

## **HORACK • TALLEY**

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### **COMMUNITY MEETING REPORT** **Petitioner: Diamond Oak Development, LLC** Rezoning Petition No. 2006-99

**SUBJECT:** Community meeting held on Thursday, June 29, 2006 in connection with Rezoning Petition No. 2006-99 submitted by Diamond Oak Development, LLC regarding a rezoning from R-5 to MUDD at the intersection of Grandin Road and West Fourth Street.

#### **PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:**

In addition to the formal community meeting required by the City of Charlotte Zoning Ordinance, which took place on June 29, 2006, the Petitioner and its representatives have met on several occasions with nearby property owners and neighborhood representatives.

With respect to the formal community meeting required by the Ordinance, the Petitioner mailed written notices of the date, time and location of the meeting to the individuals and organizations set forth on Exhibit A. A copy of the Notice of Community Meeting for the June 29, 2006 meeting is set forth as part of Exhibit A.

#### **DATE, TIME AND LOCATION OF MEETING(S):**

The formal meeting required by the Zoning Ordinance was held at 6:30 p.m., Thursday, June 29, 2006 at the Greater Bethel AME Zion Church, located at 201 Grandin Road, Charlotte, North Carolina.

#### **PERSONS IN ATTENDANCE AT MEETING(S):**

A list of individuals who attended the June 29, 2006 required Community is attached as part of Exhibit B. Also in attendance were Collin Brown of Horack Talley and Courtney Piercy of Horack Talley.

#### **SUMMARY OF ISSUES DISCUSSED AND CHANGES MADE TO THE PETITION AS A RESULT OF THE MEETING(S):**

The following is a list of general issues, questions and comments raised at the required Community Meeting held on June 29, 2006.

### Overview Presentation

Collin Brown opened the meeting and explained that the purpose of the meeting was to give neighbors as much information as possible regarding the proposed church renovation and rezoning process. Mr. Brown noted that the project is being reviewed by the historic preservation committee and will receive a historic landmark tax credit. Mr. Brown explained that he would go over the site plan in detail, and would answer any questions regarding the changes to the existing structures, the new construction, the changes to the landscaping, and the changes to the parking.

Mr. Brown discussed the proposed site plan and used architectural renderings to explain site plan details. Mr. Brown explained that the construction of the new building is a result of an effort to preserve the historic significance of the existing church structure while meeting project requirements of the owner and petitioner. Mr. Brown explained that the view from the street will remain virtually unchanged, and the interior of the sanctuary will be preserved. Mr. Brown noted that while the original plan called for twenty units, the latest revisions to the plan call for only fifteen units.

### Questions and Comments

Meeting attendees had the following questions and comments:

Why has the historic preservation committee criticized the proposed new building as being too high? – Collette Brown

*Mr. Brown explained that while there would be no significant changes to the view from the front of the church building, there would be some elevation changes to the rear of the church. Mr. Brown showed how the new building would not have quite as high of an elevation as the church. Mr. Brown pointed out that the new building would have balconies looking out over the courtyard. Mr. Brown explained that the new building is the only way that the petitioner can obtain the number of units necessary considering the requirement that the sanctuary's interior remain intact.*

What is the proposed date for beginning the construction and renovation?

*Mr. Brown responded that the start date would depend on the zoning. Mr. Brown indicated that late winter may be the earliest point at which construction could begin. He explained that there would be a public hearing on July 17<sup>th</sup>, and that the council generally makes its approvals the following meeting. However, Mr. Brown indicated that there would be no zoning meetings in August, thus there could be some delay in obtaining zoning approval. He did describe the church as being ready to move forward with the sale, but that there must be a final review by the historic planning committee and zoning board.*

Will the sidewalk remain intact after the new parking spaces are added?

*Mr. Brown explained that there would be a sidewalk, but there was a possibility that it may be moved closer to the buildings to make room for the new parking spaces. The new sidewalk would be about five feet wide.*

Will there be parking on the street?

*Mr. Brown described how the existing gravel used for street parking would be replaced with asphalt and that lighting and plants would be added to make the area more pedestrian friendly.*

What will be the average price point of the units?

*Mr. Brown discussed the church's intention to sell the units as condominiums after the termination of the five year period following construction. He indicated that the sale would be for as much as possible, and that the market research on the property was positive. He stated that for the first five years, the units must be rented in order for the petitioner to qualify for the tax credits, but that the rent would be priced at a rate comparable with the sale price. Mr. Brown did indicate that the price will vary by the unit.*

Aside from the large unit to be housed in the current sanctuary, what will be the size of the other units?

*Mr. Brown responded that although the interior plans have yet to be finalized, the units would be fairly large, and there was a possibility for some three bedroom units.*

Will the new building be higher than the neighboring house?

*Mr. Brown explained that some portion of the rooftop would be visible, but that there would be excavation to lower the elevation of the new building.*

Will the bottom story of the new building contain spaces for parking?

*Mr. Brown stated that there would be no underground parking.*

Will the new building be connected to the church?

*Mr. Brown confirmed that the new building would be connected with the church and that there would be no space in between the two buildings.*

Will the parking obstruct the property line of the neighboring duplex?

*Mr. Brown informed the group that while there may be some turning in the alley of the duplex, the parking would not cross over the property line of the neighboring duplex.*

Will the new construction be in brick or siding?

*Mr. Brown explained that the new construction would be a mixture of materials, but the developer would be limited by the historic preservation committee to using primarily brick. He indicated that there may be some other materials used for detail work, but that vinyl siding would not be used. He stated that the goal was to blend the new construction with the existing architecture.*

How will the church building house eight units when the sanctuary will make up only one unit?

*Mr. Brown described how the large basement of the church would be used to house several of the units, but that there would not be any doors leading directly from the basement units to the outside. Mr. Brown indicated that instead of installing doors, the petitioner would expand the windows in the basement units.*

What will happen to the existing trees?

*Mr. Brown explained that, the maple at the front of the site would definitely be preserved. Mr. Brown went on to explain that the existing church sign would remain as well.*

What will happen to the church's furnishings and fixtures?

*Mr. Brown expressed that he had no knowledge of what may happen to the furnishings and fixtures, because the church owns those items. Mr. Brown stated that he did not expect the petitioner to purchase any of the furnishings or fixtures. He indicated that the church did plan to take the corner stone and the steeple.*

Will the new parking create a problem for the neighbors?

*Mr. Brown expressed that the neighborhood may see some improvement in parking as the buildings would house less people than the church currently has attending during church services. However, Mr. Brown acknowledged that the neighborhood would see an increase in the number of parked cars on a daily basis, but that there should no longer be the overflow that occurs on the weekends. He indicated that the developer would meet the minimum requirements for parking, but that the only other option for adding parking would be to add five additional spaces in the courtyard. Mr. Brown explained that this would detract from the character of the courtyard and surrounding buildings, and for this reason no additional parking would be added to the courtyard.*

Mr. Campos indicated that his only concern was with the potential parking impact.

The meeting concluded around 7:30, with many separate conversations ongoing.

Respectfully submitted, this 7<sup>th</sup> day of July, 2006.

Horack, Talley, Pharr & Lowndes

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## **NOTICE OF COMMUNITY MEETING AND INFORMATION REGARDING REZONING PETITION NO. 2006-99**

**Date:** June 20, 2006

**Subject:** Rezoning Petition No. 2006-99

**Petitioners:** Diamond Oak Development

**Property:** 201 Grandin Road

**Rezoning Request:** Change from R-5 to MUDD (CD)

**Date and Time of Community Meeting:** 6:30 p.m., Thursday June 29, 2006

**Location of Community Meeting:** Greater Bethel AME Church  
201 Grandin Road  
Charlotte, NC 28202

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We represent the Petitioner, Diamond Oak Development with regard to their petition to rezone the property located at 201 Grandin Road.

### **Background**

The .46 acre parcel is currently zoned R-5. The property is presently used for institutional purposes and is occupied by the Greater Bethel AME Church. The petitioner seeks to rezone the parcel in order to preserve and renovate the historic structure and accommodate residential uses. Therefore, the petitioner proposes a site plan that will allow new construction as well as the preservation of the existing church and parsonage structures.

### **Site Plan**

The petitioner proposes to renovate the existing church and parsonage structures and convert them into residential dwellings. The existing church structure will be preserved, only very limited changes will be made to the building's exterior. The existing parsonage will be renovated and expanded. A new structure will be constructed at the rear of the site. The entire redevelopment will accommodate 15 residential dwelling units. Commercial uses will be prohibited. The open spaces along Grandin Road will remain, and an open courtyard will be created in the interior of the site.

The proposed site plan will provide 10 off-street parking spaces and the petitioner seeks to use on street parking on portions of West 4<sup>th</sup> Street and Grandin Road abutting the site toward its parking requirements.

**Additional Comments**

The Public Hearing on this Petition is scheduled for July 17, 2006, at 6:00 p.m. in the Meeting Chamber of the Government Center. The Public Hearing is the formal opportunity for those individuals who desire to express their feelings about the Rezoning Petition to Members of the City Council and Members of the Zoning Committee of the Charlotte-Mecklenburg Planning Commission.

The Petitioners may revise their Conditional Rezoning Plan as a result of comments received at the Community Meeting and comments received from the Charlotte-Mecklenburg Planning Staff and/or the Charlotte Department of Transportation, or as a result of modifications deemed necessary by the Petitioner for other reasons.

We hope you will be able to join us at the Community Meeting on June 29, 2006. In the meantime, should you have questions or concerns about this matter, you may contact Collin Brown at (704) 377-2500.

Horack, Talley, Pharr & Lowndes, PA

Enclosure

cc: Mr. Terry Predzimirski  
Mr. Allen Brooks  
Mr. Keith MacVean  
Ms. Tom Drake  
Mr. John Howard  
Mr. Walter Howard  
Charlotte City Council

Pet. No.	Text2	Text3	Text4	Text5
2006-99	Bibleville Wellness Association	Ms. Beth Marlin	508 Beatties Ford Road	Charlotte NC 28216-5334
2006-99	Biddleville Residents & Friends	Mr. Gerald Green	2018 W. Trade Street	Charlotte NC 28216
2006-99	Biddleville/Five Points Community	Mr. Charles Jones	2014 West Trade Street	Charlotte NC 28216
2006-99	Camp Greene Neighborhood Assoc.	Mr. Brian Fincher	Post Office Box 30141	Charlotte NC 28230
2006-99	Edwin Towers (CHA)	Ms. Eddie Young	201 West 10th Street, Apt. 101	Charlotte NC 28202
2006-99	Eleanore Heights Residents Org.	Ms. Lois D. Moore	2901 Coronet Way	Charlotte NC 28208
2006-99	Enderly Park	Ms. Bette Rae Thomas	3511 Tuckaseegee Road	Charlotte NC 28208
2006-99	Enderly Park Neighborhood	Mr. Herbert Weathers	1511 Effingham Road	Charlotte NC 28208
2006-99	Enderly Park Stepmasters	Ms. Casena Michael	3025 Rush Avenue	Charlotte NC 28208
2006-99	Friends of Fourth Ward, Inc.	Mr. Dennis Marsoun	530 N. Church Street	Charlotte NC 28202
2006-99	Greenville HOA & Resident Assoc.	Mr. Thomas L. Sadler	1416 Whisnant Street	Charlotte NC 28206
2006-99	McCrorey Heights-Oaklawn Assoc.	Mr. James "Lem" Turner	1633 Madison Avenue	Charlotte NC 28216
2006-99	Neighborhood Leadership Program, NCCJ	Ms. Zanolndria Hardin	740 W. Fifth Street, Suite 210	Charlotte NC 28202
2006-99	Northwest Service Center	Ms. Eleanor Washington	2324 LaSalle Street	Charlotte NC 28216
2006-99	Oaklawn Community Improvement Org.	Ms. Anna Hood	1327 Orvis Street	Charlotte NC 28216
2006-99	Parkview Community Foundation, Inc.	Ms. Gwendolyn Brown-Johnson	Post Office Box 669466	Charlotte NC 28266
2006-99	Present Day Cares, Inc.	George & Gwen Curry	2730 Rozzelles Ferry Road	Charlotte NC 28208
2006-99	Regal Heights	Eugene & Angela Perkins	3129 Columbus Circle	Charlotte NC 28208
2006-99	Seversville Community Organization	Mr. Wallace Pruitt	208 State Street	Charlotte NC 28208
2006-99	Smallwood In Action	Odessa Alexander	101 S. Smallwood Place	Charlotte NC 28216
2006-99	Taylor-LaSalle Crime Watch Comm.	Mr. Jerry Black	1626 Taylor Avenue	Charlotte NC 28216
2006-99	Taylor-LaSalle Crime Watch Comm. (Preserve)	Mrs. Lillian K. Roberts	1800 Taylor Avenue	Charlotte NC 28216
2006-99	Third Ward Neighbors Association	Ms. Virginia Woolard	1001 West First Street	Charlotte NC 28202
2006-99	University Park	Mr. Eric Davis	841 West Fourth Street	Charlotte NC 28202
2006-99	University Park Improvement Assoc.	Mr. Kelly Alexander	2128 Senior Drive	Charlotte NC 28216-4302
2006-99	Washington Heights Community	Mrs. Hattie Anthony	2011 Quentin Street	Charlotte NC 28216
2006-99	Wesley Heights Community Assoc.	Ms. Mattie B. Marshall	2725 Dundeen Street	Charlotte NC 28216
2006-99	Wesley Heights Community Assoc.	Mr. Brian H. Nolen	309 Walnut Avenue	Charlotte NC 28208
2006-99	Wesley Heights Community Assoc.	Ms. Nevada Graham	304 Grandin Road	Charlotte NC 28232
2006-99	Wesley Heights Community Assoc.	Ms. Shirley Fulton	608 Walnut Avenue	Charlotte NC 28208
2006-99	Westwood Apartments	Ms. Deborah Trull	1862 Fleetwood Drive	Charlotte NC 28208
2006-99	Wilkinson Blvd. Residents Assoc.	Mrs. Frances Harkey	3410 Meredith Avenue	Charlotte NC 28208



Pet. No.	TAXPID	OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	ST/
2006-99	Petitioner	Diamond Oak Development, Inc.				1234 Mann Dr., Ste. 100		Matthews	NC
2006-99	Agent	Horack Talley		Attention: Collin Brown		2600 One Wachovia Center	301 S. College St.	Charlotte	NC
2006-99	07101209	ALLISON	APRIL D			321 WALNUT AVE		CHARLOTTE	NC
2006-99	07101508	BETHEL A M E CHURCH	OF CHARLOTTE N C			201 GRANDIN RD		CHARLOTTE	NC
2006-99	07101407	CHANDIK	STACY MICHELLE			304 S SUMMIT AV		CHARLOTTE	NC
2006-99	07101501	CHAPMAN	JOHN W		JAN MICHAEL FINGER	220 S SUMMIT AVE		CHARLOTTE	NC
2006-99	07323207	CHERRY	WANDA E	WALTER	CHERRY	139 S SUMMIT AVE		CHARLOTTE	NC
2006-99	07101210	COHN	RONALD E	CHERSTEN B	COHN	325 WALNUT AV		CHARLOTTE	NC
2006-99	07101504	COOPER	MELISSA M			PO BOX 31084		CHARLOTTE	NC
2006-99	07101503	CURETON	VEDA P		BY ENTIRETY	212 S SUMMIT AVE		CHARLOTTE	NC
2006-99	07101408	DAVIS	ROBERT J	SYLVIA D	COWART	305 GRANDIN RD		CHARLOTTE	NC
2006-99	07101205	DEAN	EDNA M		MRS JAMES JR BY ENT	200 GRANDIN RD		CHARLOTTE	NC
2006-99	07101212	EDWARDS	BERNICE O			1516 W 4TH ST		CHARLOTTE	NC
2006-99	07323211	FOREST	COLETTE			209 S SUMMIT AV		CHARLOTTE	NC
2006-99	07101101	FORSTNER	GERHARD	TRINH L	FORSTNER	1512 W 4TH ST		CHARLOTTE	NC
2006-99	07101510	FREEMAN	JOHNNY	DOROTHY A	FREEMAN	213 GRANDIN RD		CHARLOTTE	NC
2006-99	07323212	FRYE	JOHN C	MALENA N	BERGMANN	215 S SUMMIT AVE		CHARLOTTE	NC
2006-99	07101307	GRAHAM	NATHANIEL	NEVADA W	GRAHAM	PO BOX 32813		CHARLOTTE	NC
2006-99	07101505	GRUENEICH	GREGORY R	KERRY H	GRUENEICH	204 S SUMMIT AVE		CHARLOTTE	NC
2006-99	07101506	HEINIGHAN	LOUIS T			200 S SUMMIT AVE		CHARLOTTE	NC
2006-99	07101208	HOLIT	DAVID L	HWENNETTE	HOLIT	3827 ELLENWOOD PL		CHARLOTTE	NC
2006-99	07323209	JOHNSON	HATTIE L			201 S SUMMIT AVE		CHARLOTTE	NC
2006-99	07101502	KEETER	EDWIN CLIFTON	MARTHA KEETER	WEBB	4623 HALSTEAD DR		CHARLOTTE	NC
2006-99	07101202	KEY REALTY OF CHARLOTTE INC				PO BOX 37288		CHARLOTTE	NC
2006-99	07323213	KING	AUDREY H		(REVOCABEL TRUST)	2611 DALEVIEW DR		CHARLOTTE	NC
2006-99	07323205	LION'S HEAD CAPITAL VENTURES	LLC			1507 BLACK BEAR CT		WINTER SPRINGS FL	NC
2006-99	07101512	MARTIN	ALMETTO MAXINE			221 GRANDIN RD		CHARLOTTE	NC
2006-99	07101207	MASSEY	THOMASINA J			609 WALNUT AVE		CHARLOTTE	NC
2006-99	07101204	MCILWAIN	INEZ			204 GRANDIN RD		CHARLOTTE	NC
2006-99	07101509	MORROW	CORA			209 GRANDIN RD		CHARLOTTE	NC
2006-99	07323206	NETT	STEPHEN	RAULI		133 SOUTH SUMMIT AV		CHARLOTTE	NC
2006-99	07101206	NOLEN	BRIAN H	ALISON GRACE	GILLOOLY	309 WALNUT AV		CHARLOTTE	NC
2006-99	07101507	ROBINSON	VASHTI FOSTER		ROGERS	1823 NORTHBROOK DR		CHARLOTTE	NC
2006-99	07101102	ROZZELL	ISADORA			9945 60TH AVE		CHARLOTTE	NC
2006-99	07101511	SINGS	MELVIN N			217 GRANDIN RD		CHARLOTTE	NC
2006-99	07101104	SOUTH CENTRAL OIL CO INC				2121 W MAIN ST		ALBEMARLE	NC
2006-99	07101203	SUTTER	JOSEPH B JR		MANUEL CAMPOS	214 GRANDIN RD		CHARLOTTE	NC
2006-99	07101611	THOMPSON	WILLIAM			784-A RUTLEDGE AVE		CHARLESTON	SC
2006-99	07101201	TUCK	PERCY JR			224 GRANDIN RD		CHARLOTTE	NC

# Minutes

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