

COMMUNITY MEETING REPORT FOR REZONING

PETITION No. 2012-045

Petitioner: Woodfield Acquisitions, LLC

Rezoning Petition No. 2012-045

Property: Approximately 3.20 acres, generally located on the northeast corner of Barclay Downs Drive and Morrison Boulevard, in Charlotte NC.

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 DATES AND EXPLANATIONS 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 U.S. mail on May 10th, 2012. A copy of the written notice is attached hereto as Exhibit B.

DATE, TIME AND LOCATION OF MEETINGS:

The Community Meeting required by the Ordinance was held on Thursday, May 24th, 2012 at 7:00 p.m. at Sharon United Methodist Church 4411 Sharon Road Charlotte, North Carolina 28211. Prior to and subsequent to the required Community Meeting, the Petitioner and the Petitioner's representatives held several meetings with representatives of Barclay Downs Home Owners Association and the Barclay Downs Swim Club. Meetings with the representatives of these two groups were held on 2/9, 2/28, 2/29, 4/23, 5/8, 5/24 (required community meeting), 6/14 and 6/28. Numerous adjustments and enhanced commitments related to the proposed rezoning plan have been made as a result of these meetings. The sign in sheet from the required Community Meeting is attached as Exhibit C.

PERSONS IN ATTENDANCE AT MEETING:

The Petitioner's representatives at the Community Meeting were Chad Hagler with Woodfield Acquisitions, LLC as well as Chuck Travis with Housing Studio P.A., Desiree MacSorley and Randy Goddard with Design Resource Group, PA, and Jeff Brown and Keith MacVean of King & Spalding.

SUMMARY OF ISSUES DISCUSSED AT MEETING:

Hilary Greenberg a member of the Barclay Downs Homeowners Association board opened the meeting and thanked everyone for attending. She then introduced the other board members of the association who were present. John Reeves, current president of the Barclay Downs Swim Club, introduced himself and asked the other board members of the swim club to stand up so they could be recognized. The meeting was then turned over to Jeff Brown, who thanked the members of both boards for their time and efforts on the rezoning petition.

Mr. Brown then introduced the other members of the development team and asked Mr. Hagler with Woodfield Investments to provide background on the company and its vision for the site. Mr. Hagler mentioned that Woodfield Investments is a highly regarded developer of multi-family rental communities in the southeast whose principals have a combined 110 years of experience and with offices and projects in Raleigh, DC, Charleston and Charlotte. Woodfield focuses on delivering

Class A apartments, including mid-rise projects similar to the one proposed. Representatives of Woodfield Investments, many of whom were with Camden and Summit Properties, have developed the following projects in Charlotte, while with these companies: Camden Grandview, Metro 808, Elizabeth Square, and in Washington, DC a project by the name of Sienna Park. Woodfield's vision for the Site is to develop 300 high end apartment homes (number of units has been reduced to 280 units as an accommodation to the stakeholders) with an average unit size of approximately 1,000 square feet and at or near the highest rental rates per square foot in Charlotte. Most of the apartment homes will be one and two bedroom apartment homes geared to professionals in SouthPark/South Charlotte. The development will include high end amenities for its residents (health club, pool etc.).

The developer's representatives then discussed the location of the Site and some background on the office zoning and plans currently approved for the Site. The Site is located at the intersection of Barclay Downs Drive and Morrison Blvd. and is adjacent on three sides to office and commercial development within SouthPark and on the fourth side adjacent to the Barclay Downs swim club. The nearest homes in the Barclay Downs neighborhood are between 380 and 470 feet from the proposed building. The Site as currently zoned could be developed with a six (6) story office building containing up to 130,000 square feet of office uses. The zoning classification also permits ground floor retail of up to 13,000 square feet.

A description of the plans associated with the rezoning petition was then provided. The proposed building will be oriented to Morrison Boulevard. It will have vehicular access from Barclay Downs Drive and Morrison Boulevard with service vehicles to the Site and visitors utilizing the Morrison Boulevard access. Residents of the development will be able to use either driveway. The building height along Morrison Boulevard will be eight stories, which is comparable to 6 stories of office uses given the taller floors for office, but in response to resident leaders' input the portion of the building closest to the swim club common boundary will vary in height with the portion of the building closest to the swim club having a four story and six story element before transitioning to eight stories closer to Morrison [NOTE: after the Community Meeting, the 4 story component closest to the swim club boundary was eliminated in an effort to further address resident leaders input.

A 36 foot buffer, a large portion being a tree save area and the remaining portion been landscaped to meet class B buffer standards, will be provided adjacent to the swim club. Along Barclay Downs Drive a setback of varying width will be provided. A new six foot sidewalk separated by an eight foot planting strip will be provided along the Site's frontage on Barclay Downs Drive and Morrison Boulevard. The Petitioner in working with CDOT has identified various improvements along Barclay Downs Drive that will help to calm traffic and create a better environment for pedestrians using Barclays Downs Drive (the improvements include new sidewalk from the site to the intersection of Sayre and Barclay Downs, curb extension at this intersection with new high visibility cross-walks, as well as reconstructed speed humps at several locations -- details of portions of the sidewalk improvements await further input from a resident along Barclay Downs Drive and CDOT to deal with topography changes in this area). The Petitioner has committed to making these improvements as part of the development of the Site in response to input, despite the conclusion of the traffic impact analysis approved by CDOT that this rezoning will not have a significant impact on the road network when compared to the development permitted by the existing office entitlement.

The Petitioner also described the various changes that had been made to the plan to address the concerns and input of neighborhood and swim club leaders. The orientation of the building was changed to create more separation between the proposed building and the adjoining Swim Club.

The building height closer to the swim club was lowered significantly. A courtyard wall originally proposed at the rear of the Site was eliminated. The vegetation within the 36 foot buffer will be supplemented and meet class B buffer standards and fence will be provided for security. Additional details on the treatment of the parking deck, the orientation of the ventilation fans for the parking deck as well as specifics on how parking within the deck would be screened were added to the site plan in response to input from neighborhood and swim club leaders.

At the completion of the presentation the attendees were invited to ask questions.

The attendees asked various questions regarding the impact of the development on traffic on Barclay Downs Drive and other nearby streets. The Petitioner's representatives pointed out that the traffic study approved by CDOT indicates that the proposed residential development would generate less trips in the critical AM and PM peak hours than the currently approved office uses. The Petitioner's representatives also pointed out the pedestrian/traffic calming improvements the Petitioner has agreed to make along Barclay Downs Drive. Several of the attendees also asked if the driveway to Barclay Downs Drive could be eliminated or access to the driveway restricted in some fashion. The Petitioner's representative responded that the traffic engineer and CDOT had concluded that if access to Barclay Downs Drive was restricted residents of the development would be forced to make u-turns at Barclay Downs Drive and Morrison and at Morrison and Coca-Cola Plaza; CDOT has indicated that this would be detrimental to the flow of traffic in the area.

Attendees asked questions regarding the proposed building and the Site. They wanted to know if the Petitioner had purchased the property and if the wing of the building closest to the swim club could be removed. There were also questions regarding the location of the proposed pool including if it would be leased out for parties or if would be visible to residents in the neighborhood. The Petitioner responded that the pool would have restrictions on the hours it could be used and the apartment manager would control noise at the pool which is also an important consideration for the apartment residents that would have units near the pool. The property is currently under contract but has not been purchased. Removal of the wing of the building is not possible but subsequent to the Community Meeting the Petitioner has agreed to eliminate the 4 story portion of the wing of the building.

Questions regarding the construction of the proposed building were asked, in particular when construction would begin and how long would construction take. Several questions regarding access to the Site by construction traffic were also asked. The Petitioner responded that if the rezoning petition is approved construction would likely start in the 1st or 2nd quarter of 2013 and should be completed by 2015. The Petitioner indicated that it would work with the general contractor to stipulate that Morrison Boulevard will be the primary access point for all deliveries and departures during construction and that trucks are to approach and depart the Site towards Fairview and Sharon Roads.

Several statements about the impact of the proposed building and the buffer treatment along the swim club edge on the existing clay tennis courts were made. The concerns voiced by the tennis pro of the swim club related to an early morning shadow on the lower clay tennis court in the winter that could hinder or delay ability to play tennis on cold days in the winter. The Petitioner indicated that a shadow study of the proposed building had been preformed (additional shadow studies were preformed and presented to the leadership of the neighborhood and swim club at a later date). These studies reflected that the existing trees cast a shadow on the courts, office building alternatives permissible under the existing zoning cast a shadow on the courts, and the proposed building cast a shadow on the courts. These studies confirmed that the proposed building shadow would not make the possibility of court freezing materially worse during the coldest days of the

winter months, when compared to the existing tree conditions and the results of office building alternatives as permitted by the existing zoning. The Petitioner has proposed installation of screening along the project boundary to screen and buffer the views of the proposed building from the tennis courts. In this regard, the Petitioner agreed to meet (and has done so) with the tennis club professional and swim club leaders to see if a revised planting plan could be developed. Additional discussions along these lines have continued.

One of the attendees at the meeting expressed his view that the proposed development was too dense and would have a negative impact on traffic in the neighborhood. Petitioner's representatives referenced once again the traffic analysis approved by CDOT that indicated that the traffic from this residential project would be less during the critical AM and PM peak hours than development associated with the approved office rezoning for the Site. Petitioner also pointed out that the nearest homes within Barclay Downs neighborhood are over 380 to 470 feet from the proposed building.

Other attendees wanted to know whom should they speak with at the City Department of Transportation to discuss possible pedestrian and traffic calming improvements along Barclay Downs Drive. It is noted that working with neighborhood leaders, the Petitioner assisted in having CDOT lead a meeting after the community meeting on transportation matters.

The attendees were thanked for their time and comments and the meeting was adjourned.

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

As a result of the numerous meetings with neighborhood and swim club leaders and the Community Meeting, the Petitioner has made a number of changes and additions to the rezoning plan as summarized generally in part C on Attachment A. These include for example a reduction in the number of proposed units from 300 to 280, the elimination of a portion of the building closest to the swim club, elimination of the retaining wall at the rear of the property, the reduction in the height of the building along the rear of the project primarily to 6 stories and relocation of units more toward the Morrison Blvd portion of the site, additional screening and buffering along the common boundary with the swim club, commitments to traffic calming and transportation improvements to Barclay Downs Drive, among other commitments. After the Community Meeting, the Petitioner also discussed with swim club leadership a willingness, in cooperation with the swim club, to provide funds that could be used to relocate the existing lower clay tennis court or provide a cover over the court in the winter in order to ensure that the court would not be impacted by existing or future shadows during the winter months. This accommodation was offered despite the fact that the existing trees cast shadows on that lower tennis court during portions of the day in the winter months and alternative development plans associated with office zoning also would result in some shadows during the winter months.

The Petitioner continues to seek opportunities to work with nearby stakeholders.

WOODFIELD ACQUISITIONS, LLC

- cc: Mayor Anthony Foxx, and Members of Charlotte City Council
- Members of the Zoning Committee
- Andy Dulin, Council Member District Six
- Mrs. Tammie Keplinger, Charlotte-Mecklenburg Planning Commission
- Ms. Sonja Sanders, Charlotte-Mecklenburg Planning Commission
- Chad Hagler, Woodfield Acquisitions, LLC
- Chuck Travis, Housing Studio, P.A.
- Desiree MacSorley and Randy Goddard, Design Resource Group, PA
- Jeff Brown & Keith MacVean, King & Spalding

Woodfield Investments/SouthPark Mid-Rise Residential Project

Community Meeting Sign In Sheet

Thursday, May 24, 2012

7:00 p.m.

EXHIBIT C

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1	Tim Gallagher	3313 Ferncliff	704 525-7610	TGall09 891@AOL.com
2	Terri Smith	3845 Felkyn	704-643-2081	
3	Heidi Ingram	2337 Lathrop	704-264-2043	Ingram 9999@Carolina.rr.com
4	Amelia Grace Reeves			
5	Kelly Reeves	3921 Fellsway Rd	704 527-6687	jkreeves@earthlink.net
6	Elaine Blaeser	4012 Barclay Downs	704 679-9777	elbrees@cardinalnet.com
7	ANDY DULIN	3200 WICKERSHAM RD	704 968-8776	ADULIN2@CAROLINA.rr.com
8	Jim Chambers	4026 Buehly Downs	704-527-6694	✓Chambers704@MSN.com
9	Rebecca Pratt	2500 Saxe Rd.	704-527-4221	rprat@archmatters.com
10	Christopher Austin	2414 Hebert Ct	704 525 5526	caustin426@aol.com
11	Anthony Williams	4014 Barclay Downs Dr	704-602-7743	groschott@aol.net
12	Kelley Taylor	5411 Topping Pl.	704-523-4139	KelleyTaylor@Yahoo.com
13	John Williams	2411 Lemon Tree Ln	704 608-6477	Johnbdtennis@aol.com
14	Michelle Britt	2627 Inverness Rd	704 519 4896	

Woodfield Investments/SouthPark Mid-Rise Residential Project

Community Meeting Sign In Sheet

Thursday, May 24, 2012

7:00 p.m.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
15	Peter Schneider	3221 Fenciliff	704 905 0769	Peter@pmios.com
16	Steve DeMay	3905 Fells way	704-523-0573	sr23@carolina.rr.com
17	Sandra Wallhall	3023 Clarendon	704 322 0093	SandraWallhall@me.com
18	David Head	2206 Whicker Ct	704 373 0440	DavidAHead@hotmail.com
19	Isabel Bader	523 Manning Drive	704.643.7086	isbader@aol.com
20	Elizabeth Mckenon	2900 Fenciliff Road	704-362-0232	emckenon@gmail.com
21	Keith Zorn	2510 EAUCLASS	704-527-5068	KREZ42@CAROLINA.rr.com
22	Trey Isher	3214 COLONY	704-608 0518	TREYISHER@CAROLINA.rr.com
23	Mikee Nicholson	3933 Fenciliff Rd	704-525-3933	MNicholson@MMM
24	Larry Sauder	331 Scofield Rd.	704-553-2308	APCHITRECS.COM larrysauder@earthlink.net
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Woodfield Investments/SouthPark Mid-Rise Residential Project

Community Meeting Sign In Sheet

Thursday, May 24, 2012

7:00 p.m.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
29	Karen DeMay	3905 Fellowship	704-577-0700	Kedemay@carolinfo.com
30	John Wilkinson	3525 Cecile Ln 28211	704 365 2366	wilkinsj15@carolinfo.com
31	SS WILKINSON	52910 COLONY	820	365-3657
32	DeAN Boyce	1201 Juncy Lane	704 241 5815	dboyce@citycenter.com
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Woodfield Investments/SouthPark Mid-Rise Residential Project

Community Meeting Sign In Sheet

Thursday, May 24, 2012

7:00 p.m.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
57	Stephanie Leo	2516 Sayre Rd	704 525 3244	stephleo29@gmail.com
58	Laine Clontz	5447 Wintercrest Ln	704 576 1091	laineclontz@bellsouth.net
59	DEKEL DITNBER	3831 Barclay Downs Dr	704 821 8408	DITNBER@CAROLINA.N.CORP
60	Kenneth R Smith	3109 Ferncliff Rd.	704 566-1851	
61	Sally Davis	3201 Ferncliff Rd.	704 367-3430	Sallygdavis@me.com
62	Braut Williams	48515 Manning Dr.	704-557-9933	pbrautwilliams@gmail.com
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Woodfield Investments/SouthPark Mid-Rise Residential Project

Community Meeting Sign In Sheet

Thursday, May 24, 2012

7:00 p.m.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
71	Fisher	2900 Woodloch Blvd	704-364-8177	fje@blackemphthun.com
72	Norton	3634 Barclay Avenue	—	norton5@carolina.rr.com
73	Caldwell	3139 Wickersham	704-794-4992	dcaldwell17@carolina.rr.com
74	Davis	345 Manning Dr	704-909-8858	reves.davis@idisis.com
75	MARK ROBERTS	3126 Ferncliff Rd	704-366-7934	CROBERTS@carolina.rr.com
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Woodfield Investments/SouthPark Mid-Rise Residential Project

Community Meeting Sign In Sheet

Thursday, May 24, 2012

7:00 p.m.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
85				
86	Dan Collins	2734 Inverness	704 576 0296	bretacollins@gmail.com
87	Paxton Hollas		704 287 7778	
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Woodfield Investments/SouthPark Mid-Rise Residential Project

Community Meeting Sign In Sheet

Thursday, May 24, 2012

7:00 p.m.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
99	James Peterson	3719 Baechar Downs Dr	704-453-8121	xpeterson@carolinare.com
100	DIM WHITAKER	3743 BARDAY DOWNS DR.	704 522 8569	DWHITAKER@HKSINC.COM
101	Bob Riley	2635 Inverness Rd	704.525.5922	bob.riley@cedrickson.com
102	DAVE PERKINS	3123 WICKERSHAM RD	704-365-3897	DPERKINS@CAROLINAINVEST.COM
103	JAMES HART	2414 Inverness Rd.	704 672 4994	JH505@chotrui.com
104	Charles Neil	3708 Memphis Rd.	704.358.9990	
105	CHAR PATRICK	3627 AYSOUGH RD	704.366.7685	ch.patr.ck@gmail.com
106	Caroline Millan			cmillan@charlotteobserver.com
107	Beth Moss	2913 Somerset Dr	334-8476	emoss1@carolinare.com
108	John Kincheloe	Club	7049694041	jkincheloe@att.net
109	Ashley Hyche	6514 Long Meadowhd.	704-661-8311	ashley@hyche.net
110	Rick Heln	2510 Sayre Rd	704 747 7006	RHeln@wesleysoks.com
111	Richard Mossow	3936 Fellsway Rd.	704-525-1154	rmossow93@yahoo.com
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Woodfield Investments/SouthPark Mid-Rise Residential Project

Community Meeting Sign In Sheet

Thursday, May 24, 2012

7:00 p.m.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
113	Ellen Lounsbury	539 Manning Dr	904-525-6610	enlounsb@carolina.rr.com
114	JOHN REEVES	BARCLAY DOWNS CLUB INVERNESS RD	704 525 2925	jkreeves@earthlink.net
115	SUZY RILEY	2635 INVERNESS RD	704 525 5922	suzydriley@gmail.com
116	Margam Smith	South cherylote Weekly		margin@thecharlotteweekly.com
117	Marylou Dely	547 Manning	704-525-2425	
118	Michael Dady	547 Manning Dr.	704-525-2425	mdady88@carolina.rr.com
119	Robin Perkins	3123 Wickersham Rd	704 365 5097	rsparkins@Carolina.rr.com
120	Scott Lee	2516 Sayre Rd	704 525-3244	
121	Brandon White	3708 Ayscough	704 778 8946	bbwhite@gmail.com
122	McNeill Wester	510 Scofield Rd	704-523-3283	mcneillwester1@gmail.com
123	Greg Houson	3800 Ayscough Rd	704-525-3709	
124	Shawn Panther	2807 Inverness Rd	704-562-2185	
125	Mary Panther	2807 Inverness Rd	704-522-9680	
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Woodfield Investments/SouthPark Mid-Rise Residential Project

Community Meeting Sign In Sheet

Thursday, May 24, 2012

7:00 p.m.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
127	W ^{OM} Blue Bryan	2735 Lawrence	704-825-7145	wbrayan@Acolian.com
128	W ^{OM} Blue Bryan	2735 Lawrence	704-525-1145	" " "
129	JEFF MORGAN	1526 LILAC ROAD	704-376-6104	jeffm.nyc@att.net
130	Christi Pringle	2619 Knollwood Rd	704 362 4549	christipringle@me.com
131	SHERCY WILLIAMS	2910 Colony Rd	704/376-0011	SSWSSW@CAROLINA.N.C.CO
132	NEAL JORDAN	2628 Inverness Rd	704-725-5811	neal.jordan@bankofamerica.ca
133	Lisa Kim	516 Manning Dr.	704-525-6430	lisakim@carolina.rr.com
134	Math Plyler	2318 Thubert Ct	704-362-3693	mathplyler@muvaler.com
135	Dwain Samko	3716 WERTERFIELD	704 507 1854	ASAKURA@EUMUSCOETHILLS.COM
136	Bill & Eileen Zetta	2801 Inverness Rd	704-523-7644	_____
137	Phil Lanning	2709 Steady Pl	704-377-6953	
138	Doug McPherson	2900 Fernside Rd	704 236-8608	
139	Pat Mynatt	2710 Inverness Rd	704-525-4773	joemynatt@bellsouth.net
140	Phil Caldwell	3927 Fellowship	704-522-1877	Phil.Caldwell@me.com
	Matt Hellman	2173 Fairview Circle	404-444-3443	

ATTACHMENT A

Rezoning Petition #2012-045 --Woodfield SouthPark Apartment Homes

A. Overview of Basics and Support of City Planning and Transportation Officials

- **Current Rezoning:** 0-2 for ±130,000 sf of office (which allows ground floor retail if desired); 6 story building which is comparable to 8 stories of residential and can be located within a flexible building/parking envelope on the site and extend higher than 6 stories with architectural features.
- **Proposed Rezoning:** MUDD-O for up to **280** high end apartment homes w/ high end amenities (**down from earlier request of 300 units**); mostly 1 bedroom units geared to professionals working in SouthPark and south Charlotte; will be at or near highest rental rates in Charlotte at \$2.00 per square foot. This will be one of the premiere multi-family communities in the region.
- **Rezoning is Supported by City Planning Staff Professionals:** As indicated in the Pre-Hearing Analysis, the Planning Staff supports the Rezoning as consistent with the SouthPark Area plan; the Staff sees the residential use as a preferred transition and believes the building changes along the boundary with Swim Club outdoor recreation uses have responded well to concerns raised.
- **Positive Response by City Transportation Officials:** CDOT has approved the traffic study which reflects fewer morning & afternoon peak hour trips from the residential use than under the office project; CDOT also recognizes benefits of the transportation improvements offered by Woodfield and has expressed a willingness to work further with Barclay Downs residents on other improvements generally.
- **Woodfield Support for Addressing Barclay Downs Traffic Safety Concerns:** Despite the positive comparison between the residential and the approved office use, Woodfield is willing to help residents and CDOT address traffic and pedestrian safety concerns - if residents are in agreement -- and Woodfield has offered over \$100,000 in related traffic and pedestrian safety improvements.
- **Improved Storm Water/Environmental Conditions:** Project will clean up partially excavated site and its storm water run-off issues with project that complies with stiff Post Construction Control regs.

B. Benefits of Residential Use Versus Current Approved Office Use

- **Residential Project Better Supports Barclay Downs Home Values:** Proposed high end mid-rise apartments with higher caliber architectural features than standard office building also has a significantly higher overall project value (estimated to be over 60% higher).
- **Residential Project Is a Better Transitional Use:** City Planning Staff agrees that the residential use, especially with the improvements to the treatment along the Swim Club boundary, creates a better transition from the commercial end of South Park into the Barclay Downs neighborhood.
- **Building Heights Comparable Despite Higher Value Residential:** 6 story approved office building is comparable in height to 8 story residential building despite higher residential value; as to proximity of building along Club boundary design changes now have 6 stories for most of the boundary and the office building can be located closer to the boundary and may have higher architectural screening features.
- **Residential Use Will Have No Retail Uses--Office Use May Have Retail:** The residential rezoning prohibits retail/commercial uses whereas the approved office zoning allows up to 13,000 sf of retail uses on ground floor.
- **Residential Use Is Better from a Traffic Standpoint:** CDOT confirms that the residential use will generate less traffic in the critical AM and PM peak hours than the office use. When the mid-rise nature of the residential use & large % of 1 bedroom units are considered, the traffic comparison benefits of residential is even greater (see also Woodfield's commitments to provide \$100,000 of transportation/pedestrian safety improvements in the next item).
- **Residential Rezoning Comes with Transportation & Other Developer Commitments:** Woodfield has committed to make over \$100,000 of traffic and pedestrian safety/calming improvements as well as

increased landscaping and construction management commitments not available with approved office plan. CDOT has also indicated a willingness to assist with additional improvements upon resident input.

- **Commitment to Avoid Impact on Club Uses:** The building will not have any impact on the swim facilities. In addition, existing trees already cast some shadows on the lower clay court during the winter months which is a concern of tennis pro due to freezing. Shadow studies indicate that the permitted office cast some shadows during portions of the day during a few winter months. While the proposed project will not create a material adverse change in shadows in those winter months beyond those that may occur by existing trees and permitted alternative office uses, Woodfield has offered, subject to the Swim Club's cooperation & input, to install large maturing trees along the lower court to provide more visual screen from the proposed building and to assist in funding either the relocation of the lower clay tennis court or providing a cover over the court allowing indoor playing during winter months. No such support would be forthcoming with development under the existing office zoning.
- **Project Management and Construction Management Commitments:** Woodfield has committed to certain project management and construction management efforts supporting the neighborhood and Swim Club; no such commitments will come with approved office project.
- **Increased Tax Value from Residential Project Supports Community Needs:** The substantially higher residential project value will provide greater tax revenues for community needs such as sidewalks, traffic calming improvements and school needs.

C. Accommodations Made During Rezoning Process

- **Elimination of 4 story portion of building along Swim Club edge and reduce the # of units to 280** from the desired 300 units which also will move building approx. 12 to 15 feet farther from the building.
- **Commitments to have construction traffic and building service use Morrison Blvd only except when required to work on Barclay Downs:** These commitments will not exist with construction and service associated with approved office use.
- **High Quality Apartment Management Commitments:** Woodfield is a very experienced developer and owner of high end apartments and commits to high level of management and amenities.
- **Transportation commitments of over \$100,000 offered:** Despite better traffic comparison between the residential and office uses, Woodfield has still made significant transportation commitments such as enhanced sidewalks, pedestrian crossings, new speed humps and turn lane commitments.
- **Courtyard wall at rear of site along Swim Club eliminated entirely:** Instead landscaping/buffer screen of evergreens followed by large maturing trees with landscaped area will be installed with continued input of Swim Club to address impact of shadows on the lower tennis court during winter (that exists now with existing trees and with alternative office plans that can be built).
- **Building location/orientation has been moved farther from Swim Club boundary:** Moving the largest portion of building 62 feet from boundary and between 380 to 470 feet from the nearest homes.
- **Building and its massing have moved closer to Morrison Blvd:** to create greater distance from Swim Club and reflect more apartments closer to South Park commercial area.
- **Building height along Swim Club has been reduced significantly:** Reduction moves average height along rear of building from approx. 110 feet to approximately 80 feet along with movement of the building from the boundary.
- **Shadow studies & model renderings show improvement from earlier plan and no material adverse impact on Club uses when compared to existing trees and alternative office uses:** These items were provided at considerable expense but demonstrate great improvement from the initial design of the building/project. As indicated above, Woodfield has proposed to assist the Swim Club in addressing concerns related to freezing and playability of the lower clay court located on the boundary.