Agenda Item: Zoning Petition 2021-743, David Hoyle Jr. Change in Zoning from R-20, B-1, I-1, and I-1 (CD) to B-1 (CD) and B-H (CD) at the corner of Sam Newell and Hwy 51 (Parcel Id 19324511, 19324508 and portion of 19324524).

TO: Matthews Board of Commissioners
DATE: April 5, 2022
FROM: Robert Will, Senior Planner

Background/Issue
The applicant proposes to change the zoning of the property from R-20, B-1, I-1 and I-1(CD) light industrial to B-1 (CD) and B-H (CD) to accommodate a maximum 4,000 sq. ft. building that could be for a financial institution or other non-residential use and a maximum 4,500 sq. ft. building for a restaurant with drive through service or other specified non-residential use.

Proposal/Solution
Additionally, staff was asked what would be more consistent with the land use plan and more appropriate for this site as a gateway to the Town. Please see the images below of locations nearby that capture a better sense of what the gateway could look like.

Also, during the public hearing presentation staff showed a map of the existing drive-through restaurants which indicated that they were all along the Hwy 74 corridor and none have been permitted outside of this area. The Hwy 74 corridor is predominantly zoned B-H and B1SCD.

The proposed right-in/right-out/left-in for the site on Hwy 51 would remove a significant amount of median and mature landscaping, which is also not consistent with an element of the land use plan that states ‘Preserve mature trees along NC-51’.

Financial Impact
None

Related Town Goals and/or Strategies
Economic development/Land Use Planning

Recommended Motion/Action
The applicant has requested a continuation to the May meeting of the BOC of this proposal due to site plan revisions.
An example a little closer to home (either side of the street.)

Strawberry Hill Center at the corner of Providence and Sardis
DRAFT – FOR APPROVAL

STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES

Final Decision on Zoning-Related Issues

ZONING APPLICATION # __________ 2021-743
ZONING MOTION # _____________________________
ADMINISTRATIVE AMENDMENT _____________________________

Matthews Board of Commissioners 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 change in zoning is consistent with the land use plan because it contains development that is consistent with the surrounding corridor.

REASONABLE: The change in zoning is reasonable in that it will add more noon-residential uses to the Hwy 51 Corridor.

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 a gateway to the Town and strip or out-parcel development is not encouraged.

NOT REASONABLE: The change in zoning is not reasonable as it will create the development that underutilizes the property and does not create the desired look that the Town desires.

(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: March 14, 2022