COMMUNITY MEETING REPORT

Petitioner: The Greenstone Group, LLC Rezoning Petition No. 2019-105

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 notice of the date, time and location of the Community Meeting to the individuals and organizations set out on Exhibit A attached hereto by depositing such notice in the U.S. mail on September 23, 2019. A copy of the written notice is attached hereto as Exhibit B.

DATE, TIME AND LOCATION OF MEETING:

The Community Meeting was held on Monday, October 7th at the Mallard Creek Recreation Center, Multipurpose Room, 2530 Johnston Oehler Road, Charlotte, NC 28269.

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 <u>Exhibit C</u>. The Petitioner was represented at the Community Meeting by John Wagener as well as by Petitioner's agents, Collin Brown and Brittany Lins with Alexander Ricks PLLC. Wil Russell was also in attendance on behalf of the Prosperity Village Area Association (PVAA).

SUMMARY OF PRESENTATION/DISCUSSION:

Mr. Collin Brown welcomed the attendees and introduced the Petitioner's team, using a PowerPoint presentation, attached hereto as <u>Exhibit D</u>. Mr. Brown showed aerials of the approximately 5-acre property, which is currently vacant and located at the intersection of Benfield Road and Summer Creek Lane. He explained that the Petitioner is seeking a rezoning to accommodate a high-end mixed-use development with luxury for-sale condominiums, ground floor retail, and potentially a hotel or office component.

Mr. Brown explained that the Prosperity Hucks Area Plan recommends townhomes, but the Petitioner's team does not believe that the site is appropriate for townhomes due to its proximity to I-485. Although the Petitioner's proposed mixed-use development is inconsistent with the recommendations in the Area Plan, nearby properties, including the site across the street on Benfield Road, are recommended as part of an activity center similar to the Petitioner's proposal. Since the proposed heights of the Petitioner's projects would not be significantly different than a three-story townhome that could be developed on the site, the Petitioner's team believes that the proposal is reasonable and could serve as an amenity to the community.

The Petitioner's team was involved in a general development meeting organized by the Prosperity Village Area Association (PVAA) on August 17th and has received some valuable initial feedback on the project. Generally, feedback was positive, with several community members stating that for-sale condos and meaningful retail opportunities have been a desire for the area.

Mr. Brown stated that the project proposes to add a left turn lane from Benfield Road onto Summer Creek Lane and eliminate the current right-in/right-out access, which should be a benefit to the existing

neighborhood on Summer Creek Lane. The Petitioner is also committing to a 100-foot buffer adjacent to the existing single-family homes, which contains trees over 80 feet tall. In contrast, if townhomes were to be built on the site (as recommended in the Area Plan), it is unlikely that a substantial buffer to the existing single-family homes would be provided.

Planning Staff recently provided feedback on the Petitioner's initial site plan and expressed opposition to a hotel use on the site. Therefore, the Petitioner intends to submit a revised plan that changes the requested hotel building to a commercial or office building (such as medical office) and converts the rezoning request to the Neighborhood Services (NS) zoning district instead of the MUDD zoning district. In addition, Planning Staff was not supportive of on-street reverse angle parking along Benfield Road. Since convenient parking is a requirement of successful ground-floor retail for this project, the Petitioner will revise the site plan to provide a small amount of parking within the site in front of the proposed shops, rather than on Benfield Road.

Mr. John Wagener showed several example renderings and interior photos to reflect the high-quality aspects of the project. He explained that he expects that two-bedroom condos could sell for approximately \$350,000 and one-bedroom condos for approximately \$250,000. The floor plates of the proposed condos would be substantially larger than an apartment so there is little risk of the for-sale residential aspect becoming converted to an apartment community.

Several attendees stated that their main concerns with the project were congestion and noise. An attendee stated that Benfield Road is already congested. Mr. Wil Russell clarified that he believed that congestion was only an issue during peak rush hour times. In response, the Petitioner's team stated that they believe the peak hour trips produced by this project may actually be less than projected (and less than a townhome development as recommended in the Area Plan) because the condo development would be appealing to empty-nesters and senior members of the community that may not have to travel during rush hour times.

An attendee remarked that he was concerned about increased noise when the site becomes developed because sound would no longer be blocked from I-485.

While one attendee commented that they did not want to see a hotel incorporated into the project, another attendee stated that a hotel sounded like a good fit for the corner in close proximity to I-485. In response to proposed office uses at the site, one attendee stated that she did not believe medical office was needed in the area. On the other hand, another attendee recognized that additional office uses would spur daytime population in the Prosperity Village area (which is currently seen by many as a bedroom community) and encourage additional restaurants and other amenities to be brought to the area.

In response to questions regarding the type of retail expected for the project, Mr. Wagener stated that his priorities are aligned with the community and he would not want any retail that would be a nuisance since he desires to sell the condos above as a luxury product. He expects that the retail would serve as an amenity to the condo residents as well as other nearby residents.

The formal meeting concluded at approximately 7:00 p.m. and the Petitioner's representatives departed shortly thereafter.

Respectfully submitted this 14th day of October, 2019.

cc: Michael Russell, Charlotte-Mecklenburg Planning Department

Exhibit A

2019-105	TAXPID	OWNERLASTN	OWNERFIRST
2019-105	02707201	PROSPERITY CHURCH INCORPORATED	
2019-105	02707203	PROSPERITY CHURCH INC	
2019-105	02756101	WAGENER PROPERTIES CHARLOTTE LLC	
2019-105	02756102	REITZEL	JIMMIE R &W
2019-105	02756129	HEPOP5 LLC	
2019-105	02756515	WENDT	THOMAS F
2019-105	02756516	PASULA	SANTHOSH
2019-105	02756517	PROGRESS RESDENTIAL BORROWER 1 LLC	
2019-105	02756518	WILSON	ANTHONY
2019-105	02756537	FINES	JAMES ERIC
2019-105	02756538	FLORES	NOE PARDO
2019-105	02756539	DARDEN	FREDERICK JR
2019-105	02756540	SANTELL	FRANCISCA
2019-105	02756601	TAH 2016-1 BORROWER LLC	
2019-105	02756602	CABRERA	MAURO G
2019-105	02756603	HAYES	ANGELA N
2019-105	02756604	HUEY-WILLIAMSON	NANCY D
2019-105	02756605	ALLEN	SEAN
2019-105	02756606	MASTAY	BRIAN
2019-105	02756607	LARRY	DEVON
2019-105	02756608	TAH MS BORROWER LLC	
2019-105	02756609	ABLE	VALERIE
2019-105	02756610	EDGE	SHARON D
2019-105	02756611	PITTSER	ROBERT J
2019-105	02756612	WILSON	MATTHEW
2019-105	02756613	LITTLE	ERICA
2019-105	02756614	LUSHEAR	BRIAN D
2019-105	02756719	RIVERA	BIANCA
2019-105	02756720	PROGRESS RESIDENTIAL BORROWER 6 LLC	
2019-105	02756721		ESTEBAN HUMBERTO
2019-105	02756722		CHRISTOPHER
2019-105	02756723		THOMAS R JR
2019-105	02756724		PETER HENG
2019-105	02756739		MELISSA
2019-105		CROFCHECK	EUGENE THOMAS
2019-105	02756741		ANISSA D
2019-105	02756742		GUZMAN EXEQUIEL
2019-105	02756743	PROGRESS RESIDENTIAL 2015-3 BORROWER LLC	
2019-105		LINS	BRITTANY
2019-105		THE GREENSTONE GROUP, LLC	

COMMEDIA	COMMITTING	******
COWNERFIRS	COWNERLAST	MAILADDR1
		14200 EASTFIELD RD
		5533 PPC DRIVE
		119 BATTON BOARD WAY
	BARBARA H	8600 JOHNSTON ST
		9132 STRADA PL STE 11210
		12327 SUMMER CREEK LN
		10015 FALMOUTH LN
		PO BOX 4090
		14534 MARLBOROUGH CIR
DAWN M	FINES	6012 SHINING OAK LN
MARINA GERRERO	PEREZ	6008 SHINING OAK LN
ARLETHEA S	DARDEN	6004 SHINING OAK LN
JOSE	SANTELL	6000 SHINING OAK LN
	C/O TRICON AMERICAN HOMES LLC	PO BOX 15087
NATHALIE N	BALAO	5914 SHINING OAK LN
		5910 SHINNING OAK LN
		5906 SHINING OAK LN
		5902 SHINING OAK LN
ERICA	MASTAY	5842 SHINING OAK LN
		5838 SHINING OAK LN
		C/O TRICON AMERICAN HOMES LLC
		5830 SHINING OAK LN
		5826 SHINING OAK LN
NIKKI L	KAPETANICH-PITTSER	5822 SHINING OAK LN
		5818 SHINING OAK LN
		5814 SHINING OAK LN
KARA A	LUSHEAR	1450 BELLA CODA DRIVE
		5811 SHINING OAK LN
		PO BOX 4090
MARTHA LUZ	JIMENEZ	5827 SHINING OAK LN
		5835 SHINING OAK LN
MICHELLE L	TUCKER	2301 MADEIRA CIRCLE
SOKHA	TUTH	9015 SANDERS CREEK CT
		9010 SANDERS CREEK CT
		9004 SANDERS CREEK CT
		5915 SHINING OAK LN
	TERESITA T DE GUZMAN (ET-AL)	5921 SHINING OAK LN
	,	PO BOX 4090
		1420 E 7TH STREET
		119 BATTON BOARD WAY

MAILADDR2	CITY	STATE	ZIPCODE
	HUNTERSVILLE	NC	28078
	CHARLOTTE	NC	28269
	WOODSTOCK	GA	30189
	CONCORD	NC	28027
	NAPLES	FL	34108
	CHARLOTTE	NC	28269
	CHARLOTTE	NC	28269
	SCOTTSDALE	ΑZ	85261
	MARLBORO	MD	20772
	CHARLOTTE	NC	28269
	SANTA ANA	CA	92735
	CHARLOTTE	NC	28269
1508 BROOKHOLLOW DR	SANTA ANA	CA	92705
	CHARLOTTE	NC	28269
	ORLANDO	FL	32828
	CHARLOTTE	NC	28269
	SCOTTSDALE	AZ	85261
	CHARLOTTE	NC	28269
	CHARLOTTE	NC	28269
	WAXHAW	NC	28173
	CHARLOTTE	NC	28269
	SCOTTSDALE	AZ	85261
	CHARLOTTE	NC	28204
	WOODSTOCK	GA	30189

2019-105	ORGANIZATI	FIRST_NAME	LAST_NAME
2019-105	Asbury Place	Sarah	Ziegler
2019-105	Asbury Place	Yazhmin	Price
2019-105	Brownestone	Al	Wordsworth
2019-105	Community Provider Coalition	Andrea	Callahan
2019-105	Devonshire Neighborhood Association	Cindy	Peninger
2019-105	Fox Glen Homeowners Association	Karl	Beil
2019-105	Hayden Commons HOA	Heidi	Pruess
2019-105	Highland Creek HOA	Stacie	Purcell
2019-105	Madison Park At Wallace Farms Homeowners Association	Joyce	Gonzalez
2019-105	Madison Park At Wallace Farms Homeowners Association	Patrick	Dewey
2019-105	Madison Park At Wallace Farms Homeowners Association	Regina	Smith
2019-105	Madison Park At Wallace Farms Homeowners Association	Rozel	Tolliver
2019-105	Madison Park At Wallace Farms Homeowners Association	Tony	Lowe
2019-105	Mallard Glen Village Homeowners Association	Carolyn	Sands
2019-105	Pond Side Homeowners Association	Frank	Erwin
2019-105	Preserve At Prosperity Church	Toya	Everett
2019-105	Prosperity Ridge Homeowners Association	Lenee	Martin
2019-105	Prosperity Village Area Association	Dr. Brett	Kubricht
2019-105	Prosperity Village Area Association	Kathy	Gister
2019-105	Prosperity Village Area Association	Shika	Raynor

STREET_ADD	UNIT_NUM	CITY	STATE	ZIP
9411 Swallowtail Lane		Charlotte	NC	28269
9411 Swallowtail Lane		Charlotte	NC	28269
12020 Brownestone View Dr		Charlotte	NC	28269
8330 Browne Rd		Charlotte	NC	28269
4816 Avalon Forest Ln		Charlotte	NC	28269
11603 Fox Trot Dr		Charlotte	NC	28269
10430 Baskerville Ave		Charlotte	NC	28269
6121 Chavel Ln		Charlotte	NC	28269
9302 White Aspen Pl		Charlotte	NC	28269
10324 Madison Park Drive		Charlotte	NC	28269
11528 Woodfire Rd		Charlotte	NC	28269
10145 Madison Park Dr		Charlotte	NC	28269
11534 Woodfire Rd		Charlotte	NC	28269
4503 Ridge Rd		Charlotte	NC	28269
12310 Panthersville Dr		Charlotte	NC	28269
8448 Summerford Drive		Charlotte	NC	28269
6116 Prosperity Church Rd		Charlotte	NC	28209
10210 Prosperity Park Dr	Unit 400	Charlotte	NC	28269
4601 Fairvista Drive		Charlotte	NC	28269
6403 Ridgeview Commons Drive		Charlotte	NC	28269

Exhibit B

Alexander **Ricks**

September 23, 2019

VIA US MAIL

Alexander Ricks PLLC 1420 E. 7th St., Suite 100 Charlotte, North Carolina 28204

Collin W. Brown 980-498-6108 collin.brown@alexanderricks.com

NOTICE TO INTERESTED PARTIES OF **COMMUNITY MEETING**

Date:

Monday, October 7th at 6:00 p.m.

Location:

Mallard Creek Recreation Center, Multipurpose Room

2530 Johnston Oehler Road

Charlotte, NC 28269

Petitioner:

The Greenstone Group, LLC

Petition No.: 2019-105

Dear Prosperity Village Area Neighbor,

Our firm represents The Greenstone Group, LLC (the "Petitioner") in its request to rezone an approximately 5.14-acre property located on the west side of Benfield Road, south of Summer Creek Lane, north of I-485 and west of Prosperity Church Road (the "Property"). The Petitioner requests a rezoning from the R-4 zoning district to the MUDD(CD) zoning district to accommodate a mixed-use development to potentially include for-sale residential, commercial retail/office, and hotel uses.

In accordance with the requirements of the City of Charlotte Zoning Ordinance, the Petitioner will hold a 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 Commission'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 Property. You may have previously heard information regarding this petition at a Prosperity Village Area Association (PVAA) meeting on Saturday, August 17th.

Accordingly, on behalf of the Petitioner, we invite you to attend the Official Community Meeting regarding this Petition on Monday, October 7th at 6:00 p.m. to meet wit the Petitioner and its design and development team. We will give a brief overview of the redevelopment concept and then provide an opportunity for you to meet and talk with individuals that are involved in planning the project.

Please contact me if you are unable to attend and would like additional information.

Collin W. Brown

WZ

Exhibit C

Official Community Meeting - The Greenstone Rezoning Petition # 2019-105 Group

NAME		EMAIL	PHONE	ADDRESS
1. Dayment	Betzer	ransuond @red	704361-2025	1213 CACCUL
2. Angela	Hayes	twizle-amore	704361-2025 zel 5920-228-7998 yahoo. com 704-574-2228 1.com 708-752-06	5910 Shiringoaklare
3. 41:c Fine	S	elic. fines@gma	1.com 704-574-2228	Shining oak LN
4. Vance Ba	11195	Vance 210 agni	1.com 708-752-06	.24
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Exhibit D



THE PROPERTY



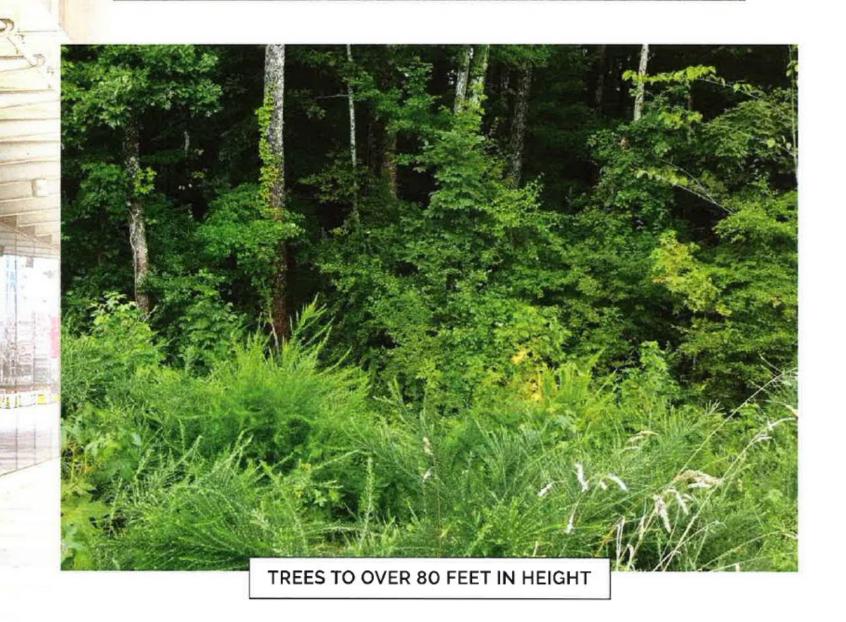


Pared 16 02755101 Ony of Charlotte ETJ Mary Ounds. North VICTNITY MAP -Constant a basic of

FROM SUMMER CREEK LANE



TYPICAL VEGETATION











Prosperity Hucks area plan

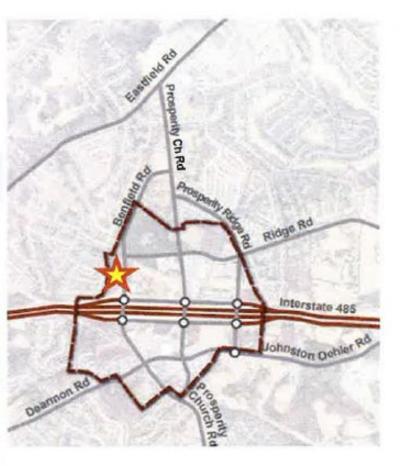
Adopted by City Council

July 27, 2015





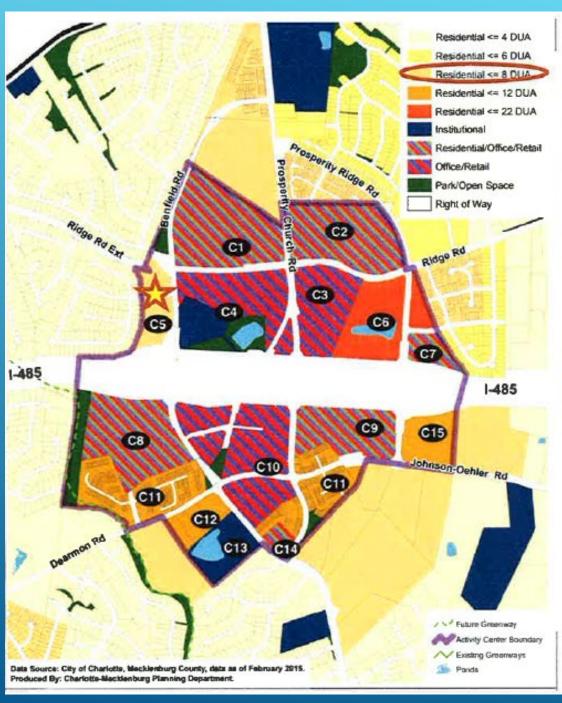
Charlotte Mecklenburg Planning Department



Defining the Activity Center Boundary

The Activity Center defined here is smaller than the area of the earlier Prosperity Church Road Villages Plan. It incorporates property appropriate for walkable mixed use purposes, with retail, commercial, multifamily, or institutional potential, as well as some townhome areas. Properties at the edge of the Activity Center developed as, or best suited for, single family or residential at a townhome density are generally placed within the Wedge Neighborhood area. Even so, the closest neighborhoods are still quite walkable and well connected into the Activity Center.





Activity Center North Edge

Policy Areas:

C5, C6, and C7

Policy Area C5:

West of Benfield Road, between I-485 and the future Ridge Road Extension

Context:

Small vacant property at the interchange, immediately adjacent to a single family neighborhood.

intent:

Residential development up to attached townhome style buildings (with secondary office and retail uses).

Land Use

- Future land use should be residential at an intensity no greater than 8 dwelling units per acre (such as an attached townhome style building).
- Residential development could have a secondary retail and/or office component fronting Benfield Road if designed and integrated with the residential uses to create a unified walkable place. The mix of uses may be vertically or horizontally integrated.
- Additional land uses with drive-through facilities and/or gasoline pumps are not appropriate at this location because of its close proximity to single family residential and its limited vehicular points of access.



Policy Area Location



Policy Area Recommended Future Land Use

But right across the street...

Land Use

- Future land use should be a mix of uses retail/ service, office, institutional, and residential. Larger development parcels (larger than about 5 acres) must include at least two of these uses, such that a single use does not dominate the area. The mix of uses may be vertical or horizontal, but must be designed and connected to create a unified walkable place.
- Moderate density residential uses (up to 22 dua) are only appropriate as part of a development with a vertical or horizontal mixture of uses incorporating non-residential elements.
- Retail development may include an anchor use of up to about 50,000 square feet on the ground floor. The anchor use should be complemented by small shop space (retail, office, restaurants). The intent is to provide for vital street-oriented activity within the area.
- Additional land uses with drive-through facilities and/or gasoline pumps are not appropriate at this location. The area is already well served by several drive-through facilities in place or approved.

Community Design

refer also to General Policies starting on Page 49

- Development should be compact, pedestrianoriented, and well-connected internally, and to surrounding development.
- New buildings should be oriented toward streets
 with the majority of parking located to the side or
 rear of buildings. Shared parking and/or structured
 parking is encouraged.
- 7. The ground floor of buildings should be designed to activate streets and open space through a combination of design techniques that may include: Non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; Building corners that feature prominent entrances and distinctive architectural design; and/or Multi-family residential development with direct connections to the sidewalk for ground floor units where feasible. Multi-story buildings are encouraged.
- 8. Development is encouraged to include a variety of housing options such as detached single-family homes, attached single-family homes, townhomes, live/work buildings, and multi-unit residential buildings. The visual mass of buildings should be broken up through a combination of design techniques, including but not limited to: variation of architectural styles, building heights, and/or roof pitches to reduce apparent building size; and variation of building mass, scale, and type (such as townhomes and carriage houses mixed with standard apartment buildings).

Activity Center North Core

Policy Areas:

C1, C2, C3, and C4

Policy Area C1: North of Ridge Road & West of Prosperity Church Road

Context:

Large undeveloped site.

Intent:

Highly integrated and walkable places with a mix of uses and a focus on retail, restaurants, residential uses, and community gathering space.



Policy Area Location



Policy Area Recommended Future Land Use



Active street-level uses and pedestrian-scaled streetscapes create a vibrant walkable environment.



Walkable streets that encourage a range of travel modes and pedestrian-oriented mixed use development.



The vision for Prosperity Hucks is centered on a walkable Activity Center that supports the surrounding neighborhoods.





A range of housing options within the Activity Center



Clear glass windows and prominent entrances on nonresidential ground floor uses help to activate streets and open space..



The ground floor of buildings should be designed to activate streets and open space. (Photo from residents' inspiration collection.)

OUR OBJECTIVE

OUR OBJECTIVE IS TO PROVIDE LUXURY ADULT

SINGLE LEVEL LIVING AND HOME OWNERSHIP WITH

SECURITY, CONVENIENT ACCESS TO SHOPS AND

BUSINESSES, SECURE PARKING, AND IN-HOUSE

AMENITIES—AT AFFORD PRICES.



THE ZONING

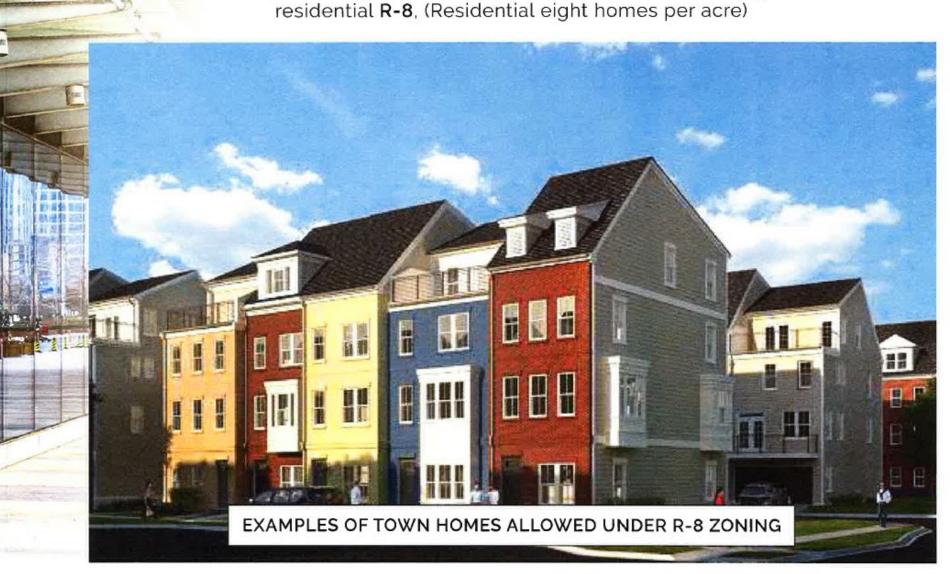
Proposed City of Charlotte planning department zoning is residential **R-8**, (Residential eight homes per acre)



EXAMPLES OF TOWN HOMES ALLOWED UNDER R-8 ZONING



Proposed City of Charlotte planning department zoning is residential **R-8**, (Residential eight homes per acre)



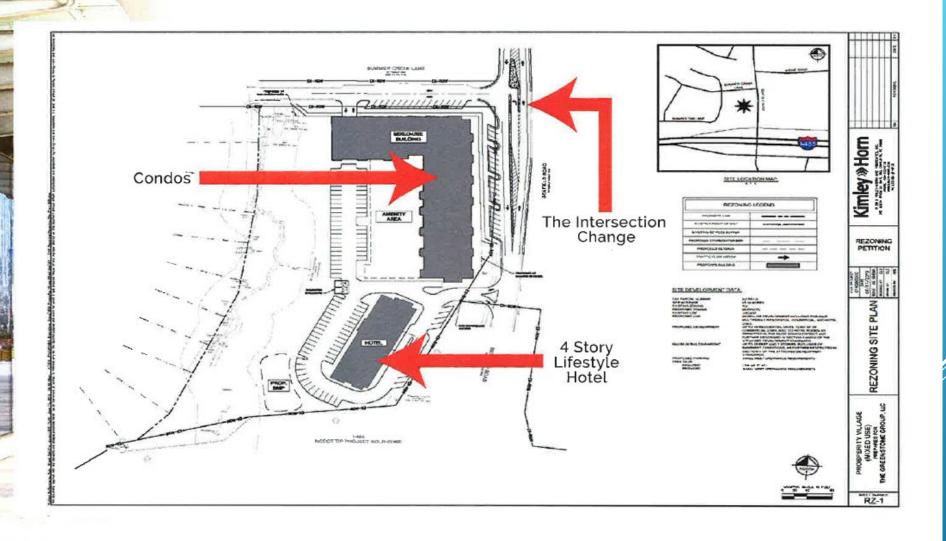


Proposed City of Charlotte planning department zoning is residential **R-8**, (Residential eight homes per acre)



EXAMPLES OF TOWN HOMES ALLOWED UNDER R-8 ZONING

THE PROJECT

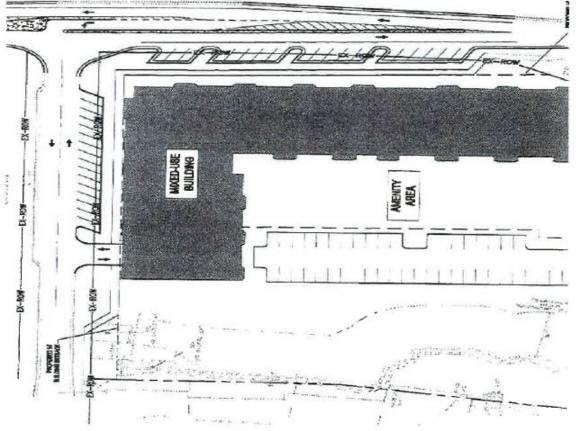


PROSPERITY TOWNE PARK



THE PROJECT

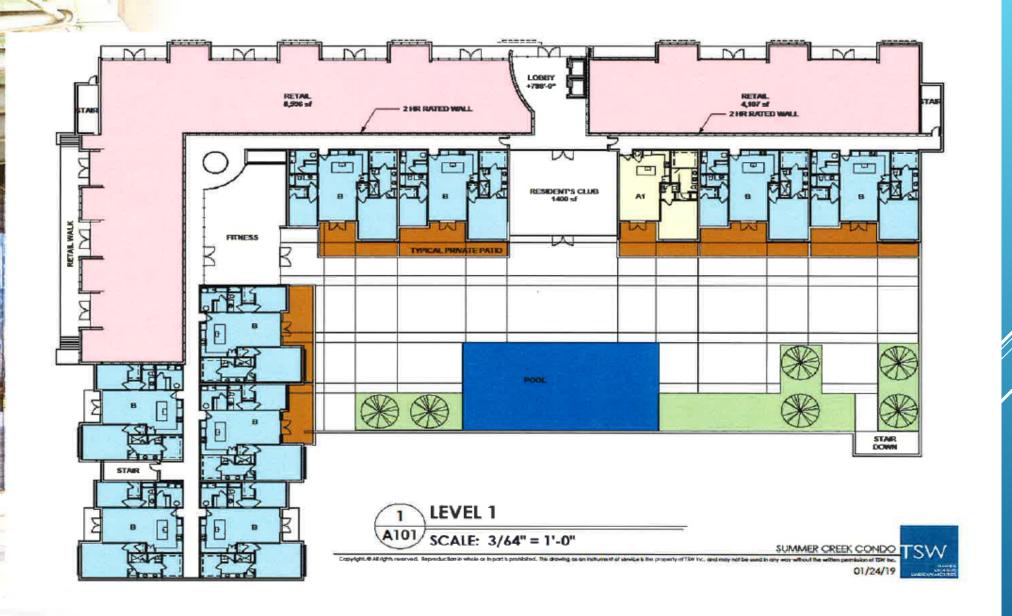
CONSTRUCTION OF THE SECOND



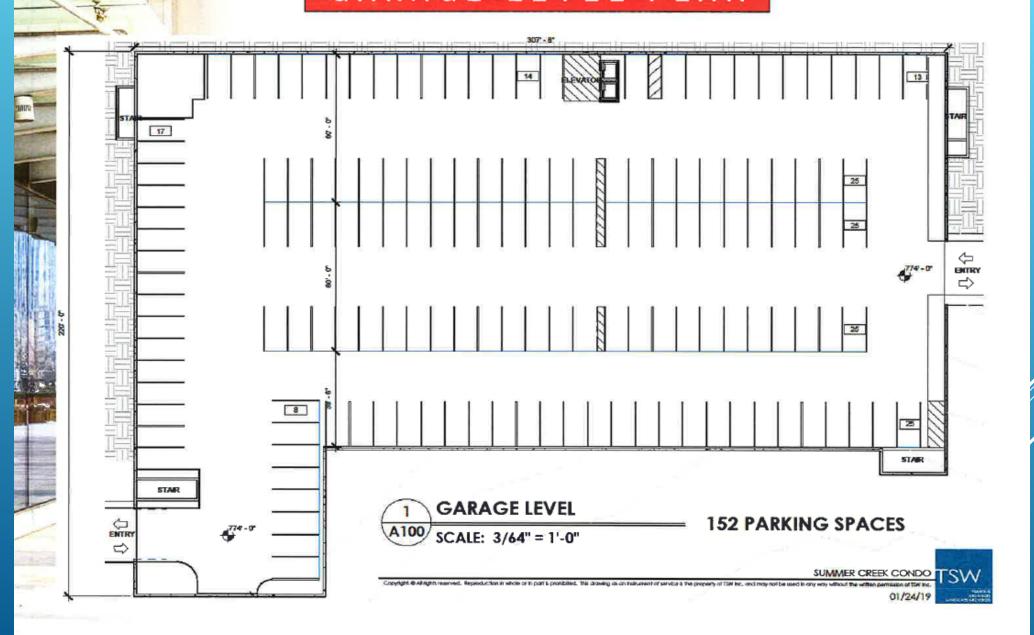
ENLARGED VIEW OF INTERSECTION SUMMER CREEK LANE AT BENFIELD ROAD

PROJECT SITE PLAN BENFIELD ROAD 5 STORY BUILDING 3 STORY BUILDING BUFFER AREA SITE PLAN **57 RETAIL PARKING SPACES** A010 SCALE: 1" = 60'-0"

FIRST FLOOR PLAN

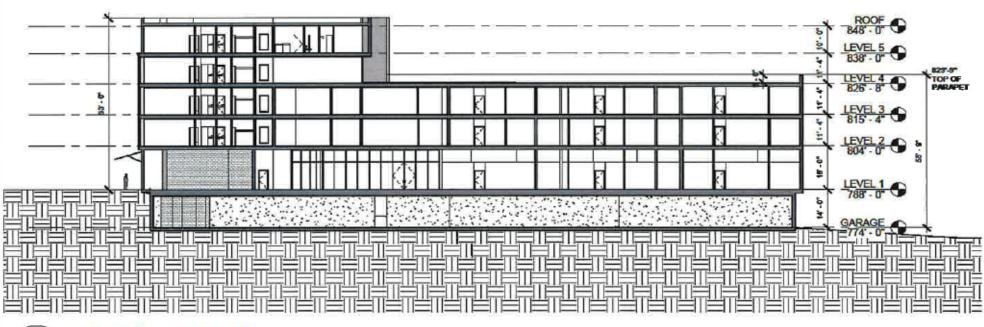


GARAGE LEVEL PLAN



BUILDING SECTION

TOP OF BUILDING APPROXIMATELY 48-50 FEET ABOVE BENFIELD ROAD, ABOUT THE SAME AS THE TOWN HOMES SHOWN PREVIOUSLY

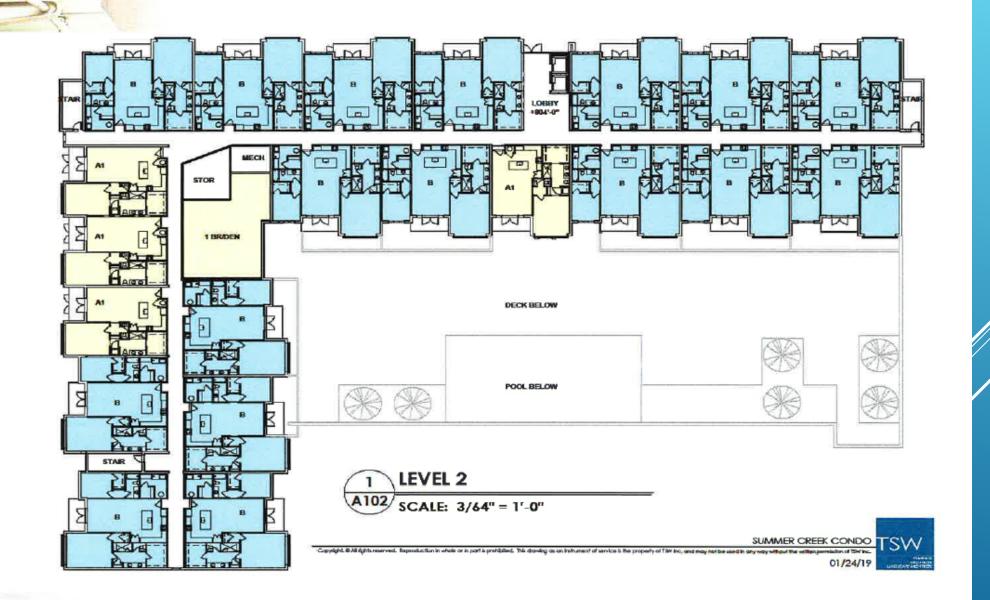




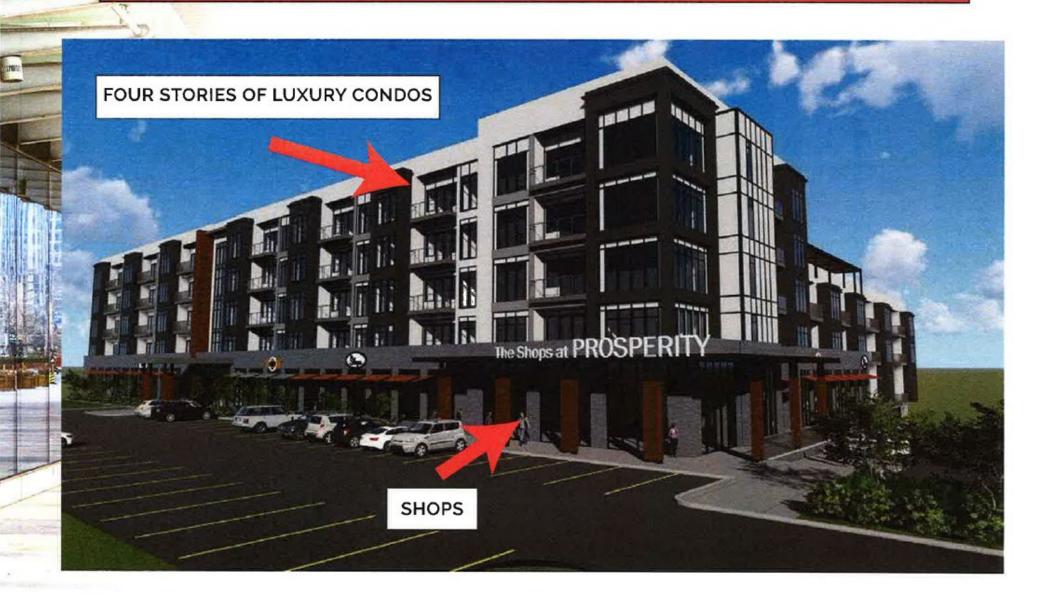
A015 SCALE: 1" = 20'-0"



TYPICAL FLOOR LEVEL OF CONDO



VIEW FROM CORNER OF BENFIELD ROAD AND SUMMER CREEK LANE



VIEW FROM SUMMER CREEK LANE



VIEW FROM WOODED BUFFER BEHIND PROPERTY



PROPOSED CONDO PRODUCT

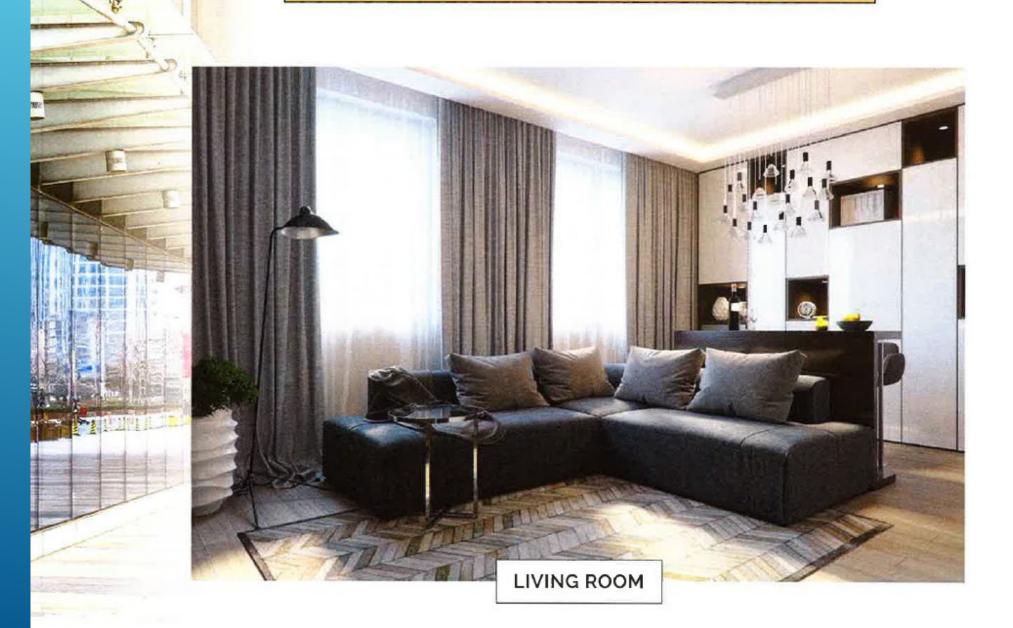




1 A UNIT- 1 BEDROOM @ 1033 SQ FT A106 SCALE: 1/8" = 1'-0" 2 B UNIT - 2 BEDROOM @ 1405 SQ FT A106 SCALE: 1/8" = 1'-0"

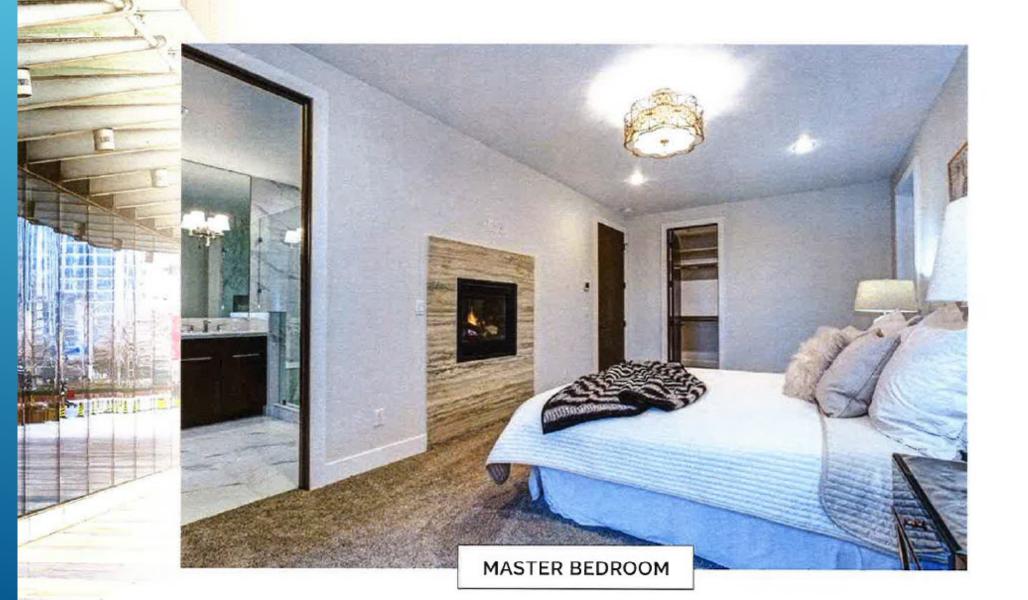












CONDO INTERIOR DESIGN



OUR OBJECTIVE

OUR OBJECTIVE IS TO PROVIDE LUXURY ADULT

SINGLE LEVEL LIVING AND HOME OWNERSHIP WITH

SECURITY, CONVENIENT ACCESS TO SHOPS AND

BUSINESSES, SECURE PARKING, AND IN-HOUSE

AMENITIES—AT AFFORD PRICES.

