

2015-128

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

**RECEIVED**  
SEP 24 2015

Petition #: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Received By: \_\_\_\_\_

**Complete All Fields (Use additional pages if needed):**

Property Owners: (Barwick) Barwick & Associates, Inc.  
(Brown) Gaines Eggar Brown, Jr.  
(Ferguson) Arthur and Eloise Ferguson, Husband and Wife  
(Park Camden) Park Camden Properties, LLC

Owners Addresses: (Barwick) 704 East Boulevard, Suite 100, Charlotte, NC 28203  
(Brown) 1520 S. Tryon Street, Charlotte, NC 28203  
(Ferguson) P.O. Box 9099, Charlotte, NC 28299  
(Park Camden) 1520 S. Tryon Street, Charlotte, NC 28203

Tax Parcel Numbers,  
Property Addresses,  
Date Properties  
Acquired: (Barwick) 123-042-07 - 1518 Camden Road, Charlotte, NC (Acquired: 6/1/05)  
123-042-09 - 1504 Camden Road, Charlotte, NC (Acquired: 6/1/05)  
(Brown) 123-042-01 - 1537 S. Tryon Street, Charlotte, NC (Acquired: 5/26/98)  
123-042-02 - 112 W. Park Avenue, Charlotte, NC (Acquired: 5/26/98)  
123-042-04 - 104 W. Park Avenue, Charlotte, NC (Acquired: 5/26/98)  
123-042-05 - 100 W. Park Avenue, Charlotte, NC (Acquired: 5/26/98)  
123-042-08 - 1514 Camden Road, Charlotte, NC (Acquired: 5/22/00)  
123-042-10 - 1515 S. Tryon Street, Charlotte, NC (Acquired: 6/17/83)  
123-042-11 - 1523 S. Tryon Street, Charlotte, NC (Acquired: 5/26/98)  
123-042-12 - 1529 S. Tryon Street, Charlotte, NC (Acquired: 3/19/99)  
(Ferguson) 123-042-13 - 1533 S. Tryon Street, Charlotte, NC (Acquired: 7/9/85)  
(Park Camden) 123-042-03 - 108 W. Park Avenue, Charlotte, NC (Acquired: 11/18/98)

Current Land Use: A mix of retail, office and parking uses Size (Acres): ±2.30 ac.

Existing Zoning: TOD-M; B-1; and MUDD-O Proposed Zoning: TOD-MO

Overlay: \_\_\_\_\_  
(Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting\* with: Ed McKinney, Alan Goodman, Kathy Cornett, & Catherine Mahoney also a second meeting with Solomon Fortune, Kathy, Alan and Catherine

Date of meeting: First Meeting on 7/14/15; second meeting on 7/29/15

(\*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

**For Conditional Rezoning Only:**  
Requesting a vesting period exceeding the 2 year minimum? **Yes.** Number of years (maximum of 5): Five (5).  
Purpose/description of Conditional Zoning Plan: To allow the redevelopment of the Site with a transit supportive office use with ground floor retail uses.

[signatures on following pages]

**Jeff Brown  
Keith MacVean**

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Name of Rezoning Agent

**Moore & Van Allen, PLLC  
100 N. Tryon Street, Suite 4700**

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Agent's Address

**Charlotte, NC 28202**

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City, State, Zip

**704-331-1144 (JB)                      704-348-1925 (JB)  
704-331-3531 (KM)                      704-378-1954 (KM)**

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Telephone Number

Fax Number

**jeffbrown@mvalaw.com   keithmacvean@mvalaw.com**

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E-mail Address

**See Attachments A – D**

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Signature of Property Owner

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(Name Typed/Printed)

**Cousins Acquisition Entity LLC (Attn: Tim  
Hendricks)**

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Name of Petitioner

**303 Colorado Street  
Colorado Tower, Suite 1500**

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Address of Petitioner

**Austin, TX 78746**

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City, State, Zip

**512-477-3434**

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Telephone Number

Fax Number

**timhendricks@cousinsproperties.com**

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E-mail Address

**See Attachment E**

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Signature of Petitioner

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(Name Typed/Printed)

**ATTACHMENT A**

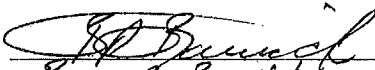
REZONING PETITION NO. [2015-\_\_\_\_\_] **Cousins Acquisition Entity, LLC**

PETITIONER JOINDER AGREEMENT **Barwick & Associates, LLC**

The undersigned, as the owners of the parcels of land located at 1504 and 1507 Camden Road, Charlotte, NC which are designated as Tax Parcel Nos. 123-042-09 and 123-042-07, respectively, on the Mecklenburg County Tax Map and which are subject to the attached Rezoning Application (collectively, the "Parcels"), hereby join in this Rezoning Application and consents to the change in zoning for the Parcels from the TOD-M zoning district to the TOD-MO 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 7<sup>th</sup> day of August, 2015.

**Barwick & Associates, LLC,**  
a North Carolina corporation

By:   
Name: Eric P. Barwick  
Its: Manager

**ATTACHMENT B**

REZONING PETITION NO. [2015-\_\_\_\_\_] **Cousins Acquisition Entity, LLC**

PETITIONER JOINDER AGREEMENT  
**Gaines Eggar Brown, Jr.**

The undersigned, as the owner of the following parcels of land and their designated Tax Parcel Nos.:

- 123-042-01 – 1537 S. Tryon Street, Charlotte, NC
- 123-042-02 – 112 W. Park Avenue, Charlotte, NC
- 123-042-04 – 104 W. Park Avenue, Charlotte, NC
- 123-042-05 – 100 W. Park Avenue, Charlotte, NC
- 123-042-08 – 1514 Camden Road, Charlotte, NC
- 123-042-10 – 1515 S. Tryon Street, Charlotte, NC
- 123-042-11 – 1523 S. Tryon Street, Charlotte, NC
- 123-042-12 – 1529 S. Tryon Street, Charlotte, NC

all of 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 MUDD-O zoning district to the TOD-MO 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 6th day of August, 2015.

  
\_\_\_\_\_  
Gaines Eggar Brown, Jr.

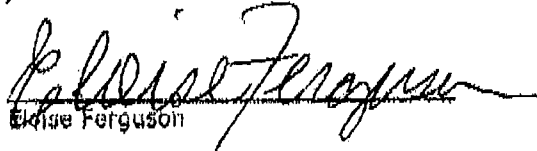
**ATTACHMENT C**

**REZONING PETITION NO. [2015-\_\_\_\_\_]  
Cousins Acquisition Entity, LLC**

**PETITIONER JOINDER AGREEMENT  
Eloise Ferguson**

The undersigned, as the owners of the parcel of land located at 1539 S. Tryon Street, Charlotte, NC which is designated as Tax Parcel No. 123-042-13 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 B-1 zoning district to the TOD-MO 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 Aug day of June 11, 2015.

  
Eloise Ferguson

**ATTACHMENT D**

REZONING PETITION NO. [2015-\_\_\_\_\_] ]  
**Cousins Acquisition Entity, LLC**

PETITIONER JOINDER AGREEMENT  
**Park Camden Properties, LLC**

The undersigned, as the owners of the parcel of land located at 108 W. Park Avenue, Charlotte, NC which is designated as Tax Parcel No. 123-042-03 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 MUDD-O zoning district to the TOD-MO 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 6th day of August, 2015.

**Park Camden Properties, LLC,**  
a North Carolina limited liability company


By: *Gaines Brown*  
Name: Gaines Brown  
Its: owner / manager

**ATTACHMENT E**

**Cousins Acquisition Entity, LLC**

PETITIONER:

**Cousins Acquisition Entity, LLC,**  
a Georgia limited liability company

By:   
Name: Tim Hendricks  
Title: Senior Vice President