

AGENDA
BOARD OF COMMISSIONERS MEETING
HOOD ROOM, MATTHEWS TOWN HALL
JULY 13, 2015 - 7:00 PM

1. Regular Meeting Called to Order
2. Invocation
3. Pledge of Allegiance
4. Items to be Added to the Agenda
5. Planning and Development Business
 - A. Report from Planning Board
 - B. Planning and Zoning-Related Actions:
 - 1) Application 2015-630: to amend the text of the existing Unified Development Ordinance to establish and provide parking provisions specific to animal daycare kennels and commercial kennels.
 - 2) Site Plan Approval: Pet Paradise (former Technocom); 10714 Independence Pointe Parkway
 - 3) Public Improvement Variance – Streamside Subdivision
 - 4) Review and Approval of Subdivision Name - Fullwood Station
6. Public Comment (Please sign in to speak at this time. Limited to 4 minutes)
7. Reports from Boards/Committees
 - A. Environmental Advisory Committee - minutes
8. Consent Agenda
 - A. Approve Minutes of the May 11 & June 22, 2015 Board of Commissioner Meetings
 - B. Approve Preliminary Plat - Fullwood Station Subdivision; South Trade Street
 - C. Accept Zoning Applications 2015-632, Matthews Parkway Corporate Center/Primrose School, 720 Park Center Drive, from I-1 to O(CD) for a Child Day Care Facility; and 2015-633, Multiple Office Condo Owners of Windsor Professional Center, 9700 Block Northeast Parkway, from

Conditional to O(CD), to Bring Site into a Contemporary Zoning Classification and Allow Some Revisions, and Set a Public Hearing Date of September 14, 2015

- D. Approve Disposal of Surplus Property
- E. Approve Town Attorney's Annual Contract
- F. Approve Budget Ordinance Amendments to:
 - 1) Recognize a Governors' Crime Commission Grant for the Purchase of Replacement Tasers for the Police Department in the amount of \$14,686.32
 - 2) Roll forward Fund Balance in Order to Accommodate Appropriations for Both Required and Committed Purposes

9. New Business

- A. Approve Right-of-Way Acquisition at Pleasant Plains Road and McKee Road
- B. Consider Employee Pay & Classification Evaluation
- C. Approve Public Works Position Changes

10. Mayor's Report

11. Attorney's Report

12. Town Manager's Report

13. Adjournment

**PLANNING BOARD REPORT
ON THEIR MEETING OF
JUNE 23, 2015**

FOR TOWN BOARD ACTION:

I. ZONING APPLICATION #2015-630 – Text Amendment, Create Parking Standard for Day Care Kennels and Commercial Kennels

Planning Board unanimously recommended denial of the text as proposed, citing it was not consistent with adopted land use policies to plan for future reuse of properties.

Planning Board then unanimously voted to recommend an alternative new parking standards for these uses of 1 parking space for each 500 square feet of overall facility area.

II. PUBLIC IMPROVEMENT VARIANCE – Streamside, Sidewalk on Three Lots in Cul-de-Sac

Planning Board unanimously recommended approval to accept payment of \$1,000 in lieu of installation of sidewalk on three developed house lots, since that will allow final work to proceed toward turning the street over to the Town.

FOR INFORMATION ONLY:

I. REFRESHER PRESENTATION ON UDO

Planning Board received a presentation and discussed the Unified Development Ordinance.

**MINUTES
PLANNING BOARD
TUESDAY, JUNE 23, 2015
7:00 PM
HOOD ROOM, MATTHEWS TOWN HALL**

PRESENT: Chairman Steve Lee; Vice-chair: Rob Markiewitz; Members Gary Turner, Barbara Dement and Michael Ham; Alternate member David Wieser; Town Attorney Charles Buckley; Youth Voice Benjamin Dodson and Sarah Ward; Planning Director Kathi Ingrish, Planner II/Zoning Administrator Mary Jo Gollnitz, and Zoning Technician/Deputy Town Clerk Betty Lynd.

ABSENT: Member Eric Welsh and David Pratt; Alternate member David Barley

CALL TO ORDER

Chairman Steve Lee called the meeting to order at 7:02 p.m.

Mr. Lee stated that an alternate needed to be appointed as a voting member. Mr. Ham made a motion to appoint Mr. Wieser as a voting member. Mr. Markiewitz seconded the motion and it carried unanimously.

APPROVAL OF MINUTES

Mr. Markiewitz made a motion to approve the June 2, 2015 minutes as submitted. Ms. Dement seconded the motion. The motion carried unanimously.

APPLICATION 2015-630 – TEXT AMENDMENT, CREATE PARKING STANDARD FOR ANIMAL DAY CARE KENNELS AND COMMERCIAL KENNELS

Ms. Gollnitz stated that current parking requirements for animal day care kennels and commercial kennels require 1 space per 250 square feet of gross floor area. The applicant is looking to open an animal day care facility in an existing building and is proposing a new parking standard for this use. They are requesting 1 space per 1000 square foot of private access space, which would be kennels, and 1 space per 400 square feet of public access area, which could be grooming areas, etc. The request also includes bicycle parking, which would require 2 spaces or 10 percent of vehicular parking. Staff completed a comparison to the existing Lake Norman facility. This facility was 10,203 square feet which included 103 kennels and service area. If our current parking standards applied, the site would require 41 parking spaces. If the text amendment was applied, the site would require 16 parking spaces. Surrounding communities average a requirement of 1 space per 350 square feet and 1 space per employee. If the 1 space per 350 square feet standard applied, the site would require 35 parking spaces. Staff does recommend approval as submitted.

Mr. Lee asked if the animal day care is a specific use other than veterinary clinic. Ms. Gollnitz stated that it does have a specific definition within the Unified Development Ordinance and is a use separate from vet clinic. Mr. Lee asked if this text amendment would apply to all sites able to employ the animal day care use. Ms. Gollnitz stated that was correct, the text amendment is not site specific.

Mr. Markiewitz asked why staff has recommended approval. Ms. Gollnitz stated that staff had created a chart showing some calculations they had completed based on different parking standards. These calculations included buildings ranging from 2000 to 12000 square feet and what their parking would be with the text amendment as well as 1 space per 750 square feet, 500 square feet and 350 square feet. The customers would be mostly short term parkers in order to drop off their animal.

Mr. Ham stated that he heard the term kennel used as well. Ms. Gollnitz stated that this text amendment would apply to animal day cares and commercial kennels. Mr. Ham asked how many kennel spaces this site would include. Mr. Buckley stated that discussion could not be focused on a specific site. Mr. Ham asked if this text amendment would apply to grooming facilities. Ms. Gollnitz stated that it would not apply because grooming facilities are a separate use.

Mr. Ham asked if the calculations included parking spaces for the employees. Ms. Gollnitz stated that it did. Mr. Ham asked what the number of employees would be. Ms. Gollnitz stated that staff does not know. Staff could ask for an estimate.

Ms. Dement stated that if a customer is taking their animal to the facility for the first time, the customer might be there a little longer due to the paperwork involved, taking a tour, etc. Once your animal is acquainted each visit will be a quick in and quick out. Although we can't consider a specific site, what about the use of an easy drop off lane? Ms. Gollnitz stated that staff would have to consider that as parking.

Mr. Ham stated that while he realized drop off times could be relatively short, they would also happen at peak times, such as before work or after work. Drop offs would not tend to be spread out throughout the day. Ms. Gollnitz stated that this would be the minimum parking requirement and there could be more parking available.

Mr. Lee asked what would need to happen if the board wanted to amend the request. A smaller space might require more parking than what the request is showing as the minimum required. Mr. Buckley stated that this is not a conditional request so the applicant would not have to agree to any amendments the board recommends.

Mr. Turner asked if there was a benefit to distinguishing public and private areas as opposed to just the gross floor area of the entire building. Ms. Gollnitz stated that staff was working with the applicant to be able to quantify the space used by the public so that when future businesses of this type come forward, we could designate such areas.

Mr. Markiewitz stated that a parking requirement of 1 space per 250 square feet might be a bit excessive for the use, but he was still struggling with only 16 parking spaces needed with the text amendment. Ms. Dement asked about designated employee parking. Ms. Gollnitz stated that it would be difficult to calculate employees depending on shifts/holiday work. She also stated that staff has tried to stay away from quantifying parking requirements based on employees. Ms. Ingrish stated that there are some uses within the Unified Development Ordinance that still include employees in parking calculations, but that staff was trying to stay away from involving those estimations. Although the use may not change, the business itself may change and employ more people, therefore requiring more parking. Mr. Markiewitz asked if the building use changes, could these parking requirements be a disadvantage to the new business. Ms. Ingrish stated that would be a potential issue. If a retail business moved into a past animal daycare, there would be a sharp increase in required spaces. The new retail business would have to revise the site in order to accommodate the increase in needed spaces. Mr. Markiewitz stated that situation could lead to vacancies in properties. Ms. Ingrish stated that is possible.

Mr. Lee stated that the board has not asked the applicant to speak due to the request being a text amendment. The board can ask questions and receive answers from the applicant. Peter Tatge, with ESP Associates, P.A. at 3475 Lakemont Boulevard, Fort Mill, S.C. representing Pet Paradise, came forward for any questions. Mr. Turner asked if there was any thoughts the applicant had towards the board's discussion. Mr. Tatge stated that their goal was to accommodate parking needed for the public space. They do not want the storage space of the animals to be part of the calculation of parking.

Mr. Lee stated that the text amendment presented seems to be an extreme at the opposite end of the spectrum from what is currently used to calculate parking. The term daycare implies a high volume at peak times. Mr. Ham stated that he is concerned about what would happen should the site change businesses or uses. A low number of required parking spaces could hamper future businesses utilizing the site and create a vacant building.

Ms. Dement stated that the memo mentioned other communities' parking requirements averaged about 1 space per 350 square feet of gross floor area and asked which communities were reviewed. Ms. Gollnitz stated that Union County, Mooresville, Statesville and Shelby were among those reviewed. Ms. Dement asked if those communities indicated any problems with their standards. Ms. Gollnitz stated that in some cases that was too much parking. Some communities also included veterinary clinics as a use for those parking requirements.

Mr. Wieser asked if the change in parking standards impact emergency parking. Ms. Gollnitz stated that the site must show a minimal travel lane around the building for emergency vehicle access.

Mr. Lee stated that the text amendment's proposed requirements seemed a little light and the board could alter those standards at their pleasure. Mr. Buckley stated that the board could offer a different set of calculations. Mr. Ham stated that the 1 space per 500 square feet of gross floor area seemed appropriate due to the concerns of peak hour traffic. Ms. Dement also said that the 500 square feet seemed like a good compromise between current standards and the request before the board. Mr. Buckley stated that the board would first need to deny the text amendment as submitted and then offer their alternative.

Mr. Ham made a motion to recommend denial of application 2015-630 as submitted because it is not consistent with Matthews land use policies and also due to the concerns of rush hour traffic and possible impacts on future businesses or uses down the road. Mr. Markiewitz seconded the motion. The motion carried unanimously.

Ms. Dement made a motion to recommend that the text amendment be revised to 1 space per 500 square feet gross floor area for animal daycares and commercial kennels because that is more consistent with Matthews land use policies as well as being forward thinking for future businesses. Mr. Turner seconded the motion. The motion carried unanimously.

PUBLIC IMPROVEMENT VARIANCE- STREAMSIDE, SIDEWALK ON 3 LOTS IN CUL-DE-SAC

Ms. Gollnitz stated that this property is part of the Streamside subdivision. The property is zoned R-15. These three lots were sold in 2007-2011. Sidewalks were not installed at the time the CO was obtained. A representative for the developer has contacted the property owners to install the sidewalk. The property owners are not in favor of installing a sidewalk and support the variance request. Two property owners have written letters in favor. The developer has asked to transfer \$1000 to the town in lieu of installing the sidewalks. Until the sidewalk is complete, the Town cannot accept that street for maintenance. The Public Works department is in support of this variance as well.

Mr. Ralph Messera, the Public Works Director, stated that this is not a unique problem for the town. Some developers will complete the whole subdivision. Other developers complete the streets and lots are individually sold to builders for homes and sidewalks. There would need to be filling and resloping of the yards to the homes. The Town does not have a right to go onto private property to complete this. The property owners do not want their yards regraded. There have been discussions with county inspectors concerning a system to prevent future issues with the CO being given before sidewalks are installed. The county inspectors are going to make sure that the sidewalk is graded at the same time as the street in the future. The \$1000 is the equivalent of the construction cost.

Mr. Markiewitz asked if there was a greater penalty to the builder other than the \$1000. Mr. Messera stated that the \$1000 covers concrete and construction costs, but does not cover the cost of grading. The variance is needed.

Mr. Ham asked if the property owners understand that they are responsible for the street. Mr. Messera stated they understand the Town will not accept the maintenance until the street is complete. There will be no sidewalk installed if this variance is granted, but the Town would be able to accept the street.

Mr. Markiewitz stated that sidewalks are inconsistent within this neighborhood. Mr. Messera stated that this subdivision is adjacent to Millstone Ridge and that neighborhood does have sidewalks. It is also adjacent to other older subdivisions that do not have sidewalks. These lots are at the end of a cul-de-sac. Mr. Ham asked for clarification. The sidewalk will not be built, but the Town will take over the maintenance. Mr. Messera stated that is correct. Mr. Lee asked if there was commitment to finish the street once the variance is obtained. Mr. Messera said the applicant has committed to this.

Mr. Turner made a motion to recommend approval of the public improvement variance due to its consistency with Matthews land use policies. Mr. Wieser seconded the motion. The motion carried unanimously.

REVIEW OF UDO

Ms. Ingrish stated this presentation was brought about by the planning conference attended by commissioners in February of this year. The Town Board felt there should be a refresher concerning our Unified Development Ordinance. As always, staff is happy to answer questions concerning the UDO at any time.

The UDO has a zoning aspect that updates zoning regulations within the Town. It also has a regulations aspect that includes the town requirements on any land development. Finally, there is a policy aspect of the UDO which decides how a development will look or the density of a development. The Town Board has adopted a number of documents that dictate policy. Included in these are the Town's 12 vision statements, which were long range ideas on what the Town wanted to look like. The Land Use Plan is a set of goals on what the Town would like development to look like and how to accomplish that. Similarly, the Downtown Master Plan identifies goals for the downtown area. The Composite Bicycle and Pedestrian Plan address multi-modal transportation throughout the Town. The Parks and Recreation Master Plan deals with recreational improvements and facilities within the Town. The Comprehensive Transportation Plan addresses vehicular and bike facilities. The staff also completes many small area plans that become appendices to the Land Use Plan.

Before the UDO, the town had several separate ordinances concerning zoning regulations/policies. The zoning, subdivision, flood damage prevention, post construction and minimum housing ordinances were combined to create the UDO.

When creating the UDO, a consultant held several public workshops to allow citizens, Planning Board members, and Town Board members clarify what they did and did not like and what would fit with the vision of Matthews. A stakeholder group for builders/developers also looked at draft documents to provide feedback. The Unified Development Ordinance is a living document that will continue to change as it is applied to zoning matters.

The UDO did not change how the department receives and reviews applications. Staff time involved in preparing for cases has increased some. Town Board time reviewing zoning matters outside of meetings has been reduced. Comments from agencies such as Public Works and NCDOT are obtained before the public hearing for the applicant and staff's review. Many times, revisions have happened before the public hearing occurs. This allows staff to solve many issues before the project is presented to the Town Board. There is now more reliance on written notes on plans for conditional requests. The Town Board retains oversight of those conditional projects.

There are several chapters of the Unified Development Ordinance. Chapter 1 gives a clear purpose statement and explains how the ordinance applies to various land uses and land disturbing activities. There is a definition section which also includes drawings for clarification. Chapter 2 explains the responsibilities of the different parties involved in zoning and land development matters. Chapter 3 discusses nonconformities, which are situations legally established at some point and then are later deemed noncompliant by a change of rules. Often nonconformities are considered "grandfathered" in. Chapter 4 discusses the procedures of a rezoning action, change of conditions, text amendment and other minor revisions. The word "innovative" was changed within this section to "flexible design" standards which gives the developers the ability to utilize them on a project specific basis. This chapter also discusses how to amend the Land Use Plan. State statute requires a vested rights process to go forward with an approved project even if the rules change. Zoning variances, appeals, and interpretations are also discussed. The subdivision review and approval process is outlined. Chapter 5 discusses zoning districts and uses. Zoning districts include traditional, parallel traditional, and conditional-only districts. The table of allowed uses is included within this chapter. This is the chapter most utilized within the UDO. Chapter 6 is the general development regulations that may apply to a parcel. There are separate sections within Chapter 6 that discuss signs, outdoor lighting, landscaping, etc. Chapter 7 is the public improvement standards for public streets, sidewalks, utilities, etc. This chapter is important for subdivisions, mixed use neighborhoods, and new commercial complexes. There is also much discussion concerning connectivity and flood protection/storm water quality. Chapter 8 is what was once the Post Construction Ordinance referring to storm water quality and the rate at which the water runs off site after development is completed. Matthews is between two major river basins, the Yadkin and Catawba. The Yadkin has higher quality standards to meet due to endangered species living in the basin. Chapter 9 discusses flooding. FEMA creates the floodplain maps for the Town. There are also Mecklenburg County Community flood lines. Chapter 10 discusses minimum housing.

This is done through interlocal agreement. Mecklenburg County inspects homes to meet minimum requirements for living. Matthews is not often involved in this process.

Mr. Lee asked what level of revisions would be necessary due to changing state legislation. Ms. Ingrish stated that the legislation on aesthetics has been in discussion for several years. Because the town has been anticipating the legislation, there will hopefully be no major revisions. Conditional zoning provides the benefit of not having to change the UDO too much.

Mr. Lee asked if there was a way to make the UDO available on the tablets for the members use during the meeting. Ms. Ingrish stated this could be worked on.

ADJOURNMENT

Mr. Ham made a motion at 8:39 p.m. to adjourn the meeting. The motion was seconded by Ms. Dement. The motion carried unanimously.

Respectfully submitted,

Betty Lynd
Zoning Technician/ Deputy Town Clerk

DRAFT

Agenda Item: Decision on 2015-630 Text Amendment, to Table of Required Parking, Section 155.607.7.B.4 Animal Day Care Kennels and Commercial Kennels

DATE: July 6, 2015
FROM: Mary Jo Gollnitz, Planner II

Background/Issue:

At the June 23rd Planning Board meeting, the proposed text amendment (one (1) space per 1,000 sq ft of private access area plus one (1) space per 400 sq ft of public access area and bicycle parking of 2 spaces or 10% of auto parking) was unanimously denied. Planning Board members expressed concern that these requirements may not be sufficient for the use, especially during peak drop-off and pick-up times. They also were concerned about reducing available parking for future uses.

Additional background:

- Planning Board agreed that the current parking requirements of one (1) space per 250 sq ft of gross floor area, would over park the use.
- Staff provided a chart (attached) for the Planning Board to use in comparing how larger and smaller animal day care and kennel facilities would be impacted by different proposed parking standards.
- Planning Board discussed the requirements in depth and unanimously recommended Council consider approving 1 parking space for each 500 sq ft of gross floor area
- bicycle parking requirements are included at 2 spaces or 10% of auto parking.

Proposal/Solution:

Applicant has subsequently amended their text change request to match the Planning Board's recommended calculation of 1 parking space per 500 sq ft of gross floor area.

Financial Impact:

None

Related Town Strategy:

Economic Development/Land Use Planning

Recommendation:

Approve application 2013-630, Text Amendment to the UDO Table of Required Parking Section 155.607.7.B.4 for Animal Day Care Kennels and Commercial Kennels, as revised by applicant and recommended by the Planning Board.

Agenda Item: Site Plan Approval – 10714 Independence Pointe Pkwy

DATE: July 6, 2015

FROM: Mary Jo Gollnitz, Planner II

Background/Issue:

Pet Paradise is requesting changes to the site plan and elevations for the property located at 10714 Independence Point Pkwy (formerly Technocom). They wish to open an Animal Day Care and Commercial Kennel at this location. Attached is the request letter, along with current and proposed site plan/elevations comparisons.

The following are the specific change requests:

- Addition of canopy to front/customer entrance and drop-off area
- The existing curb will be removed for installation of the drop-off area and canopy
- Removal of loading dock and addition of play area
- A pool with paver patio play area
- A retaining wall along the back and side of the play area will be installed
- Perimeter 8' fence around play area
- Exterior color highlights
- Dumpster enclosure to meet UDO

Additional information:

- Parking will comply with 2015-630 as Planning Board recommended and the applicant's revised request
- Existing landscaping to remain with additions necessary to comply with Matthews UDO.
- Signage will comply with Matthews UDO requirements
- Animal Day Care and Commercial Kennels must comply with prescribed conditions of Section 155.506.42

Proposal/Solution:

The proposed changes to the site and elevation plans are in compliance with the UDO and meet the needs of the new use.

Financial Impact:

None

Related Town Goal:

Economic Development & Quality of Life

Recommended Motion:

Approve the proposed changes in submitted site/elevation plans for 10714 Independence Pointe Parkway.

Agenda Item: Public Improvement Variance to not Install Sidewalk on Lots 10-12, but Pay a Fee-In-Lieu of \$1000 - Lightwood Dr, Streamside Subdivision

DATE: July 6, 2015

FROM: Mary Jo Gollnitz, Planner II

Background/Issue:

Simmons & Beyer I, LLC, original subdivision developer, is requesting a Public Improvement Variance for the installation of sidewalk along a portion of Lightwood Dr.

Additional background:

- The property is zoned R-15 and the subdivision was approved in 2005.
- Lots 10, 11 and 12 in the cul-de-sac of Lightwood Drive were sold to Brookwood Homes between 2007 and 2011.
- Homes were constructed on the lots and certificates of occupancy were issued without sidewalks being installed along the cul-de-sac.
- Staff has received letters supporting the variance request from two of the property owners.
- Simmons & Beyer has stated that they are willing to pay the Town of Matthews \$1,000 in lieu of installing the sidewalk along the cul-de-sac.
- Final grading was completed on these properties without provisions for the sidewalk.
- To install the sidewalk now, substantial regrading of the front yards would be necessary and the builder nor the Town has authority to grade on private property.
- Until the sidewalks are completed, or a public improvement variance is approved, the final street paving cannot be completed by the developer and the Town cannot accept the street for Town maintenance.

The fee in lieu is the estimate for the sidewalk only along the cul-de-sac and would go towards future sidewalk construction in Town. Public Works would not be constructing a sidewalk along these properties because of the grading issues.

Related Town Goal:

Public Safety
Economic Development/Land Use Planning

Comments:

Public Works has stated they do not have any issues with the variance request.

Proposal/Solution:

Approve the Public Improvement Variance in order for the street to be accepted into the Town street system.

Recommendation:

Staff suggests approving the Public Improvement Variance and accept the fee in lieu for the sidewalk as submitted.

Agenda Item: SUBDIVISION NAME REQUEST – Fullwood Station

DATE: July 6, 2015
FROM: Kathi Ingrish

Background/Issue:

- Provident Land Services is ready to begin on-site work on a new single-family subdivision on S Trade Street (see preliminary plat agenda item under Consent Agenda)
- The developers are seeking the use of the name “Fullwood Station”
- Both words are in use two or more times in Town and across the County, a general limitation on further use in the UDO
- The UDO allows a developer to request Town Board approval of the name based on local historic connections

Proposal/Solution:

- The request from Provident Land Services is as follows:

We, Provident Land Services, Inc., are requesting approval of the subdivision name, Fullwood Station, due to its historical significance specific to the Town of Matthews. Fullwood Station will serve as a reminder to the community of the heritage and history of the Town of Matthews. More specifically, it will pay tribute to Mr. John Miles Fullwood’s important mark on the Town during his time as postmaster in the 1825, at which time all mail was addressed to “Fullwood Station”. Fullwood Station was considered a focal point where locals came to get mail and to find out what was going on in their community. We are excited to plan our marketing concept around this great piece of history, and believe both names (Fullwood + Station) are needed to fully represent the original post office name, and to keep the Town’s history alive and a strong part of its future for generations to come.

Please let me know if you require any further information at this time.

Sincerely,

Kristin Dillard

*Provident Land Services, Inc.
6707 Fairview Road, Suite B
Charlotte, North Carolina 28210*

Financial Impact:

None

Related Town Goal(s) and/or Strategies:

Quality of Life

Economic Development/Land Use Planning

Recommended Motion/Action:

- Discuss the merits of the request and determine it is appropriate for use here.

Fullwood Station name memo

Environmental Advisory Committee

Minutes June 2, 2015

The Matthews Environmental Committee met in regular session on June 2nd, 2015 at the Public Works Facility. Members present were Chairman Gordon Miller, David Ross, John Lynch and Bob Stratton. Also present were David Holt from Republic Services, along with Ralph Messera and Rosalind Cumming from Public Works.

Mr. Miller called the meeting to order at 7:00pm. The May minutes were reviewed and approved.

Mr. Holt gave the Republic Services report stating that yard waste had been caught up and that all residential trash and recycles were running well. He announced that the new general manager of the Charlotte division of Republic Services is Jimmy Torrey, who he hopes to bring to the next meeting. He also mentioned that Republic has hired four new employees in residential trash, who are already undergoing training and should be out in the trucks soon. He also mentioned the pizza lunch that was held for the Republic drivers at the Public Works facility, and how it was received well with the drivers. It provided a good opportunity for the drivers to talk and communicate issues with the Town of Matthews.

The issue of plastic bags being used for yard waste and then left at residences was then discussed. Public Works has received many phone calls from irate residents over the years about the empty plastic bags from the yard waste being left in their yards, trash containers, etc. Mr. Holt said that the procedure is for the yard waste truck to empty the plastic bags in to their truck and then take the empty bags with them on the side of the truck. Occasionally there have been residents who want their bags left to reuse them, and then the yard waste truck has left the bags for the resident. The majority of residents do not want the bags left, and so it has become a problem when they are discarded.

Mr. Holt also said that sometimes there is an overflow of the bags and the yard waste truck contacts the bulk truck to pick the bags up for them. In this situation, the yard waste truck will leave the bags at a residents house or in their can etc. It was discussed as this has become an issue, that going forward all plastic bags must be taken, unless there is a resident standing at the truck stating they want their bags left.

It was suggested that if the truck needs to leave excess bags temporarily, to make sure they leave them on either Town property or on a street corner, not on any residents' property. That way we will not have residents complaining.

**MINUTES
BOARD OF COMMISSIONERS SPECIAL MEETING
JORDAN ROOM, MATTHEWS TOWN HALL
MAY 11, 2015 – 5:30 PM**

PRESENT: Mayor James Taylor; Mayor Pro-Tem Joe Pata; Commissioners John Higdon; Chris Melton, Jeff Miller, Kress Query and John Ross; Town Manager Hazen Blodgett; Town Clerk Lori Canapinno

ALSO PRESENT:

The Board of Commissioners received the proposed budget for fiscal year 2015-16.

**MINUTES
BOARD OF COMMISSIONERS MEETING
HOOD ROOM, MATTHEWS TOWN HALL
MAY 11, 2015 - 7:00 PM**

PRESENT: Mayor James Taylor; Mayor Pro-Tem Joe Pata; Commissioners John Higdon; Chris Melton, Jeff Miller, Kress Query and John Ross; Town Attorney Charles Buckley; Town Manager Hazen Blodgett; Town Clerk Lori Canapinno

ALSO PRESENT: Assistant Town Manager Jamie Justice; Planning Director Kathi Ingrish; Senior Planner Jay Camp; Zoning Administrator Mary Jo Gollnitz; Planning Board Vice Chair Rob Markiewitz, Barbara Dement and Gary Turner

REGULAR MEETING CALLED TO ORDER

Mayor Taylor called the meeting to order at 7:05 pm, explaining that the Board had been meeting since 5:30 on the fiscal year 2015-16 budget.

INVOCATION

Town Attorney Charles Buckley rendered an invocation.

PLEDGE OF ALLEGIANCE

Boy Scouts from Troop 133 led the audience in the pledge.

MINUTES
SPECIAL BOARD OF COMMISSIONERS MEETING
JORDAN ROOM, MATTHEWS TOWN HALL
JUNE 22, 2015 – 5:30 PM

PRESENT: Mayor James Taylor; Mayor Pro-Tem Joe Pata; Commissioners John Higdon, Jeff Miller, Kress Query and John Ross; Town Manager Hazen Blodgett; Assistant Town Manager Jamie Justice; Town Clerk Lori Canapinno; Human Resources consultant Susan Manning

ABSENT: Commissioner Chris Melton

The Board met for a discussion on employee pay and classification.

MINUTES
BOARD OF COMMISSIONERS MEETING
HOOD ROOM, MATTHEWS TOWN HALL
JUNE 22, 2015 - 7:00 PM

PRESENT: Mayor James Taylor; Mayor Pro-Tem Joe Pata; Commissioners John Higdon, Jeff Miller, Kress Query and John Ross; Town Attorney Charles Buckley; Town Manager Hazen Blodgett; Town Clerk Lori Canapinno

ABSENT: Commissioner Chris Melton

ALSO PRESENT: Assistant Town Manager Jamie Justice; Communications Director Jen Thompson; Public Works Director Ralph Messera; Planning Director Kathi Ingrish

REGULAR MEETING CALLED TO ORDER

Mayor Taylor called the meeting to order at 7:00 pm.

INVOCATION

Mayor Taylor rendered an invocation.

PLEDGE OF ALLEGIANCE

Mayor Taylor led the audience in the Pledge.

Agenda Item: Fullwood Station Preliminary Plat Subdivision

DATE: July 6, 2015

FROM: Mary Jo Gollnitz, Planner II

Background/Issue:

Pursuant to Section 155.405.7.B.3 of the Matthews Unified Development Ordinance, the Preliminary Plan of a proposed subdivision is forwarded to the Board of Commissioners within 30 days following the determination that all required standards have been met. The Board of Commissioners shall approve or approve with conditions the Preliminary Plan. If the Preliminary Plan is conditionally approved, the minutes of the Board of Commissioners meeting shall state the measures necessary for the Final Plat to be approved.

Approval of the preliminary plat allows the developer/property owner to grade the land and begin development. About the subdivision:

- Rezoning of property to R-VS was approved by the Town Board on February 9, 2015.
- 42 lot subdivision on 19.31 acres along S Trade Street across from MARA.
- Final Plat shall be submitted in accordance with §155.405.8 and 9 of Matthews UDO, including the installation of all required improvements.
- Developer cannot get building permits or sell lots until final plat is recorded

Proposal/Solution:

The attached preliminary plat does meet all the R-VS requirements and conditions that were stipulated at the time of rezoning. The proposed preliminary plat also complies with Matthews UDO.

Financial Impact:

None

Related Town Goal(s) and/or Strategies:

Quality of Life: to maintain our small town identity by providing a vibrant downtown, pedestrian friendly community, extensive greenspace system, and recreation and cultural activities.

Economic Development/Land Use Planning: to enhance the quality of life of the citizens by aggressively pursuing a balanced tax base; and by planning for orderly growth and development.

Recommended Motion/Action:

Staff recommends approval of the preliminary plat as presented.

Agenda Item: New Zoning Applications for September Hearing Date

DATE: July 6, 2015
FROM: Kathi Ingrish

Background/Issue:

- We received a zoning application for 9709 – 9715 Northeast Parkway, and existing and expanding office condominium development
- This site has two existing multi-tenant office buildings and two buildings are currently under construction
- The site plan now shows footprints for two more buildings, while the previously approved 2003 plan simply indicated “future development”
- This request would convert this site from Conditional zoning classification to Office (CD)
- Signatures were received from all condominium owners to initiate this request

- We received a zoning application for 720 Park Center Dr, at the corner of N Ames St across from Morningstar Properties offices and next to OrthoCarolinas facility on NC51
- The request proposes a change in zoning district from Light Industrial to Office (CD) for a child day care, with future flexibility for other office uses in place of the day care

Proposal/Solution:

- Both applications can be scheduled for public hearing on September 14, 2015
- In conformance with state statutes, due to the upcoming local elections, if there are any comments provided during the public hearing in opposition to either case, the Town Board final decision would need to be delayed until after the new Board is seated (December 15 or later)

Financial Impact:

None

Related Town Goal(s) and/or Strategies:

Quality of Life

Economic Development/Land Use Planning

Recommended Motion/Action:

- Set the public hearing date for these applications for September 14, 2015.

Approve Sale of Surplus Property

DATE: June 30, 2015

FROM: Ralph Messera, Director of Public Works

Background/Issue:

A number of items of surplus property have been identified and are ready for sale.

Proposal/Solution:

Declare surplus and authorize the Finance Director to sell through electronic auction the following item:

1995 GMC Sonoma Pick-up Truck

Financial Impact: Financial resources back to the General Fund

Related Town Goal: Financial Performance- To provide financial resources in a prudent and responsible manner...

Recommended Motion: Motion to declare the above item surplus and authorize the Finance Director to sell by electronic auction.

ATTORNEY-CLIENT REPRESENTATION
AGREEMENT
(2015-2016 Fiscal Year)

Between the Town of Matthews, whose mailing address is 232 Matthews Station St., Matthews, N.C., 28105, and the law firm of , whose mailing address is 7257 Pineville-Matthews Road, Suite 2001, Charlotte, N.C., 28226.

WITNESSETH:

WHEREAS, the Town of Matthews is a municipal corporation organized and existing under the laws of the State of North Carolina and is desirous to obtain legal representation to the Board of Commissioners of the Town of Matthews; and

WHEREAS, Charles R. Buckley, III, a senior principal in the law firm, is an attorney licensed to practice law in the State of North Carolina and is desirous to assist the said Town of Matthews as a legal advisor to the Board of Commissioners.

NOW, THEREFORE, the parties hereto agree as follows:

1. That the Town of Matthews, North Carolina, hereby retains legal services from the said law firm of Cranford, Buckley, Schultze, Tomchin, Allen & Buie and, in particular, hereby designates Charles R. Buckley, III, to be its Town Attorney to represent it by being legal advisor to the Board of Commissioners pursuant to authority granted by the General Statutes of North Carolina and in particular, in Chapter 160A.

2. That the said law firm of Cranford, Buckley, Schultze, Tomchin, Allen & Buie hereby agrees to assist the Town of Matthews by becoming legal advisors to the Board of Commissioners and further hereby authorizes its senior principal Charles R. Buckley, III, to act as Town Attorney for the Town of Matthews and as compensation therefor, agrees to take the position based on the following fee schedule:

a. That on or about the 1st day of the fiscal year commencing July 1, 2015 Cranford, Buckley, Schultze, Tomchin, Allen & Buie shall receive a retainer in the amount of \$18,000.00, payable to the said Charles Buckley, establishing the attorney-client relationship between the said Board of Commissioners of the Town of Matthews and Cranford, Buckley, Schultze, Tomchin, Allen & Buie

b. That, additionally, Cranford, Buckley, Schultze, Tomchin, Allen & Buie shall bill the Town of Matthews on a monthly basis as follows:

i. That the said Cranford, Buckley, Schultze, Tomchin, Allen & Buie shall receive a monthly retainer in the amount of \$1,500.00 for which the said Charles R. Buckley, III, or a partner in the law firm, shall attend regular meetings of the Board of Commissioners and shall provide telephone and e-mail consultation legal services from all elected and appointed officials and employees of the Town concerning Town business regardless of the number of hours per month incurred in performing said services.

ii. That additionally, any other legal services provided by the said law firm, other than enumerated above, shall be billed at the rate of \$195.00 per hour, which legal services shall include, but not be limited to, attendance at special meetings of the Board of Commissioners and meetings of the Zoning and Planning Board as requested, research, representation before other boards and commissions, and in-court representation, legal document preparation, general correspondence, telephone consultations initiated by the said law firm and telephone consultations or conferences initiated by others than enumerated above concerning strictly Town business, and any and all other legal services requested by the Board of Commissioners.

iii. That the said law firm will be reimbursed for all out-of-pocket expenses incurred during the term as legal advisors to the Board of Commissioners.

c. That in addition to the monthly billings, the said law firm shall give credit on its monthly statement to the Town of Matthews in the amount of \$1,500.00 as a one-twelfth credit of the

ORDINANCE NO. _____

BUDGET ORDINANCE AMENDMENT

ORDINANCE AMENDING THE BUDGET FOR THE TOWN OF MATTHEWS, NORTH CAROLINA FOR FISCAL YEAR 2014-2015

BE IT ORDAINED by the Board of Commissioners of the Town of Matthews, North Carolina that the following amendments are made to the Budget Ordinance for the fiscal year ending June 30, 2015.

SECTION 1: To amend the General Fund, the Revenues are to be changed as follows:

		<u>INCREASE</u>	<u>DECREASE</u>
10000001-4900	Taser Grant Revenue	14,686.32	

SECTION 2: To amend the General Fund, the Expenditures are to be changed as follows:

		<u>INCREASE</u>	<u>DECREASE</u>
10431200-5312	Grant Funding-CID	14,686.32	

SECTION 3: The purpose of this amendment is to recognize grant revenues received from NC Governors Crime Commission for purchase of replacement Taser units.

SECTION 4: Copies of the budget amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 13th day of July 2015.

James P. Taylor, Mayor

Lori Canapinno, Town Clerk

ORDINANCE NO. _____

BUDGET ORDINANCE AMENDMENT

ORDINANCE AMENDING THE BUDGET FOR THE TOWN OF MATTHEWS, NORTH CAROLINA FOR FISCAL YEAR 2015-2016

BE IT ORDAINED by the Board of Commissioners of the Town of Matthews, North Carolina that the following amendments are made to the Budget Ordinance for the fiscal year ending June 30, 2016.

SECTION 1: To amend the General Fund, the Revenues are to be changed as follows:

		<u>INCREASE</u>	<u>DECREASE</u>
10000001-4990	GF Fund Balance Appropriated	\$161,868	

SECTION 2: To amend the General Fund, the Expenditures are to be changed as follows:

		<u>INCREASE</u>	<u>DECREASE</u>
10431200-5271	Federal Seized Funds	\$119,283	
10471000-5810	SW C/O Vehicles	\$24,000	
10492000-530406	Red Brick Partnership	\$18,585	

SECTION 3: The purpose of this amendment is to roll forward Fund Balance in order to accommodate appropriations for both Required and Committed purposes.

SECTION 4: Copies of the budget amendment shall be delivered to the Budget Officer and the Finance Officer for their direction.

Adopted this the 13th day of July 2015.

James P. Taylor, Mayor

Lori Canapinno, Town Clerk

Right-of-Way Acquisition at Pleasant Plains Road and McKee Road

DATE: July 9, 2015
TO: Mayor and Board of Commissioners
FROM: C.J. O'Neill, PE- Public Works Director

Background/Issue:

Erickson is planning to build the Windsor Run development at the corner of Pleasant Plains Road and McKee Road. As part of their plan approval, we required them to make improvements at that intersection. The approved plans also stated that we would acquire the necessary right-of-way to make the improvements. NCDOT is requiring them to make improvements at that intersection prior to beginning their site construction.

The right-of-way and temporary construction easements required for the intersection improvements are minimal. We need approximately 3,500 SF of right-of-way and 2,700 SF of temporary construction easement from four (4) parcels for the project. See the attached drawing for more details.

The worst case scenario would be that we would need to hire a right-of-way agent to negotiate with the property owners for the needed land and easements. The costs for doing so, including professional fees, should not exceed \$25,000. However, after speaking with the affected land owners, it appears that this likely can be done internally and will cost significantly less than that.

Erickson has committed to have their first building permit by December 1, 2016, at which point they are obligated to pay the Town \$3M toward roadway improvements. If they do not have their first building permit by that time, they will reimburse the Town for the right-of-way expenses.

Fiscal Impact:

To obligate up to \$25,000 from the general fund for the acquisition of right-of-way and temporary construction easements. This will be reimbursed by Erickson by December 1, 2016 either through the \$3M payment or through direct reimbursement if they do not have their first building permit by that time.

Related Town Goals and Strategies:

To identify, plan, design, fund and build transportation facilities that efficiently and effectively serve the community in a cost-effect and environmentally-sensitive manner.

Recommendation Action:

To allow the Town Manager or his designee to contract and negotiate with the parties necessary to acquire the right-of-way and temporary construction easements necessary for Erickson to make roadway improvements to the intersection of McKee Road and Pleasant Plains Road for a total amount not to exceed \$25,000.

Pay & Classification Evaluation

DATE: July 2, 2015
RE: Pay & Classification Evaluation
FROM: Jamie Justice, Assistant Town Manager/HR Director

Background/Issue:

The Town contracted with Susan Manning to conduct a pay and classification evaluation resulting in recommended changes to the Town's pay and classification plan as discussed at previous Board meetings. See the attached copy of the presentation. The total implementation cost is \$103,475 and the funds are included in the FY 15-16 budget.

Proposal/Solution:

It is suggested that the pay and classification evaluation recommended changes be approved and authorize the Manager to implement the associated costs in January 2016 at the Manager's discretion.

Financial Impact:

The recommended changes can be implemented within the existing budget.

Related Town Goals & Strategies:

Operational Performance Goal: "To plan, allocate resources, and operate all departments effectively and efficiently in order to meet the citizens' needs for local government services."

Town Strategy #36: "Offer competitive compensation and a safe working environment for employees while providing resources, technology, optimum staffing levels and outstanding hiring standards."

Recommended Motion:

Approve the pay and classification evaluation recommended changes and authorize the Manager to implement the associated costs in January 2016 at the Manager's discretion.

Public Works Position Change

DATE: July 5, 2015
RE: Public Works Position Change
FROM: Jamie Justice, Assistant Town Manager/HR Director

Background/Issue:

In January, the Public Works Fleet Division and Public Works Director suggested that the Parts Clerk/Assistant Equipment Mechanic position can be eliminated and, because the concrete division is in need of an additional position to be more effective and efficient, suggested that a Maintenance Worker position be allocated to the concrete division. This change would result in no increase in the number of positions. It would be an approximate \$1,404 difference between the two positions as the Maintenance Worker position is in a higher grade. Funds are included in the FY 15-16 budget for this change.

This was discussed with the Board at the January 26th meeting. After further evaluating this change, it is recommended that the Bright Ideas program be utilized to recognize the fleet division employees for suggesting this improvement for the Town. The only action the Board needs to take is to approve the position change.

Proposal/Solution:

Remove the Parts Clerk/Assistant Equipment Mechanic position and replace with one Maintenance Worker position on the position inventory and classification list.

Financial Impact:

There is an approximate \$1,404 difference between the two positions as the Maintenance Worker position is in a higher grade. Funds are included in the FY 15-16 budget.

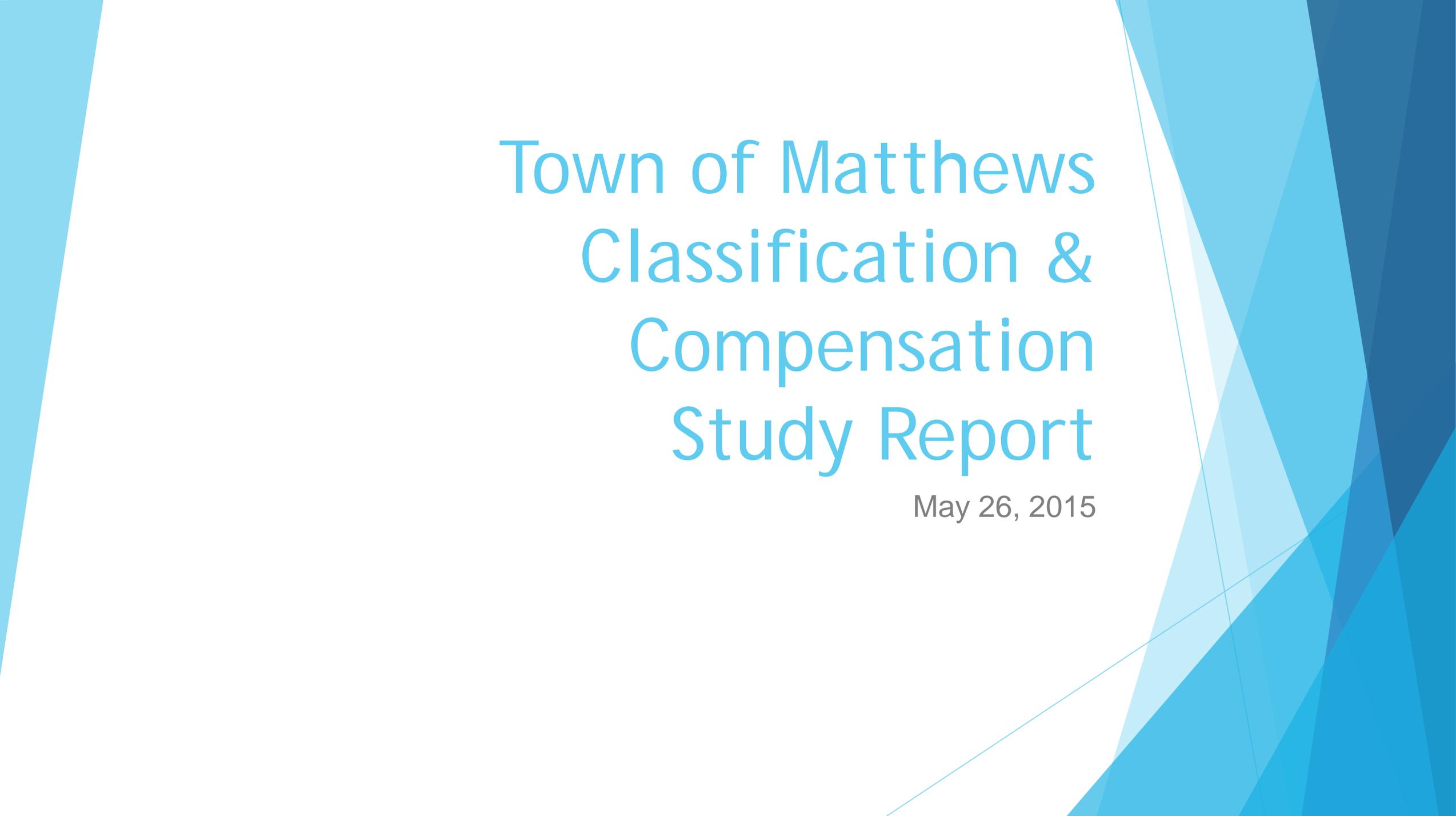
Related Town Goals & Strategies:

Operational Performance Goal: "To plan, allocate resources, and operate all departments effectively and efficiently in order to meet the citizens' needs for local government services."

Strategy #36: "To offer competitive compensation and a safe working environment for employees while providing resources, technology, optimum staffing levels, and outstanding hiring standards."

Recommended Action:

Remove the Parts Clerk/Assistant Equipment Mechanic position and replace with one Maintenance Worker position on the position inventory and classification list.

The background features abstract, overlapping geometric shapes in various shades of blue, ranging from light sky blue to deep navy blue. The shapes are primarily triangles and polygons, creating a dynamic, layered effect. The text is centered in the white space between these shapes.

Town of Matthews Classification & Compensation Study Report

May 26, 2015

Study Objectives

- ▶ Conduct Classification Study of all Town positions to assess internal equity and insure appropriate classifications;
- ▶ Review FLSA exemptions to insure appropriate designation;
- ▶ Conduct Market Survey to assess whether salaries and benefits are competitive with the external labor market;
- ▶ Conduct Market Survey to determine if Elected Officials are being compensated competitively

Overview

- ▶ **Classification Study – January & February**
 - ▶ Position Descriptions completed and reviewed
- ▶ **Salary Survey – February & March**
 - ▶ 14 Public Sector Organizations Survey
 - ▶ 35 Benchmark Positions + Elected Officials
 - ▶ 100 % response rate
- ▶ **Data Analysis & Recommendations - April**

Classification Results

- ▶ Majority of positions were appropriately classified
- ▶ 61 Job Classifications
 - ▶ 7 were classified too low
 - ▶ 5 were classified too high
 - ▶ 8 needed title changes
 - ▶ 6 classes were consolidated/abolished
 - ▶ 1 new classification was recommended
 - ▶ 3 FLSA exempt status changes

Salary Survey

- ▶ 14 Benchmark Communities identified in local labor market
- ▶ 35 Benchmark Classifications selected to be surveyed
 - ▶ Represented 60% of Job Classes and 72% of Employees
- ▶ Benefit questions developed

Salary Survey - Communities

- ▶ Charlotte
- ▶ Concord
- ▶ Cornelius
- ▶ Davidson
- ▶ Huntersville
- ▶ Indian Trail
- ▶ Mecklenburg County
- ▶ Mint Hill
- ▶ Monroe
- ▶ Mooresville
- ▶ Pineville
- ▶ Stallings
- ▶ Union County
- ▶ Waxhaw

Market Methodology

- ▶ **Requested Survey Data to determine Market**
 - ▶ Average Actual Salaries being paid for each benchmark position
 - ▶ # employees in each position
 - ▶ Salary Range minimum, midpoint, maximum

- ▶ **Calculating a Market Rate**
 - ▶ Average of actual salaries being paid in the market
 - ▶ Adjusted average calculated excluding outliers
 - ▶ Compare to current midpoint of the salary range
 - ▶ Market Range - +/- 5% of midpoint

Survey Results

- ▶ **Summary of Market Data Analysis:**
- ▶ 100% Response Rate from Benchmark Communities
 - ▶ 16 Benchmark Positions were Below Market
 - ▶ 12 Benchmark Positions were At Market
 - ▶ 7 Benchmark Positions were Above Market
 - ▶ Most competitive for Public Safety, Labor, Trades & Administrative positions;
 - ▶ Least competitive for Management & Professional Positions
 - ▶ Benefits were Competitive

Compensation Recommendations

- ▶ Adjust salary ranges from 5 to 15% for the 16 benchmark positions below market;
- ▶ Adjust salary ranges 5% for 3 positions to maintain internal equity;
- ▶ Maintain salary ranges for 17 benchmark positions
- ▶ Reduce salary ranges for 2 positions

Implementation Costs

- ▶ Classification Study
 - ▶ 5% Salary increases for 17 employees whose Classification increased
 - ▶ No salary reductions for employees whose Classification decreased
 - ▶ Total cost - \$49,162 (including increased benefit costs)
- ▶ Market Study
 - ▶ 5% Salary increases for 14 employees whose salary is below market of the new higher salary range
 - ▶ No salary increases for 18 employees whose salary is at or above market of the new higher salary range
 - ▶ Total cost - \$42,041 (including increased benefit costs)

Elected Officials

- ▶ Mayor – compensation is competitive with market
- ▶ Commissioners – compensation is below market
- ▶ Recommend adjusting Commissioners compensation to \$5500 per year
- ▶ Total cost - \$12,272 (including increased FICA costs)

Total Study Implementation Costs

▶ Classification Study -	\$49,162
▶ Market Study -	\$42,041
▶ Elected Officials -	<u>\$12,272</u>
▶ <u>Total Costs:</u>	\$103,475

The background features abstract, overlapping geometric shapes in various shades of blue, ranging from light sky blue to deep navy blue. These shapes are primarily located on the right side of the frame, creating a modern, layered effect. The rest of the background is plain white.

Questions?

above-referenced \$18,000.00 retainer. It is agreed, acknowledged and consented to by the parties hereto that the original \$18,000.00 retainer shall be used by the said law firm immediately as it sees fit. At the end of the twelve month fiscal year, the said retainer shall be credited back in full to the Town of Matthews.

d. That in the event the said Board of Commissioners of the Town of Matthews shall terminate the services of the said law firm as legal advisors to the Board of Commissioners prior to the expiration of the 2014-2015 fiscal year then, and in that event, the said Board of Commissioners shall be reimbursed any balances not credited on the said \$18,000.00 retainer, less any outstanding amounts then due and owing to the said law firm less, further, the sum of \$5,500.00 which shall constitute a portion/part of severance compensation to the said law firm. Any balances then due and owing to the Town of Matthews shall be reimbursed by the said law firm in four equal installments over a ninety-day period.

e. That in the event the said law firm shall terminate representation as legal advisors to the Board of Commissioners on its own volition then, in that event, the said law firm shall reimburse the Town of Matthews the remaining outstanding non-credited balance of the said \$18,000.00, less any amounts due and owing by the Town of Matthews to the said law firm.

WHEREFORE, the parties have hereunto set their hands and seals this the 13 day of July, 2015.

TOWN OF MATTHEWS

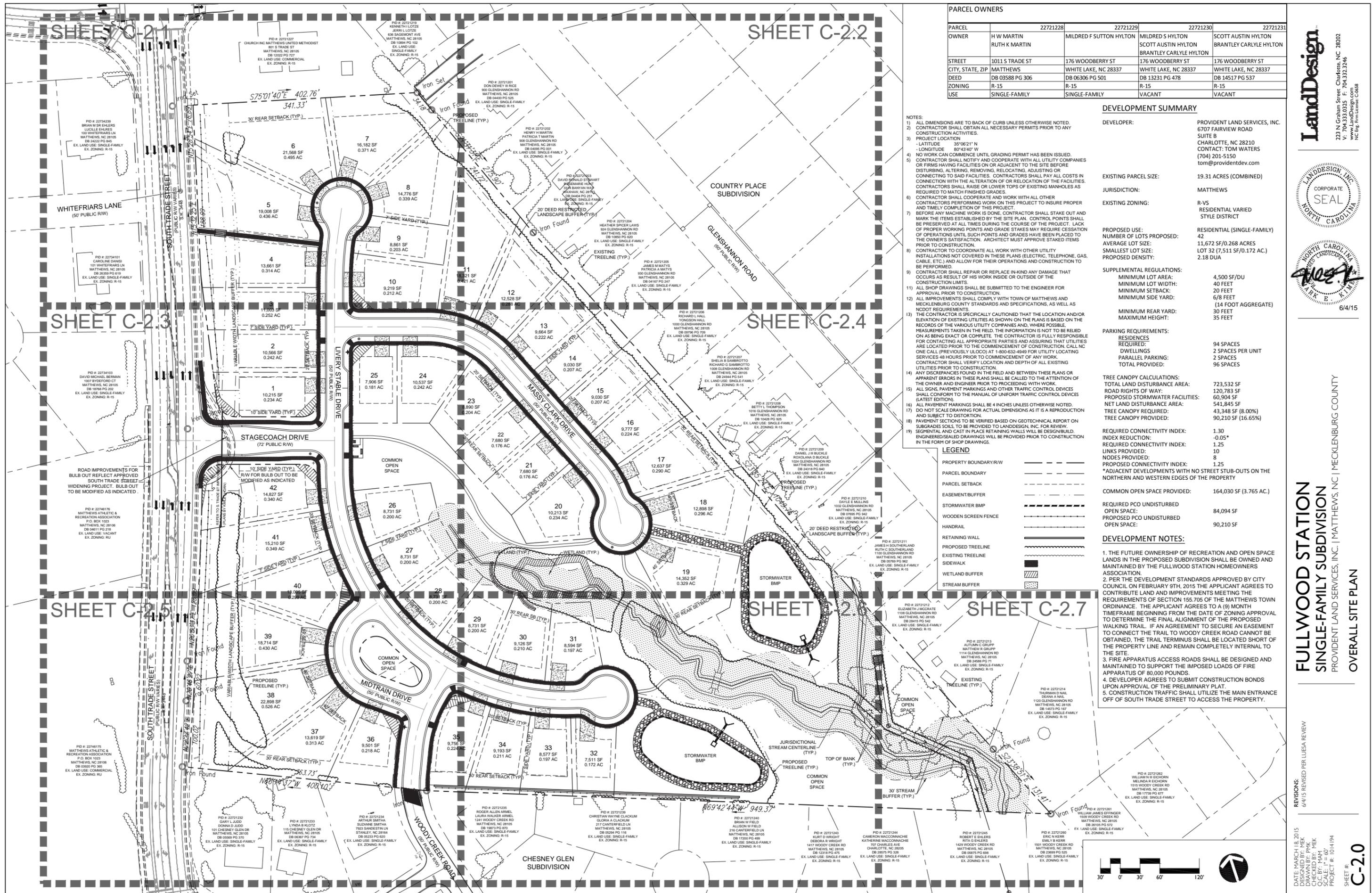
By: _____(SEAL)
Mayor

ATTEST:

Town Clerk

Cranford, Buckley, Schultze, Tomchin, Allen & Buie

_____(SEAL)
By: Charles R. Buckley, III



PARCEL OWNERS

PARCEL	2721228	2721229	2721230	2721231
OWNER	R W MARTIN	MILDRED F SUTTON HYLTON	MILDRED S HYLTON	SCOTT AUSTIN HYLTON
OWNER	RUTH K MARTIN		SCOTT AUSTIN HYLTON	BRANTLEY CARLYLE HYLTON
STREET	1011 S TRADE ST	176 WOODBERRY ST	176 WOODBERRY ST	176 WOODBERRY ST
CITY, STATE, ZIP	MATTHEWS	WHITE LAKE, NC 28337	WHITE LAKE, NC 28337	WHITE LAKE, NC 28337
DEED	DB 06306 PG 306	DB 06306 PG 501	DB 13231 PG 478	DB 14517 PG 537
ZONING	R-15	R-15	R-15	R-15
USE	SINGLE-FAMILY	SINGLE-FAMILY	VACANT	VACANT

- NOTES:**
- ALL DIMENSIONS ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
 - CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO ANY CONSTRUCTION ACTIVITIES.
 - PROJECT LOCATION:
 - LATITUDE: 35°06'21" N
 - LONGITUDE: 80°43'40" W
 - NO WORK CAN BEGIN UNTIL GRADING PERMIT HAS BEEN ISSUED. CONTRACTOR SHALL NOTIFY AND COOPERATE WITH ALL UTILITY COMPANIES OR FIRMS HAVING FACILITIES ON OR ADJACENT TO THE SITE BEFORE DISTURBING, ALTERING, REMOVING, RELOCATING, ADJUSTING OR CONNECTING TO SAID FACILITIES. CONTRACTORS SHALL PAY ALL COSTS IN CONNECTION WITH THE ALTERATION OF OR RELOCATION OF THE FACILITIES. CONTRACTORS SHALL RAISE OR LOWER TOPS OF EXISTING MANHOLES AS REQUIRED TO MATCH FINISHED GRADES.
 - CONTRACTOR SHALL COOPERATE AND WORK WITH ALL OTHER CONTRACTORS PERFORMING WORK ON THIS PROJECT TO INSURE PROPER AND TIMELY COMPLETION OF THIS PROJECT.
 - BEFORE ANY MACHINE WORK IS DONE, CONTRACTOR SHALL STAKE OUT AND MARK THE ITEMS ESTABLISHED BY THE SITE PLAN. CONTROL POINTS SHALL BE PRESERVED AT ALL TIMES DURING THE COURSE OF THE PROJECT. LACK OF PROPER WORKING POINTS AND GRADES SHALL BE THE RESPONSIBILITY OF OPERATIONS UNTIL SUCH POINTS AND GRADES HAVE BEEN PLACED TO THE OWNER'S SATISFACTION. ARCHITECT MUST APPROVE STAKED ITEMS PRIOR TO CONSTRUCTION.
 - CONTRACTOR TO COORDINATE ALL WORK WITH OTHER UTILITY INSTALLATIONS NOT COVERED IN THESE PLANS (ELECTRIC, TELEPHONE, GAS, CABLE, ETC.) AND ALLOW FOR THEIR OPERATIONS AND CONSTRUCTION TO BE PERFORMED.
 - CONTRACTOR SHALL REPAIR OR REPLACE IN-KIND ANY DAMAGE THAT OCCURS AS RESULT OF HIS WORK INSIDE OR OUTSIDE OF THE CONSTRUCTION LIMITS.
 - ALL SHOP DRAWINGS SHALL BE SUBMITTED TO THE ENGINEER FOR APPROVAL PRIOR TO CONSTRUCTION.
 - ALL IMPROVEMENTS SHALL COMPLY WITH TOWN OF MATTHEWS AND MECKLENBURG COUNTY STANDARDS AND SPECIFICATIONS, AS WELL AS NCDOT REQUIREMENTS.
 - THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THE PLANS IS BASED ON THE RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING ALL APPROPRIATE PARTIES AND ASSURING THAT UTILITIES ARE LOCATED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. CALL NC ONE CALL (PREVIOUSLY 811) AT 1-800-452-4849 FOR UTILITY LOCATING SERVICES 48 HOURS PRIOR TO COMMENCEMENT OF ANY WORK. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
 - ALL UTILITIES FOUND IN THE FIELD AND BETWEEN THESE PLANS OR APPARENT ERRORS IN THESE PLANS SHALL BE CALLED TO THE ATTENTION OF THE OWNER AND ENGINEER PRIOR TO PROCEEDING WITH WORK.
 - ALL SIGNS, PAVEMENT MARKINGS AND OTHER TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (LATEST EDITION).
 - ALL PAVEMENT MARKINGS SHALL BE 4 INCHES UNLESS OTHERWISE NOTED.
 - PAVEMENT SECTIONS TO BE VERIFIED BASED ON GEOTECHNICAL REPORT ON SUBGRADE SOILS. DRAWINGS FOR ACTUAL DIMENSIONS AS IT IS A REPRODUCTION AND SUBJECT TO DISTORTION.
 - SEGMENTAL AND CAST IN PLACE RETAINING WALLS WILL BE DESIGN-BUILD, ENGINEER/SEALED DRAWINGS WILL BE PROVIDED PRIOR TO CONSTRUCTION IN THE FORM OF SHOP DRAWINGS.

DEVELOPMENT SUMMARY

DEVELOPER: PROVIDENT LAND SERVICES, INC.
6707 FAIRVIEW ROAD
SUITE B
CHARLOTTE, NC 28210
CONTACT: TOM WATERS
(704) 201-5150
tom@providentdev.com

EXISTING PARCEL SIZE: 19.31 ACRES (COMBINED)

JURISDICTION: MATTHEWS

EXISTING ZONING: R-VS
RESIDENTIAL VARIED
STYLE DISTRICT

PROPOSED USE: RESIDENTIAL (SINGLE-FAMILY)

NUMBER OF LOTS PROPOSED: 42

AVERAGE LOT SIZE: 11,672 SF/0.268 ACRES

SMALLEST LOT SIZE: LOT 32 (7,511 SF/0.172 AC.)

PROPOSED DENSITY: 2.18 DUA

SUPPLEMENTAL REGULATIONS:

MINIMUM LOT AREA:	4,500 SF/DU
MINIMUM LOT WIDTH:	40 FEET
MINIMUM SETBACK:	20 FEET
MINIMUM SIDE YARD:	6/8 FEET (14 FOOT AGGREGATE)
MINIMUM REAR YARD:	30 FEET
MAXIMUM HEIGHT:	35 FEET

PARKING REQUIREMENTS:

RESIDENCES REQUIRED:	94 SPACES
DWELLINGS:	2 SPACES PER UNIT
PARALLEL PARKING:	2 SPACES
TOTAL PROVIDED:	96 SPACES

TREE CANOPY CALCULATIONS:

TOTAL LAND DISTURBANCE AREA:	723,532 SF
ROAD RIGHTS OF WAY:	120,783 SF
PROPOSED STORMWATER FACILITIES:	60,904 SF
NET LAND DISTURBANCE AREA:	541,845 SF
TREE CANOPY REQUIRED:	43,348 SF (8.00%)
TREE CANOPY PROVIDED:	90,210 SF (16.65%)

REQUIRED CONNECTIVITY INDEX: 1.30

INDEX REDUCTION: -0.05*

REQUIRED CONNECTIVITY INDEX: 1.25

LINKS PROVIDED: 10

NODES PROVIDED: 8

PROPOSED CONNECTIVITY INDEX: 1.25

*ADJACENT DEVELOPMENTS WITH NO STREET STUB-OUTS ON THE NORTHERN AND WESTERN EDGES OF THE PROPERTY

COMMON OPEN SPACE PROVIDED: 164,030 SF (3.765 AC.)

REQUIRED PCO UNDISTURBED OPEN SPACE: 84,094 SF

PROPOSED PCO UNDISTURBED OPEN SPACE: 90,210 SF

LEGEND

PROPERTY BOUNDARY/RW	---
PARCEL BOUNDARY	---
PARCEL SETBACK	---
EASEMENT/BUFFER	---
STORMWATER BMP	---
WOODEN SCREEN FENCE	---
HANDRAIL	---
RETAINING WALL	---
PROPOSED TREELINE	---
EXISTING TREELINE	---
WETLAND BUFFER	---
STREAM BUFFER	---

- DEVELOPMENT NOTES:**
- THE FUTURE OWNERSHIP OF RECREATION AND OPEN SPACE LANDS IN THE PROPOSED SUBDIVISION SHALL BE OWNED AND MAINTAINED BY THE FULLWOOD STATION HOMEOWNERS ASSOCIATION.
 - PER THE DEVELOPMENT STANDARDS APPROVED BY CITY COUNCIL ON FEBRUARY 9TH, 2015 THE APPLICANT AGREES TO CONTRIBUTE LAND AND IMPROVEMENTS MEETING THE REQUIREMENTS OF SECTION 155.705 OF THE MATTHEWS TOWN ORDINANCE. THE APPLICANT AGREES TO A (9) MONTH TIMEFRAME BEGINNING FROM THE DATE OF ZONING APPROVAL TO DETERMINE THE FINAL ALIGNMENT OF THE PROPOSED WALKING TRAIL. IF AN AGREEMENT TO SECURE AN EASEMENT TO CONNECT THE TRAIL TO WOODY CREEK ROAD CANNOT BE OBTAINED, THE TRAIL TERMINUS SHALL BE LOCATED SHORT OF THE PROPERTY LINE AND REMAIN COMPLETELY INTERNAL TO THE SITE.
 - FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS OF 80,000 POUNDS.
 - DEVELOPER AGREES TO SUBMIT CONSTRUCTION BONDS UPON APPROVAL OF THE PRELIMINARY PLAN.
 - CONSTRUCTION TRAFFIC SHALL UTILIZE THE MAIN ENTRANCE OFF OF SOUTH TRADE STREET TO ACCESS THE PROPERTY.

LandDesign
223 N Graham Street, Charlotte, NC 28202
V: 704.333.0325 F: 704.332.3746
www.LandDesign.com
www.LandDesign.com



**FULLWOOD STATION
SINGLE-FAMILY SUBDIVISION**
PROVIDENT LAND SERVICES, INC. | MATTHEWS NC | MECKLENBURG COUNTY
OVERALL SITE PLAN

DATE: MARCH 18, 2015
DESIGNED BY: PHK
DRAWN BY: PHK
CHECKED BY: PHK
SCALE: N/A
PROJECT #: 1014194
SHEET #: C-2.0



ITEMS TO BE ADDED TO THE AGENDA

None

SPECIAL RECOGNITION OF FRANCIS BODRY

Mayor Taylor and former Commissioner George Fossett recognized Francis Bodry, a French citizen who worked in France with US troops stationed there, including Mr. Fossett.

RECOGNIZE RETIRING PUBLIC WORKS DIRECTOR RALPH MESSERA

The Board recognized retiring Public Works Director Ralph Messera. Mayor Taylor offered the town's appreciation for everything he's done over the years and noted he will always be part of the Matthews family.

PRESENTATION ON MATTHEWS FIRE & EMS CITIZENS' ACADEMY

Lieutenant Chris Mollema discussed the department's new Citizen's Academy. The program, which starts on July 7, will educate participants about fire protection and other services. Anyone who is interested can contact the Fire & EMS department for more information.

RECESS REGULAR MEETING FOR PUBLIC HEARING ON A PRELIMINARY ASSESSMENT RESOLUTION ON OSCAR DRIVE

Motion by Mr. Miller to recess the regular meeting for a public hearing on a preliminary assessment resolution on Oscar Drive. The motion was seconded by Mr. Ross and unanimously approved.

Town Engineer CJ O'Neill summarized the structural issues with Oscar Drive due to the developer's inaction and explained the streets needs to be brought to town standards before being accepted into the town's street system. The residents have elected to proceed with the assessment process and the Board has accepted the petition. The cost has been calculated to be \$82,710. There is a cashed surety bond in the amount of \$49,710, leaving a balance of \$33,000 to be assessed to the residents.

The petition requested this amount to be shared equally between the twenty lots in the subdivision at 100% of the costs plus administrative and legal costs. The petition also asks the town to cover the cost of the lighting in the assessment, but the town does not have the legal authority to do so. Staff is seeking permission to work with the homeowner's association to come up with an agreement for repayment of the lighting costs over a multi-year time period. The lighting cost would be approximately \$9,000.

Mayor Taylor opened the floor for public comment. Kerry Lamson, 3440 Oscar Drive is a member of the HOA board and thanked Mr. O'Neill and Mr. Messera for their work on this as well as the Board for listening to the citizens and investigating the issue. The costs are lower than expected and the residents are committed to completing the work. He reiterated the request as written in the petition for an eight-year repayment plan with an interest rate not to exceed 5%. The residents have no problem working with the town on the upfront lighting fixtures cost. He did request that the Town do whatever it could to keep a building permit from being issued for lot 10 until the road is complete.

Chris Hailey, 3323 Oscar Drive explained that the residents are not happy they have to pay but they appreciate what the town has done. Mr. Hailey asked the Board to increase the bond for developers so this situation wouldn't happen to any other residents.

RECONVENE REGULAR MEETING

Motion by Mr. Query to reconvene the regular meeting. The motion was seconded by Mr. Miller and unanimously approved.

Town Manager Hazen Blodgett explained there is legislation pending in the General Assembly which would prevent municipalities from raising bonds over 125% of costs. He suggested citizens contact their legislators and argue against that using Oscar Drive as an example and ask them not to remove cities' power to protect their citizens.

PUBLIC COMMENT

None

REPORTS FROM BOARDS/COMMITTEES

Transportation Advisory Committee (TAC) Chair Matt Jones addressed the Board and discussed some of TAC's successes and recent business. TAC is in full support of the speed hump process for residents, as was recently used for Sadie Drive and Tank Town Road. McKee Road section B is currently in a contractual state and there is some language in the contract that still needs to be worked out. Section A has budgetary issues but there is much interest in it. He and TAC appreciate the Board's view on road connections. Buckley Way is moving forward and John Street is an item the Board will continue to see in the future. The environmental and design studies need to be closely reviewed. The Highway 74 plan will impact the town and will be watched closely. He noted that a CATS representative will speak later about the Silver Line and said it would be good to extend it as best it can to Matthews.

Mayor Taylor thanked Mr. Jones and the members of the committee for their dedicated work, particularly since it can sometimes feel like a thankless job. He noted that McKee Section A came up at the last MPO meeting and the town needs to keep on about that so it doesn't drop off the list.

CONSENT AGENDA

- A. Approve Minutes of the June 8, 2015 Meeting**
- B. Approve Tax Refunds**
- C. Approve Budget Ordinance Amendments to:**
 - 1) Recognize Shared Proceeds Received through the DEA Task Force in the Amount of \$24,862.98**
 - 2) Recognize Overtime Reimbursements Received from DEA Task Force in the Amount of \$715.24**
 - 3) Recognize Controlled Substance Tax Assessment Revenues Received in the Amount of \$760.61**

Motion by Mr. Miller to approve consent agenda item A through C3. Seconded by Mr. Pata and unanimously approved.

UNFINISHED BUSINESS

RECEIVE MONTHLY PLANNING CONFERENCE TO-DO LIST REPORT

The Board reviewed the report. There was some discussion on dog parks and liability, with Attorney Charles Buckley explain that liability is imposed upon a town to the extent there is liability insurance; governmental immunity exists and there would have to be negligence on the part of the town before the town would be held liable.

APPROVE RESOLUTION TO PROCEED WITH OSCAR DRIVE PROJECT

Motion by Mr. Higdon to adopt a resolution directing that the improvements to Oscar Drive within the Forest Brook Subdivision be undertaken as prepared by the Town Attorney. The motion was seconded by Mr. Query and unanimously approved.

Motion by Mr. Higdon to have the Public Works Director and Finance Director meet with the homeowner's association and develop a plan to front the cost of the street light fees and develop a plan for reimbursement, and to present this information back to the Board at a future meeting. The motion was seconded by Mr. Miller and unanimously approved.

Mr. Buckley noted that the next step will come after the completion of the project when all costs will be known. The town will go through another assessment hearing and go from there.

NEW BUSINESS

UPDATE ON SILVER LINE TRANSIT: JASON LAWRENCE – CHARLOTTE AREA TRANSIT

Charlotte Area Transit representative Jason Lawrence spoke about the Lynx Silver Line and the history of the corridor planning studies. He noted that Bus Rapid Transit (BRT) was the recommended mode with Light Rail Transit (LRT) recommended to be reevaluated. The recommendation from the Urban Land Institute (ULI) was the Independence Boulevard should be for auto-oriented uses and recommended a streetcar alignment along Monroe Road to Matthews.

There is now a need to redefine a corridor that is not located within the median of Independence Boulevard and that coordinates land development strategies. This study is a long term vision but is not intended to be a shovel-ready project, nor will it be a fully detailed and designed rail project. It will be a bus operations plan but not as a replacement for a rail project. It is not intended to be a built project at this time but rather a plan for the future. The goal date for a recommendation is June 2016. Outreach is starting now and there will be a workshop in the Matthews Town Hall on August 4th at 6:00 pm.

Mr. Miller said he was disappointed in the 2011 MTC decision that replaced the rail with managed bus lanes. That took a drastic turn. He said people have seen the economic boom along the rail line but that there won't be a similar boom along a bus line.

There was discussion on the placement of the corridor. Mr. Lawrence noted it a very challenging corridor but that is their charge. It could be near Independence Boulevard, possibly by zigzagging between it and Monroe Road. They will be as creative and take as many suggestions as they possibly can.

Mr. Query said years ago the Board stated the town would rather wait for a train route than have a bus route come out here. Mr. Lawrence noted that bus service exists today and rail service won't change that, nor will the bus component change any aspect of the future rail corridor.

APPROVE REAPPROPRIATION OF FUNDS FROM GENERAL FUND TO CAPITAL IMPROVEMENTS FUND

Mr. Blodgett explained that in September, money was taken from the Capital Improvements Fund and transferred to the General Fund as reimbursement for work associated with the South Trade Street project. In reality, those overruns had been paid from the Capital Improvements Fund, not the General Fund, and so should be reallocated back to the Capital Improvements Fund. He noted that will negatively impact the fund balance by 1 or 2 percent.

Motion by Mr. Miller to re-appropriate \$410,000 from the General Fund to the Capital Improvement Fund. The motion was seconded by Mr. Ross and unanimously approved.

RECEIVE MONTHLY BUDGET REPORT

Finance Director Chris Tucker reviewed the report. The town has collected 84% of revenue through April and sales tax is trending approximately 8% above budget.

There was some discussion of sales tax redistribution. Mr. Tucker explained that legislation will likely negatively impact Matthews. Mayor Taylor explained that the growth rate built into the language is 3% but the town's is higher than that, so there's actually a double negative impact to the town.

UPDATE ON PEDESTRIAN SIGNAL ON SOUTH TRADE STREET AT PLANTATION ESTATES

Mr. Blodgett explained that DOT changed the style of the signal – it will be a pedestrian-activated flashing signal. In addition, its placement was moved about thirty feet south. It won't be directly across from the greenway but pedestrians will be able to walk down the sidewalk a bit. A pedestrian respite island was added as well. This is tied into the Plantation Estates construction.

There was some discussion of a pocket park in the area, with Mr. Blodgett explaining that the opportunity for the larger pocket park is part of the lingering issues - Plantation Estates is responsible for the relocation of Country Place but they contend the right of way acquisition is the town's responsibility rather than theirs. There will be a remnant piece of property and it is unknown how big the pocket park will be in the end.

APPROVE ACQUISITION OF PERMANENT SIDEWALK EASEMENT

Motion by Mr. Miller to ratify the purchase of sidewalk easement from W.E. Love Enterprises in the amount of \$4,101. The motion was seconded by Mr. Pata and unanimously approved.

CANCEL AGREEMENT TO PURCHASE OUTEN POTTERY SITE

Mayor Taylor noted that the deed restriction is still in place but the Historic Landmarks Commission (HLC) chose to move forward with the purchase anyway. The agreement was for the town to purchase it from the HLC within a certain time period, but not with the deed restriction still in place. The Board can cancel the existing agreement so the town doesn't have to buy the property with the deed restriction in place.

Mayor Taylor said he thinks the restriction will eventually be removed, which would allow things to move forward, until then the HLC will keep the property secure and stable.

Motion by Mr. Higdon to authorize the Town Manager to sign the termination agreement and pay \$4,700 for the environmental assessment costs. The motion was seconded by Mr. Query and unanimously approved.

MAYOR'S REPORT

Mayor Taylor reported on recent events, including the groundbreaking for Phase II of the Sportsplex and the Playhouse's 20th anniversary and Wizard of Oz production. He also noted that the Town Attorney's contract will be discussed at a future agenda.

ATTORNEY'S REPORT

None

TOWN MANAGER'S REPORT

None

CLOSED SESSION – ATTORNEY-CLIENT MATTERS

Motion by Mr. Miller to go into closed session to consult with the Town Attorney, to include the Board, the Town Attorney, Town Manager and Town Clerk. The motion was seconded by Mr. Pata and unanimously approved.

CLOSED SESSION – PERSONNEL

The Board did not hold this closed session – it will be discussed at a future date.

ADJOURNMENT

Motion by Mr. Higdon to adjourn. The motion was seconded by Mr. Ross and unanimously approved. The meeting adjourned at 9:14 pm.

Respectfully submitted,

Lori Canapinno
Town Clerk

ITEMS TO BE ADDED TO THE AGENDA

Upon request by the Manager, motion by Mr. Query to add an item to the consent agenda to reschedule the regular Board of Commissioners meeting from May 25 and set the public hearing for the fiscal year 2015-16 budget to May 26, 2015 due to the Memorial Day holiday. The motion was seconded by Mr. Melton and unanimously approved.

Motion by Mr. Melton to add an item to the consent agenda to affirm the naming of the stage in Stumptown Park to the *R. Lee Myers Stage*. The motion was seconded by Mr. Miller and unanimously approved.

BUDDY PROJECT – EMILY SHARP

Emily Sharp of Butler High School discussed the project she started in December 2013 to collect new and gently used stuffed animals, wrap them in fleece blankets and donate them to the Levine Children's Hospital and Mint Hill Fire Department. She is seeking donations to continue the project.

Mayor Taylor thanked Ms. Sharp for her work on such a great project and encouraged everyone to donate.

RECOGNIZE NATIONAL PUBLIC WORKS WEEK

Mayor Taylor recognized Public Works Week and said these employees do great work year round but generally don't get the credit they deserve. They and the volunteers just did a tremendous job at BeachFest and the Public Works employees go above and beyond on a regular basis.

RECESS REGULAR MEETING FOR PUBLIC HEARINGS ON PETITIONS TO AMEND THE ZONING ORDINANCE OF THE TOWN OF MATTHEWS

Motion by Mr. Pata to recess the regular meeting for public hearings on petitions to amend the zoning ordinance. The motion was seconded by Mr. Ross and unanimously approved.

Planning Director Kathi Ingrish introduced the members of the Planning Board in attendance: Vice Chair Rob Markiewitz and members Gary Turner and Barbara Dement.

Application 2015-626/Everlane: (continued from 4/13/15) to change the zoning from RVS to R-12MF(CD) on that certain property located on the west side of Monroe Road between Galleria Boulevard and Gander Cove Lane and being further located across the street from Family Dollar Corporate and being further designated as Tax Parcel 213-231-01.

Mayor Taylor noted this is a continuation of a public hearing from April 13. Senior Planner Jay Camp explained this proposal is for a 21 acre site at the last parcel in town on Monroe Road. The proposal is for 312 multifamily dwelling units, which yields 14.3 dwelling units per acre. Some significant changes were made, including the following: the setback along Monroe Road is now at least 35 feet; a reduction in the unit count from 320 to 312; the two story carriage garages were reduced to single story garage structures; the pedestrian trail has shifted further into the development and away from the cemetery, and additional screening is now shown between the development and the Sardis Forest Community.

The major outstanding issues from the April staff memo have been addressed. The C-MF aspect has been removed and the project is now proposed solely as an R-12MF(CD) development. Staff still has some fine tuning to do but the plan as proposed is in better condition than it was prior to the previous meeting.

There is a valid protest petition on file.

Matt Poindexter of Everlane Development, 1950 East 9th Street, Charlotte, addressed the Board. He reviewed the project and highlighted some key points. The historic Roseland Cemetery on the property is a significant piece of history and will be addressed correctly. The plan is to clean it up by hand, preserve what is there and create an accessible environment. They have letters of support from Stuart Gray and Dan Morrill of the Historic Landmarks Commission and Paula Lester and Harvey Boyd of Matthews.

This property carries a previously-approved site plan from 2008 which allows for a 96 unit quadplex patio home development, which is no longer economically feasible. It does use the access onto Nolley Court, which the new plan does as well. The new plan increases setbacks significantly. There is a tree save area of nearly 3.9 acres and 8.5 acres of open space. Additional landscaping was added to create a visual barrier and the three story building would be placed 350 feet away from the property edge. A city bus stop would be added. The Monroe Road Small Area Plan calls for new development to be oriented directly to the street and use multistory design and this plan incorporates those aspects. There is a pedestrian-friendly design with buildings pushed closer to the street, a sidewalk network and a large amount of green and open space. The Small Area Plan calls for residential unit development not to exceed 16 units per acre and this proposal is well under that with 312 proposed units.

These units would be classed as market-rate luxury apartment homes with seven two and three-story buildings, seven garage buildings, dog parks, spa stations, a clubhouse and more. The average unit would be 960 square feet and the average rental rate would be \$1,150 per month. These would be very nice high-end units with a professional property management firm and all applicants would be screened for criminal background and financial issues. The site would consist of 10% studio units, 45% one bedroom units, 40% two bedroom units and 5% three bedroom units.

Issues of concern included the neighboring properties, existing apartments, density and traffic. The development would be pushed away from the Sardis Forest neighborhood with the closest structure 220 feet away from the neighboring property line. The demand for apartments in the area is very stable and the company is ready to make a \$37 million investment into the community. The proposed density is similar to recently approved projects of similar magnitude in the greater area. The Monroe Road Small Area Plan calls for up to 16 units per acre. Monroe Road is a thoroughfare that gets a lot of traffic. There is a traffic analysis and the developer is taking every measure recommended to mitigate the traffic, which includes the construction of a southbound dedicated right turn lane on Monroe Road with a hundred feet of storage into the community, re-marking the existing two-way left turn lane on Monroe Road for a northbound left turn lane with a hundred feet of storage, construction of an eastbound approach for one ingress and two egress lanes, and construction of a dedicated eastbound right turn lane on Sardis Road North.

Mr. Poindexter also detailed issues relating to aesthetics, construction materials and building elevations. He noted that they fell short on gaining full support of the surrounding community, but they are committed to fully engaging the community. The applicant does have a signed petition from twenty businesspeople in the immediate area in favor of the project and they are confident there are other people who feel the same way.

Mr. Melton said that Mr. Poindexter said they're bringing to the Board what the Small Area Plan is asking for, but pointed out that the plan calls for the area to be mixed residential – attached condos and townhomes – and that is not what is being proposed. Mr. Poindexter said they believe multifamily residential units fall under that mixed residential use. Mr. Melton asked if the cemetery and water basin land areas were included in the density calculation, and Mr. Poindexter confirmed they were.

Mr. Higdon discussed the setbacks along Nolley Court and Mr. Poindexter explained they are between 75 and 80 feet. The zoning requirement is 25 feet.

Mr. Query asked about the highest density development in Matthews. Mr. Camp explained that the recently approved but as-yet unbuilt apartments next to Town Hall will be around 40 units per acre. The Fountains development is next at 16-17 units per acre. Mr. Query asked if the developer would consider all brick structures. Mr. Poindexter said the plan is currently for 60% brick on the Monroe Road-facing facades, with 30% brick on the remainder. They are open to changing that. Mr. Query said the least he would consider would be 60% brick all around the buildings, which would create a standard that would maintain its value for years. Mr. Query then questioned why a high-end development didn't include elevators. Mr. Poindexter said that no other communities in Matthews have elevators so this would still fall under the luxury label. Mr. Query said he would like to see elevators added. There was some additional discussion of high-end features.

Traffic Engineer Randy Goddard of Design Resource Group, 2459 Wilkinson Boulevard, Charlotte addressed the Board regarding peak hour and trip counts. Discussion ensued on traffic analysis methodology and traffic patterns.

Mayor Taylor asked about apartment counts in nearby developments and impact to schools. Mr. Poindexter explained the CMS calculation, which states a new student generation count of 61. Per CMS, the currently-approved plan would generate 68 students. Mayor Taylor said he was concerned about the roughly 800 or 900 apartment units that would be in the general area if this project was approved. There is a significant traffic issue and at some point the maximum capacity of the road will be reached. In addition, the Land Use Plan talked about a multitude of uses, not just one. He said the project looks nice but he would want to know more about what made the apartments high-end.

Mr. Higdon asked if the trail could be shifted closer in and Mr. Poindexter agreed to do so.

Mr. Ross asked if they've considered any other means of ingress and egress aside from Nolley Court. Mr. Poindexter said they are open to outside consideration but that area has been highlighted by staff. He noted Police Chief Hunter's memo regarding it as a safety benefit to the community. Mr. Miller noted that the applicants approached the nearby Legacy apartment complex about a vehicular connection but they were opposed to it. Mr. Poindexter confirmed the Legacy representatives would not support such a connection. They may allow a pedestrian connection but not a vehicle path.

There was additional discussion about the preservation of the Roseland Cemetery, with Mr. Poindexter explaining that all of the historic and landmark organizations they've been in contact with have encouraged a hands-off approach since restoration could do more damage than good. Work would be limited to a gentle approach with hand pruning and hand-removal of debris. They would enclose the cemetery and provide a dedicated sidewalk to lead visitors into a decorative entryway into the cemetery.

Mayor Taylor opened the floor to public comment.

Irene Suchoza, 309 Morning Dale Road, Matthews (Charlotte) is the president of the Sardis Forest HOA and represents approximately 600 homes in the neighborhood. There are a lot of concerns due mostly to density and the connection to Nolley Court. She spoke of traffic issues the neighborhood already faces. She also spoke about building height, open space calculations and price point.

Catherine Hall, 715 Swift Court, Matthews (Charlotte) has lived in Sardis Forest for 15 years. She asked the Board to listen to the concerns expressed by the citizens and noted that four apartment complexes within walking distance of the proposed site have units available. She spoke of the number of apartment units existing within a small boundary of the proposed site.

Pam Wingard, 9109 New Towne Drive, Matthews expressed her opposition to the proposal, citing apartment construction numbers and vacancy rates. She said this type of large construction isn't necessary, particularly in this specific location.

Florence Stanley, 9104F Nolley Court, Charlotte is the president of the HOA for the Saris Forest patio homes and townhomes. There are 102 individually-owned homes next door to the proposed development and those residents are also in opposition to the project. They have concerns about the negative effect on property values, particularly due to traffic. They also have concerns about storm water runoff and possible trespassers on their property. She said she understands the property will be developed eventually but prefers the currently approved plan.

Harvey Boyd, 350 Crestdale Road, Matthews spoke of the history of the Roseland Cemetery and the need to protect and preserve it.

Tom Shangheit spoke on behalf of Family Dollar at 10131 Monroe Road, Matthews. Family Dollar is concerned about safety – the driveway to their distribution center is close to the site and tractor trailers use the center turn lane to merge into traffic to head south. A full turn lane as proposed will conflict with the tractor trailer movement. Family Dollar cannot support this development unless the access onto Monroe Road was a right-in, right-out lane.

Betty Cross, 1010 Black Oak Drive, Matthews spoke against the development, citing school overcrowding, water retention ponds, trees and landscaping, traffic and aesthetics.

Shane Stout, 9103 New Towne Drive, Matthews spoke against the development and said it would cause a traffic nightmare. He also spoke about the issue of high end development.

Diane Baker, 927 Tadlock Place, Matthews spoke against the development, citing the heavy use of the swim club with children walking and biking to it on narrow streets and the safety and traffic problems that would be exacerbated by the new development. She also spoke of pride of ownership and said that isn't the same mindset that apartment dwellers have.

Mr. Poindexter addressed the concerns raised by the speakers and said they would continue to address them as the process moved forward.

Mayor Taylor explained the application will go to the Planning Board on June 2 and then back to the Board of Commissioners on June 8.

Application 2015-627/Matthews Church of God: to change the zoning from R-12 & I-1 to RI(CD) on that certain property located between 517 E. John Street and 420 E. Charles Street and belonging to the Church of God and being further designated as Tax Parcels 215-014-05 & 19.

Zoning Administrator Mary Jo Gollnitz summarized the changes requested for this site. The church would like to change the monument sign located at East John Street and added some additional parking spots for future expansion. Staff has discussed with the applicants the potential for driveway access off Charles Street, but at this time they are not interested in pursuing that. They are aware of the future John Street widening project and the possibility of a right-out only situation. They are also aware they may have to move the existing sign and retaining wall on East John Street.

There was discussion of the monument sign. The applicants desire a changeable copy sign and that is not allowed in residential zoning.

Mayor Taylor opened the floor to public comment. No one spoke in favor of or opposition to this application.

Mayor Taylor explained the application will go to the Planning Board on June 2 and then back to the Board of Commissioners on June 8.

Application 2015-628: to amend the UDO text to expand the process for subdivision names.

Planning Director Kathi Ingrish explained there is a provision within the Unified Development Ordinance (UDO) which allows for any word to be used only two times in an effort to avoid confusion with similarly-named developments. This would allow for exceptions to that provision for names with historically significant or other compelling reasons. The proposed language from the applicant states that requests to deviate from the standard convention would be reviewed by the Planning Department and at the discretion of the Planning Director.

Applicants John Fitzgerald and Kristen Dillard of LiveWell Homes explained that their project, a residential development they'd like to name Fullwood Station in honor of the town's history. They said they drafted language with approval by staff but they were not opposed to having the Board be the approving entity. Mr. Buckley said to say something is of a "compelling" reason without extra guidelines then it should only be within the legislative discretion of the Board of Commissioners.

Mr. Higdon said he would prefer to see the name requests reviewed by a group of people, not just one person.

Mr. Ross noted that this is a text amendment which could affect the entire town and not an application solely for the benefit of the Fullwood Station development.

Mayor Taylor opened the floor to public comment. No one spoke in favor of or opposition to this application.

Mayor Taylor explained the application will go to the Planning Board on June 2 and then back to the Board of Commissioners on June 8.

Application 2015-629: to amend the UDO text regarding the Table of Dimensional Standards to add a footnote and to modify the allowed height standards in the R-12MF Zoning District.

Ms. Ingrish explained this is for building height limits in the R-12(MF) district, from an applicant who wishes to build something slightly higher than what the current code allows. The intent is to accommodate the recent desire for taller residential ceiling heights. The current code calls for a maximum height of 35 feet; the request is to increase that up to 45 feet when the side and rear yards are increased proportionally to accommodate that increased height. It would be a one foot side and rear yard increase for every one foot of height increase.

Mayor Taylor opened the floor to public comment. No one spoke in favor of or opposition to this application.

Mayor Taylor explained the application will go to the Planning Board on June 2 and then back to the Board of Commissioners on June 8.

RECONVENE REGULAR MEETING

Motion by Mr. Higdon to reconvene the regular meeting. The motion was seconded by Mr. Ross and unanimously approved.

PLANNING AND DEVELOPMENT BUSINESS

REPORT FROM PLANNING BOARD

Planning Board Vice Chair Rob Markiewitz gave a report on the Board's activities (Exhibit #1 hereby referenced and made a part of these minutes).

PLANNING AND ZONING-RELATED ACTIONS

Motion 2015-1: adopt Composite Bicycle and Pedestrian Plan

Motion by Mr. Melton to adopt the Composite Bicycle and Pedestrian Plan as presented. The motion was seconded by Mr. Pata and unanimously approved.

Motion 2015-2: to change the text of the UDO regarding miscellaneous and technical corrections including add a definition and standards for Residential Development Message Board Signs; correct/add a cross reference for design standards for manufactured homes; clarify when "Specialty Sales" are general merchandise retail; add "community garden" as a land use category in the table of allowed uses; and add clarification for Public Information Kiosks in Downtown and ENT

There was extended discussion of residential message boards. Mr. Higdon said the limitations on these seem arbitrary and suggested allowing more if the neighborhoods desire them. Ms. Ingrish noted that the limitation is consistent with the limitations on subdivision sign names.

Motion by Mr. Query to defer consideration to June 8 to allow staff time to research alternative options. The motion was seconded by Mr. Ross.

Mr. Higdon made a substitute motion to approve the text with revisions to remove any restriction or limitation to the number of signs that could be placed with all of the remaining text to remain the same. The motion was seconded by Mr. Miller.

Mr. Buckley noted that changes to this portion of the text should result in two votes: one for the message board item and one for the rest of the items.

After discussion, Mr. Higdon amended the substitute motion to limit the placement to no more than one sign at each entrance, with no limit to the maximum number, as it is reasonable for standardization of this type of sign throughout community and some neighborhoods have more than two entrances. The amended motion was seconded by Mr. Miller.

The substitute motion to approve the text with revisions to limit the placement to no more than one sign per entrance, passed 5-2 with Higdon, Melton, Miller, Pata and Ross in favor and Taylor and Query in opposition.

Mr. Ross made a motion to approve Motion 2015-2 in full, including the text revisions regarding the message boards just approved, as it is reasonable and consistent with the Matthews Land Use Plan and other policies of the town, as it is reasonable for standardization of this type of sign throughout community and some neighborhoods have more than two entrances and reasonable for these minor text changes to be approved. The

motion was seconded by Mr. Melton and passed 4-3 with Melton, Higdon, Pata and Ross in favor and Taylor, Miller and Query in opposition.

Administrative Amendment: McEwen-Moore House Occupancy Date

Motion by Mr. Query to grant a one-year extension, to require a certificate of occupancy one year from now, as it is reasonable and consistent with the Land Use Plan. The motion was seconded by Mr. Melton.

Mr. Miller said three years total should be reasonable. Mayor Taylor said Liberty has been a good corporate citizen. He hopes they can do what they need to do in the next year, and hopes the Board can work with them if they need more time. Mr. Query said he thinks the Board has been reasonable so far, but thinks the structure needs to be occupied now.

The motion to allow a one year extension was unanimously approved.

Public Improvement Variance: Habitat for Humanity; Dion Drive at Margaret Wallace Road

Motion by Mr. Miller to grant the public improvement variance. The motion was seconded by Mr. Pata and unanimously approved.

Master Sign Plan Revision: The Crossing

Zoning Administrator Mary Jo Gollnitz explained the request. The plaza's Master Sign Plan originally included three colors. Black was added in 2001 and blue was added in 2012. The applicant is now requesting to eliminate the color specifications completely.

Motion by Mr. Higdon to amend the Master Sign Plan and eliminate color specifications. The motion was seconded by Mr. Pata and unanimously approved.

PUBLIC COMMENT

John Urban, 2523 Macie Glen Court, Matthews said that politics is the art of consensus, and that former Mayor Myers talked about issues of "us" and "we." He enjoyed and thrived on consensus-building in this town. In the past the Board talked about smart growth and issues of live, work and play, and it looked like the town's progress would continue with new candidates. Unfortunately, he has seen no "us" and "we" in the last sixteen months. He has seen dismissal of various public studies and planning trips. He asked about the Board's stance on development, saying developers have turned against the town. The Board isn't asking the right questions during zoning discussions, the UDO has been trashed and years of progress has ceased. All of this has prompted him to seek reelection as Matthews Commissioner.

CONSENT AGENDA

- A. Approve Minutes of the April 27, 2015 Meeting**
- B. Cancel July 27, 2015 Regular Meeting of the Board of Commissioners**
- C. Accept Zoning Application 2015-630: Giles McIvor; Text Amendment on Parking Standards for Animal Care Facilities, and Set Public Hearing for June 8, 2015**

- D. Approve Preliminary Plat for Habitat for Humanity; Dion Drive at Margaret Wallace Road**
- E. Approve Preliminary Plat; Eden Hall**
- F. Approve Pilot Pop-Up Market Concept for First Thursday Campaign**
- G. Approve Tax Refunds**
- H. Approve Budget Ordinance Amendment to Recognize Shared Proceeds Received through DEA Task Force in the Amount of \$1,157.97**
- I. Reschedule Regular Meeting of May 25, 2015 to May 26, 2015 due to Memorial Day Holiday and Set Public Hearing for FY 2015-16 Budget for May 26, 2015**
- J. Affirm Naming of Stage in Stumptown Park to R. Lee Myers Stage**

Motion by Mr. Query to approve consent agenda item A through J. The motion was seconded by Mr. Ross and unanimously approved.

UNFINISHED BUSINESS

RECONSIDER PARKING OPTIONS ON CHARLES STREET

Mayor Taylor said the Board made a knee-jerk reaction in December when this was discussed and voted to approve the addition of fifteen parallel parking spaces on Charles Street. Staff moved forward and completed two and cleared another one but now there have been concerns raised. Mr. Miller said he agreed the spots probably shouldn't be added in front of the Johnson house since there is a lot of shrubbery in front of the house. He thinks the spots in general are good for the whole town.

There was some discussion of existing parking spots and potential future spots. There was discussion of aesthetic and safety issues and the transition of Charles Street from residential to commercial development.

Motion by Mr. Melton to leave the existing parking spaces and not continue adding extra at this time. The motion was seconded by Mr. Query.

Discussion continued on area parking spaces. There are permit-only spaces in the adjacent railroad lot – the purchased permits are for daytime/weekday parking. Mr. Blodgett said it may be time to revisit that as well – not many permits are purchased. There was some discussion of the railroad lot and signage regarding availability of its parking. Mr. Ross suggested improving the lighting around Charles Street and the railroad lot so people are less concerned about walking to the lot.

Police Chief Rob Hunter suggested imposing a three hour parking limit on the three newly-added spaces to make them consistent with the other, older spots. There was discussion of prohibiting parking in the rest of the area and that will be discussed again at the next meeting. Mr. Ross said the situation needs to be monitored to see what the impact is to residents and businesses.

The motion to leave the newly added spaces alone but not continue adding spaces passed 5-2 with Taylor, Higdon, Melton Query and Ross in favor and Miller and Pata in opposition. The issue of three hour parking will be addressed at the next meeting.

NEW BUSINESS

CONSIDER CITIZEN REQUEST TO SOLICIT DONATIONS ON BEHALF OF STREAM OF LIFE CHURCH ON WEEKENDS FROM MAY 16 THROUGH JULY 20, 2015

Chief Hunter explained that the Police Department is comfortable with the organization and the people who will be soliciting donations, however there are some unique circumstances – particularly the inclusion of children in the applicant pool - that prompted the department to suggest restrictions if the Board approves the application. The Police Department recommends approval with the following: that the permits are valid between 9 am and 4 pm; the permits are valid for a maximum of four days during the requested time frame; and that at least four adults be presents with the children at any given time. He has also spoken to the applicant to advise on the need for sufficient notice to be given to the Police Department in advance of their solicitation dates.

There was some discussion of solicitation permits, various organizations and the first amendment right to free speech on public rights of way.

There was some discussion of safety gear and the intent of the applicants to stand in the intersection when traffic is not moving. Chief Hunter explained there is no DOT requirement for safety gear. Mayor Taylor suggested adding a restriction to allow solicitation on either Saturday or Sunday but not both on the same weekend.

Motion by Mr. Melton to deny the application due to safety concerns for the children involved. The motion was seconded by Mr. Miller.

Mr. Buckley said the Board could limit the permit holders to only those aged 18 and up. There was some discussion of previously-approved permits and the ages of those permittees.

Mr. Query made a substitute motion to approve the permit with the following restrictions: the permit would be valid for a total of four days only with no two consecutive days; with hours limited between 9:00 am and 12:00 pm; with 24 hours' notice given to the Police Department before the planned solicitation dates; with no one younger than 16 years of age allowed to solicit in the right of way and with a minimum of four adults to supervise minors over the age of 16. The motion was seconded by Mr. Miller and unanimously approved.

REVIEW MURAL TO BE INSTALLED AT MCDOWELL ARTS CENTER

Motion by Mr. Query to approve the mural design. The motion was seconded by Mr. Ross and unanimously approved.

MAYOR'S REPORT

Mayor Taylor thanked everyone involved for their work on the budget. He then discussed BeachFest, Food Truck Friday and First Thursday. He encouraged all to attend the future events.

ATTORNEY'S REPORT

None

TOWN MANAGER'S REPORT

Mr. Blodgett reported that bids for the Campus Ridge Road project came in and the Town's share will be \$350,000. He also clarified what can be done on Home Place after the recent ruling – the status reverts back to Judge Beal's ruling from 2012, in which the Town is enjoined and restrained from entering into any claim of ownership, and right, title or interest and from entering on the property for any purpose, including construction, repair or maintenance. That means there will be no maintenance on that portion of Home Place located within the deeded area unless the Wrights allow it.

ADJOURNMENT

Motion by Mr. Higdon to adjourn. The motion was seconded by Mr. Miller and unanimously approved. The meeting adjourned at 11:17 pm.

Respectfully submitted,

Lori Canapinno
Town Clerk

DRAFT

On other solid waste issues, it was discussed that the Public Works department has been involved with and reviewed the recycling calendars for the coming fiscal year. They are currently in the process of being printed and will then be mailed out to all Matthews residents.

Under storm water issues, notice of violation for 10416 E. Independence Boulevard was discussed. A sewer had been stopped up at this location, allowing sewage to flow into a storm drain which drained into Irwins creek. A NOV was sent to the landlord of the shopping center. This violation happened twice within a two month period.

A penalty was initiated and sent by the Town Manager. A response to the penalty was received stating that the lender had foreclosed on this property and the partnership was no longer in existence, and the owner on record at the time was now in Florida. According to Rusty Rozzelle of Mecklenburg County, and the Town attorney, the liability stays with the original owner. However, a federal lawsuit would probably have to be filed to handle this. The Committee states that the penalty may be uncollectible at this time.

The NOV that occurred at 2601 Briar Trail Court, was then discussed. Sewage was observed to have been pumped from the resident's septic tank into the yard, where it ran into a ditch and into several other yards. There did seem to be a language barrier between the homeowner and the county, but the notice of violation was sent and a note was received back stating the cleanup had been done. It was the consensus of this committee to go ahead and levy the penalty to the homeowner. They will be provided with the opportunity to appeal.

Regarding Air Quality, Mr. Ross reported that the old Rexham facility reported that they had handled their emissions incorrectly, but when they fixed and re-reported, they were still in compliance. Everyone else in the Matthews area was also in compliance, and there were no violations of air quality in the past month in Matthews. It was mentioned, that we will be getting new ozone standards in October, but as of now, we remain in compliance.

Regarding Physical Agents, Mr. Messera stated that he had passed comments from the engine brake regulation discussion in the last meeting, back to the Mayor. There were no other physical agent issues.

Under other business, the tentative plan for the garbage contract was discussed. Mrs. Cumming stated that she had sent the SOQ out to the following companies:

Republic Services
Advanced Disposal
Waste Mgmt
Waste Pro

Signature
Waste Connections
God Bless the USA
RCS
Green Day
Action
ALL Points Waste Services
Waste Industries

One SOQ was returned. Mrs. Cumming mentioned that she had called the company Action Garbage Services, from whom the SOQ had been returned. They had answered their phone with “Waste Pro”, indicating that company has been taken over by Waste Pro. No other information has been received back from the mailings. SOQ’s should be received during June, and at that time Public Works will review and make a decision on how best to get the material out to the committee. Mr. Messera said as a reminder that if the trash contract is put out to bid, that anyone can submit a bid.

Also under other business, it was discussed that this is Mr. Messera’s last meeting as he is retiring from the Town of Matthews effective June 30th. The committee all wished to thank him for all the work he has done and his participation with this committee. It was also mentioned that he would be welcomed back as a citizen or he is welcome to apply to become a member.

With other business completed, a motion was made at 8:05 pm to adjourn the meeting, which was seconded, and passed. The next meeting will be held on Tuesday July 7th, 2015.

Rosalind Cumming
Secretary

1395 Lightwood Dr, Matthews, North Carolina
Address is approximate





1399 Lightwood Dr, Matthews, North Carolina
Address is approximate





June 30, 2015

Kathi Ingrish, Planning Director
Town of Matthews
232 Matthews Station Street
Matthews, NC 28105

Re: Administrative Site Plan and Elevation Plan Review Request

Dear Ms. Ingrish,

On behalf of Giles McIvor, Inc. please accept the applicant's request for the Administrative Site Plan and/or Elevation Plan Review for the proposed Pet Paradise site (formerly Technocom) located at 10714 Independence Pointe Parkway.

Request: On behalf of the applicant a Site Plan/Elevation Plan has been submitted requesting consideration for re-purposing the existing building at 10714 Independence Pointe Parkway into an Animal Day Care Kennel and Commercial Kennel. Building façade shall be updated with minor façade enhancements along with the proposed addition of an entry canopy and an exterior shade structure. Minor parking lot reconfigurations are planned to accommodate additional guest parking in the front and a fenced-in dog play area in the rear of the property. A Site Plan/Elevation Plan submittal package has been sent to your attention, which coincides with this request.

Should you have any questions or need additional information, please do not hesitate to call me at (980) 721-0186 or via email ptatge@espassociates.com. Thank you for your time and attention to this matter as this request is considered by the Town Board of Commissioners for their respective acceptance.

Sincerely,
ESP Associates, P.A.

A handwritten signature in black ink that reads "Peter Tatge". The signature is written in a cursive, slightly slanted style.

Peter Tatge
Planning Department Manager

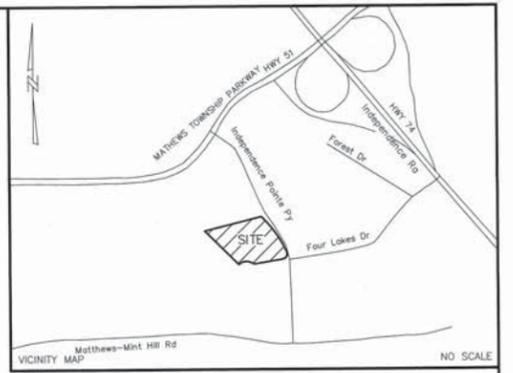
cc: Mr. Rick Giles, Giles McIvor, Inc.

NOTES

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT.
 THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RESTRICTIONS AND OTHER RECORDED OR UNRECORDED RIGHTS OF WAY OR EASEMENTS.
 #5 REBAR SET AT ALL CORNERS UNLESS NOTED OTHERWISE.
 TOTAL ACREAGE FOR THE AREA ENCOMPASSED BY THIS PLAT IS 1.261 ACRES.
 THIS PROPERTY IS ZONED: I-1(CD) (PER MECKLENBURG COUNTY GIS)
 AREAS COMPUTED BY COORDINATE COMPUTATION METHOD
 SUBJECT TRACT DEED/MAP REFERENCE: DB 6363 PG 411, MB 24 PG 807
 SUBJECT TRACT TAX PARCEL: 193-29-138
 UNADJUSTED RATIO OF PRECISION: 1:43,212
 DATE OF SURVEY APRIL 2015
 SUBJECT TRACT IS GRAPHICALLY LOCATED WITHIN ZONE X OTHER AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL FLOODPLAIN, AREAS OUTSIDE FUTURE CONDITIONS 1% ANNUAL CHANCE FLOODPLAIN PER FEMA FIRM MAP NUMBER: 37104G0000K WITH AN EFFECTIVE DATE OF FEBRUARY 19, 2014.
 UNDERGROUND UTILITIES BASED ON THE LOCATION OF PAINT MARKS AND/OR PIN FLAGS PLACED BY NC ONE CALL UTILITY LOCATION CONTRACTOR. OTHER UTILITIES WHICH WERE NOT OBSERVED AND NOT SHOWN HEREON MAY EXIST

Curve Table				
Curve #	Radius	Length	Bearing	Chord
C1	25.00	18.69	N 67°24'41" W	18.26
C2	50.00	68.51	N 85°15'31" W	63.28
C3	565.00	206.77	S 24°43'39" E	205.62
C4	25.00	46.00	S 38°27'52" W	39.78

PID# 193-29-136
 KANTZA, LLC
 DB 21967 PG 115
 LOT 5, MB 24 PG 228



CERTIFICATE OF SURVEY AND ACCURACY

DAVID A. WEIRICH CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (A DEED DESCRIPTION RECORDED IN DEED BOOK 6363 PAGE 411) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS SHOWN FROM INFORMATION FOUND IN BOOK, (AS SHOWN) PAGE (AS SHOWN); THAT THE RATIO OF PRECISION AS CALCULATED IS +1:43,212; THAT THE GLOBAL POSITIONING SYSTEM (GPS) SURVEY AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE GPS SURVEY.
 CLASS OF SURVEY: A
 POSITIONAL ACCURACY: 0.05
 TYPE OF GPS FIELD PROCEDURE: NCORS
 DATES OF SURVEY: 04-21-2015
 DATUM/EPOCH: NAD83/2011
 PUBLISHED FIXED CONTROL USE: M 095
 GEOID MODEL: GEOID12A
 COMBINED GRID FACTOR(S): 0.99984415
 UNITS: USFT
 THAT THIS PLAT MEETS THE REQUIREMENTS OF G.S. 47-30 SECTION F-11-a
 WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 4 DAY OF MAY, 2015

DAVID A. WEIRICH, PLS L-3846



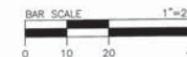
PID# 193-29-134
 VALERIE B. FOX
 DB 6539 PG 811
 LOT 6, MB 24 PG 807

- LEGEND**
- DB - DEED BOOK
 - MB - MAP BOOK
 - PG - PAGE
 - FND - FOUND
 - PID# - PARCEL IDENTIFICATION NUMBER
 - SF - SQUARE FOOTAGE
 - AC - ACRES
 - CB - CATCH BASIN
 - DI - DRAIN INLET
 - C&G - CURB AND GUTTER
 - R/W - RIGHT OF WAY
 - NTS - NOT TO SCALE
 - STMH - STORM DRAINAGE MANHOLE
 - ST - SIGHT TRIANGLE
 - SCO - SANITARY SEWER CLEAN OUT
 - ROP - REINFORCED CONCRETE PIPE
 - SMH - SANITARY SEWER MANHOLE
 - SD - STORM DRAINAGE MANHOLE
 - CB - CATCH BASIN / DROP INLET
 - FH - FIRE HYDRANT
 - WV - WATER VALVE
 - WM - WATER METER
 - GV - GAS VALVE
 - T - TREE
 - BOUNDARY / LOT LINE
 - ADJOINING BOUNDARY / LOT LINE
 - RIGHT OF WAY LINE
 - WATER LINE
 - EASEMENT LINE
 - SANITARY SEWER LINE
 - GAS LINE
 - OVERHEAD ELECTRIC
 - TREE LINE
 - UNDERGROUND ELECTRIC
 - UNDERGROUND TELEPHONE
 - END UNKNOWN
 - APPROXIMATE LOCATION OF PUBLIC DRAINAGE EASEMENT SCALED FROM MB 24 PG 807

FND #5 REBAR
 NC GRID COORDS
 NAD 83/2011
 N: 502,975.72
 E: 1,489,491.12

NCOS MONUMENT "M 095"
 NC GRID COORDS
 NAD 83/2011
 N: 502,095.11
 E: 1,489,479.33
 EL: 751.0 (NAND 88)

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 ESP Associates, P.A.



NO.	DATE	REVISION	BY

PROJECT NO. DP17-800	SCALE 1"=20'
DATE 05/04/15	DRAWN BY JTB
CHECKED BY DAW	DATE OF SURVEY APRIL 21, 2015
DRAWING NO. DP17-BOUNDARY.DWG	CLIENT: GILES McLVOR, INC 6824 PHILLIPS PARKWAY DRIVE SOUTH JACKSONVILLE, FLORIDA 32256

ESP Associates, P.A.
 P.O. Box 7030 3475 Lakemont Blvd.
 Charlotte, NC 28241 Fort Mill, SC 29708
 704-583-4949 (NC)
 803-802-2440 (SC)
 www.espassociates.com



June 30, 2015

Kathi Ingrish, Planning Director
Town of Matthews
232 Matthews Station Street
Matthews, NC 28105

Re: “Revised” Text Amendment Request to establish parking standards for Animal Day Care Kennels and Commercial Kennels

Dear Ms. Ingrish,

On behalf of Giles McIvor, Inc., please accept the applicant’s request to “revise” the aforementioned text amendment request to coincide with the Planning Board’s recommendation of one (1) parking space/500 square feet of gross floor area (GFA), based on deliberations that took place at the Board’s most recent meeting held on June 23, 2015.

Request: The attached “revised” text amendment, requesting consideration for establishing a parking standard for Animal Day Care Kennels and Commercial Kennels, will effectively amend the Table of Required Parking, Section 155.607.7.B.4, within the Town’s UDO. Enclosed you will find an updated “revised” Parking Table Exhibit “A” that coincides with this request.

Should you have any questions or need additional information, please do not hesitate to give me a call at (980) 721-0186 or via email ptatge@espassociates.com. Thank you for your time and attention to this matter as it proceeds to the Town Board of Commissioners for their respective consideration.

Sincerely,
ESP Associates, P.A.

A handwritten signature in black ink that reads "Peter Tatge".

Peter Tatge, AICP
Planning Department Manager

cc: Mr. Rick Giles, Giles McIvor, Inc.

Exhibit A - Proposed Addition to Parking Table

4. GENERAL COMMERCIAL USES	REQUIRED BICYCLE PARKING SPACES	REQUIRED MOTOR VEHICLE PARKING SPACES
Animal Day Care Kennels and Commercial Kennels	2 spaces or 10% of auto parking	One (1) space per 500 sq ft GFA

Bldg Size	Office/ Public area	Parking based on TEXT	Parking at 1 space per 750 sq ft*	Parking at 1 space per 500 sq ft*	Parking at 1 space per 350 sq ft*
12287	750	16	17	25	35
19777	750	22	27	40	57
7500	400	9	10	15	22
5000	200	6	7	10	15
2000	200	3	3	4	6

* using the entire building square footage