

Petition #: 2017-042

Date Originally Filed:  
01/23/17

Date Amended: 02/03/17

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

**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.):

Amending application to establish CC zoning for parcels 105-361-05 and 105-361-06, which were previously NCDOT right-of-way and do not have zoning.

**For Conditional Rezonings Only:**

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

Property Owner Rocky River Road Associates, LLC C/O MPV Properties

Owner's Address: 521 East Morehead St, Ste 400 City, State, Zip: Charlotte, NC 28202

Date Property Acquired: 06/01/2009 and 10/15/2015

Location of Property (Address or Description): 5951 and 5737 Rocky River Road, Charlotte, NC 28215

Tax Parcel Number(s): 105-361-01, 105-361-05, 105-361-06

Current Land Use: vacant Size (Acres): 77.31

Existing Zoning: R-8MF(CD), R-12MF(CD), O-2(CD), and no zoning. Proposed Zoning: CC; and to establish CC on two parcels

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

**Keith MacVean & Jeff Brown**

Name of Rezoning Agent

Moore & Van Allen, PLLC

100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

City, State, Zip

704.331.3531 (KM) 704-378-1954 (KM)

704-331-1144 (JB) 704-378-1925 (JB)

Telephone Number Fax Number

keithmacvean@mvalaw.com;

jeffbrown@mvalaw.com

E-Mail Address

SEE ATTACHMENTS A-B

Signature of Property Owner(s)



(Name Typed/Clearly Printed)

**Rocky River Road Associates, LLC C/O Jim Merrifield**

Name of Petitioner(s)

2400 South Blvd #300

Address of Petitioner(s)

Charlotte, NC 28203

City, State, Zip

704.561.5241

Telephone Number Fax Number

jmerrifield@mpvre.com

E-Mail Address

SEE ATTACHMENT C

Signature of Petitioner



(Name Typed/Clearly Printed)

**ATTACHMENT A**

REZONING PETITION NO. 2017-  
**Rocky River Road Associates, LLC**

PETITIONER JOINDER AGREEMENT  
**Rocky River Road Associates C/O MPV Properties, LLC**

The undersigned, as the owners of the parcels of land located east of I-485 and north of Rocky River Road that are designated as Tax Parcel No. 105-361-05 and 105-361-06 on the Mecklenburg County Tax Map and which are subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the establishment of zoning for the Parcels to the CC 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 3 day of February, 2017.

**Rocky River Road Associates C/O MPV Properties, LLC**

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

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

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

*James E. Merrifield*  
*James E. Merrifield*  
*Manager*

**ATTACHMENT B**

REZONING PETITION NO. 2017-  
**Rocky River Road Associates, LLC**

PETITIONER JOINDER AGREEMENT  
**Rocky River Road Associates C/O MPV Properties, LLC**

The undersigned, as the owners of the parcels of land located at 5951 and 5737 Rocky River Road that is designated as Tax Parcel No. 105-361-01 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby join in this Rezoning Application and consent to the change in zoning for the Parcels from the R-8MF(CD), R-12MF(CD) and O-2(CD) zoning district to the CC 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 3 day of February, 2017.

**Rocky River Road Associates C/O MPV Properties, LLC**

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

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

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

*James E. Hanfield*  
James E. Hanfield  
Manager

**ATTACHMENT C**

REZONING PETITION NO. 2017-  
**Rocky River Road Associates, LLC**

**Rocky River Road Associates, LLC**

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

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

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

*James E. Merfield*  
*James E. Merfield*  
*Manager*