

#### **COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2017-015**

**Petitioner:** 

MANNA CAPITAL, LLC

**Rezoning Petition No.:** 

2017-015

**Property:** 

± .833 acres located along Rexford Road, Charlotte, NC 28211

(the "Site").

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 Wednesday, December 14<sup>th</sup>, 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 November 29, 2016. 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 December 14<sup>th</sup>, 2016 at 6:30 PM, at Charlotte Marriott SouthPark, Colony Room, 2200 Rexford Road, Charlotte, NC 28211.

#### 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 Bob Branan and Lanie Hudson; Keith MacVean and Ron Melamed with Moore & Van Allen, PLLC; and Brad Norvell with McMillan Pazdan Smith Architecture.

#### SUMMARY OF ISSUES DISCUSSED AT MEETING:

#### I. Overview of Petitioner's Presentation.

#### **Introduction and Overview of Development Plan.**

Keith MacVean opened the meeting by welcoming the attendees to the Community Meeting on Rezoning Petition No. 2017-015. In turn, the other Petitioner's representatives introduced themselves.

Mr. MacVean referenced the site location aerial photograph on display when describing the history of the Site. The existing zoning [O-15 (CD)] was established in 1972 as part of the zoning of the area known as "The Park." A maximum amount of square feet of commercial space was set for The Park at that time. This maximum square footage was met some years ago. Any changes to the total square footage within The Park requires the submission of a rezoning application.

The building currently located on the Site has been vacant for a couple of years. Its previous use was a branch bank. The total square footage of the existing structure is approximately 3,150. The building proposed to be built on the site is expected to be approximately 7,200 square feet.

The rezoning petition was submitted on October 24, 2016. The rezoning is needed for two reasons: (1) the required number of parking spaces under the existing zoning for a building the size as the one planned is 21 spaces. The size and configuration of the site makes this a challenge. Additionally, the use contemplated for the building doesn't support a need to have that many spaces. The site plan depicts 12 spaces including one handicapped space. 12 parking spaces meets the required parking under MUDD (CD) zoning; (2) generally, the areas around SouthPark are being rezoned to MUDD (CD). Therefore, the change to the Petitioner's site is consistent with this trend.

The petitioner expects the public hearing and presentation to the City Council Zoning Committee to occur in January 2017 followed by a vote on the rezoning by the full City Council on February 20, 2017.

Mr. Norvell then led the discussion about the design of the building and landscaping. He described the design as Williamsburg revival with Georgian features. The building is one story with dormers as an architectural feature. There is also a basement area of approximately 1,400 square feet.

The primary exterior material used on the building is brick. The roof will be covered with architectural shingles or some other permanent roofing material.

There are two tree save areas shown on the site plan. These areas will be cleared of undergrowth, but otherwise generally remain wooded.

Some utilities will require relocation such as a transformer box near Rexford Road. The transformer lies within the area affected by required widening the sidewalk.

Mr. Branan spoke about the sponsorship of the project. He stated the owner is a private individual who wants a private office in which to conduct his family's financial affairs. The building design follows the family's traditional nature. As such, the building will have a residential feel. It could be viewed as a home.

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

Question: A question was asked about the apparent loss of street trees.

Response: Mr. MacVean responded that due to the relocation of the driveway, one tree would be removed, but another tree would be added in the landscape buffer in the approximate location of the existing driveway.

A general discussion followed in regard to the driveway located on the adjacent parcel to the west of the Site. The Petitioner hopes to maintain the use of this driveway via an existing curb cut in the rear parking area.

Question: Will the new zoning allow for any use of the property in the future if permitted under MUDD zoning?

Response: Mr. MacVean responded that since the zoning being sought is conditional any change in use would require the property to be rezoned through the same process as that currently taking place.

Question: What is the timing of the construction?

Response: The Petitioner hopes to close on the purchase of the Site by mid-March. Demolition followed by construction will commence shortly thereafter. Construction is expected to take approximately twelve months.

Question: What is the height difference between the current building and this new project?

Response: Mr. Norvell responded that the peak of the roof is 35 feet which is roughly 10 feet taller than the current building. The cupula is approximately 10 to 15 feet above the roof line.

Question: How many entrances are there to the building?

Response: There are two entrances into the office building; steps up to the front main entry for occasional guests. The back entrance will be predominantly used by the family on a daily basis.

Question: How far back will this new building sit?

Response: The current project will be sit approximately the same distance from the road as the building next to it. The set-back conforms to the MUDD (CD) requirements.

Question: Would the Petitioner consider contributing monetarily to the maintenance of the center median along Rexford Road? It was noted that the developer of the new hotel on the other side of Rexford Road had agreed to contribute \$25,000 for this purpose.

Response: Given the relative size of the Petitioner's project as compared with the new hotel, it would be difficult to make a significant contribution towards the maintenance of the median. With that said, the Petitioner does wish to be a good neighbor and would certainly entertain the discussion.

Question: Will there be construction rules of engagement? The concern is about late work hours such as pouring concrete at 2:00 AM.

Response: While the desire is to complete the building as quickly as possible, the Petitioner does not anticipate that the construction activity will extend into late hours. This is something the Petitioner is certainly willing to discuss further with those impacted. Mr. VacVean added that an arrangement about the work hours cannot be included in the notes to the rezoning application since the city has a difficult time enforcing such things.

Question: What is the status of the wall along the eastern property line adjacent to the Trianon condominium complex?

Response: A wall will be maintained along the property line and the buffer plantings may be enhanced. It was also noted the existing wall is within the Site boundaries.

One of the Trianon residents explained the origin of the wall. He stated that when the original bank branch was constructed, a wall was not built. After negotiations with the Trianon residents an agreement was reached whereby the bank built the wall.

Question: What is the name of the client and when would that information be made public.

Response: Mr. Branan responded that the owner is a private family and wishes to avoid being contacted by various vendors who wish to work on the project such as contractors, signage companies, etc. The owner's identity will likely be made public at the time of the public hearing or the Zoning Committee meeting.

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

No changes to the Petition as a result of the community meeting were made.

Respectfully submitted this 19<sup>th</sup> day of December, 2016.

cc: Mayor and Members of Charlotte City Council
John Kinley, Charlotte Mecklenburg Planning Department
Bob Branan, Manna Capital, LLC
Ron Melamed, Moore & Van Allen, PLLC
Keith MacVean, Moore & Van Allen, PLLC
Brad Norvell, McMillan, Pazdan and Smith Architecture

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17708215			C/O LRC PROPERTIES LLC	5 INTERNATIONAL PARK DR	SUITE 125 RYE BROOK	Ŋ	10573
17708136				3528-B COLONY RD LLC	CHARLOTTE	NC	28211
17708137	NAGY	SHERINE	MIKHAIL	3528 COLONY ROAD UNIT C	CHARLOTTE	S	28211
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17708107	SHERYL ROSS			595 KENWAY LOOP	MOORESVILLE	N S	28117
17708132	TRACY	ALICE	BLACKWELDER	3532 COLONY RD APT A	CHARLOTTE	NC	28211
17708228	PARIS EDWARD		JUNE LASHMIT	3504 COLONY RD APT K	CHARLOTTE	NC	28211
17708105	MARSHA J			2235 REXFORD RD APT E	CHARLOTTE	NC	28211
17708163	CATHY K			3500 COLONY RD APT C	CHARLOTTE	NC	28211
17708131	JAN ELLEN			3532 COLONY RD APT C	CHARLOTTE	NC	28211
2017-015 17708114 BURLEY	ELEANOR L			1708 ROXBOROUGH RD #B	CHARLOTTE	N	28211
2017-015 17708195 BUTZ	SARAH E			2233-A REXFORD RD	CHARLOTTE	NC	28211
2017-015 17708138 CALLAWAY	MATTHEW			3528 COLONY RD APT D	CHARLOTTE	S	28211
2017-015 17708144 CARRAWAY	II W NHOC			3520 COLONY RD APT C	CHARLOTTE	NC	28211
2017-015 17708152 CERNYAK-SPATZ	SUSAN			3516 COLONY RD APT A	CHARLOTTE	NC	28211
2017-015 17708234 CLINTON	CAROLYN S			PO BOX 24224	JACKSONVILLE	교	32241
2017-015 17708177 COBB	HAILEY A			2225 REXFORD RD #B	CHARLOTTE	NC	28211
2017-015 17708222 COLEMAN	JACOB C			3504 COLONY RD UNIT E	CHARLOTTE	NC	28211
2017-015 17708140 COLEY	MARY ELIZABETH			3524-C COLONY RD	CHARLOTTE	NC	28211
2017-015 17708171 COLLINS	CHRISTOPHER D			3508 COLONY RD UNIT F	CHARLOTTE	NC	28211
17708196	JOAN M			2233 REXFORD RD UNIT C	CHARLOTTE	NC	28211
17708164	WILLA W		CAROLE A COULTER	3500 COLONY RD APT B	CHARLOTTE	S	28211
17708124	ELDA-ROSA			1704 ROXBOROUGH RD	CHARLOTTE	S	28211
17708153	MALCOLM H	CLEO P	CRANFORD	3516 COLONY RD APT B	CHARLOTTE	S	28211
17708179	FLORENCE P			2227 REXFORD RD APT A	CHARLOTTE	S	28211
17708198	KARA E			2233 REXFORD RD #B	CHARLOTTE	S	28211
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17708167	CHRISTIE D			3508-B COLONY RD	CHARLOTTE	S	28211
17708181	SHAWN TERRELL SR	i		2227 REXFORD RD APT C	CHARLOTTE	S	28211
17/08151	ALYSON M	MICHAEL N	EBAUGH	3520 COLONY RD UNIT	CHARLOITE	) i	28211
17708108	HENDRICK H	DIANE M	ELLIS	1712 ROXBOROUGH RD #C	CHARLOTTE	S	28211
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17708219	FARAMAR7	NEKOO	DAHI	1721 STERLING RD	CHARLOTTE	2 2	28209
17708190	J SAMUEL			2229 REXFORD RD APT F	CHARLOTTE	NC	28211
17708217	KAREY LEIGH			113 MANNING DR	CHARLOTTE	NC	28209
2017-015 17708104 GENISOL	BABUR			2235 REXFORD RD APT D	CHARLOTTE	NC	28211
2017-015 17708193 GEORGIUS JR	JOHN R			417 EAST BLVD STE 102	CHARLOTTE	NC	28203
2017-015 17708201 GILBERT	PALLIE W			3424 COLONY RD	CHARLOTTE	NC	28211
2017-015 17708233 GREGORY	DEREK W	MARINA	GREGORY	3504 COLONY RD	CHARLOTTE	NC	28211
17708156	WILLIAM L	ELAINE	GRIFFIN	618 COLVILLE RD	CHARLOTTE	NC	28207
17708170	MARCIA J			3508 COLONY RD APT E	CHARLOTTE	S	28211
17708103	SLITRUST	HELEN E	IVEY	2235 REXFORD RD APT C	CHARLOTTE	S	28211
17708197	KATHRYN E			3619 MORELAND FARMS RD	CHARLOTTE	SS	28226
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SALLYE T RICHARDS REVOCABLE TRUST
MARY HOWARD SHAW CARLA H SHEPPARD
WILLADENE BUCHANAN BOBBY LEE DIANNE E SHORT LOUISE BATE MICHAEL
LAROCHELLE ATTN:JOHN W MARRIOTT III & LEE EMILY SUTTON PETITION 2017-015

2017-015 17708175 TAYLOR	AMBRIEL Y	ANTHONY G	CHAHINE	2225 REXFORD DR UNIT D	CHARLOTTE	NC	28211
2017-015 17708178 THE BIRDHOUSE I/T		STUART BRENT	WAINSCOTT	2225 REXFORD RD,UNIT A	CHARLOTTE	SC	28211
2017-015 17708159 THOMPSON	ADAM J			3500 COLONY RD APT G	CHARLOTTE	NC	28211
2017-015 17708111 TIWARI	RAJIVE			1712 ROXBOROUGH RD APT F	CHARLOTTE	NC	28211
2017-015 17708199 TROTTER	GEORGE R III			2233 REXFORD RD APT E	CHARLOTTE	NC	28211
2017-015 17708116 TURTLE DREAMS   LLC				6914 SUMMERHILL RIDGE DR	CHARLOTTE	NC	28226
2017-015 17708191 WEISGERBER	BRYANT MICHAEL			2231-A REXFORD RD	CHARLOTTE	NC	28211
2017-015 17708109 WEISSEN	SUSAN			1712 ROXBOROUGH RD UNIT D	CHARLOTTE	NC	28209
2017-015 17708161 WHITE	DONALD BARNES		MADGE GARRISON WHITE	3500 COLONY RD APT E	CHARLOTTE	NC	28211
2017-015 17708162 WHITE	TIFFANY S			4401 TOWN & COUNTRY DR	CHARLOTTE	NC	28226
2017-015 17708139 WHITLOW	BEVERLY			3524 COLONY RD APT A	CHARLOTTE	NC	28211
2017-015 17708227 WICKER	JAMES H	BETTY F	WICKER	3504 COLONY RD APT J	CHARLOTTE	NC	28211
2017-015 17708112 WOODARD	PAYTON LOUISE			1712 ROXBOROUGH RD #G	CHARLOTTE	NC	28211
2017-015 17708235 WRENN	SCOTT MCLEOD			3504 COLONY RD APT Q	CHARLOTTE	NC	28211
2017-015 17708185 YARBROUGH	WILLIAM R,		WILLIAM R YARBROUGH,JR TRUST	2229 REXFORD ROAD # A	CHARLOTTE	NC	28211
2017-015 17708226 YL GLOBAL PROPERTIES LLC				720 GOVERNER MORRISON #130	CHARLOTTE	NC	28211
2017-015 17708231 ZAPATA	BRIAN JARVIS			3504 COLONY RD APT N	CHARLOTTE	NC	28211
2017-015 RONALD S. MELAMED			<b>MOORE &amp; VAN ALLEN PLLC</b>	100 N. TRYON ST	SUITE 4700 CHARLOTTE	SC	28202
2017-015 MANNA CAPITAL, LLC				421 PENMAN ST	SUITE 110 CHARLOTTE	NC	28211

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# NOTICE TO INTERESTED PARTIES OF A REZONING PETITION PETITION # 2017-15 – Manna Capital, LLC

Subject:

Rezoning Petition No. 2017-15

Petitioner/Developer:

Manna Capital, LLC

**Current Land Use:** 

Office

**Existing Zoning:** 

O-15 (CD)

Rezoning Requested:

MUDD (CD)

**Date and Time of Meeting:** 

Wednesday, December 14, 2016 at 6:30 p.m.

Location of Meeting:

Charlotte Marriott SouthPark

Colony Room 2200 Rexford Road Charlotte, NC 28211

Date of Notice:

November 28, 2016

We are assisting Manna Capital, LLC (the "Petitioner") on a Rezoning Petition recently filed to allow the redevelopment of the Site with a newly constructed office building on a  $\pm$ .833 acre parcel located at 2245 Rexford Road (the "Site"). 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 the  $\pm .833$  acre Site from O-15 (CD) to MUDD (CD). The site plan associated with the Petition proposes to replace the existing building with a newly constructed office building (approximately 7,200 square feet) for the use as a private office.

The proposed office building will be constructed primarily of brick. All screening and landscaping shall conform to the standards under the City of Charlotte Zoning Ordinance. The Petitioner shall make good faith and diligent efforts to preserve existing trees and shrubs within the perimeter of the Site.

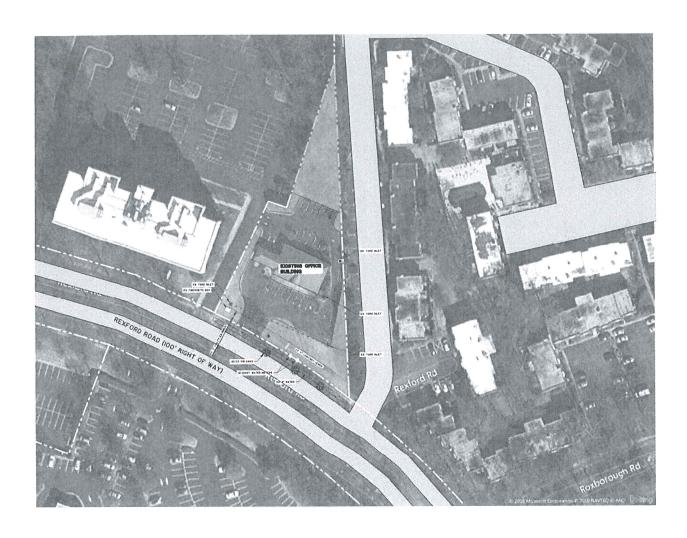
#### **Community Meeting Date and Location:**

The Charlotte-Mecklenburg Planning Department'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 Wednesday, December 14, at 6:30 p.m. at Charlotte Marriott SouthPark, Colony Room, 2200 Rexford Road, Charlotte, NC 28211. Representatives of the Petitioner look forward to discussing this rezoning proposal with you at the Community Meeting.

In the meantime, should you have questions about this matter, you may call Ron Melamed (704-331-3605) or Keith MacVean (704-331-3531). Thank you.

cc: Mayor and Members of Charlotte City Council John Kinley, Charlotte Mecklenburg Planning Commission Ronald Melamed, Moore & Van Allen, PLLC Keith MacVean, Moore & Van Allen, PLLC

### **Site Location**



REZONING PETITION NUMBER 2017-15 COMMUNITY MEETING SIGN-IN SHEET PETITIONER: MANNA CAPITAL, LLC **DECEMBER 14, 2016** 

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PETITION 2017-015 COMMUNITY MEETING REPORT FXHIRIT C.