



2604 Pinckney Avenue, Charlotte, NC 28205

Community Meeting Report  
Petitioners: Kenneth Lin & Jon Branham  
Rezoning Petition No. 2012-103

**PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:**

A representative of the Petitioners mailed a written notice of the date, time and location of the Community Meeting to the individuals and organizations set out on Attachment A and Attachment B attached hereto by depositing such notice in the U.S. mail on October 31, 2012. A copy of the written notice is attached hereto as Exhibit 1.

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

The Community Meeting was held on Tuesday, November 6<sup>th</sup>, 2012 at 6:30PM at The Evening Muse restaurant located at 3227 N. Davidson Street in Charlotte. The meeting was in conjunction to the November monthly NoDa Neighborhood Association meeting. A final vote of approval from the community Board and residents was submitted December 4<sup>th</sup>, 2012.

**PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):**

All persons attending the meetings are stated on the sign-in sheet from Exhibit 2 and Exhibit 3. The meeting consisted of Board Members from the NoDa Neighborhood Association, Villa Heights, and residents of The Arts District. The Petitioners and all parties associated with their group also attended the meeting.

**SUMMARY OF ISSUES DISCUSSED:**

The attendees were interested in learning why the property was being rezoned and for what the rezoning purpose would serve. The proposed use was conveyed, including discussions relating to building aesthetics, design, height, noise, and proposed interior elements of the space. The attendees were in favor of the rezoning to further continued revitalization of the North Davidson corridor, and as such, a final vote would be conducted on December 4, 2012. The meeting also covered discussion of the future BLE light-rail line and its visible impact it would have to the NoDa community. The summary of discussion concerning Rezoning Petition No. 2012-103 can be located from the minutes provided in Attachment C and Attachment D.

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

No changes were made to the Rezoning Petition or to the Petitioners' Conditional Rezoning Plan solely as a result of the Community Meeting.

Respectfully submitted, this 7<sup>th</sup> day of December, 2012.

cc. Ms. Penny Cothran, Planning Commission

**NoDa Neighborhood Association Meeting – November 6<sup>th</sup>, 2012**

**Rezoning 2012-103 (N. Davidson Street and Yadkin Avenue between 34<sup>th</sup> and 35<sup>th</sup> Streets) – Tracy Honeycutt and Ken Lin** – Tracy, the project's architect, reviewed their plans for a three-story restaurant. They will keep the existing building on site (3112 N. Davidson) to be the main dining room and bar. The new space on the first floor will contain the kitchen and additional dining areas. The second and third stories will be built after the restaurant is open. It will include an open area for parties or meetings and a rooftop bar with a view of the downtown. The completed building will be around 2,400 square feet and will have a rear patio for outdoor dining. Six parallel employee parking spaces will be built on their Yadkin Avenue site. The building's current zoning is an outdated code, B-1. The City advised the developers to apply for TOD-M(O) because it best matches other commercial zonings in the area.

*Questions and comments from the NA as follows:*

*CI* – Do your plans include the red building next to this building? *Tracy* – Not at this time.

*AM1* – Why is the construction in two phases? *Tracy* – It will allow to open the restaurant more quickly and provide additional funds.

*CM* – Did you consider outdoor seating in the front of the building near the sidewalk similar to what Cabo Fish Taco did? Also, the adjoining residence on Yadkin Avenue is zoned R-5. How do they feel about parking next to them? *Tracy* – We could not do curbside seating because we are trying to save the building. *Ken* – We have contacted the resident but they have not responded at this time.

*Tracy* – We have proposed a natural landscape screen there but have to consider the resident's wishes.

*LZ* – How high is the mixed-use building next to the existing building? *Tracy* – It is 40 feet at the point next to us. But the back part of the other building is higher. But we are not going higher than that. We will be no higher than the building next to us.

*ML* – What type of cuisine or theme are you planning? *Tracy* – It will be international cuisine with a Caribbean slant.

*AM2* – When would construction begin? *Tracy* – The first of the 2013 if all goes well with the rezoning process.

*AM3* – I live on Yadkin down the street from the parking lot. I do not have an issue with the project.

*NP* – Are you pursuing LEED certification? Where will customers park? *Ken* – We are in discussions with the Johnston Y about using their lot for valet parking. *Tracy* – We are not in the finished design stage so I cannot speak about LEED certification right now.

*LZ* – Can you bring back a photo that includes the building to the right of the property on N. Davidson Street?

*CM* – Will there be dumpster service only in daytime hours in your notes for the Yadkin area since it's a residential area? *Tracy* – Yes.

*The developers left the room. Internal discussion from the NA as follows:*

*AM1* – I would like to encourage them to use energy star or LEED design. Can we also ask if they can source locally as much as possible for construction materials and food?

*AM2* – Their site plans have limited parking access, which is an issue for this area. Can we confirm the neighbor next to their lot on Yadkin is ok with their screening plans? I understand the cost barrier to change their plans to include curbside dining, but I like what Cabo did with storefront dining to invigorate the streetscape.

*AM3* – The second floor is open and covered. So technically there will be street-side dining and could be a big draw for customers.

*AM4* – As someone who visited NoDa frequently before moving here, I became accustomed to the parking situation. Other people I know feel the same way. It's the nature of the neighborhood and people get used to it.

December 4, 2012

**Rezoning 2012-103 (N. Davidson Street and Yadkin Avenue between 34<sup>th</sup> and 35<sup>th</sup> Streets) 2<sup>nd</sup>**

**Presentation – Tracy Honeycutt Honeycutt and Ken Lin** – Tracy Honeycutt, the project's architect, reviewed their plans for a three-story restaurant. This is their second presentation and they primarily addressed issues raised by the NA at the November NA meeting. Specifically, they presented more detailed drawings and renderings of their site plan. They also addressed height and compared the building adjacent to their development (maximum height 35 feet) to the plans for their building (maximum height 39 feet).

The City has determined they cannot do a parking area off Yadkin Avenue as their original plans depicted. They were told they must have a 10-foot buffer between the existing residential lot so their plans would not work. Instead, this area will solely be used to access their garbage bins. Their notes in their proposal to the City will state the site is accessible only during normal business hours. Building materials include tile with art on the existing brick building. Metal and stucco will be used on the new areas.

*Questions and comments from the NA as follows:*

*AM1 – Do you plan to tile over existing brick?* Tracy Honeycutt – Yes, we are putting tile over the brick and we hope a local artist will design artwork for the tile.

*EP – What is your timeline?* Tracy Honeycutt – The rezoning process will hopefully be completed after the first of the year. A little work still needs to be done to clean up the existing site before we can start actual work on the restaurant.

*ML – Why are you covering up the existing building rather than tearing it down?* Tracy Honeycutt – The building is structurally sound, and we would like to save it if possible.

*GL – Is there anything you can do to make the building more inviting by making use of curbside seating?* Tracy Honeycutt – There will be windows in the front of the building to open it up to the street. We will also feature street-side seating on the second floor.

*MM – Why are you putting tile over the brick?* Tracy Honeycutt – Because of the artistic value, and it adds a distinctive flair.

*ML – Are you still planning to build in two phases? And have you worked out any parking agreement with the YMCA?* Tracy Honeycutt – Yes. The back of the building up to the third story will be the first phase. The second phase will build the second story and rooftop seating. Ken Lin – The City is pushing for further density and they want to see our plans first before they suggest how many spaces we must provide. We are still negotiating with the YMCA and are also looking at sharing other lots nearby.

*CM – The front door is close to the sidewalk. Is there anything that can be done to move the doorway entry further off the sidewalk or have the doors open to the inside of the building instead of to the sidewalk?* – Tracy Honeycutt – We are working with City on options, but there is nothing definitive right now. It will have to be up to code.

*The developers left the room. Internal discussion from the NA as follows:*

*AM1* – My biggest concern is that it looks stoic and closed off from the street. I think it's beneficial to them and the rest of the neighborhood for them to open that space up to the street more.

*AM2* – We are here to discuss their rezoning proposal. How can we argue over their store frontage if this is just for a rezoning approval? Their building frontage is not germane to their rezoning request.

*AM3* – Caveats raised by the NA can be in our letter to the City whether we support the rezoning request or not.

*AM4* – I appreciate that they want to save the older building, but I hesitate to support projects that save buildings just to have access coding rules that allow buildings to be closer to the sidewalk. I would also like to see the front of the building provide a more inviting space to the public.

**Motion:** Approve rezoning petition 2012-103 as presented with noted caveats. *Motion passes, 21-3-2.*

November 6, 2012

November Historic North Charlotte  
Neighborhood Association Meeting

Attendees

First Name	Last Name
Dorrance	Bickford
Travis	Bickford
Ivi	Bilich
Jon	Branham
Emily	Burns
Camille	Cushman
Jim	Dodge
Amy	Farris Ray
Dean	Garrett
Taryn	Garrett
Heather	Gavagan
Kevin	Gavagan
Andrew	Gonedes
Liza	Hart
Betsy	Hintzmann
Andy	Jackson
Beth	Jackson
Samantha	Kilgore
Matt	Lemere
Michele	Lemere
Kenneth	Lin
Katie	Lopiccolo
Alex	Manzanarez
Chad	Maupin
Hollis	Nixon
Nicole	Peterson
Tony	Pierce
Lauren	Puckett
Will	Puckett
Dj	Rankin
Tommy	Ray
Brett	Rice
Erik	Schalburg
Lauren	Schalburg
Wasahat	Syed

December 4, 2012

December Historic North Charlotte  
Neighborhood Association Meeting

Attendees

First Name	Last Name
Jon	Branham
Emily	Burns
Camille	Cushman
Amy	Farris Ray
Liza	Hart
Betsy	Hintzmann
Todd	Hintzmann
Chris	Ingram
Matt	Lemere
Michele	Lemere
Greg	Levin
Kenneth	Lin
Alex	Manzanarez
Chad	Maupin
Micah	Morrison
Hollis	Nixon
Nicole	Peterson
Tony	Pierce
Evan	Plante
Claire	Rafaey
Dj	Rankin
Brett	Rice
Erik	Schalburg
Lauren	Schalburg
Kevin	Sutton
Lea Ann	Sutton
Peter	Zeiler
Joan	Wayman