

# **COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2014-096**

## **Lenox Development Group, LLC**

**Petitioner: Lenox Development Group, LLC**

**Rezoning Petition No. 2014-096**

**Property: Approximately 6.09 acres located on the north side of Ardrey Kell Road between Blakeney Heath Road and Community House Road across from Carson Whitley Avenue in Charlotte NC.**

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 City of Charlotte Zoning Ordinance.

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

The required Community Meeting was held on September 22<sup>nd</sup>, 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 September 5<sup>th</sup> 2014. A copy of the written notice is attached as **Exhibit B**. The Petitioner also met with the residents of the Blakeney Heath and Highgrove neighborhoods on May 27<sup>th</sup> and the leadership of the Highgrove neighborhood on June 3<sup>rd</sup> to discuss the rezoning request before it was filed with the City.

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

The **Community Meeting required by the Ordinance was held on September 22<sup>nd</sup> 2014 at 7:00 PM**, at Elevation Church Blakeney, located at 8835 Blakeney Professional Drive Charlotte, North Carolina 28277.

### **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 Eric Vargosko with Lenox Development Group, LLC. Also in attendance representing the Petitioner were: Pat Campbell with Burgess Design Studio the architect for the Site; and Keith MacVean with Moore & Van Allen.

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

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

##### **Introduction and Overview of Development Plan.**

Mr. MacVean introduced the development team to the attendees and provided a summary of the Petition.

Mr. MacVean began by familiarizing the attendees with the location of the Site on Ardrey Kell Road. He then updated the attendees on some of the changes to the proposed site plan since the earlier meeting in May. He mentioned that the site plan had been revised to eliminate the proposed building along the rear property line adjacent to the 44 foot buffer and the homes in the Blakeney Heath neighborhood. He then described the proposed site plan associated with the rezoning request.

The revised site plan associated with the Rezoning Petition is proposing to develop the Site with up to 30,000 square feet of office, retail, personal service uses and Eating Drinking Entertainment Establishments (i.e. restaurants) of limited size. Uses with accessory drive-through windows are prohibited. The proposed uses will be located along Ardrey Kell Road in one-story buildings.

Parking for the proposed uses would be located behind the buildings. A 44 foot buffer is proposed adjacent to the existing single-family homes in the Blakeney Heath and Highgrove Neighborhoods. A portion of the buffer adjacent to the Blakeney Heath neighborhood also includes a six (6) foot fence. The portion of the Site located along Site's western edge adjacent to the Highgrove neighborhood is anticipated to be used as a tree save area. The proposed building architecture will be similar to the architecture used in the Blakeney Shopping Center. Access to the Site will be from Ardrey Kell Road via a driveway located on the eastern side of the Site. A left-turn lane and right turn lane will be provided to access the Site from Ardrey Kell Road.

Mr. MacVean also explained that the Petitioner had applied for a variance from the City's Post Construction Storm Ordinance (PCSO) to reduce the width of the S.W.I.M. buffer along the western property boundary. He explained that the 200 foot buffer required by the PCSO was included in the City's ordinance based on preliminary a recommendation from the State who at the time the PCSO was being written was also developing water quality rules for Six Mile Creek. The State had indicated at that time that along Perennial streams in the Six Mile Creek basin a 200 foot buffer would be required; therefore, the City included this buffer requirement in its ordinance. However, after the City approved its PCSO the State's final rules for the Six Mile Creek basin were approved any the included only a 100 foot buffer along Perennial streams instead of a 200 foot buffer as originally thought. This created an inconsistency between the State rules for the Six Mile Creek basin and the City's PCSO. This inconsistency and unnecessary buffer requirement can only be resolved by requesting a variance from the City's ordinance, until the City's ordinance is amended to be consistent with the State's regulations. It was not the City's intent to create a more restrictive buffer standard in this drainage basin than what is required by the State, therefore they have indicated they could support this variance request.

Mr. MacVean then explained the rezoning process and the upcoming dates for the public hearing and City Council decision date. The attendees were then invited to ask questions.

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

A number of questions were asked by the attendees about the proposed buildings and what would be seen from Ardrey Kell Road. The portion of the buildings that would front on Ardrey Kell Road would be designed to look like the front of the buildings except that building entrances would be located on the opposite side of the building where the parking was located.

The building materials proposed for the Site would be predominantly brick and the style of the building would be similar to the style of the buildings at Blakeney. The proposed buildings will be limited to one-story. It was also pointed out that due to the slope of the property, that each of the proposed buildings will also step down the slope creating changes in the height of the building. It was also clarified that HVAC equipment would be screened by the roof's parapet walls. One attendee wanted to know if the buildings would look like they are jammed together. Mr. Campbell explained that between each building there would an open space area that would help create visual breaks he also mentioned the change in building elevation due to the change in topography would also break up the appearance of the buildings.

Questions were asked about the proposed buffer, the fence, site lighting, noise and the hours of operation. The height of the proposed fence to be located in a portion of the buffer is six (6) feet, a higher fence was discussed but it was felt vegetation would create a better edge treatment. Site lighting is limited to 15 feet high. The hours of operation would be similar to other shopping centers in the area. Noise from the Site would be controlled by the City Noise Ordinance and noise from restaurants (EDEE) will be controlled by the Cities new regulations.

A number of questions about roadway improvements and the future of Ardrey Kell Road were asked. It was explained that the Petitioner would be providing a left-turn lane and a right-turn lane

along Ardrey Kell Road to serve the Site. It was also pointed out that Ardrey Kell Road will be a four lane divided roadway in the future.

The attendees were thanked for their time and interest, the meeting was then adjourned.

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

No changes were made to the Petition as a result of the community meeting.

LENOX DEVELOPMENT GROUP, LLC

cc: Mayor Dan Clodfelter, Mayor Pro-Tem Barnes, and Members of Charlotte City Council  
Tammie Keplinger, Planning Department  
Sonja Sanders, Planning Department  
Dennis Rorie, CDOT  
Eric Vargosko, Lenox Development Group, LLC  
Pat Campbell, Burgess Design Studio  
Jeff Brown & Keith MacVean, Moore & Van Allen

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Community Meeting

Monday, September 22, 2014

7:00 P.M.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1	Grace Jordan	9149 M <sup>th</sup> Alvarine Ave	704-540-1249	N/A
2	Pat Connor	8625 Fieldcroft Dr	704-759-8933	N/A
3	Phyllis O'Connor	" " "	" " "	"
4	Rae Williams	8433 Highgrove St	704 258 076	—
5	CARRIE ROBERTS	7805 Penswood St	704 969 9482	carolynr. robertsfamily@gmail.com
6	DAVID HARLAN	9032 SUMMER CLUB Dr	704-430-7332	David.C.Harlan@gmail.com
7	CATHERINE SIMPES	10042 GARENSIDE WHTCHAVE	704 858 4803	—
8	Patricia Larry Britt	8042 Penswood St	704 540 7527	PABRITT@gmail.com
9	John Bunch	8509 Highgrove St	704-540-7217	jimbunch@yahoo.com
10	Bob Christensen	8052 Penswood St	704-440-7235	—
11	Lisa Jordan	91406 WillowTree Ln	341-0605	lisajordan@gmail.com
12	Paul Walker	9718 Winged Trail Ct	(704) 668-3424	—
	JUSTIN CHARLENE SMITH	9239 MULWATNE PARKWAY AVE	704-779-3536	JUSTIN@DUNAGHACK.COM



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	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
14	Ann Murphy	813 Highgrove St	704-340-0800	annmurphy15@gmail.com
15	Michelle Dyman	8501 Highgrove St	704 998 7357	medyma@me.com
16	MARIAN INGRAM	10024 GARRISON WALK	704-517-2662	marianingram@gmail.com
17	Juan C Pizarro	8610 Fieldcroft Dr.	(980) 636 2744	hypnos98@hotmail.com
18	Barb Christie	8005 Pemswood St	980-406-3600	racbarb@aol.com
19	Ciro Vitello	9025 Summer Club Rd	704-641-6126	CV1946@aol.com
20	PAUL CATTIEU	9217 AUTUMN APPLAUSE DR	704-913-5908	CATTIEP@gmail.com
21	L. Peter Hrewer	8031 PEMSWOOD ST.	704 544 2302	LITHEW@LUNDABRELL.COM
22	Chris Feathers	8706 Highgrove St	704 341 1477	christfeather@hotmail.com
23	William GANDHI	9626 FIELD CROFT DR	704 540 9172	brngandhi10@gmail.com
24	James Harvey	9201 Autumn Applause Dr	980 237 5858	jharve74@gmail.com
25	Steve Sachtleber	9112 EASTON GREY CV	704 542 0931	SSacht@gmail.com
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