

COMMUNITY MEETING REPORT

Petitioner: NLCM, LLC

Rezoning Petition No. 2012-008

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 attached hereto by depositing such notice in the U.S. mail on January 17, 2012. A copy of the written notice is attached hereto as Exhibit B.

DATE, TIME AND LOCATION OF MEETING:

The Community Meeting was held on Tuesday, January 31, 2012 at 6:00 p.m. at Assurance United Methodist Church located at 9700 Mt. Holly-Huntersville Road, Huntersville.

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 C. The Petitioner was represented at the Community Meeting by Charles Gray and Rod Ghee with NLCM, LLC. The Petitioner's agent, Collin Brown with K&L Gates and Kyle Riva and Justin Sand with Epoch Properties, also attended on behalf of the Petitioner.

SUMMARY OF PRESENTATION/DISCUSSION:

The Petitioner's agent, Collin Brown, welcomed the attendees and introduced the Petitioner's team. Mr. Brown indicated that the Petitioner proposed to rezone approximately 30.21 acres (the "Site") located near the southwest corner of the intersection of Reames Road and Bayview Parkway from the R-8MF(CD) (Residential Multifamily Conditional) and R-3 (Residential) zoning districts to the R-8MF(CD) (Residential Multifamily Conditional) and R-8MF(CD) S.P.A. (Residential Multifamily Conditional Site Plan Amendment) zoning districts. Mr. Brown explained the rezoning process in general and stated that the purpose of the meeting was to discuss the rezoning request and the conditional site plan and respond to questions and concerns from nearby residents and property owners.

Mr. Brown displayed several aerial photographs of the Site and explained its orientation to surrounding properties. Mr. Brown then explained the zoning history of the site. He explained that approximately 22.6 acres of the Site was included in the rezoning petition that allowed the development of the McIntyre subdivision. He showed the approved zoning plan for that portion

of Site and explained that it is currently zoned R-8MF(CD) and can be developed with up to 152 townhomes. Mr. Brown explained that the previous owner of that portion of the Site began development work on the Site and installed infrastructure for streets, utilities and stormwater control. Mr. Brown said that the property had been foreclosed upon by the previous owner's lender and was subsequently purchased by the Petitioner.

Mr. Brown told attendees that the Petitioner initially planned to develop townhomes on the Site as permitted by the current zoning, but that the Petitioner was approached by Epoch Properties which was interested in developing luxury apartments on the Site. He explained that the main portion of the Site would maintain its R-8MF zoning district but that the Petitioner proposed to modify its zoning conditions to allow apartments instead of townhomes. He explained that the Petitioner had also gained control of an adjoining parcel that is approximately seven acres in size which was incorporated into the Site to reduce the proposed project's overall density. Mr. Brown identified the seven acre parcel and explained that it would be rezoned from R-3 to R-MF(CD), but that no development would occur on that portion of the Site.

Mr. Brown showed the Petitioner's proposed apartment rezoning plan and compared it to the existing zoning plan that allows townhome development. He explained why he believes the Petitioner's plan is superior to the existing zoning plan.

Mr. Brown then introduced Kyle Riva and Justin Sand with Epoch development. He explained that if the Petitioner's rezoning is approved, Epoch development plans to develop luxury apartments on the Site. Mr. Brown explained that changing market conditions have driven up demand for high-end apartment units and that developers are now proposing apartments with higher quality features and amenities.

Mr. Brown discussed Epoch's conceptual site plan and explained that the Petitioner has provided architectural elevations that contain commitments regarding building materials and design. He also discussed the orientation of the Site to adjoining properties.

Mr. Brown told audience members that Epoch developed an apartment community in the Ballantyne area in 1999. He showed current photographs of those apartments and told audience members that they could visit that development to see an example of Epoch's work.

Mr. Brown then opened the meeting to questions from attendees.

Mr. Brown responded to questions regarding the Site's proximity to homes in the McIntyre neighborhood. He explained that the Site is separated from McIntyre by the future right-of-way for Fred Alexander Boulevard and a landscape buffer that would be provided. He said that he did not know NCDOT's plans for Fred Alexander Boulevard.

An attendee asked if there was sufficient demand for additional apartment units in the Northlake area. Mr. Riva explained that Epoch's market analysis showed strong demand for apartment units. He explained his perspective on changes in the market for apartment units and a new tenant demographic following the housing crisis.

Mr. Riva responded to an attendee's question about the project's timing and explained that development activity could begin in late 2012 if all goes well.

Mr. Riva responded to a question about the average rents for apartment units, indicating that they should range from \$850 to \$1200 per month depending on unit layout.

Attendees asked how they could be sure that the seven acre parcel would not be developed. Mr. Brown indicated that the Petitioner would make that commitment a zoning condition. Councilmember Fallon confirmed that a zoning condition would be binding on future property owners. Mr. Gray also indicated that he would be willing to impose a deed restriction on the parcel.

An attendee asked about the project's impact on area schools. Mr. Brown indicated that the Petitioner disagrees with the memorandum provided by CMS. Mr. Riva and Mr. Gee pointed out that typically, over 50% of Epoch's units are one-bedroom units and that they do not provide many three bedroom units. Therefore, they explained that due to the typical unit mix, the proposed 240 unit apartment development would almost certainly house fewer school-aged children than 152 three-bedroom townhome units which are already approved.

An attendee asked about traffic impacts. Mr. Brown discussed the Petitioner's commitments regarding road improvements. Mr. Riva provided his thoughts on traffic flows and pointed out that most trips would be directed north to the Northlake area and I-77. He said that he did not anticipate significant traffic flows on southbound Reames Road.

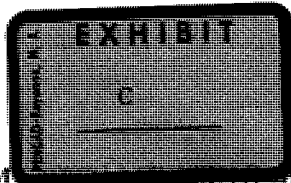
A general discussion began regarding the benefits Petitioner's plan versus the current townhome zoning plan. Councilmember Fallon stated that she is typically not a proponent of apartment developments, but that her primary focus is on quality and long-term value. She said that she was pleased with the open-space and design commitments that the Petitioner has made. She indicated that she thought the Petitioner's proposal would result in a higher quality development than would otherwise be developed under the existing zoning.

Several attendees asked questions about potential impacts on a McIntyre sign located near the Site. Mr. Brown explained that he was not familiar with the site but that he would get more information and follow up with attendees.

Mr. Brown thanked attendees for their comments and invited them to contact him if they had additional questions. Following the formal question and answer session the Petitioner's representatives continued conversations with attendees individually.

Respectfully submitted, this 10th day of February, 2012.

cc: Mr. Shad Spencer, Charlotte-Mecklenburg Planning Department
The Honorable Claire Fallon, Charlotte City Council
The Honorable James Mitchell, Charlotte City Council
Clerk to Charlotte City Council



COMMUNITY SIGN-IN SHEET
PETITIONER: NLCM, LLC
REZONING PETITION NO.: 2012-08
January 31, 2012

<u>Name</u>	<u>Address</u>	<u>Phone Number</u>
Colleen Brown	214 N. TAYLOR	704-331-7534
Lina Williams	8946 Chalkstone Rd	704-596-5217
Stephen Williams	" "	" "
Rod GEE	924 YORK	704 288 3956
JUSTIN SMITH	359 CAROLINA AVE WINTER PARK, FL 32789	407 644 9055
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Julie Robbins	5217 Roundstone Way #101	704-960-0698
Elizabeth Phillips	5301 Roundstone Way	704-597-9199
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