

**AMENDED**

**REZONING APPLICATION  
CITY OF CHARLOTTE**

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

Petition #: 2016-139

Date Originally Filed: 8/22/16

Date Amended: January 25, 2017

Received By: *[Signature]* 1/25/2017

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 Neighborhood Services zoning district and a portion of the site be rezoned to the Commercial Center 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 and single family residential Size (Acres): +/- 65.70 acres

Existing Zoning: RE-1, RE-3 (CD) and R-3 Proposed Zoning: NS and CC

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 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**

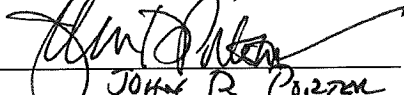
Mallard Creek Presbyterian Church, Inc.  
1600 West Mallard Creek Church Road  
Charlotte, NC 28262

Date Property Acquired: November 4, 1974

Property Address: 1600 West Mallard Creek Church Road

Signatures of Petitioners

**CHARTER PROPERTIES, INC.**

By:   
Name: JOHN R PORTEN  
Title: EVP

Date: December 5, 2016

**BROWDER GROUP REAL ESTATE, LLC**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: December \_\_\_\_\_, 2016

**Signatures of Petitioners**

**CHARTER PROPERTIES, INC.**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: December \_\_\_\_\_, 2016

**BROWDER GROUP REAL ESTATE, LLC**

By: Matthew D. Browder  
Name: Matthew D. Browder  
Title: Manager

Date: January 19, 2017

**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 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 Amended Rezoning Application and consents to the change in zoning for the Site to the Neighborhood Services and Commercial Center zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 19<sup>th</sup> day of January, 2017.

**SUMMIT AVENUE URP, LLC**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

*Matthew D. Browder*  
Matthew D. Browder  
Manager

**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 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 Amended Rezoning Application and consent to the change in zoning for the Site to the Neighborhood Services and Commercial Center zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 6 day of December, 2016.


  
ROBERT ALAN GARRISON

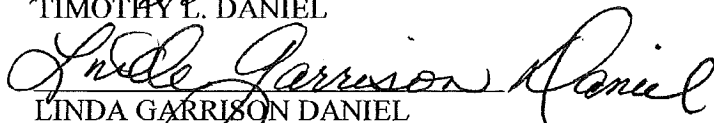
  
TERESA A. GARRISON

**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 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 Amended Rezoning Application and consent to the change in zoning for the Site to the Neighborhood Services and Commercial Center zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 6 day of December, 2016.

  
TIMOTHY L. DANIEL

  
LINDA GARRISON DANIEL



**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 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 Amended Rezoning Application and consents to the change in zoning for the Site to the Neighborhood Services and Commercial Center zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 6<sup>th</sup> day of December, 2016.

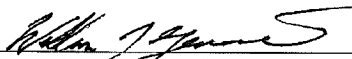
  
JILL H. GARRISON

**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 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 Amended Rezoning Application and consents to the change in zoning for the Site to the Neighborhood Services and Commercial Center zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 6 day of December, 2016.

**SELBURN CREEK, LLC**

By:   
Name: WILLIAM J. GARRISON  
Title: MANAGER

**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 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 Amended Rezoning Application and consents to the change in zoning for a portion of the Site to the Neighborhood Services and Commercial Center zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan.

This 23 day of January, 2017.

**MALLARD CREEK PRESBYTERIAN CHURCH, INC.**

By: James H. Kellian, Sr  
Name: James H. Kellian, Sr  
Title: Clerk of Session