



DATE FILED <u>12-29-15</u>
APPLICATION NUMBER <u>2016-642</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): 21506115

Address of property: approximately 14 acres (+/-) located at the intersection of CPCC Lane and I-485

Location of property:

Title to the property was acquired on September 20, 2013  
 and was recorded in the name of The Trustees of Central Piedmont Community College  
 whose mailing address is P. O. Box 35009, Charlotte, NC 28235

The deed is recorded in Book 28713 and Page 1 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: R-20 and R-1 Requested zoning classification: B-3 (CD)

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

Application number  
2016-642  
For office use only

See attached



Signature of property owner (must be original)  
**AVP FACILITIES & CONSTRUCTION**

CENTRAL PIEDMONT COMMUNITY COLLEGE

Print name of property owner  
P. O. Box 35009

Property owner's mailing address  
Charlotte, NC 28235

Property owner's mailing address, continued

Property owner's mailing address, continued

704-330-6224/ Vicki.Saville@cpcc.edu

Property owner's phone number/email address

Signature of property owner (must be original)

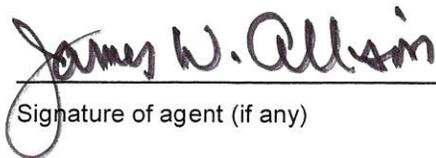
Print name of property owner

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)

JOHNSTON, ALLISON & HORD, P.A.

Print name of agent  
1065 East Morehead Street

Agent's mailing address  
Charlotte, NC 28204

Agent's mailing address, continued

Agent's mailing address, continued

704-998-2236 / jallison@jahlaw.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  
2016-642  
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215-232-01

TAX PARCEL  
The Trustees of Central Piedmont Community College  
PROPERTY OWNER NAME(S)  
P. O. Box 35009  
OWNER MAILING ADDRESS  
Charlotte, NC 28235  
OWNER MAILING ADDRESS, CONTINUED

215-061-06 and 215-231-01

TAX PARCEL  
Mecklenburg County  
PROPERTY OWNER NAME(S)  
600 E. 4th Street, Eleventh Floor  
OWNER MAILING ADDRESS  
Charlotte, NC 28202  
OWNER MAILING ADDRESS, CONTINUED

215-063-03

TAX PARCEL  
Town of Matthews  
PROPERTY OWNER NAME(S)  
232 Matthews Station Street  
OWNER MAILING ADDRESS  
Matthews, NC 28105  
OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL  
  
PROPERTY OWNER NAME(S)  
  
OWNER MAILING ADDRESS  
  
OWNER MAILING ADDRESS, CONTINUED

215-061-03

TAX PARCEL  
Annie Lee Pressley  
PROPERTY OWNER NAME(S)  
1303 Buckthorne Court  
OWNER MAILING ADDRESS  
Indian Trail, NC 28079  
OWNER MAILING ADDRESS, CONTINUED

215-061-04 and 215-061-05

TAX PARCEL  
Thomas G. and Elizabeth W. Caryl  
PROPERTY OWNER NAME(S)  
7715 Conifer Circle  
OWNER MAILING ADDRESS  
Indian Trail, NC 28079  
OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL  
  
PROPERTY OWNER NAME(S)  
  
OWNER MAILING ADDRESS  
  
OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL  
  
PROPERTY OWNER NAME(S)  
  
OWNER MAILING ADDRESS  
  
OWNER MAILING ADDRESS, CONTINUED

ATTACHMENT TO REZONING APPLICATION NO. 2016-642

List reason(s) why zoning should be changed.

CPCC desires to rezone the applicable parcel to a B-3(CD) zoning classification since the current zoning classification, unlike B-3 does not allow for parking as a primary use. If rezoned to B-3(CD), CPCC intends to use the parcel for surface parking in connection with CPCC's adjacent Levine Campus. CPCC plans to construct a new 90,000 square foot building on its existing Levine Campus (Tax Parcel 215-232-01) to include facilities, classrooms and offices. CPCC proposes to develop the 14 acres for the construction of a 333 space parking lot to accommodate the need for additional parking. The Levine Campus currently has a shortage of parking. The remaining portion of the parcel will be used for future expansion of the Levine Campus.

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**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 blynd@matthewsnc.gov) for verification.

Application submitted to and accepted by the Town of Matthews December 29, 2015

Town Board of Commissioners formally accepts application and sets Public Hearing date January 11, 2016

Notices sent via mail to affected/adjacent property owners on or before February 29, 2016

Protest petition filed with Planning Department by 5:00 pm on \_\_\_\_\_

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 March 14, 2016

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 March 22, 2016

Town Board of Commissioners approves or denies application April 11, 2016

**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.

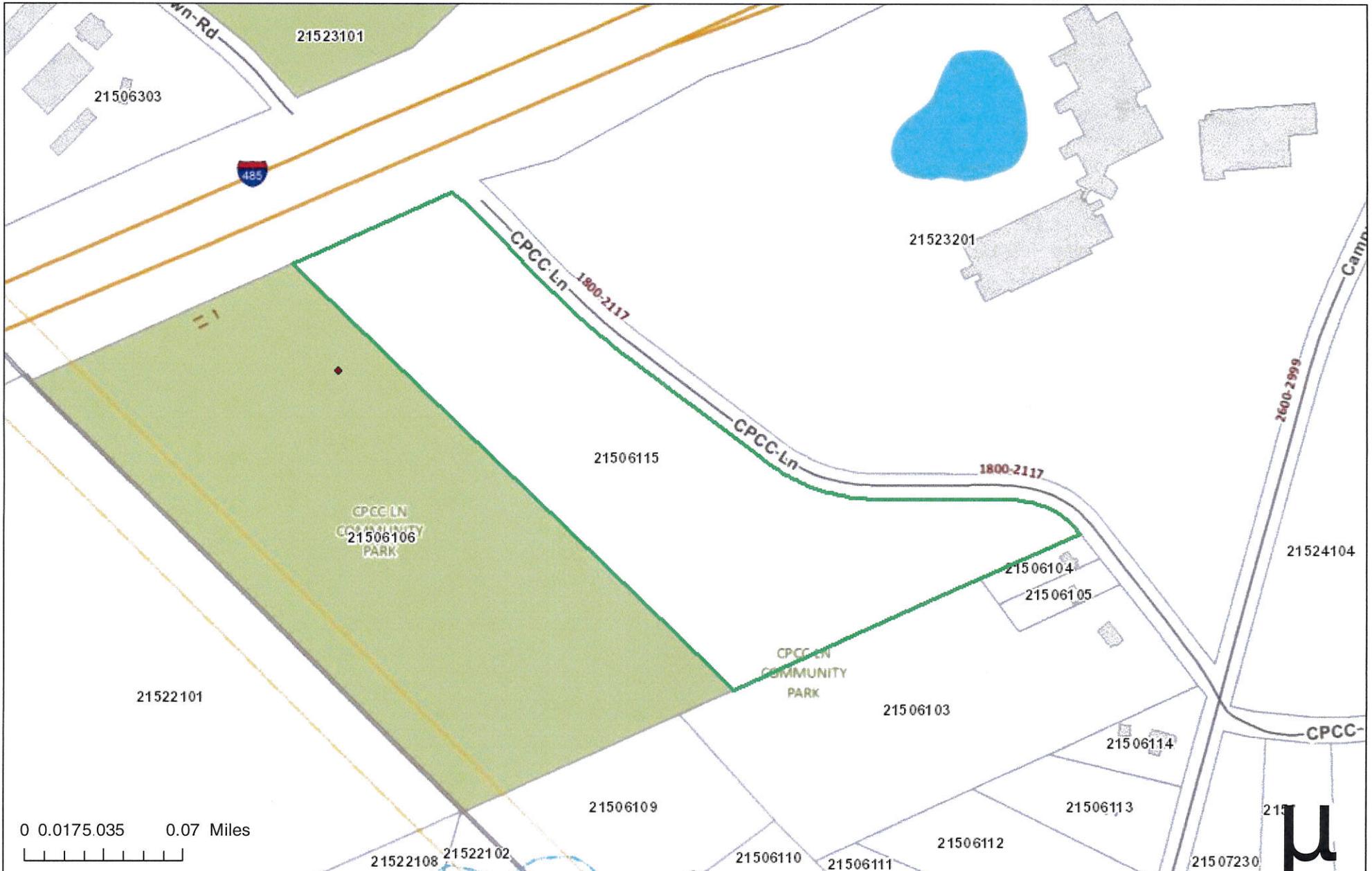
(b) Amendments in zoning ordinances shall not be applicable or enforceable without consent of the owner with regard to buildings and uses for which either (i) building permits have been issued pursuant to GS 160A-417 prior to the enactment of the ordinance making the change or changes so long as the 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

# Polaris 3G Map – Mecklenburg County, North Carolina

## CPCC LEVINE CAMPUS

2016-642  
12-29-2015

Date Printed: 12/3/2015 3:09:43 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.

2016-642 12/29/15

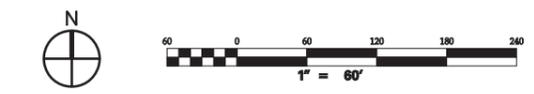
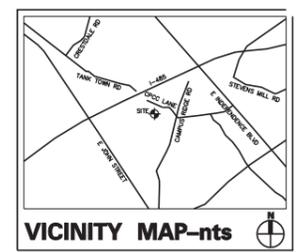
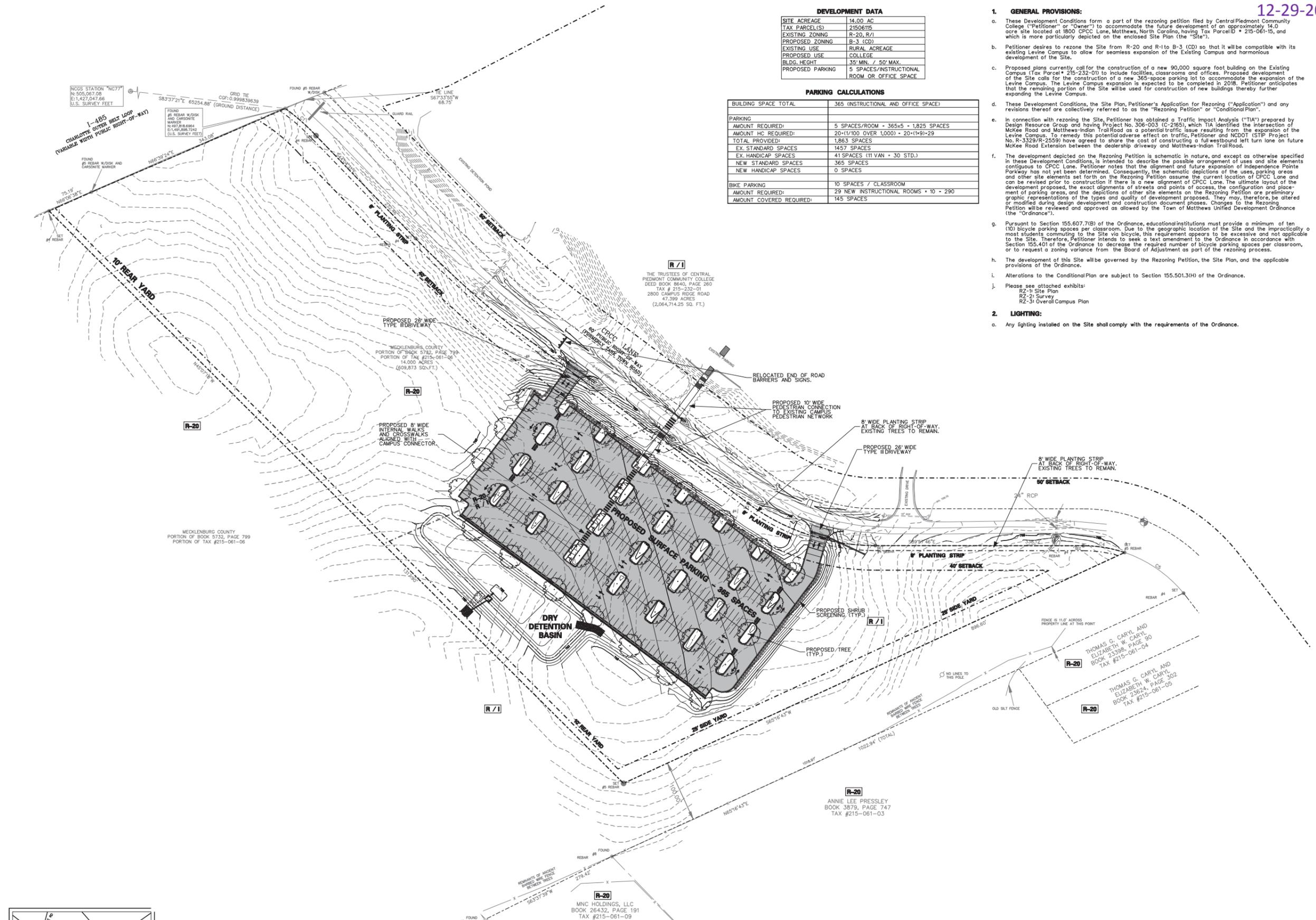
**DEVELOPMENT DATA**

SITE ACREAGE	14.00 AC
TAX PARCEL(S)	21506115
EXISTING ZONING	R-20, R/I
PROPOSED ZONING	B-3 (CD)
EXISTING USE	RURAL ACREAGE
PROPOSED USE	COLLEGE
BLDG. HEIGHT	35' MIN. / 50' MAX.
PROPOSED PARKING	5 SPACES/INSTRUCTIONAL ROOM OR OFFICE SPACE

**PARKING CALCULATIONS**

BUILDING SPACE TOTAL	365 (INSTRUCTIONAL AND OFFICE SPACE)
PARKING	
AMOUNT REQUIRED:	5 SPACES/ROOM = 365x5 = 1,825 SPACES
AMOUNT HC REQUIRED:	20+(1/100 OVER 1,000) = 20+(1x9)=29
TOTAL PROVIDED:	1,863 SPACES
EX. STANDARD SPACES	1457 SPACES
EX. HANDICAP SPACES	41 SPACES (11 VAN + 30 STD.)
NEW STANDARD SPACES	365 SPACES
NEW HANDICAP SPACES	0 SPACES
BIKE PARKING	10 SPACES / CLASSROOM
AMOUNT REQUIRED:	29 NEW INSTRUCTIONAL ROOMS • 10 = 290
AMOUNT COVERED REQUIRED:	145 SPACES

- 1. GENERAL PROVISIONS:**
- These Development Conditions form a part of the rezoning petition filed by Central Piedmont Community College ("Petitioner" or "Owner") to accommodate the future development of an approximately 14.0 acre site located at 1800 CPCC Lane, Matthews, North Carolina, having Tax Parcel ID # 215-061-15, and which is more particularly depicted on the enclosed Site Plan (the "Site").
  - Petitioner desires to rezone the Site from R-20 and R-I to B-3 (CD) so that it will be compatible with its existing Levine Campus to allow for seamless expansion of the Existing Campus and harmonious development of the Site.
  - Proposed plans currently call for the construction of a new 90,000 square foot building on the Existing Campus (Tax Parcel # 215-232-01) to include facilities, classrooms and offices. Proposed development of the Site calls for the construction of a new 365-space parking lot to accommodate the expansion of the Levine Campus. The Levine Campus expansion is expected to be completed in 2018. Petitioner anticipates that the remaining portion of the Site will be used for construction of new buildings thereby further expanding the Levine Campus.
  - These Development Conditions, the Site Plan, Petitioner's Application for Rezoning ("Application") and any revisions thereof are collectively referred to as the "Rezoning Petition" or "Conditional Plan".
  - In connection with rezoning the Site, Petitioner has obtained a Traffic Impact Analysis ("TIA") prepared by Design Resource Group and having Project No. 306-003 (C-2165), which TIA identified the intersection of McKee Road and Matthews-Indian Trail Road as a potential traffic issue resulting from the expansion of the Levine Campus. To remedy this potential adverse effect on traffic, Petitioner and MCDOT (STIP Project No. R-3329/R-2559) have agreed to share the cost of constructing a full westbound left turn lane on future McKee Road Extension between the dealership driveway and Matthews-Indian Trail Road.
  - The development depicted on the Rezoning Petition is schematic in nature, and except as otherwise specified in these Development Conditions, is intended to describe the possible arrangement of uses and site elements contiguous to CPCC Lane. Petitioner notes that the alignment and future expansion of Independence Pointe Parkway has not yet been determined. Consequently, the schematic depictions of the uses, parking areas and other site elements set forth on the Rezoning Petition assume the current location of CPCC Lane and can be revised prior to construction if there is a new alignment of CPCC Lane. The ultimate layout of the development proposed, the exact alignments of streets and points of access, the configuration and placement of parking areas, and the depictions of other site elements on the Rezoning Petition are preliminary graphic representations of the types and quality of development proposed. They may, therefore, be altered or modified during design development and construction document phases. Changes to the Rezoning Petition will be reviewed and approved as allowed by the Town of Matthews Unified Development Ordinance (the "Ordinance").
  - Pursuant to Section 155.607.7(B) of the Ordinance, educational institutions must provide a minimum of ten (10) bicycle parking spaces per classroom. Due to the geographic location of the Site and the impracticality of a most students commuting to the Site via bicycle, this requirement appears to be excessive and not applicable to the Site. Therefore, Petitioner intends to seek a text amendment to the Ordinance in accordance with Section 155.401 of the Ordinance to decrease the required number of bicycle parking spaces per classroom, or to request a zoning variance from the Board of Adjustment as part of the rezoning process.
  - The development of this Site will be governed by the Rezoning Petition, the Site Plan, and the applicable provisions of the Ordinance.
  - Alterations to the Conditional Plan are subject to Section 155.501.3(H) of the Ordinance.
  - Please see attached exhibits:  
 RZ-1 Site Plan  
 RZ-2 Survey  
 RZ-3 Overall Campus Plan
- 2. LIGHTING:**
- Any lighting installed on the Site shall comply with the requirements of the Ordinance.



Project Team:  
 Professional Seal:  
**EXHIBIT FOR**  
**REZONING PURPOSES**  
**NOT FOR**  
**CONSTRUCTION**  
 Submittal Date:  
 December 17, 2015  
 Revision Dates:

Owner/Developer:  
  
**CPCC Levine**  
**Campus**  
 Matthews, NC

Project Title:  
**Rezoning Petition**  
**2015-XXX For**  
**Public Hearing**

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**SCHEMATIC SITE**  
**PLAN**

**RZ-1**

Sheet 1 of 2



**BULLA SMITH  
DESIGN ENGINEERING**

NC Certificate of Licensure C-1863  
1347 Harding Place Suite 201  
Charlotte, NC 28204  
704.333.3122 704.333.8252  
Civil Engineer

Project Team:

Professional Seal:  
**EXHIBIT FOR  
REZONING PURPOSES  
NOT FOR  
CONSTRUCTION**

Submission Date:  
December 17, 2015

Revision Dates:

Owner/Developer:  
  
**CPCC Levine  
Campus**  
Mathews, NC

Project Title:  
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SURVEY

**RZ-2**

**SITE INFORMATION**

SITE ADDRESS	1800 CPCC LANE MATTHEWS, NC 28105
PROPERTY OWNER(S)	TRUSTEES OF CENTRAL PIEDMONT COMMUNITY COLLEGE
TAX PARCEL(S)	21506115
EXISTING ZONING	R-20, R/I
EXISTING USE	RURAL ACREAGE
TOTAL PROJECT SITE (AC)	14.00

**THE SURVEY  
COMPANY, INC.**  
4105-B STUART ANDREW BLVD  
CHARLOTTE, NC 28217 FAX  
(704) 561-9970 (704) 561-9972 FAX  
WWW.SURVEYCO.COM  
REGISTRATION NUMBER C-1716

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TOPOGRAPHIC SURVEY OF:  
**1800 CPCC LANE**  
TAX #215-061-06  
TOWN OF MATTHEWS  
MECKLENBURG COUNTY - NORTH CAROLINA

**PROPERTY OWNER:**  
MECKLENBURG COUNTY  
600 EAST 4TH STREET  
CHARLOTTE, NC 28202

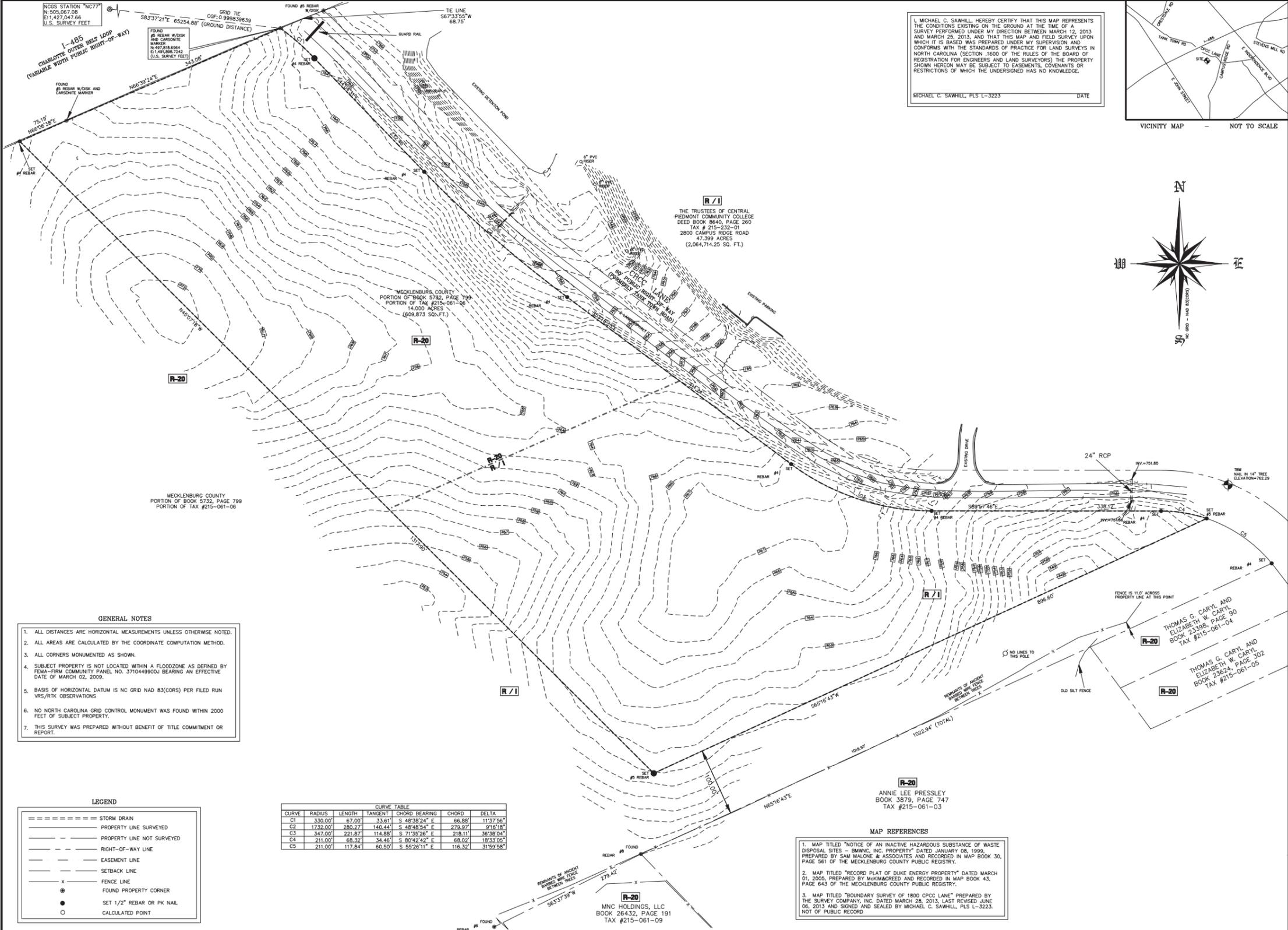
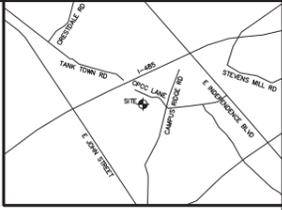
**PREPARED FOR:**  
CPCC DESIGN AND  
CONSTRUCTION DIVISION  
1308 E SEVENTH STREET  
CHARLOTTE, NC 28205  
PHONE: 704.330.8166  
CONTACT: BON REAGAN

**PROJECT NUMBER:** CPC 37  
**SURVEYED BY:** RRD/CSS  
**DRAWN BY:** TRB  
**CHECKED BY:** MCS  
**ISSUE DATE:** 01/17/2014  
**REVISIONS:**

CAD FILE: CPC37 TOPO.DWG

I, MICHAEL C. SAWHILL, HEREBY CERTIFY THAT THIS MAP REPRESENTS THE CONDITIONS EXISTING ON THE GROUND AT THE TIME OF A SURVEY PERFORMED UNDER MY DIRECTION BETWEEN MARCH 12, 2015 AND MARCH 25, 2015, AND THAT THIS MAP AND FIELD SURVEY UPON WHICH IT IS BASED WAS PREPARED UNDER MY SUPERVISION AND CONFORMS WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYS IN NORTH CAROLINA (SECTION 1600 OF THE RULES OF THE BOARD OF REGISTRATION FOR ENGINEERS AND LAND SURVEYORS). THE PROPERTY SHOWN HEREON MAY BE SUBJECT TO EASEMENTS, COVENANTS OR RESTRICTIONS OF WHICH THE UNDERSIGNED HAS NO KNOWLEDGE.

MICHAEL C. SAWHILL, PLS L-3223 DATE



NGS STATION "NC77"  
N=205,067.08  
E=1,427,047.66  
U.S. SURVEY FEET

GRID TIE  
CGP: 0.999839639  
S83°37'21"E 65254.88' (GROUND DISTANCE)

FOUND #4 REBAR W/20K AND CARBONITE MARKER IN 497.818.4864 IN 497.818.7243 (U.S. SURVEY FEET)

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- GENERAL NOTES**
1. ALL DISTANCES ARE HORIZONTAL MEASUREMENTS UNLESS OTHERWISE NOTED.
  2. ALL AREAS ARE CALCULATED BY THE COORDINATE COMPUTATION METHOD.
  3. ALL CORNERS MONUMENTED AS SHOWN.
  4. SUBJECT PROPERTY IS NOT LOCATED WITHIN A FLOODZONE AS DEFINED BY FEMA-FIRM COMMUNITY PANEL NO. 371044990J BEARING AN EFFECTIVE DATE OF MARCH 02, 2009.
  5. BASIS OF HORIZONTAL DATUM IS NC GRID NAD 83(CORS) PER FILED RUN VRS/RTK OBSERVATIONS
  6. NO NORTH CAROLINA GRID CONTROL MONUMENT WAS FOUND WITHIN 2000 FEET OF SUBJECT PROPERTY.
  7. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF TITLE COMMITMENT OR REPORT.

- LEGEND**
- ===== STORM DRAIN
  - PROPERTY LINE SURVEYED
  - PROPERTY LINE NOT SURVEYED
  - RIGHT-OF-WAY LINE
  - EASEMENT LINE
  - SETBACK LINE
  - FENCE LINE
  - FOUND PROPERTY CORNER
  - SET 1/2" REBAR OR PK NAIL
  - CALCULATED POINT

**CURVE TABLE**

CURVE	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD	DELTA
C1	330.00	67.00	33.61	S 48°36'24" E	66.86	113°7'56"
C2	1732.00	280.27	140.44	S 48°46'54" E	279.97	97°16'18"
C3	347.00	221.87	114.88	S 71°30'26" E	218.11	36°38'04"
C4	211.00	68.32	34.46	S 80°42'42" E	68.02	18°33'05"
C5	211.00	117.84	60.50	S 55°26'11" E	116.32	31°59'58"

- MAP REFERENCES**
1. MAP TITLED "NOTICE OF AN INACTIVE HAZARDOUS SUBSTANCE OF WASTE DISPOSAL SITES - BWMNC, INC. PROPERTY" DATED JANUARY 08, 1999, PREPARED BY SAM MALONE & ASSOCIATES AND RECORDED IN MAP BOOK 30, PAGE 561 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY.
  2. MAP TITLED "RECORD PLAT OF DUKE ENERGY PROPERTY" DATED MARCH 01, 2009, PREPARED BY MCKMACREED AND RECORDED IN MAP BOOK 43, PAGE 643 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY.
  3. MAP TITLED "BOUNDARY SURVEY OF 1800 CPCC LANE" PREPARED BY THE SURVEY COMPANY, INC. DATED MARCH 28, 2013, LAST REVISED JUNE 06, 2013 AND SIGNED AND SEALED BY MICHAEL C. SAWHILL, PLS L-3223. NOT OF PUBLIC RECORD

Project Team:

Professional Seal:  
**EXHIBIT FOR  
REZONING PURPOSES  
NOT FOR  
CONSTRUCTION**

Submission Date:  
December 17, 2015

Revision Dates:

Owner/Developer:



**CPCC Levine  
Campus**  
Mathews, NC

Project Title:

**Rezoning Petition  
2015-XXX For  
Public Hearing**

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**OVERALL CAMPUS  
PLAN**

**RZ-3**

