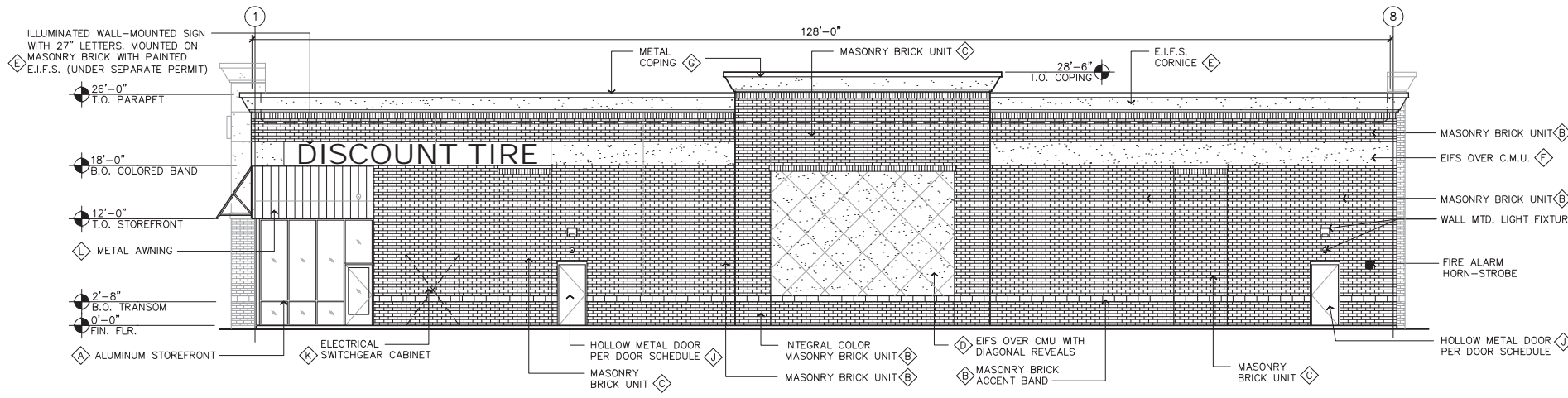
SCALE: 1/8" = 1'-0"



**EAST ELEVATION (E. Independence Blvd.)**

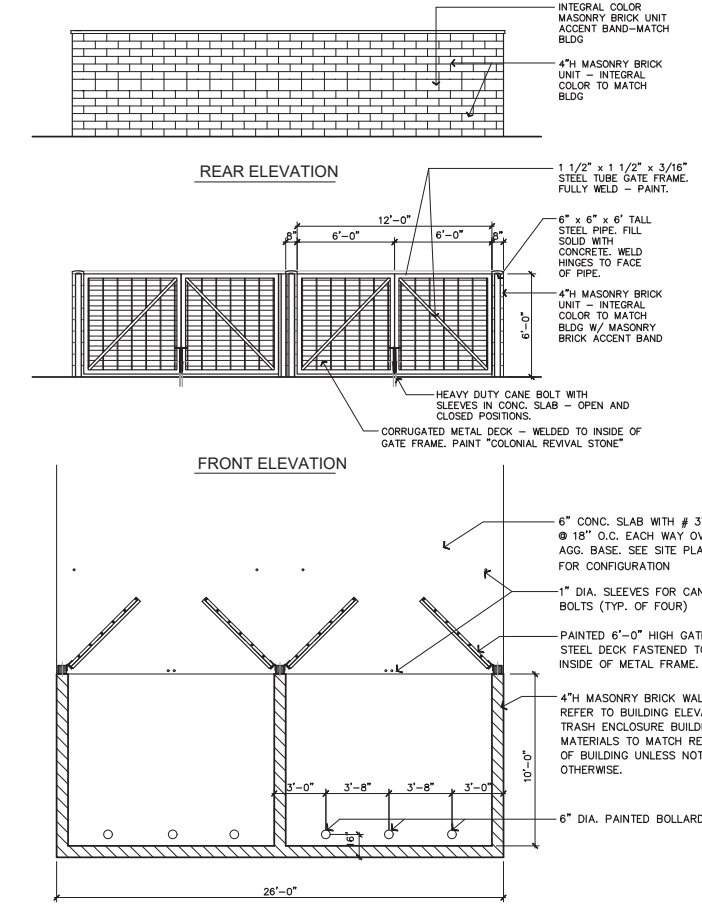
SCALE: 1/8" = 1'-0"

FINISH LEGEND	
Ⓐ	ANODIZED ALUMINUM STOREFRONT SYSTEM MANUFACTURER'S STANDARD COLOR TO MATCH "BANNER RED"
Ⓑ	INTEGRAL COLOR MASONRY BRICK UNIT BY QUIK-BRICK, 4" HIGH UNITS/8" HIGH ACCENT BAND. "SANDALWOOD BLEND" COLOR WITH STD. GRAY GROUT COLOR
Ⓒ	INTEGRAL COLOR MASONRY BRICK UNIT BY QUIK-BRICK, 4" HIGH UNITS. "RICHFIELD BLEND" COLOR WITH STD. GRAY GROUT COLOR
Ⓓ	INTEGRAL COLOR EIFS WITH SANDPEBBLE FINE TEXTURE - DRYVIT OR APPROVED EQUAL. COLOR TO MATCH SHERWIN WILLIAMS SW 2827 "COLONIAL REVIVAL STONE"
Ⓔ	INTEGRAL COLOR EIFS WITH SANDPEBBLE FINE TEXTURE - DRYVIT OR APPROVED EQUAL. COLOR TO MATCH SHERWIN WILLIAMS SW 6119 "ANTIQUÉ WHITE"
Ⓕ	E.I.F.S. BAND PAINT SHERWIN WILLIAMS SW#7585 "SUNDRIED TOMATO"
Ⓖ	METAL COPING - FACTORY PAINTED / INTEGRAL COLOR TO MATCH BERRIDGE "SIERRA TAN" COLOR
Ⓗ	EXPOSED STEEL / EIFS - PAINTED TO MATCH "COLONIAL REVIVAL STONE"
Ⓙ	STEEL BOLLARDS - PAINTED TO MATCH "COLONIAL REVIVAL STONE"
Ⓝ	HOLLOW METAL DOORS - PAINTED TO MATCH "COLONIAL REVIVAL STONE"
Ⓢ	ELECTRICAL SWITCHGEAR CABINET - PAINTED TO MATCH "COLONIAL REVIVAL STONE"
Ⓣ	STANDING SEAM METAL AWNING - BERRIDGE, SNAP-ON CEE LOCK WITH SEAMS AT 16-1/2" OC. COLOR: "CHAMPAGNE"
Ⓝ	STEEL FRAMES TO BE PAINTED "COLONIAL REVIVAL STONE"



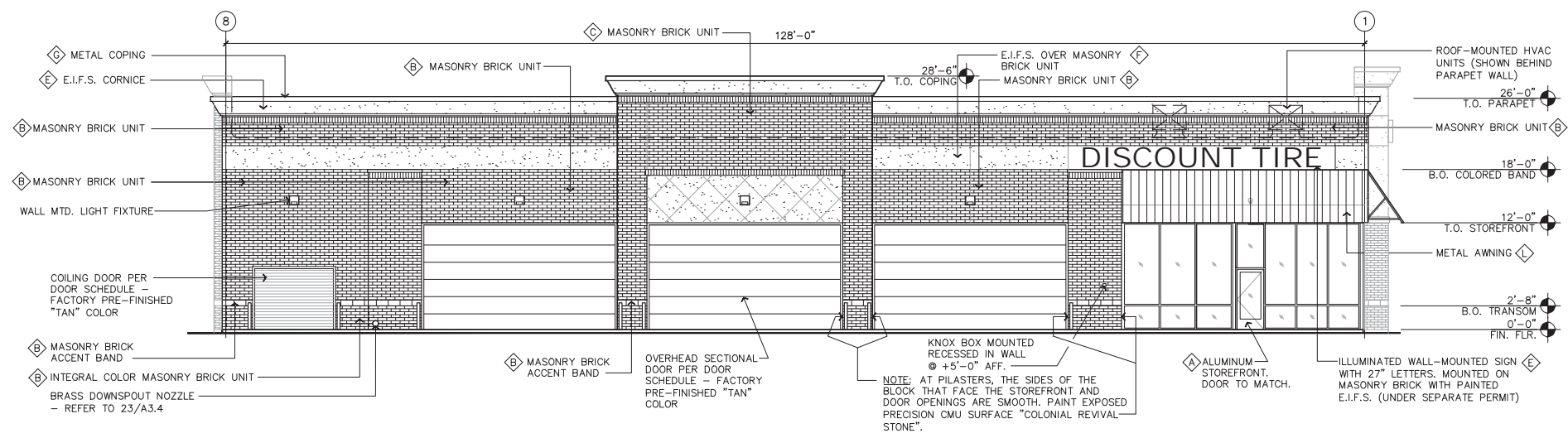
**NORTH ELEVATION**

SCALE: 1/8" = 1'-0"



**TRASH ENCLOSURE PLAN / ELEVATIONS**

1/8" = 1'-0"



**SOUTH ELEVATION (Windsor Sq. Dr.)**

SCALE: 1/8" = 1'-0"



THIS PLAN IS PROPERTY OF EI DESIGN. THIS DRAWING IS LOANED WITHOUT OTHER CONSIDERATION THAN THE AGREEMENT AND CONDITION THAT IT IS NOT BE REPRODUCED, COPIED, OR OTHERWISE DISPOSED OF DIRECTLY OR INDIRECTLY, AND IS NOT TO BE USED IN WHOLE OR IN PART TO ASSIST IN MAKING OR TO FURNISH ANY INFORMATION FOR THE MAKING OF DRAWINGS, PRINTS, APPARATUS OR PARTS THEREOF. THE ACCEPTANCE OF THIS DRAWING WILL BE CONSTRUED AS AN ACCEPTANCE OF THE FOREGOING CONDITIONS.

CONCEPTUAL ELEVATIONS

1625 Windsor Square Dr.  
MATTHEWS, NC 28105



Ei Design Inc.  
1260 Corona Pointe,  
Suite 301  
Corona, CA 92879  
951-251-0136 (T)  
eidesigninc.com

BUILDING MODEL	
ALT - 3R	
REVISION	
DATE	04.15.19
SCALE	AS NOTED
PROJECT NUMBER	2018120120

Sheet No.

**A.2**

**DRAFT---FOR APPROVAL**

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

ZONING APPLICATION # 2019-694

ZONING MOTION # \_\_\_\_\_

ADMINISTRATIVE AMENDMENT \_\_\_\_\_

Matthews Planning Board adopts the checked statement below:

A)  The requested zoning action, as most currently amended, is **approved**, and has been found to be **CONSISTENT** with the Matthews Land Use Plan (or other document(s)), and to be **REASONABLE**, as follows:

**CONSISTENT: with Matthews Land Use Plan and allows a retail use to replace a former restaurant location along US74.**

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**REASONABLE: The rezoning is reasonable because it allows for the vacant restaurant building to be demolished and a new retail building be installed. The rezoning supports a the continuation of building a healthy commercial base in Matthews.**

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**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)), and **NOT REASONABLE**, as follows:

**INCONSISTENT: The rezoning is inconsistent with the Land Use Plan because it is a traffic intense use.**

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**NOT REASONABLE: The rezoning is not reasonable as it would create an expansion of existing retail space on US74 resulting in increased traffic at the site.**

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*(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: *April 23, 2019*

**DRAFT---FOR APPROVAL**

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

ZONING APPLICATION # \_\_\_\_\_ **2019-695 UDO Text Amendment to Required Side Yards**

ZONING MOTION # \_\_\_\_\_

ADMINISTRATIVE AMENDMENT \_\_\_\_\_

Matthews Planning Board adopts the checked statement below:

A)  The requested zoning action, as most currently amended, is **approved**, and has been found to be **CONSISTENT** with the Matthews Land Use Plan (or other document(s)), and to be **REASONABLE**, as follows:

**CONSISTENT: with Matthews Land Use Plan in that it encourages a mix of land uses in appropriate and well-planned locations. It helps Matthews remain a healthy and attractive community.**

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**REASONABLE: The text amendment will allow shopping centers to properly subdivide building space for their tenants who wish to own their land and building.**

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**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)), and **NOT REASONABLE**, as follows:

**INCONSISTENT: It may encourage shopping center owners to sell their buildings.**

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**NOT REASONABLE: The text amendment is not reasonable as shopping center are already operating sufficiently without this text amendment.**

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*(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: **April 23, 2019**



**DRAFT---FOR APPROVAL**

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

ZONING APPLICATION # 2019-696 UDO Text Amendment to Table of Allowed Uses

ZONING MOTION # \_\_\_\_\_

ADMINISTRATIVE AMENDMENT \_\_\_\_\_

Matthews Planning Board adopts the checked statement below:

A)  The requested zoning action, as most currently amended, is **approved**, and has been found to be **CONSISTENT** with the Matthews Land Use Plan (or other document(s)), and to be **REASONABLE**, as follows:

**CONSISTENT:** with Matthews Land Use Plan in that it encourages a mix of land uses in appropriate and well-planned locations. It helps Matthews remain a healthy and attractive community. It would allow for existing buildings to be used for athletic activities. Other indoor athletic activities are already allowed in these districts.

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**REASONABLE:** The text amendment will allow indoor athletic or sports fields in districts that already allow this use outdoors.

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**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)), and **NOT REASONABLE**, as follows:

**INCONSISTENT:** It may encourage athletic activities to move completely indoors.

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**NOT REASONABLE:** The text amendment is not reasonable as it would create an expansion of existing athletic activities.

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*(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: *April 23, 2019*