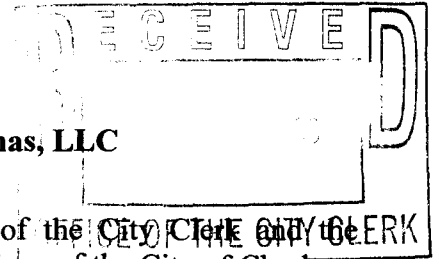


**COMMUNITY MEETING REPORT**  
**Petitioner: New South Properties of the Carolinas, LLC**  
**Rezoning Petition No. 2006-153**



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 a written notice of the date, time and location of the Community Meeting to the individuals and organizations set out on Exhibit A-1 attached hereto by depositing such notice in the U.S. mail on September 19, 2006. A copy of the written notice is attached hereto as Exhibit A-2.

**DATE, TIME AND LOCATION OF MEETING:**

The Community Meeting was held on Monday, October 2, 2006 at 7:00 p.m. in the Sanctuary of St. Luke's Lutheran Church located at 3200 Park Road.

**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 Exhibit B. The Petitioner's representatives at the Community Meeting were Bart Hopper and Damon Mitchell of New South Properties of the Carolinas, LLC and John Carmichael of Kennedy Covington Lobdell & Hickman.

**SUMMARY OF ISSUES DISCUSSED:**

John Carmichael opened the meeting by introducing himself and Bart Hopper and Damon Mitchell of New South Properties of the Carolinas, LLC. John Carmichael stated that the purpose of this meeting is to discuss Rezoning Petition No. 2006-153 with area residents and organizations. John stated that New South Properties of the Carolinas, LLC is the Petitioner under Rezoning Petition No. 2006-153.

John stated that the site subject to this Rezoning Petition contains approximately 1.2614 acres, and it is located on the southeast corner of the intersection of Park Road and Yale Place. Pursuant to this Rezoning Petition, Petitioner seeks to rezone the site from the R-4 zoning district to the UR-1(CD) zoning district.

Under the current zoning of the site, a maximum of 4 dwelling units per acre could be developed on the site. This would allow a maximum of 5 single family detached homes to be built on the site. Under the Petitioner's proposal, a maximum of 8 single family detached homes would be built on the site, resulting in a density of 6.34 dwelling units per acre.

John then provided a schedule of events relating to this Rezoning Petition. He stated that the Open House Forum will be held on the 8<sup>th</sup> Floor of the Charlotte-Mecklenburg Government Center on October 9<sup>th</sup> from 5 p.m. to 6 p.m. John stated that the Public Hearing on this Rezoning Petition is currently scheduled to be held on Monday, November 20<sup>th</sup> at the Charlotte-Mecklenburg Government Center; the Zoning Committee Work Session is currently scheduled for Wednesday, November 29<sup>th</sup> at 4:30 p.m. on the 8<sup>th</sup> Floor of the Charlotte-Mecklenburg Government Center; and City Council is currently scheduled to render a decision on this

Rezoning Petition on Monday, December 18<sup>th</sup> at 6 p.m. at the Charlotte-Mecklenburg Government Center.

Damon Mitchell then addressed the meeting and shared the Petitioner's conditional rezoning plan. Damon stated that the trees noted on the plan would be saved. New South Properties of the Carolinas, LLC is proposing to build 8 single family detached homes on the site. There would be two versions of the homes. The smaller versions would contain 2,200 to 2,800 square feet, and the larger versions would contain 2,800 to approximately 3,400 square feet. The larger homes would have a useable basement area. Multiple options would be available for the purchasers of the homes. The exterior building materials for the homes would be a combination of brick, stone, shake and hardi-plank. Vinyl siding would not be a permitted exterior building material. The homes would be craftsman style homes with hardwood floors. The homes would have porches on the front and rear, and the same building materials would be utilized on all four sides of the home. The maximum height of the homes would be from approximately 27 feet to 30 feet.

Damon stated that the base of the homes would be brick or stone, and the sides would be hardi-plank and cedar shake. Hardi-plank looks like wood siding, and it is a concrete material.

Individuals who attended the meeting then began asking questions and expressing their concerns. Set out below is a brief summary of the Petitioner's responses to the questions and the concerns expressed by individuals in attendance at the meeting.

- Damon stated that he has not built any homes in Charlotte that are similar to the proposed product.
- Damon indicated that the proposed development is less dense than Tuscan Development's project located at the corner of Princeton Avenue and Park Road. In terms of the height of the homes, the height of Tuscan's homes vary, however, the height of the homes proposed for this development are shorter than the tallest homes in Tuscan's development.
- The price range of the homes would be from the low \$400,000s to mid \$500,000s, but it will necessarily depend upon the options chosen by the purchasers.
- Damon indicated that the project would not have a gated entrance.
- Regarding the privacy wall, an individual indicated that privacy walls are an insult. Damon stated that the privacy wall is open to discussion.
- Concerns were expressed about the setbacks and the location of the proposed homes in relationship to Yale Place and the existing homes on Yale Place.
- Concerns were expressed regarding the number of cars that would be parked in the proposed development, and the traffic that would be generated by the proposed development. Concerns were also expressed about the number of parking spaces in the proposed development.
- Individuals were concerned that guests of the residents of the proposed development would park along Yale Place and clutter the street.
- Area residents were concerned that the Petitioner would ask for on-street parking on Yale Place.

- Damon indicated that the Petitioner would not request on-street parking on Yale Place and that each home would have a one car garage and a parking space in front of the garage. In other words, there are two parking spaces per unit.
- Damon indicated that there would be a mix of floor plans.
- Concerns were expressed regarding storm water and flooding in the area, as well as with the possible SWIM buffer on the site. Damon indicated that he did not think that the proposed development would worsen any flooding or storm water problems in the area, and that he would be working with Storm Water Services on storm water issues.
- A neighbor indicated that the property is currently zoned for 4 homes per acre, so why build a total of 8 homes on the site? Bart indicated that in formulating their plan, they looked at the Park Road Corridor Plan, which calls for single family detached homes on the site at a maximum density of 6 dwelling units per acre.
- Several area residents indicated that they thought that this plan did not conform to the Park Road Corridor Plan and violated it.
- Several residents stated that they could possibly understand this project if it faced Park Road and had access from Park Road. These residents felt like the proposed project was a Yale Place project rather than a Park Road project and objected to it as a result.
- A resident asked if Marsh Road could be extended into the site. Damon indicated that that it was not possible to do so.
- A neighbor inquired whether the Petitioner could make money with less density.
- A discussion was had regarding the distance between the proposed homes.
- In response to a question, Damon indicated that some of the proposed lots are bigger than some of the smaller lots on Yale Place.
- Several area residents indicated that in their opinion, this proposed development does not fit into this neighborhood.
- A discussion was had regarding the distance from the creek to the proposed homes closest to the creek.
- In response to a question, Damon indicated that the main driveway is approximately 20 feet in width at its narrowest point, he believes. The main driveway would be maintained by the homeowners association along with the common areas.
- A neighbor asked if the yards would be maintained by the homeowners association. Bart indicated that they would consider this and take a look at it.
- An area resident continued to express concerns regarding the amount of parking for the proposed development.
- Damon stated that boats could not be stored in the development.
- Bart indicated that the target market was empty nesters and young professionals. An example would be Center City residents who desire to move out of the Center City.

- An area resident inquired whether the Planning Staff supports the current density, and Bart indicated that it is his understanding that the Planning Staff supports the requested density level.
- Petitioner's representatives stated that they would hold a second Community Meeting to share any revised conditional rezoning plan with area residents and organizations and to provide additional information. The area residents and organizations would be notified of the date, time and location of the second Community Meeting by mail.
- Damon indicated that rear elevations of the proposed homes would be provided at the second Community Meeting.
- The height of the homes would be from approximately 27 feet to 30 feet.
- In response to a question, Damon indicated that the Petitioner would buy the property whether or not it is rezoned.
- Damon indicated that there would be sidewalks within the proposed development.
- In response to a question, Bart indicated that he did not know whether the driveway would be a one-way or two-way driveway.
- A discussion was then held regarding the piping of the creek.
- Regarding the setback going to the left from Yale Place onto Park Road, Damon thought it was between 17 and 18 feet.
- Damon indicated that they would provide elevations of the rears of the homes at the next Community Meeting.
- An area resident stated that a protest petition can be filed against this Rezoning Petition which would require 9 of 12 votes to approve the Rezoning Petition.
- An area resident asked if the site were rezoned, how long will it take to develop the project. Damon indicated that it would take approximately 1 1/2 years to build the homes, and he confirmed that they would try to pre-sale the homes.
- An area resident was concerned that when they wash the mud from the streets generated by the construction traffic, it will flow into the neighbors' yards because there are no gutters.
- A neighbor was concerned about controlling the construction traffic, and Damon stated that they would attempt to do so. One suggestion would be avoiding peak travel periods for the delivery of materials.
- Damon confirmed that they would try to save the big tree located at the entrance of the site.
- In response to a question, Damon confirmed that this would be New South Properties of the Carolinas, LLC's first in-fill project. However, New South Properties of the Carolinas, LLC has developed many subdivisions. In this instance, New South Properties of the Carolinas, LLC would be the developer of the subdivision and the builder of the homes.

- Once again, it was reiterated that the Petitioner would hold a follow-up Community Meeting with area residents and organizations.

**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 solely as a result of the Community Meeting. However, under the Petitioner's revised conditional rezoning plan, the number of proposed homes has been reduced from 8 to 7.

Respectfully submitted, this 8<sup>th</sup> day of December, 2006.

NEW SOUTH PROPERTIES OF THE CAROLINAS, LLC , Petitioner

cc: Mr. Keith H. MacVean, Charlotte-Mecklenburg Planning Commission  
Ms. Brenda Freeze, Clerk to City Council  
Mr. Bart Hopper, New South Properties of the Carolinas, LLC  
Mr. Damon Mitchell, New South Properties of the Carolinas, LLC

**New South Properties of the Carolinas, LLC**  
**Petition No. 2006-153**

**Community Meeting Sign-in Sheet**  
**St. Luke's Lutheran Church**  
**Monday, October 2, 2006**  
**7:00 P.M.**

	NAME	ADDRESS	TELEPHONE	EMAIL ADDRESS
1.	ERIK WAGNER	1209 YALE PL	525 3195	EWAGNER@CAROLINA.rr.net
	Laurene Rhyme	1220 Yale Pl		
	Helen Higgins	1315 Bevis Drive	522-1299	H011H011@CAROLINA.rr.net
4.	Gordon Freeman	1130 Princeton Ave.	523-2238	gordongfreeman@mac.com
	Robert L. Fitzpatrick	2808 Park Rd.	704-258-5711	robert.fitzpatrick@mac.com
6.	Mike + Kelly Melvin	1133 Yale Pl	704-529-3136	mcukmcll@AOL.com
	Mike Quinn	1227 YALE PL	704 523-1055	michael-quinn@carl.com
8.	Emma Stenwood	1127 Yale Pl.	704-523-7204	
9.	Lynn E. Lytle	1126 Yale Pl.	634-7978	lytle@trammelkrow.com
	CHERYL KETNER	1238 MARLWOOD TERR	665-6320	cheriek@Carolina.rr.com
	NORMAN BELCH	1101 YALE PLACE	704.493.6670	n-belch@hotmail.com
	Carla Weyrick	1315 Holmes Drive Charlotte NC 28209	704-564-5585	carla.weyrick@attmail.com
13.	Chad Frazier	1121 Yale Place	919-412-3122	cfrazier@coastnet.com
	Richard White	3038 Park Rd	704-523-6482	whitedotson@aol.com
	Ame Schwarm	1232 MARLWOOD TERR	704-523-3030	schwam@ix.netcom.com
16.	Jessica Dawson	1115 Yale Pl	704-492-7949	mleblanche@aol.com
17.	Amy Butterworth	1139 Yale Place	704-372-6373	abutterworth@dnm.com
18.	Joey Foxhall	1139 Yale Place	704-444-1058	joey.foxhall@alston.com
19.	JEFF WEST	1208 YALE PLACE	704-522-7191	JEFF@NESTCOFFARMSCOM
	JS SONIER	1107 PRINCETON AVE	704/5686800	jsonier@wnc.com
	Carter Thompson	1538 Lilac Rd	704-578-0045	carterthompson1@earthlink.net
	Kristen Cove	1538 Lilac Rd	704-232-5233	same ↑
	Grady Smith	3106 Willow Oak Road	704 525 2482	gsmith938@carolina.rr.com
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