

Petition #: 2016-139

Date Originally Filed: 8/22/16

Date Amended: 1/25/17; 4/11/17

Received By: _____



**SECOND AMENDED
REZONING APPLICATION
CITY OF CHARLOTTE**

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

Please indicate reason for amended application (i.e. change in acreage, ownership, proposed district, etc.):

To request that a portion of the site be rezoned to the MUDD-O zoning district and a portion of the site
be rezoned to the R-12 MF (CD) zoning district

For Conditional Rezoning Only:

Requesting a vesting period exceeding the 2 year minimum? Yes/No. Number of years (maximum of 5): 5

Property Owner: See Exhibit A attached hereto

Owner's Address: See Exhibit A attached hereto City, State, Zip: See Exhibit A attached hereto

Date Property Acquired: See Exhibit A attached hereto

Location of Property (Address or Description): See Exhibit A attached hereto

Tax Parcel Number(s): 029-021-21, 029-021-32, 029-021-24, 029-021-26, 029-021-33 and a portion of 029-021-01

Current Land Use: Vacant, single family and church Size (Acres): +/- 65.70 acres

Existing Zoning: RE-1, RE-3 (CD) and R-3 Proposed Zoning: MUDD-O and R-12 MF (CD)

Overlay: N/A (Specify PED, Watershed, Historic District, etc.)

John Carmichael (Robinson Bradshaw)

Name of Rezoning Agent

101 N. Tryon Street, Suite 1900

Agent's Address

Charlotte, NC 28246

City, State, Zip

704-377-8341

Telephone Number

Fax Number

jcarmichael@robinsonbradshaw.com

E-Mail Address

See Attached Joinder Agreements

Signature of Property Owner(s)

(Name Typed/Clearly Printed)

Charter Properties, Inc. (c/o John Porter)

Browder Group Real Estate, LLC (c/o Matt Browder)

Name of Petitioner(s)

P.O. Box 37166

1440 South Tryon Street, Suite 104

Address of Petitioner(s)

Charlotte, NC 28237-7166

Charlotte, NC 28203

City, State, Zip

704-377-4172

Telephone Number

704-335-8292

Telephone Number

Fax Number

JDP@charterproperties.com/matt@browdergoup.com

E-Mail Address

See Attached Signature Page

Signature of Petitioner

(Name Typed/Clearly Printed)

Exhibit A to Second Amended Rezoning Application Filed by Charter Properties, Inc.
and
Browder Group Real Estate, LLC

Property Owner Information, Acquisition Dates and Property Addresses

Tax Parcel No. 029-021-21

Summit Avenue URP, LLC
1440 South Tryon Street, Suite 104
Charlotte, NC 28203

Date Property Acquired: December 6, 2011

Property Address: West Mallard Creek Church Road

Tax Parcel No. 029-021-32

Robert Alan Garrison
Teresa A. Garrison
1501 Galloway Road
Charlotte, NC 28262

Date Property Acquired: October 16, 2009

Property Address: 1501 Galloway Road

Tax Parcel No. 029-021-24

Timothy L. Daniel
Linda Garrison Daniel
1427 Galloway Road
Charlotte, NC 28262

Date Property Acquired: June 15, 1976

Property Address: 1427 Galloway Road

Tax Parcel No. 029-021-26

Jill H. Garrison
1401 Galloway Road
Charlotte, NC 28262

Date Property Acquired: April 14, 1969

Property Address: 1401 Galloway Road

Tax Parcel No. 029-021-33

Selburn Creek, LLC
1401 Galloway Road
Charlotte, NC 28262

Date Property Acquired: October 24, 2000

Property Address: Galloway Road

Portion of Tax Parcel No. 029-021-01

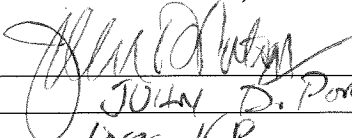
Mallard Creek Presbyterian Church, Inc.
1600 West Mallard Creek Church Road
Charlotte, NC 28262

Date Property Acquired: November 4, 1974

Property Address: 1600 West Mallard Creek Church Road

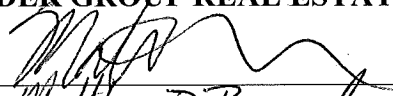
Signatures of Petitioners

CHARTER PROPERTIES, INC.

By: 
Name: JOHN D. POWELL
Title: Exec VP

Date: April 4, 2017

BROWDER GROUP REAL ESTATE, LLC

By: 
Name: Matthew D Browder
Title: Manager

Date: April 4, 2017

**SECOND AMENDED REZONING APPLICATION
CHARTER PROPERTIES, INC. and BROWDER GROUP REAL ESTATE, LLC,
PETITIONERS
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Second Amended Rezoning Application filed by Charter Properties, Inc. and Browder Group Real Estate, LLC that is designated as Tax Parcel No. 029-021-21 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Second Amended Rezoning Application and consents to the change in zoning for the Site to the MUDD-O zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.


This 4th day of April, 2017.

SUMMIT AVENUE URP, LLC

By: _____

Name: _____

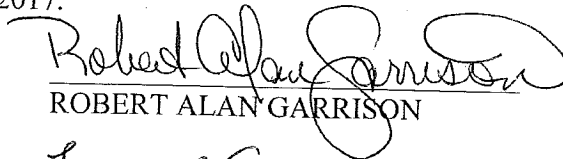
Title: _____


Matthew D. Browder
Manager

**SECOND AMENDED REZONING APPLICATION
CHARTER PROPERTIES, INC. and BROWDER GROUP REAL ESTATE, LLC,
PETITIONERS
JOINDER AGREEMENT**

The undersigned, as the owners of that parcel of land subject to the attached Second Amended Rezoning Application filed by Charter Properties, Inc. and Browder Group Real Estate, LLC that is designated as Tax Parcel No. 029-021-32 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Second Amended Rezoning Application and consent to the change in zoning for the Site to the MUDD-O and R-12 MF (CD) zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 4th day of April, 2017.


ROBERT ALAN GARRISON

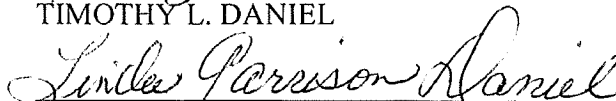

TERESA A. GARRISON

**SECOND AMENDED REZONING APPLICATION
CHARTER PROPERTIES, INC. and BROWDER GROUP REAL ESTATE, LLC,
PETITIONERS
JOINDER AGREEMENT**

The undersigned, as the owners of that parcel of land subject to the attached Second Amended Rezoning Application filed by Charter Properties, Inc. and Browder Group Real Estate, LLC that is designated as Tax Parcel No. 029-021-24 on the Mecklenburg County Tax Maps (the "Site"), hereby join in this Second Amended Rezoning Application and consent to the change in zoning for the Site to the MUDD-O and R-12 MF (CD) zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 8th day of April, 2017.


TIMOTHY L. DANIEL


LINDA GARRISON DANIEL

**SECOND AMENDED REZONING APPLICATION
CHARTER PROPERTIES, INC. and BROWDER GROUP REAL ESTATE, LLC,
PETITIONERS
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Second Amended Rezoning Application filed by Charter Properties, Inc. and Browder Group Real Estate, LLC that is designated as Tax Parcel No. 029-021-26 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Second Amended Rezoning Application and consents to the change in zoning for the Site to the R-12 MF (CD) zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 5th day of April, 2017.



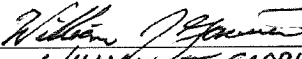
JILL H. GARRISON

**SECOND AMENDED REZONING APPLICATION
CHARTER PROPERTIES, INC. and BROWDER GROUP REAL ESTATE, LLC,
PETITIONERS
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Second Amended Rezoning Application filed by Charter Properties, Inc. and Browder Group Real Estate, LLC that is designated as Tax Parcel No. 029-021-33 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Second Amended Rezoning Application and consents to the change in zoning for the Site to the MUDD-O and R-12 MF (CD) zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 5TH day of April, 2017.

SELBURN CREEK, LLC

By: 
Name: WILLIAM J. GARRISON
Title: MANAGER

**SECOND AMENDED REZONING APPLICATION
CHARTER PROPERTIES, INC. and BROWDER GROUP REAL ESTATE, LLC,
PETITIONERS
JOINDER AGREEMENT**

The undersigned, as the owner of that parcel of land subject to the attached Second Amended Rezoning Application filed by Charter Properties, Inc. and Browder Group Real Estate, LLC that is designated as Tax Parcel No. 029-021-01 on the Mecklenburg County Tax Maps (the "Site"), hereby joins in this Second Amended Rezoning Application and consents to the change in zoning for a portion of the Site to the MUDD-O zoning district as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This ____ day of April, 2017.

MALLARD CREEK PRESBYTERIAN CHURCH, INC.

By: James H. Killian
Name: James H. Killian
Title: Clerk of Session