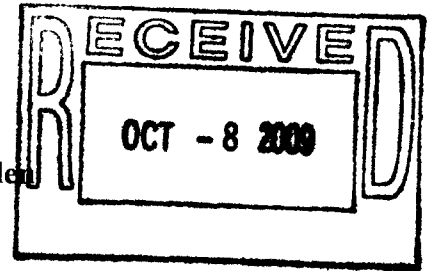


COMMUNITY MEETING REPORT  
Petitioners: Stacy Mitchell and wife, Janet McMillen  
Rezoning Petition No. 2009-067



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.

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

A representative of the Petitioners mailed a written notice of the date, time and location of the Community Meeting to the individuals and organizations set out on Exhibit A-1 attached hereto by depositing such notice in the U.S. mail on September 17, 2009. A copy of the written notice is attached hereto as Exhibit A-2.

**DATE, TIME AND LOCATION OF MEETING:**

The Community Meeting was held on Thursday, October 1, 2009 at 6:00 p.m. at the Steele Creek Library located at 13620 Steele Creek Rd in Charlotte, North Carolina.

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

The Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit B. The Petitioners' representatives at the Community Meeting were Kenneth T. Davies and Laura M. Hulver of Davies & Grist, LLP .

**SUMMARY OF ISSUES DISCUSSED:**

Ken Davies opened the Community Meeting by introducing himself and the Petitioners. Attendees were provided with:

- A. A copy of the Rezoning Application (Exhibit C)
- B. A copy of the September 14, 2009 Prehearing Staff Analysis (Exhibit D); and
- C. Information packets (Exhibit E) containing:
  - 1. GIS Map of property and surrounding parcels
  - 2. Aerial photograph of property and surrounding parcels
  - 3. Zoning Map of property and surrounding parcels
  - 4. General Warranty Deed for property sold to Petitioners, dated October 17, 2008
  - 5. Tax Card to property
  - 6. Land Use Accessibility Map for property and surrounding area
  - 7. Connectivity Assessment Map for property and surrounding area
  - 8. Road Network Evaluation Map for property and surrounding area
  - 9. GDP Assessment Summary for property
  - 10. Photograph of current structure on property

11. Elevation plans for future renovations on property
12. Proposed Sign
13. Current Survey of property
14. Proposed Survey of property with additions
15. Neighbor's Statement in Support of Rezoning Petition
16. Photograph of Similar Previous Project completed by the Mitchell family
17. Letter of Recommendation from Hugh V. Jacobs
18. Letter of Recommendation from Keith and Paula Jones

D. Revised Site Plans in accordance with the issues in the Prehearing Staff Analysis .

Two larger Site Plans were also available in accordance with the issues in the Prehearing Staff Analysis depicting the proposed additions and renovations to the property, as well as the stipulations attached to the rezoning.

Mr. Davies stated the purpose of the rezoning application and gave attendees several minutes to look through the information provided. He announced that due to previous concerns from community members, the Petitioners decided to move the proposed office parking to the rear of the building.

The Mitchells informed the group that they were very much looking forward to moving to the area. Mrs. McMillen also briefly described her business. She stated that astrology and spiritual guidance had been practiced in their family for decades and that it was deeply important to their heritage. She added that it was a small business, seeing only four to six customers a week. Mr. Lawrence Mitchell, Stacy Mitchell's father, added that it was a business that did not make enough money to support a family, and that Mrs. McMillen continues to operate the business because of family practice, tradition, and customs. Mr. Davies reassured the attendees that the primary condition of the property would be as the Mitchell's residence.

Mr. Mitchell and his wife introduced their two sons and explained that their current home on W. T. Harris Boulevard was no longer an ideal home for their family. They stated that a little more than one month ago, their home had been robbed. Their homeowners insurance estimated \$42,000 in losses. Mrs. McMillen had not been operating the business recently due to unfortunate medical issues with their oldest son as well as having to deal with the devastation of the robbery.

Mr. Davies explained that the Mitchells were hoping for the property to be re-zoned to 10-1(CD), allowing a 70% residential usage and no more than 30% office usage. Mr. Mitchell stated that the structure would be a one story home with approximately ten (10) foot elevated ceilings.

Mr. Davies added that traffic in the area was a "nightmare" and a surefire way to keep density as low as possible on that property was to allow the proposed re-zoning.

The attendees voiced several concerns, including:

- A. The Turn-Around to get into the neighborhood. The neighbors do not want additional traffic turning into the community. Children getting onto the school bus might be at risk.
- B. Mrs. McMillen's estimate of 4 to 6 customers seemed quite low. Neighbors were afraid that Mrs. McMillen was keeping the actual figures to herself.
- C. The current design of the proposed structure does not fit in with the design of the rest of the community. Neighbors suggested brick and wood, as well as homes that are similar to those on Moss Street, would be more suitable to the area.
- D. The current design looked like a "funeral home" or "church."
- E. Neighbors were concerned about the wording of the sign. They did not want "Psychic" or "Astrology" to appear on the sign.
- F. The sign size was inappropriate. Nine feet in length was too large.

Other questions arose regarding the purpose of the sign. Mrs. McMillen stated that a sign would make her business established and customers would be able to locate her. Neighbors raised additional questions about the sign having the effect of increased customers, thus increased traffic.

Neighbors/Attendees brought to attention that they were protesting the petition for re-zoning. Alan Moore stated that even if Mr. Davies and the Mitchells were to convince everyone attending the meeting, they would still have to convince the neighbors that were not in attendance.

Resolutions to concerns were suggested and the following Notes will be added to the proposed map:

- A. The structure will be constructed of brick and/or wood, resembling the homes on Moss Street.
- B. Parking will be located in the rear of the building.
- C. Hours of operation of the business will be Monday through Friday, 10am to 6pm.
- D. No employees will work for Mrs. McMillen.
- E. The parcel will be limited to one business operation.
- F. The size of the sign will be reduced to no larger than six (6) feet by four (4)
- G. The sign shall not incorporate the words "psychic" or "astrology."
- H. No more than 30% of the property will be utilized for office use.


Mr. Davies added that any violation of these Notes would be considered a Zoning Violation.

**CHANGES MADE TO THE PETITION AS A RESULT OF THE COMMUNITY MEETING AS OF THE DATE HEREOF:**

- A. The structure will be constructed of brick and/or wood, resembling the homes on Moss Street.
- B. Parking will be located in the rear of the building.
- C. Hours of operation of the business will be Monday through Friday, 10am to 6pm.
- D. No employees will work for Mrs. McMillen.
- E. The parcel will be limited to one business operation.

- F. The size of the sign will be reduced to no larger than six (6) feet by four (4)
- G. The sign shall not incorporate the words “psychic” or “astrology.”
- H. No more than 30% of the property will be utilized for office use.

Respectfully submitted, this 8<sup>th</sup> day of October, 2009.

  
Davies & Grist, LLP  
Attorneys for Petitioner

Community Meeting Sign-in Sheet  
October 1, 2009  
Steele Creek Library  
Charlotte, NC 28273  
Petition 2009-067

Name	Address	Telephone
1. Karen Nichols	11532 SAVANNAH CREEK DR.	704-497-2410
2. AMANDA GRAVES	11436 SAVANNAH CREEK DR	980-322-9336
3. Tara McGee	11444 Savannah Creek Dr.	704-499-3913
4. Alan Moore	11414 Savannah Creek Dr.	828-773-8555
5. Shannon Olson (Howell)	11540 Savannah Creek Dr	704-999-3561
6. LAURENCE SMITH	SMITH	764-302-7244
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18.		

Hugh's Lawn Service  
6910 Old Statesville Rd  
Charlotte, NC 28269

To Whom It May Concern:

I have known Larry Mitchell for several years. He is my neighbor and has been a fine example for our community. I can depend on Larry to help me, or anyone for that matter, in any need that might arise.

Larry has an excellent rapport with anyone that he encounters.

Larry has developed his property in a manner that has been highly beneficial to our community. I wish everyone paid as much attention to their property as Larry has and does.

In summary, I highly recommend Larry for any position or endeavor he will enter into. Larry has been a true friend and neighbor.

Sincerely,

Hugh V. Jacobs

Sunset Motors  
6826 Old Statesville Road  
Charlotte, NC 28269

Lawrence Mitchell  
6905 Old Statesville Road  
Charlotte, NC 28269

We, Keith and Paula Jones have known Lawrence Mitchell for more than 7 years. He is a very caring, respectful person. He is very active and supportive in the community. It has been a pleasure to run a business near him.

Thank you,

Keith and Paula Jones

*Keith Jones*  
*Paula Jones*