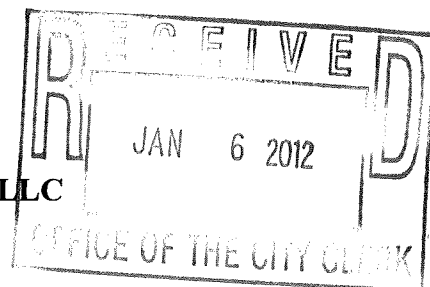


COMMUNITY MEETING REPORT
Petitioner: Wells Property Number One, LLC
Rezoning Petition No. 2011-073



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 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 on November 18, 2011. 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-3 attached hereto by depositing such notice in the U.S. mail on December 20, 2011. A copy of the written notice is attached hereto as Exhibit A-4.

DATES, TIMES AND LOCATIONS OF MEETINGS:

The first Community Meeting was held on Monday, November 28, 2011 at 7:00 PM at St. Mary's Chapel located at 1129a East 3rd Street in Charlotte, North Carolina.

The second Community Meeting was held on Thursday, January 5, 2012 at 7:00 PM at St. Mary's Chapel located at 1129a East 3rd Street in Charlotte, North Carolina.

PERSONS IN ATTENDANCE AT MEETINGS (see attached copies of sign-in sheets):

The first Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit B-1. The Petitioner's representatives at the first Community Meeting were Jim Zanoni of the Petitioner and John Carmichael of Robinson Bradshaw & Hinson, P.A.

The second Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit B-2. The Petitioner's representatives at the second Community Meeting were Jim Zanoni of the Petitioner and John Carmichael of Robinson Bradshaw & Hinson, P.A.

SUMMARY OF ISSUES DISCUSSED:

A. First Community Meeting

The first Community Meeting was attended seven by individuals, so it was fairly informal. John Carmichael opened the meeting by introducing Jim Zanoni of the Petitioner and himself.

John Carmichael advised that this is the Community Meeting relating to Rezoning Petition No. 2011-073, which concerns an approximately 2.8 acre site located on the southside of East 3rd Street and bounded by South Kings Drive, Charlottetowne Avenue and Cherry Street. The site is across Cherry Street from the Pancake House.

John Carmichael advised that the Petitioner is seeking to rezone the site from the B-2 zoning district to the MUDD (CD) zoning district to permit any uses allowed in the MUDD zoning district.

John Carmichael then provided the schedule of events relating to this rezoning request. Specifically, he stated that the Public Hearing will be held on Monday, December 12, 2011 at 6:00 PM at the Charlotte-Mecklenburg Government Center, the Zoning Committee Work Session will be held on Wednesday, January 4, 2012 at 4:30 PM at the Charlotte-Mecklenburg Government Center and City Council will render a decision on this rezoning request on Tuesday, January 17, 2012 at 6:00 PM at the Charlotte-Mecklenburg Government Center.

John Carmichael then advised that the site is within an area subject to the draft Midtown Morehead Cherry Area Plan that is expected to be adopted relatively soon by City Council. This area plan calls for this site to be developed with residential, office and retail uses. The area plan supports a pedestrian friendly, mixed use development on the site with buildings along the street edges. This area plan also recommends a pedestrian zone for the area in which the site is located, so it calls for the site to ultimately be located in a PED Overlay district.

John Carmichael shared the conditional rezoning plan with the attendees. The conditional rezoning plan does not depict the proposed buildings, but it does limit the height of any building located on the site to 100 feet, and it prohibits the use of vinyl siding except for the soffits of the buildings. The Petitioner is working with the Planning Staff and CDOT on the setbacks along Cherry Street.

Jim Zanoni advised that the MUDD zoning district regulations are similar to the PED Overlay district regulations that are anticipated to be adopted for the site by the City in the future. The Petitioner is seeking to rezone the site at this time so that the Petitioner does not have to wait on the adoption of the PED Overlay district to pursue development opportunities for the site.

The Community Meeting was then devoted to a question, answer and comment session. Set out below is a summary of the responses to the questions and comments that were received at the meeting.

- Jim Zanoni advised that they had originally sought to have Cherry Street closed and abandoned by the City, but the City would not do so.
- Jim Zanoni advised that there will be a median cut in Charlottetowne Avenue, so you will be able to cross Charlottetowne Avenue to travel from the site side of Cherry Street to the other side of Cherry Street. The Petitioner will extend the curb and gutter located on the northern side of the intersection of Cherry Street and Charlottetowne Avenue to the location of the existing painted curb extensions, and the sight distance will be improved at this intersection.

- An area resident asked why the proposed buildings were not depicted on the conditional rezoning plan, and Jim Zanoni stated that the Petitioner does not have a definitive development plan for the site yet and is currently working on several options. The Petitioner is pursuing the rezoning of the site to the MUDD (CD) zoning district because it is consistent with the recommendations of the Midtown Morehead Cherry Area Plan, and the Petitioner does not want to wait on the adoption of the Midtown Morehead Cherry Area Plan and a PED Overlay district to pursue the development of the site. That being said, the Petitioner is considering multi-family and retail uses for the site. In today's world, things change quickly and the Petitioner desires to have some flexibility.
- In response to a comment, Jim Zanoni stated that the area will ultimately benefit from the adoption of the PED Overlay district in his opinion.
- In response to a question regarding other developments of his group, Jim Zanoni discussed a project that they are currently developing in Raleigh, North Carolina that is comprised of multi-family units and a retail component. Jim Zanoni showed a site plan and schematics of this development on his computer to attendees.
- In response to a question, Jim Zanoni advised that the Petitioner developed the Pancake House, the ABC Store, the Petro Express and the Chipolte restaurant.
- In response to the potential uses on the site, Jim Zanoni stated that office uses are not feasible at this time due to the market, however, multi-family and retail uses are feasible. Therefore, these uses are the most likely uses that would be placed on the site.
- Jim Zanoni stated that the site is well suited for multi-family residential uses because of its proximity to downtown and to amenities, such as the greenway, and its visibility.
- In response to a question regarding the timing of any development of the site, Jim Zanoni stated that in the best case scenario, the Petitioner would not likely commit to a particular development program until the end of 2012.
- In response to a question regarding the existing cell tower on the site, Jim Zanoni stated that the cell tower owner has a long term lease. Jim Zanoni stated that it would be very expensive to relocate the cell tower.

B. Second Community Meeting

A second Community Meeting was held because the Petitioner filed an amended Rezoning Application in which it is seeking to rezone the site to the MUDD-Optional zoning district, whereas the original Rezoning Application requested that the site be rezoned to the MUDD (CD) zoning district. The Petitioner is asking that the site be rezoned to the MUDD-Optional zoning district so that it can reduce the setback and planting strip along the site's frontage on Cherry Street.

Two area residents attended the second Community Meeting, so it was very informal. John Carmichael welcomed those in attendance and explained that this is the second Community Meeting relating to this rezoning request. John Carmichael discussed the site and explained why

the Petitioner is now seeking to rezone the site to the MUDD-Optional zoning district. Specifically, he advised that the Petitioner is seeking to reduce the widths of the setback and planting strip along the site's frontage on Cherry Street.

John Carmichael discussed the Midtown Morehead Cherry Area Plan and how the requested zoning district is similar to the recommendations of that area plan and the proposed PED Overlay district.

John Carmichael advised that the conditional rezoning plan does not depict proposed buildings because the Petitioner has not finalized its development plans for the site. Jim Zanoni stated that the conditional rezoning plan limited the maximum height of any building that could be located on the site to 100 feet.

Jim Zanoni advised that there will be a median cut in Charlottetowne Avenue at its intersection with Cherry Street. He stated that the Petitioner had previously discussed closing Cherry Street next to the site with the City, but the City did not desire to do so.

Jim Zanoni stated that they needed some relief from the setback and planting strip requirements along Cherry Street to accommodate a potential parking deck on the site. Jim Zanoni advised that on-street parking could be located along the site's frontage on Cherry Street, and it would be similar in appearance to Elizabeth Avenue near the hospital.

In response to a question, Jim Zanoni advised that the uses could be anything allowed in the MUDD zoning district, but the most likely uses are multi-family and retail uses. Jim Zanoni advised that they did not want to make a specific commitment on the conditional rezoning plan regarding uses because things change so quickly. Jim Zanoni further stated that due to the market, he does not see office uses being developed on the site.

An area resident in attendance stated that she was delighted to hear about more retail in this area. In response to a question, Jim Zanoni stated that multi-family units developed on the site would likely be rental units but that they would be built so that they could be converted to condominiums in the future. The height of a multi-family building would be 4 to 5 stories, and retail could be located on the ground floor.

In response to a question, Jim Zanoni advised that a parking deck on the site would likely be accessed from Cherry Street, but also possibly from 3rd Street. The site is suited for a parking deck along Cherry Street.

John Carmichael advised that the Public Hearing will be held on Tuesday, January 17, 2012 at 6:00 PM at the Charlotte-Mecklenburg Government Center, the Zoning Committee Work Session will be held on Wednesday, January 25, 2012 at 4:30 PM at the Charlotte-Mecklenburg Government Center and City Council will render a decision on this rezoning request on Monday, February 20, 2012 at 6:00 PM at the Charlotte-Mecklenburg Government Center.

In response, to a question, Jim Zanoni advised that the cell tower will be on the site for many years because it is the subject of a long term lease. An area stated that a coffee shop is needed in this area.

A general discussion then took place regarding the greenway.

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

No changes have been made to the conditional rezoning plan or to the Rezoning Petition as of the date of this Community Meeting Report as a result of the Community Meetings.

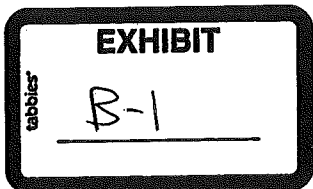
Respectfully submitted, this 6th day of January, 2012.

WELLS PROPERTY NUMBER ONE, LLC, Petitioner

cc: Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Commission (via email)
Ms. Sonja Sanders, Charlotte-Mecklenburg Planning Commission (via email)
Mr. Jim Zanoni, Wells Property Number One, LLC (via email)

Wells Property Number One, LLC, Petitioner
 Rezoning Petition No. 2011-073

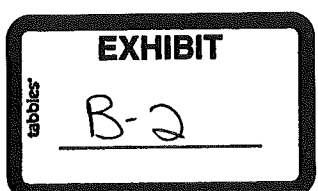
Community Meeting Sign-in Sheet
 St. Mary's Chapel—1129a East 3rd Street
 Monday, November 28, 2011
 7:00 P.M.



	NAME	ADDRESS	TELEPHONE	EMAIL ADDRESS
1.	David Reed	930 Charlotte town e 28204	704-507-9874	
2.	Adam Davis	930 Charlotte town Ave	704-333-7162	
3.	Nichols McISSANS	209 S. Kings Dr - Ct 28224	704 334-2884	NMcISSANS@qmail.com
4.	KOSTAS MELISSAKIS	" "	" "	" "
5.	ABBEY SMITH	3524 ARTISTS WAY 28205	704 334 1648	ABBEY@URBANVALE.COM
6.	Eugene Bookley	616 S. TONGUE ST	704-814-7940	ABERTT@URBANVALE.COM
7.	Myron Patten	1623 Luther St 28224	(910) 372-3720	mpatten@urbanvaler.com
8.				mpatten@urbanvaler.com
9.				mpatten@urbanvaler.com
10.				mpatten@urbanvaler.com
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**Wells Property Number One, LLC, Petitioner
Rezoning Petition No. 2011-073**

Community Meeting Sign-in Sheet
St. Mary's Chapel—1129a East 3rd Street
Thursday, January 5, 2012
7:00 P.M.



	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1.	ALLEN & CLARA WOLFE	1100 METROPOLITAN AVE UNIT 402	704-817-7773	PLATON@GUMBO@AOL.COM
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