

## COMMUNITY MEETING REPORT

**Petitioner: Tribek Properties**  
Rezoning Petition No. 2007-145

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 October 25, 2007. 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 Tuesday, November 6, 2007 at 7:00 p.m. at Unity Baptist Church, 9432 Mt. Holly-Huntersville 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 Blanton Hamilton of Tribek Properties and John Carmichael of Kennedy Covington Lobdell & Hickman.

### **SUMMARY OF ISSUES DISCUSSED:**

John Carmichael opened the Community Meeting by welcoming those in attendance and introducing Blanton Hamilton. John Carmichael then advised that this is the Community Meeting with respect to Rezoning Petition No. 2007-145. John Carmichael then provided the following schedule of events relating to this Rezoning Petition:

**Public Forum:** Monday, November 12, 2007 from 5 p.m. to 6 p.m. on the 8<sup>th</sup> floor of the Government Center;

**Public Hearing:** Monday, December 17, 2007 at 6 p.m. at the Government Center;

**Zoning Committee Work Session:** Thursday, December 27, 2007 at 4:30 p.m. on the 8<sup>th</sup> floor of the Government Center; and

**City Council Decision:** Tuesday, January 22, 2008 at 6 p.m. at the Government Center.

John Carmichael then discussed the site, the existing zoning and the requested rezoning. He stated that the site that is the subject of this Rezoning Petition is the Unity Baptist Church site. It contains approximately 6.35 acres and is currently zoned R-3.

Under this Rezoning Petition, Tribek is seeking to rezone the site to the B-1 (CD) zoning district and the R-12 MF (CD) zoning district. The B-1 (CD) portion of the site would contain the

commercial component of this proposed development, and the R-12 MF (CD) portion would contain the townhome component.

The commercial portion of the site is proposed to be developed with a single building that could contain up to 15,000 square feet of gross floor area, and the building could have drive in service lanes/windows.

The commercial portion of the site could be devoted to any use permitted in the B-1 zoning district except for the following uses:

- ABC Stores/Liquor Stores
- Active adult retirement communities
- Adult care centers
- Adult care homes
- Automotive service stations, including minor adjustments, repairs and lubrication
- Bed and breakfast inns
- Boarding houses
- Bus and train terminals
- Car washes
- Cemeteries
- Civic, social service or fraternal facilities
- Commercial rooming houses
- Dormitories
- Dwellings, detached, duplex, triplex or quadraplex
- Dwellings, mixed use, multi-family, planned multi-family residential development and/or attached residential development
- Elementary and secondary schools
- Family childcare homes
- Fences and fence material sales
- Funeral homes, embalming or crematories
- Group homes
- Locksmiths and gunsmiths
- Large childcare centers
- Marinas, commercial
- Nightclubs, bars or lounges
- Nursing homes, rest homes and homes for the aged
- Veterinary Clinics

The residential portion of the site could contain up to 33 for sale townhome units. A recreational amenity area would be provided on the residential portion of the site, and it would contain, at a minimum, a swimming pool and a clubhouse/community building.

John Carmichael then discussed and showed the buffers that would be located on the site.

John Carmichael advised that there would be two access points from Vance Road into the residential portion of site, one access point from Vance Road into the commercial portion of the site, and one access point from Mt. Holly-Huntersville Road into the commercial portion of the site.

Blanton Hamilton described his company and briefly discussed the Northlake Area Plan. He indicated that the multi-family component of this proposed development was required by the City of Charlotte, as the City wants a mixture of uses on the site. Tribek Properties would not be the developer of the multi-family portion of the site. Rather, Tribek Properties would sell or joint venture the development of the multi-family portion of the site. Tribek Properties is a commercial developer, not a residential developer.

Blanton Hamilton stated that the Public Hearing on this Rezoning Petition, which is currently scheduled for December 17, 2007, could be deferred because of transportation issues.

John Carmichael stated that the Rezoning Plan does not require or mandate that a Walgreens Pharmacy or any type of drug store be located on the site. If the Rezoning Petition is approved, any use allowed in the B-1 zoning district except the excluded uses previously mentioned could be located on the commercial portion of the site. However, it is Tribek's intent to locate a Walgreens Pharmacy on the site, but it would not be required by the Rezoning Plan if the Rezoning Petition is approved.

The floor was then opened to questions and comments from the individuals in attendance at the meeting. Set out below is a summary of the responses to and the information provided as a result of those questions, and the comments of those in attendance:

- Blanton Hamilton stated that he does not know what the price point of the townhomes would be. The price of the townhomes would be determined by the residential developer that develops the townhome portion of the site. Blanton Hamilton noted that the housing market is in a slump at this time, and that it is not the best time to develop a townhome community.
- Blanton Hamilton indicated that the townhome units would be "for sale" dwelling units.
- In response to a question regarding the height of the proposed townhomes, John Carmichael indicated that the height would be controlled by the zoning ordinance, and that the conditional Rezoning Plan does not impose any height limits other than the limit under the zoning ordinance. Under the zoning ordinance, the maximum height is 40 feet, however the height could be increased if the side and rear yards are increased.
- Blanton Hamilton stated that there would be a fence located along the common property line between the townhome portion of the site and the adjacent single family residential homes.
- In response to a question as to how the neighbors stop the approval of this Rezoning Petition, John Carmichael stated that they could speak against the Rezoning Petition at the Public Hearing and otherwise work against its approval. The neighbors have the same right as the Petitioner to put forth their opinion.

- Blanton Hamilton indicated that he will be working with the City to determine what road improvements will be required as a result of this proposed development.
- In response to a question, John Carmichael indicated that the proposed buffer would not be lush with trees and shrubs, but it would meet the Ordinance requirements.
- Blanton Hamilton indicated that Tribek Properties cannot change or cause a change in the speed limits on Vance Road or Mt. Holly-Huntersville Road.
- Several neighbors expressed their concern with the increase in traffic that would be generated by this proposed development.
- A neighbor asked if there was a restriction preventing a Walgreens from operating on a 24-hour basis. Blanton Hamilton indicated that there is not a restriction that would prevent a store on the site from operating on a 24-hour basis.
- One neighbor indicated that he did not want a 24-hour store, and that he did not want a Walgreens on the site.
- One neighbor indicated support of a Walgreens on the site.
- In response to a question, Blanton Hamilton indicated that he was open to decreasing the density of the proposed townhome development and he was open to suggestions.
- One neighbor suggested keeping the property R-3 and doing large lot homes on the site. This neighbor advised Blanton Hamilton to look at the Holly Ridge development.
- One neighbor indicated that she was opposed to a mixed use development on the site, and that the site should be kept residential. Putting commercial uses on the site would change the character of the area in the neighbor's opinion.
- A neighbor asked why the church is selling the site, and a member of the church indicated that the church was relocating to a new location.
- Blanton Hamilton indicated that he is willing to change the townhome portion of the site to a commercial use, but that the Planning Staff would not support this change.
- Any conditions contained on the Rezoning Plan, in the event that this Rezoning Petition is approved, would go with title to the site.
- A neighbor was concerned about the impact of a Walgreens on the surrounding community. Specifically, this neighbor was worried about an increase in crime. Blanton Hamilton indicated that he did not think it was the case that a Walgreens would cause crime to increase in the area.
- Another individual indicated that there was a concern with crime in this area.
- Blanton Hamilton indicated that Walgreens wants to be a part of any neighborhood in which it locates.
- Another neighbor indicated concern with a commercial use operating on a 24-hour basis on the site, and the traffic that would be generated by the proposed development.

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

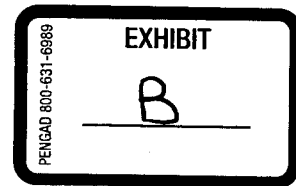
No changes were made to this Rezoning Petition or to the Rezoning Plan solely as a result of the Community Meeting. However, changes have been made as a result of a subsequent meeting Blanton Hamilton had with several neighbors and as a result of Staff comments.

Respectfully submitted, this 11<sup>th</sup> day of January, 2008.

Tribek Properties, Petitioner

cc: Mr. Keith H. MacVean, Charlotte-Mecklenburg Planning Commission  
Ms. Brenda Freeze, Clerk to City Council  
Mr. Blanton Hamilton, Tribek Properties

Tribek Properties, Petitioner  
Rezoning Petition No. 2007-145



Community Meeting Sign-in Sheet  
Unity Baptist Church  
Tuesday, November 06, 2007  
7:00 P.M.

brown-deborah @ bellsouth  
net

	NAME	ADDRESS	TELEPHONE	EMAIL ADDRESS
1.	JUANITA MERRETT	8728 TREYBURN DR. CHAR.	704-392-5649	—
2.	Margaret Burns	5509 Mountain Pktn	28216-2157 704-392-5538	
3.	Bob Burns	" "	" "	
4.	Richard Merritt	8728 Treyburn Dr. Charlotte	28216-2157 704-395-5649	
5.	Deborah Suggs	8525 Williamsburg Cir.	28216-2157 704-393-7665	
* 6.	John Turbyfill	8636 Williamsburg Cir	704-392-4913	turbfillje@bellsouth.net
* 7.	Gloria Turbyfill	" " "	" "	
8.	LARRY RUSS	1646 Buckhorn Trail	704-779-2392	
9.	David Hewett	9327 Mt. Holly-Huntersville Rd	704-391-0491	dchewett@bellsouth.net
10.	Carol Hewett	9327 Mt. Holly-Huntersville Rd	704-391-0491	dchewett@bellsouth.net
11.	Charlie Kiper	8413 Londonshire Chrt NC	704-399-2374	charliekiper@bellsouth.net
12.	Liz Kiper	8413 Londonshire Chrt NC	704-399-2374	lizkiper@bellsouth.net
* 13.	Eddy Hughes	8716 Londonshire Dr.	704-661-9833	edwardhughes@aol.com
14.	Barbara Karriker	8412 West WT Harries	704-394-2823	
* 15.	EDWIN WILLOCKS	8700 Heather View Ct CHAR/28216	704-391-8144	* CHRIS @TEMCO-USA
16.	JACK PENNY BARKER	8533 WILLIAMSBURG CIR, WIL	704-399-9661	Barbara Beamer@mecklenburgcounty.nc.gov
* 17.	Barbara Beamer	8718 Williamsburg Circle	704-393-2559	02515115
18.	Lori Laskowski	8517 Williamsburg Circle	704-608-6058	
19.	Debbie Brun	8419 West WT Harries	704-392-4566	* adjoins
* 20.	Mary Lou Rhader	9324 Mt Holly Huntersville Rd	704-739-2344	
21.	STEVE F. SMITH	9316 Mt Holly Huntersville Rd	704-394-2425	
* 22.	CHALMA B. SMITH	" "	" "	
23.	Steve Sant	7008 McElwain Rd	704-875-2532	
24.	Diggy Sant	" "	" "	
25.	CHARLES SIMPKINS	9000 CARASTAN DR.	704-394-4588	
26.	GIVEN SIMPKINS	" "	" "	
* 27.	Coralia Lorusso	13222 Alston Forest Dr.	704-766-2922	adjoins soccer field
28.	Margie O'Shields	9419 Mt Holly Huntersville Rd	704-399-3186	afomco@carolina.rr.com

0013597.00119

4843-8594-9186.01

→ coralia.Lo@polyphilos.com (email link to sou't plans)

Tribek Properties, Petitioner  
Rezoning Petition No. 2007-145

Community Meeting Sign-in Sheet  
Unity Baptist Church  
Tuesday, November 06, 2007  
7:00 P.M.

(cont.)

CLTMCAIN@Carolina.com

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
29.	* MIKE, CHERYL & QIN	8028 WILLIAMSBURG RD.	704-393-2133	CLTMCAIN@Carolina.com
30.				
31.				
32.				
33.				
34.				
35.				
36.				
37.				
38.				
39.				
40.				
41.				
42.				
43.				
44.				
45.				
46.				
47.				
48.				
49.				
50.				
51.				
52.				
53.				
54.				
55.				
56.				