

MINUTES
BOARD OF COMMISSIONERS SPECIAL MEETING
JORDAN ROOM, MATTHEWS TOWN HALL
SEPTEMBER 10, 2018 - 5:30 PM

PRESENT: Mayor Paul Bailey; Mayor Pro Tem John Higdon; Commissioners Barbara Dement, Chris Melton Jeff Miller, Kress Query and John Urban

ALSO PRESENT: Town Attorney Charles Buckley; Town Manager Hazen Blodgett; Assistant Town Manager Becky Hawke; Planning and Development Director Kathi Ingrish; Communications Coordinator Maureen Keith; Town Clerk Lori Canapinno

The Board of Commissioners met with the Town Attorney and staff to discuss moratoriums, conditional zoning, conflicts of interest and methods for streamlining meetings. Mr. Buckley reviewed the legal requirements involved regarding moratoria on development processes, explaining that they can't be done for residential uses due to legislative changes in recent years.

He then discussed conflicts of interest relating to zoning matters, explaining that both state law and Matthews' ordinance regulate such issues. Matthews elected officials may have conflicts if they have direct or indirect financial interest or if they own property within 100 feet of the subject property, or if they professionally represent a client whose property is the subject of the matter. Elected officials also can't acquire non-public information regarding future event and use that for financial gain. Any issues like this need to be disclosed so that the matter can be discussed. The Board member may be required to be excused from participating in the matter, or the Board may decide that, even though it's not legally required, it would be better for that person to be excused from participation.

The Board discussed various scenarios. Based on these various facts, Mr. Buckley noted that there is no conflict if two members of the same family serve on the Board of Commissioners and the Planning Board just due to their familial relationship. A Commissioner who serves on the Board of Directors for a nonprofit organization may participate in a zoning case for that organization. Campaign contributions are regulated by Board of Election laws and these contributions don't create a conflict on their own. Bidding for contracts for construction-type jobs well after a zoning case is heard is generally acceptable, particularly for subcontractors going through the competitive bidding process. A conflict would exist if an elected official worked on a contractor team associated with a rezoning case prior to the rezoning action, since that would involve a direct or possibly an indirect financial interest in the case. All these scenarios are specifically fact-based. Any such questions that come up in the future will need to be reviewed by the Town Attorney and Board on a case-by-case basis. Mr. Blodgett noted that elected officials have a public obligation to vote on all matters unless a conflict exists.

Mr. Buckley then reviewed issues relating to conditional zoning, explaining that there is no precedence in zoning and each case is deliberated on its own measures. Conditional zoning simply adds conditions that further restrict the project on a specific parcel. The Board has the authority to base their decisions on the best interest of the town, for the general health, safety and welfare of the community. The Board makes these determinations based on its knowledge of the community. It may not make zoning decisions based on the question of ownership versus rental of real property. The Board may deny rezoning applications based on the impact to police, fire, school system, etc.

Due to time restrictions the Board did not discuss methods of streamlining meetings. This will be discussed on November 24.

**MINUTES
BOARD OF COMMISSIONERS MEETING
HOOD ROOM, MATTHEWS TOWN HALL
SEPTEMBER 10, 2018 - 7:00 PM**

PRESENT: Mayor Paul Bailey; Mayor Pro Tem John Higdon; Commissioners Barbara Dement, Commissioner Chris Melton, Jeff Miller, Kress Query and John Urban; Town Attorney Charles Buckley; Town Manager Hazen Blodgett; Town Clerk Lori Canapinno

ALSO PRESENT: Assistant Town Manager Becky Hawke; Police Chief Clark Pennington; Planning and Development Director Kathi Ingrish; Senior Planner Mary Jo Gollnitz; Planning Board Chair David Weiser, Members Natasha Edwards, Mike Foster, Mike Ham, Mike Rowan and Larry Whitley

REGULAR MEETING CALLED TO ORDER

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

INVOCATION

Reverend Larry Whitley of Mt. Moriah Missionary Baptist Church rendered an invocation.

PLEDGE OF ALLEGIANCE

Mayor Bailey led the audience in the pledge.

ITEMS TO BE ADDED TO THE AGENDA

None

PUBLIC COMMENT

Pastor Chuck Wilson of Matthews United Methodist Church discussed the historical narrative being created about the Crestdale community, formerly called Tank Town, which was settled in the 1870s by freed slaves and is one of the first African-American communities in the south. He encouraged all to be aware of the *Crestdale Rising* report issued as a development plan for the community in 2011 and to do all that can be done to implement the items within it. He also noted an upcoming customer service event for members of the Matthews Chamber and town staff on October 1st.

Pastor Luke Maybry of Matthews Presbyterian Church discussed the upcoming community forum on educational equality, held in conjunction with Matthews United Methodist Church and Mt. Moriah Missionary Baptist Church on September 16 at Matthews Presbyterian Church. Judge Lou Trosch will speak on the subject and discuss the book *Color and Character: West Charlotte High and the American Struggle Over Educational Equality* by Pamela Grundy.

District Court Judge Alicia Brooks discussed her background and qualifications in light of the upcoming elections on November 6. She stated she stands for three things: accessibility, accountability and action.

Bonnie Covington submitted a petition in opposition to rezoning application 2018-686 (Trade Street/Brookechase Properties), stating that 233 people signed the petition in opposition to this high-density infill development project. She also said the Town should have purchased the property when the developer offered to sell it.

Ronnie Schlabach expressed concerns about zoning application 2018-685 (Phillips Road), saying that having only one way into the development is a good idea, and that there are almost 30 children living nearby under the age of 14. He doesn't want to see any accidents here, particularly involving those children. He wants Matthews to get better but doesn't think a development at this location is the right way to do it.

PRESENT PROCLAMATION IN RECOGNITION OF CONSTITUTION WEEK

Mayor Bailey presented a proclamation in recognition of the 231st anniversary of the American Constitution to Daughters of the American Revolution (DAR) representatives Courtney Lane and Suzanne Hyde Hart. Ms. Lane, past regent of the Mecklenburg Chapter DAR, noted that their chapter is the oldest in the state. It focuses on historic preservation and education. Ms. Hyde Hart explained that the society was founded in the 1800s and has almost one million members. The public was invited to recognize Constitution Week annually from the 17th-23rd of each September.

RECESS REGULAR MEETING FOR PUBLIC HEARINGS ON APPLICATIONS TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF MATTHEWS

Motion by Mr. Query to recess the regular meeting for public hearings on applications to amend the Unified Development Ordinance (UDO). The motion was seconded by Mr. Urban and unanimously approved.

Planning and Development Director Kathi Ingrish introduced members of the Planning Board in attendance: Chair David Weiser, Members Natasha Edwards, Mike Foster, Mike Ham, Mike Rowan and Larry Whitley.

Zoning Application 2018-685/Phillips Road [continued from 8/13/18]: to change the zoning from R-15 to R-VS on that certain parcel belonging to Cochrane Properties Inc. located at the corner of Phillips Road and Matthews-Mint Hill Road and being designated as Tax Parcel 215-111-12

Senior Planner Mary Jo Gollnitz reviewed this application. After the previous public hearing sessions, the applicant revised the plans and reduced the number of units from 22 to 20, which is 3.4 dwelling units per acre. There was an earlier question about the density of the nearby Millstone Ridge subdivision and that is 2.5 units per acre.

The plans have also changed to indicate a 25-foot rear setback when the code requires 30 feet, so they still need flexible design standards to be approved. The developers are also asking for 6-foot side yards on both sides when code requires 6 and 8 feet. They provided a new drawing on Friday night. Staff has reviewed it and has concerns about the berm and the pinch point. Some of the trees for the berm appear to be in the backyards of the lots and staff isn't sure it can all be fit in behind some of the lots. They've also added a pedestrian refuge that has not yet been approved by DOT (Department of Transportation) or Town engineering. There's a note saying that the front setback is 15 feet while the drawing indicates 20 feet, so that needs to be corrected. Mr. Urban asked about connectivity. He asked if the site's proximity to the Phillips Road intersection was why there was no punch-out to Phillips Road to add egress points. Ms. Gollnitz said that would have to be discussed with engineers.

Applicant representatives Matt Langston and Stan Hines addressed the Board. Mr. Langston explained they've been working to address the Board and staff's comments. The location of the proposed pedestrian refuge island - which was a result of a comment in the original staff report - needs to be coordinated with the park's drive entrance, Public Works' recommendations and NCDOT's future plans for that intersection. Regarding the berm, the cross

section shown is the worst-case scenario. There are power poles running down both property lines, so they're proposing small maturing trees and a row of evergreens on Highway 51 to remain below Duke Energy's restrictions on maximum plant height. They've increased the setback to 25 feet after staff's recommendation from their original report. They've also pushed the entire house back 20 feet so the garages will be set behind the front porch and the porches will be a full 20 feet back from the right of way.

Mr. Hines explained they've reduced the density from 22 to 20. That allowed the lots to be 55 feet wide at their narrowest point. They've intentionally designed the street with a curve to make it more visually interesting. The garages will include two single doors with windows. The side yards have increased to 6 feet. The goal is to make this a very cottage-like, charming and friendly neighborhood. The inclusion of the pedestrian refuge was due to staff's request to add it. There is now more green space due to the movement of some of the lots. He confirmed that the front part of the structure will be 20 feet back. All porches will be 6 feet deep. This will create a community unlike others in the greater area. They believe this mostly single-story community will be attractive to active adults who don't desire the ability to walk to amenities but would like to sit on their porch, walk the neighborhood and be part of the community.

Mr. Melton requested that the density be dropped to 2.5 units per acre to match the nearby community. Mr. Urban expressed dissatisfaction with the way revisions were submitted at the last minute. He then asked for a definition of "active adult" since that will help with considerations regarding school impacts. He noted that older residents may not want raised stoops but younger ones prefer that since they add privacy. He then noted the issues of density in town, saying if the Board wants to maintain the character and quality of the outskirts then the downtown needs greater density. He then said that he'd support the density of this development being compatible to Millstone Ridge's at 2.5 dwelling units per acre.

Mr. Miller noted that developments sometimes transition from differing-density areas by placing apartments and condos in the front and larger homes in the back and suggested that for this area. He said this could be a good transition point for more density with larger homes and less density in other area neighborhoods. Mr. Urban said this area is more of a suburban outlying area that lacks the types of amenities usually seen in the layered density developments as described by Mr. Miller. Mr. Melton said he'd prefer less density as one moves further away from downtown.

Mayor Bailey said he thinks the alignment of the neighborhood's entrance with the park entrance across the street and the traffic density warrants the addition of a traffic circle at the development entrance. He asked the applicant to look at that request as well as the density issues raised by Mr. Melton. Planning Board member Mike Ham asked about the demographic to which this would be marketed. Mr. Hines explained that they'd market primarily to the 50+ age group but that the community would not actually be age-restricted.

Mayor Bailey opened the floor to public comment. Clay Gillman of Windrow Lane said it seems like the developers are trying to maximize their profits while impacting the neighbors a lot. He also questioned how garbage trucks would handle the street, explaining that they have to travel backwards down his street and they beep and honk the horn while doing so. He also said the proposed plan doesn't offer much room for big dogs or places for children to play. He then said there's no room for visitors to park. He thinks the development is a bad idea, has safety issues and would be bad for the exiting area's property values. Tony Williamson of Saddle Tree Court said a lot of people are upset about this and that he feels there should be no R-VS development placed outside of downtown Matthews. He has concerns regarding safety and the lack of parking, saying there will be so many cars parked along the street that that's all you'll see. He was also concerned about the plans that don't call for fully-constructed second floors. Bob Fesler of Windrow Lane agreed with previous comments and said their side of Matthews deserves upper-end homes but not this many in this high density. He asked the Board to ensure the developers make modifications to a lower density so this project is similar to the surrounding neighbors.

This item will be heard by the Planning Board on September 25 and come back to the Board of Commissioners on October 8.

Zoning Application 2018-688/Matthews Help Center: to change the zoning from B-1(CD) & O(CD) to B-1(CD) on that certain property belonging to the Matthews Help Center and designated as 113 & 119 N. Ames Street and further being property designated as Tax Parcels 193-251-28, 29 & 39

Mr. Melton noted that he served as the immediate past chair for the Help Center's Board of Directors. He asked the Board to consider if he should be excused from this item because of that. Town Attorney Charles Buckley explained that Mr. Melton has given disclosure but is not legally required to step away from the item. Mayor Bailey noted that Mr. Melton will remain and will be allowed to take part in this action.

Ms. Gollnitz reviewed the application for four lots from B-1(CD) and O(CD) to B-1(CD) for all four lots. The current uses are office and retail space. The reason for the rezoning is to come into zoning compliance and for possible future expansion of the Help Center. Two lots were part of a previous rezoning and the Help Center now owns those lots. They'll have to combine all the lots soon. The original rezoning was done in 2004.

The proposed site plan proposes adding new parking. There is an existing easement agreement for access to the house structure which is used as an office. They'll keep the cross-access agreement. The plans also show a future proposed addition. They're proposing to route donation drop-offs in a committed drop-off area. Permitted uses would be restricted to office, retail sales, second-hand goods sales and donation/drop off. A 1,200 square foot storage building addition is requested; architecture would be consistent with the existing storage building. Staff recommends that retail use not increase and that it remains as an accessory use since that is generally not allowed in the residential district. Solid waste is handled privately and the property is tax exempt so would be no change to the services or tax revenues.

Outstanding comments include the following: a zoning variance is required for the gravel driveway to remain, or it will have to be paved; future approval is required for the proposed storm water detention. This is not required now but will be required with the future expansion. The fence shown near the detention area should be relocated away from the property line with planting materials added as screening for the adjoining residentially-zoned property.

Mr. Melton said the adopted site plan shows vegetation and natural buffers between the former Free Medical Clinic building and the Help Center and asked if the Help Center could remove that natural buffer if this plan is accepted as presented. Ms. Gollnitz said yes, because they'd be combining the four lots into one. That vegetation from prior rezoning actions on separate lots would no longer be needed. Mr. Melton asked if they'd have to come back with a revised landscape plan to show the new bushes that will be required to be placed in front of the fence after it's relocated. Ms. Gollnitz explained that would be part of their landscape requirement.

Mr. Urban expressed concerns with the idea of installing a fence and shrubbery which will take away from the residential/neighborhood atmosphere. No one really lives around there and he would like the Board to think about issues relating to fluidity between properties and the visual connection between properties. Ms. Gollnitz noted that the adjoining property is zoned residential even though no one is living there at this time. Mr. Urban then asked about the retail use and asked if they could be allowed to expand that service since it's a benefit to the community. He suggested placing a condition to remove that use if the property was sold or changes use. Ms. Gollnitz explained that parking is the biggest issue – parking is already tight there. Mr. Higdon agreed with Mr. Urban's comments, saying the Help Center does such great work for the community that it would be nice to allow them to expand. Ms. Dement agreed, saying she would like to give them some latitude due to the great job they do.

Ms. Dement asked about the access easement between the law firm and the Help Center, saying there are bollards that block the area off now. She would like to see more connectivity there. Ms. Gollnitz noted that is a permanent easement – a private agreement between those two property owners. Ms. Dement then asked about possible parking spots along Charles Street. Ms. Gollnitz explained that one spot will have to be removed to accommodate the drop off lane. Other spaces on Charles Street are public spaces and there is no room on the other side to add more spaces. Mayor Bailey asked about specific conditions listed on the previous rezoning cases and asked staff

to provide the Board with a list of conditions related to the original rezoning actions along with the conditions being requested now.

Applicant representatives John Carmichael, Help Center Executive Director Sandra Conway and Help Center Board Chair Bob Giles addressed the Board. Mr. Carmichael reviewed the application and noted the main building consists of 5,602 square feet, of which 2,420 square feet is devoted to office uses, 2,925 square feet for retail and 257 square feet for storage. A second building with 1,464 square feet of floor area is devoted to office use. There is also an existing 1,405 square foot storage building. The proposal calls for a more efficient site with new parking spaces and potential expansion of storage and water detention. The driveway will be paved per ordinance and the fence and landscape screening will be in compliance. 22 parking spaces are required; the site will have 25 spaces with a number of additional public parking spaces in close proximity.

Mr. Urban suggested looking into getting the site certified as a natural wildlife habitat. He asked about the storage building and Mr. Giles confirmed it was used only for storage. He explained that one of the biggest limitations of their retail endeavor is lack of storage space. Mr. Urban explained that storage is often a problem for current building codes and he recommended that the applicant have the design team look into that so they don't run into any building code problems later. Ms. Dement said they're probably going to need more parking. Mr. Giles note that it does meet the ordinance requirements, and they're creating a drop off area for donations to alleviate some of that congestion and create a safer environment with flow-through traffic. Ms. Dement continued discussing the options for additional parking in the area, noting that while some spots are public, they look like they're only for the use of certain businesses.

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

This item will be heard by the Planning Board on September 25 and come back to the Board of Commissioners on October 8.

RECONVENE REGULAR MEETING

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

PLANNING AND DEVELOPMENT BUSINESS

REPORT FROM PLANNING BOARD

Planning Board Chair David Weiser gave a report on the Board's activities of July 24, 2018 (Exhibit #1 hereby referenced and made a part of these minutes).

Mr. Urban clarified an item in the minutes regarding discussion of a parapet roof for the Bainbridge item. He noted that the applicant representative had stated that Mr. Urban's recommendation for a parapet roof would be four times more expensive than what was previously approved. That is wrong, and he doesn't want people to think that he or the Board pushed them to do something so expensive. It was suggested to the architect and they were happy to go on that direction.

Mayor Bailey asked for more substantive information on the housing study updates going forward.

PLANNING AND ZONING RELATED ACTIONS

Zoning Application 2018-686/BrookeChase Properties: to change the zoning from R-20 to R-VS on that certain property located across from the intersection of South Trade Street and Main Street and being designated as 269 South Main Street and further being Tax Parcels 227-211-05 & 06

Mayor Bailey explained that this item can't be decided until it moves through the Board of Adjustment process.

Motion by Mr. Melton to defer to October 8, 2018. The motion was seconded by Mr. Urban.

Mr. Higdon stated that the developer has offered to sell this land to the Town for a park in the past and more recently. He favors that over a rezoning. Discussion ensued. Mr. Higdon said the price was in the \$675,000 range but the property would have to be appraised. Mr. Urban said the Town Arborist has said a number of the trees would have to be taken down if it was Town-owned property due to their condition and that no one should be entering the site for safety reasons.

The motion to defer to October 8, 2018 was unanimously approved.

Discuss By-Right Zoning

Ms. Ingrish reviewed traditional zoning categories, also known as by-right zoning or straight rezoning, which are development actions that don't require review or approval by the Board. These districts are typically divided into residential, office, business and industrial uses. Matthews doesn't have a lot of these opportunities, because a lot of zoning actions have taken place with conditional aspects, such as specific site plans and notes.

These traditional zoning categories involve specific requirements, such as a set of allowed uses, regulated setbacks and yards, maximum building heights and minimum lot sizes. The greater the number of uses, the more opportunity there is for conflict with other uses and surrounding neighbors.

Discussion ensued. Mr. Urban asked if it was possible to modify the uses under by-right zoning without changing the actual zoning on specific spots. Ms. Ingrish explained that changing the list of uses would change them for all parcels in that category, so it could create a lot of nonconformities for existing uses. She noted that the Board does always have the authority to rezone parcels to straight rezoning categories. Ms. Dement said by-right zoning is a little frightening and asked if staff had any particular concerns. Ms. Ingrish said there's potential concern in all of them, since and new owner or road project could trigger a change.

Mr. Urban asked if a hybrid or form-based code would work and Ms. Ingrish explained that the existing UDO is a hybrid code – it kept all the traditional categories and added conditional districts. The intent is to use the traditional categories less and the conditional categories more as time goes on. Mr. Urban noted that some communities use a design review board to oversee aesthetic issues that aren't regulated through the zoning code. Town Attorney Charles Buckley explained that such review activity can't be done on by-right zoning – it can only be done on conditional development or a historic district.

REPORTS FROM BOARDS/COMMITTEES

Minutes from the Appearance & Tree Board and Environmental Advisory Committee were reviewed.

CONSENT AGENDA

- A. Approve Minutes of the August 27, 2018 Board of Commissioners Regular Meeting
- B. Approve Minutes of the August 27, 2018 Closed Session of the Board of Commissioners
- C. Approve Revision to Cultural Diversity Council Bylaws

- D. Accept Zoning Application 20178-690; Novant Health Inc, 1400 - 1500 blocks of Matthews Township Parkway and 451 Matthews-Mint Hill Road; from R/I(CD) and O(CD) to R/I(CD), and Set a Public Hearing for November 12, 2018
- E. Appoint Scott Query to Planning Board
- F. Approve Budget Ordinance Amendments to:
 - 1) Move Capital Outlay Appropriations from The General Fund to the CIP Fund for Existing and New Multi-Year Projects in the Amount of \$123,000.00
 - 2) Accept a Transfer from the General Fund into the CIP Fund for Existing and New Multi-Year Projects in the Amount of \$123,000.00
 - 3) Move Available Transportation Monies into Specific Projects in the Amount of \$400,000.00
 - 4) Roll Forward Restricted and Assigned Fund Balance to Accommodate Appropriations for Restricted and Assigned Purposes in the Amount of \$112,608.43

Motion by Mr. Melton to approve consent agenda items A through. The motion was seconded by Mr. Miller and unanimously approved.

NEW BUSINESS

AWARD TOWING CONTRACT

Police Chief Clark Pennington reviewed the proposal. One respondent met or exceeded all the published requirements – Williams Wrecker.

Motion by Mr. Query to award the contract for town requested wrecker services to Williams Wrecker Service as recommended. The motion was seconded by Mr. Melton and unanimously approved.

CONSIDER CONTRACT FOR DESIGN SERVICES FOR N. TRADE/MATTHEWS STATION STREET INTERSECTIONS

Public Works Director CJ O'Neill reviewed this request. The Board had approved a preliminary design for a pedestrian crossing at North Trade Street on November 27, 2017. This required hiring an engineer for the work. Staff issued an RFP and received several proposals, the best of which was from Alta Design for \$81,221. Staff is now requesting approval to sign the contract and appropriate funding.

Mr. Melton noted that the original estimate for the surveying and design work was \$10,000 and questioned how that expanded to over \$80,000. Mr. O'Neill explained that staff then thought it would involve a basic engineering plan but much later realized they needed to take it to another level, including more public input. The current value includes the design and public input process. They won't know the final cost for the rest of the work until the design work is done. A general estimation is that a project's design is 5-10% of the total cost.

Discussion ensued. Mr. Query said the cost is much higher than expected and he didn't know if he could support that. Mr. Higdon agreed and didn't think multiple public input meetings are needed. Mr. Blodgett suggested using the Board to hold public meetings if necessary. Mr. Urban asked for a schedule of values. Mayor Bailey suggested having Ms. Habina Woolard bring more information back at a future meeting.

CONSIDER REQUEST TO ENDORSE VETERANS DAY EVENT

Mr. Blodgett reviewed a request from the Matthews Veterans Advisory Committee to support the annual Veterans Day event in Stumptown Park. Staff recommends endorsing the event.

Motion by Mr. Higdon to endorse the event. The motion was seconded by Mr. Miller and unanimously approved.

REVIEW LETTER TO DEPARTMENT OF TRANSPORTATION REGARDING U-5763/MATTHEWS TOWNSHIP PARKWAY WIDENING AND IMPROVEMENTS

Mr. O'Neill reviewed a staff-drafted letter containing comments to DOT regarding the Matthews Township widening and improvements project (exhibit #2 hereby referenced and made a part of these minutes).

There was some discussion about Lakenheath residents' access to Sardis Road. The plan for certain movements seems unclear at this time. Mr. Miller said note #5b (*The movement for Sardis Grove Lane residents attempting to access 51 need to be more convenient*) is vague – the phrase “more convenient” needs to be more specific. He suggested asking to leave out the median. Ms. O'Neill said staff could request that DOT look at that – DOT would have to determine the safety considerations if the median wasn't included there. Note #6 does request that U-turn movements be accommodated at the end of the median. Mr. Miller was concerned about the inconvenience to the citizens. Mr. Higdon agreed, adding that these additional movements will waste a lot of gas. Mr. Blodgett noted that preventing left hand turns are done for safety reasons. Mayor Bailey said DOT needs to look from 51 back down to at least past the entrance to the park and come up with a concept that can handle all that traffic and allow folks to make left hand turns or make U-turns close to their target street. The design needs to be more functional. It could then taper back down to two lanes by Sardis Road North.

There was some discussion of the size of the U-turn bulbs between Sardis Road and Fullwood Lane which accommodates WB-67 truck (tractor trailer) turning radius. It needs to be large enough to accommodate things like moving trucks for residences. Mr. O'Neill then discussed note 9c (*Having the Having the eastbound U-turn movement at Fullwood turning from the outside lane which is currently proposed as gore area will reduce the width needed for the U-turn space on the north side of 51. It is not likely that movement will ever need to be dual. Consider a wider median there rather than gore paint marks on asphalt.*) and explained it was an attempt to make one of the U-turn bulbs smaller. Mr. Melton asked about access for lot 56, explaining that it looks like the driveway for that lot is being eliminated. Mr. O'Neill said DOT typically doesn't like to place driveway access inside a loon/U-tun bulb, so that may need to be realigned. DOT will have to figure that out during right of way negotiation. It's possible they may need to purchase the property.

Mr. O'Neill discussed note 12 (*Due to the heavy use of Warner Park on the north side of Matthews Township Parkway by the Covenant Day School on the south side of the roadway, we feel a mid-block signalized pedestrian crossing needs to be provided...*) and Mayor Bailey suggested a pedestrian overpass to merge into the greenway system that could be used by the public and particularly by the students. Mr. O'Neill said that was a possibility, but it is unlikely that DOT would pay for it. He estimates a cost of a couple of million dollars due to the need for elevators on each side to meet ADA requirements. Mr. Urban asked if the former Colchester nursery site, which is owned by the school, could be developed as a means of egress for them to take the pressure of getting in and out of Warner Park. Currently there's a grade change so people park in the Colchester site and walk to the ballfields, but there may be a way to make vehicular connection behind the ballfields. Ms. Ingrish noted they'd have to go through rezoning to allow that to happen. Ms. Dement asked about the residents of Reid Hall: their access into the neighborhood and their requests for safer pedestrian access across the street. Mr. O'Neill explained a U-turn would be required to get into the neighborhood from one direction.

Mr. Higdon said certain phrasing in the letter could be interpreted in different ways - that eight lanes of asphalt and a concrete median is more than enough, not that the design needs even more. Mr. Higdon asked if staff agreed with adding CFIs (continual flow intersections). Mr. O'Neill said staff is tentatively in agreement: it's a new concept and one is under construction in Huntersville. It should be complete in December and staff wants to see how it

works before they give it their full blessing. Mr. Higdon asked about accommodations for the additional impervious surface that will result from this design. Mr. O'Neill explained it will be handled through linear MBPs (best management practice) like sand filters and swales, but there probably will still be some additional runoff.

Mr. Blodgett asked for the addition of a request for a lot more education before the Town endorses this intersection design. He noted the design may be unattractive, but it does seem to serve to get traffic around the downtown and to Fullwood Lane. Getting traffic away from downtown is one of the town's goals and this may be a way to do that. Mr. Higdon expressed concern with the experimental nature and unattractive appearance of the design. Mr. Melton agreed that a goal has been to push traffic around rather than through downtown Matthews to keep from having a superstreet design. If this design meets that goal then it could be useful. Mr. O'Neill noted that if the CFI design does function as indicted then it keeps it from being widening to eight lanes. It comes down to spreading the impacts all along the corridor versus putting them all in one place.

Mr. Melton noted that Matthews Township Parkway was intended to be a bypass and asked about the relationship between this design and the initial concept of a bypass. Mayor Bailey explained that the bypass remedied the situation then when there were only a few thousand people in town. If the new improvements aren't done then people will find other routes, which could include them traveling through downtown again. Ms. Dement said she didn't think the language is strong enough regarding encouraging people to go around downtown rather than through it. The recommendation to narrow John Street a little bit isn't enough. She would like there to be a visual indication that drivers are entering the historic downtown area as they're driving down the road. It's too wide coming into Matthews. It should be narrowed near the Shell station and former Rite Aid site. Mr. Urban agreed, suggesting the addition of landscaping and entry monuments on the corner will make an evident threshold.

Mr. Urban said he'd like to see the previous iterations of the design before this one, saying this seems to be overkill as the traffic jams last for a finite period in the morning and afternoon. Mr. Higdon suggested lowering the speed limit and enforcing it on West John Street and raise it around there to encourage people to take the faster roads. Mr. Urban asked if a letter could be sent to everyone who contacted the Board about this, or a press release to share information about the process. This would educate people about the Town's letter and let them know the Town is taking it very seriously.

MAYOR'S REPORT

Mayor Bailey noted the advancement of Hurricane Florence and advised all to prepare as much as possible before its arrival.

ATTORNEY'S REPORT

None

TOWN MANAGER'S REPORT

Mr. Blodgett discussed options relating to the continuation of the multiuse path on Matthews-Mint Hill Road. Staff has discussed a financial partnership with Novant hospital to extend the path and build a leg of the Carolina Thread Trail. The goal would be a 50/50 partnership, which could still amount to a couple hundred thousand dollars per partner. Novant staff is receptive but they need to discuss this further. Mr. Blodgett will keep the Board informed as things progress. There was some discussion of additional locations on which to extend the path. Mr. Buckley said it may be possible to use Tourism dollars to build the portion from the Sportsplex to downtown. He will review the matter and finalize his answer in the future. Mr. Higdon said Conbraco might be willing to discuss a partnership to extend the path by its location.

ADJOURNMENT

Motion by Mr. Higdon to adjourn. The motion was seconded by Mr. Melton and unanimously approved. The meeting adjourned at 10:44 pm.

Respectfully submitted,

Lori Canapinno
Town Clerk

**PLANNING BOARD REPORT
ON THEIR MEETING OF
AUGUST 28, 2018**

FOR TOWN BOARD ACTION:

I. ZONING APPLICATION 2017-686 – 269 S Trade St, BrookeChase Properties, R-20 to R-VS

Planning Board voted 4 to 3 to recommend approval with changes offered by applicant subsequent to the public hearing. Planning Board found this request to be consistent with the Land Use Plan as it provides a walkable new development near downtown.

FOR INFORMATION ONLY

I. ADMINISTRATIVE AMENDMENT – Bainbridge Apartments, Matthews-Mint Hill Rd, Revisions to Approved Site Plan and Elevations of Some Buildings

Planning Board unanimously approved the request. They determined it was consistent with adopted Town plans and reasonable because the changes allow internal complementary building design.

II. ADMINISTRATIVE AMENDMENT – New House Elevation Added for Fullwood Station

Planning Board unanimously approved the request, citing it as consistent with the Land Use Plan and reasonable as it was similar in character to other approved house plans for the subdivision.

III. ADMINISTRATIVE AMENDMENT – Lidl, Idlewild and Margaret Wallace Roads, Revised Site Plan and Building Elevation

Planning Board unanimously approved the revisions, finding them consistent with the Land Use Plan and reasonable since it is substantially similar to the original building design.

September 7, 2018

Sean Epperson, PE
NCDOT Division 10
716 West Main Street
Albemarle, NC 28001

Shane Sharpe, PE
STV Engineers, Inc.
900 West Trade Street
Suite 715
Charlotte, NC 28202

Subject: U-5763 NC 51 Matthews Township Parkway Public Meeting Request for Input

The Town of Matthews appreciates the NCDOT providing a Local Officials meeting and Public Input meeting on July 31, 2018, for the U-5763 project. We felt this meeting was well-staffed by NCDOT and the consulting firm and also well-attended by the public. At the meeting, we requested a copy of the environmental checklist. Please send that (email is ok) at your earliest convenience.

By now you have received many letters and comment forms from residents in Matthews, and you may continue to receive input. We would like to request that each letter or form you receive is responded to in writing from NCDOT back to the resident, whether or not a direct question is asked in the letter. We would also like a courtesy copy on the responses. As you know, the residents of the Town of Matthews are very active in the community and we believe that open, two-way dialogue is critical to the success of projects in Matthews.

Additionally, the staff of the Town of Matthews have the following comments on the design presented at the public meeting:

1. The Town of Matthews adopted a 35 mph speed limit ordinance for Fullwood Ln, effective October 1, 2018. Please take this into account for work that extends on to Fullwood such as tapers and clear zone. Note that superelevation is not appropriate for Fullwood Ln.
2. The Town is generally amenable to a median on this portion of roadway since it currently has medians restricting full-access movements at some locations.
 - a. Evaluate areas where minimum median sizes may be appropriate.
3. This corridor is actively used by pedestrians. We would like to see enhanced pedestrian features at each full-movement intersection and potential other locations along the corridor. These features include but are not limited to the following:
 - a. Special pedestrian signal provisions, such as leading pedestrian interval or “No Turn On Red” blank-out signs activated by the pedestrian push button.
 - b. Large pedestrian refuges, greater than the minimum 6-foot that many jurisdictions use.
 - c. Pedestrian features set back from the roadway, obtaining the most reasonable buffer.

- d. Expanded waiting area at intersections, more than the 6-foot curb ramp and sidewalk.
4. Reduce the impacts of the road widening project west of Sardis Road. We were surprised to see restricted access well beyond Sardis Rd with unclear turning movements and turnarounds from some neighborhoods.
 - a. Westbound traffic trying to access Courtney, Devereaux and Lakenheath.
 - b. If u-turns are allowed at Courtney, are there sufficient gaps to successfully make this maneuver?
 - c. Lakenheath residents accessing Sardis Road seems difficult. Will turning in to the closest through lane be the only allowable movement?
5. Sardis Road is included in the study area. Bike/ped features need to include sidewalk on one side and multiuse path on the other, using the widths and setbacks described above.
 - a. A mid-block crossing may need to be included for residents on the east side of the street to access the park on the west side of the street.
 - b. The movement for Sardis Grove Ln residents attempting to access 51 needs to be more convenient.
6. Accommodate u-turn movement to reverse direction on Sardis Rd at both ends of the project limits on Sardis Rd.
7. The design of the multiuse path around the u-turn bulbs needs to utilize greenway standards. In particular 100' radius for curves should replace the right-angle turn shown at the u-turn.
8. Evaluate a midblock crossing opportunity between Sardis and Fullwood to provide more direct access from the east side of Sardis to the west side of Fullwood without pedestrians having to cross the side streets, essentially going out of their way.
9. The intersection of Fullwood Ln and Matthews Township Parkway is a critical one for the Town. This connection serves as the downtown bypass, as well as carrying heavy pedestrian and bicycle traffic. The Town would like to see the following items included:
 - a. Include 5-foot bicycle lanes on Fullwood for the entire length of affected roadway. There could be a need to transition the NB bike lane onto a multiuse path at the church driveway to help facilitate bicycle turning movements.
 - b. Include connectivity between the new multiuse path on Matthews Township Parkway to the existing multiuse path/greenway system off Fullwood. Evaluate and discuss with Town staff if this is a 10' multiuse path or continue the 5' sidewalk.
 - c. Having the eastbound u-turn movement at Fullwood turning from the outside lane which is currently proposed as gore area will reduce the width needed for the u-turn space on the north side of 51. It is not likely that movement will ever need to be dual. Consider a wider median there rather than gore paint marks on asphalt.
10. It is unclear from the plans if the two southbound lanes on Fullwood end at the new signal at Plantation Crossing Drive or if they terminate before then. Please clarify.
11. There is a culvert from Charing Cross that goes under 51 and causes some downstream issues. This culvert should be analyzed and downstream impacts mitigated.
12. Due to the heavy use of Warner Park on the north side of Matthews Township Parkway by the Covenant Day School on the south side of the roadway, we feel a mid-block signalized pedestrian crossing needs to be provided. The school currently prohibits students from crossing at this location so current counts do not accurately reflect this crossing need. We would like to see the State work with the school and the Town to determine the best pedestrian hybrid beacon (PHB) location to enable pedestrian mobility.
13. There are Charlotte Area Transit System bus stops located along this corridor which need to be preserved or work with CATS staff on the bus routes.

14. Connectivity to W Charles St should be maintained. This is an important parallel connector to E John St, providing ingress and egress to businesses and downtown Matthews. Dual left turns from 51 onto W John and a continuous right turn from W John onto 51 are not needed.
15. It appears that a dual directional crossover can be accommodated to the retail area on the west side of W John St and to Lois St on the east side of W John St. This would be an opportunity to include a pedestrian crossing.
16. Separate right turn lanes into the retail area on W John St are not needed.
17. Pedestrian accommodations across the bridge should include 1' shy distance from the curbline and 1.5' shy distance from the bridge railing. This also includes sidewalk back-of-curb to include 1' shy distance from the curb. Evaluate reasonable planting strip (buffer) width for sidewalk that continues to Team Rd and make recommendations to Town staff.

In addition to the specific comments listed, the Town also has an adopted Highway 51 Overlay which includes a 30-foot natural landscape buffer. Please incorporate this overlay in the planning and design phases of the project.

Regarding the design of the continuous flow intersection (CFI), the feedback received from the public is that eight lanes of asphalt across plus concrete medians does not represent an adequate entryway into downtown Matthews. This feedback is specific to the approach from 51 and Monroe Rd onto W John St. Matthews residents feel most drivers heading east on Monroe Rd would rather get on NC 51 to bypass downtown Matthews rather than funneled through downtown. Based on recent discussions among a Town working group discussing the E John St project (U-4714A), the sentiment is shared by many members of the Board of Commissioners and downtown stakeholders.

Town staff would like to work with NCDOT to resolve these issues and others raised in public comment. Additionally, we believe it would be beneficial for NCDOT to host supplemental meetings with groups of residents that share the same concerns on the project. We would be happy to provide a meeting space for those supplemental meetings.

Again, we appreciate the opportunity to provide input for the U-5763 project. If you have questions or need clarification on any of these comments, please contact me at 704-708-1243 or shwoolard@matthewsnc.gov.

Sincerely,



Susan Habina-Woolard, PE
Town Engineer

C: Brett Canipe, NCDOT, via email
Stuart Basham, NCDOT, via email
Hazen Blodgett, via email
CJ O'Neill, via email
Kathi Ingrish, via email