



DATE FILED <u>1-27-16</u>
APPLICATION NUMBER <u>2016-643</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  
2016-643  
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List reason(s) why zoning should be changed (use separate sheet if necessary):

The Applicant 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 could serve up to 185 children.

**Matthews Parkway Corporate Center, LLC**



By: Bart A. Murr  
Signature of property owner (must be original)

Matthews Parkway Corporate Center, LLC  
Print name of property owner

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

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

Property owner's mailing address, continued

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

John Carmichael  
Signature of agent (if any)

John Carmichael, Robinson Bradshaw  
Print name of agent

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

Charlotte, NC 28246  
Agent's mailing address, continued

Agent's mailing address, continued

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

Bart A. Murr

Signature of property owner (must be original)

BART A. MURR  
Print name of property owner

1435 W. MOREHEAD STREET  
Property owner's mailing address

SUITE 125  
Property owner's mailing address, continued

CHARLOTTE, NC 28208  
Property owner's mailing address, continued

(704) 344-8086 / MURR@INSITEPROPS.COM  
Property owner's phone number/email address

**Primrose School Franchising Company**

By: \_\_\_\_\_  
Petitioner other than owner (if any)

Primrose School Franchising Company  
Print name of petitioner

c/o Ted Tillman  
Petitioner's mailing address

3660 Cedarcrest Road  
Petitioner's mailing address, continued

Acworth, GA 30101  
Petitioner's mailing address, continued

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

Application number  
2016-643  
For office use only

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

The Applicant 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 could serve up to 185 children.

**Matthews Parkway Corporate Center, LLC**



**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

**Primrose School Franchising Company**

\_\_\_\_\_  
Signature of agent (if any)

**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  
\_\_\_\_\_  
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Charlotte, NC 28246  
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Agent's mailing address, continued

3660 Cedarcrest Road  
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Petitioner's mailing address, continued

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\_\_\_\_\_  
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

2016-643

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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)

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OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

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PROPERTY OWNER NAME(S)

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OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

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OWNER MAILING ADDRESS

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OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

Application number  
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**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 January 27, 2016

Town Board of Commissioners formally accepts application and sets Public Hearing date February 8, 2016

Notices sent via mail to affected/adjacent property owners on or before March 28, 2016

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 April 11, 2016

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 April 26, 2016

Town Board of Commissioners approves or denies application May 9, 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 issues 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**

Adjoining Property Owners Within 100 Feet

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

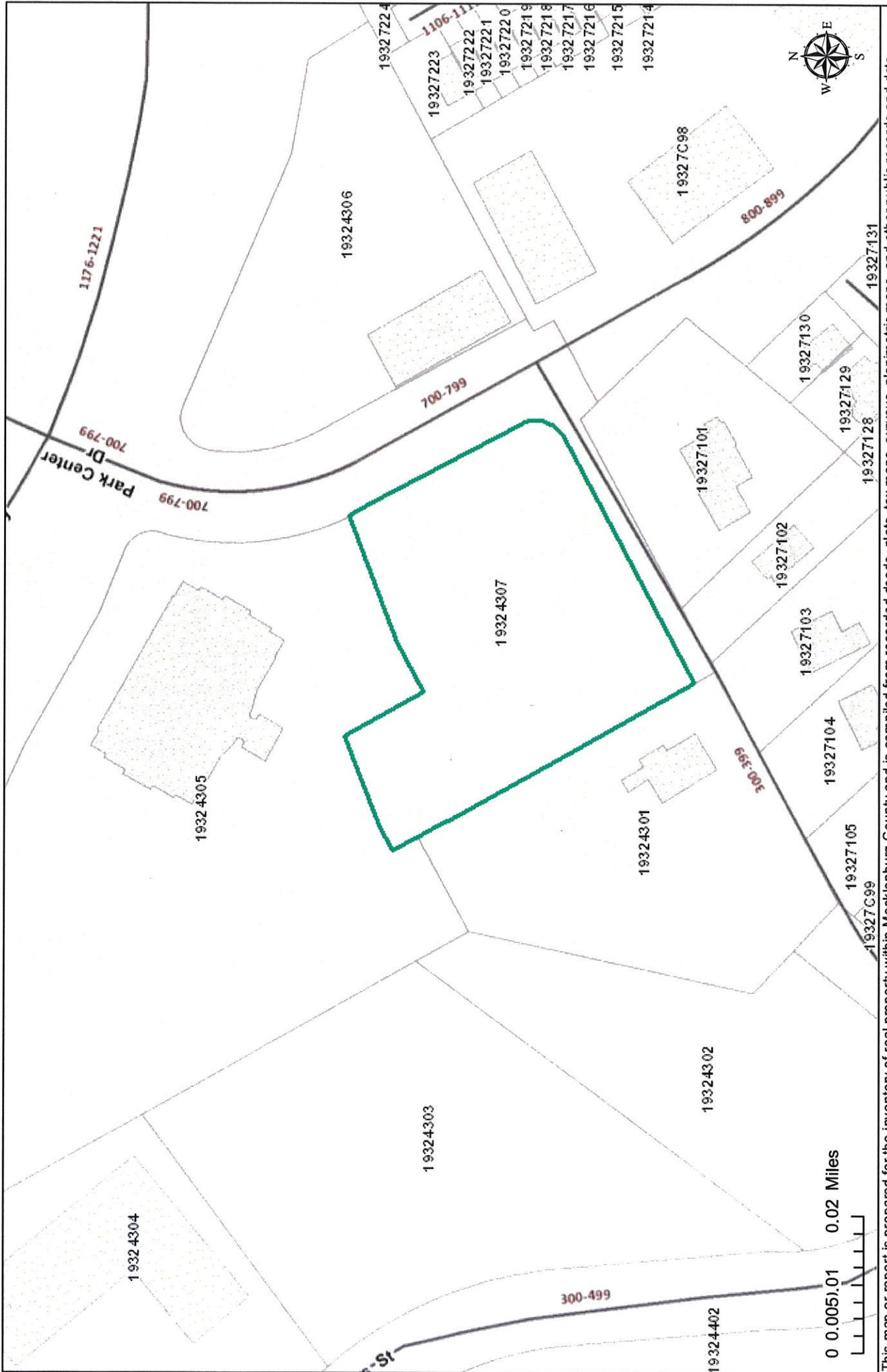
Parcel No. 193-271-48

Matthews Gateway II LLC  
PO Box 578  
Matthews, NC 28106

# Polaris 3G Map – Mecklenburg County, North Carolina

## Primrose School

Date Printed: 1/24/2016 1:57:02 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.

<p>ROBINSON  <hr/> BRADSHAW</p>
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January 27, 2016

jcmichael@robinsonbradshaw.com  
704.377.8341 : Direct Phone  
704.373.3941 : Direct Fax

**BY 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 Ms. 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.

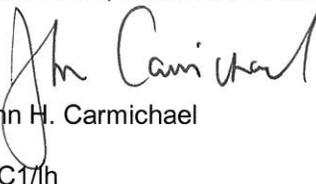
Pursuant to this rezoning request, the Applicant seeks to downzone the site from the I-1 zoning district to the O (CD) zoning district for the primary purpose of accommodating the development and operation of a child day care facility on the subject site. The proposed child day care facility could serve a maximum of 185 children, and the maximum size of a building devoted to a child day care facility would be 12,800 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.

Sincerely,

ROBINSON, BRADSHAW & HINSON, P.A.

  
John H. Carmichael  
JHC17/h



January 27, 2016

jcarmichael@robinsonbradshaw.com  
704.377.8341 : Direct Phone  
704.373.3941 : Direct Fax

**BY HAND DELIVERY**

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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 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."

Ms. Kathi Ingrish, Planning Director  
January 27, 2016  
Page 2

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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





**URBAN  
DESIGN  
PARTNERS**

1318-e6 central ave. # 704.334.3303  
charlotte, nc 28205 # 704.334.3305  
urbanpartners.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  
3860 Cedarcrest Road  
Acworth, GA 30101

# Primrose School of Matthews

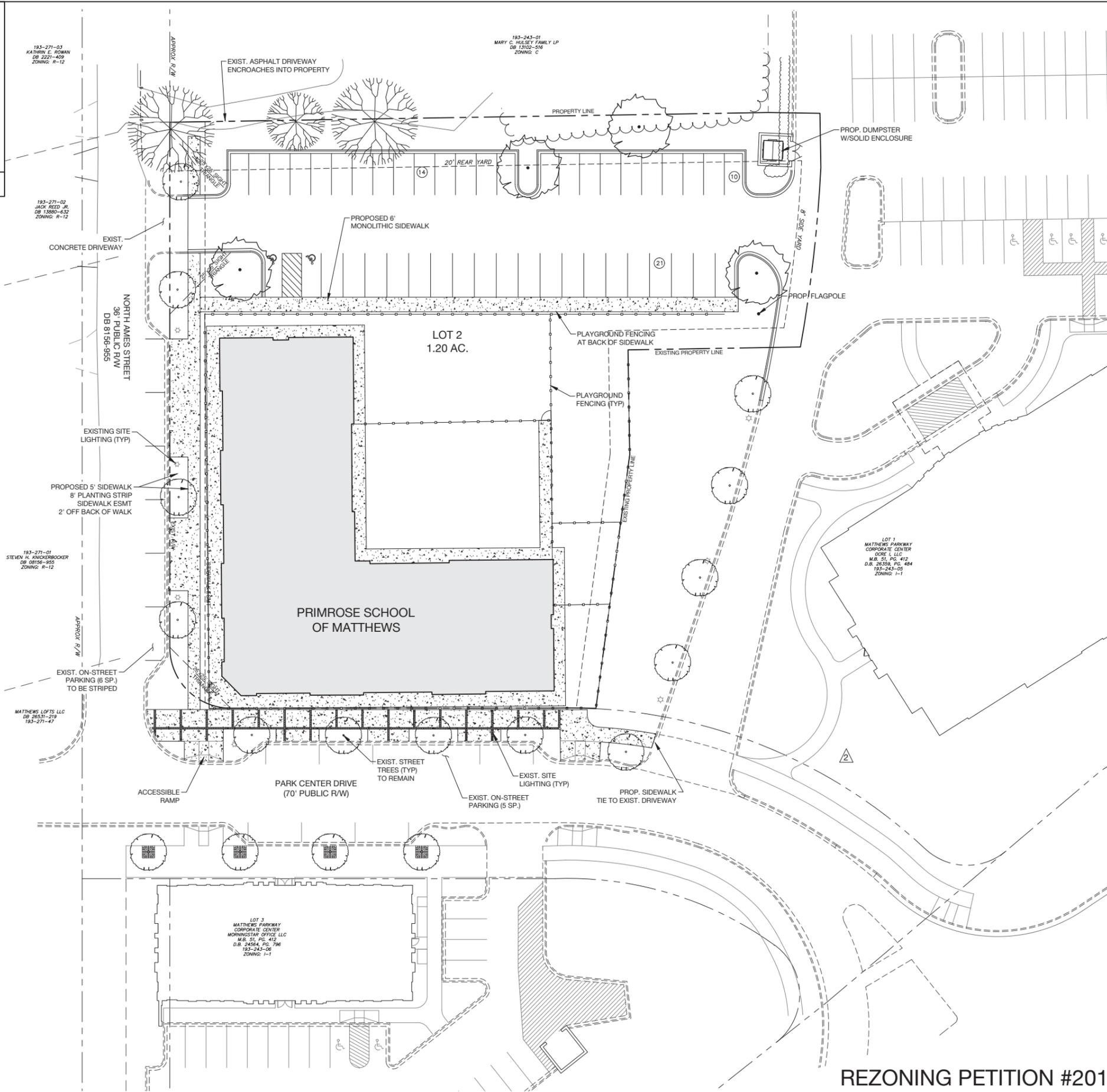
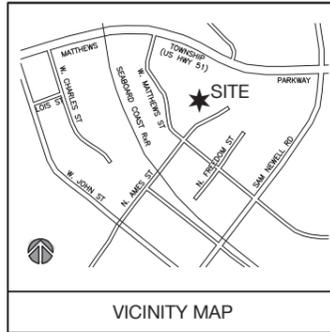
## Rezoning Plan

Ames Street, Matthews, NC

NO. DATE: BY: REVISIONS:

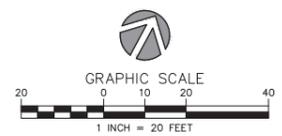
Project No: 15-040  
Date: January 27, 2016  
Designed By: udp  
Drawn By: udp  
Scale: 1" = 20'  
Sheet No:

**RZ-2**



**DEVELOPMENT SUMMARY**

TAX PARCEL ID #:	193-243-07
TOTAL SITE AREA:	+/-1.20 AC.
EXISTING ZONING:	I-1
PROPOSED ZONING:	O (CD)
PROPOSED USE:	CHILD DAY CARE & OTHER USES
SETBACKS:	
FRONT:	12'
SIDE:	8' & 6'
SIDE (CORNER):	10'
REAR:	20'
MAXIMUM BUILDING HEIGHT:	40'
VEHICULAR PARKING:	
REQUIRED:	1 SPACE/ 2 ADULT & 1 SPACE/10 CHILDREN
PROPOSED:	
SITE:	45
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 93 * 100 SF = 9,300 SF
PROVIDED:	12,500 SF



REZONING PETITION #2016-xxx



URBAN  
DESIGN  
PARTNERS

1318-e6 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  
3860 Cedarcrest Road  
Acworth, GA 30101

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

NO.	DATE	BY	REVISIONS:
1	08.29.15	UDP	PER STAFF COMMENTS
2	12.08.15	UDP	ADP'L PROPERTY & ROTATE BLDG

Project No: 15-040  
Date: January 27, 2016  
Designed by: udp  
Drawn by: udp  
Scale: nts  
Sheet No:

RZ-3

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 and the location of parking areas and other improvements shall be governed by the standards and regulations set out in the Ordinance. Notwithstanding the foregoing, a building devoted to a child day care facility and the associated parking areas and other improvements shall be located on the site as generally depicted on the Rezoning Plan.

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 12,800 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. Notwithstanding the foregoing, a minimum of 45 parking spaces shall be provided on the Site.
- C. In addition to the on-site vehicular parking spaces described above, a minimum of 11 on-street parking spaces shall be located along the Site's frontages on North Ames Street and Park Center Drive as depicted on the Rezoning Plan.

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 public right of way.

ARCHITECTURAL STANDARDS

- A. The maximum height of any building constructed on the Site shall be 40 feet.
- B. Attached to the Rezoning Plan are conceptual architectural renderings of the front elevations of the building (the elevations facing North Ames Street and Park Center Drive) to be constructed on the Site that will be devoted to a child day care facility that are intended to depict the general conceptual architectural style and character of the front elevations of this building. Accordingly, the front elevations of the building to be constructed on the Site that will be devoted to a child day care facility shall be designed and constructed so that the front elevations are substantially similar in appearance to the attached relevant conceptual architectural renderings. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style and character shall be permitted.
- 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.