4 CORNERS PHASE 2 REZONING SUBMITTAL
#2018-680
SAM NEWELL ROAD
MATTHEWS, NORTH CAROLINA
MARCH 28, 2018
DEVELOPER: FIORENZA PROPERTIES, LLC
301 FIELD BROOK PLACE
CHARLOTTE, NC 28209

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DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS

A. These Development Standards form part of the Rezoning Plan associated with the Rezoning Application filed for Rezoning Properties identified in the Rezoning Plan and noted on the Development Standards Map. The Development Standards are in the applicable portions of the Town of Matthews Zoning Ordinance. The Development Standards establish the following Land Use ("Development"") subject to the regulations established under the Ordinance for the 40-foot R/W issuance district and govern the use and development of the Rezoning Site:

B. The development and use described on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of the site and improvements to the property as shown on the Site Plan. The Development Standards and the Development Map are noted C through F below, as well as on the Site Plan:

C. The minimum lot area required for a residential unit is to be 1800 square feet.

D. The minimum lot area required for a commercial unit is to be 2400 square feet.

2. PERMITTED USE DEVELOPMENT LIMITATIONS

A. The rezoning plan may be used to create a consistent community containing a maximum of 90 dwelling units and/or 90 residential lots or urban spaces that are permitted in the 40-foot R/W zoning district.

3. ARCHITECTURAL STANDARDS

A. The maximum height of any one-family detached dwelling unit constructed on the Rezoning Site shall be 32 feet.

B. The maximum number of stories permitted in the new single-family homes shall be one.

C. Applicant shall provide at least 6’ x 8’ of continuous, clear, unobstructed, unencumbered sidewalk on the north and south sides of the property and on the side of the property adjacent to the proposed street or the existing street if the proposed street is a continuation of the existing street. The sidewalk shall be paved with 12’ x 12’ concrete pavers or similar material and the curb is made of concrete.

D. The curb cuts on the sides of the proposed streets shall be 2’ wide and 8’ deep and shall be constructed of concrete or similar material.

4. TRANSPORTATION

A. Vehicles shall be as generally depicted on the Rezoning Plan with minor modifications required to accommodate local developments in front and design and any improvements required to improve the existing street network. The Development Standards shall be subject to changes in accordance with the Town of Matthews Zoning Ordinance.

B. Prior to the final certification of the final plat or recorded deed by the Town of Matthews Planning Department, the applicant shall provide a plan showing the proposed street and all public utility improvements as required by the Public Service Company and the Water and Sewer Authority.

C. Road Improvements

5.IEW (Vehicle) Improvements: Improvements will be completed per the requirements of the Town of Matthews Planning Department.

6. NON-CONFORMING CONDITIONS

A. The Non-Conforming Conditions for the Rezoning Site are subject to review and approval by the Town of Matthews Planning Department. All Non-Conforming Conditions are subject to change at the discretion of the Town of Matthews Planning Department.

7. TREE PRESERVATION AREA DECLARATION OF Covenants, CONDITIONS, AND RESTRICTIONS

A. The existing trees located within the property lines of the Rezoning Site, and all trees proposed to be planted within 25 feet of the property lines, shall be maintained in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

8. ARCHITECTURAL STANDARDS

A. The maximum height of any one-family detached dwelling unit constructed on the Rezoning Site shall be 32 feet.

B. The maximum number of stories permitted in the new single-family homes shall be one.

C. Applicant shall provide at least 6’ x 8’ of continuous, clear, unobstructed, unencumbered sidewalk on the north and south sides of the property and on the side of the property adjacent to the proposed street or the existing street if the proposed street is a continuation of the existing street. The sidewalk shall be paved with 12’ x 12’ concrete pavers or similar material and the curb is made of concrete.

D. The curb cuts on the sides of the proposed streets shall be 2’ wide and 8’ deep and shall be constructed of concrete or similar material.

E. Any improvements made to the existing street shall be constructed to the standards set forth by the Town of Matthews Planning Department.

F. Any improvements made to the property lines shall be constructed to the standards set forth by the Town of Matthews Planning Department.

9. PARKING

A. The Rezoning Site shall be designed to provide ample parking for the anticipated number of vehicles.

B. All parking areas shall be designed to comply with the requirements of the Town of Matthews Zoning Ordinance.

C. All parking areas shall be designed to comply with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

10. SITE IMPROVEMENTS

A. The site improvements shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All site improvements shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

11. SECURITY

A. The security measures shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All security measures shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

12. PUBLIC UTILITIES

A. The public utilities shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All public utilities shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

13. ACCESSORIES

A. The accessories shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All accessories shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

14. ADDITIONAL REMARKS

A. The additional remarks shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All additional remarks shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

15. SITE PLANS

A. The site plans shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All site plans shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

16. EXISTING CONDITIONS

A. The existing conditions shall be evaluated and any potential improvements shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All existing conditions shall be evaluated and any potential improvements shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

17. ADDITIONAL REMARKS

A. The additional remarks shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All additional remarks shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

18. GENERAL REMARKS

A. The general remarks shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All general remarks shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

19. SITE IMPROVEMENTS

A. The site improvements shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All site improvements shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

20. SECURITY

A. The security measures shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All security measures shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

21. PUBLIC UTILITIES

A. The public utilities shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All public utilities shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

22. ADDITIONAL REMARKS

A. The additional remarks shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All additional remarks shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

23. SITE PLANS

A. The site plans shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All site plans shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

24. EXISTING CONDITIONS

A. The existing conditions shall be evaluated and any potential improvements shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All existing conditions shall be evaluated and any potential improvements shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.

25. GENERAL REMARKS

A. The general remarks shall be designed and constructed in accordance with the requirements of the Town of Matthews Zoning Ordinance.

B. All general remarks shall be designed and constructed in accordance with the requirements of the Tree Preservation Area Declaration of Covenants, Conditions, and Restrictions.
DEVELOPMENT STANDARDS
Rezoning Petition 2018-680

1. GENERAL PROVISIONS

A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Application filed by Fiorenza Properties ("Applicant") for an approximately 12.03 acre site located on the west side of Sam Newell Road, and south of Lake View Circle. This site is depicted on the Rezoning Plan (hereinafter referred to as the "Rezoning Site"). The Rezoning Site is comprised of Tax Parcel No. 19313422, 19313429, 19313428, 19313420, 19313423, 19313430.

B. The development and use of the Rezoning Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the Town of Matthews Unified Development Ordinance (the "Ordinance"). Subject to the requested waivers/variances set out below in Section 3 below, the regulations established under the Ordinance for the R-VS zoning district shall govern the use and development of the Rezoning Site.

C. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of the uses and improvements on the Rezoning Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and, subject to the terms of these Development Standards and the Ordinance, are subject to minor alterations or modifications during the design development and construction document phases.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

A. The Rezoning Site may only be devoted to a residential community containing a maximum of 40 detached dwelling units and to any incidental or accessory uses relating thereto that are permitted in the R-VS zoning district.
3. **DIMENSIONAL STANDARDS**

A. Development of the Rezoning Site shall generally comply with the dimensional standards of the R-VS zoning district, as set out in the Ordinance and the dimensional standards set out in the Site Data table. Additional “Flexible Design Standards”, per section 155.401.7 of the Ordinance are noted C through F below, as well as on the Site Data Table.

B. The required setback is defined as the minimum distance required between a street line and the front building line of a principal building or structure, projected to the side lot lines of the lot. The minimum required setback shall be 20’.

C. The minimum centerline radius for a public street is to be 150’.

D. The minimum centerline radius for a private alley is to be 90’.

E. The minimum rear yard will be 20’ as depicted on the Rezoning Plan.

F. The minimum public street travel lane will be 11’ as depicted on the site plan and street cross sections.

G. The minimum side yard shall be as provided under the Ordinance.

H. The lot lines depicted on the Rezoning Plan are illustrative in nature and are subject to minor alterations or modifications during the design development and construction document phases.

I. All driveways will be a minimum of 20’ deep from the sidewalk.

J. Homes will not be constructed within the 35’x35’ site triangle.

4. **TRANSPORTATION**

A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Town of Matthews and/or the North Carolina Department of
B. Prior to the issuance of the first certificate of occupancy for a new one-family detached dwelling unit to be constructed on the Rezoning Site, Applicant shall dedicate to NCDOT (subject to a reservation for any necessary utility easements) those portions of the Rezoning Site immediately adjacent to Sam Newell Road as required to provide right of way measuring 50 feet from the existing centerline of Sam Newell Road, to the extent that such right of way does not already exist.

C. Road Improvements

Sam Newell Road improvements will be completed per rezoning case 2017-670 Four Comers.

No additional widening, beyond what is required for the above mentioned improvements, is required. Additionally, no curb and gutter is required along Sam Newell Road. A 5’ sidewalk will be constructed along Sam Newell Road as generally depicted on the Rezoning Plan.

Lakeview Circle will be improved along the site frontage to include 2’ curb and gutter, 5’ sidewalk and 8’ planting strip.

5. TREE PRESERVATION AREAS/DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

A. The existing trees located within those portions of the Rezoning Site that are designated as Tree Preservation Areas on the Rezoning Plan shall be preserved. Notwithstanding the foregoing, dead and diseased trees may be removed from these Tree Preservation Areas. Supplemental trees and shrubs may be planted in these tree preservation areas.

B. Notwithstanding the terms of paragraphs 5.A. above, trees may be removed from the Tree Preservation Areas to accommodate the installation and maintenance of the Greenway Trail and the Neighborhood Walking Trail (as these terms are defined below).

C. The residential community to be located on the Rezoning Site shall be subject to a Declaration of Covenants, Conditions and
Restrictions that will be recorded in the Mecklenburg County Registry (the “Covenants”). The Covenants shall, among other things, require the establishment of a mandatory homeowner’s association for the residential community.

D. The Tree Preservation Areas shall be designated as such on the plat(s) to be recorded for this residential community.

E. The area around the existing pond will be cleaned up and utilized for natural area enjoyment with seating areas and grilling area’s where possible.

F. The common open space area adjacent to lot #11 may be utilized as a community garden or similar community use.

G. The open spaces adjacent to Sam Newell entrance and the entrance off of Lakeview Circle will be heavily landscaped.

6. **ARCHITECTURAL STANDARDS**

A. The maximum height of any one-family detached dwelling unit constructed on the Rezoning Site shall be 35 feet.

B. The architectural elevations and style will be similar to 4 Corners Phase 1 development across Sam Newell Road. Schematic elevations are included on sheet RZ-5.

C. Applicant may subsequently propose additional conceptual, schematic images of the front elevations of the dwelling units to be constructed on the Rezoning Site, and such additional conceptual, schematic images must be approved by the Matthews Board of Commissioners prior to the issuance of a building permit for a dwelling unit that utilizes one of the additional conceptual, schematic images for the front elevation.

D. The primary exterior building materials for the one-family detached dwelling units to be constructed on the Rezoning Site will be a combination of portions of the following: brick veneer or similar masonry products, stone, manufactured stone, and cementitious siding.

E. Vinyl, EIFS or masonite may not be used as an exterior building material on the one-family detached dwelling units to be constructed on the Rezoning Site. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage
doors, soffits, trim and railings.

7. **SITE AMENITIES**
   A. A 30’ wide public access easement will be provided along each alley.

8. **SIGNS**
   A. All signs installed on the Rezoning Site shall comply with the requirements of the Ordinance.

9. **ENTRANCE MONUMENTS**
   A. Applicant shall install a monument on each side of the vehicular access into the Rezoning Site. The actual location of each Entrance Monument is subject to modifications during the design review.

10. **LIGHTING**
    A. Outdoor lighting fixtures installed on the Rezoning Site shall comply with the requirements of the Outdoor Illumination provisions of the Ordinance.

11. **BINDING EFFECT OF THE REZONING APPLICATION**
    A. If this Rezoning Application is approved, all conditions applicable to the development and/or use of the Rezoning Site imposed under this Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Applicant and the current and subsequent owners of the Rezoning Site and their respective successors in interest and assigns. Throughout these Development Standards, the terms, "Applicant" and "owner" or "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Applicant or the owner or owners of the Rezoning Site from time to time who may be involved in any future development thereof.