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): Portion of 215-081-13

Address of property: 11330 Brigman Road, Matthews, NC 28105

Location of property: South side of Brigman Road, south of Matthews-Mint Hill Road

Title to the property was acquired on September 6, 1980
and was recorded in the name of *Brigman Family Farm Properties, a North Carolina general partnership
whose mailing address is c/o Ms. Sybil Brigman, 88 Gracelyn Road, Asheville, NC 28804

* Title is vested in P.F. Brigman Properties, LLC (successor by name change to Brigman Family Farm Properties)

The deed is recorded in Book 4341 and Page 865 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classifications: R-15
Requested zoning classification: ENT
List reason(s) why zoning should be changed (use separate sheet if necessary):

Petitioner is requesting the rezoning of this approximately 15.08 acre site located on Brigman Road to accommodate a mixed use development on the site that would be comprised of a maximum of 350 multi-family dwelling units and a minimum of 16,000 square feet and a maximum of 20,000 square feet of gross floor area devoted to office, retail, restaurant and/or other non-residential uses.

See attached signature page
Signature of property owner (must be original)

Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

___________________________________________
Signature of property owner (must be original)

Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

See attached signature page
Signature of agent (if any)

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

See attached signature page
Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

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."

**See Exhibit A Attached Hereto**

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Application number 2021-744
For office use only

APPLICATION FOR CHANGE IN ZONING CLASSIFICATION OR CONDITION, PAGE 3
14477742v1 24689.00022
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: December 1, 2021

Town Board of Commissioners formally accepts application and sets Public Hearing date: December 13, 2021

Notices sent via mail to affected/adjacent property owners on or before: January 31, 2022

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: February 14, 2022

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: February 22, 2022

Town Board of Commissioners approves or denies application: March 14, 2022

The Matthews Board of Commissioners General Procedures Policy on Zoning and Development Case Appearances Before the Town Board, initially adopted October 8, 2013, 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.

Signature of Property Owner
Agent for Property Owner
Other (please identify)

Signature of Property Owner
Agent for Property Owner
Other (please identify) Petitioner

Signature of Property Owner
Agent for Property Owner
Other (please identify)

Date
1-23-2021

APPLICATION FOR CHANGE IN ZONING CLASSIFICATION OR CONDITION, PAGE 4
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.

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P.F. Brignan Properties, LLC By: ________________________________ Date: 11/26/2021
Signature of ___ Property Owner ___ Agent for Property Owner ___ Other (please identify)

Signature of ___ Property Owner ___ Agent for Property Owner ___ Other (please identify) Petitioner

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

APPLICATION FOR CHANGE IN ZONING CLASSIFICATION OR CONDITION, PAGE 4
THE NRP GROUP

By: [Signature]

Name: Naomi Majerus

Title: [Title]

Mailing Address:

c/o Jason Mochizuki
The NRP Group
6605 Central Pacific Avenue, # 104
Charlotte, NC 28210

Phone: 510-295-3252

Email: JMochizuki@nrpgroup.com
P.F. BRIGMAN PROPERTIES, LLC

By: [Signature]

Name: Sybil Brigman

Title: Manager

Mailing Address:

c/o Ms. Sybil Brigman
88 Gracelyn Road
Asheville, NC 28804

Phone: 828-250-0069

Email: sabrigman@charter.net
ROBINSON BRADSHAW & HINSON, P.A.

By: John Carmichael

Agent: John Carmichael

Mailing Address:

101 N. Tryon St., Suite 1900
Charlotte, NC 28246

Phone: (704) 377-2536

Email: jecarmichael@robinsonbradshaw.com
Exhibit A

Tax Parcel #21503222

Transcontinental AC US LLC
Attn: Sam Bendavid
1 Place Ville Marie Suite 3240
Montreal, QC H3B 2B6, Canada

Tax Parcel #21508136

1100 Matthews Mint Hill LLC
1420 E 7th Street Suite 150
Charlotte, NC 28204

Tax Parcel #21508141

USCMF Briley LP
333 West Wacker Drive
28th Floor
Chicago, IL 60606

Tax Parcel #21508139

USCMF Briley LP
333 West Wacker Drive
28th Floor
Chicago, IL 60606

Tax Parcel #21508140

1100 Matthews Mint Hill LLC
1420 E 7th Street Suite 150
Charlotte, NC 28204

Tax Parcel #21508129

iStar Bowling Centers II LP
7313 Bell Creek Road
Mechanicsville, VA 23111
Tax Parcel #21508107
Francis Jean Brigman Grigston
Linda Little Brigman
Kyla Janelle Jones Sipprell
Sybil Brigman Jones
Robert Wayne Brigman
88 Gracelyn Road
Asheville, NC 28804

Tax Parcel #21508125
Woodspring Suites Charlotte Matthews LLC
8621 E 21st Street Suite 200
Wichita, KS 67206

Tax Parcel #21508106
JSKJ Properties LLC
285 Cannon Road
Salisbury, NC 28147

Tax Parcel #21508118
Sam’s Investments VIII LLC
PO Box 56607
Atlanta, Georgia 30343

Tax Parcel #21508132
Dallas Development LLC
5800 Old Pineville Road Suite 201
Charlotte, NC 28203

Tax Parcel #21508122
LJJ Partnership
c/o Southend Properties
1800 Camden Road Suite 200
Charlotte, NC 28202
Tax Parcel #21508130

Brigman Family Farm Properties
c/o Sybil Jones
88 Gracelyn Road
Asheville, NC 28804

Tax Parcel #21508128

Elevation Church
11416 E Independence Blvd Suite N
Matthews, NC 28105

Tax Parcel #21508133

Brigman Family Farm Properties
c/o Cybil Jones
88 Gracelyn Road
Asheville, NC 28804

Tax Parcel #21508142

Mecklenburg County
c/o Real Estate Finance Dept
600 E 4th Street, 11th Floor
Charlotte, NC 28202

Tax Parcel #21508115

Mecklenburg County
c/o Real Estate Finance Dept
600 E 4th Street, 11th Floor
Charlotte, NC 28202

Tax Parcel #21503219

Crestdale Crossing Homeowners Association Inc.
4957 Albemarle Road
Charlotte, NC 28205

Tax Parcel #21503270

Crestdale Crossing Homeowners Association Inc.
4957 Albemarle Road
Charlotte, NC 28205
Tax Parcel #21503269

Valerie S. Pool
1053 Crestdale Crossing Drive
Matthews, NC 28105

Tax Parcel #21503268

SWH 2017 1 Borrower LP
c/o Invitation Homes
1717 Main Street Suite 2000
Dallas, Texas 75201

Tax Parcel #21503267

Judy A. Dillingham
Richard F. Dillingham
6422 Laurel Valley
Dallas, Texas 75248

Tax Parcel #21503266

Neal J. Phillip
Ly T. Phillip
24754 Framingham Drive
Westlake, Ohio 44145

Tax Parcel #21503265

1037 Crestdale Crossing Matthews LLC
129 Thornton Road
New Boston, NH 03070

Tax Parcel #21503264

Michael Allen Osborne
Dana Bailey Vergara
1033 Crestdale Crossing Drive
Matthews, NC 28105

Tax Parcel #21503263

Sarah Galligan
1029 Crestdale Crossing Drive
Matthews, NC 28105
Tax Parcel #21503262
Mountaintop NC234 LLC
30856 Janlor Drive
Westlake Village, California 91362

Tax Parcel #21503261
Paula E. Rosenbaum
David Rosenbaum
708 Quintan Street
Summerville, SC 29483

Tax Parcel #21503260
Reid Gorecki
9 Sachem Street
East Rockaway, NY 11518

Tax Parcel #21503259
Eleana M. Patrick
Brenda M. Delugo Patrick
1013 Crestdale Crossing Drive
Matthews, NC 28079

Tax Parcel #21503258
Hanna Kobylas
1009 Crestdale Crossing Drive
Matthews, NC 28105

Tax Parcel #21503257
Kathryn L. Schill
1005 Crestdale Crossing Drive
Matthews, NC 28105

Tax Parcel #21503210
Keyo Park East LLC
338 S Sharon Amity Road Suite 131
Charlotte, NC 28211
Tax Parcel #21503224

United House of Prayer for All People
Of the Church on the Rock of the
Apostolic Faith
Attn: Bishop C. M. Bailey
1665 N Portal Drive NW
Washington, DC 20012

Tax Parcel #21503101

United House of Prayer for All People
Of the Church on the Rock of the
Apostolic Faith
Attn: Bishop C. M. Bailey
1665 N Portal Drive NW
Washington, DC 20012

Tax Parcel #21503201

Sonia Almengo De Cruz
Pedro Cruz Peralta
852 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503209

Pamela Denise Stitt
PO Box 11
Matthews, NC 28106

Tax Parcel #21503208

Teresa H. McDow
10826 Kemptown Square Road
Mint Hill, NC 28227

Tax Parcel #21503207

Barry A. Alford, Sr.
206 Amir Cr
Matthews, NC 28105
Tax Parcel #21503206

Christopher C. Meda
Nolvia G. Castillo
5452 Hedgecrest Pl
Charlotte, NC 28269

Tax Parcel #21503205

Henry Michael Graham
822 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503271

Dan Moser Company Inc.
PO Box 350
Mineral Springs, NC 28108

Tax Parcel #21503204

Opal M. Dew
828 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503203

Neal Sylvester Huntley
Willie Huntley Hunter
Iris Joe Huntley Pharr
Johney Wesley Huntley
840 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503202

Teresa H. McDow
10826 Kemptown Square Road N
Mint Hill, NC 28227

Tax Parcel #21503248

Crestdale Crossing Homeowners Association Inc.
4957 Albemarle Road
Charlotte, NC 28205
Tax Parcel #21503249
Jeffrey N. Figueiredo
Shannon N. Figueiredo
1050 Crestdale Crossing Drive
Matthews, NC 28105

Tax Parcel #21503250
Lanny R. Trexler
1044 Crestdale Crossing Drive
Matthews, NC 28105

Tax Parcel #21503251
1040 Crestdale Crossing LLC
1040 Crestdale Crossing Drive
Matthews, NC 28105

Tax Parcel 21503252
Juan C. Santos
1036 Crestdale Crossing Drive
Matthews, NC 28105

Tax Parcel #21503253
Joyce R. Fischer
1032 Crestdale Crossing Drive
Matthews, NC 28105

Tax Parcel #21503254
Pamela E. Logan
1028 Crestdale Crossing Drive
Matthews, NC 28105

Tax Parcel #21503255
AMH NC Properties LP
30601 Agoura Road Suite 200
Agoura Hills, CA 91301
Tax Parcel #21503256

Arularasu Muruganandam
60 Shaffer Road
Bridgewater, NJ 08807

Tax Parcel #21503237

Joan Manuel Rodriguez Sari
Maria Margarita Rodriguez
839 Matthews School Road
Charlotte, NC 28104

Tax Parcel #21503238

Donald E. Estes, III
843 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503239

Jerry P. Pressley
847 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503240

Thien Tam Nguyen
Chau D. Nguyen
801 Carver Pond Lane
Waxhaw, NC 28173

Tax Parcel #21503241

Amber S. Eubanks
Joshua M. Eubanks
903 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503242

Christine Schroeder
Timothy Schroeder
905 Matthews School Road
Matthews, NC 28105
Tax Parcel #21503243
SFR JV-1 Property LLC
PO Box 15087
Santa Ana, CA 92735

Tax Parcel #21503244
IH6 Property North Carolina LP
1717 Main Street Suite 2000
Dallas, Texas 75201

Tax Parcel #21503245
Natalie Boxell
911 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503211
Timothy L. Mank
Michelle Mank
PO Box 78526
Charlotte, NC 28271

Tax Parcel #21503212
Martin Nunez Mora
921 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503213
Town of Matthews
232 Matthews Station St
Matthews, NC 28105

Tax Parcel #21503214
Hnum Ktul
Tlar Buon Krong Y
935 Matthews School Road
Matthews, NC 28105
Tax Parcel #21503273

Mbenza Muanda
Do Eyenga Moseka
939 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503274

Salah Elfahal
Enam Abdelgadir
945 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503275

Gilbert Okitapanya
Kombe Okitapanya
1001 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503276

Fanny Koroma
1005 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503277

Fatou Fatuma Alafu
Jose Omelonga Ngongo
1009 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503278

Kisenda Miezi
Hardis Kingombe
1013 Matthews School Road
Matthews, NC 28105
Tax Parcel #21503119

Y Soai Nai
H Pher Siu
1019 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503120

H Goai Rcham
Y Bein Ksor
1023 Matthews School Road
Matthews, NC 28105

Tax Parcel #21503121

Makalebo Kankienza
Clara Beyoko
1027 Matthews School Road
Matthews, NC 28105
December 1, 2021

BY HAND DELIVERY

Mr. Jay Camp, Planning Director
Town of Matthews
232 Matthews Station Street
Matthews, NC 28105

Re: Rezoning Application filed by The NRP Group Requesting the Rezoning of an Approximately 15.08 Acre Site Located on the South Side of Brigman Road (a Portion of Tax Parcel No. 215-081-13)

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 15.08 acres and is located on the south side of Brigman Road, south of Matthews-Mint Hill Road, and the site is a portion of Tax Parcel No. 215-081-13. The site is currently zoned R-15.

Pursuant to the above Rezoning Application, the Applicant is requesting the rezoning of the site to the ENT zoning district. The purpose of this rezoning request is to accommodate a mixed use development on the site that would be comprised of a maximum of 350 multi-family dwelling units and a minimum of 16,000 square feet and a maximum of 20,000 square feet of gross floor area devoted to office, retail, restaurant and/or other non-residential uses. The proposed development is more particularly described and depicted on the Conditional Rezoning Plan associated with this Rezoning Application, and the proposed development would be an
urban, pedestrian friendly development. This 15.08 acre site is a portion of the area that is envisioned by the Town to ultimately be located in the ENT zoning district.

The Entertainment District Small Area Plan adopted by the Board of Commissioners on December 8, 2014 (the “Plan”) provides land use and design recommendations for the site and the ENT zoning district. On Page 142 of the Plan, the Plan provides that “the Entertainment District shall incorporate spaces for permanent residences, transitory housing, employment opportunities, indoor and outdoor recreation, shopping, dining, and daily living services in a compact pedestrian-friendly neighborhood.” In the Applicant’s view, the proposed development would satisfy this statement because the Conditional Rezoning Plan provides for a mixture of uses on the site, and the Conditional Rezoning Plan depicts a compact pedestrian-friendly neighborhood.

The Plan sets forth multiple guiding principles for the ENT zoning district, and this proposed development furthers these guiding principles in the Applicant’s view. The Plan calls for an urban scale neighborhood. The proposed development, as seen from the Conditional Rezoning Plan, would be a dense, urban scale neighborhood with multi-story buildings that would front and be pulled up to the relevant streets.

The Plan calls for a mixture of uses on the site to serve the residents living on the site and visitors to the site. As noted above, the Applicant’s Conditional Rezoning Plan provides for a mixture of uses on the site.

The Plan recognizes that a potential transit station could be located in close proximity to the site. The density proposed under the Conditional Rezoning Plan would help support this potential transit station.

The Plan speaks to the creation of a walkable, pedestrian-friendly development on the site. The Applicant’s proposed development would be a walkable, pedestrian-friendly development. The pedestrian environment would be enhanced through the location of the buildings next to the streets and the exterior design of the buildings.

The proposed development would serve as an economic engine for the surrounding area, increase the tax base and add value to the already successful Sportsplex. The proposed development could provide dining and retail options for visitors to the Sportsplex, and the adjacent Sportsplex would be beneficial to the residents living on the site.

In summary, the Applicant is of the opinion that the proposed development satisfies the overall intent of the Plan and the policies adopted by the Board of Commissioners with respect to the ENT zoning district.
Jay, the Applicant and I look forward to working with you 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