



DATE FILED <u>5-31-17</u>
APPLICATION NUMBER <u>6063</u>
<i>For office use only</i>

**APPLICATION FOR CHANGE IN ZONING CLASSIFICATION
OR CHANGE IN CONDITIONS
(SEE FILING INSTRUCTIONS)**

TO: Town of Matthews Board of Commissioners
Town of Matthews Planning Board
232 Matthews Station Street
Matthews, North Carolina 28105-6713

Ladies and Gentlemen:

Your consideration of this petition is requested for:

- A change in zoning classification of the property hereinafter described; or
 A change in conditions to an existing conditional zoning plan.

Tax parcel number(s): 193-311-11, 193-311-10, portion of 193-311-21

Address of property: 1725 Matthews-Mint Hill Rd, 28105; 1705 Matthews Mint-Hill Rd, 28105; 2930 Oakhaven Dr, 11995

Location of property:

Title to the property was acquired on 6/1/2006; 3/7/2008; 12/27/2001
and was recorded in the name of Matthews Ventures LLC; Jane Biggers Overcash, Trustee of the Jane Biggers Overcash Revocable Trust; JBOMMH, LLC
whose mailing address is PO Box 17566, Raleigh, NC 27619; 1705 Matthews-Mint Hill Rd, Matthews, NC 28105;
PO Box 20636 Charleston, SC 29413

The deed is recorded in Book 20524; 23475; 13075 and Page 275; 260; 383 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: R-12; O(CD); R-MH; RU; BH Requested zoning classification: R-12MF(CD)

List reason(s) why zoning should be changed:

This Site is an appropriate location for higher density residential uses as it will make an appropriate transition to the adjacent residential uses and is located in close proximity to existing goods and services.

The 30.26 acres that make up this rezoning petition are located on both sides of the future extension of Northeast Parkway. This Rezoning Petition proposes to develop the Site with a high quality residential community with up to 350 multi-family residential dwelling units.

As indicated in the adopted Town of Matthews Land Use Plan 2012-2022, the property along the uncompleted portion of Northeast Parkway is a suitable location for a land use like multi-family housing which will provide a transitional buffer to the adjacent existing residential uses. The Site is also in close proximity to a number of commercial shopping centers (Matthews Corners, Sycamore Commons, and Matthews Festival) that will also provide goods and services to the residents of the new residential community. The new residential community will also help support the businesses that are part of these adjacent commercial areas.

List reason(s) why zoning should be changed (use separate sheet if necessary):

Application number
663
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Thomas A Smith

Signature of property owner (must be original)

Matthews Ventures LLC

Print name of property owner
PO Box 17566

Property owner's mailing address
Raleigh, NC 27619

Property owner's mailing address, continued

Property owner's mailing address, continued
919-863-1000
todd.sauced@dewittcarolinas.com

Property owner's phone number/email address

SEE NEXT PAGE

Signature of agent (if any)

SEE NEXT PAGE

Print name of agent

SEE NEXT PAGE

Agent's mailing address

SEE NEXT PAGE

Agent's mailing address, continued

SEE NEXT PAGE

Agent's mailing address, continued

SEE NEXT PAGE

Agent's phone number/email address

Signature of property owner (must be original)

Jane Biggers Overcash, Trustee of the Jane Biggers Overcash Revocable Trust

Print name of property owner
1705 Matthews-Mint Hill Road

Property owner's mailing address
Matthews, NC 28105

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

SEE NEXT PAGE

Petitioner other than owner (if any)

SEE NEXT PAGE

Print name of petitioner

SEE NEXT PAGE

Petitioner's mailing address

SEE NEXT PAGE

Petitioner's mailing address, continued

SEE NEXT PAGE

Petitioner's mailing address, continued

SEE NEXT PAGE

Petitioner's phone number/email address

List reason(s) why zoning should be changed (use separate sheet if necessary):

Application number
2017-603
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Thomas Smith
Signature of property owner (must be original)

Matthews Ventures LLC

Print name of property owner
PO Box 17566

Property owner's mailing address
Raleigh, NC 27619

Property owner's mailing address, continued

Property owner's mailing address, continued

919-863-1000
todd.saeed@dewittcarolinas.com

Property owner's phone number/email address

Jane Biggers Overcash trustee SIGN
Signature of property owner (must be original)

Jane Biggers Overcash, Trustee of the Jane Biggers Overcash Revocable Trust

Print name of property owner
1705 Matthews-Mint Hill Road

Property owner's mailing address
Matthews, NC 28105

Property owner's mailing address, continued

Property owner's mailing address, continued

843-697-7136
jbofrust@gmail.com

Property owner's phone number/email address

SEE NEXT PAGE

Signature of agent (if any)

SEE NEXT PAGE

Print name of agent
SEE NEXT PAGE

Agent's mailing address
SEE NEXT PAGE

Agent's mailing address, continued
SEE NEXT PAGE

Agent's mailing address, continued

SEE NEXT PAGE

Agent's phone number/email address

SEE NEXT PAGE

Petitioner other than owner (if any)

SEE NEXT PAGE

Print name of petitioner
SEE NEXT PAGE

Petitioner's mailing address
SEE NEXT PAGE

Petitioner's mailing address, continued
SEE NEXT PAGE

Petitioner's mailing address, continued

SEE NEXT PAGE

Petitioner's phone number/email address

List reason(s) why zoning should be changed (use separate sheet if necessary):

Application number
2017-663
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← SIGN

[Handwritten Signature]
Signature of property owner (must be original)

Signature of property owner (must be original)

JBOMMH LLC

Print name of property owner

Print name of property owner
PO Box 20636 Charleston, SC 29413

Property owner's mailing address

Property owner's mailing address
Charleston, SC 29413

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's mailing address, continued
843-697-7136
jbommh@gmail.com

Property owner's phone number/email address

Property owner's phone number/email address

[Handwritten Signature]
Signature of agent (if any)

Ronald P. Perera
Petitioner other than owner (if any)

Moore & Van Allen - Keith MacVean

Bainbridge - Ron Perera

Print name of agent
100 N Tryon St, Ste 4700, Charlotte, NC 28202

Print name of petitioner
401 Harrison Oaks Blvd. Ste. 250

Agent's mailing address
Charlotte, NC 28202

Petitioner's mailing address
Cary, NC 27513

Agent's mailing address, continued

Petitioner's mailing address, continued

Agent's mailing address, continued

Petitioner's mailing address, continued

704.331.3531 keithmacvean@mvalaw.com
Agent's phone number/email address

919.462.1275 rperera@bainbridgere.com
Petitioner's phone number/email address

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

2017-663

For office use only

193-311-30

TAX PARCEL

Fountains Matthews, LLC

PROPERTY OWNER NAME(S)

1355 Greenwood Cliff

OWNER MAILING ADDRESS

Ste 150, Charlotte, NC 28204

OWNER MAILING ADDRESS, CONTINUED

193-311-19

TAX PARCEL

Leon Levine

PROPERTY OWNER NAME(S)

6000 Fairview Road, Ste 1525

OWNER MAILING ADDRESS

Charlotte, NC 28210

OWNER MAILING ADDRESS, CONTINUED

193-311-24

TAX PARCEL

WBW Farms, Inc

PROPERTY OWNER NAME(S)

154 Kelsey Landing Drive

OWNER MAILING ADDRESS

Beulaville, NC 28518

OWNER MAILING ADDRESS, CONTINUED

193-311-09

TAX PARCEL

William V. and Patricia A Cambrio

PROPERTY OWNER NAME(S)

1823 N 3rd Avenue

OWNER MAILING ADDRESS

Upland, CA 91784

OWNER MAILING ADDRESS, CONTINUED

193-311-04

TAX PARCEL

Viking Partners Matthews Corners LLC

PROPERTY OWNER NAME(S)

255 E Fifth Street, Ste 2400

OWNER MAILING ADDRESS

Cincinnati, OH 45202

OWNER MAILING ADDRESS, CONTINUED

193-311-23

TAX PARCEL

Souder Properties, Inc.

PROPERTY OWNER NAME(S)

4614-B Wilgrove Mint-Hill Rd

OWNER MAILING ADDRESS

Charlotte, NC 28227

OWNER MAILING ADDRESS, CONTINUED

193-311-82

TAX PARCEL

Matthews East Independence LLC

PROPERTY OWNER NAME(S)

550 S. Main Street, Ste 300

OWNER MAILING ADDRESS

Greenville, SC 29601

OWNER MAILING ADDRESS, CONTINUED

193-311-20

TAX PARCEL

Winkal Holdings, LLC C/O Win Properties Inc.

PROPERTY OWNER NAME(S)

10 Rye Ridge Plaza, Ste 200

OWNER MAILING ADDRESS

Rye Brook, NY 10573

OWNER MAILING ADDRESS, CONTINUED

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Application number

2017-663

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193-311-22

TAX PARCEL

Winkal Holdings, LLC C/O Win Properties Inc.

PROPERTY OWNER NAME(S)

10 Rye Ridge Plaza, Ste 200

OWNER MAILING ADDRESS

Rye Brook, NY 10573

OWNER MAILING ADDRESS, CONTINUED

193-311-44

TAX PARCEL

Karins3 LLC

PROPERTY OWNER NAME(S)

1603 Matthews-Mint Hill Road

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-311-25

TAX PARCEL

Oakhaven Enterprises Inc. % B/F Inc. Tax Department

PROPERTY OWNER NAME(S)

50 Ceatury Boulevard

OWNER MAILING ADDRESS

Nashville, TN 37214

OWNER MAILING ADDRESS, CONTINUED

193-314-05

TAX PARCEL

Bella Sera Villas Assoc. Inc.

PROPERTY OWNER NAME(S)

PO Box 18771

OWNER MAILING ADDRESS

Raleigh, NC 27619

OWNER MAILING ADDRESS, CONTINUED

193-311-28

TAX PARCEL

Overcash Investment Company

PROPERTY OWNER NAME(S)

1705 Mint Hill Road

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-311-29

TAX PARCEL

Oakhaven Enterprises Inc. % Carolina Restaurant Group

PROPERTY OWNER NAME(S)

8040 Arrowridge Boulevard, Ste 100

OWNER MAILING ADDRESS

Charlotte, NC 28273

OWNER MAILING ADDRESS, CONTINUED

193-311-31

TAX PARCEL

Petit Limited Partnership % The Petit Group

PROPERTY OWNER NAME(S)

1434 Belmont Drive

OWNER MAILING ADDRESS

Columbia, SC 29205

OWNER MAILING ADDRESS, CONTINUED

193-313-51

TAX PARCEL

Teresa E McNally

PROPERTY OWNER NAME(S)

3050 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

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Application number

2017-063

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193-313-52

TAX PARCEL

Richard Angle

PROPERTY OWNER NAME(S)

3020 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-53

TAX PARCEL

Tommy Earl Hyder

PROPERTY OWNER NAME(S)

5911 Phyllis Lane

OWNER MAILING ADDRESS

Mint Hill, NC 28227

OWNER MAILING ADDRESS, CONTINUED

193-313-56

TAX PARCEL

Patricia Brannin

PROPERTY OWNER NAME(S)

3038 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-57

TAX PARCEL

Yeol Choong and KI OK Sung

PROPERTY OWNER NAME(S)

3042 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-50

TAX PARCEL

Donald and Bobby Abele

PROPERTY OWNER NAME(S)

3054 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-55

TAX PARCEL

James E Lane

PROPERTY OWNER NAME(S)

3032 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-54

TAX PARCEL

Jolene H Shuford

PROPERTY OWNER NAME(S)

3028 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

215-101-12

TAX PARCEL

Salomon Investments, LLC

PROPERTY OWNER NAME(S)

PO Box 18434

OWNER MAILING ADDRESS

Charlotte, NC 28218

OWNER MAILING ADDRESS, CONTINUED

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See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

2017-003
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215-101-02

TAX PARCEL

Bill Gallis and Mary P Gallis

PROPERTY OWNER NAME(S)

4417 Waxhaw Indian Trail Road

OWNER MAILING ADDRESS

Indian Trail, NC 28079

OWNER MAILING ADDRESS, CONTINUED

215-101-19

TAX PARCEL

Sunny Side Up Realty LLC

PROPERTY OWNER NAME(S)

1628 Matthews Mint Hill Road

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

215-102-05

TAX PARCEL

BRK Matthews LP C/O Starwood Capital Group

PROPERTY OWNER NAME(S)

591 West Putnam Avenue

OWNER MAILING ADDRESS

Greenwich, CT 06830

OWNER MAILING ADDRESS, CONTINUED

215-102-04

TAX PARCEL

Charlotte Mecklenburg Board of Education

PROPERTY OWNER NAME(S)

PO Box 30035

OWNER MAILING ADDRESS

Charlotte, NC 28203

OWNER MAILING ADDRESS, CONTINUED

215-101-20

TAX PARCEL

Poulos Enterprises Inc.

PROPERTY OWNER NAME(S)

3900 Wesley Chapel Road

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

215-101-03

TAX PARCEL

Armors, Inc.

PROPERTY OWNER NAME(S)

11617 Elizabeth Madison Court

OWNER MAILING ADDRESS

Charlotte, NC 28277

OWNER MAILING ADDRESS, CONTINUED

215-102-16

TAX PARCEL

Jerry L Smart, Barbara Q Smart Smart Living Trust

PROPERTY OWNER NAME(S)

419 Cruisers Drive

OWNER MAILING ADDRESS

Polk City, FL 33868

OWNER MAILING ADDRESS, CONTINUED

193-314-04

TAX PARCEL

Bella Sera Villas Assoc. Inc.

PROPERTY OWNER NAME(S)

PO Box 18771

OWNER MAILING ADDRESS

Raleigh, NC 27619

OWNER MAILING ADDRESS, CONTINUED

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

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193-314-03

TAX PARCEL

Bella Sera Villas Assoc. Inc.

PROPERTY OWNER NAME(S)

PO Box 18771

OWNER MAILING ADDRESS

Raleigh, NC 27619

OWNER MAILING ADDRESS, CONTINUED

193-313-58

TAX PARCEL

Mildred W Moody

PROPERTY OWNER NAME(S)

2954 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-59

TAX PARCEL

Margie B Duncan

PROPERTY OWNER NAME(S)

2950 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-60

TAX PARCEL

Anne N Guarino

PROPERTY OWNER NAME(S)

2934 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-61

TAX PARCEL

Naia C Ward

PROPERTY OWNER NAME(S)

2930 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-62

TAX PARCEL

Geraldine Smith

PROPERTY OWNER NAME(S)

2892 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-63

TAX PARCEL

Virginia Floyd

PROPERTY OWNER NAME(S)

2888 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-64

TAX PARCEL

Eileen Hoyle

PROPERTY OWNER NAME(S)

2882 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

Application number

2017-003

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193-313-65

TAX PARCEL

James E Davis, Jr. and Gloria Davis

PROPERTY OWNER NAME(S)

2878 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-67

TAX PARCEL

William and Linda Wesse

PROPERTY OWNER NAME(S)

2870 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-69

TAX PARCEL

Doris C Hawkins

PROPERTY OWNER NAME(S)

2864 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-71

TAX PARCEL

Larry Lynn and Joy Foster

PROPERTY OWNER NAME(S)

2856 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-66

TAX PARCEL

Sylvia N Goodrich and Beth G. Lippincott

PROPERTY OWNER NAME(S)

2874 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-312-88

TAX PARCEL

Bella Sera Villas Assoc. Inc.

PROPERTY OWNER NAME(S)

PO Box 18771

OWNER MAILING ADDRESS

Raleigh, NC 27619

OWNER MAILING ADDRESS, CONTINUED

193-313-68

TAX PARCEL

Kemp W Duncan Jr and Geraldine M Duncan

PROPERTY OWNER NAME(S)

2860 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-70

TAX PARCEL

Robert M and Joan C Rynders

PROPERTY OWNER NAME(S)

2852 Bellasera Way

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

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193-313-73
TAX PARCEL

Dieter Speer
PROPERTY OWNER NAME(S)

2846 Bellasera Way
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-74
TAX PARCEL

Marie E Ball
PROPERTY OWNER NAME(S)

2830 Bellasera Way
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-76
TAX PARCEL

Thomas E and Eileen Curran
PROPERTY OWNER NAME(S)

2824 Bellasera Way
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-79
TAX PARCEL

Raymond F Churchill and Will A and Joyce E Garrett
PROPERTY OWNER NAME(S)

10815 Casetta Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-72
TAX PARCEL

Samuel and Joyce Sanford
PROPERTY OWNER NAME(S)

2842 Bellasera Way
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-75
TAX PARCEL

Ilene Woodman
PROPERTY OWNER NAME(S)

2834 Bellasera Way
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-77
TAX PARCEL

William D and Francine M Knight
PROPERTY OWNER NAME(S)

2820 Bellasera Way
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-78
TAX PARCEL

Frieda Carol Helms
PROPERTY OWNER NAME(S)

10811 Casetta Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

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Application number
2017-063
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193-313-80
TAX PARCEL

Thomas H Blackmon and James M Laney
PROPERTY OWNER NAME(S)

10821 Casetta Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-83
TAX PARCEL

Edward Leroy Mobley Jr
PROPERTY OWNER NAME(S)

10835 Casetta Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-312-97
TAX PARCEL

Bella Sera Villas Assoc. Inc.
PROPERTY OWNER NAME(S)

PO Box 18771
OWNER MAILING ADDRESS

Raleigh, NC 27619
OWNER MAILING ADDRESS, CONTINUED

193-313-85
TAX PARCEL

Barbara Middleton
PROPERTY OWNER NAME(S)

10845 Casetta Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-81
TAX PARCEL

Toby and Alice Hilton
PROPERTY OWNER NAME(S)

10825 Casetta Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-82
TAX PARCEL

Mary Kral for the Kral Revocable Trust
PROPERTY OWNER NAME(S)

5611 Mossberg Drive
OWNER MAILING ADDRESS

New Port Richey, FL 34655
OWNER MAILING ADDRESS, CONTINUED

193-313-84
TAX PARCEL

Stephen W and Jeanne M Messer
PROPERTY OWNER NAME(S)

10841 Casetta Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-87
TAX PARCEL

Grace A Kehoe
PROPERTY OWNER NAME(S)

10855 Casetta Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

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Application number

2017-663
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193-313-86
TAX PARCEL

Gail G Johnson
PROPERTY OWNER NAME(S)

10851 Casetta Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-89
TAX PARCEL

Truman Klipstein
PROPERTY OWNER NAME(S)

PO Box 25504
OWNER MAILING ADDRESS

Charlotte, NC 28229
OWNER MAILING ADDRESS, CONTINUED

193-313-99
TAX PARCEL

Bella Sera Villas Assoc. Inc.
PROPERTY OWNER NAME(S)

PO Box 18771
OWNER MAILING ADDRESS

Raleigh, NC 27619
OWNER MAILING ADDRESS, CONTINUED

193-313-93
TAX PARCEL

Patrick D Delaney
PROPERTY OWNER NAME(S)

10885 Casetta Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-88
TAX PARCEL

Brenda Long Funderburk
PROPERTY OWNER NAME(S)

10861 Casetta Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-91
TAX PARCEL

Gloria D Perkins
PROPERTY OWNER NAME(S)

10875 Casetta Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-92
TAX PARCEL

Catherine S Marshall
PROPERTY OWNER NAME(S)

10881 Casetta Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

193-313-95
TAX PARCEL

John W and Elizabeth A Besemer
PROPERTY OWNER NAME(S)

10915 Casetta Drive
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

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2017-663

For office use only

193-313-94

TAX PARCEL

Brenda Moses Peterson

PROPERTY OWNER NAME(S)

10911 Casetta Drive

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-97

TAX PARCEL

David Williams Abbott and Diane Elizabeth Berwind

PROPERTY OWNER NAME(S)

10925 Casetta Drive

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-312-35

TAX PARCEL

Kathleen A And Ronald K Wilsbach

PROPERTY OWNER NAME(S)

10944 Casetta Drive

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-312-38

TAX PARCEL

Hua Liu

PROPERTY OWNER NAME(S)

10930 Casetta Drive

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-313-96

TAX PARCEL

Edward C Bressman Revocable Trust

PROPERTY OWNER NAME(S)

10921 Casetta Drive

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-312-36

TAX PARCEL

M Lammond and Betty S Verner

PROPERTY OWNER NAME(S)

10940 Casetta Drive

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-312-37

TAX PARCEL

Hal L Helms Revocable Trust and Audrey T Helms Revocable Trust

PROPERTY OWNER NAME(S)

10934 Casetta Drive

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-312-40

TAX PARCEL

Vincent L and Sharon K Clark

PROPERTY OWNER NAME(S)

10920 Casetta Drive

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

2017-0603

For office use only

193-312-39

TAX PARCEL

Robert and Irma Jean Evans

PROPERTY OWNER NAME(S)

10924 Casetta Drive

OWNER MAILING ADDRESS

Matthews, NC 28105

OWNER MAILING ADDRESS, CONTINUED

193-314-02

TAX PARCEL

Bella Sera Villas Assoc. Inc.

PROPERTY OWNER NAME(S)

PO Box 18771

OWNER MAILING ADDRESS

Raleigh, NC 27619

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

193-314-06

TAX PARCEL

Bella Sera Villas Assoc. C/O Cusick Management

PROPERTY OWNER NAME(S)

11111 Carmel Commons Boulevard, Ste 410

OWNER MAILING ADDRESS

Charlotte, NC 28226

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

SUMMARY OF THE REZONING PROCESS

APPLICANT: Fill in dates for each action below before filing application. Refer to the current Planning Department rezoning schedule for correct dates.

PROPERTY OWNERS: These dates are assumed to be correct at the time of zoning application submittal but are subject to revision. Contact the Planning Department (704-847-4411 or email srobertson@matthewsnc.gov) for verification.

Application submitted to and received by Town Planning office 5/31

Town Board of Commissioners formally accepts application and sets Public Hearing date 6/12

Notices sent via mail to affected/adjacent property owners on or before 7/31

Public hearing: applicant gives explanation of why s/he wishes to have property rezoned and neighboring owners may ask questions and voice opinions on the proposed zoning 8/14

Town Planning Board reviews request, information, and comments from the public hearing, then makes a recommendation to the Board of Commissioners on whether to approve or deny the request 8/22

Town Board of Commissioners approves or denies application 9/11

Bainbridge Matthews
Development Standards
05/25/17
Rezoning Petition No. 2017-000

Site Development Data:

- Acreage:** ± 30.03 acres
- Tax Parcel #:** 193-311-11, 193-311-10 and a portion of 193-311-21
- Existing Zoning:** R-12, O(CD), R-MH, RU and B-H
- Proposed Zoning:** R-12MF(CD)
- Existing Uses:** Vacant.
- Proposed Uses:** Up to 350 multi-family dwelling units.
- Maximum Building Height:** As allowed by the Ordinance but not to exceed four (4) stories. One building with up to four (4) stories will be allowed on the Site building as generally depicted on the Rezoning Petition.
- Parking:** The Site will comply with the minimum parking requirements of the Ordinance.

1. General Provisions:

- a. These Development Standards form a part of the Rezoning Site Plan associated with the Rezoning Petition filed by Bainbridge to accommodate the development of a multi-family community dwellings on an approximately 30.03 acre site located on both sides of the future extension of Northeast Parkway (the "Site").
- b. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Matthews Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the R-12MF zoning classification shall govern all development taking place on the Site.
- c. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, and other site elements set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The ultimate layout, locations, building height and sizes of the development and site elements depicted on the Rezoning Plan as well as any schematic building elevations are graphic representations of the development and site elements proposed, and they may be altered or modified in accordance with the setback, yard and buffer requirements set forth on this Rezoning Plan and the Development Standards, provided, however, any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan. Changes to the Rezoning Plan not permitted by the Rezoning Plan will be reviewed and approved as allowed by Section 155.401.5 of the Ordinance.

2. Permitted Uses & Development Area Limitation:

- a. The Site may be developed with up to 350 multi-family dwelling units, together with accessory uses allowed in the R-12MF zoning district.
- b. Development Area B as indicated on the Rezoning Plan will be reserved for a future roadway connection to Independence Blvd. and associated improvements as proposed by NCDOT.

3. Access Notes:

- a. Vehicular access to the site will be from the extension of Northeast Parkway as generally depicted on the Rezoning Plan.
- b. The right-of-way for the future access ramp from Matthews Mint Hill Road to Independence Boulevard will be reserved as generally depicted on the Rezoning Plan.
- c. The placements and configurations of vehicular access points are subject to any minor modifications, as approved by Matthews Public Works Department (MPWD) and/or NCDOT, required to accommodate final site development and construction plans and to any adjustments required for approval by MPWD and/or NCDOT in accordance with applicable published standards.
- d. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the MPWD and/or NCDOT in accordance with published standards.

4. Transportation Improvements:

I. Proposed Improvements:

To be completed upon the completion of the review of the TIS for the Site.

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns in accordance with the following implementation provisions:

a. **Extend Northeast Parkway from Matthews Mint Hill Road:**

- i. The Petitioner will extend Northeast Parkway from Matthews Mint Hill Road to the Site's northern most access point as a two (2) lane median divided roadway as generally depicted on the Rezoning Plan.
- ii. Reserve right-of-way for the future extension of Northeast Parkway as generally depicted on the Rezoning Petition.
- iii.

b. **Improve as follows:**

- i.
- ii.

II. Standards and Completion:

- a. **Matthews Public Works Department (MPWD)/NCDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of MPWD and NCDOT.
- b. **Completion.** The improvements described above must be substantially completed prior to the issuance of a final certificate of occupancy for any building constructed on the Site. The Petitioner may post a bond for any improvements not in completed at the time the first certificate of occupancy is issued.
- c. **Alternative Improvements.** Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, MPWD and/or NCDOT, and the Planning Director as applicable, provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

5. Architectural Standards:

- a. The facades of principal buildings constructed on the Site that are oriented towards Northeast Parkway or Matthews Mint Hill Road will be similar in appearance and character to the buildings elevations generally depicted on Sheet RZ-3 of the Rezoning Plan. These elevations are provided to reflect the architectural style and quality of the buildings to be constructed on the Site. The actual buildings constructed on the Site may only have minor variations from this elevation that adhere to the general architectural concepts and intent illustrated is maintained.
- b. The building materials used on the principal buildings constructed on site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, manufactured stone, cementitious siding (such as hardi-plank), stucco, and/or wood.
- c. The following architectural commitments shall apply to the permanent buildings located on the Site; at least 50% of the exterior building facades, exclusive of windows, doors, balconies and roofs, of the buildings oriented toward Matthews Mint Hill Road and Northeast Parkway as generally depicted on sheet RZ 2 shall be constructed of brick, stone, pre-cast stone or pre-cast concrete.
- d. If a four (4) story building is constructed on the Site it will be served by an elevator.
- e. Buildings 1 and 2 will be constructed with interior climate controlled corridors.
- f. As part of the development of the Site the Petitioner may construct detached garages structures as generally illustrated on Sheet RZ -2 of the Rezoning Plan. These detached structures may contain either: (i) single-story garages (each building may contain multiple garages); or (ii) residential units above garages (“Two-Story Carriage House”).
- g. Meter banks will be screened.
- h. HVAC and related mechanical equipment will be screened from public view at grade when located either on the roofs of the proposed buildings or when located on the ground at the base of the proposed buildings.

i. Dumpster, compactor and recycling areas will be enclosed by a solid wall with one side being a decorative gate. The wall used to enclose compactor, dumpster and recycling areas will be architecturally compatible with the building materials and colors used on the buildings. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side.

j. The on-site compactor, dumpster and recycling areas must be picked up between the hours of 7:00 am and 7:00 pm.

6. Streetscape, Buffers, Pocket Parks and Landscaping:

a. Setbacks and yards as required by the Ordinance and as indicated on Rezoning Plan shall be provided.

b. The Petitioner will provide an eight (8) foot planting strip and a 10 foot multi-use trail along the eastern side of the extension of Northeast Parkway as generally depicted on the Rezoning Plan. Along the western side of the extension of Northeast Parkway the Petitioner will provide an eight (8) foot planting strip and a minimum of a five (5) foot sidewalk as generally depicted on the Rezoning Plan.

c. Along Matthews Township frontage the Petitioner will provide an eight (8) foot planting strip and a minimum of a five (5) foot sidewalk as generally depicted on the Rezoning Plan. The Site's frontage along Matthews Township Parkway will also be improve with curb and gutter if required by the Town of Matthews Public Works Department.

d. Along the Site's internal parking areas, the Petitioner will provide a sidewalk and cross-walk network that links the buildings on the Site with one another and links the buildings to the sidewalks along the abutting public streets. The minimum width for this internal sidewalk will be five (5) feet. Natural trails constructed within the open space area or the landscape buffer will be constructed of pervious materials such as but not limited to granite fines, mulch, pine straw or other suitable pervious material that is in keeping with the character the area.

e. Along the property boundary, abutting the existing homes in the Bella Sera Villas neighborhood, the Petitioner will provide a 100 foot landscape buffer made up of existing and new landscaping. The outer 50 feet of the landscape buffer will be treated as an undisturbed buffer. Utilities, a fence and natural drainage areas will be allowed within the undisturbed buffer portion of the landscape buffer. Grading associated with the installation of utilities or for the stabilization, repair and maintenance of natural drainage areas will also be allowed within the undisturbed portion of the landscape buffer. Any area disturbed for the installation of utilities and/or the stabilization, repair and maintenance of natural drainage areas, or any areas without existing vegetation will be replanted with landscaping consisting of nine (9) trees and 20 shrubs every 100 linear feet (existing trees and shrubs that remain within the buffer will be counted toward meeting this minimum landscape requirement). Utilities if required to cross the buffer must cross the buffer at no less than 75 degree angle. A fence may be placed within the buffer including within the undisturbed buffer portion, minor clearing and tree removal will be allowed within the undisturbed buffer for the installation of the fence. The Petitioner reserves the right to remove dead and dying plant material located within the undisturbed buffer.

- f. The inner half of the landscape buffer where the existing vegetation is cleared to accommodate grading and other site improvements or where there is no existing vegetation will be replanted at a rate of no less than 9 trees and 20 shrubs per 100 linear feet (existing trees and shrubs that remain within the buffer will be counted toward meeting this minimum landscape requirement).
- g. The trees and shrubs to be planted within the buffer to be a combination of evergreen and deciduous plant material. The proposed trees to be a combination of small and large maturing trees.
- h. The Petitioner will provide a six (6) foot black vinyl coated chain link fence along the common property boundary with the Bella Sera Villas. This proposed fence may not be located within 40 feet of the property line of the Bella Sera Villas. The location of the fence must also conform to the screening requirements in the Landscape Chapter of the Ordinance. This proposed fence will be installed while the Site is being cleared for construction. A lockable gate for maintenance purposes only will be installed along the 6' fence. The Petitioner will be responsible for the maintenance and appearance of the fence and will conduct periodic inspections of the fence to ensure the appearance of the fence is maintained and the fence is good repair.
- i. Screening requirements of the Ordinance will be met.
- j. The Petitioner shall provide a pocket park on each side of the intersection of Northeast Parkway and Mint Hill Matthews Road so as to enhance the appearance the intersection and the development as generally depicted on the Rezoning Plan. The proposed pocket parks will contain a combination of existing and new vegetation and be improved with walking trails, seating areas and pedestrian scale lighting.
- k. Parking located on the Site will be screened from Northeast Parkway, Mint Hill Matthews Road and from the adjoining properties.
- l. Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

7. Environmental Features:

- a. The project will provide for storm water best management practices (BMPS) designed to meet regulatory requirements for storm water capture, treatment, volume attenuation and detention as applicable as generally illustrated on sheet RZ2.0 of the Rezoning Plan.
- b. The location, size and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
- c. The proposed water quality and storm water detention ponds as generally illustrated on the Rezoning Plan will be designed as wet ponds.
- d. The Site will comply with the Town of Matthews Tree Ordinance.

8. Open Space:

- a. Open space areas as required by the R-12MF zoning district will be provided.

9. Signage:

- a. Signage as allowed by the Ordinance may be provided. The Site will comply with the signage requirements of the Ordinance.

10. Lighting:

- a. All new site lighting will meet the standards of the Matthews Outdoor Lighting Ordinance.
- b. Any detached lighting located within 200 feet of the Bella Sera Villas property line will be limited to 15 feet in height.
- c. Subject to NCDOT approval the Petitioner will provide decorative pedestrian lighting at the intersection of Northeast Parkway and Matthews Township Parkway.

11. Amendments to the Rezoning Plan:

- a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then owner or owners of the applicable development area portion of the Site affected by such amendment in accordance with the provisions of Section 155.401 of the Ordinance.

12. Binding Effect of the Rezoning Application:

- a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.



