SECOND COMMUNITY MEETING REPORT

Petitioner: Midtown Area Partners II, LLC

Rezoning Petition No. 2014-109

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 <u>Exhibit A-1</u> attached hereto by depositing such notice in the U.S. mail on February 20, 2015. A copy of the written notice is attached hereto as <u>Exhibit A-2</u>.

DATE, TIME AND LOCATION OF MEETING:

The Second Community Meeting was held on Wednesday, March 4, 2015 at 6:30 PM in the Midtown Centre Office Building, Second Floor Conference Room, located at 1300 Baxter Street in Charlotte, North Carolina.

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 <u>Exhibit B</u>. The Petitioner's representatives at the Second Community Meeting were Roy Goode and Steve McLeod of the Petitioner, and John Carmichael of Robinson Bradshaw & Hinson, P.A.

SUMMARY OF ISSUES DISCUSSED:

Roy Goode of the Petitioner welcomed everyone to the meeting, and introduced himself, Steve McLeod and John Carmichael. Roy Goode stated that this is the second Community Meeting relating to this Rezoning Petition. The first Community Meeting was held on October 16, 2014.

Roy Goode stated that in addition to the official community meetings, we have also had other meetings with residents of the Cherry Community and residents of the Metropolitan.

We are holding this second Community Meeting to update you on several items. Roy Goode stated that he received feedback on the original requested zoning districts for the site, and he heard concerns that the original requested zoning districts were not compatible with the land use plan. As a result, we spoke with some of the neighbors and representatives of the Planning Department to ascertain what would be more compatible zoning districts to request for this site. Roy Goode then went over the original requested zoning districts for the site and the revised requested zoning districts.

Roy Goode stated that the site is divided into three development areas designated as Development Area A, Development Area B and Development Area C. Development Area A would contain an office, hotel, and retail building. Development Area B would contain the parking structure and ground floor retail and Development Area C would contain single-family attached townhomes.

Originally, we were requesting that Development Area A be rezoned to the MUDD-O (PED) zoning district; that Development Area B be rezoned to the MUDD-O (PED) and MUDD-O

zoning districts; and that Development Area C be rezoned to the MUDD-O zoning district. Under our revised Rezoning Petition, we are requesting that Development Area A be rezoned to the B-2 (PED-O) zoning district; that Development Area B be rezoned to the UR-C (PED-O) zoning district; and that Development Area C be rezoned to the R-8 MF (PED-O) zoning district.

Under our revised Rezoning Petition, we are still requesting the same uses, but we feel that we are requesting zoning districts that are more compatible with the land use plan.

The change in requested zoning districts was a trigger for this second Community Meeting.

John Carmichael then described who was invited to the second Community Meeting. He stated that he used the official invitation list provided by the Planning Department, the sign-in sheet from the first Community Meeting and a sign-in sheet provided by Sylvia Bittle-Patton from a prior meeting with the Cherry Community. John Carmichael stated that he tried to be as inclusive as possible.

Roy Goode then briefly reviewed a list of twenty-seven outstanding site plan issues that had been provided to the Petitioner by the Planning Department. Roy Goode stated that he believes that twenty-five of the twenty-seven outstanding site plan issues have been addressed by the Petitioner. The two outstanding items from this list are the front-loaded garages for the townhome units on Cherry Street, and the height of the building proposed to be developed in Development Area A. With respect to the front-loaded garages, Roy Goode stated that he is working with the Planning Department on a resolution of this issue. With respect to the height of the building proposed to be developed in Development Area A, Roy Goode stated that the height has been reduced from 140 feet to 119 feet, and he is working to see if the height can be reduced further.

Roy Goode stated that his team was informed by the Planning Department and the neighbors that the height of the building should be between 100 feet and 106 feet. This should be the target height. Roy Goode stated that he is trying to keep the pedestrian connection between the building proposed for Development Area A and the parking structure. However, as you push down the height of the building, you may have to place some floor area on top of the deck and possibly over the pedestrian connection. Roy Goode stated that his team is trying to see if they can push the height below 119 feet.

A neighbor asked if the height of the building comes down, would you still need that much height on the parking garage. Roy Goode stated that they are trying to maintain a certain amount of office floor area, and office uses require more parking than a hotel use.

An area resident asked if there was a commitment to the retail uses on the ground floor of the office building and the parking deck. John Carmichael stated that the rezoning plan currently provides that ground floor uses located in the building to be located on Development Area A along South King's Drive should be devoted to non-residential uses with primary street-level access to such uses. Non-residential uses could theoretically include retail and office uses. Roy Goode stated that it is his desire to energize King's Drive.

Sylvia Bittle-Patton, an area resident, explained why on-street parking on King's Drive would not be part of this development. She indicated that the bus route and the bus stop were two reasons why on-street parking would not be provided.

Roy Goode then shared a slide depicting an alternative development scenario for the site. This slide showed heated floor area on top of the parking deck and over the pedestrian connection.

The heated floor area does not go all the way back to Cherry Street. Roy Goode stated that in designing this alternative, we tried to be sensitive to Cherry Street.

In response to a question, Roy Goode stated that the height of the deck under this development alternative would be 100 to 106 feet. Roy Goode stated that once again, he is trying to figure out a way to reduce the height of the building in Development Area A below 119 feet.

In response to a question, Roy Goode stated that the height of the townhome units along Cherry Street at the top of the roof would be approximately 40 feet.

In response to a question, John Carmichael confirmed that the parking structure does encroach into a portion of the site that is currently zoned R-8. However, the parking deck would not encroach into that part of the site that is requested to be rezoned to the R-8 MF (PED-O) zoning district. The parking deck would only be located in that portion of the site zoned UR-C (PED-O).

An area resident asked if you would be able to see the floor area on top of the parking deck from Cherry Street. Roy Goode stated that he is not sure, and that they are currently studying that issue.

An area resident stated that he would like information on the line of sight from Cherry Street, and what would be the building materials of that portion of the parking deck located above the townhomes on Cherry Street. This individual stated that the Cherry Street elevation is the key, even if the heights of the structures have to be higher on King's Drive.

An area resident stated that he is worried about cut-through traffic through the Cherry neighborhood when individuals who work in the office building are leaving at the end of the day. A brief discussion ensued about existing traffic conditions in the area and at the Midtown Centre Office Building. Roy Goode stated that the proposed parking structure would have two points of ingress and egress.

In response to a question, Roy Goode confirmed that under the development alternative, the width of the pedestrian connection between the parking deck and the building proposed for Development Area A has not been reduced.

Roy Goode thanked everyone for attending the meeting and the meeting was adjourned.

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

No changes have been made to the conditional rezoning plan or to the Rezoning Petition as of the date of this Community Meeting Report solely as a result of the Community Meeting.

Respectfully submitted, this 6th day of March, 2015.

Midtown Area Partners II, LLC, Petitioner

cc: Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Department (via email)

Mr. John Kinley, Charlotte-Mecklenburg Planning Department (via email)

Mr. Roy Goode, Midtown Area Partners II, LLC (via email)

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Jason Harris 624 Welker Street Charlotte, NC 28204

Scott Foisy 624 Welker Street Charlotte, NC 28204

Rosalyn Allison-Jacobs 634 Waco Street Charlotte, NC 28204

Karthryn Hubicki 325 Baldwin Avenue Charlotte, NC 28204

Magdalene Hood 506 Avant Street, Suite 215 Charlotte, NC 28204

Betty Fielders 506 Avant Street, #101 Charlotte, NC 28204

Courtney Craven 1700 Luther Street Charlotte, NC 28204

Barbara Rainey 317 Baldwin Avenue Charlotte, NC 28204

Virginia Bynum 1400 Main Street Charlotte, NC 28204

Beatrice Cherry 506 Avant Street, #111 Charlotte, NC 28204

Kristy Lowe 506 Avant Street, #106 Charlotte, NC 28204

Elaine Lynch 506 Avant Street, #205 Charlotte, NC 28204 Felicia Coiles 506 Avant Street Charlotte, NC 28204

Julianna Inglandy 625 Baldwin Avenue Charlotte, NC 28204

Elaine Cahn 625 Baldwin Avenue Charlotte, NC 28204

Joyce M. Anderson 405 S. Torrence Street Charlotte, NC 28204

Kendra Anderson 405 S. Torrence Street Charlotte, NC 28204

Robin Jones 511 Main Street Charlotte, NC 28204

Oscar Hare 615 Torrence Street Charlotte, NC 28204

Veronica McLeod 816 Luther Street Charlotte, NC 28204

Willie Mae McDonald 506 Avant Street, #300 Charlotte, NC 28204

Donna Grier 1502 Baxter Street Charlotte, NC 28204

Valarie Huntley 612 Waco Street Charlotte, NC 28204

Jonathan and Jen Wing 425 Eli Street Charlotte, NC 28204 Ashleigh Byrd 616 Baldwin Street Charlotte, NC 28204

Eugene Bradley 1902 Baxter Street Charlotte, NC 28204

Neil Folkes 620 S. Torrence Street Charlotte, NC 28204

Kristen Moyer 1922 Luther Street Charlotte, NC 28204

Antonio P. Jordan 411 Cherry Street Charlotte, NC 28204

Doris Dennis 700 Baldwin Avenue Charlotte, NC 28204

Martha Lambert 1421 Luther Street Charlotte, NC 28204

Ruthie Hamlin 1400 Standish Place Charlotte, NC 28204

Myron Patton 1623 Luther Street Charlotte, NC 28204

Sylvia Bittle-Patton 1623 Luther Street Charlotte, NC 28204

David Jacobs 634 Waco Street Charlotte, NC 28204

Karen Jensen 311 Baldwin Avenue Charlotte, NC 28204

NOTICE TO INTERESTED PARTIES OF SECOND COMMUNITY MEETING

Subject: Second Community Meeting -- Rezoning Petition No. 2014-109 filed by

Midtown Area Partners II, LLC to request the rezoning of an approximately 1.99 acre site located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street from the R-8, UR-C(CD)(PED) and B-1(PED) zoning districts to

the B-2(PED-O), UR-C(PED-O) and R-8 MF(PED-O) zoning districts

Date and Time of Meeting:

Wednesday, March 4, 2015 at 6:30 p.m.

Place of Meeting: Midtown Centre Office Building

Second Floor Conference Room

1300 Baxter Street Charlotte, NC 28204

We are assisting Midtown Area Partners II, LLC (the "Petitioner") in connection with a Rezoning Petition it has filed with the Charlotte-Mecklenburg Planning Department seeking to rezone an approximately 1.99 acre site located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street from the R-8, UR-C(CD)(PED) and B-1(PED) zoning districts to the B-2(PED-O), UR-C(PED-O) and R-8 MF(PED-O) zoning districts. The purpose of this rezoning request is to accommodate a mixed use development that could be comprised of a maximum 270,000 square foot building that could contain office, retail, hotel and residential uses, a maximum 187,450 square foot structured parking facility, a maximum of 4,600 square feet of ground floor retail uses in the structured parking facility and dwelling units attached to the structured parking facility. The Petitioner previously held a Community Meeting relating to this rezoning request on October 16, 2014.

The Petitioner will hold a Second Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Department'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 site.

Accordingly, on behalf of the Petitioner, we give you notice that representatives of the Petitioner will hold a Second Community Meeting regarding this Rezoning Petition on Wednesday, March 4, 2015 at 6:30 p.m. in the Second Floor Conference Room of the Midtown Centre Office Building located at 1300 Baxter Street in Charlotte. Representatives of the Petitioner look forward to sharing this rezoning proposal with you and to answering your questions.

In the meantime, should you have any questions or comments, please call John Carmichael at (704) 377-8341.

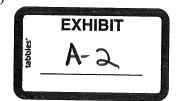
Robinson, Bradshaw & Hinson, P.A.

cc: Ms. Patsy Kinsey, Charlotte City Council District 1 (via email)

Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Department (via email)

Mr. Roy Goode, Midtown Area Partners II, LLC (via email)

Date Mailed: February 20, 2015



Midtown Area Partners II, LLC, Petitioner Rezoning Petition No. 2014-109

Second Community Meeting Sign-in Sheet

Midtown Centre Office Building Second Floor Conference Room 1300 Baxter Street Charlotte, NC

Wednesday, March 04, 2015

6:30 P.M.

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