

COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2015-054

Childress Klein

Petitioner: Childress Klein

Rezoning Petition No.: 2015-054

Property: Approximately 1.56 acres located on the northeast corner of the intersection of South Tryon Street and Moss Road in Charlotte NC (a portion of the York Ridge Shopping Center).

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to Section 6.203 of the City of Charlotte Zoning Ordinance.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATES AND EXPLANATIONS OF HOW CONTACTED:

The required Community Meeting was held on April 21, 2015, 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** by depositing the Community Meeting Notice in the U.S. mail on April 6, 2015. A copy of the written notice is attached as **Exhibit B**.

TIME AND LOCATION OF MEETING:

The **Community Meeting required by the Ordinance was held on April 21, 2015 at 7:00 PM**, at Carolinas Healthcare System – Steele Creek – Community Room at 13640 Steelescroft Parkway, Charlotte, North Carolina 28278.

PERSONS IN ATTENDANCE AT MEETING:

The sign-in sheet from the required Community Meeting is attached as **Exhibit C**. The Petitioner's representatives at the required Community Meeting were David Haggart and John Dossier with Childress Klein. Also in attendance representing the Petitioner was Chris Capellini with Bohler Engineering and Keith MacVean with Moore & Van Allen, PLLC.

SUMMARY OF ISSUES DISCUSSED AT MEETING:

I. Overview of Petitioner's Presentation.

Introduction and Overview of Development Plan.

Mr. MacVean introduced the development team to the attendees and provided a review of the rezoning process and time line. Mr. MacVean provided the attendees the upcoming Public Hearing date, Zoning Committee date and the date of the decision on the Petition. He also explained that the rezoning petition was filed to allow the addition of a gasoline sales canopy on the Property along S. Tryon Street.

Mr. MacVean explained that the Property was originally rezoned in 1988 to allow the development of a neighborhood shopping center with up to 120,000 square feet. The 1988 rezoning petition also included the property where the Crossings neighborhood is currently developed. The current zoning for the shopping center is B-1SCD (Business Shopping Center District). This zoning category was eliminated in 1992 and was replaced by the CC (Commercial Center) zoning district. The shopping center as currently developed does not comply with all of the standards of the CC zoning district.

Mr. MacVean explained that even though all the square footage originally approved for the shopping center has not been utilized, and gasoline sales are an allowed use by the previously approved conditional plan, a rezoning petition has to be filed, because the originally approved conditional plan did not show a second building/structure along S. Tryon Street.

He also explained that when the Petition was originally filed with the City the entire shopping center was included in the rezoning request. However, because the Site was originally zoned and developed under the B-1SCD shopping center zoning district, which no longer exists, and the new CC zoning district has a different set of development standards that the Site does not fully comply with; it was recommended to the Petitioner that only the portion of the Site where the new gasoline sales canopy was going to be located be rezoned. This option would allow the remainder of the Shopping Center to remain and be subject to the previously approved conditional plan and would not require the Petitioner to file variances to allow the portions of the existing Site that did not comply with the new zoning district to remain as currently constructed.

Therefore, the Petitioner filed a revised rezoning petition that only included 1.56 acres of the shopping center which is the area of the shopping center where the new gasoline sales canopy will be located.

Mr. MacVean then turned the presentation over to Mr. John Dossier. John explained that the new gasoline sales canopy would be associated with a new grocery store tenant that is planned for the Site. The gasoline sales canopy would also have a small building that would be used for the sale of snacks, candy, soda and other small convenience items.

The attendees were then invited to ask questions.

II. Summary of Questions/Comments and Responses

The attendees asked a number of questions about how the proposed gasoline sales canopy would work. The Petitioner's representatives explained that the gasoline sales canopy would be associated with a new grocery store tenant that is planning to locate in the center. The gas canopy would be similar to gasoline sales canopies found at Costco stores, Lowes Foods and Ingles Stores. It was explained that gasoline sales associated with a grocery store is becoming popular and that more of these types of facilities would be seen throughout Charlotte in the near future. The focus of the facility was to provide customers of the grocery store a convenient location to buy gasoline as part of their trips to buy groceries. The gasoline sales canopy would have a very small building that would sell a few items such as candy, sodas and other smaller items that could be picked up quickly while purchasing gasoline.

The attendees also wanted to know how the construction of the proposed gasoline canopy would affect parking for the current tenants and what the timing of the construction would be if the rezoning request was successful.

The Petitioner's representatives explained that they would work with the existing shopping center tenants to keep the construction activity limited to the areas of the center where the new canopy would be constructed and keep open and accessible the other portions of the shopping center so the customers of the existing tenants would not be inconvenienced.

It is anticipated that construction would start in the first quarter of 2016 assuming the rezoning request was approved. The name of the new grocery store tenant would be announced later this year.

The attendees were thanked for their time and interest, the meeting was then adjourned.

CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:

The attendees provided no opposition or comments to the existing Petition; therefore, no changes to the Petition were made as a result of the Community Meeting.

CHILDRESS KLEIN

cc: Mayor Dan Clodfelter, and Members of Charlotte City Council
Claire-Lytle Graham, Charlotte Mecklenburg Planning Commission
Tammie Keplinger, Charlotte Mecklenburg Planning Commission
Kory Hedrick, Charlotte Department of Transportation (CDOT)
John Dosser; Childress Klein Properties
David Haggart; Childress Klein Properties
Jim Gamble; Bohler Engineering
Chris Capellini; Bohler Engineering
Jefferson W. Brown and Keith MacVean, Moore & Van Allen, PLLC

Case No	PID	OwnerLastN	OwnerFirst	OwnerFirs	CownerLast	MaliAddr1	MaliAddr2	City	State	ZipCode
2015-054	20320334	10935 WINDS CROSSING LLC				10935 WINDS CROSSING #720		CHARLOTTE	NC	28273
2015-054	20320324	3MB LLC				16213 RIVERPOINTE DR		CHARLOTTE	NC	28278
2015-054	20320330	ACT NOW PROPERTIES LLC				8334 PINEVILLE-MATTHEWS RD #103-245		CHARLOTTE	NC	28226
2015-054	20320329	ACT NOW PROPERTIES LLC 401K C				8334 PINEVILLE-MATTHEWS RD STE 103-245		CHARLOTTE	NC	28226
2015-054	20135101	ADAMS				11403 LAUREL VIEW DR		CHARLOTTE	NC	28273
2015-054	20135106	ALICEA				11427 LAUREL VIEW DR		CHARLOTTE	NC	28273
2015-054	20135104	ARIAS				213 MAIN STREET		HOWARD	SD	57349
2015-054	20320319	BEASLEY				11419 LAUREL VIEW DR		CHARLOTTE	NC	28273
2015-054	20140140	BELLA FIGURA LLC				16715 TRACE CHAIN LN		CHARLOTTE	NC	28278
2015-054	20135102	BLAKENEY				11010 S TRYON ST UNIT 111		CHARLOTTE	NC	28273
2015-054	20140119	BLUE HEAVEN PROPERTIES LLC				11411 LAUREL VIEW DR		CHARLOTTE	NC	28273
2015-054	20320314	BOB F CHRISTL TRUST				11030 S TRYON ST STE 303		CHARLOTTE	NC	28273
2015-054	20135107	BOLAN				18100 COASTLINE DR		MALIBU	CA	90265
2015-054	20135144	BRAUN				11431 LAUREL VIEW DR		CHARLOTTE	NC	28273
2015-054	20320327	CB INVESTMENTS LLC				11412 LAUREL VIEW DR		CHARLOTTE	NC	28273
2015-054	20320328	CBT PROPERTIES LLC				3207 HIDDENWOOD LN		BURLINGTON	NC	27215
2015-054	20135145	COFFEY				10965 WINDS CROSSING DR	SUITE 200	CHARLOTTE	NC	28273
2015-054	20140101	COLONIAL REALTY LIMITED PARTNER				11404 LAUREL RIDGE DR	6584 POPLAR AVE	CHARLOTTE	NC	28273
2015-054	20135196	CROSSING'S COMMUNITY ASSOC INC THE				145301		MEMPHIS	TN	38138
2015-054	20140128	CRUISE				7009 QUEENSBERRY DR		CHARLOTTE	NC	28226
2015-054	20140130	DOGWOOD PROFESSIONAL PLAZA OF SOUTH TRYON LLC				13000-F S TRYON ST #195		CHARLOTTE	NC	28208
2015-054	20140131	DOGWOOD PROFESSIONAL PLAZA OF SOUTH TRYON LLC				1400 VILLAGE HARBOR DR		LAKE WYLYE	SC	29710
2015-054	20140132	DOGWOOD PROFESSIONAL PLAZA OF SOUTH TRYON LLC				1400 VILLAGE HARBOR DR		LAKE WYLYE	SC	29710
2015-054	20140133	DOGWOOD PROFESSIONAL PLAZA OF SOUTH TRYON LLC				1400 VILLAGE HARBOR DR		LAKE WYLYE	SC	29710
2015-054	20140134	DOGWOOD PROFESSIONAL PLAZA OF SOUTH TRYON LLC				1400 VILLAGE HARBOR DR		LAKE WYLYE	SC	29710
2015-054	20140135	DOGWOOD PROFESSIONAL PLAZA OF SOUTH TRYON LLC				1400 VILLAGE HARBOR DR		LAKE WYLYE	SC	29710
2015-054	20140136	DOGWOOD PROFESSIONAL PLAZA OF SOUTH TRYON LLC				1400 VILLAGE HARBOR DR		LAKE WYLYE	SC	29710
2015-054	20140137	DOGWOOD PROFESSIONAL PLAZA OF SOUTH TRYON LLC				1400 VILLAGE HARBOR DR		LAKE WYLYE	SC	29710
2015-054	20140138	DOGWOOD PROFESSIONAL PLAZA OF SOUTH TRYON LLC				1400 VILLAGE HARBOR DR		LAKE WYLYE	SC	29710
2015-054	20140139	EVERETTE B CURLEE FAMILY LLC				2520 SARDIS ROAD NORTH #100		CHARLOTTE	NC	28227
2015-054	20320101	FOUNDERS FEDERAL CREDIT UNION				607 NORTH MAIN ST		LANCASTER	SC	29720
2015-054	20135179	GOOD SHEPHERD UNITED METHODIST CHURCH (TRUSTEES)				13110 MOSS RD		CHARLOTTE	NC	28273
2015-054	20320321	HCM-REAL ESTATE, LLC				1515 SOUTH FEDERAL HWY #401		BOCA RATON	FL	33432
2015-054	20140120	KAKOURAS				11020 SOUTH TRYON ST #401		CHARLOTTE	NC	28273
2015-054	20135105	KALOLA				11423 LAUREL VIEW DR		CHARLOTTE	NC	28273
2015-054	20135142	KAN				4387 ISLAND COVE LN		CHARLOTTE	NC	28216-8501
2015-054	20140124	LEPAS LLC				4724 PARK RD UNIT B		CHARLOTTE	NC	28209
2015-054	20140123	LEPAS LLC				4724 PARK RD UNIT B		CHARLOTTE	NC	28209
2015-054	20320116	MORRIS				440 COLLEGE AVE NORTH		ATHENS	GA	30601
2015-054	21901105	MOSS ROAD DEVELOPMENT PARTNERS LLC				1101-521 CORPORATE CENTER DR		FT MILL	SC	29707
2015-054	20320323	MOUZON TAYLOR & TAYLOR LLC				97168 REA RD SUITE 105		CHARLOTTE	NC	28277-6633
2015-054	20135103	PATEL				14102 MONTECASTILLO PL		CHARLOTTE	NC	28278
2015-054	20320335	PEAROWITZ LLC				1591 SAVANNAH HWY		CHARLESTON	SC	29407
2015-054	20140104	PMT PARTNERS V LLC				1585 KAPIOLANI BV #1110		HONOLULU	HI	96814
2015-054	20140106	PMT PARTNERS V LLC				1585 KAPIOLANI BV #1110		HONOLULU	HI	96814
2015-054	20320325	PROHEALTH AND WELLNESS INC				10955-400 WINDS-CROSSING DR		CHARLOTTE	NC	28273
2015-054	20320320	RAINY DAY HOLDINGS LLC				PO BOX 499		CLINTON	NC	28328
2015-054	20140127	RB PROPERTIES OF CHARLOTTE LLC				11030 S TRYON ST STE 30E		CHARLOTTE	NC	28272
2015-054	20140122	REITHILLER				13430 CASSINGTON CT		CHARLOTTE	NC	28273
2015-054	20135143	RICHARDS				1422 LAUREL VIEW DR		CHARLOTTE	NC	28273
2015-054	20140126	RLR INVESTMENTS LLC				23003 NORWALK LN		CHARLOTTE	NC	28208
2015-054	21901106	SAVANNAH CHARLOTTE LLC				2857 WESTPORT RD		CHARLOTTE	NC	28208
2015-054	20320333	SHAANSE LLC				10035 PARK CEDAR DR STE 300		CHARLOTTE	NC	28210
2015-054	20320318	SHAH				12003 CARTGATE LN		CHARLOTTE	NC	28273
2015-054	20320117	UPE MANAGEMENT LLC				15516 EAGLEVIEW DR		CHARLOTTE	NC	28278
2015-054	20140108	VAN SLAMBROOK TEAM INC				11040 SOUTH TRYON ST		CHARLOTTE	NC	28273
2015-054	20320331	VLASOV				8719 BEAMINSTER PLACE		WAXHAW	NC	28173-6596
2015-054	20320332	VLASOV				8719 BEAMINSTER PLACE		WAXHAW	NC	28173-6596
2015-054	20320317	WINDSCROSSING SUITE LLC				15 OLD STAGE TL		LAKE WYLYE	SC	29710
2015-054	20140105	YORK RIDGE ASSOCIATES LP				1853 WILLIAM PENN WY		LANCASTER	PA	17605
2015-054	20140125	YPCD PROPERTIES LLC				11010 SOUTH TRYON ST UNIT 101		CHARLOTTE	NC	28273
2015-054	20140129	YPCD PROPERTIES LLC				11010 SOUTH TRYON ST UNIT 101		CHARLOTTE	NC	28273



2015-054	Brown	Jeff	MOORE & VAN ALLEN, PLLC	100 N. TRYON ST, SUITE 470C	CHARLOTTE	NC	28202
2015-054	MACVEAN	KEITH	MOORE & VAN ALLEN, PLLC	100 N. TRYON ST, SUITE 470C	CHARLOTTE	NC	28202
2015-054	DOSSER	JOHN	CHILDRESS KLEIN	301 S. COLLEGE ST, SUITE 2800	CHARLOTTE	NC	28202

NOTICE TO INTERESTED PARTIES OF A REZONING PETITION
PETITION # 2015-054 – Childress Klein

Subject: Rezoning Petition No. 2015-054

Petitioner/Developer: Childress Klein

Property: 12.25 acres located on the northeast corner of in the intersection of South Tryon Street and Moss Road.

Existing Zoning: B-1SCD

Rezoning Requested: CC

Date and Time of Meeting: **Tuesday, April 21, 2014 at 7:00 p.m.**

Location of Meeting: Carolinas HealthCare System – Steele Creek
Community Room
13640 Steelescrot Parkway
Charlotte, NC 28278

Date of Notice: Mailed on April 6, 2015

We are assisting Childress Klein (the “Petitioner”) on a Rezoning Petition it recently filed regarding a zoning change for approximately 12.25 acres (the “Site”) located on the northeast corner of the intersection of South Tryon Street and Moss Road. We take this opportunity to furnish you with basic information concerning the Petition and to invite you to attend a Community Meeting to discuss it.

Background and Summary of Request:

This Petition involves a request to rezone a 12.25 acre Site from B-1SCD (Business Shopping Center District) to CC (Commercial Center), to allow the addition of an outparcel for a gasoline sales canopy to the existing York Ridge shopping center.

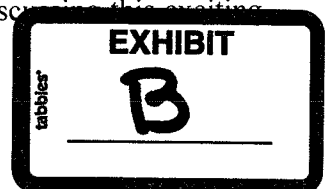
This York Ridge shopping center was originally rezoned in 1988 as part of the master plan for The Crossings neighborhood. The conditional site plan approved as part of the 1988 Rezoning Petition, proposed the development of a 120,000 square foot shopping center with one outparcel. The shopping center was subsequently developed in 1999 in accordance with the approved conditional plan.

This Rezoning Petition proposes to make a minor addition to the existing shopping center. The Petition proposes to add one outparcel to allow for a gasoline sales canopy along South Tryon Street. Because the gasoline sales canopy has been deemed a separate outparcel and was not indicated on the originally approved conditional plan for the Site, a rezoning petition to amend the previously approved conditional plan is required.

Access to the Site will be from the existing driveways on S. Tryon Street and Moss Road. The existing buffers and landscape areas will remain as they exist.

Community Meeting Date and Location

The Charlotte-Mecklenburg Planning Commission’s records indicate that you are either a representative of a registered neighborhood organization or an owner of property near the Site. **Accordingly, we are extending an invitation to attend the upcoming Community Meeting to be held on Tuesday, April 21 at 7:00 p.m. at Carolinas Healthcare System – Steele Creek – Community Room - at 13640 Steelescrot Parkway, Charlotte, North Carolina 28278.** Representatives of the Petitioner look forward to discussing this exciting rezoning proposal with you at the Community Meeting.



In the meantime, should you have questions about this matter, you may call Keith MacVean (704-331-3531) or Jeff Brown (704-331-1144). Thank you.

cc: Mayor Dan Clodfelter and Members of Charlotte City Council
Claire-Lytle Graham, Charlotte Mecklenburg Planning Commission
Tammie Keplinger, Charlotte Mecklenburg Planning Commission
Kory Hedrick, Charlotte Department of Transportation (CDOT)
John Dossier; Childress Klein Properties
David Haggart; Childress Klein Properties
Jim Gamble; Bohler Engineering.
Jefferson W. Brown, Moore & Van Allen, PLLC
Keith MacVean, Moore & Van Allen, PLLC

Childress Klein/York Ridge Shopping Center

Rezoning Petition 2015-054

Community Meeting

Tuesday, April 21, 2015 @ 7:00 PM

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1	Lynn Moore	1733 E 8 th St.	704 339 9317	lynn@bellmooregroup.com
2	Talbot Davis	1310 Moss Rd 28273	704 588 3309	talbotdavis@gsumc.org
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