

COMMUNITY MEETING REPORT
Petitioner: Jorge and Rosalia Benito
Rezoning Petition No. 2009-066

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to the provisions of the City of Charlotte Zoning Ordinance. Two community meetings were held by the Petitioner with regard to this rezoning petition.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

A representative of the Petitioner mailed a written notice of the date, time and location of the first Community Meeting to the individuals and organizations set out on Exhibit A-1 attached hereto by depositing such notice in the U.S. mail. A copy of the written notice is attached hereto as Exhibit A-2. A representative of the Petitioner mailed a written notice of the date, time and location of the second Community Meeting to the individuals and organizations set out on Exhibit A-1 on August 21, 2009. A copy of the written notice is attached hereto as Exhibit A-3.

DATE, TIME AND LOCATION OF MEETING:

The first Community Meeting was held on Wednesday, August 12, 2009 at 6:00 p.m. at 4621 Central Avenue. The second Community Meeting was held on Tuesday, September 1, 2009 at 6:00 at 4621 Central Avenue.

PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):

The Community Meetings were attended by those individuals identified on the sign-in sheets attached hereto as Exhibit B. The Petitioner's representatives at the initial Community Meeting were Collin Brown and Laura Simmons of K&L Gates. The Petitioners, Jorge and Rosalia Benito, attended the second Community Meeting and were represented by Collin Brown of K&L Gates and their landscape architect Ted Cleary.

SUMMARY OF ISSUES DISCUSSED:

September 1, Meeting

The second community meeting was attended by several adjoining property owners, residents of the Windsor Park neighborhood and individuals representing community organizations. The Petitioner's agent, Collin Brown, introduced the Petitioners, Mr. Cleary and himself.

Mr. Brown discussed the Petitioners' objectives and explained why the initial rezoning application and site plan sought to rezone the property to MUDD-O. Mr. Brown explained that the MUDD-O district was necessary in order to use the existing garage structure for non-residential purposes. He explained that the Petitioner had listened to Planning Department and neighborhood concerns regarding the MUDD district and the garage structure. Mr. Brown pointed out that, in light of feedback they had received, the Petitioners had agreed to abandon their efforts to use the garage structure for non-residential purposes. He explained that the Petitioners had submitted an amended rezoning application to change the requested rezoning

classification from MUDD to NS. He also stated that the Petitioners added a conditional note to the site plan indicating that the existing garage structure would be removed from the property in the event that any portion of the property is used for non-R-4 purposes.

Mr. Brown explained that the purpose of this meeting was to answer questions and discuss site plan changes and conditional note revisions that might make neighbors more comfortable with the proposed rezoning. Mr. Brown indicated that the key site plan issues still being discussed were the treatment of the front yard area and the treatment of the sidewalk and planting strip.

Mr. Brown indicated that one neighborhood leader had requested that the Petitioner avoid locating parking between the existing structure and Central Avenue. Mr. Brown indicated that removal of the garage structure would allow more parking at the rear of the site and would alleviate the need for parking spaces at the front of the site. However, he noted that one space would likely be needed in the front in order to provide wheelchair access due to the topography at the rear of the site.

An attendee expressed her concern that the rezoning not have a negative impact on the existing neighborhood. She expressed her concerns with the range of uses that might be permitted under NS and asked if the Petitioners had considered a O-1 or B-1 district. Mr. Brown explained that the Petitioners were open to a variety of districts but thought that NS would be a good fit. He explained that conditional notes could be added to restrict the uses that would be permitted on the property.

Mr. Brown pointed out that the current site plan would allow general office and beauty salon uses. Several neighbors expressed concerns with a proposed beauty salon uses for a variety of reasons. Mrs. Benito indicated that they would be willing to remove their request for a beauty salon use and limit permitted uses to general office. Mr. Brown explained that this change would be made to the conditional notes.

Several adjoining property owners spoke and explained the history of the property. They indicated that they were pleased with the improvements that the Petitioners had made. They also indicated that they would like to have a fence installed along the rear property line.

Mr. Brown responded to several other questions regarding the zoning process and expressed the Petitioners' willingness to continue working with neighbors. He also acknowledged that some neighbors had requested that the Petitioners defer the scheduled public hearing. Mr. Brown indicated that due to the upcoming election a deferral would mean that no decision could be made on the petition until December. Therefore, he indicated that the Petitioners would not be requesting a deferral and that he hoped the petition could stay on track for a decision in October as currently scheduled.

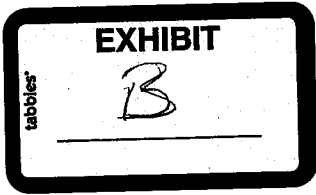
An attendee mentioned several other properties that had recently been rezoned in the area. She encouraged the Petitioners to review the site plans for those rezonings and to consider incorporating similar conditional notes into the petition. Mr. Brown indicated that he would research those rezonings and distribute copies of their site plans to the attendees.

Finally, Mr. Brown invited the attendees to walk the site and continue discussing potential site plan modifications.

Respectfully submitted, this 8th day of September, 2009.

Jorge and Rosalia Benito, Petitioners

cc: Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Commission
Mr. Tom Drake, Charlotte-Mecklenburg Planning Commission
Mr. Tim Manes, Charlotte-Mecklenburg Planning Commission
The Honorable Patsy Kinsey, Charlotte City Council
The Honorable Nancy Carter, Charlotte City Council
Clerk to City Council



2009-66

COMMUNITY MEETING

SIGN IN SHEET

NAME	ADDRESS	PHONE
1. Vincent Frisina	3140 Edsel Place	<u>704-568-4110</u>
2. Susan Lindsay	6205 Rosecroft Dr. CEEP	704/537-2269
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Jorge and Rosalia Benito, Petitioner
Rezoning Petition No. 2009-066

Community Meeting Sign-in Sheet
Tuesday, September 1, 2009
6:00 P.M.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1.	CAROLYN MILLEN	1121 WESTCHESTER Blvd.	704 905-6351	epspna-president@gmail.com
2.	Margie Rayner	3320 Winterfield	704 577-7229	
3.	Doris Wright	3317 Winterfield Place	704 537-8794	Dottie3317@AOL.com
4.	Karen Mackenzie	3601 Winterfield Pl.	704-536-8236	Kmackenzie423@earthlink.net
5.	Liane Langerin	3825 Winterfield Pl	704-536-7809	llangerin809@yahoo.com
6.	Jimmy Poverly	1722 BIRCHCREST DR.	704-537-5170	
7.	Steve Economou	1714 Birchcrest Dr.	704-537-1031	
8.	house Parden	THE OAKS CONDOS 15016 LAUSDAL DR	704-535-6385	LOUISE@LBARRIS.COM
9.	Susan Lindsay	6205 Rowcroft Dr. 28215	704/537-2269	s-lindsay@bellsouth.net
10.	NANCY Cortez			
11.				
12.				
13.	Mike Smith		536-6314	mresmith@sbcglobal.net
14.			704-941-2040	I.com
15.		Annacis	704-369-4746	
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