

NOV 07 2014

COMMUNITY MEETING REPORT
Petitioner: **Midtown Area Partners II, LLC**
Rezoning Petition No. 2014-109

OFFICE OF THE CITY CLERK

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-1 attached hereto by depositing such notice in the U.S. mail on October 2, 2014. A copy of the written notice is attached hereto as Exhibit A-2.

DATE, TIME AND LOCATION OF MEETING:

The Community Meeting was held on Thursday, October 16, 2014 at 6:30 PM at Vivace Restaurant located at 1100 Metropolitan Avenue, Building E, Suite 100, 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 B. The Petitioner's representatives at the Community Meeting were Roy Goode, Steve McLeod and Buddy Kirk of the Petitioner, David Wagner, the Petitioner's architect, and John Carmichael of Robinson Bradshaw & Hinson, P.A.

SUMMARY OF ISSUES DISCUSSED:

Attached hereto as Exhibit C is a copy of the Power Point presentation utilized by the Petitioner's representatives at the Community Meeting.

Roy Goode opened the meeting by introducing himself and the Petitioner's representatives, and he thanked everyone for attending the Community Meeting.

Roy Goode stated that he and his group own the Midtown Centre office building located on Baxter Street at its intersection with South Kings Drive. They purchased that site approximately four years ago, and they are currently constructing a new parking deck on the site. When they acquired the Midtown Centre office building, the building was rundown and in need of renovations. Roy Goode stated that his group renovated the Midtown Centre office building with the help of David Wagner. Roy Goode stated that David Wagner is also the architect on this proposed project.

Roy Goode stated that the Midtown Centre office building is now 100% leased, and the tenants enjoy being in that location.

Roy Goode stated that he has enjoyed being a part of the Midtown-Cherry area for the last four years, and he feels that this is a unique area of the city.

Utilizing the Power Point presentation, Roy Goode then shared details of the proposed project and the Petitioner's conditional rezoning plan.

Roy Goode shared an aerial photograph that showed the location of the site and the surrounding area and uses. Roy Goode stated that pursuant to this rezoning request, the Petitioner is not requesting the rezoning of Dr. Chung's building.

Roy Goode stated that the proposed project consists of a maximum 140 foot tall building located at the corner of Baxter Street and South Kings Drive that would contain ground level retail and restaurant uses facing South Kings Drive and office and/or hotel uses on the upper floors of the building. The upper floors of the building could also contain residential uses. Additionally, the project would have a maximum 75 foot tall parking deck with ground level retail and restaurant uses facing South Kings Drive, and up to eight townhomes located on the site's frontage on Cherry Street next to the parking deck. Therefore, residential uses would front Cherry Street.

In response to a question, Roy Goode stated that the heated portions of the townhome units would be approximately 30 feet in height. Roy Goode estimated that the existing house located across Cherry Street from the site is approximately 15 feet in height.

An individual asked if the parking deck would be taller than the townhome units. Utilizing Slide 23 of the Power Point presentation, Roy Goode stated that yes, the height of the parking deck would be above the townhome units. However, the townhome units would do an effective job of screening the parking deck as seen on Slide 23 of the PowerPoint presentation.

John Carmichael then provided the schedule of events relating to this rezoning request. He stated that the Rezoning Petition was filed on August 25, and the City Open House Forum was held on October 6 at the Charlotte-Mecklenburg Government Center. John Carmichael stated that the Public Hearing is scheduled to be held on Monday, November 17 at 6:00 PM at the Charlotte-Mecklenburg Government Center. The Zoning Committee Work Session will be held on Monday, December 1, 2014 at 2:00 PM at the Charlotte-Mecklenburg Government Center, and City Council is scheduled to make a decision on this rezoning request on Monday, December 15 at 6:00 PM at the Charlotte-Mecklenburg Government Center.

John Carmichael then discussed the existing zoning of the site. He stated that the site is currently zoned a combination of UR-C (CD)(PED), B-1(PED) and R-8. The Petitioner is seeking to rezone the site to the MUDD-Optional (PED) and MUDD-Optional zoning districts.

John Carmichael stated that the pedestrian overlay district is very similar to the MUDD zoning district in terms of the development standards and requirements. John Carmichael then reviewed the development standards in the pedestrian overlay district and in the MUDD zoning district.

John Carmichael then briefly discussed the Midtown, Morehead, Cherry Area Plan. He stated that it was adopted on February 27, 2012, and it recommends residential, office and retail uses on the site, which is consistent with the rezoning request.

With respect to the maximum 140 foot height of the building proposed to be located at the corner of Baxter Street and South Kings Drive, John Carmichael stated that the Petitioner believes that this is an appropriate height because it provides a transition from the Metropolitan to the Cherry community. The building to be constructed by Daniel Levine has a proposed maximum height of 295 feet, and the office building located in the Metropolitan has a height of 165 feet.

David Wagner then discussed the pedestrian overlay district and the Midtown, Morehead, Cherry Area Plan, and how these documents have impacted the design of the proposed project. David Wagner stated that the parking deck would be five stories and approximately 70 feet in height. David Wagner stated that with respect to the townhome units along Cherry Street, the design team felt that it was important that residential uses face the existing residential uses on Cherry

Street. David Wagner stressed the importance of having street level retail uses that address South Kings Drive. He noted that the Metropolitan does not have street level retail uses that address South Kings Drive. David Wagner discussed and showed the pedestrian arcade that would be located along the site's frontage on South Kings Drive in front of the retail and restaurant uses. David Wagner emphasized the width of the pedestrian arcade and the wonderful pedestrian experience it would provide along South Kings Drive. David Wagner stated that there would also be retail and restaurant uses on the first level of the parking deck facing South Kings Drive.

David Wagner showed the pedestrian connection from South Kings Drive to Cecil Street through the middle of the proposed project. David Wagner stated that this connectivity is a nice element of the project.

An individual asked what types of commercial uses would be located in the building. Roy Goode stated that restaurant and retail uses would be located in the project. This individual asked if a strip club could be located in the project, and Roy Goode stated that a strip club would not be a part of this project.

An individual asked if a nightclub could be located in the development, and Roy Goode stated that a nightclub is a possible use.

David Wagner reviewed the elevations of the proposed structures. He noted that the exterior building materials for the proposed building change on the upper floors of the building. There is more glass on the upper levels of the building, and this helps with the scale of the building.

An individual asked if the Petitioner would consider residential uses above the retail uses. Roy Goode stated that he thinks there should be more employment uses and services in the area, and he prefers office and hotel uses above the retail and restaurant uses. However, residential uses could be considered and made a part of the project.

The Baxter Street section of the proposed building was then reviewed (Slide 10 of the Power Point presentation), and David Wagner noted that the Cecil Street side of the building is shorter than the South Kings Drive side of the building because of the change in elevation from South Kings Drive to Cecil Street.

Utilizing Slide 12 of the Power Point presentation, David Wagner discussed once again the pedestrian area in front of the building along South Kings Drive, and he stated that it is approximately 24 feet from the back of the curb to the face of the building.

Utilizing Slide 13, David Wagner discussed the view of the building from the intersection of South Kings Drive and Baxter Street. David Wagner shared Slide 15 of the Power Point presentation, which depicts the pedestrian connection and staircase from Cecil Street to South Kings Drive.

Utilizing Slide 17 of the Power Point presentation that depicts the street level retail in front of the parking deck facing South Kings Drive, David Wagner discussed this area in more detail.

David Wagner discussed Slide 19 of the Power Point presentation, which shows a view of the parking structure, the ground level retail and the proposed building from the intersection of Luther Street and South Kings Drive.

David Wagner shared Slide 21 of the Power Point presentation, which depicts the parking deck along Luther Street.

Utilizing Slide 23 of the Power Point presentation, the townhome units were discussed. Roy Goode stated that the exterior design of the townhome units would be revised from that shown on Slide 23 in order to make the townhome units more compatible with the Cherry community.

Slide 25 of the Power Point presentation, which is an aerial view of the proposed project, was then discussed.

An individual asked if a traffic light would be needed at the intersection of Luther Street and South Kings Drive. David Wagner stated that he did not think that a traffic light would be permitted at that intersection. David Wagner stated that CDOT is reviewing the proposed project, and the Pétitioner will be required to meet all of CDOT's requirements in terms of access and traffic circulation.

In response to a question, David Wagner stated that hotel guests and staff, office uses and retail and restaurant uses would utilize the parking deck. It is possible that the townhome units could also utilize the parking deck.

Roy Goode stated that there is a lot of information contained in the relevant planning documents, such as the Midtown, Morehead, Cherry Area Plan and the pedestrian overlay district, and with two exceptions, relating to building height and on-street parking along South Kings Drive, this project would meet or exceed the required design elements of these planning documents. Roy Goode then discussed these design elements in some detail.

Roy Goode stated that the exceptions that they are seeking in connection with this rezoning request are to allow the maximum height of the proposed building to be 140 feet, which height exceeds the maximum height of the pedestrian overlay district and the MUDD zoning district, and to eliminate the requirement of on-street parking along South Kings Drive. Roy Goode stated that in his opinion, the on-street parking would create a hazard and it would not operate efficiently. Roy Goode stated that his team believes it is more important to have an enhanced pedestrian environment and experience along the site's frontage on South Kings Drive than on-street parking. In other words, they voted for the pedestrian over the automobile.

Roy Goode stated that the existing transit stop located along the site's frontage on South Kings Drive would remain, although it may be relocated to another location along the site's frontage on South Kings Drive.

An individual stated that parking in a parking deck could be an issue for retailers.

In response to a question, Roy Goode stated that it is likely that valet parking would be provided at this location.

An individual asked if there is a crosswalk across South Kings Drive in front of the location of the proposed pedestrian connection from Cecil Street to South Kings Drive. At this time, there is not a crosswalk, but Roy Goode stated that he would advocate for a crosswalk.

In response to a question, Roy Goode reiterated that the exterior design of the townhome units would be revised.

An individual asked if the exception for the building height is not approved, what would happen. Roy Goode stated that it would limit the height of the building and it would point us in more of a residential direction.

John Carmichael stated that with respect to Development Area C on the conditional rezoning plan, only townhome units could be constructed in Development Area C.

In response to a question, Roy Goode stated that he is not in partnership with Dr. Chung. Roy Goode thanked everyone for attending the meeting, and the meeting was adjourned.

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

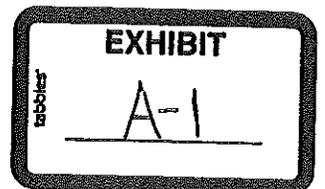
No changes have been made to the conditional rezoning plan or to the Rezoning Petition as of the date of this Community Meeting Report solely as a result of the Community Meeting.

Respectfully submitted, this 7th day of November, 2014.

Midtown Area Partners II, LLC, Petitioner

cc: Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Department (via email)
Mr. John Kinley, Charlotte-Mecklenburg Planning Department (via email)
Mr. Roy Goode, Midtown Area Partners II, LLC (via email)

Case_No	FirstName	LastName	OrgLabel	MailAddress	MailCity	MailZip
2014-109	Cullen	McNulty	Crescent Heights NA	2237 Crescent Avenue	Charlotte	NC 28207
2014-109	Bob	Szymkewicz	First Ward Community Fund, Inc.	Post Office Box 30712	Charlotte	NC 28230
2014-109	Karen	Jensen	Friends & Residents of Historic Cherry	311 Baldwin Avenue	Charlotte	NC 28204
2014-109	June	Watts-Mistri	Amherst Place HOA & NA	1730 Amherst Place	Charlotte	NC 28204
2014-109	Mehalie	Sizemore	Elizabeth Comm. Assoc.	2309 Vail Avenue	Charlotte	NC 28207
2014-109	Peter	Tart	Elizabeth Comm. Assoc.	1517 East 8th Street	Charlotte	NC 28204
2014-109	Elizabeth	Barnhardt	Charlotte Regional Realtor Assoc.	1201 Greenwood Cliff #200	Charlotte	NC 28204
2014-109	Monte	Ritzey	Elizabeth Comm. Assoc.	525 Clamert Avenue	Charlotte	NC 28204
2014-109	Joe	Padilla	Charlotte Regional Realtor Assoc.	1201 Greenwood Cliff, Suite 200	Charlotte	NC 28204
2014-109	Budd	Berro	Office of the Gov. of North Carolina	600 East Fourth Street	Charlotte	NC 28202
2014-109	Cynthia	Schwartz	Dilworth Comm. Dev. Assoc. (DCDA)	1235 East Blvd., Suite E-153	Charlotte	NC 28203
2014-109	Milke	Sposato	Carolina Realty Advisors	1001 East Boulevard	Charlotte	NC 28203
2014-109	Yolanda	Trotter	7th Street	1401 East Seventh Street	Charlotte	NC 28204
2014-109	Beth	Haceni	Elizabeth NA	2133 Greenway Avenue	Charlotte	NC 28204
2014-109	Eric	Davis	Elizabeth NA	2200 Greenway Avenue	Charlotte	NC 28204



**NOTICE TO INTERESTED PARTIES
OF COMMUNITY MEETING**

Subject: Community Meeting -- **Rezoning Petition No. 2014-109** filed by Midtown Area Partners II, LLC to request the rezoning of an approximately 1.70 acre site located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street from the R-8, UR-C(CD)(PED) and B-1(PED) zoning districts to the MUDD-O and MUDD-O(PED) zoning districts

Date and Time of Meeting: Thursday, October 16, 2014 at 6:30 p.m.

Place of Meeting: Vivace Restaurant
1100 Metropolitan Avenue, Building E, Suite 100
Charlotte, NC

We are assisting Midtown Area Partners II, LLC (the "Petitioner") in connection with a Rezoning Petition it has filed with the Charlotte-Mecklenburg Planning Department seeking to rezone an approximately 1.70 acre site located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street from the R-8, UR-C(CD)(PED) and B-1(PED) zoning districts to the MUDD-O and MUDD-O(PED) zoning districts. The purpose of this rezoning request is to accommodate a mixed use development that would be comprised of a maximum 270,000 square foot building that could contain office, retail, hotel and residential uses, a maximum 187,450 square foot structured parking facility, a maximum of 4,000 square feet of ground floor retail uses in the structured parking facility and dwelling units attached to the structured parking facility.

The Petitioner will hold a Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Department's records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the site.

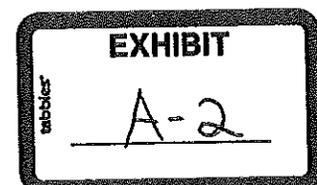
Accordingly, on behalf of the Petitioner, we give you notice that representatives of the Petitioner will hold a Community Meeting regarding this Rezoning Petition on Thursday, October 16, 2014 at 6:30 p.m. at Vivace Restaurant, 1100 Metropolitan Avenue, Building E, Suite 100 in Charlotte. Representatives of the Petitioner look forward to sharing this rezoning proposal with you and to answering your questions.

In the meantime, should you have any questions or comments, please call John Carmichael at (704) 377-8341.

Robinson, Bradshaw & Hinson, P.A.

cc: Ms. Patsy Kinsey, Charlotte City Council District 1 (via email)
Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Department (via email)
Mr. Roy Goode, Midtown Area Partners II, LLC (via email)

Date Mailed: October 2, 2014

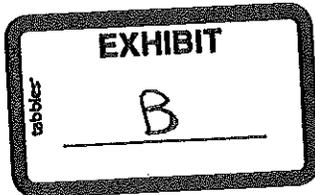


Midtown Area Partners II, LLC, Petitioner
 Rezoning Petition No. 2014-109

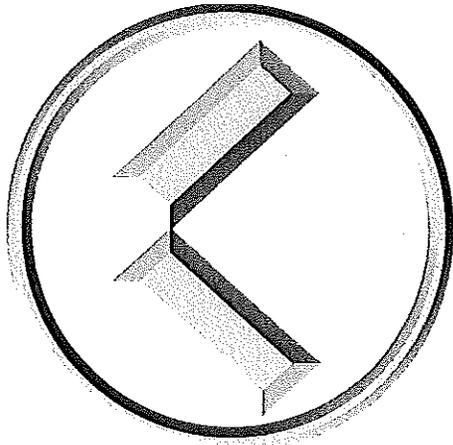
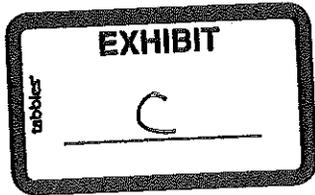
Community Meeting Sign-in Sheet

Vivace Restaurant
 1100 Metropolitan Avenue, Building E, Suite 100
 Charlotte, NC

Thursday, October 16, 2014
 6:30 P.M.



	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1.	John and Cindy Georgopoulos	624 Cherry Ct.	704-564-2208	lithlev11@google.com
2.	Allen & Clara Wolfe	1100 Metropolitan Ave, Unit 402	704-817-7773	platoqumba@aol.com
3.	Sylvia B. He Patton	1023 Lutter St, Cha 28204	704-372-3720	sbpedcd@bellsouth.net
4.	Vernie B. Iltz	210 S. Torrence Street 28204	704-372-5418	" "
5.	DAVID JACOBS	634 Waco St.	704-619-2003	djjaew@bellsouth.net
6.	KAREN JENSEN	311 BRIDWELL AVE	704 281 6848	KJAJENSEN@HOTMAIL.COM
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MIDTOWN CENTER

Community Meeting
October 16 2014

GOODE PROPERTIES

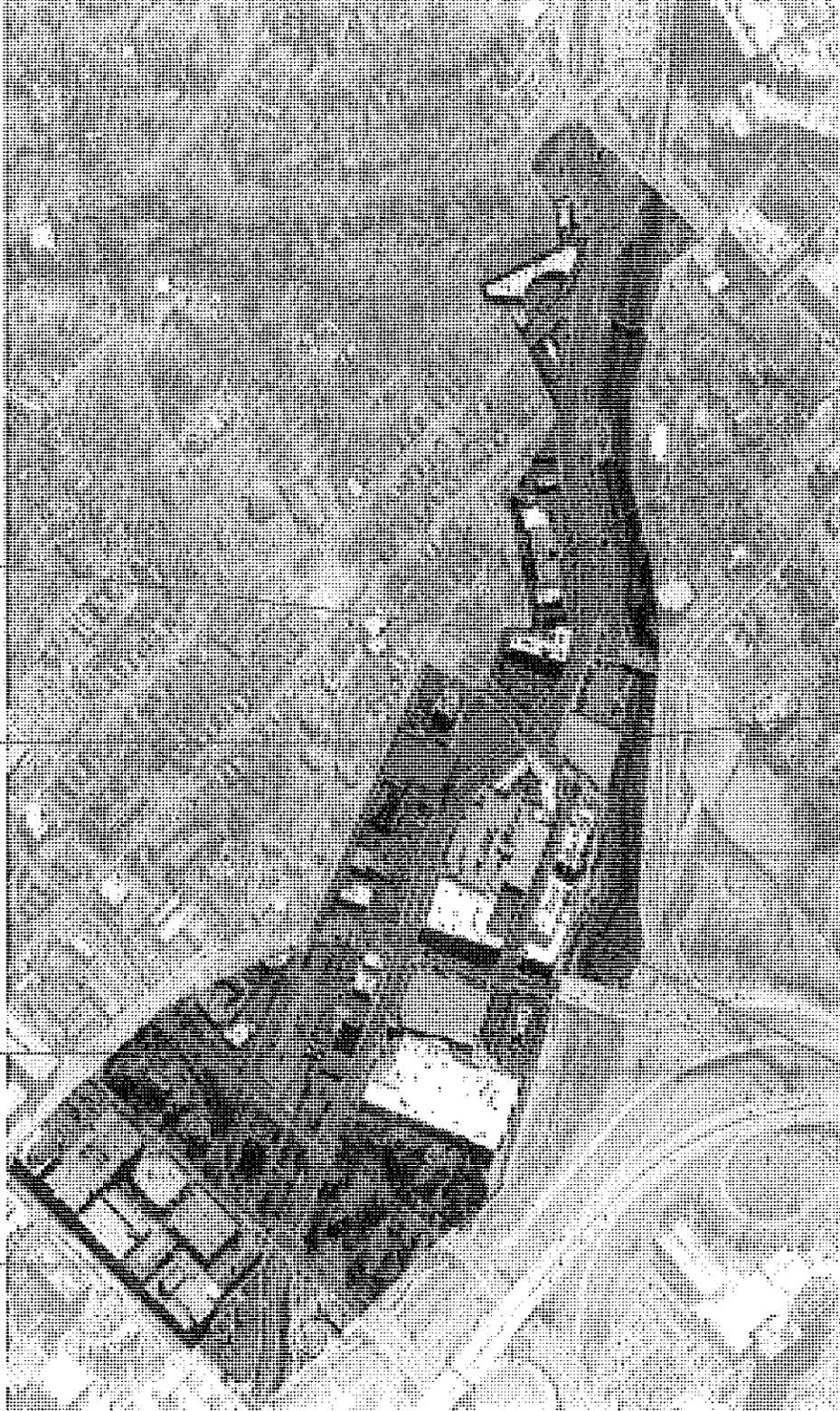


CPCG CENTRAL CAMPUS

CURRENT APARTMENT DEVELOPMENT

MIDTOWN CENTRE PROJECTED EXTENSION

MIDTOWN CENTRE EXISTING



METROPOLITAN

NEW DOMINION BANK TOWER 10 STORIES

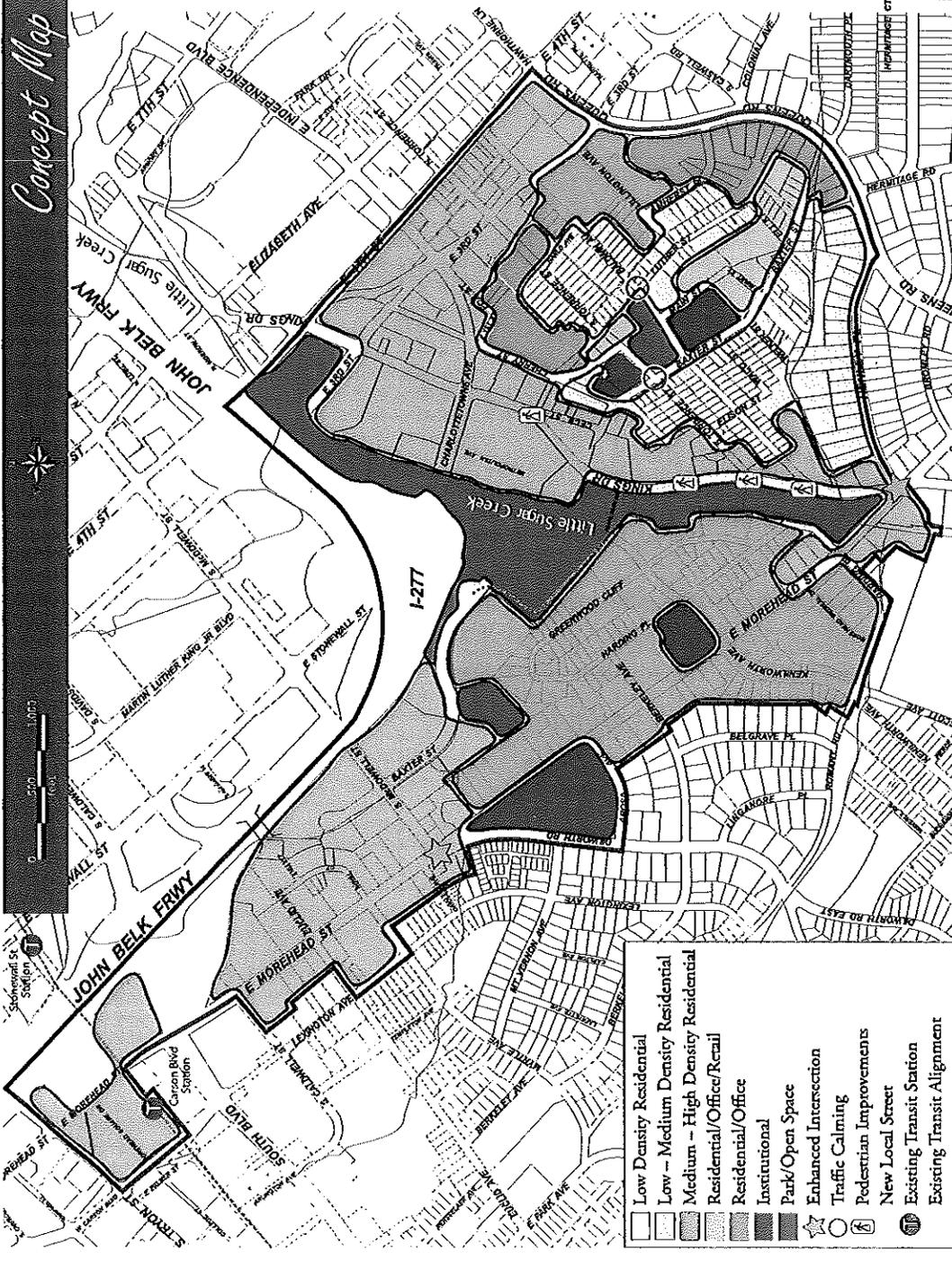
LEVINE PROPERTY TOWER DEVELOPMENT

SOUTH KINGS DRIVE COMMERCIAL CORRIDOR

SITE CONTEXT
SUGAR CREEK GREENWAY CORRIDOR
JULY 2014

GOODE PROPERTIES



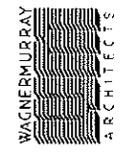


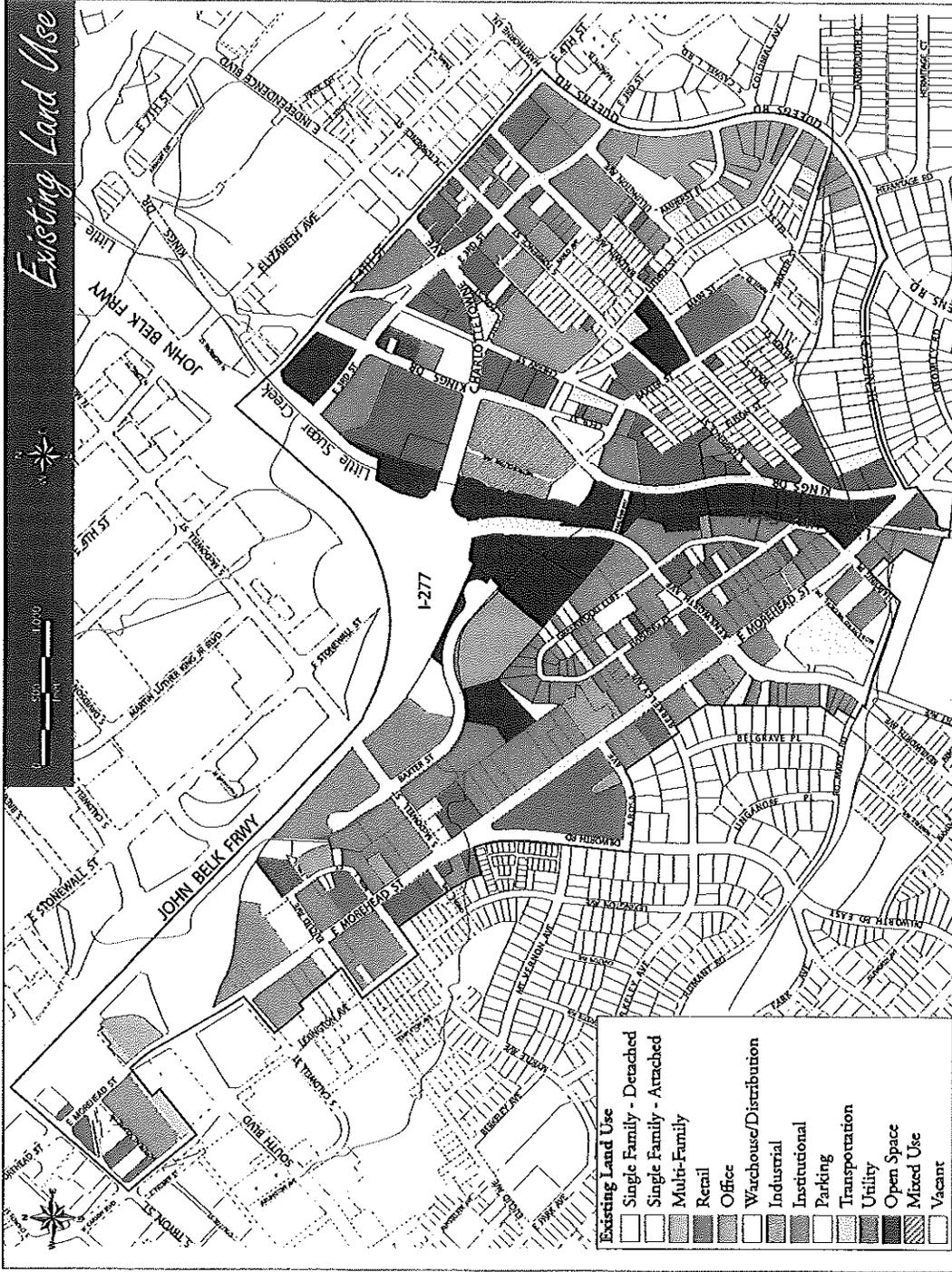
Concept Map

Map 3 Midtown Morehead Cherry area plan

Map 3

Source: Charlotte-Mecklenburg Planning Department mapping, September 2011



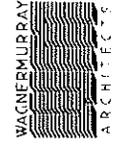


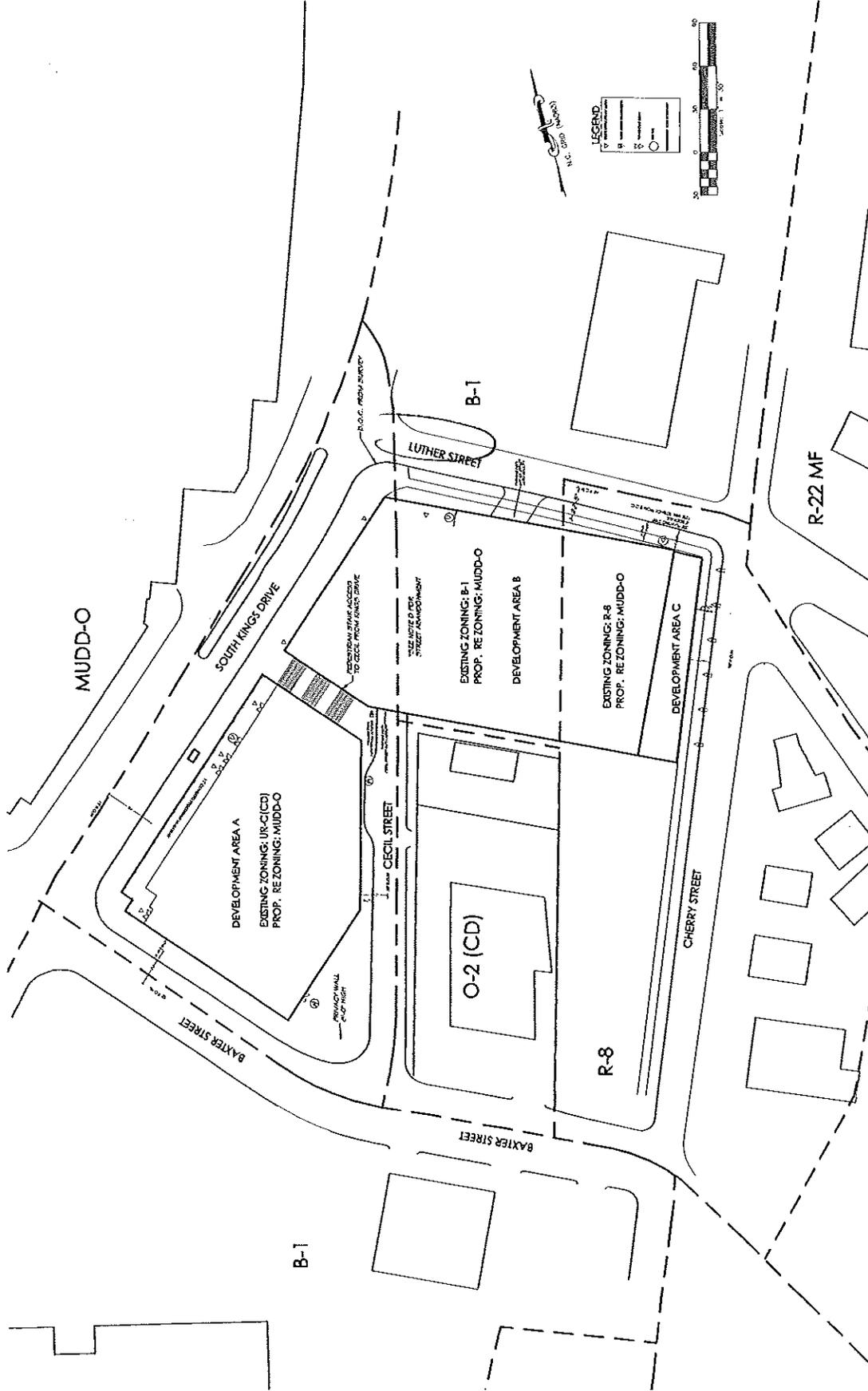
58 Midtown Morehead Cherry area plan

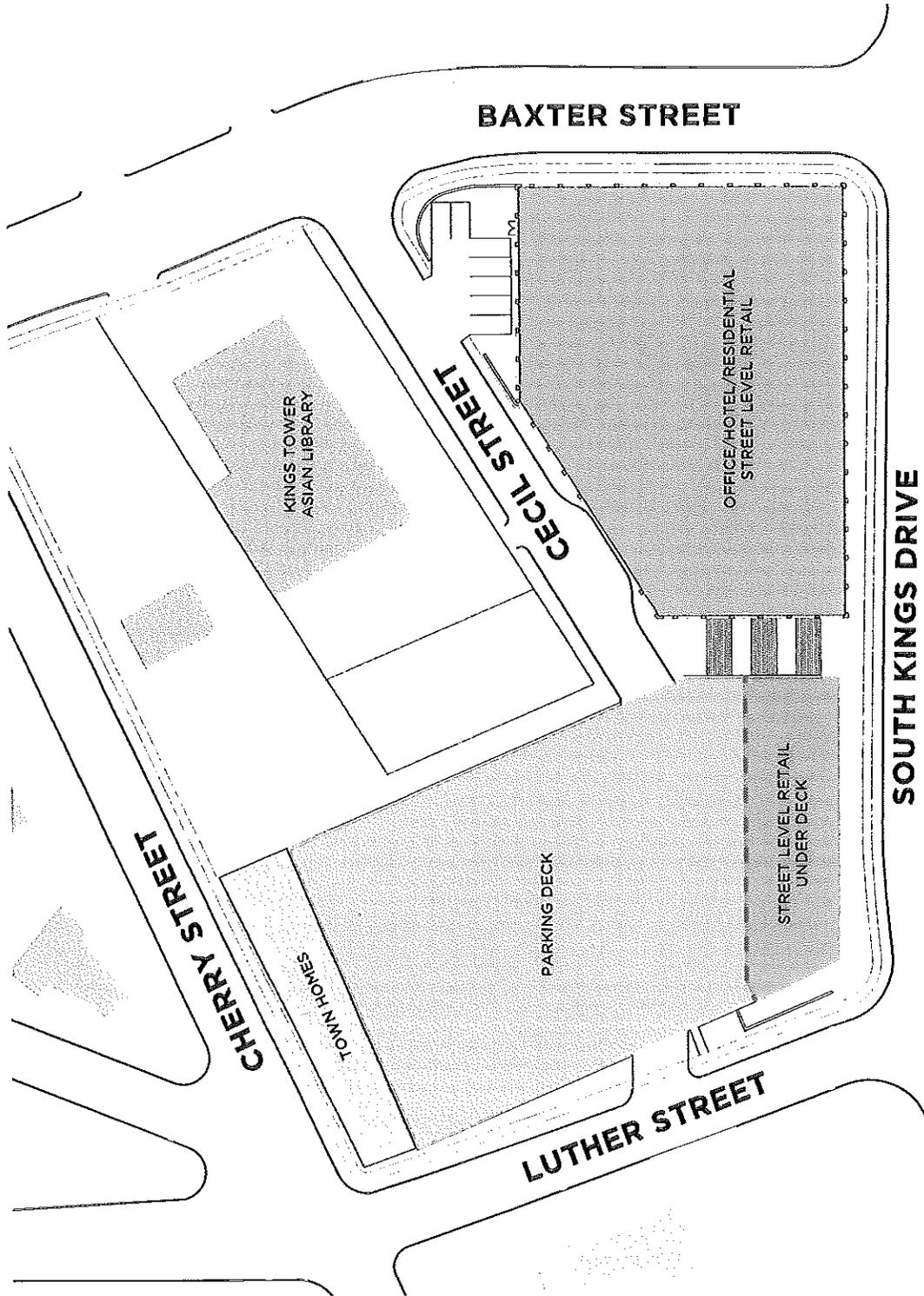
Map A2

Source: Charlotte-Mecklenburg Planning Department field data, November 2010

GOODE PROPERTIES

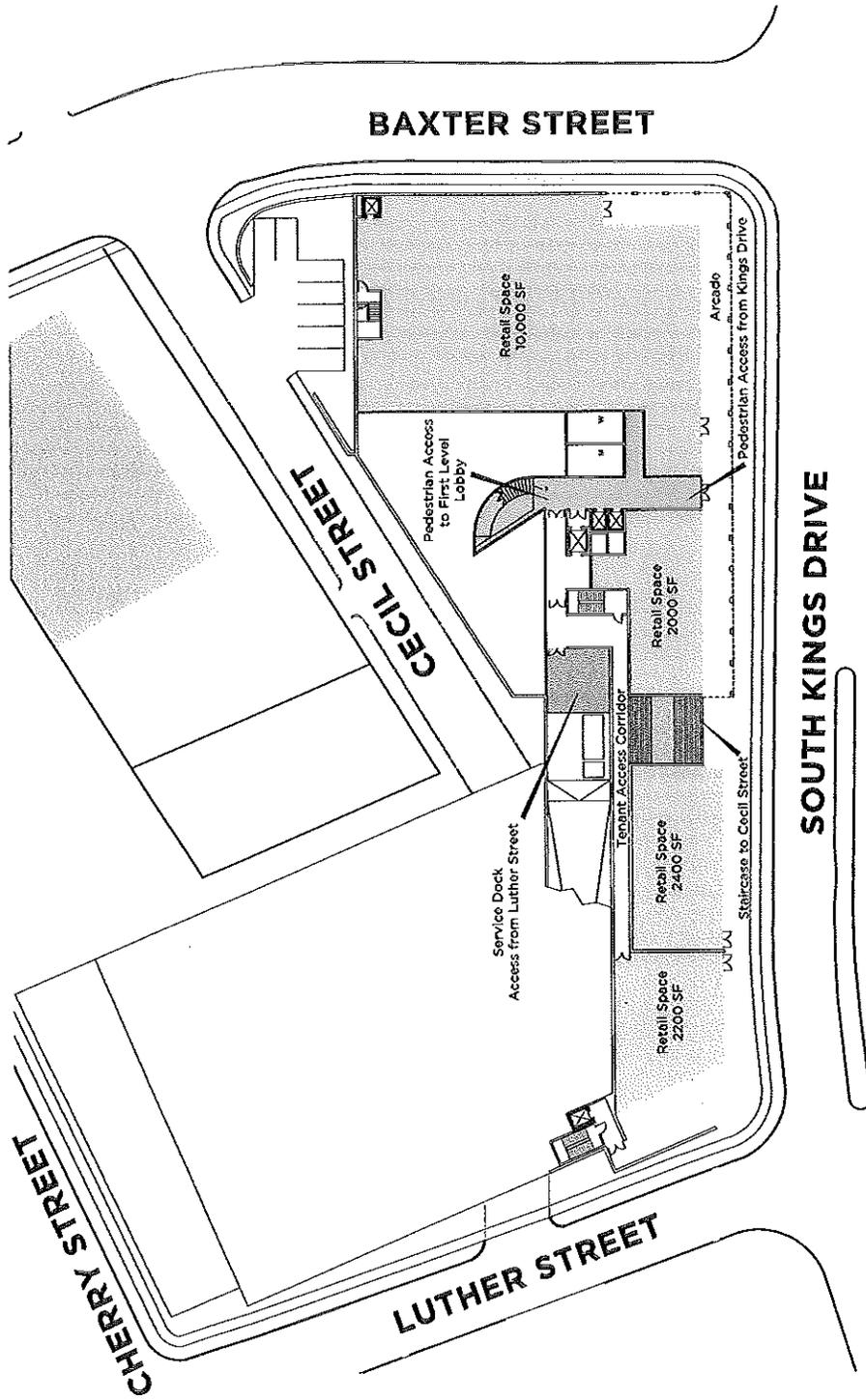


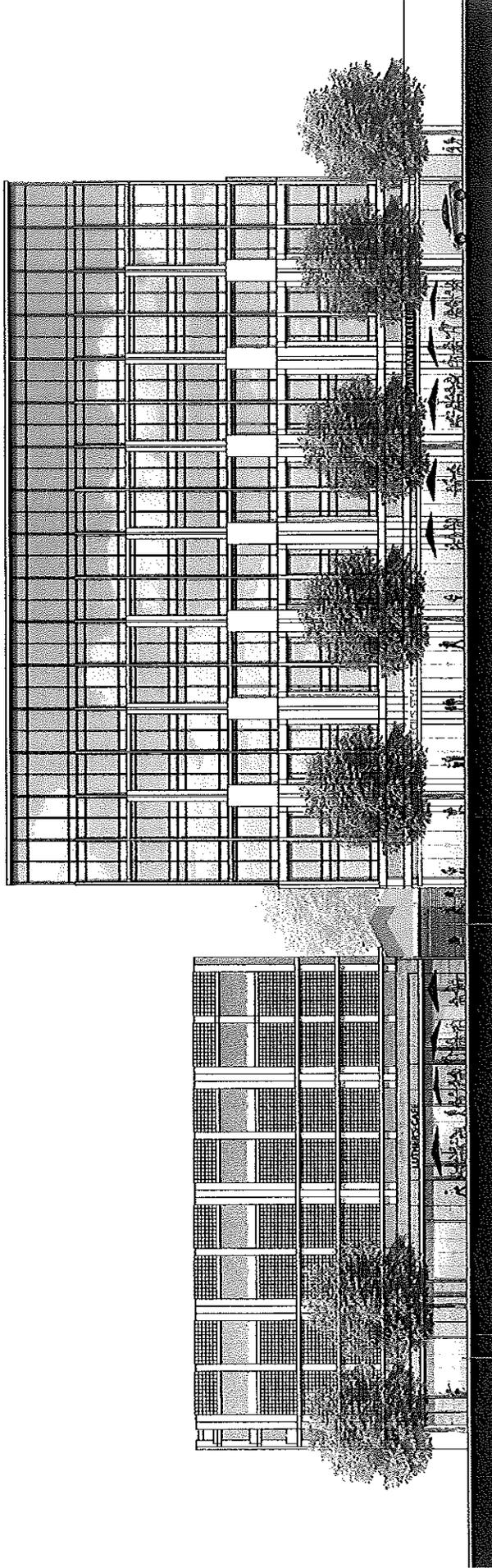




MIDTOWN CENTER DESIGN CONCEPT
 SITE PLAN
 OCTOBER 2014

GOODE PROPERTIES





STREET-LEVEL RETAIL

PEDESTRIAN CONNECTION TO CECIL STREET

PEDESTRIAN RETAIL COLONNADE



MIDTOWN CENTER
KINGS DRIVE ELEVATION
OCTOBER 2014

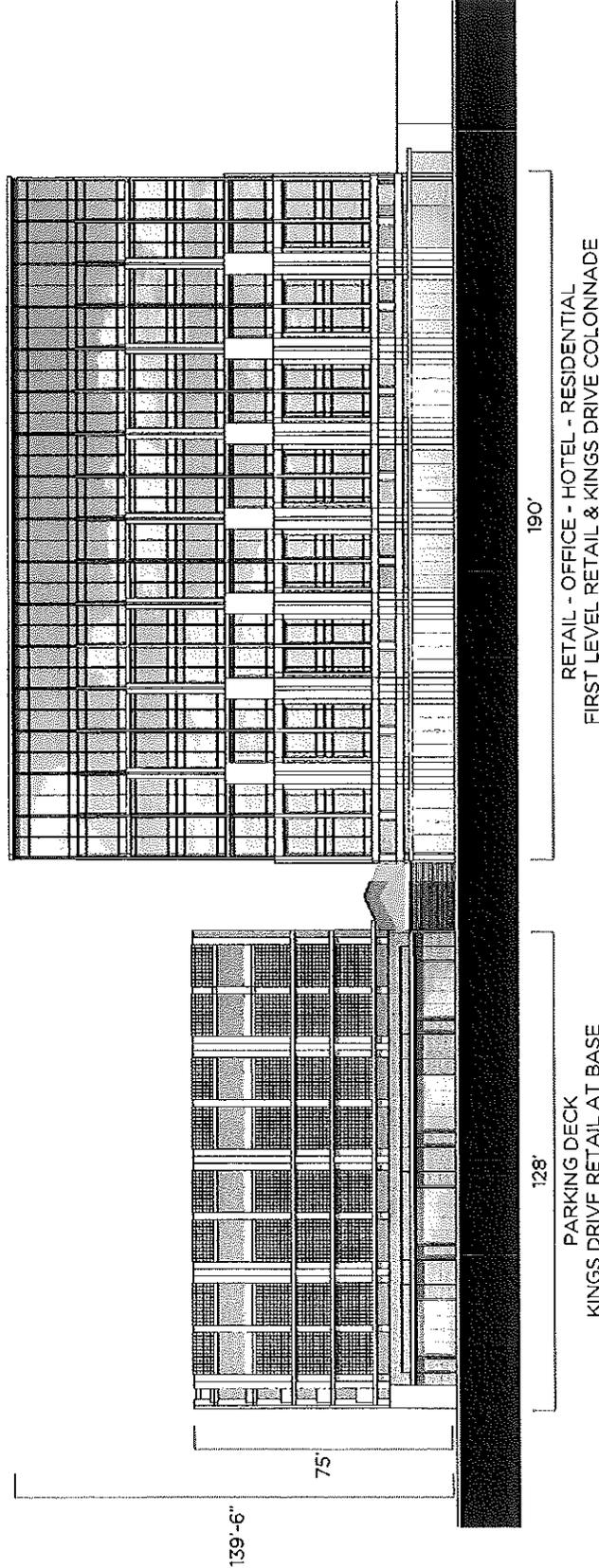
GOODE PROPERTIES

BUILDING CORNICE
DENOTES TOP OF BUILDING.

HEIGHT AND DEPTH OF
COLUMNS RECEDES
INWARD TO DISSOLVE
BUILDING PROFILE AGAINST
SKY.

BELT COURSES ARTICULATE
EACH LEVEL.

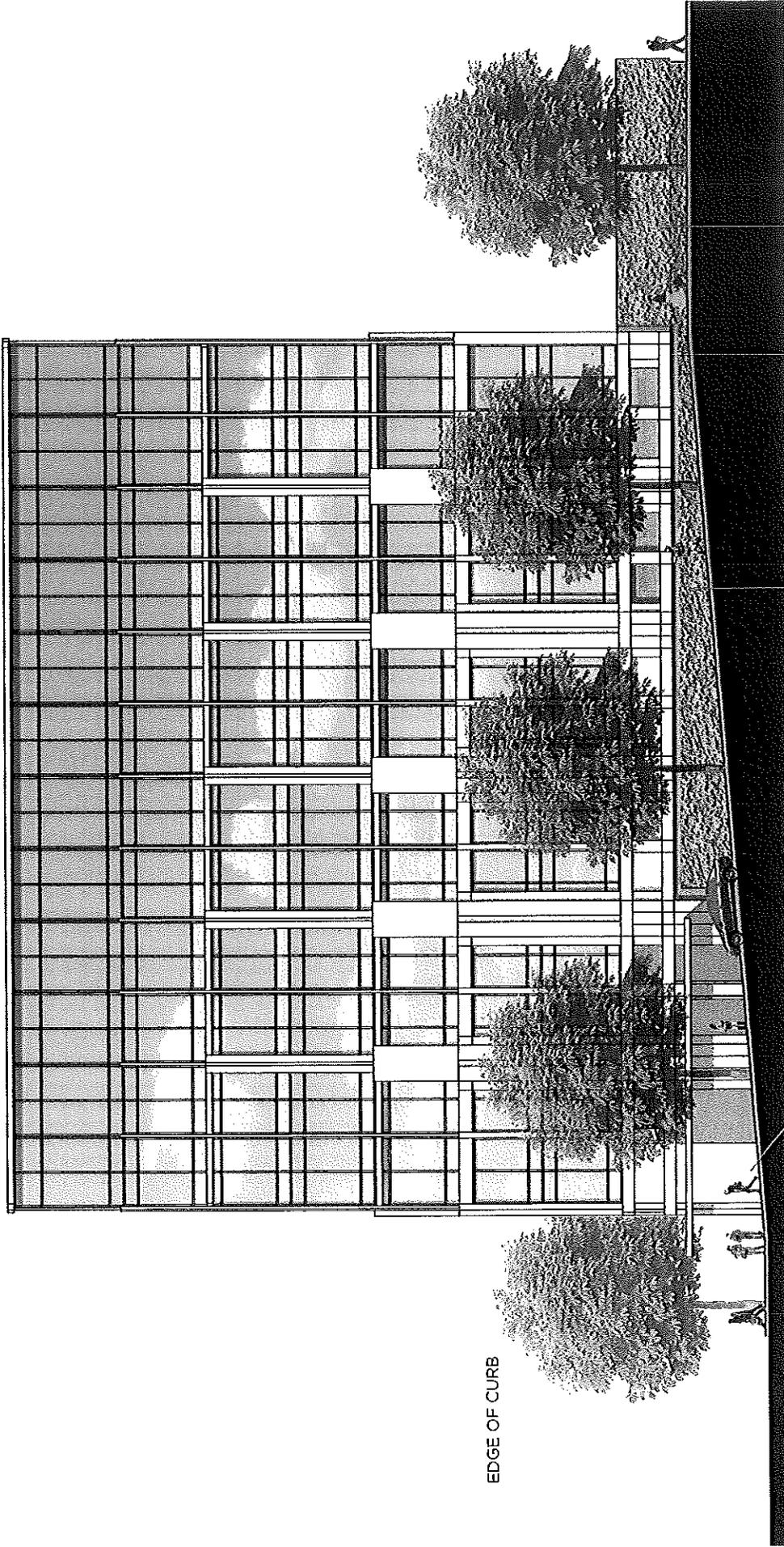
BUILDING BASE
ARTICULATED BY
PEDESTRIAN COLONNADE.



MIDTOWN CENTER
ELEVATION GUIDE
OCTOBER 2014



GOODE PROPERTIES



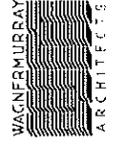
EDGE OF CURB

ACCENT WALL TO CONCEAL
SHORT TERM PARKING

FOUNDATION SURFACES TO BE
CLAD IN STONE
WITH FOLIAGE TO COVER

PEDESTRIAN RETAIL ARCADE

28' TO RETAIL FACADE



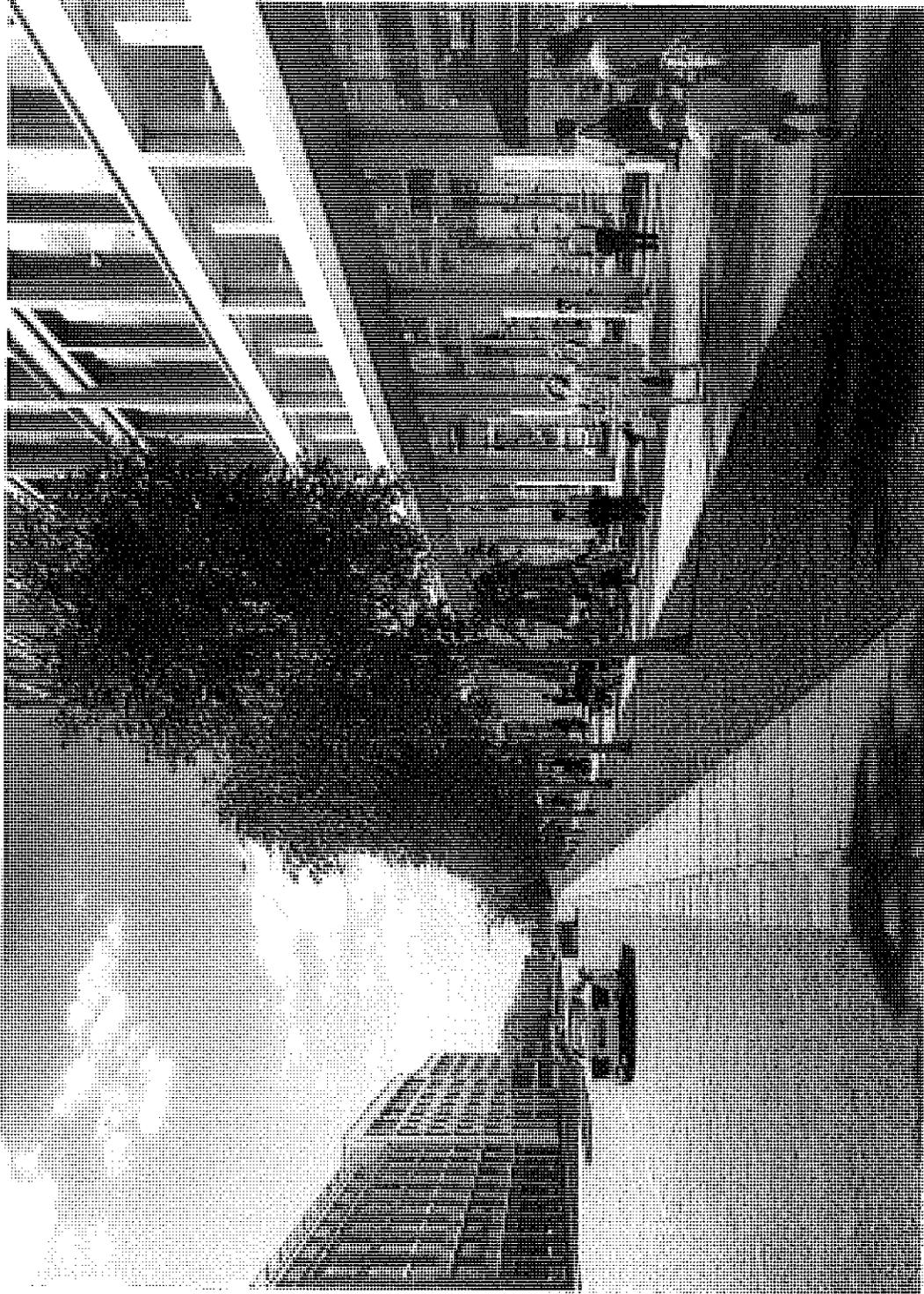
MIDTOWN CENTER
BAXTER STREET ELEVATION
OCTOBER 2014

GOODE PROPERTIES



EXISTING STREET VIEW
AT BAXTER AND KINGS DRIVE

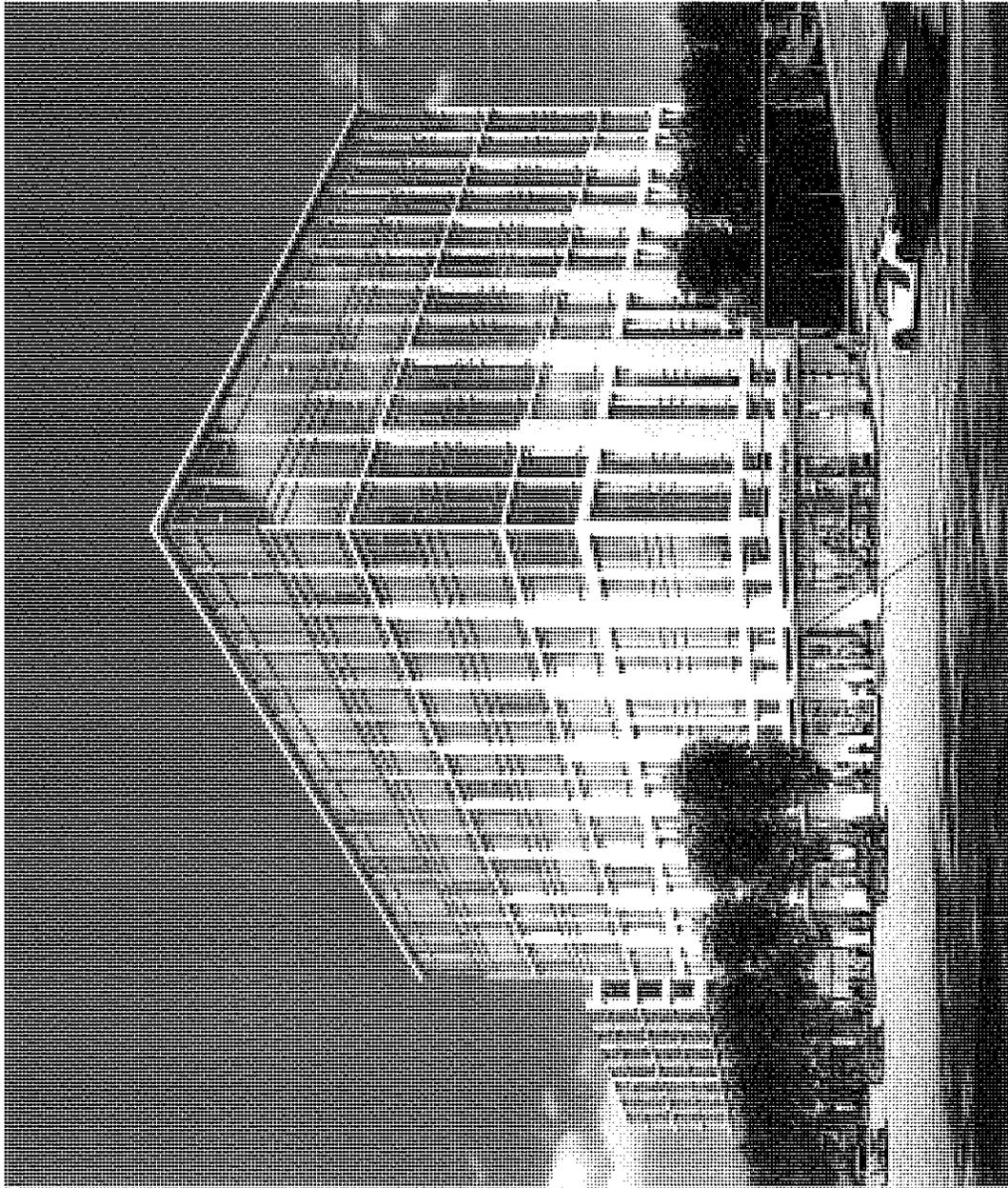
GOODE PROPERTIES



GOODE PROPERTIES

12

MIDTOWN CENTER
VIEW OF STREET-GRADE PEDESTRIAN &
RETAIL COLONNADE
OCTOBER 2014



BELT COURSES AND MOLDING ARTICULATE EACH LEVEL OF BUILDING HEIGHT.

FURTHER DIFFERENTIATION OF STRING-COURSE HEIGHT+DEPTH AND COLUMN WIDTH+DEPTH ARTICULATES UPPER STORIES AS DISCRETE PARTS OF BUILDING FORM

1.5 STORY BUILDING BASE SCALED TO PEDESTRIAN STREET ACTIVITY.

PEDESTRIAN ARCADE (10' DEEP) GIVES PEDESTRIAN SPACE THAT EXCEEDS MINIMUM SETBACK REQUIREMENTS AND ORDINANCE RECOMMENDATIONS.

ARCHITECTURAL CANOPY ACCENTS 'CEILING' OF PEDESTRIAN SPACE

DESIGN INTENTIONS
OCTOBER 2014

GOODE PROPERTIES
13



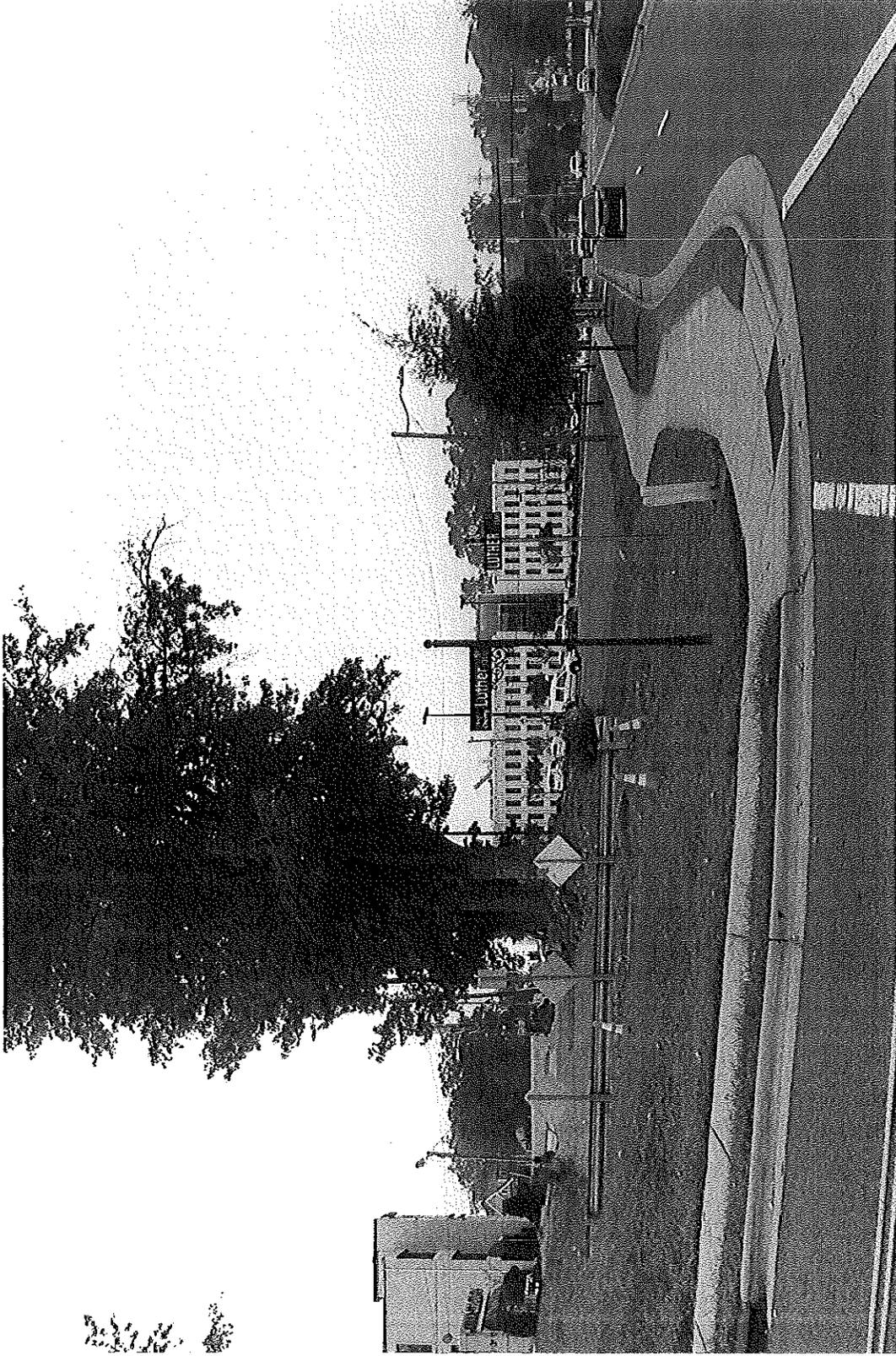


EXISTING GRADE CHANGE
FROM KINGS DRIVE TO CECIL STREET
OCTOBER 2014

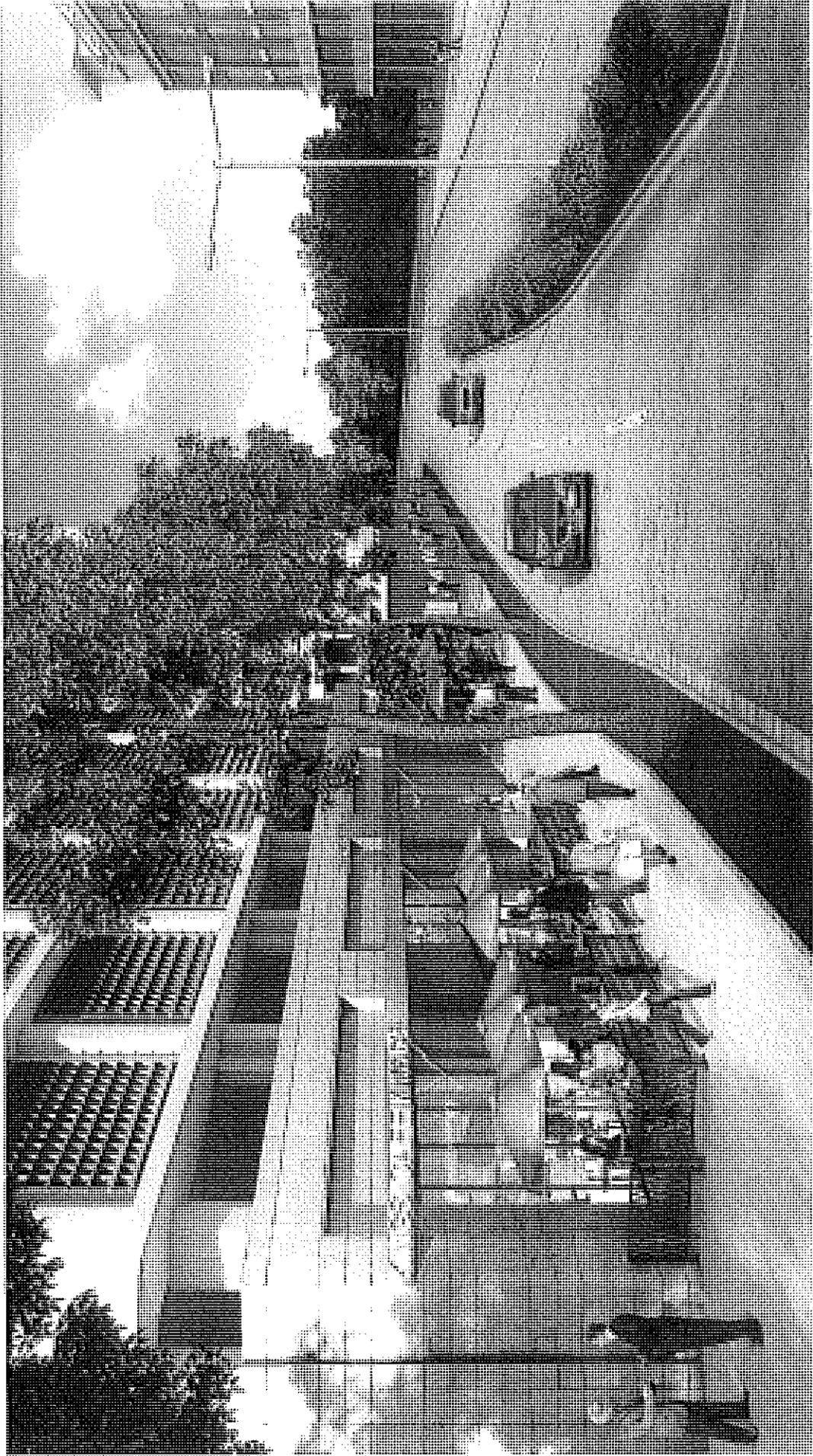
GOODE PROPERTIES



MIDTOWN CENTER
PEDESTRIAN ACCESS FROM KINGS DRIVE TO CECIL STREET
OCTOBER 2014



EXISTING VIEW
AT KINGS DRIVE AND LUTHER STREET
OCTOBER 2014



MIDTOWN CENTER
VIEW OF PARKING DECK + RETAIL
AT KINGS DRIVE AND LUTHER
OCTOBER 2014

GOODE PROPERTIES



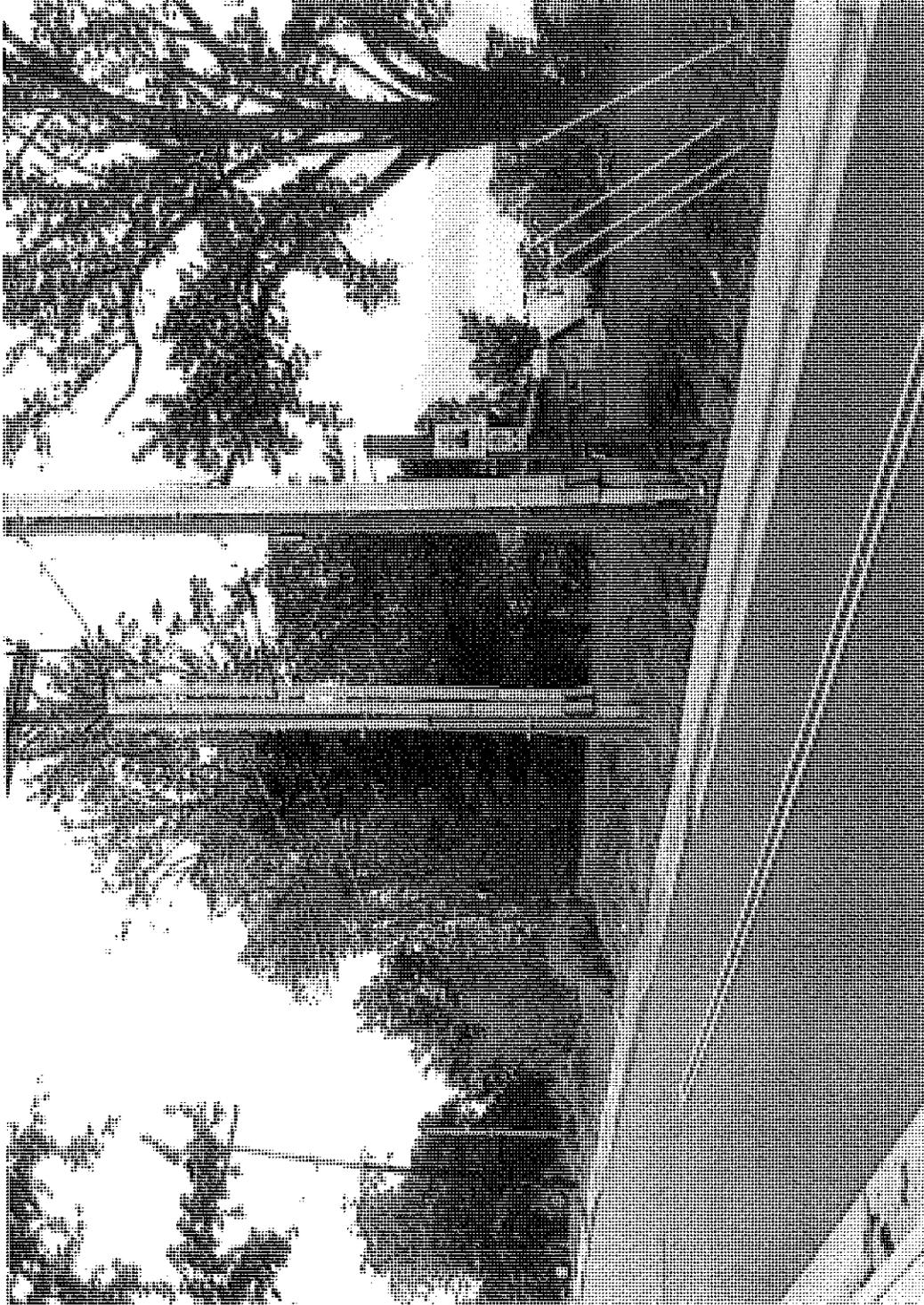
EXISTING VIEW
AT UPPER KINGS DRIVE
OCTOBER 2014

GOODE PROPERTIES



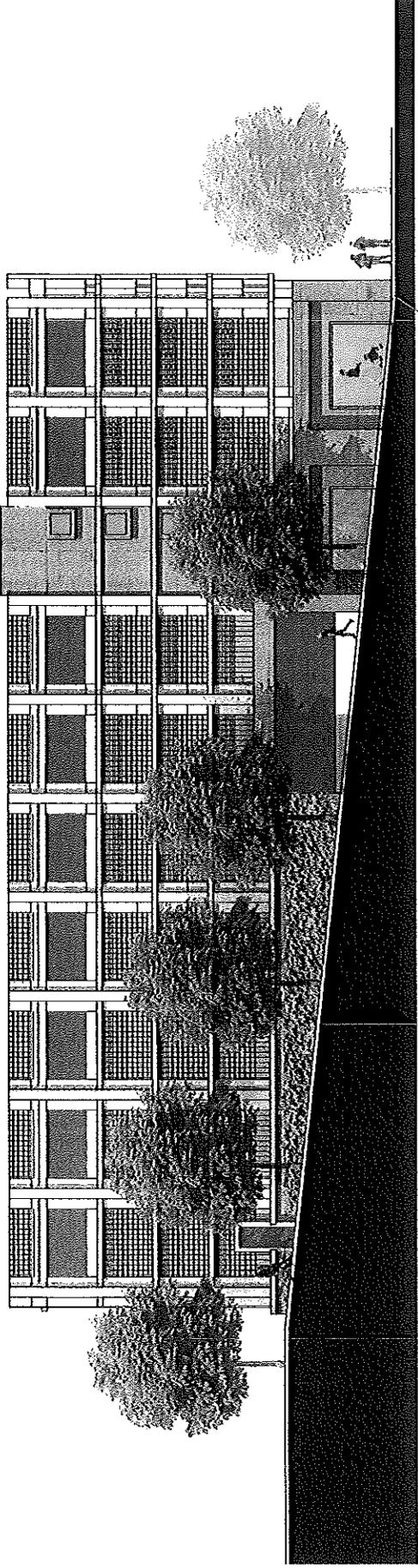
MIDTOWN CENTER
VIEW OF PARKING DECK + RETAIL
AT UPPER KINGS DRIVE
OCTOBER 2014

GOODE PROPERTIES



EXISTING VIEW ALONG LUTHER STREET
OCTOBER 2014

GOODE PROPERTIES

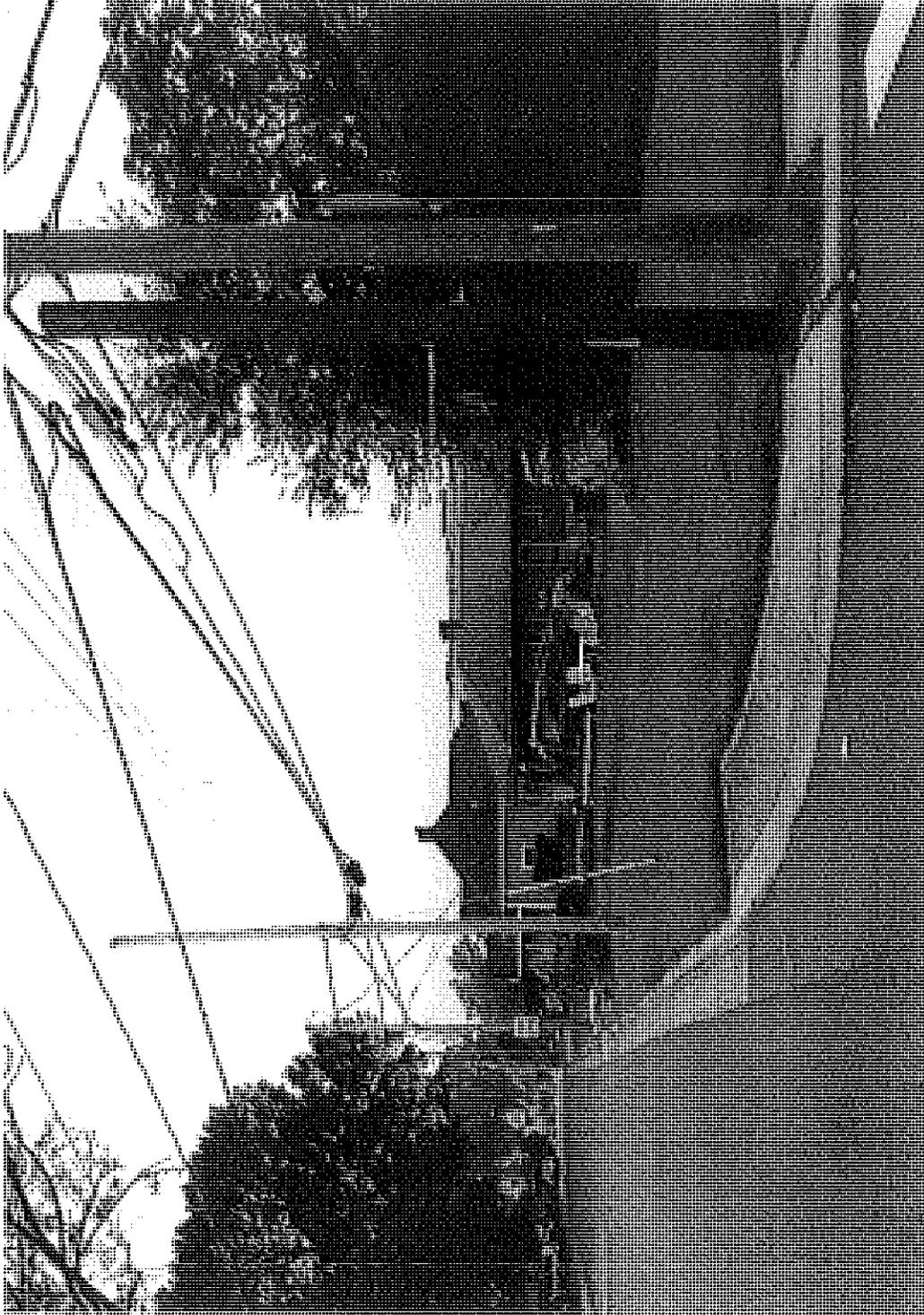


FOUNDATION SURFACES TO BE
CLAD IN STONE
WITH FOLIAGE TO COVER

STREET-GRADE RETAIL ALONG
KINGS DRIVE

MIDTOWN CENTER PARKING DECK
VIEW ALONG LUTHER STREET
OCTOBER 2014

GOODE PROPERTIES



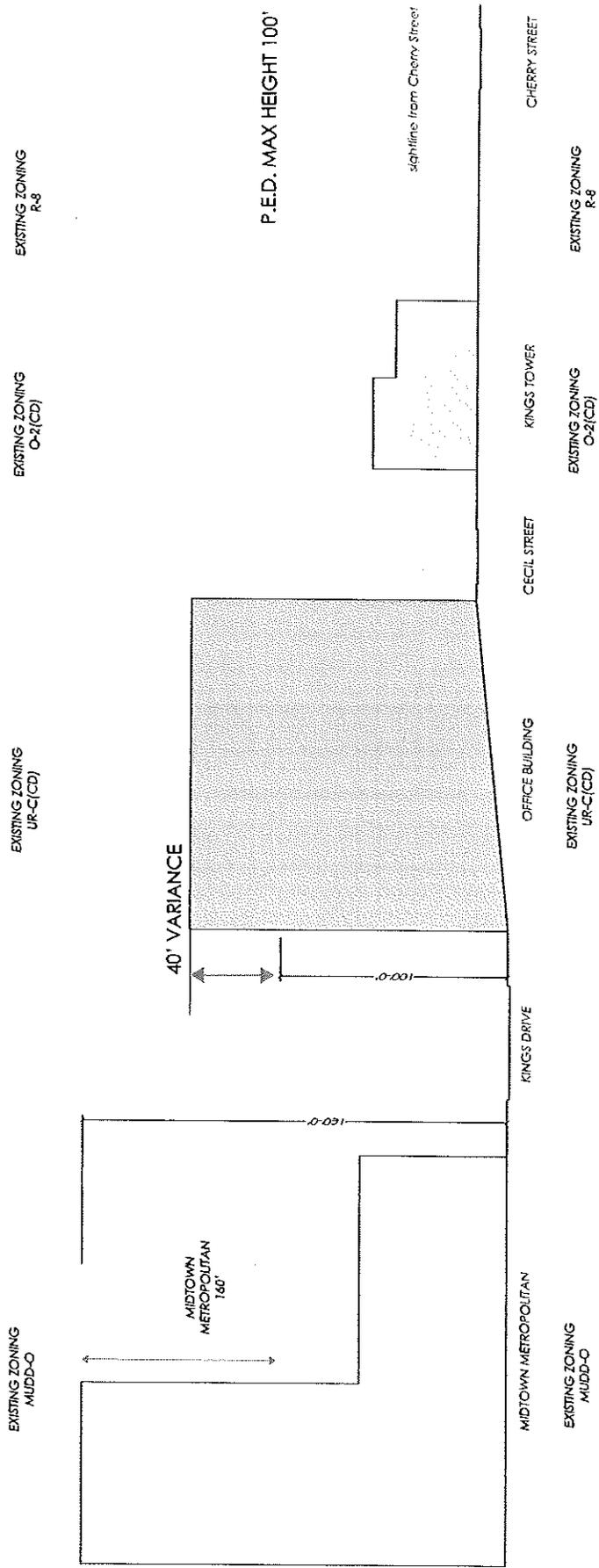
EXISTING VIEW ALONG CHERRY STREET
OCTOBER 2014

GOODE PROPERTIES



MIDTOWN CENTER TOWNHOMES
VIEW OF TOWNHOMES ALONG CHERRY STREET
OCTOBER 2014

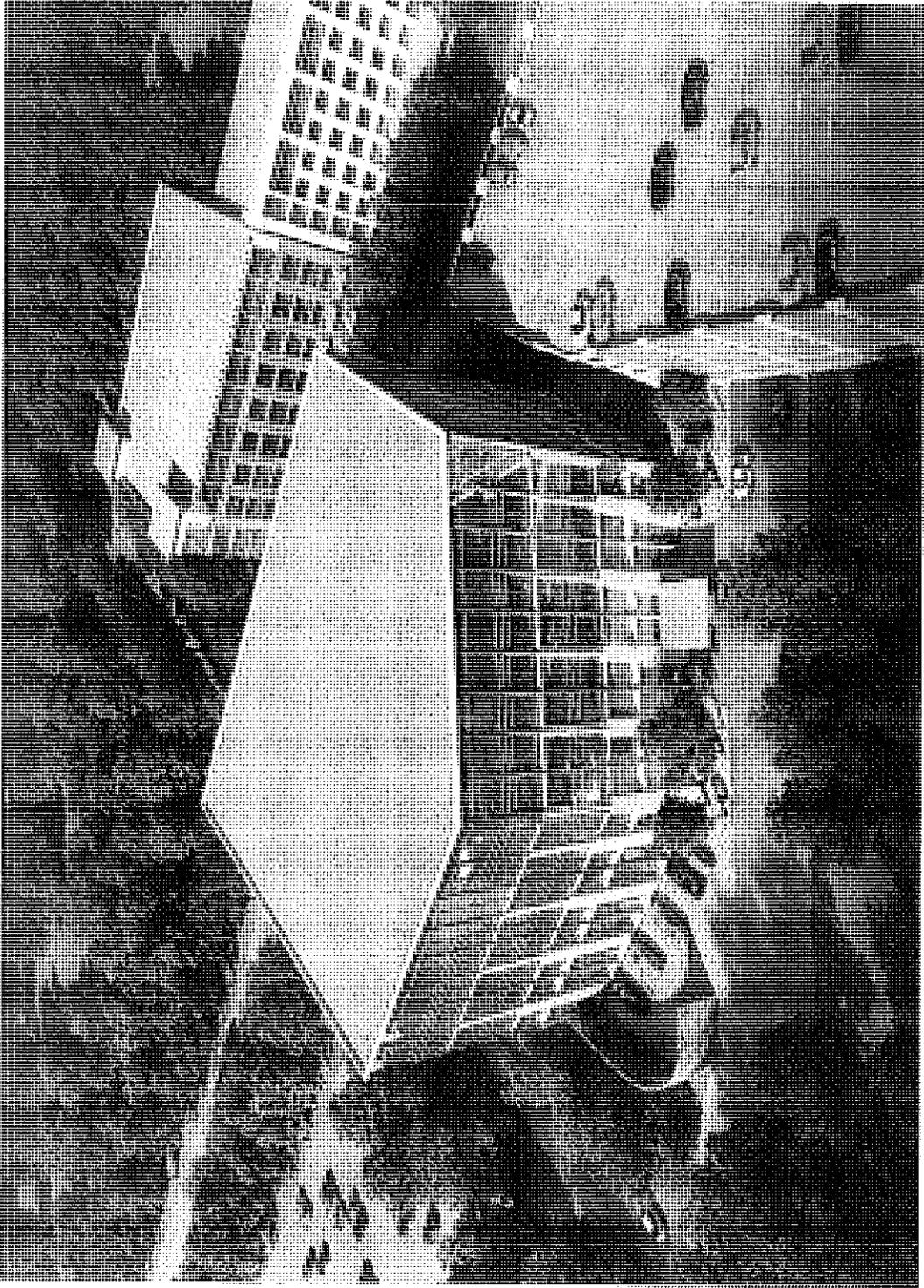
GOODE PROPERTIES



MIDTOWN CENTER
SECTION DIAGRAM THROUGH KINGS DRIVE
OCTOBER 2014



GOODE PROPERTIES



GOODE PROPERTIES

25

MIDTOWN CENTER
VIEW OF OFFICE AND PARKING DECK
AT CECIL STREET
OCTOBER 2014