

COMMUNITY MEETING REPORT  
**Petitioner: Mintworth DEI, LLC**  
Rezoning Petition No. 2015-008

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 December 5, 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, December 18, 2014 at 7:00 PM in the Parish Hall at St. John Neumann Catholic Church located at 8451 Idlewild 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 B. The Petitioner's representatives at the Community Meeting were Charlie Dahlem of Mintworth DEI, LLC, Joel Causey and Jacob Bachman of ColeJenest & Stone and John Carmichael of Robinson Bradshaw & Hinson, P.A.

**SUMMARY OF ISSUES DISCUSSED:**

John Carmichael welcomed everyone to the Community Meeting and introduced the Petitioner's representatives. John Carmichael stated that this is the official Community Meeting relating to Rezoning Petition No. 2015-008 filed by Mintworth DEI, LLC. Mintworth DEI, LLC is the owner of Mintworth Commons Shopping Center, which is the site subject to this site plan amendment request.

John Carmichael stated that the purpose of this meeting is to share with you Mintworth's development proposal for the shopping center's outparcels located along Idlewild Road, and to answer your questions. The invitation list for this meeting was provided to us by the Planning Department.

John Carmichael stated that we are required to prepare and file with the City Clerk's Office a Community Meeting Report, and that he will prepare and file the report. The report will not be a verbatim transcript of the meeting, but it will summarize the information presented, the questions and comments of those in attendance and our responses to the questions and comments.

John Carmichael then provided the schedule of events relating to this rezoning request. He stated that the Public Hearing is currently scheduled for Tuesday, January 20, 2015 at 6 PM at the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street. The Zoning Committee Work Session is scheduled for Wednesday, January 28, 2015 at 4:30 PM at the Charlotte-Mecklenburg Government Center, and City Council is scheduled to make a decision

on this rezoning request on Monday, February 16, 2015 at 6 PM at the Charlotte-Mecklenburg Government Center

John Carmichael stated that once again, the site is the Mintworth Commons Shopping Center site, and it contains approximately 10 acres. Harris Teeter is located in the shopping center. The site is a portion of an approximately 22 acre site that was the subject of a site plan amendment approved by City Council on April 19, 2004.

The purpose of the 2004 site plan amendment was to accommodate the development of a mixed use center on the 22 acre site that may contain up to 122,550 square feet of gross floor area devoted to retail, office and restaurant uses. The maximum amount of gross floor area that can be devoted to retail and restaurant uses under this rezoning plan is 92,550 square feet.

This rezoning plan allows the grocery store building and the attached retail and restaurant space, and four freestanding buildings on the 10 acre site. The grocery store building and the attached retail and restaurant space have been built, as has one of the freestanding buildings. The 5,500 square foot building next to Margaret Wallace Road and the two outparcel buildings next to Idlewild Road have not been built.

With respect to the Idlewild Road buildings, the rezoning plan shows one of these buildings as containing 4,000 square feet and the other building containing 3,000 square feet.

This rezoning plan limits the number of uses on the 22 acre site that can have accessory drive through windows to three, and the following limitations apply:

- (A) One of the uses may be a bank;
- (B) One of the uses may be a Chick-Fil-A restaurant; and
- (C) One of the uses may be any other retail or office use.

So three uses on the 22 acre site can have drive through windows, and a restaurant use can be one of those uses provided that the restaurant is a Chik-Fil-A. This is an unusual condition.

Pursuant to this Rezoning Petition, Mintworth is requesting an amendment to the 2004 rezoning plan as it relates only to the 10 acre site to allow each of the two buildings on Idlewild Road to have drive through windows associated with a restaurant, a bank or financial institution or a retail use.

In other words, Mintworth would like to have the ability to have up to two restaurants with drive through windows on the Idlewild Road outparcels, or to have one restaurant with drive through windows along with a bank or other retail use with drive through windows. The restaurants would not be required to be a Chik-Fil-A.

The total number of allowed uses with drive through windows on the shopping center site would not increase from what is currently allowed, two. Just the uses that could have drive through windows.

Likewise, the number of allowed uses with drive through windows on the entire 22 acre site would not increase over the three currently allowed.

The size of the buildings on Idlewild Road could increase somewhat.

John Carmichael stated that an entity affiliated with Lincoln Harris owns the other 12 acres that are a part of the 22 acre site. An issue that has arisen is that an administrative amendment to the approved rezoning plan for the 12 acre portion of the 22 acre site owned by the Lincoln Harris related entity must be obtained to confirm the square footage that may be developed on the 12 acres. Additionally, we have been advised by the Planning Staff that if this Rezoning Petition is approved, the Chik-Fil-A restaurant that was previously allowed on the shopping center site could be developed on the 12 acre site. This could result in three restaurants with drive through windows on the 22 acre site, which is not the intention of this Rezoning Petition. John Carmichael stated that the Petitioner's representatives will be meeting with representatives of Lincoln Harris and the Planning Staff to discuss these issues. John Carmichael stated that the Petitioner's representatives will come back out and meet with the individuals in attendance at the Community Meeting tonight to update them on these issues after these meetings and prior to the Public Hearing.

The Community Meeting was then devoted to a question, answer and comment session. Set out below is a summary of the responses to the questions and the comments that were received during this portion of the meeting.

- In response to a question, John Carmichael stated that a pollution study has not been performed in connection with this Rezoning Petition, and a study was not required. An individual stated that she felt that there would be added pollution to the area if this Rezoning Petition is approved. This individual felt that it would harm the air quality.
- An individual stated that the intersection of Wyalong Drive and Idlewild Road is a tough intersection and that there are numerous collisions at this intersection. This individual asked if there would be a traffic control device installed at this intersection, and John Carmichael stated not to his knowledge. John Carmichael stated that CDOT did not require a traffic study in connection with this Rezoning Petition.
- An individual stated that she did not recall two uses with drive through windows already being approved for the shopping center site.
- An individual asked if there were restaurants, banks or other uses interested in the Idlewild Road outparcels, and Charlie Dahlem stated at this time he has no one interested in these outparcels. Charlie Dahlem stated that the zoning needs to be in place before a user would take a hard look at the site.
- An individual stated that he is skeptical that there would be many users interested in the outparcels.
- Charlie Dahlem stated that traffic into the site needs to be increased. Many tenants in the shopping center are struggling, and more traffic into the site is needed to generate cross-selling.
- An individual stated that development is spurred by roof tops, and this individual asked what is the potential for additional roof tops in this area. Charlie Dahlem advised that he does not have those numbers.

- Charlie Dahlem stated that The Providence Group is handling the leasing of the shopping center and they are reaching out to restaurants, but the restaurants will not talk with us until the shopping center is zoned as needed. A Chik-Fil-A is not coming to this site.
  - An individual asked when Harris Teeter can vacate its space in the shopping center. Charlie Dahlem stated that Harris Teeter built its building and that if they left, they would be turning the building over to us for free.
  - An individual stated that he is concerned that crime at the shopping center will increase if the restaurants with drive through windows are allowed to locate in the shopping center.
  - In response to a question, John Carmichael stated that access into the shopping center would not change if this Rezoning Petition is approved. The Idlewild Road outparcels would not have direct vehicular access to Idlewild Road.
  - In response to a question, Charlie Dahlem stated that another use he would like to have on the site is a medical use.
  - In response to a question, Charlie Dahlem stated that he has not considered a senior living center for the Idlewild Road outparcels. He stated that he did not think that the outparcels were large enough for that type of use. Additionally, Harris Teeter's lease imposes a height restriction on the Idlewild Road outparcels, so a tall building could not be located on these outparcels.
  - An individual expressed the opinion that two fast food restaurants on the Idlewild Road outparcels would not help the other tenants in the shopping center. Charlie Dahlem stated that he respectfully disagrees.
  - An individual asked if Harris Teeter is leaving the shopping center, and Charlie Dahlem stated not to his knowledge.
  - An individual stated that she is not too keen on this proposal.
  - An individual asked if this proposal, if approved, would adversely impact his property value. Charlie Dahlem stated that he could not answer that question, it is opinion driven.
  - An individual stated that he assumed that Charlie Dahlem would not put a use on the Idlewild Road outparcels that would harm the rest of the shopping center, and Charlie Dahlem stated that he would not put a use that would harm the remainder of the shopping center.
  - An individual expressed the concern that two fast food restaurants would increase the traffic on area streets.
  - An individual stated that having vacant outparcels is not good for the shopping center or the area.
- John Carmichael stated that the Petitioner's representatives would come back out and meet with tonight's attendees again prior to the Public Hearing to update them on their discussions with Lincoln Harris and the Planning Staff and on the Rezoning Petition in general.

**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 9<sup>th</sup> day of January, 2015.

**Mintworth DEI, LLC, Petitioner**

cc: Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Department (via email)  
Ms. Sonja Sanders, Charlotte-Mecklenburg Planning Department (via email)  
Mr. Charlie Dahlem, Mintworth DEI, LLC via email)

**NOTICE TO INTERESTED PARTIES  
OF COMMUNITY MEETING**

**Subject:** Community Meeting -- **Rezoning Petition No. 2015-008** filed by Mintworth DEI, LLC to request the rezoning of an approximately 10.01 acre site located on the southwest corner of the intersection of Idlewild Road and Wyalong Drive (Mintworth Commons Shopping Center) from the Neighborhood Services zoning district to the Neighborhood Services Site Plan Amendment zoning district

**Date and Time of Meeting:** Thursday, December 18, 2014 at 7:00 p.m.

**Place of Meeting:** Parish Hall at St. John Neumann Catholic Church  
8451 Idlewild Road  
Charlotte, NC 28277

We are assisting Mintworth DEI, LLC (the "Petitioner") in connection with a Rezoning Petition it has filed with the Charlotte-Mecklenburg Planning Department seeking to rezone an approximately 10.01 acre site located on the southwest corner of the intersection of Idlewild Road and Wyalong Drive from the Neighborhood Services zoning district to the Neighborhood Services Site Plan Amendment zoning district. Mintworth Commons Shopping Center is located on this site, and the purpose of this rezoning request is to amend the approved conditional rezoning plan for this site to allow two uses located on the site to have accessory drive through windows, and to allow such uses to be restaurant uses, banks or other retail uses. Under the current approved conditional rezoning plan for this site, a maximum of one restaurant with accessory drive through windows is allowed, and it is limited to a Chik-Fil-A restaurant. Additionally, the size of the two freestanding buildings planned to be located along the site's frontage on Idlewild Road may be increased under this proposal.

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.

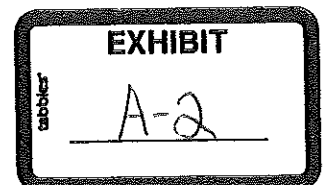
**Accordingly, on behalf of the Petitioner, we give you notice that representatives of the Petitioner will hold a Community Meeting regarding this Rezoning Petition on Thursday, December 18, 2014 at 7:00 p.m. in the Parish Hall at St. John Neumann Catholic Church located at 8451 Idlewild Road in Charlotte.** 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: Mr. John Autry, Charlotte City Council District 5 (via email)  
Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Department (via email)  
Mr. Charlie Dahlem, Mintworth DEI, LLC (via email)

Date Mailed: December 5, 2014

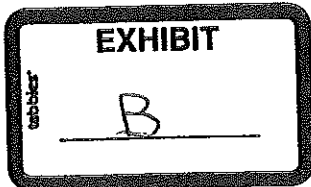


Mintworth DEI, LLC, Petitioner  
Rezoning Petition No. 2015-008

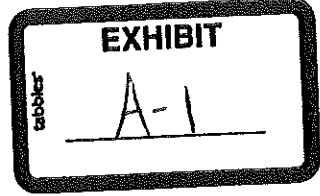
Community Meeting Sign-in Sheet

Parish Hall at St. John Neumann Catholic Church  
8451 Idlewild Road  
Charlotte, NC 28277

Thursday, December 18, 2014  
7:00 P.M.



	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1.	Tim Henderson	9744 Tollewild Rd Charlotte NC 28227	704-621-1106	Tim@AllStarsignshop.net ✓
2.	Bill STRAIN	625 Bellister Ln Charlotte	704-556-0317	strainw@me.com ✓
3.	Carol STRAIN	---	---	---
4.	Judene HALE	7020 Lawyers Rd.	704-641-4853	Judene Hale@gmail.com ✓
5.	Cecily Johnson	4111 Bathurst Dr Charlotte 28227	704-921-3031	ctyjhn@aol.com ✓
6.	Susan Lindsey	6205 Rosecroft Dr ChasM 28215	704-537-2269	S.Lindsey@bell.com ✓
7.	Donna McALISTER	3319 Valley Grove Rd CAME 28227	704-563-6299	dsmcalister1@aol.com ✓
8.	CARLOS GREENY	1619 W YALOWG DR CHARLOTTE NC 28227	980-312-5043	CarlosGreeny@yahoo.com ✓
9.	CHRISTY LY	5533 WYALONG DR	704-726-9853	CHRISTYLY@YAHOO.COM ✓
10.	Jeremy Johnson	4126 Bathurst Dr. 28227	704-500-4086	jr-johnson@hotmail.com ✓
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Pct. No.	TaxPID	OwnerLastN	OwnerFirst	COwnerFirs	COwnerLast	MailAddr1	MailAddr2	City	State	ZipCode
2015-008	19304702	ACOSTA	SANTIAGO	ISABEL	RAYMONDI	4107 BATHURST DR		CHARLOTTE	NC	28227
2015-008	19304716	ALBERTO	JAINES S			5611 WYALONG DR		CHARLOTTE	NC	28256
2015-008	13516314	ALPINE VILLAGE	DAVIS M			PO BOX 506036		CHARLOTTE	NC	28227
2015-008	19304711	ARAGONES	CANDELARIA			9507 MINTWORTH AVE		CHARLOTTE	NC	28215
2015-008	13521135	BARRON	CANDELARIA			8018 KING RD		CHARLOTTE	NC	28227
2015-008	13521136	BARRON	RACHELLE L			8018 KING RD		CHARLOTTE	NC	28247
2015-008	19304706	BRENNESSEL				4133 BATHURST DR		CHARLOTTE	NC	28247
2015-008	13521140	BUFFALO REALTY LLC				PO BOX 471472		CHARLOTTE	NC	28247
2015-008	13521137	BUFFALO RIVER REALTY LLC				PO BOX 471472		CHARLOTTE	NC	28247
2015-008	13521138	BUFFALO RIVER REALTY LLC				PO BOX 471472		CHARLOTTE	NC	28247
2015-008	13521139	BUFFALO RIVER REALTY LLC				PO BOX 471472		CHARLOTTE	NC	28247
2015-008	13521141	BUFFALO RIVER REALTY LLC				PO BOX 471472		CHARLOTTE	NC	28247
2015-008	13521142	BUFFALO RIVER REALTY LLC				PO BOX 471472		CHARLOTTE	NC	28247
2015-008	13521143	BUFFALO RIVER REALTY LLC				PO BOX 471472		CHARLOTTE	NC	28247
2015-008	13521144	BUFFALO RIVER REALTY LLC				PO BOX 471472		CHARLOTTE	NC	28247
2015-008	13521145	BUFFALO RIVER REALTY LLC				PO BOX 471472		CHARLOTTE	NC	28247
2015-008	13521146	BUFFALO RIVER REALTY LLC				PO BOX 471472		CHARLOTTE	NC	28247
2015-008	19304707	BURGO	EDUARDO C	VERONICA	BURGO	46 FLORENCE ST		PAWEUCKET	RI	02860-1707
2015-008	19304714	COCO	CRYSTAL E			9519 MINTWORTH AVE		CHARLOTTE	NC	28227
2015-008	19304822	COLEMAN	IRAD	LEOPOLDA	ESCARCHA	4130 BATHURST DR		CHARLOTTE	NC	28227
2015-008	19304720	ESCARCHA	CARLOTTA P			9524 MINTWORTH AVE		CHARLOTTE	NC	28227
2015-008	13516201	FOODESIGN ASSOCIATES INC				3101 E INDEPENDENCE BLVD		CHARLOTTE	NC	28205
2015-008	13516208	G C G INVESTMENTS	AZEMERAW	TSIGIE M	KIBRET	9508 MINTWORTH AVE		CHARLOTTE	NC	28227
2015-008	19304723	GETANEH	CARLOS A			5619 WYALONG DR		CHARLOTTE	NC	28227
2015-008	19304718	GLENNY	STEVEN L			7935 COUNCIL PLACE UNIT 200		CHARLOTTE	NC	28227
2015-008	13516204	GORDON	SHERYL	JAMES JR	C/O LSA-LLC DBA SAM'S MART	4122 BATHURST DR		CHARLOTTE	NC	28227
2015-008	19304824	HALL	MATTHEW S			4147 BATHURST DR		CHARLOTTE	NC	28227
2015-008	19304709	HAZZETT	JAMES E	ANN	HENDERSON	15035 DAVIS TRACE DR		MINT HILL	NC	28227
2015-008	19304309	HENDERSON	JAMES E			9523 MINTWORTH AV		CHARLOTTE	NC	28227
2015-008	19304715	HILL	AYANNA S			2807 PROSP RD		CLOVER	SC	29710-8750
2015-008	13521128	HOPFECKER	FRANK L SR			PO BOX 36795	SUITE 1630-630	CHARLOTTE	NC	28236
2015-008	19304399A	HOUSING AUTHORITY OF THE CITY OF CHARLOTTE N C				21001 N. TATUM BLVD		PHOENIX	AZ	85050
2015-008	19304712	IH2 PROPERTY NORTH CAROLINA LP				4110 BATHURST DR		CHARLOTTE	NC	28227
2015-008	19304827	JENNINGS	TANIKA	TYRONE B	JENNINGS	4111 BATHURST DR		CHARLOTTE	NC	28227
2015-008	19304703	JOHNSON	CECILY			9509 IDLEWILD RD		CHARLOTTE	NC	28212
2015-008	13516311	JOHNSON	DORA L			4126 BATHURST DR		CHARLOTTE	NC	28227
2015-008	19304823	JOHNSON	JEREMY R			9523 IDLEWILD RD		CHARLOTTE	NC	28227
2015-008	13516312	JOHNSON	PEGGY LEE			5537 WYALONG DR		CHARLOTTE	NC	28227
2015-008	19304749	KAHSSAI	REBECCA Z			4141 BATHURST DR		CHARLOTTE	NC	28227
2015-008	19304708	KIM	STEPHEN C	MEHARI R	TEOLA	9531 IDLEWILD RD		CHARLOTTE	NC	28227
2015-008	13516313	KIMBALL	JOHN F	LISA A	KIMBALL	9539 IDLEWILD RD		CHARLOTTE	NC	28227
2015-008	13516203	KOCHMAN	GARY S	CATHERINE P	KOCHMAN	4102 BATHURST DR		CHARLOTTE	NC	28227
2015-008	19304829	LABORDE	YAMIL	ROBERTO	LABORDE	10721 VICINO CT		MATTHEWS	NC	28105
2015-008	19304726	LEE	DOROTHY E			4420 MARGARET WALLACE RD		MATTHEWS	NC	28105
2015-008	19305120	LILLY	JO ANNE & KATHERINE			304 E MOREHEAD ST		CHARLOTTE	NC	28202
2015-008	13521132	LLP ASSOC LLC				4118 BATHURST DR		CHARLOTTE	NC	28227
2015-008	19304825	MCCAULEY	ARARA			600 E 4TH ST 11TH FLOOR		CHARLOTTE	NC	28227
2015-008	19351101	MECKLENBURG COUNTY	VALERIE G			4114 BATHURST DR		CHARLOTTE	NC	28227
2015-008	19304826	MEDLEY	LLC	LINCOLN	% REAL ESTATE /FINANCE DEPT	4725 PIEDMONT ROW DR #800		CHARLOTTE	NC	28210
2015-008	19304366	MINTWORTH COMMONS	LLC	LINCOLN	% HARRIS	4725 PIEDMONT ROW DR #800		CHARLOTTE	NC	28210
2015-008	19304367	MINTWORTH COMMONS	LLC	LINCOLN	% HARRIS	4725 PIEDMONT ROW DR #800		CHARLOTTE	NC	28210
2015-008	19304369	MINTWORTH COMMONS	LLC	LINCOLN	C/O DAHLEM ENTERPRISES INC	1531 ORMSBY STATION COURT		LOUISVILLE	KY	40223
2015-008	19304368	MINTWORTH DEI LLC				4127 BATHURST DR		CHARLOTTE	NC	28227
2015-008	19304705	NGO	NGOC DUNG THI	THANH D	NGUYEN	9520 MINTWORTH AV		CHARLOTTE	NC	28227
2015-008	19304721	NICHOLSON	VINCENT			9816 IDLEWILD RD		MATTHEWS	NC	28105
2015-008	19305119	OUTEN	ELIZABETH COFFEY R/T			9503 MINTWORTH AV		CHARLOTTE	NC	28227
2015-008	19304710	PARKER	BRIAN			5615 WYALONG DR		CHARLOTTE	NC	28227
2015-008	19304717	RIVERA	IVAN ANTONIO	LINA	RIVERA	4103 BATHURST DR		CHARLOTTE	NC	28227
2015-008	19304701	SANCHEZ	CARLOS	BEATRIZ	SANCHEZ	4119 BATHURST DRIVE		CHARLOTTE	NC	28227
2015-008	19304704	SANCHEZ	MARCELO					CHARLOTTE	NC	28227





Pet. No.	FirstName	LastName	OrgLabel	MailAddress	MailCity	MailState	MailZip
2015-008	Hans	Faassen	Valley Grove Assoc.	8526 Sunflower Road	Charlotte	NC	28212
2015-008	Terrance	Hough	Marshbrooke HOA	3304 Chistow Road	Matthews	NC	28105
2015-008	Rick	Gardino	Chesnut Lake NA	7222 Lea Wood Lane	Charlotte	NC	28227
2015-008	Jamar	Mitchell	Strider Ridge HOA	PO Box 690184	Charlotte	NC	28227
2015-008	Susan	Lindsay	Charlotte East Comm. Partners	6205 Rosecroft Drive, Unit C	Charlotte	NC	28215
2015-008	Kyle	Woudstra	Eastland Area Strategy Team (EAST)	610 East Morehead Street, Suite 200	Charlotte	NC	28202
2015-008	Darrell	Bonapart	Charlotte East Comm. Partners	5707 Justins Forest Drive	Charlotte	NC	28212
2015-008	Susie	Hines	Charlotte East Comm. Partners	6023 Hanna Court	Charlotte	NC	28212
2015-008	Heather	Ferguson	Charlotte East Comm. Partners	6031 Hanna Court	Charlotte	NC	28212
2015-008	Vickie	Fewell	Charlotte East Comm. Partners	5014 Grafton Drive	Charlotte	NC	28215