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: 213-231-01

Address of property: [vacant land]

Location of property: on the west-side of Monroe Road between Galleria Boulevard and Gander Cove Lane.

Title to the property was acquired on November 17, 1884
and was recorded in the name of T. J. Renfrow
whose mailing address is [deceased—Probate]

The deed is recorded in Book 40 and Pages 40-42 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: RVS Requested zoning classification: CMF + R-12MF(CD)
List reason(s) why zoning should be changed (use separate sheet if necessary):

The zoning for this parcel should be changed to allow the development of the Site with a high quality multi-family residential community that:

- Will provide an appropriate transition between the commercial and industrial uses located on the east side of Monroe Road and the existing residential uses located on the west side of the Monroe Road.

- Provides a housing choice for residents of Matthews.

- Provides housing in close proximity to a number of large employees.

- Provides a residential use that meets the density recommendations of the Monroe Road Area Plan.

- Orient multi-story buildings along Monroe Road with parking areas located to the rear of the buildings as called for in the Monroe Road Area Plan.

- Improves pedestrian access along Monroe Road by replacing the existing five foot sidewalk at the back of the curb with a new six foot sidewalk separated by an eight foot planting strip.

- Preserves open space areas along the rear of the Site adjacent to the Sardis Forest neighborhood, including the historical Roseland Cemetery.

- Provides a multi-use trail at the rear of the Site linking the proposed open space areas. This multi-use trail can be extended in the future onto the adjoining properties as called for in the Area Plan.

- Provides an area for a "Welcome to Matthews" sign along Monroe Road.

[Petitioner and Owner's signatures on following two (2) pages]
Evelyn R. Rogers
Print Name of property owner
7427 Matthews Mint Hill Rd,
Suite 279
Mint Hill, NC 28227
Property owner's mailing address

Charlotte, NC 28227
Property owner's mailing address, continued

704-578-0749 evelynrogers@ead.com
Property owner's phone number/email address

Jeff Brown and Keith MacVean
Print name of agent(s)

Moore & Van Allen, PLLC
Agent's mailing address

100 N. Tryon Street, Suite 4700
Agent's mailing address, continued

Charlotte, NC 28202
Agent's mailing address, continued

(704) 331-1144 (JB) (704) 331-3531 (KM)
jeffbrown@mvalaw.com keithmacvean@mvalaw.com
Agent's phone number/email address

Signature of property owner (must be original)

Signature of agent

Matt Poindexter, LEED AP
Print name of petitioner

401 Hawthorne Lane
Petitioner's mailing address

Suite 110-230
Petitioner's mailing address, continued

Charlotte, NC 28204
Petitioner's mailing address, continued

(704) 400-3008
matt@everlanedevdevelopment.com
Petitioner's phone number/email address

APPLICATION FOR CHANGE IN ZONING CLASSIFICATION OR CONDITION, PAGE 3 OF 9
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.”

<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Tax Parcel</th>
<th>Owner Name(S)</th>
<th>Address</th>
<th>City, State ZIP Code</th>
<th>Owner Mailing Address</th>
<th>Owner Mailing Address, Continued</th>
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</thead>
<tbody>
<tr>
<td>193-55-101</td>
<td>TAX PARCELS</td>
<td>Family Dollar Stores, Inc.</td>
<td>P.O. Box 1017</td>
<td>Charlotte, NC 28201</td>
<td>OWNER MAILING ADDRESS</td>
<td>OWNER MAILING ADDRESS, CONTINUED</td>
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<tr>
<td>193-55-102</td>
<td>TAX PARCELS</td>
<td>Tracy P. Hudson</td>
<td>213-22-260</td>
<td>9108 Nolley Court, Apartment E</td>
<td>Charlotte, NC 28270</td>
<td>OWNER MAILING ADDRESS, CONTINUED</td>
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<tr>
<td>213-22-203</td>
<td>TAX PARCEL</td>
<td>Trotter Properties, LLC</td>
<td>1515 Mockingbird Lane, Suite 900</td>
<td>Charlotte, NC 28209</td>
<td>OWNER MAILING ADDRESS, CONTINUED</td>
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<tr>
<td>213-22-261</td>
<td>TAX PARCEL</td>
<td>W. Wilson Goosby and Avonelle Stephens</td>
<td>9108 Nolley Court, Apartment F</td>
<td>Charlotte, NC 28270</td>
<td>OWNER MAILING ADDRESS, CONTINUED</td>
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<tr>
<td>213-22-258</td>
<td>TAX PARCEL</td>
<td>Denice Valentine-Boone</td>
<td>3514 Wylie Meadow Lane</td>
<td>Charlotte, NC 29269</td>
<td>OWNER MAILING ADDRESS, CONTINUED</td>
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<tr>
<td>213-22-262</td>
<td>TAX PARCEL</td>
<td>Gary D. Porter and Brenda D. Porter</td>
<td>126 Norcross Lane</td>
<td>Mooresville, NC 28117</td>
<td>OWNER MAILING ADDRESS, CONTINUED</td>
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<tr>
<td>213-22-259</td>
<td>TAX PARCEL</td>
<td>Sandra Karen Lutz</td>
<td>9108 Nolley Court, Apartment D</td>
<td>Charlotte, NC 28270</td>
<td>OWNER MAILING ADDRESS, CONTINUED</td>
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<tr>
<td>213-22-263</td>
<td>TAX PARCEL</td>
<td>Charlotte W. Pettit</td>
<td>9112 Nolley Court, Apartment F</td>
<td>Charlotte, NC 28270</td>
<td>OWNER MAILING ADDRESS, CONTINUED</td>
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213-22-264
TAX PARCEL
Katherine J. Windley
PROPERTY OWNER NAME(S)
9112 Nolley Court, Apartment E
OWNER MAILING ADDRESS
Charlotte, NC 28270
OWNER MAILING ADDRESS, CONTINUED

213-22-265
TAX PARCEL
Karl Steinek
PROPERTY OWNER NAME(S)
12 Priest Road
OWNER MAILING ADDRESS
Watertown, MA 02472
OWNER MAILING ADDRESS, CONTINUED

213-22-271
TAX PARCEL
Craig A. Carr
PROPERTY OWNER NAME(S)
9120 Nolley Court, Apartment C
OWNER MAILING ADDRESS
Charlotte, NC 28270
OWNER MAILING ADDRESS, CONTINUED

213-22-272
TAX PARCEL
A. Charlene Bush
PROPERTY OWNER NAME(S)
9120 Nolley Court, Apartment D
OWNER MAILING ADDRESS
Charlotte, NC 28270
OWNER MAILING ADDRESS, CONTINUED

213-22-273
TAX PARCEL
Linda C. Hall
PROPERTY OWNER NAME(S)
9120 Nolley Court, Apartment E
OWNER MAILING ADDRESS
Charlotte, NC 28270
OWNER MAILING ADDRESS, CONTINUED

213-22-274
TAX PARCEL
Michael James Callahan and Marybeth Greziak
PROPERTY OWNER NAME(S)
9120 Nolley Court, Apartment F
OWNER MAILING ADDRESS
Charlotte, NC 28270
OWNER MAILING ADDRESS, CONTINUED

213-22-275
TAX PARCEL
Patricia L. Gignilliat
PROPERTY OWNER NAME(S)
9128 Nolley Court, Apartment G
OWNER MAILING ADDRESS
Charlotte, NC 28270
OWNER MAILING ADDRESS, CONTINUED

213-22-276
TAX PARCEL
William Edward McClellan, Jr.
PROPERTY OWNER NAME(S)
9128 Nolley Court, Apartment F
OWNER MAILING ADDRESS
Charlotte, NC 28270
OWNER MAILING ADDRESS, CONTINUED
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<tr>
<th>Parcel Number</th>
<th>Name(s)</th>
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<td>213-22-277</td>
<td>Michael James Whittington</td>
<td>9128 Nolley Court, Apartment E</td>
<td>Charlotte, NC 28270</td>
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<tr>
<td>213-22-298 and 213-22-299</td>
<td>Sardis Forest Patio Homes Association</td>
<td>P.O. Box 10503</td>
<td>Charlotte, NC 28212</td>
<td>Owner Mailing Address, Continued</td>
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<tr>
<td>213-23-101</td>
<td>James M. Renfrow and Evelyn Renfrow</td>
<td>9813 Wesleyan Court</td>
<td>Charlotte, NC 28227</td>
<td>Owner Mailing Address, Continued</td>
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<tr>
<td>213-23-102</td>
<td>Legacy Matthews, LLC</td>
<td>25101 Chagrain Boulevard, Suite 300</td>
<td>Beachwood, OH 44122</td>
<td>Owner Mailing Address, Continued</td>
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<tr>
<td>213-24-111</td>
<td>Kenneth R. Kissiah</td>
<td>1437 Renfrow Lane</td>
<td>Charlotte, NC 28270</td>
<td>Owner Mailing Address, Continued</td>
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<tr>
<td>213-24-113</td>
<td>Benjie W. Stogner and Carolyn N. Stogner</td>
<td>9114 New Towne Drive</td>
<td>Matthews, NC 28105</td>
<td>Owner Mailing Address, Continued</td>
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213-24-112
TAX PARCEL
Norbert Adam Kiekiak, Trustee under Family Trust of Norbert Adam Kiekiak dated 4/11/12
PROPERTY OWNER NAME(S)
1443 Renfrow Lane
OWNER MAILING ADDRESS
Charlotte, NC 28270
OWNER MAILING ADDRESS, CONTINUED

213-24-116
TAX PARCEL
Bobby Ralph Hudso and Brenda L. Hudso
PROPERTY OWNER NAME(S)
9101 New Towne Drive
OWNER MAILING ADDRESS
Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

213-24-112
TAX PARCEL
Mary Gail Kiekiak, Trustee under Family Trust of Mary Gail Kiekiak dated 4/11/12
PROPERTY OWNER NAME(S)
1443 Renfrow Lane
OWNER MAILING ADDRESS
Charlotte, NC 28270
OWNER MAILING ADDRESS, CONTINUED

213-24-165
TAX PARCEL
Penelope A. Pezdirtz
PROPERTY OWNER NAME(S)
1024 Black Oak Drive
OWNER MAILING ADDRESS
Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

213-24-114
TAX PARCEL
David M. Marchant and Jasmine C. Marchant
PROPERTY OWNER NAME(S)
9108 New Towne Drive
OWNER MAILING ADDRESS
Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

213-24-166
TAX PARCEL
Adam Woodcock and Amanda Woodcock
PROPERTY OWNER NAME(S)
1016 Black Oak Drive
OWNER MAILING ADDRESS
Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

213-24-115
TAX PARCEL
Jeremy J. Dreyer and Sandra R. Dreyer
PROPERTY OWNER NAME(S)
9100 New Towne Drive
OWNER MAILING ADDRESS
Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

213-24-167
TAX PARCEL
Norman Larry Cross and Elizabeth Hazel
PROPERTY OWNER NAME(S)
1010 Black Oak Drive
OWNER MAILING ADDRESS
Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED
213-24-168
TAX PARCEL

Joerg Kuehni and Lynda D. Kuehni
PROPERTY OWNER NAME(S)

1008 Black Oak Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

213-24-182
TAX PARCEL

Justin D. Ridge and Sharon M. Ridge
PROPERTY OWNER NAME(S)

811 Old Pine Lane
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-10-130
TAX PARCEL

Galleria Partners I, LLC
PROPERTY OWNER NAME(S)

8514 McAlphine Park, Suite 190
OWNER MAILING ADDRESS

Charlotte, NC 28211
OWNER MAILING ADDRESS, CONTINUED

193-10-133
TAX PARCEL

Fifth Third Bank
PROPERTY OWNER NAME(S)

38 Fountain Square – MD10ATA1 Corp.
OWNER MAILING ADDRESS

Cincinnati, OH 45263
OWNER MAILING ADDRESS, CONTINUED
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 migollnitz@matthewsnc.gov) for verification.

Application submitted to and accepted by the Town of Matthews _______________ 1/15/15

Town Board of Commissioners formally accepts application and sets Public Hearing date _______________ 2/9/15

Notices sent via mail to affected/adjacent property owners on or before _______________ 3/30/15

Protest petition filed with Planning Department by 5:00 pm on _______________ 4/8/15

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 _______________ 4/13/15

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 _______________ 4/28/15

Town Board of Commissioners approves or denies application _______________ 5/11/15

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 issues 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