

**COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2016-025**

**BNA Homes, LLC**

**Petitioner:** BNA Homes, LLC  
**Rezoning Petition Nos.:** 2016-025  
**Property:** 9.52 acres located on the east side of Wright's Ferry Road near the intersection of South Tryon Street and Wright's Ferry Road.

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 January 25, 2016, 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 January 13, 2016. A copy of the written notice is attached as **Exhibit B**. The Petitioner also presented the plans for the Site to the Steele Creek Land Use Committee on October 14<sup>th</sup> 2015.

**TIME AND LOCATION OF MEETING:**

The **Community Meeting required by the Ordinance was held on January 25, 2016 at 7:00 PM**, at Pleasant Hill Presbyterian Church in the Worship Center located at 15000 York Road, Charlotte, NC 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 Curt Hathaway with BNA Homes. Also in attendance was Beck Ross with Wilkinson ERA Real Estate, Phillip Hobbs with Alfred Benesch & Company 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. Keith MacVean with Moore & Van Allen introduced the development team to the audience. Mr. MacVean then provided the attendees with the upcoming dates for the Public Hearing before City Council, the date for the Zoning Committee Meeting and the date a decision on the Petition could be expected.

Mr. MacVean then provided the attendees with an overview of the conditional rezoning process. He explained that the rezoning petition was requesting a zoning change for the property from R-3 to R-12MF(CD) which was a conditional zoning district. A conditional zoning district rezoning petition means that the Petitioner is asking that the City Council approve a specific site plan with conditions for the property that is being rezoned. If the proposed conditional plan is approved the site plan associated with the Petition and the attached conditions would be used to determine how

the Site could be developed. He also pointed out that once the conditional plan was approved by the City Council the approved site plan and the attached conditions would run with the property and could only be changed by the filing of a new rezoning petition that would also require the approval of the City Council.

The meeting was then turned over to Curt Hathaway with BNA Homes. Mr. Hathaway explained that BNA Homes is a family owned development company founded in Chicago; the company has been in the home building business for 60 years and was ranked by Builder Magazine as 25<sup>th</sup> largest homebuilding firm in the country.

He then provided information about the proposed units. He indicated each unit would have a garage and porch facing the private streets. The units are anticipated to be between [1,300 and 1,700] square feet in size and would be expected to begin selling from \$130,000 to \$170,000 depending on the size of the unit purchased. He also indicated that most of the buyers of the homes fell into the following categories; first time home buyers, single moms and dads, teachers, healthcare professionals, public safety officials (police and fire) and empty nesters that have relocated to the area to be near grandchildren.

He also explained that the town home community would have a home owners association that would maintain the unit exteriors, private roads and grounds. He indicated that BNA Homes, as part of the construction of the Site, would provide ample and quality landscaping throughout the Site enhancing the look and feel of the community as the Site and landscaping mature.

The meeting was then turned over to Phillip Hobbs with Benesch the civil and land planning company developing the site plan for the Site.

Mr. Hobbs explained that the site plan associated with the rezoning petition was proposing to develop the Site with 74 two story townhomes for sale.

He explained that access to the Site would be from S. Tryon Street. He also explained that the Petitioner was working with the Petitioner of the adjoining parcel to develop a shared access from S. Tryon Street. The adjoining property located between the Site and S. Tryon Street is requesting a zoning change to allow the property to be developed with a climate controlled storage facility. The two petitioners had worked out an agreement that would allow them to share in the cost of a new public street that would provide access to both Sites. He also explained that if the climate controlled storage petition was not approved the townhome Site also had property that could be developed with access to S. Tryon Street. However, that access would not be as desirable as it would require the crossing of stream and the topography would require more grading. It was also explained that even if the other petition failed, the Petitioner would try to work with the owner of that property to keep the access further north on Tryon Street.

He also explained how the storm water system for the Site would be designed and where it would be located.

He also provided an overview of the location of the proposed public and private streets, the proposed buffers, the required and provided side and rear yards, as well as the proposed tree save areas. He explained that a 50 foot rear yard which would include a 36 foot Class C buffer with a six (6) foot fence would be provided adjacent to the existing single-family homes in the Wright's Ferry neighborhood.

The attendees were then invited to ask questions.

## **II. Summary of Questions/Comments and Responses:**

A number of the attendees asked questions about how the storm water run-off from the Site would be handled. The attendees expressed a concern with water currently seeping near the intersection of S. Tryon Street and Wright's Ferry Road. Mr. Hobbs explained that all the rain water that fell on the Site would be collected in a storm water structure that would control the rate at which the water could leave the Site. The storm water would also be treated to remove pollutants and suspended solids. Once the water was treated it would be released into the stream that went under S. Tryon Street. The storm water from the Site was not in any way expected to effect the intersection of S. Tryon and Wright's Ferry Road.

Other attendees wanted to know if the Site would have a pool. They also mentioned that the pool in their neighborhood from time to time would have uninvited guests from the adjoining apartments and neighborhoods. They were fearful that residents from this neighborhood might also want to use their pool. It was pointed out that the proposed location of the buffer and fence that would be constructed between the two neighborhoods would be a barrier that would hinder residents from accessing the pool. One attendee wanted to know if the community would have on site security. The Site would not be provided with on-site security or a pool.

Several questions about the amount of parking were asked by the attendees. The Petitioners representatives pointed out that each unit would have a garage and a driveway that could also be used for parking. The site plan also included several locations for additional overflow parking. The attendees still felt additional parking should be provided.

A number of questions regarding access to Wright's Ferry Road from the Site were asked. The Petitioner responded that access to Wright's Ferry Road would not be possible without the consent of the Wright's Ferry neighborhood, because the property that is being rezoned does not have access the right-of-way of Wright's Ferry Road. The Wright's Ferry Home Owners Association (HOA) owns a strip of property between the right-of-way of Wright's Ferry Road and the property being rezoned. Therefore, without the consent of the Wright's Ferry HOA access to the road will not be possible. The Petitioner did explain that a new public street would be stubbed to the HOA property to allow for a future connection should the HOA so desire it. The residents of Wright's Ferry that were at the meeting indicated they did not want to see a connection from the new development to Wright's Ferry Road at this time.

A number of the residents expressed a concern with the orientation of the proposed buildings to their homes, and asked if alternative designs could be explored that would lessen the number of units that abutted their homes, or change the orientation of the proposed units.

The Petitioner explained that a 36 foot buffer with a six (6) foot fence was being provided between the homes and the development. It was also pointed out that the townhome would be two story structures and would be grouped into buildings with four (4) and six (6) units.

A question about the tree save area at the rear of the Site being used as a playground area was asked. The Petitioner explained that tree save areas could not be used as playground areas.

Another attendee wanted to know how trash collection would be provided. The Petitioners representative indicated that a private company would be hired to pick up roll out containers.

One attendee asked about the proposed building elevations. The Petitioner's representatives presented the proposed building elevations. One of the attendees commented that the proposed building elevations were attractive, and he liked the aesthetic of what was being proposed.

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

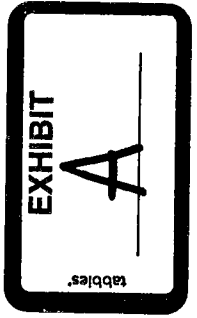
**CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:**

Since the Community Meeting several changes to the site plan have been proposed. The Petitioner has re-oriented the buildings adjacent to the homes in the Wright's Ferry neighborhood to eliminate the long row of rear facing buildings oriented toward the existing single-family homes. The town homes will now have side yard orientations. Additional guest parking has also been provided.

BNA HOMES, LLC

cc: Mayor and Members of Charlotte City Council  
Claire Lytle Graham, Charlotte Mecklenburg Planning Commission  
Tammie Keplinger, Charlotte Mecklenburg Planning Commission  
Curt Hathaway, BNA Homes, LLC  
Mark Blythe, BNA Homes, LLC  
Phillip Hobbs, Alfred Benesch & Company  
Jefferson W. Brown, Moore & Van Allen, PLLC  
Keith MacVean, Moore & Van Allen, PLLC

Pet_No	TaxPID	ownerlastn	ownerfirst	ownerfrs	ownerlast	mailaddr1	mailaddr2	city	state	zipcode
2016-025	19953341	AMERICAN HOMES 4 RENT PROPERTIES NINE LLC			C/O ALTUS GROUP US INC	30601 AGOURA RD STE 200		AGOURA HILLS	CA	91301
2016-025	19955217	AMERICAN RESIDENTIAL LEASING COMPANY LLC			ARNO	21001 N TATUM BLVD	STE 1630-630	PHOENIX	AZ	85050
2016-025	19955212	ARNO	ROBERT A	EDITH B	BENDERS	13517 MICHAEL SHANE CT		CHARLOTTE	NC	28278
2016-025	19955204	BENDERS	ODELL JR	ROGENIA G	BRACY	13607 CHRISTIAN TYLER CT		CHARLOTTE	NC	28278
2016-025	19955214	BRACY	PAUL R	ALAYNA L		13512 MICHAEL SHANE CT		CHARLOTTE	NC	28278
2016-025	19955367	BRANON	NATASHA RENA		C/O BLACKSTONE REAL ESTATE ADVISORS LP	16101 WRIGHTS FERRY RD		NEW YORK	NY	10154
2016-025	19955107	BRE PIPER MF STERLING STEELE CREEK NC LLC			BURRITT	345 PARK AVE		CHARLOTTE	NC	28278
2016-025	19955209	BURRITT	EDWARD JR	DEEANN W	CERDA	13608 CHRISTIAN TYLER CT		CHARLOTTE	NC	28278
2016-025	19955368	CERDA	EDWARD	TERESA		16105 WRIGHTS FERRY RD		CHARLOTTE	NC	28278
2016-025	21912107	CHARLOTTE WECKLENBURG HOSPITAL	AUTHORITY			PO BOX 36022		CHARLOTTE	NC	28236
2016-025	21912114	CHRIST THE KING LUTHERAN	CHURCH			13501 S TRYON ST		CHARLOTTE	NC	28278
2016-025	19955106	COMPTON	PARKIS BILL			6451 HIGHWAY 55 EAST		CLOVER	SC	29241
2016-025	19955377	COMPTON CONTRACTING CO	CHARISTOPHER S			PO BOX 7424		CHARLOTTE	NC	28241
2016-025	19955374	DEESE	ANGELA	LAURA BETH	COPLBY	16207 WRIGHTS FERRY RD		CHARLOTTE	NC	28278
2016-025	19955376	DIVIS	ROBERT F SR	PENELOPE A	DIVIS	16129 WRIGHTS FERRY RD		CHARLOTTE	NC	28278
2016-025	19955206	DUSENBURY	NICHOLAS C			16203 WRIGHTS FERRY RD		CHARLOTTE	NC	28278
2016-025	19955104	FREEMAN	HARRY E	BARBARA A	FREEMAN	13623 CHRISTIAN TYLER CT		CHARLOTTE	NC	28273
2016-025	19955375	JACKSON	RYAN A	LISA Z	JACKSON	13500 YORK RD		CHARLOTTE	NC	28278
2016-025	19955205	JANARO	DEBRA J	KYLE D	BROOKS	16133 WRIGHTS FERRY RD		CHARLOTTE	NC	28278
2016-025	19955213	JOHNSON	HALE K	LISA	KELLEY	13615 CHRISTIAN TYLER CT		CHARLOTTE	NC	28278
2016-025	19955366	KEILEY	DAVID	ALEXANDRA	LATTIER	13518 MICHAEL SHANE CT		CHARLOTTE	NC	28273
2016-025	19955207	LATTIER	DREW	CAROLYN T REVOC TRUST	LAWRENCE	13415 MICHAEL LYNN RD		CHARLOTTE	NC	28278
2016-025	19955211	LAWRENCE	VINCENT B REVOC TRUST	PATRICIA A	MACDONALD	13622 CHRISTIAN TYLER CT		CHARLOTTE	NC	28278
2016-025	19955378	MACDONALD	EDWARD F			13511 MICHAEL SHANE CT		CHARLOTTE	NC	28278
2016-025	19955215	MASON	CAROL C	JENNIE A	MORRIS	16213 WRIGHTS FERRY RD		CHARLOTTE	NC	28278
2016-025	19955210	MOORE	MARY ROSALYN			13505 MICHAEL SHANE CT		CHARLOTTE	NC	28278
2016-025	19955371	MORRIS	SCOTT A			16117 WRIGHTS FERRY RD		CHARLOTTE	NC	28278
2016-025	19955369	OWENS	SPENCER L SR			16109 WRIGHTS FERRY RD		CHARLOTTE	NC	28278
2016-025	19955342	PROGRESS RESIDENTIAL 2015-2 BORROWER LLC				201 N FRANKLIN ST STE 1750	SUITE 301	TAMPA	FL	33602
2016-025	19955232	QUEEN CITY HEALTH INVESTORS LLC				4423 PHEASANT RIDGE RD		ROANOKE	VA	24014
2016-025	19901113	REVOCABLE TRUST OF	JACKIE WAYNE TURPIN	JEFFERY W	TURPIN	105 ISLAND DR		WRIGHTSVILLE BEACH	NC	28480
2016-025	21912112	RUSSELL	REES G JR	RETHA	RUSSELL	14812 CROOKED BRANCH LN		CHARLOTTE	NC	28278
2016-025	19955208	SALLUZZI	JOSEPH	HELEN	CACCIOPPOLI	13614 CHRISTIAN TYLER CT		CHARLOTTE	NC	28278
2016-025	19955373	SANCHEZ-CURIEL	RUBEN		MARIA ESTELA SANCHEZ (H/W)	16125 WRIGHT'S FERRY RD		CHARLOTTE	NC	28273
2016-025	19955372	SOETERS	LISA	TONY C	BETHEA	207 GRAYLYN DR	Q	CHAPEL HILL	NC	27516
2016-025	19955365	STAFF	KATHLEEN M			13411 MICHAEL LYNN RD		CHARLOTTE	NC	28278
2016-025	19955103	STEELECROFT PLACE	HOMEOWNERS ASSOC			15514 DEHAVILLAND DR		CHARLOTTE	NC	28278
2016-025	19955202	STEELECROFT PLACE	HOMEOWNERS ASSOC			15514 DEHAVILLAND DR		CHARLOTTE	NC	28278
2016-025	19955379	STEELECROFT PLACE	HOMEOWNERS ASSOC			15514 DEHAVILLAND DR		CHARLOTTE	NC	28278
2016-025	19955203	STEELECROFT PLACE HOMEOWNERS	ASSOCIATION			15000 CROOKED BRANCH LN		CHARLOTTE	NC	28278
2016-025	21912111	TSOULOS	JOHN G			4412 HATWOOD KNOLL		LAKE WYLIE	SC	29745
2016-025	19955216	VANGARD 1 LLC				16108 WRIGHTS FERRY RD		CHARLOTTE	NC	28278
2016-025	19955218	WATROUS	STACEY T	JULIE A	WATROUS	16113 WRIGHTS FERRY RD		CHARLOTTE	NC	28278
2016-025	19955370	WHACK	STEPHIN MAURICE SR	LILLIAN J	WHACK	16100 WRIGHTS FERRY RD		CHARLOTTE	NC	28278
2016-025	19955219	WOODBURY	VERA					CHARLOTTE	NC	28278



Pet. No.	First Name	Last Name	OrgLabel	MailAddress	MailCity	MailZip
2016-025	Paula	Yorick	Steele Croft Place HOA	14329 Arlandes Drive	Charlotte	NC 28278
2016-025	Dennis	Ryan	Wiltshire Manor HOA	13621 Kensal Green Drive	Charlotte	NC 28278
2016-025	Richard	Frank	Pleasant Hill Rd. Resident's Assoc.	14600 Pleasant Hill Road	Charlotte	NC 28278
2016-025	Debbie	Jamro	Steelecroft Place HOA	13615 Christian Tyler Court	Charlotte	NC 28221
2016-025	Management		Huntington Forest HOA	Post Office Box 26844	Charlotte	NC 28273
2016-025	David	Bloom	Steele Creek HOA	13218 Mallard Landing Road	Charlotte	NC 28273
2016-025	Ted	Flor	Hamilton Lakes HOA	12628 Cumberland Cove Drive	Charlotte	NC 28273

**NOTICE TO INTERESTED PARTIES OF A REZONING PETITION**  
**PETITION # 2016-025 – BNA Homes, LLC**

Subject: Rezoning Petition No. 2016-025

Petitioner/Developer: BNA Homes, LLC

Property: 9.52 acres located on the east side of Wright’s Ferry Road near the intersection of South Tryon Street and Wright’s Ferry Road.

Existing Zoning: R-3

Rezoning Requested: R-12MF(CD) and BD(CD)

**Date and Time of Meeting:** **Monday, January 25th, 2015 at 7:00 p.m.**

Location of Meeting: Pleasant Hill Presbyterian Church  
15000 York Road – in the Worship Center  
Charlotte, NC 28278

Date of Notice: Mailed on January 13th, 2015

We are assisting BNA Homes, LLC (the “Petitioner”) on a Rezoning Petition it recently filed regarding a zoning change for approximately 9.52 acres (the “Site”) located on the east side of Wrights Ferry Road just north of the intersection of Wright’s Ferry Road and York 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 9.52 acre Site from R-3 (Single-Family, Residential) to R-12MF(CD) (Multi-family, Residential, Conditional) and BD(CD) (Distributive Business, Conditional). The site plan associated with this rezoning request, proposes to develop the Site with up to 74 quality townhomes for sale with access to York Road.

A 50 foot rear yard with a 36 foot Class C Buffer with a solid wooden fence will be provided at the perimeter of the Site adjacent to the existing single family homes in the Wright’s Ferry neighborhood.

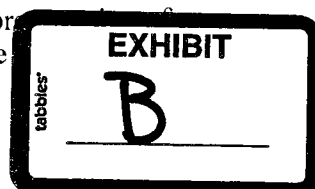
The proposed townhomes will be two-story townhomes with individual garages. The townhomes will use a combination of stone, masonry, vinyl, pre-cast stone, synthetic stone, decorative block, stucco, EFIS, wood, and cementitious fiber board as the principal building materials.

Access to the Site will be from York Road via a new public street. The new public street will be built either on the small pan handle portion of the Site with frontage on York Road or on the adjoining property located between the Site and York Road also in for rezoning (rezoning petition no. 2016-028). The Petitioner and the petitioner for rezoning petition no. 2016-028 have worked out an agreement that will allow the two petitions to share one access from York Road.

Open Space, and tree save areas will be provided throughout the Site. On-site storm water detention and water quality areas to treat the Site’s storm water will also be provided.

**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



**an invitation to attend the upcoming Community Meeting to be held on Monday, January 25<sup>th</sup> at 7:00 p.m. the Pleasant Hill Presbyterian Church – in the Worship Center -located at 15000 York Road, 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 and Members of Charlotte City Council  
Claire Lytle Graham, Charlotte Mecklenburg Planning Commission  
Tammie Keplinger, Charlotte Mecklenburg Planning Commission  
Curt Hathaway, BNA Homes, LLC  
Mark Blythe, BNA Homes, LLC  
Phillip Hobbs, Alfred Benesch & Company  
Jefferson W. Brown, Moore & Van Allen, PLLC  
Keith MacVean, Moore & Van Allen, PLLC



BNA Homes, LLC  
 Community Meeting - Rezoning Petition 2016-025  
 January 25, 2016 @ 7:00 PM

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1	Christopher M. Powell	13600 Michael Lynn Rd	704591 1714	blvestone1@att.net
2	Chad Lloyd	3242 Tething Rd Matthews, NC	828-450-5049	chad.lloyd@yahoo.com
3	Manssi Harris	1300 S. Tryon St Fayetteville NC	704 582-8312	info@my-r.com.com
4	Sherry Orfan	15317 DeHavilland Dr., 28278	704-587-6689	grapey1969@aol.com
5	Judith A. Harkon			
6	Robert Davis	16203 W. Inglewood Ave.	704-504-0233	Penny Davis@CAROLINA.RP.COM
7	Lenny Lewis	11 '1 "		
8	MRS. TRACY SANCHEZ	13604 CHRISTIAN TRUCE CT	704 583-4943	
9	M/M VINCE LAWRENCE	13571 MICHAEL STADE CT	704-587-3030	
10	Deb. Jamro	Christ. Ty.	704-587-9462	Djor major1@bellsouth.net
11	Ryan Jackson	16133 Wrights Ferry		FJACKSON8@Comline.com
12	JOHN SOETERS	16121 WRIGHTS FERRY	919-602-3480	TSOETER1@GMAIL.COM
13	Rubben Sanchez	14125 WRIGHTS FERRY	704-968-2807	ramirezesthela@gmail.com
14	Michelle Harrison	15127 DeWittland Dr.	704-970-5517	Mtharrison@kemperson.com



BNA Homes, LLC  
 Community Meeting - Rezoning Petition 2016-025  
 January 25, 2016 @ 7:00 PM

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
15	Nelson Lacayo	15128 DE Havilland Dr Charlotte NC 28278	(646) 6450824	nlacayo80@hotmail.com
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