

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

2019-144

Petition #:	_____
Date Filed:	<u>9/20/2019</u>
Received By:	<u>R+</u>

Property Owners: SEE SCHEDULE 1 ATTACHED HERETO

Owner's Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Date Properties Acquired: SEE SCHEDULE 1 ATTACHED HERETO

Property Addresses: SEE SCHEDULE 1 ATTACHED HERETO

Tax Parcel Numbers: SEE SCHEDULE 1 ATTACHED HERETO

Current Land Use: vacant/residential (Acres): ± 23.99

Existing Zoning: R-3 & R-12(CD) Proposed Zoning: R-12MF(CD)

Overlay: N/A Tree Survey Provided: Yes: N/A:

Required Rezoning Pre-Application Meeting* with: Michael Russell, Charlotte Lamb, Kent Main, Isaiah Washington, Grant Meacci, Josh Weaver

Date of meeting: 7/17/19

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

<p>For Conditional Rezonings Only:</p> <p>Requesting a vesting period exceeding the 2 year minimum? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No. Number of years (maximum of 5): <u>N/A</u></p> <p>Purpose/description of Conditional Zoning Plan: <u>To allow development of the site with multi-family residential community, designed for college students.</u></p>

Keith MacVean, Dujuana Keys & Jeff Brown
Name of Rezoning Agent

Moore & Van Allen, PLLC
100 N. Tryon Street, Suite 4700
Agent's Address

Charlotte, NC 28202

704.331.3531 (KM) 704-378-1954(KM)
704-331-2371 (DK) 704-339-5888 (DK)
704-331-1144 (JB) 704-378-1925 (JB)
Telephone Number Fax Number

keithmacvean@mvalaw.com;
dujuanakeys@mvalaw.com;
jeffbrown@mvalaw.com
E-mail Address

SEE ATTACHMENTS A-C
Signature of Property Owner

York Acquisitions, LLC
dba Aspen Heights Partners (Attn: Dan Koebel)
Name of Petitioner

8008 Corporate Center Drive, Ste 201
Address of Petitioner

Charlotte, NC 28226
City, State, Zip

704.255.4283
Telephone Number Fax Number

dkoebel@ahpliving.com
E-mail Address

SEE ATTACHMENT D
Signature of Petitioner

SCHEDULE 1

Parcel	Property Address	Owner	Owner's Address	Date Acquired
029-031-12	9920 Mallard Glen Dr, Charlotte, NC 28262	Kevin Evans Ann Evans	1150 Liberty Rd, Gold Hill, NC 28071	05/15/2015
029-031-22	139 Northbend Drive, Charlotte, NC 28213	ML North Carolina Apartments LP	2 N. Riverside Plaza, Ste 400, Chicago, IL 60606	10/19/1998
029-031-25	1601 Sir Anthony Dr, Charlotte, NC 28262			10/19/1998
Portion of 029-031-24	N/A	Sybil Del Bueno	PO BOX 970 Pinehurst, NC 28370	06/15/2010

ATTACHMENT A

REZONING PETITION NO. 2019-____
Aspen Heights Partners

OWNER JOINDER AGREEMENT029
Kevin Evans
Ann Evans

The undersigned, as the owner of the parcel of land located at 9920 Mallard Glen Dr, Charlotte, NC that is designated as Tax Parcel No. 029-031-12 on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Application and consents to the change in zoning for the parcel from R-3 zoning district to the R-12MF(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 4th day of September, 2019.

Kevin Evans
Kevin Evans

Ann Evans
Ann Evans

ATTACHMENT B

REZONING PETITION NO. 2019-_____
Aspen Heights Partners

OWNER JOINDER AGREEMENT
ML North Carolina Apartments LP

The undersigned, as the owner of the parcel of land located at

1. 139 Northbend Dr, Charlotte, NC that is designated as Tax Parcel No. 029-031-22
2. 1601 Sir Anthony Dr, Charlotte, NC that is designated as Tax Parcel No. 029-031-25

on the Mecklenburg County Tax Map and which is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Application and consents to the change in zoning for the parcels from R-12(CD) zoning district to the R-12MF(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 3rd day of September, 2019.

**ML North Carolina Apartments LP, a
Georgia limited partnership**

By: ERP-Southeast Properties,
L.L.C., a Georgia limited liability
company, its general partner

By: ERP Operating Limited
Partnership, an Illinois limited
partnership, its member

By: Equity Residential, a Maryland
real estate investment trust, its general
partner

By: [Signature]
Its: ERP - Investments

ATTACHMENT C

**REZONING PETITION NO. 2019-____
Aspen Heights Partners**

**OWNER JOINDER AGREEMENT
Sybil Del Bueno**

The undersigned, as the owner of the parcel of land located at N/A, Charlotte, NC that is designated as Tax Parcel No. 029-031-24 on the Mecklenburg County Tax Map and which a portion of is subject to the attached Rezoning Application (the "Parcel"), hereby joins in the Rezoning Application and consents to the change in zoning for the portion of the parcel from R-3 zoning district to the R-12MF(CD) zoning district as more particular depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 24th day of September, 2019.

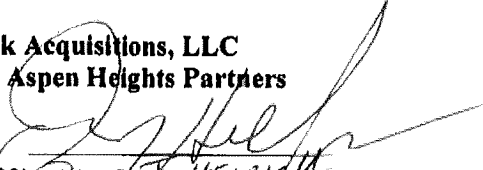

Sybil Del Bueno
Sybil Del Bueno

ATTACHMENT D

**REZONING PETITION NO. 2019-
Aspen Heights Partners**

Petitioner:

**York Acquisitions, LLC
dba Aspen Heights Partners**

By: 
Name: DAVID J. HENRICHS
Title: Authorized Agent