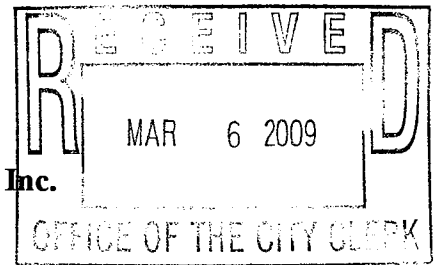


COMMUNITY MEETING REPORT
Petitioner: Robert E. Mason & Associates Inc.
Rezoning Petition No. 2009-024



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 January 30, 2009. 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 Wednesday, February 18, 2009 at 7:00 p.m. at the Greenville Community Center located at 1330 Spring Street in Charlotte, North Carolina.

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 representative at the Community Meeting was Mike Griffith of Robert E. Mason & Associates, Inc. and Collin Brown of K&L Gates.

SUMMARY OF ISSUES DISCUSSED:

Collin Brown opened the meeting by introducing himself and Mr. Griffith. Mr. Brown stated that this is the Community Meeting in connection with Rezoning Petition No. 2009-024. Mr. Brown informed the attendees about the rezoning process and provided some detail about the site plan. He then presented a PowerPoint presentation summarizing the issues related to this petition. A copy of the presentation is attached as Exhibit C.

Mr. Brown informed that the Mason complex fronts along Graham Street and runs back toward Bancroft Street and presented an aerial photo which showed the intersection of Bancroft Street and Keswick Avenue. Mr. Brown stated that the Mason property and facility is located in the area along Graham Street and that the subject property proposed to be rezoned are two lots located at the corner of Keswick Avenue and Bancroft Street. The properties are owned by the Petitioner and have been owned by the Petitioner for many years.

Mr. Brown introduced Petitioner's representative, Mr. Mike Griffith, who stated that the Petitioner is proposing to expand the existing machine shop facility where valves are assembled. Mr. Griffith stated that Petitioner began its business in 1940 and has been in the Lockwood area since 1946. The Petitioner grew and expanded in the neighborhood by acquiring properties as they became available. The Petitioner owns property along two different blocks along Bancroft Street and a corner lot going around to Wolfberry Street. Mr. Griffith indicated that the basis of services provided by the Petitioner is strengthening and serving as a manufacturer representative

in the process control industry. The Petitioner sells items such as control valves, regulators and PIG iron type products that are made by other companies. Those items are brought to the Petitioner and the Petitioner either resells them as they are or in some cases put several pieces together and create an assembly by bolting and sealing the pieces together to meet an application for a customer. Mr. Griffith stated that the particular operation the Petitioner is trying to expand is a shop area where various parts and pieces for valves are assembled. Mr. Griffith stated that the Petitioner's business has done well and is seeking an opportunity to expand its services, with the ideal scenario of expanding its existing building to allow an expansion into the vacant lots beside the existing building. This building will include no smokestacks or any other venting elements in the processing of its products.

Mr. Brown stated that the zoning of the majority of the Lockwood neighborhood is R-5 with a small portion zoned R-8. He stated that both sides of Graham Street are industrially zoned properties and that most of the Petitioner's existing facilities are zoned I-2. Mr. Brown stated that the City Ordinance lists all of the uses that can be conducted in areas with a straight I-2 zoning classification. Mr. Brown stated that the Petitioner is proposing an I-2 conditional district for the two parcels it wishes to rezone. As required for conditional districts, the Petitioner will submit a site plan which will show what the Petitioner is proposing to do on the site, more specifically to allow up to 15,000 square feet of floor area and limiting the uses on site. Mr. Brown informed that the conditional plan will commit to building locations, access and exit points to the site, the location of expanded sidewalks and the placement of fencing around the site. Mr. Brown stated that the parcels proposed to be rezoned are currently zoned O-2. Mr. Brown further indicated that in the O-2 district, the Petitioner could expand the building and have office uses, but that valve assembly requires an I-2 zoning designation.

Mr. Brown responded to a question regarding the B-D zoning district. Only the sale of parts is allowed in the B-D district and no manufacturing is allowed. Mr. Brown also stated that the Charlotte-Mecklenburg Planning Staff believes that I-2 is the appropriate district for the type of work the Petitioner plans in the new building.

Mr. Brown informed that by proposing a conditional rezoning district, neighbors will have an idea of what the finished product will look like and that the Petitioner will be making certain written commitments regarding permitted and prohibited uses, maximum square footage and the installation of sidewalks. Mr. Brown also stated that the current truck entrance will be modified so that trucks will be able to make one movement entering the driveway as opposed to the multiple turning movements trucks currently need to make to enter the site.

Mr. Brown stated that following recent discussions with the Planning Staff and CDOT, the conditional site plan has been revised to expand the access driveway to allow room for trucks to enter into the site in one movement. The new plan includes one entrance and one exit. Trucks would enter from Bancroft Street and exit onto Keswick Avenue, make a right and continue out to North Graham Street. Mr. Brown stated that with this one way pattern, truck traffic will be taken off of the Keswick/Bancroft intersection. Trucks coming down Wolfberry Street, turn onto Bancroft Street and enter the site. Mr. Brown stated that trucks will not go through the neighborhood. The downside of the driveway expansion is the loss of two trees.

Mr. Brown stated that the buildings will have windows and a stair-step articulation which will break up the façade of the building, allowing the appearance of more than a warehouse look. The building will have up to 15,000 square feet of uses with a maximum height of 40 feet.

Mr. Brown stated that the site will be gated, and the gate will be open during business hours and closed at night for security purposes. Mr. Brown informed that the open gate during the day will allow for trucks to pull into the site so as to not block right-of-way traffic. Mr. Brown informed that the Petitioner is proposing replacing the chain link fencing around the site with a black aluminum, more decorative fence, but that the proposed fencing will continue to provide security to the site while being appealing to the neighborhood and from the street. The gate will close on both sides of the site. Mr. Brown stated that a 6 foot sidewalk will be installed on Bancroft Street going toward Wolfberry Street. The sidewalk will not run all the way to Wolfberry Street but will run the extent of the Petitioner's property. Mr. Brown also stated that an 8 foot planting strip with grass and trees and additional buffer areas will be planted. Mr. Brown stated that prior discussions mentioned security concerns and that shrubbery will be placed within the fencing on the site rather than outside of the fencing.

In response to a question regarding why a vacant lot already owned by Petitioner cannot be used for the expansion, Mr. Griffith stated that it is the Petitioner's desire to attach the new building to existing buildings which already perform valve assembly work.

Mr. Brown explained that the expansion of the entry driveway will be about 10 feet, but that the entry driveway will continue to be located at the rear of the property. Mr. Brown reiterated that this driveway expansion will allow trucks to enter the site with one fluid move, unload its products, and exit onto Keswick Avenue and then out to Graham Street.

In response to a question regarding the other building on the site, Mr. Griffith stated that the building houses offices and computer control systems and a service group operates there with about 35 employees. One building also encompasses office and classroom space.

In response to a question regarding additional parking needed for the expansion, Mr. Griffith stated that there will be no on-street parking. Mr. Brown added that industrial zoning does not require many parking spaces, and anticipated the addition of perhaps two or three spaces which will be placed in other locations aside from the expansion. Mr. Brown informed that a count is currently being performed to ascertain the number of parking spaces on other parcels, but that he does not anticipate extra parking on the site and feels that additional parking needs can be handled with existing space within the parking area.

In response to a question regarding the future use of vacant land owned by Petitioner, Mr. Griffith stated that the Petitioner has no immediate plans for the land, indicating that vacant parcels could become additional parking one day, and that there are contingency plans to put a building on the vacant site if this rezoning request fails. Mr. Griffith stated that if this rezoning request is approved, the vacant site will continue to be vacant or used for parking, but as of now, there are no plans to put a building there.

In response to discussion regarding growth concerns, Mr. Brown reminded the attendees that the property is currently zoned O-2 and stated that the Petitioner could do lots of things within the

O-2 zoning, but a conditional zoning provides the added benefit of assurance that the Petitioner must comply with the approved plan. The conditional plan also allows the neighbors the opportunity to be involved in the development of the site plan and to provide and receive comments. Mr. Brown reminded the neighbors that the Petitioner has been a good neighbor to the Lockwood community and that Petitioner continues to be sensible about growth and expansion. Mr. Brown stated that neighborhood feedback has been positive regarding the Petitioner as a neighbor and in its maintenance of its property.

In response to a question regarding hours of construction hours, Mr. Griffith stated that he anticipates construction hours to run from 8 a.m. to 5 p.m. Monday through Friday. Mr. Griffith does not anticipate any urgent schedule to get things done. In response to a question regarding construction parking, Mr. Griffith stated that there is plenty of room for construction trucks and that construction parking should be a non-issue. Mr. Griffith stated that trucks could park along the driveway area or in parking spaces next to property and that there will be no on-street parking of construction vehicles.

In response to a question regarding control of the flow of delivery trucks, Mr. Griffith stated that due to the fact that companies which provide the products contract shipping and that the freight shipping is brokered out, the Petitioner has little control over the timing of trucks making deliveries or the routes used by delivery trucks. However, the Petitioner can place instructions on shipping documents to request that delivery trucks use certain streets to control the flow of truck traffic.

In response to discussion about screening, Mr. Brown stated that shrubbery will be placed inside the fencing on the property, allowing for a more dense screening. Mr. Brown stated that feedback in prior conversations was for less density due to security concerns. Screening within the fencing will allow for maximum density. Mr. Brown stated that the entire parcel will not be built on, that the building will not pose a feeling of encroaching upon the neighborhood, that a thick vegetative buffer will be placed within a slick black fencing with a planting strip and sidewalk outside of the fencing.

In response to a question regarding the zoning classification of the corner building, Mr. Brown stated that the building is currently zoned straight I-2 and can be used for office space. Mr. Brown informed that the site plan will be amended to state that the building can be used for manufacturing assembly or uses that would already be allowed in the O-2 district so that if in the future the Petitioner wants to turn the building into office uses, it can be done. Mr. Brown stated that office use is already allowed and that the industrial classification is the only district which can be used for valve assembly. Mr. Brown stated that the office use already allowed gives the Petitioner more flexibility, and Mr. Griffith added that persons who work there may need office space with a desk and telephone in the future.

In response to a question regarding a traffic impact study, Mr. Brown stated that the Petitioner does not anticipate a change in truck traffic from what it is presently. Mr. Griffith stated that presently on average there are five or six delivery trucks including UPS and Fed Ex coming twice a day. Mr. Griffith stated that there may be one to three tractor trailer trucks a day making deliveries, but he does not anticipate much change outside of the normal schedule of trucks coming in the morning to drop off products and returning in the afternoon to pick up products.

In response to a question regarding whether the Petitioner looked at options of having truck entry off of Wolfberry Street instead of Keswick Avenue, Mr. Griffith stated that the goal is to tie the new building into the building where the operation is currently being done. Mr. Griffith also stated that if the rezoning petition is approved, another goal is to remove the existing modular metal building and include this area in the building expansion. Mr. Brown stated that this building is already zoned I-2 and therefore is not included in this rezoning plan.

In response to discussion regarding sidewalks, Mr. Brown again stated that there would be an 8 foot planting strip with trees, a 6 foot sidewalk, and then fencing, with shrubs and planting inside fencing. The sidewalk will be on the outside of the fencing. Mr. Griffith stated that there will be trees between the street and the new sidewalk and that the professional landscaper who already maintains the Petitioner's grounds will continue ground maintenance and will service the new addition as well.

In response to a question regarding commencement of construction, Mr. Griffith stated that the date has been pushed back, but as soon as economic conditions render it possible, construction will begin.

In response to further discussion regarding truck traffic, Mr. Griffith stated that truck traffic may be increased by one or two trucks a day, with no anticipation of much of an increase, but feels that the better access in and out of the driveway out without clogging the right of way will be beneficial.

In response to a question about what would happen in the event one truck is waiting while another is already making a delivery, Mr. Griffith stated that if the trucking company calls ahead and schedule a delivery, this would prevent the doubling up of trucks trying to enter the site at the same time. Mr. Brown also added that in the event two trucks are attempting to deliver at the same time, the expanded driveway will provide enough maneuvering space for a second truck to be able to pull up along-side another truck and wait.

Mr. Brown closed the community meeting by stating that the public hearing is scheduled for Thursday, March 19, 2009 and that the Zoning Committee will meet to make recommendation to City Council on Wednesday, March 25, 2009 and an anticipated decision by the City Council on Monday, April 20, 2009. Mr. Brown advised that this schedule could change to provide time to work out any issues which may arise. Mr. Brown stated that the Planning Staff is supportive of petition and that the Petitioner continues to work through access driveway widths, screening and the vegetation buffer.

In response to a question regarding new fencing on adjoining properties, the Petitioner could not make commitments regarding improvements on property not included in the rezoning petition.

Mr. Brown then reminded those in attendance that the benefit of doing a conditional rezoning is that after the request is approved, the Petitioner will be locked into the site plan approved and if a change is warranted or desired, the Petitioner would have to go back through the rezoning process.

Discussion followed about dumpster emptying occurring in the early morning hours. Mr. Griffith advised that since timing of refuse collection is controlled by City Ordinance, complaints should be made to the neighbors' city representatives.

CHANGES MADE AS A RESULT OF NEIGHBORHOOD MEETING

As a result of the Community Meeting, Mr. Griffith has had discussions with Waste Management, Petitioner's contract trash collector, and refuse collection will not occur earlier than 7:00 a.m.

Respectfully submitted this 6th day of March, 2009.

Robert E. Mason & Associates, Petitioner

cc: Ms. Stephanie Kelly, Charlotte City Clerk
Mr. Solomon Fortune, Charlotte-Mecklenburg Planning Commission
Ms. Patsy Kinsey, Charlotte City Council District 1
Mr. Michael Griffith, Robert E. Mason & Associates, Inc.

Robert E. Mason & Associates Inc., Petitioner
Rezoning Petition No. 2009-024

Community Meeting Sign-in Sheet
Greenville Community Center
Wednesday, February 18, 2009
7:00 P.M.

	NAME	ADDRESS	TELEPHONE	EMAIL ADDRESS
1.	Daisey DAVIS	433 Keswick Avenue		
2.	Wanda Springs	436 Keswick Avenue	(780) 205-6137	Wanda Springs
3.	Shawnta Springs	440 Keswick Avenue	(704) 372-3604	SNS11000@gmail.com
4.	Paul Blans	231 Keswick Ave	704 837 6373	
5.	Collin Brown	K&L GATES		
6.	Mike Griffith	Robert E. Mason & Assoc.		
7.	Roberta Norman	444 Keswick Ave	704) 372-6733	
8.	Kenneth Norman	↓	↓	
9.	Jennifer Norman			
10.	Jerome Norman			
11.	Talisa Norman			
12.	Antronista Lindsey			
13.	Jamua Sanders			
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EXHIBIT C

K&L|GATES

Rezoning Petition 09-24
Community Meeting February 18, 2009
Robert E. Mason & Associates Inc.

Collin W. Brown

Prepared by K&L|GATES, an equal opportunity

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Aerial View of Lockwood Neighborhood



K&L Gates Inc.

K&L|GATES



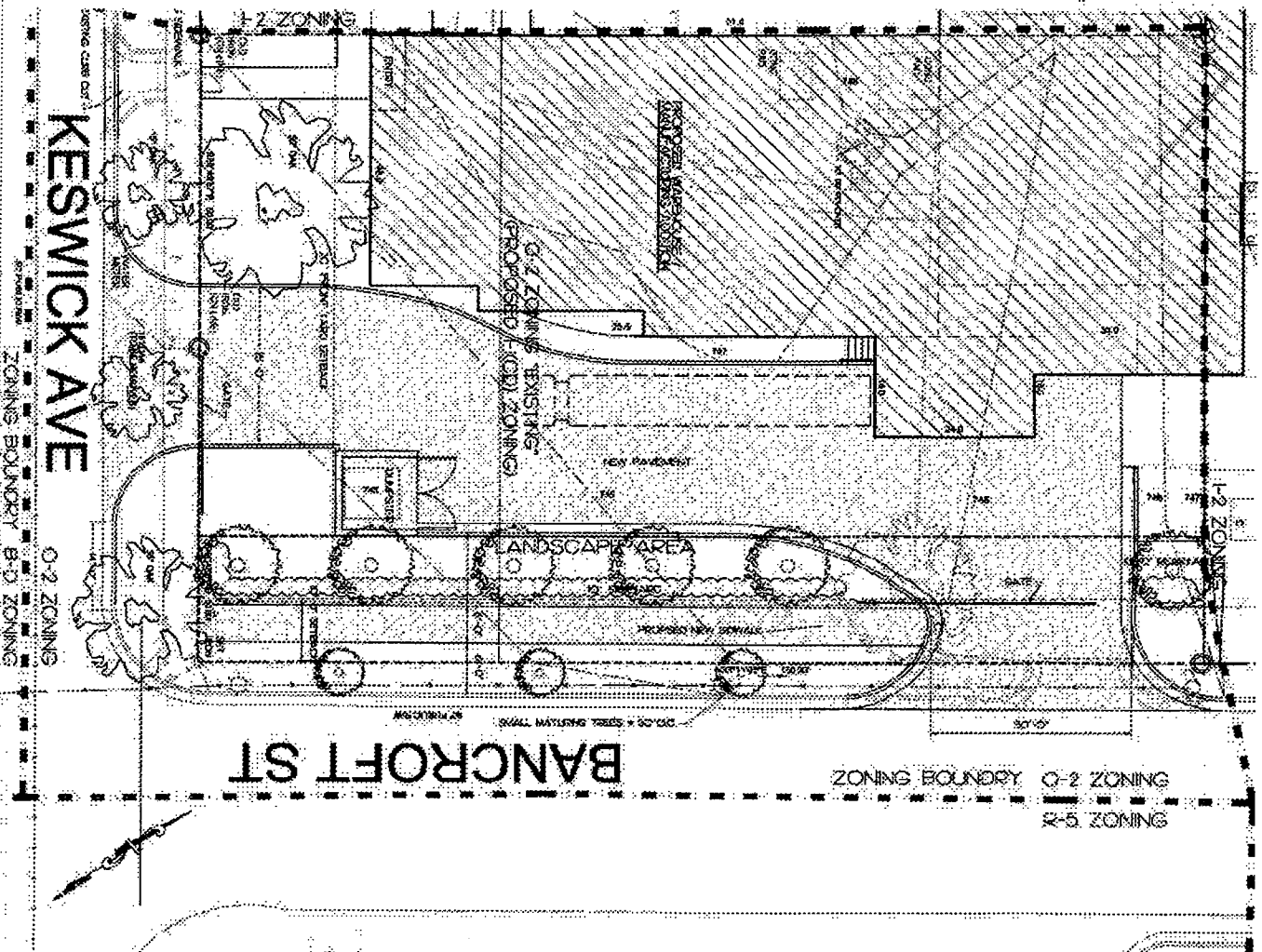
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K&L GATES Existing Zoning



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Next Steps

- Public Hearing: March 19, 2009
- Zoning Committee: March 25, 2009
- City Council Decision: April 20, 2009

Questions?