

AGENDA
SPECIAL BOARD OF COMMISSIONERS MEETING
JORDAN ROOM, MATTHEWS TOWN HALL
OCTOBER 12, 2015 – 5:30 PM

The Board of Commissioners and Environmental Advisory Committee will meet with Mecklenburg County Storm Water staff for discussion on storm water regulations, procedures and practices.

AGENDA
BOARD OF COMMISSIONERS MEETING
HOOD ROOM, MATTHEWS TOWN HALL
OCTOBER 12, 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. Legislative Update – Bill Brawley
6. Presentation of Age-Friendly Community Resolution
7. Recognize Town Employees Mario Rmah and Jeremy Schnabel
8. Recognize National Community Planning Month
9. Recess Regular Meeting for Public Hearing on Petition to Amend the Zoning Ordinance of the Town of Matthews as follows:
 - A. Application 2015-637/text amendment: To amend the existing text of the Unified Development Ordinance regarding Building Bulk and Massing to add “required landscape areas, and up to 25 feet of driveway width, may be excluded from the lot frontage calculation.”
 - B. Application 2015-638/text amendment: To amend the existing text of the Unified Development Ordinance to add footnote (3) to Line Item 8 “Minimum side yard interest (ft)”, Table 155.604.2.

- C. Application 2015-632/Primrose School: To change the zoning classification from I-1 to O(CD) on that certain property designated as 720 Park Center Drive, being property belonging to Matthews Parkway Corporate Center, LLC, and further being designated as Tax Parcel 193-243-07
- D. Application 2015-636/Lakenheath Lane: To change the zoning from R-20 to R-15 on that certain property belonging to William and Lisa Browning and designated as 608 Lakenheath Lane, Matthews, NC 28105, and further identified as Tax Parcel 227-032-02

10. Reconvene Regular Meeting

11. Planning and Development Business

A. Report from Planning Board

B. Planning and Zoning Related Actions:

- 1) Application 2015-631/PetSuites: To change the zoning from B-H to B-D on that certain zoning district located at 11325 Independence Boulevard and being property belonging to Armors, Inc., and further being designated as Tax Parcel 215-101-03, to allow for a commercial kennel
- 2) Application 2015-633/Windsor Professional Center: To change the zoning classification from Conditional to O(CD) on that certain property designated as 9701 and 9709 and 9715 Northeast Parkway and further being designated as Tax Parcels 193-431-25, 31, 32, 33, 34, 35, 36, 37 & 38
- 3) Application 2015-634/Christ Covenant Church: To change the zoning classification from R-15 to R/I on that certain property designated as 419 Covenant Church Lane, being property belonging to Christ Covenant Church and further being designated as Tax Parcel 227-026-05
- 4) Public Improvement Variance: Walking by Faith Community Church; Rice Road/Sam Newell Road
- 5) Receive Presentation on Downtown Streetscape Plan

12. Public Comment (Please sign in to speak at this time. Limited to 4 minutes)

13. Consent Agenda

- A. Approve Minutes of the September 28, 2015 Meeting
- B. Approve Amended Request to Solicit Donations on Behalf of the Muscular Dystrophy Association
- C. Approve Tax Refunds
- D. Approve No Parking Ordinance for Portion of East McDowell Street

- E. Initiate Zoning Motion 2015-3: Downtown Streetscapes Plan; to Consider Adoption of this Design and Policy Plan for Public Realm Locations into the Matthews Downtown Master Plan, and Set Public Hearing for November 9, 2015
- F. Accept Zoning Application 2015-639: Matthews Beltway LLC; Council Place; for a Change of B-1(CD) Zoning Conditions, and Set Public Hearing for January 11, 2016
- G. Approve Budget Ordinance Amendments to:
 - 1) Recognize Court Ordered Restitution Payments in the amount of \$52.00
 - 2) Recognize Shared Proceeds Received Through HSI Task Force in the amount of \$1,691.13

14. Unfinished Business

- A. Approve Preliminary Plan for Community Garden in Park at Highway 51
- B. Consider Action on Request from Levine Senior Center

15. New Business

- A. Consider Issuance of Discharge of Firearms Permits for Bow and Arrow Upon the Following Properties:
 - 1) 440 Bubbling Well Road – Porter, C.
 - 2) Phillips Road/Stalling Road – Bakken, T
 - 3) Phillips Road/Stalling Road – Hagler, A
- B. Receive Update on Fire Truck Purchase

16. Mayor's Report

17. Attorney's Report

18. Town Manager's Report

19. Adjournment

MEMORANDUM

To: Hazen Blodgett, Town Manager
From: Jen Thompson, Communications Director
Date: October 12, 2015
RE: Age Friendly Community Resolution

Background/Issue:

Matthews resident Megan Shein attended a conference featuring a keynote speaker from the national AARP office giving a presentation on age-friendly communities. In her presentation, she mentioned only 26 cities in the nation carried an "age- friendly" designation. The speaker went on to talk about how all age demographics, from young to old, want the same services in their communities, i.e. accessibility through wheelchairs, transportation, etc.

Mrs. Shein started thinking about the Town, and that this may be of interest in pursuing. Mayor Taylor and Communications Director Jen Thompson met in February 2015 with Mrs. Shein, Kelly Markiewitz with Wise Transitions, LLC, and Michael Olender with the local AARP chapter to discuss steps toward applying to be part of AARP's Network of Age Friendly Communities.

AARP's network is an affiliate of the World Health Organization's Age Friendly Cities and Communities Program, which got its start in 2006 to help cities prepare for population aging and urbanization trends. Currently, more than 20 nations have participating communities; in the United States, more than 36 communities in more than 12 states are part of the Network of Age-Friendly Communities.

Proposal/Solution:

Ms. Thompson, on behalf of the Town, submitted an electronic and hard copy application to the North Carolina AARP office October 1, 2015. Our intent is to be the first municipality in the state of North Carolina to receive the designation of an "Age Friendly Community". Membership in the network is free and offers the following advantages, quoted directly from AARP's website:

- Access to a global network of participating communities, as well as aging and civil society experts;
- Access to key information about the programs, such as the latest news and information about best practices, events, results, challenges and new initiatives;
- Opportunities for partnerships with other cities, both domestic and international;
- Mentoring and peer review evaluation by member cities;
- Public recognition of the community's commitment to become more age friendly;
- Speaking engagements at conferences and events hosted by AARP and promotion through AARP's media channels.

Financial Impact:

Membership to the Network of Age Friendly Communities is free.

Related Town Goal:

Quality of Life: To maintain our small town identity by providing a vibrant downtown, pedestrian friendly community and cultural activities.

Recommended Motion:

Approve the resolution to support initiatives and opportunities to engage in the World Health Organization Age-Friendly Cities and Communities Network.

RESOLUTION

TO ENGAGE IN THE WORLD HEALTH ORGANIZATION GLOBAL NETWORK OF AGE-FRIENDLY CITIES AND COMMUNITIES

WHEREAS, the global population of people aged 60 and over is expected to grow from 600 million in 2000 to almost 2 billion by 2050; and

WHEREAS, in the United States, the population of people aged 65 and over is expected to grow from 35 million in 2000 to 88.5 million by 2050, taking the total share of the age 65+ population from 12 percent to 20 percent of the total population; and

WHEREAS, research shows that older Americans overwhelmingly want to remain in their homes and communities as they age; and

WHEREAS, access to quality health care and long-term services and support is essential for individuals to live in their homes and communities; and

WHEREAS, of the 80 percent of adults 65 and older living in metropolitan areas, 64 percent live outside the principal cities of these areas in suburban locations that tend to be auto-dependent, creating challenges for residents who do not drive; and

WHEREAS, 21 percent of adults age 65 and older do not drive, and more than half of these non-drivers do not leave home on a given day, in part because they lack transportation options; and

WHEREAS, reduced mobility for older non-drivers leads to 15 percent fewer trips to the doctor, 59 percent fewer shopping trips and visits to restaurants and 65 percent fewer trips for social, family and religious activities; and

WHEREAS, the World Health Organization (WHO) has developed a Global Network of Age Friendly Cities and Communities to encourage and promote public policies to increase the number of cities and communities that support healthy aging and thereby improve the health, well-being, satisfaction, and quality of life for older Americans; and

WHEREAS, active aging is a life-long process, whereby an age-friendly community is not just “elder-friendly” but also intended to be friendly for all ages; and

WHEREAS, the WHO has noted that “[m]aking cities and communities age-friendly is one of the most effective policy approaches for responding to demographic aging,” and

WHEREAS, the WHO has developed eight domains of community life that influence the health and quality of

life of older people:

1. **Outdoor spaces and buildings** – accessibility to and availability of clean, safe community centers, parks, and other recreational facilities;
2. **Transportation** – safe and affordable modes of private and public transportation, “Complete Streets” types of initiatives, hospitable built environments;
3. **Housing** – wide range of housing options for older residents, aging in place and other home modification programs, housing that is accessible to transportation and community and health services;
4. **Social participation** – access to leisure and cultural activities; opportunities for older residents to participate in social and civic engagement with their peers and younger people;
5. **Respect and social inclusion** – programs to support and promote ethnic and cultural diversity, programs to encourage multigenerational interaction and dialogue, programs to combat loneliness and isolation among older residents;
6. **Civic participation and employment** – promotion of paid work and volunteer opportunities for older residents; opportunities for older residents to engage in formulation of policies relevant to their lives;
7. **Communication and information** – promotion of and access to the use of technology to keep older residents connected to their community and friends and family, both near and far; and
8. **Community support and health services** – access to homecare services, clinics, programs to promote active aging (physical exercise and healthy habits); and

WHEREAS, the WHO recognizes that cities and communities have different needs, resources, and varying capacities to engage their resources to take action to facilitate active aging;

NOW THEREFORE BE IT RESOLVED that the Town of Matthews hereby endorses initiatives and opportunities to engage the Town of Matthews in the World Health Organization Age-Friendly Cities and Communities Network.

This the 12th day of October, 2015.

Mayor James P. Taylor

Town Clerk Lori Canapinno

PROCLAMATION

IN RECOGNITION OF COMMUNITY PLANNING MONTH

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories; and

WHEREAS, The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the Town of Matthews; and

WHEREAS, We recognize the many valuable contributions made by professional community and regional planners of the Town of Matthews and extend our heartfelt thanks for the continued commitment to public service by these professionals.

NOW, THEREFORE BE IT PROCLAIMED that the month of October 2015 is hereby designated as

Community Planning Month

in the Town of Matthews, North Carolina in conjunction with the celebration of National Community Planning Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Matthews to be affixed this 12th day of October 2015.

Mayor James P. Taylor

Agenda Item: Zoning Application 2015-637, Text Change on Building Bulk and Massing Requirements in Downtown Overlay

DATE: October 7, 2015
FROM: Kathi Ingrish

Background/Issue:

- * The previous Matthews Zoning Ordinance had standards regarding the shape (bulk) of buildings on parcels within the Downtown Overlay. Most of these requirements were brought forward into the UDO without any change.
- * One of these standards calls for buildings to cover 75% of the lot width at the street level.
- * This is intended to assure a feeling of a consistent built "edge" as pedestrians walk (or drivers ride) down the street, without significant gaps that may become visual dead zones, which are often unpleasant especially to pedestrians.
- * During the rewriting of the code into the UDO, a couple sentences in the paragraph on "Building Bulk and Massing" were not transferred. Part was intentionally changed, while one sentence was inadvertently left out of the UDO text.
- * The sentence that was omitted by oversight is now desired to be returned to the UDO provisions, in order to give better flexibility for building design.
- * The previous allowed exclusion for a driveway was 12' in width, while this proposal asks that this number be increased to 25' (see attached text comparison page).

Proposal/Solution:

- * This application proposes reinserting one sentence of text from the old Zoning Ordinance, as follows:
"Required landscape areas, and up to 25 feet (25') of driveway width may be excluded from the lot frontage calculation."
- * The effect of adding this sentence to the 75% lot width coverage requirement will be to allow driveways and perimeter landscape areas to be placed on downtown properties as is needed on each site without violating the building width coverage standard.
- * If adopted as requested, this text change will allow Zoning Application 2015-632, Primrose day care facility, to move forward without obtaining a zoning variance.
- * Including this text in the UDO will allow additional downtown properties to develop/redevelop without needing a zoning variance for building width.

Financial Impact:

None

Related Town Goal(s) and/or Strategies:

Quality of Life

Economic Development/Land Use Planning

Recommended Motion/Action:

Planning staff agrees this sentence was inadvertently left out of the revised text when the Zoning Ordinance provisions for the Downtown Overlay were placed into the new UDO, and feels this proposed text revision is appropriate for approval. Staff would be agreeable to the earlier 12' driveway width exclusion.

ZonApp 2015-637 text 10-7-15

Building Bulk and Massing Text

Zoning Ordinance Text

(until 3-31-2014)

153.064(H)(2)

Building bulk is categorized in width-to-height or height-to-width ratio and by a percentage of lot width coverage. All new buildings or additions to existing structures shall fall within a width-to-height or height-to-width ratio between 1:1.5 to 1:1. New nonresidential or mixed use construction located with the overlay district shall utilize a design in which the building coverage of the lot facing the street at the street entrance level shall be at least seventy-five percent (75%) of the total frontage of the lot at the established setback. Where no vehicular use area separates the structure from the street, portions of the building up to twenty feet (20') behind the established setback may also make up the 75% lot frontage coverage. Required landscape areas, and up to twelve feet (12') of driveway width, may be excluded from the lot frontage calculation. Where several new buildings are proposed to be developed adjacent to each other along the same side of a street front, the percentage for drive openings may be combined and averaged within that block face, in order to allow one or two driveways or loading areas for all the adjacent buildings.

UDO Text

(as of 4-1-2014)

155.504.1.C.3.b

Building bulk is categorized in width-to-height or height-to-width ratio and by a percentage of lot width coverage. All new buildings or additions to existing structures shall fall within a width-to-height or height-to-width ratio between 1:1.5 to 1:1. New nonresidential or mixed use construction located with the DO District shall utilize a design in which the building coverage of the lot facing the street at the street entrance level shall be at least seventy-five percent (75%) of the total frontage of the lot ~~at the established setback. Where no vehicular use area separates the structure from the street, portions of the building up to twenty feet (20') behind the established setback may also make up the 75% lot frontage coverage. Required landscape areas, and up to twelve feet (12') of driveway width, may be excluded from the lot frontage calculation.~~ Where several new buildings are proposed to be developed adjacent to each other along the same side of a street front, the percentage for drive openings may be combined and averaged within that block face, in order to allow one (1) or two (2) driveways or loading areas for all the adjacent buildings.

Proposed UDO Text

(Fall 2015)

155.504.1.C.3.b

Building bulk is categorized in width-to-height or height-to-width ratio and by a percentage of lot width coverage. All new buildings or additions to existing structures shall fall within a width-to-height or height-to-width ratio between 1:1.5 to 1:1. New nonresidential or mixed use construction located with the DO District shall utilize a design in which the building coverage of the lot facing the street at the street entrance level shall be at least seventy-five percent (75%) of the total frontage of the lot ~~at the established setback. Where no vehicular use area separates the structure from the street, portions of the building up to twenty feet (20') behind the established setback may also make up the 75% lot frontage coverage.~~ **Required landscape areas, and up to twenty-five feet (25') of driveway width, may be excluded from the lot frontage calculation.** Where several new buildings are proposed to be developed adjacent to each other along the same side of a street front, the percentage for drive openings may be combined and averaged within that block face, in order to allow one (1) or two (2) driveways or loading areas for all the adjacent buildings.



232 Matthews Station Street
Matthews, NC 28105
704.847.4411

ZONING APPLICATION FOR ORDINANCE TEXT CHANGE

APPLICATION NUMBER _____ DATE FILED September 2, 2015

PETITIONER'S NAME John Carmichael

PETITIONER'S MAILING ADDRESS 101 North Tryon Street, Suite 1900, Charlotte, NC 28246

PETITIONER'S PHONE NUMBER/EMAIL ADDRESS 704-377-8341/jcarmichael@rbh.com

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

Requested text change is:

- a change in wording to existing Section(s)
- an addition to Section 155.504.1.C.3.b BUILDING BULK AND MASSING
- a deletion of wording at existing Section(s)

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

Existing Section See Exhibit A attached hereto Proposed Section See Exhibit A attached hereto

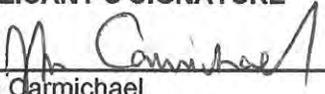
(continue on additional page(s) as necessary)

ZONING APPLICATION FOR ORDINANCE TEXT CHANGE
Page 2

What is the intended effect of this request?

To amend Section 155.504.1.C.3.b BUILDING BULK AND MASSING by adding a provision that allows required landscape areas, and up to 25 feet of driveway width, to be excluded from the lot frontage calculation in the Downtown Overlay District.

APPLICANT'S SIGNATURE



John Carmichael

(continue on additional page(s) as necessary)

EXHIBIT A

TEXT AMENDMENT APPLICATION FILED BY JOHN CARMICHAEL

Existing Section 155.504.1.C.3.b

- b. **BUILDING BULK AND MASSING.** Building bulk is categorized in width-to-height or height-to-width ratio and by a percentage of lot width coverage. All new buildings or additions to existing structures shall fall within a width-to-height or height-to width ratio between 1:1.5 to 1:1. New nonresidential or mixed use construction located within the DO District shall utilize a design in which the building coverage of the lot facing the street at the street entrance level shall be at least seventy five percent (75%) of the total frontage of the lot. Where several new buildings are proposed to be developed adjacent to each other along the same side of a street front, the percentage for drive openings may be combined and averaged within that block face, in order to allow one (1) or two (2) driveways or loading areas for all the adjacent buildings.

Proposed Section 155.504.1.C.3.b

- b. **BUILDING BULK AND MASSING.** Building bulk is categorized in width-to-height or height-to-width ratio and by a percentage of lot width coverage. All new buildings or additions to existing structures shall fall within a width-to-height or height-to width ratio between 1:1.5 to 1:1. New nonresidential or mixed use construction located within the DO District shall utilize a design in which the building coverage of the lot facing the street at the street entrance level shall be at least seventy five percent (75%) of the total frontage of the lot. **Required landscape areas, and up to 25 feet of driveway width, may be excluded from the lot frontage calculation.** Where several new buildings are proposed to be developed adjacent to each other along the same side of a street front, the percentage for drive openings may be combined and averaged within that block face, in order to allow one (1) or two (2) driveways or loading areas for all the adjacent buildings.

(continue on additional page(s) as necessary)

Agenda Item: Zoning Application 2015-638, Text Change on Required Side Yards

DATE: October 7, 2015
FROM: Kathi Ingrish

Background/Issue:

* Frank Williams and other family members have owned a business park on Matthews-Mint Hill Road for many years which they want to subdivide into multiple individually owned properties.

* They have attempted to get zoning variances from the Matthews Board of Adjustment on past land division actions because there was not sufficient space between existing buildings to meet minimum side or rear yard requirements for separate lots.

* The family has now proposed a text change to the UDO to allow reduced yard requirements when certain criteria are met.

* A text change as proposed would not only apply to the specific site which is the reason for this request, but for any other locations that could take advantage of it. This means other locations we are not aware of could use this text revision to create lot lines between nonresidential buildings that might not be possible today. This is not necessarily good or bad, just different.

* The request is to apply a footnote already in the tables of dimensional standards for the B-1 Neighborhood Business, B-H Highway Business, and B-3 High Rise Business districts to the I-1 Light Industrial district. The footnote reads: "No side yard required when not adjacent to a residential district." (See table attached)

* The table also calls for a minimum side yard of 10' to 25' in these same districts. The landscaping provisions in the UDO also require a de facto side yard with enough area to plant perimeter or screening materials – usually between 6' and 20' wide.

Proposal/Solution:

* As proposed, adding this footnote to the I-1 zoning district would allow new side lot lines to be drawn between I-1 zoned buildings which are less than 20' apart.

* This text change could be construed to allow future I-1 zoned properties to construct a new, or expand an existing, building up to its side lot line. It is difficult at this time to determine what unintended consequences may be created.

Financial Impact:

None

Related Town Goal(s) and/or Strategies:

Quality of Life

Economic Development/Land Use Planning

Recommended Motion/Action:

Hear this request and discuss if there is any concern about allowing industrial and/or commercial buildings to be located at/near a side property line.

155.604.2 TABLE OF DIMENSIONAL STANDARDS

NONRESIDENTIAL TRADITIONAL ZONING DISTRICTS									
	R/I	O	HUC	B-1	B-3	B-D	B-H	I-1	I-2
Minimum lot area (sq ft or ac)	2 AC ⁽¹⁾	9,000	NA	NA	NA	NA	NA	NA	NA
Minimum overall development area (sq ft or ac)	2 AC ⁽¹⁾	9,000	NA	NA	NA	NA	NA	NA	NA
Maximum overall development area (sq ft or ac)	NA	NA	NA	NA	NA	NA	NA	NA	NA
Minimum lot width (ft)	200	60	NA	NA	NA	NA	NA	NA	NA
Minimum width when a corner lot (ft)	200	60	NA	NA	NA	NA	NA	NA	NA
Minimum front setback (ft)	50	30	⁽⁵⁾	40	40	40	40	40/20 ⁽¹⁵⁾	40
Maximum build-to line (ft)	NA	NA	⁽⁵⁾	NA	NA	NA	NA	NA	NA
Minimum side yard, interior (ft)	50	8 & 6	⁽⁶⁾	10 ⁽³⁾	25 ⁽³⁾	10	10 ⁽³⁾	10 ⁽⁸⁾	10 ⁽⁸⁾
Minimum corner side yard (streetside) (ft)	50	10	10	10	10	10	10	10	10
Minimum rear yard, adjacent to residential (ft)	50	40	10	20	25	20	20	20	20
Minimum rear yard, adjacent to other districts (ft)	50	20	10	10	10	10	10	20	20
Maximum building height (ft or stories)	60 ⁽²⁾	40	40, or 3 stories ⁽⁷⁾	40	50 ⁽⁴⁾	40	40	40 ⁽⁴⁾	40 ⁽⁴⁾
Minimum building height (ft)	NA	NA	NA	NA	35	NA	NA	NA	NA

Any parcels within the Downtown Overlay or Highway 51 Overlay shall also meet build-to lines, minimum lot sizes, and minimum setbacks/yards

For corner lots or through/double frontage lots, see also § 155.601.11

For lots adjacent to existing or proposed thoroughfares, see also § 155.601.18

(1) See § 155.605.2 for min lot size based on presence and size of assembly room(s)

(2) Structures may exceed the maximum height provided the required side and rear yards are increased 1 ft for each foot or fraction of a foot in height over 60'

(3) No side yard required when not adjacent to a residential district.

(4) Structures may exceed the maximum height provided the required side and rear yards are increased 1 ft for each foot or fraction of a foot in height over the given maximum when adjacent to a residential district, or 1 ft for each two feet in height over the maximum given limit when adjacent to all nonresidential districts

(5) Front setback or max build-to line is based on downtown street type. See § 155.502.10.C and Downtown Design Guidelines and Streetscape improvements

(6) Side yards not required. If one or more present, each must be at least 4'.

(7) Buildings facing on a public green and used for public and/or institutional uses, may increase maximum building height to 55'.

(8) Side yards must be a minimum of 20' when adjacent to a residential district.

(15) Front setbacks may be reduced when meeting the provisions established at § 155.502.15.

(Ord.2025A, passed 6-9-14; Ord. 2059, passed 12-8-14)

ZonApp 638 table



232 Matthews Station Street
Matthews, NC 28105
704.847.4411

ZONING APPLICATION FOR ORDINANCE TEXT CHANGE

APPLICATION NUMBER _____ DATE FILED September 3, 2015
PETITIONER'S NAME Frank M. Williams; R.L. Williams; J.A. Williams and N.P. Williams
PETITIONER'S MAILING ADDRESS P.O. Box 276, Matthews, NC 28106
PETITIONER'S PHONE NUMBER/EMAIL ADDRESS 704-651-3417, melissa@pinnaclearchitecture.net

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

Requested text change is:

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

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

Existing Section 155.604.2 Line 8 Proposed Section 155.604.2 Line 8

To add footnote (3) to Line Item 8 "Minimum side yard interior (ft)"
Table 155.604.2 (page 604-2) Town of Matthews Unified Development Ordinance.

(continue on additional page(s) as necessary)

ZONING APPLICATION FOR ORDINANCE TEXT CHANGE
Page 2

What is the intended effect of this request?

This text change does not really affect anything physically in the ordinance or the future development of the town. It only allows for the dissolution of a property condominium composed of five (5) elderly 'original' developers of Matthews.

We would like to "outparcel" the properties in question so that future "heirs" to the properties would be able to sell if they choose to. These structures have existed since the early 1980's and will not be added to, (in that) the property is fully developed. Thank you for your consideration.

(continue on additional page(s) as necessary)

Project Summary

Location:	Corner of N. Ames and Park Center Dr. Parcel ID 19324307
Owner(s):	Center LLC Matthews Parkway Corporate Center.
Agent:	John Carmichael
Current Zoning:	I-1
Proposed Zoning:	Office (CD)
Existing Use:	Vacant
Proposed Use:	Child Daycare Facility
Community Meeting:	Occurred August 25, 2015

Summary of Request

The applicant proposes to construct a child daycare facility with up to 14,500 sq ft of floor area.

Staff Recommendation

Staff continues to work with the applicant regarding several site planning related issues but otherwise consider this to be an appropriate use for the location.

Planning Staff Review

Background And History

The site is a part of the Matthews Parkway Corporate Center Development that began in 2008. At that time, the former Country Place Inn restaurant was demolished and Ames Street was connected to the new Park Center Drive. The development, all on I-1 zoned property, created Park Center Drive as a public street and 3 new development pads. Morningstar Storage and OrthoCarolina occupied two buildings while the subject property remained unbuilt.

Details of the Site Plan

The general layout matches that of the original development plan with the building fronting primary on North Ames. The side of the building faces Park Center but will have no exterior access and will be partially obscured by a brick wall. Access is via a driveway along North Ames as well as an internal drive nearest the OrthoCarolina building. The applicant intends to develop a streetscape along North Ames that matches the existing improvements in front of the Morningstar building. This includes a wide sidewalk with brick accents as well as pedestrian lighting. The main building access is off of Ames while the outdoor play areas are behind the building. After a health assessment, Town Staff has determined that the large oak tree along Ames is in significant decline and should be removed at the time of construction.

Summary of Proposed Conditions

1. Up to 14,500 sq ft of space for a daycare or 20,000 sq ft for other uses in the Office District.
2. Primarily brick and stone appearance per elevation drawings.
3. All uses within the Office district are allowed.
4. Four sided architecture.
5. Should a daycare not locate at the site, Town Board to approve elevation drawings of any other use.

Planning Staff Review

Outstanding Issues/Planning Staff Comments

(Please see additional comments in staff memos for more detail)

1. The text amendment related to lot frontage coverage in the Downtown Overlay must be successfully approved for the plan to move forward as currently designed.
2. Two additional parking lot trees are required.
3. An estimate of both total maximum employees as well as children on site should be provided to calculate minimum required parking.
4. The proposed trees flanking the driveway on Ames St are in the sight triangle.
5. Fencing is proposed along the Ames St. frontage to separate exterior classroom doors from the public realm. The proposed fence type, height and any landscaping used to screen the fencing should be shown in more detail as it affects the relationship of the building to the street.
6. A masonry wall is proposed along Park Center Drive. More detail should be provided regarding the style and location of the wall related to the sidewalk. Again, this affects the relationship of the building to the street.

Consistency with Adopted Plans and Policies and Town Vision Statements

Office is an appropriate zoning designation for the site given the mixture of existing office, multi-family and single family parcels surrounding the site.

Reports from Town Departments and County Agencies

Matthews Police

See Attached.

Matthews Fire

Preference that building has a sprinkler system

Public Works

No Concerns

Matthews Parks and Recreation

No Concerns

Charlotte Mecklenburg Schools

Not Applicable

PCO Concept Plan Approval Required?

Site is exempt from PCO. Stormwater provided via existing shared detention pond.

Impact Analysis

As a commercial project, there is no anticipated financial burden from this request.

Projected Financial Impact of the Request

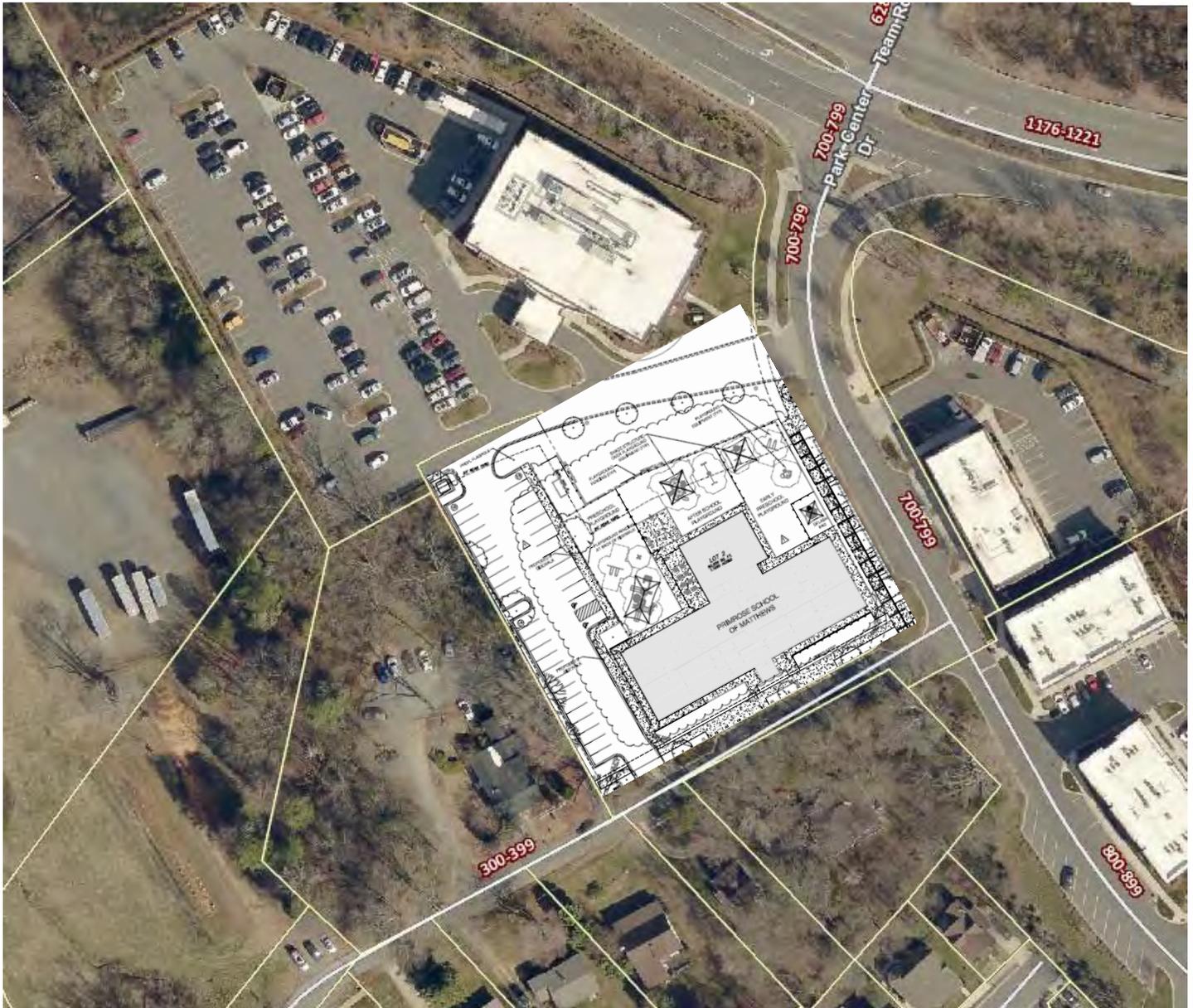
The existing tax revenue for the site, valued at \$182,000, is \$621 annually. The anticipated value of the land and improvements is approximately \$1,700,000 based on the values of several nearby childcare facilities. Therefore, annual Matthews tax revenue derived from the site is estimated at \$5,780.

Site Images

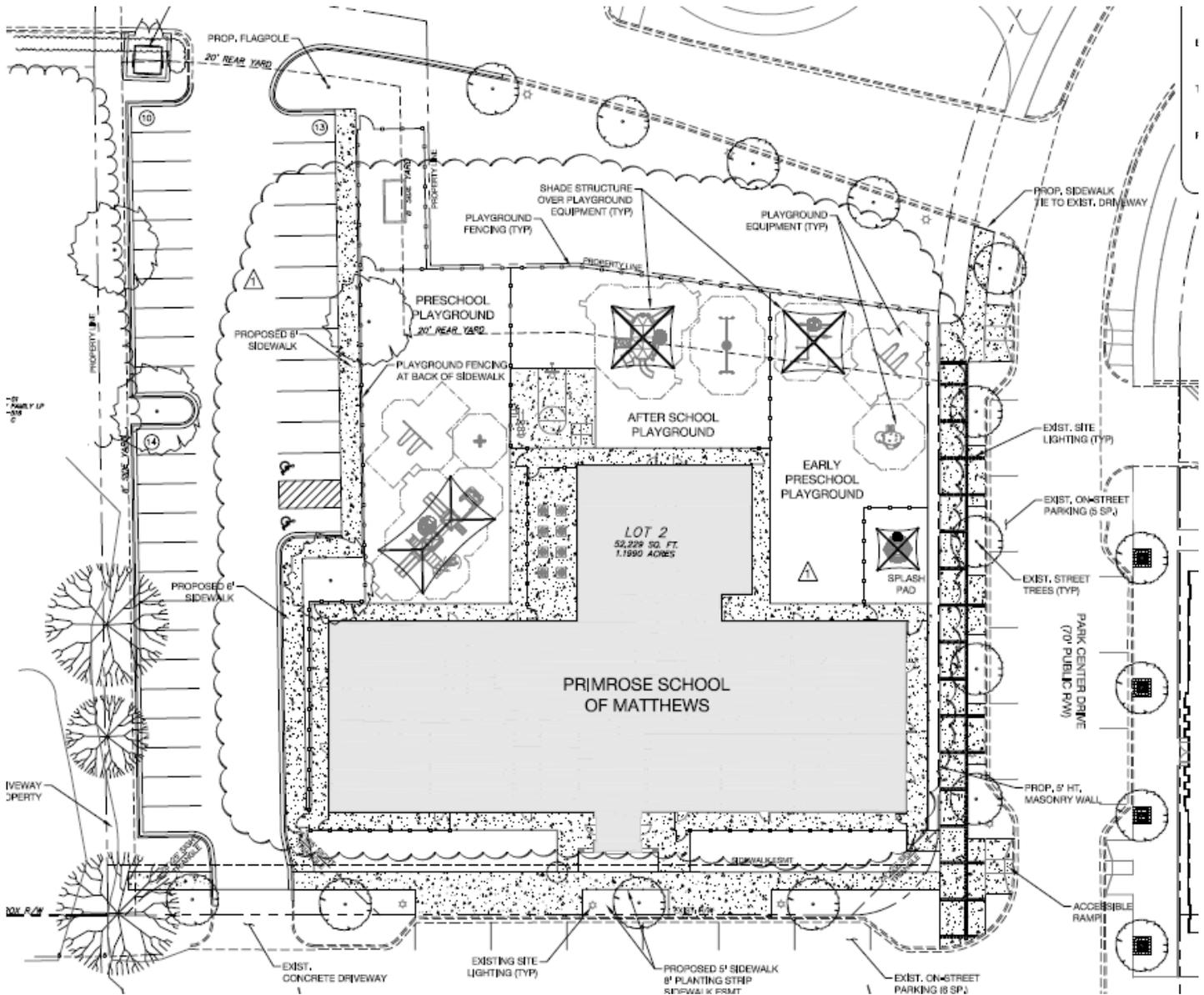


Existing driveway to be used

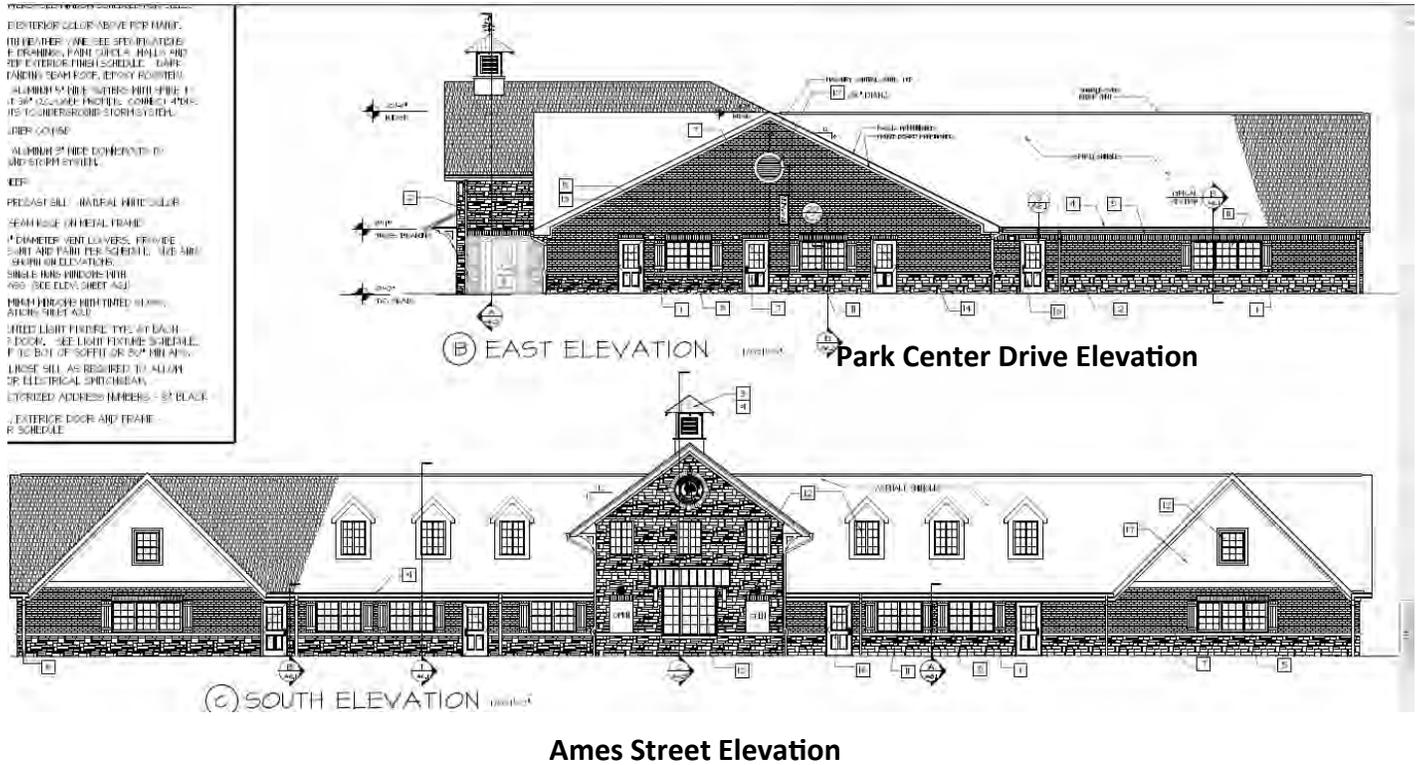
Aerial View of Site Area



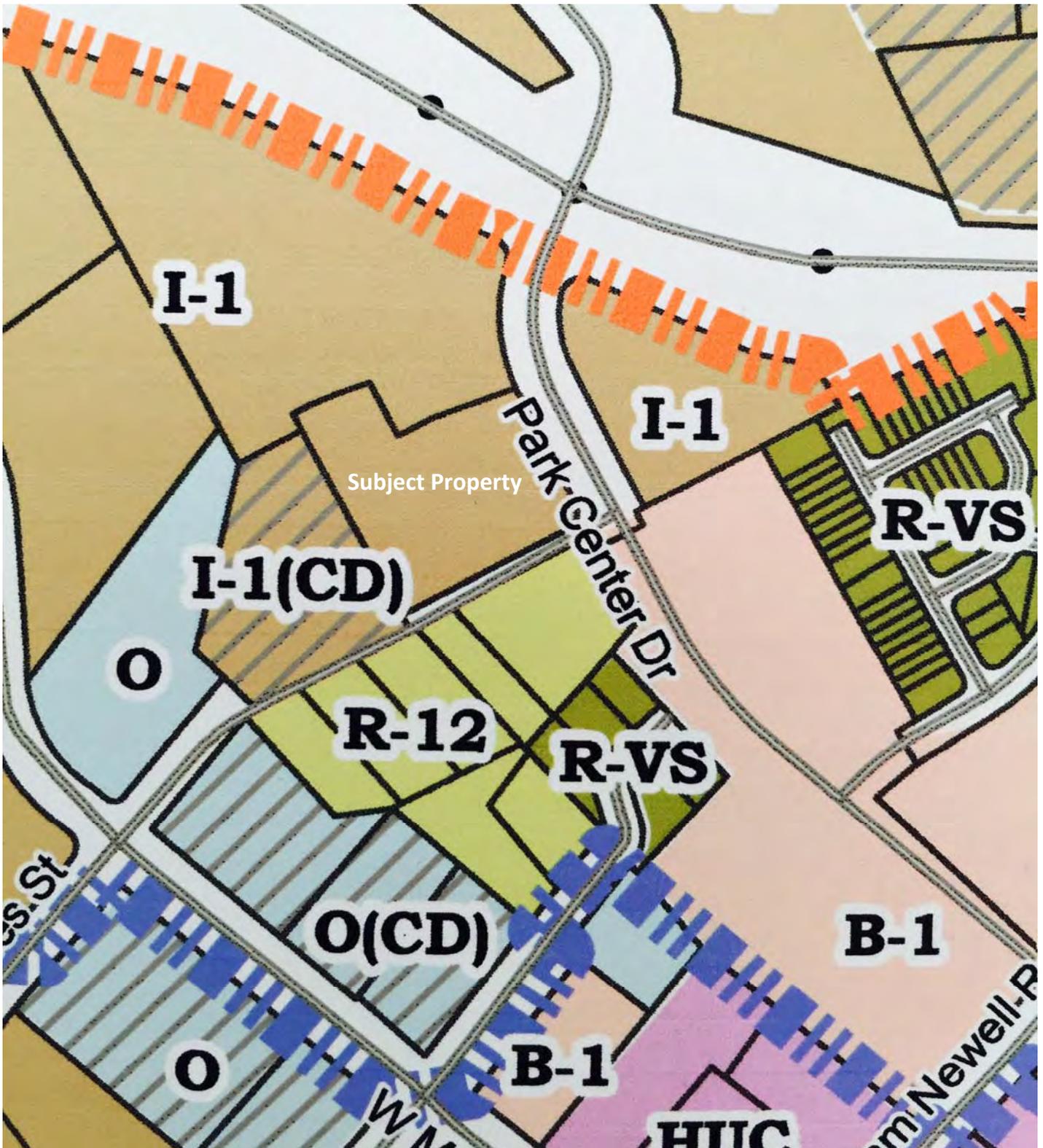
Site Plan



Elevations



Area Zoning





DATE FILED <u>7-1-15</u>
APPLICATION NUMBER <u>2015-632</u>
<i>For office use only</i>

**APPLICATION FOR CHANGE IN ZONING CLASSIFICATION
OR CHANGE IN CONDITIONS
(SEE FILING INSTRUCTIONS)**

TO: Town of Matthews Board of Commissioners
Town of Matthews Planning Board
232 Matthews Station Street
Matthews, North Carolina 28105-6713

Ladies and Gentlemen:

Your consideration of this petition is requested for:

- A change in zoning classification of the property hereinafter described; or
- A change in conditions to an existing conditional zoning plan.

Tax parcel number(s): 193-243-07

Address of property: 720 Park Center Drive

Location of property: West side of Park Center Drive between Matthews Township Parkway and North Ames Street

Title to the property was acquired on April 19, 2007

and was recorded in the name of Matthews Parkway Corporate Center, LLC.

whose mailing address is P.O. Box 12571, Charlotte, NC 28220

The deed is recorded in Book 22091 and Page 484 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: I-1

Requested zoning classification: O (CD)

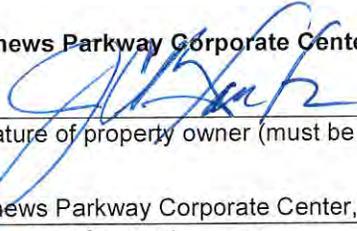
Application number
2015-032
For office use only

List reason(s) why zoning should be changed (use separate sheet if necessary):

The Petitioner is requesting that this approximately 1.2 acre site be rezoned to the O (CD) zoning district to accommodate the development of a child day care facility on the site that would serve a maximum of 185 children.

Matthews Parkway Corporate Center, LLC

X

By: 
Signature of property owner (must be original)

Signature of property owner (must be original)

Matthews Parkway Corporate Center, LLC
Print name of property owner

Print name of property owner

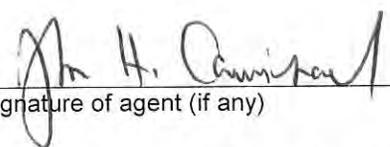
P.O. Box 12571.
Property owner's mailing address

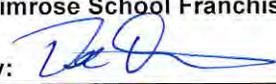
Property owner's mailing address

Charlotte, NC 28220
Property owner's mailing address, continued

704-526-2180/blanton@insiteprops.com
Property owner's phone number/email address

Property owner's phone number/email address


Signature of agent (if any)

Primrose School Franchising Company
By: 
Petitioner other than owner (if any)

John Carmichael, Robinson Bradshaw
Print name of agent

Primrose School Franchising Company
Print name of petitioner

101 North Tryon Street, Suite 1900
Agent's mailing address

c/o Ted Tillman
Petitioner's mailing address

Charlotte, NC 28246
Agent's mailing address, continued

3660 Cedarcrest Road
Petitioner's mailing address, continued

Agent's mailing address, continued

Acworth, GA 30101
Petitioner's mailing address, continued

704-377-8341 jcarmichael@rbh.com
Agent's phone number/email address

770-799-5525/TTillman@PrimroseSchools.com
Petitioner's phone number/email address

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number
2015-632
For office use only

See Exhibit A Attached Hereto
TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

Application number
2015-632
For office use only

SUMMARY OF THE REZONING PROCESS

PETITIONER: Fill in dates for each action below before filing application. Refer to the current Planning Department rezoning schedule for correct dates.

PROPERTY OWNERS: These dates are assumed to be correct at the time of zoning application submittal but are subject to revision. Contact the Planning Department (704-847-4411, extension 224) for verification.

Application submitted to and accepted by the Town of Matthews July 1, 2015

Town Board of Commissioners formally accepts application and sets Public Hearing date July 13, 2015

Notices sent via mail to affected/adjacent property owners on or before August 31, 2015

Protest petition filed with Planning Department by 5:00 pm on September 9, 2015

Public hearing: petitioner may give explanation of why s/he wishes to have property rezoned and neighboring owners may ask questions and voice opinions on the proposed zoning September 14, 2015

Town Planning Board reviews petition, information, and comments from the public hearing, then makes a recommendation to the Board of Commissioners on whether to approve or deny the request September 22, 2015

Town Board of Commissioners approves or denies application October 12, 2015

GENERAL STATUTE 160A-385: CHANGES.

- (a) Zoning ordinances may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a qualified protest against a zoning map amendment, that amendment shall not become effective except by favorable vote of three-fourths of all the members of the city council. For the purposes of this subsection, vacant positions on the council and members who are excused from voting shall not be considered "members of the council" for calculation of the requisite supermajority. To qualify as a protest under this section, the petition must be signed by the owners of either (i) twenty percent (20%) or more of the area included in the proposed change or (ii) five percent (5%) of a 100-foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right of way shall not be considered in computing the 100-foot buffer area as long as that street right of way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100-foot buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine the "owners" of potentially qualifying areas. The foregoing provisions concerning protests shall not be applicable to any amendment which initially zones property added to the territorial coverage of the ordinance as a result of annexation or otherwise, or to an amendment to an adopted (i) special use district, (ii) conditional use district, or (iii) conditional district if the amendment does not change the types of uses that are permitted within the district or increase the approved density for residential development, or increase the total approved size of nonresidential development, or reduce the size of any buffers or screening approved for the special use district, conditional use district, or conditional district.
- (b) Amendments in zoning ordinances shall not be applicable or enforceable without consent of the owner with regard to buildings and uses for which either (i) building permits have been issued pursuant to GS 160A-417 prior to the enactment of the ordinance making the change or changes so long as the permits remain valid and unexpired pursuant to GS 160A-418 and unrevoked pursuant to GS 160A-422 or (ii) a vested right has been established pursuant to GS 160A-385.1 and such vested right remains valid and unexpired pursuant to GS 160A-385.1.

EXHIBIT A

Matthews Parkway Corporate Center LLC 100' adjoining land owners

Parcel No. 193-243-05

OCRE I LLC
2701 Coltsgate Blvd, Suite 300
Charlotte, NC 28211

Parcel No. 193-243-04

Green Shirt LLC
10220 Scott Gate Ct
Charlotte, NC 28277

Parcel No. 193-243-03

Mary C. Hulsey Family Limited Partnership
c/o Matthews Building Supply Co
PO Box 607
Matthews, NC 28105

Parcel No. 193-243-02

Mary C. Hulsey Family Limited Partnership
c/o Matthews Building Supply Co
PO Box 607
Matthews, NC 28105

Parcel No. 193-243-01

Mary C. Hulsey Family Limited Partnership
c/o Matthews Building Supply Co
PO Box 607
Matthews, NC 28105

Parcel No. 193-243-06

Morningstar Office LLC
c/o Morningstar Properties LLC
725 Park Center Drive
Matthews, NC 28105

Parcel No. 193-271-01

Steven H. Knickerbocker
Kathy A. Babula
344 N Ames Street
Matthews, NC 28105-5840

Parcel No. 193-271-02

Jack Reed Dailey, Jr.
338 North Ames Street
Matthews, NC 28105

Parcel No. 193-271-03

Kathrin E. Rowan
PO Box 572
Matthews, NC 28106-0572

Parcel No. 193-271-04

Bonnie M. Fields
324 North Ames Street
Matthews, NC 28105-5640

Parcel No. 193-271-46

Matthews Lofts LLC
PO Box 578
Matthews, NC 28106

Parcel No. 193-271-47

Matthews Lofts LLC
PO Box 578
Matthews, NC 28106

Parcel No. 193-271-51

Matthews Lofts LLC
PO Box 578
Matthews, NC 28106

Parcel No. 193-271-45

Heer Bryant Eat LLC
628 Olmstead Place Park
Charlotte, NC 28203

Parcel No. 193-271-50

Park Center Holdings LLC
PO Box 578
Matthews, NC 28106

Parcel No. 193-271-49

Park Center Holdings LLC
PO Box 578
Matthews, NC 28106

Parcel No. 193-271-48

Matthews Gateway II LLC
PO Box 578
Matthews, NC 28106



John H. Carmichael
Charlotte Office
704.377.8341 Direct Phone
704.373.3941 Direct Fax
jcarmichael@rbh.com
rbh.com

July 1, 2015

VIA HAND DELIVERY

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

Re: Rezoning Application filed by Primrose School Franchising Company Requesting the Rezoning of an Approximately 1.2 Acre Site Located on the West Side of Park Center Drive Between Matthews Township Parkway and North Ames Street from the I-1 zoning district to the O (CD) zoning district (Tax Parcel No. 193-243-07)

Dear Kathi:

I hope this letter finds you well.

This letter is being submitted with the above-captioned Rezoning Application pursuant to the requirements of Paragraph 13 of the Instructions for Filing an Application for a Change in a Zoning Classification (the "Instructions"). As you are aware, Paragraph 13 of the Instructions requires the Applicant to submit documentation regarding the land use recommendations for the subject site as set out in adopted land use plans and a statement as to how this rezoning proposal complies with such recommendations.

The subject site contains approximately 1.2 acres and it is located on the west side of Park Center Drive between Matthews Township Parkway and North Ames Street. The site is currently zoned I-1 and pursuant to this Rezoning Application, the Applicant is requesting that the site be rezoned to the O (CD) zoning district. Although the primary purpose of this rezoning request is to accommodate the development and operation of a child day care facility on the site that could serve a maximum of 185 children, the conditional rezoning plan relating to this Rezoning Application would also permit all office and service uses and all general commercial uses allowed in the O zoning district to be developed on the site.

Under the Town of Matthews Land Use Plan 2012-2022 (the "Land Plan"), the site is located in the Matthews Township Parkway portion of the NC 51 corridor. Although the Land Plan does not appear to make any specific land use recommendations for the site, the Land Plan does provide that mixed use developments and planned business parks should be promoted along the Matthews Township Parkway portion of NC Highway 51. The site is located in a development that contains existing office buildings, and it is adjacent to Matthews Gateway, which is a mixed/multi-use development that contains residential, office and retail uses. Developing a child day care facility on the site would add another type of use to the development in which the site is located and create a multi-use project, and it would increase the diversity of uses in the area. The Land Plan also provides that rezonings in this area must complement

7245549v1 24649.00011

Ms. Kathi Ingrish
July 1, 2015
Page 2

adjacent land uses. The Applicant respectfully submits that a child day care facility would provide a service to the adjacent and nearby residential and business uses and complement such uses.

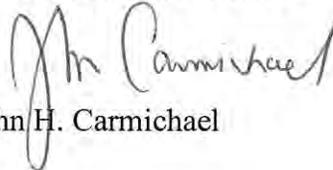
The site is also located within the Downtown Overlay District and is subject to the Matthews Downtown Plan (the "Downtown Plan"). More specifically, the site is located in the North End District of the Downtown Overlay District. The Downtown Plan designates the site as "Additional Office Space." However, a stated goal of the Downtown Plan is to encourage a diversity of uses in downtown Matthews. Therefore, the Applicant respectfully submits that a child day care facility on the site would be consistent with the goals of the Downtown Plan in terms of land use. Once again, as stated above, a child day care facility would provide a valuable service to residents and businesses in downtown Matthews, and this service could prove to be more beneficial to the Town as the number of residents and businesses in downtown Matthews continues to grow.

In the event that the site is developed with a use other than a child day care facility that is permitted under the conditional rezoning plan relating to this Rezoning Application, the Applicant respectfully submits that such uses could meet the goals and objectives of the Land Plan and the Downtown Plan.

The Applicant and I look forward to working with you on this rezoning request. Should you have any questions or comments, please do not hesitate to call me.

Sincerely,

ROBINSON BRADSHAW & HINSON, P.A.



John H. Carmichael

JHC1/lh



John H. Carmichael
Charlotte Office
704.377.8341 Direct Phone
704.373.3941 Direct Fax
jcarmichael@rbh.com
rbh.com

July 1, 2015

VIA HAND DELIVERY

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

Re: Rezoning Application filed by Primrose School Franchising Company Requesting the Rezoning of an Approximately 1.2 Acre Site Located on the West Side of Park Center Drive Between Matthews Township Parkway and North Ames Street from the I-1 zoning district to the O (CD) zoning district (Tax Parcel No. 193-243-07)

Dear Kathi:

I hope this letter finds you well.

Kathi, it is the belief of Primrose School Franchising Company (the "Applicant") that a traffic impact analysis is not required to be submitted in connection with the above-captioned Rezoning Application based upon the criteria outlined in Section 10 of the Instructions for Filing an Application for a Change in a Zoning Classification or Change in Conditions for Property in the Town of Matthews. To the extent that the Applicant's belief is incorrect, the Applicant respectfully requests a waiver of the required traffic study for the reasons set out below.

Pursuant to this rezoning request, the Applicant seeks to downzone the site from the I-1 zoning district to the O (CD) zoning district for the primary purpose of accommodating the development and operation of a child day care facility on the subject site. The proposed child day care facility could serve a maximum of 185 children, and the maximum size of a building devoted to a child day care facility would be 14,500 square feet of gross floor area.

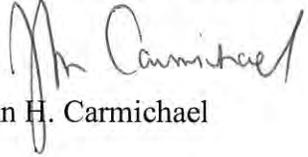
Under this rezoning request, if a child day care facility is not developed on the site, the site could be devoted to all office and service uses and/or all general commercial uses allowed in the O zoning district. However, the maximum size of a building devoted to a use or uses other than a child day care facility would be 20,000 square feet of gross floor area under the conditional rezoning plan relating to this Rezoning Application.

On behalf of the Applicant, we appreciate your consideration of this request.

Ms. Kathi Ingrish
Mr. Bill Sherrill
July 1, 2015
Page 2

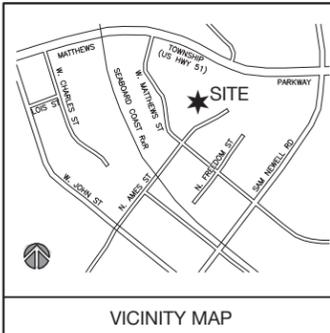
Sincerely,

ROBINSON BRADSHAW & HINSON, P.A.



John H. Carmichael

JHC1/lh



DEVELOPMENT SUMMARY

TAX PARCEL ID #:	193-243-07
TOTAL SITE AREA:	+/-1.19 AC.
EXISTING ZONING:	I-1
PROPOSED ZONING:	O (CD)
PROPOSED USE:	CHILD DAY CARE & OTHER USES
SETBACKS:	
FRONT:	30'
SIDE:	8' & 6'
SIDE (CORNER):	10'
REAR:	20'
MAXIMUM BUILDING HEIGHT:	40'
VEHICULAR PARKING:	
REQUIRED:	1 SPACE/ADULT & 1 SPACE/10 CHILDREN
PROPOSED:	
SITE:	46
STREET:	11
BICYCLE PARKING:	
REQUIRED:	2
PROPOSED:	2



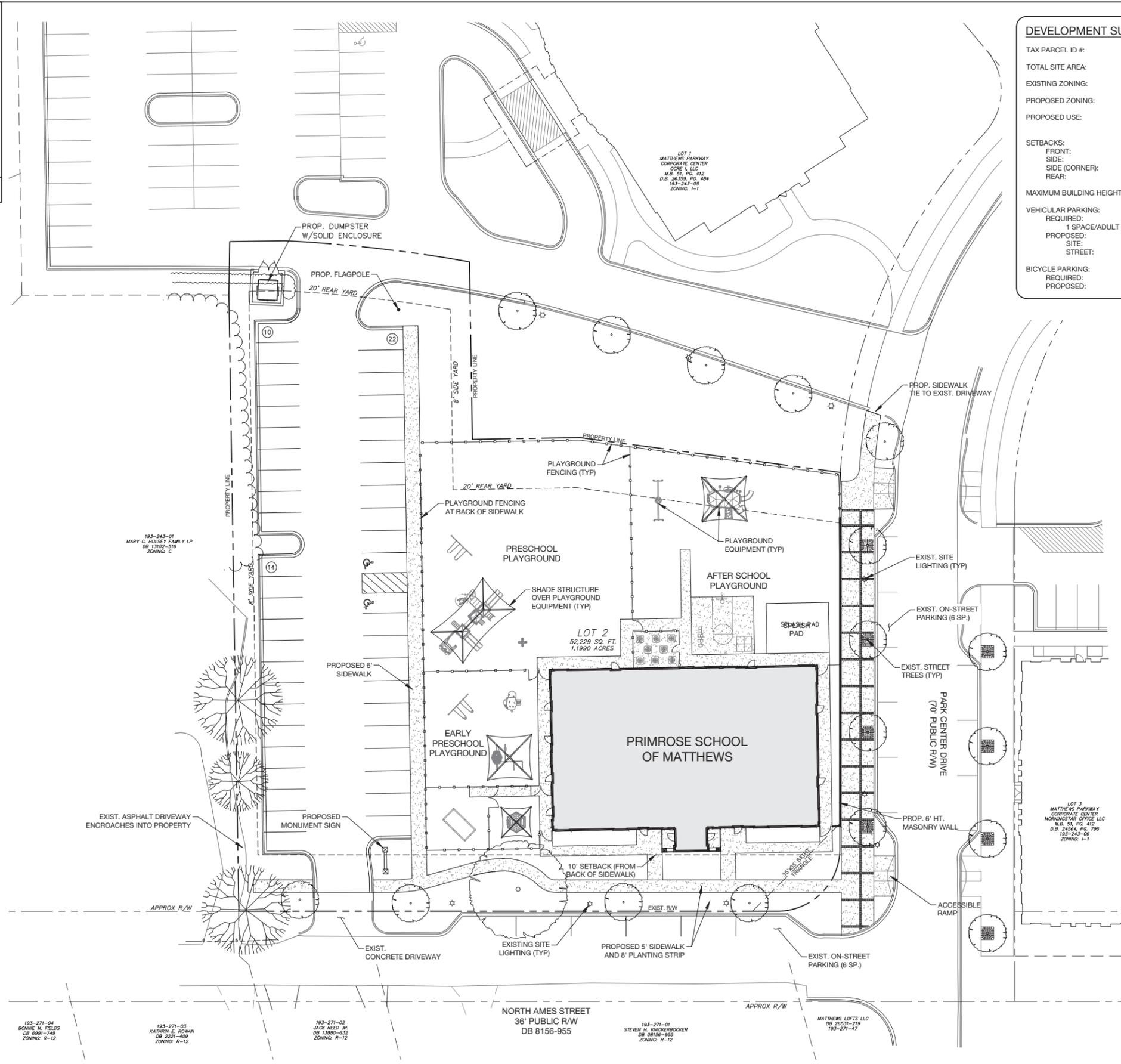
URBAN DESIGN PARTNERS

1318-46 central ave. # 704.334.3303
 charlotte, nc 28205 # 704.334.3305
 urbandesignpartners.com
 nc license no: P-0418

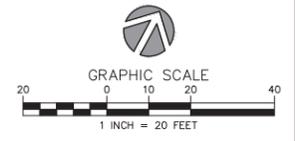
Children's Design Group
 Mark D. Pavey, A.I.A.-Architect
 PO Box 1365
 Gulf Shores, AL 36547
 (334)-546-3624
 (206)-350-0593 Fax
 child.design@mindspring.com

Primrose School Franchising Company
 Ted Tillman
 3660 Cedarcrest Road
 Acworth, GA 30101

Primrose School of Matthews
 Rezoning Plan
 Ames Street, Matthews, NC



REZONING PETITION #2015-xxx



NO. DATE BY: REVISIONS:

Project No: 15-040
 Date: July 1, 2015
 Designed by: udp
 Drawn By: udp
 Scale: 1"=200'
 Sheet No:

RZ-2

From: **Carmichael, John** <JCarmichael@rbh.com>
Date: Thu, Aug 20, 2015 at 2:01 PM
Subject: Deferral of the Public Hearing on Rezoning Application No. 2015-632 from September 14, 2015 to October 12, 2015 - Primrose School Franchising Company, Applicant
To: Jay Camp <jcamp@matthewsnc.gov>

Jay, this is to advise that the Applicant under Rezoning Application No. 2015-632, Primrose School Franchising Company, hereby requests the deferral of the Public Hearing on Rezoning Application No. 2015-632 from the Town Board's September 14, 2015 agenda to the Town Board's October 12, 2015 agenda.

The Applicant is requesting the deferral to provide it with sufficient time to pursue a variance for the proposed development project.

Thank you for your help Jay.

Please let me know if you have any questions or comments.

John H. Carmichael

Robinson Bradshaw & Hinson, P.A.

P: [704.377.8341](tel:704.377.8341) | F: [704.373.3941](tel:704.373.3941)

101 N. Tryon St., Suite 1900
Charlotte, NC 28246

jcarmichael@rbh.com

www.rbh.com



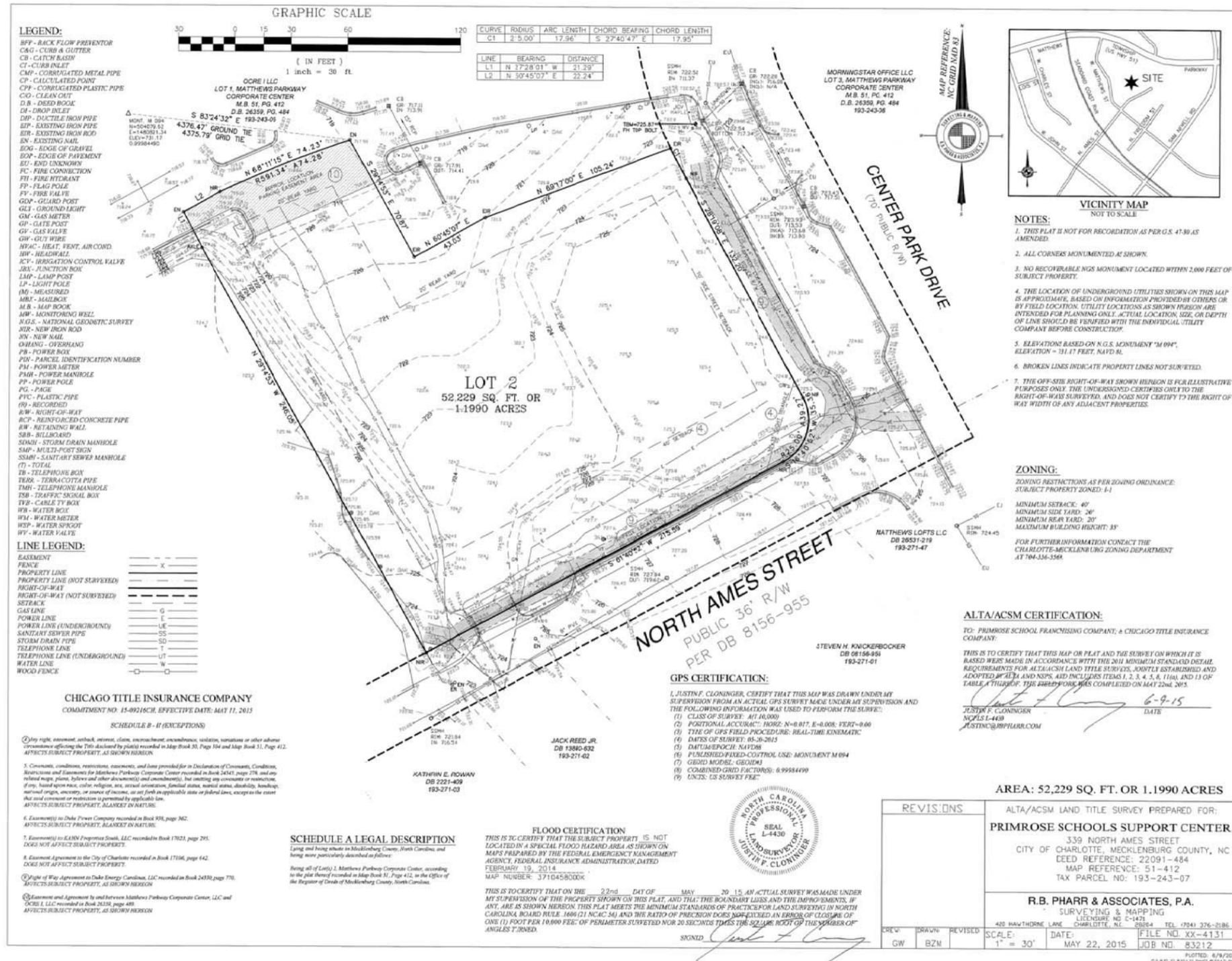
URBAN
DESIGN
PARTNERS

1318-e6 central ave, P 704.334.3303
charlotte, nc 28205 F 704.334.3305
urbandesignpartners.com
nc license no: P-0418

Children's Design Group
Mark D. Pavey, A.I.A.-Architect
PO Box 1365
Gulf Shores, AL 36547
(334)-546-3624
(206)-350-0593 Fax
child.design@mindspring.com

Primrose School
Franchising Company
Ted Tillman
3660 Cedarcrest Road
Acworth, GA 30101

Primrose School
of Matthews
Survey/Existing Conditions Plan
Ames Street, Matthews, NC



- LEGEND:
BFP - BACKFLOW PREVENTOR
CAG - CURB & GUTTER
CB - CATCH BASIN
CT - CURB INLET
CMP - CORRUGATED METAL PIPE
CP - CALCULATED POINT
CPP - CORRUGATED PLASTIC PIPE
CO - CLEAN OUT
D.B. - DEED BOOK
DI - DROP INLET
DIP - DUCTILE IRON PIPE
EIP - EXISTING IRON PIPE
EIR - EXISTING IRON ROD
EN - EXISTING NAIL
EGG - EDGE OF GRAVEL
EOP - EDGE OF PAVEMENT
EU - END UNKNOWN
FC - FIRE CONNECTION
FI - FIRE HYDRANT
FP - FLAG POLE
FY - FIRE VALVE
GCP - GUARD POST
GLI - GROUND LIGHT
GM - GAS METER
GP - GATE POST
GV - GAS VALVE
GW - GUY WIRE
HPC - HEAT T. VENT. AIR COND.
HW - HEADWALL
ICV - IRRIGATION CONTROL VALVE
JXB - JUNCTION BOX
LMP - LAMP POST
LP - LIGHT POLE
M - MEASURED
MB - MAP BOOK
MW - MOUNTED WELL
NGL - NATIONAL GEODESIC SURVEY
NIR - NEW IRON ROD
NN - NEW NAIL
OHANG - OVERHANG
PB - POWER BOX
PIN - PARCEL IDENTIFICATION NUMBER
PM - POWER METER
PMB - POWER MANHOLE
PP - POWER POLE
PG - PAGE
PPC - PLASTIC PIPE
(R) - RECORDED
RW - RIGHT-OF-WAY
RCP - REINFORCED CONCRETE PIPE
RW - RETAINING WALL
SBB - BILLBOARD
SOAH - STORM DRAIN MANHOLE
SMP - METER POST SIGN
SSMH - SANITARY SEWER MANHOLE
(T) - TOTAL
TB - TELEPHONE BOX
TBP - TERRACOTTA PIPE
TMH - TELEPHONE MANHOLE
TSB - TRAFFIC SIGNAL BOX
TTS - CABLE TV BOX
WB - WATER BOX
WM - WATER METER
WSP - WATER SPOUT
WV - WATER VALVE
LINE LEGEND:
EASEMENT
FENCE
PROPERTY LINE
PROPERTY LINE (NOT SURVEYED)
RIGHT-OF-WAY
RIGHT-OF-WAY (NOT SURVEYED)
SETRACK
GAS LINE
POWER LINE
POWER LINE (UNDERGROUND)
SANITARY SEWER PIPE
STORM DRAIN PIPE
TELEPHONE LINE
TELEPHONE LINE (UNDERGROUND)
WATER LINE
WOOD FENCE

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT NO. 15-09216CH, EFFECTIVE DATE: MAY 11, 2015
SCHEDULE B - II (EXCEPTIONS)

- 1. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variation or other adverse circumstance affecting the Title (disclosed by plat) recorded in Map Book 53, Page 104 and Map Book 51, Page 412. AFFECTS SUBJECT PROPERTY, AS SHOWN HEREON.
2. Comments, conditions, restrictions, easements, and liens provided for in Declaration of Covenants, Conditions, Restrictions and Easements for Matthews Parkway Corporate Center recorded in Book 2441, page 278, and any related maps, plans, bylaws and other documents (if any), but excluding any covenants or restrictions, easements, or other rights, interests, or claims of record, in and from any applicable state or federal laws, except to the extent that such covenant or restriction is permitted by applicable law. AFFECTS SUBJECT PROPERTY, AS SHOWN HEREON.
3. Easements in Duke Power Company recorded in Book 938, page 362. AFFECTS SUBJECT PROPERTY, AS SHOWN HEREON.
4. Easements in L&N Properties, LLC recorded in Book 1702, page 295. DOES NOT AFFECT SUBJECT PROPERTY.
5. Easement Agreement in the City of Charlotte recorded in Book 17196, page 642. DOES NOT AFFECT SUBJECT PROPERTY.
6. Right of Way Agreement in Duke Energy Carolinas, LLC recorded in Book 24830, page 770. AFFECTS SUBJECT PROPERTY, AS SHOWN HEREON.
7. Easement and Agreement by and between Matthews Parkway Corporate Center, LLC and OCRE LLC recorded in Book 26359, page 489. AFFECTS SUBJECT PROPERTY, AS SHOWN HEREON.

SCHEDULE A LEGAL DESCRIPTION
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION DATED FEBRUARY 19, 2014.
MAP NUMBER: 3710458000K

FLOOD CERTIFICATION
THIS IS TO CERTIFY THAT ON THE 22nd DAY OF MAY 20 15 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA BOARD RULE 1806 (2) NCAC 34 AND THIS RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TRIANGLED.

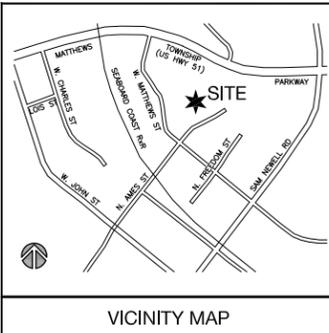


Table with columns: REVISIONS, ALTA/ACSM LAND TITLE SURVEY PREPARED FOR: PRIMROSE SCHOOLS SUPPORT CENTER, CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC, DEED REFERENCE: 22091-484, MAP REFERENCE: 51-412, TAX PARCEL NO: 193-243-07, R.B. PHARR & ASSOCIATES, P.A., SURVEYING & MAPPING, LICENSED NO. C-1421, 435 HAWTHORNE LANE, CHARLOTTE, NC 28044, TEL: 704-376-2186, SCALE: 1" = 30', DATE: MAY 22, 2015, FILE NO. XX-4131, JOB NO. 83212, PLOTTED: 6/7/2015, C:\831\821\2\DWG\83212.DWG

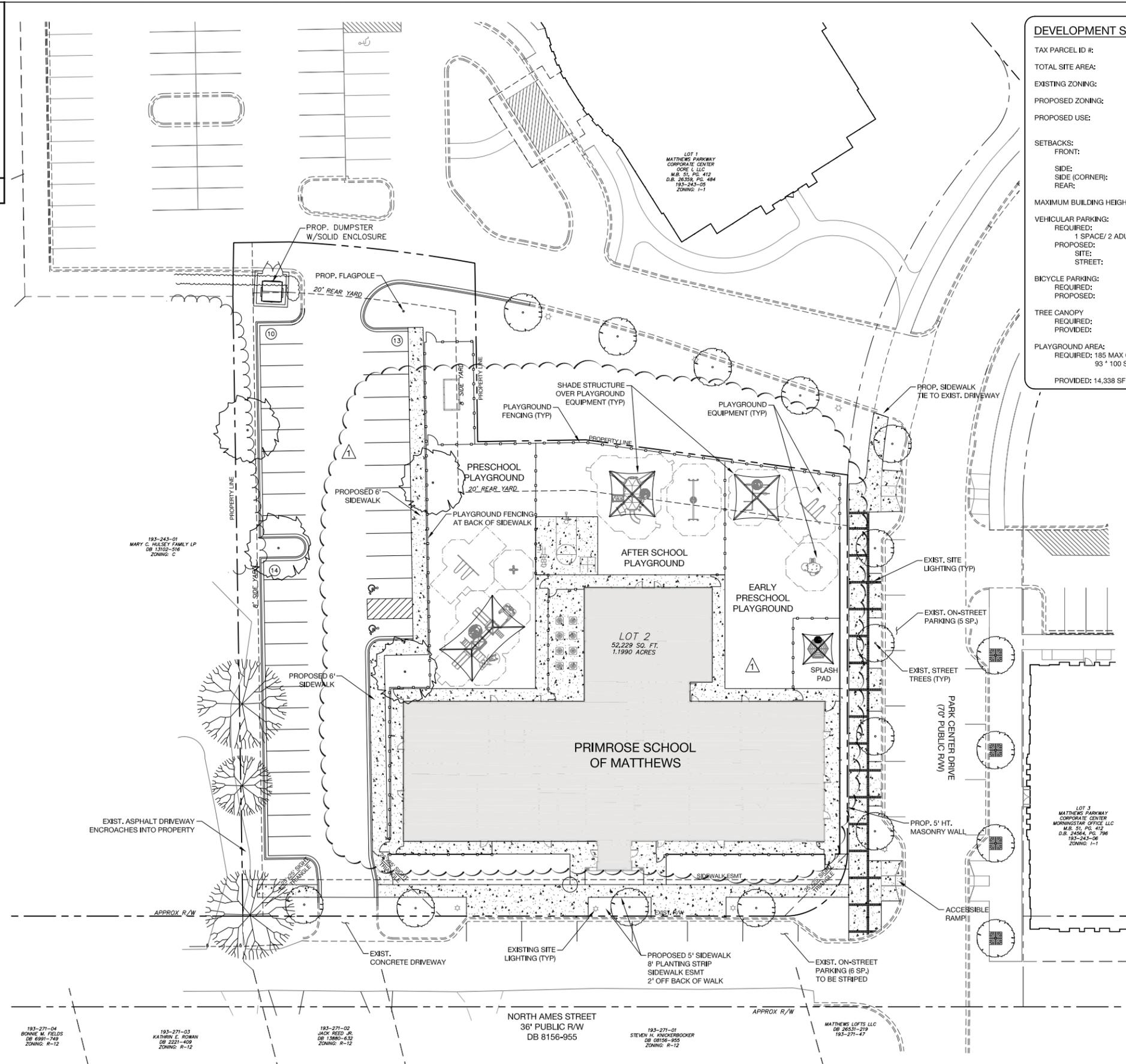
- NOTES:
1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 41-30.45 AMENDED.
2. ALL CORNERS MONUMENTED AS SHOWN.
3. NO RECOVERABLE MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
4. THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
5. ELEVATIONS BASED ON N.G.S. MONUMENT "M 094", ELEVATION = 311.17 FEET, NAVD 83.
6. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
7. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAY SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT-OF-WAY WIDTH OF ANY ADJACENT PROPERTIES.

ZONING:
ZONING RESTRICTIONS AS PER ZONING ORDINANCE:
SUBJECT PROPERTY ZONED: I-1
MINIMUM SETBACK: 40'
MINIMUM SIDE YARD: 20'
MINIMUM REAR YARD: 20'
MAXIMUM BUILDING HEIGHT: 35'
FOR FURTHER INFORMATION CONTACT THE CHARLOTTE-MECKLENBURG ZONING DEPARTMENT AT 704-336-3568.

ALTA/ACSM CERTIFICATION:
TO: PRIMROSE SCHOOL FRANCHISING COMPANY; A CHICAGO TITLE INSURANCE COMPANY.
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 8, 11(a), AND 13 OF TABLE A THROUGH F. THIS SURVEY WAS COMPLETED ON MAY 22, 2015.
JUSTIN F. CLONINGER
NCLSL-448
DATE: 6-9-15
JUSTINC@RPHARR.COM



VICINITY MAP



DEVELOPMENT SUMMARY

TAX PARCEL ID #:	193-243-07
TOTAL SITE AREA:	+/-1.19 AC.
EXISTING ZONING:	I-1
PROPOSED ZONING:	O (CD)
PROPOSED USE:	CHILD DAY CARE & OTHER USES
SETBACKS:	
FRONT:	13' MINIMUM
SIDE:	33' MAXIMUM
SIDE (CORNER):	8' & 6'
REAR:	10'
REAR:	20'
MAXIMUM BUILDING HEIGHT:	40'
VEHICULAR PARKING:	
REQUIRED:	1 SPACE/ 2 ADULT & 1 SPACE/10 CHILDREN
PROPOSED:	
SITE:	37
STREET:	11
BICYCLE PARKING:	
REQUIRED:	2
PROPOSED:	2
TREE CANOPY:	
REQUIRED:	6,220 SF (12%)
PROVIDED:	8,000 SF
PLAYGROUND AREA:	
REQUIRED:	185 MAX CHILDREN/2 = 93 CHILDREN
PROVIDED:	93 * 100 SF = 9,300 SF
PROVIDED:	14,338 SF



1318-e6 central ave, P 704,334,3303
charlotte, nc 28205 F 704,334,3305
urbandesignpartners.com
nc license no: P-0418

Children's Design Group
Mark D. Pavay, A.I.A.-Architect
PO Box 1365
Gulf Shores, AL 36547
(334)-546-3624
(206)-350-0593 Fax
child.design@mindspring.com

Primrose School
Franchising Company
Ted Tillman
3660 Cedarcrest Road
Acworth, GA 30101

Primrose School of Matthews

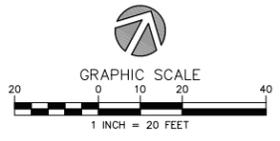
Rezoning Plan

Ames Street, Matthews, NC

NO. DATE BY: REVISIONS:

1	09.29.15	UDP	PER STAFF COMMENTS
---	----------	-----	--------------------

Project No: 15-040
Date: July 1, 2015
Designed by: udp
Drawn by: udp
Scale: 1" = 20'
Sheet No:



REZONING PETITION #2015-632

RZ-2

GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Application filed by Primrose School Franchising Company ("Applicant") for an approximately 1.2 acre site located on the west side of Park Center Drive between Matthews Township Parkway and North Ames Street, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site").
- B. The development and use of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the Town of Matthews Unified Development Ordinance (the "Ordinance"). The regulations established under the Ordinance for the O zoning district shall govern the use and development of the Site.

C. Subject to paragraph E under Architectural Standards, the location of any building to be constructed on the Site, other than a building devoted to a child day care facility as described below and the associated parking areas and other improvements, and the location of parking areas and other improvements shall be governed by the standards and regulations set out in the Ordinance.

PERMITTED USES

- A. The Site may be devoted to any use or uses that are permitted by right or under prescribed conditions in the O zoning district and to any incidental and accessory uses associated therewith that are allowed in the O zoning district.

DEVELOPMENT LIMITATIONS/MAXIMUM GROSS FLOOR AREA

- A. A child day care facility developed on the Site shall be subject to the following limitations:
 - (1) The maximum number of children that may be served on the Site shall be 185.
 - (2) The maximum size of a building devoted to a child day care facility shall be 14,500 square feet of gross floor area.
 - (3) A child day care facility shall comply with the applicable requirements of Section 155.506.6 of the Ordinance.
- B. The maximum size of a building devoted to a use or uses other than a child day care facility shall be 20,000 square feet of gross floor area.
- C. For purposes of the limitations set out above, "gross floor area" shall mean the total floor area enclosed within a building, including interior balconies, exclusive of mezzanines, stairways and elevator shafts.

DIMENSIONAL STANDARDS

- A. Development of the Site shall comply with the dimensional standards of the O zoning district and the Downtown Overlay District set out in the Ordinance.

TRANSPORTATION AND PARKING

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Town of Matthews.
- B. Vehicular parking shall be provided in accordance with the requirements of the Ordinance.

STREETSCAPE TREATMENT AND SIDEWALKS

- A. The streetscape treatment along the Site's public street frontages shall comply with the requirements of the Ordinance.
- B. Sidewalks shall be installed along the Site's public street frontages as depicted on the Rezoning Plan.
- C. A sidewalk easement shall be conveyed to the Town of Matthews for any portion of the public sidewalks that are located on the Site and outside of the right of way as depicted on the Rezoning Plan.

ARCHITECTURAL STANDARDS

- A. The maximum height of any building developed on the Site shall be 40 feet.
- B. Attached to the Rezoning Plan is a schematic architectural rendering of the front elevation of the building to be constructed on the Site that shall be devoted to a child day care facility that is intended to depict the general conceptual architectural style and character of the front elevation of this building. Accordingly, the front elevation of a building to be constructed on the Site that will be devoted to a child day care facility shall be designed and constructed so that it is substantially similar in appearance to the attached schematic architectural rendering with respect to architectural style, character and primary building materials. Changes and alterations which do not materially change the overall conceptual architectural style and character are permitted based upon final design/construction drawings.
- C. The primary exterior building materials used on a building devoted to a child day care facility will be a combination of portions of the following: brick, stone, precast stone, synthetic stone, cementitious siding (such as hardi-plank) and wood. Vinyl as a building material may only be used on windows, soffits, trim and shutters.
- D. A building devoted to a child day care facility shall have four sided architecture, such that the side and rear elevations of the building shall have the same exterior building materials as the front elevation and the same percentage brick as the front elevation.
- E. Prior to the issuance of a building permit for any building to be constructed on the Site that shall be devoted to a use or uses other than a child day care facility, the site plan and the building elevations for such building must be approved by the Matthews Board of Commissioners.

SCREENING

- A. Dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of the building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side.

SIGNS

- A. All signs installed on the Site shall comply with the requirements of the Ordinance.

BINDING EFFECT OF THE REZONING APPLICATION

- A. If this Rezoning Application is approved, all conditions applicable to the development and/or use of the Site imposed under this Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Applicant and the current and subsequent owners of the Site and their respective successors in interest and assigns. Throughout these Development Standards, the terms, "Applicant" and "owner" or "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Applicant or the owner or owners of the Site from time to time who may be involved in any future development thereof.



URBAN
DESIGN
PARTNERS

1318-e6 central ave, p 704.334.3303
charlotte, nc 28205 f 704.334.3305
urbandesignpartners.com
nc license no: P-0418

Children's Design Group
Mark D. Pavey, A.I.A.-Architect
PO Box 1365
Gulf Shores, AL 36547
(334)-546-3624
(206)-350-0593 Fax
child.design@mindspring.com

Primrose School
Franchising Company

Ted Tillman
3660 Cedarcrest Road
Acworth, GA 30101

Primrose School
of Matthews
Development Standards & Notes
Ames Street, Matthews, NC

NO. DATE BY: REVISIONS:
1 09.29.15 UDP PER STAFF COMMENTS

Project No: 15-040
Date: July 1, 2015
Designed by: udp
Drawn By: udp
Scale: nts
Sheet No:

RZ-3

REQUIRED PLAN INFO

BUILDING HEIGHT - 26'-4"
NUMBER OF STORIES - ONE
BUILDING OCCUPANCY - EDUCATIONAL
FLOOR AREA - 1678 SF
BUILDING TYPE - V8 SPRINKLED
PROPOSED FLOOR ELEVATION - FIRST FLOOR: 440'5"

REQUIRED PLAN NOTES

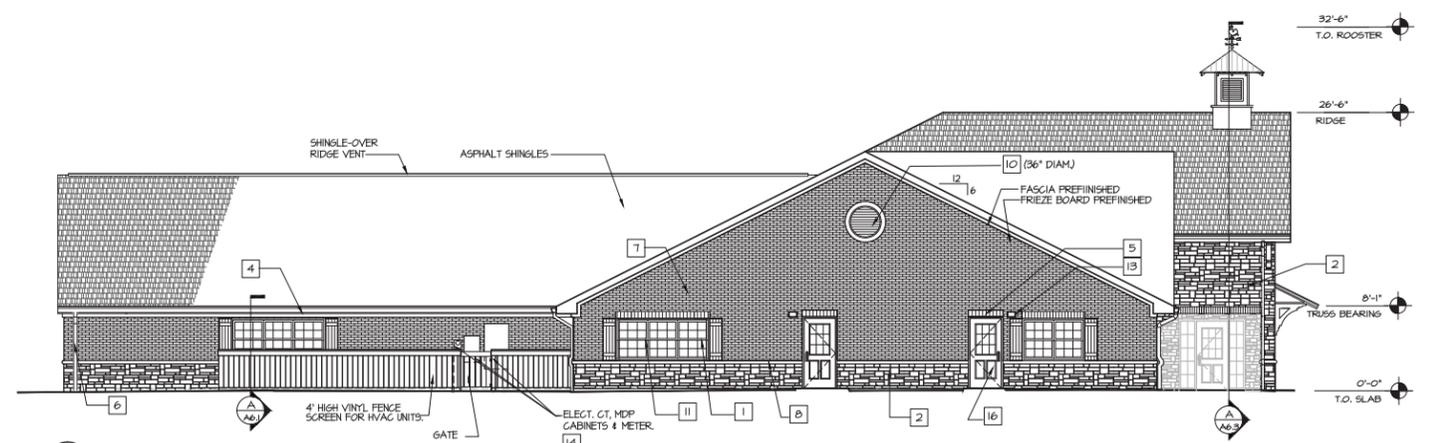
- Other appropriate means include, but are not limited to, a registered forester's or certified arborist's report referenced to scale digital photos, a registered forester's or certified arborist's report referenced to aerial photographs, a registered forester's or certified arborist's report referenced to aerial photographs. Aerial photographs are not an acceptable stand-alone means of documentation for trees.
- Riparian buffers on perennial streams are measured 100 feet from the top of the bank on both sides of the stream. Riparian buffers on intermittent streams are measured 50 feet from the top of the bank on both sides of the stream.
- If the site does not contain the 100-year floodplain or floodway, certify that there is no FEMA Floodplain on the subject property by giving FIRF map number and date. Provide non-FEMA Flood plain information on Floodplains, Floodways, Flood Fringes, and Flood Hazards at the construction plan stage of plan review.
- No site development activity including but not limited to, testing, clearing, installation of soil and erosion measures, or grading shall occur until required protection fencing has been installed and inspected. A protection fencing installation permit may be obtained at the Planning Department.
- Protection fencing must be placed away from any saved tree one foot for each inch of caliper. Protection fencing must be placed at least 10 feet away from any other designated RCA such as, but not limited to, historic buildings and structures, wetlands, and ponds. Protection fencing must be placed along the outside line of the 100-year floodplain and the outside edge of any riparian buffer. Additional protection fencing may be required in other locations close to construction activity where it is deemed necessary by the zoning enforcement officer. Such areas may include common property lines or near public areas (sidewalks, etc.).
- All grading and support structures associated with any retaining structure shall not encroach into any required buffer or protected area i.e. RCA and critical root zones of trees, public utility easements and right-of-way, and shall be contained entirely on site.
- Site elements required to satisfy recreational requirements such as, but not limited to, play fields, greenway trails and items typically associated with them (benches, trash containers, signs, etc.) must meet any applicable standards found in the TOA Standard Specifications and Construction Details and the requirements of the TOA Parks and Recreation Department.
- The screening of loading docks, trash containers including dumpsters and roll-out carts, outdoor storage, mechanical and HVAC equipment, and similar facilities on the roof, on the ground, or on the buildings shall meet the requirements found in Section B.2.B of the UDO. Specifically, screening must be done so that:
 - It is incorporated into the overall design theme of the building and landscape.
 - Screening materials are not different from or inferior to the principal materials of the building or landscape, and are similar in materials and color.
 - Screened items are set off view from adjacent properties and public streets, and a totally opaque screen is achieved.
 - Any ground-mounted HVAC or mechanical or utility equipment six feet tall or higher must be fenced and landscaped.
 - Dumpster enclosures must meet the above requirements plus they must be at least eight feet tall or the height of the dumpster, whichever is greater, and be built of masonry material.
- All required site elements shown within a particular phase must be installed before a final certificate of occupancy may be issued for any building within that phase.
- Site items such as, but not limited to, lighting, landscaping including mulch, screening (i.e. dumpsters/trash, mechanical/HVAC, etc.), site stabilization (seeding), and parking and pavement marking must be completed prior to scheduling a final site inspection.
- Individual signs are not approved as part of the site plan approval process. A separate sign permit must be obtained prior to installation of the sign. Multiple use lots, non-residential subdivisions and multiple tenant lots must submit a Master Sign Plan for approval.
- Retaining systems providing a cumulative vertical relief greater than five feet in height within a horizontal distance of 50 feet or less, including retaining walls or mechanically stabilized earth walls shall be designed and constructed under the responsible charge of a registered professional engineer and comply in all respects with the NC Building Code, Section 1602. Retaining systems meeting this criteria will require a separate building permit prior to start of work.
- Per UDO Section 6.1.2(b): Prior to approval of a final plat or issuance of a certificate of occupancy, any development where engineered stormwater control structure is required, please contact Mike Deaton to demonstrate that the required structure is in place, that it is operational, and that it complies with all relevant portions of Section 6.1.2.2 Engineered Stormwater Controls. If the engineered stormwater control structure is used as part of a temporary erosion control measure, the inspection will occur during the appropriate phase of construction.
- All water and sewer lines shall be installed with a minimum of 3 feet of cover.
- Maintain 10' minimum vertical separation between utilities.
- Verify all illustrated utility crossings prior to construction and notify the engineer if conflicts are encountered.
- Contractor shall coordinate utility relocation or abandonment with local utility companies as required.
- Utilities will not encroach upon protected areas or run parallel through any required buffer.
- Water and sewer shall be at least 10 feet laterally from existing or proposed sewers, where local conditions prevent a separation of at least 10 feet, the water main may be laid closer, provided that the elevation of the bottom of the water main is at least 18" above the top of the sewer with a horizontal separation of at least 3 feet.
- All new public water and sewer lines contained within a Town of Apex Public Utility Easement will require a Water Distribution Extension Permit and/or a Gravity Sewer Extension Permit prior to the start of utility construction. All Water Distribution Extension Permits Applications shall be accompanied by a Soiled Engineer's Report per the TOA Water Sewer System Management Plan. Please contact the Engineering Division to obtain these permit applications.
- A plumbing permit issued by the Building Inspection Division is required for all plumbing systems, including stormdrainage systems, installed outside the Public Right of Way or a Public Utility Easement. These systems shall be inspected and approved by the plumbing inspector prior to covering. Contact Rudy Baker (919-244-3388) for information including the utilization of a third-party inspection agency.
- It is the responsibility of the owner or his representative(s) to locate and identify all existing and proposed utilities and to clearly identify them on the approved plans.
- No public or private utility easements shall be allowed to be located in the calculations for buffers, RCA, or required landscape areas.
- All landscaping is required to be installed prior to a certificate of occupancy for the project. In the case of phased development, all landscaping is required to be installed prior to a certificate of occupancy for the phase of the project. If the applicant chooses to delay the installation of landscaping from April through September 1, then the applicant shall provide a cash bond equal to 150 percent of the cost of materials and installation, based on the highest estimate received, to ensure installation of the required landscaping.
- Required buffers must meet the minimum opacity requirements for the particular type of buffer as described in UDO Section B.2.B.
- Any vegetation that is dead, substandard, unhealthy, of poor structural quality or missing shall be replaced in conformance with Town standards.
- All plant material shall be allowed to reach their mature size and maintained at their mature size. Plants shall not be cut or severely pruned so that their natural form is impaired.
- All slopes of 2:1 or steeper shall be stabilized with permanent slope retention or a suitable combination of planting and retention devices.
- Slopes greater than 3:1 shall not be stabilized turf grasses, but with other permanent groundcover.
- All outdoor fixtures shall be located a minimum of 10 feet from a property or right-of-way line, and at least two feet away from any required perimeter or streetscape buffer and tree save areas.
- Lamps for non-cutoff fixtures shall not exceed 100 watts.
- Hall pack fixtures must be fully shielded, true cutoff type fixtures (concealed lamp/light source). The lighting must be directed downward and the wattage must not exceed 100 watts.
- Floodlights or other types of lighting are prohibited unless approval is given through the development review process and reflected on the approved site plan.
- Awnings and canopies used for accents over doors and windows shall not be internally lit.
- Before certificates of occupancy are released, the owner/builder must supply the Town with a final letter of certification from the lighting engineer and/or lighting manufacturer verifying that all site lighting is installed according to Town standards, the approved plans, and any applicable conditions.
- Architectural construction plans must adhere to the approved site plans. Any proposed changes must be submitted to the Planning Department for approval.

EXTERIOR COLOR SCHEDULE

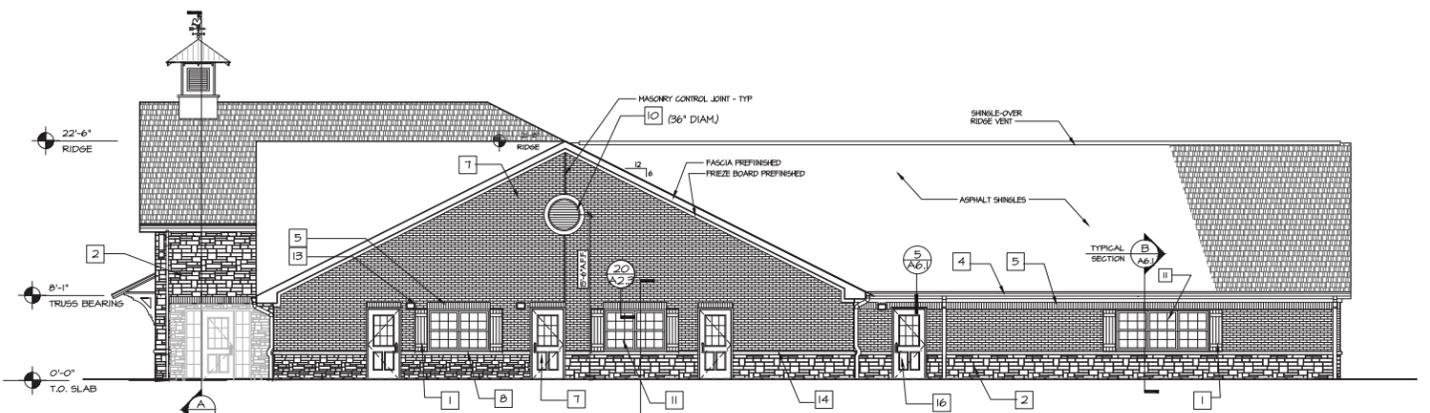
TRASH ENCLOSURE GATES (POST & RINGS)	#EM HC 112 TATE OLIVE (INDUSTRIAL ENAMEL, EXTERIOR APPLICATION)
EXTERIOR HD. TRIM, EXTERIOR DOORS, FRAMES, LOUVERS, CUPOLA WALLS, GUTTERS AND DOWNPOUTS, SOFFITS.	TO MATCH HARDIE TRIM SANDSTONE BEIGE JH80-20 (BM HC-82 or SM 5H 6151)
EXTERIOR HARDIE TRIM, FASCIA, FRIEZE	SANDSTONE BEIGE JH80-20 (BM HC-82 or SM 5H 6151)
WINDOWS	ALMOND OR BEIGE
BRICK:	MOUNT VERNON MODULAR GROUT: BUFF COLORED MORTAR
ASPHALT SHINGLES:	MANUF: GAF STYLE: TIMBERLINE SERIES, T-30 WITH "SHADOW ACCENT" COLOR: WEATHERED WOOD
NOTE:	ALL ROOF MOUNTED EQUIPMENT SHALL BE PAINTED TO MATCH ROOF COLOR
VINYL SHUTTERS	ARCHITECTURALDEPOT.COM - 14" JOINED SHUTTERS W/INSTALL SCREWS WIDE STANDARD SIZE FOUR BOARD PREFINISHED #282 COLONIAL GREEN
STANDING SEAM ROOF:	AEP-SPAN SNAPSEAM - 12" COLOR = DARK BRONZE
STEEL RAINING SUPPORTS & WOOD BRACKETS:	#EM HC 112 TATE OLIVE (INDUSTRIAL ENAMEL, EXTERIOR APPLICATION)
STONE:	LONESTAR STONE - LIBERTY CLASSIC - AUTUMN GROUT: BUFF COLORED MORTAR

CONSTRUCTION NOTES:

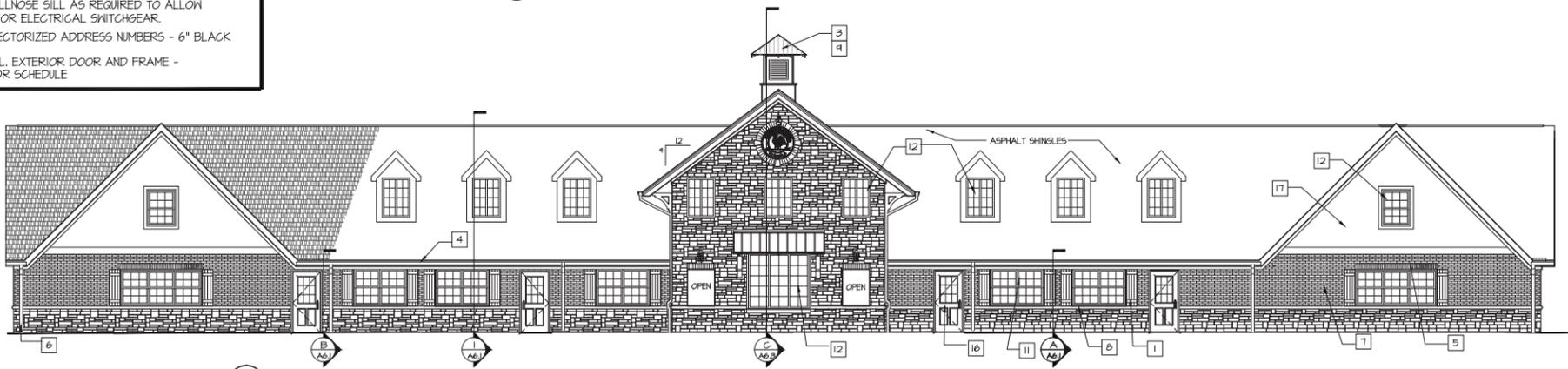
- VINYL SHUTTERS- SEE WINDOW SCHEDULE FOR SIZES.
- STONE: SEE EXTERIOR COLOR ABOVE FOR MANUF.
- CUPOLA WITH WEATHER VANE, SEE SPECIFICATIONS SECTION OF DRAWINGS. PAINT CUPOLA WALLS AND LOUVERS PER EXTERIOR FINISH SCHEDULE. DARK BRONZE STANDING SEAM ROOF. (EPOXY ROOSTER)
- EXTRUDED ALUMINUM 5" WIDE DOWNPOUTS TO UNDERGROUND STORM SYSTEM.
- BRICK SOLDIER COURSE
- EXTRUDED ALUMINUM 3" WIDE DOWNPOUTS TO UNDERGROUND STORM SYSTEM.
- BRICK VENEER
- ROUNDED PRECAST SILL - NATURAL WHITE COLOR
- STANDING SEAM ROOF ON METAL FRAME
- 22" OR 36" DIAMETER VENT LOUVERS. PROVIDE PAINTABLE UNIT AND PAINT PER SCHEDULE. SIZE AND HEIGHT AS SHOWN ON ELEVATIONS. ALUMINUM SINGLE HUNG WINDOWS WITH CLEAR GLASS. (SEE ELEV. SHEET A2.1)
- FIXED ALUMINUM WINDOWS WITH TINTED GLASS. (SEE ELEVATIONS SHEET A2.1)
- HALL MOUNTED LIGHT FIXTURE, TYP. AT EACH EXTERIOR DOOR. SEE LIGHT FIXTURE SCHEDULE. FLUSH TOP TO BOT OF SOFFIT OR 80" MIN AF6.
- 6" REFLECTORIZED ADDRESS NUMBERS - 6" BLACK
- H.M. INSUL. EXTERIOR DOOR AND FRAME - SEE DOOR SCHEDULE



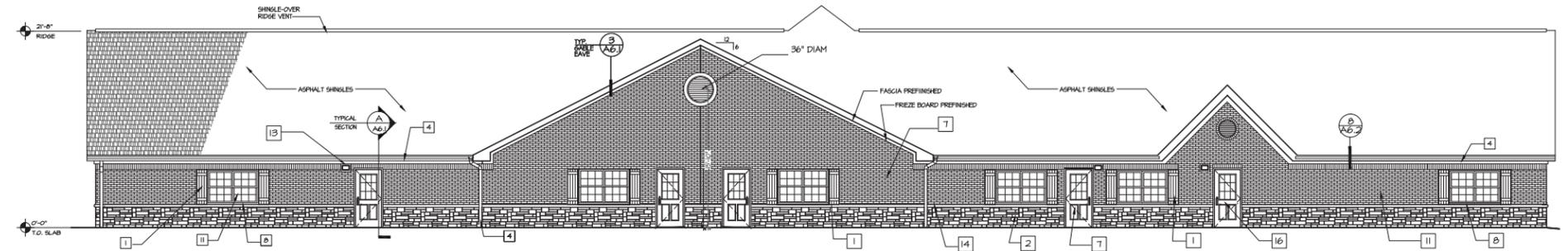
(A) WEST ELEVATION 1/8"=1'-0"



(B) EAST ELEVATION 1/8"=1'-0"



(C) SOUTH ELEVATION 1/8"=1'-0"



(D) NORTH ELEVATION 1/8"=1'-0"

A New Building For:
Primrose School Franchising Company
3660 Cedarcrest Road
Acworth, Georgia 30101
Copyright © 2015
Primrose School Franchising Company

This drawing and the design represented hereby are the property of Primrose School Franchising Company. Reproduction or any use of these drawings other than for the project intended without the express written consent of Primrose School Franchising Company is prohibited. Unauthorized use will be subject to legal action.

Children's Design Group
Mark D. Pavey, A.I.A. - Architect
PO BOX 1365
GULF SHORES, AL 36547
(334)-546-3624
(206)-350-0593 Fax
chils.design@mindspring.com

Site:
Primrose School of Matthews
North Ames Street
Matthews, NC

Building Type:
NC-2015-2 Story

Drawing Title:
EXTERIOR ELEVATIONS

Date: 9/24/2015 Dm: MDP
Kcd: MDP

Drawing Number:
A-4

Revisions:

preliminary

Project Summary

Location: 9705-9719 Independence Pointe Parkway

Owner(s): Multiple owners within condo association

Agent: Mr. Yury Vaynshteyn

Current Zoning: Conditional

Proposed Zoning: Office (CD)

Existing Use: Office buildings

Proposed Use: Two additional office buildings

Community Meeting: Occurred September 2,2015

Summary of Request

The applicant proposes the addition of up to 13,810 square feet of additional office space in two separate buildings.

Staff Recommendation

Staff is supportive of the rezoning as it complies with the Town policy of updating the zoning on all old conditionally zoned properties.

Planning Staff Review

Background And History

The site was last rezoned in 2003 for up to 30,000 square feet of office space and was originally part of the Windsor Square zoning action. Staff has been working with the owner of the vacant land for about a year now to update the rezoning at the site. Only two buildings were originally built, however, the applicant is currently constructing two additional buildings that are allowed under the current zoning.

Details of the Site Plan

Mr. Yuriy Vaynshteyn purchased two vacant building pads and additional excess land at the site several years ago. In addition to the buildings currently under construction, two additional office buildings are proposed, bringing the total number of buildings at the site to 6 and total square footage of office space to 43,810. The existing driveway will remain and continue to serve as the only access point. To allow for the additional buildings, the existing storm water pond is being redesigned to create more buildable area. A wooded buffer of 30' that is consistent with existing buffers behind the current buildings is planned for the new building closest to homes in the Annecy subdivision.

Summary of Proposed Conditions

1. Up to 13,810 square feet of additional space for a total of 43,810 square feet on the site.
2. Of the total buildable area, up to 26,400 square feet may be devoted to medical office space.
3. All uses within the Office district are allowed.
4. Building exteriors are primarily brick per elevation drawings.
5. Utilities along Northeast Parkway to be screened from view.

Planning Staff Review

Outstanding Issues/Planning Staff Comments

(Please see additional comments in staff memos for more detail)

1. A PCO Concept Plan approval is required prior to a zoning decision
2. The new building proposed along Northeast Parkway appears to be the rear of the building and retains small clerestory windows rather than full size windows. The earlier units constructed at the site featured full size windows and gables on the roofline.

Consistency with Adopted Plans and Policies and Town Vision Statements

Office is an appropriate zoning designation for the site and serves as a transition between the intense commercial use at Windsor Square and single family homes to the rear of the subject property.

Reports from Town Departments and County Agencies

Matthews Police

No Comment

Matthews Fire

No Comment

Public Works

No Comment

Matthews Parks and Recreation

No Comment

Charlotte Mecklenburg Schools

Not Applicable

PCO Concept Plan Approval Required?

Yes

Impact Analysis

As a commercial project, there is no anticipated financial burden from this request.

Projected Financial Impact of the Request

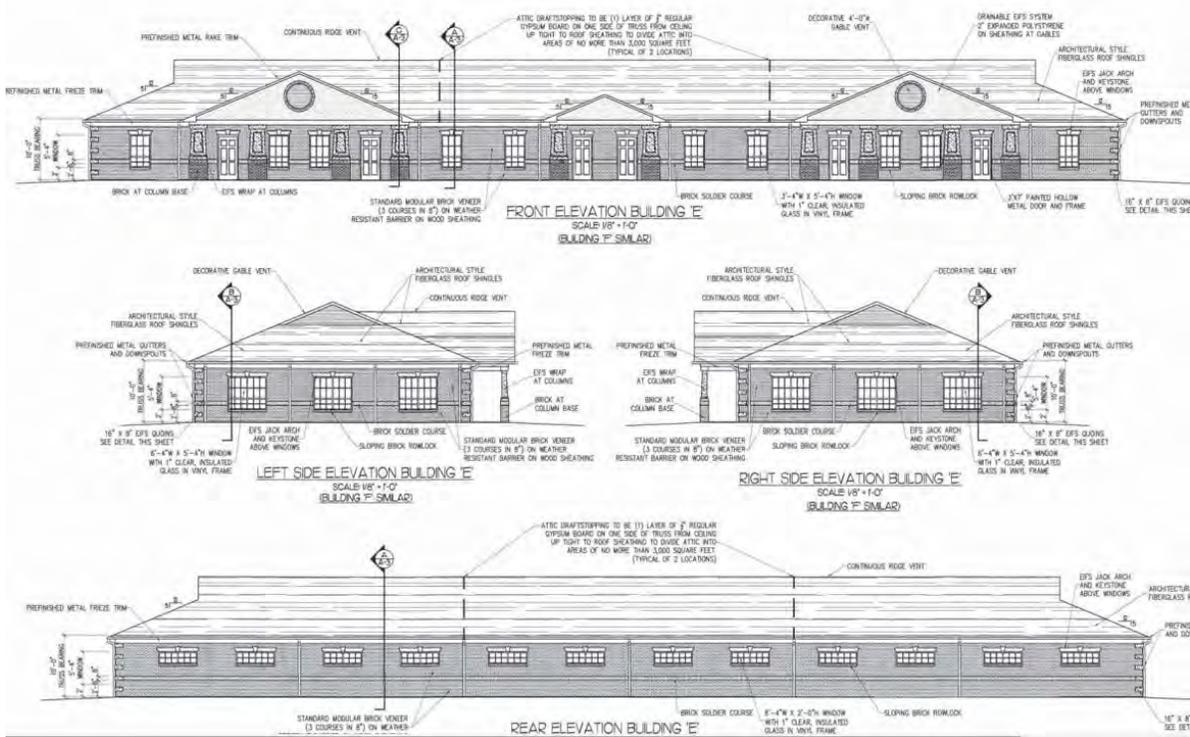
The two additional buildings on the site would generate approximately \$5,400 in additional annual Matthews tax revenue.

Site Images



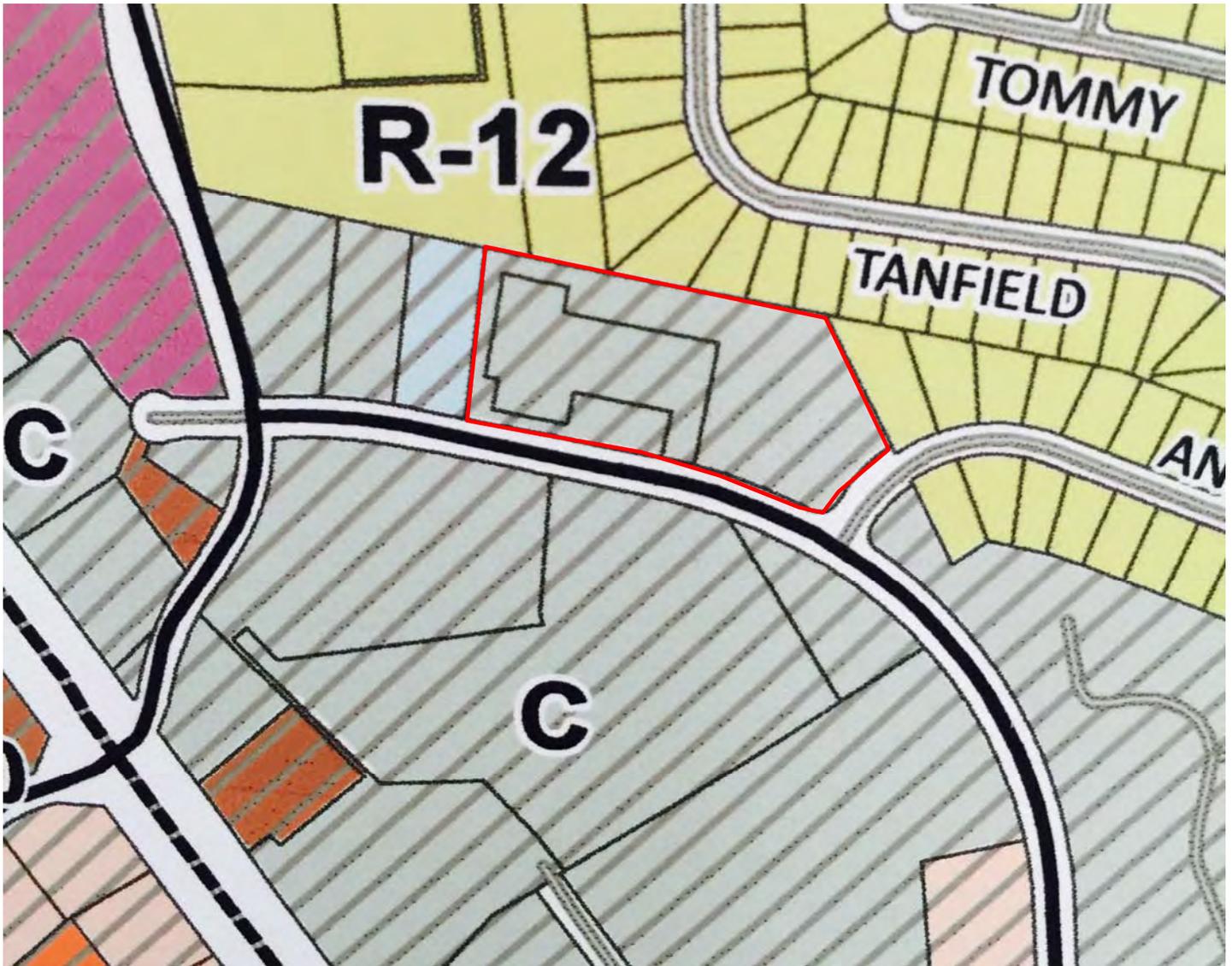
Elevations

Parking Lot Elevations



Northeast Parkway Elevation

Area Zoning



Project Summary

Location:	608 Lakenheath Lane
Owner(s):	William Edward and Lisa J Browning
Current Zoning:	R-20
Proposed Zoning:	R-15
Existing Use:	Vacant Land
Proposed Use:	Single Family Home
Community Meeting:	Not Required

Summary of Request

The applicant proposes to rezone an R-20 lot to R-15 for the purpose of constructing a new single family home.

Staff Recommendation

The rezoning request is not typical due to the fact that no conditions are proposed. As such, Planning Staff has few comments on the matter. Staff is supportive of the request due to the fact that the majority of parcels along Lakenheath Lane are zoned R-15.

Planning Staff Review

Background And History

The property is located on the cul de sac at the end of Lakenheath and is one of the last remaining undeveloped lots on the street.

Details of the Site Plan

Under traditional district zoning (without having any conditions attached to it), the Town is not allowed by State Statute to consider any site plan or written conditions. With no conditions proposed for the site, a survey of the vacant property is the only site information received. The change from R-20 to R-15 creates a 10' reduction to the minimum lot width, a 10' reduction to the front setback, a 2' reduction to side yards and a 5' reduction to the rear yard.

155.604.1 TABLE OF DIMENSIONAL STANDARDS							
	RESIDENTIAL TRADITIONAL ZONING DISTRICTS						
	R-20	R-15	R-12	R-9	R-MH	R-15MF	R-12MF
Minimum lot area (sq ft)	20,000	15,000	12,000	9,000	10,000	15,000	12,000
Minimum overall development area (sq ft or ac)	NA	NA	NA	NA	NA	15,000	12,000
Maximum overall development area (sq ft or ac)	NA	NA	NA	NA	NA	NA	NA
Area for each additional dwelling unit (sq ft)	NA	NA	NA	NA	NA	3,500	3,000
Minimum lot width (ft)	90	80	70	60	70	90	80
Minimum width when a corner lot (ft)	90	80	70	60	70	90	80
Minimum front setback (ft)	50	40	35	30	25	40	35
Maximum build-to line (ft)	NA	NA	NA	NA	NA	NA	NA
Minimum side yard, interior (ft)	12	10	10	8 & 6	8	10	10
Minimum corner side yard (streetside) (ft)	12	10	10	10	10	10	10
Minimum rear yard (ft)	60	55	50	45	30	55	50
Maximum building height (ft)	35	35	35	35	35	35	35/45 ⁽¹⁰⁾

Planning Staff Review

Outstanding Issues/Planning Staff Comments

No outstanding issues or concerns

Consistency with Adopted Plans and Policies and Town Vision Statements

The R-15 district is appropriate for this location. The surrounding area is composed entirely of single family zoned lots with most lots along the street zoned R-15

Reports from Town Departments and County Agencies

Matthews Police

No Comment

Matthews Fire

No Comment

Public Works

No Comment

Matthews Parks and Recreation

No Comment

Charlotte Mecklenburg Schools

Not applicable

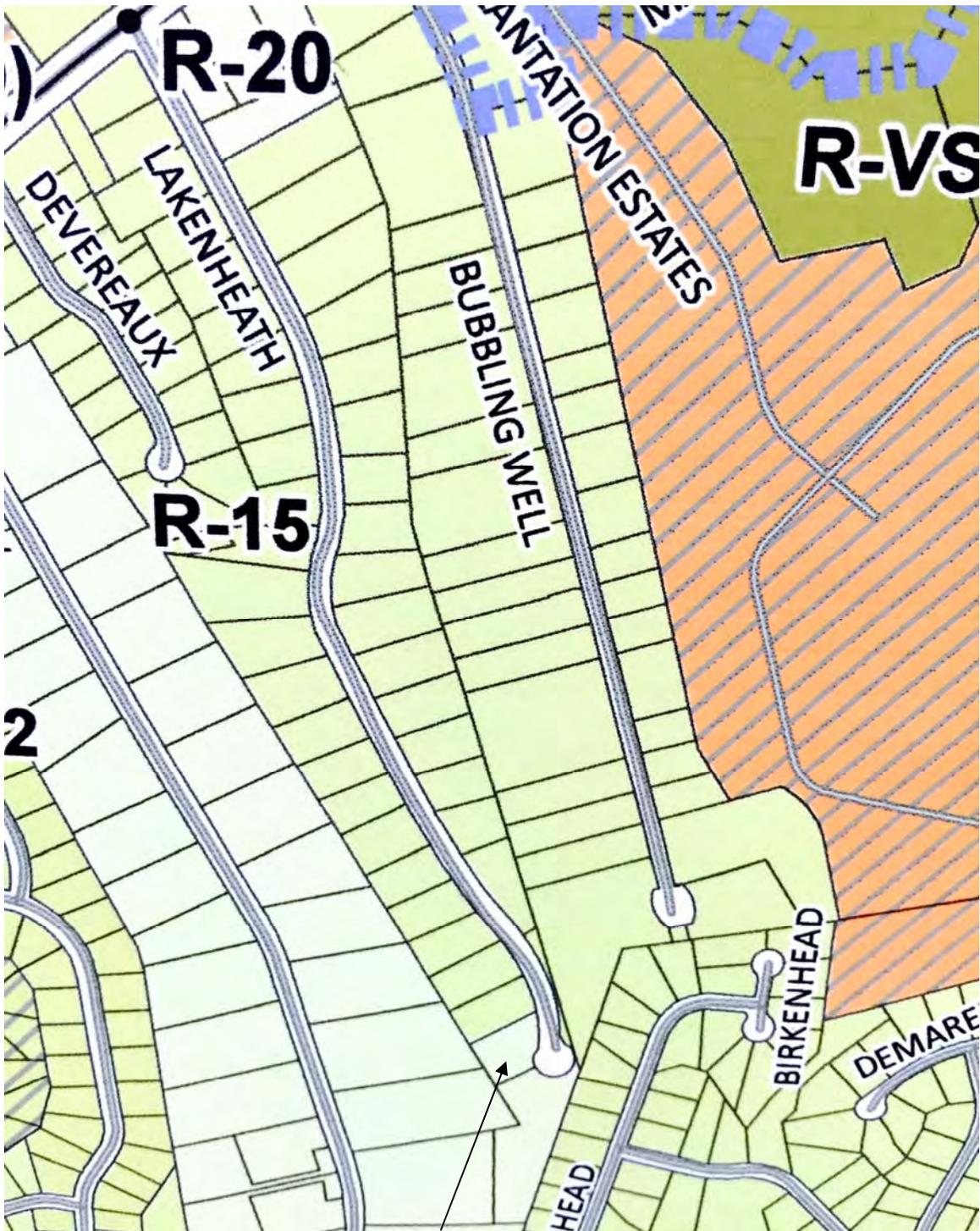
PCO Concept Plan Approval Required?

No

Impact Analysis

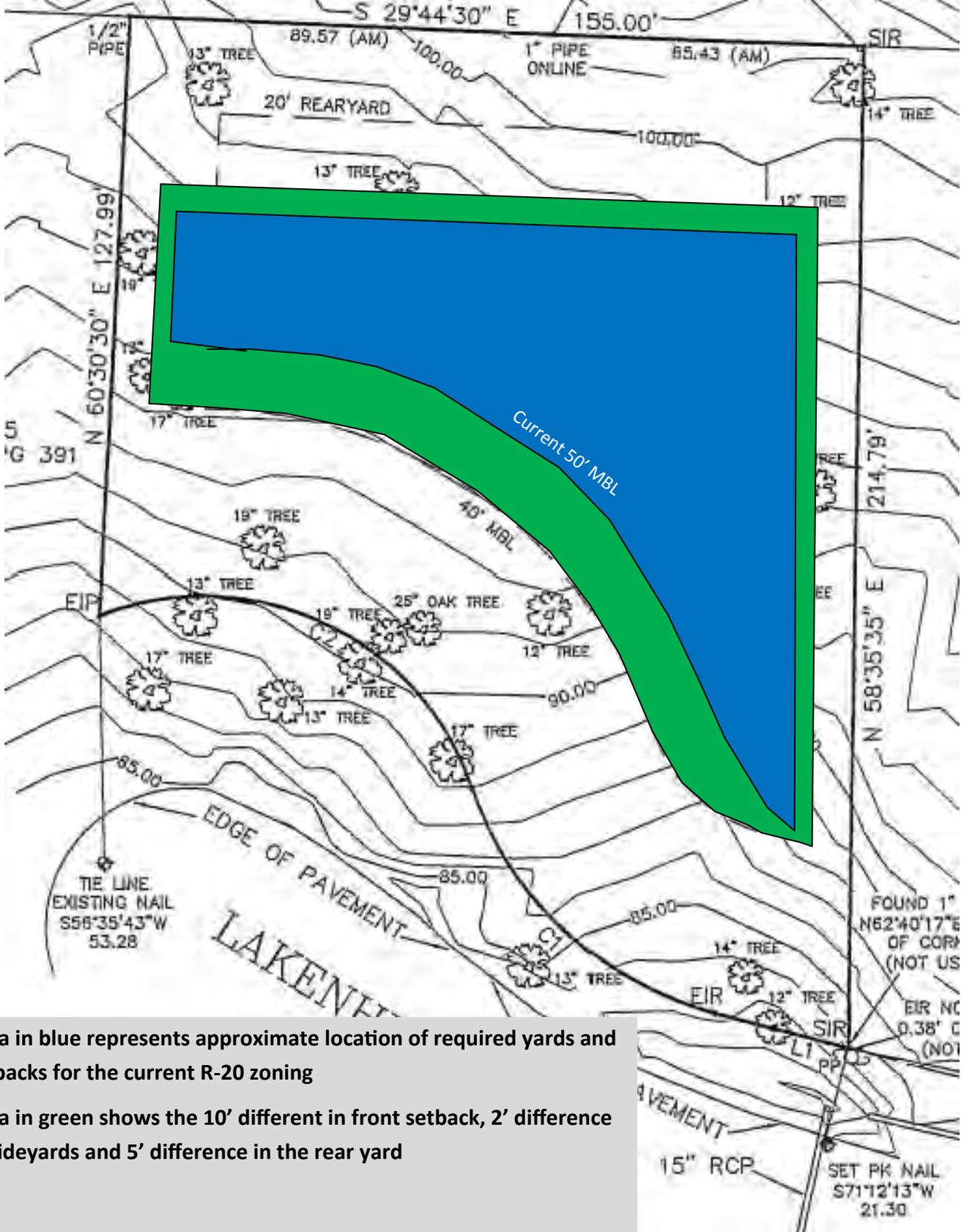
No impact analysis was performed due to the nature of this rezoning.

Area Zoning Map



Subject Parcel

FOUND 1" PIPE JACK
S55°25'27"E 0.70'
FROM CORNER
(NOT USED)



Area in blue represents approximate location of required yards and setbacks for the current R-20 zoning

Area in green shows the 10' different in front setback, 2' difference in sideyards and 5' difference in the rear yard



DATE FILED <u>9-2-15</u>
APPLICATION NUMBER <u>2015-636</u>
<i>For office use only</i>

**APPLICATION FOR CHANGE IN ZONING CLASSIFICATION
OR CHANGE IN CONDITIONS
(SEE FILING INSTRUCTIONS)**

TO: Town of Matthews Board of Commissioners
 Town of Matthews Planning Board
 232 Matthews Station Street
 Matthews, North Carolina 28105-6713

Ladies and Gentlemen:

Your consideration of this petition is requested for:

- A change in zoning classification of the property hereinafter described; or
- A change in conditions to an existing conditional zoning plan.

Tax parcel number(s): 22703202

Address of property: 608 Lakenheath Lane, Matthews, NC 28105

Location of property:

Title to the property was acquired on June 30, 2015
 and was recorded in the name of William Edward Browning, Jr & Lisa J Browning
 whose mailing address is 15401 Thompson Rd, Mint Hill, NC 28227

The deed is recorded in Book 30166 and Page 991 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: R20 Requested zoning classification: R15

List reason(s) why zoning should be changed (use separate sheet if necessary):

Application number
2015-636
For office use only

William Edward Browning Jr
Signature of property owner (must be original)

William Edward Browning Jr

Print name of property owner
15401 Thompson Rd

Property owner's mailing address
Mint Hill, NC 28227

Property owner's mailing address, continued

Property owner's mailing address, continued

704 572 3486 / edbrowning424@gmail.com
Property owner's phone number/email address

Signature of agent (if any)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Lisa J Browning
Signature of property owner (must be original)

Lisa J Browning

Print name of property owner
Same

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

(704) 572-2029
Property owner's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

Petitioner's phone number/email address

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

2015-636

For office use only

22703234

TAX PARCEL

Jack and June Brooks
PROPERTY OWNER NAME(S)

521 Courtney Ln.
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

22702764 / 22702766

TAX PARCEL

Barbara and Andrew Williams
PROPERTY OWNER NAME(S)

1616 Bubbling Well Rd.
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

22703203

TAX PARCEL

Marilyn Mundy
PROPERTY OWNER NAME(S)

600 Lakenheath Ln.
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

22703235

TAX PARCEL

Brenda Lemmond
PROPERTY OWNER NAME(S)

527 Courtney Ln.
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

22703202

TAX PARCEL

Joshua and Brooke Spangler
PROPERTY OWNER NAME(S)

10002 Arlington Oaks Dr.
OWNER MAILING ADDRESS

Charlotte NC 28227
OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

22703201

TAX PARCEL

Nathan and Leah Bond
PROPERTY OWNER NAME(S)

616 Lakenheath Ln.
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

Application number
2015-636
For office use only

SUMMARY OF THE REZONING PROCESS

PETITIONER: Fill in dates for each action below before filing application. Refer to the current Planning Department rezoning schedule for correct dates.

PROPERTY OWNERS: These dates are assumed to be correct at the time of zoning application submittal but are subject to revision. Contact the Planning Department (704-847-4411 or email blynd@matthewsnc.gov) for verification.

Application submitted to and accepted by the Town of Matthews Sept. 2, 2015

Town Board of Commissioners formally accepts application and sets Public Hearing date Sept. 14, 2015

Notices sent via mail to affected/adjacent property owners on or before Sept. 28, 2015

Protest petition filed with Planning Department by 5:00 pm on N/A

Public hearing: petitioner may give explanation of why s/he wishes to have property rezoned and neighboring owners may ask questions and voice opinions on the proposed zoning Oct 12, 2015

Town Planning Board reviews petition, information, and comments from the public hearing, then makes a recommendation to the Board of Commissioners on whether to approve or deny the request Oct 27, 2015

Town Board of Commissioners approves or denies application Nov 9, 2015

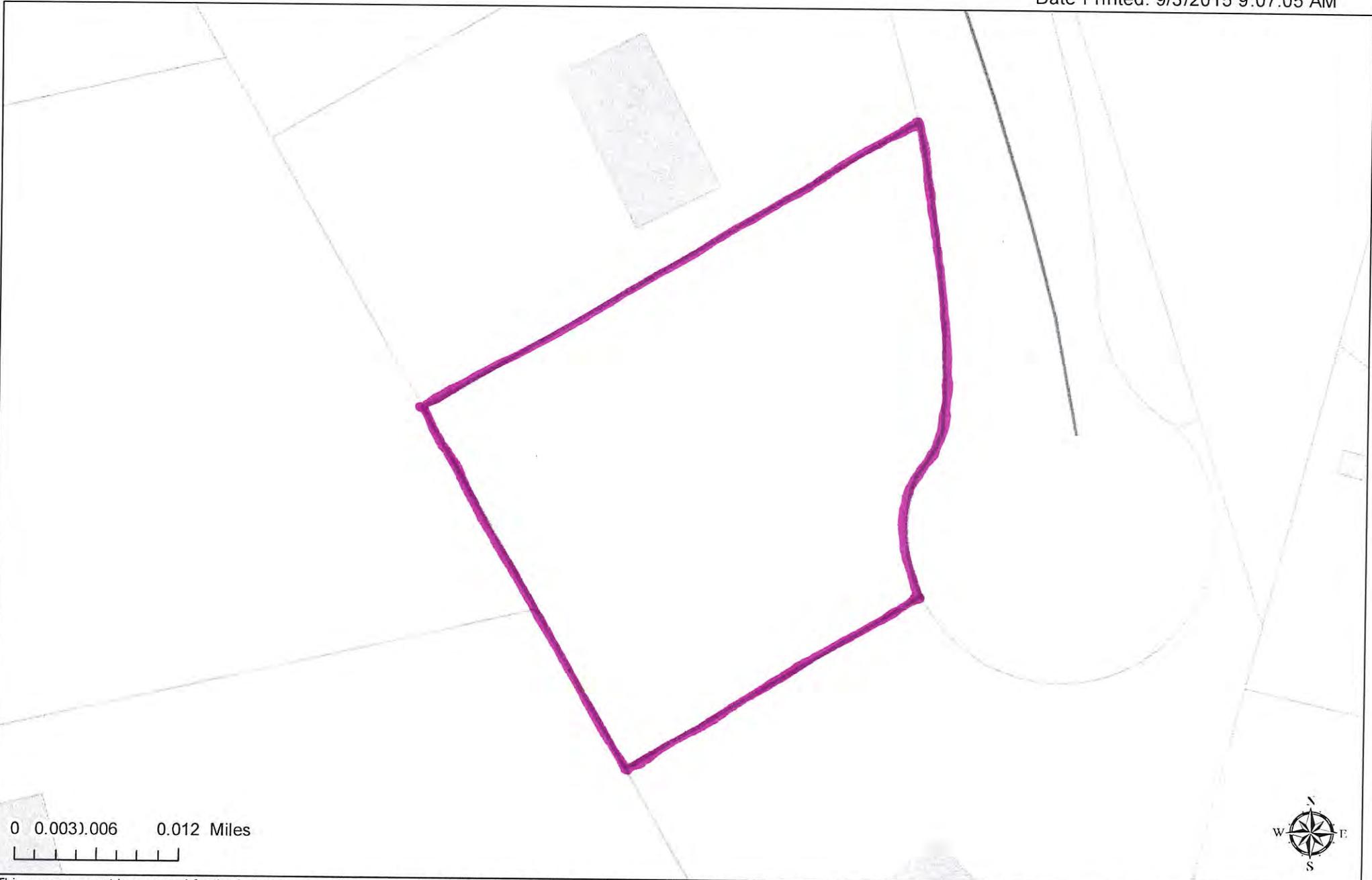
GENERAL STATUTE 160A-385: CHANGES.

- (a) Zoning ordinances may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a qualified protest against a zoning map amendment, that amendment shall not become effective except by favorable vote of three-fourths of all the members of the city council. For the purposes of this subsection, vacant positions on the council and members who are excused from voting shall not be considered "members of the council" for calculation of the requisite supermajority. To qualify as a protest under this section, the petition must be signed by the owners of either (i) twenty percent (20%) or more of the area included in the proposed change or (ii) five percent (5%) of a 100-foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right of way shall not be considered in computing the 100-foot buffer area as long as that street right of way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100-foot buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine the "owners" of potentially qualifying areas. The foregoing provisions concerning protests shall not be applicable to any amendment which initially zones property added to the territorial coverage of the ordinance as a result of annexation or otherwise, or to an amendment to an adopted (i) special use district, (ii) conditional use district, or (iii) conditional district if the amendment does not change the types of uses that are permitted within the district or increase the approved density for residential development, or increase the total approved size of nonresidential development, or reduce the size of any buffers or screening approved for the special use district, conditional use district, or conditional district.
- (b) Amendments in zoning ordinances shall not be applicable or enforceable without consent of the owner with regard to buildings and uses for which either (i) building permits have been issued pursuant to GS 160A-417 prior to the enactment of the ordinance making the change or changes so long as the permits remain valid and unexpired pursuant to GS 160A-418 and unrevoked pursuant to GS 160A-422 or (ii) a vested right has been established pursuant to GS 160A-385.1 and such vested right remains valid and unexpired pursuant to GS 160A-385.1

Polaris 3G Map – Mecklenburg County, North Carolina

2015-636
09-02-2015

Date Printed: 9/3/2015 9:07:05 AM



0 0.003 0.006 0.012 Miles
| | | | | | | |



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

9-2-15
2015-636

LOT SURVEY

LOT 24, SOUTHMINISTER WOODS
PROVIDENCE TOWNSHIP, MECKLENBURG COUNTY, NORTH CAROLINA
MAP BOOK 2369, PAGE 391

PREPARED FOR

LEGEND

- EIR EXISTING IRON ROD
- SIR SET IRON ROD
- ECM EXISTING CONCRETE MONUMENT
- MBL MINIMUM BUILDING LINE
- R/W RIGHT-OF-WAY
- PDE PUBLIC DRAINAGE EASEMENT
- MB/P MAP BOOK / PAGE
- BOC BACK OF CURB
- PP POWER POLE
- NTS NOT TO SCALE
- EIP EXISTING IRON PIPE

PROPERTY IS SUBJECT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS IN DEED BOOK 6705 PAGE 247.

THIS SURVEY IS NOT INTENDED TO MEET GS 47-30 REQUIREMENTS. THIS SURVEY WAS PERFORMED PER THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA WITH AN ERROR OF CLOSURE THAT MEETS MINIMUM STANDARD OF 1:10,000

SCALE: 1" = 40'



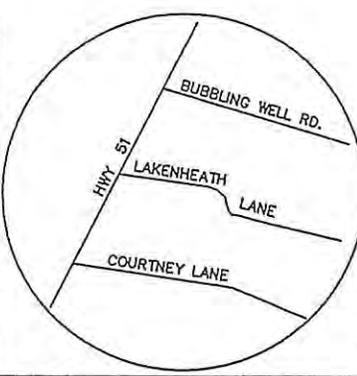
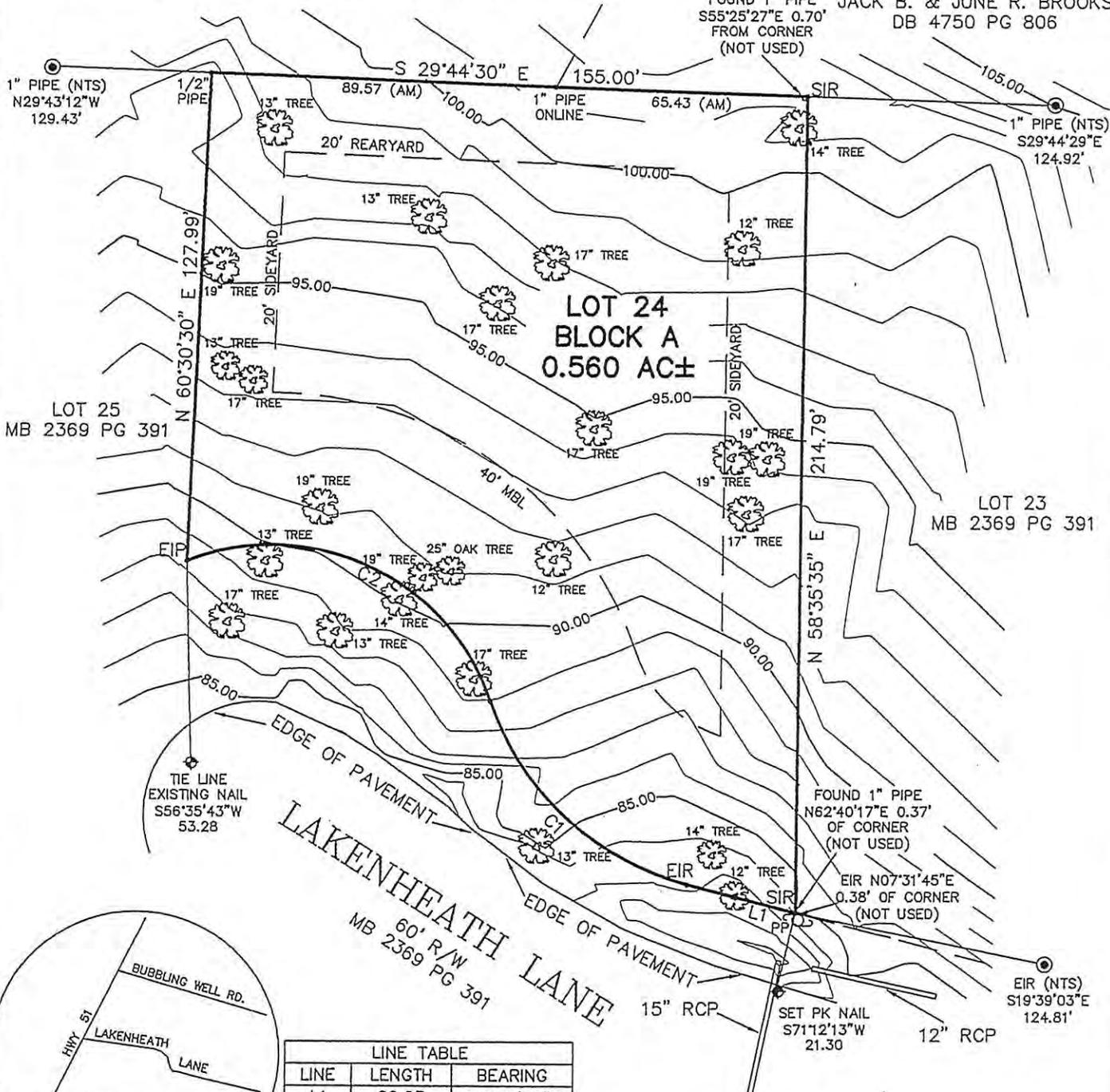
Edward H Dalrymple
9.02.08

THIS PLAT IS SUBJECT TO ANY EASEMENTS, OR RIGHTS-OF-WAY OF RECORD PRIOR TO DATE OF THIS PLAT, WHICH WAS NOT VISIBLE AT THE TIME OF OUR INSPECTION

AREA DETERMINED BY COORDINATE COMPUTATION

NOW OR FORMERLY
BRENDA E. LEMMOND
DB 16305 PG 51

NOW OR FORMERLY
JACK B. & JUNE R. BROOKS
DB 4750 PG 806
FOUND 1" PIPE S55°25'27"E 0.70' FROM CORNER (NOT USED)



LINE TABLE		
LINE	LENGTH	BEARING
L1	29.03	S16°45'00"E

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	75.00	73.63	70.71	N11°22'29"E	56°14'57"
C2	60.00	97.36	87.03	S06°58'06"E	92°58'34"

PREPARED BY:
DELTA LAND SERVICES, INC.
1020 CREWS ROAD, SUITE L
MATTHEWS, NORTH CAROLINA 28105
(704) 847-4700

THIS PROPERTY IS NOT GRAPHICALLY LOCATED IN ANY SPECIAL FEMA FLOOD HAZARD AREA AS IDENTIFIED ON COMMUNITY PANEL NO. 370158-37119C-0040B, DATED 2/4/04.

REVISED: ADD TOPO & TREE SURVEY
DWN: CDT CKD: DATE: 08/29/08

9 215
2015-636

LOT SURVEY

LOT 24, SOUTHMINISTER WOODS
PROVIDENCE TOWNSHIP, MECKLENBURG COUNTY, NORTH CAROLINA
MAP BOOK 2369, PAGE 391

PREPARED FOR

LEGEND

- EIR EXISTING IRON ROD
- SIR SET IRON ROD
- ECM EXISTING CONCRETE MONUMENT
- MBL MINIMUM BUILDING LINE
- R/W RIGHT-OF-WAY
- PDE PUBLIC DRAINAGE EASEMENT
- MB/P MAP BOOK / PAGE
- BOC BACK OF CURB
- PP POWER POLE
- NTS NOT TO SCALE
- EIP EXISTING IRON PIPE

PROPERTY IS SUBJECT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS IN DEED BOOK 6705 PAGE 247.

THIS SURVEY IS NOT INTENDED TO MEET GS 47-30 REQUIREMENTS. THIS SURVEY WAS PERFORMED PER THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA WITH AN ERROR OF CLOSURE THAT MEETS MINIMUM STANDARD OF 1:10,000

SCALE: 1" = 40'



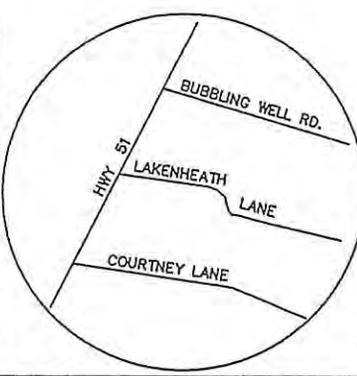
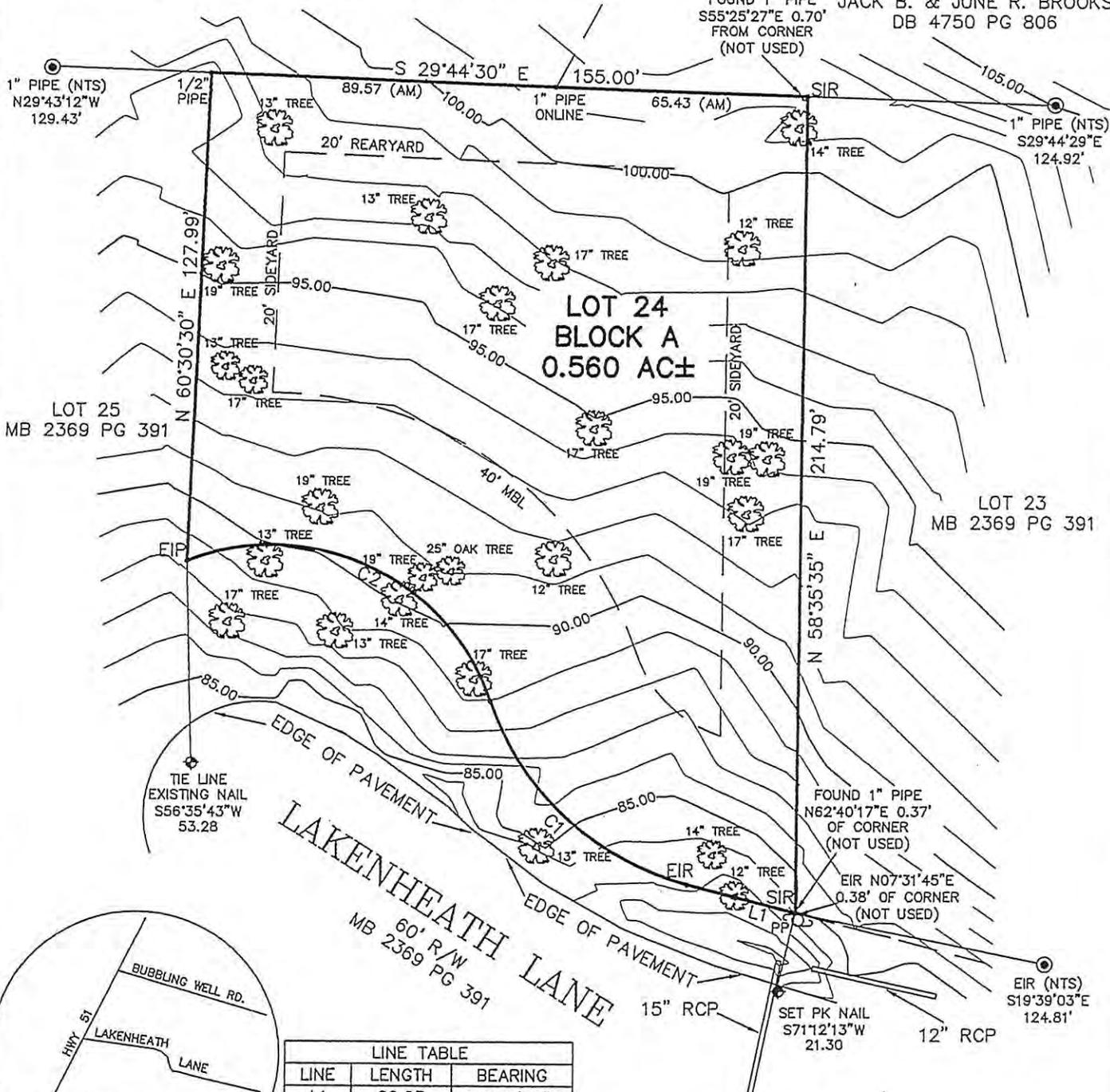
Edward H. Dalrymple
9.02.08

THIS PLAT IS SUBJECT TO ANY EASEMENTS, OR RIGHTS-OF-WAY OF RECORD PRIOR TO DATE OF THIS PLAT, WHICH WAS NOT VISIBLE AT THE TIME OF OUR INSPECTION

AREA DETERMINED BY COORDINATE COMPUTATION

NOW OR FORMERLY
BRENDA E. LEMMOND
DB 16305 PG 51

NOW OR FORMERLY
JACK B. & JUNE R. BROOKS
DB 4750 PG 806
FOUND 1" PIPE S55°25'27"E 0.70' FROM CORNER (NOT USED)



LINE TABLE		
LINE	LENGTH	BEARING
L1	29.03	S16°45'00"E

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	75.00	73.63	70.71	N11°22'29"E	56°14'57"
C2	60.00	97.36	87.03	S06°58'06"E	92°58'34"

PREPARED BY:
DELTA LAND SERVICES, INC.
1020 CREWS ROAD, SUITE L
MATTHEWS, NORTH CAROLINA 28105
(704) 847-4700

THIS PROPERTY IS NOT GRAPHICALLY LOCATED IN ANY SPECIAL FEMA FLOOD HAZARD AREA AS IDENTIFIED ON COMMUNITY PANEL NO. 370158-37119C-0040B, DATED 2/4/04.

REVISED: ADD TOPO & TREE SURVEY
DWN: CDT CKD: DATE: 08/29/08

9 215
2015-636

**PLANNING BOARD REPORT
ON THEIR MEETING OF
SEPTEMBER 22, 2015**

FOR TOWN BOARD ACTION:

I. ZONING APPLICATION 2015-631 – Moore Road, PetSuites, From B-H to B-D(CD)

Planning Board unanimously recommended approval and found the request consistent with locally adopted plans.

III. ZONING APPLICATION 2015-633 – 9709 and 9715 Northeast Pky, Windsor Professional Center, From Conditional to O(CD)

Planning Board unanimously recommended approval and found the request consistent with locally adopted plans.

IV. ZONING APPLICATION 2015-634 – 419 Covenant Church Lane, Christ Covenant Church, From R-15 to R/I

Planning Board unanimously recommended approval and found the request consistent with locally adopted plans.

V. PUBLIC IMPROVEMENT VARIANCE – 2105 Rice Rd, Walking by Faith Church, Waiver and Deferral of Various Public Improvements on Rice and Sam Newell Road Frontages

Planning Board unanimously recommended approval of the request as submitted, finding it consistent with locally adopted plans.

VI. ADMINISTRATIVE AMENDMENT – 310 through 326 Sadie Drive, Townhome Elevation Minor Changes

Planning Board unanimously granted the request as it was consistent with locally adopted plans.

Agenda Item: Decision on 2015-631 PetSuites

DATE: October 7, 2015

FROM: Jay Camp

Background/Issue:

- Staff has worked to correct outstanding issues since the continuation of the Public Hearing and only has a few minor concerns. The reference to a lease agreement for the encroaching parking spaces should be clarified such that it shall remain in effect until such time that the adjacent buildings cease to exist. Also, we are still awaiting final confirmation that the PCO Concept Plan has been approved.
- Planning Board suggested the addition of brick columns to the white privacy fence. The applicant has added this feature to the plans.
- The portion of the property to remain B-H is now clearly delineated on the plans as depicted by the proposed new lot line with the adjacent feed store.

Proposal/Solution:

- Planning Board recommended approval of the rezoning by a vote of 7-0. Staff considers this an appropriate use in this location and recommends approval of the request.

Financial Impact:

None

Related Town Goal(s) and/or Strategies:

Quality of Life

Economic Development/Land Use Planning

Recommended Motion/Action:

Approve Rezoning Request 2015-631 to rezone a portion of parcel 21510103 from B-H to B-D (CD).



DATE FILED	<u>5-27-15</u>
APPLICATION NUMBER	<u>2015-631</u>
<i>For office use only</i>	

**APPLICATION FOR CHANGE IN ZONING CLASSIFICATION
OR CHANGE IN CONDITIONS
(SEE FILING INSTRUCTIONS)**

TO: Town of Matthews Board of Commissioners
Town of Matthews Planning Board
232 Matthews Station Street
Matthews, North Carolina 28105-6713

Ladies and Gentlemen:

Your consideration of this petition is requested for:

- A change in zoning classification of the property hereinafter described; or
- A change in conditions to an existing conditional zoning plan.

Tax parcel number(s): 21510103

Address of property: 11325 Independence Blvd, Matthews, NC 28105

Location of property:

Title to the property was acquired on 03/03/2014
and was recorded in the name of Armors, Inc
whose mailing address is 11617 Elizabeth Madison Ct, Charlotte, NC 28277

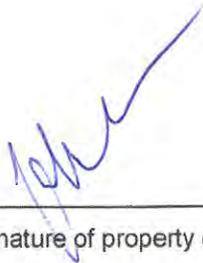
The deed is recorded in Book 29028 and Page 966 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: B-H Requested zoning classification: B-D (CD)

Application number
2015-631
For office use only

List reason(s) why zoning should be changed (use separate sheet if necessary):

We are requesting this zoning change to allow our use of Commercial Kennel. There is other similarly zoned property in the area, and our use would be a benefit to the community.



Signature of property owner (must be original)

ARMORS INC.

Print name of property owner
Armors Inc.

Property owner's mailing address
11617 Elizabeth Madison Ct

Property owner's mailing address, continued
Charlotte, NC 28277

Property owner's mailing address, continued

Property owner's phone number/email address

Signature of agent (if any)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Signature of property owner (must be original)

Print name of property owner

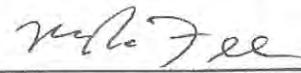
Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

Petitioner other than owner (if any)



Print name of petitioner
Mark Fee

Petitioner's mailing address
5050 E. Galbraith Rd., Ste B

Petitioner's mailing address, continued
Cincinnati, OH 45236

Petitioner's mailing address, continued

513-248-8350 mfee@cooper-co.com

Petitioner's phone number/email address

Application number
2015-631
For office use only

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.
See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

21510119

TAX PARCEL

Sunny Side Up Realty

PROPERTY OWNER NAME(S)

1628 Matthews-Mint Hill Rd

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

21510115

TAX PARCEL

OHM Parmatma LLC

PROPERTY OWNER NAME(S)

1938 Moore Rd

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

21510120

TAX PARCEL

Poulos Enterprises

PROPERTY OWNER NAME(S)

3900 Wesley Chapel Rd

OWNER MAILING ADDRESS

Matthews, NC 28015

OWNER MAILING ADDRESS, CONTINUED

21510118

TAX PARCEL

Tommy & Doris Williams (???)

PROPERTY OWNER NAME(S)

1900 Moore Rd

OWNER MAILING ADDRESS

Matthews, NC 28015

OWNER MAILING ADDRESS, CONTINUED

21510102, 21510114 & 21510116

TAX PARCEL

Bill & Mary Gallis

PROPERTY OWNER NAME(S)

4417 Waxhaw Indian Trail Rd

OWNER MAILING ADDRESS

Indian Trail, NC 28079

OWNER MAILING ADDRESS, CONTINUED

21510205

TAX PARCEL

BRK Matthews LP c/o Starwood Capital Group

PROPERTY OWNER NAME(S)

591 West Putnam Ave

OWNER MAILING ADDRESS

Greenwich, CT 06830

OWNER MAILING ADDRESS, CONTINUED

21510112

TAX PARCEL

Salmon Investments LLC

PROPERTY OWNER NAME(S)

PO Box 18434

OWNER MAILING ADDRESS

Charlotte, NC 28218

OWNER MAILING ADDRESS, CONTINUED

21510113

TAX PARCEL

Poulos Enterprises

PROPERTY OWNER NAME(S)

201 Rue De Jean #200

OWNER MAILING ADDRESS

Lafayette, LA 70808

OWNER MAILING ADDRESS, CONTINUED

Application number
2015-631
For office use only

SUMMARY OF THE REZONING PROCESS

PETITIONER: Fill in dates for each action below before filing application. Refer to the current Planning Department rezoning schedule for correct dates.

PROPERTY OWNERS: These dates are assumed to be correct at the time of zoning application submittal but are subject to revision. Contact the Planning Department (704-847-4411 or email blynd@matthewsnc.gov) for verification.

Application submitted to and accepted by the Town of Matthews 05/27/2015

Town Board of Commissioners formally accepts application and sets Public Hearing date 06/08/2015

Notices sent via mail to affected/adjacent property owners on or before 07/27/2015

Protest petition filed with Planning Department by 5:00 pm on 08/05/2015

Public hearing: petitioner may give explanation of why s/he wishes to have property rezoned and neighboring owners may ask questions and voice opinions on the proposed zoning 08/10/2015

Town Planning Board reviews petition, information, and comments from the public hearing, then makes a recommendation to the Board of Commissioners on whether to approve or deny the request 08/25/2015

Town Board of Commissioners approves or denies application 09/14/2015

GENERAL STATUTE 160A-385: CHANGES.

- (a) Zoning ordinances may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a qualified protest against a zoning map amendment, that amendment shall not become effective except by favorable vote of three-fourths of all the members of the city council. For the purposes of this subsection, vacant positions on the council and members who are excused from voting shall not be considered "members of the council" for calculation of the requisite supermajority. To qualify as a protest under this section, the petition must be signed by the owners of either (i) twenty percent (20%) or more of the area included in the proposed change or (ii) five percent (5%) of a 100-foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right of way shall not be considered in computing the 100-foot buffer area as long as that street right of way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100-foot buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine the "owners" of potentially qualifying areas. The foregoing provisions concerning protests shall not be applicable to any amendment which initially zones property added to the territorial coverage of the ordinance as a result of annexation or otherwise, or to an amendment to an adopted (i) special use district, (ii) conditional use district, or (iii) conditional district if the amendment does not change the types of uses that are permitted within the district or increase the approved density for residential development, or increase the total approved size of nonresidential development, or reduce the size of any buffers or screening approved for the special use district, conditional use district, or conditional district.
- (b) Amendments in zoning ordinances shall not be applicable or enforceable without consent of the owner with regard to buildings and uses for which either (i) building permits have been issued pursuant to GS 160A-417 prior to the enactment of the ordinance making the change or changes so long as the permits remain valid and unexpired pursuant to GS 160A-418 and unrevoked pursuant to GS 160A-422 or (ii) a vested right has been established pursuant to GS 160A-385.1 and such vested right remains valid and unexpired pursuant to GS 160A-385.1



SITE

Oakhaven Dr
2900-2999

Oakhaven Dr
2900-2999

1910-1935

3000-3055

Mathews-Mint-Hill Rd
1700-1811

1546-1699

1500-1545

1500-1545

1800-1899

E Independence Bv
11200-11523

71

1700-1703

Chambers-Dr
1710-1799

Moore Rd
1800-2015

E Independence Bv
11200-11523

2400-2899

2015-2099

Royal Commons Ln
2400-2899

11200-11523

71

E Independence Bv

Moore Rd

2100-2199



The Myers Y. Cooper Company

REAL ESTATE INVESTMENT DEVELOPERS | SINCE 1895

May 26th, 2015

Town of Matthews Planning Board
232 Matthews Station Street
Matthews, NC 28105

Re: Traffic Study Waiver Request

Dear Planning Board:

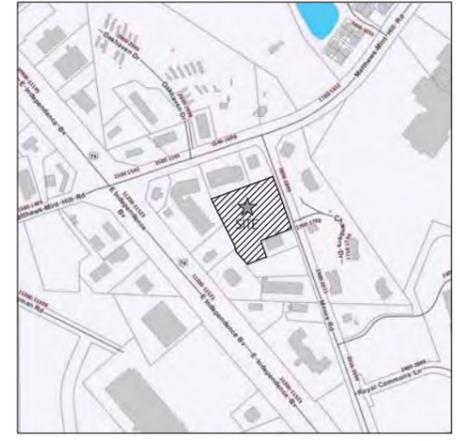
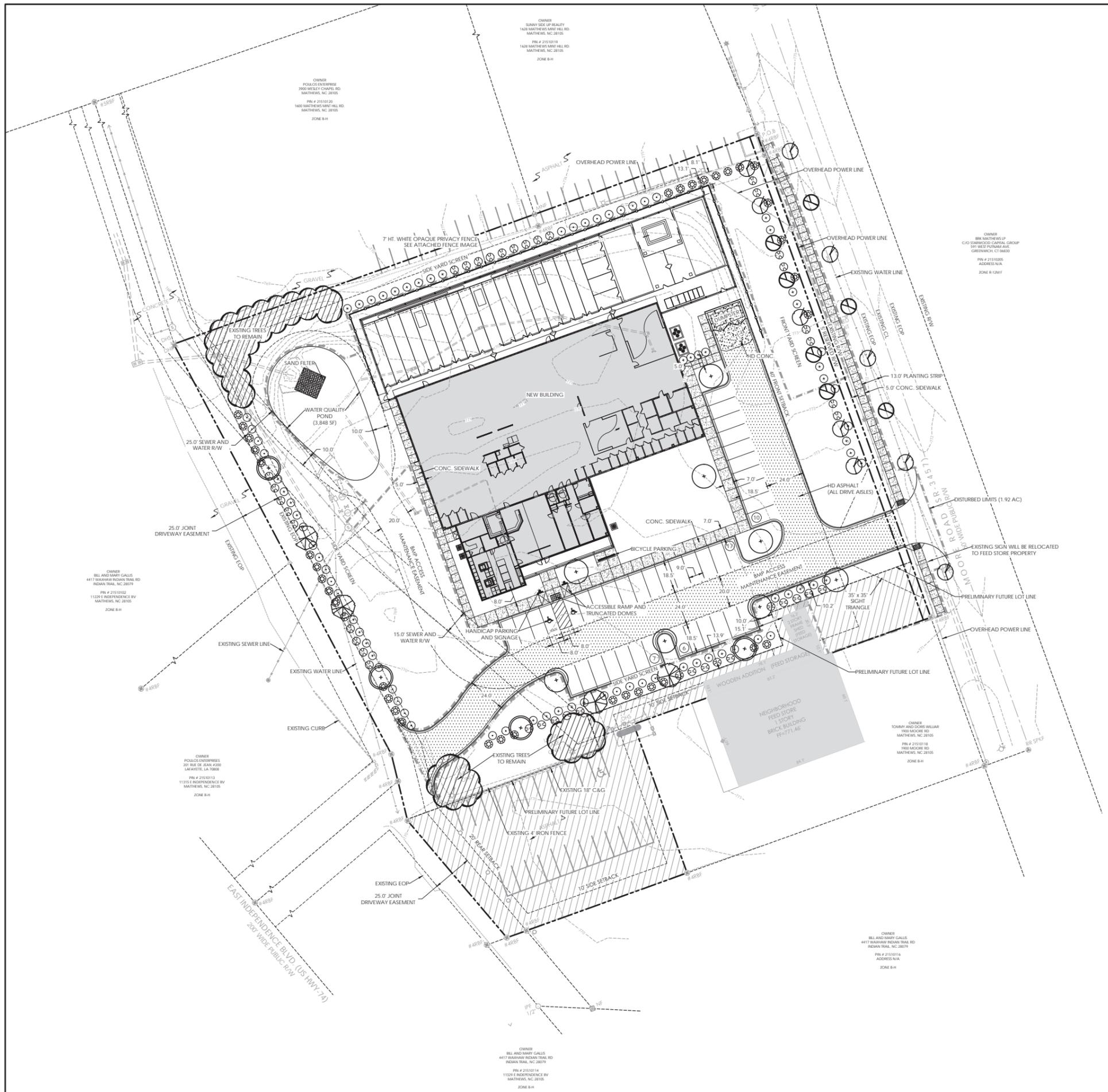
As part of our rezoning application for the parcel located at 11352 Independence Blvd, Matthews, NC 28105 (tax parcel number 21510103), we are requesting a waiver for the required Traffic Study. Section 9 of the application instructions states that a traffic study is required for sites covering more than 2 acres, and this site is approximately 3 acres. However, due to our use as a Commercial Kennel, our traffic counts are very modest.

We studied five existing facilities, each having been open at least one year with stabilized business, and found that, on average, we generate 81.5 trips per day at our locations. This figure is based on two trips per pet boarded, including "doggie day care" plus walk-in pet grooming and the average number of employees per day. A more detailed breakdown of the data and calculation can be provided if needed.

Sincerely,
The Myers Y. Cooper Company

Mark D. Fee
Development Manager

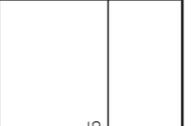




SITE DEVELOPMENT DATA	
SITE ACREAGE:	134,116.27 SF (3.08 AC)
SITE TAX PARCEL:	21510103 (11325 E INDEPENDENCE BV., MATTHEWS, NC 28105)
ZONING:	B-H (EXISTING) B-D (CD) (PROPOSED)
USE:	ANIMAL KENNEL
EXISTING BUILDING SIZE:	N/A
PROPOSED BUILDING SIZE:	19,777 SF
MAX. BUILDING HEIGHT:	40'
PARKING SPACES REQUIRED:	1 SPACE/500 GSF = 19,777/500 = 40 SPACES
PARKING SPACES PROVIDED:	40 SPACES
HANDICAP SPACES:	2 SPACES (1 VAN)
BICYCLE PARKING:	2 SPACES OR 10% OF AUTO PARKING = 4 SPACES
LOADING SPACES:	NOT REQUIRED (LESS THAN 50,000 SF)
LOT AREA:	135,263.5 (3.10 AC)
MIN. FRONT SETBACK:	40'
MIN. SIDE SETBACK:	10'
MIN. REAR SETBACK:	20'
FEMA MAP NUMBER:	3710459000K
FEMA EFFECTIVE DATE:	FEBRUARY 12, 2014
CONTACT:	HENSONFOLEY (JAY HENSON) 704-875-1615

HensonFoley
Landscape Architecture | Civil Engineering | Surveying
8712 Lindholm Dr Suite 202A, Huntersville, NC 28078
P: 704.875.1615 | www.hensonfoley.com
NC ENGINEERING BOARD LICENSE # C081
NC LANDSCAPE ARCHITECTURE BOARD LICENSE # 1505

NORTH ARROW
GRAPHIC SCALE 1"=30' FT.



GENERAL/CONDITIONAL REZONING NOTES

GENERAL PROVISIONS/PERMITTED USE

- The purpose of this rezoning is to allow for the use of indoor and outdoor pet services and uses permitted by right and within prescribed conditions in the B-D (CD) zoning district.
- The rezoning plan is conceptual in nature and may have minor changes as allowed per the Zoning Ordinance.
- The intended use is an indoor and outdoor pet services business.
- Outdoor animal play areas will be screened with 7' high opaque privacy fence
- Animals will only be allowed outside between the hours of 6:30am and 8:00pm.

TRANSPORTATION

- Primary Site access will be off of Moore Road and secondary access will be from an existing shared driveway off of E Independence BV.
- HWY 74 access may be eliminated in the future.

ARCHITECTURAL STANDARDS

- See Architectural Building Elevations for design and materials.

TREESCAPES, LANDSCAPES, AND SCREENING

- A 5' sidewalk and a 13' planting strip, to accommodate road widening improvements, along Moore Road as shown on the rezoning plan.
- 20' screen along Moore Road = 4 trees and 10 shrubs per 100 LF
- Small maturing trees to be planted 35' on center along Moore Road to accommodate for the existing overhead power lines.
- Parking lot planting = 1 tree per 10 parking spaces = 4 trees
5.1. All parking spaces within 40' of tree
- 15' rear and side screening = 1 tree and 10 shrubs per 50 LF
- See attached image of 7' ht. white opaque privacy fence.

ENVIRONMENTAL FEATURES

- Detention pond with sand filter. Stormwater management will conform to standards within the Ordinance.

LIGHTING

- Light will conform to ordinance.

OTHER

- Trash pickup to be between 7:00am and 6:00pm. A trash dumpster will be provided as shown on rezoning plan.

PETSUITES MATTHEWS
PIN # 21510103
11325 E INDEPENDENCE BV., MATTHEWS, NC 28105
REZONING PLAN

REVISIONS:

CALL UBOCO BEFORE YOU DIG
1-800-632-4949
AVOID UTILITY DAMAGE

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE AGENCIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.



South Elevation
1/8" = 1'-0"



North Elevation
1/8" = 1'-0"

PetSuites of America

Matthews, NC

Materials Legend

- | | | | |
|---|---|----|---|
| 1 | PSoA Weathervane | 7 | Alum. column wrap (white) |
| 2 | Cupola (white) w/ standing-seam metal roof (green) & vinyl-clad windows (white) | 8 | Concealed fastener metal building panel (white), typ. |
| 3 | Alum. eave trim | 9 | 7' vinyl privacy fence (white) |
| 4 | Standing-seam metal roof (Classic Green, MBCI, Signature 300) | 10 | Skylight |
| 5 | Vinyl-clad windows (white) | 11 | Brick veneer |
| 6 | Solid Core vinyl shutters (dk hunter green) | 12 | CMU |

GENERAL FINISH NOTES: CURRENT

- ALL FINAL COLOR SELECTIONS TO BE FROM MANUFACTURERS' STANDARD COLORS.
- ALL ROOF PENETRATIONS AND ROOF MOUNTED EQUIPMENT TO BE PAINTED TO MATCH ROOF COLOR.

TILSLEY
AND ASSOCIATES
ARCHITECTS

TELEPHONE 513.651.4300 FACSIMILE 513.651.1768
1140 SAINT GREGORY ST. CINCINNATI, OHIO 45202
WWW.TILSLEYARCHITECTS.COM
COPYRIGHT 2014 TILSLEY & ASSOCIATES ARCHITECTS, INC.



East Elevation
1/8" = 1'-0"



West Elevation
1/8" = 1'-0"

PetSuites of America

Matthews, NC

Materials Legend

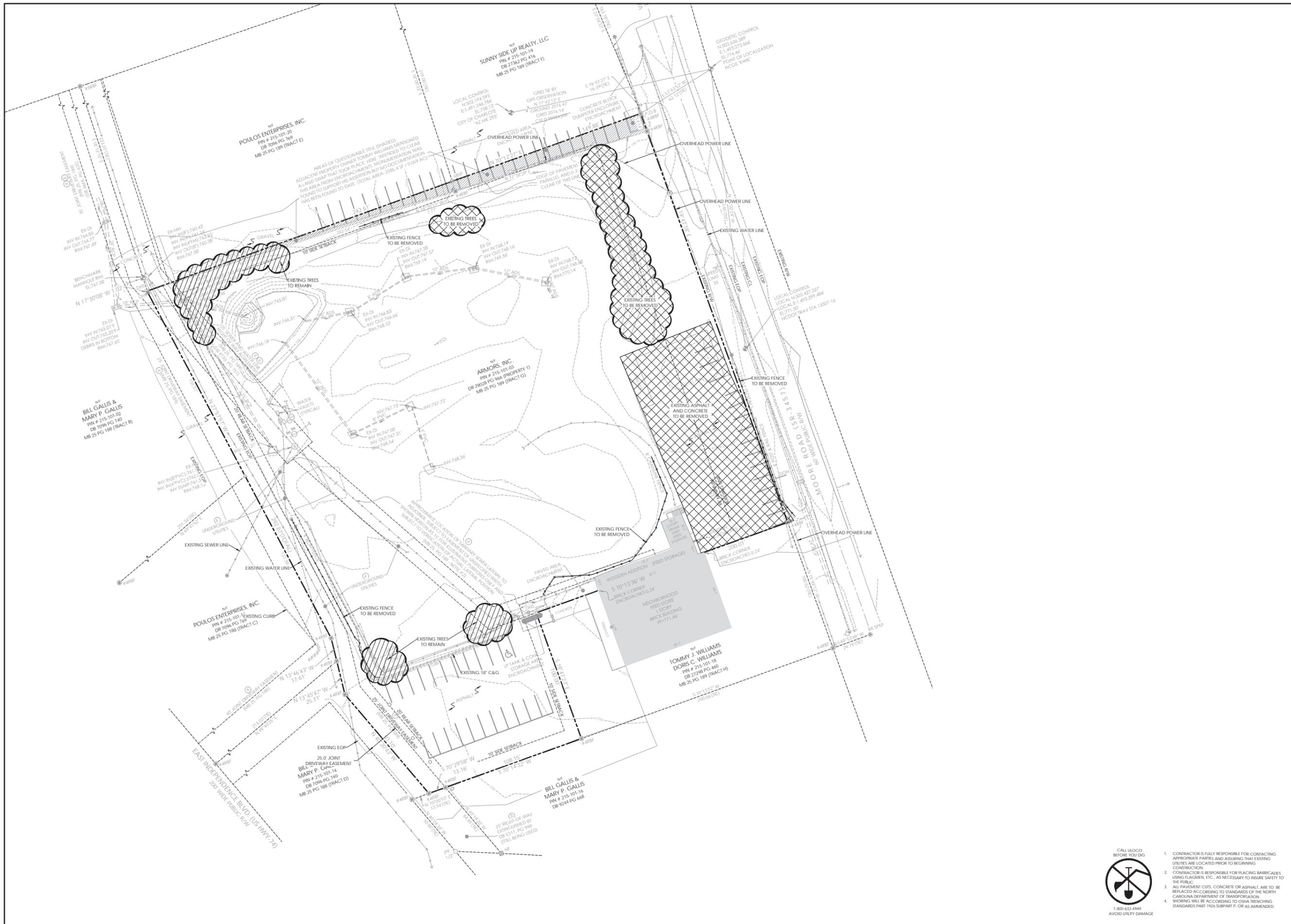
- | | | | |
|---|---|----|---|
| 1 | PSoA Weathervane | 7 | Alum. column wrap (white) |
| 2 | Cupola (white) w/ standing-seam metal roof (green) & vinyl-clad windows (white) | 8 | Concealed fastener metal building panel (white), typ. |
| 3 | Alum. eave trim | 9 | 7' vinyl privacy fence (white) |
| 4 | Standing-seam metal roof (Classic Green, MBCI, Signature 300) | 10 | Skylight |
| 5 | Vinyl-clad windows (white) | 11 | Brick veneer |
| 6 | Solid Core vinyl shutters (dk hunter green) | 12 | CMU |

GENERAL FINISH NOTES:

1. ALL FINAL COLOR SELECTIONS TO BE FROM MANUFACTURERS' STANDARD COLORS.
2. ALL ROOF PENETRATIONS AND ROOF MOUNTED EQUIPMENT TO BE PAINTED TO MATCH ROOF COLOR.

TILSLEY
AND ASSOCIATES
ARCHITECTS

TELEPHONE 513.651.4300 FACSIMILE 513.651.1768
1140 SAINT GREGORY ST. CINCINNATI, OHIO 45202
WWW.TILSLEYARCHITECTS.COM
COPYRIGHT 2014 TILSLEY & ASSOCIATES ARCHITECTS, INC.



HensonFoley
 Surveying
 Landscape Architecture | Civil Engineering | Surveying
 8712 Lindholm Dr Suite 202A, Huntersville, NC 28078
 p: 704.875.1615 | f: 704.875.0959 | www.hensonfoley.com
 NC ENGINEERING BOARD LICENSE # C-0781
 NC LAND SURVEYING BOARD LICENSE # 1505

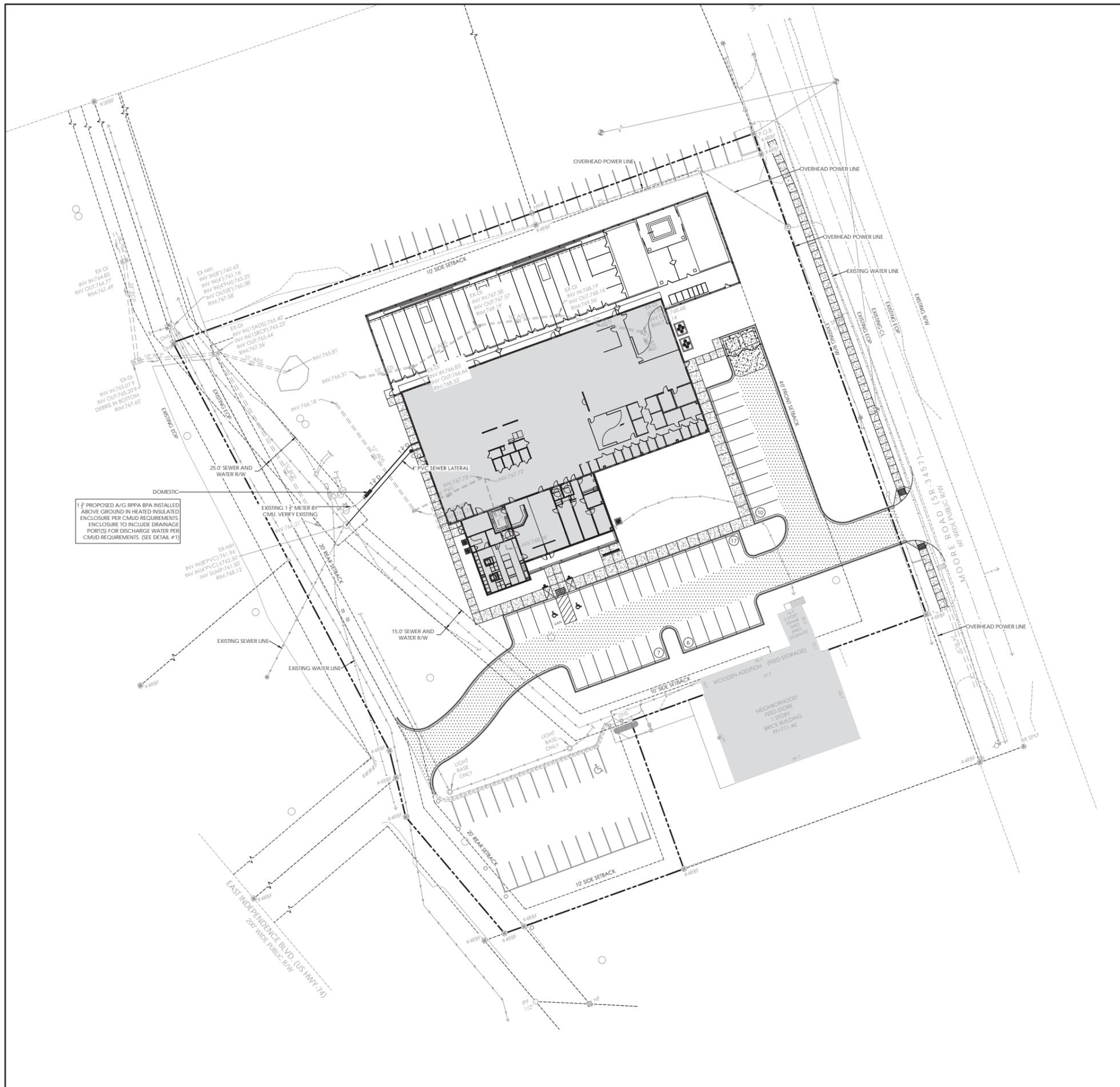
N
 W
 E
 S
 NORTH ARROW
 GRAPHIC SCALE 1"=30' FT

PETSUITES MATTHEWS
 PIN # 21510103
 11325 E INDEPENDENCE BV., MATTHEWS, NC 28105
EXISTING CONDITIONS & DEMO PLAN

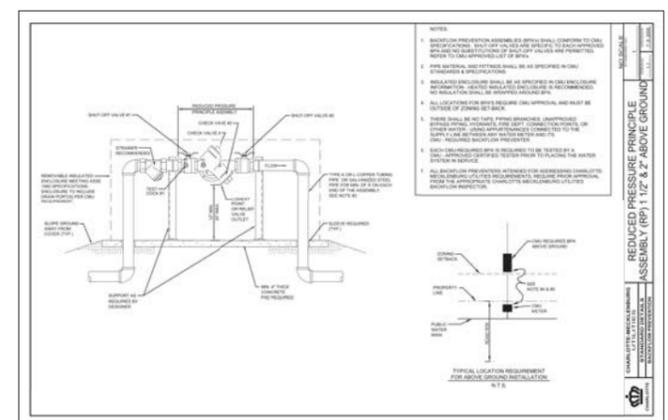
REVISIONS:

FILE NAME: C02 - EX CONDITIONS_DEMO.DWG
 PROJECT NUMBER: 215088
 DATE: 07/29/2015 DRAWN BY: JAH
 SHEET **C01** OF **03**

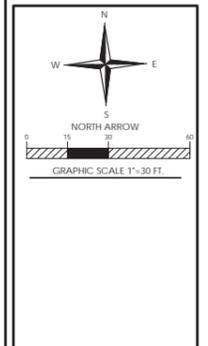
- CALL UROCO BEFORE YOU DIG
- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE AGENCIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
 - CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
 - ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
 - SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.
- 1-800-632-4949
 AVOID UTILITY DAMAGE



- GENERAL SITE UTILITY NOTES:**
1. ALL PIPE LENGTHS ARE HORIZONTAL DISTANCE AND ARE APPROXIMATE.
 2. CONTRACTOR SHALL PROVIDE ALL THE MATERIALS AND APPURTENANCES NECESSARY FOR THE COMPLETE INSTALLATION OF THE UTILITIES. ALL PIPES AND FITTINGS SHALL BE INSPECTED BY THE BUILDING INSPECTOR PRIOR TO BEING COVERED.
 3. ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES, REGULATIONS, AND/OR LOCAL STANDARDS IMPOSED BY LOCAL UTILITY.
 4. ALL WATER LINES SHALL HAVE A MINIMUM COVER OF 36" ABOVE TOP OF PIPE.
 5. CONTRACTOR SHALL ADJUST LOCATION OF PROPOSED WATER LINES AS REQUIRED TO AVOID CONFLICTS WITH STORM SEWER OR OTHER UTILITIES.
 6. CLEANOUTS ARE TO BE SPACED FOR A MAXIMUM OF 75 FEET ON 4" LINES AND 100 FEET ON 6" LINES.
 7. LOCATION, SIZE AND INVERT ELEVATIONS OF SANITARY SEWER SHALL BE COORDINATED WITH THE APPROVED PLUMBING PLANS FOR THE BUILDING.
 8. THRUST BLOCKS ARE REQUIRED AT EACH FIRE HYDRANT, TEE, BLOWOFF, AND ELBOW.
 9. GENERAL CONTRACTOR SHALL INSTALL UTILITIES TO WITHIN 5' OF BUILDING. PLUMBING CONTRACTOR SHALL BE RESPONSIBLE FOR UTILITIES IN THE BUILDING AND WITHIN 5' OF THE BUILDING.
 10. INSTALLATION AND REPAIR OF UNDERGROUND ELECTRICAL, GAS AND TELEPHONE UTILITIES AND DISTURBED AREAS SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR OR APPLICABLE UTILITY COMPANY. THE DISTURBED AREAS BENEATH EXISTING ASPHALT SHALL BE RE-COMPACTED TO THE REQUIRED SPECIFICATIONS, AND THE STONE BASE AND ASPHALT BE RETURNED TO ITS ORIGINAL CONDITION.
 11. THE GENERAL CONTRACTOR SHALL COORDINATE ALL NEW UTILITY TAP LOCATIONS WITH THE UTILITY DEPARTMENT. FEES SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
 12. THERE SHALL BE NO TAPS, PIPING BRANCHES, UNAPPROVED BYPASS PIPING, HYDRANTS, FIRE DEPT. CONNECTION POINTS, OR OTHER WATER-USING APPURTENANCES CONNECTED TO THE SUPPLY LINE BETWEEN ANY WATER METER AND ITS REQUIRED BACKFLOW PREVENTER.
 13. EACH REQUIRED BACKFLOW PREVENTION ASSEMBLY IS REQUIRED TO BE TESTED BY A APPROVED CERTIFIED TESTER PRIOR TO PLACING THE WATER SYSTEM IN SERVICE.



HensonFoley
Landscape Architecture | Civil Engineering | Surveying
8712 Lindholm Dr Suite 202A, Huntersville, NC 28078
P: 704.875.1615 | F: 704.875.0959 | www.hensonfoley.com
NC ENGINEERING BOARD LICENSE # C0781
NC LANDSCAPE ARCHITECTURE BOARD LICENSE # 14599

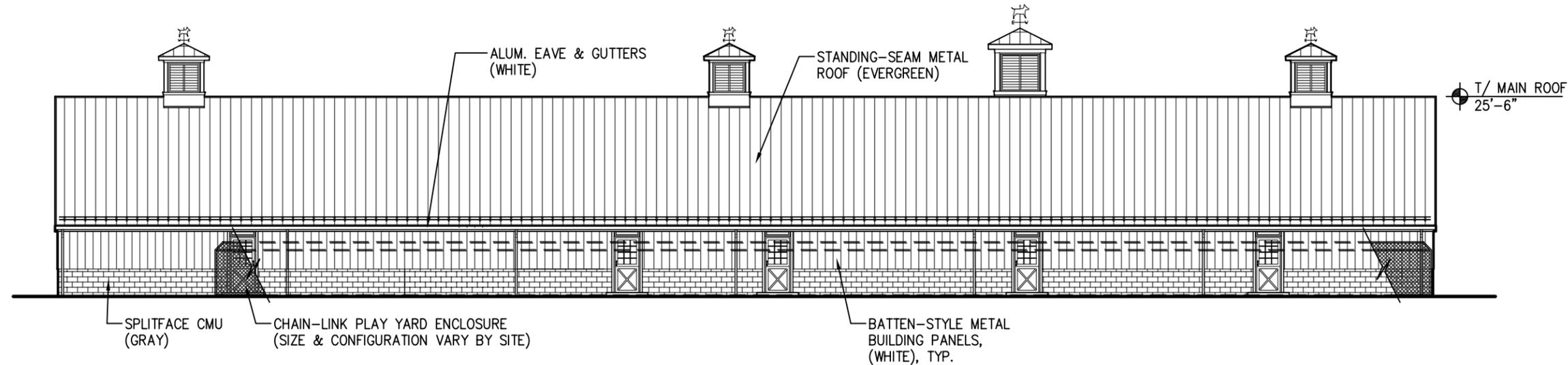


PETSUITES MATTHEWS
PIN # 21510103
11325 E INDEPENDENCE BV., MATTHEWS, NC 28105
UTILITY PLAN

REVISIONS:

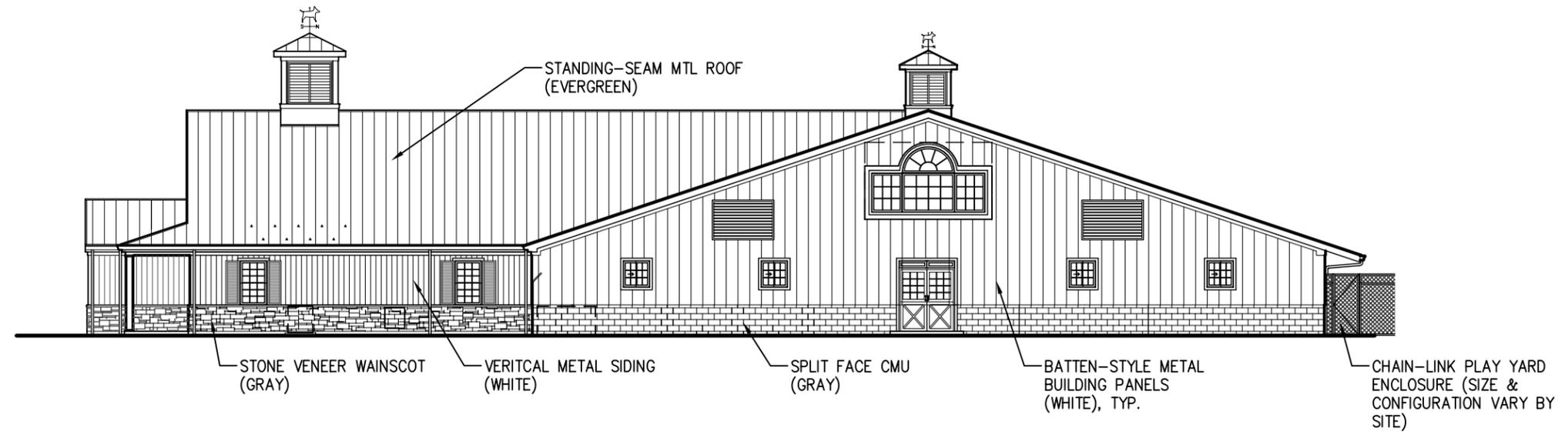
- CALL ULOCOD BEFORE YOU DIG
-
1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
 2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
 3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
 4. SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.

FILE NAME: CD4 - UTILITY.DWG
PROJECT NUMBER: 215088
DATE: 07/29/2015 DRAWN BY: JAH
SHEET **C03** OF **03**



REAR ELEVATION

1/16" = 1'-0" 0 8 16 32



RIGHT ELEVATION

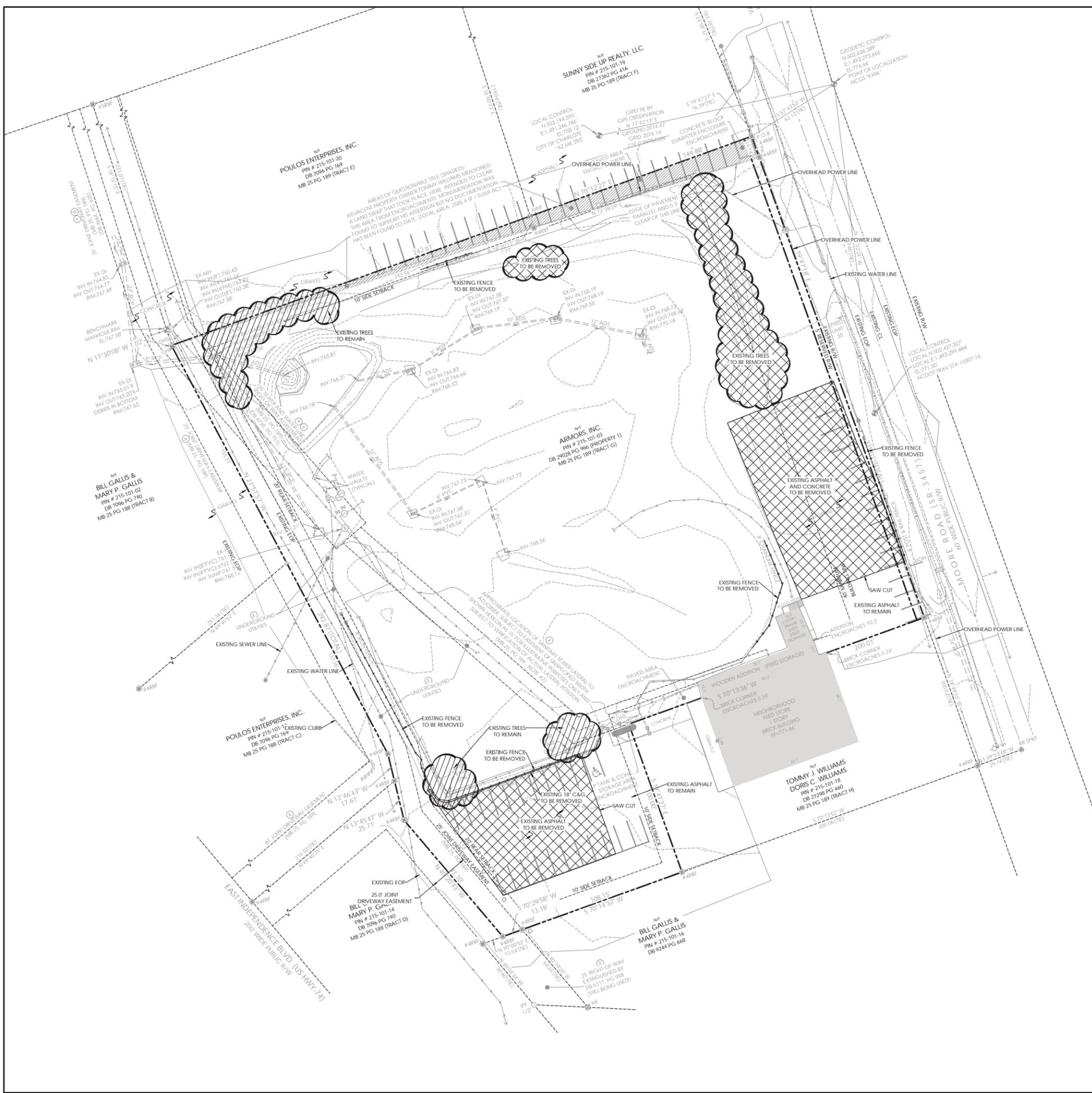
1/16" = 1'-0" 0 8 16 32

SEAL

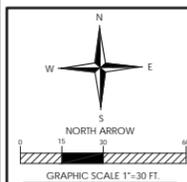
NO.	ISSUE DESCRIPTION	DATE
	TRANSMIT	04-27-12

Sheet Title
PROTOTYPE - T
EXTERIOR ELEVATIONS
Issued For Permit Date
Scale _____ Drawn By _____
00000 PS0A PROTO-I

This is a proprietary design of TILSLEY & ASSOCIATES ARCHITECTS, INC. The design data and information relating thereto is not to be used, disseminated, or reproduced in whole or in part without the written consent of TILSLEY & ASSOCIATES ARCHITECTS, INC.



HensonFoley
 Surveying
 Landscape Architecture | Civil Engineering | 202A, Huntersville, NC 28078
 8712 Lindholm Dr, Suite 202A, Huntersville, NC 28078
 p: 704.875.1615 | f: 704.875.0959 | www.hensonfoley.com
 NC ENGINEERING BOARD LICENSE # C-2378
 NC LANDSCAPE ARCHITECTURE BOARD LICENSE # C-3899
 NC LAND SURVEYING BOARD LICENSE # 17198



PETSUITES MATTHEWS
 PIN # 21510103
 11325 E INDEPENDENCE BV., MATTHEWS, NC 28105
EXISTING CONDITIONS & DEMO PLAN

REVISIONS:

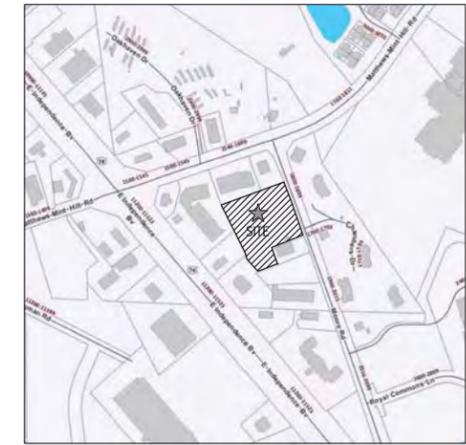
FILE NAME: C02 - EX CONDITIONS DEMO DWG
 PROJECT NUMBER: 215058
 DATE: 09/28/2015 DRAWN BY: JAH
 SHEET C01 OF 03



- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.

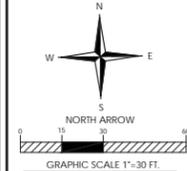
CURRENT

2015-631
10/2/2015



VICINITY MAP
SCALE: N.T.S.

SITE DEVELOPMENT DATA	
SITE ACREAGE:	134,116.27 SF (3.08 AC)
SITE TAX PARCEL:	21510103 (11325 E INDEPENDENCE BV., MATHEWS, NC 28105)
ZONING:	B-H (EXISTING) B-D (CD) (PROPOSED)
USE:	ANIMAL KENNEL
EXISTING BUILDING SIZE:	N/A
PROPOSED BUILDING SIZE:	19,777 SF
MAX. BUILDING HEIGHT:	40'
PARKING SPACES REQUIRED:	1 SPACE/500 GSF = 19,777/500 = 40 SPACES
PARKING SPACES PROVIDED:	40 SPACES
HANDICAP SPACES:	2 SPACES (1 VAN)
BICYCLE PARKING:	2 SPACES OR 10% OF AUTO PARKING = 4 SPACES
LOADING SPACES:	NOT REQUIRED (LESS THAN 50,000 SF)
LOT AREA:	135,263.5 (3.10 AC)
MIN. FRONT SETBACK:	40'
MIN. SIDE SETBACK:	10'
MIN. REAR SETBACK:	20'
FEMA MAP NUMBER:	3710459000K
FEMA EFFECTIVE DATE:	FEBRUARY 12, 2014
CONTACT:	HENSONFOLEY (JAY HENSON) 704-875-1615



GENERAL/CONDITIONAL REZONING NOTES

GENERAL NOTES

- The proposed new lot line adjacent to southern parcel #21510118 will be created within 90 days after completion of the zoning action.
- The southern portion of the property to be sold to owner of parcel #21510118 is to remain B-H zoned.
- Encroachment along northern property line will be addressed through a lease or licence agreement with the property owner.

GENERAL PROVISIONS/PERMITTED USE

- The purpose of this rezoning is to allow for the use of indoor and outdoor pet services and uses permitted by right and within prescribed conditions in the B-D (CD) zoning district.
- The rezoning plan is conceptual in nature and may have minor changes as allowed per the Zoning Ordinance.
- The intended use is an indoor and outdoor pet services business.
- Outdoor animal play areas will be screened with 7' high opaque privacy fence
- Animals will only be allowed outside between the hours of 6:30am and 8:00pm.

TRANSPORTATION

- Primary Site access will be off of Moore Road and secondary access will be from an existing shared driveway off of E Independence BV.
- HWY 74 access may be eliminated in the future.

ARCHITECTURAL STANDARDS

- See Architectural Building Elevations for design and materials.

TREESCAPES, LANDSCAPES, AND SCREENING

- A 5' sidewalk and a 8' planting strip along Moore Road as shown on the rezoning plan.
- 20' screen along Moore Road = 4 trees and 10 shrubs per 100 LF
- Small maturing trees to be planted 35' on center along Moore Road to accommodate for the existing overhead power lines.
- Parking lot planting = 1 tree per 10 parking spaces = 4 trees
 - All parking spaces within 40' of tree
- 15' rear and side screening = 1 tree and 10 shrubs per 50 LF
- See attached image of 7' ht. white opaque privacy fence.

ENVIRONMENTAL FEATURES

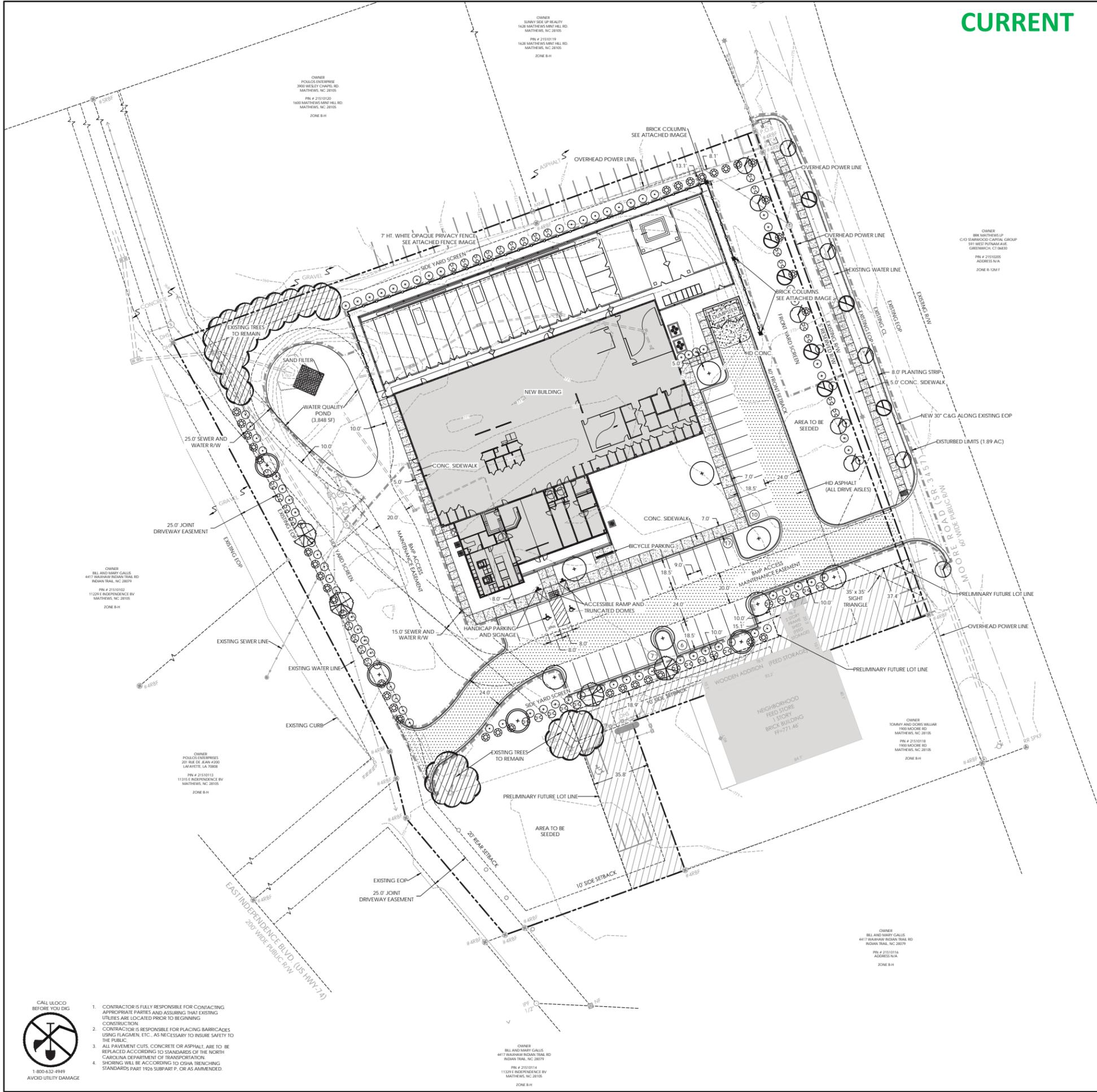
- Detention pond with sand filter. Stormwater management will conform to standards within the Ordinance.

LIGHTING

- Light will conform to ordinance.

OTHER

- Trash pickup to be between 7:00am and 6:00pm. A trash dumpster will be provided as shown on rezoning plan.



- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART F, OR AS AMENDED.



PETSUITES MATHEWS
PIN # 21510103
11325 E INDEPENDENCE BV., MATHEWS, NC 28105
REZONING PLAN

REVISIONS:

FILE NAME:	C03 - REZONING DWG
PROJECT NUMBER:	215058
DATE:	09/28/2015
DRAWN BY:	JAH
SHEET	C02 OF 03

BUILDING RENDERINGS



South Elevation



North Elevation

BUILDING RENDERINGS



East Elevation



West Elevation



South Elevation
1/8" = 1'-0"



North Elevation
1/8" = 1'-0"

Materials Legend

- | | | | |
|---|---|----|---|
| 1 | PSoA Weathervane | 7 | Alum. column wrap (white) |
| 2 | Cupola (white) w/ standing-seam metal roof (green) & vinyl-clad windows (white) | 8 | Concealed fastener metal building panel (white), typ. |
| 3 | Alum. eave trim | 9 | 7' vinyl privacy fence (white) |
| 4 | Standing-seam metal roof (Classic Green, MBCI, Signature 300) | 10 | Skylight |
| 5 | Vinyl-clad windows (white) | 11 | Brick veneer |
| 6 | Solid Core vinyl shutters (dk hunter green) | 12 | CMU |

- GENERAL FINISH NOTES:**
1. ALL FINAL COLOR SELECTIONS TO BE FROM MANUFACTURERS' STANDARD COLORS.
 2. ALL ROOF PENETRATIONS AND ROOF MOUNTED EQUIPMENT TO BE PAINTED TO MATCH ROOF COLOR.

PetSuites of America
Matthews, NC

TILSLEY
AND ASSOCIATES
ARCHITECTS

TELEPHONE 513.651.4300 FACSIMILE 513.651.1768
1140 SAINT GREGORY ST. CINCINNATI, OHIO 45202
WWW.TILSLEYARCHITECTS.COM
COPYRIGHT 2014 TILSLEY & ASSOCIATES ARCHITECTS, INC.



East Elevation
1/8" = 1'-0"



West Elevation
1/8" = 1'-0"

PetSuites of America

Matthews, NC

Materials Legend

- | | | | |
|---|---|----|---|
| 1 | PSoA Weathervane | 7 | Alum. column wrap (white) |
| 2 | Cupola (white) w/ standing-seam metal roof (green) & vinyl-clad windows (white) | 8 | Concealed fastener metal building panel (white), typ. |
| 3 | Alum. eave trim | 9 | 7' vinyl privacy fence (white) |
| 4 | Standing-seam metal roof (Classic Green, MBCI, Signature 300) | 10 | Skylight |
| 5 | Vinyl-clad windows (white) | 11 | Brick veneer |
| 6 | Solid Core vinyl shutters (dk hunter green) | 12 | CMU |

- GENERAL FINISH NOTES:**
1. ALL FINAL COLOR SELECTIONS TO BE FROM MANUFACTURERS' STANDARD COLORS.
 2. ALL ROOF PENETRATIONS AND ROOF MOUNTED EQUIPMENT TO BE PAINTED TO MATCH ROOF COLOR.

TILSLEY
AND ASSOCIATES
ARCHITECTS

TELEPHONE 513.651.4300 FACSIMILE 513.651.1768
1140 SAINT GREGORY ST. CINCINNATI, OHIO 45202
WWW.TILSLEYARCHITECTS.COM
COPYRIGHT 2014 TILSLEY & ASSOCIATES ARCHITECTS, INC.

PRIVACY FENCE



BRICK COLUMNS IN PRIVACY FENCE



Town of Matthews
Neighborhood Informational Meeting Report
Petitioner: The Myers Y. Cooper Company
Zoning Application #2015-631

This Neighborhood Informational Meeting report is being filed with the Town of Matthews Town Planning Office pursuant to the rezoning instructions item number 12.

The petitioner mailed a written notice of the date, time, and location of the Neighborhood Meeting to the individuals and organizations set out on Exhibit A attached hereto by depositing such notice in the U.S. Mail on July 8th, 2015. A copy of the written notice is attached hereto as Exhibit B.

The Neighborhood Meeting was held on Tuesday, July 21st at 6:00pm at the Courtyard by Marriott located at 11425 East Independence Blvd, Matthews, NC, 28105.

The Neighborhood Meeting was only attended by two Individuals; Mr. Tommy Williams of the Neighborhood Feed Store and his business associate Mr. Richard Taylor of Richard Taylor's Tree Service. The Petitioner was represented at the Community Meeting by Mark Fee of The Myers Y. Cooper Company and Ken Mai, the President of PetSuites of America, Inc.

Given that Mr. Fee had spoken with Mr. Williams about the project on multiple occasions prior to this Neighborhood Meeting, the presentation was short. Mr. Williams expressed his support for our rezoning petition and our proposed use, and he said that his only reason for attending the meeting was to show his support in case someone else objected. Both Mr. Williams and Mr. Taylor felt that PetSuites will be a quality neighbor that will add a needed service to the Town of Matthews. Since no one else attended the meeting, we talked at length about how the customers of the Neighborhood Feed Store will also be our customers. We concluded the meeting at 6:45, but Mr. Fee waited in the hotel lobby until after 7:00 pm to ensure that no one came to the meeting late.

On Wednesday, July 22nd, Mr. Fee and Mr. Mai had a late breakfast at the Americana restaurant so that we could share our project with George Pistoris. Knowing that Mr. Pistoris operates a restaurant, we understood it was likely difficult for him to attend a 6:00 pm meeting, so we wanted to give him an opportunity to ask us any questions. Mr. Pistoris had only one question regarding odor, which we addressed, and then he too offered his support for our rezoning petition.

As a result of these two meetings, no changes were made to our zoning petition.

The Myers Y. Cooper Company



BY: Mark Fee, Development Manager

Exhibit A

2015-631
07-30-2015

Parcel	Property Address	Owner's Name(s)	Owner Address
1 21510119	1628 Matthews-Mint Hill Rd	Sunny Side Up Realty	1628 Matthews-Mint Hill Rd, Matthews, NC 28105
2 21510120	1600 Matthews-Mint Hill Rd	Poulos Enterprises	3900 Wesley Chapel Rd, Matthews, NC 28105
3 21510102	11229 Independence	Bill & Mary Gallis	4417 Waxhaw Indian Trail Rd, Indian Trail, NC 28079
4 21510112	11201 E. Independence	Salmon Investments LLC	PO Box 18434, Charlotte, NC 28218
5 21510113	11315 E. Independence	Poulos Enterprises	201 Rue De Jean #200, Lafayette LA 70808
6 21510114	11329 E. Independence	Bill & Mary Gallis	
7 21510115	1938 Moore Rd	OHM Parmatma LLC	1938 Moore Rd, Matthews, NC 28105
8 21510116	no addy - vacant	Bill & Mary Gallis	
9 21510118	1900 Moore Rd.	Tommy & Doris Williams	1900 Moore Rd, Matthews, NC 28105
10 21510205	1708 Chambers Dr	BRK Matthews LP c/o Starwood Capital Group	591 West Putnam Ave, Greenwich, CT 06830
11 21510117	11419 Independence Blvd	Branful LLC	104 Mull St, Morganton NC 28655



The Myers Y. Cooper Company

REAL ESTATE INVESTMENT DEVELOPERS | SINCE 1895

July 8th, 2015

Re: Matthews Rezoning Petition 2015-631 for 11325 E. Independence Blvd

Dear Sir or Madam:

The Myers Y. Cooper Company has submitted a rezoning petition with the Town of Matthews to rezone 11325 E. Independence Blvd, Matthews, NC from B-H to B-D (CD).

We are holding a neighborhood informational meeting on Tuesday, July 21st at 6:00 p.m. at Courtyard by Marriott Matthews, located at 11425 E. Independence Blvd, Matthews, NC, 28106. If you have any questions regarding our petition please plan on attending this meeting, or reaching out to me directly.

Sincerely,
The Myers Y. Cooper Company

Mark Fee
Development Manager
5050 E. Glabraith Rd, Ste B
Cincinnati, OH 45236
513-248-8350
mfee@cooper-co.com

Project Summary

Location:	11325 East Independence Blvd
Owner(s):	Armors, Inc.
Agent:	Mark Fee, The Myers Cooper Company
Current Zoning:	B-H
Proposed Zoning:	B-D (CD)
Existing Use:	Vacant land and portions of existing feed store and parking
Proposed Use:	Commercial pet kennel
Community Meeting:	Occurred July 21, 2015

Summary of Request

The applicant proposes a commercial kennel totaling approximately 19,277 square feet.

Staff Recommendation

The proposed use is preferred to traditional retail development as it will generate less traffic than many uses that would be allowed under the current B-H zoning. Under current zoning, higher traffic uses such as gas stations and drive thru establishments could locate on the property. The item of greatest concern at this time is to ensure that there is no detrimental noise impact to the apartment community across Moore Road. Due to outstanding issues related to unsolved issues with property line encroachments on either side of the site, staff recommends that the Public Hearing be opened and continued to allow the applicant to clarify some of the issues.

Planning Staff Review

Background And History

The property was originally an amusement attraction with go karts, mini golf and other similar uses. Although the majority of the site was demolished between 2009 and 2010, some parking and the existing feed store building were retained. The feed store site is under separate ownership although some of the parking including the area where semi trailers are stored will be removed as it is on the subject property. The site does not appear to be impacted by the planned grade separation of Matthews-Mint Hill Rd.

Details of the Site Plan

The feed store and some parking areas were previously subdivided; however, the building and parking encroach partially onto the subject property. The subdivision appears to be decades old with the entire site once under one owner. On the opposite side of the site, portions of parking associated with the Americana restaurant and adjoining strip plaza also encroach onto the site. Access is provided both from Moore Rd as well as via easement drive to Independence Boulevard and Matthews Mint Hill Rd. The applicant has provided copies of the existing easement agreements from 1992. The building is situated facing Moore road with parking along the front and side of the building. A dumpster enclosure is located directly in front of the building. Some parking associated with the feed store as well as semi trucks used as storage will be removed as part of this plan.

Summary of Proposed Conditions

1. All uses within the B-D district are allowed.
2. Building is prefabricated metal designed to mimic an equestrian facility.
3. A landscaping bed is provided along the Moore Rd frontage.
4. Sidewalk will be installed along Moore Rd.

Planning Staff Review

Outstanding Issues/Planning Staff Comments

(Please see additional comments in staff memos for more detail)

1. The lot line and zoning line adjacent to the Americana Restaurant and Fullwood Plaza should be revised to removed the encroaching parking spaces.
2. The lot line and zoning line adjacent to the feed store should be revised to creating conforming side yards.
3. The dumpster enclosure should be removed from the front portion of the site to a less visible location.
4. The existing sign for the feed store should be shown on the site plan and noted “to be removed”.
5. A note should be added that 74 access may be cut off in the future due to the widening project.
6. The current right-of-way of 60’ on Moore Rd does not reflect the current standard of 70’ for collector roads. The applicant should show a 5’ transitional right-of-way on their side of the roadway.
7. Garbage pick up hours should be clarified with more detail than “business hours”.
8. Hours that pets are allowed outdoors should be indicated in conditional notes.
9. Reference is made to “attached fence image” but nothing is provided. More detail should be shown for the fencing surrounding the outdoor kennels.

Consistency with Adopted Plans and Policies and Town Vision Statements

The Land Use Plan encourages non impulse commercial uses and for new construction to utilize the parallel collector roads. This proposal meets both of these criteria.

Reports from Town Departments and County Agencies

Matthews Police

No Concerns

Matthews Fire

No Concerns - Would prefer building to have sprinklers but code does not require.

Public Works

Request to add note that 74 access may be removed in the future

Matthews Parks and Recreation

No Comment

Charlotte Mecklenburg Schools

Not Applicable

PCO Concept Plan Approval Required?

Yes

Impact Analysis

As a commercial project, there is no anticipated financial burden from this request.

Projected Financial Impact of the Request

The addition of an approximately 20,000 square foot structure valued at \$70 per square foot may increase the total valuation of the site from \$1,234,000 to \$2,662,744.

Current Tax Revenue from site: \$3,919

Potential Tax Revenue from site: \$8,454

As expressed in terms of property tax per acre, the site may generate \$2,818 in Matthews property tax revenue per acre.

Site Images



Approx. Property Line Location

Birds Eye Aerial



Example of Existing Facility



Agenda Item: Decision on 2015-633 Windsor Professional Center

DATE: October 7, 2015

FROM: Jay Camp

Background/Issue:

- Since the Public Hearing, the applicant has submitted a revised list of uses that was presented at Planning Board. The revised list is attached to this memo
- The County has approved the PCO Concept Plan for the site
- Updated architectural drawings now show all four sides of both proposed buildings. The drawings indicate full windows and a roof gable for the building closest to Northeast Parkway.

Proposal/Solution:

- Planning Board recommended approval of the rezoning by a vote of 7-0. Staff has reviewed the final plans and found no additional concerns

Financial Impact:

None

Related Town Goal(s) and/or Strategies:

Quality of Life

Economic Development/Land Use Planning

Recommended Motion/Action:

Approve Rezoning Request 2015-633



Carolin Metro Realty

Full Service Property Management, Real Estate Sales, & Marketing

www.CarolinMetro.com

Phone: **704-405-0634**

E-mail: Info@CarolinMetro.com

Fax: **866-357-5331**

Fox Run Business Park, 17232 Lancaster Hwy, Ste. 108, Charlotte, NC 28277

All uses permitted in the Office District except for the following:

1. Dwelling, one-family attached
2. Dwelling, two-family/duplex
3. Fire and/or EMS, police station
4. Electric and gas substation, sewage treatment plant
5. Cemetery, mausoleum, and columbarium
6. On site demolition disposal site
7. Railroad right of way

Full Service Real Estate Sales & Marketing

Fox Run Office Park, 17232 Lancaster Hwy, Ste. 108, Charlotte, NC 28277

www.CarolinMetro.com Phone: **704-405-0634** Fax: **866-357-5331**

**APPLICATION FOR CHANGE IN ZONING CLASSIFICATION
OR CHANGE IN CONDITIONS
(SEE FILING INSTRUCTIONS)**

TO: Town of Matthews Board of Commissioners
Town of Matthews Planning Board
232 Matthews Station Street
Matthews, North Carolina 28105-6713

Ladies and Gentlemen:

Your consideration of this petition is requested for:

- A change in zoning classification of the property hereinafter described; or
 A change in conditions to an existing conditional zoning plan.

Tax parcel number(s): 193-431-25, 31, 32, 33, 34, 35, 36, 37, 38

Address of property: 9709 Northeast Parkway, 9715 Northeast Parkway

Location of property:

Title to the property was acquired on See attached exhibit A
and was recorded in the name of _____
whose mailing address is _____

The deed is recorded in Book _____ and Page _____ in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: C (conditional) Requested zoning classification: O (CD)

Application number
2015-633
For office use only

List reason(s) why zoning should be changed (use separate sheet if necessary):

Add two add'l building. Expand multi tenant signage

Kendall Parker
Signature of property owner (must be original)

Signature of property owner (must be original)

Kendall Parker
Print name of property owner

Print name of property owner

9715 Northeast Parkway Suite 300
Property owner's mailing address

Property owner's mailing address

Matthews NC 28105
Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's mailing address, continued

704-365-4016 Kparker@carolinaseca.org
Property owner's phone number/email address

Property owner's phone number/email address

Signature of agent (if any)

Petitioner other than owner (if any)

Print name of agent

Print name of petitioner

Agent's mailing address

Petitioner's mailing address

Agent's mailing address, continued

Petitioner's mailing address, continued

Agent's mailing address, continued

Petitioner's mailing address, continued

Agent's phone number/email address

Petitioner's phone number/email address

Application number
2015-633
For office use only

List reason(s) why zoning should be changed (use separate sheet if necessary):

Add two additional buildings (IF NO COST ATTACHED)

William Kress Query Jr.

Signature of property owner (must be original)

Signature of property owner (must be original)

WILLIAM KRESS QUERY JR.

Print name of property owner

Print name of property owner

1417 SPRINGWATER DRIVE

Property owner's mailing address

Property owner's mailing address

MATTHEWS, N.C. 28105

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's mailing address, continued

704-572-1934

Property owner's phone number/email address

Property owner's phone number/email address

Signature of agent (if any)

Petitioner other than owner (if any)

Print name of agent

Print name of petitioner

Agent's mailing address

Petitioner's mailing address

Agent's mailing address, continued

Petitioner's mailing address, continued

Agent's mailing address, continued

Petitioner's mailing address, continued

Agent's phone number/email address

Petitioner's phone number/email address

recd
7-1-15

Application number
2015-633
For office use only

List reason(s) why zoning should be changed (use separate sheet if necessary):

Add two additional buildings

[Handwritten Signature]

Signature of property owner (must be original)

Yuriy Vainshteyn

Print name of property owner

17232 Lancaster Hwy Ste 108

Property owner's mailing address

Charlotte NC 28277

Property owner's mailing address, continued

Property owner's mailing address, continued

704 405 0634 x105
yuriy@carolinasmetro.com

Property owner's phone number/email address

Signature of agent (if any)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Signature of property owner (must be original)

Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

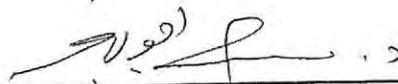
Petitioner's phone number/email address

recd
7-1-15

Application number
2015-633
For office use only

List reason(s) why zoning should be changed (use separate sheet if necessary):

Add two additional buildings



Signature of property owner (must be original)

BETHAYNA NABA

Print name of property owner

8420 FAIRGREEN AVE

Property owner's mailing address

WAXHAW, NC 28173

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's mailing address, continued

BethNaba@hotmail.com

Property owner's phone number/email address

980-298-9220

Property owner's phone number/email address

Signature of agent (if any)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Signature of property owner (must be original)

Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

Petitioner's phone number/email address

Application number
2015-633
For office use only

List reason(s) why zoning should be changed (use separate sheet if necessary):

Add two additional buildings



Signature of property owner (must be original)

Terry Stanley

Print name of property owner

9709 Northeast Parkway-200

Property owner's mailing address

Matthews NC

Property owner's mailing address, continued

28105

Property owner's mailing address, continued

704-321-9491

Property owner's phone number/email address

Signature of property owner (must be original)

Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

Signature of agent (if any)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

Petitioner's phone number/email address

recd 7-1-15

Application number
2015-633
For office use only

List reason(s) why zoning should be changed (use separate sheet if necessary):

Add two additional buildings

Mark D. Cocca for North East Pkwy, Corp LLC

Signature of property owner (must be original)

Signature of property owner (must be original)

North East Parkway Group, LLC

Print name of property owner

Print name of property owner

9709 Northeast Pkwy, 400

Property owner's mailing address

Property owner's mailing address

Matthews, NC 28105

Property owner's mailing address, continued

Property owner's mailing address, continued

704-845-1072

Property owner's mailing address, continued

Property owner's mailing address, continued

CCAclaims@gmail.com

Property owner's phone number/email address

Property owner's phone number/email address

Mark D. Cocca, Partner/Member

Signature of agent (if any)

Petitioner other than owner (if any)

Mark D. Cocca

Print name of agent

Print name of petitioner

9709 Northeast Pkwy, 400

Agent's mailing address

Petitioner's mailing address

Matthews, NC 28105

Agent's mailing address, continued

Petitioner's mailing address, continued

704-845-1072

Agent's mailing address, continued

Petitioner's mailing address, continued

CCAclaims@gmail.com

704-845-1072

Agent's phone number/email address

Petitioner's phone number/email address

Application number
2015-633
For office use only

List reason(s) why zoning should be changed (use separate sheet if necessary):

Add two additional buildings

Ukambaluni
Signature of property owner (must be original)

Signature of property owner (must be original)

Honor Properties, LLC
Print name of property owner

Print name of property owner

1637 Thornblade Ridge Dr.
Property owner's mailing address

Property owner's mailing address

Matthews, NC 28105
Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's mailing address, continued

908-565-0137 / galimincny@gmail.com
Property owner's phone number/email address

Property owner's phone number/email address

Signature of agent (if any)

Petitioner other than owner (if any)

Print name of agent

Print name of petitioner

Agent's mailing address

Petitioner's mailing address

Agent's mailing address, continued

Petitioner's mailing address, continued

Agent's mailing address, continued

Petitioner's mailing address, continued

Agent's phone number/email address

Petitioner's phone number/email address

List reason(s) why zoning should be changed (use separate sheet if necessary):

Application number
2015-633
For office use only

Add two additional buildings


Signature of property owner (must be original)

Richard S Farris
Print name of property owner
9715 Northeast Pkwy #100
Property owner's mailing address
Matthews, NC 28105
Property owner's mailing address, continued

Property owner's mailing address, continued
704-845-2500
rfdclaw@windstream.net
Property owner's phone number/email address

Signature of agent (if any)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address


Signature of property owner (must be original)

DEANNE M. COAN
Print name of property owner
9715 Northeast Pkwy #100
Property owner's mailing address
Matthews, NC 28105
Property owner's mailing address, continued

Property owner's mailing address, continued
704-845-2500
rfdclaw@windstream.net
Property owner's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

Petitioner's phone number/email address

Recd
7.1.15

Application number
2015-633
For office use only

List reason(s) why zoning should be changed (use separate sheet if necessary):

Add two additional buildings

[Signature] member-manager

Signature of property owner (must be original)

Signature of property owner (must be original)

Madaris Properties LLC

Print name of property owner

Print name of property owner

9715 Northeast Parkway #200

Property owner's mailing address

Property owner's mailing address

Matthews, NC 28105

Property owner's mailing address, continued

704-246-0090 x 12
cmadaris@madaristrans.com

Property owner's phone number/email address

Property owner's phone number/email address

Signature of agent (if any)

Petitioner other than owner (if any)

Print name of agent

Print name of petitioner

Agent's mailing address

Petitioner's mailing address

Agent's mailing address, continued

Petitioner's mailing address, continued

Agent's mailing address, continued

Petitioner's mailing address, continued

Agent's phone number/email address

Petitioner's phone number/email address

Recd
7-1-15

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number
2015-633
For office use only

19330305

TAX PARCEL

John H & Mechelle F Hanna

PROPERTY OWNER NAME(S)

9808 Northeast Pkwy

OWNER MAILING ADDRESS

Matthews NC 28105

OWNER MAILING ADDRESS, CONTINUED

19330315

TAX PARCEL

SC Windsor Associates LP c/o Kohls Dept Stores

PROPERTY OWNER NAME(S)

17000 Ridgewood Dr

OWNER MAILING ADDRESS

Menomonee Falls WI 53051

OWNER MAILING ADDRESS, CONTINUED

19339102

TAX PARCEL

Richard H & Elva E Sedliacik

PROPERTY OWNER NAME(S)

1915 Annecy Dr

OWNER MAILING ADDRESS

Matthews NC 28105

OWNER MAILING ADDRESS, CONTINUED

19339280

TAX PARCEL

Windsor Landing Investments i & II LLC

PROPERTY OWNER NAME(S)

1900 Windsor Hill Dr

OWNER MAILING ADDRESS

Matthews NC 28105

OWNER MAILING ADDRESS, CONTINUED

19330309

TAX PARCEL

SC Windsor Associates LP

PROPERTY OWNER NAME(S)

340 Royal Poinciana Way #316

OWNER MAILING ADDRESS

Palm Beach FL 33480

OWNER MAILING ADDRESS, CONTINUED

19339101

TAX PARCEL

Donna L Marin

PROPERTY OWNER NAME(S)

1909 Annecy Drive

OWNER MAILING ADDRESS

Matthews NC 28105

OWNER MAILING ADDRESS, CONTINUED

19339279

TAX PARCEL

Mario & Rose Marie Carvajal

PROPERTY OWNER NAME(S)

1908 Annecy Dr

OWNER MAILING ADDRESS

Matthews NC 28105

OWNER MAILING ADDRESS, CONTINUED

19343109

TAX PARCEL

Raja C & Vencenzina Anabtawi

PROPERTY OWNER NAME(S)

1931 Tanfield Dr

OWNER MAILING ADDRESS

Matthews NC 28105

OWNER MAILING ADDRESS, CONTINUED

recd
7/15

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

2015-633

For office use only

19343110

TAX PARCEL

Paul W & Kelly M Philbee

PROPERTY OWNER NAME(S)

1937 Tanfield Drive

OWNER MAILING ADDRESS

Matthews NC 28105

OWNER MAILING ADDRESS, CONTINUED

19343111

TAX PARCEL

Arbenore & Faton Fetiu

PROPERTY OWNER NAME(S)

1943 Tanfield Dr

OWNER MAILING ADDRESS

Matthews NC 28105

OWNER MAILING ADDRESS, CONTINUED

19343112

TAX PARCEL

Richard Latorre

PROPERTY OWNER NAME(S)

2001 Tanfield Dr

OWNER MAILING ADDRESS

Matthews NC 28105

OWNER MAILING ADDRESS, CONTINUED

19343113

TAX PARCEL

Sergey, Tatyana N, & Yevgeniy Sukharevskiy

PROPERTY OWNER NAME(S)

2005 Tanfield Dr

OWNER MAILING ADDRESS

Matthews NC 28105

OWNER MAILING ADDRESS, CONTINUED

19343114

TAX PARCEL

Colfin AH orth Carolina 1 LLC

PROPERTY OWNER NAME(S)

9305 E Via De Ventura Ste 201

OWNER MAILING ADDRESS

Scottsdale AZ 85258

OWNER MAILING ADDRESS, CONTINUED

19343115

TAX PARCEL

James L & Kerry A Hummel

PROPERTY OWNER NAME(S)

2013 Tanfield Dr

OWNER MAILING ADDRESS

Matthews NC 28105

OWNER MAILING ADDRESS, CONTINUED

19343121

TAX PARCEL

Larry Edward Reed & Joyce Rice

PROPERTY OWNER NAME(S)

2116 Rice Rd

OWNER MAILING ADDRESS

Matthews NC 28105

OWNER MAILING ADDRESS, CONTINUED

19343122

TAX PARCEL

Charlotte Adelpnos Church

PROPERTY OWNER NAME(S)

2024 Sam Newell Rd

OWNER MAILING ADDRESS

Matthews NC 28105

OWNER MAILING ADDRESS, CONTINUED

recd
7.1.15

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number
2015-633
For office use only

19343127

TAX PARCEL

Robert P & Joyce L Freeman

PROPERTY OWNER NAME(S)

PO Box 2686

OWNER MAILING ADDRESS

Florence OR 97439

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

recd
7 1 15

Application number
2015-633
For office use only

SUMMARY OF THE REZONING PROCESS

PETITIONER: Fill in dates for each action below before filing application. Refer to the current Planning Department rezoning schedule for correct dates.

PROPERTY OWNERS: These dates are assumed to be correct at the time of zoning application submittal but are subject to revision. Contact the Planning Department (704-847-4411 or email blynd@matthewsnc.gov) for verification.

Application submitted to and accepted by the Town of Matthews July 1, 2015

Town Board of Commissioners formally accepts application and sets Public Hearing date July 13, 2015

Notices sent via mail to affected/adjacent property owners on or before August 31, 2015

Protest petition filed with Planning Department by 5:00 pm on September 9, 2015

Public hearing: petitioner may give explanation of why s/he wishes to have property rezoned and neighboring owners may ask questions and voice opinions on the proposed zoning September 14, 2015

Town Planning Board reviews petition, information, and comments from the public hearing, then makes a recommendation to the Board of Commissioners on whether to approve or deny the request September 22, 2015

Town Board of Commissioners approves or denies application October 12, 2015

GENERAL STATUTE 160A-385: CHANGES.

- (a) Zoning ordinances may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a qualified protest against a zoning map amendment, that amendment shall not become effective except by favorable vote of three-fourths of all the members of the city council. For the purposes of this subsection, vacant positions on the council and members who are excused from voting shall not be considered "members of the council" for calculation of the requisite supermajority. To qualify as a protest under this section, the petition must be signed by the owners of either (i) twenty percent (20%) or more of the area included in the proposed change or (ii) five percent (5%) of a 100-foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right of way shall not be considered in computing the 100-foot buffer area as long as that street right of way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100-foot buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine the "owners" of potentially qualifying areas. The foregoing provisions concerning protests shall not be applicable to any amendment which initially zones property added to the territorial coverage of the ordinance as a result of annexation or otherwise, or to an amendment to an adopted (i) special use district, (ii) conditional use district, or (iii) conditional district if the amendment does not change the types of uses that are permitted within the district or increase the approved density for residential development, or increase the total approved size of nonresidential development, or reduce the size of any buffers or screening approved for the special use district, conditional use district, or conditional district.
- (b) Amendments in zoning ordinances shall not be applicable or enforceable without consent of the owner with regard to buildings and uses for which either (i) building permits have been issued pursuant to GS 160A-417 prior to the enactment of the ordinance making the change or changes so long as the permits remain valid and unexpired pursuant to GS 160A-418 and unrevoked pursuant to GS 160A-422 or (ii) a vested right has been established pursuant to GS 160A-385.1 and such vested right remains valid and unexpired pursuant to GS 160A-385.1

Exhibit A

Title to the property was acquired on May 23, 2005 and was recorded in the name of Northeast Parkway Group LLC whose mailing address is 9709 Northeast Parkway #400 Matthews NC 28105.

The deed is recorded in Book 18771 and Page 947 in the office of the Register of Deeds for Mecklenburg County.

Title to the property was acquired on May 19, 2005 and was recorded in the name of FARCO LLC whose mailing address is 9715 Northeast Parkway #100 Matthews NC 28105.

The deed is recorded in Book 18760 and Page 202 in the office of the Register of Deeds for Mecklenburg County.

Title to the property was acquired on January 30, 2012 and was recorded in the name of Terrence Virgil Stanley & Tina Marcel Stanley Living Trust whose mailing address is 928 Searidge Lane Carolina Beach NC 28428.

The deed is recorded in Book 27064 and Page 782 in the office of the Register of Deeds for Mecklenburg County.

Title to the property was acquired on November 6, 2014 and was recorded in the name of Buthayna Naba whose mailing address is 8420 Fairview Rd Waxhaw NC 28173.

The deed is recorded in Book 18771 and Page 947 in the office of the Register of Deeds for Mecklenburg County.

Title to the property was acquired on February 8, 2013 and was recorded in the name of Honor Properties LLC whose mailing address is 1637 Thornblade Ridge Drive Matthews NC 28105.

The deed is recorded in Book 28056 and Page 122 in the office of the Register of Deeds for Mecklenburg County.

Title to the property was acquired on May 7, 2007 and was recorded in the name of Madaris Properties LLC whose mailing address is 9715 Northeast Parkway #200 Matthews NC 28105.

The deed is recorded in Book 22187 and Page 105 in the office of the Register of Deeds for Mecklenburg County.

Title to the property was acquired on September 8, 2008 and was recorded in the name of Carolinas Electrical Contractors Association Inc whose mailing address is 9715 Northeast Parkway #300 Matthews NC 28105.

The deed is recorded in Book 24131 and Page 556 in the office of the Register of Deeds for Mecklenburg County.

Title to the property was acquired on June 11, 2015 and was recorded in the name of WKQ Properties LLC whose mailing address is 14117 Springwater Drive Matthews NC 28105.

The deed is recorded in Book 30040 and Page 827 in the office of the Register of Deeds for Mecklenburg County.

Title to the property was acquired on March 8, 2013 and was recorded in the name of Elida Properties LLC whose mailing address is 17232 Lancaster Hwy Ste 108 Charlotte NC 28277.

The deed is recorded in Book 30040 and Page 827 in the office of the Register of Deeds for Mecklenburg County.



Full Service Real Estate Sales & Marketing

www.CaroliniasMetro.com Phone: **704-405-0634** E-mail: Info@CaroliniasMetro.com Fax: **866-357-5331**

Fox Run Business Park, 17232 Lancaster Hwy, Ste. 108, Charlotte, NC 28277

July 1, 2015

List reason(s) why zoning should be changed

To allow multi tenant signage

To convert old conditional zoned properties to current zoning categories

Add two additional buildings

We would also like to request a traffic study waiver due to the fact this is an existing development with four buildings

PARKING SUMMARY (RE-ZONING):

GENERAL OFFICE AREAS:
1 SPACE PER 300 SF REQUIRED
MEDICAL OFFICE AREAS:
1 SPACE PER 200 SF REQUIRED
(MAXIMUM MEDICAL OFFICE ALLOWED = 26,400 SF GROSS)
SIX OFFICE/MEDICAL BUILDINGS
EXIST. BUILDING 'A' = 5,937 SF
EXIST. BUILDING 'B' = 5,937 SF
APPROVED BUILDING 'C' = 7,560 SF
APPROVED BUILDING 'D' = 8,000 SF
PROPOSED BUILDING 'E' = 7,560 SF
PROPOSED BUILDING 'F' = 6,250 SF
TOTAL OFFICE/MEDICAL SPACE = 41,244 SF

PARKING CALCULATIONS FOR MAXIMUM DEMAND:

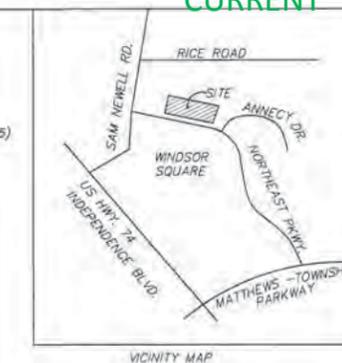
TOTAL SPACES REQUIRED AT THE MAXIMUM ALLOWED MEDICAL OFFICE SPACE OF 26,400 SF (GROSS):
26,400 SF MEDICAL / 200 = 132 TOTAL SPACES REQUIRED
14,844 SF OFFICE / 300 = 50 TOTAL SPACES REQUIRED
TOTAL SPACES REQUIRED = 182 SPACES
TOTAL EXISTING SPACES = 138 SPACES
TOTAL NEW SPACES = 44 SPACES
TOTAL SPACES REQUIRED = 182 SPACES
TOTAL SPACES PROVIDED = 182 SPACES
TOTAL HANDICAP SPACES REQUIRED = 6
VAN ACCESSIBLE SPACES REQUIRED = 2
TOTAL HANDICAP SPACES PROVIDED = 9
TOTAL VAN ACCESSIBLE SPACES = 5

CONDITIONAL NOTES:

- 1. THE EXISTING 30' LANDSCAPE BUFFER IN THE REAR AND THE EXISTING 50' LANDSCAPE BUFFER IN THE SIDE YARD ARE TO REMAIN AND BE LEFT UNDISTURBED.
- 2. ONE NEW STREET TREE IS TO BE ADDED ON THE SOUTHEAST END OF PROPERTY.
- 3. TWO STREET TREES ARE TO BE REMOVED FROM THE 35' x 35' SIGHT TRIANGLES.
- 4. ALL NEW LANDSCAPING SHOULD MEET CHAPTER 6 (SECTION 606) OF THE TOWN OF MATTHEWS U.D.O. ALL UTILITIES ON THE NORTHEAST PARKWAY SIDE OF THE PROPOSED BUILDINGS ARE TO BE SCREENED PER SECTION 155.606.6 (B).
- 5. PROPOSED BUILDINGS MATERIAL LIST:
- EXTERIOR WALLS TO BE STANDARD MODULAR BRICK VENEER W/ A BRICK SOLDIER COURSE WITH EIFS QUIONS ON THE CORNERS, AND METAL FREEZE TRIM TO MATCH THE EXISTING BUILDINGS.
- ROOF SYSTEM TO HAVE ARCHITECTURAL STYLE FIBERGLASS ROOF SHINGLES, AND A CONTINUOUS RIDGE VENT. PRE-FINISHED METAL GUTTERS AND DOWNSPOUTS TO MATCH EXISTING BUILDINGS.
- GABLED PORCHES TO MATCH EXISTING, WITH EIFS SYSTEM, PRE-FINISHED METAL RAKE TRIM, BRICK BASE COLUMNS WITH EIFS WRAP AND ARCHITECTURAL STYLE FIBERGLASS ROOF SHINGLES.
- THE LARGE GABLED PORCHES ON BUILDING 'E' TO HAVE DECORATIVE 4'-0" GABLE VENT TO MATCH BUILDING 'C'.
- WINDOWS TO BE 1" CLEAR INSULATED GLASS IN A VINYL FRAME WITH A SLOPING BRICK ROWLOCK AND EIFS JACK ARCH KEYSTONE ABOVE (TO MATCH EXISTING BUILDINGS).
- EXTERIOR DOORS TO BE 3' x 7' HOLLOW METAL DOOR AND FRAME TO MATCH EXISTING BUILDINGS.
- 6. THE EXISTING APPROVED STORMWATER DETENTION BASIN WILL HAVE TO BE REDESIGNED BY A N.C. P.E. THE NEW BASIN WILL NEED TO BE DESIGNED TO DETAIN THE ADDITIONAL BUILDINGS AND ASPHALT BEING ADDED TO ACCOMMODATE PROPOSED BUILDINGS 'E' AND 'F' AND IT WILL NEED TO MEET THE POST CONSTRUCTION STORMWATER ORDINANCE.
- 7. ALL NEW PARKING IS TO MEET SECTION 155.607 OF THE TOWN OF MATTHEWS U.D.O.
- 8. MAXIMUM MEDICAL OFFICE ALLOWED ON THIS PARCEL SHALL BE 26,400 SF GROSS.
- 9. THE EXISTING MONUMENT SIGN MAY BE RELOCATED AT THE OWNERS DISCRETION IF PROPOSED BUILDING 'F' AFFECTS ITS VISIBILITY.

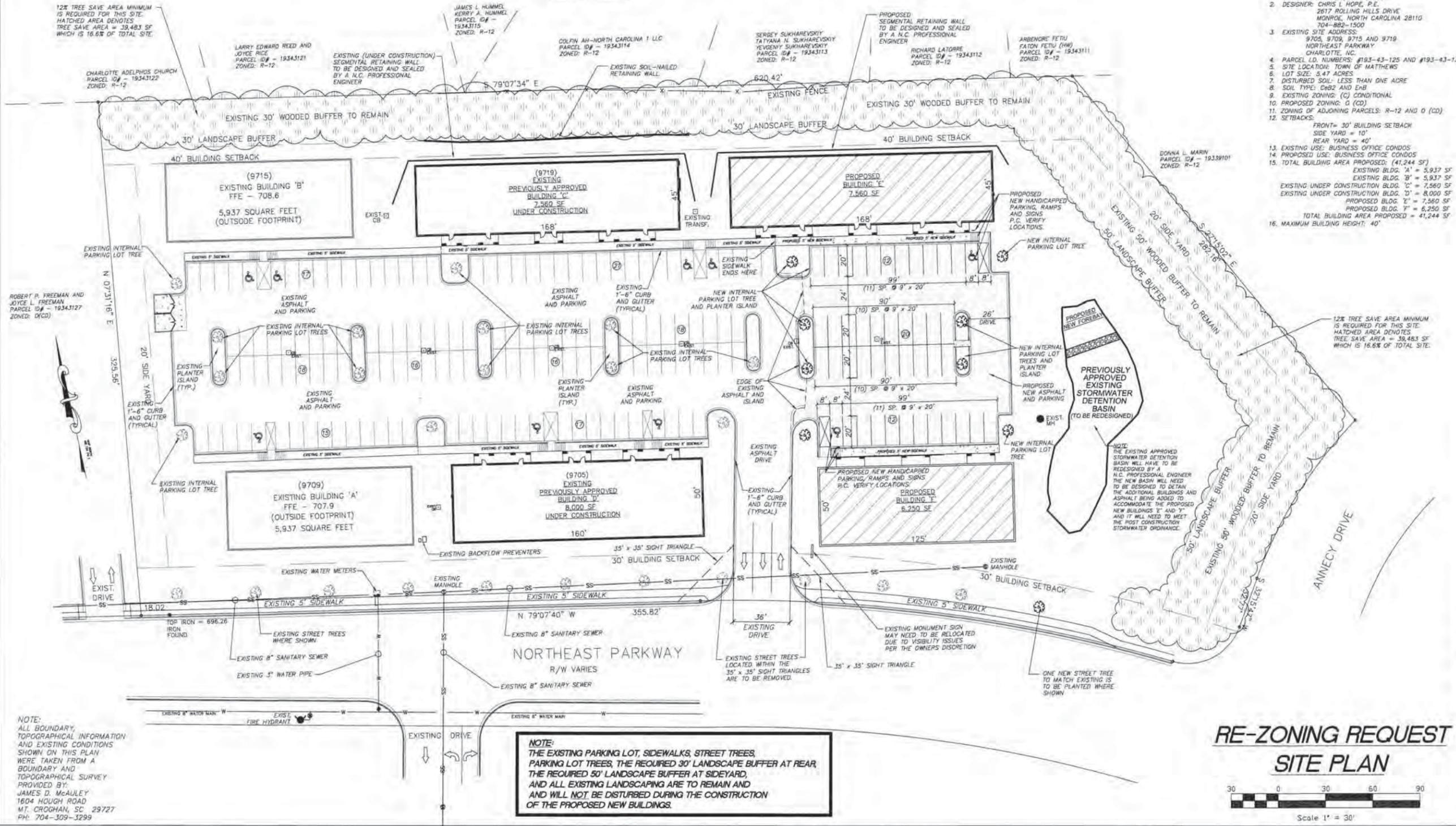
RE-ZONING NOTES:

- 1. EXISTING ZONING: (C) CONDITIONAL
- 2. PROPOSED ZONING: O (OO) "OFFICE"
- 3. EXISTING USE: GENERAL OFFICE
- 4. PROPOSED USES: GENERAL OFFICE AND MEDICAL OFFICE PER TABLE 155.505.2 TOWN OF MATTHEWS U.D.O. BOTH PERMITTED USES BY RIGHT AS OF (09-08-2015)
- 5. FOR ALL ALLOWED USES IN O(CO) (OFFICE) ZONING: SEE TABLE 155.505.2 TOWN OF MATTHEWS U.D.O. PERMITTED BY RIGHT (P) ALLOWED UNDER PRESCRIBED CONDITIONS (PC) ALLOWED AS AN ACCESSORY USE (ACC)



PROJECT DATA FOR (RE-ZONING):

- 1. OWNER: ELUDA PROPERTIES, LLC 11220 ELM LANE SUITE 207 CHARLOTTE, N.C. 28277
- 2. DESIGNER: CHRIS L. HOPE, P.E. 2617 ROLLING HILLS DRIVE MONROE, NORTH CAROLINA 28110 704-882-1500
- 3. EXISTING SITE ADDRESS: 9705, 9709, 9715 AND 9719 NORTHEAST PARKWAY CHARLOTTE, NC.
- 4. PARCEL I.D. NUMBERS: #193-43-125 AND #193-43-131
- 5. SITE LOCATION: TOWN OF MATTHEWS
- 6. LOT SIZE: 5.47 ACRES
- 7. DISTURBED SOIL: LESS THAN ONE ACRE
- 8. SOIL TYPE: C8B2 AND E8B
- 9. EXISTING ZONING: (C) CONDITIONAL
- 10. PROPOSED ZONING: O (CO)
- 11. ZONING OF ADJOINING PARCELS: R-12 AND O (CO)
- 12. SETBACKS:
FRONT = 30' BUILDING SETBACK
SIDE YARD = 10'
REAR YARD = 40'
- 13. EXISTING USE: BUSINESS OFFICE CONDOS
- 14. PROPOSED USE: BUSINESS OFFICE CONDOS
- 15. TOTAL BUILDING AREA PROPOSED: (41,244 SF)
EXISTING BLDG. 'A' = 5,937 SF
EXISTING BLDG. 'B' = 5,937 SF
EXISTING UNDER CONSTRUCTION BLDG. 'C' = 7,560 SF
EXISTING UNDER CONSTRUCTION BLDG. 'D' = 8,000 SF
PROPOSED BLDG. 'E' = 7,560 SF
PROPOSED BLDG. 'F' = 6,250 SF
TOTAL BUILDING AREA PROPOSED = 41,244 SF
- 16. MAXIMUM BUILDING HEIGHT: 40'

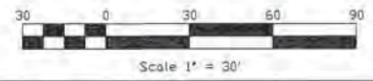


PROPOSED RE-ZONING SITE PLAN FOR
Windsor Professional Center
NORTHEAST PARKWAY
MATTHEWS, NORTH CAROLINA 28105



Rev. _____
Scale NOTED
Drawn By CLH
Checked By CLH
Date 9/8/15
Job No. 13914

RE-ZONING REQUEST
SITE PLAN



NOTE:
ALL BOUNDARY TOPOGRAPHICAL INFORMATION AND EXISTING CONDITIONS SHOWN ON THIS PLAN WERE TAKEN FROM A BOUNDARY AND TOPOGRAPHICAL SURVEY PROVIDED BY:
JAMES D. McAULEY
1604 HUGH ROAD
MT. CROGHAN, SC 29727
PH: 704-309-3299

NOTE:
THE EXISTING PARKING LOT, SIDEWALKS, STREET TREES, PARKING LOT TREES, THE REQUIRED 30' LANDSCAPE BUFFER AT REAR, THE REQUIRED 50' LANDSCAPE BUFFER AT SIDEYARD, AND ALL EXISTING LANDSCAPING ARE TO REMAIN AND WILL NOT BE DISTURBED DURING THE CONSTRUCTION OF THE PROPOSED NEW BUILDINGS.

Ted Richard Brown, PLLC
Architectural Services
Post Office Box 2079, Matthews, North Carolina 28106
Telephone: (704) 331-1111

PROPOSED SHELL OFFICE BUILDING FOR:
Windsor Professional Center
Building E
NORTHEAST PARKWAY
MATTHEWS, NORTH CAROLINA 28105

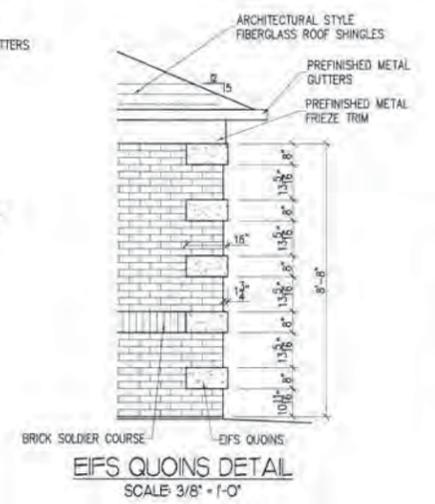
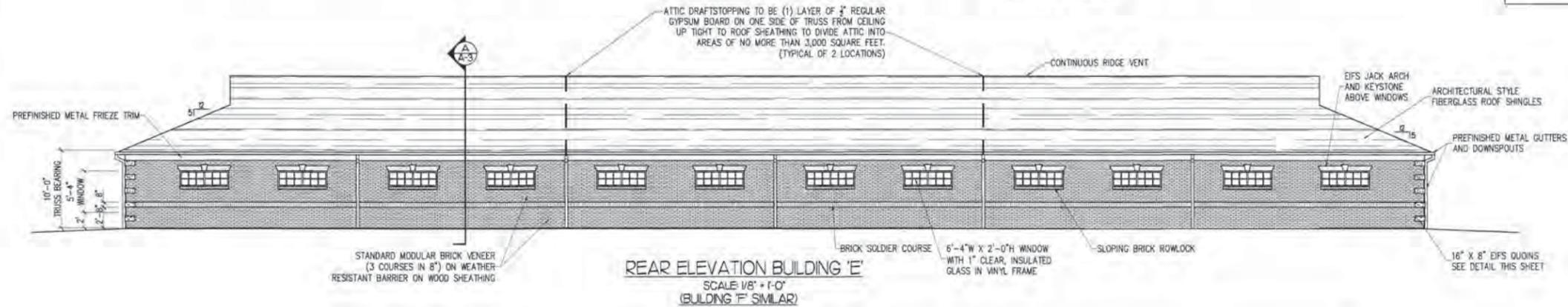
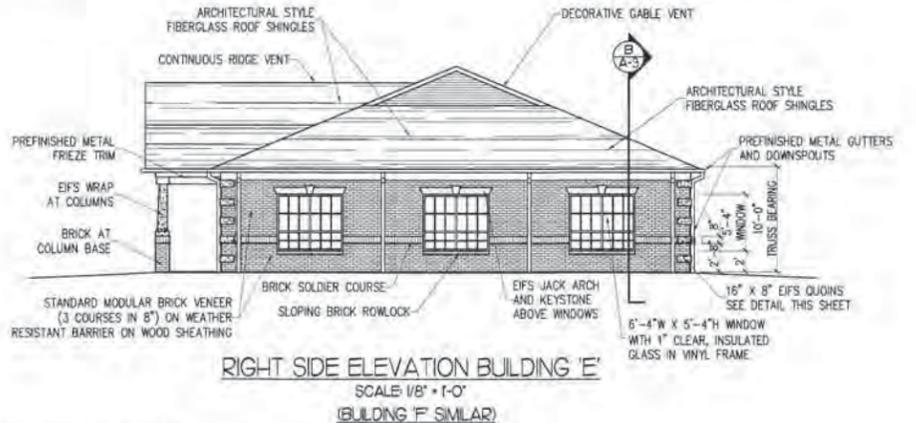
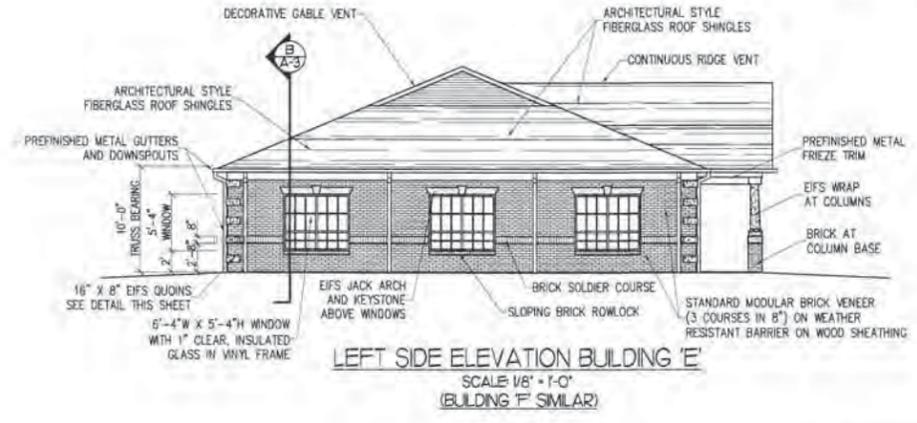
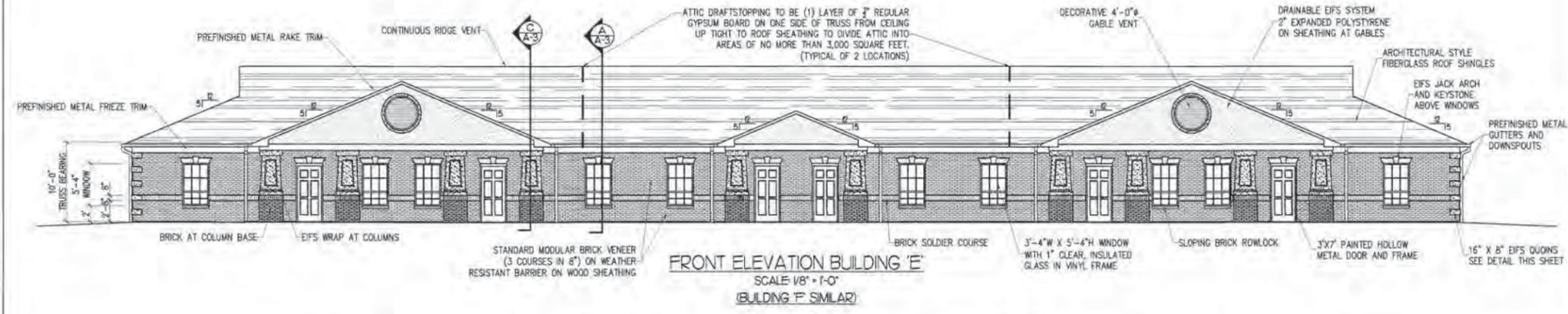
CHRIS HOPE/PROFESSIONAL ENGINEER/2617 ROLLING HILLS DRIVE/MONROE, NC 28110/(704) 882-1500

- GENERAL NOTES**
1. ALL MATERIALS AND FINISHES TO MATCH EXISTING ADJACENT BUILDING AS CLOSELY AS POSSIBLE.
 1. ALL MATERIALS AND FINISHES TO BE INSTALLED PER THE MANUFACTURER'S WRITTEN INSTRUCTIONS.
 2. GENERAL CONTRACTOR TO VERIFY ALL EXTERIOR COLORS AND FINISHES WITH THE OWNER PRIOR TO CONSTRUCTION.
 3. REFER TO SHOP DRAWINGS BY WOOD TRUSS MANUFACTURER'S ENGINEER.
 4. REFER TO STRUCTURAL ENGINEERING DRAWINGS.
 5. INSTALL EXPANSION JOINTS IN BRICK VENEER AS SHOWN FLOOR PLAN. EXPANSION JOINTS TO START AT TOP OF CONCRETE FOOTING AND EXTEND TO TOP OF BRICK WALL. CAULK COLOR TO MATCH MORTAR COLOR.

- CAULKING/SEALANTS REQUIREMENTS**
1. WORK INCLUDES FURNISHING AND INSTALLING SEALANTS AND BACKING MATERIALS AROUND DOORS AND WINDOWS, UTILITY SERVICE PENETRATIONS THRU WALLS AND ROOF, AT FLOOR UNDER FRAMES, BETWEEN EXTERIOR WALLS AND ROOF, AND BETWEEN EXTERIOR WALLS AND FOUNDATION.
 2. CLEAN AND PREPARE SURFACES TO RECEIVE SEALANT MATERIALS.
 3. PROVIDE SEALANTS TO COMPLY WITH THE 2012 NORTH CAROLINA ENERGY CONVERSION CODE FOR COMMERCIAL BUILDINGS. THIS INVOLVES SEALING OF THE BUILDING ENVELOPE BOTH ON THE EXTERIOR AND INTERIOR.
 4. CLEAN AND PREPARE JOINTS BY REMOVING ANY LOOSE MATERIALS AND OTHER FOREIGN MATTER WHICH MIGHT IMPAIR ADHESION OF SEALANTS.
 5. ASSURE THAT JOINT FORMING MATERIALS ARE COMPATIBLE WITH SEALANT.
 6. APPLY SEALANT WITHIN MANUFACTURER'S RECOMMENDED TEMPERATURE RANGES.
 7. IF JOINT DEPTH EXCEEDS 1/2", INSTALL BACK UP ROD OR OTHER APPROVED BACK-UP MATERIAL TO A DISTANCE OF NOT LESS THAN 1/2" FROM THE SURFACE OF THE JOINT.

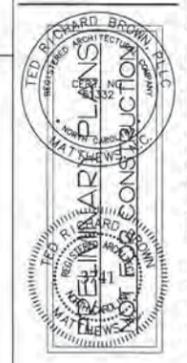
LINTEL SCHEDULE

DOORS AND WINDOWS AT FRONT ELEVATION: 3/4 X 3/8 ANGLE
WINDOW AT SIDE AND REAR: 4 X 3/8 LLV ANGLE



NOTE:
PROPOSED BUILDING 'E' SHOWN ABOVE WILL BE IDENTICAL TO BUILDING 'C' WHICH IS UNDER CONSTRUCTION

PROPOSED BUILDING 'F' WILL BE VERY SIMILAR. IT WILL BE A SMALLER VERSION OF BUILDING 'C' AND 'E' CONSTRUCTED OF THE SAME BUILDING MATERIALS WITH THREE IDENTICAL GABLED PORCHES IN THE FRONT.



Drawn By:	CTC
Checked By:	TRB
Date:	9/8/2015
Job No:	13914

NOTE:
THE EXISTING PARKING LOT, SIDEWALKS, STREET TREES,
PARKING LOT TREES, REQUIRED 30' BUFFER AT REAR,
AND ALL EXISTING LANDSCAPING ARE TO REMAIN AND
WILL NOT BE DISTURBED DURING THE CONSTRUCTION
OF THE PROPOSED NEW BUILDINGS.

PARKING SUMMARY (PHASE II):
OFFICE AREA:
1 SPACE PER 300 SF REQUIRED

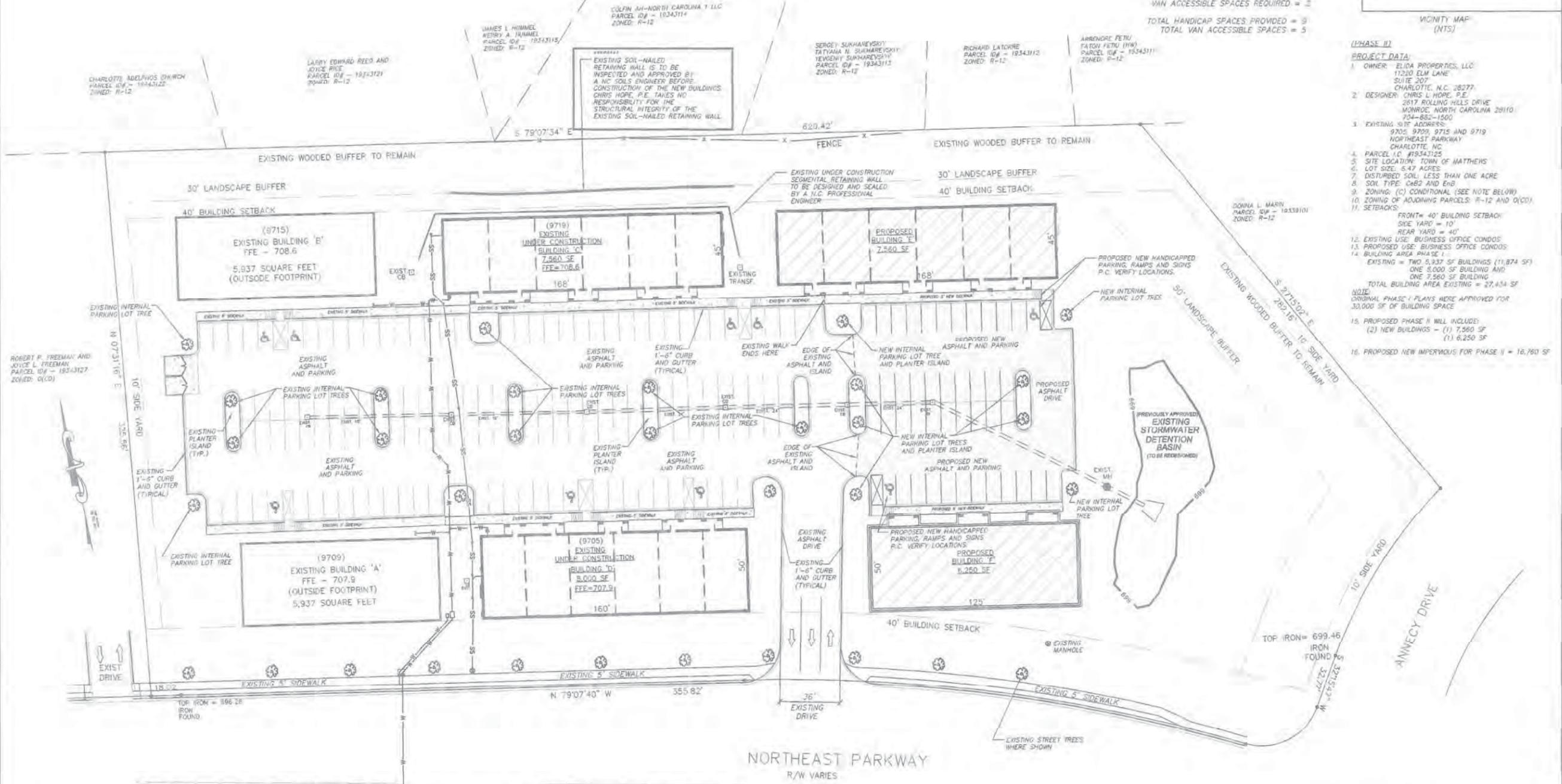
FOUR OFFICE BUILDINGS
EXIST. BUILDING 'A' = 5,937 SF
EXIST. BUILDING 'B' = 5,937 SF
APPROVED BUILDING 'C' = 7,560 SF
APPROVED BUILDING 'D' = 8,000 SF
PROPOSED BUILDING 'E' = 7,560 SF
PROPOSED BUILDING 'F' = 6,250 SF

TOTAL OFFICE SPACE = 41,234 SF
1 SPACE PER 300 SF REQUIRED
41,234 / 300 = 138 TOTAL SPACES REQUIRED
138 SPACES EXISTING
182 SPACES PROPOSED
TOTAL HANDICAP SPACES REQUIRED = 6
VAN ACCESSIBLE SPACES REQUIRED = 2

TOTAL HANDICAP SPACES PROVIDED = 9
TOTAL VAN ACCESSIBLE SPACES = 5



- (PHASE II) PROJECT DATA:**
- OWNER: ELIDA PROPERTIES, LLC
11230 ELM LANE
SUITE 207
CHARLOTTE, N.C. 28277
 - DESIGNER: CHRIS L. HOPE, P.E.
2617 ROLLING HILLS DRIVE
MONROE, NORTH CAROLINA 28110
704-882-1500
 - EXISTING SITE ADDRESS:
9705, 9709, 9715 AND 9719
NORTHEAST PARKWAY
CHARLOTTE, NC
 - PARCEL I.D. #19343125
 - SITE LOCATION: TOWN OF MATTHEWS
 - LOT SIZE: 5.47 ACRES
 - DISTURBED SOIL LESS THAN ONE ACRE
 - SOIL TYPE: C&B2 AND E&B
 - ZONING: (C) CONDITIONAL (SEE NOTE BELOW)
 - ZONING OF ADJOINING PARCELS: R-12 AND O(C)
 - SETBACKS:
FRONT = 40' BUILDING SETBACK
SIDE YARD = 10'
REAR YARD = 40'
 - EXISTING USE: BUSINESS OFFICE CONDOS
 - PROPOSED USE: BUSINESS OFFICE CONDOS
 - BUILDING AREA PHASE I:
EXISTING = TWO 5,937 SF BUILDINGS (11,874 SF)
ONE 8,000 SF BUILDING AND
ONE 7,560 SF BUILDING
TOTAL BUILDING AREA EXISTING = 27,434 SF
 - NOTE:
ORIGINAL PHASE I PLANS WERE APPROVED FOR
30,000 SF OF BUILDING SPACE
 - PROPOSED PHASE II WILL INCLUDE:
(2) NEW BUILDINGS - (1) 7,560 SF
(1) 6,250 SF
 - PROPOSED NEW IMPERVIOUS FOR PHASE II = 16,760 SF

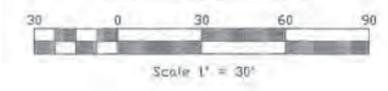


PROPOSED RE-ZONING SITE PLAN FOR:
Windsor Professional Center
9705, 9709, 9715, AND 9719 NORTHEAST PARKWAY
MATTHEWS, NORTH CAROLINA 28105



Rev.	
Scale	NOTED
Drawn By	CLH
Checked By	CLH
Date	6/22/15
Job No.	13914

**RE-ZONING
SITE PLAN**



NOTE:
ALL BOUNDARY,
TOPOGRAPHICAL INFORMATION
AND EXISTING CONDITIONS
SHOWN ON THIS PLAN
WERE TAKEN FROM A
BOUNDARY AND
TOPOGRAPHICAL SURVEY
PROVIDED BY:
JAMES D. MAULEY
1804 HOUGH ROAD
MT. CROGHAN, SC 29727
PH 704-308-3290

CHRIS HOPE/PROFESSIONAL ENGINEER/2617 ROLLING HILLS DRIVE/MONROE, NC 28110/(704) 882-1500

Ted Richard Brown, PLLC
Architectural
1100 E. 20th St., Matthews, North Carolina 28106
Telephone: (704) 330-1111

CHRIS HOPE/PROFESSIONAL ENGINEER/2617 ROLLING HILLS DRIVE/MONROE, NC 28110/(704) 882-1500

GENERAL NOTES

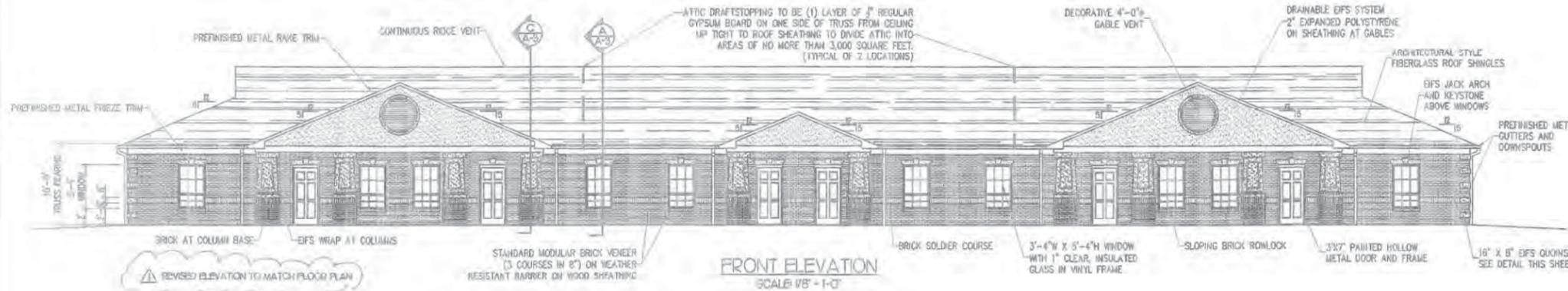
1. ALL MATERIALS AND FINISHES TO MATCH EXISTING ADJACENT BUILDING AS CLOSELY AS POSSIBLE.
2. GENERAL CONTRACTOR TO VERIFY ALL EXTERIOR COLORS AND FINISHES WITH THE OWNER PRIOR TO CONSTRUCTION.
3. REFER TO SHOP DRAWINGS BY WOOD TRUSS MANUFACTURER'S ENGINEER.
4. REFER TO STRUCTURAL ENGINEERING DRAWINGS.
5. INSTALL EXPANSION JOINTS IN BRICK VENEER AS SHOWN FLOOR PLAN. EXPANSION JOINTS TO START AT TOP OF CONCRETE FOOTING AND EXTEND TO TOP OF BRICK WALL. GULK, COLOR TO MATCH MORTAR COLOR.

CAULKING/SEALANT'S REQUIREMENTS

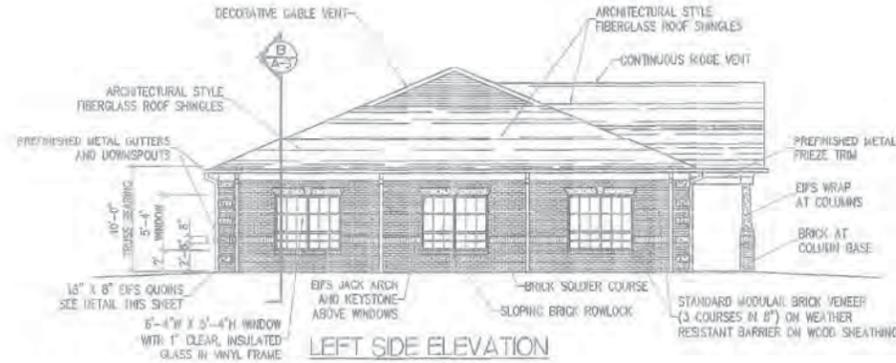
1. WORK INCLUDES FURNISHING AND INSTALLING SEALANTS AND BACKING MATERIALS AROUND DOORS AND WINDOWS, UTILITY SERVICE PENETRATIONS THRU WALLS AND ROOF, AT FLOOR UNDER FRAMES, BETWEEN EXTERIOR WALLS AND ROOF, AND BETWEEN EXTERIOR WALLS AND FOUNDATION.
2. CLEAN AND PREPARE SURFACES TO RECEIVE SEALANT MATERIALS.
3. PROVIDE SEALANTS TO COMPLY WITH THE 2012 NORTH CAROLINA ENERGY CONVERSION CODE FOR COMMERCIAL BUILDINGS. THIS INVOLVES SEALING OF THE BUILDING ENVELOPE BOTH ON THE EXTERIOR AND INTERIOR.
4. CLEAN AND PREPARE JOINTS BY REMOVING ANY LOOSE MATERIALS AND OTHER FOREIGN MATTER WHICH MIGHT IMPAIR ADHESION OF SEALANTS.
5. ASSURE THAT JOINT FORMING MATERIALS ARE COMPATIBLE WITH SEALANT.
6. APPLY SEALANT WITH MANUFACTURERS RECOMMENDED TEMPERATURE RANGES.
7. IF JOINT DEPTH EXCEEDS 1/2", INSTALL BACK-UP ROD OR OTHER APPROVED BACK-UP MATERIAL TO A DISTANCE OF NOT LESS THAN 1/2" FROM THE SURFACE OF THE JOINT.

LINTEL SCHEDULE

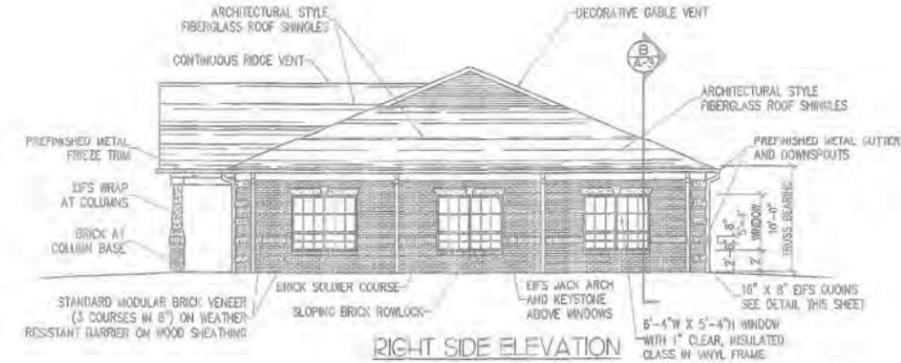
DOORS AND WINDOWS AT FRONT ELEVATION: 3/4x3/4x8 ANGLE
WINDOW AT SIDE AND REAR: 4x3/4x8 LLV ANGLE



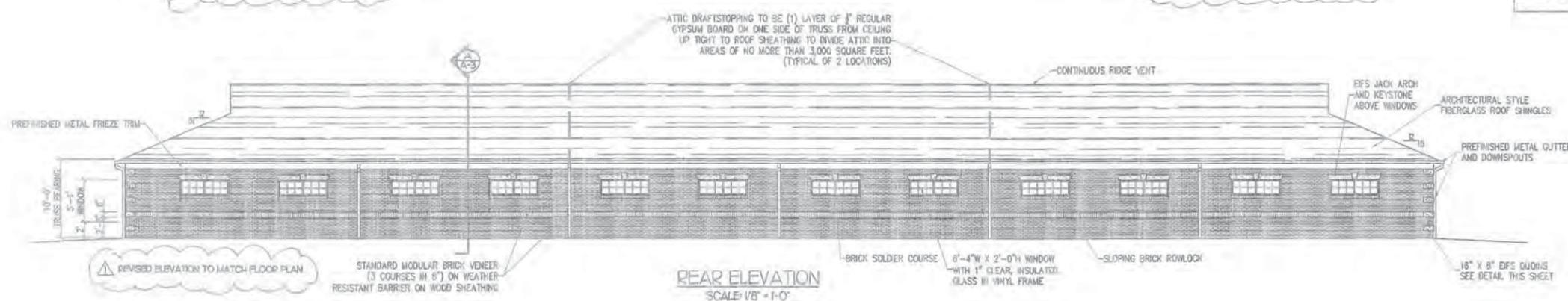
FRONT ELEVATION
SCALE 1/8" = 1'-0"



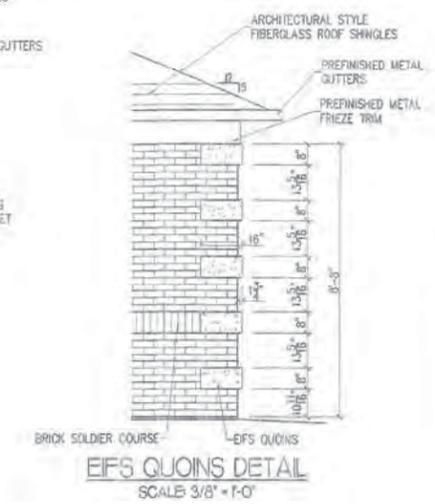
LEFT SIDE ELEVATION
SCALE 1/8" = 1'-0"



RIGHT SIDE ELEVATION
SCALE 1/8" = 1'-0"



REAR ELEVATION
SCALE 1/8" = 1'-0"



EIFS QUOINS DETAIL
SCALE 3/8" = 1'-0"

PROPOSED SHELL OFFICE BUILDING FOR:

Windsor Professional Center
Building C
579 NORTHEAST PARKWAY
MATTHEWS, NORTH CAROLINA 28105



Scale	AS NOTED
Drawn By	CTC
Checked By	TRE
Date	9/15/2014
Job No.	13914

PARKING SUMMARY (RE-ZONING):
GENERAL OFFICE AREAS:
 1 SPACE PER 300 SF REQUIRED

MEDICAL OFFICE AREAS:
 1 SPACE PER 200 SF REQUIRED
 (MAXIMUM MEDICAL OFFICE ALLOWED = 26,400 SF GROSS)

SIX OFFICE/MEDICAL BUILDINGS
 EXIST. BUILDING 'A' = 5,937 SF
 EXIST. BUILDING 'B' = 5,937 SF
 APPROVED BUILDING 'C' = 7,560 SF
 APPROVED BUILDING 'D' = 8,000 SF
 PROPOSED BUILDING 'E' = 7,560 SF
 PROPOSED BUILDING 'F' = 6,250 SF

TOTAL OFFICE/MEDICAL SPACE = 41,244 SF

PARKING CALCULATIONS FOR MAXIMUM DEMAND:
 TOTAL SPACES REQUIRED AT THE MAXIMUM ALLOWED MEDICAL OFFICE SPACE OF 26,400 SF (GROSS):

26,400 SF MEDICAL / 200 = 132 TOTAL SPACES REQUIRED
 14,844 SF OFFICE / 300 = 50 TOTAL SPACES REQUIRED

TOTAL SPACES REQUIRED = 182 SPACES

TOTAL EXISTING SPACES = 138 SPACES
 TOTAL NEW SPACES = 44 SPACES

TOTAL SPACES REQUIRED = 182 SPACES
 TOTAL SPACES PROVIDED = 182 SPACES

TOTAL HANDICAP SPACES REQUIRED = 6
 VAN ACCESSIBLE SPACES REQUIRED = 2

TOTAL HANDICAP SPACES PROVIDED = 9
 TOTAL VAN ACCESSIBLE SPACES = 5

CONDITIONAL NOTES:

- THE EXISTING 30' LANDSCAPE BUFFER IN THE REAR AND THE EXISTING 50' LANDSCAPE BUFFER IN THE SIDE YARD ARE TO REMAIN AND BE LEFT UNDISTURBED.
- ONE NEW STREET TREE IS TO BE ADDED ON THE SOUTHEAST END OF PROPERTY.
- TWO STREET TREES ARE TO BE REMOVED FROM THE 35' x 35' SIGHT TRIANGLES.
- ALL NEW LANDSCAPING SHOULD MEET CHAPTER 6 (SECTION 606) OF THE TOWN OF MATTHEWS U.D.O. ALL UTILITIES ON THE NORTHEAST PARKWAY SIDE OF THE PROPOSED BUILDINGS ARE TO BE SCREENED PER SECTION 155.606.6 (B).
- PROPOSED BUILDINGS MATERIAL LIST:
 - EXTERIOR WALLS TO BE STANDARD MODULAR BRICK VENEER W/ A BRICK SOLDIER COURSE WITH EIFS QUINS ON THE CORNERS, AND METAL FREEZE TRIM TO MATCH THE EXISTING BUILDINGS.
 - ROOF SYSTEM TO HAVE ARCHITECTURAL STYLE FIBERGLASS ROOF SHINGLES, AND A CONTINUOUS RIDGE VENT. PRE-FINISHED METAL GUTTERS AND DOWNSPOUTS TO MATCH EXISTING BUILDINGS.
 - GABLED PORCHES TO MATCH EXISTING, WITH EIFS SYSTEM, PRE-FINISHED METAL RAKE TRIM, BRICK BASE COLUMNS WITH EIFS WRAP AND ARCHITECTURAL STYLE FIBERGLASS ROOF SHINGLES.
 - THE LARGE GABLED PORCHES ON BUILDING 'E' TO HAVE DECORATIVE 4'-0" GABLE VENT TO MATCH BUILDING 'C'.
 - WINDOWS TO BE 1" CLEAR INSULATED GLASS IN A VINYL FRAME WITH A SLOPING BRICK ROWLOCK AND EIFS JACK ARCH KEYSTONE ABOVE (TO MATCH EXISTING BUILDINGS).
 - EXTERIOR DOORS TO BE 3' x 7' HOLLOW METAL DOOR AND FRAME TO MATCH EXISTING BUILDINGS.
- THE EXISTING APPROVED STORMWATER DETENTION BASIN WILL HAVE TO BE REDESIGNED BY A N.C. P.E. THE NEW BASIN WILL NEED TO BE DESIGNED TO DETAIN THE ADDITIONAL BUILDINGS AND ASPHALT BEING ADDED TO ACCOMMODATE PROPOSED BUILDINGS 'E' AND 'F' AND IT WILL NEED TO MEET THE POST CONSTRUCTION STORMWATER ORDINANCE.
- ALL NEW PARKING IS TO MEET SECTION 155.607 OF THE TOWN OF MATTHEWS U.D.O.
- MAXIMUM MEDICAL OFFICE ALLOWED ON THIS PARCEL SHALL BE 26,400 SF GROSS.

9. THE EXISTING MONUMENT SIGN MAY BE RELOCATED AT THE OWNERS DISCRETION IF PROPOSED BUILDING 'F' AFFECTS ITS VISIBILITY.
 10. THE UTILITIES WILL BE PAINTED TO MATCH THE COLOR OF THE ADJACENT BRICK.
 11. ALL USES PERMITTED IN THE OFFICE DISTRICT WILL BE ALLOWED EXCEPT FOR THE FOLLOWING:
 (1) DWELLING, ONE-FAMILY ATTACHED
 (2) DWELLING, TWO-FAMILY/DUPLEX
 (3) FIRE AND/OR EMS, POLICE STATION
 (4) ELECTRIC AND GAS SUBSTATION, SEWAGE TREATMENT PLANT
 (5) CEMETERY, MAUSOLEUM, AND COLUMBARIUM
 (6) ON-SITE DEMOLITION DISPOSAL SITE
 (7) RAILROAD RIGHT OF WAY

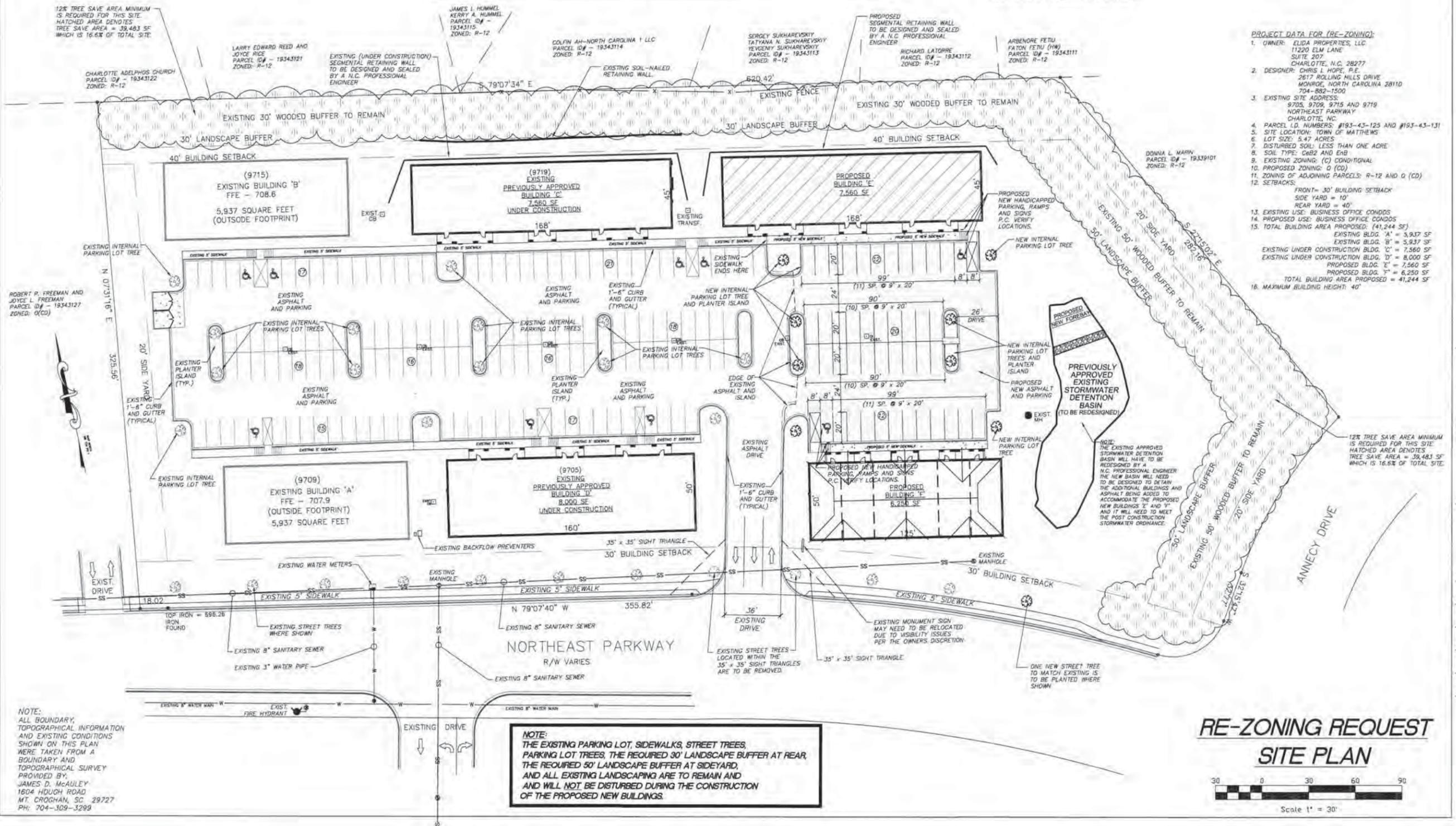
RE-ZONING NOTES:

- EXISTING ZONING: (C) CONDITIONAL
- PROPOSED ZONING: O (CD) "OFFICE"
- EXISTING USE: GENERAL OFFICE
- PROPOSED USES: GENERAL OFFICE AND MEDICAL OFFICE PER TABLE 155.505.2 TOWN OF MATTHEWS U.D.O. BOTH PERMITTED USES BY RIGHT AS OF (09-08-2015)
- FOR ALL ALLOWED USES IN O(CD) (OFFICE) ZONING: SEE TABLE 155.505.2 TOWN OF MATTHEWS U.D.O. PERMITTED BY RIGHT (P) ALLOWED UNDER PRESCRIBED CONDITIONS (PC) ALLOWED AS AN ACCESSORY USE (ACC)



PROJECT DATA FOR (RE-ZONING):

- OWNER: ELIDA PROPERTIES, LLC
11220 ELM LANE SUITE 207 CHARLOTTE, N.C. 28277
- DESIGNER: CHRIS L HOPE, P.E.
2617 ROLLING HILLS DRIVE MONROE, NORTH CAROLINA 28110 704-882-1500
- EXISTING SITE ADDRESS: 9705, 9709, 9715 AND 9719 NORTHEAST PARKWAY CHARLOTTE, NC.
- PARCEL I.D. NUMBERS: #193-43-125 AND #193-43-131
- SITE LOCATION: TOWN OF MATTHEWS
- LOT SIZE: 5.47 ACRES
- DISTURBED SOIL: LESS THAN ONE ACRE
- SOIL TYPE: C&B2 AND E&B
- EXISTING ZONING: (C) CONDITIONAL
- PROPOSED ZONING: O (CD)
- ZONING OF ADJOINING PARCELS: R-12 AND O (CD)
- SETBACKS:
FRONT= 30' BUILDING SETBACK
SIDE YARD = 10'
REAR YARD = 40'
- EXISTING USE: BUSINESS OFFICE CONDOS
- PROPOSED USE: BUSINESS OFFICE CONDOS
- TOTAL BUILDING AREA PROPOSED: (41,244 SF)
EXISTING BLDG. 'A' = 5,937 SF
EXISTING BLDG. 'B' = 5,937 SF
EXISTING UNDER CONSTRUCTION BLDG. 'C' = 7,560 SF
EXISTING UNDER CONSTRUCTION BLDG. 'D' = 8,000 SF
PROPOSED BLDG. 'E' = 7,560 SF
PROPOSED BLDG. 'F' = 6,250 SF
TOTAL BUILDING AREA PROPOSED = 41,244 SF
- MAXIMUM BUILDING HEIGHT: 40'

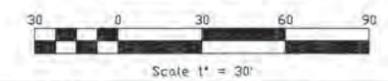


PROPOSED RE-ZONING SITE PLAN FOR
Windsor Professional Center
 NORTHEAST PARKWAY
 MATTHEWS, NORTH CAROLINA 28105



Rev.	
Scale	NOTED
Drawn By	CLH
Checked By	CLH
Date	10/1/15
Job No.	13914

**RE-ZONING REQUEST
 SITE PLAN**



SP-1
 OF 1

Ted Richard Brown, PLLC
Architectural Services
Post Office Box 2070, Matthews, North Carolina 28106
Telephone: (704) 336-1111

PROPOSED SHELL OFFICE BUILDING FOR
Windsor Professional Center Building E
NORTHEAST PARKWAY
MATTHEWS, NORTH CAROLINA 28105
CHRIS HOPE/PROFESSIONAL ENGINEER/2617 ROLLING HILLS DRIVE/MONROE, NC 28110/(704) 882-1500

GENERAL NOTES

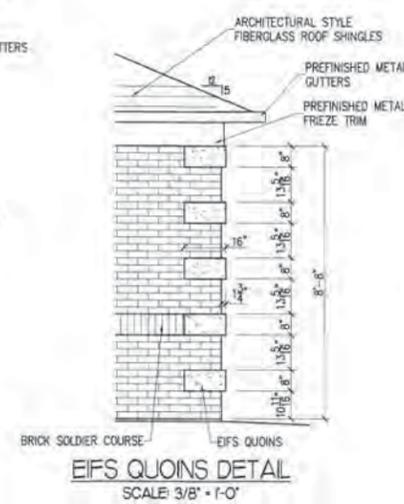
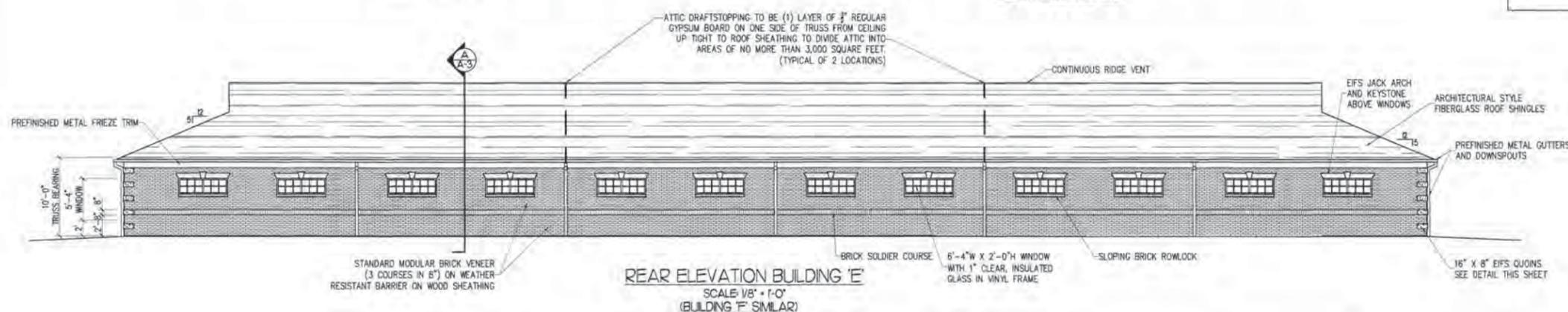
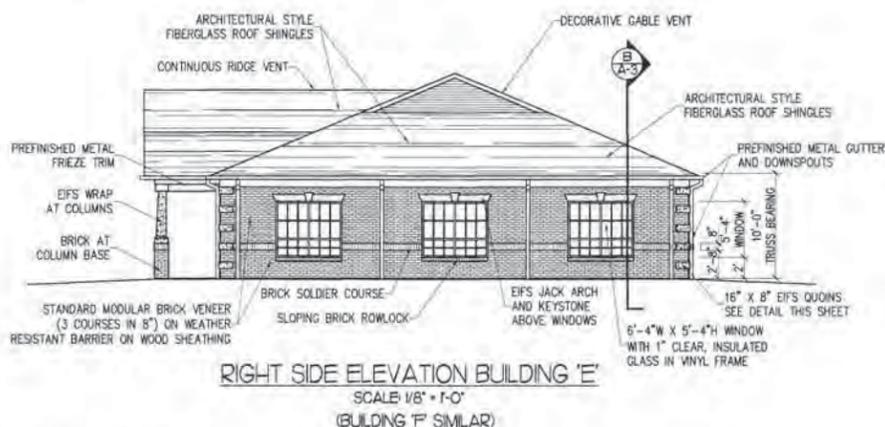
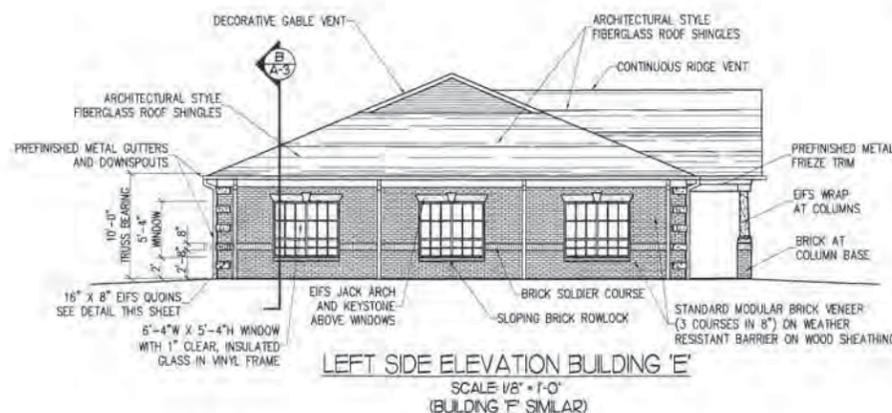
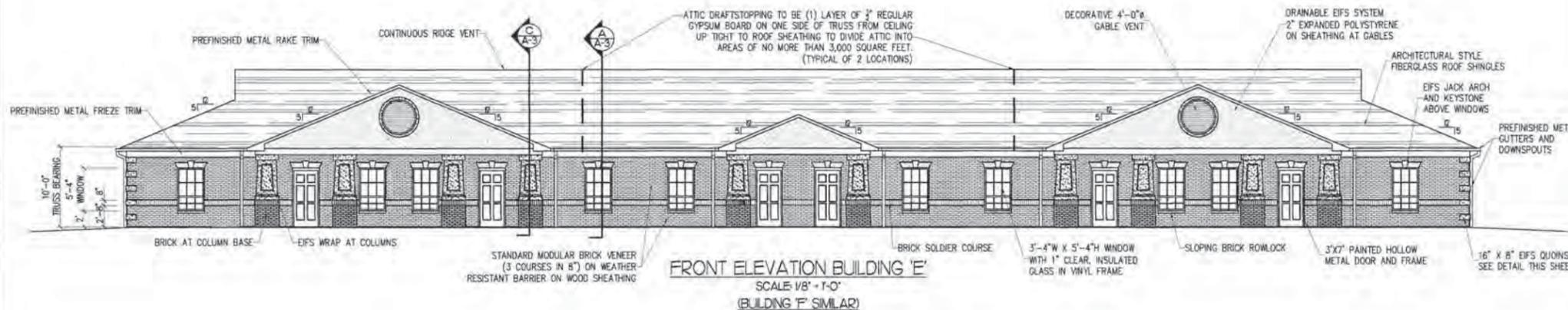
1. ALL MATERIALS AND FINISHES TO MATCH EXISTING ADJACENT BUILDING AS CLOSELY AS POSSIBLE.
1. ALL MATERIALS AND FINISHES TO BE INSTALLED PER THE MANUFACTURER'S WRITTEN INSTRUCTIONS.
2. GENERAL CONTRACTOR TO VERIFY ALL EXTERIOR COLORS AND FINISHES WITH THE OWNER PRIOR TO CONSTRUCTION.
3. REFER TO SHOP DRAWINGS BY WOOD TRUSS MANUFACTURER'S ENGINEER.
5. INSTALL EXPANSION JOINTS IN BRICK VENEER AS SHOWN FLOOR PLAN. EXPANSION JOINTS TO START AT TOP OF CONCRETE FOOTING AND EXTEND TO TOP OF BRICK WALL. CAULK COLOR TO MATCH MORTAR COLOR.

CAULKING/SEALANTS REQUIREMENTS

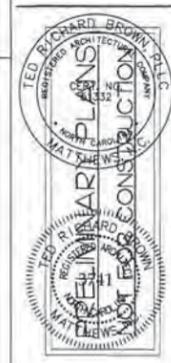
1. WORK INCLUDES FURNISHING AND INSTALLING SEALANTS AND BACKING MATERIALS AROUND DOORS AND WINDOWS, UTILITY SERVICE PENETRATIONS THRU WALLS AND ROOF, AT FLOOR UNDER FRAMES, BETWEEN EXTERIOR WALLS AND ROOF, AND BETWEEN EXTERIOR WALLS AND FOUNDATION.
2. CLEAN AND PREPARE SURFACES TO RECEIVE SEALANT MATERIALS.
3. PROVIDE SEALANTS TO COMPLY WITH THE 2012 NORTH CAROLINA ENERGY CONSERVATION CODE FOR COMMERCIAL BUILDINGS. THIS INVOLVES SEALING OF THE BUILDING ENVELOPE BOTH ON THE EXTERIOR AND INTERIOR.
4. CLEAN AND PREPARE JOINTS BY REMOVING ANY LOOSE MATERIALS AND OTHER FOREIGN MATTER WHICH MIGHT IMPAIR ADHESION OF SEALANTS.
5. ASSURE THAT JOINT FORMING MATERIALS ARE COMPATIBLE WITH SEALANT.
6. APPLY SEALANT WITHIN MANUFACTURER'S RECOMMENDED TEMPERATURE RANGES.
7. IF JOINT DEPTH EXCEEDS 1/2", INSTALL BACK-UP ROD OR OTHER APPROVED BACK-UP MATERIAL TO A DISTANCE OF NOT LESS THAN 1/2" FROM THE SURFACE OF THE JOINT.

LINTEL SCHEDULE

DOORS AND WINDOWS AT FRONT ELEVATION: 3 1/2 x 3 1/2 x 1/2 ANGLE
WINDOW AT SIDE AND REAR: 4 x 3 1/2 x 1/2 LLV ANGLE



NOTE:
PROPOSED BUILDING 'E' SHOWN ABOVE WILL BE IDENTICAL TO BUILDING 'C' WHICH IS UNDER CONSTRUCTION
PROPOSED BUILDING 'F' WILL BE VERY SIMILAR. IT WILL BE A SMALLER VERSION OF BUILDING 'C' AND 'E' CONSTRUCTED OF THE SAME BUILDING MATERIALS WITH THREE IDENTICAL GABLED PORCHES IN THE FRONT.



Bids Due	
Set No	
Revisions	
Scale	AS NOTED
Drawn By	CTC
Checked By	TRB
Date	9/8/2015
Job No	13914

Ted Richard Brown, PLLC
Architectural Services
Post Office Box 3070, Matthews, North Carolina 28105
Telephone: (704) 331-1111

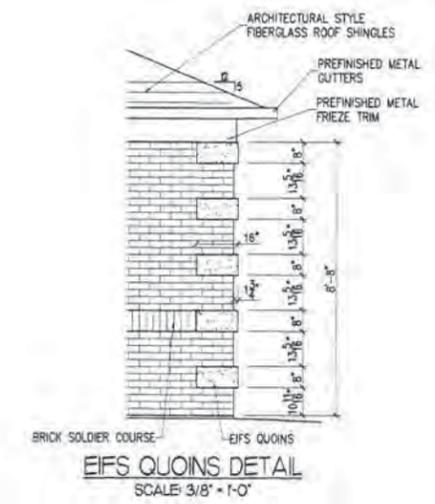
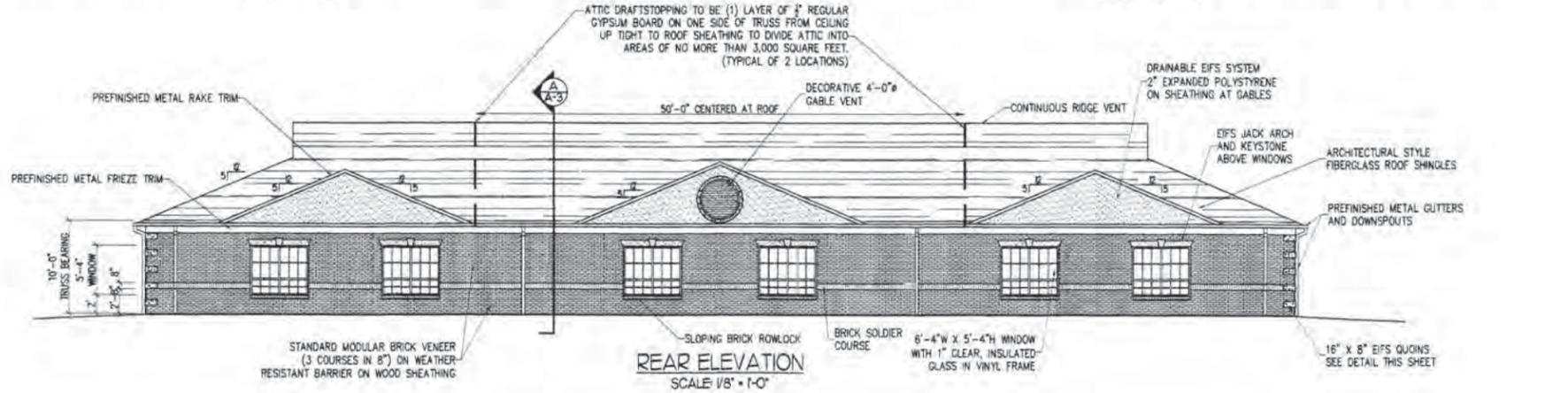
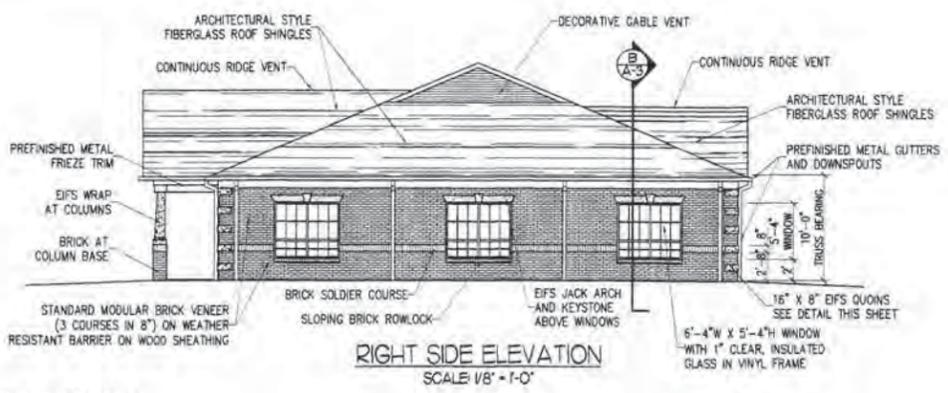
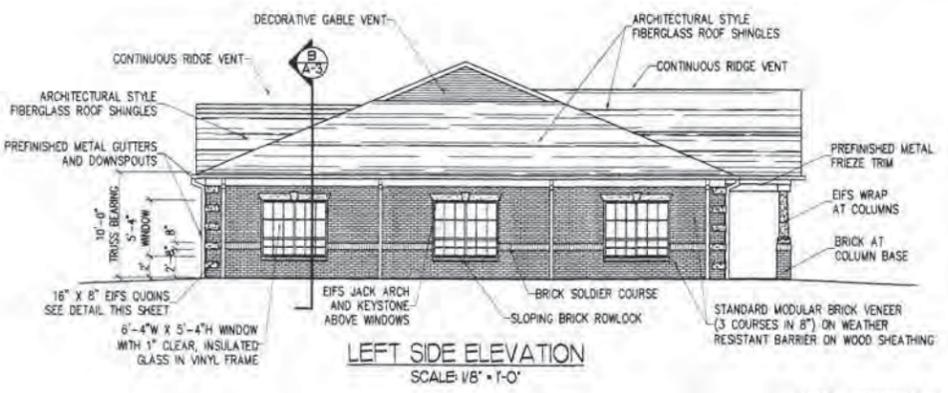
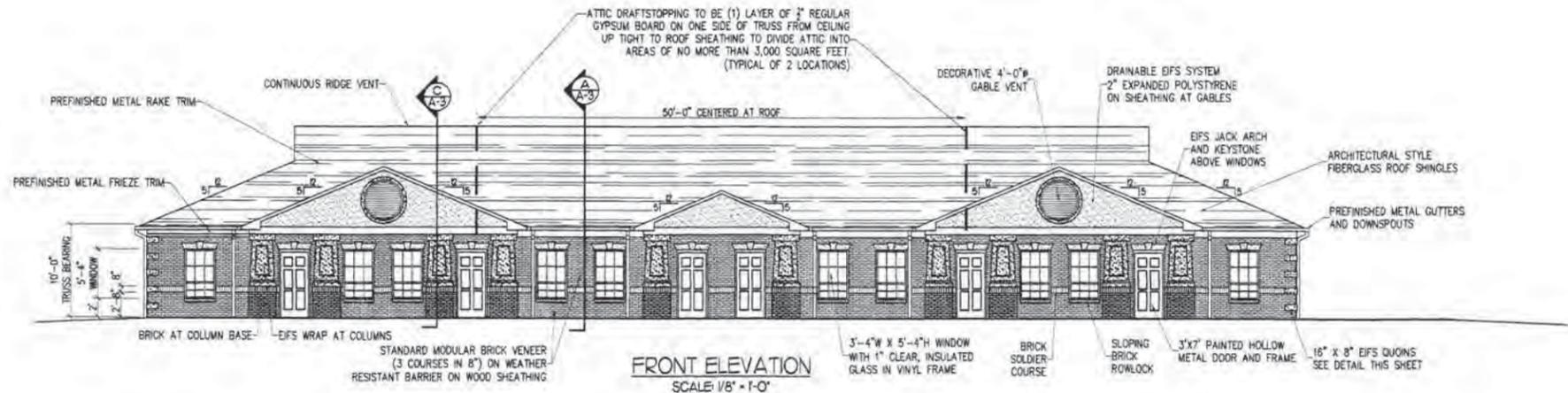
PROPOSED SHELL OFFICE BUILDING FOR:
Windsor Professional Center Building F
NORTHEAST PARKWAY
MATTHEWS, NORTH CAROLINA 28105
CHRIS HOPE/PROFESSIONAL ENGINEER/2617 ROLLING HILLS DRIVE/MONROE, NC 28110/(704) 882-1500

- GENERAL NOTES**
1. ALL MATERIALS AND FINISHES TO MATCH EXISTING ADJACENT BUILDING AS CLOSELY AS POSSIBLE.
 2. GENERAL CONTRACTOR TO VERIFY ALL EXTERIOR COLORS AND FINISHES WITH THE OWNER PRIOR TO CONSTRUCTION.
 3. REFER TO SHOP DRAWINGS BY WOOD TRUSS MANUFACTURER'S ENGINEER.
 4. REFER TO STRUCTURAL ENGINEERING DRAWINGS.
 5. INSTALL EXPANSION JOINTS IN BRICK VENEER AS SHOWN FLOOR PLAN. EXPANSION JOINTS TO START AT TOP OF CONCRETE FOOTING AND EXTEND TO TOP OF BRICK WALL. CAULK COLOR TO MATCH MORTAR COLOR.

- CAULKING/SEALANTS REQUIREMENTS**
1. WORK INCLUDES FURNISHING AND INSTALLING SEALANTS AND BACKING MATERIALS AROUND DOORS AND WINDOWS, UTILITY SERVICE PENETRATIONS THRU WALLS AND ROOF, AT FLOOR UNDER FRAMES, BETWEEN EXTERIOR WALLS AND ROOF, AND BETWEEN EXTERIOR WALLS AND FOUNDATION.
 2. CLEAN AND PREPARE SURFACES TO RECEIVE SEALANT MATERIALS.
 3. PROVIDE SEALANTS TO COMPLY WITH THE 2012 NORTH CAROLINA ENERGY CONSERVATION CODE FOR COMMERCIAL BUILDINGS. THIS INVOLVES SEALING OF THE BUILDING ENVELOPE BOTH ON THE EXTERIOR AND INTERIOR.
 4. CLEAN AND PREPARE JOINTS BY REMOVING ANY LOOSE MATERIALS AND OTHER FOREIGN MATTER WHICH MIGHT IMPAIR ADHESION OF SEALANTS.
 5. ASSURE THAT JOINT FORMING MATERIALS ARE COMPATIBLE WITH SEALANT.
 6. APPLY SEALANT WITHIN MANUFACTURERS RECOMMENDED TEMPERATURE RANGES.
 7. IF JOINT DEPTH EXCEEDS 1/2", INSTALL BACK UP ROD OR OTHER APPROVED BACK-UP MATERIAL TO A DISTANCE OF NOT LESS THAN 1/2" FROM THE SURFACE OF THE JOINT.

LINTEL SCHEDULE

DOORS AND WINDOWS AT FRONT ELEVATION: 3/4"x3/4"x1/8" ANGLE
WINDOW AT SIDE AND REAR: 4X3/4"x1/8" LLV ANGLE



PRELIMINARY PLANS
NOT FOR CONSTRUCTION

Date:	
Rev. No.:	
Revisions:	
Scale:	AS NOTED
Drawn By:	CTC
Checked By:	TRB
Date:	9/14/2015
Job No.:	7775



Full Service Property Management, Real Estate Sales, & Marketing

www.CarolinasMetro.com Phone: **704-405-0634** E-mail: Info@CarolinasMetro.com Fax: **866-357-5331**

Fox Run Business Park, 17232 Lancaster Hwy, Ste. 108, Charlotte, NC 28277

Minutes for Neighborhood/Community Informational Meeting for Windsor Zoning

September 2, 2015

9709 Northeast Pkwy Ste 400 Matthews NC 28105

Call to Order

The meeting was called to order and presided over by Tameka McClary at 3:00.

Attendees

Yuriy Vaynshteyn – Developer , Mark Coccia – Board Member, and Tameka McClary – Management Company. There were no attendees from the surrounding community.

Adjournment

Meeting adjourned at 4:01

Full Service Real Estate Sales & Marketing

Fox Run Office Park, 17232 Lancaster Hwy, Ste. 108, Charlotte, NC 28277

www.CarolinasMetro.com Phone: **704-405-0634** Fax: **866-357-5331**

Project Summary

Location: 9705-9719 Independence Pointe Parkway

Owner(s): Multiple owners within condo association

Agent: Mr. Yury Vaynshteyn

Current Zoning: Conditional

Proposed Zoning: Office (CD)

Existing Use: Office buildings

Proposed Use: Two additional office buildings

Community Meeting: Occurred September 2,2015

Summary of Request

The applicant proposes the addition of up to 13,810 square feet of additional office space in two separate buildings.

Staff Recommendation

Staff is supportive of the rezoning as it complies with the Town policy of updating the zoning on all old conditionally zoned properties.

Planning Staff Review

Background And History

The site was last rezoned in 2003 for up to 30,000 square feet of office space and was originally part of the Windsor Square zoning action. Staff has been working with the owner of the vacant land for about a year now to update the rezoning at the site. Only two buildings were originally built, however, the applicant is currently constructing two additional buildings that are allowed under the current zoning.

Details of the Site Plan

Mr. Yuriy Vaynshteyn purchased two vacant building pads and additional excess land at the site several years ago. In addition to the buildings currently under construction, two additional office buildings are proposed, bringing the total number of buildings at the site to 6 and total square footage of office space to 43,810. The existing driveway will remain and continue to serve as the only access point. To allow for the additional buildings, the existing storm water pond is being redesigned to create more buildable area. A wooded buffer of 30' that is consistent with existing buffers behind the current buildings is planned for the new building closest to homes in the Annecy subdivision.

Summary of Proposed Conditions

1. Up to 13,810 square feet of additional space for a total of 43,810 square feet on the site.
2. Of the total buildable area, up to 26,400 square feet may be devoted to medical office space.
3. All uses within the Office district are allowed.
4. Building exteriors are primarily brick per elevation drawings.
5. Utilities along Northeast Parkway to be screened from view.

Planning Staff Review

Outstanding Issues/Planning Staff Comments

(Please see additional comments in staff memos for more detail)

1. A PCO Concept Plan approval is required prior to a zoning decision
2. The new building proposed along Northeast Parkway appears to be the rear of the building and retains small clerestory windows rather than full size windows. The earlier units constructed at the site featured full size windows and gables on the roofline.

Consistency with Adopted Plans and Policies and Town Vision Statements

Office is an appropriate zoning designation for the site and serves as a transition between the intense commercial use at Windsor Square and single family homes to the rear of the subject property.

Reports from Town Departments and County Agencies

Matthews Police

No Comment

Matthews Fire

No Comment

Public Works

No Comment

Matthews Parks and Recreation

No Comment

Charlotte Mecklenburg Schools

Not Applicable

PCO Concept Plan Approval Required?

Yes

Impact Analysis

As a commercial project, there is no anticipated financial burden from this request.

Projected Financial Impact of the Request

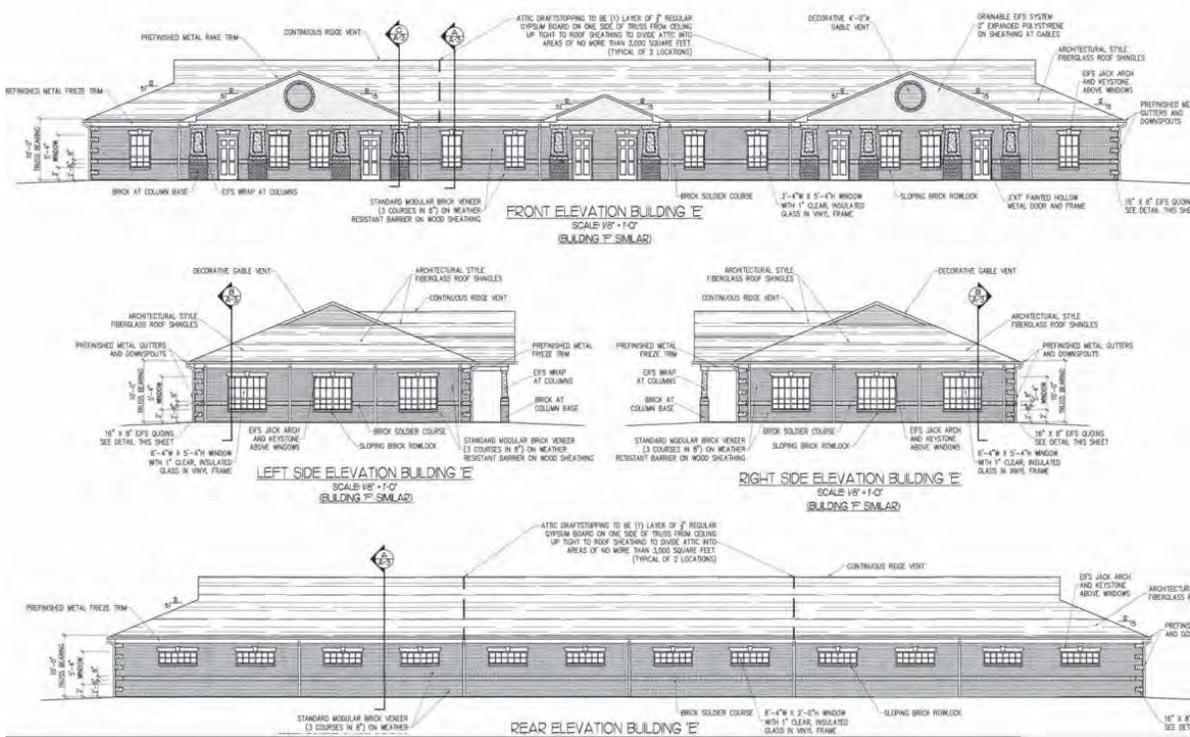
The two additional buildings on the site would generate approximately \$5,400 in additional annual Matthews tax revenue.

Site Images



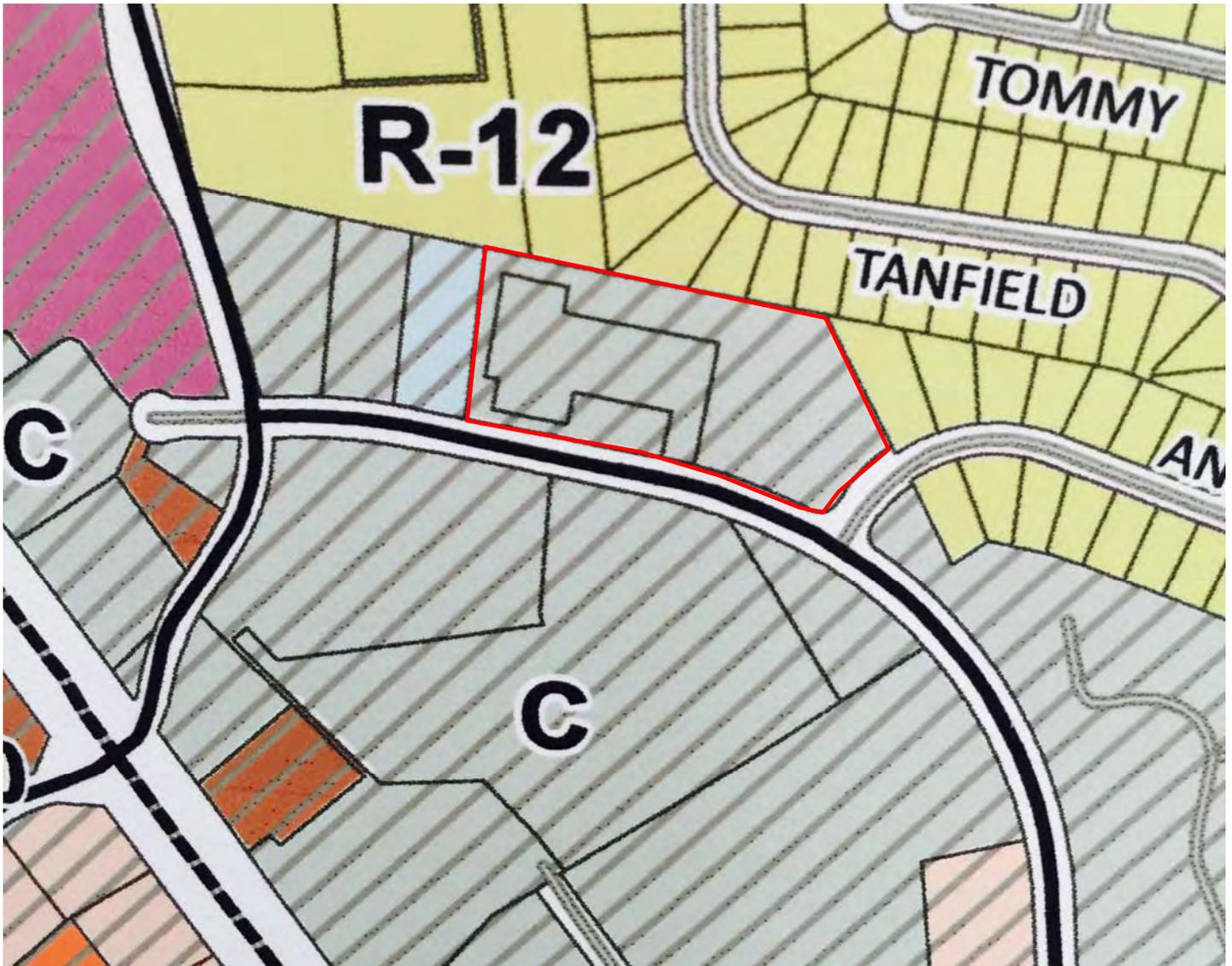
Elevations

Parking Lot Elevations



Northeast Parkway Elevation

Area Zoning



Agenda Item: Decision on 2015-634 Christ Covenant Church

DATE: October 7, 2015

FROM: Jay Camp

Background/Issue:

- Christ Covenant Church requests rezoning of a 1.13 acre lot from R-15 to R/I
- The rezoning unites the tract with the remaining 29 acres of the property that is already zoned R/I
- Due to the relationship of the parcel to the surround land, no conditions are proposed

Proposal/Solution:

- Planning Board recommended approval of the rezoning by a vote of 7-0. Staff considers this an appropriate land use decision and recommends approval of the request.

Financial Impact:

None

Related Town Goal(s) and/or Strategies:

Quality of Life

Economic Development/Land Use Planning

Recommended Motion/Action:

Approve Rezoning Request 2015-634



DATE FILED <u>7-29-15</u>
APPLICATION NUMBER <u>2015-634</u>
<i>For office use only</i>

**APPLICATION FOR CHANGE IN ZONING CLASSIFICATION
OR CHANGE IN CONDITIONS
(SEE FILING INSTRUCTIONS)**

TO: Town of Matthews Board of Commissioners
 Town of Matthews Planning Board
 232 Matthews Station Street
 Matthews, North Carolina 28105-6713

Ladies and Gentlemen:

Your consideration of this petition is requested for:

- A change in zoning classification of the property hereinafter described; or
- A change in conditions to an existing conditional zoning plan.

Tax parcel number(s): 22702605

Address of property: 419 Covenant Church Lane, Matthews, NC 28105

Location of property:

Title to the property was acquired on August 20, 2013
 and was recorded in the name of Christ Covenant Church
 whose mailing address is 800 Fullwood Lane, Matthews, NC 28105

The deed is recorded in Book 28633 and Page 777 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: R-15 Requested zoning classification: R/I

Application number
2015-634
For office use only

List reason(s) why zoning should be changed (use separate sheet if necessary):

Please see separate sheet.

William L. Spitz
Signature of property owner (must be original)

Christ Covenant Church

Print name of property owner
800 Fullwood Lane

Property owner's mailing address
Matthews, NC

Property owner's mailing address, continued
28105

Property owner's mailing address, continued

(704) 814-1010/sspitz@christcovenant.org

Property owner's phone number/email address

Signature of property owner (must be original)

Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

B. Schoeck
Signature of agent (if any)

Brian Schoeck

Print name of agent
1065 E. Morehead Street

Agent's mailing address
Charlotte, NC

Agent's mailing address, continued
28204

Agent's mailing address, continued

(704) 998-2252/ bschoeck@jahlaw.com

Agent's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

Petitioner's phone number/email address

Application number

2015-634

For office use only

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

22702602

TAX PARCEL

Christ Covenant Church

PROPERTY OWNER NAME(S)

800 Fullwood Lane

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

22702690

TAX PARCEL

Town of Matthews

PROPERTY OWNER NAME(S)

232 Matthews Station St.

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

Application number
2015-634
For office use only

SUMMARY OF THE REZONING PROCESS

PETITIONER: Fill in dates for each action below before filing application. Refer to the current Planning Department rezoning schedule for correct dates.

PROPERTY OWNERS: These dates are assumed to be correct at the time of zoning application submittal but are subject to revision. Contact the Planning Department (704-847-4411 or email blynd@matthewsnc.gov) for verification.

Application submitted to and accepted by the Town of Matthews July 29, 2015
Town Board of Commissioners formally accepts application and sets Public Hearing date August 10, 2014
Notices sent via mail to affected/adjacent property owners on or before August 31, 2014
Protest petition filed with Planning Department by 5:00 pm on n/a
Public hearing: petitioner may give explanation of why s/he wishes to have property rezoned and neighboring owners may ask questions and voice opinions on the proposed zoning September 14, 2015
Town Planning Board reviews petition, information, and comments from the public hearing, then makes a recommendation to the Board of Commissioners on whether to approve or deny the request Sept 22, 2015
Town Board of Commissioners approves or denies application October 12, 2015

GENERAL STATUTE 160A-385: CHANGES.

- (a) Zoning ordinances may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a qualified protest against a zoning map amendment, that amendment shall not become effective except by favorable vote of three-fourths of all the members of the city council. For the purposes of this subsection, vacant positions on the council and members who are excused from voting shall not be considered "members of the council" for calculation of the requisite supermajority. To qualify as a protest under this section, the petition must be signed by the owners of either (i) twenty percent (20%) or more of the area included in the proposed change or (ii) five percent (5%) of a 100-foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right of way shall not be considered in computing the 100-foot buffer area as long as that street right of way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100-foot buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine the "owners" of potentially qualifying areas. The foregoing provisions concerning protests shall not be applicable to any amendment which initially zones property added to the territorial coverage of the ordinance as a result of annexation or otherwise, or to an amendment to an adopted (i) special use district, (ii) conditional use district, or (iii) conditional district if the amendment does not change the types of uses that are permitted within the district or increase the approved density for residential development, or increase the total approved size of nonresidential development, or reduce the size of any buffers or screening approved for the special use district, conditional use district, or conditional district.
- (b) Amendments in zoning ordinances shall not be applicable or enforceable without consent of the owner with regard to buildings and uses for which either (i) building permits have been issued pursuant to GS 160A-417 prior to the enactment of the ordinance making the change or changes so long as the permits remain valid and unexpired pursuant to GS 160A-418 and unrevoked pursuant to GS 160A-422 or (ii) a vested right has been established pursuant to GS 160A-385.1 and such vested right remains valid and unexpired pursuant to GS 160A-385.1

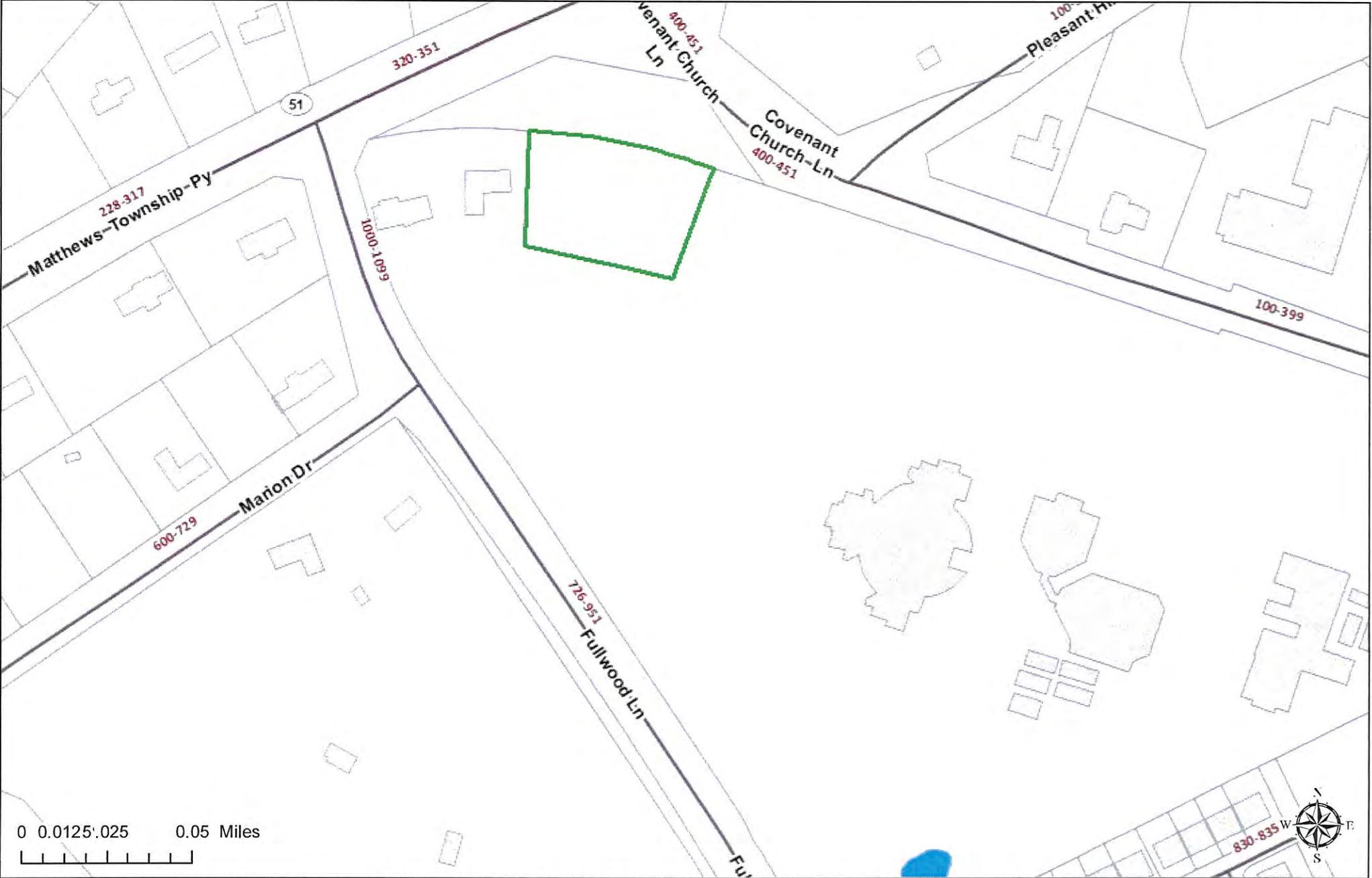
List reason(s) why zoning should be changed:

The subject Property is a 1.132 acre parcel acquired by Christ Covenant Church in 2013 to provide expansion opportunities for its main campus on Fullwood Lane. The Church campus contains 29.35 acres, all zoned R/I and currently includes both worship facilities and Covenant Day School facilities. The subject Property is surrounded on three (3) sides by the Church campus, and on the fourth (4th) by the Town of Matthews community garden site. The subject Property's current zoning designation as R-15 is an outlier for the surrounding uses. Christ Covenant Church is in the process of constructing new church and school facilities on its campus. The rezoning is requested to bring the subject Property in conformity with the surrounding uses and to provide continuity with the existing zoning for the Christ Covenant Church campus.

Polaris 3G Map – Mecklenburg County, North Carolina

2015-634
07-29-2015

Date Printed: 8/4/2015 6:36:59 PM



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

Project Summary

Location:	Covenant Church Lane
Owner(s):	Christ Covenant Church
Agent:	Brian Schoeck, Johnston Allison & Hord, PA
Current Zoning:	R-15
Proposed Zoning:	R/I
Existing Use:	Vacant Land
Proposed Use:	Not Applicable
Community Meeting:	Not Required

Summary of Request

The applicant proposes to rezone an approximately 1.13 acre lot to the Residential/Institutional category.

Staff Recommendation

The rezoning request is not typical due to the fact that no conditions are proposed. As such, Planning Staff has few comments on the matter. Staff is supportive of the request as it simply adds the relatively small parcel to the greater 29 acre portion of the church and school campus on the south side of Covenant Church Lane. Creating conditions for the site is not practical as the land is to be combined and used as a part of the overall property. The current 29 acre portion of the campus that adjoins the site is zoned R/I with no conditions.

Planning Staff Review

Background And History

The subject parcel was originally 3 single family lots with frontage on old Highway 51. The lots are now combined and separated from the right-of-way by the Community Garden. The Community Garden parcel, originally a portion of NCDOT right-of-way, was deeded to the Town in 2009. Current construction work near the subject property is underway for a new high school building.

Details of the Site Plan

With no conditions proposed for the site, a survey of the vacant property is the only site information received. If the site is ever developed, a 20' buffer will apply in the area adjacent to the Community Garden.

Summary of Proposed Conditions

No conditions are permitted when conditional zoning is not requested.

Planning Staff Review

Outstanding Issues/Planning Staff Comments

(Please see additional comments in staff memos for more detail)

1. No outstanding issues or concerns

Consistency with Adopted Plans and Policies and Town Vision Statements

The Residential Institutional category is an appropriate zoning at this location and consistent with the remainder of the campus.

Reports from Town Departments and County Agencies

Matthews Police

No Comment

Matthews Fire

No Comment

Public Works

No Comment

Matthews Parks and Recreation

No Comment

Charlotte Mecklenburg Schools

Not Applicable

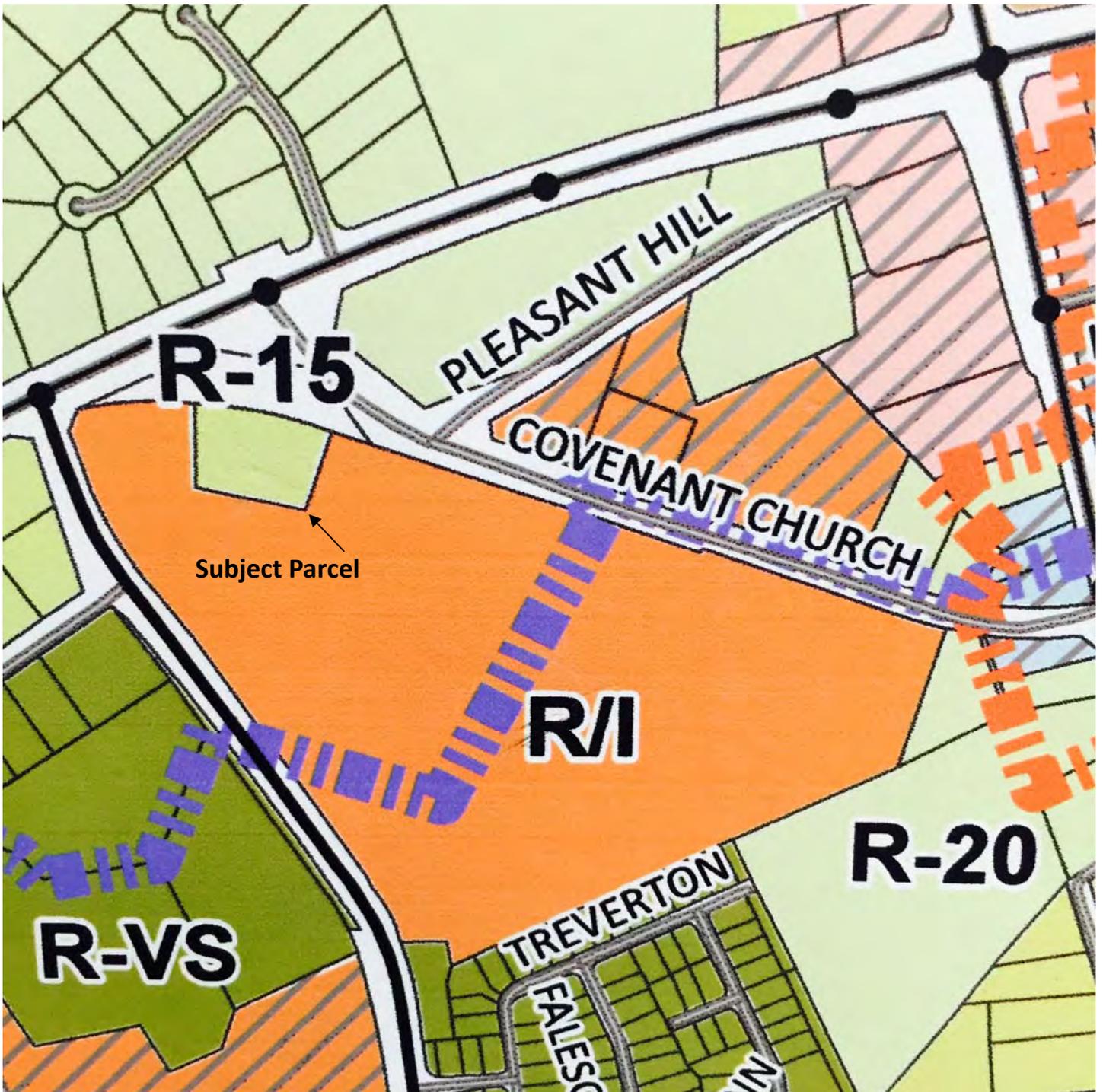
PCO Concept Plan Approval Required?

No

Impact Analysis

No impact analysis was performed due to the nature of this rezoning.

Area Zoning Map



Agenda Item: Public Improvement Variance – Walking by Faith – Rice and Sam Newell Roads

DATE: October 6, 2015

FROM: Mary Jo Gollnitz, Planner II

Background/Issue:

- Walking by Faith Community Church is in the beginning stages of developing a 5.5 acre tract of land at the corner of Rice and Sam Newell Roads.
- The property is zoned R-15 and the church is being developed by right.
- The church plans to build their facility in two phases, the first phase to start now, and the second phase at whatever time their growth requires it.
- The church will install curb, gutter and sidewalk along Rice Road from the adjoining property to approximately 110' past their driveway as part of their Phase 1 construction, extending existing improvements on Rice Road.
- Rice Road is a Town-maintained street and the Town Board has previously stated that they wish to have the fourth leg built at the intersection, which may include (right and/or left turn lanes here). No design work has been done for the revised four-legged intersection
- Sam Newell is designated as a minor thoroughfare and therefore requires a 70' wide right-of-way
- This a State maintained road and will become part of the Northeast Parkway/Arequipa Drive parallel collector road to Independence.
- Matthews and Charlotte are pushing for construction of this parallel collector road as part of the Independence Blvd conversion project.
- NCDOT has not provided any guidance/direction on desired cross section for the collector road.
- Currently, when widening roads, NCDOT will not install new sidewalks along roads that do not have existing sidewalks.

The church is requesting Public Improvement Variances for both Sam Newell and Rice Roads as follows:

❖ Along Sam Newell Rd frontage

- Waive the installation of widened pavement, curb and gutter along Sam Newell. This is similar to the Public Improvement Variance granted to Habitat for future thoroughfare improvements along Margaret Wallace.
- Delay installing the sidewalk along Sam Newell until Phase 2 of their planned construction.

❖ Along Sam Newell Rd frontage

- Delay installing curb, gutter, widened pavement, and sidewalk improvements for a total distance of \pm 273 ft. along Rice Rd to Sam Newell intersection until Phase 2 construction starts.

Proposal/Solution:

Public Works Director CJ O'Neill would like to see the continuation of sidewalk along Sam Newell Rd, and is comfortable with delay of sidewalk installation until the Phase 2 construction. He has also stated that a delay in the last 273 ft of Rice Road sidewalk would be appropriate. He suggests either fees in lieu or a bond for the deferred improvements may be appropriate.

Related Town Goal:

Public Safety

Economic Development/Land Use Planning

Recommendation:

- ❖ Planning Board has recommended approval of the Public Improvement Variance as submitted with a 4-0 unanimous vote.
- ❖ Planning and Public Works staff favor the delayed timing of these improvements.

Walking By Faith

WB

CC

Community Church

WALKING BY FAITH COMMUNITY CHURCH

Blessed Assurance Adult Day Care Center

13001 Idlewild Road Matthews, North Carolina 28105

Mailing Address: P.O. Box 691654 Charlotte, North Carolina 28227

Alvin J. Denson, Senior Pastor

September 15, 2015

Department Director of Planning and Development
232 Matthews Station Street
Matthews, NC 28105

To: Kathi Ingrish, Director:

Petitioner: Walking By Faith Community Church

Request: Variance Request for Public Improvements along Rice Road and Sam Newell Road.

Explanation: Walking By Faith Community Church respectfully request a variance:

1. Not to build any improvements beyond the limits of Phase 1 of our construction along Rice Road (see attached site plans) due to the fact that although improvements are expected to occur beyond the limits of Phase 1, no official drawings, designs nor definitive guidance is available regarding these future improvements. Any improvements beyond Phase 1 now, would be later removed to accommodate these currently unknown improvements, thereby wasting limited construction dollars. Walking By Faith Community Church is committed to complying with the Matthews Public Improvement requirements once definitive guidance is made available.

Mailing Address
P.O. Box 691654
Charlotte, NC 28227

Phone: 704-651-5664
Email: walkingbyfaith1@att.net
www.walkingbyfaithchurch.org

in Spirit

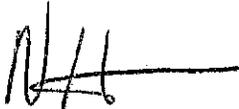
through Christ

unto God

2. Not to widen Sam Newell Road, nor install curb and gutter along Sam Newell Road. Additionally, request Walking By Faith Community Church be exempted from installing a side walk along Sam Newell Road until Phase II of our construction is begun (see attached site plans). Again, improvements are expected along Sam Newell Road, but as of last week, the NC DOT does not have any definitive guidance nor timeline as to when any improvements will occur. It could be 10 -20 years from now. Consequently, any improvements along Sam Newell Road now, would be later removed to accommodate these currently unknown improvements. It would be a tremendous and unbearable financial burden on our church to speculate or attempt to secure a bond or any financial holdings to accommodate a prospective improvement along Sam Newell Road that may not occur for 10 or 20 years.

3. Walking By Faith Community Church is committed to meeting the Public Improvements along Rice Road and installing a side walk along Sam Newell Road under the conditions mentioned above.

Yours in Christ,

A handwritten signature in black ink, appearing to read 'Nate Huggins', with a horizontal line extending to the right.

Nate Huggins,

Deacon, Walking By Faith Community Church

From: CJ O'Neill [mailto:cjoneill@matthewsnc.gov]
Sent: Thursday, September 10, 2015 3:07 PM
To: Mary Jo Gollnitz
Subject: Walking By Faith

Mary Jo,

Based on the fact that Sam Newell is currently a ditch-lined street on both sides of the project and that the intersection of Rice Road and Sam Newell Road will likely be modified in the future to add a fourth leg, I would support not requiring curb and gutter along this section. I would like to see sidewalk along Sam Newell Road to continue the sidewalk on the other side of Rice Road. However, I would be OK with this waiting on their second phase of construction, which would be adjacent to Sam Newell Road.

On Rice Road, there is currently curb and gutter and sidewalk adjacent to this property. I would like to see this continued onto the Church's property, at least to their entrance. Past this point, these improvements would likely be impacted by the future fourth leg of the Rice Road and Sam Newell intersection. It makes sense to me for them to pay money in lieu of the improvements or to bond the improvements rather than build them as part of this project.

These recommendations were based off of their original plans from early this year. Also, Sam Newell is an NCDOT-maintained road, they will also likely have an opinion on what is needed adjacent to their road.

C.J. O'Neill, PE
Public Works Director
Town of Matthews
1600 Tank Town Road
Matthews, NC 28105
704-708-1242 Phone
704-845-2488 Fax
cjoneill@matthewsnc.gov
www.matthewsnc.gov

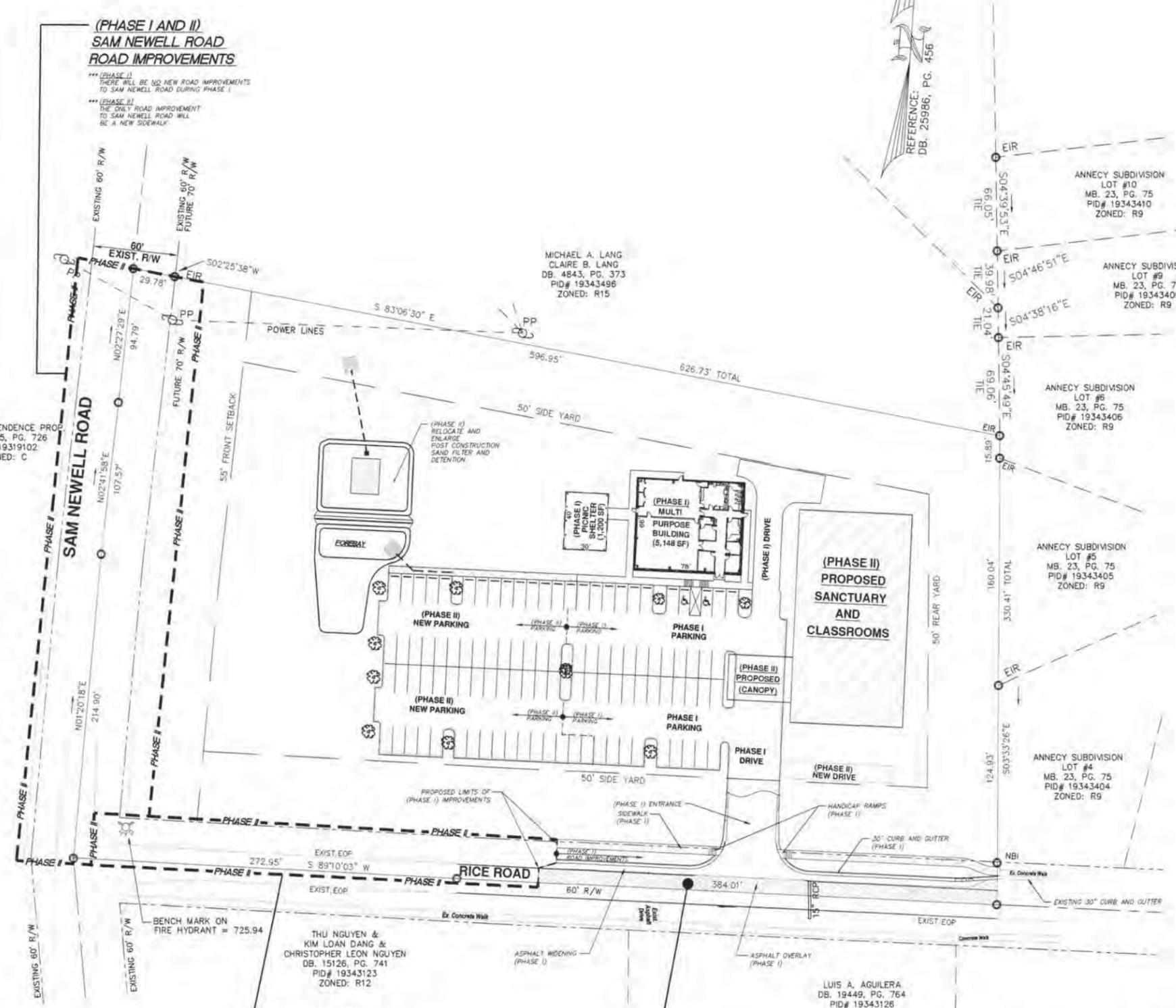




Sam Newell

Subject Property

Rice Rd



**(PHASE I AND II)
SAM NEWELL ROAD
ROAD IMPROVEMENTS**

*** (PHASE I)
THERE WILL BE NO NEW ROAD IMPROVEMENTS TO SAM NEWELL ROAD DURING PHASE I

*** (PHASE II)
THE ONLY ROAD IMPROVEMENT TO SAM NEWELL ROAD WILL BE A NEW SIDEWALK

EAST INDEPENDENCE PROJ.
DB. 5695, PG. 726
PID# 19319102
ZONED: C

MICHAEL A. LANG
CLAIRE B. LANG
DB. 4843, PG. 373
PID# 19343496
ZONED: R15

ANNECY SUBDIVISION
LOT #10
MB. 23, PG. 75
PID# 19343410
ZONED: R9

ANNECY SUBDIVISION
LOT #9
MB. 23, PG. 75
PID# 19343409
ZONED: R9

ANNECY SUBDIVISION
LOT #8
MB. 23, PG. 75
PID# 19343406
ZONED: R9

ANNECY SUBDIVISION
LOT #5
MB. 23, PG. 75
PID# 19343405
ZONED: R9

ANNECY SUBDIVISION
LOT #4
MB. 23, PG. 75
PID# 19343404
ZONED: R9

THU NGUYEN &
KIM LOAN DANG &
CHRISTOPHER LEON NGUYEN
DB. 15126, PG. 741
PID# 19343123
ZONED: R12

LUIS A. AGUILERA
DB. 19449, PG. 764
PID# 19343126
ZONED: R12

**(PHASE II)
RICE ROAD
ROAD IMPROVEMENTS**

*** (PHASE II)
ROAD IMPROVEMENTS TO RICE ROAD WILL INCLUDE ADDING CURB AND GUTTER, ASPHALT OVERLAY, AND EXTENDING SIDEWALK TO SAM NEWELL ROAD

**(PHASE I) RICE ROAD
ROAD IMPROVEMENTS
(AS SHOWN)**

NOTE
SEE PLANS BY LAWRENCE AND ASSOCIATES FOR ALL ROAD IMPROVEMENTS (CURB AND GUTTER, CURB INLETS, ETC.) AND SIDEWALK ADDITION.

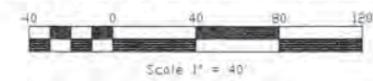


REFERENCE:
DB. 25986, PG. 456



VICINITY MAP
(NTS)

**(PHASE II)
CONCEPTUAL SITE PLAN**



PRELIMINARY PLANS
NOT FOR CONSTRUCTION

NOTE:
ALL BOUNDARY AND EXISTING UTILITIES SHOWN ON THESE PLANS WERE TAKEN FROM A SURVEY DATED: OCTOBER 7, 2011
PREPARED BY:
S.M. SANDY SURVEYING
1833 WESLEY CHAPEL ROAD
INDIAN TRAIL, N.C. 28079
PH: 704-289-8040

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

PROPOSED MULTI-PURPOSE BUILDING FOR
WALKING BY FAITH COMMUNITY CHURCH
SAM NEWELL ROAD AND RICE ROAD
MATTHEWS, NORTH CAROLINA



Bids Due	
Set No.	
Revisions	
Scale	NOTED
Drawn By	CLH
Checked By	CLH
Date	9/17/15
Job No.	13815

SP-2
OF 2

CHRIS HOPE/PROFESSIONAL ENGINEER/2617 ROLLING HILLS DRIVE/MONROE, NC 28110/(704) 882-1500

MINUTES
BOARD OF COMMISSIONERS MEETING
MONDAY, SEPTEMBER 28, 2015 – 6:15 PM
JORDAN ROOM, MATTHEWS TOWN HALL

PRESENT: Mayor James Taylor; Mayor Pro Tem Kress Query; Commissioners George Fossett, Jeff Miller, John Higdon, Christopher Melton and John Ross*; Town Attorney Charles Buckley; Town Manager Hazen Blodgett; Assistant Town Manager James Justice; Town Clerk Lori Canapinno

ALSO PRESENT: Planning Director Kathi Ingrish, Senior Planner Jay Camp

The Board held pre-development consultations regarding property located at 1718 Windsor Crossing Drive and 2248 Mount Harmony Church Road. Representatives from Comfort Inn discussed their proposal for a vertical expansion of the existing hotel located at 1718 Windsor Crossing Drive. Representatives from National Heritage Academies discussed their proposal for a Matthews Mint Hill Charter Academy at the currently-vacant property at 2248 Mount Harmony Church Road/2301 Stevens Mill Road.

MINUTES
BOARD OF COMMISSIONERS MEETING
MONDAY, SEPTEMBER 28, 2015 – 7:00 PM
HOOD ROOM, MATTHEWS TOWN HALL

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

ALSO PRESENT: Communications Director Jen Thompson; Police Chief Rob Hunter;

CALL TO ORDER

Mayor Taylor called the meeting to order at 7:07 pm.

INVOCATION

Town Attorney Charles Buckley rendered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Taylor led the audience in the Pledge.

ITEMS TO BE ADDED TO THE AGENDA

Town Manager Hazen Blodgett requested the following: revise consent agenda item 9D - Approve Revisions to Transportation Advisory Committee Bylaws – to remove the word “ex-officio” from article four, paragraph one, and to add to the consent agenda the appointment of Matthew Jones to the Charlotte Transit Advisory Group.

Motion by Mr. Miller to move forward with the above-listed revisions. The motion was seconded by Mr. Melton and unanimously approved.

RECOGNITION OF MATTHEWS POLICE OFFICERS

Police Chief Rob Hunter explained that there are many incidents that go unnoticed in town. Police officers are focused on service and do things to benefit the public with no expectation or desire for public notice. Occasionally incidents like the one he will describe become widely known and recognized, while many others go unnoticed, and he appreciates the opportunity to give thanks back to these police employees who do great work.

Last month the department received a call from a retailer about suspicious activity. A woman with a young child had attempted to shoplift items for her daughter who was starting school the next day. Upon discovering the situation, responding officers - Officers Scott Blevins, Jeremy Bliss, & Alex McWhirter and Detective Jamie Garner - and a dispatcher who wishes to remain anonymous took it upon themselves to shop with the child and provide her with provisions for school, including clothes and school supplies. They bought her dinner, paid for gas for the mother's car and followed the family home to ensure they got there safely.

Chief Hunter noted that this is not an endorsement of illegal activity; these officers see people in difficult situations daily and respond as best they can. There are similar recent incidents, like the incident in which an officer performed a service call to a home and, when he discovered that it was the elderly resident's birthday, purchased a cake and celebrated with her. Another incident involved an officer responding to a shoplifting call when a father was trying to steal food to feed his children, and the officers involved provided food. These employees don't call attention to their actions and generally don't want to be recognized for them, but their actions speak to those who do know and want to celebrate these good deeds.

Mayor Taylor said he and the Board is very proud of the Matthews Police Department and everyone in the public safety realm. Stories like this really show the character of those who do good deeds when no one is watching, and these actions don't come as a surprise to those who know the high quality service being performed by the Police Department every day. He thanked the officers for their service and noted this is another example of the character embodied by those in the department who help people out and do the right thing every day.

PRESENTATION BY BAPS CHARITIES

Mayor Taylor introduced Mumukshu Brahmhatt from the BAPS (Bochasanwasi Shri Akshar Purushottam Swaminarayan Sanstha) charity team, who gave some background on BAPS and its charitable arm. BAPS charities works to serve individuals, families and communities and forms partnerships with local organizations to benefit the community. He spoke of Mayor Taylor's participation in the walkathons and the walkathon's growth over the years. Participation has increased to over 700 people and it continues to grow. Mr. Brahmhatt then introduced Amy Carr, Executive Director of the Matthews Free Medical Clinic (MFMC) and presented fundraising proceeds in the amount of \$5,200. The money raised will go towards the purchase of much needed medical supplies. Mayor Taylor spoke about the work BAPS does and noted it's always great to have one organization in the community helping out another one.

PUBLIC COMMENT

Barbara Dement, 515 Clairview Lane, Matthews spoke against the issue of discharge of firearms (bow and arrow), which is an item to be discussed later in the agenda. She urged the Board to consider removing the option to discharge such instruments or at least ensure that the Board of Commissioners retains complete oversight of each discharge permit, citing safety concerns and unintended consequences.

Martha Krauss, 803 Elizabeth Lane, Matthews, spoke in favor of allowing the discharge of firearms (bow and arrow) to continue and supported the proposed ordinance, noting the proposed appeal process and saying that the Police Department puts a lot of effort into each application investigation.

Ed Dement, 515 Clairview Lane, Matthews spoke against allowing the discharge of firearms (bow and arrow) in town limits, citing safety concerns and potential communication issues with nearby properties. He preferred the prohibition of such activity but barring that suggested allowing the Police Department to review routine application renewals with the Board of Commissioners retaining complete oversight of new and third-party applications. He also requested the addition to the proposed ordinance of some minimum distances and public notice of the application prior to its final consideration

Susan Traynor, 406 Port Royal Drive, Matthews spoke against allowing the discharge of firearms (bow and arrow) in town limits, citing safety concerns and the negative effects of deer hunting.

REPORTS FROM BOARDS/COMMITTEES

Minutes from the Environmental Advisory Committee and Economic Development Advisory Committee were submitted.

Mr. Higdon asked about the storm water violation at 10416 East Independence Boulevard as cited in the Environmental Advisory Committee minutes. Mr. Blodgett reviewed the case, explaining that the property changed ownership in the time between the citation and collection period. The former owner - a legal entity which has since been dissolved and whose owner of record has relocated to Florida - will not pay the fine and the cost of any other attempt to collect the fine would far surpass the \$1,000 fine total. Mr. Blodgett determined that the cost of pursuing the fine exceeded the benefit. Discussion ensued regarding possible outcomes. By consensus the Board directed Mr. Blodgett to clarify what caused the initial problem, review all possible next steps and return that information to the Board.

CONSENT AGENDA

- A. Approve Minutes of the September 14, 2015 Meeting
- B. Approve Quit Tobacco Week Proclamation
- C. Approve Tax Refunds
- D. Approve Revisions to Transportation Advisory Committee Bylaws *as revised
- E. Approve Technology Reimbursement to Commissioner Melton in the Amount of \$418.40
- F. Approve Budget Ordinance Amendments to:
 - 1) Recognize Shared Proceeds Received Through DEA Task Force in the Amount of \$1,502.36
 - 2) Recognize Donation to Police Explorers Program in the Amount of \$500.00
- G. Appoint Matthew Jones to the Charlotte Transit Advisory Group

Motion by Mr. Query to approve consent agenda items A through G as revised. The motion was seconded by Mr. Fossett and unanimously approved.

UNFINISHED BUSINESS

CONSIDER ORDINANCE AMENDMENT: CHAPTER 130 – OFFENSES AGAINST TOWN REGULATIONS; SECTION 3 – DISCHARGE OF FIREARMS

Mr. Higdon read a statement for the record (Exhibit #1 hereby referenced and made a part of these minutes) and discussed his strong preference for the Board of Commissioners to retain oversight of the application process. The town's current density precludes many areas from being safe to conduct this activity. The town will only continue to grow to it is easy to see that eventually the safe discharge of firearms (bow and arrow) will become impossible. While the Board does not take into consideration the reason for the permit when making a decision, it is understood that many applicants hunt deer. There is a strong possibility that deer can become injured on the applicants' property but wander onto other land as they are dying.

He said the close scrutiny of these applications can only be a good thing. Many eyes prevents surprises and the Police Department's recommendations should always be reviewed by others, particularly since it is possible that the Board may have information that is not known to the police.

Mr. Fossett agreed, saying he doesn't see the need to have firearms discharged in town. His preference would be to revise the ordinance and remove the ability to discharge. If that is unacceptable then the ordinance should disallow the use of crossbows. A third option would be to allow the Police Department to approve or deny applications and then place that decision on the Board of Commissioners' consent agenda. The Board could then allow the decision to stand or pull the agenda item from the consent agenda for further deliberation.

He said he was a hunter for many years but no longer hunts and notes it is not unusual for deer to run hundreds of yards after being hit. It is a graphic sight that many people are uncomfortable witnessing. He said the idea that hunting is necessary to thin the herd is a fallacy and that there aren't enough deer in town to cause trouble. He also said that allowing such activity to occur contradicts the town's pride in the town's many wildlife habitats and status as a bee city.

Mr. Ross said he agreed with much of what Mr. Fossett said but pointed out that people do indeed get hurt and property is damaged by deer, especially when it comes to motor vehicle accidents. He noted that this ordinance is not about the issue of deer and hunting but rather the process of discharging these items. He doesn't believe they should be discharged in neighborhoods of high density and would support regulating the allowable areas by zoning category or other density factors. However, there are still areas where this activity can be conducted safely and he believes the experts – the Police Department – should be allowed to make those decisions. He said the inclusion of an appeal process in the draft ordinance revision was a good idea. He also agreed with Mr. Fossett's recommendation to post the applications on the Board's consent agenda and further suggested posting the information on the Town's website so the public could easily find it.

Mr. Melton explained that he and his family own and appreciate firearms, but urged the Board to consider the Town as it is today with the growth and density that currently exists and think about completely banning the discharge of firearms in Matthews.

Chief Hunter noted that the report from the Police Department dictated whether or not the activity could be conducted safely within the indicated parameters but did not go so far as to recommend whether or not it should be approved overall. He and his staff are open to any decision or direction the Board gives. Discussion ensued regarding the definition of firearm, the differences between crossbows and compound bows and the use of each.

Motion by Mr. Miller to ban the discharge of firearms in town limits. The motion was seconded by Mr. Fossett.

Mr. Ross questioned the inclusion of different types of combustible projectiles and discussion ensued. Mayor Taylor noted that this ordinance was revised in 2009 and at that time the Board contemplated including various other projectiles in the definition of firearm but deliberately chose not to do so.

Mr. Ross noted the desire for many parents to teach their children certain skills and said a complete ban would mean that people couldn't even train or target practice in town since there are no licensed shooting galleries for bows and arrows.

Mr. Higdon said his concerns center on safety. There are a few areas in town that would allow this activity to be conducted safely so he wouldn't support a complete ban. He would not support Mr. Fossett's suggestion to allow the Police Department to make the decision with final review by the Board, but he would support a "fast track review" process for those applications that recur annually with no other changes to any aspect of the application. Discussion ensued regarding this proposed process.

Mr. Miller amended his motion to eliminate the permit process from the current discharge of firearms ordinance. This would effectively ban the discharge of firearms by the general public within the Town of Matthews except within licensed shooting galleries. The amended motion was seconded by Mr. Fossett.

Mr. Query made a substitute motion to make no changes to the existing ordinance. This would allow for the discharge of firearms with approval by the Board of Commissioners. The motion was seconded by Mr. Higdon and passed 6-1 with Taylor, Query, Higdon, Melton, Miller and Ross in favor and Fossett opposed.

DISCUSS AND CONSIDER APPROVAL OF BID FOR COMMUNITY CENTER REPAIR WORK – FRANK WILLIAMS

Mr. Blodgett explained that the Town would need to have received three bids on the first round of bidding to move forward but zero were received, so the project has to go out for bid again. The second round of bidding does not require the receipt of three bids. The project is out for rebid now and the Board will review the bids at the October 26th meeting.

There was some discussion of the scope and difficulty of the project, which may have scared off potential bidders. The Board discussed the project timeline possible alternatives. The Board will wait for the next bid round to complete and see what options are available at that time.

RECEIVE UPDATE ON PLANNING CONFERENCE TO-DO LIST

Mr. Blodgett reviewed the list. Mr. Miller commented on the item relating to the marketing of the lot on Matthews Station Street, saying he is very encouraged by the way it's been used lately with special events.

NEW BUSINESS

RECEIVE MONTHLY BUDGET REPORT

Finance Director Chris Tucker reviewed the report. This is the last snapshot of fiscal year 2015. The Town has collected 97.37% of budgeted revenues through June and General Fund expenditures are at 95.59% of budget. Tax Revaluation refunds through June have totaled \$568,460. The Town did receive a hit of approximately \$100,000 due to a change in the way piped natural gas is billed, but this was a one-time event and Matthews was one of a number of municipalities in the same situation. The audit data will confirm that the fund balance will go up.

CONSIDER REQUEST FOR EXEMPTION FROM TOWN ORDINANCE 93.06 PROHIBITING ALCOHOL WITHIN PARK FACILITIES FOR PAWSITIVELY MATTHEWS EVENT

Motion by Mr. Melton to approve the requested exemption to allow the sale/consumption of alcohol on Town property on November 14, 2015, in Stumptown Park, for Pawsitively Matthews event. The motion was seconded by Mr. Higdon and unanimously approved.

MAYOR'S REPORT

Mayor Taylor noted that the Town has a number of boards and committees but does not yet have one to address veteran affairs. By consensus the Board directed staff to move forward to work on a veteran affairs committee.

ATTORNEY'S REPORT

None

TOWN MANAGER'S REPORT

Mr. Blodgett explained the impact of a recent Supreme Court ruling, which essentially means that the Town does not have any control of political signs placed in the right of way unless they are causing a safety issue. Governments around the country are waiting for legal advice on how to proceed with various sign ordinances. In the meantime Matthews has not been removing political signs on town streets either unless a safety hazard exists. Mayor Taylor encouraged candidates in the upcoming election to make sure their signs are placed correctly.

Mr. Blodgett then discussed the Levine Senior Center. The Board recently discussed their request for the Town to take over their debt and receive the property deed in return. Mr. Blodgett and Mr. Tucker have reviewed their financial documents and have seen that the Center is truly struggling. Their model is not an ideal financial model - they get less than 50% of their revenue from fees and they are dependent on donations, fundraisers and grants to make up the difference. This will be discussed in more detail at the October 12th meeting.

Mr. Blodgett then discussed water and sewer for a portion of Matthews properties that would be better serviced by Union County. In a previous discussion Mr. Query had asked about service extension to Matthews residents and what CMUD had agreed to do. CMUD (now Charlotte Water) does have an extension policy to extend service within 1,000 feet of existing lines, but there is no record to indicate that they committed to running sewer on the other side of 485. It would not be cost-effective to run the line under the highway. Mr. Blodgett asked the Board for permission to take the next step with Charlotte Water and Union County Water and Sewer to put agreements into place for these two areas to go forward with the work needed to get them covered by Union County Water and Sewer. By consensus the Board directed the Manager to move forward.

ADJOURNMENT

Motion by Mr. Miller to adjourn. The motion was seconded by Mr. Ross and unanimously approved. The meeting adjourned at 9:15 pm.

Respectfully submitted,

Lori Canapinno
Town Clerk



Lori Canapinno <lcanapinno@matthewsnc.gov>

MDA Fill the Boot

1 message

Chief Dennis Green <dgreen@matthewsnc.gov>
To: Lori Canapinno <lcanapinno@matthewsnc.gov>
Cc: Jay Gurian <jgurian@matthewsnc.gov>

Wed, Sep 30, 2015 at 1:34 PM

Lori,

Due to the anticipated weather we need to cancel the MDA Fill the Boot scheduled for this Saturday. We want to reschedule it for Saturday, 24 Oct 15 during the same hours. Please place it on the consent agenda for the next BOC Meeting.

Thanks,

Dennis N. Green
Chief
Matthews Fire & EMS
236 South Trade Street

[704.708.1200](tel:704.708.1200) Direct Line
[704.847.9400](tel:704.847.9400) Station 1 Main
[704.847.4468](tel:704.847.4468) Station 2 Main
[704.847.1229](tel:704.847.1229) Station 1 Fax
[704.847.5731](tel:704.847.5731) Station 2 Fax

dgreen@matthewsnc.gov
www.matthewsnc.gov



Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review.

Sent from Chief's . MacBook Pro



Town of Matthews Application Form
Charitable Solicitations

Applicant's Name Lisa Cole

Driver's License No. NC 23216002 Date of Birth: 2-17-68

Mailing and Street Address: 116. Gran Ct, Mooresville, NC
28117

Organization: Muscular Dystrophy Association

Mailing and Street Address: 1515 Mockingbird Lane, Suite 701
Charlotte, NC 28209

Purpose of charitable solicitation: MDA Fill The Boot

Proposed date of solicitation: October 3, 2015 - 8am - 4pm

Proposed location for solicitation: Intersection of John + Trade Street in
Matthews

Others involved in solicitation:

Name: _____ Driver's License No. _____
Birth Date: _____

Name: _____ Driver's License No. _____
Birth Date: _____

Name: _____ Driver's License No. _____
Birth Date: _____

Signature of Applicant: Lisa Cole Date: 8-24-15

Contact number: 704-567-2912

MDA - Matthews Fire & EMS Fill the Boot

1 message

Lisa Cole <LCole@mdausa.org>

Tue, Aug 25, 2015 at 11:22 AM

To: "lcanapinno@matthewsnc.gov" <lcanapinno@matthewsnc.gov>

Cc: "jgurian@matthewsnc.gov" <jgurian@matthewsnc.gov>

Good Morning,

Matthews Fire & EMS would like to hold their annual Fill the Boot collection on Saturday, October 3rd, 2015 to support MDA and our efforts in the fight against neuromuscular disease. I have included the application and below is a summary of details. Please let me know if you need anything else for approval. Thank you for your assistance.

Event Type: "Fill the Boot"

Event Description: The MDA Fill the Boot campaign is a 60 year tradition of fire fighters collecting money in busy streets/intersections in thousands of cities across the country. The donations collected help support MDA's programs of worldwide research, specialized health care services, and day-to-day support – which includes sending children affected by muscular dystrophy and related diseases to a weeklong, barrier-free MDA summer camp at Camp Bethelwoods in York SC. All of the money raised goes to help local families living with muscle disease. Your support is greatly appreciated and will impact the lives of families in your community!

Date Requested: Saturday, October 3, 2015

Location Requested: Intersection of John & Trade Street, Matthews

Time Requested: 8am – 4pm

Thanks and have a great day!!

Lisa Cole

Associate Executive Director, Greater Charlotte Area

Muscular Dystrophy Association

1515 Mockingbird Lane, Suite 701

Charlotte, NC 28209

o: 704.567.2912 f: 704.567.2819



Follow us online: mda.org • facebook.com/MDACharlotte



MEMORANDUM

To: Mayor and Board of Commissioners
From: Shana Robertson, Finance Department
CC: Hazen Blodgett, Town Manager
Date: October 12, 2015
Re: Tax Refunds

The Interlocal Agreement between Mecklenburg County and the Town of Matthews states they bill and collect the Ad Valorem taxes for Matthews. Upon collection, the County remits those to the Town. Matthews is responsible for issuing the refund if an adjustment occurs on the tax bill after the payment has been received. Refunds are issued for various reasons.

Mecklenburg County Tax Office has submitted the attached list of taxpayers for refunds. The list reflects the tax year, taxpayer, location, adjustment made and reason for adjustment, along with the refund amount. G.S. 105 requires that tax refunds or releases shall be approved by the governing body.

These reports reflect tax appeals, settlements, and adjustments made, as received from the Mecklenburg County Tax Office.

Total returns: \$1,496.98

Recommendation: The Mayor and Board of Commissioners approve the tax refunds.

Tax Year	Bill Number	Parcel #	Source Type	Adjustment #	Adjustment Reason	Date of Adjustment	Refund Recipient Name	Address Line 1	Address Line 2	City	State	Zip Code	Payment Date for Interest Calculation	Total Refund (\$)	Total Interest to Pay if mailed on or before 10/23/2015 (\$)
2011	0002003854-2011-2011-0000-00	21522107	REI	448015	BER SL362 Decision	6/25/2015	FEATHERSTONE, CELIA T	4024 POMFRET LN		CHARLOTTE	NC	28211	1/6/2012	49.31	9.36
2012	0002003854-2012-2012-0000-00	21522107	REI	447997	BER SL362 Decision	6/25/2015	FEATHERSTONE, CELIA T	4024 POMFRET LN		CHARLOTTE	NC	28211	1/8/2013	49.31	6.88
2013	0002003854-2013-2013-0000-00	21522107	REI	448016	BER SL362 Decision	6/25/2015	FEATHERSTONE, CELIA T	4024 POMFRET LN		CHARLOTTE	NC	28211	1/7/2014	51.75	4.64
2014	0002003854-2014-2014-0000-00	21522107	REI	448017	BER SL362 Decision	6/25/2015	FEATHERSTONE, CELIA T	4024 POMFRET LN		CHARLOTTE	NC	28211	1/6/2015	51.75	2.06
2011	0002051870-2011-2011-0000-00	22730148	REI	448018	BER SL362 Decision	6/25/2015	GODFREY, JAMES A	300 W 5TH ST UNIT 718		CHARLOTTE	NC	28202	1/6/2012	125.23	23.78
2012	0002051870-2012-2012-0000-00	22730148	REI	447998	BER SL362 Decision	6/25/2015	GODFREY, JAMES A	300 W 5TH ST UNIT 718		CHARLOTTE	NC	28202	1/8/2013	125.23	17.46
2013	0002051870-2013-2013-0000-00	22730148	REI	448019	BER SL362 Decision	6/25/2015	GODFREY, JAMES A	300 W 5TH ST UNIT 718		CHARLOTTE	NC	28202	1/7/2014	131.45	11.78
2014	0002050749-2014-2014-0000-00	22733802	REI	447881	BER SL362 Decision	6/25/2015	MILGROM, WILLIAM P	7001 THAMES CT		MATTHEWS	NC	28105	1/6/2015	33.32	6.31
2011	0002050749-2011-2011-0000-00	22733802	REI	447880	BER SL362 Decision	6/25/2015	MILGROM, WILLIAM P	7001 THAMES CT		MATTHEWS	NC	28105	1/8/2013	32.37	4.51
2012	0002050749-2012-2012-0000-00	22733802	REI	447878	BER SL362 Decision	6/25/2015	MILGROM, WILLIAM P	7001 THAMES CT		MATTHEWS	NC	28105	1/7/2014	6.99	0.63
2013	0002050749-2013-2013-0000-00	22733802	REI	447879	BER SL362 Decision	6/25/2015	MILGROM, WILLIAM P	7001 THAMES CT		MATTHEWS	NC	28105	1/6/2015	6.99	0.28
2011	0001933836-2011-2011-0000-00	19331255	REI	446112	BER SL362 Decision	6/12/2015	MOULTON, RACHEL	2723 CIRCA DR		MATTHEWS	NC	28105	1/6/2012	0.90	0.17
2011	0002002063-2011-2011-0000-00	21510118	REI	445760	BER SL362 Decision	6/11/2015	POULOS ENTERPRISES INC	3900 WESLEY CHAPEL RD		MATTHEWS	NC	28104	3/21/2012	125.23	22.49
2014	0002051870-2014-2014-0000-00	22730148	REI	448022	BER SL362 Decision	6/25/2015	RAAB, CHRISTOPHER P	416 MATTRIDGE RD		MATTHEWS	NC	28105	1/6/2015	131.45	5.22
2011	0002003843-2011-2011-0000-00	21521107	REI	448011	BER SL362 Decision	6/25/2015	RODEN, JAMES H III	14200 PHILLIPS RD		MATTHEWS	NC	28105	1/6/2012	22.99	4.36
2012	0002003843-2012-2012-0000-00	21521107	REI	448012	BER SL362 Decision	6/25/2015	RODEN, JAMES H III	14200 PHILLIPS RD		MATTHEWS	NC	28105	1/8/2013	19.66	2.74
2013	0002003843-2013-2013-0000-00	21521107	REI	448013	BER SL362 Decision	6/25/2015	RODEN, JAMES H III	14200 PHILLIPS RD		MATTHEWS	NC	28105	1/7/2014	20.64	1.85
2014	0002003843-2014-2014-0000-00	21521107	REI	448014	BER SL362 Decision	6/25/2015	RODEN, JAMES H III	14200 PHILLIPS RD		MATTHEWS	NC	28105	1/6/2015	20.64	0.82
2012	0002002063-2012-2012-0000-00	21510118	REI	445764	BER SL362 Decision	6/11/2015	WILLIAMS, TOMMY J	1900 MOORE RD		MATTHEWS	NC	28105	1/8/2013	108.59	15.14
2013	0002002063-2013-2013-0000-00	21510118	REI	445795	BER SL362 Decision	6/11/2015	WILLIAMS, TOMMY J	1900 MOORE RD		MATTHEWS	NC	28105	1/7/2014	113.98	10.21
2014	0002002063-2014-2014-0000-00	21510118	REI	445796	BER SL362 Decision	6/11/2015	WILLIAMS, TOMMY J	1900 MOORE RD		MATTHEWS	NC	28105	1/6/2015	113.98	4.53
														1,341.76	155.22

58.67
56.19
56.39
53.81
149.01
142.69
143.23
39.63
36.88
7.62
7.27
1.07
147.72
136.67
27.35
22.40
22.49
21.46
123.73
124.19
118.51
1,496.98
1,496.98

Agenda Item: Amending Chapter 74 of the Code of Ordinances

Date: October 7, 2015

From: Chief Rob Hunter

Background / Issue:

The Town of Matthews strives to provide safe areas of travel for pedestrians and vehicles within our community. The Town of Matthews provides enforcement abilities for this goal through the Code of Ordinances of the Town of Matthews. The current Code of Ordinances incorporates all previous Ordinances enacted by the Board of Commissioners.

Recently, the police department received a call from the administrator of Matthews Elementary School regarding vehicles parking upon East McDowell Street beside Matthews Elementary School. The current 'Parking' Ordinance does not properly address the entire area of need. Additionally, this search also led to our conclusion of a need for an Ordinance to prevent vehicles from parking in a travel lane. While state statutes address that safety concern on state-maintained roads, a local ordinance would better support our actions on town-maintained streets.

Proposal / Solution:

The proposed amendment to Chapter 74, *Parking Schedules*, would create a new subsection that would prohibit the stopping, standing or parking of upon a designated portion of East McDowell Street.

Financial Impact:

There will be minimal financial impact upon the town as additional signs will be purchased and posted.

Related Town Goals:

Small Town Feeling & Identity and Well-Planned, Functional Transportation System

Recommended Motion: Approve the proposed ordinance prohibiting parking upon the southerly side of East McDowell Street extending from its intersection with South Trade Street and extending 600' in an easterly direction.

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.

ORDINANCE NO. _____

PARKING RESTRICTIONS

AN ORDINANCE RESTRICTING PARKING ON EAST MCDOWELL STREET
WITHIN THE TOWN LIMITS OF THE TOWN OF MATTHEWS, NORTH
CAROLINA.

BE IT ORDAINED, by the Town Board of Commissioners of the Town of Matthews, North Carolina:

SECTION 1. Parking is hereby prohibited on the southerly side of East McDowell Street between its intersection with South Trade Street and extending approximately 600 feet in an easterly direction.

SECTION 2. This Ordinance shall become effective upon adoption.

This the 12th day of October 2015.

APPROVED AS TO FORM:

Charles R. Buckley, III
Town Attorney



DATE FILED <u>9-30-2015</u>
APPLICATION NUMBER <u>2015-639</u>
<i>For office use only</i>

**APPLICATION FOR CHANGE IN ZONING CLASSIFICATION
OR CHANGE IN CONDITIONS
(SEE FILING INSTRUCTIONS)**

TO: Town of Matthews Board of Commissioners
Town of Matthews Planning Board
232 Matthews Station Street
Matthews, North Carolina 28105-6713

Ladies and Gentlemen:

Your consideration of this petition is requested for:

- A change in zoning classification of the property hereinafter described; or
- A change in conditions to an existing conditional zoning plan.

Tax parcel number(s): 227-371-84 and 227-371-82

Address of property: East John Street

Location of property: Northwest corner of the intersection of East John Street and Council Place, and the west side of East John Street at the terminus of Council Place

Title to the property was acquired on July 24, 1998
and was recorded in the name of Matthews Beltway, LLC
whose mailing address is 1600 Camden Road, Charlotte, NC 28203

The deed is recorded in Book 9813 and Page 435 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: B-1 (CD) Requested zoning classification: B-1 (CD) Change of Conditions

Application number
For office use only

List reason(s) why zoning should be changed (use separate sheet if necessary):

To accommodate the development on the site of a maximum of ^{28,000} square feet of gross floor area devoted to uses allowed by right or under prescribed conditions in the B-1 zoning district.

Matthews Beltway, LLC

By: 
Signature of property owner (must be original)

Signature of property owner (must be original)

Matthews Beltway, LLC
Print name of property owner

Print name of property owner

c/o Fred Caligiuri
Property owner's mailing address

Property owner's mailing address

1600 Camden Road
Property owner's mailing address, continued

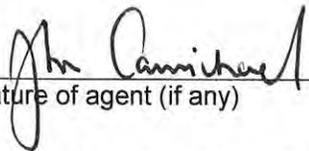
Property owner's mailing address, continued

Charlotte, NC 28203
Property owner's mailing address, continued

Property owner's mailing address, continued

704 574-0597
704-541-9151 fcaligiuri@easlan.com
Property owner's phone number/email address

Property owner's phone number/email address


Signature of agent (if any)

Petitioner other than owner (if any)

John Carmichael, Robinson Bradshaw
Print name of agent

Print name of petitioner

101 North Tryon Street, Suite 1900
Agent's mailing address

Petitioner's mailing address

Charlotte, NC 28246
Agent's mailing address, continued

Petitioner's mailing address, continued

Agent's mailing address, continued

Petitioner's mailing address, continued

704-377-8341 jcarmichael@rbh.com
Agent's phone number/email address

Petitioner's phone number/email address

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

For office use only

See Exhibit A Attached Hereto

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

Application number

For office use only

SUMMARY OF THE REZONING PROCESS

PETITIONER: Fill in dates for each action below before filing application. Refer to the current Planning Department rezoning schedule for correct dates.

PROPERTY OWNERS: These dates are assumed to be correct at the time of zoning application submittal but are subject to revision. Contact the Planning Department (704-847-4411, extension 224) for verification.

Application submitted to and accepted by the Town of Matthews September 30, 2015

Town Board of Commissioners formally accepts application and sets Public Hearing date October 12, 2015

Notices sent via mail to affected/adjacent property owners on or before November 30, 2015

Protest petition filed with Planning Department by 5:00 pm on N/A

Public hearing: petitioner may give explanation of why s/he wishes to have property rezoned and neighboring owners may ask questions and voice opinions on the proposed zoning December 14, 2015

Town Planning Board reviews petition, information, and comments from the public hearing, then makes a recommendation to the Board of Commissioners on whether to approve or deny the request December 22, 2015

Town Board of Commissioners approves or denies application January 11, 2016

GENERAL STATUTE 160A-385: CHANGES.

- (a) Zoning ordinances may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a qualified protest against a zoning map amendment, that amendment shall not become effective except by favorable vote of three-fourths of all the members of the city council. For the purposes of this subsection, vacant positions on the council and members who are excused from voting shall not be considered "members of the council" for calculation of the requisite supermajority. To qualify as a protest under this section, the petition must be signed by the owners of either (i) twenty percent (20%) or more of the area included in the proposed change or (ii) five percent (5%) of a 100-foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right of way shall not be considered in computing the 100-foot buffer area as long as that street right of way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100-foot buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine the "owners" of potentially qualifying areas. The foregoing provisions concerning protests shall not be applicable to any amendment which initially zones property added to the territorial coverage of the ordinance as a result of annexation or otherwise, or to an amendment to an adopted (i) special use district, (ii) conditional use district, or (iii) conditional district if the amendment does not change the types of uses that are permitted within the district or increase the approved density for residential development, or increase the total approved size of nonresidential development, or reduce the size of any buffers or screening approved for the special use district, conditional use district, or conditional district.
- (b) Amendments in zoning ordinances shall not be applicable or enforceable without consent of the owner with regard to buildings and uses for which either (i) building permits have been issued pursuant to GS 160A-417 prior to the enactment of the ordinance making the change or changes so long as the permits remain valid and unexpired pursuant to GS 160A-418 and unrevoked pursuant to GS 160A-422 or (ii) a vested right has been established pursuant to GS 160A-385.1 and such vested right remains valid and unexpired pursuant to GS 160A-385.1.

Rezoning Application Filed By Matthews Beltway, LLC
Owners of Parcels Located within 100 Feet of the Rezoning Site

Tax Parcel Number 227-239-78

Town of Matthews
232 Matthews Station St
Matthews, NC 28105

Tax Parcel Number 227-239-35

Robert Roundtree
1116 Red Porch Lane
Matthews, NC 28105

Tax Parcel Number 227-239-34

Brenda Lee McChesney
Wayne John McChesney
1120 Red Porch Lane
Matthew, NC 28105

Tax Parcel Number 227-239-33

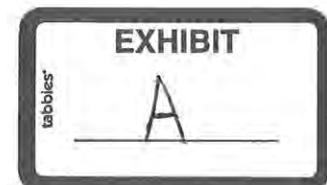
April P. Duritya
Philip D. Duritya
1123 Red Porch Lane
Matthews, NC 28105

Tax Parcel Number 227-239-32

James Dallis
Vernell S. Dallis
1119 Red Porch Lane
Matthews, NC 28105

Tax Parcel Number 215-042-13

Matthews Gateway Project, LLC
4530 Park Road, Suite 300
Charlotte, NC 28209



Tax Parcel Number 227-371-86

Council Place, LLC
c/o Sam's Mart, LLC
7935 Council Place, Suite 200
Matthews, NC 28105

Tax Parcel Number 227-371-83

WMCI Charlotte VIII, LLC
c/o Weinstein Management Co, Inc.
3951-A Stillman Parkway
Glen Allen, VA 23060

Tax Parcel Number 227-371-85

Couchell Family Properties, LLC
3362 Smith Farm Road
Matthews, NC 28104

Tax Parcel Number 227-371-88

Schoolhouse Property Matthews, LLC
PO Box 355
Northville, MI 48167

Tax Parcel Number 215-221-06

Lester and Mary Yandle, LLC
1200 Overstream Lane
Matthews, NC 28105

Tax Parcel Number 227-501-61

Lester and Mary Yandle, LLC
1200 Overstream Lane
Matthews, NC 28105

Tax Parcel Number 227-501-47

Gabrielle L. Stewart
Roy A. Stewart
3520 Crescent Knoll Drive
Matthews, NC 28105

Tax Parcel Number 227-501-46

James A. Spencer
Kathleen A. Spencer
3524 Crescent Knoll Drive
Matthews, NC 28105

Tax Parcel Number 227-501-45

Daniell W. Maples
Shannon C. Maples
3526 Crescent Knoll Drive
Matthews, NC 28105

Tax Parcel Number 227-501-60

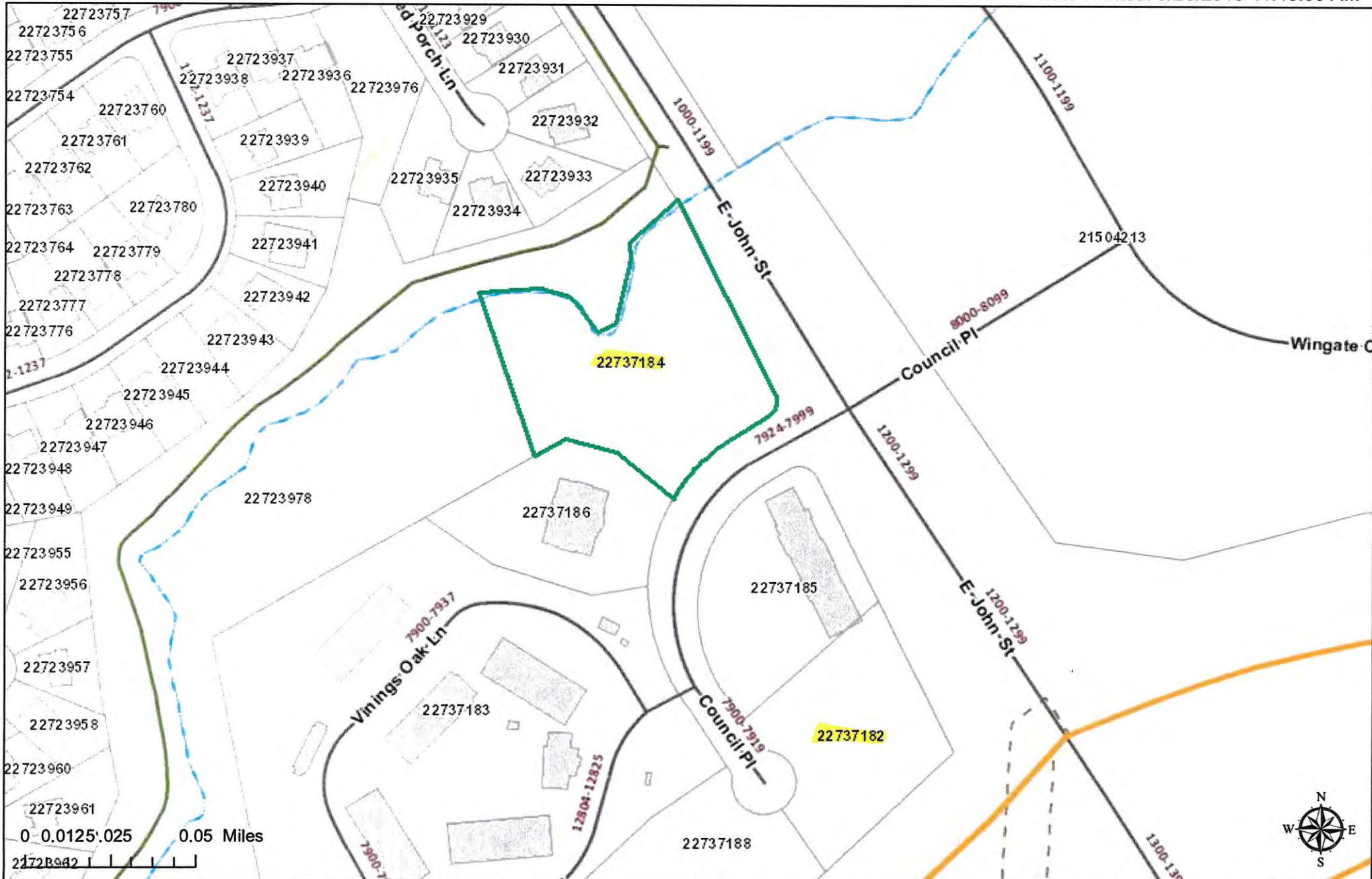
Celia T. Featherstone
Frankie Hinshaw
4024 Pomfret Lane
Charlotte, NC 28211

Polaris 3G Map – Mecklenburg County, North Carolina

Matthews Beltway, LLC

2015-639
9-30-2015

Date Printed: 9/29/2015 11:43:00 AM



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

September 30, 2015

VIA HAND DELIVERY

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

Re: Rezoning Application filed by Matthews Beltway, LLC Requesting the Rezoning of an Approximately 3.93 Acre Site Located on Council Place from B-1 (CD) to B-1 (CD) Change of Conditions (Tax Parcel Nos. 227-371-84 and 227-371-82)

Dear Kathi:

I hope this letter finds you well.

This letter is being submitted with the above-captioned Rezoning Application pursuant to the requirements of Paragraph 13 of the Instructions for Filing an Application for a Change in a Zoning Classification (the "Instructions"). As you are aware, Paragraph 13 of the Instructions requires the Applicant to submit documentation regarding the land use recommendations for the subject site as set out in adopted land use plans and a statement as to how this rezoning proposal complies with such recommendations.

The site subject to this Rezoning Application (the "Site") is a portion of an approximately 28.31 acre site (the "Original Rezoning Site") that was rezoned to the R-12 MF (CD) and B-1 (CD) zoning districts by the Matthews Town Board of Commissioners on March 22, 1999 pursuant to Rezoning Petition No. 339. The purpose of that rezoning was to accommodate a multi-use development that could contain, among other things, multi-family residential units, a hotel/motel and other commercial uses allowed in the B-1 zoning district. Pursuant to the approved conditional rezoning plan relating to Rezoning Petition No. 339 (the "Approved Rezoning Plan"), the Original Rezoning Site is divided into a multi-family residential parcel (designated as Parcel A on the Approved Rezoning Plan) and five commercial outparcels (designated as Parcel B, Parcel C, Parcel D, Parcel E and Parcel F on the Approved Rezoning Plan).

The Site is comprised of Parcel C and Parcel F. Pursuant to the Approved Rezoning Plan, the combined total maximum gross floor area that may be developed on Parcel C, Parcel D and Parcel F is 25,000 square feet. Parcel C and Parcel F that comprise the Site are vacant and have not been developed. Parcel D has been developed and according to the Mecklenburg County Tax Records, a one story building containing 14,574 square feet of gross floor area is located on Parcel D, which leaves a total of 10,426 square feet of gross floor area that may be developed on Parcel C and Parcel F under the Approved Rezoning Plan.

Ms. Kathi Ingrish
September 30, 2015
Page 2

Pursuant to this Rezoning Application, the Applicant is requesting a change of conditions as it relates only to the Site to allow a total maximum gross floor area of 28,000 square feet to be developed on the Site (Parcel C and Parcel F). The 28,000 square feet of gross floor area would be apportioned between Parcel C and Parcel F by the Applicant in its discretion. Accordingly, the Applicant is requesting the approval of an additional 17,574 square feet of gross floor area on the Site. The permitted uses would be those uses allowed in the B-1 zoning district.

Under the Town of Matthews Land Use Plan 2012-2022 (the "Land Use Plan"), the Site is located in the Bexley Area. The Land Use Plan recognizes the approved mixed use development for the Site and the surrounding parcels, and it states that the greenway provides a smooth transition to single-family neighborhoods to the rear. The Land Use Plan provides that the Town supports maintaining the current land use in the Bexley Area. The Land Use Plan further provides that the buildout of a mixed use development in the Bexley Area that will not significantly impact traffic on East John Street should be encouraged, the construction of additional access points along East John Street should be prohibited and buffers should be installed adjacent to residential uses.

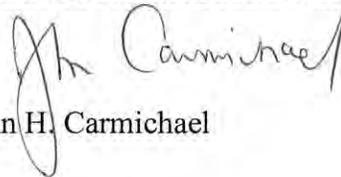
The Applicant's rezoning request continues to allow a mixture of uses allowed in the B-1 zoning district and it does not allow additional access points along East John Street. Additionally, the Applicant's rezoning request maintains the buffer along the northern edge of Parcel F that is on the Approved Rezoning Plan. Finally, the Applicant does not believe that the proposed development would significantly impact traffic on East John Street.

For the reasons set out above, the Applicant respectfully submits that the proposed rezoning request is consistent with and supported by the Land Use Plan.

The Applicant and I look forward to working with you and Jay Camp on this rezoning request. Should you have any questions or comments, please do not hesitate to call me.

Sincerely,

ROBINSON BRADSHAW & HINSON, P.A.



John H. Carmichael

JHC1/lh

September 30, 2015

VIA HAND DELIVERY

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

Re: Rezoning Application filed by Matthews Beltway, LLC Requesting the Rezoning of an Approximately 3.93 Acre Site Located on Council Place from B-1 (CD) to B-1 (CD) Change of Conditions (Tax Parcel Nos. 227-371-84 and 227-371-82)

Dear Kathi:

I hope this letter finds you well.

The site subject to this Rezoning Application (the "Site") is a portion of an approximately 28.31 acre site (the "Original Rezoning Site") that was rezoned to the R-12 MF (CD) and B-1 (CD) zoning districts by the Matthews Town Board of Commissioners on March 22, 1999 pursuant to Rezoning Petition No. 339. The purpose of that rezoning was to accommodate a multi-use development that could contain, among other things, multi-family residential units, a hotel/motel and other commercial uses allowed in the B-1 zoning district. Pursuant to the approved conditional rezoning plan relating to Rezoning Petition No. 339 (the "Approved Rezoning Plan"), the Original Rezoning Site is divided into a multi-family residential parcel (designated as Parcel A on the Approved Rezoning Plan) and five commercial outparcels (designated as Parcel B, Parcel C, Parcel D, Parcel E and Parcel F on the Approved Rezoning Plan).

The Site is comprised of Parcel C and Parcel F. Pursuant to the Approved Rezoning Plan, the combined total maximum gross floor area that may be developed on Parcel C, Parcel D and Parcel F is 25,000 square feet. Parcel C and Parcel F that comprise the Site are vacant and have not been developed. Parcel D has been developed and according to the Mecklenburg County Tax Records, a one story building containing 14,574 square feet of gross floor area is located on Parcel D, which leaves a total of 10,426 square feet of gross floor area that may be developed on Parcel C and Parcel F under the Approved Rezoning Plan.

Pursuant to this Rezoning Application, the Applicant is requesting a change of conditions as it relates only to the Site to allow a total maximum gross floor area of 28,000 square feet to be developed on the Site (Parcel C and Parcel F). The 28,000 square feet of gross floor area would be apportioned between Parcel C and Parcel F by the Applicant in its discretion. Accordingly, the Applicant is requesting the approval of an additional 17,574 square feet of gross floor area on the Site. The permitted uses would be those uses allowed in the B-1 zoning district.

Ms. Kathi Ingrish
September 30, 2015
Page 2

Kathi, to the extent that a traffic impact analysis would otherwise be required under Section 10 of the Instructions for Filing an Application for a Change in a Zoning Classification or Change in Conditions for Property in the Town of Matthews, the Applicant respectfully requests a waiver of the required traffic study for the reasons set out below.

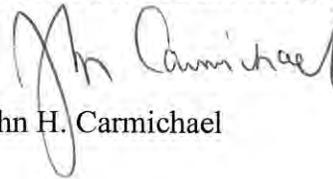
The Applicant does not believe that the requested increase in gross floor area on the Site will have a significant impact on traffic on East John Street or at the I-485 and East John Street interchange. Moreover, transportation improvements have been installed to accommodate access onto Council Place from East John Street. Council Place provides vehicular access to the Site. More specifically, a left-turn lane from East John Street onto Council Place and a right-turn lane from East John Street onto Council Place are in place. Additionally, there are two exit lanes from Council Place onto East John Street, a right-turn lane and a left-turn lane.

On behalf of the Applicant, we appreciate your consideration of this request.

Should you have any questions or comments, please do not hesitate to call me.

Sincerely,

ROBINSON BRADSHAW & HINSON, P.A.



John H. Carmichael

JHC1/lh

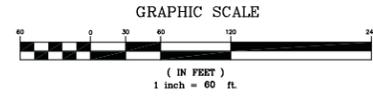
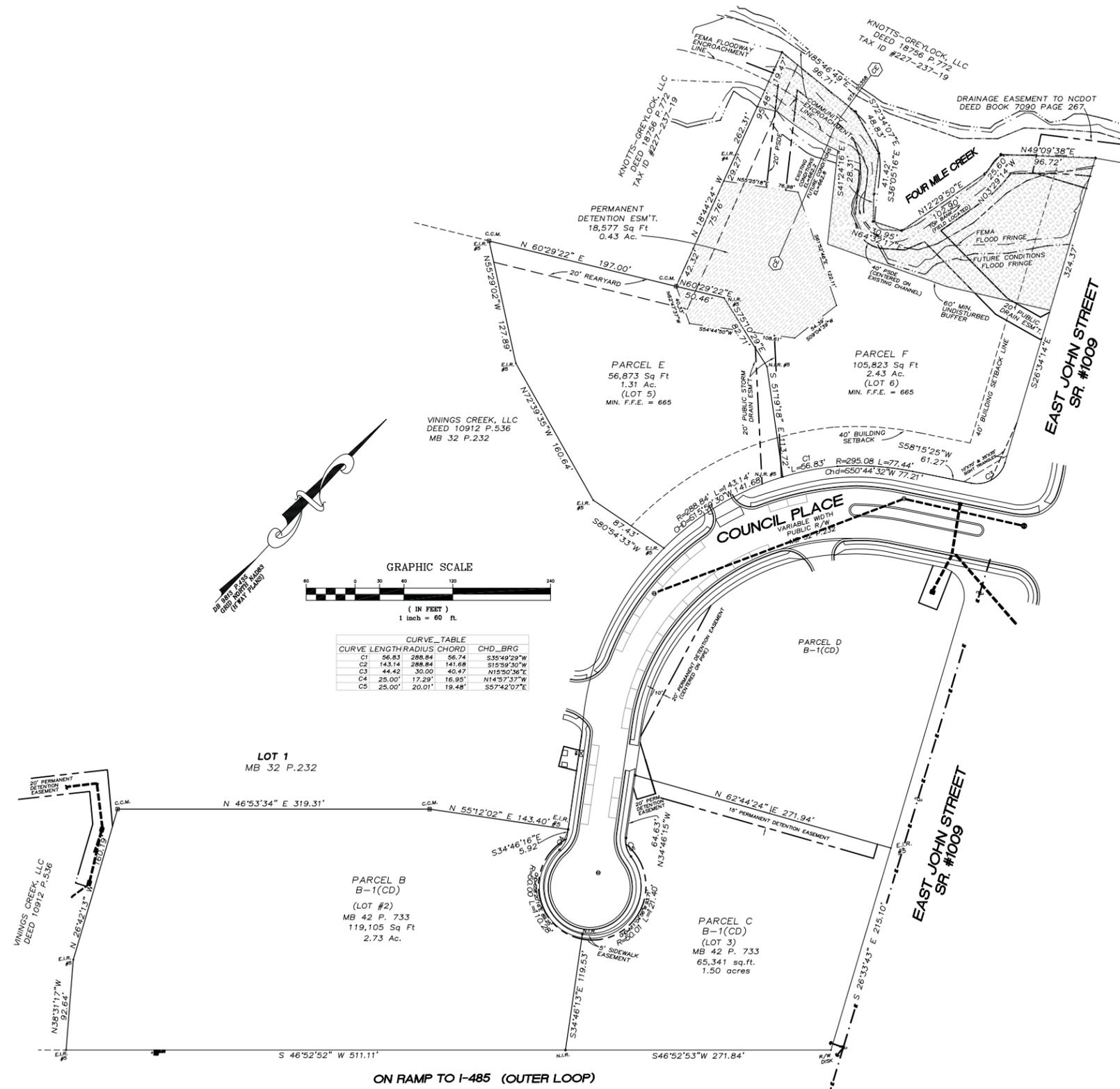


URBAN
DESIGN
PARTNERS

1318-e6 central ave, P. 704.334.3303
charlotte, nc 28205 F. 704.334.3305
urbandesignpartners.com



VICINITY MAP



CURVE	LENGTH	RADIUS	CHORD	CHD_BRG
C1	56.83	288.84	56.74	S35°49'29"W
C2	143.14	288.84	141.88	S15°59'30"W
C3	44.42	30.00	40.47	N15°50'36"E
C4	25.00'	17.29'	16.95'	N14°57'37"W
C5	25.00'	20.01'	19.48'	S57°42'07"E

LOT 1
MB 32 P.232

PARCEL B
B-1(CD)
(LOT #2)
MB 42 P. 733
119,105 Sq Ft
2.73 Ac.

PARCEL C
B-1(CD)
(LOT 3)
MB 42 P. 733
65,341 sq.ft.
1.50 acres

PARCEL E
56,873 Sq Ft
1.31 Ac.
(LOT 5)
MIN. F.F.E. = 665

PARCEL F
105,823 Sq Ft
2.43 Ac.
(LOT 6)
MIN. F.F.E. = 665

Eastlan Capital

Mr. Fred Calliguri
1600 Camden Road
Charlotte, NC 28203

Council Place Parcels C and F

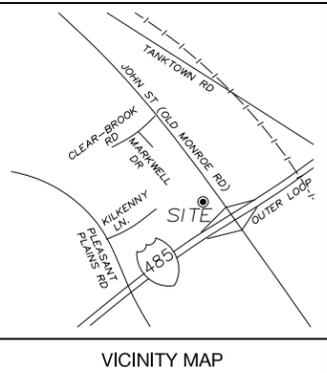
Existing Conditions/Survey

Matthews, North Carolina

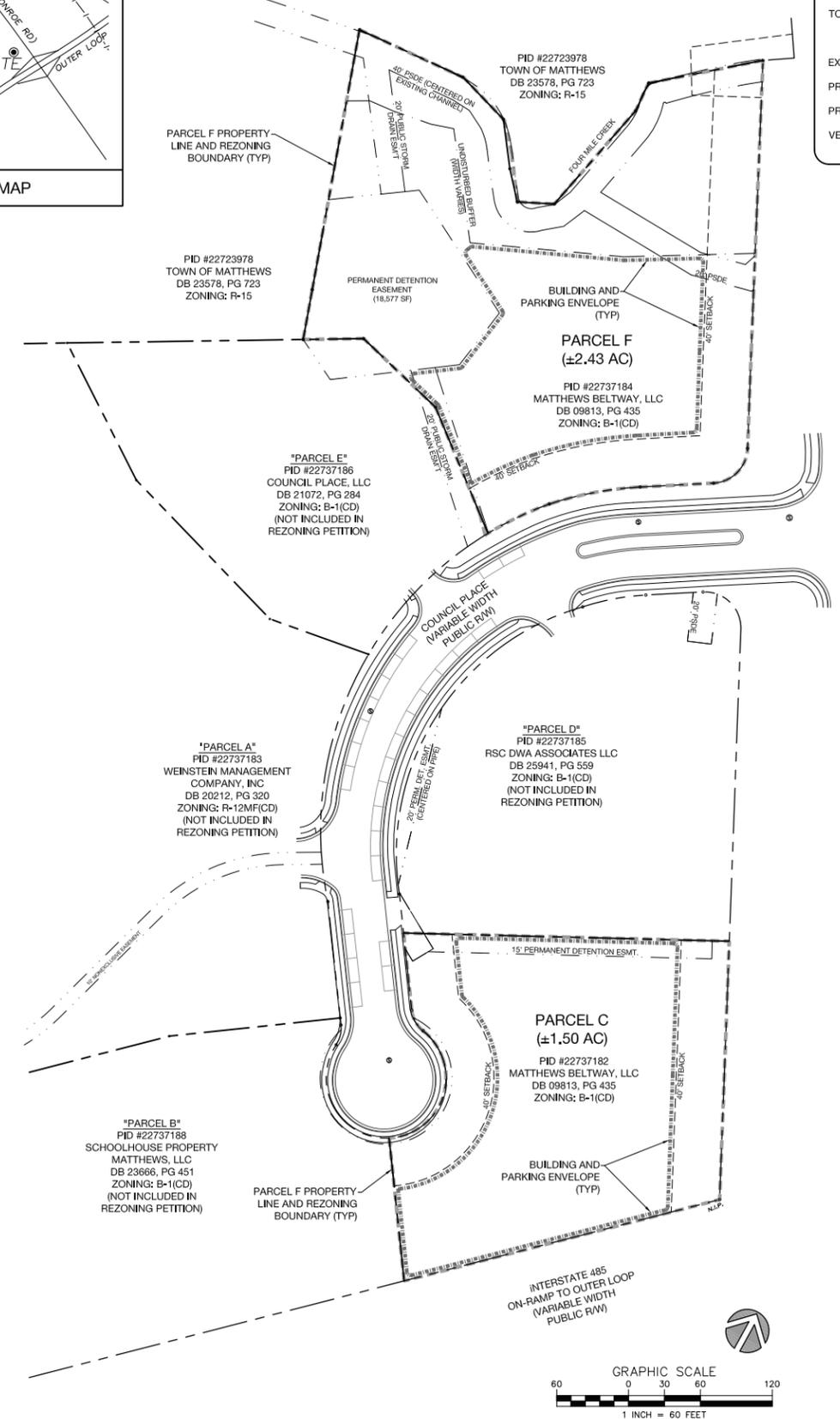
NO. DATE: BY: REVISIONS:

Project No: 14-056
Date: September 30, 2015
Designed by: udp
Drawn By: udp
Scale:
Sheet No:

RZ-1



DEVELOPMENT SUMMARY	
TAX PARCEL ID #:	22737182
PARCEL C:	22737184
PARCEL F:	
TOTAL SITE AREA:	±3.93
PARCEL C:	±1.50
PARCEL F:	±2.43
EXISTING ZONING:	B-1(CD)
PROPOSED ZONING:	B-1(CD)
PROPOSED USE:	SEE NOTES
VEHICULAR PARKING:	PER ORDINANCE



DEVELOPMENT STANDARDS - JANUARY 28, 2015

GENERAL PROVISIONS

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Matthews Beltway, LLC to amend the approved B-1 (CD) conditional rezoning plan for an approximately 3.93 acre site located on Council Place in Matthews, North Carolina, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel Nos. 227-371-82 and 227-371-84.
- The Site is a portion of an approximately 28.31 acre site (the "Original Rezoning Site") that was rezoned to the R-12 MF (CD) and B-1 (CD) zoning districts by the Matthews Town Board of Commissioners on March 22, 1999 pursuant to Rezoning Petition No. 339. The purpose of that rezoning was to accommodate a multi-use development that could contain, among other things, multi-family residential units, a hotel/motel and other commercial uses allowed in the B-1 zoning district. Pursuant to the approved conditional rezoning plan relating to Rezoning Petition No. 339 (the "Approved Rezoning Plan"), the Original Rezoning Site is divided into a multi-family residential parcel (designated as Parcel A on the Approved Rezoning Plan) and five commercial outparcels (designated as Parcel B, Parcel C, Parcel D, Parcel E and Parcel F on the Approved Rezoning Plan).
- The Site is comprised of Parcel C and Parcel F.
- Pursuant to the Approved Rezoning Plan, the combined total maximum gross floor area that may be developed on Parcel C, Parcel D and Parcel F is 25,000 square feet.
- Parcel C and Parcel F that comprise the Site are vacant and have not been developed. Parcel D has been developed and according to the Mecklenburg County Tax Records, a one story building containing 14,574 square feet of gross floor area is located on Parcel D.
- Pursuant to this Rezoning Petition, Petitioner is requesting an amendment to the Approved Rezoning Plan as it relates only to the Site to allow a combined total maximum gross floor area of 28,000 square feet to be developed on the Site (Parcel C and Parcel F). The 28,000 square feet of gross floor area would be apportioned between Parcel C and Parcel F by Petitioner in its discretion.
- The requested site plan amendment applies only to the Site and not to any other portions of the Original Rezoning Site.
- The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the Town of Matthews Zoning Ordinance (the "Ordinance"). The regulations established under the Ordinance for the B-1 zoning district shall govern the development of the Site.
- Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of the Site in accordance with the provisions of the Ordinance.

PERMITTED USES

The Site may be devoted to any use or uses permitted by right or under prescribed conditions in the B-1 zoning district, together with any incidental or accessory uses relating thereto that are permitted in the B-1 zoning district.

MAXIMUM GROSS FLOOR AREA

- A maximum of 28,000 square feet of gross floor area may be developed on the Site. The 28,000 square feet of gross floor area shall be apportioned between Parcel C and Parcel F by Petitioner in its discretion.
- Areas devoted to surface parking, outdoor dining and seating, and courtyards and plazas shall not be counted towards the maximum allowed gross floor area, however, outdoor dining areas shall be considered when determining the amount of required off-street parking for the Site.

DEVELOPMENT LIMITATIONS

All buildings and parking areas shall be located within the building and parking envelopes depicted on the Rezoning Plan.

TRANSPORTATION/PARKING

- Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Town of Matthews.
- Vehicular access to the Site from John Street shall be prohibited. Vehicular access to the Site shall be from Council Place as depicted on the Rezoning Plan.
- Off-street parking will meet the minimum requirements of the Ordinance.

ARCHITECTURAL STANDARDS

- The maximum height in feet of any building constructed on the Site shall be 40 feet, and the maximum height in stories shall be 3 stories.
- Prior to the issuance of a building permit for any building to be constructed on the Site, the site plan and the exterior building elevations for such building must be approved by the Matthews Town Board of Commissioners.
- Dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of such building may be substituted for the wall or fence along each such side.
- All roof mounted mechanical equipment will be screened from view from adjoining public rights of way and abutting properties as viewed from grade.

SCREENING/LANDSCAPING/BUFFER

- Screening and landscaping shall conform to the standards of the Ordinance.
- An undisturbed buffer shall be established on Parcel F as depicted on the Rezoning Plan.

SIGNS

All signs installed on the Site shall comply with the requirements of the Ordinance.

LIGHTING

Outdoor lighting shall meet the standards of the Ordinance.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

Eastlan Capital

Mr. Fred Caligiuri
1600 Camden Road
Charlotte, NC 28203

Council Place
Parcels C and F
Rezoning Plan
Matthews, North Carolina

NO.	DATE	BY	REVISIONS:

Project No: 14-056
Date: September 30, 2015
Designed by: udp
Drawn By: udp
Scale: 1" = 80'
Sheet No:

RZ-2

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>
10000001-4417	Clerk of Court Fees	\$ 52.00	

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

		<u>INCREASE</u>	<u>DECREASE</u>
10438000-5300	Professional Services	\$52.00	

SECTION 3: The purpose of this amendment is to recognize court ordered restitution payments.

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

Adopted this the 12th day of October 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>
10000001-4418	Federal Seized Funds	\$1,691.13	

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	\$1,691.13	

SECTION 3: The purpose of this amendment is to recognize shared proceeds received through HSI Task Force

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

Adopted this the 12th day of October 2015.

James P. Taylor, Mayor

Lori Canapinno, Town Clerk

Additional Community Garden in Matthews

DATE: October 8, 2015

FROM: Corey King, Parks, Recreation & Cultural Resource Director

Background/Issue:

Parks, Recreation & Cultural Resource Department staff presented information about an additional community garden in Matthews during the September 14th Board meeting. Staff was directed to present 2 conceptual rendering of the new community garden and proposed locations within 30 days.

Staff researched the area and gathered input from various experts and stake holders. This information was used to create the attached conceptual drawing of the new community garden within the future park at HGWY 51. In evaluation of the site, the depicted location was determined to be the most logical and best use of the property in regard to space available and potential impact on neighboring properties. An alternative location could not feasibly be determined. The layout of the garden could be manipulated, but the footprint of space occupied by the garden would be very similar. The conceptual design also reflects setbacks, and landscape requirements for the project.

Garden Details:

Driveway: gravel

Parking Lot: gravel, 10 spaces

Garden: 36 additional plots: 12' X 28' plots (12)
12' X 14' plots (24)

*Proposed configuration maximizes expansion potential should demand dictate a need for additional gardening spaces.

Proposal/Solution:

Approve the proposed location of the new community garden

Financial Impact:

There is no financial impact related to this decision. The project budget has been established (\$20,000).

Related Town Goal:

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

Recommended Motion:

Approval of the proposed location of the new community garden within the future park at HGWY 51



Landscape Screening

Parking

Garden

PHILIPS

Landscape Screening

12' X 28'
each

12' X 14'
each



Levine Senior Center Request

TO: Mayor and Board of Commissioners
DATE: October 7, 2015
FROM: Hazen Blodgett, Town Manager

Background/issue:

As we previously discussed, the Levine Senior Center has approached the Town about the Town purchasing the debt on the building and making some needed improvements. The mortgage is approximately \$732,000 and the estimated cost of needed repairs is \$85,000. The monthly mortgage payment is \$5,200 and the Levine Senior Center feels that if they can get out from under the responsibility of the monthly payment, this will alleviate some financial pressure. Mecklenburg County has set aside \$70,000 that they will make available as part of their annual contribution to the Levine Senior Center once Mecklenburg County's financial concerns are addressed. Also, the Levine Senior Center Board is working on some grants and donations to help with future budgets.

Going forward, my expectation is that the Levine Senior Center, along with Town staff and elected officials, will need to approach Mecklenburg County about making sure that the Levine Senior Center gets an appropriate share of the funds that the County contributes to other senior centers in the county.

Proposal/solution:

The mortgage plus building repairs totals approximately \$825,000. The building and land are valued at \$4 million. It would be a financially sound decision for the Town to take over ownership of land and building for approximately \$825,000. Rather than the Town dipping into our Fund Balance, staff recommends that we finance this project. The Local Government Commission (LGC) will have to authorize the debt since we are borrowing in excess of \$500,000. We estimate it will take between 60 and 90 days to get on the LGC's calendar and subsequently receive their approval. The Town is very financially sound with a AA+ bond rating so this will be a formality with the LGC. The annual debt payment for an \$825,000 loan is about \$115,000 for eight years.

Financial impact:

While we can absorb the first year's payment next fiscal year (July 2016), our preference is to wait until July 2017 to make the first payment. In talking to the bank, Finance Director Chris Tucker believes it is possible that a bank would consider delaying the first payment until July 2017. The Town's interest in seeking the delay is that beginning July 2017 our debt service will be reduced by over \$500,000, as the Town Hall, library and police department will all be paid off.

Related Town Goals and Strategies:

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

Recommended Action:

Authorize staff to approach the Local Government Commission to borrow approximately \$825,000 over an eight year period; concurrently direct staff to work with the Town Attorney to prepare a management agreement with the Happy Times group for the operation and management of the Levine Senior Center. Furthermore, to have the management agreement completed within 45 days or less for Town Board approval.

Agenda Item: Discharge of Firearms Permit Application

Christopher J. Porter / 440 Bubbling Well Road

Date: October 6, 2015

From: Chief Rob Hunter

Background / Issue: On June 8, 2009, Chapter 130.03 of the Code of Ordinances, Discharge of Firearms, was amended to include the requirement of permits for the use of bows & arrows within the town. Petitioners are required to identify the property where the discharge is to take place, and provide written verification that all adjoining / affected property owners have been advised of the application. Our department conducts a background investigation on the applicant, and conducts a site inspection to assure the act of bow hunting can be conducted safely within the identified property.

The town received a permit application from Christopher Porter for the purposes of conducting bow-hunting of deer upon the properties of Marty Hodge located at 440 Bubbling Well Road. The property owners own three adjacent parcels, two undeveloped and one on which the property owner lives. The proposed discharge would take place upon/across two of those parcels and would be directed towards the property owner's home. The applicant received a permit upon this property last year and there were no reported incidents or complaints.

Proposal / Solution: While a permit was approved for this applicant upon this property last year, which included two discharge stand locations, we are directing that only one discharge location will be recommended; this location will provide for a greatly extended discharge area. We find that the activity to be performed by the petitioner on this property can be conducted safely and without hindrance to the adjoining property owners under the following conditions: (a) he shall be the only one authorized to conduct this activity subject to this permit; (b) it remains his responsibility to abide by any N.C. General Statutes and/or the guidelines of the N.C. Wildlife Commission; (c) that he discharges the weapons only from the sites and in the directions as demonstrated to him by our staff; (d) that he inform the adjacent property owners of the issuance & conditions of the permit, (e) that he post portable signs in conspicuous locations around his property to advise persons upon the adjoining property of his presence and activity and (f) that he wear orange protective wear while conducting this activity.

Financial Impact: There will be no financial impact upon the town.

Related Town Goals: *Communications; Public Safety*

Recommended Motion: Approve a Discharge of Firearms Permit for the purpose of bow hunting by Christopher Porter upon the property at 440 Bubbling Well Road, under the conditions and restrictions noted within this memorandum and expiring January 1, 2016.

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.

From: Sgt. Bill Shaw
To: Chief Rob Hunter
Date: 09/10/2015
Subject: Discharge of Firearms Permit Application Review

Staff has completed a review of a permit application for Chapter 130.03, *Discharge of Firearms* for the below-described applicant and location:

Applicant: Christopher J Porter
Location: 440 Bubbling Well Dr. Matthews
Type of Firearm(s): Parker Crossbow
Reason(s) for Permit: Target practice/ Deer Hunting
Requested Dates: 10/05/2015 Thru 01/01/2016

Following are the summaries of our review:

Applicant: Mr. Porter has lived in the Town of Matthews for 6 years. He has experience hunting deer for over ten years in the state of Virginia. Mr. Porter stated that during those ten years of hunting, his primary weapon has been a bow and arrow.

This Permit is a renewal. There were no calls for service or incidents reported with this location last year.

Location: Though two discharge locations have been previously approved, we have directed that only the currently proposed location will be recommended; it provides for the longest discharge distance towards an adjacent property line. The direction of recommended discharge, towards the property owner's own home, provides for a distance of more than 370'.

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.

Findings & Conditions:

- We find that this activity **CANNOT** be conducted by this applicant and/or at this location for the following reasons:

Click here to enter text.

- We find that this activity **CAN** be conducted by this applicant and/or at this location safely and without hindrance to the surrounding properties if conducted under the following conditions:

Recommended Conditions of Permit:

- Permit holder is to notify adjacent property owners of issuance & conditions of the permit within 48 hours of issuance.
- Only person to whom permit is issued shall discharge firearms subject to this permit
- Permit holder is responsible for complying with all requirements of the N.C. Wildlife Commission and all requirements of N.C. state law
- Permit holder shall discharge firearm only from location described in this report
- Permit holder shall discharge firearm only in the directional area as described in this report
- Permit holder shall post signs at conspicuous locations at each property line warning others of discharge during actual period of discharge
- Permit holder shall wear hunter's reflective apparel (i.e. orange hat / jacket, etc.) during discharge
- Permit holder shall comply with the following additional conditions:
The tree stand is to be elevated at least fifteen feet above the ground.

Attachments:

- Permit Application
- GIS Map Indicating & Identifying Adjoining Properties & Owners
- Copy of Notification to Delivered to Adjoining Property Owners
- Map Indicating Discharge Location & Directions of Discharge
- Photograph of Discharge Location
- Photographs of Direction of Discharge

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.



1201 Crews Road
Matthews, NC 28105
704.847.4069

APPLICATION - DISCHARGE OF FIREARM

Pursuant to Town Ordinance 130.03 any person who intends to discharge a firearm, shoot with bow & arrows must do so in licensed shooting galleries or at a range. If you plan to do so at any other location within Town of Matthews' limits you must submit this application and receive permission from the Town Board of Commissioners.

It is the responsibility of the person requesting this permit that he/she be in compliance with & follow all NC General Statutes and NC Wildlife policies and requirements. Each person requesting permission must submit an application.

Return complete application package to: Police Department • 1201 Crews Road, Matthews, NC 28105
Phone - Records: 704-841-6701 • Fax: 704-845-5824

APPLICANT'S LEGAL NAME: Christopher Joseph Porter

HOME MAILING ADDRESS: 421 Lakenheath Lane

CITY: Matthews STATE: NC ZIP: 28105

PRIMARY PHONE NUMBER: 704-~~XXXXXXXXXX~~ home mobile business

EMAIL ADDRESS: ~~XXXXXXXXXX@XXXXXX~~ DATE OF BIRTH: ~~XXXXXXXXXX~~

DRIVERS' LICENSE/STATE ID#: 7569352 STATE: NC COUNTY OF RESIDENCE: Mecklenburg

Answer the following questions, attaching additional pages as necessary:

1. What type of weapon(s) do you intend to discharge within the limits of the Town of Matthews? crossbow
2. What is the purpose of discharging the weapon(s)? target practice and hunting of deer
3. When will you discharge the weapon(s)? (Periods of time and/or time of day) legal hunting hours
4. Where will you discharge the weapon(s)? from a secure ladder tree stand

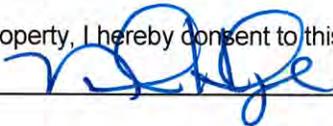
If this location is not the same as the address listed above please provide the following information for the property intended for the use of this permit:

Name of Property Owner: Marty Hodge

Address of Property Owner: 440 Bubbling Well Matthews NC 28105

Telephone Number(s) of Property Owner: ~~XXXXXXXXXX~~

Property Owner must sign the following statement:

As the owner/responsible person for the above listed property, I hereby consent to this permit application and assume all responsibility for the applicant's use of this property. 

Attach the following documents in support of this permit:

1. A drawn-to-scale map of the property for which the permit is requested indicating the owner information for the property and all adjoining properties.
2. A statement indicating that the owners/residents of the adjoining properties have been informed of this application. Statement shall include an indication of each owner's/resident's support or non-support of this application.



Lakenheath-Ln

100-617

Mathews

Bubbling-Well-Rd



Dear Adjacent Property Owner, (adjacent to 440 Bubbling Well)

My name is Chris Porter and I reside at 412 Lakenheath Lane. I am applying to renew my permit to discharge a crossbow for the purpose of practice and to potentially hunt deer. I'm applying to use the permit again on Mr. Hodge's property located at 440 Bubbling Well. Part of the process requires that I send you a letter notifying of my intentions. If you have any questions please feel free to call me at 704-771-6491.

Thank you for your time in reading this.

Christopher J Porter

421 Lakenheath Lane

THIS LETTER WAS MAILED USPS TO
THE RESIDENTS ATTACHED OBTAINED FROM
THE POLARIS WEBSITE.

1

6 results

[Standard View](#) [Property View](#) [Deed View](#)

1

Parcel ID: 22702759

Ownership:

1. MARTY PAUL HODGE
2. DEBORAH K HODGE

Mailing Address:

440 BUBBLING WELL RD
MATTHEWS NC 28105-5683

Land Area: 0 SMAC

Legal Desc: L18 BB M7-421

Deed Book: 02315 Deed Page: 243

[Details](#)

[Zoom](#)

2

Parcel ID: 22702760

Ownership:

1. MARTY PAUL HODGE
2. DEBORAH K HODGE

Mailing Address:

440 BUBBLING WELL RD
MATTHEWS NC 28105-5683

Land Area: 0 SMAC

Legal Desc: L19-21BL M7- 421

Deed Book: 03327 Deed Page: 391

[Details](#)

[Zoom](#)

3

Parcel ID: 22702761

Ownership:

1. JOANNE HODGE

Mailing Address:

733 PLANTATION ESTATES DR # E304
MATTHEWS NC 28105

Land Area: 0 SMAC

Legal Desc: L22BB M7-421

Deed Book: 03765 Deed Page: 696

[Details](#)

[Zoom](#)





Agenda Item: Discharge of Firearms Permit Applications

– Travis Bakken / Parcels: 21525424, 21514110 & 21513258
General proximity of intersection of Phillips Road and Stallings Road

Date: October 6, 2015

From: Chief Rob Hunter

Background / Issue: On June 8, 2009, Chapter 130.03 of the Code of Ordinances, Discharge of Firearms, was amended to include the requirement of permits for the use of bows & arrows within the town. Petitioners are required to identify the property where the discharge is to take place, and provide written verification that all adjoining / affected property owners have been advised of the application. Our department conducts a background investigation on the applicant, and conducts a site inspection to assure the act of bow hunting can be conducted safely within the identified property.

The town received a 'Discharge of Firearms' permit application from Travis Bakken, for three above-described leased properties under the ownership control of David Blackly. The permit is requested for the purpose of conducting bow-hunting of deer upon these properties during deer hunting season. The above requirements have been met and the background investigation and site inspections have been completed. Permits were issued on two of these three parcels last year and there were no reported or discovered incidents or violations last year.

Proposal / Solution: We find that the activity to be performed by the petitioner on two of these three leased parcels can be conducted safely and without hindrance to the adjoining property owners under the following conditions: (a) he shall be the only one authorized to conduct this activity subject to this permit; (b) it remains his responsibility to abide by any N.C. General Statutes and/or the guidelines of the N.C. Wildlife Commission; (c) that he notifies the adjoining property owners of the issuance and conditions of the permit within 48 hours of issuance; (d) that he discharges the weapons only from the site and in the directions as demonstrated to him by our staff; (e) he wear orange protective wear while conducting this activity; and (f) that he post portable signs in conspicuous locations around his property to advise persons upon the adjoining property of his presence and activity

Financial Impact: There will be no financial impact upon the town.

Related Town Goals: *Communications, Public Safety*

Recommended Motion: Approve a Discharge of Firearms Permit for the purpose of bow hunting for Travis Bakken upon the leased properties identified as Mecklenburg County parcels 21525424 and 21514110 under the conditions and restrictions noted within this memorandum and expiring January 1, 2015.

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.



1201 Crews Road
Matthews, NC 28105
704.847.4069

APPLICATION - DISCHARGE OF FIREARM

Pursuant to Town Ordinance 130.03 any person who intends to discharge a firearm, shoot with bow & arrows must do so in licensed shooting galleries or at a range. If you plan to do so at any other location within Town of Matthews' limits you must submit this application and receive permission from the Town Board of Commissioners.

It is the responsibility of the person requesting this permit that he/she be in compliance with & follow all NC General Statutes and NC Wildlife policies and requirements. Each person requesting permission must submit an application.

Return complete application package to: Police Department • 1201 Crews Road, Matthews, NC 28105
Phone - Records: 704-841-6701 • Fax: 704-845-5824

APPLICANT'S LEGAL NAME: Travis John Bakken

HOME MAILING ADDRESS: 3650 Poplin Rd

CITY: Monroe STATE: NC ZIP: 28110

PRIMARY PHONE NUMBER: 704-~~XXXXXXXX~~ home mobile business

EMAIL ADDRESS: ~~XXXXXXXX~~@gmail.com DATE OF BIRTH: ~~XXXXXXXXXX~~

DRIVERS' LICENSE/STATE ID#: 24769714 STATE: NC COUNTY OF RESIDENCE: Union

Answer the following questions, attaching additional pages as necessary:

1. What type of weapon(s) do you intend to discharge within the limits of the Town of Matthews? Compound Bow
2. What is the purpose of discharging the weapon(s)? Deer Hunting
3. When will you discharge the weapon(s)? (Periods of time and/or time of day) Legal Hunting Hours
4. Where will you discharge the weapon(s)? Leased Private Property

If this location is not the same as the address listed above please provide the following information for the property intended for the use of this permit:

Name of Property Owner: David Blackley 20270

Address of Property Owner: 138 North Trade Street - Matthews OK 809 Sardis Rd N. Charlotte 28208

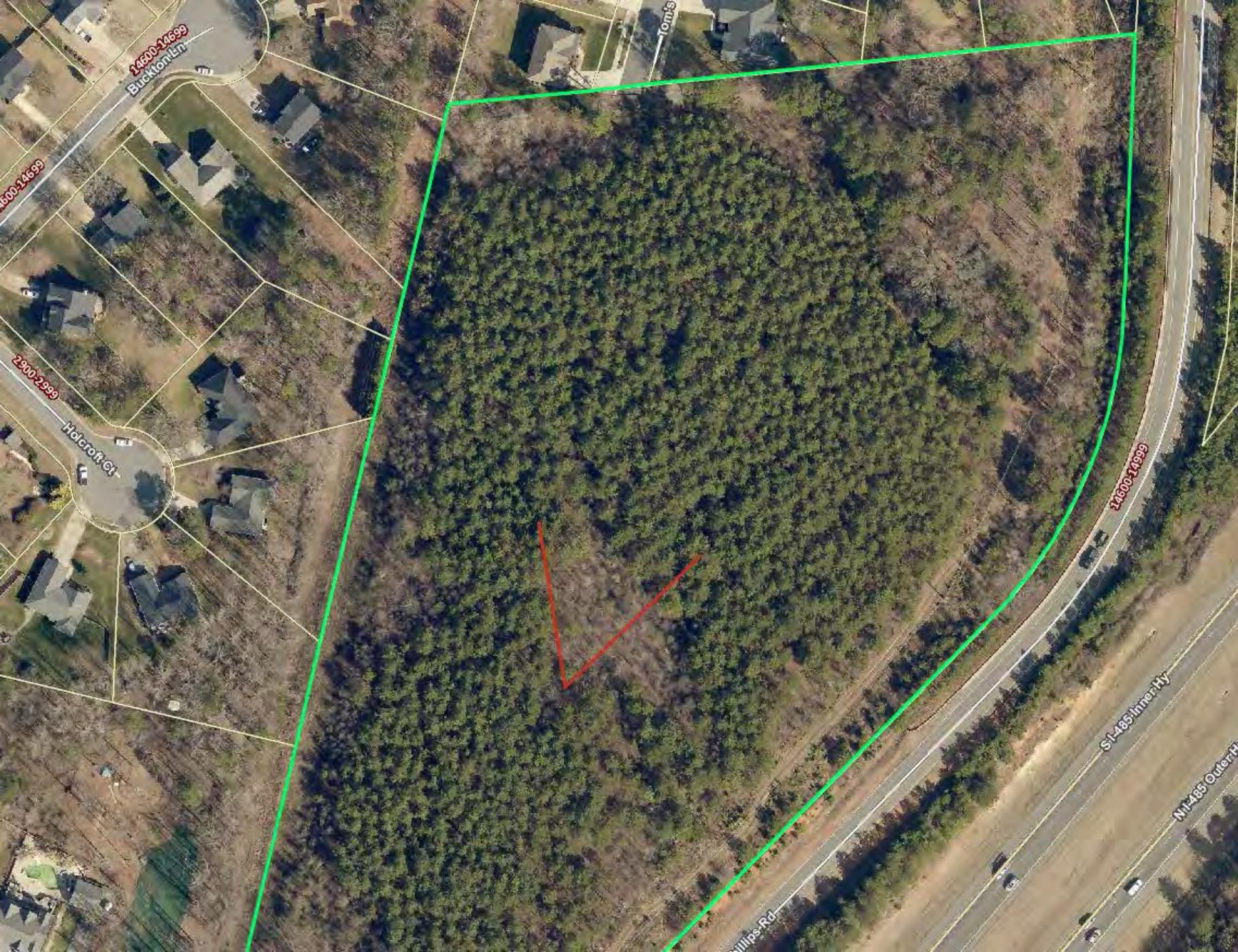
Telephone Number(s) of Property Owner: 704-~~XXXXXXXX~~ C) 704-~~XXXXXXXX~~ W) 704 847 4089

Property Owner must sign the following statement:

As the owner/responsible person for the above listed property, I hereby consent to this permit application and assume all responsibility for the applicant's use of this property. David P. Blackley PCM Holdings Refused

Attach the following documents in support of this permit:

1. A drawn-to-scale map of the property for which the permit is requested indicating the owner information for the property and all adjoining properties.
2. A statement indicating that the owners/residents of the adjoining properties have been informed of this application. Statement shall include an indication of each owner's/resident's support or non-support of this application.



1-800-246-99
Bucktown Ln

1-800-246-99

2-900-2-999

Holeroff Ct

Tom's

1-800-1-9999

St. Agnes Hwy

NJ-485 Outer Pkwy

Phillips Rd

From: Sgt. Bill Shaw
To: Chief Rob Hunter
Date: 10-07-2015
Subject: Discharge of Firearms Permit Application Review

Staff has completed a review of a permit application for Chapter 130.03, *Discharge of Firearms* for the below-described applicant and location:

Applicant: Travis Bakken
Location: Renfrow Property located on Stallings Rd.
Type of Firearm(s): Compound Bow
Reason(s) for Permit: Deer Hunting
Requested Dates: 10-13-2015 thru 01-01-2016

Following are the summaries of our review:

Applicant: Mr. Bakken has been deer hunting for over thirty years. He has been bow hunting for about fifteen of those years. Mr. Bakken shoots an up to date PSE compound bow that meet the North Carolina weight requirements.

Location: This request is for renewal. The location from where Mr. Bakken has not changed from the recent permit. There were no reported or discovered incidents last year.

Findings & Conditions:

We find that this activity **CANNOT** be conducted by this applicant and/or at this location for the following reasons:

[Click here to enter text.](#)

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.

- We find that this activity **CAN** be conducted by this applicant and/or at this location safely and without hindrance to the surrounding properties if conducted under the following conditions:

Recommended Conditions of Permit:

- Permit holder shall notify adjacent property owners of permit issuance & conditions within 48 hours of permit issuance
- Only person to whom permit is issued shall discharge firearms subject to this permit
- Permit holder is responsible for complying with all requirements of the N.C. Wildlife Commission and all requirements of N.C. state law
- Permit holder shall discharge firearm only from location described in this report
- Permit holder shall discharge firearm only in the directional area as described in this report
- Permit holder shall post signs at conspicuous locations at each property line warning others of discharge during actual period of discharge
- Permit holder shall wear hunter's reflective apparel (i.e. orange hat / jacket, etc.) during discharge
- Permit holder shall comply with the following additional conditions:

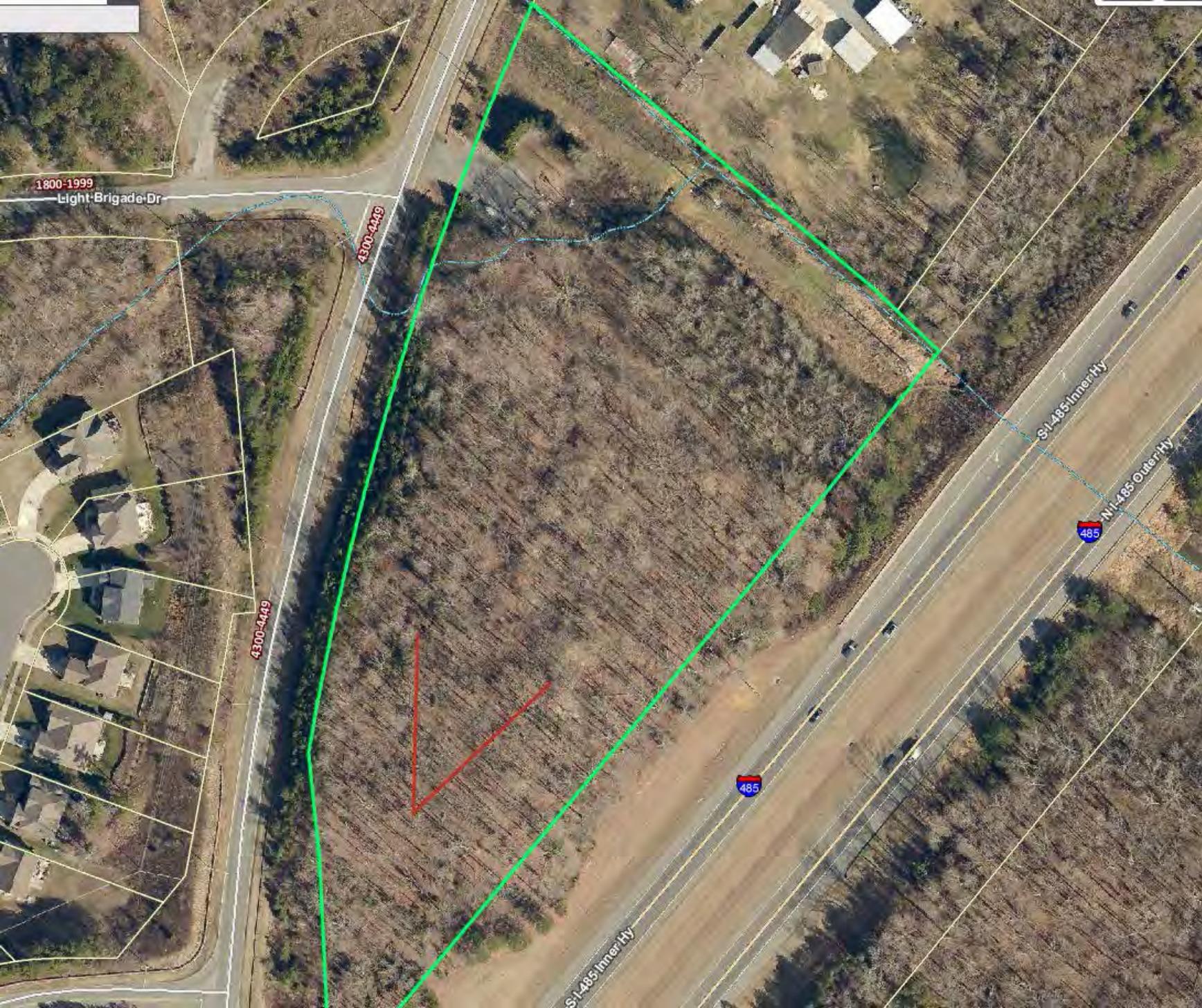
[Click here to enter text.](#)

Attachments:

- Permit Application
- GIS Map Indicating & Identifying Adjoining Properties & Owners
- Copy of Notification to Delivered to Adjoining Property Owners
- Map Indicating Discharge Location & Directions of Discharge
- Photograph of Discharge Location
- Photographs of Direction of Discharge

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.



1800-1999
Light-Brigade Dr

4300-4449

4300-4449

S I-485 Inner Hwy

S I-485 Outer Hwy

485

485

S I-485 Inner Hwy

From: Sgt. Bill Shaw
To: Chief Rob Hunter
Date: 10-07-2015
Subject: Discharge of Firearms Permit Application Review

Staff has completed a review of a permit application for Chapter 130.03, *Discharge of Firearms* for the below-described applicant and location:

Applicant: Travis Bakken
Location: Renfrow Property located on Light Brigade Dr.
Type of Firearm(s): Compound Bow
Reason(s) for Permit: Deer Hunting
Requested Dates: 10-13-2015 thru 01-01-2016

Following are the summaries of our review:

Applicant: Mr. Bakken has been deer hunting for over thirty years. He has been bow hunting for about fifteen of those years. Mr. Bakken shoots an up to date PSE compound bow that meet the North Carolina weight requirements.

Location: This stand is for renewal. The location from where Mr. Bakken has not changed from the recent permit. There were no reported or discovered incidents last year.

Findings & Conditions:

We find that this activity **CANNOT** be conducted by this applicant and/or at this location for the following reasons:

[Click here to enter text.](#)

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.

- We find that this activity **CAN** be conducted by this applicant and/or at this location safely and without hindrance to the surrounding properties if conducted under the following conditions:

Recommended Conditions of Permit:

- Permit holder shall notify adjacent property owners of permit issuance & conditions within 48 hours of permit issuance
- Only person to whom permit is issued shall discharge firearms subject to this permit
- Permit holder is responsible for complying with all requirements of the N.C. Wildlife Commission and all requirements of N.C. state law
- Permit holder shall discharge firearm only from location described in this report
- Permit holder shall discharge firearm only in the directional area as described in this report
- Permit holder shall post signs at conspicuous locations at each property line warning others of discharge during actual period of discharge
- Permit holder shall wear hunter's reflective apparel (i.e. orange hat / jacket, etc.) during discharge
- Permit holder shall comply with the following additional conditions:

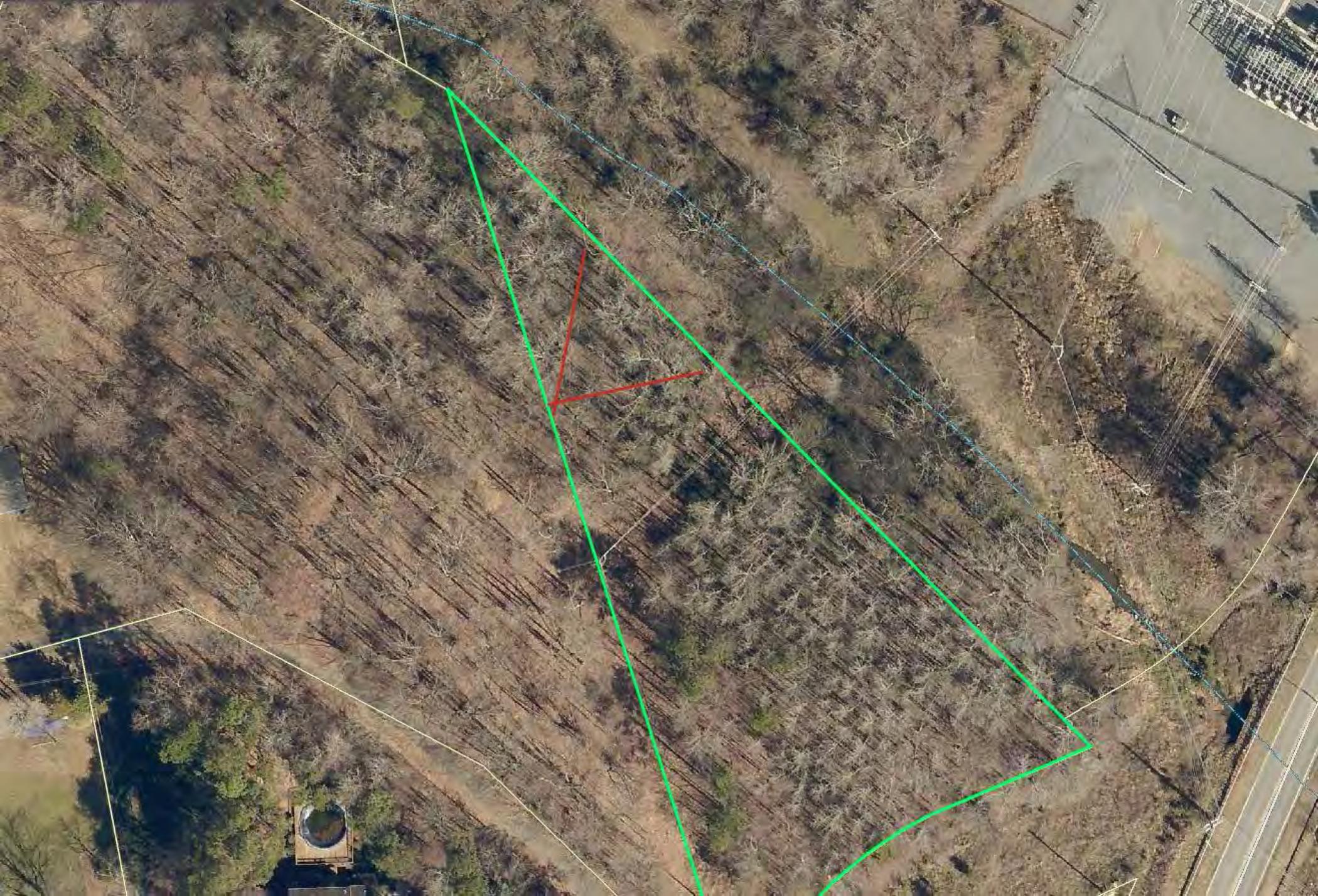
[Click here to enter text.](#)

Attachments:

- Permit Application
- GIS Map Indicating & Identifying Adjoining Properties & Owners
- Copy of Notification to Delivered to Adjoining Property Owners
- Map Indicating Discharge Location & Directions of Discharge
- Photograph of Discharge Location
- Photographs of Direction of Discharge

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.



Agenda Item: Discharge of Firearms Permit Applications

– Andrew Hagler / Parcels: 21525424, 21514110 & 21513258
General proximity of intersection of Phillips Road and Stallings Road

Date: October 6, 2015

From: Chief Rob Hunter

Background / Issue: On June 8, 2009, Chapter 130.03 of the Code of Ordinances, Discharge of Firearms, was amended to include the requirement of permits for the use of bows & arrows within the town. Petitioners are required to identify the property where the discharge is to take place, and provide written verification that all adjoining / affected property owners have been advised of the application. Our department conducts a background investigation on the applicant, and conducts a site inspection to assure the act of bow hunting can be conducted safely within the identified property.

The town received a 'Discharge of Firearms' permit application from Travis Bakken, for three above-described leased properties under the ownership control of David Blackly. The permit is requested for the purpose of conducting bow-hunting of deer upon these properties during deer hunting season. The above requirements have been met and the background investigation and site inspections have been completed. Permits were issued on two of these three parcels last year and there were no reported or discovered incidents or violations last year.

Proposal / Solution: We find that the activity to be performed by the petitioner on two of these three leased parcels can be conducted safely and without hindrance to the adjoining property owners under the following conditions: (a) he shall be the only one authorized to conduct this activity subject to this permit; (b) it remains his responsibility to abide by any N.C. General Statutes and/or the guidelines of the N.C. Wildlife Commission; (c) that he notifies the adjoining property owners of the issuance and conditions of the permit within 48 hours of issuance; (d) that he discharges the weapons only from the site and in the directions as demonstrated to him by our staff; (e) he wear orange protective wear while conducting this activity; and (f) that he post portable signs in conspicuous locations around his property to advise persons upon the adjoining property of his presence and activity

Financial Impact: There will be no financial impact upon the town.

Related Town Goals: *Communications, Public Safety*

Recommended Motion: Approve a Discharge of Firearms Permit for the purpose of bow hunting for Travis Bakken upon the leased properties identified as Mecklenburg County parcels 21525424 and 21514110 under the conditions and restrictions noted within this memorandum and expiring January 1, 2015.

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.



1201 Crews Road
Matthews, NC 28105
704.847.4069

APPLICATION - DISCHARGE OF FIREARM

Pursuant to Town Ordinance 130.03 any person who intends to discharge a firearm, shoot with bow & arrows must do so in licensed shooting galleries or at a range. If you plan to do so at any other location within Town of Matthews' limits you must submit this application and receive permission from the Town Board of Commissioners.

It is the responsibility of the person requesting this permit that he/she be in compliance with & follow all NC General Statutes and NC Wildlife policies and requirements. Each person requesting permission must submit an application.

Return complete application package to: Police Department • 1201 Crews Road, Matthews, NC 28105
Phone - Records: 704-841-6701 • Fax: 704-845-5824

APPLICANT'S LEGAL NAME: Andrew Douglas Hagler

HOME MAILING ADDRESS: 3009 Early Rise Avenue

CITY: Indian Trail STATE: NC ZIP: 28079

PRIMARY PHONE NUMBER: [REDACTED] home mobile business

EMAIL ADDRESS: [REDACTED] DATE OF BIRTH: [REDACTED]

DRIVERS' LICENSE/STATE ID#: NC7179535 STATE: NC COUNTY OF RESIDENCE: Union

Answer the following questions, attaching additional pages as necessary:

1. What type of weapon(s) do you intend to discharge within the limits of the Town of Matthews? Crossbow
2. What is the purpose of discharging the weapon(s)? Deer Hunting
3. When will you discharge the weapon(s)? (Periods of time and/or time of day) September - January, dawn-dusk
4. Where will you discharge the weapon(s)? Private lease off of Stallings Road and Phillips Road.

If this location is not the same as the address listed above please provide the following information for the property intended for the use of this permit:

Name of Property Owner: David Blackley

Address of Property Owner: 800 Sardis Road N, Charlotte, NC 28270 or 183 N. Trade St. Matthews

Telephone Number(s) of Property Owner: Home - 704 [REDACTED], Work - 704 847 4089, cell- 704 [REDACTED]

Property Owner must sign the following statement:

As the owner/responsible person for the above listed property, I hereby consent to this permit application and assume all responsibility for the applicant's use of this property.

David P. Blackley

Attach the following documents in support of this permit:

1. A drawn-to-scale map of the property for which the permit is requested indicating the owner information for the property and all adjoining properties.
2. A statement indicating that the owners/residents of the adjoining properties have been informed of this application. Statement shall include an indication of each owner's/resident's support or non-support of this application.

From: Sgt. Bill Shaw
To: Chief Rob Hunter
Date: 10/07/2015
Subject: Discharge of Firearms Permit Application Review

Staff has completed a review of a permit application for Chapter 130.03, *Discharge of Firearms* for the below-described applicant and location:

Applicant: Andrew Douglas Hagler,
Location: The Renfrow property on Stallings Rd.
Type of Firearm(s): Crossbow
Reason(s) for Permit: Deer Hunting
Requested Dates: 10-13-2015 thru 01-01-2016

Following are the summaries of our review:

Applicant: Mr. Hagler has been deer hunting for over 30 years. He has been bow hunting for about fifteen of those years. Mr. Hagler shoots a crossbow now due to a shoulder injury. That injury will not allow him to pull the minimal weight required set by the North Carolina wildlife resource commission for a compound bow. Mr. Hagler is also a North Carolina State certified Concealed Handgun Instructor.

Location: This request is for renewal. The location from where Mr. Hagler has not changed from the recent permit. There were no reported or discovered incidents last year.

Findings & Conditions:

We find that this activity **CANNOT** be conducted by this applicant and/or at this location for the following reasons:

Click here to enter text.

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.

- We find that this activity **CAN** be conducted by this applicant and/or at this location safely and without hindrance to the surrounding properties if conducted under the following conditions:

Recommended Conditions of Permit:

- Permit holder shall notify adjacent property owners of permit issuance & conditions within 48 hours of permit issuance
- Only person to whom permit is issued shall discharge firearms subject to this permit
- Permit holder is responsible for complying with all requirements of the N.C. Wildlife Commission and all requirements of N.C. state law
- Permit holder shall discharge firearm only from location described in this report
- Permit holder shall discharge firearm only in the directional area as described in this report
- Permit holder shall post signs at conspicuous locations at each property line warning others of discharge during actual period of discharge
- Permit holder shall wear hunter's reflective apparel (i.e. orange hat / jacket, etc.) during discharge
- Permit holder shall comply with the following additional conditions:

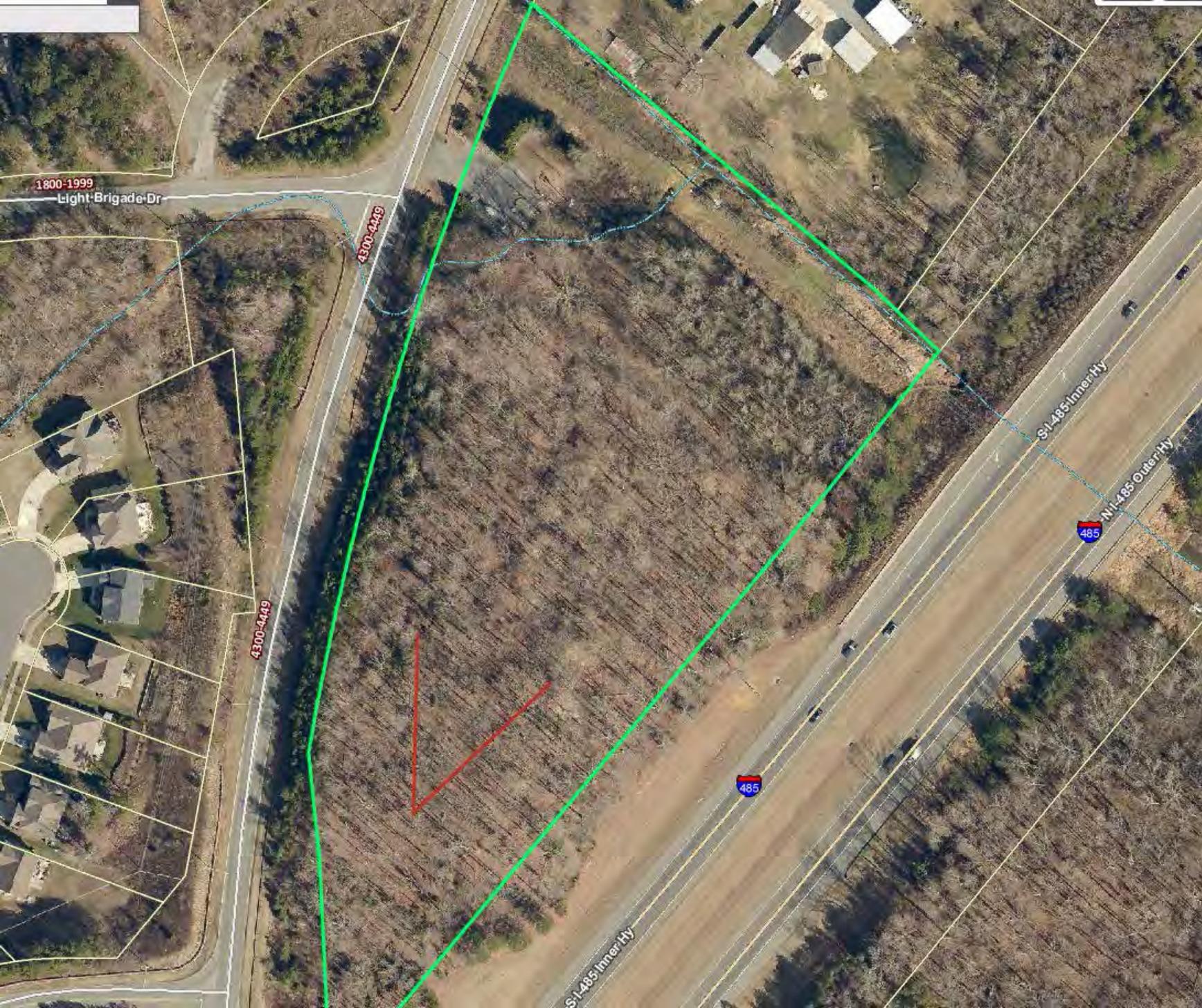
[Click here to enter text.](#)

Attachments:

- Permit Application
- GIS Map Indicating & Identifying Adjoining Properties & Owners
- Copy of Notification to Delivered to Adjoining Property Owners
- Map Indicating Discharge Location & Directions of Discharge
- Photograph of Discharge Location
- Photographs of Direction of Discharge

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.



1800-1999
Light-Brigade Dr

4300-4449

4300-4449

S I-485 Inner Hwy

S I-485 Inner Hwy

S I-485 Outer Hwy

485

485

From: Sgt. Bill Shaw
To: Chief Rob Hunter
Date: 10/07/2015
Subject: Discharge of Firearms Permit Application Review

Staff has completed a review of a permit application for Chapter 130.03, *Discharge of Firearms* for the below-described applicant and location:

Applicant: Andrew Douglas Hagler,
Location: The Renfrow property on Phillips Rd.
Type of Firearm(s): Crossbow
Reason(s) for Permit: Deer Hunting
Requested Dates: 10-13-2015 thru 01-01-2016

Following are the summaries of our review:

Applicant: Mr. Hagler has been deer hunting for over 30 years. He has been bow hunting for about fifteen of those years. Mr. Hagler shoots a crossbow now due to a shoulder injury. That injury will not allow him to pull the minimal weight required set by the North Carolina wildlife resource commission for a compound bow. Mr. Hagler is also a North Carolina State certified Concealed Handgun Instructor.

Location: This stand is a new location. Mr. Hagler applied for a stand on this property last year but was denied by the council due to it being too close to an adjacent property. This new location has been moved to the center of the property with a further distance from any adjacent property owner. The stand is elevated at least 15 feet and is located in a dense wooded area.

Findings & Conditions:

We find that this activity **CANNOT** be conducted by this applicant and/or at this location for the following reasons:

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.

Click here to enter text.

- We find that this activity **CAN** be conducted by this applicant and/or at this location safely and without hindrance to the surrounding properties if conducted under the following conditions:

Recommended Conditions of Permit:

- Permit holder shall notify adjacent property owners of permit issuance & conditions within 48 hours of permit issuance
- Only person to whom permit is issued shall discharge firearms subject to this permit
- Permit holder is responsible for complying with all requirements of the N.C. Wildlife Commission and all requirements of N.C. state law
- Permit holder shall discharge firearm only from location described in this report
- Permit holder shall discharge firearm only in the directional area as described in this report
- Permit holder shall post signs at conspicuous locations at each property line warning others of discharge during actual period of discharge
- Permit holder shall wear hunter's reflective apparel (i.e. orange hat / jacket, etc.) during discharge
- Permit holder shall comply with the following additional conditions:

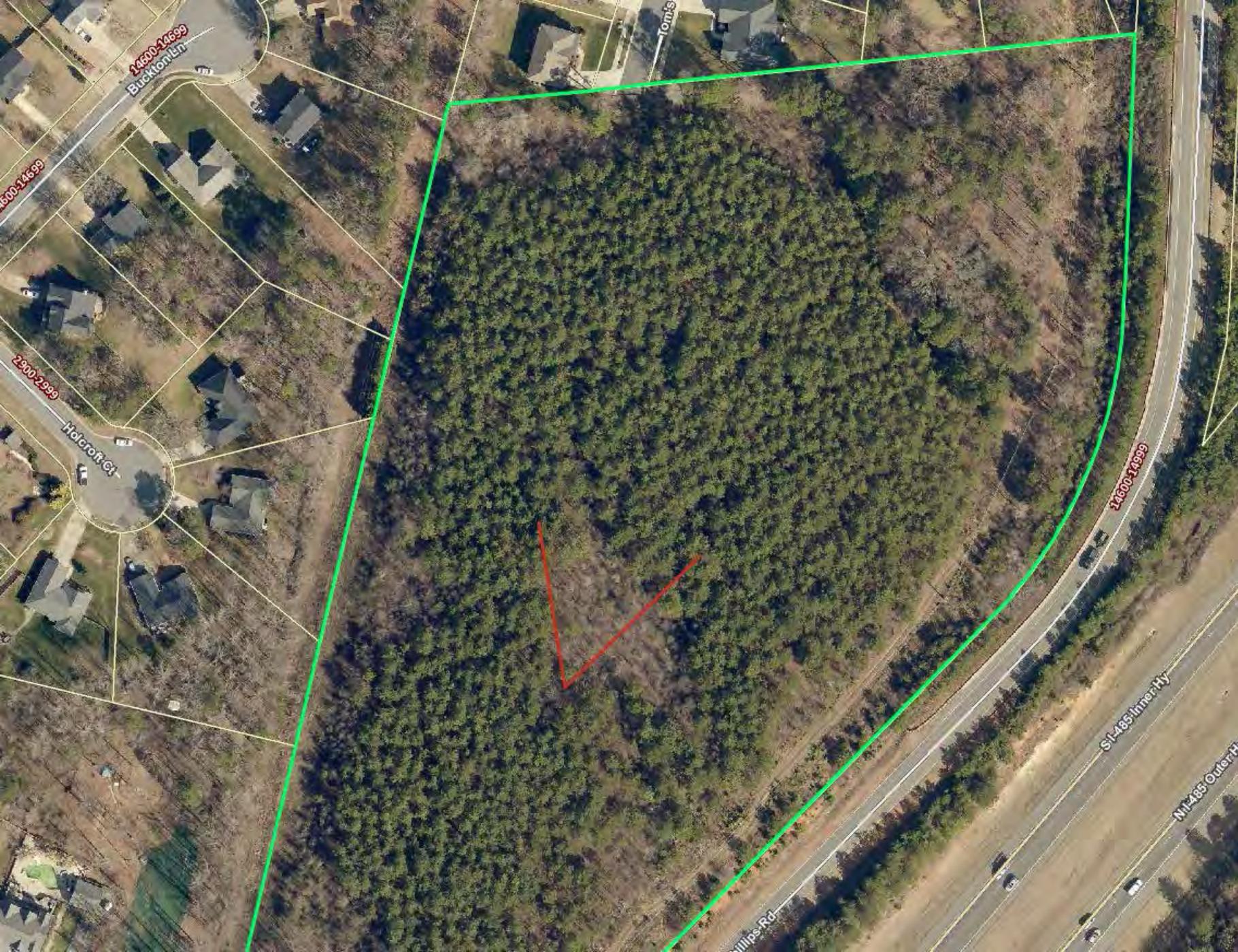
Click here to enter text.

Attachments:

- Permit Application
- GIS Map Indicating & Identifying Adjoining Properties & Owners
- Copy of Notification to Delivered to Adjoining Property Owners
- Map Indicating Discharge Location & Directions of Discharge
- Photograph of Discharge Location
- Photographs of Direction of Discharge

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.



1-800-246-99
Bucktown Ln

1-800-246-99

2-900-2-999

Holeroff Ct

Tom's

1-800-1-999

St. Agnes Hwy

NJ-485 Outer Pkwy

Phillips Rd

From: Sgt. Bill Shaw
To: Chief Rob Hunter
Date: 10/07/2015
Subject: Discharge of Firearms Permit Application Review

Staff has completed a review of a permit application for Chapter 130.03, *Discharge of Firearms* for the below-described applicant and location:

Applicant: Andrew Douglas Hagler,
Location: The Renfrow property on Light Brigade Dr.
Type of Firearm(s): Crossbow
Reason(s) for Permit: Deer Hunting
Requested Dates: 10-13-2015 thru 01-01-2016

Following are the summaries of our review:

Applicant: Mr. Hagler has been deer hunting for over 30 years. He has been bow hunting for about fifteen of those years. Mr. Hagler shoots a crossbow now due to a shoulder injury. That injury will not allow him to pull the minimal weight required set by the North Carolina wildlife resource commission for a compound bow. Mr. Hagler is also a North Carolina State certified Concealed Handgun Instructor.

Location: This stand is for renewal. The location from where Mr. Hagler has not changed from the recent permit. There were no reported or discovered incidents last year.

Findings & Conditions:

We find that this activity **CANNOT** be conducted by this applicant and/or at this location for the following reasons:

Click here to enter text.

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.

- We find that this activity **CAN** be conducted by this applicant and/or at this location safely and without hindrance to the surrounding properties if conducted under the following conditions:

Recommended Conditions of Permit:

- Permit holder shall notify adjacent property owners of permit issuance & conditions within 48 hours of permit issuance
- Only person to whom permit is issued shall discharge firearms subject to this permit
- Permit holder is responsible for complying with all requirements of the N.C. Wildlife Commission and all requirements of N.C. state law
- Permit holder shall discharge firearm only from location described in this report
- Permit holder shall discharge firearm only in the directional area as described in this report
- Permit holder shall post signs at conspicuous locations at each property line warning others of discharge during actual period of discharge
- Permit holder shall wear hunter's reflective apparel (i.e. orange hat / jacket, etc.) during discharge
- Permit holder shall comply with the following additional conditions:

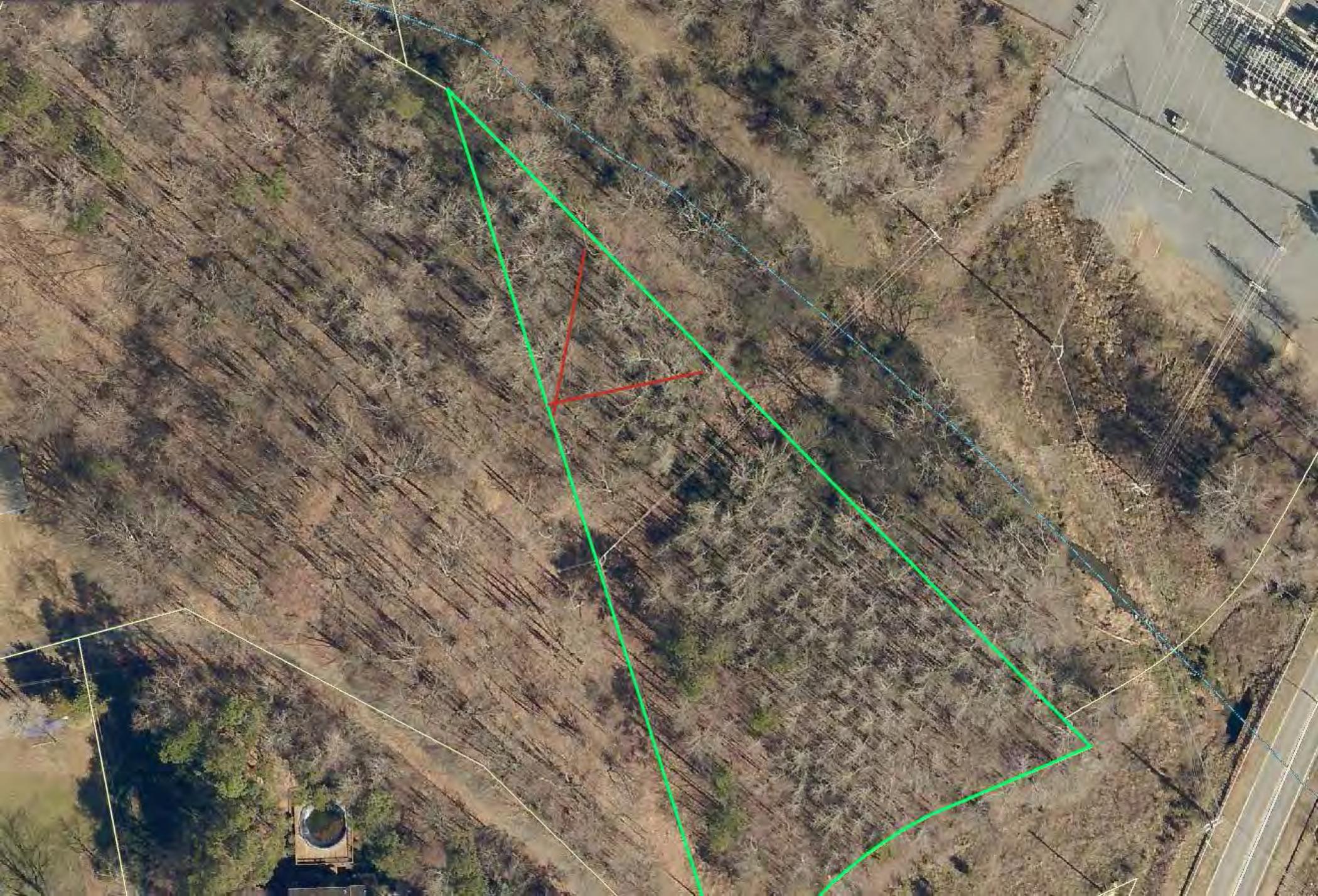
[Click here to enter text.](#)

Attachments:

- Permit Application
- GIS Map Indicating & Identifying Adjoining Properties & Owners
- Copy of Notification to Delivered to Adjoining Property Owners
- Map Indicating Discharge Location & Directions of Discharge
- Photograph of Discharge Location
- Photographs of Direction of Discharge

The employees of the Matthews Police Department strive to promote a safe community by preventing crimes and reducing the fear of crime, while treating all individuals fairly and with respect.

Our members will demonstrate honesty, professionalism and integrity, while building the partnerships necessary to enhance the safety of our community.



Fire Engine CIP Plan Update

DATE: 06 October 2015
RE: 2015 CIP Engine Purchase
FROM: Dennis Green, Fire & EMS Chief

Background/Issue:

Over the next few years we have several vehicles in the CIP. This year we are funded for a replacement engine. While previously the plan had been to wait to hear on the Assistance to Firefighters Grant (AFG) that we have applied for; FEMA is very behind in awarding the grants. The vehicle grant that we applied for is the most difficult grant to obtain as the amount of money allotted for vehicles is only a small portion of the AFG funds available and the need for vehicles is great. They are still awarding the AFG and likely are only two-thirds through the process.

There is a nine month anticipated build time for a new engine. If we order at this point it will place us close to the next budget year when we receive the truck. This would mean we would be approaching the end of the fiscal year so if we were fortunate enough to receive the AFG then the grant truck would become the truck that we would order next year in the CIP. The timing on the CIP timeline would work well and should not make much difference in fund balance. If we do receive the grant we will have to provide more funds than anticipated in this fiscal year but funds needed for the next and future years will be reduced, as the grant engine will not be carrying debt.

Proposal/Solution:

Before we submitted the grant we formed a truck committee to develop specifications for our engines of the future. My direction to the committee was to design an engine sized for an urban environment and to find previous publicly bid trucks of which several had been built. The committee did an excellent job in finding several public contracts that met the design that we needed. The final two trucks came down to a Seagraves and a Smeal. The Smeal was the truck chosen based on cost and on numerous trucks that Charlotte Fire Department (CFD) has placed in service.

The Charlotte Mecklenburg Procurement Management Division requested seal bids in August of 2014 for both engine and ladder trucks. These bids were opened on 22 September 2014 and the contract was awarded to Smeal. Our plan is to buy off the current Charlotte contract thus saving us the need to bid and saving us dollars due to the volume discount. It also gives us a truck that has been tested for design flaws.

The State of North Carolina allows municipalities to buy vehicles and equipment off publicly bid contracts after giving a ten-day notice. The Town Attorney has prepared a notice to be placed in the newspaper that will allow the Board of Commissioners on, 26 October 2015, to authorize the Town Manager to sign the contract to purchase the truck if that is the wish of the Board.



Financial Impact:

The recommended purchase will require additional funds. In our current CIP we have budgeted for a cost of \$465,000.00. The current bid price is now \$516,814.00. This is less than the City of Charlotte is paying as we have removed some components such as an Automatic Power Unit. The increased cost will result in a \$3,600 addition cost per year in the CIP for the next seven years. The payment goes from \$76,400 per year to \$80,000 per year. Finance originally used an interest cost of 5% in the CIP but they now feel that we can get a loan at 2% which limited the per year increase needed to fund the purchase.

Related Town Goals & Strategies:

Operational Performance Goal: “To optimize the functions of the Department through effective management, planning and utilization of technology and equipment. **Department Strategies #14 & #17:** “ Continue to plan for capital needs through the CIP process. Utilize the most cost-effective technology and equipment to optimize the Department’s performance.”

Recommended Motion:

No motion requested at this time. Tonight is for information only. We want to give the Board enough time to ask questions if anyone has them. On, 26 October 2015, the plan is to request the Board to authorize the Town Manager to execute the contract for the purchase of the Smeal engine.

