



urban design planning civil engineering branding landscape architecture

July 3rd, 2014

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

Re: Eden Hall
Rezoning Application

Dear Ms. Ingrish:

Please find attached the rezoning application for the proposed Eden Hall development located in the southwest quadrant of Fullwood Lane and Marion Drive in Matthews. The property consists of eight parcels totaling 16.41 acres.

The properties are currently zoned R-12 and R-20. We are requesting that the property be rezoned for town homes under the Matthews R-VS (Innovative) zoning district. We believe that the R-VS (Innovative) zoning is suitable for this location due to the existing land uses surrounding the property. The proposed development is joined on two sides by the Plantation Estates retirement community; located across Fullwood Lane from Christ Covenant Church and just north of the Avington townhome community which is also zoned R-VS.

The Petitioner hereby seeks the following Innovative Development Standards so as to target older buyers "empty-nesters" seeking features such as a master bedroom suite located on the main living level, private courtyards, lawn maintenance, and walking trails:

1. Public Street Frontage - Units may front onto common open space while public street frontage is provided via a public alley at the rear of the unit.
2. Private Open Space - Private Open Space shall be provided for each unit and may encroach into the front, side, or rear setback for the unit.
3. Reduced Setback - The front setback for units shall be reduced from 20 feet to 11 feet for rear-loaded units in order to provide common open space between internal units that front onto public green space.
4. Reduced Rear Yard - The rear yard setback shall be reduced from 20 feet to 8 feet for front-loaded units backing up to the screen wall along Fullwood Lane. All other front-loaded units (including units 35, 36 and 37) shall have a rear yard setback of 4 feet. The reduced setbacks will provide common open space between internal units that front onto public green space and will preserve natural conditions such as tree save areas, ponds and wetlands. Vertical structural elements shall not be permitted to encroach within the rear yard setback for any unit, i.e. porches, sunrooms, decks and similar structures. Points of ingress/egress, i.e. sidewalks, stairs, etc. and at-grade patios shall be permitted to encroach within the rear yard setback for rear loaded units.
5. Right-of-Way - The proposed internal public right-of-way shall be reduced from 50 feet to 44 feet in order to maximize tree save areas at the perimeter of the site while also acting as a traffic calming measure moving through the site due to the presence of travel lanes narrower in width.
6. Alley Width - The proposed public alley width shall be reduced from 30 feet to 20 feet. 6 foot utility easements shall be placed on both sides of an alley in order to provide a 32 foot wide clear zone to allow unobstructed movement of emergency vehicles, service vehicles, etc.

223 North Graham Street
Charlotte, NC 28202

V: 704.333.0325
F: 704.332.3246

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7. Planting Strip - The proposed planting strips shall be reduced from 8 feet to 5 feet. Where parking bump-outs for parallel parking are located, the planting strip shall be eliminated.
8. Centerline Radii – The minimum centerline radius for the internal road network shall be reduced from 150 feet to 50 feet.

In addition, the Petitioner reserves the right to modify the innovative provisions described above or seek other innovative development standards in the future pursuant to the applicable process set forth in the Ordinance.

We look forward to working with the Town of Matthews on the approval of Eden Hall. We believe that this project will be an excellent addition to your community.

Sincerely,

Mark E. Kime, RLA
Landscape Architect



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July 3rd, 2014

Mr. Jay Camp, Senior Planner
Town of Matthews
232 Matthews Station Street
Matthews, North Carolina 28105

Re: Eden Hall
Rezoning Petition 2014-612

Dear Mr. Camp:

Please find our response to the Planning Staff comments received on June 9th, 2014.

Planning Staff Comments Rezoning Application 2014-612 June 9th, 2014

1. We have not yet received a PCO Concept Plan Approval from Mecklenburg County. Our requirements state final Council decision on zoning change does not occur until PCO Concept Plan has been approved. **Concept Plan approval is from Mecklenburg County pending review of resubmitted plans on June 30th, 2014.**
2. Masonry wall language should be clarified, does it mean brick? **Please refer to sheet RZ-2.0, Note 4 (c) (iii).**
3. Wall should meander if necessary to save large trees. A full tree survey should be conducted in the area adjacent to Fullwood to ensure maximum tree preservation. **Please refer to sheet RZ-2.0, Note 4 (c) (iv).**
4. Consider designating alleys as private rather than public. Planning Staff does not support the innovative request to reduce the minimum alley width from 30' to 20'. **Petitioner along with Matthews Public Works prefer that alleys remain public in order to remain consistent with long term maintenance for the entire site.**
5. The alley closest to Marion should be wider. This portion of the "loop road" is only 16' wide and should match the remainder of the loop road. **The layout plan has adjusted to increase the paved alley width to 20 feet between the two ends of the loop road. The portions of the alley that extend outside of the loop road will remain 16 feet in width.**
6. The plans should reflect the southernmost 8 units facing the loop road should be flipped so that the garages face the alley (Planning Board recommended this and the applicant consented). **The layout has been adjusted as requested.**
7. At Planning Board, there was discussion regarding a gazebo or other community gathering area in lieu of the community building. There are no notes regarding this at this time. It should be referenced so the applicant does not need further Town approval. **Please refer to sheet RZ-2.0, Note 4 (e) (i).**
8. Planning Board suggested considering a density reduction. The applicant could also consider limiting the maximum number of buildings in a group to 4. **The Petitioner has undertaken considerations in regards to overall project density and feels that the overall density is well below the permitted number of units for this zoning designation. Great strides have been made to preserve the most prominent features of the site from any construction disturbance, i.e. ponds, wetlands, braided stream complex, etc. and has agreed to reduce the unit count from 99 units to 90.**
9. Maximum overhang of building features such as gables is 3'. Some illustrations appear to be greater and should be corrected or referenced as illustrative. **Please refer to sheet RZ-2.0, Note 4 (g) (xvi). The maximum overhang dimension of 3 feet has been added to the sections as well as a note stating "Building Elevation Illustrative Only" and does not represent the actual proposed elevation.**
10. Utility easements should be recorded and no vertical building features such as overhangs should encroach into this area. **Please refer to sheet RZ-2.0, Note 3 (b) (iii) (4).**
11. This document is serving as a sketch plan. As such, the applicant should complete the form in the UDO stating that no zoning variances are anticipated with this subdivision. The plans should also reflect a statement of intent to provide fees in lieu rather than open space dedication. **The completed Zoning Variance Declaration of Understanding Form has been completed and attached to this submittal package as requested. The Petitioner is continuing to have discussions with Town Council in regards to providing fees in lieu rather than open space**

- dedication at this time. An addendum sheet to the rezoning package may be submitted prior to the Town Council to resolve this issue.
12. Code typically allows some encroachments of single family structures into the rear yard such as porches, decks and garages. A statement should be provided that due to the innovative request and due to the relatively shallow rear yards for some units, no further encroachments will be allowed. **Please refer to sheet RZ-2.0, Note 2 (a) (iv).**
 13. Note 4.c.2. says in part "a dedicated 6' utility easement. . . to ensure an obstructed maneuvering space" -- should be "Unobstructed". **Please refer to sheet RZ-2.0, Note 3 (b) (iii) (2).**
 14. Note 2.a. lists the proposed setback/yard reductions for Innovative standards, and should have an additional explanation for reduced rear yards on outer perimeter front load configurations, to give the reason for the 12' rear yards. **Please refer to sheet RZ-2.0, Note 2 (a) (iv).**
 15. A document from applicants design team lists 15 key features of the community. These design features should become part of the plan approval. **Please refer to sheet RZ-2.0, Note 4 (g) (i-xvi).**
 16. Notes should reflect commitment to periodic monitoring of wetlands per commitment at Planning Board. **Please refer to sheet RZ-2.0, Note 5 (e).**
 17. Per commitment at Planning Board, commitment to restrict construction traffic from using the Marion Drive access. Staff recommends affixing a percentage to this commitment i.e. do not open this drive access until at least 75% of units are complete. **Please refer to sheet RZ-2.0, Note 3 (a) (i) (3).**
 18. Per commitment at Planning Board, consider "Don't block the box" striping and/or signage at key driveways or streets along Fullwood in the vicinity of the development. **Please refer to sheet RZ-2.0, Note 3 (a) (ii) (1).**
 19. Proposed locations of CBU postal boxes should be shown on plans. **Please refer to sheet RZ-2.0, Note 4 (b) (xi).**
 20. The conditional notes reference a "field located nature trail" however the plans appear to show usage of the existing paved and gravel drives. Which is to be used and will these be publicly accessible? **Please refer to sheet RZ-2.0, Note 4 (d) (ii).**
 21. Emergency access at end of Marion must adhere to the gated community requirements in the UDO as applicable. **Please refer to sheet RZ-2.0, Note 3 (a) (i) (4).**
 22. Improvements to Marion Dr. including paving, curb and gutter and sidewalk should extend to the end of the ROW adjacent to Plantation Estates. Currently, the sidewalk ends at the last row of townhomes. **Please refer to sheet RZ-2.0, Note 3 (a) (i) (1 & 2).** A typical section for Marion Drive has been added onto new sheet RZ-5.1. Per conversations with Town Staff, curb and gutter and sidewalk improvements need not extend beyond the last proposed unit along Marion Drive.
 23. The sides of the units inside the loop road will be featured prominently in the development and should have some sort of architectural articulation. **Conceptual architecture has been provided on sheet RZ-7.0.**
 24. It is our understanding that the developer has had discussions with the Marion Drive property owners about removing some of the on street parking on Marion nearest Fullwood. This should be shown on the plans. **The site plan has been adjusted as noted, please refer to sheet RZ-4.0.**
 25. The innovative request to reduce planting strips from 8' to 5' should also reflect that where parking "bump in's" are provided, the planted strip is effectively eliminated. **Please refer to sheet RZ-2.0, Note 2 (a) (vii).**
 26. Reference was made at Planning Board to example photos of architecture. Nothing has been provided at this time. **Conceptual architecture has been provided on sheet RZ-7.0.**

Mark E. Kime, RLA
Landscape Architect

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TOWN OF MATTHEWS UNIFIED DEVELOPMENT ORDINANCE

155.405.11

DECLARATION OF UNDERSTANDING THAT
ZONING VARIANCES ARE NOT ANTICIPATED IN THIS SUBDIVISION
FOR THE PURPOSE OF INADEQUATE BUILDABLE AREA

Date JULY 3RD, 2014
Name of Developer LANDTEC DEVELOPMENT, INC.
Name of Subdivision EDEN HALL
Location of Subdivision MARION DRIVE & FULLWOOD LANE

The above-named subdivision is being developed within the zoning and subdivision jurisdiction of the Town of Matthews.

The above-named developer, by signing this statement, agrees that he/she is aware of the zoning dimensional requirements for potential structures likely to be constructed within the above-named development, and does not anticipate any zoning variances to be requested on individual lots due to insufficient buildable area.

- This declaration is intended to verify that the lots being designed in the above-named subdivision will have adequate building envelopes, after applying all required limiting factors that can reasonably be expected to be known prior to construction of dwelling unit or other structures, including but not limited to: setbacks, yards, easements, floodplain lines, septic drain fields and reserve fields, demolition disposal sites, on-site parking, etc.

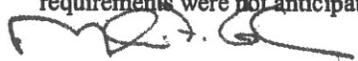
The zoning on this property is: R-VS

The dimensional requirements of this/these zoning district(s) are:

Min. lot size	<u>3,000</u>	<u>SF</u>
Min. lot width	<u>30</u>	<u>FT</u>
Min./Max front setback	<u>11</u>	<u>FT</u>
Min. side yard	<u>0 OR 8</u>	<u>FT</u>
Min. rear yard	<u>4, 8, OR 20</u>	<u>FT</u>
Min./Max. height	<u>35</u>	<u>FT</u>
Other (specify)	<u>-</u>	<u>-</u>

(Attach additional pages if multiple zoning districts are involved)

- It is understood that the developer of the subdivision may or may not be involved in any subsequent design or siting of buildings and structures, and is not guaranteeing all possible structural configurations will fit each lot.
- Where the developer of the land will not be the ultimate user, the developer, by signing this declaration, agrees to inform buyers of lots, dwellings, or other interests, that this subdivision was designed to meet zoning dimensional requirements, and that variances to zoning dimensional requirements were not anticipated based on the physical layout design of the property.



PRESIDENT

7-3-14

Signature of Developer LANDTEC DEVELOPMENT, INC.

Title

Date

Development Company



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May 27, 2014

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

Re: Eden Hall
Rezoning Application

Dear Ms. Ingrish:

Please find attached the rezoning application for the proposed Eden Hall development located in the southwest quadrant of Fullwood Lane and Marion Drive in Matthews. The property consists of eight parcels totaling 16.41 acres.

The properties are currently zoned R-12 and R-20. We are requesting that the property be rezoned for town homes under the Matthews R-VS (Innovative) zoning district. We believe that the R-VS (Innovative) zoning is suitable for this location due to the existing land uses surrounding the property. The proposed development is joined on two sides by the Plantation Estates retirement community; located across Fullwood Lane from Christ Covenant Church and just north of the Avington townhome community which is also zoned R-VS.

The Petitioner hereby seeks the following Innovative Development Standards so as to target older buyers "empty-nesters" seeking features such as a master bedroom suite located on the main living level, private courtyards, lawn maintenance, and walking trails:

- a. Public Street Frontage - Units may front onto common open space while public street frontage is provided via a public alley at the rear of the unit.
- b. Private Open Space - Private Open Space shall be provided for each unit and may encroach into the front, side, or rear setback for the unit.
- c. Reduced Setback - The front setback for units shall be reduced from 20 feet to 12 feet for rear-loaded units in order to provide common open space between internal units that front onto public green space.
- d. Reduced Rear Yard - The rear yard for units shall be reduced from 20 feet to 12 feet for front-loaded units in order to provide common open space between internal units that front onto public green space.
- e. Right-of-Way - The proposed internal public right-of-way shall be reduced from 50 feet to 44 feet in order to maximize tree save areas at the perimeter of the site while also acting as a traffic calming measure moving through the site due to the presence of travel lanes narrower in width.
- f. Alley Width - The proposed public alley width shall be reduced from 30 feet to 20 feet. 6 foot utility easements shall be placed on both sides of an alley in order to provide a 32 foot wide clear zone to allow unobstructed movement of emergency vehicles, service vehicles, etc.
- g. Planting Strip - The proposed planting strips shall be reduced from 8 feet to 5 feet.

In addition, the Petitioner reserves the right to modify the innovative provisions described above or seek other innovative development standards in the future pursuant to the applicable process set forth in the Ordinance.

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Below are a number of questions that were asked during our meetings with town officials as we developed the plan for Eden Hall:

- (1) Emergency vehicle access - the attached rezoning package includes a plan showing that emergency vehicles, such as fire trucks, can maneuver through the site. We are providing two access points, a primary entrance from Fullwood Lane and a secondary entrance from Marion Drive.
- (2) Traffic - A traffic impact analysis has been completed, reviewed, and approved by C.J. O'Neill with the Town of Matthews on or about April 8, 2014.
- (3) Unit Elevations - Although approval of building architecture is not a rezoning requirement, we recognize that it is important to the residents and commissioners of Matthews. A list of Key Architectural & Design Features has been attached to this letter.
- (4) Screening from Fullwood Lane - We are developing elevations, renderings and exhibits to show how we intend to screen the project from Fullwood Lane. Like the building elevations, we recognize this is important to the residents and commissioners of Matthews.
- (5) Schools - Because of the buyer demographic that we expect to attract, we do not expect Eden Hall to have a significant impact on the Matthews school population. A combination of the product design, size and price point lends a community like Eden Hall to an older buyer.

We look forward to working with the Town of Matthews on the approval of Eden Hall. We believe that this project will be an excellent addition to your community.

Sincerely,

Mark E. Kime, RLA
Landscape Architect

LandDesign | Charlotte NC

223 North Graham Street, Charlotte, NC 28202

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Eden Hall Community Mathews, NC

Key Architectural & Design Features

- 1) The community will be of traditional architectural design and have the feel of upcountry brick cottages.
- 2) The town homes will be one and a half story typically with some two-story elements.
- 3) Some town homes will front out to Marion Drive.
- 4) Some town homes will front shared garden courts.
- 5) The shared garden courts have raised terrace lawns with stone walls.
- 6) There will be front loaded and rear loaded plan types.
- 7) Each unit is a master-down style plan.
- 8) The homes feature brick facades.
- 9) Dormers and some architectural features will be accented using either hard coat stucco or hardy board or better grade siding.
- 10) Upgraded carriage style garage doors will be used.
- 11) The roof material will be an upgraded architectural shingle.
- 12) Porch roofs will be standing seam metal with patina bronze finish.
- 13) The community will have manicured lawns and landscaping beds.
- 14) HVAC units will be screened with masonry screening walls and/or landscaping.
- 15) Individual residential trash cans will be kept in the garage or an outside area screened from view.

Landtec Development, Inc.
2701 Coltsgate Road, STE 300
Charlotte, NC 28211
704-552-5338

May 21, 2014

Ms. Kathi Ingrish
Planning Director
Matthews Planning Department
232 Matthews Station St.
Matthews, NC 28105

Re: Eden Hall
Rezoning Petition - 2014-612

Dear Ms. Ingrish:

I respectfully request that the final decision on the rezoning of Eden Hall be deferred from the June 9, 2014 Town Board meeting until the July 14, 2014 meeting.

Please let me know if you or members of the Town Board have questions regarding this request.

Sincerely,



Melvin F. Graham
President

cc: Mr. Jay Camp, Senior Planner
Mr. Dale Stewart, Land Design



2014-612

2-26-2014

DATE FILED 2-26-2014

APPLICATION NUMBER 2014-612

For office use only

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:

- [X] 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): 22702701. 22702702. 22702703. 22702737. 22702784. 22702704
22702742, 22702731

Address of property: Multiple addresses; see attachment

Location of property: Fullwood Lane at Marion Drive, Matthews

Title to the property was acquired on See attachment
and was recorded in the name of
whose mailing address is

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

Present zoning classification: R-12 & R-20 Requested zoning classification: R-VS INNOVATIVE

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

See Attachments

Signature of property owner (must be original)

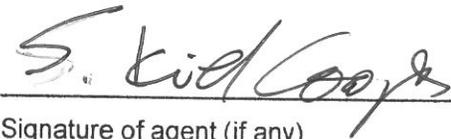
Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address



Signature of agent (if any)

S. Keith Cooper

Print name of agent
2701 Coltsgate Road, Suite 300

Agent's mailing address
Charlotte, NC 28211

Agent's mailing address, continued

Agent's mailing address, continued

704-618-6200 / keith.cooper1@icloud.com

Agent's phone number/email address

See Attachments

Signature of property owner (must be original)

Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address



Petitioner other than owner (if any)

Melvin F. Graham

Print name of petitioner
2701 Coltsgate Road, Suite 300

Petitioner's mailing address
Charlotte, NC 28211

Petitioner's mailing address, continued

Petitioner's mailing address, continued

704-552-5338 / mel@grahamenterprises.org

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

2014-612

For office use only

2014-612

2-26-2014

Please see Rezoning Package

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

Attachment to Matthews, North Carolina "Application for Change in Zoning Classification or Conditions" form.

PROPERTY OWNER(S)

Sterling E. Welch, Jr.
Signature of property owner (must be original)

Sterling E. Welch, Jr.

Brenda H. Welch
Signature of property owner (must be original)

Brenda H. Welch

26621 MARION DRIVE
Property owner's mailing address

MATTHEWS, N.C. 28105
Property owner's mailing address, continued

Property owner's mailing address, continued

704-847-4127 SEWPAPA@HOTMAIL.COM
Property owner's phone number/email address
bhwelch@carolina.rr.com

Attachment to Matthews, North Carolina "Application for Change in Zoning Classification or Conditions" form.

PROPERTY OWNER(S)

Richard B. Welch
Signature of property owner (must be original)

Richard Barry Welch

911 Sherrilwood Dr
Property owner's mailing address

Greensboro, N.C. 27406
Property owner's mailing address, continued

Property owner's mailing address, continued

336-601-1434
Property owner's phone number/email address

Attachment to Matthews, North Carolina "Application for Change in Zoning Classification or Conditions" form.

PROPERTY OWNER(S)

William Calvin Welch

Signature of property owner (must be original)

William Calvin Welch

PO Box 491

Property owner's mailing address

Midland NC 28107

Property owner's mailing address, continued

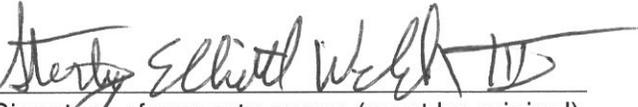
Property owner's mailing address, continued

704-998-8372

Property owner's phone number/email address

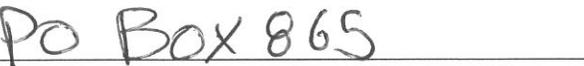
Attachment to Matthews, North Carolina "Application for Change in Zoning Classification or Conditions" form.

PROPERTY OWNER(S)



Signature of property owner (must be original)

Sterling Elliott Welch, III



Property owner's mailing address



Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

Attachment to Matthews, North Carolina "Application for Change in Zoning Classification or Conditions" form.

PROPERTY OWNER(S)

Sherry L Welch
Signature of property owner (must be original)

Sherry L. Welch

5912 Hoover Ave
Property owner's mailing address

Indian Trail NC 28079
Property owner's mailing address, continued

Property owner's mailing address, continued

704-882-6206 osotwsg4@aol.com
Property owner's phone number/email address

Attachment to Matthews, North Carolina "Application for Change in Zoning Classification or Conditions" form.

PROPERTY OWNER(S)


Signature of property owner (must be original)

John J. Parnell

231 Plantation Estate Drive
Property owner's mailing address

Matthews, NC 28106
Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

SUMMARY OF THE REZONING PROCESS

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

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

Application submitted to and accepted by the Town of Matthews 2-26-14

Town Board of Commissioners formally accepts application and sets Public Hearing date 3-10-14

Notices sent via mail to affected/adjacent property owners on or before 4-28-14

Protest petition filed with Planning Department by 5:00 pm on 5-7-14

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 5-12-14

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 5-27-14

Town Board of Commissioners approves or denies application 6-9-14

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

ADJACENT PARCEL OWNERS WITHIN 200 FEET

PARCEL: 22702602
OWNER: TRUST CHRIST COVENANT CHURCH PCA
MAILING ADDRESS: 305 COVENANT CHURCH LANE
MATTHEWS, NC 28105
DEED BOOK AND PAGE: DB 4947 PG 196

PARCEL: 22702743
OWNER: BARBARA JEAN P BJORK
MAILING ADDRESS: 600 MARION DRIVE
MATTHEWS, NC 28105
DEED BOOK AND PAGE: DB 2966 PG 557

PARCEL: 22702709
OWNER: BARBARA JEAN P BJORK
MAILING ADDRESS: 200 MARION DRIVE
MATTHEWS, NC 28105
DEED BOOK AND PAGE: DB 2967 PG 525

PARCEL: 22702708
OWNER: PAUL H VANDIVER AND
MAXINE H VANDIVER
MAILING ADDRESS: 630 MARION DRIVE
MATTHEWS, NC 28105
DEED BOOK AND PAGE: DB 2975 PG 368

PARCEL: 22702707
OWNER: PAUL H VANDIVER
MAILING ADDRESS: 630 MARION DRIVE
MATTHEWS, NC 28105
DEED BOOK AND PAGE: DB 4129 PG 496

PARCEL: 22702706
OWNER: WILLIAM G PALMER AND
LARA M RHODES
MAILING ADDRESS: 720 MARION DRIVE
MATTHEWS, NC 28105
DEED BOOK AND PAGE: DB 17651 PG 33

PARCEL: 22702705
OWNER: WILLIAM G PALMER AND
LARA M RHODES
MAILING ADDRESS: 720 MARION DRIVE
MATTHEWS, NC 28105
DEED BOOK AND PAGE: DB 17651 PG 33

PARCEL: 22702741
OWNER: COMMUNITIES INC ACTS
RETIREMENT-LIFE
MAILING ADDRESS: P.O. BOX 90
WEST POINT, PA 19786
DEED BOOK AND PAGE: DB 11035 PG 919

PARCEL: 22702717
OWNER: VALENTIN MOLDOVAN AND
FLORENTINA MOLDOVAN
MAILING ADDRESS: 720 MARION DR
MATTHEWS, NC 28105
DEED BOOK AND PAGE: DB 21913 PG 619

PARCEL:	22702743
OWNER:	ADULT COMMUNITIES TOTAL SERVICES INC
MAILING ADDRESS:	P.O. BOX 90 WEST POINT, PA 19486
DEED BOOK AND PAGE:	DB 5652 PG 740
PARCEL:	22702801
OWNER:	AVINGTON TOWNHOME ASSOCIATION INC
MAILING ADDRESS:	7422 CARMEL EXECUTIVE PARK SUITE 300 CHARLOTTE, NC 28226
DEED BOOK AND PAGE:	DB 11587 PG 158

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February 26, 2014

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

Re: Eden Hall
Rezoning Application

Dear Ms. Ingrish:

Please find attached the rezoning application for the proposed Eden Hall development located in the southwest quadrant of Fullwood Lane and Marion Drive in Matthews. The property consists of eight parcels totaling 16.41 acres.

The properties are currently zoned R-12 and R-20. We are requesting that the property be rezoned for town homes under the Matthews R-VS (Innovative) zoning district. We believe that the R-VS (Innovative) zoning is suitable for this location due to the existing land uses surrounding the property. The proposed development is joined on two sides by the Plantation Estates retirement community; located across Fullwood Lane from Christ Covenant Church and just north of the Avington townhome community which is also zoned R-VS.

The Petitioner hereby seeks the following Innovative Development Standards so as to target older buyers "empty-nesters" seeking features such as a master bedroom suite located on the main living level, private courtyards, lawn maintenance, and walking trails:

- a. Public Street Frontage - Units may front onto common open space while public street frontage is provided via a public alley at the rear of the unit.
- b. Private Open Space - Private Open Space shall be provided for each unit and may encroach into the front, side, or rear setback for the unit.
- c. Reduced Setback - The front setback for units shall be reduced from 20 feet to 12 feet in order to provide common open space between internal units.
- d. Right-of-Way - The proposed internal public right-of-way shall be reduced from 50 feet to 44 feet in order to maximize tree save areas at the perimeter of the site while also acting as a traffic calming measure moving through the site due to the presence of travel lanes narrower in width.

In addition, the Petitioner reserves the right to modify the innovative provisions described above or seek other innovative development standards in the future pursuant to the applicable process set forth in the Ordinance.

223 North Graham Street
Charlotte, NC 28202

V: 704.333.0325
F: 704.332.3246

www.LandDesign.com

Washington DC

Charlotte NC

Raleigh NC

Dallas TX

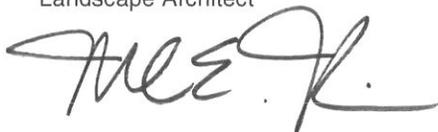
Below are a number of questions that were asked during our meetings with town officials as we developed the plan for Eden Hall:

- (1) Emergency vehicle access - the attached rezoning package includes a plan showing that emergency vehicles, such as fire trucks, can maneuver through the site. We are providing two access points, a primary entrance from Fullwood Lane and a secondary entrance from Marion Drive. In addition, we are proposing to design the parking area for the clubhouse located at the end of Marion Drive such that it acts as a turnaround point for emergency vehicles.
- (2) Traffic - A traffic impact analysis is being completed at this time and will be submitted to your office on or before March 10, 2014.
- (3) Unit Elevations - Although approval of building architecture is not a rezoning requirement, we recognize that it is important to the residents and commissioners of Matthews. We are developing elevations of the proposed units at this time and will provide them prior to the Public Hearing.
- (4) Screening from Fullwood Lane - We are developing elevations, renderings and exhibits to show how we intend to screen the project from Fullwood Lane. Like the building elevations, we recognize this is important to the residents and commissioners of Matthews.
- (5) Schools - Because of the buyer demographic that we expect to attract, we do not expect Eden Hall to have a significant impact on the Matthews school population. A combination of the product design, size and price point lends a community like Eden Hall to an older buyer.

We look forward to working with the Town of Matthews on the approval of Eden Hall. We believe that this project will be an excellent addition to your community.

Sincerely,

Mark E. Kime, RLA
Landscape Architect



LandDesign | Charlotte NC

223 North Graham Street, Charlotte, NC 28202

V: 704.333.0325 x.2235 | F: 704.332.3246 | C: 704.293.5289

Washington DC

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EDEN HALL REZONING PETITION

FULLWOOD LANE AND MARION DRIVE
MATTHEWS, NC 28105

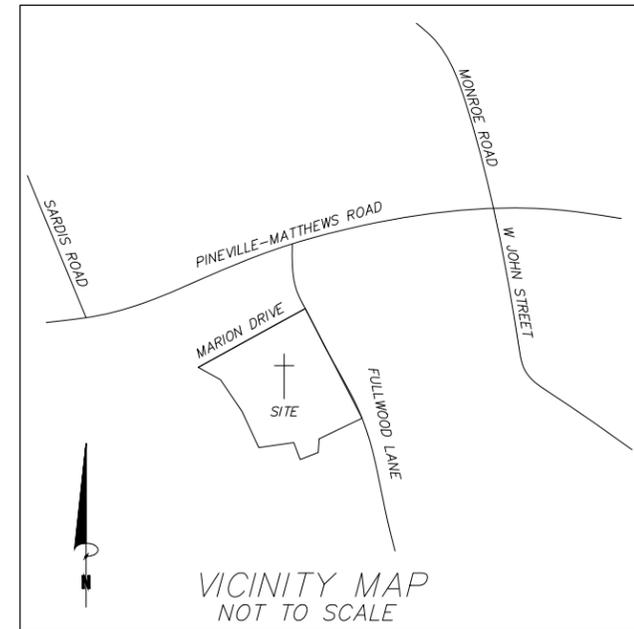
DEVELOPER
LandTec Development, Inc.
2701 Coltsgate Road
Suite 300
Charlotte, NC 28211
Contact: Mel Graham
704.552.5338
mel@grahamenterprises.org

LANDSCAPE ARCHITECT
LandDesign, Inc.
223 North Graham St.
Charlotte, NC 28202
Contact: Mark Kime, RLA
704.333.0325
mkime@landdesign.com

SURVEY
Carolina Surveyors, Inc.
307 Dover St.
Pineville, NC 28134
Contact: Thomas White
704.889.7601
tew@carolinasi.com

SHEET INDEX:

	Re zoning Submittal 2/26/14
L-1.0 Cover Sheet	2/26/14
L-2.0 Development Standards	2/26/14
L-3.0 Technical Data Sheet	2/26/14
L-4.0 Site Plan	2/26/14
L-5.0 Street Cross-Sections	2/26/14
L-6.0 Autotum Exhibit	2/26/14
Survey	2/21/14



PRELIMINARY
NOT FOR
CONSTRUCTION

**EDEN HALL
MULTI-FAMILY TOWNHOME DEVELOPMENT**
LANDTEC DEVELOPMENT, INC.
COVER SHEET

REVISIONS:

DATE: FEBRUARY 26, 2014
DESIGNED BY: MEK
DRAWN BY: MEK
CHECKED BY: MAM
QA BY: MAM
PROJECT #: 1013172
SHEET #:

RZ-1.0

**Eden Hall
Development Standards
05/27/14**

Site Development Data:

- Acreage: ±16.41 acres (±0.32 Acres to be dedicated to the Marion Drive right of way)
- Tax Parcel #: 22702701, 22702702, 22702703, 22702704, 22702731, 22702737, 22702742, and 22702784
- Existing Zoning: R-12 and R-20
- Proposed Zoning: R-VS (Innovative) Residential Innovative Varied Style District
- Existing Uses: Vacant and Single-Family homes.
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses as allowed in the R-VS Innovative zoning district per section 153.205 of the Ordinance as more specifically described below in Section 3.
- Maximum Building Height: Building height shall be limited to 35 feet.
- Parking: As required by the Section 153.117 of the Ordinance, (2) spaces shall be provided for each dwelling unit.

DEVELOPMENT STANDARDS

1. General Provisions:

- a. Site Location: These Development Standards, the Technical Data Sheet, Schematic Site Plan and other graphics set forth on attached Sheets RZ-3.0, RZ-4.0, RZ-5.0 and RZ-6.0 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by LandTec Development, Inc. ("Petitioner") to accommodate development of a residential community on an approximately 16.41 acre site located at the southwest corner of the intersection of Fullwood Lane and Marion Drive (the "Site").
- b. Zoning Districts/Ordinance: Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the Town of Matthews Unified Development Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the R-VS zoning classification for the Site shall govern all development taking place on the Site, subject to the Innovative Provisions provided below.
- c. Graphics and Alterations: The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, and other site elements set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan as well as any schematic building elevations are graphic representations of the development and site elements proposed, and they may be altered or modified in accordance with the setback, yard and buffer requirements set forth on this Rezoning Plan and the Development Standards, provided, however, any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan. Changes to the Rezoning Plan not permitted by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.
- d. Number of Buildings Principal and Accessory: Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed shall not exceed 23. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

2. Innovative Provisions for R-VS Zoning District:

- a. The Petitioner hereby seeks the following Innovative Development Standards so as to target older buyers "empty-nesters" seeking features such as a master bedroom suite located on the main living level, private courtyards, lawn maintenance, and walking trails.
 - i. Public Street Frontage - Units may front onto common open space while public street frontage is provided via a public alley at the rear of the unit.
 - ii. Private Open Space - Private Open Space shall be provided for each unit and may encroach into the front, side, or rear setback for the unit.
 - iii. Reduced Setback - The front setback for units shall be reduced from 20 feet to 11 feet for rear-loaded units in order to provide common open space between internal units that front onto public green space.
 - iv. Reduced Rear Yard - The rear yard setback shall be reduced from 20 feet to 8 feet for front-loaded units backing up to the screen wall along Fullwood Lane. All other front-loaded units (including units 35, 36 and 37) shall have a rear yard setback of 4 feet. The reduced setbacks will provide common open space between internal units that front onto public green space and will preserve natural conditions such as tree save areas, ponds and wetlands. Vertical structural elements shall not be permitted to encroach within the rear yard setback for any unit, i.e. porches, sunrooms, decks and similar structures. Points of ingress/egress, i.e. sidewalks, stairs, etc. and at-grade patios shall be permitted to encroach within the rear yard setback for rear loaded units.
 - v. Right-of-Way - The proposed internal public right-of-way shall be reduced from 50 feet to 44 feet in order to maximize tree save areas at the perimeter of the site while also acting as a traffic calming measure moving through the site due to the presence of travel lanes narrower in width.
 - vi. Alley Width - The proposed public alley width shall be reduced from 30 feet to 20 feet. 6 foot utility easements shall be placed on both sides of an alley in order to provide a 32 foot wide clear zone to allow unobstructed movement of emergency vehicles, service vehicles, etc.
 - vii. Planting Strip - The proposed planting strips shall be reduced from 8 feet to 5 feet. Where parking bump-outs for parallel parking are located, the planting strip shall be eliminated.
 - viii. Centerline Radii - The minimum centerline radius for the internal road network shall be reduced from 150 feet to 50 feet.
- b. In addition, the Petitioner reserves the right to modify the innovative provisions described above or seek other innovative development standards in the future pursuant to the applicable process set forth in the Ordinance.

3. Transportation Improvements and Access:

- a. Proposed Improvements: The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:
 - i. Marion Drive:
 - 1. Proposed improvements to Marion Drive will be in accordance with the provided typical section.
 - 2. Provide striping as needed to meet with the Town of Matthews Development Standards and NCDOT Standards.
 - 3. Construction traffic shall be restricted by way of signage from using the Marion Drive access during the construction of the development. The Petitioner agrees to restrict all traffic using the Marion Drive access until forty percent of the units have been issued a certificate of occupancy.
 - 4. A Knox Box and gate shall be provided at the end of Marion Drive to allow for emergency access. The Petitioner shall not be held responsible for making a vehicular connection between Marion Drive and Plantation Estates Drive.
- ii. Fullwood Lane:
 - 1. Petitioner agrees to work with Town of Matthews Planning Department, Town of Matthews Public Works, and the Town of Matthews Planning Board in the pursuit of any/all striping and signage improvements proposed along the entire site frontage along Fullwood Lane.
 - 2. The aforementioned Transportation Improvements are also illustrated on Sheet RZ-4.0 of the Rezoning Petition.
- iii. The aforementioned Transportation Improvements are also illustrated on Sheet RZ-4.0 of the Rezoning Petition.
- b. Access:
 - i. Access to the Site will be from full access intersections at Fullwood Lane and Marion Drive.
 - ii. The two public streets indicated within the Development Area will be designed as public streets with parallel parking in some locations.
 - iii. Three public alleys indicated within the Development Area shall be provided for vehicular access for those units that front on common open space or Marion Drive. The following conditions shall be apply to each of these public alleys.
 - 1. No parking shall be permitted at any time along the length of the alley.
 - 2. No fences, posts, or other obstructions other than street lighting shall be allowed within (6) feet of the back of curb. A dedicated (6) foot utility easement shall be granted to both sides of the alley to ensure an unobstructed maneuvering space for emergency vehicles, service vehicles, etc.
 - 3. Street lighting shall be located a minimum of 4 feet from the back of curb.
 - 4. Utility easements shall be recorded and no vertical building features or encroachments shall be permitted at the ground level or to vertically overhang into the easements.
 - iv. All driveways shall be a minimum of 20 feet in depth to allow a vehicle to be parked without overhanging the sidewalk or obstructing the alleyway.
 - v. All dwelling units proposed along Marion Drive shall have rear-loading garages from the internal alley network.
 - vi. The alignment of the internal public and private streets, vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the North Carolina Department of Transportation in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.

4. Design Guidelines:

- a. Statement of Overall Design Intent: It is intended that the plan for the Site provide a mix of three, four, and five unit townhomes with coordinated streetscape elements, landscaping, open spaces and quality building materials. The site plan for the Site will seek to emphasize pedestrian connections through the implementation of a well-connected sidewalk and trail system in and around the Site. A focal point will be developed at the entrance from Fullwood Lane to identify the community and serve as a gateway into it. To the greatest extent possible, vehicular access to units shall be placed at the rear of the unit providing an attractive building frontage along Marion Drive along with pedestrian friendly common open spaces internal to the site.
- b. General Design Guidelines:
 - i. The principal buildings constructed on the Site may use a variety of building materials. The building materials used for buildings will be a combination of the following: glass, brick, stone, pre-cast stone, precast concrete, cementitious siding (such as hard-plank), or wood. Vinyl as a building material will not be allowed except on windows and soffits.
 - ii. The Site will include a pair of publicly accessible open spaces as focal points. These focal points will include some combination of landscaping, monumentation, water feature, seating areas and/or art work features.
 - iii. Streetscape treatment will be a unifying element through the use of consistent paving, lighting, landscaping, and when provided site furnishings throughout the Site.
 - iv. Specialty pavers, stained and patterned concrete/paving or other similar means will be used to call attention to amenity areas, gathering spaces, plazas and as method of way finding.
 - v. Circulation paths will be provided along the Site's Public Streets from building entries to areas of interest.
 - vi. Petitioner agrees to provide the Town of Matthews an "as-built" survey for all streets, sidewalks, and easements within the development at the time of completion of the project.
 - vii. No permanent site features shall be placed within the over steer path of emergency vehicles such as light poles, trees, etc.
 - viii. The Petitioner agrees to coordinate with the United States Postal Service on the location of CBU Postal Boxes within the development.
- c. Fullwood Lane Design Guidelines:
 - i. The Petitioner shall create an appropriately landscaped corridor along Fullwood Lane utilizing existing vegetation to the greatest extent possible to maintain the natural character of this corridor. A solid masonry wall shall be proposed along the Site frontage of Fullwood Lane to deter from highlighting the back of houses from the right of way.
 - ii. The Petitioner will provide an additional landscape area of variable width adjacent to Fullwood Lane as generally depicted on Sheet RZ-4.0. Petitioner agrees to provide a brick masonry screen wall along Fullwood Lane for the length of the improvements fronting onto the Fullwood Lane right of way. Wall height shall be a maximum of six feet with seven foot capitals. The wall shall be permitted to step with grade at intervals not to exceed eight inches.
 - iii. The horizontal location of the masonry screen wall along Fullwood Lane will be placed with the preservation of existing trees of significance in mind. An effort will be made to preserve these trees when possible while maintaining the rhythm and street presence of a continuous road frontage.
- d. Pedestrian Access and Circulation Design Guidelines:
 - i. Along the Site's internal public streets, the Petitioner will provide a sidewalk network that links the buildings, parking areas and areas of interest on the Site with one another by way of links to sidewalks along the abutting public streets and/or other pedestrian features. The minimum width for these internal sidewalks will be five (5) feet.
 - ii. Trails shall be provided throughout the communal open space along the western property line. The trails shall utilize a combination of existing paved driveways, gravel driveways, and proposed nature trails to be field located during the preliminary plan based on existing conditions.
 - iii. Nature trails shall be provided to connect areas of interest on the Site in order to preserve the natural character of land between points of interest where a sidewalk is not a practical means of connectivity.
- e. Common Open Space Areas:
 - i. Areas exclusive of platted lots and public rights of way shall be included as Common Open Space. Common Open Space Areas shall emphasize the preservation of natural areas including ponds and wetlands. Petitioner reserves the right to provide unheated outdoor community structures within the communal open space areas such as gazebos, arbors, pergolas, etc.
 - ii. The open space area surrounding the water quality/storm water detention pond may be improved as an amenity area with seating areas, a naturalized path and landscaping as the adjacent portions of the Site are developed.
- f. Residential Design Guidelines:
 - i. Orient buildings towards primary and secondary streets to reinforce the streetscape, as shown on the provided Plans.
 - ii. Orient buildings in a way to enclose and define public space, open space and green space.
 - iii. The Petitioner reserves the right to combine or relocate building locations so long as the street frontage requirement is met.
 - iv. Building features such as porches, patios, stoops, front walkways and centralized doorways or breezeways shall front the public or private streets, except where ends of buildings front these streets. When ends of buildings front streets, walkways will be provided to clearly connect the building entrances with the street network.
 - v. Architectural treatment shall continue on all sides of a building except as specifically noted otherwise.
 - vi. Address shall be posted on both front and rear of units that face both a street and an alley.
 - vii. Through the agreement to contribute land and improvements, the Petitioner has met the requirements of Section 155.705 of the Matthews Town Ordinance. The Petitioner will construct a 10' wide asphalt trail from Marion Drive to the southern property line adjoining Plantation Estates generally along the "Greenway Trail Route" shown on RZ-4.0. The Petitioner will dedicate land or an easement for the Greenway Trail over Eden Hall property. The Greenway Trail pavement section will be 0' ABC and 1' surface asphalt.
- g. Architectural Guidelines
 - i. The community will be of traditional architectural design and have the feel of upcountry brick cottages for all building exteriors.
 - ii. The town homes will be one and a half story typically with some two-story elements.
 - iii. Some town homes will front out to Marion Drive.
 - iv. Some town homes will front shared garden courts.
 - v. The shared garden courts have raised terrace lawns with stone walls.
 - vi. There will be front loaded and rear loaded plan types.
 - vii. Each unit is a master-down style plan.
 - viii. The homes feature brick facades.
 - ix. Dormers and some architectural features will be accented using either hard coat stucco or hardy board or better grade siding.
 - x. Upgraded carriage style garage doors will be used.
 - xi. The roof material will be an upgraded architectural shingle.
 - xii. Porch roofs will be standing seam metal with patina bronze finish.
 - xiii. The community will have manicured lawns and landscaping beds.
 - xiv. HVAC units will be screened with masonry screening walls and/or landscaping.
 - xv. Individual residential trash cans will be kept in the garage or an outside area screened from view.
 - xvi. The maximum overhang of building features such as gables shall be three feet from the face of building.

5. Environmental Features:

- a. The project will provide for storm water best management practices (BMPs) designed to meet regulatory requirements for storm water capture, treatment, volume attenuation and detention as applicable.
- b. The petitioner reserves the right to adjust the natural drainage boundaries of the site as required to meet program requirements of the development while meeting applicable storm water controls regulations as applicable. Pre-developed release rates shall be set for BMP discharge based on pre-developed natural drainage patterns.
- c. The location, size and type of storm water management systems depicted on the Rezoning Plan is subject to adjustment in order to accommodate actual storm water treatment requirements as applicable.
- d. The project shall reserve 8 percent tree save in platted tree save areas as depicted on sheet RZ-4.0. The amount of required tree save shall be calculated as the Total Land Disturbance Area (the entire identified site) minus utility easements, road rights-of-way, stormwater facilities, and existing pond features.
- e. The Petitioner has authorized and had completed a delineation and verification by the US Army Corps of Engineers of the Jurisdictional Waters of the US on this site which are shown on the Rezoning Plan. The Wetlands Consultant responsible for the delineation has completed an evaluation of the condition of the existing wetlands and waters on site. Petitioner has completed a Concept Plan for compliance with the requirements of the Post Construction Controls Ordinance (PCCO) which has been approved by LUESA (Mecklenburg County). Petitioner will implement an effective sedimentation and erosion control plan during construction to protect the jurisdictional waters and will closely monitor, in concert with Mecklenburg County, the performance of the plan during construction and during implementation of the PCCO Plan. Subsequent to the completion of all construction on site, Petitioner will cause to be completed an evaluation and report of the conditions of the wetlands/ waters on site and will further have similar reports completed on two succeeding annual anniversaries of completion of construction following acceptance of all streets for maintenance by the Town of Matthews. In view of the fact that a substantial proportion of the area draining to the wetlands/ waters are represented by off-site areas, the Petitioner makes no representations as to protection of wetlands/ waters from potential off-site adverse impacts. However, such impacts if any may be documented in the annual reports.

6. Signage:

- a. Signage as allowed by the Ordinance may be provided.

7. Lighting:

- a. All new lighting shall conform to the standards of the Ordinance.

8. Amendments to the Rezoning Plan:

- a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions herein and of the Ordinance.

9. Binding Effect of the Rezoning Application:

- a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

PRELIMINARY NOT FOR CONSTRUCTION
SUBJECT TO FINAL DESIGN CHANGES

DATE: JUNE 18, 2014
DESIGNED BY: MEK
DRAWN BY: MEK
CHECKED BY: MAM
SCALE: NTS
PROJECT #: 1013172

REVISIONS:
4/20/14 - PER STAFF COMMENTS
5/27/14 - PER STAFF COMMENTS
6/18/14 - PER STAFF COMMENTS
7/03/14 - PER STAFF COMMENTS
7/08/14 - PER STAFF COMMENTS

SHEET #:

RZ-2.0

**EDEN HALL
SINGLE-FAMILY TOWNHOME DEVELOPMENT**
LANDTEC DEVELOPMENT, INC.

DEVELOPMENT STANDARDS



LandDesign

223 N Graham Street Charlotte, NC 28202
V: 704.333.0235 F: 704.333.3746
www.LandDesign.com
NC Reg. Firm License # 6488



PRELIMINARY
NOT FOR
CONSTRUCTION

EDEN HALL
MULTI-FAMILY TOWNHOME DEVELOPMENT
LANDTEC DEVELOPMENT, INC.
TECHNICAL DATA SHEET

REVISIONS:

DATE: FEBRUARY 26, 2014
DESIGNED BY: MEK
DRAWN BY: MEK
CHECKED BY: MAM
QC BY: MAM
PROJECT #: 1013172
SHEET #:

RZ-3.0

DEVELOPMENT SUMMARY

DEVELOPER: LANDTEC DEVELOPMENT, INC.
2701 COLTSGATE ROAD
SUITE 300
CHARLOTTE, NC 28211
CONTACT: MEL GRAHAM
(704) 552-5338
mel@grahamenterprises.org

EXISTING PARCEL SIZE: 16.41 ACRES (COMBINED)

JURISDICTION: MATTHEWS

EXISTING ZONING: R-12 AND R-20
PROPOSED ZONING: R-VS (INNOVATIVE)
RESIDENTIAL INNOVATIVE
VARIED STYLE DISTRICT

PROPOSED USE: MULTI-FAMILY (TOWNHOMES)
CLUBHOUSE (±2,000 SF)

NUMBER OF LOTS PROPOSED: 90+ (NOT TO EXCEED 99)

MAXIMUM ALLOWABLE DENSITY: NO MAXIMUM
PROPOSED DENSITY: 5.48 DUA

SUPPLEMENTAL REGULATIONS:

- MINIMUM LOT AREA: 3,000 SF/DU
- MINIMUM LOT WIDTH: 30 FEET/DU
- MINIMUM LOT WIDTH PROPOSED: 31 FEET
- MINIMUM SETBACK: 20 FEET
- SETBACK PROPOSED: 12 FEET
- MINIMUM SIDE YARD: 0 FEET AND 8 FEET FOR END UNIT OPEN SIDE 20 FEET
- MINIMUM REAR YARD: MINIMUM UNOBSTRUCTED OPEN SPACE (% OF LOT) 20%
- UNOBSTRUCTED OPEN SPACE PROPOSED: 430.13%
- MAXIMUM HEIGHT: 35 FEET
- MINIMUM BUILDING SEPARATION: 16 FEET

PARKING REQUIREMENTS:

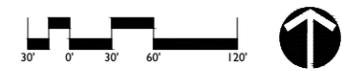
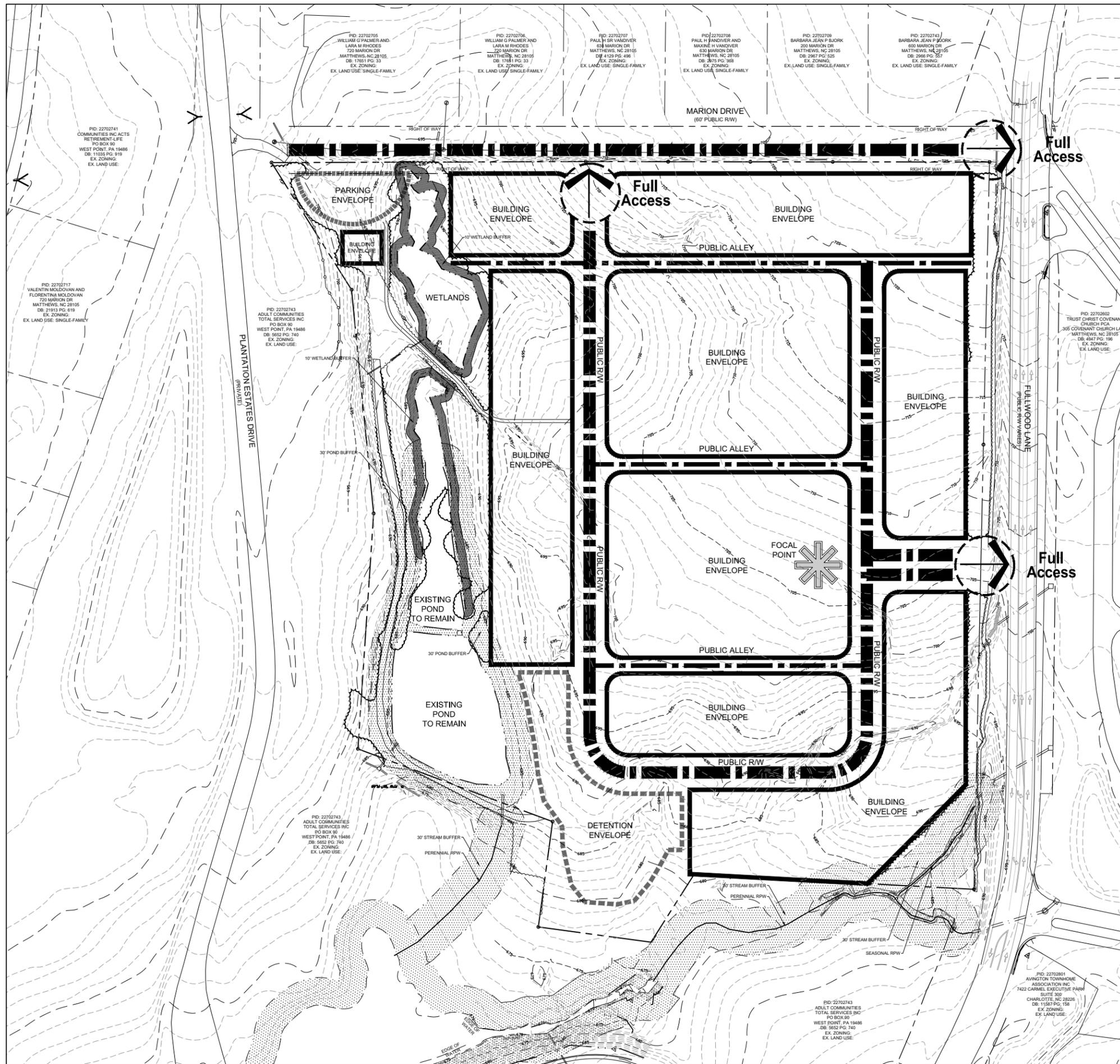
RESIDENCES REQUIRED: 203 SPACES
(2.25 SPACES PER DWELLING UNIT)
PROVIDED: 228 SPACES

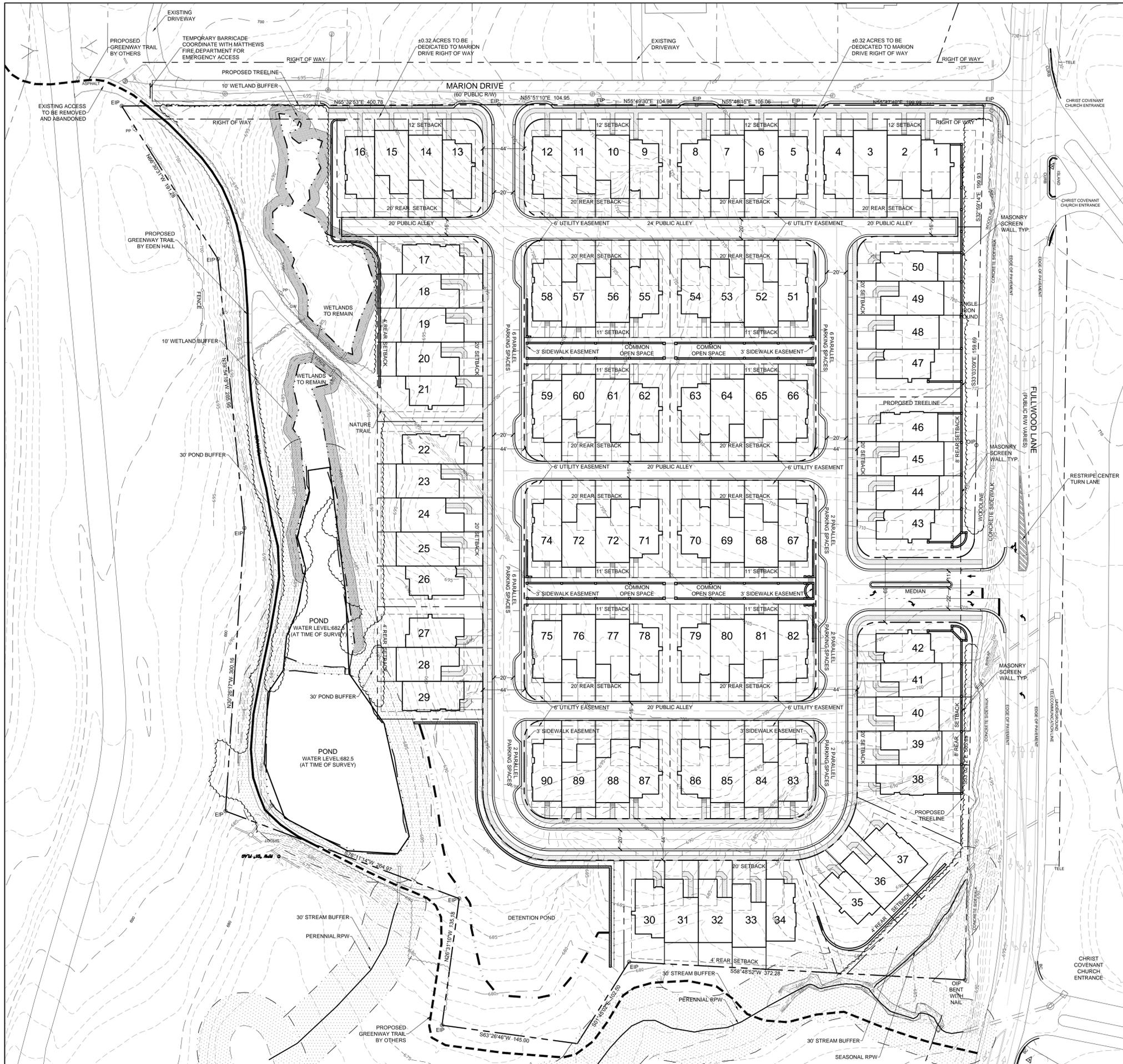
CLUBHOUSE REQUIRED: 10 SPACES
COMMUNITY CENTER PROVIDED: 1 SPACE PER 200 SF 14 SPACES

TREE CANOPY CALCULATIONS:

- TOTAL LAND DISTURBANCE AREA: 714,812.69 SF
- ROAD RIGHTS OF WAY: 123,200.11 SF
- PONDS: 28,439.34 SF
- PROPOSED STORMWATER FACILITIES: 38,420.69 SF
- NET LAND DISTURBANCE AREA: 524,752.55 SF
- TREE CANOPY REQUIRED: 104,950.51 SF (20.00%)
- TREE CANOPY PROVIDED: 95,633.40 SF (18.22%)
- DEFICIT: 9,317.11 SF (0.21 AC.)
- MITIGATION REQUIRED (36 TREES AC): 8 TREES

PARCEL NUMBER	OWNER	MAILING ADDRESS	CITY	STATE	ZIP	DEED	PAGE	ACQUIRED
22702701	STERLING E SR WELCH BY ENT	601 MARION DRIVE	MATTHEWS	NC	28105	1301	169	1/1/1975
22702702	STERLING ELLIOTT WELCH BRENDA H WELCH	621 MARION DRIVE	MATTHEWS	NC	28105	2977	398	1/1/1975
22702703	RICHARD BARRY WELCH	911 SHERRILWOOD DRIVE	GREENSBORO	NC	27406	2711	410	1/1/1975
22702704	MARIAN WELCH STEWART ET-AL	621 MARION DRIVE	MATTHEWS	NC	28105	NA	NA	NA
22702731	JOHN P PARNELL WANDA J PARNELL	P.O. BOX 1153	MATTHEWS	NC	28106	4132	194	11/22/1978
22702737	WILLIAM CALVIN WELCH	P.O. BOX 491	MIDLAND	NC	28107	2998	544	1/1/1975
22702742	JOHN PHILLIP PARNELL WANDA J PARNELL	P.O. BOX 1153	MATTHEWS	NC	28106	3813	723	1/2/1976
22702784	STERLING ELLIOTT WELCH III	621 MARION DRIVE	MATTHEWS	NC	28105	9061	456	5/16/1997





DEVELOPMENT SUMMARY

DEVELOPER: LANDTEC DEVELOPMENT, INC.
2701 COLTSGATE ROAD
SUITE 300
CHARLOTTE, NC 28211
CONTACT: MEL GRAHAM
(704) 552-5338
mel@grahamenterprises.org

EXISTING PARCEL SIZE: 16.41 ACRES (COMBINED)
±0.32 ACRES TO BE DEDICATED TO MARION DRIVE RIGHT OF WAY

JURISDICTION: MATTHEWS

EXISTING ZONING: R-12 AND R-20
PROPOSED ZONING: R-VS (INNOVATIVE)
RESIDENTIAL INNOVATIVE
VARIED STYLE DISTRICT

PROPOSED USE: RESIDENTIAL (TOWNHOMES)
NUMBER OF LOTS PROPOSED: 90

PROPOSED DENSITY: 5.59 DUA

SUPPLEMENTAL REGULATIONS:
MINIMUM LOT AREA: 3,000 SF/DU
MINIMUM LOT WIDTH: 30 FEET/DU
MINIMUM SETBACK: 20 FEET
SETBACK PROPOSED:
-FRONT-LOADED: 20 FEET
-REAR-LOADED: 11 FEET
MINIMUM SIDE YARD: 0 FEET AND 8 FEET FOR END UNIT OPEN SIDE
20 FEET
MINIMUM REAR YARD:
REAR YARD PROPOSED:
-FRONT-LOADED: 4, 8, OR 20 FEET
-REAR-LOADED: 20 FEET
MINIMUM UNOBSTRUCTED OPEN SPACE (% OF LOT)
UNOBSTRUCTED OPEN SPACE PROPOSED: 20.13%
MAXIMUM HEIGHT: 35 FEET
MINIMUM BUILDING SEPARATION: 16 FEET

PARKING REQUIREMENTS:
RESIDENCES REQUIRED: 180 SPACES PER UNIT
DWELLINGS PROVIDED: 223 SPACES

TREE CANOPY CALCULATIONS:
TOTAL LAND DISTURBANCE AREA: 714,812.69 SF
ROAD RIGHTS OF WAY: 123,680.00 SF
PONDS: 28,439.34 SF
PROPOSED STORMWATER FACILITIES:
NET LAND DISTURBANCE AREA: 524,272.66 SF
TREE CANOPY REQUIRED: 41,941.81 SF (8.00%)
TREE CANOPY PROVIDED: 96,921.72 SF (18.49%)

REQUIRED CONNECTIVITY INDEX: 0.85
LINKS PROVIDED: 15
NODES PROVIDED: 8
PROPOSED CONNECTIVITY INDEX: 1.875

REQUIRED PCO UNDISTURBED OPEN SPACE: 70.132 SF
PROVIDED PCO UNDISTURBED OPEN SPACE: 70.924 SF

PARCELS TO BE COMBINED

PARCEL NUMBER	OWNER	MAILING ADDRESS	CITY	STATE	ZIP	DEED	PAGE	ACQUIRED
22702701	STERLING E SR WELCH BY ENT	601 MARION DRIVE	MATTHEWS	NC	28105	1301	169	1/1/1975
22702702	STERLING ELLIOTT WELCH BRENDA H WELCH	621 MARION DRIVE	MATTHEWS	NC	28105	2977	398	1/1/1975
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**PRELIMINARY NOT FOR CONSTRUCTION
SUBJECT TO FINAL DESIGN CHANGES**

REVISIONS:
4/20/14 - PER STAFF COMMENTS
5/27/14 - PER STAFF COMMENTS
6/18/14 - PER STAFF COMMENTS
7/03/14 - PER STAFF COMMENTS
7/08/14 - PER STAFF COMMENTS

DATE: JUNE 18, 2014
DESIGNED BY: MEK
DRAWN BY: MEK
CHECKED BY: MAM
SCALE: 1"=50'
PROJECT #: 1013172
SHEET #: RZ-4.0

**EDEN HALL
SINGLE-FAMILY TOWNHOME DEVELOPMENT**
LANDTEC DEVELOPMENT, INC.

SITE PLAN

LandDesign
223 N Graham Street Charlotte, NC 28202
V: 704-333-0325 F: 704-333-3246
www.LandDesign.com
NC Reg. Firm License # C488

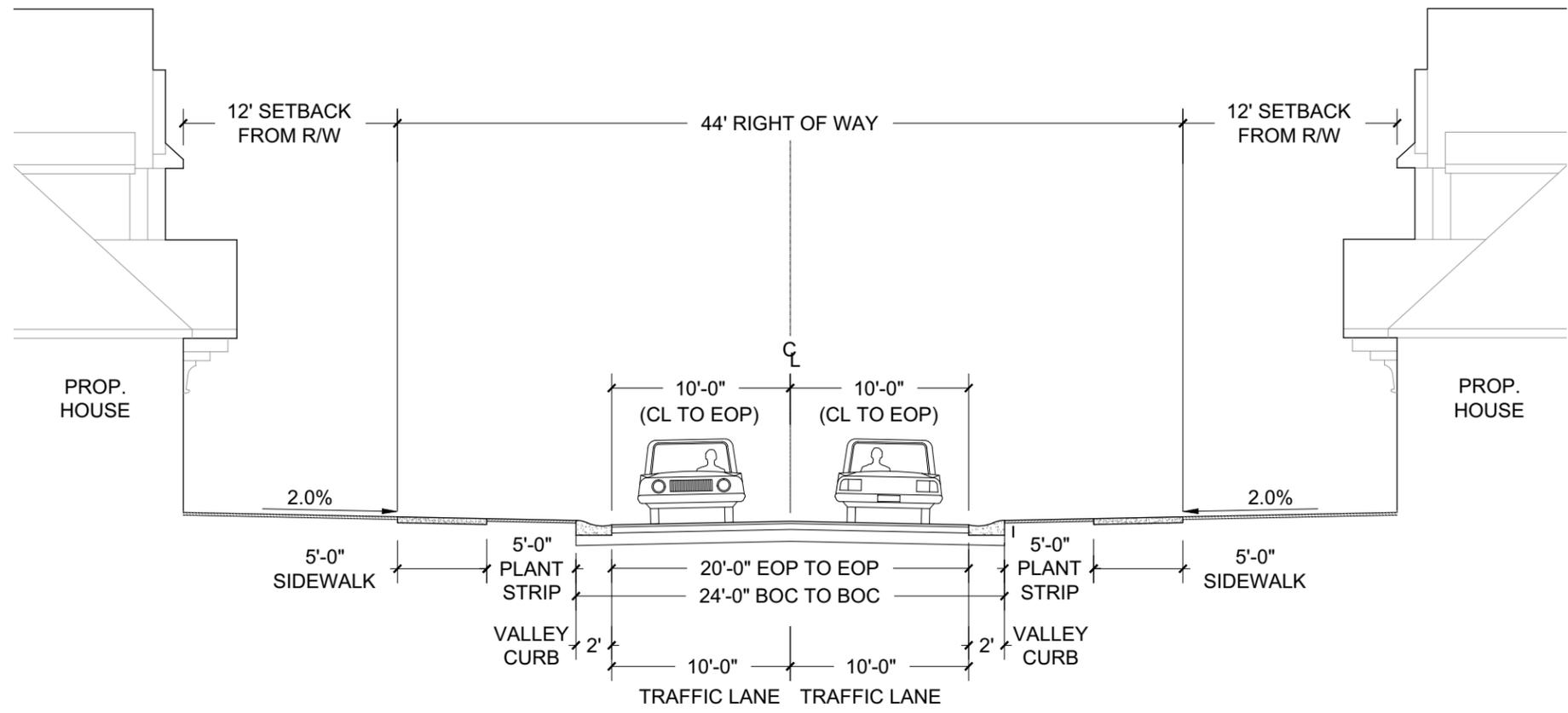




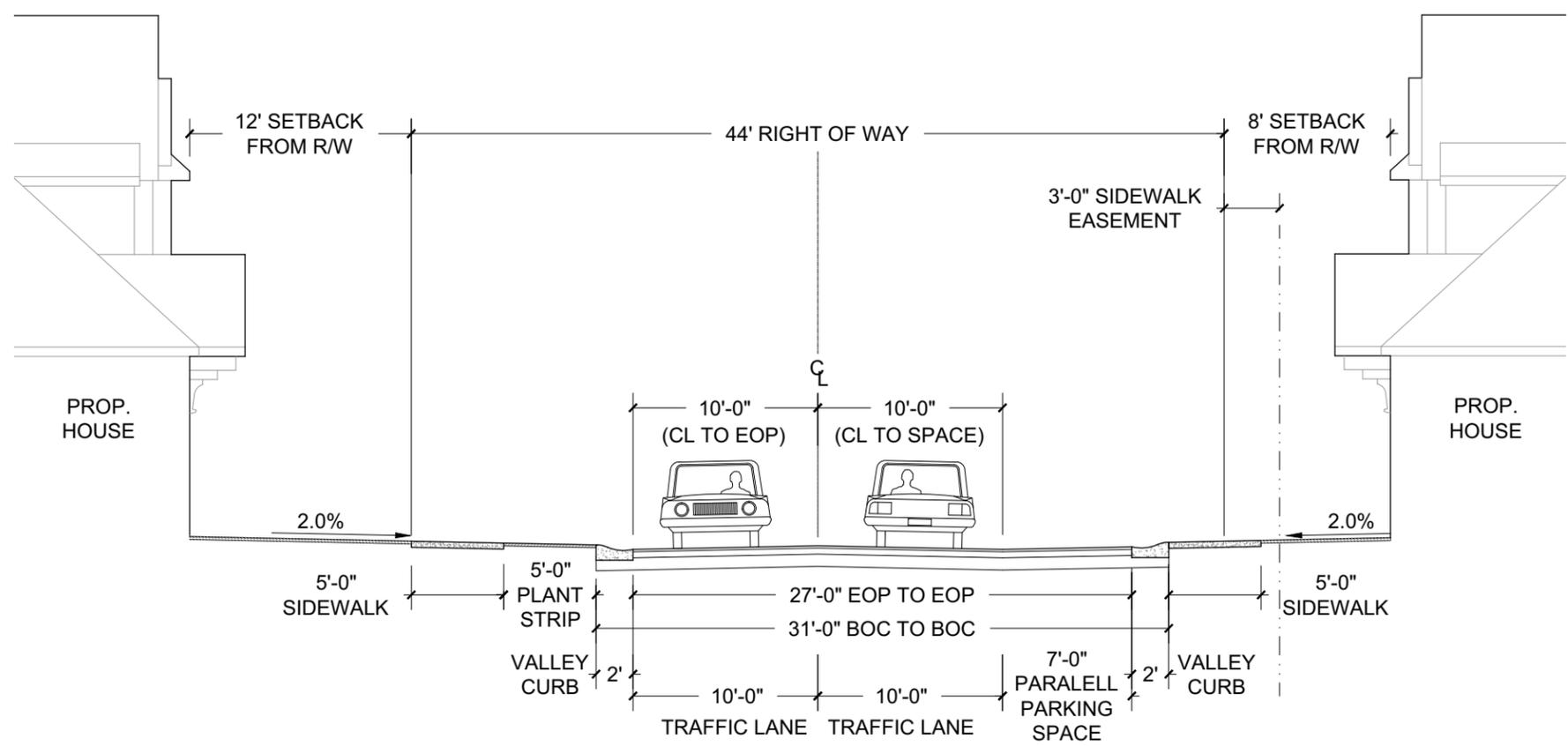
PRELIMINARY
NOT FOR
CONSTRUCTION

**EDEN HALL
 MULTI-FAMILY TOWNHOME DEVELOPMENT**
 LANDTEC DEVELOPMENT, INC.
 STREET CROSS-SECTIONS

DATE: FEBRUARY 26, 2014
 DESIGNED BY: MEK
 DRAWN BY: MEK
 CHECKED BY: MAM
 C.C. BY: MAM
 PROJECT #: 1013172
 SHEET #:
RZ-5.0



1 TYPICAL STREET CROSS-SECTION: 44' RIGHT OF WAY
 RZ-5.0 SECTION NTS



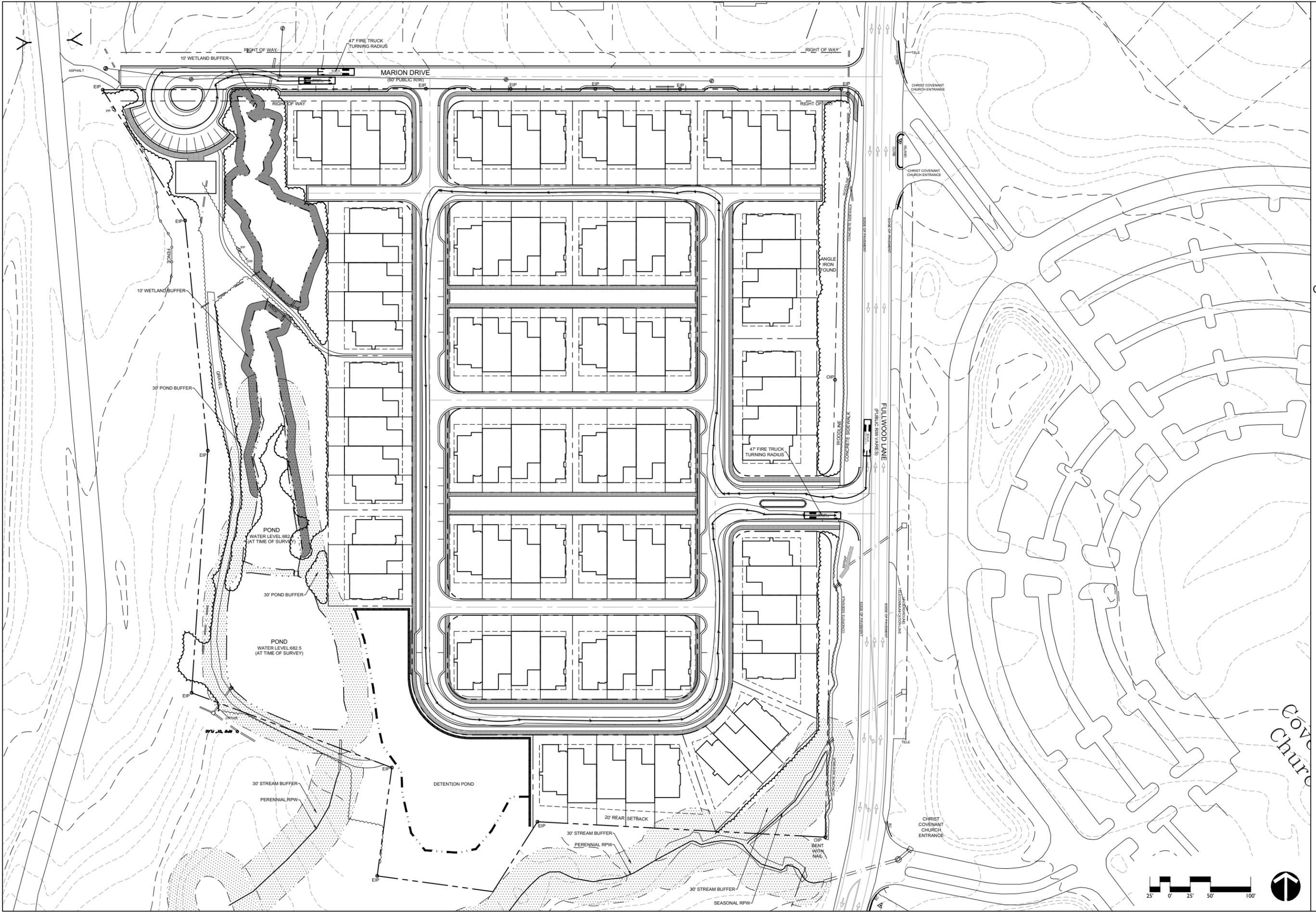
2 TYPICAL STREET CROSS-SECTION: 44' RIGHT OF WAY - PARALLEL PARKING ONE SIDE
 RZ-5.0 SECTION NTS

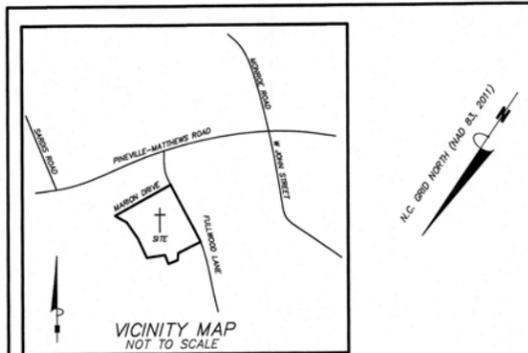


PRELIMINARY
NOT FOR
CONSTRUCTION

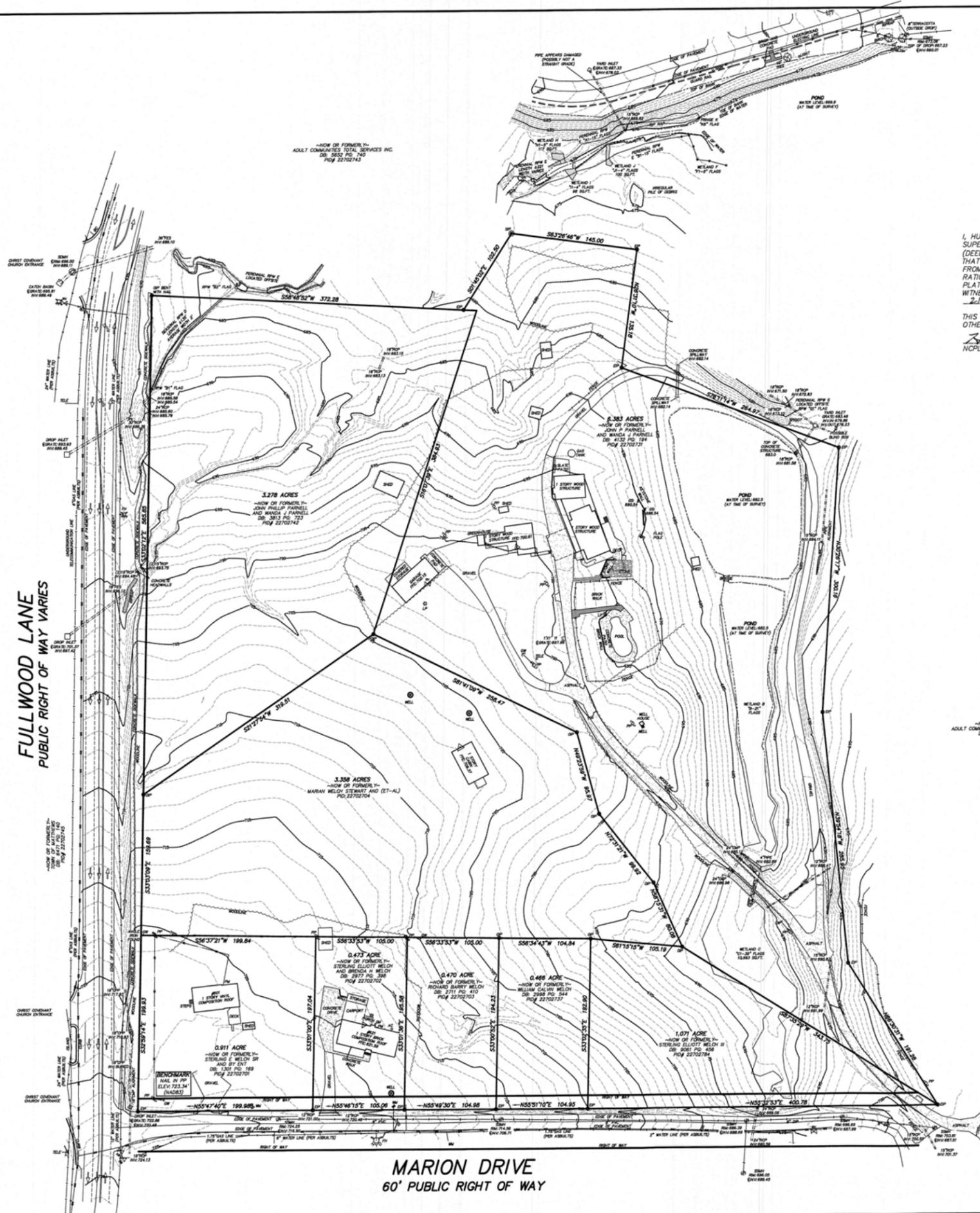
**EDEN HALL
MULTI-FAMILY TOWNHOME DEVELOPMENT**
LANDTEC DEVELOPMENT, INC.
AUTOTURN EXHIBIT

REVISIONS:
DATE: FEBRUARY 26, 2014
DESIGNED BY: MEK
DRAWN BY: MEK
CHECKED BY: MAM
QC BY: MAM
PROJECT #: 1013172
SHEET #:
RZ-6.0





- LEGEND:**
- EP = EXISTING IRON PIPE
 - OP = OLD IRON PIPE
 - SP = SET IRON PIN
 - PWR = POWER PAD
 - PM = POWER METER
 - GM = GAS METER
 - AC = AIR CONDITIONING
 - TELE = TELEPHONE PEDESTAL
 - CATV = CABLE TELEVISION
 - WM = WATER METER
 - R/W = RIGHT OF WAY
 - PP = POWER POLE
 - CO = SEWER CLEAN OUT
 - YI = YARD INLET
 - FES = FLARED END SECTION
 - CB = CATCH BASIN
 - SDC = STORM DRAINAGE EASEMENT
 - SSE = SANITARY SEWER EASEMENT
 - SDMH = STORM DRAIN MANHOLE
 - SSMH = SANITARY SEWER MANHOLE
 - BC = BACK OF CURB
 - OE = OVERHEAD ELECTRICITY
 - CP = COVERED PORCH
 - SI = SET IRON PIN
 - EX = EXISTING IRON PIPE
 - CP = CALCULATED POINT
 - GV = GAS VALVE
 - WV = WATER VALVE
 - MB = MAIL BOX
 - WM = WATER METER
 - FM = FIRE HYDRANT
 - SSMH = SANITARY SEWER MANHOLE
 - SDMH = STORM DRAIN MANHOLE
 - PP = POWER POLE
 - BC = BACK FLOW PREVENTOR
 - GW = GUY WIRE
 - CB = CATCH BASIN
 - DI = DROP INLET
 - FENCE
 - UNDERGROUND WATER
 - UNDERGROUND ELECTRIC
 - OVERHEAD ELECTRIC
 - SANITARY SEWER PIPE
 - UNDERGROUND GAS
 - UNDERGROUND TELECOMMUNICATIONS
 - STORM DRAIN PIPE



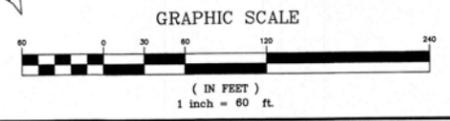
I, HUGH E. WHITE, JR., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK _____ PAGE _____, ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____ PAGE _____; THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS 21 DAY OF FEBRUARY 2014.

THIS IS TO CERTIFY THAT THIS SURVEY IS OF AN EXISTING BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURES.

Hugh E. White, Jr.
NCPLS # 2646

- NOTES:**
- IRON PINS SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
 - PROPERTY ZONED: R-12 & R-20 (SETBACKS ARE SUBJECT TO AN INTERPRETATION FROM THE ZONING BOARD)
 - TAX PARCEL NUMBERS ARE AS SHOWN.
 - DEED REFERENCES ARE AS SHOWN.
 - BOUNDARY SURVEY ONLY THROUGH POINTS AS SHOWN.
 - THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP (FIRM) NO. 3710458000A, WITH A DATE OF IDENTIFICATION OF 3/2/09.
 - THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RECORDED OR UNRECORDED EASEMENTS, RIGHTS-OF-WAY, OR RESTRICTIVE COVENANTS, OTHER THAN SHOWN. SURVEY MADE WITHOUT THE BENEFIT OF A TITLE EXAMINATION.
 - AREA COMPUTED BY COORDINATED METHOD.
 - NO NCGS MONUMENT FOUND WITHIN 2000'.
 - UTILITY LOCATIONS SHOWN ARE LOCATED BASED ON SITE CONDITIONS AND MARKINGS AT THE TIME OF SURVEY. CONTRACTORS ARE TO HAVE ALL UTILITIES ACCURATELY MARKED PRIOR TO CONSTRUCTION.
 - ANY CONSTRUCTION OR USE WITHIN ANY DELINEATED FLOOD AREA IS SUBJECT TO THE RESTRICTIONS IMPOSED BY THE FLOODWAY REGULATIONS.
 - THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY GPS CONTROL:
 - CLASS OF SURVEY: A-URBAN LAND SURVEY
 - POSITIONAL ACCURACY: 0.1'
 - TYPE OF GPS FIELD PROCEDURE: STATIC, ONLINE POSITION USER SERVICE
 - DATES OF SURVEY: 1/24/14
 - DATUM/EPOCH: NAD 83 (2011), EPOCH 2010
 - PUBLISHED/FIXED-CONTROL USE: CORS SITES OF 6318, 07471, 002636, 013639
 - GEIOD MODEL: GEOD124; NAVD88
 - COMBINED GRID FACTOR(S): 0.99957873
 - UNITS: US SURVEY FEET

UNDERGROUND UTILITIES MARKED BY:
LYONS UTILITY LOCATING LLC
1199 JANROSE CT. NW
CONCORD, NC 28027
(704) 492-4841
LYONS.LOCATE@CAROLINA.UTL.COM



REVISIONS:	SCALE: 1" = 60'
TOPO AROUND POND	2014 (CS/MARION) (GREENBRIAR)
METLAND UPDATE	2014 (M/MARION) (GREENBRIAR)
	DRAWN BY: THJW
	CHECKED BY: HW
	FIELD WORK: THJW, RLW
	FEBRUARY 4, 2014
DATE:	
2/17/14	
2/21/14	



CAROLINA SURVEYORS, INC.
P.O. BOX 267 PINEVILLE, N.C. 28134 - 0267
HUGH E. WHITE, JR., N.C. SCLRS # 889 - 7801
CERTIFICATE OF AUTHORIZATION NCIC-1242 SC1886

A BOUNDARY AND TOPOGRAPHICAL SHOWING ON
MARION DRIVE
(NEAR THE INTERSECTION OF FULLWOOD)
SURVEYED FOR: GRAHAM ENTERPRISES
TOTAL AREA: 16.410 ACRES
TOWN OF MATTHEWS, MECKLENBURG COUNTY, NORTH CAROLINA