2017-670
11/1/2017

Town of Matthews North Carolina

DATE FILED 11-1-17
APPLICATION NUMBER 2017-670
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:

☑ A change in zoning classification of the property hereinafter described; or

☐ A change in conditions to an existing conditional zoning plan.

Tax parcel number(s): 193-151-29, 193-151-18, 193-151-17, 193-151-16, 193-151-28, 193-151-22, 193-151-14, 193-151-04, 193-151-05

Address of property: see attached Sam Newell and Keziah Roads

Location of property:

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

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

Present zoning classification: R-15 Requested zoning classification: R-VS, SRN, and R-15 (CD)

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Signature Page Number	Parcel ID	Address	Date acquired	Name Recorded in	Deed Book	Deed Page
1	193-151-29	2908 Sam Newell Road	2/14/1997	Kenneth Michael Patton, Margo Anderson	8933	460
2	193-151-18	2920 Sam Newell Road	6/8/1987	Kenneth M Patton, Margo A Patton	5523	129
3	193-151-17	2924 Sam Newell Road	12/14/1977	Kenneth Michael Patton	4016	289
4	193-151-16	2932 Sam Newell Road	05/28/2009	Robert J Lowrie	24774	447
5	193-151-28	3006 Sam Newell Road	5/28/2009	Sherri R Lowrie	24774	451
6	193-151-22	Keziah Road	9/1/2010	Stone Gable LLC	25874	429
7	193-151-14	Keziah Road	9/30/1958	Barbara K Cagle	2031	001
8	193-151-04	3108 Sam Newell Road	3/5/2001	Kay B Haigler	11992	876
9	2193-151-05	3108 Sam Newell Road	3/5/2001	Kay B Haigler	11992	876

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

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Kenneth Michael Patton

Signature of property owner (must be original)

Margo Anderson Patton

Signature of property owner (must be original)

Print name of property owner
Kenneth Michael & Margo Anderson Patton

Property owner's mailing address
6303 Gail Drive,

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

Property owner's mailing address, continued

kpattn@aol.com

Property owner's phone number/email address

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)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

Petitioner's phone number/email address

1,2,3

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

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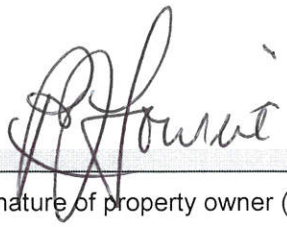

Signature of property owner (must be original)

Print name of property owner
Robert J Lowrie

Property owner's mailing address
2932 Sam Newell Road

Property owner's mailing address, continued
Matthews, NC 28105

Property owner's mailing address, continued

longarmmtn@gmail.com

Property owner's phone number/email address

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)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

Petitioner's phone number/email address

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

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Signature of property owner (must be original)

Print name of property owner
Sherri R. Lowrie

Property owner's mailing address
3006 Sam Newell Road P.O. Box 2148

Property owner's mailing address, continued
Matthews, NC 28105 Matthews NC 28106

Property owner's mailing address, continued

sherrilowrie@gmail.com

Property owner's phone number/email address

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)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

Petitioner's phone number/email address

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

Application number
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Linda H. Marks

Signature of property owner (must be original)

Linda H. Marks for Stone Gable LLC

Print name of property owner

Stone Gable LLC / Linda H. Marks

Property owner's mailing address

3520 Lakeview Road

Property owner's mailing address, continued

Mechanicsville, VA 23111

Property owner's mailing address, continued

804-746-3336

Property owner's phone number/email address

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)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

Petitioner's phone number/email address

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

Application number
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Barbara K. Cagle
Signature of property owner (must be original)

Barbara Cagle
Print name of property owner

7831 Idlewild Rd.
Property owner's mailing address

Charlotte, NC 28212
Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

Signature of agent (if any)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

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)

Adam Fiorenza
Print name of petitioner

301 Fieldbrook Pl.
Petitioner's mailing address

Charlotte, NC 28209
Petitioner's mailing address, continued

Petitioner's mailing address, continued

704-905-9908
Petitioner's phone number/email address

Adam@FiorenzaProperties.com

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

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Kay B. Haigler
Signature of property owner (must be original)

Kay B. Haigler
Print name of property owner
Kay B Haigler

Property owner's mailing address
3108 Sam Newell Road

Property owner's mailing address, continued
Matthews, NC 28105

Property owner's mailing address, continued

704-847-9321
Property owner's phone number/email address

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)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

Petitioner's phone number/email address

8+9

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19334173	PULTE HOME CORP,	11121 CARMEL COMMONS BV #450 CHARLOTTE NC 28226
19306204	CHARLOTTE MECKLENBURG, BOARD OF EDUCATION	PO BOX 30035 CHARLOTTE NC 28230
19313418	HAIGLER, SARAH B|HAIGLER, LEWIS C	3133 SAM NEWELL RD MATTHEWS NC 28105
19313421	MCKEOWN, JENNIFER N|MCKEOWN, PHILLIP M	2918 LAKEVIEW CIRCLE MATTHEWS NC 28105
19315104	HAIGLER, KAY B	3108 SAM NEWELL RD MATTHEWS NC 28105
19313405	HARTIS, TIMOTHY L|KIMBERLY P HARTIS (H/W),	2133 LAKEVIEW CR MATTHEWS NC 28105
19313406	BEEKER, MARK E|BEEKER, CATHERINE B	2201 LAKEVIEW CIR MATTHEWS NC 28105
19313408	ATWOOD, HELEN B|ATWOOD, NATHAN J	2217 LAKEVIEW CIR MATTHEWS NC 28105
Ê19315106	CUMMINGS, LAURA	2329 KEZIAH RD MATTHEWS NC 28105
Ê19315107	DELUX, CHRISTOPHER ROLAND	2401 KEZIAH RD MATTHEWS NC 28105
Ê19315108	AMMONS, JOSHUA M	2417 KEZIAH RD MATTHEWS NC 28105
Ê19315109	THOMPSON, CYRUS B	7901 LAWYERS RD CHARLOTTE NC 28227
Ê19315110	MABES, CLAUDE L	2433 KEZIAH RD MATTHEWS NC 28105
Ê19315111	HENRY, BRITTANIE N	2509 KEZIAH RD MATTHEWS NC 28105
Ê19315127	KISER, DONALD E|KISER, CYNTHIA A	2224 KEZIAH RD MATTHEWS NC 28105
Ê19315103	CAROLINA CONFERENCE ASSOC, OF SEVENTH DAY ADVEN INC	PO BOX 25848 CHARLOTTE NC 28212
Ê19316114	MECKLENBURG COUNTY,	600 E FOURTH ST CHARLOTTE NC 28202
Ê19316117	JONES, BRIAN SUMMERS|NATHANIEL TROSS MULLIS, TESTAMENTARY TRUST|C/O NEAT	4500 CAMERON VALLEY PKWY STE 270 CHARLOTTE NC 28211

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PARCEL_ID	OWNER_NAME	MAILING_ADDRESS
19313417	BLACK, MARY ALEXANDER	3001 SAM NEWELL RD MATTHEWS NC 28105
19313424	GRAHAM, MELVIN F|MYERS, WILLIAM C|HOUSTON, GEORGE P JR	2701 COLTSGATE RD, STE 300 C/O GRAHAM ENTERPRISES CHARLOTTE NC 28211
19313425	CHANEY, THURMAN J|JUANITA DEASON,	2008 SWAIM DR MATTHEWS NC 28105
19315112	HARRELSON, TIMOTHY KYLE	2549 KEZIAH RD MATTHEWS NC 28105
19315113	BOWEN, DOROTHY J|BOWEN, JAMES W	2508 KEZIAH RD MATTHEWS NC 28105
19315116	LOWRIE, ROBERT J	2932 SAM NEWELL RD MATTHEWS NC 28105
19315118	PATTON, KENNETH M|PATTON, MARGO A	6303 GAIL DR INDIAN TRAIL NC 28079
19315128	LOWRIE, SHERRI R	3006 SAM NEWELL RD MATTHEWS NC 28105
19315121	CARVAJAL, ORLANDO	2601 KEZIAH RD MATTHEWS NC 28105
19315119	PETHEL, GARY RICHARD	2900 SAM NEWELL RD CHARLOTTE NC 28105
19313422	SPRING PARK LAND LLC,	14535 DAVIS TRACE DR CHARLOTTE NC 28227
19315114	CAGLE, BARBARA K	7831 IDLEWILD RD CHARLOTTE NC 28212
19315115	KEVIN BIGLEY (H/W), |BIGLEY, DEBORAH	3050 SAM NEWELL RD MATTHEWS NC 28105
19315122	STONE GABLE LLC,	3520 LAKEVIEW RD MECHANICSVILLE VA 23111
19315126	KISER, TINY HAIGLER	3042 SAM NEWELL RD MATTHEWS NC 28105
19313427	STOGNER, DEAN H|STOGNER, AMY B	2833 SAM NEWELL RD MATTHEWS NC 28105
19334141	PARK, IN SOON|PARK, DONG H	2822 SAM NEWELL RD MATTHEWS NC 28105
19334142	RIGSBY, DANIELLE L|RIGSBY, ERIC C	1220 S KINGS DR CHARLOTTE NC 28207
19334159	DITTRICH, DOUGLAS J.|DITTRICH, FLORENCE K.	2626 KEZIAH RD MATTHEWS NC 28105
19334160	SEGOVIA, JULIO C|FERRARI, ANGELA M	2620 KEZIAH RD MATTHEWS NC 28105

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SUMMARY OF THE REZONING PROCESS

APPLICANT: 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 srobertson@matthewsnc.gov) for verification.

Application submitted to and received by Town Planning office November 1, 2017

Town Board of Commissioners formally accepts application and sets Public Hearing date November 13, 2017

Notices sent via mail to affected/adjacent property owners on or before December 23, 2017

Public hearing: applicant gives explanation of why s/he wishes to have property rezoned and neighboring owners may ask questions and voice opinions on the proposed zoning January 8, 2018

Town Planning Board reviews request, information, and comments from the public hearing, then makes a recommendation to the Board of Commissioners on whether to approve or deny the request January 23, 2018

Town Board of Commissioners approves or denies application February 12, 2018

Polaris 3G Map – Mecklenburg County, North Carolina

Parcels to be Rezoned

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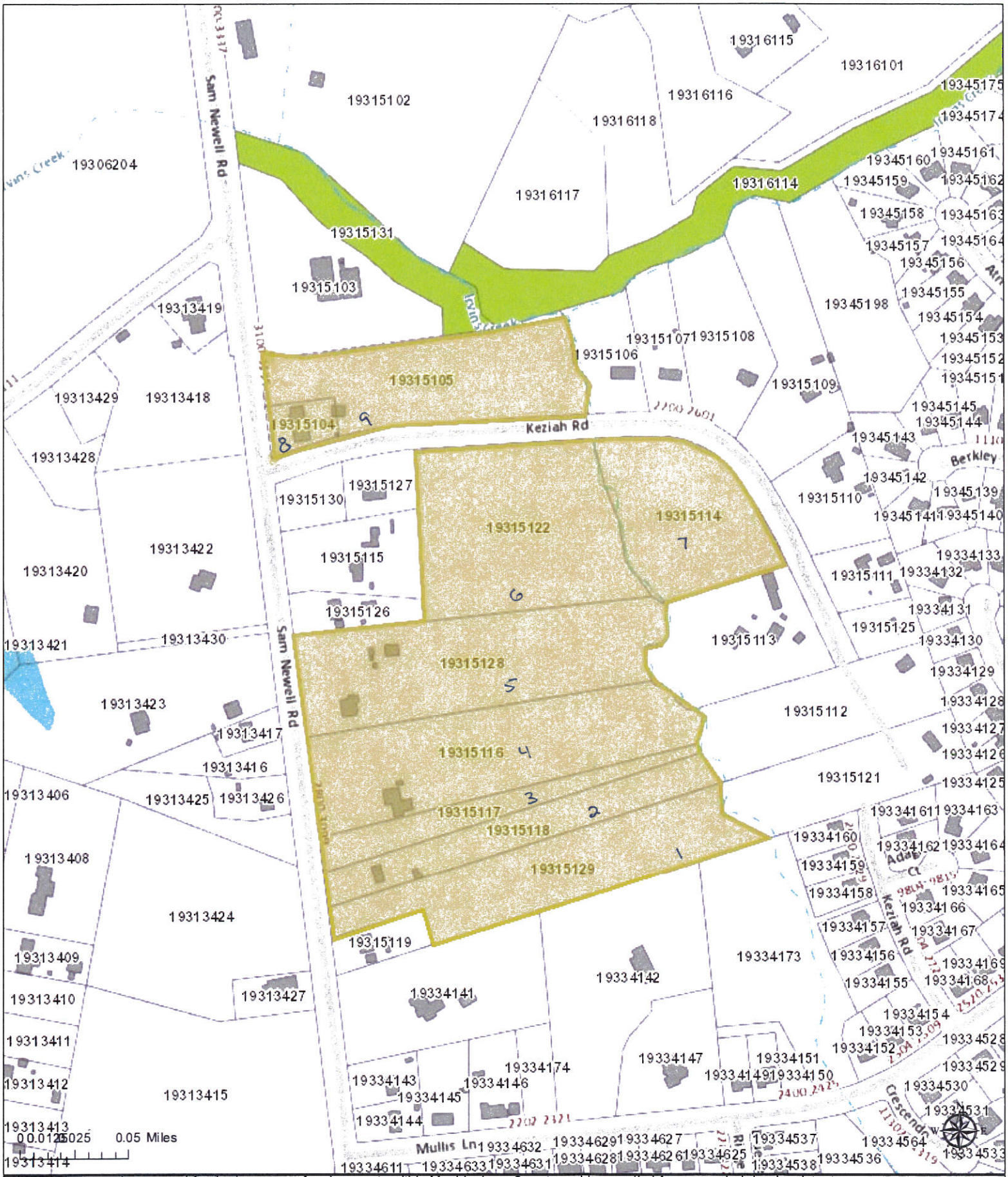
Date Printed: 10/31/2017 12:44:22 PM



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

2017-670
Rcvd 11-1-17

MERRICK & COMPANY

Merrick & Company
1001 Morehead Square Dr., Suite 530
Charlotte, NC 28203
Tel: +1 704-529-6500
Fax: +1 704-522-0882
www.merrick.com

November 1st, 2017

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

Re: Rezoning Application filed by Fiorenza Properties Requesting the Rezoning of an Approximately 26.73 +/- acre site located on the east side of Sam Newell Road and just north and south of Keziah Road from the R-15 zoning district to the R-VS, SRN and R-15 CD zoning districts.

Dear Kathi:

This letter is being submitted with the noted rezoning application pursuant to the requirements of Paragraph 12 of the Instructions for Filing an Application for a Change in a Zoning Classification as well as the requirements listed in the Town of of Matthews Unified Development Ordinance section 155.401.7F.1. As you are aware, these noted instructions require the applicant to submit documentation regarding the land use recommendations for the subject site as well the adopted land use plans and to how this rezoning proposal complies with such recommendations. This letter will also serve as a statement of intent outlining the purposes and objectives of the proposed development, as well as the particular standards to be modified. This letter is also being submitted to describe how this proposed residential community meets the intent of the R-VS and SRN zoning districts.

The subject site contains approximately 26.73 ac +/- acres and is located along the east side of Sam Newell Road and just north and south of Keziah Road. The site is currently zoned R-15 and the applicant is requesting that the site be rezoned to a combination of R-VS, SRN, and R-15CD zoning district's to accommodate the development of a compact, mixed product residential community on the site that would contain a maximum of 120 dwelling units. The proposed community would be a mix of product types, including small lot front load single family detached product, small lot single family detached alley loaded product, and both front and alley loaded single family attached product.

The parcels proposed for the R-15 CD zoning district are at the request of the planning staff, as these parcels will be donated to the Town of Matthews.

Additionally, the applicant requests an exemption from the Town of Matthews TIA requirement, per conversations with NCDOT. Documentation to this effect is included in this submittal.

Kathi Ingrish, Planning Director
November 1st, 2017

The Town of Matthews Land Use Plan 2012-2022 provides land use policy guidance for the site. Set out below is a description of the land use policies contained in the land Plan that relate to the site and how this proposed development furthers such policies.

- This proposed residential community would add to and enhance the range and variety of housing styles available in the Town of Matthews as encouraged by the Land Use Policy Statement #1. This proposed residential community would provide quality one-family detached and attached dwelling units on smaller lots. Smaller lots continue to increase in popularity, as residents seek to limit the amount of maintenance that is required for their lots.
- This proposal also encourages compact building design and urban style development with a mix of front loaded lots and rear loaded lots for both one-family detached and attached units as encouraged by the Land Use Policy Statement #4

- Additionally, this site will preserve additional open space on two parcels totaling +/- 4.25 acres north of Keziah Road for in perpetuity as both additional tree save and Undisturbed Open space. These two parcels will be dedicated to the Town of Matthews, thereby preserving important bottom land adjacent to Irwin Creek for the benefit and use of the residents of the Town of Matthews. This allocation also provides opportunity for a future greenway connection from our site to the proposed Irwin Creek Greenway that will connect to Idlewild Road Park. This is in keeping with Policy Statement #5.

- This site is located on the Sam Newell Road and therefore falls within the Sam Newell Road Transitioning and Sensitive Area as noted on page 69 of the Land Use Plan. Residential development is noted as appropriate for this area.

In the applicant's view, this proposed residential community meets the intent of the R-VS and SRN zoning districts as set out in Section 155.503.1.A. of the Ordinance in that the site plan exhibits a thoughtful use of the land and demonstrates reasonable and appropriate land use relationships, both within the development itself and with surrounding areas adjacent to the development. The single family detached homes are generally located along the existing roads, and the single family attached homes are mainly located within the core of the site. Additionally, the plan preserves the existing creek and required buffer areas that will provide pedestrian trail opportunities between the development areas. This site also sets aside additional sensitive land across Kiziah road as undisturbed open space adjacent to Irwin Creek.

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Kathi Ingrish, Planning Director
November 1st, 2017

To achieve this plan of mixed residential product, open spaces and pedestrian trails, we request the following changes to the dimensional standards as allowed in section 155.401.7 of the Ordinance.

- Minimum Townhome Lot Width: 18'
- Minimum Townhome Lot area: 1,620 sf
- Minimum centerline radius for a public street: 150'
- Minimum centerline radius for a private alley: 90'

The applicant and I look forward to working with you, Jay, and the Town on this rezoning request.

Should you have any questions or comments, please do not hesitate to call me or Adam.

Best Regards,

Jonathan Crowder, RLA
Merrick & Company

2017-670
11/1/2017

RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

RAMEY KEMP & ASSOCIATES, INC.
8307 University Executive Park Drive, Suite 260
Charlotte, NC 28262
Phone - 704-549-4260 Fax - 704-549-4277
www.rameykemp.com

October 31, 2017

Adam Fiorenza
Fiorenza Properties
301 Fieldbrook Place
Charlotte, NC 28209
P: 704-905-9908
E: adam@fiorenzaproperties.com

Reference: Sam Newell Road Development
Matthews, North Carolina

Subject: **Technical Traffic Memorandum**

Dear Mr. Fiorenza,

The contents of this letter present the findings of a technical memorandum that was completed for the proposed development located along the east side of Sam Newell Road, south of Keziah Road in Matthews, North Carolina. The purpose of this technical memorandum is to determine if a Traffic Impact Analysis (TIA) is required for the proposed development.

Site Location and Development Plan

The proposed development is to be located along the east side of Sam Newell Road, south of Keziah Road in Matthews, North Carolina. The site is currently undeveloped. One full access and one right-in / right-out driveway are proposed on Sam Newell Road. Three full access driveways are proposed on Keziah Road. The proposed site plan is attached.

Traffic Volumes

Trip generation for the development was completed utilizing the 9th Edition of the *ITE Trip Generation* manual. Trips were generated using ITE land use codes 210 and 230. Refer to Table 1 below for an illustration of the trip generation for the proposed Sam Newell Road development.

Table 1
Proposed Trip Generation

LAND USE	SIZE	DAILY TRIPS (VPD)	PEAK HOUR TRIPS (VPH)			
			AM		PM	
			ENTER	EXIT	ENTER	EXIT
Single Family Detached Home (210)	39 DU	372	7	22	25	14
Residential Townhouse (230)	67 DU	390	5	24	23	12
Total New Trips		788	12	46	48	26

(1) Based on *ITE Trip Generation* – 9th Edition

Traffic Impact Analysis Thresholds

The North Carolina Department of Transportation (NCDOT) and the Town of Matthews may require a Traffic Impact Analysis for a proposed development based on the number of trips generated by the site. The NCDOT threshold for a TIA study is 3,000 daily trips generated. The Town of Matthews threshold for a TIA study is 150 peak hour trips generated.

The proposed Sam Newell Road development does not meet the thresholds for a TIA based on NCDOT and the Town of Matthews thresholds. Because the trips generated by the proposed development do not meet the threshold levels, a TIA is not recommended to be completed by the developer.

Conclusions

Based on the findings of this technical memorandum, a TIA is not recommended for the proposed Sam Newell Road development. The trip generation for the development does not meet the NCDOT or Town of Matthews threshold levels for a required TIA.

Please feel free to contact me with any questions or comments regarding this letter.

Sincerely,
Ramey Kemp & Associates, Inc.

J. Andrew Eagle, PE, PTOE
Senior Transportation Engineer

Attachments
- Site Plan

NORTH CAROLINA PROFESSIONAL SEAL 036792 ENGINEER J. ANDREW EAGLE
10-31-2017