

COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2016-83
Demeter Properties, LLC

Petitioner: Demeter Properties LLC

Rezoning Petition No.: 2016-83

Property: 15.38 acres located adjacent to the entry of Davis Lake Subdivision and Harriswood Subdivision off Davis Cox Rd.

This Community Meeting Report is being filed with the office of the City Clerk and the Charlotte Mecklenburg Planning Commission pursuant of 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 Thursday May 5, 2016. On April 22, 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. A copy of the written notice is attached as *Exhibit B*. The Petitioner also met with representatives of the Davis Lake Homeowner's Association president on May, 2, 2016 as well as the City Council representatives for this district, Greg Phipps on May, 2, 2016 and Claire Fallon April 29, 2016.

TIME AND LOCATION OF MEETING:

The **Community Meeting required by the Ordinance was held on May 5, 2016 at 6:00 PM**, at the Davis Lake Club House 9000 Davis Lake Parkway Charlotte, NC 28269.

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 Joe Stevens (Demeter Properties), the Petitioner and representing the home builder. Also in attendance was David Malcolm and Nick Lowe with the McAdams Company.

SUMMARY OF ISSUES DISCUSSED AT THE MEETING:

MAY 27 2016

I. Overview of Petitioner's Presentation.

Introduction and Overview of Development Plan:

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Mr. David Malcolm welcomed the attendees to the meeting by introducing the Petitioner's representatives to the attendees. Mr. Malcolm explained the rezoning process and the stage of the process the project was currently in. He introduced the plan and described the site and its features and that a design goal was to try to immitate the character of Davis Lake. The main entry to the site will be provided on David Cox Road and will align with the approved

subdivision being constructed across David Cox Road. There will also be a CDOT mandated connection made at the northwest corner of the property, linking to Harris Cove Drive. The town home community will be lined with street trees and make pedestrian connections through a sidewalk network connecting to improvements to be made on Davis Cox Road. Part of the improvements made on David Cox Road will be street trees, a sidewalk, and a left hand turn lane. He also explained site drainage patterns and how storm water will be handled using street drainage inlets that outlet into a single storm water management facility. Buffer widths to adjacent residential were described as well as delineation of common open space throughout the site. After the site design explanation a brief introduction of the homebuilder (Eastwood Homes) was given and the description of the desired for sale product to be offered. David also stated that the developer is committing to all of the conditions detailed on the rezoning plan. Further information was given about future dates in the rezoning process; A Public Hearing will be either June 20th or June 18th, a City Council decision on rezoning will be made either July 18th or 19th.

Renderings of the proposed building architecture were shared with the attendees.

The attendees were then invited to ask questions.

II. Summary of Questions/Comments and Responses:

Many questions were concerning the proposed town home product. Questions were asked concerning the height of units, unit prices, ownership, unit construction materials, and product variety. Joe Stevens explained that the units will be no taller than 2 stories, units will range in price from \$175k -\$250k, floor plans range from 1600 sf- 2000 sf, units will be sold to individual owners, and be in unit blocks of no more than 5 units. There was also a question concerning the units' color palette, which has not been determined at this time. Citizens were also concerned about the facades of the units backing up to existing residences; they would like to see similar architecture and no vinyl or aluminum siding on these units. Many were also concerned about how town homes would affect their homes current property values. The current values of the Davis Lake community were \$300k -\$400K. David explained that the town homes would positively affect home values due to the total price per square foot of the proposed units (\$100/sf). In many cases this price exceeds current homes in the area. Adjacent homeowners voiced strong concerns about how they could market their home with town homes directly adjacent to their property.

A question was raised about if the developer was a consortium and how many subdivision he had completed. Joe Stevens (Petitioner) stated that he is a single developer and had developed numerous subdivisions in the Charlotte-Metro area and is currently developing 5 sites. He also explained that he develops the horizontal (roads/infrastructure), McAdams is the Engineering /Planning firm creating the plans and that the other piece to the development was the home builder, Eastwood Homes (the vertical).

A myriad of questions and concerns were voiced about storm water: where is the flood plain map, will the plan stop current erosion issues, where the overflow is located, will, and how will the site be regraded. David explained that the goal of any storm water management system is to preserve pre-construction drainage patterns. The new system will strive to collect volumes of runoff produced by the addition of impervious surface from development and release it back into adjacent storm facilities at the existing rate. The overflow empties into an existing creek that runs on the northwestern part of the site. The pond will also not be bermed up but dug down to control storm events. The side will be graded in a way that pitches most runoff into the street network, where it will be collected in storm boxes and piped to a central storm water

management facility. One resident adjacent to the site commented that the current swale does not contain storm events. The storm system should help existing erosion issues. A flood map was not required for a rezoning submittal.

Density was a particular topic of discussion. Questions included; what is the current zoning class, what is the density of the approved development across the street from the proposed development, and how does this development compare in size to the Woodcroft subdivision. David Malcolm fielded these questions by stating that the current zoning designation is primarily R-4 with one other zoning classifications (RU-CD). Questions concerning the adjacent density comparison with other surrounding neighborhoods could not be answered at this time. Many attendees stated that the plan was too dense and were worried units looking into the back of their property. One resident also stated that there were 80 homes going in across the road.

A main point of concern of attendees were the width of buffers adjoining existing residences, mainly to the North of the proposed development. Many adjacent homeowners were concerned about the 16' width of the buffer not being an adequate size to screen the new development from existing homes. Numerous questions were raised: when will a commitment be made on plantings, what size will the plantings be at installation, and how much existing vegetation will be preserved. Joe Stevens stated that the goal is to keep as much existing vegetation as possible and add do it. David explained that commitments on buffer widths and the types of screening measures to be provided will be made before this month's submittal and will detail a typical buffer section. He also explained that the typical plant size was a 2" caliper tree that is usually 10-12' tall at installation. David also described the 21' buffers on the eastern and western borders of the property and that the western property fence will be preserved. There was an overwhelming call for a green belt to be created on the northern border of the property to alleviate concerns of views in and out of properties.

There were also concerns and questions voiced about traffic: Will there be a traffic study, Does CDOT consider number of cars entering the road, Why are we making a connection to Harris Cove Drive, and Does the community have a say in making the connection. David stated that we are in discussion with CDOT and CDOT gives us the requirements for road improvements and connections. They also advise the developer on if a TIA is needed. Currently the proposed site is not on their radar for a TIA (traffic study). The developer desires to make the necessary CDOT road improvements. David also explained that CDOT looks at transit options when prescribing future road improvements as well as providing multiple connection points. CDOT is requiring the developer to make a connection to the Harris Cove Drive; the community does not have an option not to connect. The community does have the right to call CDOT and voice opinions. It was stated that traffic backs up on David Cox from Old Statesville Road. There were many concerns with adding cars to an already overwhelmed traffic pattern. A resident commented that the development does not make sense; we will have nothing but traffic.

Concerns and questions were also voiced about the construction process. Joe Stevens stated that the ETA to break ground was April 2017. Build out of the subdivision will take 4-5 years. The sequence of construction will target building on the frontage to David Cox Road. The project will be built in phases. There was concern with clear cutting, Joe stated that the only way to economically grade a site was to clear cut and then phase infrastructure as homes are built. This raised a concern about dust and construction noise, David stated that there are construction ordinances that call for erosion control measures and construction practices to be detailed in the construction documents of the development. A citizen was concerned about the timing of construction with the development across the road, David stated that the approved subdivision was 6-8 months ahead of our proposed development in the development process.

Schools were brought up and it was mentioned that schools were already crowded. David stated that the school system had already been contacted and there was no problem on their end with

the proposed development. The perspective households be serviced by Croft Community Elementary, Alexander Middle School, and North Mecklenburg High.

Amenities were a topic as well. The lack of amenity space in the development and talk of linking a trail to the Davis Lake existing trail was a concern. David explained that walkability was a good thing and providing walking options would only elevate residents' quality of life. Davis Lake residents were not in favor of the proposed development joining their HOA for use of the pool and other amenities. It was stated that "our amenities are full". David stated that there was a YMCA nearby that could be used by future residents. Tree save was also mentioned, David explained that a 10% trees save is required by ordinance and that an effort will made to keep as many trees as is feasibly possible. Any trees that needed to be replaced will be replanted in common open space and amenity areas.

There were many questions and concerns as to why this site was picked for development and why town homes were targeted. David explained that the area is close to shopping, land was affordable, and that the sites topography is easily graded to create the desired density of units. Joe Stevens also explained that the market was driving town home development; people are transitioning and downsizing to town homes for less maintenance as they age. The type of unit also targets first time home owners. The price point and unit type is providing an affordable home for the two demographics previously described. He explained that many renters desire to get into an ownership opportunity and a town home is the next step. Some commented that a two story unit did not cater to seniors because they cannot climb the stairs. There was a suggestion of master bedroom on the first floor.

Further concerns voiced were light, noise, and air pollution. David explained that lights would be typical street lights and any lights on back stoops of homes would be typical back door lighting like you would see on any home. He also stated that there would be noise from construction but there were ordinances that govern construction hours. He further explained that air pollution from people choosing to smoke on their back porch is not a feasible or legal to control at a private residence. EMS accessibility was mentioned and David stated that the fire marshal had reviewed the plan and had not commented on accessibility for emergency vehicles. A question was asked about garbage collection, and was answered that it would be private on street collection with no dumpster on site. One resident asked about overflow parking, David pointed out that each home would have a garage and room to park a car on the front drive and that on street parking was provided for guests. Some mentioned that more people may create security risks.

After all the questions and concerns were voiced the topic moved to next steps. Many residents agreed that if the northern buffer could be widened and planted in a satisfactory fashion that they would support the development. Some residents stated that many developers had looked at the site for apartments and that a town home community with individual ownership was a far better prospect than renters and apartments. Some residents wanted copies of plan and were directed to the City of Charlotte Planning website. David detailed the next steps; we will take your thoughts and ideas into consideration and incorporate the ideas that are feasible for the developer and add them to the next submittal. He also stated that citizens could voice their opinions on the council's vote by contacting their local council representative or by attending the upcoming meetings.

MEETING ADJOURNED BY: David Malcom

CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:

1. Buffer increase along back adjoining to buildings AA and BB.
2. Reduced density by 6 units.
3. Increase in open space and amenities
4. Improvements to architecture and commitments to address facade treatment at key elevations and certain corner units.
5. Show the required turn lane improvements along David Cox Road.

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2016-083	04815269	PETERS	CAROLYN D			8731 FOX CHASE LN		CHARLOTTE	NC	28269
2016-083	04322110	PRESTON HOUSE I LLC				PO BOX 837		DAVIDSON	NC	28036
2016-083	02721131	PUCCI	SYLVIA			5339 HARRIS COVE DR		CHARLOTTE	NC	28269
2016-083	02742317	RABB	DONALD D	LESUE Y	RABB	8912 SHORE HAVEN CT		CHARLOTTE	NC	28269
2016-083	04815259	RATKA	JAMES PAUL			8724 FOX CHASE LN		CHARLOTTE	NC	28269
2016-083	02721113	REVERON	VERNITA I			5319 HARRIS COVE DR		CHARLOTTE	NC	28269
2016-083	02742325	REYES	KENDY	ANA R	FERNANDEZ	5228 DOWNING CREEK DR		CHARLOTTE	NC	28269
2016-083	02736161	RICHTER	JUERGEN	HELGA E	RICHTER	8624 LEGACY LAKE LN		CHARLOTTE	NC	28269
2016-083	02721130	ROACH	DEANNA	KENNETH	ROACH	PO BOX 480718		CHARLOTTE	NC	28269
2016-083	02721164	ROACH	DEANNA	KENNETH	ROACH	PO BOX 480718		CHARLOTTE	NC	28269
2016-083	02721159	ROBINSON	GARDENIA PATRICIA			5402 HARRIS COVE DR		CHARLOTTE	NC	28269
2016-083	02721167	ROGINSKI	TINA M			5328 HARRIS COVE DR		CHARLOTTE	NC	28269
2016-083	02721136	ROSE	LAURIE A			5221 COVES END CT		CHARLOTTE	NC	28269
2016-083	02742329	RUSTEMOV	MIRZA	VILDAN	RUSTEMOV	5240 DOWNING CREEK DR		CHARLOTTE	NC	28269
2016-083	02742342	RYANA	ADAM EDWARD	TERESA ANNE MARIE	VALLA	5100 DOWNING CREEK DR		CHARLOTTE	NC	28215
2016-083	04322117	SENIOR MEMORY CARE LLC				PO BOX 837		DAVIDSON	NC	28036
2016-083	02721115	SHAN	BRETTI	RISHI	SHAN	4040 SAN FELIPE ST,APT 112		HOUSTON	TX	77027
2016-083	02742346	SHEFFIELD	FRED L JR			5000 DOWNING CREEK DR		CHARLOTTE	NC	28269
2016-083	02721112	SHORTER	JOE N			5305 HARRIS COVE DR		CHARLOTTE	NC	28269
2016-083	04815255	SIMMONS	DESIREE E			FOX CHASE		CHARLOTTE	NC	28269
2016-083	02721153	SMITH	ANNIE E			5473 HARRIS COVE DR		CHARLOTTE	NC	28269
2016-083	02721135	SMITH	JEFFREY TODD			5215 COVE'S END CT		CHARLOTTE	NC	28269
2016-083	04815257	SPILLANE	LESLIE F			8720 FOX CHASE LN		CHARLOTTE	NC	28269
2016-083	04322111	STORE MASTER FUNDING VI LLC				C/O THE SUNSHINE HOUSE	1000 EAST NORTH ST,STE 200	GREENVILLE	NC	29601
2016-083	02721104	TEMPLE	TERESA D		TERESA R SABIN	4956 DAVID COX RD		CHARLOTTE	NC	28269
2016-083	02721103	TEMPLE	TERESA DIANE	TERESA R	SABIN	5000 DAVID COX RD		CHARLOTTE	NC	28269
2016-083	02736143	TERRELL	ELIZABETH A			8828 LEGACY LAKE LN		CHARLOTTE	NC	28269
2016-083	02721163	TOLER	KENNETH S			5348 HARRIS COVE DR		CHARLOTTE	NC	28269
2016-083	02721160	TRAN	DU T			5362 HARRIS COVE DR		CHARLOTTE	NC	28269
2016-083	02742331	VENDITTI	MIKE	STACEY B	VENDITTI	5236 DOWNING CREEK DR		CHARLOTTE	NC	28269
2016-083	02721133	VIDEA	CAIRO J			5353 HARRIS COVE DR		CHARLOTTE	NC	28269
2016-083	02736162	WATKINS	MADELINE H			8823 LEGACY LAKE LN		CHARLOTTE	NC	28269
2016-083	02742304	WHITE	STUART A	DEBRA K	WHITE	8903 BRIDGEPATH TRL		CHARLOTTE	NC	28269
2016-083	02721140	WHITENACK	LUNDA F			5214 COVES END CT		CHARLOTTE	NC	28269
2016-083	02721142	WHITENER	REBECCA JANE			5204 COVES END CT		CHARLOTTE	NC	28269
2016-083	02721147	WILLIAMS	JACQUELINE			5443 HARRIS COVE DR		CHARLOTTE	NC	28269
2016-083	04815271	WILLIAMS	KIA D			8757 FOX CHASE LN		CHARLOTTE	NC	28269
2016-083	02736150	WILSON	CHRISTOPHER			8861 LEGACY LAKE LN		CHARLOTTE	NC	28269
2016-083	02736160	WILSON	WILLIAM L			8828 LEGACY LAKE LN		CHARLOTTE	NC	28269
2016-083	02736157	WINTERS	DIANE M	NICHOLAS A	WINTERS	8866 LEGACY LAKE LN		CHARLOTTE	NC	28269
2016-083	02742301	WITT	DENNIS D	LYNN J	WITT	4903 DOWNING CREEK DR		CHARLOTTE	NC	28269
2016-083	04815294	WOODCROFT AT DAVIS LAKE	HOMEOWNERS ASSOCIATION			9000 DAVIS LAKE PKWY		CHARLOTTE	NC	28269
2016-083	02742324	WOODLOCK	COLIN	STEPHANIE	ALGER	5211 DOWNING CREEK DR		CHARLOTTE	NC	28269
2016-083	04815266	YANCEY	BETTY LAEL			8739 FOX CHASE LN		CHARLOTTE	NC	28269
2016-083	02736163	YARBRO	SCOTT			8815 LEGACY LAKE DR #8		CHARLOTTE	NC	28269
2016-083	02742302	ZIMNY	DOUGLAS	CAROL	ZIMNY	4915 DOWNINGT CREEK DR		CHARLOTTE	NC	28269
2016-083	02736158	ZULIANI	LOUIS	WALTER	ZULIANI	8862 LEGACY LAKE LN		CHARLOTTE	NC	28269

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April 22, 2016

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RE: Notice of Community Meeting

Dear Adjacent Property Owner(s):

Demeter Properties, Representatives will conduct a community meeting on Thursday, May 5, 2016 at 6:00 PM at the Davis Lake Clubhouse, 9000 Davis Lake Parkway, Charlotte North Carolina 28269 to review the proposed plans for the following parcel:

Regarding: Rezoning Petition 2016-083 (Demeter Properties, LLC)
15.38 acres located at 4900-5000 David Cox Road
PIN #s: 02721110, 02721109, 02721105, 02721108, 02721104, 02721103

All persons having an interest in these matters are invited to attend and make their views known at this time. Further information may be obtained from Andrea Turner at 704-527-0800. Please let us know if you have any special needs which will need to be met to assist with your attendance at the meeting.

Sincerely,

Demeter Properties

COMMUNITY MEETING 5/5/16

NAME	ADDRESS	PHONE #
██████████ Allen	██████████ Legacy lake Ln.	██████████
Varsha: Phil Kozimer LEO HEBERT	4904 Benthaven Ln 5270 COVENS RD CT	614-619-5178 204-736-8835
RICHARD ALEP	8994 SHOREHAVEN CT	217 720 7734
TERESA R. SARKIS	4956 DAVIS COX RD	704-578-5125
TERESA D. TEMPLE	"	704-578-6732
LYNN WITT	4903 DOWNING CREEK	508-245-7343
William Beattie	" " "	"
Doris Churcher Cem Sayda	4716 Clear Stream Ct	704 905 3016
Mary Lee McHardy	5463 Harris Cove Dr	704 981-4540
STUART + DEB WHITE	8903 BRIDGE PATH TRAIL	704) 661-2847
John P Cheng	8904 Pointview Place	612-269-6263
Scott + Nancy Sensiper	9201 Ivy Brook Ct.	704-599-9763
Tim OLCOTT	9222 Pebble Creek Way	ntim@yahoo.com
Gordon Howe	5111 Downing Crk.	704-964-2777
Mirza Rustemov	5240 Downing Creek	980 241 4138
CAROL ZIMMY	4915 DOWNING CREEK	678-614-7703
Amela MEKIC	5006 DOWNING CREEK	610 462 8168
Brian SENEZ	9612 Chimney Springs Pl	704 577-1607
JAMES DALRYMPLE	8902 BRIDGE PATH TRAIL	704-962-4510
Jackie Williams	5443 Harris Cove Dr.	980-875-9701
Alan LOUHYE	4912 Downing Creek Dr	704-287-8822
Maggie Boyd	8812 Legacy Lake Ln	704 599 3723

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COMMUNITY MEETING 5/5/16

NAME	ADDRESS	PHONE #
LINDA WHITENACK	5214 COVES END CT	704 921 2565
Elke Brengard	4715 Kennerly Cove Ct	—
John Hande	8867 Legacy Ln, Ln	204 596 4580
CHRIS MWANGI	9433 HARRIS CREEK DR	704 598 9158
Betty Orko	9117 Brightleaf Pl	704 904 1805
Emily Lowry	8902 Shorehaven Ct	704-597-0160
BONNIE GORE	5464 HARRIS COVE DR	704-596-3808
Nancy Boulevard	5352 Harris Cove Dr.	704-966-270
Raleigh Bynum	5237 Downmy Creek Dr	704-430-8352
Carla Adams	9014 Cobblestone Ct	
Terry Gray	4912 David Cox Rd	
STEPHEN Gray	4908 DAVID COX RD	
Jeff Dail	4737 Beech Crest Pl.	704-996-7271
Steve Duis	8905 SHOREHAVEN CT	980-229-7990
ALAN TRAVERS	9215 Brightleaf Pl.	
Cathy Templeton	9308 PebbleCreek way	704-921-2552
DAVID CONNER	8911 SHOREHAVEN CT.	704-607-0492
Ed Gonzalez	9208 Ivy Brook Ct.	704-904-2698
Lynne Osborne	5825 Legacy	704-293-3354
PATRICIA HARDY	9714 KENNERLY COVE CT.	704-733-9087
Pierrette Milling	5453 Harris Cove Dr	704-408-2211

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