

## COMMUNITY MEETING REPORT

**Petitioner:** Crescent Resources, LLC

**Rezoning Petition No.:** 2012-010

**Property:** Approximately 4.7 acres located near the main entrance to UNC Charlotte Campus on NC Highway 49, or on the southeast side of NC Highway 49 near the intersection of NC Highway 49 and Mark Twain Road.

This community meeting report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Department pursuant to the provisions of the City of Charlotte Zoning Ordinance.

### PERSONS AND ORGANIZATIONS CONTACTED WITH DATES, AND EXPLANATION OF HOW CONTACTED:

A representative of the Petitioner mailed a written notice of the date, time and location of the community meeting to the individuals and organizations set out on Exhibit A attached hereto by depositing the Community Meeting notice in the US mail on January 15, 2012. A copy of the written notice is attached hereto as Exhibit B.

### DATE, TIME AND LOCATION OF MEETING:

The community meeting was held on Tuesday, January 31<sup>st</sup>, 2012 at Advent Lutheran Church located at 8840 University City Blvd. in Charlotte, North Carolina.

### PERSONS IN ATTENDANCE AT MEETING:

The individuals as indicated on the sign-in sheet attached hereto as Exhibit C attended the community meeting. The Petitioner was represented by Mr. Tim Dison, Ms. Susana Granda, and Mr. Will Chapman of Crescent Resources, LLC and Mr. David Smoots of Carbon Properties. The petitioner's representative at the community meeting were Mr. Nate Doolittle of LandDesign, Inc. and Mr. Brian Bunce of BB+M Architecture.

### SUMMARY OF ISSUES DISCUSSED AT MEETING:

Mr. Doolittle arrived at 5:45pm to open the doors for the community meeting. The meeting format was an open forum community meeting which allowed community members to drop in any time from 6:30pm to 7:30pm. Community members who attended the meeting began arriving shortly after 6:00pm. At 6:30pm, Mr. Dison gave an overview of Crescent Resources experience and quality of developments in the region, including their diversity of market types and commitment to high quality projects. Mr. Doolittle explained the current status of rezoning and upcoming schedule of a Public Hearing on February 20<sup>th</sup> followed by a Zoning Committee meeting and Council Decision in late March. Mr. Doolittle then provided a summary of the proposed development including the use for up to 250 units to be marketed as student housing,

and up to 25,000sf of commercial space. Additional overview was given on height of the buildings limited to 4 stories, and a central parking deck that would be limited to 4 stories. Access was to be provided at the 4<sup>th</sup> leg of the intersection on Hwy 49 and UNC Charlotte's Main Entrance, it was indicated that signaling this entrance was still in negotiations with NCDOT. Additional access was off Mark Twain, to serve the lowest floor of the parking deck. Mr. Doolittle indicated that a majority of the vehicles would utilize the 2<sup>nd</sup> story deck entrance onto Hwy 49. Mr. Doolittle reviewed the screening of masonry walls and landscaping to be provided adjacent to the single family housing, as well as the treatment of the parking deck with a variety of landscaping, and green screens. Mr. Bunce reviewed the architectural element, indicating the deck would have a variety of materials, and the buildings to be designed to reduce by mass by breaking up architectural elements along the Hwy 49 frontage.

At approximately 6:45pm – 8:30pm the community asked questions which the development team responded to, the following are a summary of questions and comments during this session (not provided in exact order):

#### Questions and Concerns Regarding Traffic on University City Blvd.

- Traffic on University City Blvd. is already "horrible"
- Concerned of the impact the proposed development will have with increased traffic on University City Blvd., Sandburg, and Mark Twain Road
- Will University City Blvd. be widened?
- Currently, cars are cutting down Sandburg to avoid traffic. This is resulting in dangerous, fast drivers coming down residential streets
- Increased traffic makes conditions even more unsafe for pedestrian traffic
- Residents/students of proposed community will turn left on Mark Twain and into the neighborhood to avoid traffic on University City Blvd.
- Already numerous accidents on University City Blvd. due to high traffic and dangerous drivers
- Will there be a traffic light at Mark Twain and University City Blvd.?
- Can the developer build a pedestrian bridge over University City Blvd.?
- Safety and trash a large concern of neighborhood.

#### Responses Regarding Traffic on University City Blvd.

- Working with the University to provide a shuttle stop at the community
- Community is within walking distance to the University
- Working with NCDOT to have a 4<sup>th</sup> leg to allow traffic to turn off University City Blvd.
- DOT did not approve our proposal to install a traffic light at Mark Twain and University City Blvd. It is too close to an existing traffic light
- University City Blvd. is an evacuation route, a pedestrian bridge cannot be built, and would be very costly

#### Questions and Concerns Regarding Density, Height, and Parking of Proposed Community

- How many units are currently at Chateau? How many parking spaces? How many parking spots will the proposed development be adding from what is there now?
- What is conditional rezoning? Will the developer be allowed to increase the density after approval of rezoning application?
- What is the developer gaining by requesting a 5-year vested right? Isn't this uncommon?
- If rezoning is approved, the developer will be allowed to make amendments to the plan without notifying the neighborhood?
- What is developer gaining by requesting MUDD zoning?
- Community has been and will continue to fight to be a single family home neighborhood
- 17 DUA is stipulated with current zoning. Proposed density is over triple this
- Community already has enough students
- How many parking spaces will be provided? Does the developer plan to park visitors? Every student will have a car and each student will have multiple visitors. Concerned that visitors will park on Sandburg. Students already park on both sides of Sandburg, disrupting access for school buses and emergency vehicles
- Neighboring church was limited to 30' height
- 4 stories is too tall, prefer 2
- 4 stories will allow students to look down in neighboring backyards and homes. Lose privacy
- Overall density needs to be reduced, including commercial as community has over 100,000sf of un-leased commercial space, has a market study been done or tenants contacted yet?
- Where will retail and commercial uses be located?
- Statement that our proposal does not meet the goals of the 'corridors and wedges' plan, and recommendations to study other sites along Hwy 29 and Crosland retail development, need to create a '3 party' development agreement to make this happen. Comment that presenters should have used a powerpoint to communicate presentation.

## Responses Regarding Density and Height of Proposed Community

- Chateau has 66 units and approximately 100 parking spaces. Proposed development will add approximately 400 spaces
- The requested conditional rezoning ties the developer to the building footprints and envelopes in the site plan and limits density, commercial space, and parking to the numbers requested in the rezoning application. In order to increase density, commercial space, parking, change the use, modify the heights or building footprints (over 5'), the developer will have to go through the rezoning process again
- University City Guidelines call out higher densities and heights
- A 5-year vested right is very common and allows the developer 5 years to complete the development of their land as shown on the plans despite any change in the zoning of the property
- Amendments can be made to the plan via administrative approval after the rezoning application is approved. Changes approved with administrative approval are very small

- MUDD zoning allows for smaller setbacks than the MF zoning
- Propose to provide approximately 550 parking spaces (dependent on total number of beds, will park at or over 1 space per student) for students, visitors, and commercial
- Management will manage visitors and allow approved visitors access to the secured parking garage
- Will revisit heights of buildings
- DOT has been requested to abandon right of way which will allow buildings to be set slightly farther from neighboring properties
- Commercial location is unknown, but anticipated on corner near amenity area

### Questions and Concerns Regarding Median at Mark Twain

- To allow for left turn access into the community, median will be cut resulting in magnolias being cut down. Magnolias are very old. Has a City Arborist been consulted?
- Do not want residents/students to have the ability to turn left onto Mark Twain and drive into the neighborhood
- Can access to the proposed community from Mark Twain be limited to only emergency vehicles?
- Will delivery and garbage trucks enter from Mark Twain?

### Responses Regarding Median at Mark Twain

- A City Arborist has not been consulted, this process is done during land development permit review
- This access is required by the fire department for emergency access to all sides of the buildings
- Only the bottom floor of the proposed parking garage (approximately 100 spaces) will exit onto Mark Twain
- At this time, the loading entrance for delivery and garbage trucks has not been decided

### Questions and Concerns Regarding Setback from Single Family Homes

- What is the setback from neighbor's property lines to the proposed building?
- Building is too tall to be set back only 10'
- Students in buildings will be looking 'down' into the single family homeowners windows.

### Responses Regarding Setback from Single Family Homes

- Setback is 10' (currently existing)
- Will relook at building height
- Requested DOT to abandon right of way along University City Blvd., which, if approved, may provide a slightly increased setback

### Questions and Concerns Regarding Proposed Development

- It does not matter what is built, even one building, I am opposed to this project

## Questions and Concerns Regarding Safety

- Will the parking garage be secured?
- Increased traffic will result in an increase of accidents at University City Blvd. and an increase of traffic on Sandburg
- Concerned for pedestrians and children in the neighborhood

## Responses Regarding Safety

- Parking garage will be secured to visitors, guests, and retail
- Proposed community is within walking distance to the University and University has limited on site parking. Residents/students will walk
- Requested shuttle stop for residents/students so that they will not need to drive to class

## Questions and Concerns Regarding Proposed Commercial Space

- This is a residential area, not a commercial area
- Commercial space will increase traffic and require parking. Will developer provide enough parking for retail?
- There is plenty of vacant retail space down the road, commercial space is not needed at this location
- This is a residential neighborhood, not commercial

## Responses Regarding Proposed Commercial Space

- Have not performed market studies yet to determine demand for commercial space
- Requested 25,000 sf, this does not mean that all 25,000 sf will be built (this is a maximum number)
- Will relook at requested commercial space

At approximately 8:30pm Nate Doolittle indicated that all concerns will be studied, and recommended a follow up meeting late the week of February 6<sup>th</sup> to present modifications to the proposal. It was agreed by the community that communications would go through the HOA president who will forward the time and location to all community members. The meeting was concluded and additional questions were answered on an individual basis.

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

Additional changes to the plan and conditions are being drafted in preparation of the follow up community meeting. These minutes will be forwarded prior to the Public Hearing on February 20<sup>th</sup>.

cc: Brian Bunce – BB+M  
Tim Dison, Susana Granda – Crescent Resources  
David Smoots – Carbon Properties

# EXHIBIT C

Circle @ UNC Charlotte – Community Meeting (Rezoning Petition #2012-010)

January 31, 2012: 6:30 – 7:30pm

Advent Lutheran Church – 8400 University City Blvd.

Name	Address
Eck Hoyt	9030 Sandburg
Cathy Hoyt	"
Ward Misentkum	8840 University City Blvd.
Pearl Maxwell	1207 Mark Twain
Edward Mathis	9101 Joyce Kilmer Dr. '13
LARA REX	9223 Sandburg Ave.
Rosa McEwen	9111 Robert Frost Ln.
Virginia Faulkner	8900 Daltown
Thomas	9122 Robert Frost 28213
Golden C. Keith	9100 WASH ONE Charlotte
George R. Morrow	4218 Sandburg Ave
Peter Franz	9201 University City Blvd
Van Johnson	10683 Hill Point Ct
Joe Pries	9600A VING CIRCLE 28213
Jim Rogerson	9500 ROBERT BURNS CT 28213
LINDA + Kevin Vorwerk	9119 Nash Ave.
Patrizia + John Robinson	9113 Nash Ave
Jewell Thompson	9136 Sandburg Ave.
Doris Lynn Stallings	1627 Bonnie Lane
Ed + Polly Rand	9130 Sandburg Ave
Jim + Anne Allison	9110 Robert Frost Lane
Moutaz Khawaja	9309 Sandburg Ave
Scott Starnes	9300 Sandburg Ave.
Lauren + Rick Ellis	9330 Sandburg Ave.
Ken Surgen	9230 Nash Ave
Suzanne + Lawrence	9186 Joyce Kilmer Dr., Ch.
Clary Mathis	9211 Nash Ave Ch.
Robert + Lisa	9101 Joyce Kilmer Dr.
Volker Winsch	9201 University City Blvd
M. Carroll Wilson	9115 Joyce Kilmer Ave
Francoise Ledru	9121 Sandburg Ave.
Marshall Mander	9335 Sandburg Ave
Rick Ellis	9230 NASH AVE

## **COMMUNITY MEETING REPORT – 2<sup>nd</sup> Meeting**

**Petitioner:** Crescent Resources, LLC

**Rezoning Petition No.:** 2012-010

**Property:** Approximately 4.7 acres located near the main entrance to UNC Charlotte Campus on NC Highway 49, or on the southeast side of NC Highway 49 near the intersection of NC Highway 49 and Mark Twain Road.

This community meeting report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Department pursuant to the provisions of the City of Charlotte Zoning Ordinance.

### **PERSONS AND ORGANIZATIONS CONTACTED WITH DATES, AND EXPLANATION OF HOW CONTACTED:**

As agreed to with the community in the January 31<sup>st</sup> meeting, notice was provided to the Community Association President via email on February 6<sup>th</sup>. In addition, signs were placed at the intersection of Suther & University City Blvd. and Mark Twain & University City Blvd. indicating the time and location of meeting on February 8<sup>th</sup>.

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

The community meeting was held on Thursday, February 9<sup>th</sup>, 2012 at Advent Lutheran Church located at 8840 University City Blvd. in Charlotte, North Carolina.

### **PERSONS IN ATTENDANCE AT MEETING:**

The individuals as indicated on the sign-in sheet attached hereto as Exhibit A attended the community meeting. The Petitioner was represented by Mr. Tim Dison of Crescent Resources, LLC. The petitioner's representative at the community meeting was Mr. Nate Doolittle and Mr. Richard Petersheim of LandDesign, Inc. and Mr. Brian Bunce of BB+M Architecture.

### **SUMMARY OF ISSUES DISCUSSED AT MEETING:**

Mr. Doolittle arrived at 5:00pm to open the doors for the community meeting. The meeting format was a powerpoint presentation with Q&A session following, as requested by the Community at the prior meeting. Community members who attended the meeting began arriving shortly after 6:15pm. At 6:30pm, Mr. Doolittle presented a powerpoint presentation until approximately 6:50pm. The focus of the presentation was to review the previous site plan submittal, city policies and guidelines utilized in planning the project, and focus on the previous meetings community concerns providing responses and plan changes based on these concerns. The concerns were highlighted in the following categories and a summary of proposed development changes included:

1. Height – Original proposal assumed 4 story buildings with 70' max. height. Proposed changes included reducing height on Building AB to 3 stories and 40' max. height, 4 stories on remainder of buildings with 55' max. height, and surface plus 3 stories of structured parking with a maximum height of 40'. Landscape and masonry wall screening, along with parking deck façade treatments, remained consistent from previous proposal.
2. Commercial Density – Reduce commercial from 25,000sf to 10,000sf and limit uses to small neighborhood retail.
3. Density – Reduce residential density from 250 units to 225 units.
4. Traffic and Safety – Initial discussions of residential permit or restricted parking along Sandburg was discussed with CDOT prior to the meeting, the Petitioner indicated a desire to continue working with the community on their priorities for parking along Sandburg with CDOT. Petitioner will continue discussions with UNC Charlotte on shuttle service to the project. Mark Twain median break will remain, the Petitioner committed to relocating any trees impacted by construction.

Mr. Doolittle then reviewed the schedule to date and future schedule: original submittal in November, meeting with Community Association President in December, Public Open House Forum January 9<sup>th</sup>, 1<sup>st</sup> Community Meeting January 31<sup>st</sup>, 2<sup>nd</sup> Community Meeting tonight, Public Hearing February 20<sup>th</sup>, Plan Re-submittal February 24<sup>th</sup>, Zoning Committee Meeting February 29<sup>th</sup>, Public Hearing March 19<sup>th</sup>.

At approximately 6:50pm – 8:45pm the community asked questions which the development team responded to, the following are a summary of questions and comments during this session (not provided in exact order):

### Rezoning Process and Timing

- General concern that the community involvement was too late in the process and additional meetings required
- Multiple requests for the development team to defer the hearing
- Is the developer responsible for decision to defer the public hearing?
- Can we have 2 more meetings?

### Rezoning Process and Timing

- Yes, the developer has the authority to defer the public hearing
- Whether deferral occurs or not, we will come to a point where we have negotiated and responded to all concerns, which will either be acceptable or not to the community. We would like this to occur as quickly as possible to not take up any more of the community or development team's time and efforts. Moving back another meeting will only lengthen the time and memory of the progress that has been made to this point.
- The Petitioner proposes to keep the existing schedule, but if the Community prioritizes their concerns and deferral is high on their priority list, it would be considered.



- We will not commit to 2 more meetings until we understand if the next meeting does or does not meet all of the Community's concerns, it is our hope to finalize everything at the next meeting.

## Comments Regarding Mark Twain median cut

- No attempt or revisions made to keep Mark Twain median
- Unacceptable that the existing trees will be removed in this median, the community has spent their own money preserving and planting this median. Statement that a woman would chain herself to the tree before she would allow it to be removed.
- Where will the trees be replanted?
- Additional traffic will occur during exit for residents cutting through Bonnie Lane and Sandburg Ave.
- Fire Dept. access to site works now, so it shouldn't be an issue for our project.
- Who are all of the individuals you have spoken with at the City?

## Responses Regarding Mark Twain median cut

- We believe that the Mark Twain median cut will reduce traffic into the neighborhood and provide the quickest way to major thoroughfares including University City Blvd.
- We are open to replanting trees anywhere the community desires.
- Fire Dept. access has new requirements adopted after the original Chateau Villa was developed
- We have spoken with Debra Campbell, Tammie Keplinger, and Sonja Sanders with Planning and Rick Grochoske at CDOT, among others. If the Community would like a list of all members of the City we have communicated with, the Petitioner would be happy to provide

## Questions and Concerns Regarding Density, Height, and Parking of Proposed Community

- 40' building on property line will block out views and sky from neighbors behind building
- 2 story buildings and reduced height are the major issue of adjacent owners, this needs to be addressed
- Why can't this development serve senior housing, affordable housing, medical campus housing?
- No issue with raising heights along University City Blvd.
- Request for Building E to also be lowered to 3 stories
- With the large amount of vacant retail space in the community, why is additional commercial space required for this project?
- Can the developer put all parking underground, reduce buildings to 2 stories in rear of site and raise rents to make up for cost
- How many parking spacing will be provided?
- Sandburg homeowner expressed disappointment about no change to the plan beside her property.
- Who is buying homes along Sandburg for building a road from 49 to Sandburg?

- Do the traffic studies consider closing Suther Road?
- The developer is proposing to triple the density of what is currently provided on the site.
- What will the parking garage look like?
- Where will the density reduction from 250 to 225 occur?

## Responses Regarding Density and Height of Proposed Community

- 40' height is consistent with the city's policy on transition to single family
- We will consider height requests suggested by the Community
- Commercial space is anticipated to be small retail serving development
- The developer does not provide senior housing in their portfolio, student housing is identified for this site from a market perspective
- Underground parking is 3 times the cost of above ground, and that scenario would not work economically
- Per the rezoning, the developer would provide a minimum of 1.5 times 225 units, around 350 spaces, plus 5 per 1,000 commercial of 50 spaces, and additional visitor and staff parking currently estimated around 500 to 550 spaces.
- Petitioner indicated that we are providing more than required and other typical multi-family project parking ratios, and if the community would like less parking provided the developer would be willing to provide less.
- Developer has not pursued any homeowners concerning building a road to Sandburg.
- Traffic studies and complementary studies as part of UNCC did study closure or restricted access at Suther Road, but no agreements or requirements occurred to date with NCDOT
- Peter Franz described the efforts for the University to provide shuttle service to partner multi-family projects around the campus
- Parking façade image shown in the rezoning submittal was described in detail
- Density reduction occurred in some of the height reductions, but generally not known in great detail right now

A general statement was made by an adjacent property owner that he had spoken with all contiguous property owners along Sandburg, and their main concern was height along the rear property line. He indicated that a petition had been signed, and urged that the community contact not only their elected official, but all Council members about the project and their concerns.

At approximately 8:50pm Nate Doolittle requested that all concerns be routed through the Community Association president who will compile and prioritize for the Community by early next week. The Petitioner agreed to respond by next week prior to the public hearing. A list of the sign in sheet with emails will be provided to the Community Association President the following day for help in contacting all community members.



urban design planning civil engineering branding landscape architecture

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

Additional changes to the plan and conditions are being drafted in preparation of the follow up community meeting.

cc: Brian Bunce – BB+M  
Tim Dison, Susana Granda – Crescent Resources  
David Smoots – Carbon Properties

223 North Graham Street  
Charlotte, NC 28202



V: 704.333.0325  
F: 704.332.3246

[www.LandDesign.com](http://www.LandDesign.com)

Washington DC  
Charlotte NC  
Pinehurst NC  
Asheville NC  
Tampa FL  
Nashville TN  
Beijing PRC

# EXHIBIT A

Sign-In for College Downs Neighborhood Rezoning Petition 2012-010  
 Thursday, February 9th, 2012

Name	Address	e-mail Address
Francine Leba-Wysocki	9115 Spice Kilmer Dr.	
Don Olson	9309 Sandberg	
George R. Morrison	9218 Simonses Ave	
Jewell Thompson	9136 Sandburg Ave.	
Dorie Lynn Stallings	1627 Bonnie Lane	
Kenneth Dummer	9200 Sandburg Ave	
Rick Ellis	9230 WSH Ave	modyrik@att.net
Lauren Ellis	9230 Nash Ave	lauren.e@att.net
Kathy Bonapart	9503 Robert Burns Ct	net39561@bellsouth.net.
Kim Hobbs	9233 Sandburg Ave	fhobbs2@caroline.rr.com
Theron Hobbs	9233 Sandburg Ave	fhobbs2@caroline.rr.com
Ken & Robin Burrors	9136 Joyce Kilmer	Keburrors@gmail.com

Name	Address	e-mail Address
Sean Riey	9223 Sandberg Ave	SRIEY@CAROLINA.RR.COM
Laura Riley	9223 Sandburg Ave	rileyla@carolina.rr.com
James Knuckles	9224 Sandburg Ave	
TERRY LEONARD	1821 PRANIE LN	TLL@CAROLINA.RR.COM
Kerint Jinda Lawrence	9119 Nash Ave.	LVR1250@BellSouth.net
John+Patte Robinson	9113 Nash Ave	auntpatier@BellSouth.net
Roy Morejon	9105 sandburg Ave	roy@roymorejon.com
Jacobs Parrish	9115 Sandburg Ave	parrish.jacobs@gsi.iaa
Evelyn Dinkin	9410 Robert Burns Ct	evelyn.daukins@att.net
Boyd McGee	9411 Robert Frost	
MARTIN ZIMMERMAN	1616 BONNIE LAKE	martinzimmerman@yelpo.com
Ken Huffman	1211 Ogden Place	SHUFFMAN@carolina.rr.com
James D. Allison <del>James D. Allison</del>	9309 Sandberg	

Name	Address	e-mail Address
THOMAS MEMORIAL	9127 SANDBURG AVE	thomaspatrickm@yahoo.com
Michael D. Barnes	Charlotte City Council	
Elizabeth Miller	8917 Northway Drive	
<del>William D.</del>	9130 Sandburg Ave	
Mindy Olson	9201 Sandburg Ave	mindyokeller@gmail.com
Jeremy Olson	9201 Sandburg Ave	jeremy@tapi.ty.com
M. Carroll Wilson	9121 Sandburg Ave	Mcarrollwilson@aol.com
A. Villarvacas	9205 Sandburg Ave	
Scott Starnes	9330 Sandburg Ave.	sasatst@yahoo.com
Ninnie P. Braxton	9404 Robert Burns Ct.	
Elaine Carter	9404 Robert Burns Ct.	elaine.carter2011@yahoo.com
Elizabeth Alvaracin	9207 Robert Burns Ct	Elizabeth Alvaracin@yahoo.com
Victor Alvaracin	1919 Bonny Ln	VALLVARACIN@yahoo.com

→

→

←

com



Sign-In for College Downs Neighborhood Rezoning Petition 2012-010  
 Thursday, February 9th, 2012

Name	Address	e-mail Address
Joe Pae	9600 Wwa Circle 28213	airline@jdpae.com
Van Johnson	9144 Joyce Kilmer Dr.	Vanamerica@gmail.com
Frank Hogan	1710 Corlies Circle	Fhoganloo@hotmail.com
Sonya Sanders		ssanders@ci.charlotte.nc.us
Moutaz Khouis	9300 Smedleyway	MS.Khouis@unc.edu
Volker Wihstutz	3115 Joyce Kilmer Dr.	wihstutz@unc.edu
Sydney Weaver	POB 3432 28231-1432	slweaver@photon.net