COMMUNITY MEETING REPORT
Petitioner: Davis Development, Inc.
Rezoning Petition No. 2017-179

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 December 29, 2017. 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 Thursday, January 11, 2018 at 6:30 PM at the Wingate by Wyndham located at 7841 Gateway Lane, NW in Concord, 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 sheets attached hereto as Exhibit B. The Petitioner’s representatives at the Community Meeting were Lance Chernow, Fred Hazel and Adam Lovin of Davis Development, Inc., Scott Kiger of Design Resource Group, and John Carmichael and Ty Shaffer of Robinson Bradshaw & Hinson, P.A.

SUMMARY OF ISSUES DISCUSSED:

The Petitioner’s representatives utilized a power point presentation during the Community Meeting, a copy of which is attached as Exhibit C.

Ty Shaffer welcomed everyone to the meeting and he introduced himself and the Petitioner’s representatives. Mr. Shaffer stated that this is the Community Meeting relating to Rezoning Petition No. 2017-179. He then provided the agenda for the meeting and the current schedule of events relating to this rezoning request (all meetings held at the Charlotte-Mecklenburg Government Center):

- Public Hearing: Monday, February 19, 2018 at 5:30 PM
- Zoning Committee: Tuesday, March 6, 2018 at 5:30 PM
- City Council Decision: Monday, March 19, 2018 at 5:30 PM

Mr. Shaffer explained that these dates are the earliest each could occur and that they could be deferred. If they are changed, the Petitioner will notify the individuals on the sign-in sheets at the email addresses provided.
Mr. Shaffer stated that the site subject to this Rezoning Petition contains approximately 19.52 acres located on the north side of Mallard Creek Rd., east of I-485. The site is located across Mallard Creek Road from Hickory Grove Baptist Church’s North Campus. He then shared aerial images of the site.

Mr. Shaffer stated that the site currently is zoned R-3, which would permit up to three single-family detached homes per acre. He stated that the Petitioner is requesting that the site be rezoned to the R-12 MF (CD) zoning district to accommodate development of a residential community on the site that would contain up to 234 multi-family dwelling units. This is a conditional site plan so, if approved, the site plan would govern what is done on the site.

An attendee asked if the Petitioner owns the two adjacent sites currently being developed. Mr. Shaffer explained that the Petitioner does not own those lots and confirmed, in response to a question, that the Petitioner understands that apartments are being built on the adjacent lots. He confirmed that the Petitioner is proposing to build an apartment complex on the site that is the subject of this Rezoning Petition.

Mr. Shaffer then shared a slide with images from the Northeast Area Plan, which outlines policy preferences for proposed land uses. The plan calls for a density of up to 12 residential units per acre at this site. The Petitioner’s proposed use is consistent with the Northeast Area Plan.

Mr. Shaffer introduced Scott Kiger of Design Resource Group who gave an overview of the site plan. Mr. Kiger identified the access point from Mallard Creek Road, the location of the amenities proposed for the site, and also the proposed location of BMPs on the site.

Lance Chernow of Davis Development contributed to the presentation at this point. Mr. Chernow explained that Davis Development is a family business. Mr. Chernow has been with the company for 16 years, and Fred Hazel has been with Davis Development for 21 years.

Davis Development is a vertically integrated company, meaning that it only develops and builds for itself, and stays with projects from the beginning through construction and then management of the community. Davis Development internally finances its projects. The company has experience in many markets throughout the Southeast, and has been in the Charlotte market for 17 years. Two of its projects in Charlotte are Hawthorne on Weddington Road and Sovereign at Belgate. Davis Development builds top-in-class suburban apartments.

A neighbor expressed concern that she would look from the rear of her home at dumpsters or a parking lot. Mr. Chernow explained that this currently is a heavily wooded site, and that there would be a 50’ Class C buffer between this site and the adjoining homes. He noted that the Petitioner aimed to make things as easy as possible for the neighboring property owners by designing the site with their concerns in mind—for example, in addition to the buffer, the Petitioner is placing a BMP at the rear of the site as additional separation.

An attendee asked about the risk of water runoff onto the neighboring parcels, given that the site is above those homes. Mr. Chernow noted that this is a difficult site, from a topography perspective, but the site plan calls for detaining ponds to be placed at low points on the site. Mr. Kiger noted that the City will have to review and approve stormwater plans for this site. The requirement for the Petitioner is to take care of all runoff from the site (collect, detain, treat and
release) and the Petitioner cannot increase the runoff impact. Mr. Kiger expects that stormwater will discharge into the creek off the north side of this site.

An attendee noted that the current tree cover is sparse. Mr. Chernow said that he had not yet walked the entire site.

Mr. Chernow showed the attendees pictures of a comparable apartment community built by Davis Development: Sovereign at Belgate. In response to a question, Mr. Chernow explained that this site will mostly be comprised of one and two bedroom apartments, but that there would be some three bedroom units. Because of the focus on one and two bedroom units, Mr. Chernow said he anticipates a smaller impact on schools. He explained that the buildings would be a mixture of brick, stone and siding, and that the Petitioner will submit architectural elevations with its revised site plan. In response to a question about the height of the buildings, Mr. Chernow said they would be 3 story buildings, but that some would have a basement because the topography would allow for 4 stories at the rear. Fred Hazel used the Petitioner’s slides to explain this “3/4 split.”

An attendee asked about retaining walls on the site, and Mr. Hazel explained that there would not be large retaining walls along the rear of the site. The same neighbor noted that her preference was to see only trees when looking from her patio onto the site. Mr. Hazel said that Davis Development’s goal is to preserve as many trees as possible. Grading may require that some trees be disturbed, but Davis Development is willing to replant in order to enhance the buffer area. Mr. Hazel noted other steps the Petitioner has taken to minimize the impact on neighbors. For example, buildings in the rear have been placed so as to minimize the area directly facing the adjoining homes (not placed broadside), and no parking has been located between the neighbors and buildings on the site.

The Petitioner confirmed that there would be no road connection into the adjacent single-family neighborhood from this site.

Mr. Chernow said that the expected rents for this community would be $1,000 per month for one bedroom units and up to $1,600 or $1,700 per month for three bedroom units. He noted that at this rent level, tenants expect nice landscaping and amenities. Landscaping would be done by Davis Development’s own landscaping team.

A neighbor asked if this community would exit onto a single road. Mr. Chernow explained that residents would exit onto Mallard Creek Road or onto Odell School Road via the continued public road from the neighboring apartment project. In response to a question about future plans for Mallard Creek Road, Mr. Kiger noted that NCDOT plans to widen Mallard Creek Road and Mr. Chernow said his understanding is that it will widen to four lanes with a median.

An attendee noted concern about adding more apartments to those already being built on the adjacent parcels. Another expressed concern about the impact of this development on their property values. Mr. Chernow said he could not predict the impact on property values, but can only tell the residents about the type of community Davis Development builds—the Petitioner aims for the highest rents and to be best in class. Because of that, Mr. Chernow said his opinion is that this product should not negatively impact their property values.
A neighbor noted that he believes the quality of the buffer would impact the effect on values. Mr. Chernow said Davis Development’s position is that what is good for the neighbors is good for the Petitioner, and that he expects a good amount of buffer to be undisturbed. An attendee asked about the type of trees that would be added to the buffer, and Mr. Kiger explained that the City will require in the Class C buffer a certain number of trees per linear foot, and also would require a mix of small maturing and large maturing trees, evergreen and deciduous trees, and also shrubs. He also confirmed that the 50’ buffer area is internal to the Petitioner’s site.

David Niekamp, the broker representing the sellers of the site, was in attendance, and he asked if there would be any buffer required if the site were developed as an R-3 development. Mr. Kiger confirmed that there would be no buffer required if developed as by right under the current zoning.

Mr. Niekamp gave the attendees more information about his understanding of the Mallard Creek Road project, NCDOT project U-6032, for which right-of-way acquisition is scheduled to begin next year. He understands that the project is funded but is several years away.

Mr. Chernow gave an overview of the likely timetable for this development: assuming the Petitioner can stick to the rezoning schedule outlined in the slides, he would expect to break ground in the fourth quarter of 2018, with a 13-15 month buildout, meaning that the earliest any units would be available likely would be the fourth quarter of 2019. It would then take about 12 months to fully lease the site. Mr. Hazel explained that the construction process would begin with grading and then shift to stormwater and sanitary sewer work, followed then by foundations and framing. He noted that the buffer area would be established on day one of the project.

Mr. Kiger responded to a question about overflow in the BMPs by explaining that they would contain structures to protect against overflows.

An attendee explained that he believed the neighbors came into tonight’s meeting with two main concerns: (1) that there would be no direct street access from this development into their neighborhood, and (2) that there would be adequate buffers.

In response to a question about parking, Mr. Chernow said the plan provides 1.8 spaces per unit.

An attendee asked about the impact of this project on schools, and Mr. Chernow explained that Davis Development’s experience is that its apartment communities have a small impact on school enrollment. Mr. Shaffer noted that CMS prepared a report in connection with this Rezoning Petition and concluded that the Petitioner’s proposal would result in an additional 32 students, while the site would add an additional 29 students if developed under the existing R-3 zoning. Thus, CMS concluded that the Petitioner’s plan would result in an increase of only three students over the current zoning.

In response to a question about the likely rents charged in the neighboring development, Mr. Chernow said he did not know what would be charged at that site. Mr. Niekamp noted that he understands that project to be Class A, luxury apartments similar to what Davis Development proposes for this site. Mr. Hazel explained that Davis Development did a market study to determine the viability of this project and expected rents.
Mr. Chernow noted that he was not aware of the property owner’s plans for those portions of the parcels comprising this site that the Petitioner is not purchasing.

A neighbor asked about the possibility of a left-turn lane off of Mallard Creek Road into this site. Mr. Chernow explained that the Petitioner would build a left-turn lane into the site and also was dedicating right-of-way for construction of the widened Mallard Creek Road project.

Mr. Shaffer said that he would email a copy of the slides used at the Community Meeting to those who provide their email address on the sign-in sheet, and also would send a link to the Planning Department’s website for this Rezoning Petition.

The meeting was then adjourned and informal discussion followed.

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

No changes have been made to the 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 16th day of January, 2018.

**Davis Development, Inc., Petitioner**

cc: Mr. Richard Hobbs, Charlotte-Mecklenburg Planning Department (via email)
Ms. Claire Lyte-Graham, Charlotte-Mecklenburg Planning Department (via email)
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<td>2017-179</td>
<td>Dominion Village Homeowners Association</td>
<td>Guy</td>
<td>Eberhart</td>
<td>10025 Dominion Village Dr</td>
<td></td>
<td>Charlotte NC</td>
<td>28269</td>
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<tr>
<td>2017-179</td>
<td>Robyns Glen Homeowners Association</td>
<td>Mickey</td>
<td>Kidwell</td>
<td>2711 Chickadee Dr</td>
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<td>Charlotte NC</td>
<td>28269</td>
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NOTICE TO INTERESTED PARTIES
OF COMMUNITY MEETING

Subject: Community Meeting—Rezoning Petition No. 2017-179 filed by Davis Development, Inc. to request the rezoning of an approximately 19.52 acre site located on the north side of Mallard Creek Road, east of I-485

Date and Time of Meeting: Thursday, January 11, 2018 at 6:30 p.m.

Place of Meeting: Wingate by Wyndham
7841 Gateway Lane, NW
Concord, NC 28027

We are assisting Davis Development, Inc. (the “Petitioner”) in connection with a Rezoning Petition it has filed with the Charlotte-Mecklenburg Planning Department requesting the rezoning of an approximately 19.52 acre site located on the north side of Mallard Creek Road, east of I-485. The proposed rezoning site consists of all of Tax Parcel No. 029-191-04, and portions of Tax Parcel Nos. 029-191-14 and 029-191-15. The Petitioner is requesting that the site be rezoned from the R-3 zoning district to the R-12 MF (CD) zoning district. The purpose of this rezoning request is to accommodate the development of up to 234 multi-family dwelling units on the site.

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 Thursday, January 11, 2018 at 6:30 p.m. at the Wingate by Wyndham, 7841 Gateway Lane, NW, in Concord. 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 or Ty Shaffer at (704) 377-8142.

Robinson, Bradshaw & Hinson, P.A.

cc: Mr. Gregory A. Phipps, Charlotte City Council District 4 (via email)
Ms. Claire Lyte-Graham, Charlotte-Mecklenburg Planning Department (via email)
Mr. Richard Hobbs, Charlotte-Mecklenburg Planning Department (via email)

Date Mailed: December 29, 2017
# Community Meeting Sign-in Sheet

**Davis Development, Inc. -- Rezoning Petition No. 2017-179**

**Wingate by Wyndham, 7841 Gateway Lane, NW, Concord, NC 28207**

**Thursday, January 11, 2018, 6:30 P.M.**

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<tr>
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<th><strong>TELEPHONE</strong></th>
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<tbody>
<tr>
<td>1. Christine</td>
<td>2808 Bridgeville Lane</td>
<td>980-875-9020</td>
<td><a href="mailto:susanbenji99@email.com">susanbenji99@email.com</a></td>
</tr>
<tr>
<td>Francis Telfer</td>
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<tr>
<td>2. Susan King</td>
<td>2802 Bridgeville Ln</td>
<td>704-819-8896</td>
<td><a href="mailto:susanbenji99@gmail.com">susanbenji99@gmail.com</a></td>
</tr>
<tr>
<td>3. Karen Sanders</td>
<td>2816 Bridgeville Ln</td>
<td>704-965-1765</td>
<td><a href="mailto:SandersKid@aol.com">SandersKid@aol.com</a></td>
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<tr>
<td>4. Shirley Fowler</td>
<td>8619 Carolina Lily Ln</td>
<td>704-989-7303</td>
<td><a href="mailto:hillfowler@yahoo.com">hillfowler@yahoo.com</a></td>
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<tr>
<td>5. LaTisha Ings</td>
<td>8538 Caroline Lily Ln</td>
<td>704-819-1494</td>
<td><a href="mailto:Lateshaings@gmail.com">Lateshaings@gmail.com</a></td>
</tr>
<tr>
<td>6. Gwen Carroll</td>
<td>8444 Carolina Lily Ln</td>
<td>704-649-3420</td>
<td><a href="mailto:mbeachgxc@live.com">mbeachgxc@live.com</a></td>
</tr>
<tr>
<td>7. Veronica Phillips</td>
<td>8631 Carolina Lily Ln</td>
<td>704-717-3350</td>
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<td></td>
<td>Charlotte NC 28202</td>
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<tr>
<td>8. Greg Phipps</td>
<td>600 E 4th Street</td>
<td>704-336-3436</td>
<td><a href="mailto:gaphipps@charlottencc.gov">gaphipps@charlottencc.gov</a></td>
</tr>
<tr>
<td></td>
<td>Charlotte NC 28202</td>
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<tr>
<td>9. Evelyn Stennett</td>
<td>8412 Angwin Place</td>
<td>704-717-8891</td>
<td><a href="mailto:blessed2008@msn.com">blessed2008@msn.com</a></td>
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## Community Meeting Sign-in-Sheet

Davis Development, Inc. -- Rezoning Petition No. 2017-179

Wingate by Wyndham, 7841 Gateway Lane, NW, Concord, NC 28207

Thursday, January 11, 2018, 6:30 P.M.

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<td>1. NATHYA &amp; Roman STAMO</td>
<td>8615 Bramscomb Dr. Charlotte, NC 28262</td>
<td>704-910-7172</td>
<td><a href="mailto:romanstamo@gmail.com">romanstamo@gmail.com</a></td>
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<td></td>
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<td>704-778-2760</td>
<td><a href="mailto:naticn012@gmail.com">naticn012@gmail.com</a></td>
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<td>2. Charles M. Kelly</td>
<td>2602 Bridgeville Ln. Charlotte, NC 28262</td>
<td>704-966-2374</td>
<td><a href="mailto:cKelly4812@aol.com">cKelly4812@aol.com</a></td>
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<tr>
<td>William L Jordan</td>
<td></td>
<td>704-968-0034</td>
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<td>3. Ronnie &amp; Kara Schneider</td>
<td>8919 Bridgeville Ln. Charlotte, NC 28262</td>
<td>828-804-3078</td>
<td><a href="mailto:RMSKes5@gmail.com">RMSKes5@gmail.com</a></td>
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<tr>
<td>4. Paul Niekamp</td>
<td>556 Hemmings Place Concord, NC 28027</td>
<td>704-516-1001</td>
<td>paulo@avco properties.com</td>
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<tr>
<td>5. Ghassan Alkhalil</td>
<td>3324 Arden Point Lane Charlotte, NC 28262</td>
<td>704-807-2117</td>
<td><a href="mailto:gusnc2005@yahoo.com">gusnc2005@yahoo.com</a></td>
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<td>6. Timothy Quievry</td>
<td>2820 Bridgeville Ln</td>
<td>704-840-4246</td>
<td><a href="mailto:timmyquivy@gmail.com">timmyquivy@gmail.com</a></td>
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<td>7. Richard Pace M Coyle</td>
<td>3052 Holland Creek Rd</td>
<td>704 489 5257</td>
<td><a href="mailto:sealytony@gmail.com">sealytony@gmail.com</a></td>
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<td>8. Jeneil King</td>
<td>2701 Bridgeville Ln</td>
<td>804 355 6088</td>
<td><a href="mailto:jenkingi@gmail.com">jenkingi@gmail.com</a></td>
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Rezoning Team

- Lance Chernow, Davis Development, Inc.
- Fred Hazel, Davis Development, Inc.
- Adam Lovin, Davis Development, Inc.
- Scott Kiger, Design Resource Group
- John Carmichael, Robinson Bradshaw & Hinson
- Ty Shaffer, Robinson Bradshaw & Hinson
Agenda

I. Rezoning Schedule
II. Site/Existing Zoning/Rezoning Request
III. Review and Discussion of the Site Plan/Proposed Uses
IV. Introduction of Davis Development and the Architectural Product
V. Question, Answer and Comment Session
Rezoning Schedule

- Public Hearing: Monday, February 19, 2018 at 5:30 PM at the Charlotte-Mecklenburg Government Center

- Zoning Committee: Tuesday, March 6, 2018 at 5:30 PM at the Charlotte-Mecklenburg Government Center

- City Council Decision: Monday, March 19, 2018 at 5:30 PM at the Charlotte-Mecklenburg Government Center
Site – 19.52 Acres
Site – 19.52 Acres
Existing Zoning of the Site – R-3

Requested R-12MF(CD) from R-3
Rezoning Request

Requesting the rezoning of the site from the R-3 zoning district to the R-12MF (CD) zoning district to accommodate the development of a residential community on the site that would contain up to 234 multi-family dwelling units.
Proposed Land Use: Northeast Area Plan

Proposed Land Use: Northeast Area Plan

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Residential <= 12
ABOUT DAVIS

HISTORY
- Family Business Founded in 1995
- Vertically Integrated
  - Development
  - Construction
  - Management
  - Equity

FINANCES
- 100% of Equity Provided Internally
- Traditional Construction Loans
- Fannie Mae & Freddie Mac
- Over 50,000 Units Constructed

NATIONAL MARKETS
- TEXAS
- NORTH CAROLINA
- SOUTH CAROLINA
- OKLAHOMA
- KANSAS
- MISSOURI
- GEORGIA
- ALABAMA
- COLORADO
- ARKANSAS
- TENNESSEE
- FLORIDA
CURRENT & PAST DEVELOPMENTS

📍 Community Location:
Mallard Creek

- The Adley at Bryton
- Sorrel Morrison Plantation
- Sovereign at Belgate
- Hawthorne at Concord
- Hawthorne at Lake Norman
- Hideaway Lake
- Colonial Grand at Cornelius
- Highlands at Alexander Pointe
Questions and Comments