



DATE FILED	<u>9-26-18</u>
APPLICATION NUMBER	<u>2018-69</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): 193-251-27

Address of property: 300 West John Street

Location of property: Northeast corner of the intersection of West John Street and North Ames Street

Title to the property was acquired on July 22, 2010

and was recorded in the name of George Juhan McManus, Jr.***

whose mailing address is P.O. Box 1918, Matthews, NC 28106

The deed is recorded in Book 25782 at Page 762 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: R-20 Requested zoning classification: O (CD)

***George Juhan McManus, Jr. is deceased. The property is now titled in the names of (1) Linda Brown and (2) Eran L. Weaver, Trustee of George Juhan McManus, Jr. Testamentary Trust f/b/o Michael Alberico and Christopher Alberico”

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

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The Petitioner is requesting the rezoning of the site to accommodate the development of a building on the site that will be devoted to office uses.

By: *Linda Brown*

Signature of property owner (must be original)

Linda Brown
Print name of property owner

524 Main St. Matthews NC 28105
Property owner's mailing address

524 Main St. Matthews NC 28105
Property owner's mailing address, continued

Property owner's mailing address, continued

704 576 9425
Property owner's phone number/email address

John Carmichael
Signature of agent (if any)

John Carmichael, Robinson Bradshaw
Print name of agent

101 North Tryon Street, Suite 1900
Agent's mailing address

Charlotte, NC 28246
Agent's mailing address, continued

Agent's mailing address, continued

704-377-8341 jcarmichael@robinsonbradshaw.com
Agent's phone number/email address

ERAN L. WEAVER, TRUSTEE
OF GEORGE JUHAN MCMANUS, JR.
TESTAMENTARY TRUST F/B/O MICHAEL
ALBERICO AND CHRISTOPHER ALBERICO

By: *Eran L. Weaver* TRUSTEE
Signature of property owner (must be original)

Eran L. Weaver
Print name of property owner

196 NORTH TRASE STREET
Property owner's mailing address

MATTHEWS NC 28105
Property owner's mailing address, continued

Property owner's mailing address, continued

704-844-1400
Property owner's phone number/email address

CHELSEA BUILDING GROUP, LLC

By: *Joe Fontana*, member
Petitioner other than owner (if any)

Chelsea Building Group, LLC (c/o Joe Fontana)
Print name of petitioner

131 Matthews Station Street, Suite 2A
Petitioner's mailing address

Matthews, NC 28105
Petitioner's mailing address, continued

Petitioner's mailing address, continued

980-221-0500 jfontana@chelseabuildinggroup.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."

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See Exhibit A Attached Hereto

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

TAX PARCEL

PROPERTY OWNER NAME(S)

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

OWNER MAILING ADDRESS, CONTINUED

SUMMARY OF THE REZONING PROCESS

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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 September 26, 2018
- Town Board of Commissioners formally accepts application and sets Public Hearing date October 8, 2018
- Notices sent via mail to affected/adjacent property owners on or before November 26, 2018
- 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 December 10, 2018
- 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 December 25, 2018
- Town Board of Commissioners approves or denies application January 14, 2019

Exhibit AParcel No. 19325128

Matthews Help Center
PO Box 91
Matthews, NC 28106

Parcel No. 19325129

Matthews Help Center
PO Box 91
Matthews, NC 28106

Parcel No. 19326106

Randall Neil Mitchell
David Lee Sproat
The Christ Our Shepherd Endowment Foundation Trust
226 W. John Street
Matthews, NC 28105

Parcel No. 22702441

Matthews Presbyterian Church, Inc.
PO Box 97
Matthews, NC 28106

Parcel No. 22702444

Matthews Presbyterian Church, Inc.
PO Box 97
Matthews, NC 28106

Parcel No. 22702509

Matthews Property Holdings LLC
11830 Bain School Road
Charlotte, NC 28227

Parcel No. 22702510

Gary L. Nicholson
Diane M. Nicholson
6435 Old Fort Road
Wilmington, NC 28411

Parcel No. 22702511

Matthews Property Holdings LLC
11830 Bain School Road
Charlotte, NC 28227

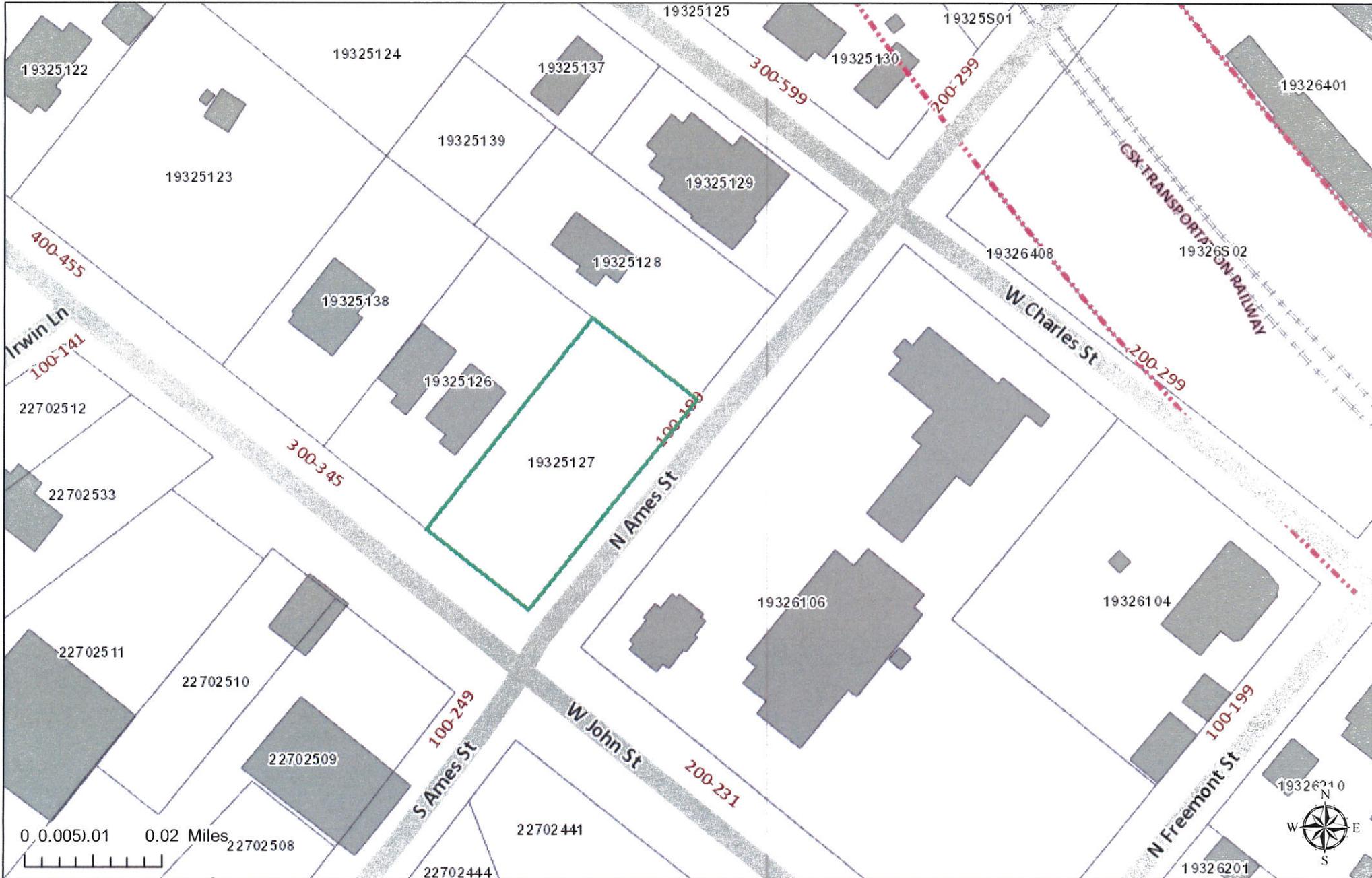
Parcel No. 19325126

Carolyn C. Morris
733 Plantation Estates Drive
Apt. D-318
Matthews, NC 28105

Polaris 3G Map – Mecklenburg County, North Carolina

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Date Printed: 9/25/2018 2:54:16 PM



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

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jcarmichael@robinsonbradshaw.com
704.377.8341 : Direct Phone
704.373.3941 : Direct Fax

September 26, 2018

BY HAND DELIVERY

Mr. Jay Camp, Senior Planner
Town of Matthews
232 Matthews Station Street
Matthews, NC 28105

Re: Rezoning Application filed by Chelsea Building Group, LLC Requesting the Rezoning of an Approximately .482 Acre Site Located on the Northeast Corner of the Intersection of West John Street and North Ames Street From the R-20 Zoning District to the O (CD) Zoning District (Tax Parcel No. 193-251-27)

Dear Jay:

I hope this letter finds you well.

This letter is being submitted with the above-captioned Rezoning Application pursuant to the requirements of Paragraph 12 of the Instructions for Filing an Application for a Change in a Zoning Classification or Change in Conditions (the "Instructions"). As you are aware, Paragraph 12 of the Instructions requires the Applicant to submit documentation regarding the land use recommendations for the subject site as set out in adopted land use plans and a statement as to how this rezoning proposal complies with such recommendations.

The subject site contains approximately .482 acres and is located on the northeast corner of the intersection of West John Street and North Ames Street, and the site is comprised of Tax Parcel No. 193-251-27. The site is currently zoned R-20 and pursuant to this Rezoning Application, the Applicant is requesting that the site be rezoned to the O (CD) zoning district to accommodate a building on the site that could only contain professional and general office uses and other office type uses.

The Town of Matthews Land Use Plan 2012-2022 (the "Land Plan") and the Downtown Master Plan (the "Downtown Plan") provide land use policy guidance and recommendations for parcels of land located on West John Street in downtown Matthews. Although the Land Plan does not appear to make any specific land use recommendations for the site, it does contain policy statements and action items that are relevant to the site and the proposed development.

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Mr. Jay Camp, Senior Planner
September 26, 2018
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Likewise, the Downtown Plan does not appear to make any specific land use recommendations for the site, however, it also contains policy statements and action items that are relevant to the site and the proposed development.

Despite the absence of specific land use recommendations for the site in the Land Plan and the Downtown Plan, the Applicant respectfully submits that the proposed development of the site supports the vision for downtown Matthews set out in such plans for the following reasons.

- The Land Plan encourages complementary non-residential uses along West John Street.
- The Land Plan provides that the remaining residentially zoned, vacant lots should be rezoned for uses that generate minimal traffic.
- The Land Plan provides that office uses along West John Street are encouraged as they mitigate traffic due to the low intensity of office uses.
- The site is located in the West John Historic District under the Downtown Plan. The Downtown Plan recommends the development of residential style office cottages as infill on vacant parcels in the West John Historic District

Jay, the Applicant and I look forward to working with you, Kathi and the Town on this rezoning request.

Should you have any questions or comments, please do not hesitate to call me.

Sincerely,

ROBINSON, BRADSHAW & HINSON, P.A.



John H. Carmichael

JHC1/lh