

COMMUNITY MEETING REPORT
Petitioner: Singh Development, LLC
Rezoning Petition No. 2012-011

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 Community Meeting to the individuals and organizations set out on Exhibit A attached hereto by depositing such notice in the U.S. mail on January 5, 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 Monday, January 30, 2012 at 6:30 p.m. at Providence Baptist Church located at 4921 Randolph Road, Charlotte.

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 C. The Petitioner was represented at the Community Meeting by Mike Kahm, Todd Rankine and Jackie Kilgore with Singh Development, LLC. The Petitioner's agent, Collin Brown with K&L Gates and the Petitioner's engineer, Danis Simmons with ESP, also attended on behalf of the Petitioner.

SUMMARY OF PRESENTATION/DISCUSSION:

The Petitioner's agent, Collin Brown, welcomed the attendees and introduced the Petitioner's team. Mr. Brown indicated that the Petitioner proposed to rezone an approximately 8.4 +/- site (the "Site") located on the east side of Randolph Road between Wonderwood Drive and Shasta Lane from the UR-2(CD) (Urban Residential Conditional) zoning district to the INST(CD) (Institutional Conditional) zoning district. Mr. Brown explained the rezoning process in general and stated that the purpose of the meeting was to discuss the rezoning request and the conditional site plan and respond to questions and concerns from nearby residents and property owners.

Mr. Kahm provided background information about the Petitioner's experience and the typical operation of its facilities. He then presented the site plan and pointed out various commitments made by the Petitioner. Mr. Kahm showed proposed architectural elevations and discussed the design of the proposed facility. He used the elevations and renderings to explain the facility's design concepts, and operations.

An attendee asked for clarification about the proposed height of the structure. Mr. Brown explained that the southerly assisted living portion of the facility would have three floors and, due to the Site's sloping topography, would be a walk-out condition and would appear to be three stories from the south while maintaining a two story elevation along Randolph Road to the west.

Mr. Brown pointed out several aspects of the site plan that he thought would be of interest to the attendees. He said that two driveways on Randolph Road are necessary to ensure adequate access for emergency vehicles. He pointed out that the northernmost driveway would be restricted to right-in-right-out movements only, while the southerly drive location is proposed as a full access driveway and was located as far south as possible to provide maximum site distance for egress traffic. Mr. Kahm confirmed that the driveway would be constructed in a manner that would prevent left-turn movements at the northernmost driveway.

Mr. Brown showed the rezoning plan related to the Site's current UR-2(CD) zoning. Mr. Brown compared the Petitioner's proposed site plan and the UR-2(CD) plan and explained why he thought the Petitioner's plan was superior. An attendee questioned the relevance of the UR-2(CD) plan. Mr. Brown said that if Petitioner's rezoning is unsuccessful, another developer could develop a townhome project in conformity with the UR-2(CD) plan.

An attendee asked how the building would appear if viewed from the south. Mr. Brown and Mr. Kahm explained that significant vegetation would be left undisturbed along McMullen Creek to screen the Site from that direction.

An attendee said that she had not received a letter notifying her of the Community Meeting, she asked Mr. Brown who he had invited. Mr. Brown explained that the Petitioner's team has met with numerous adjoining property owners during the past few months. He said that the City's Planning Department provided a list of names and addresses and that he mailed notices to everyone on the list. An attendee asked whether the Coptic Church had been contacted. Mr. Brown indicated that he had spoken with Father Arsanios at the Coptic Church.

Several attendees asked if the Petitioner's team was aware of flooding issues in the area. Danis Simmons with ESP Associates, P.A., introduced himself and explained the preliminary engineering work that ESP had performed related to the Site. Mr. Simmons said that his team was working in coordination with the County's Storm Water Services department and that everyone was aware of the severity of flooding issues in the area. Mr. Simmons responded to several questions and showed a map of the overall drainage basin and pointed out the Site's location at the bottom of the basin. He explained that it is not possible for the Site to mitigate the flooding issues that occur in such a large drainage basin. He went on to explain the preliminary flood analysis that ESP had performed. He said that his preliminary analysis has shown that the Site can be engineered and constructed in a manner that will result in a "no rise" condition with regard to the McMullen Creek floodway in compliance with County regulations.

Mr. Brown explained that since the current UR-2(CD) zoning was approved in 2006, the City has adopted the Post Construction Controls Ordinance ("PCCO") which regulates storm water controls requirements for development projects. He explained that storm control commitments

are no longer negotiated on a site-by-site basis through the rezoning process and that now the City simply required rezoning petitioners to commit to meeting the requirements of the PCCO.

Multiple attendees expressed concerns with storm water impact related to proposed development of the Site. An attendee questioned how any fill activity could be allowed in the floodplain. Mr. Simmons explained the work proposed within the floodplain and also pointed out that the Petitioner's proposal is anticipated to remove an existing dam feature from an existing pond within the floodway, which could improve the hydraulic performance of the floodway during flood conditions. The attendee said that he was opposed to any fill within the floodplain.

An attendee asked a question about the approval process for a rezoning. Mr. Brown explained the City Council's process for approving a rezoning. Mr. Brown said that he believed that the Petitioner is a quality developer that is willing to work with adjoining property owners to resolve reasonable concerns. He explained his belief that the proposed assisted living facility is superior to the townhome plan allowed under the current UR-2(CD) zoning. He pointed out that, as compared to a possible townhome development, the assisted living facility would generate less traffic, have less impervious coverage, maintain a larger portion of natural buffers and have no impact on area schools. Mr. Brown asked attendees to work with the Petitioner to see if neighborhood concerns could be resolved.

Councilmember Autry spoke and explained his involvement with the adoption of the PCCO and the importance of on-site detention and treatment.

An attendee pointed out that the current UR-2(CD) site plan included a commitment that storm water detention facilities be sufficient to handle a 100-year storm event, but that Singh's commitment to meet the PCCO requirements would only provide detention sufficient to handle a 25-year storm event. Mr. Brown indicated that he was not previously aware that the UR-2(CD) provided for detention for a 100-year storm. After further discussion of flooding concerns Mr. Kahm said that he would be willing to have ESP do additional preliminary engineering work to determine whether the Petitioner could commit to provide detention for a 100-year storm event. Mr. Brown indicated that he would have to check with the Storm Water Services department in order to determine if the City would accept conditions that exceed the PCCO requirements.

Councilmembers Dulin and Autry both encouraged Singh to continue working with attendees to determine whether a compromise could be reached regarding storm water concerns.

Mr. Kahm responded to a question from an attendee by explaining the facility's security features, which are necessary to ensure the safety of its residents.

Mr. Brown told attendees that the Petitioner and its team would continue working on storm water issues and would be willing to meet with attendees again in two weeks to continue the discussion. Mr. Kahm said that he wanted to make sure he understood the primary issue of concern. The attendees confirmed their main issue of concern was the storm water impact of the proposed development and that they wanted to know whether the Petitioner could commit to provide on-site detention facilities that could handle a 100-year storm event. Mr. Kahm agreed

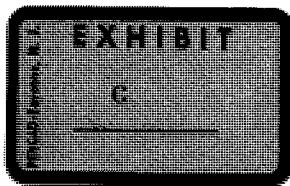
to meet with the attendees again to explain whether it would be possible to provide on-site detention for a 100-year storm.

Mr. Brown thanked attendees for their comments and explained he would contact everyone on the sign-in sheet about a follow-up meeting to further discuss storm water issues.

Following the formal question and answer session the Petitioner's representatives continued conversations with attendees individually.

Respectfully submitted, this 10th day of February, 2012.

cc: Ms. Sonja Sanders, Charlotte-Mecklenburg Planning Department
The Honorable Andy Dulin, Charlotte City Council
The Honorable John Autry, Charlotte City Council
Mr. Mike Kahm
Clerk to Charlotte City Council



COMMUNITY MEETING SIGN-IN SHEET
 PETITIONER: SINGH DEVELOPMENT
 REZONING PETITION NO.: 2012-011
 January 30, 2011

<u>Name</u>	<u>Address</u>	<u>Phone Number</u>
Samuel Delling	1145 Willhaven DR	704-249-8861
Kathryn Farmer	440 Hunter	704-366-8803
Sarah Fisher	500 Brook Forest Ln	704-860-3512
M. Kyle Winters	Mailing: 10307 Barrands Ln, 28278 1127 Willhaven	704-576-6520
Greg Jenkins	447 Wonderwood dr	704-430-8871
Sharon Hammitt	5123 Randolph Rd.	704.442.9429
ANDY DULIN	CITY COUNCIL D6	
Johnie Aubry	City Council Dist. 5	704-537-2735
Chas Judy	438 Wonderwood	704-366-0623
* BRAD JUDY	" "	" "
* GARY PALMER	414 WONDERWOOD DR	704 366 1131
Michelle Palmer	414 Wonderwood	704 366 1131
Sally YDEL	435 Wonderwood	
Bill YDEL	"	
* MARTHA JURGENSEN	515 Wonderwood DR.	704.364.9620
CHARLES JURGENSEN	"	"
ALON WEUS	236 Hunter Ln	704 365-4568
Larry Farmer	440 Hunter Ln	704-366-8803
Barry & Jan Abrams	110 Wonderwood	704-364-0166
Ted Fflette	220 Wonderwood	704-362-0621