

COMMUNITY MEETING REPORT
Petitioner: Aston Properties, Inc.
Rezoning Petition No. 2016-071

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 April 1, 2016. A copy of the written notice is attached hereto as Exhibit B.

DATE, TIME AND LOCATION OF MEETING:

The Community Meeting was held on Wednesday, April 13, 2016 at 6:30 p.m. at CityPark View Apartments, 1710 Piedmont Hills Place, Charlotte, North Carolina, 28217.

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 Jackson Smith and Karen Partee, as well as by Petitioner's agents, Collin Brown and Brittany Lins with K&L Gates.

SUMMARY:

The Petitioner's agent, Collin Brown, opened the meeting by welcoming attendees and introducing the Petitioner's team. Mr. Brown then introduced the Honorable LaWana Mayfield as the Charlotte City Council district representative for the location in question and thanked her for her participation in the meeting.

Mr. Brown used a PowerPoint presentation to provide an overview of the Petitioner's rezoning proposal. A copy of the Petitioner's presentation is attached as Exhibit D. Mr. Brown began by explaining the location of the property and discussing the current zoning.

Mr. Brown explained that under a previously approved site plan from 2007, drive-through uses are permitted for a coffee shop, bank, drug store, or dry cleaner. However, the Petitioner requests to amend the permitted drive-through uses in the pending rezoning petition to include an Eating, Drinking and Entertainment Establishment use. Additionally, the Petitioner seeks an optional provision to allow one drive-through window permitted to be located between a street and the building rather than internal to the site.

Mr. Brown presented a rendering displaying the drive-through lane, which illustrated how the window could be screened from view with a green “living” wall so that pedestrians and vehicles would be unable to see the window from surrounding streets. The City Park emblems and presently existing masonry walls will be incorporated in the development in order to add uniformity to City Park. The main “focal point” will be located at the corner of Tyvola Road and City Park Drive, where the main entrance to City Park is located. Here there will be clear glass windows facing the corner and active doors that have access to the street, in order to enhance the pedestrian experience.

Next, Mr. Brown discussion of the signage at the site. Mr. Brown explained that the back parcel for future development (Parcel 3) does not have visibility on Tyvola Road and therefore may wish to have a sign located on the front parcel of land that directly abuts Tyvola Road (Parcel 2). Under the current zoning, each parcel is permitted to have a 36 square foot sign, with a maximum of 6 feet of height. In order to accommodate a future user, the Petitioner is requesting for an optional provision to allow for the signage square footage for both Parcel 2 and Parcel 3 to be combined into one larger sign located on Parcel 2, and eliminate a separate sign on Parcel 3.

The presentation discussion turned to the treatment of the open space parcel (Parcel 4), on which the Petitioner plans to incorporate a rain garden. Ms. Partee explained that a rain garden is an area where the water initially flows and plants and soils naturally filter out contaminants as a first phase of water quality control before the water hits the stormwater system. The area will include an amenity area with benches and meandering sidewalks.

Ms. Mayfield commented that options are currently limited in the area and the addition of walkable commercial uses for City Park residents and nearby Renaissance Park visitors seems very desirable.

The open discussion concluded at 7:30 p.m, at which time the Petitioner’s team departed.

Respectfully submitted, this 18th day of April, 2016.

cc: The Honorable LaWana Mayfield
Clerk to the Charlotte City Council
Ms. Claire Lyte-Graham
Ms. Tammie Keplinger

EXHIBIT A

Pet_No	TaxPID	ownerlastn	ownerfirst	cownerfirs	cownerlast	mailaddr1	mailaddr2	city	state	zipcode
2016-071	14313114	CITY PARK RETAIL 8 LLC				3710 HILLDBOROUGH RD		DURHAM	NC	27705
2016-071	14313115	CITY PARK RETAIL 8 LLC				3710 HILLDBOROUGH RD		DURHAM	NC	27705
2016-071	14313302	DUKE POWER CO	ATTN: TAX DEPT - PB05B			422 S CHURCH ST		CHARLOTTE	NC	28242
2016-071	14313111	NOVUS DEVELOPMENT GROUP LLC				5720 CREEDMOOR RD STE 205		RALEIGH	NC	27612
2016-071	14313108	P&L COLISEUM LP				3225 CUMBERLAND BLVD	SUITE 400	ATLANTA	GA	30339
2016-071	14313109	P&L COLISEUM LP				3225 CUMBERLAND BLVD	SUITE 400	ATLANTA	GA	30339
2016-071	14313110	P&L COLISEUM LP				3225 CUMBERLAND BLVD	SUITE 400	ATLANTA	GA	30339
2016-071	14313113	P&L COLISEUM LP				3225 CUMBERLAND BLVD	SUITE 400	ATLANTA	GA	30339
2016-071	14313147	P&L COLISEUM LP				3225 CUMBERLAND BLVD	SUITE 400	ATLANTA	GA	30339
2016-071	14313199	PAC CITYPARK VIEW LLC			C/O PREFERRED APARTMENT COMMUNITIES INC	3284 NORTHSIDE PKWY SUITE 150		ATLANTA	GA	30327

EXHIBIT B

**NOTICE TO INTERESTED PARTIES OF
COMMUNITY MEETING**

Subject: Community Meeting -- Rezoning Application filed by Aston Properties, Inc., to modify the re-zoning conditions to accommodate retail users on approximately 3.28 acres located on the north side of West Tyvola Road between City Park Drive and Potomac River Parkway.

Date and Time of Meeting: Wednesday April 13th, 2016 at 6:30 P.M.

Place of Meeting: CityPark View Apartments
Meeting Room, ground floor
1710 Piedmont Hills Place
Charlotte, NC 28217

Petitioner: Aston Properties, Inc.
Petition No.: 2016-071

We are assisting Aston Properties, Inc. (the "Petitioner") in connection with a Rezoning Petition it has filed with the Charlotte-Mecklenburg Planning Commission seeking to rezone an approximately 3.28 acre site (the "Site") on the north side of West Tyvola Road between City Park Drive and Potomac River Parkway from the MUDD-O (Mixed Use Development District - Optional) zoning district to the MUDD-O SPA (Site Plan Amendment) zoning district. The purpose of the Rezoning Petition is to modify the rezoning conditions to accommodate retail users.

In accordance with the requirements of the City of Charlotte Zoning Ordinance, the Petitioner will hold a Community Meeting prior to the Public Hearing on this Rezoning Application 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 the Petitioner will hold a Community Meeting regarding this Rezoning Application on Wednesday, April 13th, 2016 at 6:30 P.M. at the ground floor meeting room in CityPark View Apartments, 1710 Piedmont Hills Place, Charlotte, North Carolina 28217. The Petitioner's representatives look forward to sharing information about their proposed redevelopment with you and to answering any questions you may have with respect to this Rezoning Petition.

In the meantime, should you have any questions or comments about this matter, please call Collin Brown at 704-331-7531.

cc: Ms. Claire Lyte-Graham
The Honorable LaWana Mayfield
Members, Charlotte City Council (via email)

Date Mailed: April 1, 2016

EXHIBIT C

EXHIBIT D

The logo for K&L GATES is displayed in white, uppercase letters within an orange rectangular box. The background of the slide features a blue bokeh effect with light spots of varying sizes and colors, ranging from light blue to white, set against a darker blue background.

K&L GATES

Official Community Meeting

City Park
Rezoning Petition 2016-071

April 13, 2016

CityPark View Apartments

AGENDA

- Welcome & Introductions
- Property Location
- Current Zoning
- Propozed Rezoning
- Timeline
- Questions



Jackson Smith and Karen Partee



Stephen Overcash



Jim Gamble

K&L GATES

Collin Brown and Brittany Lins



Location











The background of the slide is a vibrant blue with a bokeh effect, featuring numerous out-of-focus light spots in various shades of blue and white, creating a shimmering, textured appearance.

Previously Approved Site Plan (2007)

3. PERMITTED USES

EXCEPT AS OTHERWISE PROVIDED IN THE NEXT SUCCEEDING PARAGRAPH, THE SITE MAY BE DEVOTED TO ANY USES (INCLUDING ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH) WHICH ARE PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN A MUDD ZONING DISTRICT UNDER THE ORDINANCE.

NOTWITHSTANDING THE FOREGOING PARAGRAPH OF THIS SECTION 3, THE FOLLOWING USES SHALL NOT BE ALLOWED ON THE SITE:

- FAST FOOD RESTAURANTS WITH DRIVE THROUGH FACILITIES;
- CONVENIENCE STORES WITH GASOLINE SALES;
- CAR WASHES; AND
- AUTOMOTIVE SERVICE STATIONS

SUBJECT TO THE PROVISIONS OF THE NEXT SUCCEEDING PARAGRAPH OF THIS SECTION 3, ONE OF EACH OF THE FOLLOWING USES MAY BE LOCATED ON THE SITE WITHIN AREAS A, B AND C DEPICTED ON THE TECHNICAL DATA SHEET AND WILL BE ALLOWED TO HAVE DRIVE-THROUGH SERVICE LANES AND WINDOWS AS AN ACCESSORY USE:

- A COFFEE SHOP;
- A BANK;
- A DRUG STORE; AND
- A DRY CLEANER

DRIVE-THROUGH WINDOWS SHALL ONLY BE LOCATED ON THE SAME PARCEL AS THE PRINCIPAL USE; AND, TO MINIMIZE VISIBILITY ALONG PUBLIC RIGHTS-OF-WAY, SHALL BE LOCATED TO THE REAR OR SIDE OF THE PRINCIPAL USE. EXCEPT AS OTHERWISE DEPICTED ON THE CONCEPTUAL SITE PLAN AND THE OPTIONAL DEVELOPMENT PLANS, OR AS APPROVED THROUGH AN ADMINISTRATIVE VARIANCE, MANEUVERING/STACKING FOR THE DRIVE-THROUGH WINDOWS MAY NOT OCCUR BETWEEN BUILDINGS AND PUBLIC OR PRIVATE STREETS. NO MORE THAN 4 DRIVE THROUGH SERVICE LANES SHALL BE PERMITTED PER INDIVIDUAL USE AND FREESTANDING DRIVE THROUGH LANES SHALL BE PROHIBITED. EACH SUCH DRIVE-THROUGH SERVICE LANE/WINDOW SHALL BE APPROVED AND DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 12.413 OF THE ORDINANCE.

THE BUILDING CURRENTLY SITUATED BEHIND THE COLISEUM BUILDING WHICH WAS FORMERLY OCCUPIED BY THE CHARLOTTE HORNETS MAY BE RENOVATED, REUSED OR REPLACED WITH NEW DEVELOPMENT.



Proposed Rezoning





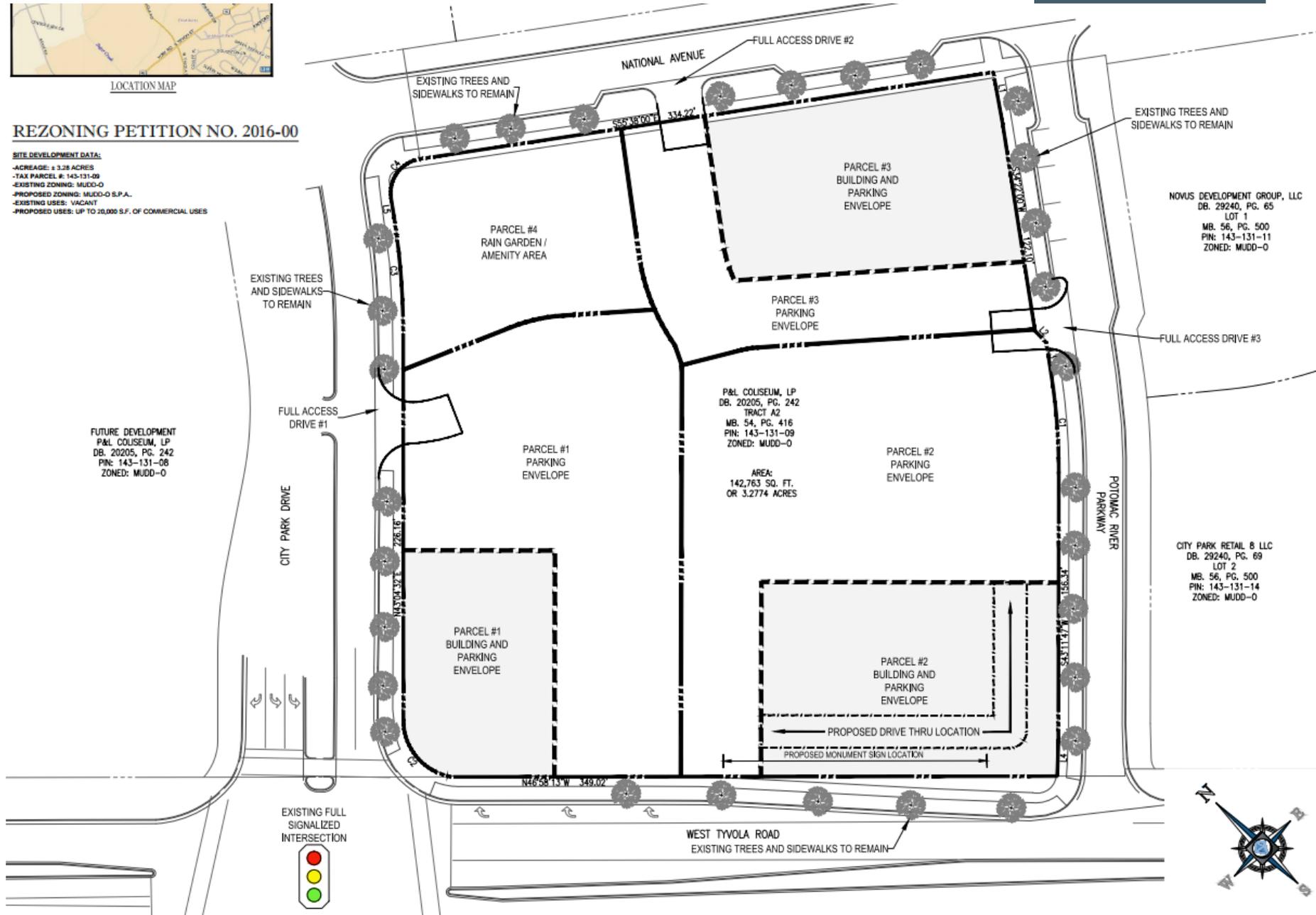
LOCATION MAP

REZONING PETITION NO. 2016-00

SITE DEVELOPMENT DATA:

- ACREAGE: ± 3.28 ACRES
- TAX PARCEL #: 143-131-09
- EXISTING ZONING: MUDD-O
- PROPOSED ZONING: MUDD-O S.P.A.
- EXISTING USES: VACANT
- PROPOSED USES: UP TO 30,000 S.F. OF COMMERCIAL USES

FUTURE DEVELOPMENT
P&L COLISEUM, LP
DB. 20205, PG. 242
PIN: 143-131-08
ZONED: MUDD-O





City Park Retail

Charlotte, North Carolina

13 April 2016



BOHLER
ENGINEERING



Site Plan

2. MUDD-O OPTIONAL PROVISIONS

THE PETITIONER PROPOSES TO UTILIZE THE MUDD-O PROVISIONS OF THE ORDINANCE IN ORDER TO ACCOMMODATE THE FOLLOWING:

- (a) A DEVIATION FROM THE APPROVED DEVELOPMENT STANDARDS FOR CITY PARK TO ALLOW ANOTHER DRIVE-THROUGH SERVICE WINDOW AS AN ACCESSORY TO AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT (RESTAURANT) USE WITHIN PARCEL 1 IN ADDITION TO THE THOSE DRIVE-THROUGH USES CURRENTLY ALLOWED UNDER THE APPROVED PLAN AS AN ACCESSORY TO EACH OF THE FOLLOWING USES: A COFFEE SHOP, A BANK, A DRUG STORE, AND A DRY CLEANER;**
- (b) A DEVIATION TO ALLOW A DRIVE-THROUGH WINDOW AND A RELATED VEHICULAR CIRCULATION LANE TO BE LOCATED BETWEEN A BUILDING CONSTRUCTED WITHIN PARCEL 2 AND TYVOLA ROAD AND POTOMAC RIVER PARKWAY;**



City Park Retail
Charlotte, North Carolina

11 April 2016

Exterior Rendering





City Park Retail
Charlotte, North Carolina

11 April 2016

Exterior Rendering



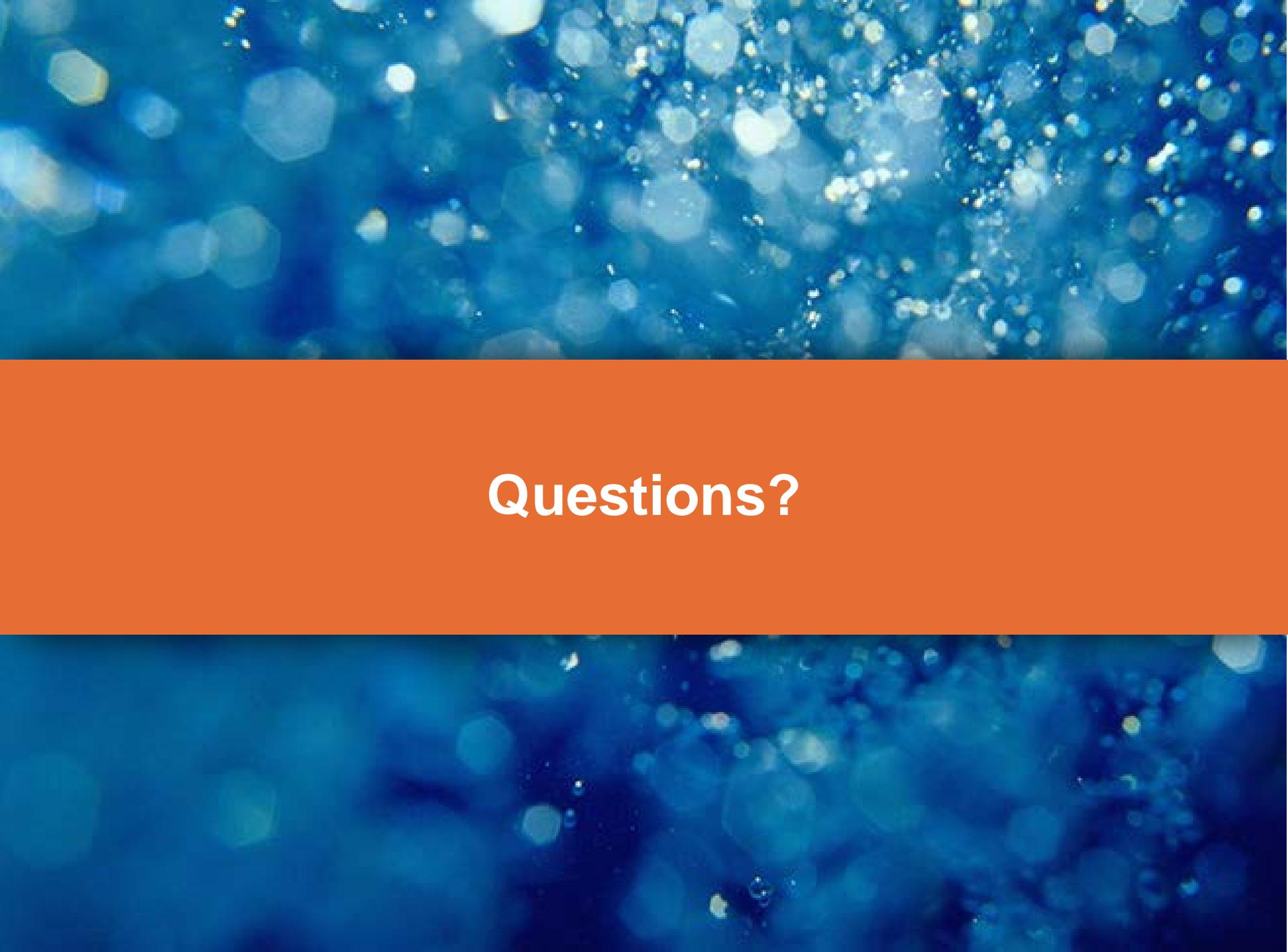


Timeline



REZONING TIMELINE (TENTATIVE)

- Feb. 22: Application Deadline
- April 7: Review City Departmental Comments
- April 15: Community Meeting Deadline
- April 18: Revised Plan Deadline
- May 16: Public Hearing
- May 25: Zoning Committee Hearing
- June 20: City Council Decision

The image features a blue bokeh background with a central orange band. The bokeh consists of numerous out-of-focus light spots in various shades of blue and white, creating a shimmering effect. The orange band is a solid, horizontal strip that spans the width of the image, providing a high-contrast background for the text.

Questions?

K&L GATES