

SECOND OFFICIAL COMMUNITY MEETING REPORT

Petitioner: James Poutier

Rezoning Petition No. 2018-128

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 Exhibit A attached hereto by depositing such notice in the U.S. mail on April 25, 2019. A copy of the written notice is attached hereto as Exhibit B.

DATE, TIME AND LOCATION OF MEETING:

The Second Community Meeting was held on Thursday, May 9th at 6:00 p.m. at the Mountain Island Church of Christ, 4205 Mt. Holly-Huntersville Road, Charlotte, NC 28216.

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 Exhibit C. The Petitioner (James Poutier) was in attendance and also was represented by Petitioner's agents George Macon with MPV Properties, Nate Doolittle with LandDesign, Josh Rine with Geoscience Group, Inc., and Collin Brown and Brittany Lins with K&L Gates.

SUMMARY OF PRESENTATION/DISCUSSION:

Mr. Collin Brown welcomed the attendees and introduced the Petitioner's team, using a PowerPoint presentation, attached hereto as Exhibit D.

Mr. Brown explained that meeting is a follow-up to the prior community held in November 2018 involving approximately 5.5 acres of land located on the south side of Mt. Holly-Huntersville Road, east of Brookshire Boulevard, near the Riverbend development and adjacent to the Holly Hunter Church. Mr. Brown then gave a brief overview of the rezoning process and redevelopment considerations, generally. Mr. Brown reiterated the various development considerations that the Petitioner must account for in the rezoning process, including property owner requirements, existing zoning, policy considerations, environmental constraints, transportation requirements, adjacent property owner concerns, broader community concerns, City Staff and City Council priorities, and market realities.

The property is currently zoned R-3, which typically allows three residential units per acre. The Brookshire Boulevard / I-485 Interchange Area Plan (adopted by City Council in 2002), recommends multi-family, office or retail uses for this site.

Mr. Brown briefly reviewed the prior rezoning proposal that was discussed in the November 2018 meeting, explaining that the Petitioner has since decided to go in a different direction, partly due to community feedback at the prior meeting. The original request was for a rezoning to the UR-2(CD) (urban residential) zoning district to accommodate the development of for-sale townhomes with up to 10 townhome units per acre.

In the initial feedback, the Petitioner's team received feedback including: importance of buffering next to existing single-family homes; concern over the removal of trees; traffic congestion; disruption from car headlights shining into existing homes; and desire for restaurants and commercial uses instead of townhomes.

Mr. Brown then demonstrated several new development concepts under the NS zoning district to accommodate neighborhood services uses. The Petitioner's current intent is to construct a two-story medical office building and other associated commercial uses. The conceptual design shows the buildings pulled as far away from the existing Chastain Glen neighborhood as possible. The Petitioner's team explained that the small footprint for medical office would serve as a good neighbor in light of the concerns discussed at the prior meeting since medical office hours do not include nights or weekends and provide less peak-hour trips than many other uses. As compared to the prior plan, the buffer has been increased from 20 feet to 32 feet and the building height would be similar to that proposed for the townhome development. The Petitioner's team will also commit to install an opaque fence along the property boundary to help with light spillage from the headlights and commit to capping the parking lot lights so that they are downwardly-directed to further reduce light pollution.

The Petitioner's team presented several concept examples of the desired commercial development based on existing product created by MPV Properties. Mr. George Macon explained the MPV Properties is looking to do a similar development as the examples shown. Mr. Macon stated that the proposed development would be similar to size and design of MVP's developments named Jetton Village in Cornelius and Marvin Crossing near the intersection of Ardrey Kell Road and Marvin Road, which are both also adjacent to residential neighborhoods.

In response to traffic concerns, the Petitioner's agents responded that the site plan proposes a new connection with access to Mt. Holly-Huntersville Road that will likely prevent people from using the Riverbend project's new connection through the Chastain Glen neighborhood. This will benefit the Chastain Glen neighborhood in reducing the cut-through traffic through their neighborhood while also taking some congestion away from the heavily-trafficked intersections. In response to an attendee's safety concerns with a full-access drive into the proposed development from Mt. Holly-Huntersville Road, the Petitioner's team confirmed that the proposed access will be restricted to right-in/right-out only. Additionally, the proposed site plan removes one of the adjacent church's access points along Mt. Holly-Huntersville Road in favor of an internal connection through the Petitioner's proposed site, further improving the safety along Mt. Holly-Huntersville Road.

Several neighbors stated that there already appears to be medical office space available or under construction in the Mountain Island area and asked what would set this development apart from the other available medical office spaces. Mr. Macon responded that MPV Property's specialization in medical

office developments will set this space apart with superior access, design and parking availability as well as the site's location to residential developments and Riverbend amenities. Several attendees echoed that they did not want the space to lay vacant.

An attendee stated that they didn't want the commercial spaces to be nail salons, dollar stores, or an Auto Zone, for example, if medical offices do not end up at the site. Mr. Macon responded that due to the land cost and development cost, the site does not lend itself to those uses. Further, the Petitioner is willing to commit to specifically exclude automobile service station, repair garages, car washes, tattoo establishments, fast food drive-thru windows, and adult establishments from the list of permitted uses for the site. An attendee commented that the area is in need of a nice sit-down restaurant. The Petitioner's team agreed that their desire is for the proposed rezoning to permit the flexibility to include a restaurant.

The Petitioner's team stated that the earliest possible public hearing could be June 17th, with a City Council decision July 15th, but that at least a one-month deferral is expected as the Petitioner works through the updated site plan with Planning Staff and City Council, shifting the likely City Council decision to September 16th.

The formal meeting concluded at approximately 7:00 p.m. and the Petitioner's representatives continued to answer individual questions until approximately 7:30 p.m.

Respectfully submitted, this 13th day of May, 2019.

cc: Claire Lyte-Graham, Charlotte-Mecklenburg Planning Department

EXHIBIT A

2018-128	TAXPID	OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
2018-128	02311314	LINEBERGER	TERRY I	ELIZABETH S	LINEBERGER	11318 PUMP STATION RD		CHARLOTTE	NC	28216
2018-128	02326204	MCQUAY	RICHARD LEIGHTON	MARION C	MCQUAY	4403 MOUNT HOLLY HUNTERSVILLE	RD	CHARLOTTE	NC	28216
2018-128	02326205	SPEARES	GREGORY L	CHERYL	SPEARES	4415 MT HOLLY-HUNTERSVILLE RD		CHARLOTTE	NC	28216
2018-128	02326206	HILTON INVESTMENT LLC				330 NORTH MULBERRY ST		STATESVILLE	NC	282677
2018-128	02326207	TODD	DORIS B			4431 MOUNT HOLLY HUNTERSVILLE	RD	CHARLOTTE	NC	28216
2018-128	02326330	SAVILLE	ROBERT J	NADINE N	SAVILLE	4627 ANDREW JAMES DR		CHARLOTTE	NC	28216
2018-128	02326331	GRESHAM	KRIS W	DEBRA C	GRESHAM	4635 ANDREW JAMES DR		CHARLOTTE	NC	28216
2018-128	02326332	HUDNALL	SHEILA A			4640 ANDREW JAMES DR		CHARLOTTE	NC	28216
2018-128	02326333	OVERLOOK OWNERS ASSOC INC				PO BOX 1003		CHARLOTTE	NC	28201
2018-128	03304108	PAIGE	DAVID HOWARD	CATHERINE E	PAIGE	4422 MT HOLLY-HUNTERSVL R		CHARLOTTE	NC	28216
2018-128	03304112	POUTIER	JAMES F	VIRGINIA P	POUTIER	2625 LILLY MILL RD		CHARLOTTE	NC	28210
2018-128	03304113	MOUNTAIN ISLAND COMMUNITY CHURCH				4316 MT HOLLY-HUNTERSVILLE RD		CHARLOTTE	NC	28216
2018-128	03304127	BC BUILDING #1 LLC				500 EAST MOREHEAD ST STE 200		CHARLOTTE	NC	28202
2018-128	03304187	MT ISLAND PARTNERS LLC				800 17TH STREET NW		HICKORY	NC	28601
2018-128	03304197	MT ISLAND PROMENADE LLC				1401-B SUNSET DR		GREENSBORO	NC	27408
2018-128	03304401	PALMER	MARCUS			11222 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304402	OJEDA	ROSA LINDA	HISRRAEL OJEDA	HERNANDEZ	11213 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304403	ADAMS	RONALD	TAMARA	ADAMS	11210 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304404	HORNE	MAGGIE R			11204 CHASTAIN PARE DR		CHARLOTTE	NC	28216
2018-128	03304405	BROWN	LESTER L III	CHRISHALA CHANTEL ANNETTE	BROWN	11201 GOLDEN DR		CHARLOTTE	NC	28216
2018-128	03304406	MORALES-TERAN	OSCAR ALFREDO	MARIA	MORALES	11209 GOLDEN DR		CHARLOTTE	NC	28216
2018-128	03304407	RALSTON	ANTHONY M	MARIA	RALSTON	11213 GOLDEN DR		CHARLOTTE	NC	28216
2018-128	03304408	CAMPANELLI	PAUL	KATHRYN	CAMPANELLI	11217 GOLDEN DR		CHARLOTTE	NC	28216
2018-128	03304422	NELSON	ROBERT L	MILLIE G	NELSON	11132 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304423	SIMS	TAMARA N			11124 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304424	SHAW	MARK			11118 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304425	BALDWIN	VICKI L		MARCO A VERASTEGUI	11112 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304426	BURTON	JOSEPH R			11106 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304427	THOMPSON	LAWRENCE P III (L/T)	KIMBERLY B(L/T)	THOMPSON	9604 CALLIS CT		HARRISBURG	NC	28075
2018-128	03304428	SWEENEY	JONATHAN C	JEANNE F	WINN	11028 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304501	GRAHAM	DENNIS L JR	KWAN	GRAHAM	11001 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304502	SNIDER	SCOTT H	ANGELA L	SNIDER	11007 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304503	SEAMANS	DOUGLAS V JR	LINDSAY	SEAMANS	11015 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304504	BARTLETT	SHERRY L			11021 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304505	KOONCE	ELISA DIANNE			11029 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304506	WOLFSOHN	EDWARD	RITA	WOLFSOHN	11101 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304507	COCHRAN	YOLONDRA			11107 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304508	CUBERO	DAVID CASTRO	JESHIRA	GONZALEZ-SOTO	11113 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304509	BECKHAM	DEREK B	CYNTHIA LYNN	BECKHAM	11119 CHASTAIN PARC DRIVE		CHARLOTTE	NC	28216
2018-128	03304510	AMH NC PROPERTIES LP				11629 SIDNEY CREST AVE		CHARLOTTE	NC	28213
2018-128	03304511	CURBEAM	STEVEN C	SAKIRA V	CURBEAM	11133 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304512	BLAKENEY	ANESTHA W			11203 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304513	CORREA	GEORGE JR	ANA	WILLMORE-CORREA	11211 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304598	MT ISLAND PROMENADE LLC				1401 SUNSET DR SUITE B		GREENSBORO	NC	27408

2018-128	ORGANIZATI	FIRST_NAME	LAST_NAME	STREET_ADD	UNIT_NUM	CITY	STATE	ZIP
2018-128	Chastain HOA	Mark	Shaw	11118 Chastain Parc Drive		Charlotte	NC	28216
2018-128	Chatham Homeowners Association	Neale	Turlington	9527 Chastain Walk Dr		Charlotte	NC	28216
2018-128	Devonwood Towns Homeowners Association	Victoria	Carnall	4742 Stoney Branch Dr		Charlotte	NC	28216
2018-128	Morgan Glenn	Larry	Bumgarner	5201 Mountain Point Ln		Charlotte	NC	28216
2018-128	Mountain Island (Overlook) Homeowners Association	Steve	Swicegood	12511 Overlook Mountain Dr		Charlotte	NC	28216

EXHIBIT B

April 25, 2019

Collin W. Brown
collin.brown@klgates.com

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

NOTICE TO INTERESTED PARTIES OF SECOND COMMUNITY MEETING

Date: Thursday, May 9th at 6:00 p.m.
Location: Mountain Island Church of Christ
4205 Mt. Holly-Huntersville Road
Charlotte, NC 28216
Petitioner: James Poutier
Petition No.: 2018-128

Dear Charlotte Resident,

We represent James Poutier (the "Petitioner") in his request to rezone an approximately 5.5-acre property located on the southeast side of Mt. Holly-Huntersville Road, between Riverbend Village Drive and Chastain Parc Drive (the "Property"). The Petitioner intends to amend its rezoning application to request a rezoning from the R-3 zoning district to the NS (Neighborhood Services) zoning district in order to accommodate its revised development plans.

The Petitioner originally held a meeting on November 26, 2018 under its former plans to request a rezoning to the UR-2(CD) zoning district to accommodate a townhome development. Based on community feedback and market conditions, the Petitioner is now considering a commercial development that we would like to discuss with the community at this follow-up meeting.

In accordance with the requirements of the City of Charlotte Zoning Ordinance, the Petitioner will hold a Second Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this updated 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 Property.

Accordingly, on behalf of the Petitioner, we invite you to attend the Second Official Community Meeting regarding this Petition on **Thursday, May 9th at 6:00 p.m.** to meet with the Petitioner and its design and development team. We will give a brief overview of the revised redevelopment concept and then provide an opportunity for you 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: Dr. Justin Harlow, Charlotte City Council District 2

EXHIBIT C

EXHIBIT D

The logo for K&L GATES, featuring the company name in white, uppercase letters on an orange rectangular background.

K&L GATES

SECOND Official Community Meeting

**James Poutier / Mt. Holly-
Huntersville Road
Petition No. 2018-128**

May 9, 2019

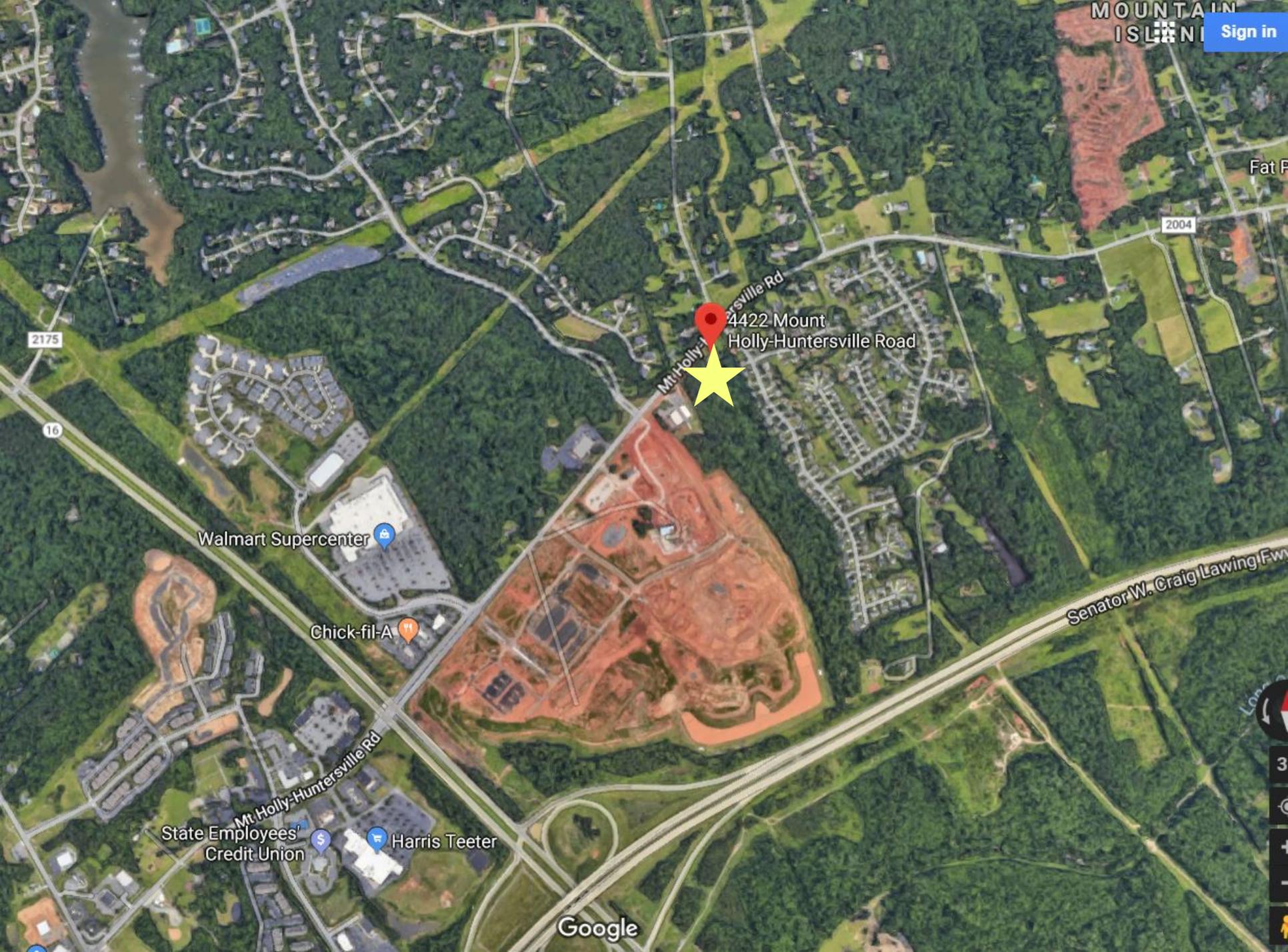
AGENDA

- Introductions
- Property Location
- Development Considerations
- Current Zoning
- Area Plan Recommendation
- Initial Development Concept
- Community Feedback
- REVISED Development Proposal
- Concept Examples
- Rezoning Timeline
- Discussion



Property Location





2175

16

2004

Mt Holly-Huntersville Rd

4422 Mount Holly-Huntersville Road

Walmart Supercenter

Chick-fil-A

State Employees' Credit Union

Harris Teeter

Google

Senator W. Craig Lawing Fwy

Fat P

Load

3

+

-

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+





Wintersville Rd

485

Walmart Supercenter

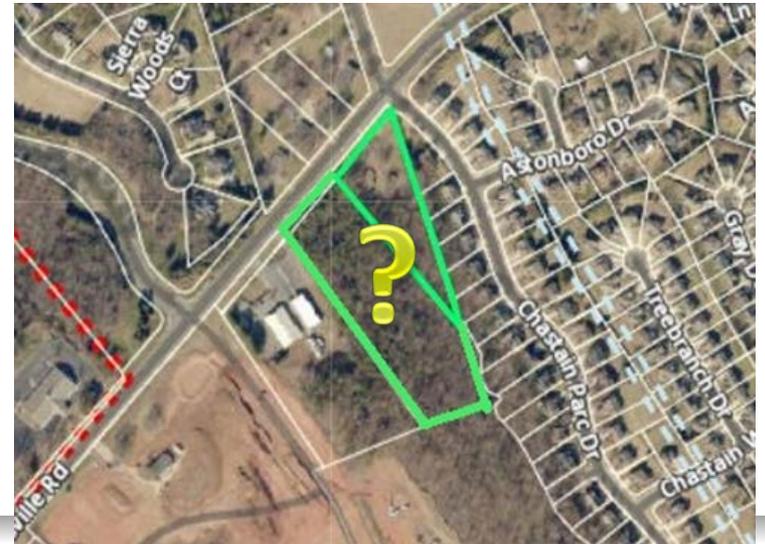
Chick-fil-A





Development Considerations

- Property Owner Requirements
- Existing Zoning
- Natural/Environmental Constraints
- Access/Transportation Constraints
- Adjacent Owner Concerns
- Ordinance/Policy Requirement (non-zoning)
- Adopted Area plans
- City Priorities
- Adjacent Uses
- Community Concerns
- Market Realities

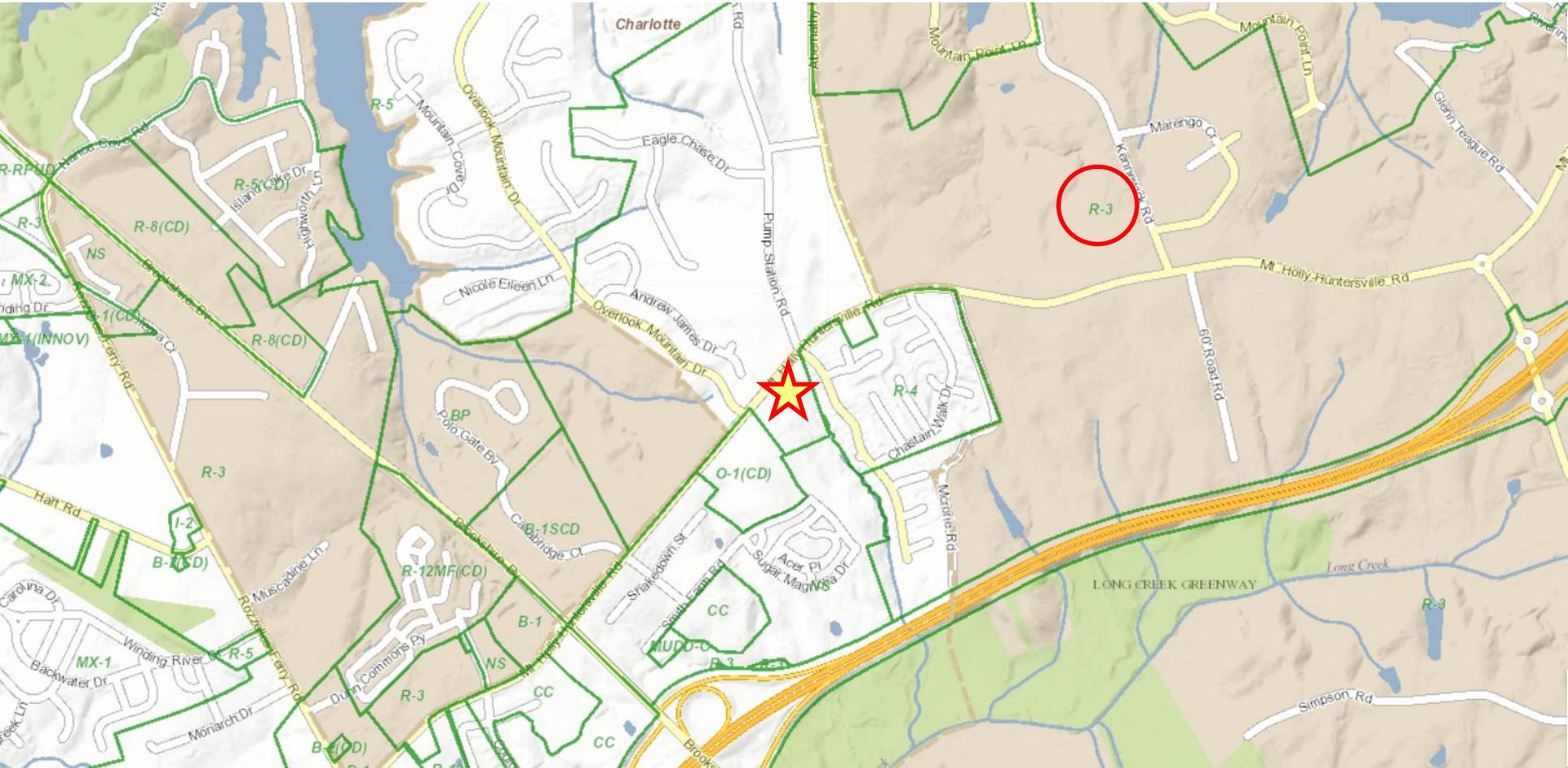




Current Zoning



Current Zoning: R-3





Land Use Plan



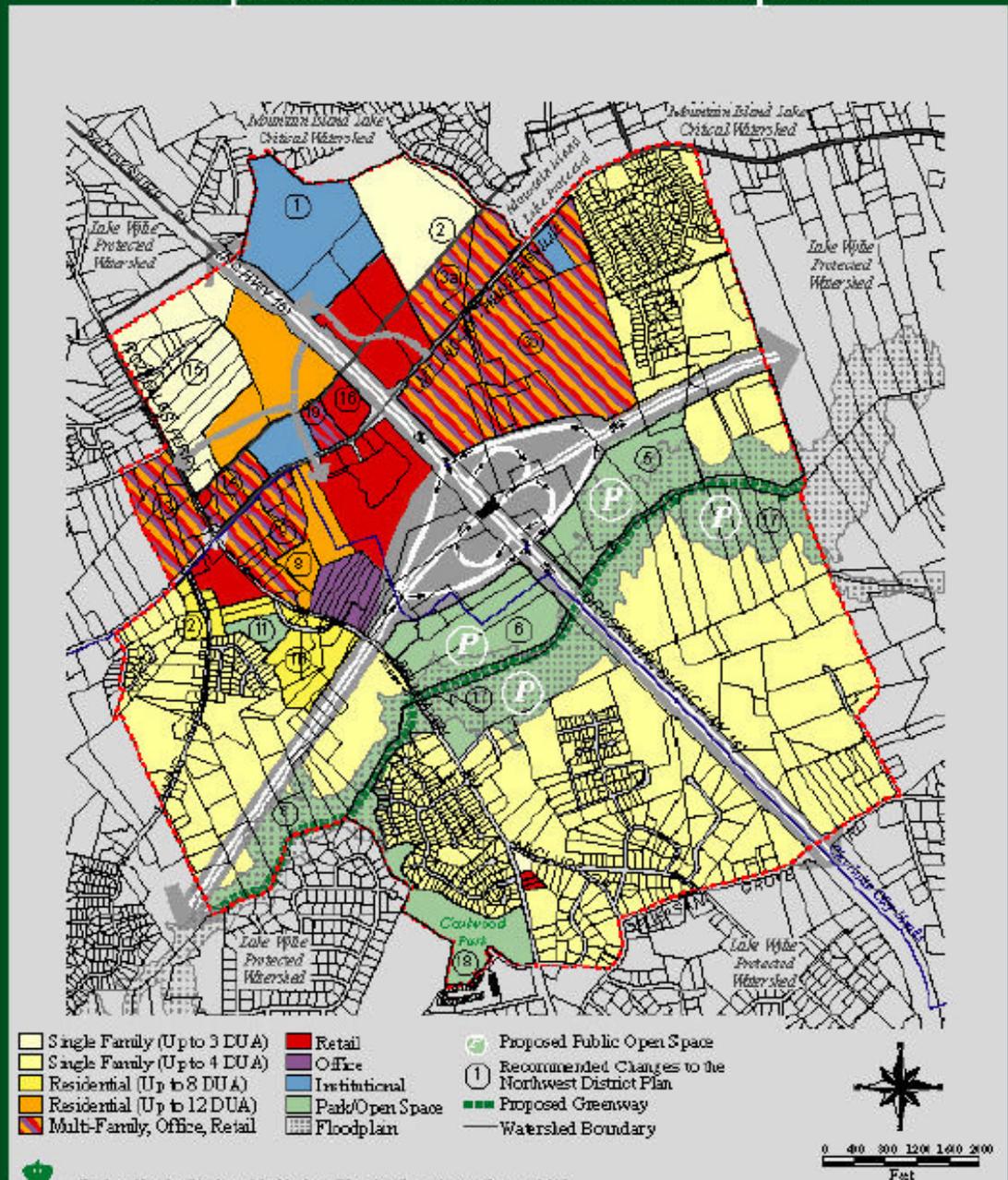
**Brookshire Boulevard/I-485
Area Plan**

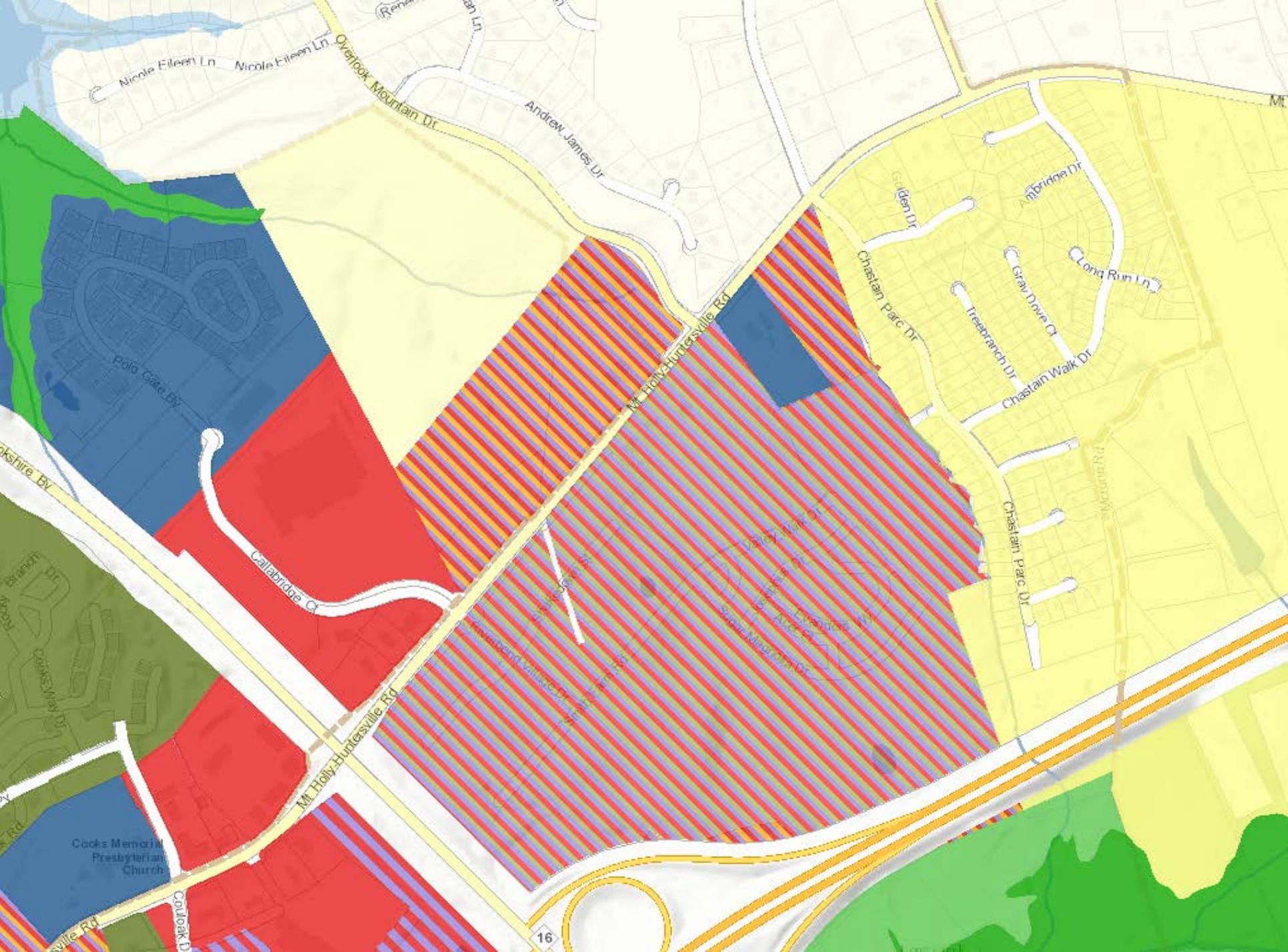
Volume I: Concept Plan

Adopted by City Council January 28, 2002



Brookshire Boulevard / I-485 Interchange Proposed Land Use: Map # 6





Nicole Eileen Ln

Overlook Mountain Dr

Andrew James Dr

Golden Dr

Ambridge Dr

Long Run Ln

Graw Dove Ct

Trebrarch Dr

Chastain Walk Dr

Chastain Parc Dr

Chastain Parc Dr

Wetmore Rd

Callabridge Ct

Mt. Holy Huptersville Rd

16

Polo Gate Dr

Shire By

Stran Dr

Cook's Memorial Presbyterian Church

Cook's Memorial Presbyterian Church

ville Rd

Callabridge Ct

Waterford Village Dr

Smith Farm Rd

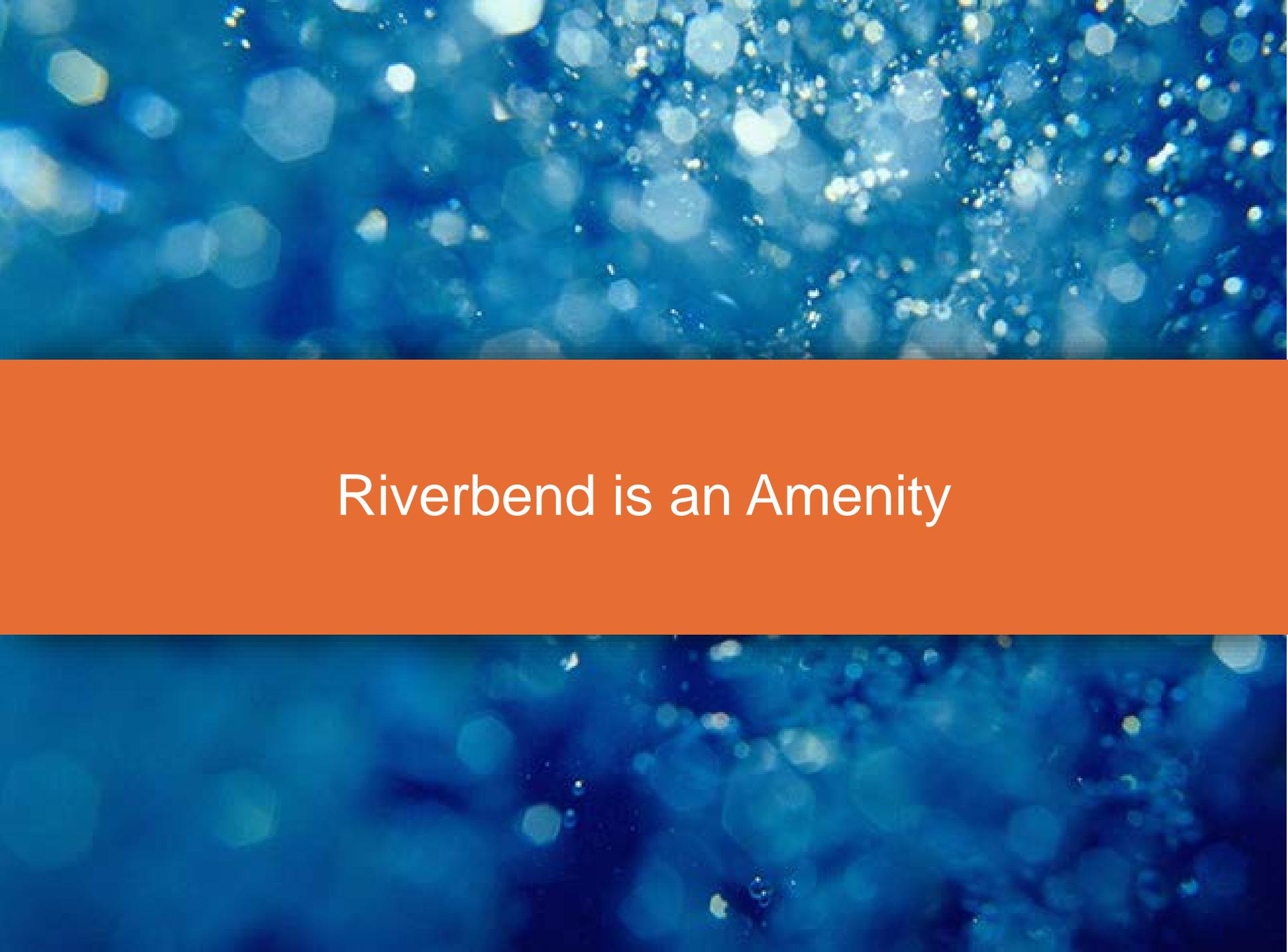
Valley Walk Dr

Edgemoor Dr

Star-Margolis Dr

ACE Dr

Evadore Dr

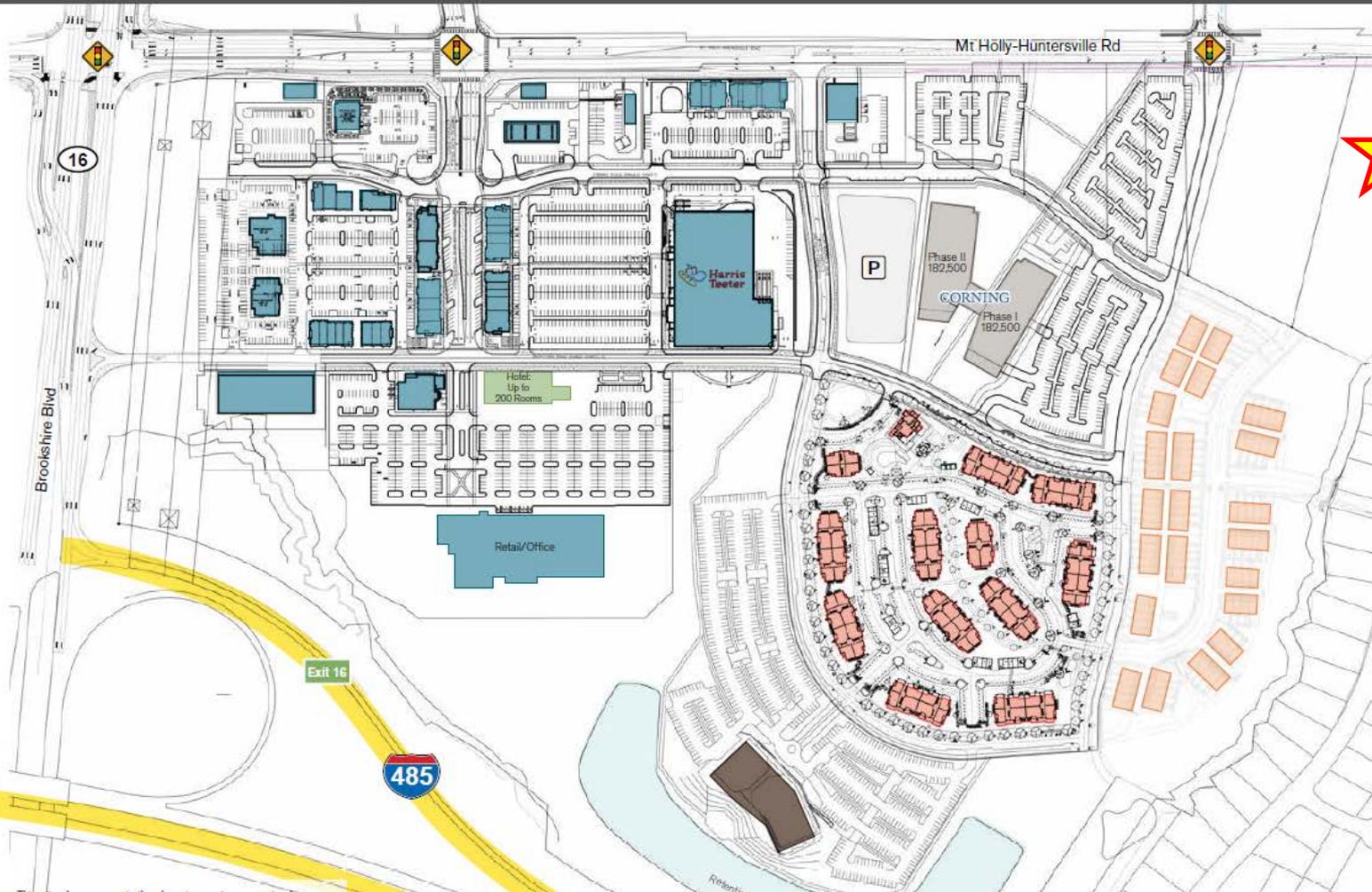


Riverbend is an Amenity

OVERVIEW

RIVERBEND VILLAGE

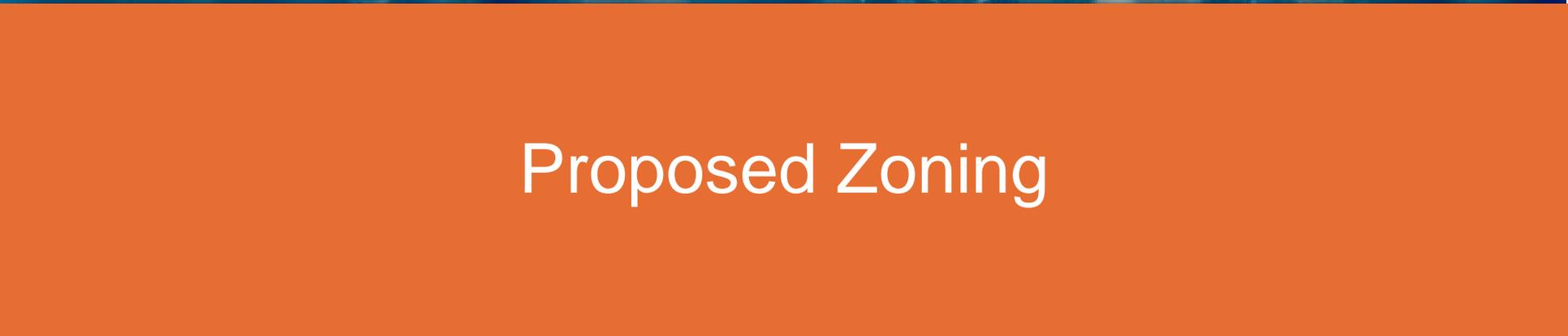
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- RETAIL**
330,000 SF
- OFFICE**
182,000 SF
- CORNING**
365,000 SF
- MULTI-FAMILY**
266 UNITS
- TOWNHOMES**
105 UNITS
- HOTEL**
UP TO 200 ROOMS



Proposed Zoning



Proposed Zoning: Neighborhood Services (NS)

CHARLOTTE CODE

PART 5: NEIGHBORHOOD SERVICES DISTRICT

PART 5: NEIGHBORHOOD SERVICES DISTRICT

Section 11.501. Purpose.

The purpose of the Neighborhood Services District (NS) is to encourage and accommodate the development and continued existence of mixed use districts, which provide a focus for neighborhood retail and service activities. This district provides for a variety of neighborhood-oriented retail and service uses intermixed with high density residential uses. Residential uses on the upper floor of commercial structures are strongly encouraged. Emphasis in the district is placed upon creating a pedestrian scale urban environment with strong linkages to the neighborhood and access to transit.

Section 11.502. Applicability.

The delineation of Neighborhood Services Districts will be done primarily through the area planning process. This does not preclude, however, a private sector initiated rezoning petition to establish a district. The following criteria must be considered for the establishment of the Neighborhood Services District:

- (1) The district must be directly adjacent to or within a residential neighborhood.
- (2) The proposed uses are intended to serve the surrounding neighborhood.
- (3) The district must have frontage on a major or minor thoroughfare, unless an approved site plan provides otherwise.
- (4) The district must have proximity to existing and future transit routes.



Initial Proposed Development Concept
(Prior Rezoning Plan)





**Townhomes: Attached Dwellings,
underlying land owned by homeowner,
common areas maintained by an HOA.**



Community Feedback



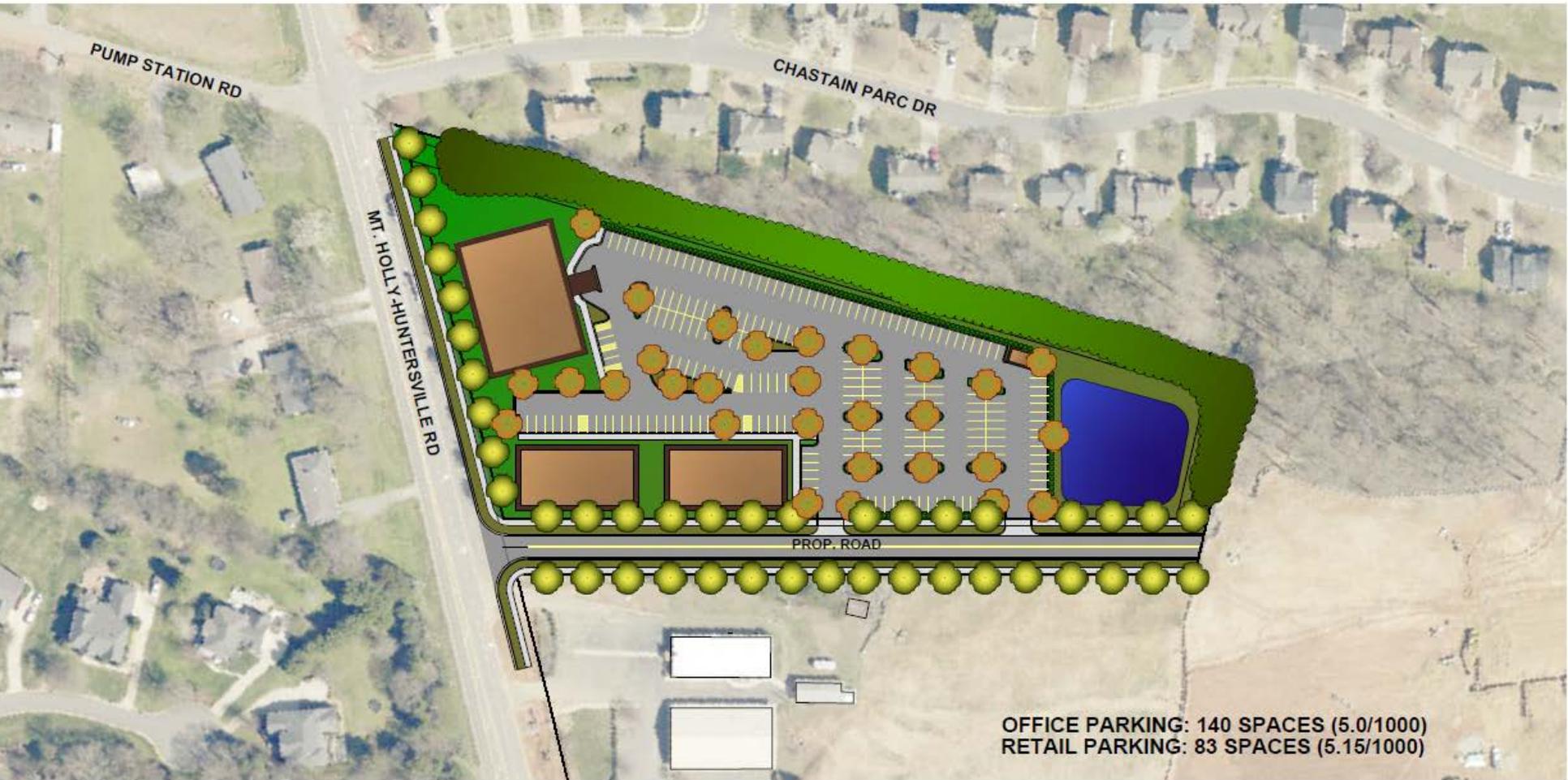
COMMUNITY FEEDBACK FROM INITIAL MEETING

- Buffering to existing single family homes
- Removal of Trees
- Traffic
- **Desire for restaurants/commercial instead of townhomes**

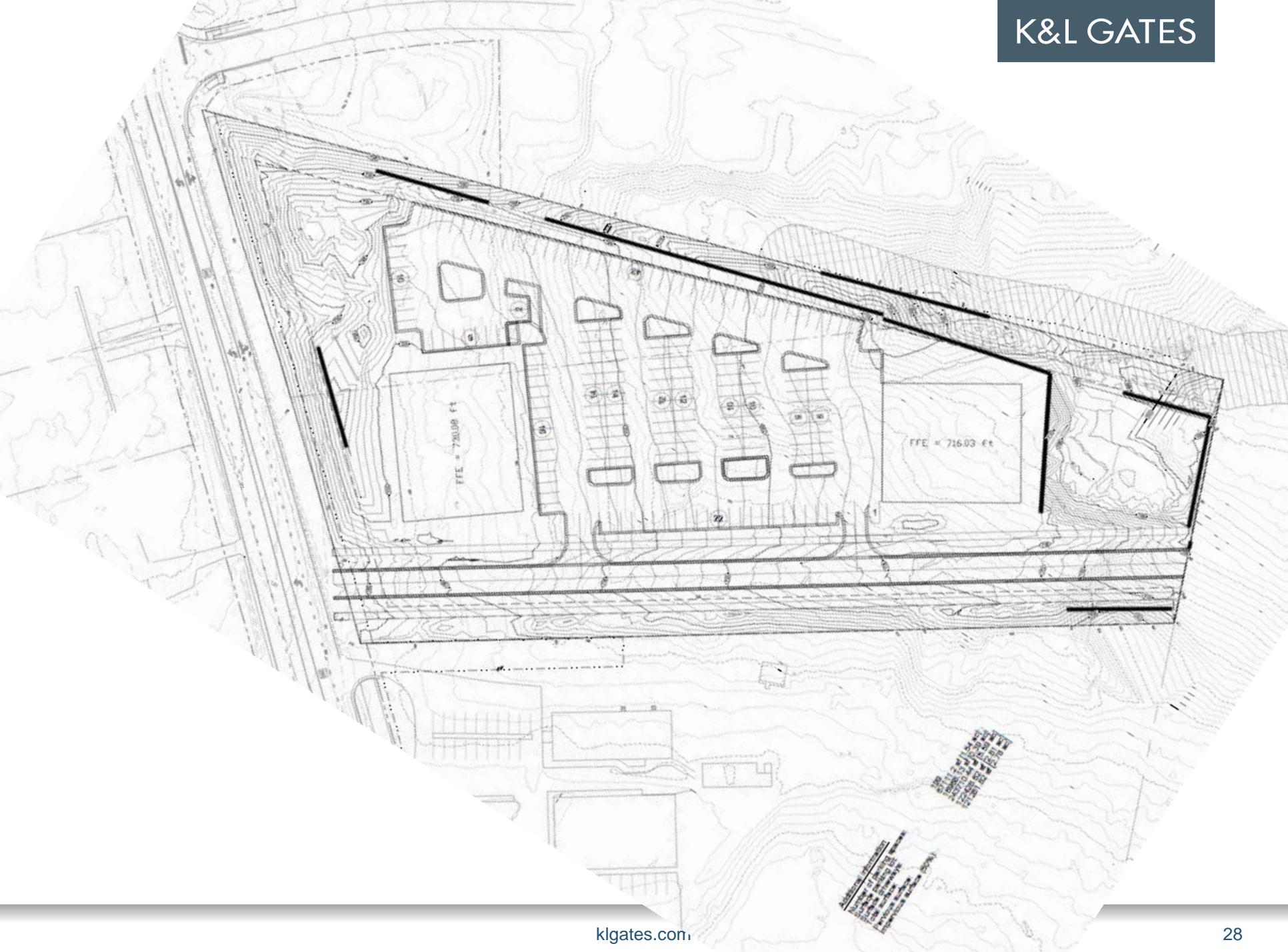


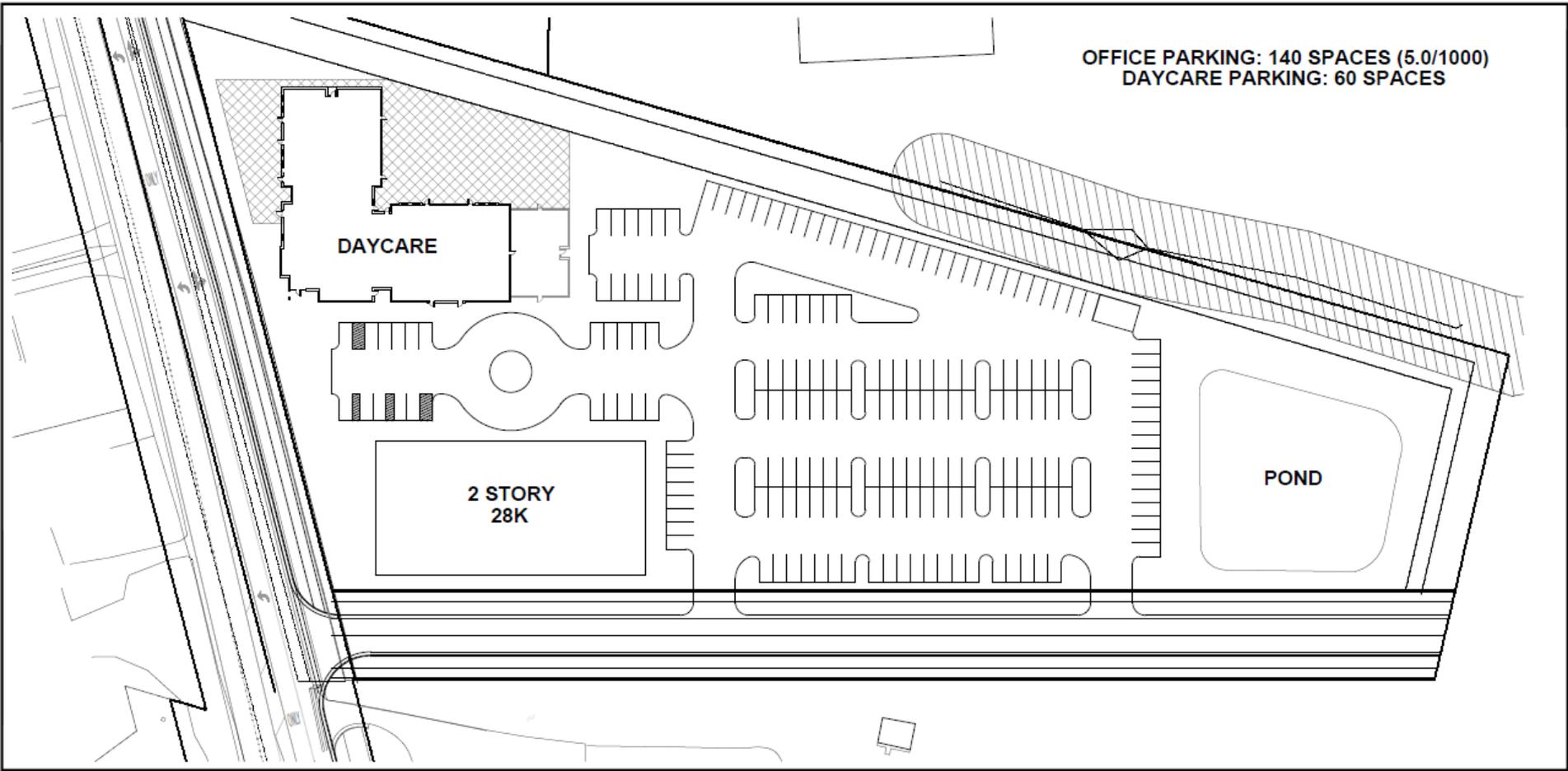
New Development Concepts





38,000 s.f. Office/Services
8,000 s.f. Retail





OFFICE PARKING: 140 SPACES (5.0/1000)
DAYCARE PARKING: 60 SPACES

DAYCARE

2 STORY
28K

POND



Comparison to Prior Plan







Concept Examples









CoSTAR













Rezoning Timeline



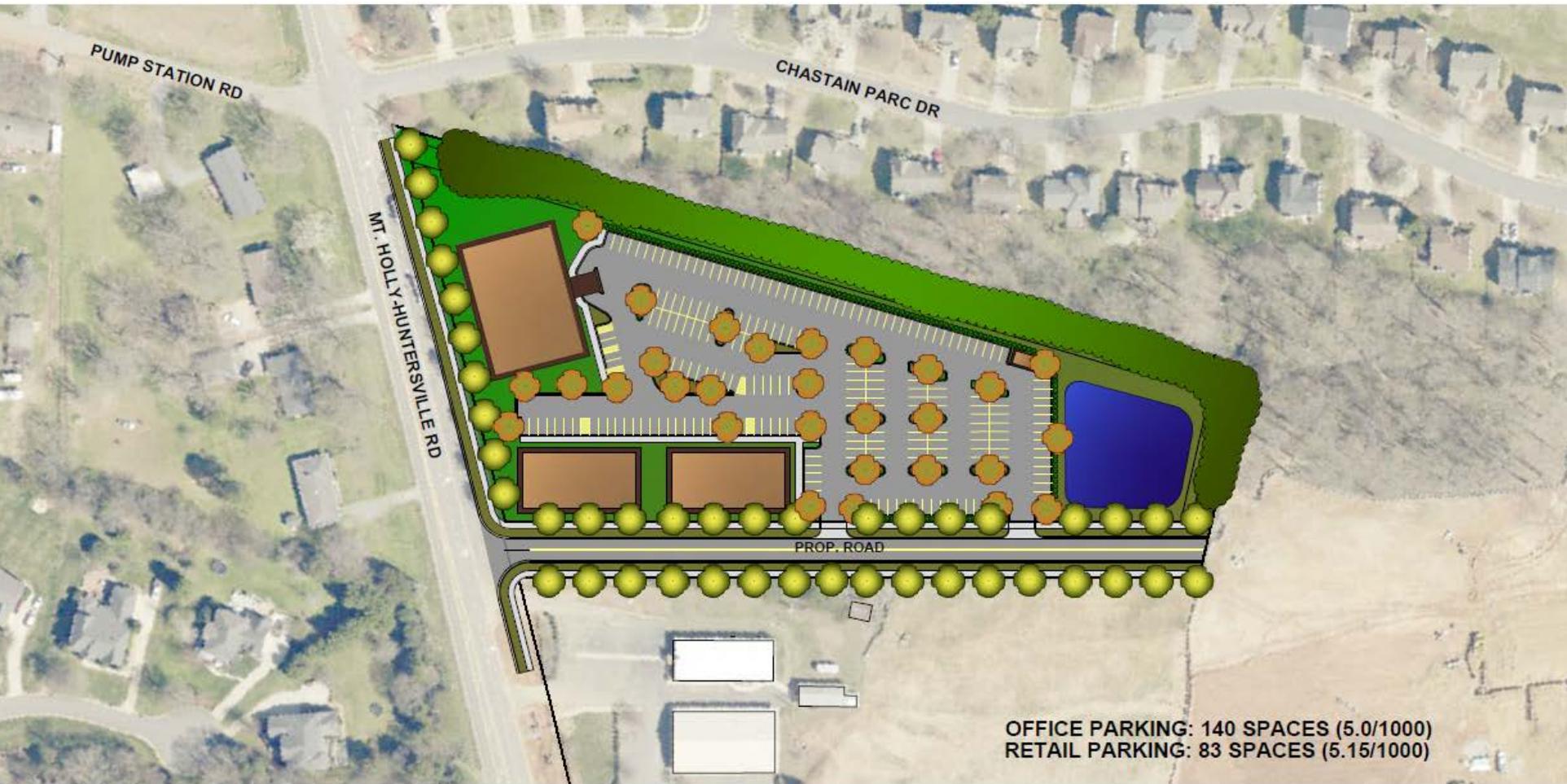
Potential Rezoning Timeline

First Official Community Meeting:	November 26, 2018
Second Official Community Meeting :	May 9, 2019
Revised Site Plan Submittal:	May 13, 2019
Public Hearing:	June 17, 2019
Zoning Committee:	July 2, 2019
City Council Decision:	July 15, 2019



Discussion





38,000 s.f. Office/Services
8,000 s.f. Retail

K&L GATES