Town of Matthews North Carolina

DATE FILED 4-2-2020

APPLICATION NUMBER 2020-713

*For office use only*

# 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:

- [x] 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): 19323133

Address of property: 1837 Matthews Township Pkwy, Matthews, NC 28105

Location of property:

Title to the property was acquired on 1992
and was recorded in the name of HD DEVELOPMENT OF MARYLAND INC, % HOME DEPOT USA INC
whose mailing address is PO BOX 105842 STE 3608, ATTEN:PROPERTY TAX DEPT ATLANTA GA 30348-5842

The deed is recorded in Book 10598 and Page 647 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: B-1SCD Shopping Center Requested zoning classification: B-1SCD Shopping Center

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

See attached listing.

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Suzanne Russo
Signature of property owner (must be original)

Signature of property owner (must be original)

Suzanne Russo
Print name of property owner

Print name of property owner

HD Development of Maryland
c/o Home Depot USA Inc
Property owner's mailing address

Property owner's mailing address

P.O. Box 105842, Ste 3608 Attn: Property Tax Dept.
Property owner's mailing address, continued

Property owner's mailing address, continued

Atlanta, GA. 30348
Property owner's mailing address, continued

Property owner's mailing address, continued

770-433-8211
suzanne_russo@homedepot.com
Property owner's phone number/email address

Property owner's phone number/email address

Jordan Corbitt
Signature of agent (if any)

Petitioner other than owner (if any)

Jordan Corbitt / Kimley-Horn
Print name of agent

Print name of petitioner

11720 Amber Park Drive
Agent's mailing address

Petitioner's mailing address

Suite 600
Agent's mailing address, continued

Petitioner's mailing address, continued

Alpharetta, GA 30009
Agent's mailing address, continued

Petitioner's mailing address, continued

(770) 545-6103
Agent's phone number/email address

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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19323103
TAX PARCEL
DUKE POWER CO, ATTN: TAX DEPT -PB05B
PROPERTY OWNER NAME(S)
422 S CHURCH ST
OWNER MAILING ADDRESS
CHARLOTTE NC 28242
OWNER MAILING ADDRESS, CONTINUED

19323136
TAX PARCEL
MATTHEWS TOWNSHIP LAND LLC,
PROPERTY OWNER NAME(S)
2800 ONE FIRST UNION CENTER
OWNER MAILING ADDRESS
CHARLOTTE NC 28202
OWNER MAILING ADDRESS, CONTINUED

19329209
TAX PARCEL
MATTHEWS FESTIVAL LIMITED PARTNERSHIP
PROPERTY OWNER NAME(S)
200 WINGO WAY SUITE 100
OWNER MAILING ADDRESS
MT PLEASANT SC 29464
OWNER MAILING ADDRESS, CONTINUED

19329217
TAX PARCEL
ECHO MATTHEWS LLC.
PROPERTY OWNER NAME(S)
560 EPSILON DR
OWNER MAILING ADDRESS
PITTSBURGH PA 15238
OWNER MAILING ADDRESS, CONTINUED

19329220
TAX PARCEL
MID AMERICA APARTMENTS LP
PROPERTY OWNER NAME(S)
C/O SCHINDLER#123201 6815 POPLAR AVE STE 500
OWNER MAILING ADDRESS
GERMANTOWN, TN 38138
OWNER MAILING ADDRESS, CONTINUED

19323133
TAX PARCEL
HOME DEPOT USA, INC- ATTN:PROPERTY TAX DEPT
PROPERTY OWNER NAME(S)
PO BOX 105842 STE 3608
OWNER MAILING ADDRESS
ATLANTA, GA 30348
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

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## 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 April 2, 2020

Town Board of Commissioners formally accepts application and sets Public Hearing date May 11, 2020

Notices sent via mail to affected/adjacent property owners on or before May 25, 2020

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 June 8, 2020

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 June 23, 2020

Town Board of Commissioners approves or denies application July 13, 2020

*The Matthews Board of Commissioners General Procedures Policy on Zoning and Development Case Appearances Before the Town Board*, initially adopted October 8, 2018, explains the Board of Commissioners' expectations that this application is ready for public review and action, and that the above schedule can be followed without delays. By signing below, the property owner(s) and all other parties involved in preparing and presenting this zoning application indicate they have read and understand their responsibility to submit complete and accurate documents in a timely manner throughout the review process. Late or missing (new or revised) documents may limit the applicants opportunity to present updated information, which may result in an unfavorable decision.

Suzanne Russo — 03/30/20
Signature of ✓ Property Owner — Date
___ Agent for Property Owner
___ Other (please identify) _____

Jordan Cahoff — 03/27/20
Signature of ___ Property Owner — Date
✓ Agent for Property Owner
___ Other (please identify) _____

_____ — _____
Signature of ___ Property Owner — Date
___ Agent for Property Owner
___ Other (please identify) _____

# Polaris 3G Map – Mecklenburg County, North Carolina

## 2020-713 1837 Matthews Township Pkwy

Date Printed: 4/8/2020 9:51:31 AM

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.

2020-713

Kimley»Horn

March 30, 2020

The Home Depot
1837 Matthews Township Pkwy
Matthews, NC 28105
Parcel #19323133

RE: ***The Home Depot – Change of Conditions Justification:***

The Home Depot's Change of Conditions Application 2019-703 was filed on September 20, 2019 requesting a change in conditions to allow the Site to have an area for large equipment rental storage and display. The Matthews Board of Commissioners denied the Change of Conditions Application 2019-703 on December 9, 2019. Subsequently, The Home Depot filed a waiver request to waive the One (1) Year Waiting Period for re-submission of a Zoning Application. The Matthews Board of Commissioners approved the waiver request on March 9, 2020. During this time, The Home Depot has met with members of the board to discuss the proposed changes in hopes for obtaining a favorable outcome with the new application submittal.

Similar to the previously submitted Change of Conditions Application and plan, The Home Depot would like to utilize a portion of the parking lot on the south side of the store for large format rental equipment and trailer storage. Unlike the previous plan, the new plan incorporates moveable planters that will surround the trailers and large format equipment which will help provide screening to other areas in the parking lot. This plan also reduces the number of large format equipment and trailers that would be located within the parking lot: 15 large format equipment pieces (vs. 31 in the old plan) and 5 trailers (vs. 9 in the original plan). The remainder of equipment and trailers will be located along the south side of the building behind the tool rental center and essentially out of view from customers. In addition, The Home Depot is committed to evaluating the health of the onsite trees. Any trees that are determined to be diseased or dead will be replaced with new 2" caliper trees. Also, additional landscape islands are proposed to help with the aesthetics of the site and to break up the sea of asphalt that currently exists.

Additionally, The Home Depot would like to remove the timeframe that is listed on the currently approved site plan for when the seasonal outdoor storage may occur. As it stands today, The Home Depot may only utilize seasonal outdoor storage from mid-March through mid-July. The Home Depot would like to remove this time commitment as over the past few years, the beginning of spring weather has been variable. Sometimes Spring will start in February, and others it will not start until closer to April. They understand that they are currently only allowed 120 days, per code, but would like the flexibility to choose when they start this allotted time each year. Removing the time commitment of mid-March through mid-July would allow them to do so.

Please contact me at (770) 545-6103 or jordan.corbitt@kimley-horn.com should you have any questions regarding Home Depot's application for a change of conditions.

Sincerely,

Jordan Corbitt, P.E.
Kimley-Horn | Project Manager
11720 Amber Park Drive
Suite 600
Alpharetta, GA 30009

2020-713

# MECKLENBURG COUNTY, NC POLARIS 3G DEED REPORT

Date Printed: 07/30/2019

Buffer Distance: 100 Feet

| No | Parcel ID | Owner Name | Mailing Address | Legal Description | Deed Book | Deed Page | Land Area |
|---|---|---|---|---|---|---|---|
| 1 | 19323103 | 1. DUKE POWER CO, ATTN: TAX DEPT - PB05B | 422 S CHURCH ST CHARLOTTE NC 28242 | NA | 02579 | 325 | 25.1 AC |
| 2 | 19323133 | 1. HD DEVELOPMENT OF MARYLAND INC, 2.% HOME DEPOT USA INC, | PO BOX 105842 STE 3608 ATTEN:PROPERTY TAX DEPT ATLANTA GA 30348 | NA | 10598 | 655 | 12 AC |
| 3 | 19323136 | 1. MATTHEWS TOWNSHIP LAND LLC, | 2800 ONE FIRST UNION CENTER CHARLOTTE NC 28202 | NA | 07867 | 898 | 4.61 AC |
| 4 | 19329209 | 1. MATTHEWS FESTIVAL LIMITED PARTNERSHIP, | 200 WINGO WAY SUITE 100 MT PLEASANT SC 29464 | NA | 30233 | 670 | 16.08 AC |
| 5 | 19329217 | 1. ECHO MATTHEWS LLC, | 560 EPSILON DR PITTSBURGH PA 15238 | L4 M28-235 | 32174 | 904 | 4.147 AC |
| 6 | 19329218 | 1. ECHO MATTHEWS LLC, | 560 EPSILON DR PITTSBURGH PA 15238 | L2 M26-405 | 32174 | 904 | 6.302 AC |
| 7 | 19329220 | 1. MID AMERICA APARTMENTS LP, | C/O SCHINDLER #124201 6815 POPLAR AVE STE 500 GERMANTOWN TN 38138 | NA | 23286 | 81 | 23.515 AC |
| 8 | 19329226 | 1. MATTHEWS FESTIVAL LIMITED PARTNERSHIP, | 200 WINGO WAY SUITE 100 MT PLEASANT SC 29464 | L4A M28-235 | 30233 | 670 | 0.4 AC |

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