

855 Sam Newell Parking Requirements

Tenant	Sq Ft	Parking Ratio	Required	Opertion Hours
Vacant	792	1/300	3	TBD
Select Physical Therapy	2,143	1/250	9	M / W 10am-7pm T / Th / F 7a-4p
Sports Med *	1,950	1/300	7	Mon-Fri 8:30a-5p
Diversified Eyecare	1,547	1/200	8	M 9a-5p T 10a - 7p W 10a-4p Th Closed Fri 9a-5p Every other Sat 9a-
Murphy Chiropratic	2,138	1/200	11	M W F 8-12 M T Th 2-6
We're Dancin	5,060	1/150	34	M thru Th 4-9pm
Asthma Allergy Specialist	4,139	1/200	21	M-Th 8:30-5 F Closed
Church at Charlotte	10,723	1/150	67	TBD
Total RSF	28,492		160	

* Sports Med is the management office for multiple D-1 facilities, and is calculated as Office, as opposed to the Medical Office clasification of most of the other tenants.

855 Sam Newell Daily Parking Requirements

Tenant	Sunday			Monday			Tuesday			Wednesday			Thursday			Friday			Saturday		
	AM	PM	Eve																		
Select Physical Therapy	0	0	0	9	9	9	9	9	0	9	9	9	9	9	0	9	9	0	0	0	0
Sports Med	0	0	0	8	8	0	8	8	0	8	8	0	8	8	0	8	8	0	0	0	0
Diversified Eyecare	0	0	0	8	8	0	8	8	8	8	8	0	0	0	0	8	8	8	8	0	0
Murphy Chiropractic	0	0	0	11	11	0	0	11	0	11	0	0	0	11	0	11	0	0	0	0	0
We're Dancin *	0	0	0	0	34	34	0	34	34	0	34	34	0	34	34	0	0	0	34	34	0
Asthma Allergy Specialist	0	0	0	21	21	0	21	21	0	21	21	0	21	21	0	0	0	0	0	0	0
TOTALS	0	0	0	57	91	43	46	91	42	57	80	43	38	83	34	36	25	8	42	34	0
TOTAL PARKING	112																				
REMAINING PARKING	112	112	112	55	21	69	66	21	70	55	32	69	74	29	78	76	87	104	70	78	112

Key

AM 7am-12pm
PM 12pm-5pm
Eve 5pm-9pm

Notes

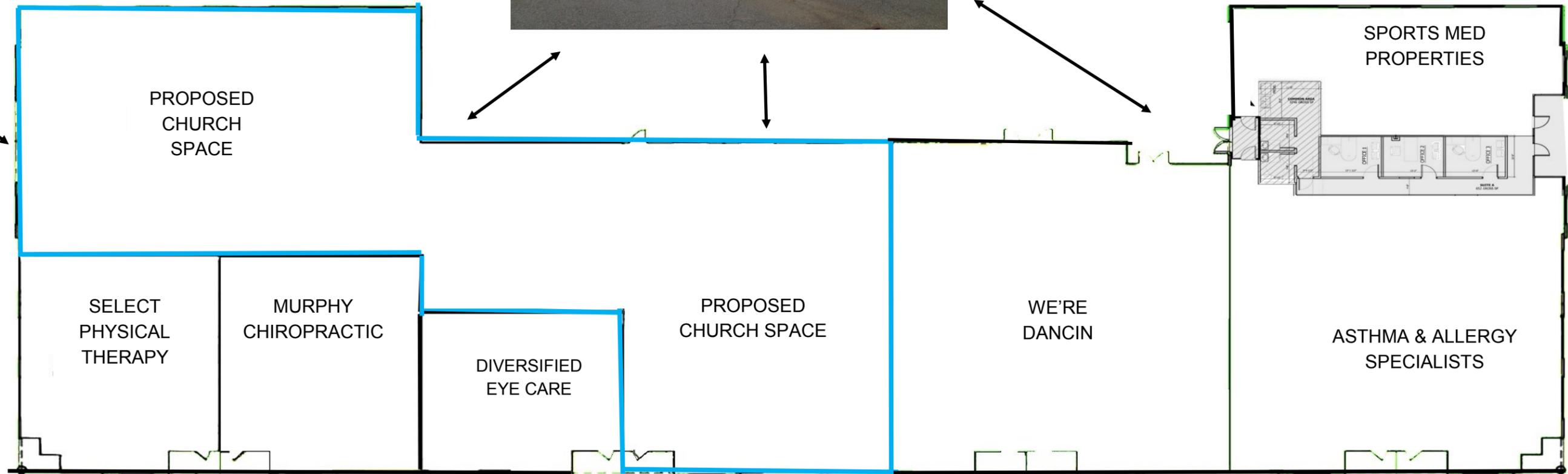
Church parking requirements are 67 spaces calculated as 1 per 150 SF of gross proposed area of 10,723 SF.

* We're Dancin schedules additional classes on weekends prior to annual spring recitals.

CREWS BUSINESS PARK

THURSDAY MORNING, JANUARY 22, 2015

2015-625
1-28-2015



THIS D-1 CONCEPTUAL WAS SUBMITTED AT THE TIME D-1 WAS APPROVED IN 2013. IT IS THE MOST CURRENT SITE PLAN AVAILABLE AND ACCURATELY REFLECTS THE BUILDING FOOTPRINT AND PARKING OF PARCEL 195-245-20.

BROWDER BENG., P.A.
CIVIL & STRUCTURAL ENGINEERING

10801 Monroe Rd., Ste. C
Matthews, N.C. 28105-8336
Ph/Facs. 704/708-9597
browdereng@windstream.net

Client: D1 Properties, LLC

Change of Conditions Petition

1205 Crews Rd., Matthews, NC

SEAL Dec. 28, 2012

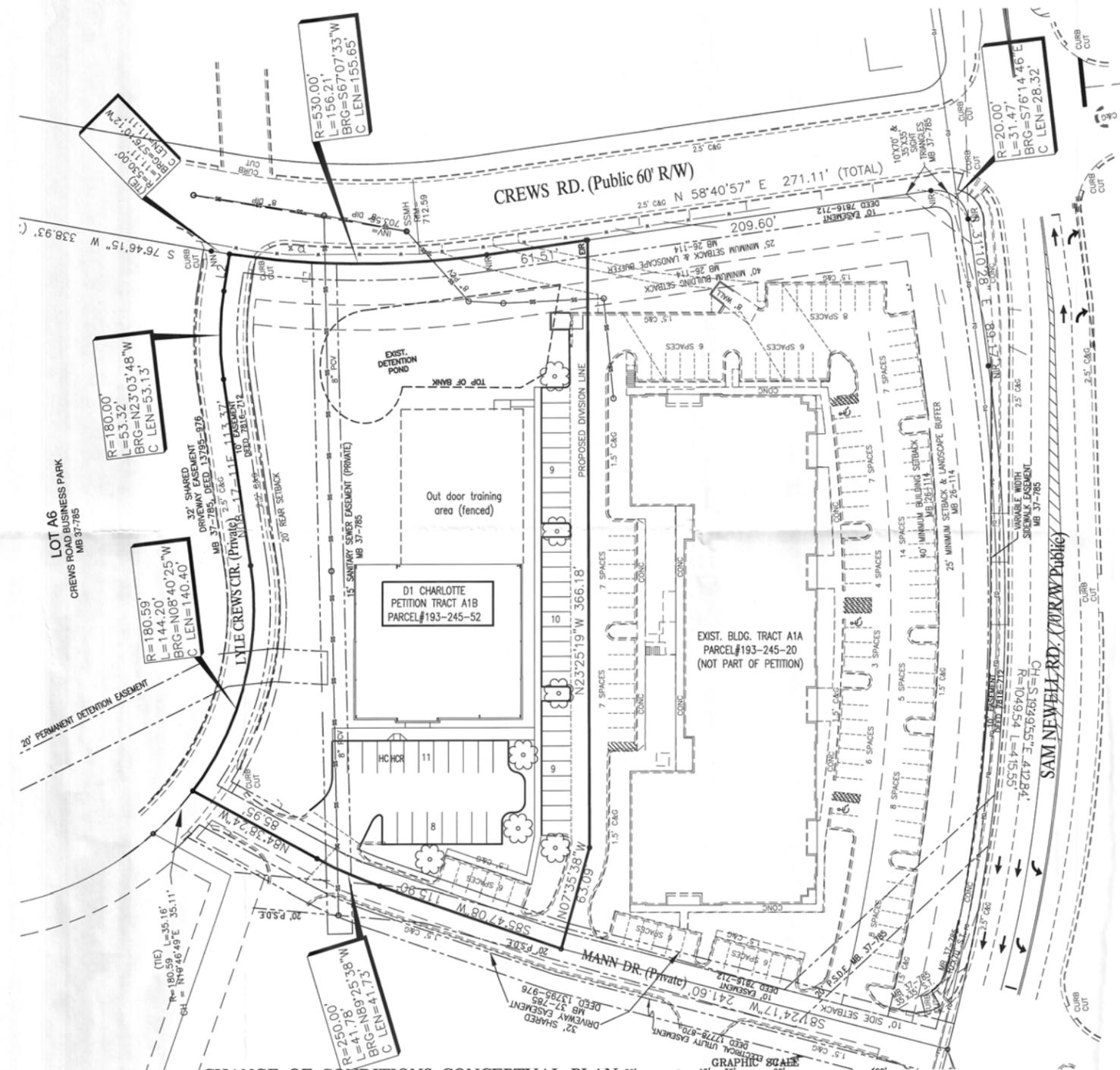
REVISIONS:

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

2015-625
1-28-15

SHEET DESCRIPTION:
Conceptual Change of Conditions
Plan

SHEET NO. **RZ1** OF **2**



CHANGE OF CONDITIONS CONCEPTUAL PLAN
MAX. 19,000sf (53 Parking w/ 9,580sf shown/ 11 allowed use (59))
Scale: 1"=30'
GRAPHIC SCALE
1 inch = 30 feet



LPA

Lat Purser
& Associates, Inc.

December 23, 2014

4530 Park Road
Suite 300
Charlotte
North Carolina
28209

Jay Camp, Senior Planner
Matthews Planning Department
232 Matthews Station Street
Matthews, North Carolina 28105

Via: Hand Delivery

Re: Request for Change in Zoning Conditions
Crews Business Park

Telephone:
704.519.4200
Facsimile:
704.525.8700

Dear Jay:

The enclosed Application for a Change in Conditions is being submitted as a result of specific interest by the Church at Charlotte, originally established in October 1973, at 2500 Carmel Road, Charlotte, where it has expanded and continues to operate today.

OFFICE
LOCATIONS:
Charlotte
Charleston
Jacksonville
Raleigh

Because a relatively large percentage of the Church membership is from Matthews, the church has opted to look for a satellite location in Matthews to better serve that geographical market.

The Church is interested in using space at Crews Business Park for this satellite location. Since the Landlord views this tenant as a desirable user for his property, he would very much like to be able to work with the Church to provide the space it needs.

COMMERCIAL
REAL ESTATE
SERVICES:

The current I-1(CD) zoning for this property does not allow for a church use. Accordingly, this Application requests that the church use be added to the permitted uses specifically for Tax Parcel 19324520. We hope the Town will view this request favorably and, to that end, are happy to provide any further information or answer any questions you may have.

Acquisition
Brokerage
Construction
Management
Consulting
Development
Leasing
Property Management
Tenant Representation

Sincerely,

LPA Crews, LLC



Lat W. Purser, III
Manager

LWP/mlm



DATE FILED <u>12.23.14</u>
APPLICATION NUMBER <u>2015-625</u>
<i>For office use only</i>

**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): 19324520

Address of property: 855 Sam Newell Road, Matthews, North Carolina 28105

Location of property: Southwest corner of intersection of Sam Newell Road and Crews Road, Town of Matthews, Mecklenburg County, North Carolina

Title to the property was acquired on September 21, 2011
and was recorded in the name of LPA Crews, LLC
whose mailing address is 4530 Park Road, Suite 300
Charlotte, North Carolina 28209

The deed is recorded in Book 26751 and Page 724 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: I-1(CD) Requested zoning classification: I-1(CD) Change of Conditions

Application number

For office use only

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

Owner requests that "church" be added to current I-1(CD) zoning as a permitted use.

Signature of property owner (must be original)

LPA Crews, LLC
By: Lat W. Purser, III, Manager

Print name of property owner
4530 Park Road, Suite 300

Property owner's mailing address
Charlotte, NC 28209

Property owner's mailing address, continued

Property owner's mailing address, continued
704-519-4220 Direct
lat.purser@latpurser.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)

Lat Purser & Associates, Inc.
By: Phil Chambers, Vice President

Print name of agent
4530 Park Road, Suite 300

Agent's mailing address
Charlotte, NC 28209

Agent's mailing address, continued

Agent's mailing address, continued
704-519-4273 Direct
phil.chambers@latpurser.com

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

Application number

For office use only

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."

SEE COMPLETE LIST ON NEXT PAGE

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

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OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

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TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

855 Sam Newell Road, Matthews, North Carolina
APPLICATION FOR CHANGE OF CONDITIONS

Adjoining Property Owners (100 feet)

Tax Parcel 19323111
Matthews Reserve II LLC
6860 North Dallas Parkway
Suite 200
Planto, TX 75024

Tax Parcel 19324520
LPA Crews, LLC
4530 Park Road, Suite 300
Charlotte, NC 28209

Tax Parcel 19324116
Williams Business Properties, LLC
624-101 Matthews-Mint Hill Road
Matthews, NC 28105

Tax Parcel 19329220
CRLP Crescent Lane LLC
12401 6584 Poplar Avenue
Memphis, TN 38138

Tax Parcel 19324528
Accelerant Research LLC
1242 Mann Drive, Suite 100
Matthews, NC 28105

Tax Parcel 19324529
Urban Architectural Group, PA
1242 Mann Drive, Suite 200
Matthews, NC 28105

Tax Parcel 19324530
Mark James Enterprises LLC
1254 Mann Drive
Matthews, NC 28105

Tax Parcel 19324531
Chris G. Copsis, George C. Copsis
Maria C. Housiadas
9530 Sardis Glen Drive
Matthews, NC 28105

Tax Parcel 19324532
Chris G. Copsis, George C. Copsis
Maria C. Housiadas
9530 Sardis Glen Drive
Matthews, NC 28105

Tax Parcel 19324534
Michael W. Lash
1104 Cindy Carr Drive
Matthews, NC 28105

Tax Parcel 19324535
Eugene A Zilber
Elena I Zilber
1226 Mann Dive # 200
Matthews, NC 28105

Tax Parcel 19324536
William N Devore, II
8802 Man of War Drive
Waxhaw, NC 28173

Tax Parcel 19324537
Robert G. Vincent
1212 Mann Drive # 200
Matthews, NC 28105

Tax Parcel 19324539
Baldwin Office Properties LLC
9009-10 JM Keynes Drive
Charlotte, NC 28262

Tax Parcel 19324540
Hazcolegary LLC
1238 Mann Drive # 100
Matthews, NC 28105

Tax Parcel 19324541
RBTIII LLC
4064 Ancestry Circle
Weddington, NC 28104

Tax Parcel 19324542
Mount Tabor Community
Development Corporation
2006 Dylan Drive
Mathews, NC 28106

Tax Parcel 19324543
Kiddmd, LLC
108 Mann Drive, Suite 100
Matthews, NC 28105

Tax Parcel 19324544
Dentec Lab, Inc.
1208 Mann Drive, Suite 200
Matthews, NC 28105-7591

Tax Parcel 19324545
Kinder Investments LLC
1250 Mann Drive, Suite 100
Matthews, NC 28105

Tax Parcel 19324546
B&G Investments LLC
1250 Mann Drive # 200
Matthews, NC 28105

Tax Parcel 19324547
Gary Cooper Properties LLC
1262 Mann Drive, Suite 100
Matthews, NC 28106

Tax Parcel 19324548
Stanley J. Carpenter
Susan K. Carpenter
1262 Mann Drive, Unit 200
Matthews, NC 28105

Tax Parcel 19324549
Earthen Skies LLC
7128 Old Providence
Charlotte, NC 28226

Tax Parcel 19324550
Trinity Real Estate Holdings LLC
1258 Mann Drive
Matthews, NC 28105

Tax Parcel 19324551
HLE Properties LLC
1258 Mann Drive, Suite 200
Matthews, NC 28105

Tax Parcel 19324552
DP Charlotte LLC
Attn: Randy Russell
7115 S. Springs Drive
Franklin, TN 36067

Application number

For office use only

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 December 31, 2014

Town Board of Commissioners formally accepts application and sets Public Hearing date January 12, 2015

Notices sent via mail to affected/adjacent property owners on or before January 26, 2015

Protest petition filed with Planning Department by 5:00 pm on February 4, 2015

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 February 9, 2015

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 February 24, 2015

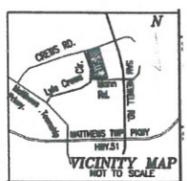
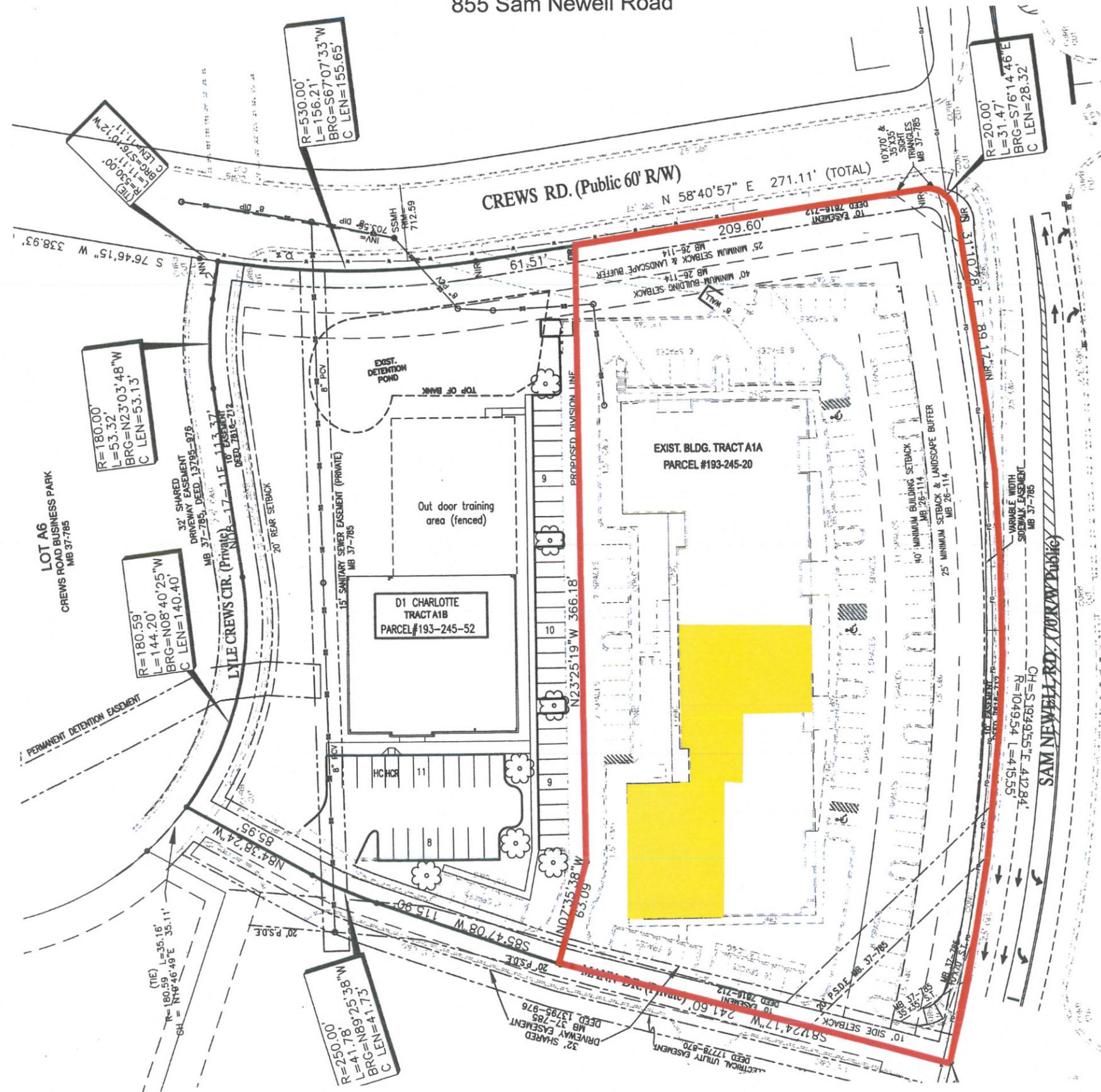
Town Board of Commissioners approves or denies application March 9, 2015

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 issued 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

CREWS BUSINESS PARK
855 Sam Newell Road

CURRENT 2015-625
1-22-2015





December 23, 2014

4530 Park Road
Suite 300
Charlotte
North Carolina
28209

Jay Camp, Senior Planner
Matthews Planning Department
232 Matthews Station Street
Matthews, North Carolina 28105

Via: Hand Delivery

Re: Request for Change in Zoning Conditions
Crews Business Park

Telephone:
704.519.4200

Facsimile:
704.525.8700

OFFICE
LOCATIONS:
Charlotte
Charleston
Jacksonville
Raleigh

COMMERCIAL
REAL ESTATE
SERVICES:
Acquisition
Brokerage
Construction
Management
Consulting
Development
Leasing
Property Management
Tenant Representation

Dear Jay:

The enclosed Application for a Change in Conditions is being submitted as a result of specific interest by the Church at Charlotte, a non-denominational church established in October 1973, with their original facility located at 2500 Carmel Road, in Charlotte.

Because a relatively large percentage of the Church membership is from Matthews, the church has opted to look for a satellite location in Matthews to better serve the Matthews market.

The request is for 4,000 square feet of existing space at Crews. Because the Church's hours of operation will not conflict with the work week hours of existing tenants in the building, the Landlord sees no problem with the potential for 100 spaces that the church might conceivably grow to require in future years. Since the Landlord views this tenant as a desirable user for his property, he would very much like to be able to work with the Church to provide the space it needs.

Our current I-1(CD) zoning does not allow for a church use. Accordingly, this Application requests that the church use be added to the permitted uses specifically for Tax Parcel 19324520. We hope the Town will view this request favorably and, to that end, are happy to provide any further information or answer any questions you may have.

Sincerely,
LPA Crews, LLC

Lat W. Purser, III
Manager

LWP/mlm



DATE FILED 12-23-14
APPLICATION NUMBER 2015-625
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): 19324520

Address of property: 855 Sam Newell Road, Matthews, North Carolina 28105

Location of property: Southwest corner of intersection of Sam Newell Road and Crews Road, Town of Matthews, Mecklenburg County, North Carolina

Title to the property was acquired on September 21, 2011
and was recorded in the name of LPA Crews, LLC
whose mailing address is 4530 Park Road, Suite 300
Charlotte, North Carolina 28209

The deed is recorded in Book 26751 and Page 724 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: I-1(CD) Requested zoning classification: I-1(CD) Change of Conditions

Application number
2015-625
For office use only

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

Owner requests that "church" be added to current I-1(CD) zoning as a permitted use.



Signature of property owner (must be original)

LPA Crews, LLC
By: Lat W. Purser, III, Manager

Print name of property owner
4530 Park Road, Suite 300

Property owner's mailing address
Charlotte, NC 28209

Property owner's mailing address, continued

Property owner's mailing address, continued
704-519-4220 Direct
lat.purser@latpurser.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)

Lat Purser & Associates, Inc.
By: Phil Chambers, Vice President

Print name of agent
4530 Park Road, Suite 300

Agent's mailing address
Charlotte, NC 28209

Agent's mailing address, continued

Agent's mailing address, continued
704-519-4273 Direct
phil.chambers@latpurser.com

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 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

2015-625

For office use only

SEE COMPLETE LIST ON NEXT PAGE

TAX PARCEL

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PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

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OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

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OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

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OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

855 Sam Newell Road, Matthews, North Carolina
APPLICATION FOR CHANGE OF CONDITIONS

Adjoining Property Owners (100 feet)

Tax Parcel 19324115
Town of Matthews
232 Matthews Station Street
Matthews, NC 28105

Tax Parcel 19324520
LPA Crews, LLC
4530 Park Road, Suite 300
Charlotte, NC 28209

Tax Parcel 19324116
Williams Business Properties, LLC
624-101 Matthews-Mint Hill Road
Matthews, NC 28105

Tax Parcel 19324521
Crawford White Investments LLC
5237 Lancelot Drive
Charlotte, NC 28270

Tax Parcel 19324528
Accelerant Research LLC
1242 Mann Drive, Suite 100
Matthews, NC 28105

Tax Parcel 19324529
Urban Architectural Group, PA
1242 Mann Drive, Suite 200
Matthews, NC 28105

Tax Parcel 19324530
Mark James Enterprises LLC
1254 Mann Drive
Matthews, NC 28105

Tax Parcel 19324531
Chris G. Copsis, George C. Copsis
Maria C. Housiadas
9530 Sardis Glen Drive
Matthews, NC 28105

Tax Parcel 19324532
Chris G. Copsis, George C. Copsis
Maria C. Housiadas
9530 Sardis Glen Drive
Matthews, NC 28105

Tax Parcel 19324534
Michael W. Lash
1104 Cindy Carr Drive
Matthews, NC 28105

Tax Parcel 19324535
Eugene A Zilber
Elena I Zilber
1226 Mann Dive # 200
Matthews, NC 28105

Tax Parcel 19324536
William N Devore, II
8802 Man of War Drive
Waxhaw, NC 28173

Tax Parcel 19324537
Robert G. Vincent
1212 Mann Drive # 200
Matthews, NC 28105

Tax Parcel 19324539
Baldwin Office Properties LLC
9009-10 JM Keynes Drive
Charlotte, NC 28262

Tax Parcel 19324540
Hazcolegary LLC
1238 Mann Drive # 100
Matthews, NC 28105

Tax Parcel 19324541
RBTIII LLC
4064 Ancestry Circle
Weddington, NC 28104

Tax Parcel 19324542
Mount Tabor Community
Development Corporation
2006 Dylan Drive
Mathews, NC 28106

Tax Parcel 19324543
Kiddmd, LLC
108 Mann Drive, Suite 100
Matthews, NC 28105

Tax Parcel 19324544
Dentec Lab, Inc.
1208 Mann Drive, Suite 200
Matthews, NC 28105-7591

Tax Parcel 19324545
Kinder Investments LLC
1250 Mann Drive, Suite 100
Matthews, NC 28105

Tax Parcel 19324546
B&G Investments LLC
1250 Mann Drive # 200
Matthews, NC 28105

Tax Parcel 19324547
Gary Cooper Properties LLC
1262 Mann Drive, Suite 100
Matthews, NC 28106

Tax Parcel 19324548
Stanley J. Carpenter
Susan K. Carpenter
1262 Mann Drive, Unit 200
Matthews, NC 28105

Tax Parcel 19324549
Earthen Skies LLC
7128 Old Providence
Charlotte, NC 28226

Tax Parcel 19324550
Trinity Real Estate Holdings LLC
1258 Mann Drive
Matthews, NC 28105

Tax Parcel 19324551
HLE Properties LLC
1258 Mann Drive, Suite 200
Matthews, NC 28105

Tax Parcel 19324552
DP Charlotte LLC
Attn: Randy Russell
7115 S. Springs Drive
Franklin, TN 36067

Application number
2015-625
For office use only

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 December 31, 2014

Town Board of Commissioners formally accepts application and sets Public Hearing date January 12, 2015

Notices sent via mail to affected/adjacent property owners on or before January 26, 2015

Protest petition filed with Planning Department by 5:00 pm on February 4, 2015

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 February 9, 2015

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 February 24, 2015

Town Board of Commissioners approves or denies application March 9, 2015

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 issued 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

**Allowed Uses - Portion of Crews Road Business Park
Zoning Petition #403**

153.062 Industrial Districts

(I-1 Uses listed here are those uses specifically allowed for the four buildings in Zoning Petition #403)

- (B) *Permitted uses.* The following uses are permitted by right.
- (1) Arboretum.
 - (2) Colleges and universities.
 - (5) Fraternal organizations.
 - (7) Parks and playgrounds, operated on a noncommercial basis for purposes of public recreation.
 - (12) Auction sales.
 - (13) Automobile and truck rentals.
 - (14) Automobile laundries.
 - (18) Banks.
 - (19) Beauty shops and barber shops.
 - (20) Blueprinting and photostating.
 - (22) Buildings for the display of sample merchandise.
 - (25) Civic organizations.
 - (26) Clinics, medical, dental, and doctor offices.
 - (27) Commercial schools and schools providing adult training in any of the arts, sciences, trades, and professions.
 - (28) Contractors' offices, excluding accessory storage.
 - (29) Exterminators.
 - (30) Fabric samples assembly.
 - (31) Feed, retail sales.
 - (32) Fences and fence material, retail sales.
 - (33) Fertilizer, packaged retail sales.
 - (34) Florist shops.
 - (35) Frozen food lockers.
 - (37) Government office buildings and public utility office buildings such as telephone exchanges and similar uses.
 - (38) Laboratories for research and testing of products.
 - (39) Laboratory, dental, medical and optical.
 - (40) Laundries and dry cleaning establishments not to exceed 4,500 square feet of gross floor area.
 - (42) Locksmiths and gunsmiths.
 - (43) Mail order houses.
 - (48) Nurseries and green houses, retail.
 - (49) Offices.
 - (50) Optician.
 - (51) Parking lots and parking structures, commercial.
 - (53) Post offices.

- (55) Printing and photo processing.
- (56) Repair and service of any article, the sale of which is permitted in the district, except as otherwise indicated in the list.
- (57) Restaurant - one only, up to 3,000 square feet total.
- (59) Retail sales, businesses and professional, financial, personal, and recreation services.
- (60) Sign manufacturing.
- (62) Social and social service organizations.
- (63) Studios for artists, photographers, designers, musicians, sculptors, and gymnasts.
- (64) Theaters, housed within an enclosed structure.
- (67) Trucks, retail and wholesale sales, and rental, including accessory service and repair but not including tractor and trailer units.
- (72) Assembly of previously prepared parts into a finished product, except as otherwise restricted on this list.
- (74) Blacksmith shops.
- (75) Book binding.
- (76) Bottling and canning works for soft drinks.
- (77) Building materials storage and wholesale and retail sales, including lumber, brick, tile, stone, concrete, cement, and similar materials within enclosed buildings, tanks, and similar structures.
- (78) Building materials storage yards and wholesale and retail sales, including lumber, brick, tile, stone, concrete, cement, and similar materials.
- (82) Commercial outdoor amusement, such as miniature golf, rides, slides, commercial beaches, and similar commercial enterprises, except as regulated elsewhere in this list. See § 153.188 regarding these uses in the I-2 District.
- (84) Crating services.
- (85) Dairy products processing, bottling, and distribution.
- (88) Engraving, excluding textile engraving.
- (89) Engraving, including textile engraving.
- (90) Food processing, excluding poultry and animal slaughtering and dress. (I-1 only).
- (93) Garment manufacturing, limited to cutting and assembly from previously manufactured textile material.
- (94) Greenhouses and nurseries involving retail and wholesale sales.
- (97) Ice manufacture, storage, and sales, involving greater than 150 square feet of gross floor area.
- (98) Laundries and dry cleaning plants.
- (99) Leather goods manufacture, excluding the tanning and curing of hides. (I-1 only).
- (102) Manufacture of:
 - (a) Boats.
 - (b) Candy and confectioneries.
 - (c) Caskets.
 - (d) Chalkboard.

- (e) Coffee, tea, and spices.
 - (f) Cosmetics and perfumes.
 - (g) Electrical, chemical, or mechanical equipment.
 - (h) Emery cloth and sandpaper.
 - (I) Excelsior and fiber.
 - (j) Felt.
 - (k) Furniture.
 - (l) Handicrafts, including carving, jewelry making, pottery making, weaving, and similar uses.
 - (m) Ink.
 - (n) Insulation materials, manufacture and sales.
 - (o) Jewelry and buttons.
 - (p) Oilcloth and linoleum.
 - (q) Paper products, cardboard, and building board, excluding pulp mill manufacturing facilities.
 - (r) Pharmaceutical products.
 - (s) Reed and rattan products.
 - (t) Sweeping compound.
 - (u) Windows and doors.
- (103) Metal products fabricating, processing, and manufacturing, and machine shops without blast furnaces or drop forges.
- (105) Packing sheds, fruit and vegetable.
- (106) Plastics products, fabrication or assembly from previously prepared plastics materials.
- (108) Plating work.
- (110) Repair of any goods, equipment, and vehicles, the manufacture, assembly, or sales of which are permitted in that district.
- (113) Tin and sheet metal shops
- (116) Trucks (tractor and trailer units), retail and wholesale sales and rental, including accessory service and repair.
- (118) Upholstering.
- (119) Warehousing.
- (120) Wholesales and storage.
- (121) Woodworking shops and cabinet making shops.
- (122) Public utility transmission and distribution lines.
- (123) Radio and television stations and/or offices.
- (125) Telephone booths.
- (126) Temporary buildings and storage of materials in conjunction with construction of a building on a lot where construction is taking place or on adjacent lots, those temporary uses to be terminated upon completion of construction.
- (128) Assembly of paper products, cardboard products, and building board.
- (129) Heliport, medically-related.
- (130) Mini-storage facility.

(C) *Uses under prescribed conditions.* The following uses are permitted subject to the conditions governing each use as specified in the appropriate sections.

(3) Community recreation centers. See § 153.186.

(12) Electric and telephone poles supporting hardwire systems and communications antennas or communications towers. See §153.172. (Ord. 912, passed 1-27-97)

(13) Telephone repeater stations and huts. See § 153.183.

(16) Temporary uses when such uses are allowed as permanent uses in the district, and short-term temporary uses of seven days or less duration which are of a civic or nonprofit nature, or a festival of local, national or historic significance. See § 153.191.

(17) Transit stop shelters. See § 153.184.

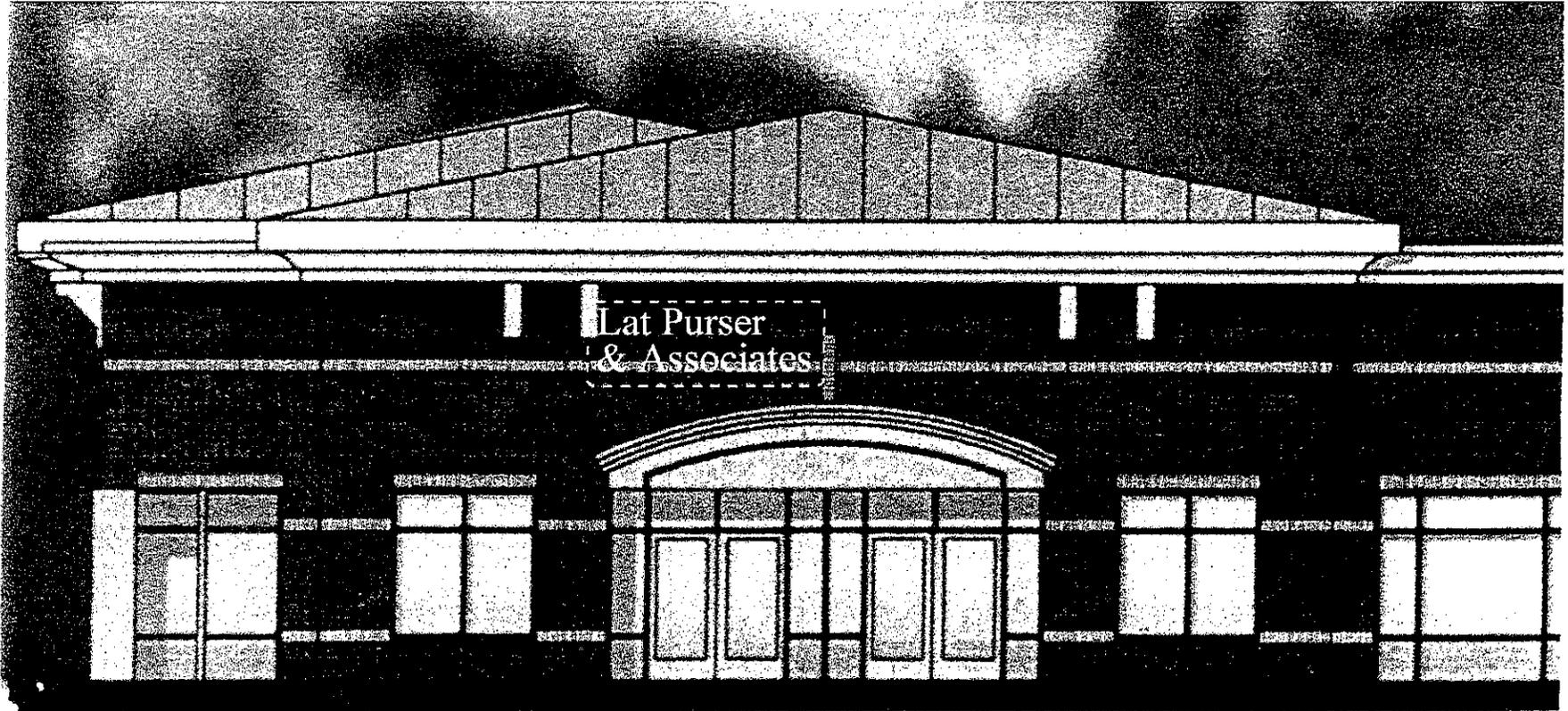
(D) *Accessory uses.* The following accessory uses are permitted.

(1) Accessory residential structures and uses, clearly incidental to the permitted principal use.

(3) Parking for uses permitted in the district.

(5) Vending machines for cigarettes, candy, soft drinks and similar items, and coin-operated laundries located within an enclosed building as an accessory to the uses in the principal building or buildings.

(6) Accessory uses, clearly incidental to the permitted principal use or structure on the lot.



1/8" = 1'-0"

*Standard tenant signs to be limited to a 4' x 11' area shown above (44 sq. Ft.)
Signs to be internally illuminated and mounted to a raceway painted to match the building.*



$1/8" = 1'-0"$

Standard tenant signs to be limited to a 4' x 11' area shown above (44 sq. Ft.)
Signs to be internally illuminated and mounted to a raceway painted to match the building.

**ZONING CONDITIONS FOR
BUILDING AND SITE
IN A PORTION OF CREWS ROAD BUSINESS PARK
ZONING PETITION #403**

Proposed Road Improvements to Sam Newell Road

The proposed road improvements on Sam Newell Road will commence during the construction of the first phase and be completed within eighteen months upon groundbreaking of Phase I.

The road improvements of Sam Newell are as follows:

Crews Road to Proposed Curb Cut (during Phase I)

- * Installation of curb, gutter, and sidewalk (at back edge of right-of-way). Where possible, some sidewalk will be contained within a sidewalk easement.
- * Standard DOT curb cut and driveway.
- * Striping of left turn lane into Matthews Village apartments.
- * A full through lane from the existing intersection of Crews Road and Sam Newell Road to allow for left turn lane into Matthews Village Apartments and continuation of through lane.
- * Continuation of through lane southbound tapering back to existing pavement, which allows for a left hand turn into site.

Curb Cut to End of Property (Phase II)

- * Additional through lane to current right turn lane at NC51
- Note: such through lane ends at existing drive serving David Hoyles' property.
- * Installation of curb, gutter, and sidewalk (at back edge of right-of-way). Where possible, some sidewalk will be contained within a sidewalk easement.

Building Signage

Petitioner agrees to limit building signage as follows:

- * Building signage for primary entrances for a business when the maximum frontage width is up to 40 feet will be limited to a maximum size of 36.75 square feet.
- * Building signage for primary entrances for a business when the maximum frontage width is equal to or greater than 40 feet will be limited to a maximum size of 44 square feet.
- * Building signage above primary entrances for a business will be individual letters, internally illuminated and mounted to a raceway. Such signage will allow for business logos to be utilized.
- * Building signage for a business on the rear of the building will be limited to a maximum total of two square feet.
- * The location of signage at primary entrances will be as indicated on the two renderings (attached).

Monument Signage

Petitioner agrees not to install monument signage on the site displaying individual businesses.

It is desired by Petitioner and current owner, AdBel, Inc., of the subject land to install, at some future date, a monument sign at the corner of Sam Newell Road and Crews Road that identifies the existing business park as "Crews Business Park". No other name identification would be placed on such sign. This sign shall be a maximum of six feet in height and 50 square feet in area.

Business Uses Deleted From Current Business Park List

This site shall allow uses as provided by earlier zoning conditions for the business park, and additional uses have been deleted for this portion of the business park. A list of uses (including by-right, under prescribed conditions, and accessory) to be utilized for this subject property is attached.

Business Use Modified By Size Limitation

One restaurant only is allowed, not to exceed 3,000 square feet.

Dumpster Locations

Dumpsters will be enclosed with a masonry type screen.

Documents Incorporating All Zoning Conditions for Petition #403

Along with these written conditions, the following items comprise the package of documents outlining the zoning conditions for the subject property:

- * Site Plan, Sheet C1.1, for Crews Flex Space, dated 12-2-01
- * Building Elevation Sketch, Sheet A-201, for Sam Newell Office Buildings - Phase I, dated 1-8-02
- * Color rendering of corner building (other buildings to be similar in architectural style)
- * 2 color drawings showing location of primary building signage
- * Permitted Uses List