

## **COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2014-078**

**Park Selwyn, LLC**

**Petitioner: Park Selwyn, LLC**

**Rezoning**

**Petition No.: 2014-078**

**Property: 1.21 acres located on the north side of E. Woodlawn Road between Brandywine Road and Selwyn Avenue**

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to Section 6.203 of the Charlotte Zoning Ordinance.

### **PERSONS AND ORGANIZATIONS CONTACTED WITH DATES AND EXPLANATIONS OF HOW CONTACTED:**

The required Community Meeting was held on November 24, 2014; 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 by depositing the Community Meeting Notice in the U.S. mail on November 12, 2014. A copy of the written notice is attached as Exhibit B.

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

The Community Meeting required by the Ordinance was held on November 24, 2014 at 6:30 PM, at Mouzon Methodist Church, 3100 Selwyn Avenue, Charlotte, North Carolina 28209.

### **PERSONS IN ATTENDANCE AT MEETING:**

The sign-in sheet from the required Community Meeting is attached as Exhibit C.

The Petitioner's representatives at the required Community Meeting were John Maxwell and Marcelo Halpren with Park Selwyn. Also in attendance representing the Petitioner was Keith MacVean with Moore & Van Allen.

### **SUMMARY OF ISSUES DISCUSSED AT MEETING:**

#### **I. Overview of Petitioner's Presentation.**

##### **Introduction.**

John Maxwell opened the meeting and introduced Marcelo Halpren the co-owner of the Site and Keith MacVean with Moore & Van Allen to the attendees. John explained that he and Marcelo are the co-owners and managers of the Site subject to the rezoning request.

He also explained that he and Marcelo were the original Petitioner's and developers of the Site in 1999 when the Site was originally rezoned to allow the Site to be developed with the existing 16 units. The site plan associated with the new rezoning request proposes to add one additional building to the Site with eight (8) units.

##### **Overview of Development Plan.**

John Maxwell described for the attendees the proposed plans for the Site. He indicated where on the Site the new building would be constructed. The new building is proposed to be located to the left of the existing driveway and where the top soil from the first phase of the development is currently stored. The location of the new building has been identified on the Site with a series of

survey stakes and flags. He explained that the new building would contain about 5,900 square feet and would be designed and constructed to look and match the other buildings constructed on the Site. The new building would contain eight (8) one bedroom units. The existing brick wall and landscape screening located behind the existing buildings and along the rear property line will be extended behind the new building.

He also explained that he was currently working the County Parks and Recreation Department, and the County Attorney to dedicate the area located to the west of the new building to the County for use as part of the Little Sugar Creek Greenway.

Keith MacVean then provided an overview of the conditional rezoning process and the dates of the upcoming Public Hearing, Zoning Committee meeting and the date of when the City Council is scheduled to make a decision on the Petition.

## **II. Summary of Questions and Responses**

The meeting was then opened up to questions and answers and comments from those individuals in attendance at the meeting. These items are summarized generally as follows:

— A number of questions were asked about the proposed new building. One attendee wanted to know how the new building compared in size to the three existing buildings. The new building will be about the same size as the two smaller buildings located on the Site and will also be of a similar height. The design of the new building places units in attic space, which helps maintain the height of the proposed building. The maximum allowed height of the new building per the Ordinance is estimated to be around 44 feet, which similar to the height allowed in the adjoining R-5 zoning district. It is anticipated that the new building will contain only one-bedroom units which is seen as a way of rebalancing the unit mix on the Site. The residents of the Site are typically younger professionals, bankers and attorneys who like the location and are looking for a smaller and quieter setting. The units typically rent for about \$1,050 a month. One person wanted to know if the existing dumpster would have to be relocated. The dumpster will stay in the current location and will only have to reorient to accommodate the new building.

A question about why the public hearing on the Petition has been delayed was asked. The public hearing had been delay to allow the Petitioner time to work with County Parks and Recreation on the Greenway dedication. It is anticipated that the greenway dedication process will be completed prior to the Dec. 15<sup>th</sup> Public Hearing on the Petition. The area to be dedicated to County Parks and Recreation was identified on the site plan. The delay in the greenway dedication occurred because when the initial three buildings were completed no remainders or holds were placed on the project to remind the owners to dedicate the greenway area.

— One of the attendees that had participated in the rezoning process for the property in 1999 indicated that when discussion about the development were ongoing, in 1999, the neighborhood felt that no additional development would occur on the Site, beyond what was approved then. The Petitioner responded that he had researched all his records of the negotiations that had transpired with the neighborhood representatives, and there was not mention that additional development could not occur. John Maxwell indicated that in 1999 infill development was fairly new occurrence and in 1999 developing more 16 units was as much an undertaking as they wanted to handle. It was acknowledge that once the existing buildings had been constructed the noise from the traffic on Woodlawn Road had been greatly reduced in the rear yards of the homes on Hassell Place that backed up to the buildings.

John also explained that there are many locations in Myers Park where multi-family uses abut single-family homes with no apparent negative impacts to the value of the homes. He explained that the value of the homes in the neighborhood had increased over the years. Since the apartments were approved the value of the homes on Hassell Place have increased over 45% more than the average homes in Charlotte over the same time period.

A question about could an additional building with more units be constructed on the Site was asked. The Petitioner indicated that there was some additional room further west on the Site for an additional building, however, that area of the Site was being dedicated to County Parks and Recreation for use as a Greenway.

— A question about the timing of the development was asked. If the Petition is approved construction is expected to start in August of next year and would last about six months. In response to the question about the construction activity on the Site the Petitioner indicated he would be willing to add conditions: not allowing construction on Sundays; agreeing to build the brick along the rear property line before vertical construction had begun; and building the wall to a sufficient height that headlights from the vehicles parking on the Site would not shine over the wall into the neighbors yards.

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

No specific changes were made to the rezoning plan as a result of the input received at the meeting, but overall awareness of desires and input were well-received. Since the community meeting the Petitioner has met with several of the adjoining property owners, located directly behind the new building, to discuss the proposal and to address any concerns they may have.

**PARK SELWYN**

cc: Mayor Dan Clodfelter, Mayor Pro-Tem Barnes, and Members of Charlotte City Council  
John Kinley, Charlotte Mecklenburg Planning Commission  
Tammie Keplinger, Charlotte Mecklenburg Planning Commission  
Dennis Rorie, Charlotte Department of Transportation (CDOT)  
John Maxwell, Park Selwyn, LLC  
Marcelo Halpern, Park Selwyn, LLC  
Jefferson W. Brown, Moore & Van Allen, PLLC  
Keith MacVean, Moore & Van Allen, PLLC

Pet. No.	PrefixName	FirstName	LastName	OrgLabel
2014-078	Ms	Carla	Wainick	Ashbrook NA
2014-078	Ms	Bray		Briar Creek (Lower) HOA
2014-078	Ms	Jo Ellen		Kimberite Apartments
2014-078	Mr	Bobby		Partdale League NA
2014-078	Mr	Margaret		Selwyn MA
2014-078	Mr	David		Selwyn Colony Merchants Assoc.
2014-078	Mr	Jim	Foster	Selwyn Avenue
2014-078	Mr	Bostian		5318 Wakefield Drive, Unit 8
2014-078	Mr	Irwin		215 Tranquil Avenue
2014-078	Mr	Brad		3831 Bardley Downs Drive
2014-078	Mr	Derek		4244 Castlewold Road
2014-078	Mr	Derrick		1323 Townes Road
2014-078	Mr	Patrick		1312 Bywood Lane
2014-078	Mr	Bob		Post Office Box 11506
2014-078	Mr	Mike	Rains	4523 Park Road
2014-078	Ms	Wendy		1201 Sablebank Road
2014-078	Ms	Shelly		1300 Dixiel Place
2014-078	Ms	Pamela		4454 Halstead Drive
2014-078	Ms	Judy		
2014-078	Ms	Smith		
2014-078	Mr	Brown		
		Spencer		

EXHIBIT  
A



2014-078	17515117	FOOSE	RANSOME S	LOGAN CHALK	FOOSE	2214 HASSELL PL
2014-078	17515117	FOOSES	ELAINA	LOGAN CHALK	FOOSE	2214 HASSELL PL
2014-078	17513336	FORBES	MARGARET R			325 WAKEFIELD DR #C
2014-078	17513437	FORD	MATTHEW A			5325 SUNBURY LN
2014-078	17513473	FOREMAN	JAMES W JR			521 WAKEFIELD DR #A
2014-078	17513473	FOSTER	RICHARD E	JANET M	FOSTER	5236 ST PARVEW DR
2014-078	17513306	FOSTER	MARK ANTHONY			200 LESLIE DRIVE APT #604
2014-078	17513445	FRANCES	PARTNERSHIP THE			1539 TAWMORTH DR.
2014-078	17513327	FRANCIS DAVID L FAMILY LIMITED	PARTNERSHIP THE			7916 GRAY BRYUM RD
2014-078	17513340	FRANCIS DAVID L FAMILY LIMITED	JUSTIN			7916 GRAY BRYUM RD
2014-078	17513317	GARRISON	MARY LARD MANGUM			324 WAKEFIELD DR UNIT C
2014-078	17513418	GARRISON	MICHAEL SCOTT			3244 PINEHURST PL #B
2014-078	17513321	GILBERT	LAWRA			412 WAKEFIELD DR #C
2014-078	17513239	GILCHRIST	RANDALL M			146 PLACID PL
2014-078	17513229	GILES				3004 SELWYN AV
2014-078	17513327	GILLIGAN PROPERTIES LLC				3624 SWEETGRASS LN
2014-078	17513463	GOFF	LANCE G	QUINN N	GOFF	4633 CARMEL RD
2014-078	17513312	GORE-PARIOLA	ABIODUN	QUINN N	GOFF	4633 CARMEL RD
2014-078	17513329	GORDON	KELLY A	QUINN N	SMITH-PARIOLA	2307 HASSELL PL
2014-078	17513472	GOTT	DEANNA RENEE	JENNIE M		569 WAKEFIELD DR #B
2014-078	17513327	GREENE	MICHAEL DOUGLAS			521 WAKEFIELD DR #B
2014-078	17513421	GRIFFITH E C COMPANY				535 WAKEFIELD DR
2014-078	17513339	GRIFFITH E C COMPANY	JAMES DOUGLAS			1944 BRUNSWICK AVE
2014-078	17513362	GRIMES	MARKS			231 WAKEFIELD DR #A
2014-078	17513216	GULLEDGE	PEGGY S			1526 THE BLAZA
2014-078	17513315	GULLEDGE	MARCELO A			3133 ZELIA LN
2014-078	17513240	HALPERN	MARCELO A			2742 PICARDY PL
2014-078	17513214	HALPERN	AMANDA T.			2742 PICARDY PL
2014-078	17513368	HARVON	KIMBERLY			219 WAKEFIELD DR UNIT A
2014-078	17513209	HARVON	LOUIS OLIVER			3119 BROOKMONT PL
2014-078	17513209	HARRON	CALVIN C			549 WAKEFIELD DR #B
2014-078	17513209	HARRON	HARRIET M	PETER T		4200 CAMERON OAKS DR
2014-078	17513214	HARRIS	THOMAS W			3112 PINEHURST PL
2014-078	17513244	HAWCH	WILLIAM III			2241 HASSELL PL
2014-078	17513403	HAYVERLAND	F EARLE JR	SABAH C		2315 WAKEFIELD DR #A
2014-078	17513214	HEATH	HEFRON			2315 HASSELL PL
2014-078	17513342	HEDRON	TODD J	TARA BENTON		11317 ROLLING HOUSE RD
2014-078	17513218	HELMIS				540 C WAKEFIELD DR
2014-078	17513257	HENDERSON	CHARLES ROUSSELL	ELIZABETH T	HENDERSON	241 WAKEFIELD DR #B
2014-078	17513351	HENDERSON	DRAYTON L			507 WAKEFIELD DR #A
2014-078	17513403	HEPNERINGER	LESLIE H			516 B WAKEFIELD DR
2014-078	17513214	HOLIDAY	BRUCE			533 WAKEFIELD DR #A
2014-078	17513342	HOPFER				2044 S. WENDOVER RD
2014-078	17513466	HOPFER	TODD J			300 WAKEFIELD DR #B
2014-078	17513218	HOWIMS	CHARLES EDWARD JR			5324 FURMAN PL
2014-078	17513257	HOWNSON	ELIZABETH W	JARRETT K		208 WAKEFIELD DR #A
2014-078	17513304	HUNT	ELVYN S			3012 SELWYN AVE
2014-078	17513425	IRWIN	HOWARD L			520 WAKEFIELD DR #B
2014-078	17513130	JEFFRIES	JOHNSON			2100 SHERWOOD AV
2014-078	17513246	JOHNSON				82 MISSION CIELO AV
2014-078	17513217	JRT REAL PROPERTY LLC				1121 GREENTREE DR
2014-078	17513202	HOWSON				3248 SELWYN AV
2014-078	17513202	HOWSON	DAVID H			258 PAT STOUGH LIN
2014-078	17513217	JRT REAL PROPERTY LLC				405 WAKEFIELD DR #APT C
2014-078	17513227	JUNG	PAUL E			2311 HASSELL PL
2014-078	17513224	JWA PROPERTIES LLC	SEAN PATRICK			6722 CONSTITUTION LN
2014-078	17513224	KEATING				6722 Q SAUN MALL RD
2014-078	17513238	KEATING	SALIEU T	RUSSELL MARTIN	BONNIE KEATING (H/W)	401 WAKEFIELD DR # A
2014-078	17513238	KEATING	NATHANIEL ROBERT	ROBERT LYNN	KERR	568 WAKEFIELD DR # B
2014-078	17513482	KEERR			KILBY	22131 HASSELL PLACE
2014-078	17513482	KEERR				3020 SELWYN AVE
2014-078	17513482	KEERR				301 W 10TH ST #203
2014-078	17513482	KOUNITZ	LEONARD G			564 WAKEFIELD DR # B
2014-078	17513482	KOUNITZ	DENNIS JAMES			205-A WAKEFIELD DR
2014-078	17513270	KOURY	BETH ANNIE			12240 SAN MALL RD
2014-078	17513270	KOURY	DAVID B			212 WAKEFIELD DR # B
2014-078	17513246	KRIGG	ERIK P			22311 HASSELL PLACE
2014-078	17513316	KOSTINEN	JACK W			301 W 10TH ST #203
2014-078	17513272	KOIMMAN	MATTHEW PAUL			520 WAKEFIELD DR # A
2014-078	17513131	KORNBERG	JAMES D II			3124 PINHEURST PL
2014-078	17513461	KOUNTZ	NELDA			427 WAKEFIELD DR # A
2014-078	17513246	KOUNTZ	LEON			331 WAKEFIELD DR # B
2014-078	17513270	KOURY	LEONARD			1540 STERLING RD
2014-078	17513248	KRISTIN	LUCAS			204-078
2014-078	17513224	KRISTIN	JAYLIN PATRICIA			17513373 LUKACS
2014-078	17513246	LAIRD	JACK W			204-078 17513374 LUKACS
2014-078	17513111	LEBLANC	LEBLANC			204-078 17513247 LUPINO
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2014-078	17513270	KOURL	LEON			





**NOTICE TO INTERESTED PARTIES OF A REZONING PETITION**  
**PETITION # 2014-078 – Park Selwyn, LLC.**

Subject: Rezoning Petition No. 2014-078

Petitioner/Developer: Park Selwyn, LLC.

Property: 1.21 acres located on the north side of E. Woodlawn Road between Brandywine Road and Selwyn Avenue.

Existing Zoning: UR-2(CD)

Rezoning Requested: UR-2(CD) S.P.A.

**Date and Time of Meeting:** Monday, November 24, 2014 at 6:30 p.m.

Location of Meeting: Mouzon Methodist Church  
3100 Selwyn Avenue  
Charlotte, NC 28209

Date of Notice: Mailed on November 12, 2014

We are assisting Park Selwyn, LLC. (the “Petitioner”) on a Rezoning Petition it recently filed regarding a zoning change for approximately 1.21 acres (the “Site”) located at on the north side of E. Woodlawn Road between Brandywine Road and Selwyn Avenue. We take this opportunity to furnish you with basic information concerning the Petition and to invite you to attend a Community Meeting to discuss it.

**Background and Summary of Request:**

This Petition involves a request to rezone a 1.21 acre Site from UR-2(CD) (Urban Residential Conditional District) to UR-2(CD) SPA (Urban Residential Conditional District Site Plan Amendment) to allow the addition of a new building to the Site with eight (8) dwelling units.

The Site was originally rezoned in 1999 to allow the developed of the Site with 16 residential dwelling units in three buildings. The existing buildings front on Woodlawn Road and each building has a door to Woodlawn Road for pedestrian access. Vehicular access to the buildings is also from Woodlawn Road. Parking for the units is located under and behind the existing buildings. A screen fence with brick piers and evergreen trees is located along the rear property line to provide a screen and buffer from the adjoining single-family homes.

The proposed Site plan associated with this Rezoning Petition proposed to add a new building similar to the existing buildings. This new building will contain eight (8) units. The building will front on Woodlawn Road with a door facing Woodlawn Road. Parking will be access from the existing driveway and will be located underneath and behind the building. The existing fence with brick piers will be extended and new evergreen trees will be planted to screen and buffer the new building from the adjoining single-family homes.

The portion of the Site located to the west of the new building is in the process of being dedicated to County Parks and Recreation for use as an extension of the Sugar Creek Greenway.

**Community Meeting Date and Location**

The Charlotte-Mecklenburg Planning Commission’s records indicate that you are either a representative of a registered neighborhood organization or an owner of property near the Site. Accordingly, we are extending an invitation to attend the upcoming Community Meeting to be held on Monday, November 24th at 6:30 p.m. at Mouzon Methodist Church at 3100 Selwyn Avenue, Charlotte, North Carolina 28209. Representatives of the Petitioner look forward to discussing this exciting rezoning proposal at the Community Meeting.



In the meantime, should you have questions about this matter, you may call Keith MacVean (704-331-3531). Thank you.

cc: Mayor Dan Clodfelter and Members of Charlotte City Council  
John Kinley, Charlotte Mecklenburg Planning Commission  
Tammie Keplinger, Charlotte Mecklenburg Planning Commission  
Dennis Rorie, Charlotte Department of Transportation (CDOT)  
John Maxwell, Park Selwyn, LLC  
Marcelo Halpern, Park Selwyn, LLC  
Jefferson W. Brown, Moore & Van Allen, PLLC  
Keith MacVean, Moore & Van Allen, PLLC

Park Selwyn, LLC

Rezoning Petition 2014-078  
Community Meeting @ 6:30 PM  
Monday, November 24, 2014

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1	Jo Ellen Bray	3108 Michael Baker Pl.	704-521-8118	
2	John M. Craig	3215 Fairfax Dr. 28209	704-241-3876	johncraig44@gmail.com
3	Matthew Blane	2116 Hassell Pl	704-560-4016	MatthewBlane260@gmail.com
4	Mike Wilson	2230 1/4 Street PL	734-1326	m-w-son6554412aw.com
5	Raisanne Foote	2214 Hassell PL	582-2343	foose@berkeleycap.com
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