

SECOND COMMUNITY MEETING REPORT  
**Petitioner: White Oak Management, Inc.**  
Rezoning Petition No. 2018-058

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 provided written notice of the date, time and location of the Second Community Meeting: (1) to the individuals and organizations set out on the attached Exhibit A-1 by depositing such notice in the U.S. mail on July 6, 2018, and (2) by e-mail on July 6, 2018 to those individuals who attended the First Community Meeting, a copy of which also is provided in Exhibit A-1. A copy of the written notice is attached as Exhibit A-2.

**DATE, TIME AND LOCATION OF MEETING:**

The Second Community Meeting was held on Wednesday, July 18, 2018 at 6:30 PM at White Oak Manor, 4009 Craig Avenue, Charlotte, North Carolina.

**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 as Exhibit B. The Petitioner's representatives at the Second Community Meeting were Amanda Pack and Robert Painter of White Oak Management, Inc., Emily Buehrer of Bloc Design, and Ty Shaffer of Robinson Bradshaw & Hinson, P.A.

**SUMMARY OF ISSUES DISCUSSED:**

Ty Shaffer welcomed everyone to the Second Community Meeting for Rezoning Petition No. 2018-058. He explained that a second meeting is being held is because the Petitioner has changed the requested zoning district for this Petition from O-1 (CD) to O-2 (CD). The reason for the change is because the lot was both too small and too narrow to meet the dimensional requirements for O-1, and so the Petitioner has requested that the site be rezoned to O-2 (CD), but with the exact same uses proposed in the initial Petition: off-street surface parking to serve White Oak Manor.

Mr. Shaffer repeated his explanation of the reason for a second community meeting when another attendee arrived. He also introduced the Petitioners' representatives and provided the current schedule of events relating to this rezoning request (all meetings held at the Charlotte-Mecklenburg Government Center):

- Public Hearing: Monday, September 17, 2018 at 5:30 PM
- Zoning Committee: Tuesday, October 2, 2018 at 5:30 PM
- City Council Decision: Monday, October 15, 2018 at 5:30 PM

Mr. Shaffer explained that the Public Hearing gives the Petitioner and members of the public an opportunity to speak in support of, or in opposition to, the Rezoning Petition.

A neighbor whose property is adjacent to the rezoning site expressed her concerns about the proposed parking use and that this would have a negative impact on her property value. She noted that she was not happy with this request. Amanda Pack, the administrator of the White Oak Manor facility, explained that the Petitioner wants to use the rezoning site for parking in order to reduce the amount of on-street parking along Delane Avenue. In the decades since White Oak Manor first was built, new regulations have required a marked increase in the amount of staff that must be employed to operate the facility. As a result, there is significantly increased parking demand. In addition to staff members, residents and their visitors have challenges finding parking, often leading them to park on Delane Avenue. Ms. Pack explained that this creates safety issues.

The immediate neighbor repeated her concern that a parking lot on this site will reduce her property value; she added that she was upset that, after having purchased her home and the adjoining vacant lot on a residential block, she has learned there is now going to be a parcel zoned in an office district on the block. Emily Buehrer of Bloc Design, the engineers that prepared the site plan, explained the Petitioner's hope that the current proposed plan, which incorporates sidewalk, curb and gutter, landscaping and buffering, would be an improvement over the current appearance.

The neighbor noted that she was unhappy that the Petitioner had already been parking on the site and was now asking for forgiveness after the fact. Mr. Shaffer said that the neighbor was correct that White Oak Manor's prior use of this site for parking was not permitted under the current zoning district, and that this is why the Petitioner is going through the rezoning process. Ms. Pack acknowledged the neighbor's concern about the parking lot, in its current state, being unattractive. She explained that White Oak Manor, many years back, had in fact been told by City Planning Staff that the site could be used for parking, provided it was not paved. This is why it was converted to a gravel lot. When the Petitioner was recently told by Code Enforcement that parking was in fact not permitted under the existing zoning district, White Oak stopped parking on the site and began the rezoning process.

Another attendee asked Ms. Buehrer to explain the buffering and screening proposed for the site. Ms. Buehrer explained that the buffer between this use and the neighboring R-17 MF parcels to its south and east would be 10 feet and would be planted in trees and shrubs in those quantities per 100 linear feet that are required in the Zoning Ordinance. She also noted there are tree save requirements, and that the combination of setback, tree save and buffer along the site's eastern edge will create a 20 foot separation between the use and the immediate neighbor's vacant lot.

The immediate neighbor said she was very unhappy that fencing and the back yards of the four parcels from which the rezoning site is being separated were removed. She explained that she

bought her home and the neighboring vacant lot (which is adjacent to the rezoning site) with the intention to develop it; she is unsure now what kind of value she could get for that lot when it is adjacent to a parking lot. Ms. Pack explained that the rezoning request is a good faith attempt by White Oak Manor to reduce parking on Delane Avenue and to deal with the safety issues that the on-street parking creates; by now going through the rezoning process, White Oak Manor is attempting to do the right thing, to come into compliance, and to make the parking lot look better than its current state.

Mr. Shaffer explained that this rezoning is a conditional request, and that this means the use of the rezoning site will be limited to what is requested in the notes and the site plan. Here, the only use permitted on this site will be parking to serve White Oak Manor; no other uses permitted in the O-2 zoning district would be allowed, and anyone who wanted to put the site to one of those uses in the future would have to go through the rezoning process to seek approval of that use. He also explained that the rezoning site is only the rear portions of the four lots facing Craig Avenue; the rear portions will be separated and then combined into a new parcel, and only that new parcel will be rezoned to O-2 (CD).

The same neighbor asked what could be done with the four lots that front Craig Avenue and which remain in the R-17 MF district. Mr. Shaffer explained that those can be put to any use allowed by right in the R-17 MF zoning district, just the same as the attendee would be able to use her property for any purposes allowed by right in the R-17 MF zoning district. Robert Painter noted that Planning Staff wanted the Petitioner to separate the rear portion of these parcels and to preserve the existing single-family homes to protect the streetscape along Craig Avenue, which is why the parcels on which those homes sit will remain separate and keep their existing zoning.

Mr. Shaffer invited the attendees to visit the Planning webpage to pull up the site plan and to review the notes that explain the use, as well as comments from Planning Staff on the rezoning request.

There being no other questions from the attendees, the meeting was then adjourned.

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

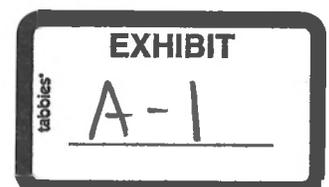
No changes have been made to the rezoning plan or to the Rezoning Petition as of the date of this Second Community Meeting Report solely as a result of the Second Community Meeting.

Respectfully submitted, this 20<sup>th</sup> day of July, 2018.

**White Oak Management, Inc., Petitioner**

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

| Pet_No.  | TAXPID   | OWNERLASTN                      | OWNERFIRST   | COWNERFIRS    | COWNERLAST                          | MAILADDR1                | MAILADDR2 | CITY        | STATE | ZIPCODE |
|----------|----------|---------------------------------|--------------|---------------|-------------------------------------|--------------------------|-----------|-------------|-------|---------|
| 2018-058 | 15716102 | CONDELUCI                       | COLLETTE     |               |                                     | 736 MAEDOW LAKE DR       |           | MATTHEWS    | NC    | 28105   |
| 2018-058 | 15716116 | MCNEELY                         | MILTON       |               |                                     | 3000 IDLEWOOD CR         |           | CHARLOTTE   | NC    | 28209   |
| 2018-058 | 15716118 | CONDELUCI                       | COLLETTE     |               |                                     | 736 MAEDOW LAKE DR       |           | MATTHEWS    | NC    | 28105   |
| 2018-058 | 15716119 | KIRKLAND FINANCIAL,LLC          |              |               | CAROLINA CAPITAL RESERVE FUND I,LLC | 234 JOHNSTON ST          |           | ROCK HILL   | SC    | 29730   |
| 2018-058 | 15716120 | KIRKLAND FINANCIAL,LLC          |              |               | CAROLINA CAPITAL RESERVE FUND I,LLC | 234 JOHNSTON ST          |           | ROCK HILL   | SC    | 29730   |
| 2018-058 | 15716201 | WHITE OAK MANOR CHARLOTTE INC   |              |               |                                     | PO BOX 3347              |           | SPARTANBURG | SC    | 29304   |
| 2018-058 | 15716202 | WHITE OAK MANOR CHARLOTTE INC   |              |               |                                     | PO BOX 3347              |           | SPARTANBURG | SC    | 29304   |
| 2018-058 | 15716203 | WHITE OAK MANOR                 |              |               |                                     | PO BOX 3347              |           | SPARTANBURG | SC    | 29304   |
| 2018-058 | 15716204 | WHITE OAK MANOR INC             |              |               |                                     | 130 E MAIN STREET        |           | SPARTANBURG | SC    | 29306   |
| 2018-058 | 15716205 | LYNCH                           | SHANNON      |               |                                     | 1608 MIMOSA AVE          |           | CHARLOTTE   | NC    | 28205   |
| 2018-058 | 15716208 | DIXON                           | KIMBERLY C   |               |                                     | 4121 CRAIG AV            |           | CHARLOTTE   | NC    | 28211   |
| 2018-058 | 15716209 | ATLAS CONSTRUCTION GROUP INC    |              |               |                                     | 4913 CHASTAIM AVE STE 17 |           | CHARLOTTE   | NC    | 28217   |
| 2018-058 | 15716210 | HOLMES                          | DONALD D JR  | PAMELA P      | HOLMES                              | 2016 MIRANDA RD          |           | CHARLOTTE   | NC    | 28216   |
| 2018-058 | 15716211 | FETCHERO                        | JAMES C      |               |                                     | 2311 HAYLOFT CIR         |           | CHARLOTTE   | NC    | 28226   |
| 2018-058 | 15716212 | WALL                            | JOSHUA N     |               |                                     | 2550 KUHIO AVE 2305      |           | HONOLULU    | HI    | 96815   |
| 2018-058 | 15716213 | HOLMES                          | DONALD D JR  | PAMELA P      | HOLMES                              | 2016 MIRANDA RD          |           | CHARLOTTE   | NC    | 28216   |
| 2018-058 | 15716214 | HOLMES                          | DONALD D JR  | PAMELA P      | HOLMES                              | 2016 MIRANDA RD          |           | CHARLOTTE   | NC    | 28216   |
| 2018-058 | 15716215 | HOLMES                          | DONALD D JR  | PAMELA P      | HOLMES                              | 2016 MIRANDA RD          |           | CHARLOTTE   | NC    | 28216   |
| 2018-058 | 15716216 | HOLMES                          | DONALD D JR  | PAMELA P      | HOLMES                              | 2016 MIRANDA RD          |           | CHARLOTTE   | NC    | 28216   |
| 2018-058 | 15716217 | HEDGEPEETH                      | JAMES C      |               |                                     | 10325 SHRADER ST NW      |           | CONCORD     | NC    | 28027   |
| 2018-058 | 15716218 | GOLDSMITH                       | MARK E       | LINDA L       | GOLDSMITH                           | 1422-9 DELANE AV         |           | CHARLOTTE   | NC    | 28211   |
| 2018-058 | 15716219 | HOLMES                          | DONALD D JR  |               |                                     | 2016 MIRANDA RD          |           | CHARLOTTE   | NC    | 28216   |
| 2018-058 | 15716220 | LYNCH                           | SHANNON      |               |                                     | 500 HERRIN AVE           |           | CHARLOTTE   | NC    | 28205   |
| 2018-058 | 15716221 | BARWICK & ASSOCIATES LLC        |              |               |                                     | 704 E BLVD STE 100       |           | CHARLOTTE   | NC    | 28203   |
| 2018-058 | 15716222 | BARWICK & ASSOCIATES LLC        |              |               |                                     | 704 E BLVD STE 100       |           | CHARLOTTE   | NC    | 28203   |
| 2018-058 | 15716223 | BARWICK & ASSOCIATES LLC        |              |               |                                     | 704 E BLVD STE 100       |           | CHARLOTTE   | NC    | 28203   |
| 2018-058 | 15716224 | CHERRY                          | HOWARD TRIGG | CHRISTOPHER T | JELTRUP                             | 613 HAWTHORNE LN         |           | CHARLOTTE   | NC    | 28204   |
| 2018-058 | 15716301 | EASTHAVEN DEVELOPMENT           | CORP         |               |                                     | PO BOX 9222              |           | CHARLOTTE   | NC    | 28299   |
| 2018-058 | 15716305 | LOMAX CRAIG LLC                 |              |               |                                     | 725 PROVIDENCE RD        |           | CHARLOTTE   | NC    | 28207   |
| 2018-058 | 15716306 | SWIMMER BROTHERS PROPERTIES LLC |              |               |                                     | 725 PROVIDENCE RD        |           | CHARLOTTE   | NC    | 28207   |
| 2018-058 | 15716307 | DERRICK                         | MARGARET M   |               |                                     | 4110 CRAIG AVE           |           | CHARLOTTE   | NC    | 28211   |
| 2018-058 | 15716506 | DELANE GLEN APARTMENTS LLC      |              |               |                                     | 1630 DELANE AVE          |           | CHARLOTTE   | NC    | 28211   |
| 2018-058 | 15716615 | SHARON VILLAGE INC              |              |               |                                     | PO BOX 3347              |           | SPARTANBURG | SC    | 29304   |



| Pet_No.  | ORGANIZATI                                  | FIRST_NAME   | LAST_NAME        | STREET_ADD            | UNIT_NUM | CITY      | STATE | ZIP        |
|----------|---|--------------|------------------|-----------------------|----------|-----------|-------|------------|
| 2018-058 |   | Katie        | Hedrick          | 635 McAlway Road      |          | Charlotte | NC    | 28211      |
| 2018-058 | Amity Garden Neighborhood Association       | Amy          | Harris           | 5101 Kistler Avenue   |          | Charlotte | NC    | 28205      |
| 2018-058 | Amity Garden Neighborhood Association       | Luke         | Carter           | 5237 Lynnville Ave    |          | Charlotte | NC    | 28205      |
| 2018-058 | Amity Place Homeowners Association          | Michael      | Icenhour         | 4319 Wordsworth Ln    |          | Charlotte | NC    | 28211      |
| 2018-058 | Collinswood Neighborhood Assodation         | Mike         | Farrell          | 4808 Walker Rd        |          | Charlotte | NC    | 28211      |
| 2018-058 | Cotswold                                    | Mercer       | Langley          | 514 Ellsworth Road    |          | Charlotte | NC    | 28211      |
| 2018-058 | Cotswold Neighborhood Assoc.                | Mary Frances | Parker           | 608 Ashworth Rd       |          | Charlotte | NC    | 28211      |
| 2018-058 | Hubbard Glen Homeowners Association         | Sandra       | Vazquez          | 1114 Nancy Dr         |          | Charlotte | NC    | 28211      |
| 2018-058 | Oakhurst                                    | Elizabeth    | Bradford         | 4414 Carteret St.     |          | Charlotte | NC    | 25205-7302 |
| 2018-058 | Oakhurst Community Neighborhood Association | Grace        | Watkins          | 4317 Commonwealth Av  |          | Charlotte | NC    | 28205      |
| 2018-058 | Oakhurst Community Neighborhood Association | Liz          | Millsaps Haigler | 1420 Chippendale Road |          | Charlotte | NC    | 28205      |
| 2018-058 | Ramblewood Neighborhood Association         | Hal          | Turner           | 4733 Gaynor Rd        |          | Charlotte | NC    | 28211      |
| 2018-058 | Randolph Park Civic Association             | Maureen      | Cherry           | 516 Chillingworth Ln  |          | Charlotte | NC    | 2811       |
| 2018-058 | Woodburn Neighborhood Community Watch       | Stephen      | Bruce            | 5842 McNair Rd        |          | Charlotte | NC    | 28212      |

## Carmichael, John

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**From:** Carmichael, John  
**Sent:** Friday, July 06, 2018 9:25 AM  
**To:** 'davisonmcd@gmail.com'; 'tsteele@whiteoakmanor.com'; 'jacquelinebutler101@yahoo.com'  
**Subject:** Notice of Second Community Meeting -- Rezoning Petition No. 2018-058  
**Attachments:** 10842925\_2.pdf; 2018-058 site plan rev.pdf

Thank you for attending the Community Meeting relating to Rezoning Petition No. 2018-058 on May 30, 2018.

The Petitioner is holding a Second Community Meeting regarding this Rezoning Petition on July 18, 2018.

Attached is the Notice of the Second Community Meeting.

Thanks again.

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### **John H. Carmichael**

Robinson Bradshaw

t : 704.377.8341 | f : 704.373.3941

101 N. Tryon St., Suite 1900

Charlotte, NC 28246

[jcarmichael@robinsonbradshaw.com](mailto:jcarmichael@robinsonbradshaw.com)  
[robinsonbradshaw.com](http://robinsonbradshaw.com)

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**NOTICE TO INTERESTED PARTIES  
OF SECOND COMMUNITY MEETING**

**Subject:** Second Community Meeting -- **Rezoning Petition No. 2018-058** filed by White Oak Management, Inc. to request the rezoning of an approximately .764 acre site located on the west side of Delane Avenue, east of the intersection of Craig Avenue and Delane Avenue, from the R-17 MF zoning district to the O-2 (CD) zoning district

**Date and Time of Meeting:** Wednesday, July 18, 2018 at 6:30 p.m.

**Place of Meeting:** Living Room at White Oak Manor  
4009 Craig Avenue  
Charlotte, NC 28211

We are assisting White Oak Management, Inc. (the "Petitioner") in connection with a Rezoning Petition it has filed with the Charlotte-Mecklenburg Planning Department requesting the rezoning of an approximately .764 acre site (the "Site") located on the west side of Delane Avenue, east of the intersection of Craig Avenue and Delane Avenue, from the R-17 MF zoning district to the O-2 (CD) zoning district. The Site is comprised of the rear portions of those parcels of land located on Craig Avenue that are designated as Tax Parcel Nos. 157-162-01, 157-162-02, 157-162-03 and 157-162-04. The purpose of this rezoning request is to accommodate off-street surface parking on the Site that would serve White Oak Manor. A copy of the Rezoning Plan is enclosed.

The Petitioner previously held a Community Meeting regarding this Rezoning Petition on May 30, 2018. The Petitioner will hold a Second Community Meeting regarding this Rezoning Petition on Wednesday, July 18, 2018. The Petitioner is holding a Second Community Meeting because the requested zoning district has changed from O-1 (CD) to O-2 (CD). However, the use of the Site proposed under this Rezoning Petition has not changed.

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 Second Community Meeting regarding this Rezoning Petition on Wednesday, July 18, 2018 at 6:30 p.m. in the Living Room at White Oak Manor located at 4009 Craig Avenue 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. Matt Newton, Charlotte City Council District 5 (via email)  
Mr. Richard Hobbs, Charlotte-Mecklenburg Planning Department (via email)

Date Mailed: July 6, 2018





White Oak Management, Inc., Petitioner  
Rezoning Petition No. 2018-058

Second Community Meeting Sign-in Sheet

Living Room at White Oak Manor  
4009 Craig Avenue  
Charlotte, NC 28211

Wednesday, July 18, 2018

6:30 P.M.



|     | <u>NAME</u>     | <u>ADDRESS</u> | <u>TELEPHONE</u> | <u>EMAIL ADDRESS</u>   |
|-----|-----------------|----------------|------------------|------------------------|
| 1.  | A <sub>1</sub>  |                |                  |                        |
| 2.  | MATTHEW DAVISON | 4109 CRAIG AVE | 828/474-8229     | DAVISONMCD@GMAIL.COM   |
| 3.  | Shannon Lynd    | 4117 CRAIG AVE | 704-771-9200     | smlyndch1122@gmail.com |
| 4.  |                 |                |                  |                        |
| 5.  |                 |                |                  |                        |
| 6.  |                 |                |                  |                        |
| 7.  |                 |                |                  |                        |
| 8.  |                 |                |                  |                        |
| 9.  |                 |                |                  |                        |
| 10. |                 |                |                  |                        |
| 11. |                 |                |                  |                        |
| 12. |                 |                |                  |                        |
| 13. |                 |                |                  |                        |