

COMMUNITY MEETING REPORT
Petitioner: ATAPCO UEP, Inc.
Rezoning Petition No. 2016-117

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 July 21, 2016. 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 Wednesday, August 3, 2016 at 6:30 PM in the Meeting Room at Hampton Inn Charlotte-University Place located at 8419 North Tryon Street in 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 Dave Lazas of the Petitioner, Marianne Moseley of Kimley Horn and John Carmichael of Robinson Bradshaw & Hinson, P.A.

SUMMARY OF ISSUES DISCUSSED:

John Carmichael welcomed the attendees to the Community Meeting and introduced himself and the Petitioner's representatives.

John Carmichael stated that the site subject to this Petition is an approximately 4.51 acre site located on North Tryon Street. The site is next door to the location of this Community Meeting. The site is currently zoned O-15 (CD) and the site currently contains two office buildings.

The Petitioner is requesting that the site be rezoned to the TOD-M (CD) zoning district to accommodate the development of a mixed use building that could contain up to 280 multi-family dwelling units and up to 10,000 square feet of gross floor area devoted to non-residential uses. The non-residential uses would be located on the ground floor of the building. There would be a right-in/right-out driveway into the site from North Tryon Street as shown on the plan. University Executive Park Drive is located to the rear of the site.

John Carmichael then provided the schedule of events relating to this rezoning request. He stated that the Rezoning Petition was filed with the City of Charlotte on June 24, 2016. The Public Hearing before the Charlotte City Council and the Zoning Committee will be held on Monday, September 19, 2016 at 5:30 PM at the Charlotte-Mecklenburg Government Center located at 600 East 4th Street. The Zoning Committee Work Session will be held on Wednesday, September 28, 2016 at 4:30 PM at the Charlotte-Mecklenburg Government Center. The Charlotte City Council will render a decision on this Rezoning Petition on Monday, October 17, 2016 at 5:30 PM at the Charlotte-Mecklenburg Government Center.

Dave Lazas of the Petitioner then addressed the meeting. Dave Lazas shared and discussed the elevations of the proposed mixed use building. The proposed building would be five stories in height. The exterior building materials would be comprised of brick, cementitious siding, and potentially some stone. Vinyl siding would not be a permitted exterior building material.

Dave Lazas stated that the Blue Line extension will open in 2017, and the extension of the Blue Line in front of the site impacted the parking lot in front of the two existing office buildings on the site. Therefore, the Petitioner decided to pursue this development project at this time.

Dave Lazas showed the location of the proposed retail and non-residential uses in the building.

Dave Lazas stated that the building would be a Texas doughnut with the parking structure in the interior of the building so that it would be screened. Dave Lazas stated that University Executive Park Drive will become a public street to the rear of the site. Dave Lazas stated that ATAPCO is excited about this proposed project.

Dave Lazas provided background information on ATAPCO. Dave Lazas stated that ATAPCO's projects are predominantly located in the Baltimore and District of Columbia markets, and ATAPCO has multi-family, office, industrial and retail projects. Dave Lazas briefly discussed projects and parcels of land owned by ATAPCO in the Charlotte market, including the adjacent office park.

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 as well as the comments and concerns that were expressed at the meeting.

- An attendee stated that she is disappointed in the location of the retail space on the ground floor of the building. She indicated that she would prefer it to be located on the other side of the building. Dave Lazas stated that there are challenges to locating the retail space on the other side of the building due to grade and access issues. The retail space needs to be easily accessible by pedestrians and vehicles. As a result, the retail space is proposed to be located on the northern side of the building. Dave Lazas stated that the original plan was to buy the restaurant parcel located next to the site and include it in this project, and have retail on the restaurant parcel. Unfortunately, ATAPCO could not acquire the restaurant parcel.

- In response to a question, Dave Lazas stated that currently approximately 6,000 square feet of retail or commercial space is proposed for the building. This square footage could be comprised of four separate tenants. An attendee asked what amount of retail square footage makes sense in this project. Dave Lazas stated that if the area were densely populated, then more retail could be supported at this location. Residential density is needed to support retail uses.

- An attendee asked if some of the first floor residential units could be built in a fashion that they could be converted to retail uses in the future. Dave Lazas stated that ATAPCO has done that in some markets.

- In response to a question, Dave Lazas stated that ATAPCO owns the land surrounding the site except for the Hampton Inn and the restaurant parcel located at the corner of McCullough Drive and North Tryon Street. ATAPCO owns the adjacent office park, and ATAPCO has recently invested five million dollars in improvements to the adjacent office park.

- An attendee asked if the ground floor residential units would be accessible from the sidewalk. Dave Lazas stated that the building would be below the grade of North Tryon Street and the North Tryon Street sidewalk.

- An attendee asked if the building would contain workforce housing, and Dave Lazas stated that the building would contain market rate housing. The structured parking makes it difficult to have workforce housing.
- In response to a question, Dave Lazas stated that ATAPCO is a long-term owner of its developments. ATAPCO typically maintains the ownership of its development projects.
- In response to a question, Dave Lazas stated that they will have to determine what the rental rates will be at this project. Dave Lazas stated that they would hope to start construction on this project within seven to eight months from the date of the approval of this Rezoning Petition if it is approved. It would take fifteen to eighteen months from the start of construction to complete the building.
- An attendee asked if a green roof would be constructed on the building. Dave Lazas stated that a green roof would not be constructed on the building. In his experience, green roofs are constructed in areas that have tax incentives for green roofs.
- In response to a question, Dave Lazas stated that the building would be five stories in height.

The meeting was then adjourned and John Carmichael thanked the attendees for attending the meeting.

CHANGES MADE TO THE PETITION AS A RESULT OF THE COMMUNITY MEETING AS OF THE DATE HEREOF:

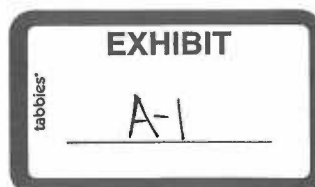
No changes have been made to the Conditional Rezoning Plan or to the Rezoning Petition as of the date of this Community Meeting Report solely as a result of the Community Meeting.

Respectfully submitted, this 22nd day of August, 2016.

ATAPCO UEP, Inc., Petitioner

cc: Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Department (via email)
Ms. Sonja Sanders, Charlotte-Mecklenburg Planning Department (via email)
Mr. Richard Hobbs, Charlotte-Mecklenburg Planning Department (via email)

Pet_No	TaxPID	ownerlastn	ownerfirst	ownerfirs	ownerlast	mailaddr1	mailaddr2	city	state	zipcode
2016-117	04721119B	8419 N TRYON CHARLOTTE LLC			C/O CAPSTONE DEVELOPMENT LLC	4445 WILLARD AVE SUITE 800		CHEVY CHASE	MD	20815
2016-117	04933102	APPLE NINE NORTH CAROLINA	LP	/BRIAN PEERY	C/O APPLE REITT NINE	814 E MAIN ST		RICHMOND	VA	23219
2016-117	04721110	ATAPCO UEP INC		ESTATE	C/O AMERICAN TRADING REAL	8307 UNIVERSITY EXEC PARK DR	STE 200	CHARLOTTE	NC	28262
2016-117	04721113	ATAPCO UEP INC		ESTATE	C/O AMERICAN TRADING REAL	8307 UNIVERSITY EXEC PARK DR	STE 200	CHARLOTTE	NC	28262
2016-117	04721118	ATAPCO UEP INC		ESTATE	C/O AMERICAN TRADING REAL	8307 UNIVERSITY EXEC PARK DR	STE 200	CHARLOTTE	NC	28262
2016-117	04721122	ATAPCO UEP INC		ESTATE	C/O AMERICAN TRADING REAL	8307 UNIVERSITY EXEC PARK DR	STE 200	CHARLOTTE	NC	28262
2016-117	04721125	ATAPCO UEP INC		ESTATE	C/O AMERICAN TRADING REAL	8307 UNIVERSITY EXEC PARK DR	STE 200	CHARLOTTE	NC	28262
2016-117	04745301	ATAPCO UEP INC		ESTATE	C/O AMERICAN TRADING REAL	8307 UNIVERSITY EXEC PARK DR	STE 200	CHARLOTTE	NC	28262
2016-117	04745301	ATAPCO UEP INC	DAVE LAZAS			1 SOUTH ST	STE 2800	BALTIMORE	MD	21202-1630
2016-117	04721101	BLACKMON	JOHN G	IRENE H	BLACKMON	2445 SELWYNN AVE		CHARLOTTE	NC	28207
2016-117	04933133	BRE/ESA P PORTFOLO TXNC	PROPERTIES LP		ATTN: FRANCES PARKER	PO BOX 49950,PROP TAX 0024		CHARLOTTE	NC	28277
2016-117	04721114	HARRIS REALTY INVESTMENTS LLC				5826 SAMET DR SUITE 105		HIGH POINT	NC	27265
2016-117	04933103	J & J UNIVERSITY BOULEVARD LLC				2127 S TRYON ST		CHARLOTTE	NC	28203
2016-117	04933601B	N C STATE HIGHWAY	PATROL			1119 E SUGAR CREEK RD		CHARLOTTE	NC	28205
2016-117	04721133	ONEIDA REALTY COMPANY				306 WEST SUPERIOR ST STE 1605		DULUTH	MN	55802
2016-117	04933130	PEAK PROPERTIES I LLC				PO BOX 480291		CHARLOTTE	NC	28269
2016-117	04721104	RI CHARLOTTE PROPERTY LP				13647 MONTFORT DR		DALLAS	TX	75240
2016-117	04933101	SOUTHERN BELL TEL& TEL				PO BOX 2211		ATLANTA	GA	30301
2016-117	04721119A	TERRA HOSPITALITY - GIANT II LLC				841 BISHOP ST SUITE 1700	ATTN: KIMBERLY F AQUINO	HONOLULU	HI	96813
2016-117	04933137	TRYON LLC	JOHN			3503 MAIN LODGE DR		MIAMI	FL	33133
2016-117		CARMICHAEL				101 N. TRYON ST	SUITE 1900	CHARLOTTE	NC	28246



Pet_No	FirstName	LastName	OrgLabel	MailAddress	MailCity	M- MailZip
2016-117	Jesse	Cureton	Bank of America (University City)	8551 North Tryon Street	Charlotte	NC 28262
2016-117	Elliott	Glover	Shady Hills Comm. Assoc.	808 Carolyn Lane	Charlotte	NC 28213
2016-117	Bill	Leonard	Carolinas Medical Center - University	Post Office Box 560727	Charlotte	NC 28256
2016-117	Joe	Labovitz	Carolinas Medical Center - University	Post Office Box 560727	Charlotte	NC 28256
2016-117	David	Jordan	Lakeshore Village Condo. Assoc., Inc.	9041 J. M. Keynes Drive, Unit 3	Charlotte	NC 28262
2016-117	Greg	Phipps	Back Creek II HOA, Inc.	1001 East WT Harris Boulevard, Suite P215	Charlotte	NC 28213
2016-117	Mary	Hopper	University City Partners NA	8335 IBM Drive, Suite 110	Charlotte	NC 28262
2016-117	Karen	Tannenbaum	Welwyn	9506 Glenwater Drive	Charlotte	NC 28262

**NOTICE TO INTERESTED PARTIES
OF COMMUNITY MEETING**

Subject: Community Meeting -- **Rezoning Petition No. 2016-117** filed by ATAPCO UEP, Inc. to request the rezoning of an approximately 4.51 acre site located on the west side of North Tryon Street between East McCullough Drive and Ken Hoffman Drive from the O-15 (CD) zoning district to the TOD-M (CD) zoning district

Date and Time of Meeting: **Wednesday, August 3, 2016 at 6:30 p.m.**

Place of Meeting: Meeting Room at Hampton Inn Charlotte – University Place
8419 North Tryon Street
Charlotte, NC 28262

We are assisting ATAPCO UEP, Inc. (the “Petitioner”) in connection with a Rezoning Petition it has filed with the Charlotte-Mecklenburg Planning Department requesting the rezoning of an approximately 4.51 acre site located on the west side of North Tryon Street between East McCullough Drive and Ken Hoffman Drive from the O-15 (CD) zoning district to the TOD-M (CD) zoning district. The purpose of this rezoning request is to accommodate the development of a mixed use building on the site that could contain up to 280 multi-family dwelling units and up to 10,000 square feet of non-residential uses.

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.

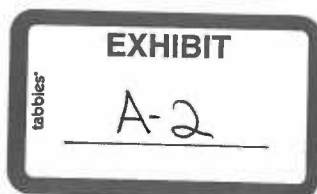
Accordingly, on behalf of the Petitioner, we give you notice that representatives of the Petitioner will hold a Community Meeting regarding this Rezoning Petition on Wednesday, August 3, 2016 at 6:30 p.m. in the Meeting Room at Hampton Inn Charlotte – University Place located at 8419 North Tryon Street 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. Greg Phipps, Charlotte City Council District 4 (via email)
Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Department (via email)
Ms. Sonja Sanders, Charlotte-Mecklenburg Planning Department (via email)
Mr. Richard Hobbs, Charlotte-Mecklenburg Planning Department (via email)

Date Mailed: July 21, 2016



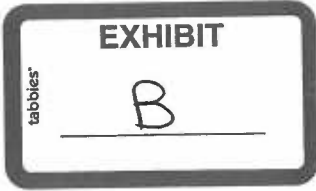
ATAPCO UEP, Inc., Petitioner
 Rezoning Petition No. 2016-117

Community Meeting Sign-in-Sheet

Meeting Room at Hampton Inn Charlotte – University Place
 8419 North Tryon Street
 Charlotte, NC

Wednesday, August 3, 2016

6:30 P.M.



	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1.	Theresa Rose	6428 Staroze Ln 28269	704 457 7948	theresarose@gmail.com
2.	DAVID MCKINNEY	1859 CAM BELL WOODS	864.303.9696	
3.	WIL RUSSELL	6001 BLUE SKY LANE 28209	704 309 9575	W.RUSSELL@gmail.com
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