

COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2016-086

ECP NoDa, LLC

Petitioner: ECP NoDa, LLC
Rezoning Petition No.: 2016-086
Property: 1.123 acres located on the extension of E. 35th between the AC and W railroad and N. Davidson Street.

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 Tuesday, May 10th, 2016, 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 April 29th, 2016. A copy of the written notice is attached as Exhibit B.

TIME AND LOCATION OF MEETINGS:

The **Community Meeting required by the Ordinance was held on May 10th, 2016 at 7:00 PM**, at Johnston YMCA (in The Hut) 3025 N. Davidson Street Charlotte, NC 28205. The Petitioner also held an idea session for the development on March 16th and also met with NoDa neighborhood association on March 1st and May 3rd.

PERSONS IN ATTENDANCE AT MEETING:

The sign-in sheet from the required Community Meeting is attached as Exhibit C. The Petitioner's representative at the required Community Meeting was Elam Hall with ECP Noda, LLC. Also in attendance assisting the Petitioner was Brad Bartholomew and Anthony Hersey with Odell, Shaun Hicks with LandDesign as well as Keith MacVean with Moore & Van Allen, PLLC.

SUMMARY OF ISSUES DISCUSSED AT MEETING:

I. Overview of Petitioner's Presentation.

Introduction and Overview of Development Plan.

The Petitioner did not do a formal presentation since there was only one attendee at the meeting and he had seen the presentation the previous week.

This Petition involves a request to rezone the 1.123 acre Site from B-1, 1-2 and MUDD (Neighborhood Business, Light Industrial, & Mixed Use Development District) to TOD-M(O) (Transit Oriented Development, Mixed Use Optional). The rezoning plan proposes to redevelop the Site with a residential based mixed use building.

The Site is currently developed with a warehouse building.

The rezoning plan proposed to develop a multi-story residential building with ground floor non-residential uses. The ground floor non-residential uses will be oriented toward E. 35th Street, E. 36th Street. In addition the area between E. 36th Street and the proposed building will be improved as an

open space area with landscaping, seating areas, lighting, and hardscape elements. The building will be designed with and use green building techniques. The Petitioner has also set aside funds to implement local art as part of the development of the Site. The Petitioner is also investigating the possibility of using the existing alley along the eastern property line for as an art alley, or as space for special events, micro stores and temporary structures for the sale of goods.

The Site will have convenient and direct access to the new E. 36th Street light rail transit station currently under development, as well as convenient and easy access to the N. Davidson business district. Parking for the proposed retail uses and some public parking will be made available in the parking structure.

Vehicular access to the Site will be from the extension of E. 35th Street. Access from the E. 36th Street will be limited to emergency vehicle and pedestrian access.

II. Summary of Questions/Comments and Responses:

There was only one attendee at the meeting and he indicated that he had seen the presentation the previous week at the NoDa neighborhood meeting and had also attend the Idea Session the Petitioner sponsored in March. He indicated he was comfortable with the Petition and was excited about the possibilities of remaking the alley a special place.

CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:

No changes to the proposed site plan were made.

ECP NoDa, LLC

cc: Mayor Jennifer Roberts and Members of Charlotte City Council
Sonja Sanders, Charlotte Mecklenburg Planning Commission
Tammie Keplinger, Charlotte Mecklenburg Planning Commission
Elam Hall, ECP NoDa, LLC
Brad Bartholomew, Odell
Anthony Hersey, Odell
Shaun Hicks, LandDesign
Jefferson W. Brown, Moore & Van Allen, PLLC
Keith MacVean, Moore & Van Allen, PLLC

Pet_No	FirstName
2016-086	Elaine
2016-086	Lucille
2016-086	Hollis
2016-086	Chad
2016-086	Hatti
2016-086	Jason
2016-086	Carol
2016-086	Jon
2016-086	Angela
2016-086	Elise
2016-086	Abby
2016-086	Kate

Lastname	OrgLabel
Bailes	Ritch Avenue HOA
Puckett	Dilliehay Courts
Nixon	NoDa NA
Maupin	NoDa NA
Watkins	Villa Heights NA
Mathis	Villa Heights Comm. Org.
Burke	NorthEnd Partners NA
Branham	NoDa Vision
Ambroise	Villa Heights Community Organization
Berman	Villa Heights Land Community Organization
Seymour	Villa Heights Community Organization
Frear	Villa Heights Community Organization

MailCity	MailZip
Charlotte	NC 28206
Charlotte	NC 28206
Charlotte	NC 28206
Charlotte	NC 28205

MailAddress	
3400 Ritch Avenue	
2621 North Pine Street, Suite D	
3409 Ritch Avenue	
1109 East 35th Street	
845 Woodside Avenue	
1209 Grace Street	
3815 North Tryon Street	
2604 Pinckney Avenue	
Post Office Box 2015	
2112 Yaddkin Avenue	
701 E 26th Street	
2215 Yaddkin Avenue	

Pet_No	TaxPID	ownerlastn	ownerfirst	ownerfirs	ownerlast	mailaddr1	city	state	zipcode
2016-086	08308308	3106 NORTH DAVIDSON	LLC			2923 FOREST PARK DR	CHARLOTTE	NC	28209
2016-086	08308303	311 NORTH DAVIDSON	LLC			2923 FOREST PARK DR	CHARLOTTE	NC	28209
2016-086	08308307	311 NORTH DAVIDSON	LLC			2923 FOREST PARK DR	CHARLOTTE	NC	28209
2016-086	08308327	ADAMS	ALEXANDER D			245 W 75 ST APT 1G	NEW YORK	NY	10023
2016-086	08308450	BAHR	SARA GABRIELA			3123 N DAVIDSON ST UNIT 311	CHARLOTTE	NC	28205
2016-086	08308454	AMBROSE	ELIZABETH ANN			3123 N DAVIDSON ST UNIT 305	CHARLOTTE	NC	28205
2016-086	08308309	ANDREW	REICHEL			3105 YADKIN AVE	CHARLOTTE	NC	28205
2016-086	08308432	ANGELL	BLAIR ELIZABETH			3205 DAVIDSON ST UNIT 207	CHARLOTTE	NC	28205
2016-086	08308428	ARISTOTLE PROPERTIES LLC	JONATHAN W	MARGARET W	BAHR	1509 MARYLAND AVE	CHARLOTTE	NC	28209
2016-086	08308317	BAHR	RHONDA D	CALLIE	BARTOCK	3524 ARTISTS WY	CHARLOTTE	NC	28205
2016-086	08308337	BARNES	BRIAN	KARI	BATES	529 E 34TH ST	CHARLOTTE	NC	28205
2016-086	08308459	BARTOCK	JOSEPH M	IRMA G	WOLFE	3123 N DAVIDSON ST #310	CHARLOTTE	NC	28208
2016-086	08308434	BATES	J ALEXIS	IRMA G	WOLFE	3205 N DAVIDSON ST #104	CHARLOTTE	NC	28208
2016-086	08308424	BATISTA	J ALEXIS	IRMA G		3205 N DAVIDSON ST #104	CHARLOTTE	NC	28205
2016-086	08308425	BATISTA				20537 DEEP COVE CT	CORNELIUS	NC	28031
2016-086	08308319	BLUE & GOLD PROPERTIES LLC	FRED		BRETT	510 E. 35TH ST	CHARLOTTE	NC	28205
2016-086	08308305	BRAZZELL				521 E 34TH ST	CHARLOTTE	NC	28202
2016-086	08308333	CALAMARI				2820 SELWYN AVE STE 627	CHARLOTTE	NC	28209
2016-086	08308444	CLIFTON HILL LLC				2820 SELWYN AVE STE 627	CHARLOTTE	NC	28209
2016-086	08308448	CLIFTON HILL LLC				1600 AMESTON DR	CHARLOTTE	NC	28209
2016-086	08308336	CRAIG	ERIC	GINA	CRAIG	PO BOX 790793	CHARLOTTE	NC	28206
2016-086	08308410	CRENSHAW WALKER	INC			3116 N DAVIDSON ST	CHARLOTTE	NC	28205
2016-086	08308310	CREPE CELLAR PROPERTIES LLC				3116 N DAVIDSON ST	CHARLOTTE	NC	28205
2016-086	08308311	CREPE CELLAR PROPERTIES LLC				3116 N DAVIDSON ST	CHARLOTTE	NC	28205
2016-086	08308312	CREPE CELLAR PROPERTIES LLC				3116 N DAVIDSON ST	CHARLOTTE	NC	28205
2016-086	08308313	CREPE CELLAR PROPERTIES LLC				227 WEST TRADE ST STE 1000	CHARLOTTE	NC	28201
2016-086	08308313	CRESENT NODAL LLC	DAVID			3123 NORTH DAVIDSON ST UNIT203	CHARLOTTE	NC	28205
2016-086	08308413	CROWLEY & INGRAM PROPERTIES LLC				3931 GLENWOOD DR	CHARLOTTE	NC	28208
2016-086	08308512	DAVIDSON YADKIN LLC	JAMES C	BONITA R	EMADI-PARAMKOUEH	PO BOX 11010	CHARLOTTE	NC	28220
2016-086	08308513	DAVIDSON YADKIN LLC	BABAK			PO BOX 11010	CHARLOTTE	NC	28220
2016-086	08308514	DAVIDSON YADKIN LLC				PO BOX 11010	CHARLOTTE	NC	28220
2016-086	08308446	DIXON				3123 NORTH DAVIDSON ST #210	CHARLOTTE	NC	28205
2016-086	08308316	EMADI-PARAMKOUEH				PO BOX 5671	CHARLOTTE	NC	28299
2016-086	08308426	ESB HOLDINGS LLC				2130 SHARON LN	CHARLOTTE	NC	28211
2016-086	08308441	EVANS	CHRISTOPHER			3123 N DAVIDSON ST UNIT 205	CHARLOTTE	NC	28205
2016-086	08308440	FLAUM	MICHAEL D			310 ARLINGTON AVE,UNIT 204	CHARLOTTE	NC	28205
2016-086	08308320	FLEMING	JUDITH A			3116 N DAVIDSON ST #300	CHARLOTTE	NC	28029
2016-086	08308421	GILDEN LLC				348 WEBSTER PL	CHARLOTTE	NC	28209
2016-086	08308422	GILDEN LLC				348 WEBSTER PL	CHARLOTTE	NC	28209
2016-086	08308427	GOODGAME ENTERPRISES LLC				125 DEVONPORT DR	MATTHEWS	NC	28204
2016-086	08308334	HARIHARAN	JAMES R JR			4401 E INDEPENDENCE BLVD STE 204	CHARLOTTE	NC	28205
2016-086	08308324	HELFRICH	JAMES R JR			4401 E. INDEPENDENCE BLVD	CHARLOTTE	NC	28205
2016-086	08308321	HENDERSON	JAMES R JR			4401 E. INDEPENDENCE BLVD	CHARLOTTE	NC	28205
2016-086	08308332	HALL	SUSAN S	JAMES DOUGLAS	HALL	6 PELICAN COVE	GREENSBORO	NC	27455
2016-086	08308334	HARIHARAN	SHOBHA	SHAMILLE	HARIHARAN	523 E 34TH ST	CHARLOTTE	NC	28205
2016-086	08308324	HELFRICH	STEVEN W	ESTER RA	HELFRICH	513 E 34TH ST UNIT 103	CHARLOTTE	NC	28205
2016-086	08308321	HENDERSON	JOSEPH B			3116 N DAVIDSON ST # 310	GREENSBORO	NC	28205
2016-086	08308429	HOLT				2174 MEADOW RUN DR	CHARLOTTE	NC	28205
2016-086	08308451	HUNT	JEFFREY MATTHEW	MATTHEW ALAN	HUNT	3123 N DAVIDSON ST UNIT 302	CHARLOTTE	NC	28205
2016-086	08308318	KATSAROS	JENNIFER MCALISTER	ALEXANDRA	KATSAROS	3116 N DAVIDSON ST UNIT 250	DARIEN	CT	06820
2016-086	08308435	KOLTAY	JEFFREY	SUSAN LINDSAY	DACK	1015 POST RD,UNIT 201	CHARLOTTE	NC	28205
2016-086	08308329	KRUSIN	THOMAS K	HARRY L III	JANE G	3100 N DAVIDSON ST #204	COPCORD	NC	28025
2016-086	08308322	LANCASTER				2942 HEGLER RD			

2016-08-06	08308456	LAWRENCE	CAROLINE L		3123 NORTH DAVIDSON ST UNIT 307	CHARLOTTE	NC	28205
2016-08-06	08307111	LEONARD	PHYLIS H	(P/E HUBEL TRUSTEE)	PO BOX 5035	LAKE WYLIE	SC	29710
2016-08-06	08308330	LEWIS	MICHAEL L	LEWIS	317 W KINGSTON AVE	CHARLOTTE	NC	28203
2016-08-06	08308433	LOPICCOLO	LARRY M	LOPICCOLO	3205 N DAVIDSON ST #208	CHARLOTTE	NC	28202
2016-08-06	08308414	MARTIN	PAMELA B		PO BXO 891	MATTHEWS	NC	28106
2016-08-06	08308415	MCCULLOUGH	G W III		3550 FINCHER BLVD	CHARLOTTE	NC	28269
2016-08-06	08308411	MCGUIRE	JOSEPH MIKE		2205 CRESCENT AVE	CHARLOTTE	NC	28207
2016-08-06	08308443	MCRAE	MATTHEW		3123 N DAVIDSON ST UNIT 207	CHARLOTTE	NC	28205
2016-08-06	09110203	MERCURY NODA APARTMENTS LLC	KEVIN	INVESTORS	7 GIRALDA FARMS	MADISON	NJ	07940
2016-08-06	08308328	MITCHELL	SCOTT A	ELIZABETH R	3100 N DAVIDSON ST #203	CHARLOTTE	NC	28205
2016-08-06	08308450	MOORE	ROSYLN ANN	DEBRAGGA	3123 N DAVIDSON ST STE 301	CHARLOTTE	NC	28205
2016-08-06	08308314	MORRIS	SAYIVE	ENEYA	PO BOX 480926	CHARLOTTE	NC	28269
2016-08-06	08308331	MULAGHA	PATRICK J	MUGAGHA	3100 N DAVIDSON ST #206	CHARLOTTE	NC	28205
2016-08-06	08308455	MULHERN	EMMANUEL F	AMANDA A	3123 N DAVIDSON ST UNIT 306	CHARLOTTE	NC	28205
2016-08-06	08308457	NDINGWAN	NDINGWAN		3123 N DAVIDSON ST UNIT 308	CHARLOTTE	NC	28211
2016-08-06	08308409	NODA 3336 LLC	C/O ANTHONY KUHN		427 SHASTA LN	CHARLOTTE	NC	28205
2016-08-06	08308419	NORKETT	DEBORAH MICHELLE		442 E 36TH ST	CHARLOTTE	NC	28205
2016-08-06	09110201	NORTH DAVIDSON ACQUISITIONS	LLC		800 MANHASSET RD	CHARLOTTE	NC	28209
2016-08-06	08308431	OCELOT PROPERTIES LLC	SUN MEE	MICHAEL	2232 WINTER ST	CHARLOTTE	NC	28205
2016-08-06	08308451	PARK	DANA E	HARGETT	3123 N DAVIDSON ST UNIT 312	CHARLOTTE	NC	28205
2016-08-06	08308423	PARKER-BURLESON	JONATHAN		3205 N DAVIDSON ST #103	CHARLOTTE	NC	28208
2016-08-06	08308453	PEELE	KYLE THOMAS		3123 N DAVIDSON ST UNIT 304	CHARLOTTE	NC	28205
2016-08-06	08308445	POSTON	EMANUEL F		3123 N DAVIDSON ST UNIT 209	CHARLOTTE	NC	28205
2016-08-06	08308458	PRINCE	TARA MELANIE		3123 N DAVIDSON ST UNIT 309	CHARLOTTE	NC	28205
2016-08-06	08308304	PURSER NODA LLC	RACHELE		4530 PARK RD STE 300	CHARLOTTE	NC	28209
2016-08-06	08308430	RILEY	JAMES		3123 N DAVIDSON ST #205	CHARLOTTE	NC	28208
2016-08-06	08308447	ROCKWOOD			3123 N DAVIDSON ST UNIT 211	CHARLOTTE	NC	28205
2016-08-06	08308323	SCP LPA FAT CITY LLC			4500 PARK RD STE 410	CHARLOTTE	NC	28209
2016-08-06	08308325	SCP LPA FAT CITY LLC			4500 PARK RD STE 410	CHARLOTTE	NC	28209
2016-08-06	08308463	SCP LPA FAT CITY LLC			4500 PARK RD STE 410	CHARLOTTE	NC	28209
2016-08-06	08308464	SCP LPA FAT CITY LLC			4500 PARK RD STE 410	CHARLOTTE	NC	28209
2016-08-06	08308455	SCP LPA FAT CITY LLC			4500 PARK RD STE 410	CHARLOTTE	NC	28209
2016-08-06	08308456	SCP LPA FAT CITY LLC			4500 PARK RD STE 410	CHARLOTTE	NC	28209
2016-08-06	08308449	SHEARER	BRYCE	JANE	3123 N DAVIDSON ST UNIT 213	CHARLOTTE	NC	28202
2016-08-06	08308442	SHEARER	JANE	DOUGLAS	730 NW 107 AVE #400	MIAMI	FL	33172
2016-08-06	08308502	SHORT DEVELOPMENT GROUP LLC			2328 BAY ST	CHARLOTTE	NC	28205
2016-08-06	08308506	SHORT DEVELOPMENT GROUP LLC			2328 BAY ST	CHARLOTTE	NC	28205
2016-08-06	08308517	SIRES	J PAUL	RUTH AVA	7448 VALLEYBROOK RD	CHARLOTTE	NC	28270
2016-08-06	08308418	SIRES	J PAUL	RUTH AVA	7448 VALLEYBROOK RD	CHARLOTTE	NC	28207
2016-08-06	08308501	SIRES	J PAUL	RUTH AVA	7448 VALLEYBROOK RD	CHARLOTTE	NC	28207
2016-08-06	08308507	SIRES	J PAUL	RUTH AVA	7448 VALLEYBROOK RD	CHARLOTTE	NC	28207
2016-08-06	08308516	SIRES	J PAUL	RUTH AVA	7448 VALLEYBROOK RD	CHARLOTTE	NC	28207
2016-08-06	08308462	STEPHENS	LOGAN H		3123 N DAVIDSON ST UNIT 313	CHARLOTTE	NC	28205
2016-08-06	08307110	SYED	WAJADAT		10906 TAVERNAY PKWY	CHARLOTTE	NC	28205
2016-08-06	08308437	THOMASARRIGO	LOGAN		3123 N DAVIDSON ST #201	CHARLOTTE	NC	28205
2016-08-06	08308438	TINSLEY	AUSTIN		3123 N DAVIDSON ST UNIT 202	CHARLOTTE	NC	28205
2016-08-06	08308508	TPM PROPERTIES LP			3816 MOORELAND FARMS RD	CHARLOTTE	NC	28226
2016-08-06	08308335	VELIZ	RUBEN MIGUEL		525 E 34TH ST UNIT 304	CHARLOTTE	NC	28205
2016-08-06	08308416	W R E INC			302 NEEDY CREEK RD	ROCK HILL	SC	29730
2016-08-06	08308452	WAGONER	FERAH	SYED	3123 N DAVIDSON UNIT 303	CHARLOTTE	NC	28205
2016-08-06	08308315	WALLACE HOLDINGS LLC			1509 MARYLAND AVE	CHARLOTTE	NC	28209
2016-08-06	08308326	WATTS	LOGAN		4808 MILLKEN CLOSE	WILSON	NC	27897
2016-08-06	08308401	Y M C A OF CHARLOTTE			3025 N DAVIDSON ST	CHARLOTTE	NC	28205
2016-08-06	08308402	Y M C A OF CHARLOTTE			3025 N DAVIDSON ST	CHARLOTTE	NC	28205
2016-08-06	08303142	YARDS AT NODA LLC THE			3050 PEACHTREE RD NW STE 2	ATLANTA	GA	30305

NOTICE TO INTERESTED PARTIES OF A REZONING PETITION
PETITION # 2016-086 – ECP NoDa, LLC.

Subject: Rezoning Petition No. 2016-086
Petitioner/Developer: ECP NoDa, LLC
Property: 1.123 acres located on the extension of E. 35th south of the Norfolk Southern Railroad & north of N. Davidson Street.
Existing Zoning: B-1, I-2 and MUDD
Rezoning Requested: TOD-M(O)
Date and Time of Meeting: Tuesday, May 10, 2016 at 7:00 p.m.
Location of Meeting: Johnston YMCA (Room: "The Hut")
3025 N. Davidson Street
Charlotte, NC 28205
Date of Notice: April 29, 2016

We are assisting ECP NoDa, LLC (the "Petitioner") on a Rezoning Petition recently filed regarding a zoning change for approximately 1.123 acres (the "Site") located on the extension of E. 35th Street between N. Davidson Street and the Norfolk Southern Railroad. 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 the 1.123 acre Site from B-1, 1-2 and MUDD (Neighborhood Business, Light Industrial, & Mixed Use Development District) to TOD-M(O) (Transit Oriented Development, Mixed Use Optional). The rezoning plan proposes to redevelop the Site with a residential based mixed use building.

The Site is currently developed with a warehouse building.

The rezoning plan proposed to develop a multi-story residential building with ground floor non-residential uses. The ground floor non-residential uses will be oriented toward E. 35th Street, E. 36th Street and the existing alley along eastern property line. In addition the area between E. 36th Street and the proposed building will be improved as an open space area with landscaping, seating areas, lighting, and hardscape elements. The building will be designed with and use green building techniques. The Petitioner has also set aside funds to implement local art as part of the development of the Site.

The Site will have convenient and direct access to the new E. 36th Street light rail transit station currently under development, as well as convenient and easy access to the N. Davidson business district. Parking for the proposed retail uses and some public parking will be made available in the parking structure.

Vehicular access to the Site will be from the extension of E. 35th Street. Access from the E. 36th Street will be limited to pedestrian access.

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 Tuesday, May 10th, at 7:00 p.m. at Johnston YMCA (Room: "The Hut") – 3025 N. Davidson Street, Charlotte, North Carolina 28205.

Representatives of the Petitioner look forward to discussing this exciting rezoning proposal with you at the Community Meeting.

In the meantime, should you have questions about this matter, you may call Keith MacVean (704-331-3531) or Jeff Brown (704-331-1144). Thank you.

cc: Mayor and Members of Charlotte City Council
Council Member Patsy Kinsey
Sonja Sanders, Charlotte Mecklenburg Planning Commission
Tammie Keplinger, Charlotte Mecklenburg Planning Commission
Elam Hall, ECP NoDa, LLC
Brad Bartholomew, Odell
Richard Petersheim, LandDesign
Jeff Brown, Moore & Van Allen, PLLC
Keith MacVean, Moore & Van Allen, PLLC

ECP NoDa LLC
Rezoning Petition 2016-086
Community Meeting – May 10, 2016 @ 7:00p

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1	Kerry Sutta	908 Essex St.	704 998 9889	NODAXEV@GMAIL.COM
2				
3				
4				
5				
6				
7				
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9				
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11				
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13				

Exhibit C