

**OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE**

FY2015
Petition #: 2015-101
Date Filed: _____
Received By: RH

Complete All Fields

RECEIVED
JUN 18 2015
BY: _____

OWNERSHIP INFORMATION:

Property Owners: (485 Investments) 485 Investments, LLC
(Lee Security) Lee Security, LLC
(Helms) Jerry N. Helms and Family Trust established under the Will of Sue L. Helms dated 8/30/10 (49% undivided interest), as tenant's-in-common
(Rhodes) Mary Lynn Rhodes Restated Revocable Trust and Henry Oliver Rhodes, Sr. Revocable Trust

Owner's Addresses: (485 Investments) 6700 Fairview Road, Charlotte, NC 28210
(Lee Security) 9117 Castle Garden Ln., Charlotte, NC 28215
(Helms) 11901 Albemarle Road, Charlotte, NC 28227
(Rhodes) 13849 Beatties Ford Road, Charlotte, NC 28078

Date Properties Acquired: (485 Investments) 2/9/11
(Lee Security) 12/20/95
(Helms) 12/28/12
(Rhodes) 9/18/64 and 8/4/97

Utilities Provided: (Water) CMUD (Sewer) CMUD
(CMUD, Private, Other) (CMUD, Private, Other)

LOCATION OF PROPERTIES:

(485 Investments) [unincorporated vacant land]
(Lee Security) [unincorporated vacant land]
(Helms) 12715 and 12721 Albemarle Road
(Rhodes) 12809 and 12901 Albemarle Road and unincorporated vacant land

Tax Parcel Numbers: (485 Investments) 111-20-104, 111-20-105, 111-20-108, and 111-22-107
(Lee Security) 111-22-101
(Helms) 111-22-102 and 111-22-108
(Rhodes) 111-22-103, 111-22-104, and 111-22-106

Current Land Use: vacant land, a restaurant, and single-family homes

Total Size (Acres): ± 371.00 acres

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ZONING REQUEST:

Existing Zoning: R-3, B-1(CD), and R-12MF Proposed Zoning: MX-1 (INNOVATIVE) and NS with 5 year vested rights

Purpose of Zoning Change: *(Include the maximum # of residential units or non-residential square footages):* To allow for the development of a high quality active adult residential community, a neighborhood shopping center, and medical and general office uses.

Jeff Brown
Keith MacVean

Name of Agent

Moore & Van Allen; 100 N. Tryon Street, Suite 4700
Agent's Address

Charlotte, NC 28202
City, State, Zip

704-331-1144 (JB) 704-378-1925 (JB)
704-331-3531 (KM) 704-378-1954 (KM)
Telephone Number Fax Number

jeffbrown@mvalaw.com and keithmacvean@mvalaw.com
E-Mail Address

See Attachments A through D
Signature of Property Owners if other than Petitioner

(Name Typed / Printed)

Kolter Acquisitions LLC ("Kolter Homes")
(Attn: John Morgan)

Name of Petitioner

254 Grand Park Boulevard
Address of Petitioner

Charleston, SC 29492
City, State, Zip

843-696-6907
Telephone Number Fax Number

jmorgan@kolter.com
E-Mail Address

See Attachment E
Signature

(Name Typed / Printed)

ATTACHMENT A

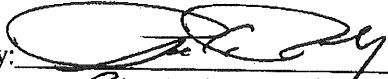
REZONING PETITION NO. [2015-____]
Kolter Homes

PETITIONER JOINDER AGREEMENT
485 Investments, LLC

The undersigned, as the owners of the parcels of unincorporated vacant land designated as Tax Parcel Nos. 111-20-104, 111-20-105, 111-20-108, and 111-22-107 on the Mecklenburg County Tax Map and which are subject to the attached Rezoning Application (collectively, the "Parcels"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the R-3 zoning district to the MX-1 and NS zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This ____ day of _____, 2015.

485 Investments, LLC,
a North Carolina limited liability company

By: 
Name: Patricia C. Ayers
Title: _____

ATTACHMENT B

REZONING PETITION NO. [2015-____]
Kolter Homes

PETITIONER JOINDER AGREEMENT
Lee Security, LLC

The undersigned, as the owners of parcel of unincorporated vacant land designated as Tax Parcel No. 111-22-101 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcel from the R-3 zoning district to the MX-1 and NS zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This ____ day of _____, 2015.

Lee Security, LLC,
a North Carolina limited liability company

By: Joy Davis
Name: Joy Davis
Title: Manager

ATTACHMENT C

REZONING PETITION NO. [2015-____]
Kolter Homes

PETITIONER JOINDER AGREEMENT

**Jerry N. Helms and Family Trust established under the Will of Sue L. Helms
dated 8/30/10 (49% undivided interest), as tenant's-in-common**

The undersigned, as the owners of the parcels of land located at 12715 and 12721 Albemarle Road, Charlotte, NC designated as Tax Parcel Nos. 111-22-102 and 111-22-108 on the Mecklenburg County Tax Map and which are subject to the attached Rezoning Application (collectively, the "Parcels"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the B-1(CD) and R-3 zoning districts to the NS zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This ____ day of _____, 2015.



Jerry N. Helms

ATTACHMENT D

REZONING PETITION NO. [2015-____]
Kolter Homes

PETITIONER JOINDER AGREEMENT
**Mary Lynn Rhodes Restated Revocable Trust and
Henry Oliver Rhodes, Sr. Revocable Trust**

The undersigned, as the owners of the parcels located at 12809 and 12901 Albemarle Road and parcels of unincorporated vacant land designated as Tax Parcel Nos. 111-22-103, 111-22-104, and 111-22-106 on the Mecklenburg County Tax Map and which are subject to the attached Rezoning Application (collectively, the "Parcels"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the R-3 and R-12MF zoning districts to the MX-1 and NS zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 17 day of June, 2015.

MARY LYNN RHODES RESTATED
REVOCABLE TRUST

By: John W Rhodes
Name: John W Rhodes
Title: Trustee

HENRY OLIVER RHODES, SR.
REVOCABLE TRUST

By: John W Rhodes
Name: John W Rhodes
Title: Co - Trustee

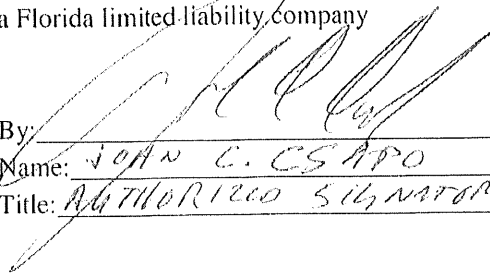
By: Henry Oliver Rhodes Jr.
Name: HENRY OLIVER RHODES JR.
Title: CO-TRUSTEE

ATTACHMENT E

Kolter Homes

PETITIONER:

Kolter Acquisitions LLC
a Florida limited liability company

By: 
Name: JOAN C. CASPRO
Title: AUTHORIZED SIGNATORY