

COMMUNITY MEETING REPORT

Petitioner: Carolina Development Services

Rezoning Petition No. 2014-019

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 August 14, 2015. A copy of the written notice is attached hereto as Exhibit B.

DATE, TIME AND LOCATION OF MEETING:

The Community Meeting was held on Thursday, September 10, 2015 at 6:00 p.m. at Mallard Creek Baptist Church located at 14901 Mallard Creek Road/3001 Morehead Road, Charlotte, North Carolina.

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 Johnathan McCall and Tonya Jones of Carolina Development Services (CDS), Wes Hinson of Hinson Faulk P.A., and the petitioner's agent, Peter Tatge, Michael Kahre, Gwen Wolfgang, Alex Bonda and Samantha Nemanich with ESP Associates P.A. (ESP).

SUMMARY OF PRESENTATION/DISCUSSION:

Attendees were welcomed by members of the team at the door as they arrived and signed in. Various display boards for the project were located on easels in the meeting room (as set out in Exhibit D), allowing attendees to view as other participants continued to arrive. Also available was a copy of the most recent submittal to the City of Charlotte and a preliminary project calendar (Exhibit E).

Peter Tatge welcomed attendees as the Petitioner's team was more formally introduced to the entire group. A brief overview of CDS and the project was presented to participants prior to opening up the forum for comments and discussions. The following is a summary of the discussion points that were brought up during the open forum or individually during discussions at the individual stations located around the room.

Safety

The impact of development on safety for the community was a chief concern for neighboring residents. According to Mallard Lake HOA members, their streets are “private” and unpoliced by the City of Charlotte. These residents had several concerns related to community safety:

- Children walking to school and playing around a construction site with dangerous construction equipment
- Break-ins, which neighbors said increases during construction
- Speed on Porter Creek Road – residents say this is already an issue and worry that a connection could bring more traffic and aggravate the problem.
- Street parking – residents said that the number of cars parallel parked on their streets is currently an issue and worry that a new development could worsen the problem. Because their streets are “private”, they’ve been told that the area is not in the city’s jurisdiction to police.

The petitioner described the speed-mitigating design of the proposed road network (introduction of an intersection, rather than a curved road forces a dramatic decrease in speed). Residents also asked about the possibility of speed bumps being installed.

The petitioner explained that security would be in place during construction and that necessary measures would be taken during construction to ensure that the site is not a threat to the community (safety fencing, Porter Creek Road Construction Barrier etc.).

The code connectivity requirement to connect to the Porter Creek Road stub street was discussed with residents:

- The code requires connections to existing stub streets.
- These connections are necessary for community services, including school bus routes and access for emergency vehicles.

Traffic and parking along Porter Creek Road

Neighbors raised concerns about the overall traffic numbers on neighborhood roads. Many believe that the current amount of traffic exceeds what the area can accommodate (especially with morning/afternoon school traffic from Stoney Creek Elementary School) and that any further development will exacerbate the problem.

Access to the proposed development

Mallard Creek residents asked whether or not the proposed development would be gated. They believe that a gate would reduce the amount of cut-through traffic on their streets and deter crime.

The petitioner is not currently planning to install a gate for the community and explained that the proposed roads are public, excluding the possibility of installing a gate. It was pointed out to residents that gates can be obstacles for school buses, emergency vehicles, and other services.

Buffers along boundaries with adjoining residences

Neighbors were concerned about the proximity of apartment buildings to their homes. The petitioner and his representative explained that buffers has been increased from 50' to 75'. Along with these buffers and parking areas, there would likely be an increased distance between the actual apartment buildings parallel the property boundary and neighboring homes.

Proposed cost of rent

Local residents expressed concern that without an increase in prospective rents (the petitioner estimated renting units between \$800 and \$1300 per month), the development could become popular with local college students. They believe this could result in increased parking and speeding concerns for the Mallard Lake neighborhood. Residents believe that an increase in rent costs could deter some of these issues. Additionally, they believe higher rents would increase value for both the apartments and surrounding community.

The petitioner explained that the target market would be young professionals and empty-nesters, which would tie in well with single-family development in the area. Neighbors were shown that the apartment buildings were designed to be accessed internally and do not feature patios or balconies, meaning the apartment community would function more like a traditional neighborhood and would not encourage noise and assembling in the streets.

EXHIBIT A - Mailing List

PIN 02910179
MURRAY A JR WEBSTER
13402 MALLARD LAKE RD
CHARLOTTE, NC 28262

PIN 02910176
DIPESH N PATEL & PANKTI A PATEL
13414 MALLARD LAKE RD
SUITE 100
CHARLOTTE, NC 28269

PIN 02910404
TRACY OLIVER & TARVIN OLIVER
13415 MALLARD LAKE RD
CHARLOTTE, NC 28262

PIN 02910401
JANENE DUVERGER
13403 MALLARD LAKE RD
CHARLOTTE, NC 28262

PIN 02910418
DANIELLE M DOUGLAS
10522 GREENHEAD VIEW RD
CHARLOTTE, NC 28262

PIN 02910421
PAUL A SNYDER & DAWN M SNYDER
13440 PORTER CREEK RD
CHARLOTTE, NC 28262

PIN 02910426
TONY GUNTHER
10525 GREENHEAD VIEW RD
CHARLOTTE, NC 28262

PIN 02910475
YOUNG FAMILY REVOCABLE LIVING
KEITH L YOUNG & JENNIFER M YOUNG
13507 PORTER CREEK RD
CHARLOTTE, NC 28262

PIN 02910178
ROBERT THOMAS SR SCOTT
13406 MALLARD LAKE RD
CHARLOTTE, NC 28262

PIN 02910175
MICHAEL ALAN BALLARD
BRENDA JEAN BALLARD
13418 MALLARD LAKE RD
CHARLOTTE, NC 28262

PIN 02910403
WILLIE ROY JR RAMSEY
MANDY GLY RAMSEY
13411 MALLARD LAKE RD
CHARLOTTE, NC 28262

PIN 02910416
DAMOND E BRANCH
SHANEICE BRANCH
10150 MALLARD CREEK RD #105
CHARLOTTE, NC 28262

PIN 02910419
RUEL SMITH & SHELLEY SMITH
10518 GREENHEAD VIEW RD
CHARLOTTE, NC 28262

PIN 02910422
SECRETARY OF VETERANS AFFAIRS
P.O. BOX 100026
DECATUR, GA 30031

PIN 02910425
AARON G GREEN
10515 GREENHEAD VIEW RD
CHARLOTTE, NC 28262

PIN 02910474
WALTER SWANSON & SALLY SWANSON
13443 PORTER CREEK RD
CHARLOTTE, NC 28262

PIN 02910177
MAHEK PATEL
JAYENDRA KUMAR PATEL
13410 MALLARD LAKE RD
CHARLOTTE, NC 28262

PIN 02910405
GARRY D SR FRAZIER
BRENDA J FRAZIER
13419 MALLARD LAKE RD
CHARLOTTE, NC 28262

PIN 02910402
PRESTON RAINER & DARLENE RAINER
13407 MALLARD LAKE RD
CHARLOTTE, NC 28262

PIN 02910417
TAMARA MASON & EDDIE L HILLS
10526 GREENHEAD VIEW RD
CHARLOTTE, NC 28262

PIN 02910420
ANGEL R OLIPHANT
KEVIN E OLIPHANT
10514 GREENHEAD VIEW RD
CHARLOTTE, NC 28262

PIN 02910424
ANGELICA W CHRISTIE
ANDRE CHRISTIE
10503 GREENHEAD VIEW ROAD
CHARLOTTE, NC 28262

PIN 02910476
STEVEN W. NEWMAN
SARAH L. NEWMAN
13511 PORTER CREEK RD
CHARLOTTE, NC 28262

PIN 02910473
THERESA S SCHEEDEL
DANIEL R SEYMOUR
13439 PORTER CREEK ROAD
CHARLOTTE, NC 28262

EXHIBIT A - Mailing List

PIN 02910472 TONYA C CHRICHLOW 13433 PORTER CREEK RD CHARLOTTE, NC 28262	PIN 02910101 & 02910102 EDUCATION THE CHARLOTTE – MECKLENBURG BOAR 600 E FOURTH ST, 5 TH FLOOR CHARLOTTE, NC 28202	PIN 02955101 MALLARD CREEK POLYMERS INC 8901 RESEARCH DR CHARLOTTE, NC 28262
PIN 02909125 WC&C INC 3850 SHARON VIEW RD CHARLOTTE, NC 28226	PIN 02909102 CHURCH SILOAM PRESBYTERIAN 124 HILLCREST DR #4 MARION, NC 28752	PIN 02909101 WC & C INC 7620 BALTUSROL LN CHARLOTTE, NC 28210
PIN 02958115 SPEEDWAY MOTORSPORTS INC PO BOX 18747 CHARLOTTE, NC 28218	PIN 02958121 SONIC FINANCIAL CORP C/O WILLIAM R BROOKS PO BOX 18747 CHARLOTTE, NC 28218	PIN 02961101 DEPARTMENT OF TRANSPORTATION 1505 MSC RALEIGH, NC 27699
PIN 02961102 BAIN WILSON 3375 CAL BOST RD MIDLAND, NC 28107	PIN 0291112 HOLLAND LIVING TRUST THE HOYLE N HOLLAND & NANCY H 1435 RIDGE RD CHARLOTTE, NC 28262	PIN 02910103 MALLARD LAKE HOMEOWNERS ASSOC C/O PROPERTY MANAGER PO BOX 11906 CHARLOTTE, 28220

EXHIBIT A - Mailing List

Solomon Fortune
Charlotte-Mecklenburg Planning Dept.
600 East Fourth Street, 8th Floor
Charlotte NC 28202-2853

Hon. Michael Barnes, Mayor Pro Tem
Charlotte City Council Office
600 East 4th Street
Charlotte, NC 28202

Hon. Greg Phipps, District 4
Charlotte City Council Office
600 East 4th Street
Charlotte, NC 28202

Andre Christie, Mallard Lake HOA
10503 Greenhead View
Charlotte NC 28262

Camisha Farris, Withrow Downs HOA
417 Withershinn Drive
Charlotte NC 28262

Alton Caldwell, Sir Anthony
Neighborhood Association
1701 Sir Anthony Drive
Charlotte NC 28262

Carolyn Sands,
Mallard Glen Village HOA
10339 Garrett Grigg Rd
Charlotte NC 28262

Clair Lane, Fountain Grove HOA
2026 Chipstone Rd
Charlotte NC 28262

Myron Brown, Homewood Acres
Community Association
12420 Fellowship Drive
Charlotte NC 28262

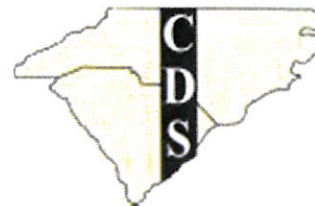
Alysia Davis Osborne, AICP
Planning Coordinator

Wes Hinson
Hinson Faulk P.A.
309 Post Office Drive
Indian Trail, NC 28079

Ed McKinney
CMPC – Acting Planning Director

EXHIBIT B - Written Notice

Carolina Development Services
2627 Brekonridge Centre Drive
Monroe, NC 28110



August 14, 2015

RE: **Neighborhood Meeting - Rezoning Petition**
Project: Mallard Creek Apartments
Rezoning Petition: #2015-019
CC to CC(CD)

Dear Neighbor:

Carolina Development Services, a reputable developer in the Charlotte area, invites you to a Neighborhood Meeting to share their plans for their new Mallard Creek neighborhood, an exciting new multi-family residential community. Their current plans are for a 26-acre, multi-family development consisting of stylishly appointed 1-2 and 3 bedroom apartment homes. This will involve a Site Plan Amendment (SPA) to the existing CC zoning to establish a Conditional District CC(CD). The proposed development is located near the intersection of Morehead Road and Salome Church Road, adjacent to the Stoney Creek Elementary School, as further illustrated on the attached vicinity map.

Please join us to hear more about this exciting project:

Neighborhood Meeting Location:
Mallard Creek Baptist Church
14901 Mallard Creek Road* (Google only)
Charlotte, NC 28262

Date & Time:
Thursday, September 10, 2015
Meeting begins promptly at 6:00PM

Please find the enclosed map and directions to the meeting. Thank you in advance for your interest and participation. We look forward to meeting you and sharing more information about this exciting new project. Should you have any questions or need additional information, please do not hesitate to contact Peter Tatge/ESP Associates at (803) 802-2440.

Cordially,

A handwritten signature in blue ink that reads 'Johnathan McCall'. The signature is fluid and cursive, with the first name 'Johnathan' being more prominent than the last name 'McCall'.

Johnathan McCall
Carolina Development Services

Note: *physical address: 3001 Morehead Road, across the road from MCP (Mallard Creek Polymers)

EXHIBIT B - Written Notice

Mallard Creek Apartments Meeting Location of Mallard Creek Baptist Church

From Salome Church Road/Ridge Road, turn north onto Morehead Road. Mallard Creek Baptist Church will be on the left, just before the intersection with Old Holland Road.

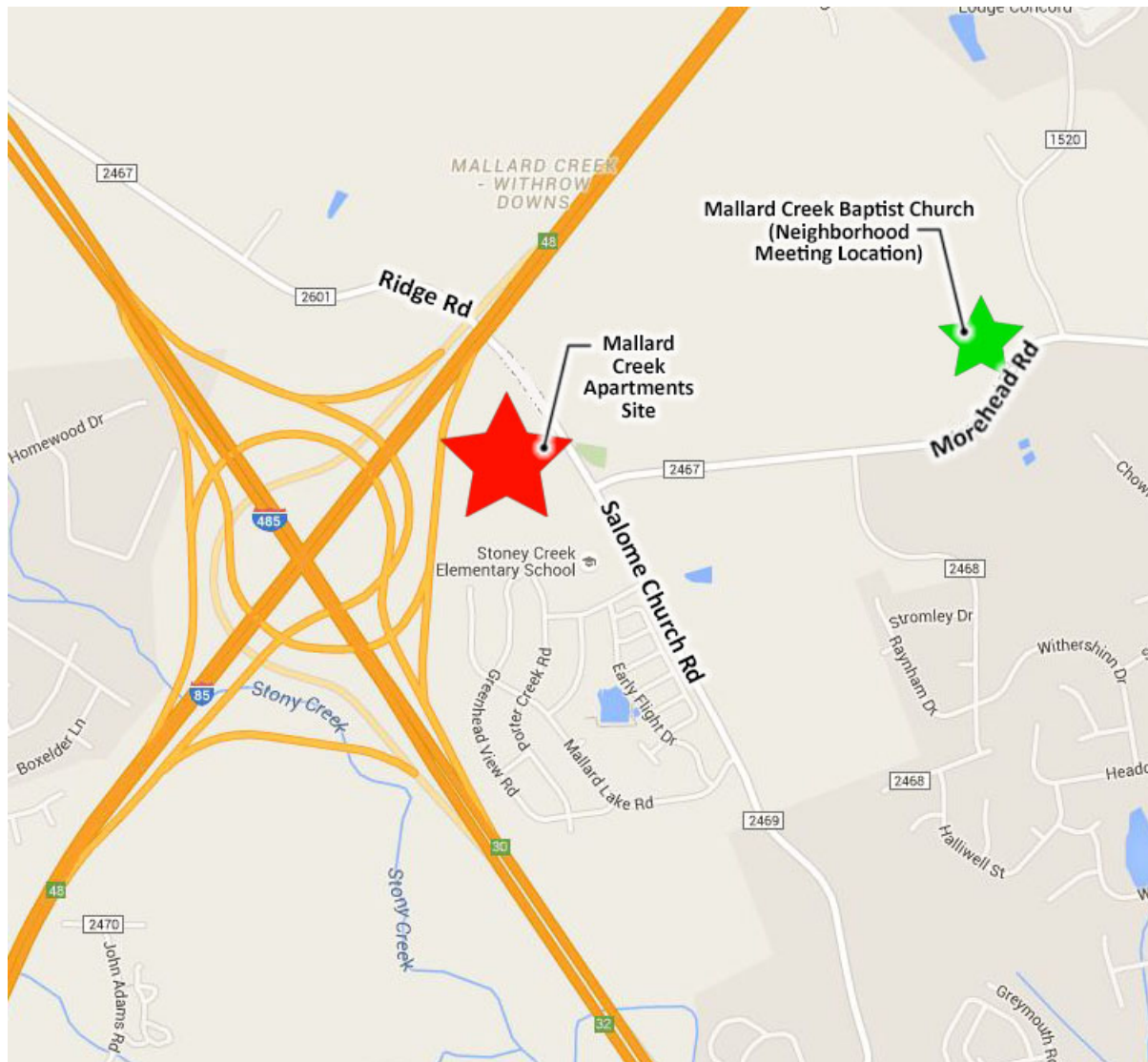


EXHIBIT C - Attendees

Mallard Creek Apartments

NEIGHBORHOOD MEETING

Thursday, September 10, 2014

6:00-7:15 PM

SIGN-IN SHEET

Name: Gwen Wolfgang
Address: ESP Associates
Phone: _____
Email: _____

Name: Samantha Nemanich
Address: ESP Associates
Phone: _____
Email: _____

Name: Alex Bonda
Address: ESP Associates
Phone: _____
Email: _____

Name: Michael Kahre
Address: ESP Associates
Phone: _____
Email: _____

Name: Jonathan McCall
Address: CPS
Phone: _____
Email: _____

Name: Tonya Jones
Address: CPS
Phone: _____
Email: _____

Name: Wes Hinson
Address: Hinson Faulk, PA
Phone: _____
Email: whinson@hinsonfaulk.com

Name: Lucrecia Garcia
Address: 14028 Mallard Lake RD
Phone: 704-281-2082
Email: josant2529@hotmail.com

Name: Andie Christie
Address: 10503 Greenhead View
Phone: 704.258.7963
Email: achriste1280@aol.com

Name: Jether Williams
Address: 11118 Greenhead View Rd.
Phone: 704.608.9391
Email: agentjjj003@hotmail.com

Name: Sue Boyer
Address: 13524 Mallard Lake
Phone: 234-855-0684
Email: sboyer¹³⁵@yahoo.com

Name: Theresa Scheedel
Address: 13439 Porter Creek Rd
Phone: 704.654.1669
Email: TScheedel-2003@yahoo.com

Name: Vic Boyer
Address: 13524 Mallard Lake
Phone: 234-8550684
Email: VBoyer939@yahoo.com

Name: Dawn Snyder
Address: 13440 Porter Creek Rd
Phone: 716-982-2289
Email: snydedwn@yahoo.com

EXHIBIT C - Attendees

Mallard Creek Apartments

NEIGHBORHOOD MEETING

Thursday, September 10, 2014

6:00-7:15 PM

SIGN-IN SHEET

Name: Greg Phipps
Address: 600 E. 4th Street Charlotte
Phone: 704-336-3436
Email: gaphipps@charlotten c.gov

Name: Murray Webster
Address: 13402 Mallard ^{LK} Rd
Phone: 704-906-1054
Email: MWDECI0@GMAIL.COM

Name: Dennis Fessel
Address: 10606 GREENHEAD VIEW
Phone: 704-408-9536
Email: DENNISFESSEL@GMAIL.COM

Name: Thayne Hanson
Address: Morehead Road
Phone: 704-887-9451
Email: thayne@my polymers.com

Name: Alycia Osborne
Address: City
Phone: _____
Email: adosborne@charlotten c.gov

Name: Solomon Fortune
Address: City
Phone: _____
Email: Sfortune@charlotten c.gov

Name: _____
Address: _____
Phone: _____
Email: _____

Name: Peter Tatge
Address: ESP ASSO
Phone: _____
Email: _____

Name: _____
Address: _____
Phone: _____
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Name: _____
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Email: _____

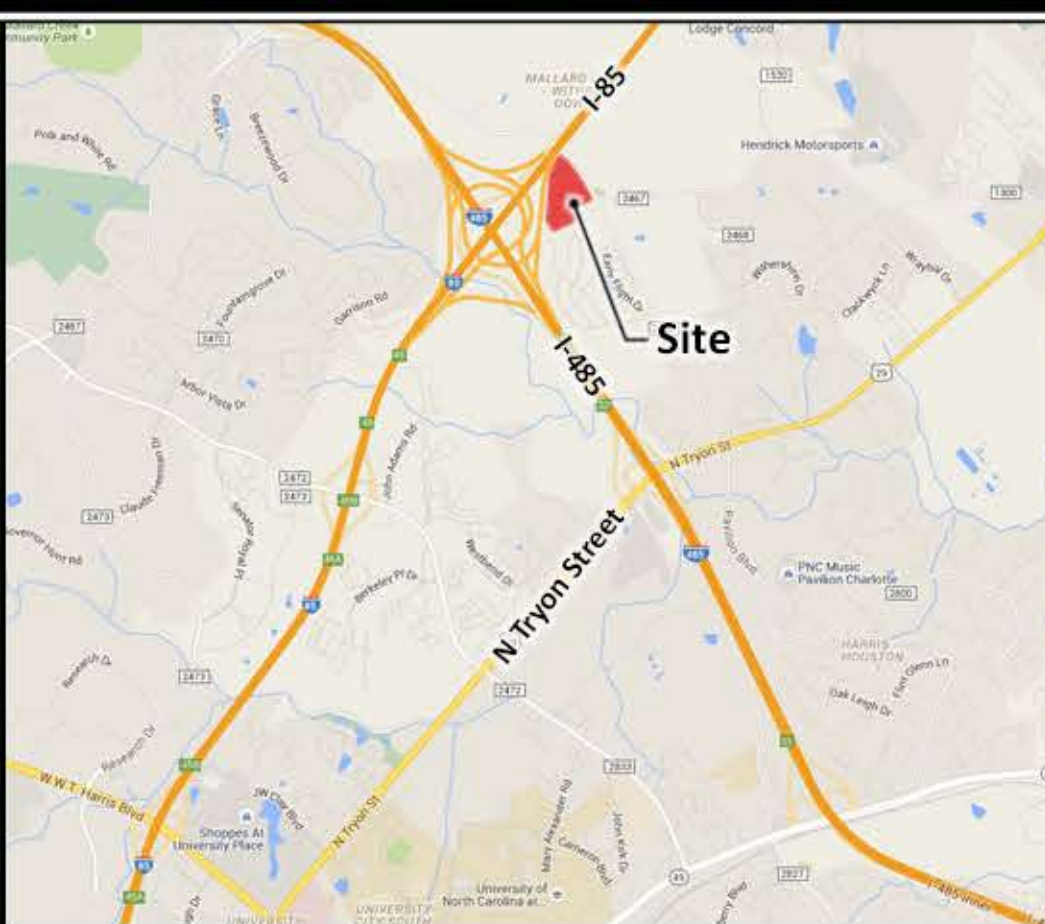
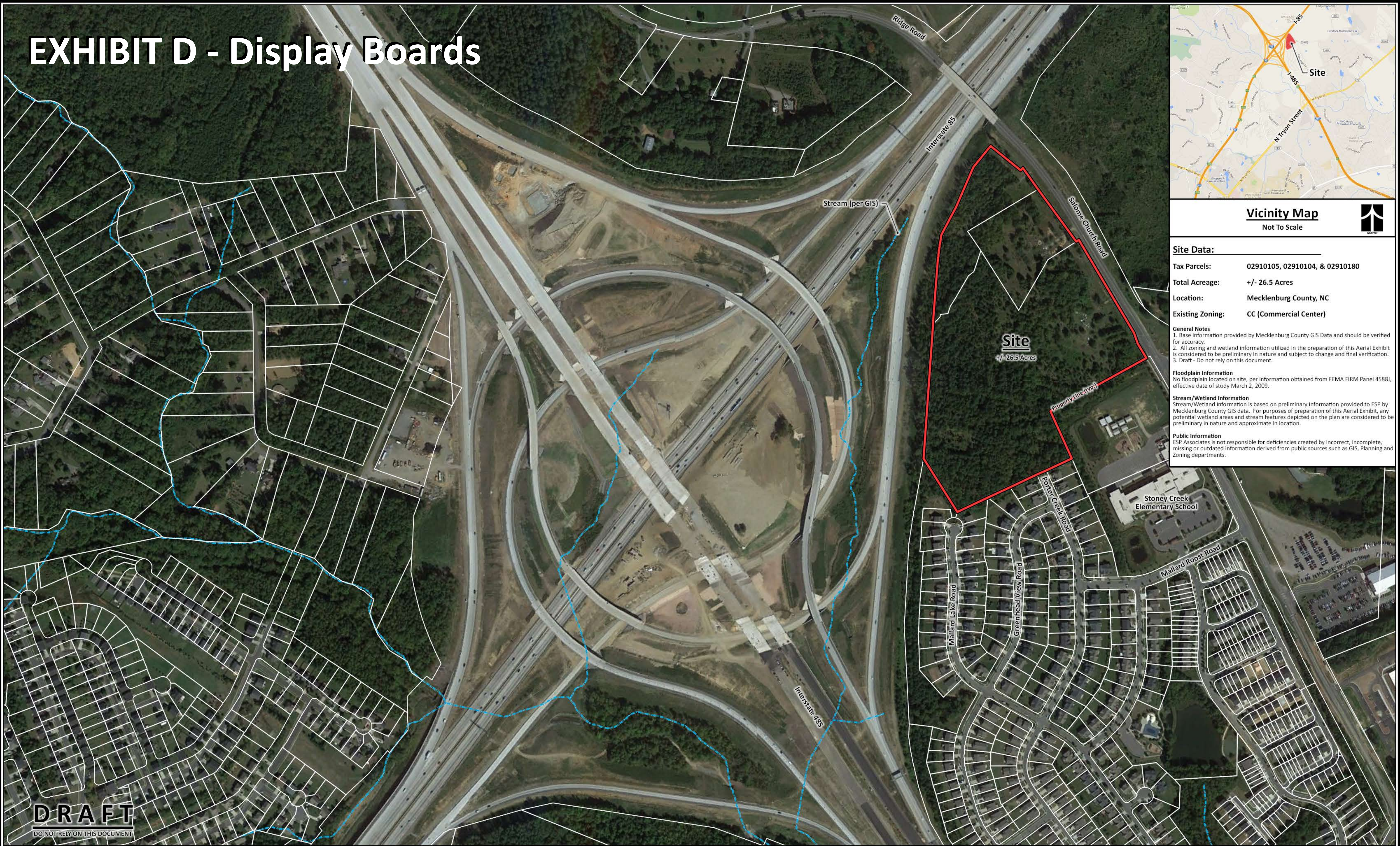
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EXHIBIT D - Display Boards



Vicinity Map
Not To Scale

Site Data:

Tax Parcels: 02910105, 02910104, & 02910180

Total Acreage: +/- 26.5 Acres

Location: Mecklenburg County, NC

Existing Zoning: CC (Commercial Center)

General Notes

1. Base information provided by Mecklenburg County GIS Data and should be verified for accuracy.
2. All zoning and wetland information utilized in the preparation of this Aerial Exhibit is considered to be preliminary in nature and subject to change and final verification.
3. Draft - Do not rely on this document.

Floodplain Information

No floodplain located on site, per information obtained from FEMA FIRM Panel 4588J, effective date of study March 2, 2009.

Stream/Wetland Information

Stream/Wetland information is based on preliminary information provided to ESP by Mecklenburg County GIS data. For purposes of preparation of this Aerial Exhibit, any potential wetland areas and stream features depicted on the plan are considered to be preliminary in nature and approximate in location.

Public Information

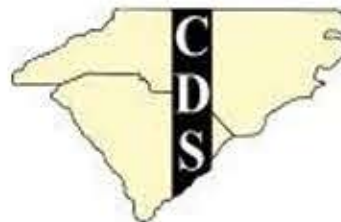
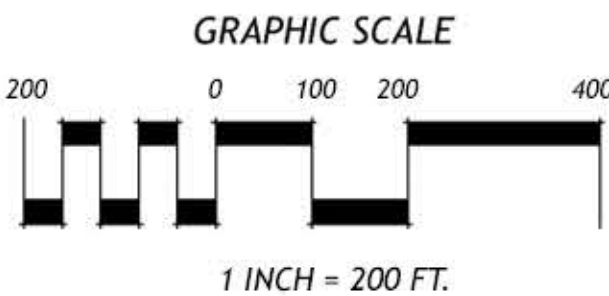
ESP Associates is not responsible for deficiencies created by incorrect, incomplete, missing or outdated information derived from public sources such as GIS, Planning and Zoning departments.

DRAFT
DO NOT RELY ON THIS DOCUMENT



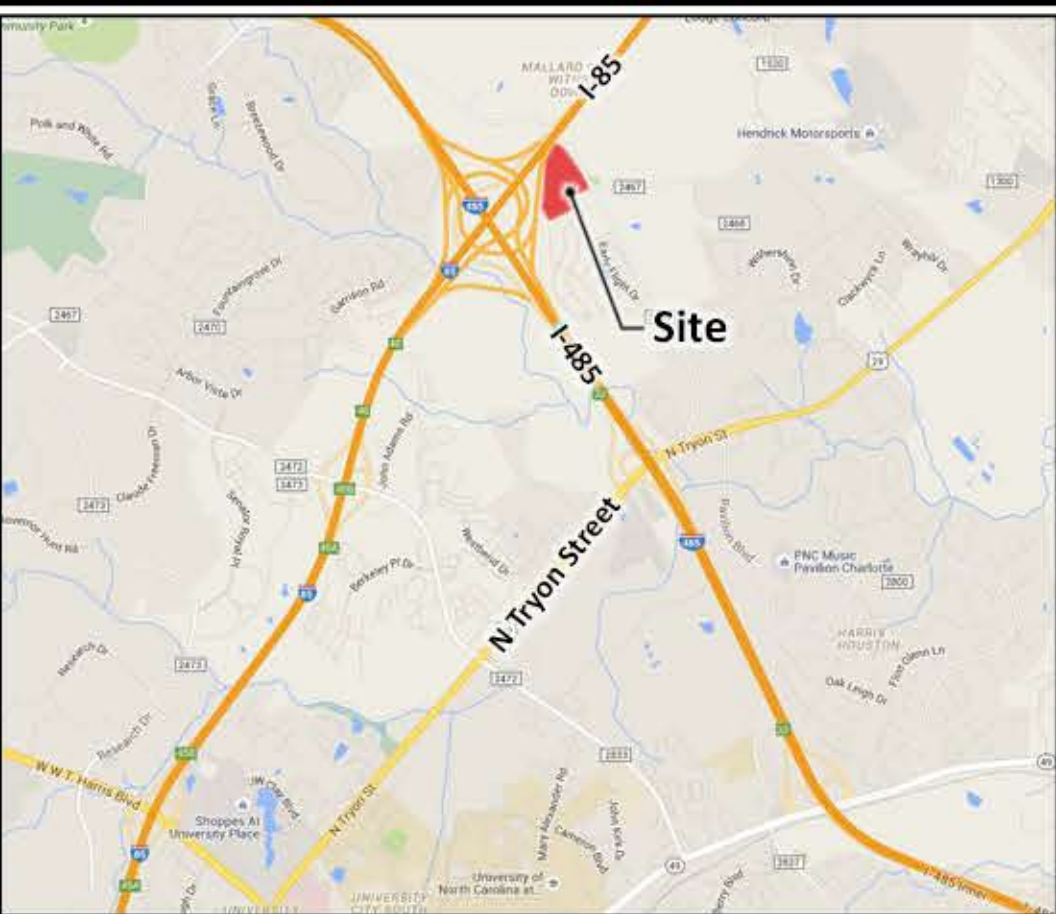
Mallard Creek Apartments Aerial Exhibit

September 10, 2015



Carolina Development Services
2627 Breckonridge Centre Drive
Monroe, NC 28110

EXHIBIT D - Display Boards



Vicinity Map
Not To Scale



Site Data:	
Tax Parcels:	02910105, 02910104, & 02910180
Total Acreage:	+/- 26.5 Acres
Location:	Mecklenburg County, NC
Existing Zoning:	CC (Commercial Center)
General Notes	
1. Base information provided by Mecklenburg County GIS Data and should be verified for accuracy.	
2. All zoning and wetland information utilized in the preparation of this Site Aerial is considered to be preliminary in nature and subject to change and final verification.	
3. Draft - Do not rely on this document.	
Floodplain Information	
No floodplain located on site, per information obtained from FEMA FIRM Panel 4588J, effective date of study March 2, 2009.	
Stream/Wetland Information	
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Public Information	
ESP Associates is not responsible for deficiencies created by incorrect, incomplete, missing or outdated information derived from public sources such as GIS, Planning and Zoning departments.	



DRAFT
DO NOT RELY ON THIS DOCUMENT



ESP Associates, P.A.
P.O. Box 7030 3475 Lakemont Blvd.
Charlotte, NC 28241 Fort Mill, SC 29708
NC - 704.583.4949 SC - 803.802.2440
www.espassociates.com



Mallard Creek Apartments Site Aerial

September 10, 2015

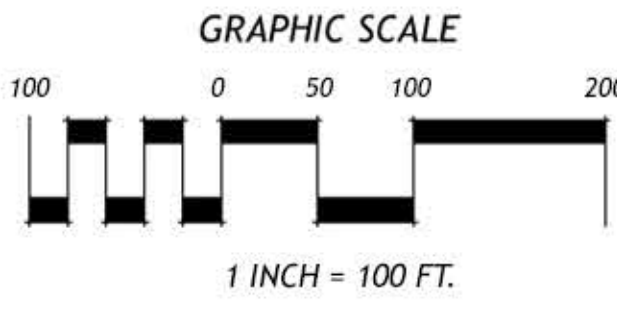


EXHIBIT D - Display Boards

Project Comparisons

I-85 / I-485 Site - Petition #1999-033

- CC - Commercial Center Zoning
 - Retail / Office Land Use
 - Maximum of 107,000 square feet
 - Two Retail Outparcels
 - Multi-Family - 422 Units
- No Specific Architectural Design Standards Required
- Currently Approved – No Neighbor Input Required
- 50 Feet Buffer Adjacent to Mallard Lake
- Building Height – Up to 75 Feet
- More Traffic Generated with Retail / Office Land Use
- No Internal Tree Save Required.
- Water Quality Not Required at time of Approval

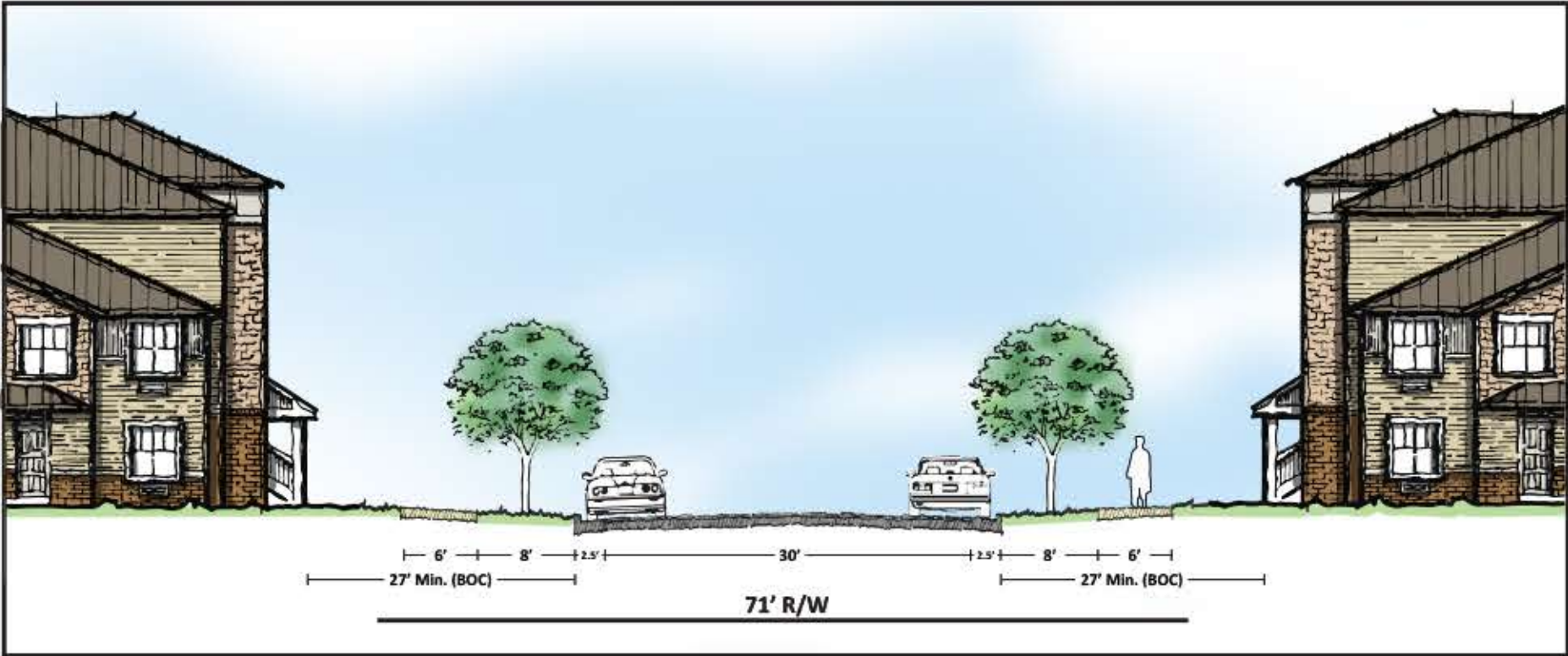
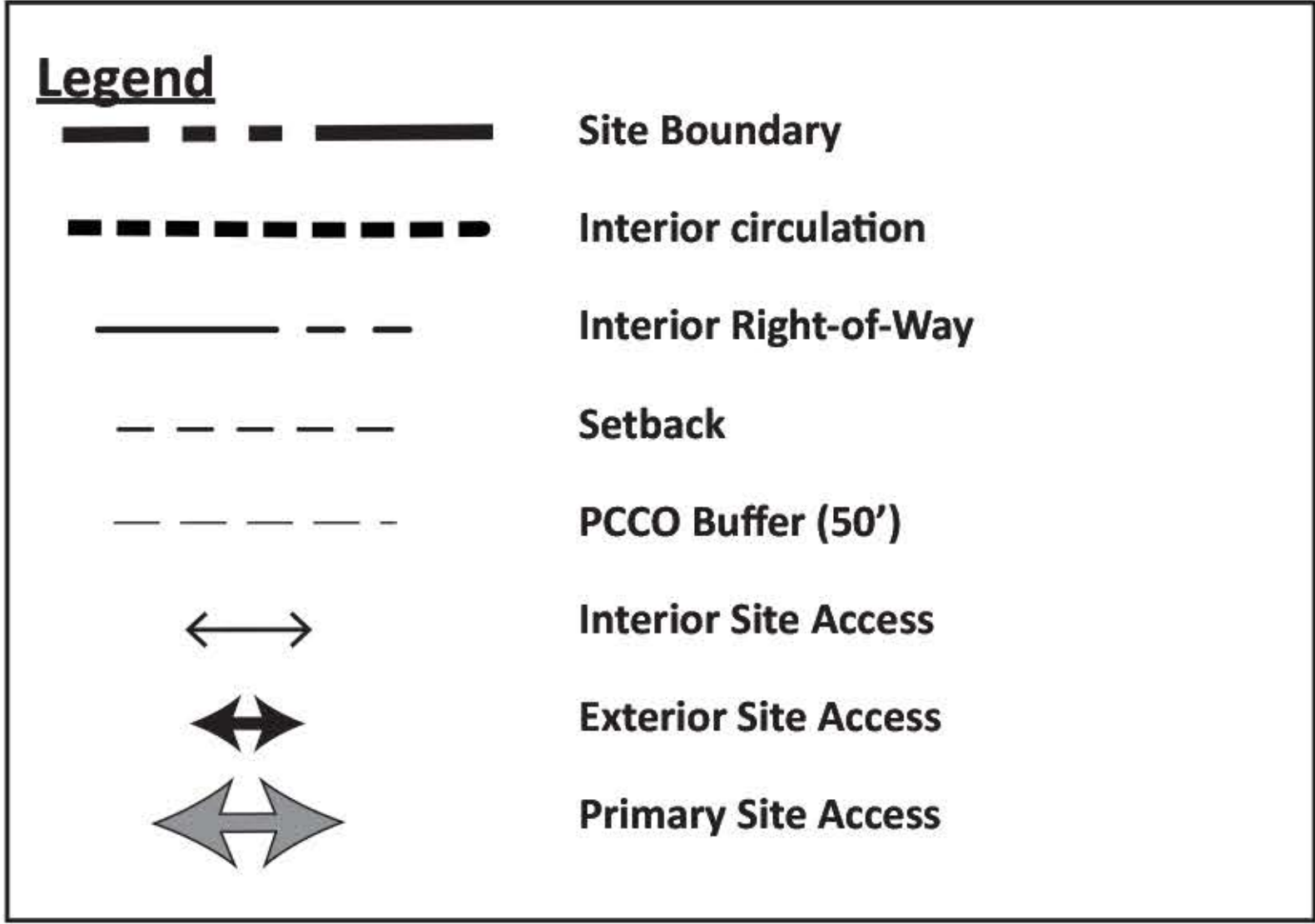
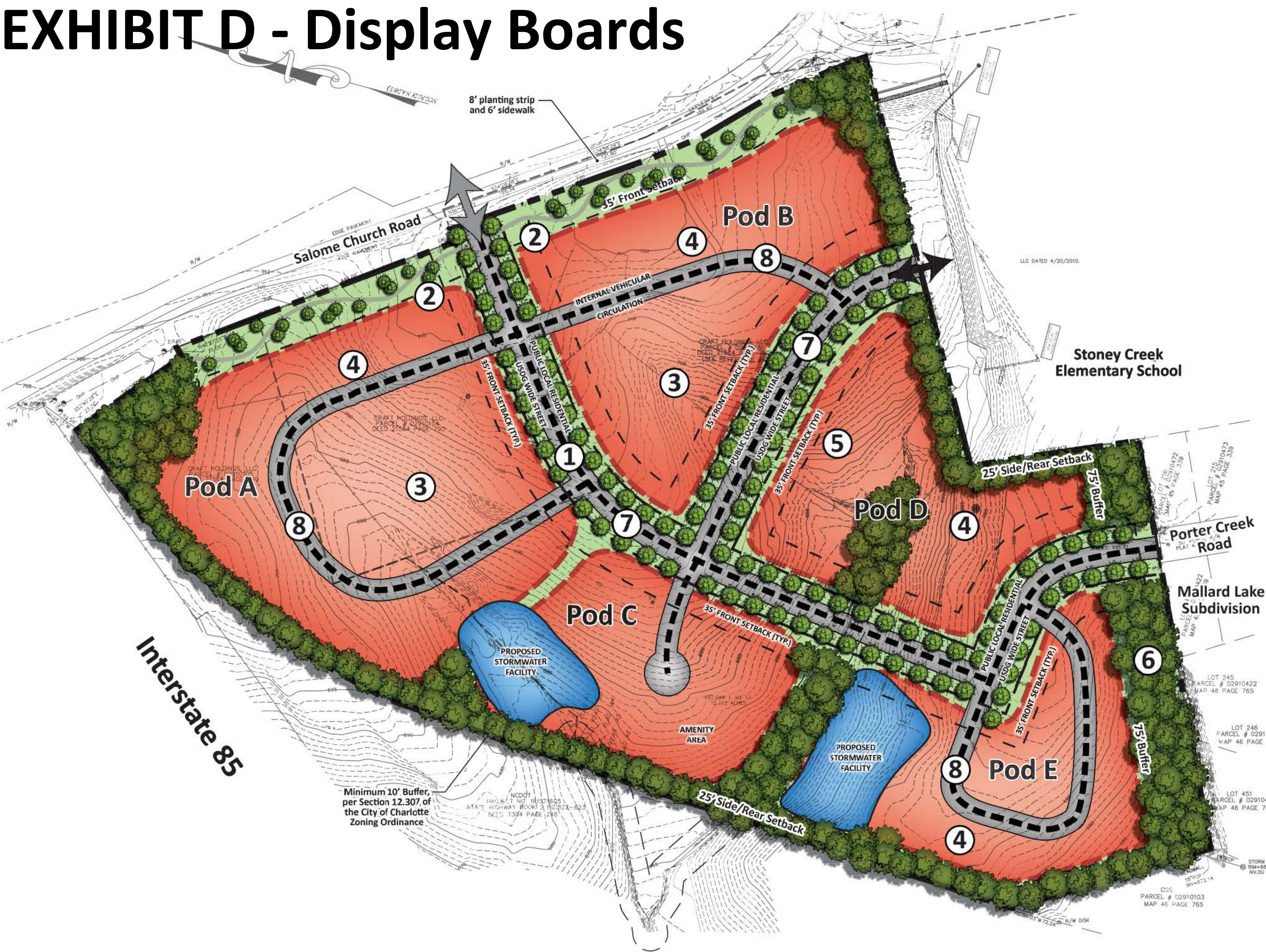


Mallard Creek Apartments - Petition #2014-019

- Multi-Family Land Use Proposed
 - Reduction in total Multi-Family Units to 380
- Design Standards
 - Architectural Controls
 - Streetscape
 - Site Specific Layout
- Neighbor Stakeholder Input
- Increased 75 Feet Buffer Adjacent to Mallard Lake
- Building Height – Up to 55 Feet (not to exceed three stories)
- Less Traffic with Residential Land Use
- 15% Tree Save & Increased Open Space
- Water Quality Provided
- Neighborhood Amenity



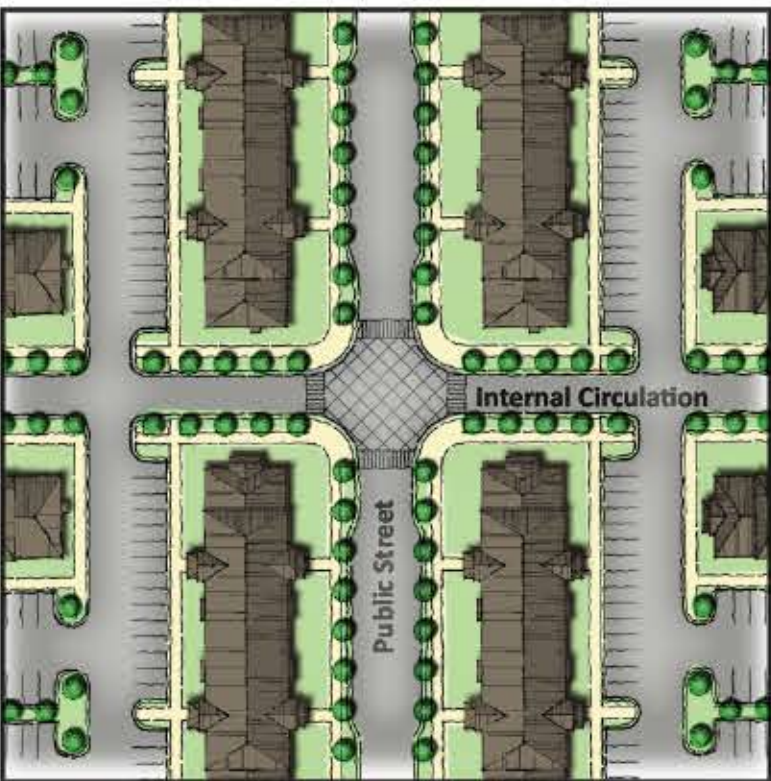
EXHIBIT D - Display Boards



7. USDG Local Residential Wide Street w/ On-Street Parking (71' R/W)



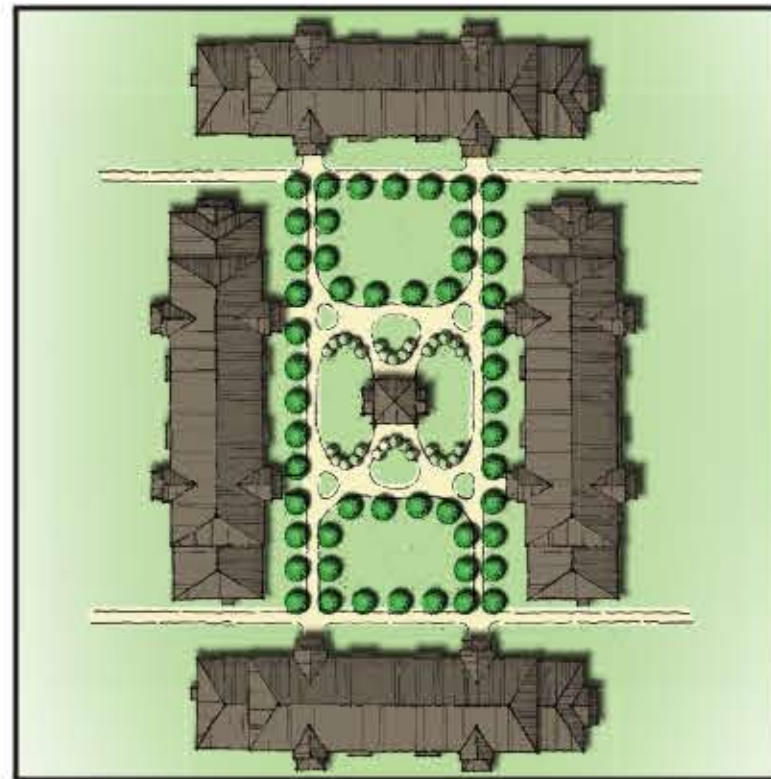
8. Typical Private Street w/ 30' Clear Zone



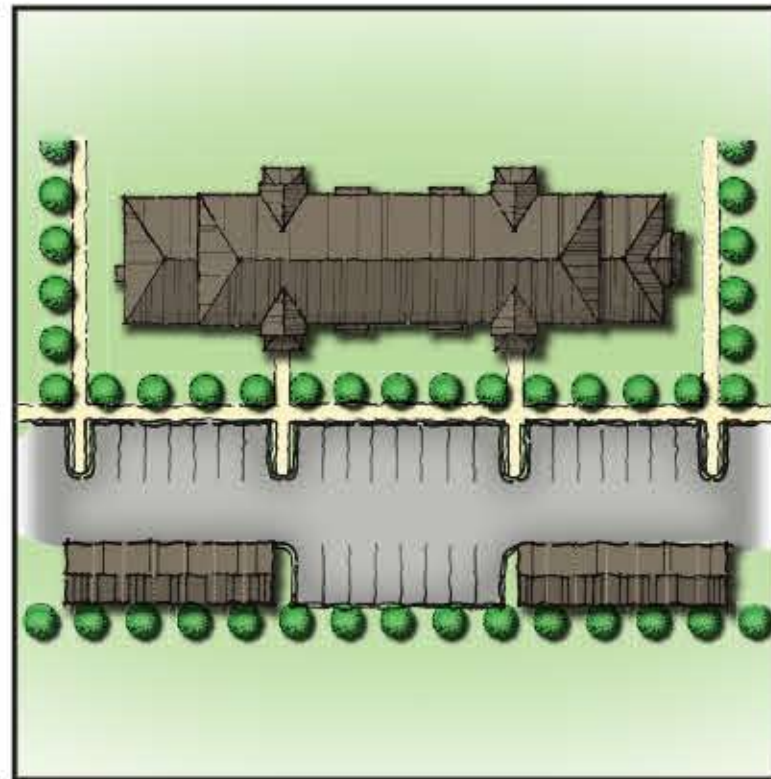
1. USDG Local Residential Wide Intersection Relationship



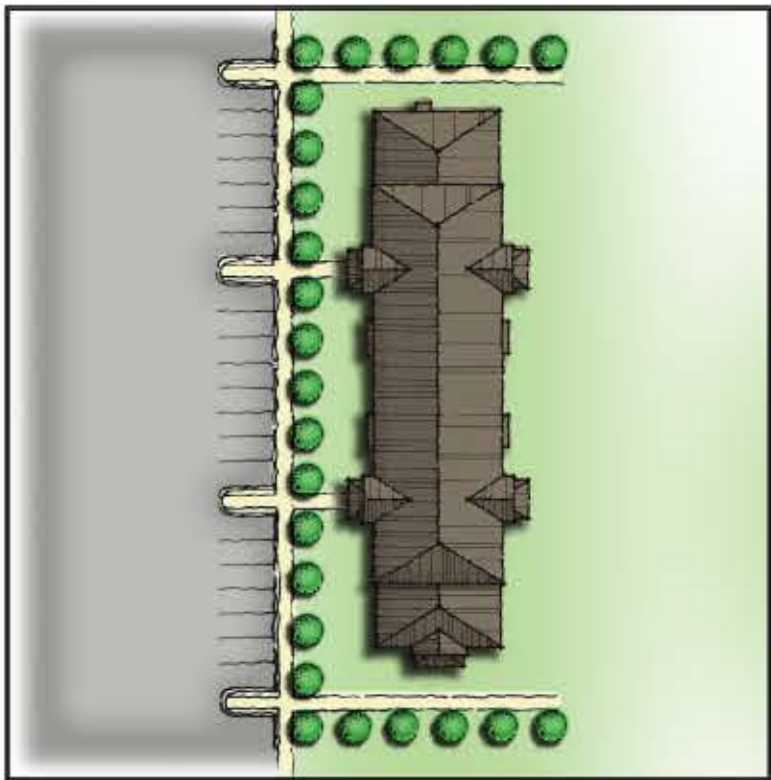
2. Project Frontage / Building Relationship off Salome Church Rd



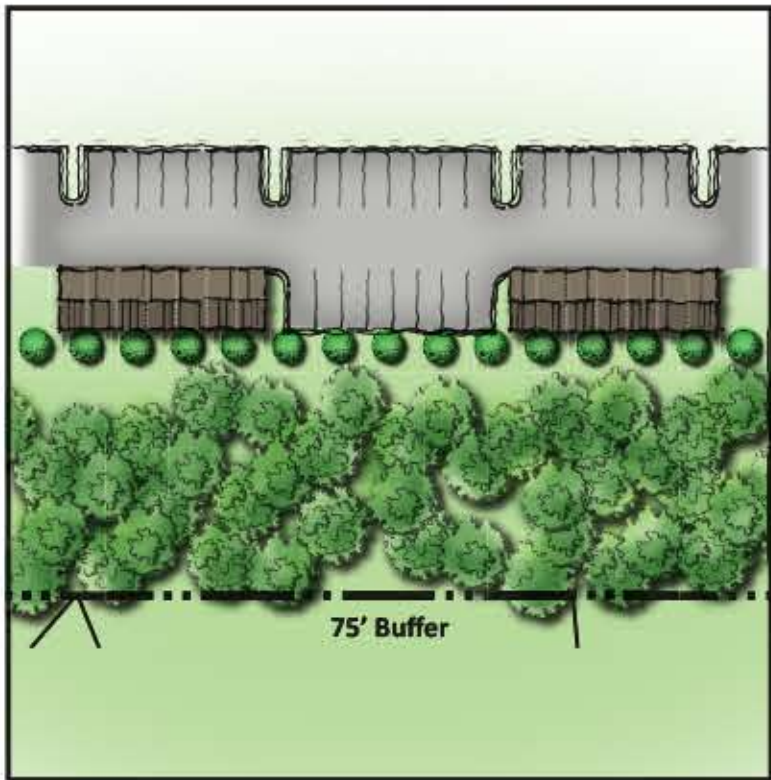
3. Typical Courtyard/Building Relationship



4. Building/Parking/Garage Relationship



5. Building/Parking Relationship



6. 75' Buffer/Adjacent Property Owner Relationship

EXHIBIT D - Display Boards



Conceptual Front and Rear Elevation
Note: Product has identical front and rear elevations.



Conceptual Clubhouse Interior



Conceptual Clubhouse Interior



Conceptual Clubhouse Elevation



Conceptual Amenity

Mallard Creek Apartments Community Character & Conceptual Building Elevations

September 10, 2015

NOT TO SCALE

EXHIBIT E - Project Calendar

2015

Charlotte-Mecklenburg Planning Department

REZONING SCHEDULE

MONTH OF PUBLIC HEARING	CITY FILING DEADLINE <i>Due by close of business (5:00 p.m.)</i>	CITY OPEN HOUSE FORUM <i>(5:00 P.M. to 6:00 P.M.)</i>	REVISED SITE PLANS (1) <i>Due four weeks prior to hearing (by noon)</i>	COMMUNITY MEETING REPORT DUE DATE <i>Must be filed no less than 10 days prior to public hearing date</i>	DEADLINE TO REMOVE PETITION FROM LEGAL AD	CITY COUNCIL PUBLIC HEARING (6:00 P.M.)	REVISED SITE PLANS (2) <i>Due the Thursday prior to the Zoning Committee Work Session (by noon)</i>	ZONING COMMITTEE WORK SESSION (4:30 P.M.)	CITY COUNCIL DECISION (6:00 P.M.) <i>Case may be deferred at or prior to the meeting</i>
JANUARY	10-27-14	12-01-14	12-19-14	01-09-15	—	01-20-15 (Tuesday)	01-23-15	01-28-15	02-16-15
FEBRUARY	11-24-14	01-05-15	01-16-15	02-06-15	01-26-15	02-16-15	02-20-15	02-25-15	03-16-15
MARCH	12-22-14	02-02-15	02-13-15	03-06-15	02-23-15	03-16-15	03-20-15	03-25-15	04-20-15
APRIL	01-26-15	03-02-15	03-20-15	04-10-15	03-30-15	04-20-15	04-24-15	04-29-15	05-18-15
MAY	02-23-15	04-06-15	04-17-15	05-08-15	04-27-15	05-18-15	05-22-15	05-27-15	06-15-15
JUNE	03-23-15	05-04-15	05-15-15	06-05-15	05-25-15	06-15-15	06-19-15	06-24-15	07-20-15
JULY	04-27-15	06-01-15	06-19-15	07-10-15	06-26-15	07-20-15	07-24-15	07-29-15	09-21-15
AUGUST	—	—	—	—	—	—	—	—	—
SEPTEMBER	06-22-15	08-03-15	08-21-15	09-11-15	08-31-15	09-21-15	09-24-15	09-30-15	10-19-15
OCTOBER	07-27-15	09-14-15	09-18-15	10-09-15	09-28-15	10-19-15	10-22-15	10-28-15	11-16-15
NOVEMBER	08-24-15	-	-	-	10-26-15	11-16-15 Decisions Only	-	11-25-15	12-14-15 (4:00 p.m.)
DECEMBER	09-28-15	11-02-15	11-13-15	12-04-15	11-20-15	12-14-15 (4:00 p.m.) zoning/business	12-17-15	12-30-15	01-19-16 (Tuesday)

*** ALL DATES AND TIMES SUBJECT TO CHANGE WITHOUT NOTICE Amended: 07-15-15**

The elected officials may not vote to rezone property to a conditional zoning district from the date of a general election to the date immediately following the date on which the Commission/Council holds its organizational meeting following a general election unless no person spoke against the rezoning at the public hearing and no valid protest petition under G.S. 160A-386 was filed for a city rezoning. If a valid protest petition is filed against a conditional zoning petition originally scheduled for a public hearing during a municipal general election year between October 1, and before the new City Council takes office, then both the public hearing and decision shall be postponed until after the new City Council takes office. For additional rezoning information, visit our website at <http://www.rezoning.org>