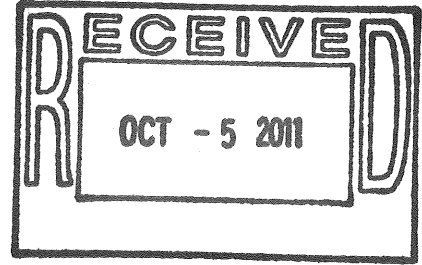


Teresa L. Hawkins, RLA, ASLA, LEED® AP

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teresa_hawkins@att.net



10/5/11

City of Charlotte
Office of the City Clerk
600 E Fourth Street 7th Floor/Room C700A
Charlotte, NC 28202-2857

Subj: Community Meeting Report for Petition #2011/Twilight Caribbean Restaurant
Conditional Rezoning Request

To Whom It May Concern

Please find attached the Community Meeting Report, summarizing the community meeting held on 10/4/11, for the above referenced rezoning petition that is scheduled for a public hearing on 10/17/11. This report includes the following required items:

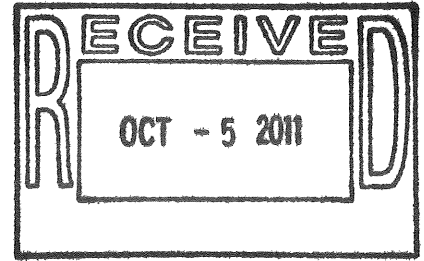
- 1) The Notice of a Community Meeting with mailing list dated 9/22/11
- 2) List of Notification spreadsheets as supplied by the Planning Department and the mailing labels for those entities that were contacted. Notifications were send via US Mail First Class delivery
- 3) Meeting Agenda
- 4) Sign in Sheet of all Attendees
- 5) Community Meeting Report summarizing issues discussed at the meeting

Please let me know if you have any questions regarding this report.

Sincerely,

Teresa L. Hawkins, RLA, ASLA, LEED AP

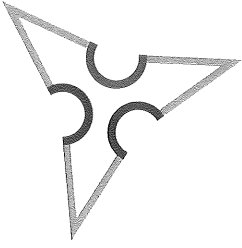
CC: Penelope Cothran, Charlotte Mecklenburg Planning Dept
Darryl Ramjohn, Twilight Caribbean Restaurant



COMMUNITY MEETING
FOR
PETITION # 2011-067
CONDITIONAL REZONING REQUEST
TWILIGHT CARIBBEAN RESTAURANT
HELD ON 10/4/2011

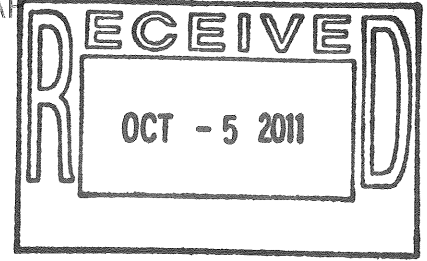
-----MEETING AGENDA-----

1. INTRODUCTIONS
2. HISTORY OF TWILIGHT CARIBBEAN REZONING REQUEST
3. OVERVIEW OF CONDITIONAL SITE PLAN CC TO MUDD(CD)
4. REMAINING PUBLIC MEETING SCHEDULE
5. QUESTIONS & ANSWERS
6. ADJOURNMENT



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**COMMUNITY MEETING REPORT
PETITION #2011-067
TWILIGHT CARIBBEAN RESTAURANT**



DATE : 10/5/11

TO: OFFICE OF THE CITY CLERK
PENELOPE COTHRAN, CHARLOTTE-MECKLENBURG PLANNING DEPT.

FROM: Teresa L Hawkins, RLA, ASLA, LEED AP
Landscape Architect/Land Planner

SUBJECT: Petition # 2011-067 Twilight Caribbean Restaurant
Summary of Community Meeting

PLACE/DATE of MEETING: Tuesday October 4, 2011 6-7PM at the Twilight
Caribbean Restaurant

ATTENDEES: See Attached Sign In Sheet

The following issues were discussed:

- 1) There were 3 attendees at the meeting and these included two owners of condo units in the subject building that is being rezoned from CC to MUDD(CD) and the other attendee is with University City Partners.
- 2) Teresa Hawkins, agent for the Petitioner, introduced Darryl Ramjohn the owner of Twilight Caribbean, and welcomed everyone to the meeting. She also reviewed the history of this case as follows:
 - described the initial late night visit from Charlotte Mecklenburg Police and the Zoning Inspector, Mark Fowler, last fall that began the zoning violation process for Twilight Caribbean for operating a nightclub use in a restaurant.
 - explained the 3 different Notice of Zoning Violations that Twilight Caribbean received. The 12/30/10 Notice cited that Twilight Caribbean was operating a nightclub within 400 feet of a residential use. The 3/3/11 Notice cited that Twilight Caribbean was operating a restaurant and nightclub which is a prohibited use under the current conditional rezoning petition. The 3/28/11 Notice again cited Twilight Caribbean with operating a nightclub at this location. Darryl explained that he disagreed with these violation notices and pointed out that he moved into the current space when the prior tenant, Utopia Jazz Club, went out of business. When Twilight Caribbean moved into the space in February 2010, the stage, dance floor, pool table and sound system were already in place. Twilight Caribbean was not required to obtain a change of use and moved into the space under an ABC permit that defined Twilight Caribbean as a restaurant. The only

other permit required for the restaurant upfit was a sign permit. Thus, Darryl thought that he was in compliance with all of the applicable laws. Darryl verified that Twilight Caribbean is primarily a full service restaurant that serves lunch and dinner 7 days a week and that the food service makes up at least 60% of his sales. -described the circumstances of the withdrawal from the Zoning Board of Adjustment agenda on June 28, as requested by Planning staff, the Zoning Administrator and the City Attorney.

-explained the rationale behind City staff encouraging Darryl to seek a conditional rezoning from the current zoning of CC to MUDD(CD) in order to continue offering live entertainment as an ancillary use to his restaurant business.

-reviewed the email trail between the Zoning Inspector and Zoning Administrator dated September 1, 2010 and September 8, 2010 that rendered the opinion that Wild Wings Café, located in the same development as Twilight Caribbean (i.e. less than 500 feet away), is a legal conforming use even though they offer nightly live entertainment and are less than 400 feet from a residential use.

- 3) A question was asked regarding the uses allowed in the MUDD Zoning District as opposed to the CC Zoning District. Teresa explained that the MUDD district will allow Twilight Caribbean to continue offering live entertainment but also greatly expands the types of permitted uses over what is allowed in the current CC district.

All of the attendees expressed support for Twilight Caribbean's rezoning request and volunteered to appear before City Council at the public hearing to express their support. Everyone at the meeting also agreed that this is a highly unusual rezoning case and that it could set a number of complicated precedents for restaurants throughout Charlotte that currently offer ancillary live entertainment as part of their restaurant business.

THE MEETING WAS THEN ADJOURNED.

LIST OF ATTENDEES
 COMMUNITY MEETING
 For
 PETITION #2011-067
 TWILIGHT CARIBBEAN RESTUARANT
 10/4/11

NAME	ADDRESS	PHONE	EMAIL
1. Terese Hawkins	21326 Bethel Church Rd Cornelious NC 28031	704/892-8625	Terese Terese.hawkins@carol.com
2. Darryl Ramjohn	5321 HARVEST MILL DR HARRISBURG NC 28015	704 609 5272	drjhtat@yahoo.com
3. ROBERT BANNER	1505 BURNING LANTERN LN KANNAPOLIS, NC 28081	704-593-1080	ROBERT@BANNERRTAP Pres.Co Pres.Co
4. PHILIP BUGAISKI	6618 ZIEGLER LN CLT NC 28709	7/807-5440	DRBUGAISKI@THEJVC.NET
5. Mary Hopper	UCP 3505 IBM Dr. #150 28262	704-688-2453	mhopper@universityatypartner.org
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