SECOND COMMUNITY MEETING REPORT **Petitioner: Madison Capital Group, LLC** Rezoning Petition No. 2017-023

This Second 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 Second Community Meeting to the individuals and organizations set out on <u>Exhibit A</u> attached hereto by depositing such notice in the U.S. mail on July 31, 2018. A copy of the written notice is attached hereto as <u>Exhibit B</u>.

DATE, TIME AND LOCATION OF MEETING:

The Second Community Meeting was held on Thursday, August 9th at 6:00 p.m. at the Steele Creek Presbyterian Church, 7407 Steele Creek Road, Charlotte, North Carolina 28217.

PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):

The Second Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as <u>Exhibit C.</u> The Petitioner was represented at the S e c o n d Community Meeting by Dan Gualtieri and Evan Stephens, as well as by Petitioner's agents, Brian Miller and Rad Hudson with Bohler Engineering, Brady Finklea with Kimley-Horn, and Collin Brown and Brittany Lins with K&L Gates. Multiple members of the Freeman family, who are the current owners of the property, were also in attendance to show their support for the petition.

SUMMARY OF PRESENTATION/DISCUSSION:

The Petitioner's agent, Collin Brown, welcomed the attendees and introduced the Petitioner's team. Mr. Brown explained that a previous Official Community Meeting was held about a year prior by developer Leon Capital Group, LLC. Since then, one of the main drivers of the deal (Lidl Grocery) fell through. Now, a new developer, Madison Capital Group, LLC, has the opportunity to present a similar site plan and revive the rezoning request.

Mr. Brown used a PowerPoint presentation, attached hereto as <u>Exhibit D.</u> Mr. Brown began the presentation by explaining the long process that has lead to the status of the petition today. The Petitioner began community outreach in November of 2016 during a Steele Creek Residents Association meeting, then with hosting a meeting with the Berewick Neighborhood Association in December 2016. Since that time, the Petitioner has been involved in the City's Developer Response Process for the Steele Creek area. The Petitioner has updated the rezoning plan to be responsive to those community outreach initiatives and the Developer Response results.

Mr. Brown explained that the property is approximately 16 acres and located on the east side of Steele Creek Road, in between Dixie River Road and the future extension of Shopton Road West. The property has been owned by generations of the Freeman family for over 300 years and the family has seen first-hand the area's transformation from expansive farmland to a busy commercial center. The encroaching

development and increased traffic, along with health and aging family concerns, has been difficult for the family and they now wish to sell their land.

Mr. Brown continued by explaining the current zoning at the property is the R-3 (residential) zoning district. The Steele Creek Area Plan recommends residential uses up to six dwelling units per acre for this property, however, the plan recognizes that consideration should be given to retail, office and higher density development along Steele Creek Road.

Based on the rapid anticipated redevelopment of the Steele Creek area, the City initiated a Developer Response process to evaluate a broader view of potential rezoning areas rather than each rezoning petition on its own. Mr. Brown explained the Developer Response process undertaken by the City and the involvement of various interested parties. Mr. Brown said that the feedback ranged from those who wanted denser development to those who wanted no new development. Mr. Brown then explained the City's results from the process, including the desired density and street infrastructure.

Mr. Brown explained that the Petitioner intends to follow the results of the Developer Response process, including building expensive street infrastructure across the property. The Petitioner will also design the buildings along Shopton Road to create a "main street" feel, as requested by the City as a result of the Developer Response process. The Petitioner will also provide a wide setback along Steele Creek Road to be consistent with the Berewick streetscape. Mr. Brown explained that the Petitioner also must take many other factors into account, including the desires of the property owner, the City, market realities, transportation requirements, and concerns of adjacent property owners.

Mr. Brown then showed the current conceptual site plan for the property. The Petitioner is currently requesting the NS (Neighborhood Services) zoning district for the front parcels of the property fronting Steele Creek Road, to accommodate commercial uses, which may include restaurant, grocery, office, or personal service uses, among others. Additionally, the Petitioner has agreed to limit the number of drive-through uses at the site to one accessory drive through for only neighborhood service uses (not fast food) or financial institutions (i.e., banks) and to adequately screen the view of the drive-through window. The Petitioner is requesting MUDD (Mixed Use Development District) for the back portion of the site to accommodate multi-family residential uses. The Petitioner also intends to provide amenitized pocket parks and a large tree save area in the site plan.

Mr. Brown explained that the Petitioner is sensitive to the community feedback against multi-family housing. Due to various site constraints and competing interests, the Petitioner believes that multi-family residential uses are appropriate for this site whereas single family is more appropriate in other areas to be developed around the Steele Creek area. Mr. Brown noted that the site is within a short walking distance from various employment opportunities and amenities, making it desirable as a location for multi-family housing. Noise concerns related to airport traffic can be better insulated in multi-family developments rather than single family housing.

Mr. Brady Finklea walked through the transportation considerations and emphasized that the proposed project would create 1,000 less trips than the original plan by Leon Capital. Mr. Finklea demonstrated that several off-site mitigation measures would be implemented by the Petitioner to help alleviate traffic congestion at the surrounding intersections. In response to attendees' concerns about the timing of the traffic signal at the intersection of Shopton Road and Steele Creek Road, Mr. Finklea stated that he would look into the issue with CDOT and try to find a solution.

The Petitioner is committing to high-quality building materials in the conditional rezoning plan. Mr. Brown showed several renderings to demonstrate the Petitioner's vision for the multi-family portion of the site.

The Petitioner hopes that this petition will go to public hearing in September and receive a City Council decision in October of this year but Mr. Brown stated that an October public hearing and November City Council decision is more likely. Mr. Brown then opened the meeting up to attendee questions and discussion.

Several attendees expressed their concern with the proposed multi-family development and school overcrowding. Mr. Brown stated that CMS would provide an official memo of the projected number of students that this development would add. He also stated that several new schools are proposed for the area as part of the bond referendum that will help alleviate some of the school overcrowding.

In response to a question regarding the feasibility of condominium ownership rather than apartments, the Petitioner's agents responded that the condo market is not as strong and lending is difficult.

An attendee commented that she would like to see more restaurants and bars, such as a place to watch sports games. Another attendee pointed out that better restaurants come with additional rooftops.

Several members of the Freeman family spoke in favor of this rezoning petition, stating that it's the "best plan they've seen" and echoing the desire to sell the property to the Petitioner.

The meeting concluded at approximately 7:00 p.m. and the Petitioner's agents departed shortly thereafter.

Respectfully submitted, this 13th day of August, 2018.

cc: Council Member LaWana Mayfield Claire Lyte-Graham, Charlotte-Mecklenburg Planning Department

Exhibit A

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2017-023	taxpid	owneriastn	ownerfirst	cownerfirs	cownerlast	mailaddr1	mailaddr2	city	state	zipcode
2017-023	19919311	SPARROW	MARY T		%CHARLES A SPARROW	207 ARROW DR		STARKVILLE	MS	39759
2017-023	19919312	CLAPHAM	AMELIA ANNE			14600 MAJESTIC OAK DR		CHARLOTTE	NC	28278
2017-023	19919390	FREEMAN	GEORGIA ANN			236 WEST PARK DR		MORGANTON	NC	28655
2017-023	19919391	FREEMAN	GEORGIA ANN			236 WEST PARK DR		MORGANTON	NC	28655
2017-023	19923701	HT FUEL NC LLC				701 CRESTDALE RD	ATTN REAL ESTATE DEPARTMENT	MATTHEWS	NC	28105
2017-023	19923703	HT BEREWICK LLC			C/O PAPPAS PROPERTIES LLC	4777 SHARON RD STE 550		CHARLOTTE	NC	28210
2017-023	19923715	BEREWICK PROPERTY PARTNERS LLC			THE JACOB FAMILY PARTNERSHIP	8315 BEVERLY BLVD STE 101		LOS ANGELES	CA	90048
2017-023	19923716	FTS BEREWICK LLC				610 E MOREHEAD ST SUITE 100	CO ASTON PROPERTIES INC	CHARLOTTE	NC	28202
2017-023	19923717	HT BEREWICK LLC			C/O PAPPAS PROPERTIES LLC	4777 SHARON RD STE 550		CHARLOTTE	NC	28210
2017-023	19923718	DIXIE RIVER ROAD REALTY LLC				C/O WALGREENS TAX DEPT	PO BOX 1159	DEERFIELD	IL.	60015
2017-023	20109104	CASALINO CARTING INC				66-00 LONG ISLAND EXPRESSWAY STE 102		MASPETH	NY	11378
2017-023	20109105	FREEMAN	FORREST COOPER JR		JO ANN M	9601 STEELE CREEK RD		CHARLOTTE	NC	28273
2017-023	20109105	SHUBERT	CHARLES WILLIAM	PAMELA R	SHUBERT	9617 STEELE CREEK RD		CHARLOTTE	NC	28217
2017-023	20109107	FREEMAN	GERTRUDE H			9501 STEELE CREEK RD		CHARLOTTE	NC	28273
2017-023	20109108	STEELE CREEK (1997)LIMITED	PARTNERSHIP			6100 FAIRVIEW RD STE 640		CHARLOTTE	NC	28210
2017-023	20109114	MARK OIL COMPANY INC				1115 NORTH CHURCH ST		CHARLOTTE	NC	28232
2017-023	20109115	MAZZIOTTA	LILLIAN		(BY ENTIETY)	7214 BEDFORDSHIRE DR		CHARLOTTE	NC	28226
2017-023	20109117	FREEMAN	FORREST C III	LINDA R	FREEMAN	9605 STEELE CREEK RD		CHARLOTTE	NC	28273
2017-023	20109119	KNCT DIXIE RIVER LLC				8415 SARSFIELD CT		WAXHAW	NC	28173
2017-023	20109120	KNCT DIXIE RIVER LLC				8415 SARSFIELD CT		WAXHAW	NC	28173

2017-023	ORGANIZATI	FIRST_NAME	LAST_NAME	STREET_ADD	UNIT_NUM	CITY	STATE	ZIP
2017-023	Berewick Neighborhood Association	Beverly	Berglass	6327 Breckfield Court		Charlotte	NC	28278
2017-023	Cedar Brook	Shirley	Lee	10201 Illoria Drive		Charlotte	NC	28273
2017-023	Clearview Acres	William	Harraman	9100 Paragon Dr		Charlotte	NC	28273
2017-023	Steele Creek Residents Association	Dave	Wiggins	13938 Dingess Rd		Charlotte	NC	28273
2017-023	Steele Oaks Braddock Green	Mimi Forbes	Beele	11506 Split Pine Ct		Charlotte	NC	28273
2017-023	Steele Oaks Braddock Green	Robin	Steen	10539 Queensmead Cr		Charlotte	NC	28273
2017-023	Sullivan's Trace Homeowners Association	Alex	Taylor	8849 Gerrin Ct		Charlotte	NC	28217

Exhibit B



July 31, 2018

Collin W. Brown collin.brown@klgates.com

T +1 704 331 7531 F +1 704 331 7598

NOTICE TO INTERESTED PARTIES OF COMMUNITY MEETING

Date:	Thursday, August 9th at 6:00 p.m.
Location:	Steele Creek Presbyterian Church
	New Fellowship Classroom (#117)
	7407 Steele Creek Road
	Charlotte, NC 28217
Petitioner:	Madison Capital Group, LLC (formerly LG Acquisitions, LLC)
Petition No.:	2017-023

Dear Steele Creek Area Resident,

We represent Madison Capital Group, LLC (the "Petitioner") in its plans to redevelop a 16.2 acre property located on the east side Steele Creek Road and south of Rigsby Road, across from Shopton Road West and Dixie River Road (the "Property"). The Petitioner is seeking to rezone the Property from the R-3 zoning district to the MUDD-O and NS zoning districts in order to accommodate its redevelopment plans.

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 Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Commission'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 invite you to attend the Official Community Meeting regarding this Petition on **Thursday**, **August 9th at 6:00 p.m.** to meet with the Petitioner and its design and development team. A former Official Community Meeting for this petition was held on July 6, 2017. We will give a brief overview of the redevelopment concept and minor changes since the prior community meeting. Then, you will be provided an opportunity to meet and talk with individuals that are involved in planning the project.

Please contact me if you are unable to attend and would like additional information.

Very truly yours,

Collin W. Brown

cc: Council Member LaWana Mayfield Claire Lyte-Graham

Exhibit C

Community Meeting Petitioner: Madison Capital Group, LLC / Freeman Property Rezoning Petition: 2017-023 Steele Creek Presbyterian Church 7407 Steele Creek Rd. Charlotte, NC 28217 August 9, 2018 6:00 PM

Please fill out completely. This information is used by the Planning Department to distribute material regarding this petition.

[Name	Address	Phone No.	Email	
	HUNTER WILSON	9835 WINDY GAP RD.	704 576 2674	HWTERWILSONCOTE	GMAIL.
		5814 KIYKWYND GMMONS DN		dir haas@ bellsouth.	com
	Pan Shubert		704-829-8266		
	Jeff mail	Kio	7.04 913,9331		an
	Linda & Cooper 1	reeman Rd.	-704-626-0299	fcfreeman 1960@	4 10 ¹
	COOPEr Freeman	I 9605 Steele	Creek Rd. 104-868		
v	Ludy O'Connell	5749 Mossdale LA 2 F2 7.8-	336-512-9869		tanoo,
~	Phillip Ture	3817 Smokensothel	104-236-2543	fillistsaansil-co	m
	David Hobbs	8927 OFANSAY WAY	704 859-4845	StSMyway Dynhose	n
	BRIDRON A	346 Worden Hoggaca	704-9425695	BRITH Rottelsim 1	in
4	Carla Brazell	,	7046078410	CSILVA_VSA@h	strail
	Nadine Branfley		104-779-2357	nadinebrant (exogenaie.	
	Tom Brantley		11	"	
	Joy Bailey	joycelym. baile Bre	11 1045774992		
	Caleb Theodros	0.5 0 .00	704-705-5977		
	Price Freeman				
	Peyton Freeman				
	Theron Freeman				
					-

Exhibit D



(Second) Official Community Meeting

Rezoning at Dixie River Road and Steele Creek Road Rezoning Petition No. 2017-023

August 9, 2018

Steele Creek Presbyterian Church

AGENDA

- Welcome / Introductions
- Property Location
- Current Zoning
- Adopted Area Plans / Development Response
- Rezoning Request Overview
- Discussion / Questions



Introductions



MADISON CAPITAL GROUP

(formerly Leon Capital Group)

Dan Gualtieri



Petitioner:

Rad Hudson & Brian Miller



Brady Finklea

K&L GATES

Collin Brown & Brittany Lins

The Freeman Family





Property Location















Existing Zoning







Adopted Area Plan





Steele Creek Area Plan

Charlotte-Mecklenburg Planning Department



Adopted by Charlotte City Council February 27, 2012

klgates.com







Steele Creek Area Plan

Recommended Future Land Use

Map 3





6c. Recommend residential up to 6 dwelling units per acre (dua). However, consideration will be given to a mixture of residential, office and retail land uses along Steele Creek Road. Retail development should be limited to a convenience size center (70,000 square feet maximum).



Development Response



STEELE CREEK DEVELOPMENT RESPONSE STUDY

Wrap-up Meeting March 14, 2017 Kennedy Middle School

APPROVED & PROPOSED DEVELOPMENT





WHAT IS A DEVELOPMENT RESPONSE STUDY?

- Relook at the area in light of changes and development proposals since the Area Plan adoption
- Allows Planning Staff to look at different development scenarios and consider opportunities and impacts. The study does not represent official policy changes.
- Provide potential street and open space framework for future development, guidance on appropriate land use intensity, and enhanced guidance on community design



STUDY AREA



APPROVED & PROPOSED DEVELOPMENT



CHARLOTTE.

COMPLETE STREETS


TREAT SHOPTON ROAD AS A MAIN STREET



CREATE A NEW PARALLEL RETAIL STREET TO STEELE CREEK ROAD

Steele Creek Road

klgates.com

Parallel Street



5seele Clear 2000

481

5

BUILD FROM EXISTING CHARACTER





BEREWICK TOWNCENTER











WHAT OTHER PRIORITIES?

"There should be separation between retail/commercials uses and single family residential uses"

"There should be a variety of entertainment amenities in the area."

"Developments should build around the trees" "We need services and public amenities that make life easier and more comfortable."

WHAT HAVE THE STAKEHOLDERS SAID?

"I would like to be able to develop my property so that I can pay my bills and provide for my family."

"Office or light industrial would be the best because there would be limited noise complaints and it would be close to the existing uses."

There are more than 15,000 jobs in the area - and people want to live, work, and shop here.

"I want to see the area be more single family houses."

I see future office headquarters and we will wait until it is viable.

"No more houses -the schools are already overcrowded."



Rezoning Overview





Conventional vs. Conditional Rezoning

Conventional	Conditional		
Property owner signature not required	Property owner signature required by State Law		
No site plan submittal	Site plan submittal required		
No community meeting required	Community meeting and report required		
Not tied to specific uses/proposal	Commitment to specific uses and proposal		

REZONING CONSIDERATIONS

- Property Owner Requirements
- Existing Zoning
- Natural/Environmental Constraints
- Access/Transportation Requirements
- Adjacent Owner Concerns
- Adopted Area Plans (Steele Creek Area Plan)
- City Priorities
- Community Concerns
- Market Realities



Rezoning Proposal





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Traffic









U-5766 based on June 2018 Preliminary Design Plans provided by

NCDOT

Trip Generation ~1,000 Trip Decrease From Prior Plan

Prior Plan

Land Use [ITE Code]			Weekday Daily
Apartments [220]	210	DUs	1,396
Retail [820]	7,000	SF	1,206
Retail [820]	7,000	SF	1,206
Grocery [850]	36,000	SF	3,681
Subtotal			7,489
Internal Capture Reduction*			-952
2% of Adjacent Roadways Passby Reduction (Steele Creek Rd - 56 Shopton Rd West - 36)			-184
Total New Trips			6,353

Current Plan

Land Use	Intensity		Daily
Shanning Contor [ITE 020]	15,000	SF	1.055
Shopping Center [ITE 820]			1,655
Supermarket [ITE 850]	30,000	SF	3,203
Multi-Family - Mid Rise [ITE 221]	230	DU	1,252
Subtotal			6,110
Internal Capture			570
ITE 820 Pass-By - 0% AM / 34% PM			40
ITE 850 Pass-By - 0% AM / 36% PM			84
Pass-By			124
Net New External Trips			5,416



Design











ROUGH TIMELINE

- August 13th: Revised Site Plan Submitted
- September 17th: Earliest Possible Public Hearing
- October 15th: Earliest Possible City Council Decision
- 2019: Permitting and Groundbreaking



Discussion



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