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): 19327117

Address of property: 435 N Trade Street, Matthews, NC

Location of property:

Title to the property was acquired on 5/31/2012
and was recorded in the name of Gibraltar Commercial III, LLC
whose mailing address is 250 Gibraltar Rd, Horsham, PA 19044

The deed is recorded in Book 27386 and Page 408 in the office of the Register of
Deeds for Mecklenburg County.

Present zoning classification: B-1 CD
Requested zoning classification: B-1 CD
List reason(s) why zoning should be changed (use separate sheet if necessary):

To modify a conditional use permit approved in 2002 allowing a generic 2 story 20,000 SF office building. The requested change allows for a new 28' (+/-) tall 10,600 SF (+/-) one story Charlotte Metro Credit Union plus a 2 lane drive thru and ATM unit. The proposed use will eliminate the pre-approved driveway connection to N Trade Street and construct a neighborhood pocket park at that location as identified in Town plans.

Signature of property owner (must be original)

Print name of property owner
Gilbraltar Commercial III, LLC

Property owner's mailing address
250 Gilbraltar Rd

Property owner's mailing address, continued
Horsham, PA 19044

Property owner’s mailing address, continued

215-928-8137

Property owner’s phone number/email address
BJACOUSI @ CIBERRECAPITAL.NET

Signature of agent (if any) (AGENT FOR CHARLOTTE METRO)

DENNIS E. WILLIAMS, AIA

Print name of agent
WILLIAMS DESIGN, PA - ARCHITECTS

Agent's mailing address
PO Box 1159

Agent's mailing address, continued
LINCOKTON, NC 28093

Agent's mailing address, continued

704-732-4515

Agent's phone number/email address
WILLIAMSDESIGN @ BELLOUTH.NET

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)

Charlotte Metro Credit Union (purchaser)

Print name of petitioner
Charlotte Metro Credit Union

Petitioner’s mailing address
718 Central Avenue

Petitioner’s mailing address, continued
Charlotte, NC 28204

Petitioner’s mailing address, continued

704-375-0183

Petitioner’s phone number/email address
BREN @ CMCU.ORG

APPLICATION FOR CHANGE IN ZONING CLASSIFICATION OR CONDITION, PAGE 2
<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Type</th>
<th>Owner Name(s)</th>
<th>Property Address</th>
<th>Owner Mailing Address</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>19327117</td>
<td>TAX PARCEL</td>
<td>Gibraltar Commercial III, LLC</td>
<td>250 Gibraltar Road</td>
<td>Horsham, PA 19044</td>
<td></td>
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<tr>
<td>19327202</td>
<td>TAX PARCEL</td>
<td>Michael E. Moore and Marie Murphy Moore</td>
<td>1202 Overwood Drive</td>
<td>Matthews, NC 28105</td>
<td></td>
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<tr>
<td>19327120</td>
<td>TAX PARCEL</td>
<td>Waltrust Properties, Inc.</td>
<td>200 Wilmot Road</td>
<td>Deerfield, IL 60015</td>
<td></td>
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<td>19327203</td>
<td>TAX PARCEL</td>
<td>Jeffrey Stroupe</td>
<td>1161 Dean Hall Lane</td>
<td>Matthews, NC 28105</td>
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<tr>
<td>19327123</td>
<td>TAX PARCEL</td>
<td>Matthews Lofts, LLC</td>
<td>P O Box 578</td>
<td>Matthews, NC 28106</td>
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<td>19327204</td>
<td>TAX PARCEL</td>
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<td>250 Gibraltar Road</td>
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<td>19327205</td>
<td>TAX PARCEL</td>
<td>ANH-TUYET PHAM</td>
<td>11171 Dean Hall Lane</td>
<td>Matthews, NC 28105</td>
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</tr>
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</table>
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."

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<tr>
<td>19327206</td>
<td>Gibraltar Commercial III, LLC</td>
<td>250 Gibraltar Road</td>
<td>Horsham, PA 19044</td>
<td>OWNER MAILING ADDRESS, CONTINUED</td>
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<tr>
<td>19327204</td>
<td>Goode Luck, LLC and Macthree Investments, LLC</td>
<td>1300 Baxter Street, #270</td>
<td>Charlotte, NC 28204</td>
<td>OWNER MAILING ADDRESS, CONTINUED</td>
<td></td>
</tr>
<tr>
<td>19327243</td>
<td>Gibraltar Commercial III, LLC</td>
<td>250 Gibraltar Road</td>
<td>Horsham, PA 19044</td>
<td>OWNER MAILING ADDRESS, CONTINUED</td>
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</tr>
<tr>
<td>19329172</td>
<td>Mt. Holly - Huntersville Medical II, LLC</td>
<td>1300 Baxter Street, #270</td>
<td>Charlotte, NC 28204</td>
<td>OWNER MAILING ADDRESS, CONTINUED</td>
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<tr>
<td>19329173</td>
<td>E F A Investment, LLC</td>
<td>428 North Trade Street #101</td>
<td>Matthews, NC 28105</td>
<td>OWNER MAILING ADDRESS, CONTINUED</td>
<td></td>
</tr>
<tr>
<td>19329174</td>
<td>Grimes &amp; Phelps Holdings, LLC</td>
<td>428 North Trade Street, #101</td>
<td>Matthews, NC 28105</td>
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19329175
TAX PARCEL
RAC Holdings, LLC
PROPERTY OWNER NAME(S)
428 North Trade Street # 120
OWNER MAILING ADDRESS
Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

19329176
TAX PARCEL
KJ Green Investments
PROPERTY OWNER NAME(S)
428 North Trade Street, Ste. 103
OWNER MAILING ADDRESS
Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

APPLICATION FOR CHANGE IN ZONING CLASSIFICATION OR CONDITION, PAGE 3
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 mjgollitz@matthewsnc.gov) for verification.

Application submitted to and accepted by the Town of Matthews ___________________________ 11/01/2013

Town Board of Commissioners formally accepts application and sets Public Hearing date ____________________________________________________________________________ 11/11/2013

Notices sent via mail to affected/adjacent property owners on or before ____________________________________________________________________________ 12/30/2013 2/24/14

Protest petition filed with Planning Department by 5:00 pm on ____________________________________________________________________________ 1/08/2014 3/5/14

Public hearing: petitioner may give explanation of why s/he wishes to have property rezoned and neighboring owners may ask questions and voice opinions on the proposed zoning ____________________________________________________________________________ 4/13/2014 3/10/14

Town Planning Board reviews petition, information, and comments from the public hearing, then makes a recommendation to the Board of Commissioners on whether to approve or deny the request ____________________________________________________________________________ 4/28/2014 3/31/14

Town Board of Commissioners approves or denies application ____________________________________________________________________________ 2/10/2014 4/17/14

GENERAL STATUTE 160A-385: CHANGES.

(a) Zoning ordinances may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a qualified protest against a zoning map amendment, that amendment shall not become effective except by favorable vote of three-fourths of all the members of the city council. For the purposes of this subsection, vacant positions on the council and members who are excused from voting shall not be considered "members of the council" for calculation of the requisite supermajority. To qualify as a protest under this section, the petition must be signed by the owners of either (i) twenty percent (20%) or more of the area included in the proposed change or (ii) five percent (5%) of a 100-foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right of way shall not be considered in computing the 100-foot buffer area as long as that street right of way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100-foot buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine the "owners" of potentially qualifying areas. The foregoing provisions concerning protests shall not be applicable to any amendment which initially zones property added to the territorial coverage of the ordinance as a result of annexation or otherwise, or to an amendment to an adopted (i) special use district, (ii) conditional use district, or (iii) conditional district if the amendment does not change the types of uses that are permitted within the district or increase the approved density for residential development, or increase the total approved size of nonresidential development, or reduce the size of any buffers or screening approved for the special use district, conditional use district, or conditional district.

(b) Amendments in zoning ordinances shall not be applicable or enforceable without consent of the owner with regard to buildings and uses for which either (i) building permits have been 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
**SUPERSEDED**

**SUMMARY OF THE REZONING PROCESS**

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