

## COMMUNITY MEETING REPORT

**Petitioner: Tribek Properties**

**Rezoning Petition No. 2007-031**

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 written notices 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 notices in the U.S. mail on January 25, 2007 and on February 2, 2007. The second written notice was sent for the purpose of advising that the Petitioner would be amending its Rezoning Petition to request that the site be rezoned to the NS (Neighborhood Services) zoning district rather than the B-1 zoning district. Copies of the written notices are attached hereto as Exhibits A-2 and A-3.

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

The Community Meeting was held on Thursday, February 8, 2007 at 7:00 p.m. in the Board Room at Ebenezer Baptist Church located at 2020 West Sugar Creek Road.

### **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 sheet attached hereto as Exhibit B. The Petitioner's representatives at the Community Meeting were Blanton Hamilton of Tribek Properties and John Carmichael of Kennedy Covington Lobdell & Hickman.

### **SUMMARY OF ISSUES DISCUSSED:**

John Carmichael opened the meeting by introducing himself and Blanton Hamilton. John Carmichael advised that he would first share the schedule of events relating to this Rezoning Petition with everyone; he and Blanton would then share Tribek's conditional rezoning plan; and then Blanton and he would be happy to answer any questions regarding this rezoning proposal.

John Carmichael then provided the following schedule of events.

**Public Forum:** Monday, February 12, 2007 from 5 p.m. to 6 p.m. on the 8<sup>th</sup> floor of the Government Center.

**Public Hearing:** ~~Monday, March 19, 2007~~ at 6 p.m. at the Government Center.

**Zoning Committee Work Session:** ~~Wednesday, March 28, 2007~~ at 4:30 p.m. on the 8<sup>th</sup> floor of the Government Center.

**City Council Decision:** Monday, April 16, 2007 at 6 p.m. at the Government Center.

John Carmichael then advised that the site contains approximately 4.4 acres and it is located at the intersection of West Sugar Creek Road and Mineral Springs Road, just north of this church.

The site is currently zoned R-17 MF, as are the parcels of land located to the north, east and south of the site. R-17 MF is a multi-family zoning district. The parcels of land located to the west of the site across West Sugar Creek Road are zoned B-2, which is a business or commercial zoning district.

Tribek filed a Rezoning Petition in which it requests that the site be rezoned to the B-1 zoning district. However, Tribek will be filing an Amended Rezoning Petition requesting that the site be rezoned to the NS (Neighborhood Services) zoning district. The NS zoning district is a conditional zoning district. Because it is a conditional zoning district, if this Rezoning Petition is approved, then Tribek will be required to comply with the terms of the approved conditional rezoning plan when it develops the site. The purpose of the NS zoning district is to permit the development of neighborhood retail and service uses, and that is what Tribek desires to develop on the site.

John Carmichael then shared Tribek's conditional rezoning plan.

Tribek desires to develop two separate buildings on the site. Building A could contain up to 15,000 square feet of space, and Building B could contain up to 10,000 square feet of space.

The conditional rezoning plan provides that the buildings on the site could be devoted to any use allowed in the NS zoning district, except that the following uses would not be allowed:

- Active adult retirement communities
- Adult care homes
- Bed and breakfast inns
- Boarding houses
- Bus and train terminals
- Car washes
- Cemeteries
- Civic, social service or fraternal facilities
- Commercial rooming houses
- Dormitories
- Dwellings, detached, duplex, triplex or quadraplex
- Dwellings, mixed use, multi-family, planned multi-family residential development and/or attached residential development
- Elementary and secondary schools
- Family childcare homes
- Fences and fence material sales
- Funeral homes, embalming or crematories
- Locksmiths and gunsmiths
- Large childcare centers
- Marinas, commercial
- Nightclubs, bars or lounges
- Nursing homes, rest homes and homes for the aged

- **Veterinary Clinics**

The buildings could have drive-in window services, and it is currently anticipated that a pharmacy would be located in Building A. A landscaped area would be provided around the perimeter of the site, and a 6 foot tall brick screen wall would be installed along a portion of the northern edge of the site.

Blanton Hamilton advised that the Planning Staff does not support this Rezoning Petition.

Blanton Hamilton and John Carmichael then opened up the floor to questions. Set out below is a summary of any concerns and statements by those in attendance, and the responses to the questions.

- An area resident stated that he did not want multi-family housing to be located on the site, and that he prefers the proposed Rezoning Plan.
- Blanton Hamilton said that it is anticipated that a Wal-Greens would be located in Building A.
- With respect to Building B, that building would contain retail and service uses. At this time, it is not known what types of retailers or service providers would be located in that building.
- In response to a question, Blanton Hamilton advised that if the Rezoning Petition is approved, construction could begin in late summer, and Building A could be delivered to the occupant in 2008.
- Blanton Hamilton showed the location of realigned Mineral Springs Road, and a long and lengthy discussion was held about realigned Mineral Springs Road. Blanton Hamilton and others at the Community Meeting indicated that they did not know when the improvements to Mineral Springs Road would be constructed.
- In response to a question, Blanton Hamilton indicated that he would exclude ABC Stores from being a permitted use on the site, as well as gas stations. Additionally, residential uses are already an excluded use.
- Blanton Hamilton indicated that a drive-through service window could be associated with Building B as well as Building A.
- In response to a question, Blanton Hamilton indicated that Wal-Greens typically has interest in an area when it sees growth.
- In response to a question, Blanton Hamilton indicated that at this time, he had no idea what types of retailers and service providers would be the potential tenants in Building B.
- In response to a question, Blanton Hamilton indicated that it is likely that a deceleration lane would be required at the site's northwest entrance.
- An area resident indicated there are environmental concerns with drive-through windows.

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

The Petitioner amended its conditional rezoning plan to provide that ABC Stores and automotive service stations are not permitted on the site.

Respectfully submitted, this 9<sup>th</sup> day of March, 2007.

TRIBEK PROPERTIES, Petitioner

cc: Mr. Keith H. MacVean, Charlotte-Mecklenburg Planning Commission  
Ms. Brenda Freeze, Clerk to City Council  
Mr. Blanton Hamilton, Tribek Properties

Rezoning Petition No. 2007-31  
Community meeting Sign-In Sheet

<u>Name</u>	<u>Phone No.</u>	<u>Email Address</u>
Arlee Stotts	704-596-2523	none
Aurie Elliott	704-597-1499	
Ronnie Elliott	"	
Carol Gay	704-307-8248	none
BERNIE SAMONDS	704-596-4770	DELTAREP@AOL.COM
Brent Roland	704-596-6887	brentroland@bellsouth.net
Hal Abornth	704-596-2472	
Eldewins Haynes	704-596-9961	ehaynes@carolina-rr.com
Sandra Haynes	"	schaynes@carolina-rr.com
Gaei Grey-Jallon	704-596-8288	CGFTJF@aol.com
JACK BROSCIO	704-363-5415	JBROSCIO@AOL.NET

