REZONING PROTEST PETITION

Protest Petition against Rezoning No. 2014-615

The undersigned owner of real property, pursuant to NCGS 160A-385 and 386, hereby protests the following request for a change in zoning classification from R-12 to C-MF to Tax Parcels Numbers 19327101 and a portion of 19327C98 submitted by Brookechase Properties LLC.

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<tbody>
<tr>
<td>19327104</td>
<td>Bonnie M. Fields</td>
<td>324 N Ames ST</td>
<td></td>
</tr>
</tbody>
</table>

RECEIVED
SEP 3 2014
3:38pm

Matthews Town Hall, 232 Matthews Station, Matthews, NC 28108 ATTN: Planning Dept.
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<tr>
<td>19327131</td>
<td>Nancy Wirth Orr</td>
<td>334 N Freemont</td>
<td>[Signature]</td>
</tr>
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314 N Ames

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<td>19327102</td>
<td>Jack Reed Dailey, Jr.</td>
<td>338 N Ames Street</td>
<td>Jack Reed Dailey</td>
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AUG 29 2014

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<td>Scott A. Brotherton</td>
<td>330 N Freemont</td>
<td></td>
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<tr>
<td>19327132</td>
<td>Stephanie N. Brotherton</td>
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<tr>
<td>19327109</td>
<td>Alvie C. Sumners</td>
<td>317 N Freemont</td>
<td>[Signature]</td>
</tr>
<tr>
<td>19327109</td>
<td>Elizabeth K. Sumners</td>
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<tr>
<td>19327103</td>
<td>Kathrin E. Rowan</td>
<td>332 N Ames Street</td>
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<td>19327130</td>
<td>Eric Mularski</td>
<td>333 N Freemont</td>
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Matthews Town Hall, 232 Matthews Station, Matthews, NC 28108  ATTN: Planning Dept.
MEETING MINUTES

Date: August 21, 2014

Project: Matthews Lofts #2

Location: Gateway Amenity Center, 921 Park Center Dr., Suite 103, Matthews, NC

Meeting Time: 7:00 PM

Attendees: See attached Sign-In Sheet for Neighbors who attended
John Urban- Urban Architectural Group
Chip Cannon- Urban Design Partners
Chris Glass- Urban Design Partners
Gary Smith- Brookechase Properties
Brian Johnson- Brookechase Properties

Purpose: Required Community Meeting for Matthews Lofts #2 (Rezoning Petition #2014-615)

Minutes: Mr. Cannon welcomed everyone to the meeting before introducing himself and the project team in attendance. He then explained the purpose for the meeting (a requirement of the rezoning and opportunity to discuss the project with the neighbors) and the meeting format (brief introduction, project description, and then question/answer period).

Mr. Cannon described the project context within the Matthews Gateway (North End) area of downtown then talked about the project in detail. He provided information about existing and proposed zoning districts, building size (# of units), parking, and other site improvements. He then asked the owner, Garry Smith of BrookeChase Properties, to say a few things about the project before opening it up for questions and answers.

Questions and Comments by neighbors:

1. Are you adding parking spaces to Ames Street? The existing conditions are not good, such as no speed limit sign and people being reckless.
   A: The road improvements are not complete on Ames Street. The town’s intent is to improve the entire length of the street as resources allow…this includes widening the road to make it safer for vehicular and pedestrian traffic. The project across Ames improved their side of the street as required and participated in upgrading an existing water line in the street. A part of this proposed project, as depicted on the plan, is to improve our side of the street: this includes dedicating ROW, widening the street, adding curb-and-gutter, and installing a new sidewalk. We do not intend to add on-street parking to Ames Street as part of our project.

2. Why put more traffic on Ames Street? It will make the conditions worse.
   A: The character of the site is such that Ames Street is the only place we can reasonably outlet the parking lot.
3. One resident states how bad the traffic on 485, Trade Street. How do people get around traffic in Matthews? There will be more cars, more people, and more problems.
   A: We can’t control all those other areas...those problems are typical of all growing towns. Adding 24 residential units to the area will add trips, however, it’s in an area with a very well-connected street pattern which should help to alleviate the impact. It’s also in an area that residents can possibly walk to shops, restaurants, and work, thereby minimizing the project’s impact to the traffic issues.

4. The current intersection of Ames Street and Park Center Drive does not have a good transition.
   A: We will be improving the street here so it’s all curbed. It will look more finished than current condition.

5. The tenants in the apartments will look into the neighbor’s properties if the building is 30-35' in height.
   A: We will provide upper level screening in the buffer along with lower level screening. The buffer will be planted to a higher standard than the ordinance calls for...it will be planted with primarily full-to-ground evergreen trees (magnolias, cedars, hollies) as well as with other plants to provide screening at upper heights (oaks, maples, and pines). Selected species will be fast growers.

6. The development of Park Center Drive and development lining the road has killed trees and has affected the residents.
   A: It is hard to protect and save every tree on any site, but we make efforts to protect trees as part of the previous project. Unfortunately the construction process and grading/earthwork needed for projects are detrimental to trees. It’s even harder to save trees on small infill sites due to the tighter constraints.

7. The residents will be able to see trash coral from their property and smell the trash.
   A: We thought rollouts would be a better solution for the neighbors than a dumpster and the associated noise. The canisters will be kept clean, and there will be a fence and planted buffer to screen.

8. Residents are worried it will depreciate the value of their home.
   A: Studies have shown that homes in higher density areas often hold value better than those in more suburban locations. The current trend is for people to desire living in areas closer to social activities, shops and dining, and work. The owner noted high home values in the Dilworth neighborhood of Charlotte and its context next to the booming SouthEnd area of Charlotte.

9. One resident stated, “Are we in or out with the master plan,” then noted that they agreed to the owner’s overall master plan when he originally approached them about buying their property but didn’t realize it would affect their privacy.
   A: Mr. Smith noted that he approached everyone about purchasing their property and there was several that wanted to sell, but a few that did not want to sell and a few with no response. He’s approached the owner of commercial properties across Ames Street but they are not willing to sell at this time.
10. One resident commented on the existing apartments on Park Center Drive and appreciates how the owner screens the tenants before letting them rent.
   A: Mr. Smith noted he does this to maintain a high level of renter...one that is responsible and that people would want living near them.

11. They built these houses now their property value and privacy is taken from them.
   A: Mr. Smith noted the trend in housing and preference toward higher-density infill homes. He also added that the last house on the right at the end of Freemont just sold and the Townhomes behind Wal-Greens seems to be doing better as Matthews Gateway was be developed with added conveniences. The Freemont Street house backs up to the Medical building and Park Center Dr. with apartments.

12. The last development has affected their views; now one neighbor can see Walgreens after the trees were been cut down.

13. The residents do not like the idea of the trees being cut down. Someone stated it’s the lot with the most trees.

14. One Resident States he had to pay to get a black walnut tree cut down after last phase of construction and the amount it cost him.
   A: Mr. Smith was not aware of this and stated he did everything required to protect trees as a part of that project.

15. Several residents are worried no one will buy their homes.
   A: Again, Mr. Smith notes the trend in housing and preference toward higher-density infill homes.

16. A resident wants the developer to plant large maturing trees (20’ height) to block and screen the apartments.
   A: The project landscape architect notes that the owner is willing to plant larger plant materials as a part of the project. However, 20’ tall trees (especially full-to-ground evergreens) don’t have a good survivability rate when planted that large. He notes they will plant 8-10’ tall evergreens and 14-16’ tall deciduous trees in the landscape buffer.

17. Stated the C-MF setbacks are reduced, worried the apartment complex will get closer to the property line.
   A: The project team is working to keep the building as far from adjacent property lines as possible, even with the reduced setbacks. Due to the site’s configuration, it can’t get any closer to the adjacent properties. It’s currently 25’ from adjacent properties at the closest point.

18. Recommended putting footprint of homes on plan.
   A: We have updated the plans to include footprints of adjacent homes with distances between buildings.
19. How will the lighting affect the residents? Worried the parking lights would shine into their windows at night. Refers to the last development project and how it has affected the resident.
   A: The town’s new ordinance includes regulations on lighting. All project lighting must be directed down and inward so as not to have more than 2 footcandles (very minimal levels) at the exterior property lines. Every project must comply with this section of the ordinance.

20. Residents stated they are not happy with this development and will do whatever it takes to stop it from happening.

21. The residents maybe would accept a smaller apartment complex but not a 24 unit complex.
   A: We looked at that scenario but the numbers/economics wouldn’t work.

22. Can the owner buy the adjacent property across Ames (referring to salon and lumber sites)?
   A: Mr. Smith has approached the owner, but he is not willing to sell at this time.

23. How long will it take to build the apartments? The residents will have to go through another phase of construction. The residents thought they moved to their paradise.
   A: 8-10 months

24. Several residents state, “do the whole thing or not at all, don’t do small bits.”

25. One resident’s states they move to Matthews to retire and love Matthews, comments on how friendly the neighbors are, but didn’t move there to be beside an apartment complex.

26. The residents thought this area would stay residential.

The above summarizes the meeting and items of discussion as recorded by a member of the project team. Included are a list of questions and comments with answers/responses from the project team.
<table>
<thead>
<tr>
<th>Name</th>
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<tr>
<td>Eric Mularski</td>
<td>378 packaging</td>
<td>704-806-1581</td>
<td><a href="mailto:eric.mularski@gmail.com">eric.mularski@gmail.com</a></td>
</tr>
<tr>
<td>Kurt Beshers</td>
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<td>704-778-7171</td>
<td><a href="mailto:Kurtisbeshers@hotmail.com">Kurtisbeshers@hotmail.com</a></td>
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<tr>
<td>Kathleen Kendall</td>
<td>332 N. Ames St</td>
<td>704-847-8835</td>
<td></td>
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<tr>
<td>Jack Dailey</td>
<td>338 N. Ames St.</td>
<td>704-846-5633</td>
<td><a href="mailto:jreeddailey@gmail.com">jreeddailey@gmail.com</a></td>
</tr>
<tr>
<td>Cecil Sumners</td>
<td>317 N. Freemont</td>
<td>704-215-3188</td>
<td><a href="mailto:CecilSumners@Gmail.com">CecilSumners@Gmail.com</a></td>
</tr>
<tr>
<td>Lynne Takac</td>
<td>313 N. Freemont St</td>
<td>704-953-5659</td>
<td><a href="mailto:LynneTakac@carolina.rr.com">LynneTakac@carolina.rr.com</a></td>
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<tr>
<td>Tim Fischer</td>
<td>200 W Matthew St</td>
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<td><a href="mailto:Timthy.Fischer@NcFins.com">Timthy.Fischer@NcFins.com</a></td>
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<tr>
<td>Elizabeth Summ</td>
<td>319 N Freemont</td>
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<td>Lynne Takac</td>
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