



Conditional Notes from the Original 1988 Rezoning:

1. This conditional District Plan proposes a mix of office, business, commercial and service uses that are allowed in B-1, B-2, and O-9 districts. The development of this site will provide a service oriented business district for the Town of Matthews.
2. All proposed road and access points will be designed to N.C.D.O.T. standards and the location of such roads and access points will meet all standards for optimum safety and traffic flow.
3. If legally permissible, proposed individual parcel development will be preceded by a site plan for that parcel, showing building placement, parking and traffic circulation patterns, buffer design, and specific uses, to the Town Council for approval.
4. The proposed collector road will be designed under the guidance of N.C.D.O.T. and the Engineering Department of Mecklenburg County. The exact location has not yet been determined, however the developer of this project, by this plan, will dedicate additional Right-of-Ways as required.
5. The developer commits to the construction of Rice Road extension and improvements to the intersection of Rice Road and Sam Newell Road, as well as the intersection with Independence Blvd.
6. The developer will provide engineering plans for the site grading and erosion control for total site prior to any construction. All development will meet Mecklenburg County Standards. Individual site development plans will be submitted as users begin their plans.

Natural Vegetation in the buffer will be left undisturbed where possible.

Conditional Notes as Amended July 11, 1994

1. First westbound drive entrance (Western Auto) on Independence is no longer restricted to right-in only.
2. Dedication of additional right-of-way on Sam Newell Road for future collector road realignment will be recorded on a subdivision plat within six months of approval date above (January 11, 1995).
3. Developer is no longer responsible for the construction of Rice Road connection to Sam Newell Road at unknown time in future when Independence access is closed.
4. Landscaping of required 10 foot berm against Sam Newell Road right-of-way is to be complete as each parcel that includes part of the berm is developed. Berm must be maintained by owner at all times (to 10 feet).
5. Additional pavement on Sam Newell Road from (unopened) Claire Drive to right-turn lane for North East Court no longer required. Additional right-of-way equal to 50 feet from the existing centerline along this portion shall be dedicated through a subdivision plat within six months of approval (January 11, 1995).
6. The required undisturbed landscape buffer along unopened Claire Drive must continue to be preserved.
7. All references to East Point Drive as a cul-de-sac off Rice Road Extension are deleted.
8. Remaining utilities must be installed - water line in Rice Road Extension still unfinished - within six months of plan approval by CMUD.
9. Sidewalk, curb and gutter as were previously required on the project side of Independence must be completed within six months of approval date (January 11, 1995).
10. Sidewalk on both sides of Rice Road Extension must be completed and the road must be shown on a recorded subdivision map within six months of approval (January 11, 1995).
11. Revised plans for improvements to Sam Newell Road, as shown on the "Driveway Permit" drawings dated/revised 6-8-94 are approved, and construction must be completed within six months of driveway permit approval.

PARCEL "A"	
TAX PARCEL NUMBER	193-191-02
EXISTING ZONING	Conditional
PROPOSED ZONING	Multi-Use District; MUD (CD)
EXISTING USE	Day Care
PROPOSED USE	Day Care / Office / Multi-Family
SITE AREA	8.2 Acres
MAXIMUM BUILDING AREA	10,256 sf
MAXIMUM BUILDING HEIGHT	45 / 65 ft; see note below
REQUIRED PARKING	34 spaces (or 29 w/ 15% reduction allowance)
PARKING PROVIDED	31 spaces
MINIMUM SETBACK	14 ft
BUILD-TO LINE	20 ft
MINIMUM SIDE YARD	N/A; see note below
MINIMUM REAR YARD	N/A; see note below
NOTE: Required minimum side and rear yards must be increased one foot (1') for each foot or fraction of a foot in height over the given maximum when adjacent to a residential district, or one foot (1') for each two feet (2') in height over the given maximum when adjacent to all nonresidential districts.	
Additional Conditional Notes:	
1. All uses allowed in office district and multi-family uses shall be allowed on this parcel.	

PARCEL "B"	
TAX PARCEL NUMBER	193-192-22
EXISTING ZONING	Conditional
PROPOSED ZONING	Multi-Use District; MUD (CD)
EXISTING USE	Movie Theater
PROPOSED USE	Movie Theater
SITE AREA	6.8 Acres
MAXIMUM BUILDING AREA	41,092 sf
MAXIMUM BUILDING HEIGHT	45 / 65 ft
REQUIRED PARKING	453 spaces (or 385 w/ 15% reduction allowance)
PARKING PROVIDED	approx. 450 spaces
MINIMUM SETBACK	14 ft
BUILD-TO LINE	20 ft
MINIMUM SIDE YARD	N/A; see note below
MINIMUM REAR YARD	N/A; see note below
NOTE: Required minimum side and rear yards must be increased one foot (1') for each foot or fraction of a foot in height over the given maximum when adjacent to a residential district, or one foot (1') for each two feet (2') in height over the given maximum when adjacent to all nonresidential districts.	
Additional Conditional Notes:	
1. All uses allowed in the Neighborhood Business district, B-1, shall be allowed on this parcel.	
2. Existing signage to remain.	

PARCEL "C"	
TAX PARCEL NUMBER	193-192-08
EXISTING ZONING	Conditional
PROPOSED ZONING	Highway Business; B-H (CD)
EXISTING USE	Towing
PROPOSED USE	Towing
SITE AREA	0.5 Acres
MAXIMUM BUILDING AREA	3,111 sf
MAXIMUM BUILDING HEIGHT	
REQUIRED PARKING	13 spaces
PARKING PROVIDED	16 spaces
MINIMUM SETBACK	40 ft
MINIMUM SIDE YARD	0 ft
MINIMUM REAR YARD	10 ft
Additional Conditional Notes:	
1. All uses allowed in the Highway Business district, B-H, allowed on this parcel, with no outside storage and vehicle inventory for Matthews Towing shall be limited to marked parking spaces.	