

**I. REZONING APPLICATION  
CITY OF CHARLOTTE**

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AGENCY  
BY: aj 2:37pm

2016-139

Petition #:	_____
Date Filed:	<u>8/22/2016</u>
Received By:	<u>[Signature]</u>

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

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

Property Address: 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: Commercial Center

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

Required Rezoning Pre-Application Meeting\* with: Claire Lyte-Graham, Alberto Gonzalez, Josh Weaver and Rick Grochoske  
Date of meeting: August 9, 2016

(\*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 /  No. Number of years (maximum of 5): 5

Purpose/description of Conditional Zoning Plan: To accommodate a multi-use development that could contain up to 395 multi-family dwelling units and up to 160,000 square feet of gross floor area devoted to non-residential uses as described on the associated Conditional Rezoning Plan.

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@rbh.com  
E-Mail Address

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  
704-335-8292  
Telephone Number Fax Number  
JDP@charterproperties.com  
matt@browdergoup.com  
E-Mail Address

See Attached Joinder Agreements  
Signature of Property Owner  
  
\_\_\_\_\_  
(Name Typed / Printed)

See Attached Signature Page  
Signature of Petitioner  
  
\_\_\_\_\_  
(Name Typed / Printed)

Exhibit A to 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**

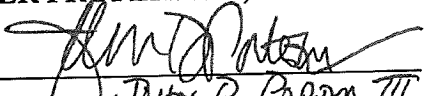
Mallard Creek Presbyterian Church, Inc.  
1600 West Mallard Creek Church Road  
Charlotte, NC 28262

Date Property Acquired: November 4, 1974

Property Address: 1600 West Mallard Creek Church Road

**Signatures of Petitioners**

**CHARTER PROPERTIES, INC.**

By:   
Name: James P. Poindron III  
Title: Executive VP

Date: August 15, 2016

**BROWDER GROUP REAL ESTATE, LLC**

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

Date: August \_\_\_\_\_, 2016

**Signatures of Petitioners**

**CHARTER PROPERTIES, INC.**

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

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

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

Date: August \_\_\_\_\_, 2016

**BROWDER GROUP REAL ESTATE, LLC**

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

Name: Matthew D. Browder \_\_\_\_\_

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

Date: August 22, 2016

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

This 19 day of August, 2016.

**SUMMIT AVENUE URP, LLC**

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

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

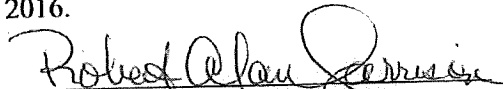
Title: \_\_\_\_\_


*Matthew D Browder*  
*Matthew D Browder*  
*Manager*

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

This 15<sup>th</sup> day of August, 2016.

  
ROBERT ALAN GARRISON

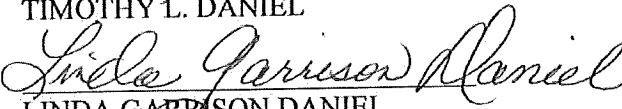
  
TERESA A. GARRISON

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

This 15 day of August, 2016.

  
TIMOTHY L. DANIEL

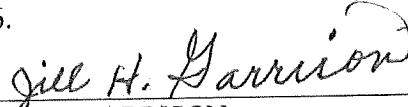
  
LINDA GARRISON DANIEL



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

This 15 day of August, 2016.

  
JILL H. GARRISON

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

This 15 day of August, 2016.

**SELBURN CREEK, LLC**

By: 

Name: WILLIAM J. GARRISON

Title: MANAGER

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

This 22 day of August, 2016.

**MALLARD CREEK PRESBYTERIAN CHURCH, INC.**

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