

September 2, 2020

BY HAND DELIVERY

Mr. Jay Camp, Planning Director
Town of Matthews
232 Matthews Station Street
Matthews, NC 28105

Re: TIA Waiver
Site Plan Approval Request
Elida Properties, LLC
8.243 Acre Site Located on Sam Newell Road (Tax Parcel No. 193-191-02)

Dear Jay:

I hope this letter finds you well.

Elida Properties, LLC (the “Applicant”) has submitted a request for site plan approval for an approximately 8.243 acre site (the “Site”) located on Sam Newell Road (Tax Parcel No. 193-191-02) in Matthews. The Site is zoned MUD (CD) and the development and use of the Site are subject to the terms and conditions of the approved rezoning plan relating to Rezoning Application No. 2014-614 (the “Approved Plan”).

Pursuant to the site plan submitted by the Applicant (the “Site Plan”), the Applicant is proposing to devote the Site to general office uses, medical, dental and optical office uses and clinics, laboratories, financial institutions, such as a bank or a credit union, and other non-residential uses allowed under the Approved Plan, and to any incidental and accessory uses associated therewith that are allowed in the MUD zoning district. Incidental and accessory uses may include, without limitation, a drive through window or drive through windows accessory to a financial institution. A total maximum of 102,700 square feet of gross floor area could be developed and located on the Site, of which a maximum of 50,100 square feet could be devoted to medical, dental and optical office uses and clinics.

On behalf of the Applicant, I am respectfully requesting a waiver of the requirement to submit a traffic impact analysis to the Town of Matthews in connection with the site plan approval process. The Applicant, as provided in Note 5.G on the Site Plan, is proposing that a traffic impact analysis be required at such time that the uses on the Site will generate 150 or more AM peak hour trips or 150 or more PM peak hour trips. Note 5.G provides as follows:

Applicant shall be required to submit a traffic impact analysis for the Site to the Town of Matthews at such time that the uses on the Site will generate 150 or more AM peak hour trips or 150 or more PM peak hour trips.

Therefore, in connection with the submission of any permitting request for a use or uses to be located on the Site, Applicant shall include with such permitting request a cumulative vehicular trip generation table for the existing uses on the Site, if any, and the use or uses associated with the permitting request. The cumulative vehicular trip generation table shall contain the total AM peak hour trips and the total PM peak hour trips for the existing uses on the Site, if any, and the use or uses associated with the permitting request. If the cumulative vehicular trip generation table shows that the existing uses on the Site, if any, and the use or uses associated with the permitting request will generate 150 or more AM peak hour trips or 150 or more PM peak hour trips, then Applicant will be required to submit a traffic impact analysis for the Site to the Town of Matthews.

As a part of its submission to the Town of Matthews, the Applicant has included a memorandum from its traffic engineer, J. Andrew Eagle, which provides the amount of gross floor area that can be developed on the Site without meeting the 150 peak hour trip threshold. Since a generous amount of gross floor area can be developed on the Site without meeting this threshold and since the development of the Site will likely be phased, the Applicant prefers to submit a traffic impact analysis to the Town of Matthews when the 150 peak hour trip threshold is met and when the development of the Site will have more than a minimal impact on the transportation network.

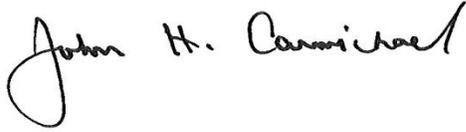
For the above reasons, I respectfully request the waiver described above and the approval of the Applicant being allowed to implement the traffic impact analysis process set out in Note 5.G on the Site Plan.

I appreciate the Town Board of Commissioners' consideration of this request.

Mr. Jay Camp
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Sincerely,

ROBINSON, BRADSHAW & HINSON, P.A.

A handwritten signature in black ink that reads "John H. Carmichael". The signature is written in a cursive style with a large, looping initial "J".

John H. Carmichael

Enclosure

DEVELOPMENT NOTES

SEPTEMBER 2, 2020

1. **GENERAL PROVISIONS**
 - A. THESE DEVELOPMENT NOTES ARE PART OF THE SITE PLAN SUBMITTED BY ELIDA PROPERTIES, LLC (THE "APPLICANT") FOR THE DEVELOPMENT OF AN APPROXIMATELY 8.243 ACRE SITE LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF SAM NEWELL ROAD AND RICE ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE SITE PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NO. 19319102.
 - B. THE SITE IS ZONED MUD (CD), HAVING BEEN REZONED TO THAT ZONING CLASSIFICATION BY THE MATTHEWS TOWN BOARD OF COMMISSIONERS ("THE BOARD") ON OCTOBER 13, 2014 PURSUANT TO REZONING APPLICATION NO. 2014-614.
 - C. THE DEVELOPMENT AND USE OF THE SITE ARE GOVERNED BY THE APPROVED CONDITIONAL REZONING PLAN RELATING TO REZONING APPLICATION NO. 2014-614 (THE "APPROVED REZONING PLAN") AND THE APPLICABLE PROVISIONS OF THE TOWN OF MATTHEWS UNIFIED DEVELOPMENT ORDINANCE (THE "ORDINANCE"). THE SITE IS DESIGNATED AS PARCEL A ON THE APPROVED REZONING PLAN.
 - D. NOTE 3 UNDER GENERAL CONDITIONAL NOTES EAST POINT DEVELOPMENT ON THE APPROVED REZONING PLAN PROVIDES THAT "ANY NEW CONSTRUCTION OR REDEVELOPMENT WHICH CHANGES THE FOOTPRINT OR SITE PLAN ELEMENTS WILL BE SUBJECT TO SITE PLAN APPROVAL BY THE TOWN BOARD OF COMMISSIONERS." THE APPLICANT'S PROPOSED DEVELOPMENT OF THE SITE REQUIRES CHANGES TO THE SITE PLAN ELEMENTS FOR THE SITE THAT ARE SUBJECT TO THE APPROVAL OF THE BOARD. THEREFORE, THE APPLICANT IS SUBMITTING THIS SITE PLAN IN CONNECTION WITH THE SITE PLAN APPROVAL PROCESS FOR THE DEVELOPMENT OF THE SITE.
 - E. THE BUILDINGS AND OTHER IMPROVEMENTS DEPICTED ON THE SITE PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH BUILDINGS AND OTHER IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE LAYOUT, LOCATIONS AND SIZES OF THE BUILDINGS AND OTHER IMPROVEMENTS DEPICTED ON THE SITE PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED BUILDINGS AND OTHER IMPROVEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD AND PERIMETER LANDSCAPING REQUIREMENTS SET FORTH ON THE SITE PLAN. PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE SITE PLAN.
2. **PERMITTED USES**
 - A. THE SITE MAY BE DEVOTED TO GENERAL OFFICE USES, MEDICAL, DENTAL AND OPTICAL OFFICE USES AND CLINICS, LABORATORIES, FINANCIAL INSTITUTIONS, SUCH AS A BANK OR A CREDIT UNION, AND OTHER NON-RESIDENTIAL USES ALLOWED UNDER THE APPROVED PLAN, AND TO ANY INCIDENTAL AND ACCESSORY USES ASSOCIATED THEREWITH THAT ARE ALLOWED IN THE MUD ZONING DISTRICT. INCIDENTAL AND ACCESSORY USES MAY INCLUDE, WITHOUT LIMITATION, A DRIVE THROUGH WINDOW OR DRIVE THROUGH WINDOWS ACCESSORY TO A FINANCIAL INSTITUTION.
3. **DEVELOPMENT LIMITATIONS**
 - A. A TOTAL MAXIMUM OF 102,700 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVELOPED AND LOCATED ON THE SITE.
 - B. A MAXIMUM OF 50,100 SQUARE FEET OF THE ALLOWED 102,700 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVOTED TO MEDICAL, DENTAL AND OPTICAL OFFICE USES AND CLINICS.
4. **DIMENSIONAL STANDARDS**
 - A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE DIMENSIONAL STANDARDS OF THE MUD ZONING DISTRICT AND THE DIMENSIONAL STANDARDS SET OUT ON THE SITE PLAN.
5. **TRANSPORTATION AND PARKING**
 - A. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE, APPLICANT SHALL DEDICATE TO THE TOWN OF MATTHEWS RIGHT OF WAY FOR THE FUTURE EXTENSION OF EASTPOINTE DRIVE FROM ITS CURRENT NORTHERN TERMINUS TO THE NORTHERN BOUNDARY LINE OF THE SITE. THE RIGHT OF WAY AREA TO BE DEDICATED IS LOCATED ON THE SITE AND IS SHADDED ON THE SITE PLAN (THE "RIGHT OF WAY").
 - B. THE SITE SHALL INITIALLY BE SERVED BY ONE VEHICULAR ACCESS POINT FROM EASTPOINTE DRIVE, SUCH VEHICULAR ACCESS POINT BEING THE SOUTHERNMOST VEHICULAR ACCESS POINT FROM EASTPOINTE DRIVE. IN CONNECTION WITH THE CONSTRUCTION OF THE NORTHERNMOST BUILDING LOCATED ON THE SITE ADJACENT TO EASTPOINTE DRIVE, APPLICANT SHALL EXTEND EASTPOINTE DRIVE FROM ITS CURRENT NORTHERN TERMINUS TO THE NORTHERN BOUNDARY LINE OF THE SITE WITHIN THE RIGHT OF WAY, AND A SECOND VEHICULAR ACCESS POINT FROM EASTPOINTE DRIVE SHALL SERVE THE SITE. THE EXTENSION OF EASTPOINTE DRIVE TO THE NORTHERN BOUNDARY LINE OF THE SITE SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE NORTHERNMOST BUILDING LOCATED ON THE SITE ADJACENT TO EASTPOINTE DRIVE.
 - C. NOTWITHSTANDING THE TERMS OF PARAGRAPH 5.B ABOVE, APPLICANT RESERVES THE RIGHT TO REQUEST A PUBLIC IMPROVEMENT VARIANCE THAT WOULD ALLOW APPLICANT TO EXTEND EASTPOINTE DRIVE ONLY TO THE SECOND (NORTHERNMOST) VEHICULAR ACCESS POINT FROM EASTPOINTE DRIVE RATHER THAN TO THE NORTHERN BOUNDARY LINE OF THE SITE.
 - D. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE TOWN OF MATTHEWS.
 - E. THE ALIGNMENTS OF THE INTERNAL VEHICULAR CIRCULATION AREAS AND DRIVEWAYS MAY BE MODIFIED BY APPLICANT TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE TOWN OF MATTHEWS.
 - F. VEHICULAR PARKING SHALL BE PROVIDED ON THE SITE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.
 - G. APPLICANT SHALL BE REQUIRED TO SUBMIT A TRAFFIC IMPACT ANALYSIS FOR THE SITE TO THE TOWN OF MATTHEWS AT SUCH TIME THAT THE USES ON THE SITE WILL GENERATE 150 OR MORE AM PEAK HOUR TRIPS OR 150 OR MORE PM PEAK HOUR TRIPS. THEREFORE, IN CONNECTION WITH THE SUBMISSION OF ANY PERMITTING REQUEST FOR A USE OR USES TO BE LOCATED ON THE SITE, APPLICANT SHALL INCLUDE WITH SUCH PERMITTING REQUEST A CUMULATIVE VEHICULAR TRIP GENERATION TABLE FOR THE EXISTING USES ON THE SITE, IF ANY, AND THE USE OR USES ASSOCIATED WITH THE PERMITTING REQUEST. THE CUMULATIVE VEHICULAR TRIP GENERATION TABLE SHALL CONTAIN THE TOTAL AM PEAK HOUR TRIPS AND THE TOTAL PM PEAK HOUR TRIPS FOR THE EXISTING USES ON THE SITE, IF ANY, AND THE USE OR USES ASSOCIATED WITH THE PERMITTING REQUEST. IF THE CUMULATIVE VEHICULAR TRIP GENERATION TABLE SHOWS THAT THE EXISTING USES ON THE SITE, IF ANY, AND THE USE OR USES ASSOCIATED WITH THE PERMITTING REQUEST WILL GENERATE 150 OR MORE AM PEAK HOUR TRIPS OR 150 OR MORE PM PEAK HOUR TRIPS, THEN APPLICANT WILL BE REQUIRED TO SUBMIT A TRAFFIC IMPACT ANALYSIS FOR THE SITE TO THE TOWN OF MATTHEWS.
 - H. APPLICANT SHALL NOT BE REQUIRED TO EXTEND RICE ROAD TO SAM NEWELL ROAD.
6. **STREETSCAPE TREATMENT, SIDEWALKS AND SCREENING**
 - A. SETBACKS AND YARDS AS REQUIRED BY THE ORDINANCE AND AS DEPICTED ON THE SITE PLAN SHALL BE PROVIDED.
 - B. THE STREETSCAPE TREATMENT ALONG THE SITE'S PUBLIC STREET FRONTAGES SHALL COMPLY WITH THE REQUIREMENTS OF THE ORDINANCE.
 - C. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE INSTALLED WITHIN THE SITE AS GENERALLY DEPICTED ON THE SITE PLAN.
 - D. APPLICANT SHALL CONSTRUCT A WALKING TRAIL AROUND THE STORM WATER POND. THE WALKING TRAIL SHALL BE CONSTRUCTED WITH MATERIALS CHOSEN BY APPLICANT, AND THE WALKING TRAIL SHALL BE COMPLETED AT THE TIME THAT THE TOWN OF MATTHEWS DEVELOPS THE ADJACENT LOT OWNED BY THE TOWN OF MATTHEWS.
7. **TREE PROTECTION, LANDSCAPING AND OPEN SPACE**
 - A. THE DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE TREE PROTECTION AND LANDSCAPING REQUIREMENTS OF THE ORDINANCE.
 - B. OPEN SPACE AREAS AS GENERALLY DEPICTED ON THE SITE PLAN SHALL BE PROVIDED.
8. **ARCHITECTURAL STANDARDS**
 - A. THE MAXIMUM HEIGHT OF ANY BUILDING CONSTRUCTED ON THE SITE SHALL BE 45 FEET.
 - B. THE PERMITTED PRIMARY EXTERIOR BUILDING MATERIALS FOR THE BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE MASONRY, STUCCO, EIFS AND CEMENTITIOUS SIDING. METAL PANELS MAY BE UTILIZED AS AN ACCENT MATERIAL.
 - C. VINYL MAY NOT BE USED AS AN EXTERIOR BUILDING MATERIAL. NOTWITHSTANDING THE FOREGOING, VINYL MAY BE UTILIZED ON WINDOWS, DOORS, SOFFITS, TRIM AND RAILINGS.
 - D. INCLUDED WITH THE SITE PLAN ARE A SERIES OF PRECEDENT ARCHITECTURAL IMAGES THAT ARE REPRESENTATIVE OF THE ARCHITECTURAL STYLE, CHARACTER AND QUALITY OF THE BUILDINGS TO BE CONSTRUCTED ON THE SITE. AS WELL AS THE PRIMARY EXTERIOR BUILDING MATERIALS TO BE UTILIZED. THE BUILDINGS TO BE CONSTRUCTED ON THE SITE WILL BE CONSISTENT WITH ONE OR MORE OF THE PRECEDENT ARCHITECTURAL IMAGES IN TERMS OF ARCHITECTURAL STYLE, CHARACTER AND QUALITY AND IN TERMS OF THE EXTERIOR BUILDING MATERIALS UTILIZED.
 - E. DUMPSTER, COMPACTOR 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, COMPACTOR AND RECYCLING AREA ADJOIN A SIDE WALL OR REAR WALL OF A BUILDING, THEN THE SIDE WALL OR REAR WALL OF THE BUILDING MAY BE SUBSTITUTED FOR THE WALL OR FENCE ALONG EACH SUCH SIDE.
9. **SIGNS**
 - A. ALL SIGNS INSTALLED ON THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE ORDINANCE.

LAND USE AND ZONING INFORMATION AND NOTES:

1. OWNER: EAST INDEPENDENCE PROP
4010 TRIANGLE DRIVE
CHARLOTTE, NC 28209
2. PARCEL: GIS ID: 19319102
1935 RICE ROAD
MATTHEWS, NC 28105

ZONED: MUD (CD)
USE: RESIDENTIAL (PERMITTED/CONDITIONAL)
USE: COMMERCIAL (PERMITTED/CONDITIONAL)
REZONING PETITION 2014-614

LAND AREA: 8.243 ACRES
PROPOSED ROW DEDICATION: ±0.68 ACRES

4. DEVELOPMENT DATA:

MIN. BUILDING SETBACK	REQUIRED	PROPOSED
FRONT SETBACK	14'	14'
SIDE SETBACK*	N/A	15'
REAR SETBACK	75'	75'
BUILD TO ZONE	20'	20'
MAX BUILDING HEIGHT**	45'	45'

*ALONG PARCEL 19319102

**OR ALLOWED BY CODE AND APPROVED REZONING PLAN

TREE SAVE REQUIREMENTS:

- MIN. OF 8% (0.605 ACRES OR 26,356 SF) OF THE EXISTING CANOPY MUST BE PRESERVED. (DOES NOT INCLUDE DEDICATED ROW AREA)

PROPOSED USES:

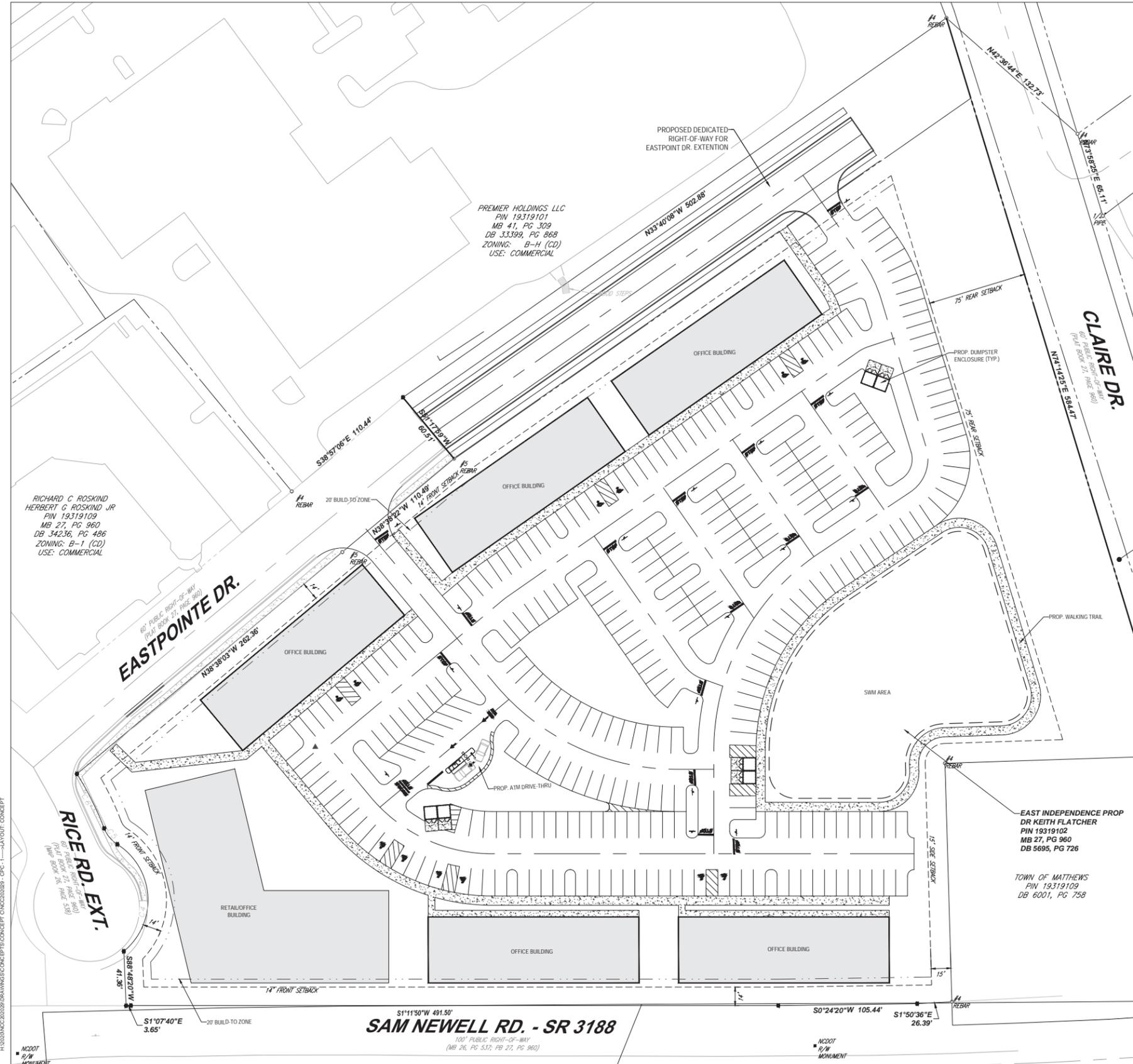
- MAXIMUM OF ±50,100 SQ. FT. MEDICAL OFFICE
- MAXIMUM OF ±52,600 SQ. FT. RETAIL/GENERAL OFFICE
- DRIVE-THRU ATM

PARKING REQUIREMENTS:

- MIN. COMPACT STALL SIZE: 8'X17'
- MIN. STANDARD STALL SIZE: 9'X20'
- RETAIL USE: 1 SPACE PER 400 SQUARE FEET OF GROSS FLOOR AREA.
- GENERAL OFFICE USE: 1 SPACE PER 400 SQUARE FEET OF GROSS FLOOR AREA.
- MEDICAL OFFICE USE: 1 SPACE PER 300 SQUARE FEET OF GROSS FLOOR AREA.

	PROPOSED	REQUIRED PARKING
MEDICAL OFFICE BUILDINGS	±50,100 SF	167 SPACES
RETAIL/OFFICE BUILDINGS	±52,600 SF	132 SPACES

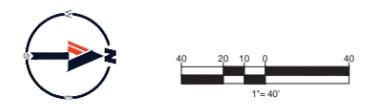
TOTAL REQUIRED SPACES: ±299 PARKING SPACES (8 ADA SPACES)
TOTAL PROPOSED SPACES: ±299 PARKING SPACES (12 ADA SPACES)



RICE ROAD MIXED-USE CONDITIONAL SITE PLAN

1935 RICE ROAD MATTHEWS, NC 28105

BOHLER //
BOHLER ENGINEERING NC, PLLC
NCBELS P-1132
1927 S. TRYON STREET, SUITE 310
CHARLOTTE, NC 28203
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com







MASONRY DETAIL



HISTORIC DETAIL



OFFICE/MEDICAL USE



OFFICE/MEDICAL USE



OFFICE/MEDICAL USE



MASONRY DETAIL



MASONRY DETAIL



OFFICE USE



MIXED USE



MIXED USE



MASONRY DETAIL

H:\2020\NCC\2020\20\DRAWINGS\EXHIBITS\202001_ARCH_EXAMPLES_EXHIBIT_ARCH_EXAMPLES_EXHIBIT_LAYOUT_CONCEPT

BOHLER //
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NCBELS P-1132

1927 S. TRYON STREET, SUITE 310
CHARLOTTE, NC 28203
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com

RICE ROAD MIXED-USE ARCHITECTURAL EXAMPLES

1935 RICE ROAD MATTHEWS, NC 28105