

COMMUNITY MEETING REPORT
Petitioner: Bojangles' Restaurants, Inc.
Rezoning Petition No. 2015-063

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 May 8, 2015. 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, May 20, 2015 at 7:00 PM in the Tryon Room meeting room on the second floor of the DoubleTree by Hilton Charlotte located at 895 West Trade 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 representatives at the Community Meeting were Claude Clark of the Petitioner and John Carmichael of Robinson Bradshaw & Hinson, P.A.

SUMMARY OF ISSUES DISCUSSED:

John Carmichael opened the meeting by welcoming everyone and introducing himself and Claude Clark of the Petitioner.

John Carmichael stated that the site subject to this Rezoning Petition contains approximately .91 acres and is located at 1501 West Trade Street, which is just east of Grandin Road and west of I-77. There is an existing Bojangles' Restaurant with a drive-through window located on the site, and Bojangles' Restaurants, Inc. has operated a restaurant on this site since 1980. It is the fifth oldest building in Bojangles' Restaurants, Inc.'s system.

John Carmichael then shared the schedule of events relating to this rezoning request. He stated that the Public Hearing will be held on Monday, June 15, 2015 at 6:00 PM at the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street. The Zoning Committee Work Session will be held on Wednesday, June 24, 2015 at 4:30 PM at the Charlotte-Mecklenburg Government Center, and City Council is scheduled to render a decision on this rezoning request on Monday, July 20, 2015 at 6:00 PM at the Charlotte-Mecklenburg Government Center.

John Carmichael stated that the site is currently zoned B-1(PED), and the PED signifies that the pedestrian overlay district applies to the site. The underlying zoning district is B-1 and this zoning district allows a restaurant with drive-through windows.

Bojangles' Restaurants, Inc. desires to demolish the existing restaurant building on the site and to build a new restaurant building with drive-through windows on the site. Drive-through windows associated with a restaurant use are not permitted in the pedestrian overlay district. As a result, Bojangles' Restaurants, Inc. is requesting that the site be rezoned to the MUDD-O zoning district

to allow a new restaurant building with drive-through windows to be built on the site. The new restaurant building would contain a maximum of 4,100 square feet of gross floor area. John Carmichael stated that Bojangles' Restaurants, Inc. had originally requested that the site be rezoned to the B-1(PED-O) zoning district, but the planning staff advised that drive-through windows associated with a restaurant use are not allowed as an optional provision in PED.

John Carmichael stated that Bojangles' Restaurants, Inc. does not own the site, it leases the site. Therefore, in making this rezoning request, Bojangles' Restaurants, Inc. not only seeks the ability to build a new restaurant building with drive-through windows, but it also seeks to preserve the property owner's existing entitlements. In other words, Bojangles' Restaurants, Inc. does not want the only permitted use on the site to be a restaurant with drive-through windows. The owner of the site would not agree to that limitation.

This conditional rezoning plan would not only allow the new restaurant building with drive-through windows to be built, but it would also allow the site to be devoted to any other use or uses allowed in the MUDD zoning district. It would also allow the site to be redeveloped with a different building that could be devoted to any use allowed in the MUDD zoning district.

John Carmichael stated that the MUDD zoning district is very similar to the pedestrian overlay district in terms of the development standards except for the maximum allowed building height. MUDD allows a maximum building height of 120 feet, whereas, the pedestrian overlay district as applied to this site would allow a maximum building height of approximately 64 feet.

Under the current conditional rezoning plan, the maximum height of a new building on the site (other than a restaurant building) is 120 feet. However, the owner of the site has advised Bojangles' Restaurants, Inc. that it will agree to limit the maximum building height to 64 feet as allowed in PED.

In response to a question, Claude Clark confirmed that there would not be a driveway located between the restaurant building and West Trade Street.

In response to a question, Claude Clark stated that the new restaurant building and improvements would represent an investment in the site by Bojangles' Restaurants, Inc. of approximately 1.2 million dollars.

John Carmichael shared the building elevations for the proposed new restaurant building. The materials would be primarily brick and stucco.

In response to a question regarding the trees located in the landscape area along the western boundary of the site, Claude Clark stated that Bojangles' Restaurants, Inc. has doubled the number of trees located in this area from the number of trees depicted on the original conditional rezoning plan.

Councilman Austin asked if the owner of this site owns the adjacent convenience store site, and Claude Clark stated that the owner of this site does not own the adjacent convenience store site.

Councilman Austin asked about the height of the existing building located on the site. Claude Clark stated that he did not know the exact height of the existing building, but that he could provide the height to Councilman Austin.

Councilman Austin asked how much longer the new proposed building is than the current building. Claude Clark showed Councilman Austin a photograph that depicts the differences between the two buildings. Claude Clark stated that the new restaurant building would be approximately 900 square feet larger than the existing restaurant building.

In response to a question, Claude Clark stated that this proposed restaurant building would not be as large as the Bojangles' Restaurant building located at Midtown. That building is approximately 4,500 square feet in size.

Councilman Austin asked if multi-family uses and office uses would be allowed on the site under this proposed rezoning, and John Carmichael stated that those uses would be permitted, just like they are under the current B-1(PED) zoning of the site.

Councilman Austin asked if it is the intent to develop these uses on the site. Claude Clark stated that it is not the intent. Claude Clark stated that Bojangles' Restaurants, Inc. has approximately thirteen more years on its lease for this site. If the rezoning is approved, Bojangles' Restaurants, Inc. would enter into a new fifteen year lease with four five-year option periods. Claude Clark stated that if the rezoning is denied, Bojangles' Restaurants, Inc. would likely remain on the site under its current lease in the existing building located on the site.

John Carmichael thanked everyone for attending the meeting, and the meeting was adjourned.

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

The Petitioner committed to revise the conditional rezoning plan so as to limit the maximum height of any new building constructed on the site to 64 feet.

Respectfully submitted, this 5th day of June, 2015.

Bojangles' Restaurants, Inc., Petitioner

cc: Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Department (via email)
Ms. Claire Lyte-Graham, Charlotte-Mecklenburg Planning Department (via email)
Mr. Claude Clark, Bojangles' Restaurants, Inc. (via email)

Pet. No.	FirstName	LastName	OrgLabel	MailAddress	MailCity	MailState	MailZip
2015-063	James	Turner	Biddleville NA	327 Campus Street	Charlotte	NC	28216
2015-063	Gerald	Green	Biddleville Residents & Friends	2018 West Trade Street	Charlotte	NC	28216
2015-063	Charles	Jones	Biddleville/Five Points Comm.	2014 West Trade Street	Charlotte	NC	28216
2015-063	Charles	Jones	Biddleville-Smallwood Comm. Org.	2014 West Trade Street	Charlotte	NC	28216
2015-063	Karen	Sullivan	Charlotte Observer	600 South Tryon Street	Charlotte	NC	28202
2015-063	Mary	Spears	Friends of Fourth Ward	229 N. Church Street, Suite 300	Charlotte	NC	28202
2015-063	Beth	Marlin	Historic West End Wellness Assoc.	508 Beatties Ford Road	Charlotte	NC	28216
2015-063	Natalie	Beard	McCrorey Heights Comm. Assoc.	1615 Washington Avenue	Charlotte	NC	28216
2015-063	James	Turner	McCrorey Heights-Oaklawn Assoc.	1633 Madison Avenue	Charlotte	NC	28216
2015-063	Mary	Stitt	Park on Oaklawn (CHA)	200 Frazier Avenue, Unit D	Charlotte	NC	28216
2015-063	Gwendolyn	Johnson	Parkview Comm. Foundation, Inc.	1100 Pryor Street	Charlotte	NC	28208
2015-063	Tom	Johnson	Quail Hollow Estates IV	527 South Church Street	Charlotte	NC	28202
2015-063	J'Tanya	Adams	Seversville Comm. Org	PO Box 32072	Charlotte	NC	28232
2015-063	Odessa	Alexander	Smallwood In Action	101 South Smallwood Place	Charlotte	NC	28208
2015-063	Mike	Sposato	Third Ward	807 Clarkson Mill Ct	Charlotte	NC	28202
2015-063	John	Schwaller	Third Ward NA	245 Victoria Avenue	Charlotte	NC	28202
2015-063	Thomas	Blue	Third Ward NA	214 N Irwin St	Charlotte	NC	28202
2015-063	Virginia	Woolard	Third Ward, The Committee to Restore and Preserve	1001 West First Street	Charlotte	NC	28202
2015-063	Brenda	McMoore	Third Ward/Seversville NA	1001-4 Greenlear Avenue	Charlotte	NC	28202
2015-063	Shirley	Fulton	Wesley Heights Comm. Assoc.	608 Walnut Avenue	Charlotte	NC	28208
2015-063	Nevada	Graham	Wesley Heights Comm. Assoc.	304 Grandin Road	Charlotte	NC	28232
2015-063	Kris	Kellogg	Wesley Heights Comm. Assoc.	417 Grandin Road	Charlotte	NC	28208
2015-063	Stephen	Nett	Wesley Heights NA	133 South Summit Avenue	Charlotte	NC	28208
2015-063	Colette	Forrest	Wilmore	209 South Summit Avenue	Charlotte	NC	28208

EXHIBIT

tabbies

A-1

Pet. No.	TaxPID	OwnerLastN	OwnerFirst	COwnerFirs	COwnerLast	MailAddr1	MailAddr2	City	State	ZipCode
2015-063	07818108	1500 WEST TRADE LLC				7801 BRIDLE CT		CHARLOTTE	NC	28216
2015-063	07101134	ALDEN	COLLEEN J			200 WINCHESTER CIRCLE C117		LOS GATOS	CA	95032
2015-063	07101167	ANDREWS	ELLIOTT CLYDE			1666-1 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07323227	BLACKSON	JOSHUA R	ANGELA J	BLACKSON	127 SOUTH SUMMIT AVE		CHARLOTTE	NC	28208
2015-063	07101169	CANDIES	MICHAEL D			1674 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07818717	CHEETAH PROPERTIES LLC				PO BOX 890183		CHARLOTTE	NC	28227
2015-063	07818201	CITY OF CHARLOTTE	HOUSING AUTHORITY			PO BOX 36795		CHARLOTTE	NC	28202
2015-063	07818702	CITY OF CHARLOTTE	HOUSING AUTHORITY			PO BOX 36795		CHARLOTTE	NC	28202
2015-063	07101163	CLIFTON HILL LLC				2109 FOREST DRIVE E		CHARLOTTE	NC	28211
2015-063	07101154	CLOWERS	ROBERT			1604 WALNUT VIEW DR #12		CHARLOTTE	NC	28203
2015-063	07101156	CORBETT	CHERON V			1613 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07101145	CORRAO	RONALD			1517 CLEVELAND DELAPT D		CHARLOTTE	NC	28203
2015-063	07101133	DALY	KEVIN M			1512 WALNUT VIEW DR UNIT 41		CHARLOTTE	NC	28202
2015-063	07101153	DESAI	MAYUR	JEFFREY	NEEL	8915 DARCY HOPKINS DR		CHARLOTTE	NC	28277
2015-063	07101140	DESAI	SHITAL M	MAYUR	DESAI	8915 DARCY HOPKINS DR		CHARLOTTE	NC	28277
2015-063	07101611	DONEY	MICHAEL			PO BOX 66829		CHARLOTTE	NC	28266
2015-063	07101144	ELLIS	JOHN C JR			6805 LINKSIDE CT		CHARLOTTE	NC	28277
2015-063	07101160	ELLIS	LINDSAY ALEXANDRIA			1630 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07101158	ESHAGHI	ANTHONY H			1620 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07101142	ETHERIDGE	BRANDI W			1539 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07323216	FOSTER NEW BERN INC				104 SOUTH MAIN ST		CHARLOTTE	NC	28601
2015-063	07101162	GILES	KEITH A			1638 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07101155	HAMRICK	JOHN MARTIN III			1608 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07101135	HANIK	THOMAS J	LINDA	HANIK	41 WOODLAND AVE		FARMINGDALE	NY	11735
2015-063	07101150	HARPER	CHARLES S III			1568 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07818203	HARRIS	KENYA N	KENDRA A	HARRIS	16438 PLANTATION WOODS DR		CHARLOTTE	NC	28278
2015-063	07101157	HRPCEKNO	CONNAT			5805 SHARON RD		CHARLOTTE	NC	28210
2015-063	07323226	HUTCHISON	DWIGHT B			125 S SUMMIT AVE		CHARLOTTE	NC	28208
2015-063	07101904	JAMES	E T JR		(HEIRS)	1697 OLD GROVE HILL RD		GROVE HILL	AL	35451
2015-063	07101903	JAMES	JERELINE MRS E T JR			1697 OLD GROVE HILL RD		GROVE HILL	AL	35451
2015-063	07101159	JENNINGS	ROY D JR			1638 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07101131	JONES	JULIE			1504 WALNUT VIEW DR #39		CHARLOTTE	NC	28208
2015-063	07101165	KEMPLE	WILLIAM G JR			1650 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07101141	KILLIAN	KYLE G	TARA J	SERVATIUS	1533 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07323207	LEE FAMILY INVESTMENT GROUP	INC			807 BEAUHAVEN LN		WAXHAW	NC	28173
2015-063	07818718	LEVITES PROPERTIES LLC				PO BOX 5532		CHARLOTTE	NC	28299
2015-063	07101137	LISE	WILLIAM G	NICOLE D	LISK	213 RAVINE CIRCLE SE		CONCORD	NC	28025
2015-063	07323222	MARCUS ALEXIS	LLC			14617 RUDOLPH DADEY DR		CHARLOTTE	NC	28277
2015-063	07101168	MCHENRY	ELIZABETH R			1670 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07101132	MILLER	LEE			1508 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07323217	MOVEMENT FOUNDATION INC				14835 BALLANTYNE VILLAGE WAY STE 225		CHARLOTTE	NC	29277
2015-063	07323218	MOVEMENT FOUNDATION INC				14835 BALLANTYNE VILLAGE WAY STE 225		CHARLOTTE	NC	29277
2015-063	07323219	MOVEMENT FOUNDATION INC				14835 BALLANTYNE VILLAGE WAY STE 225		CHARLOTTE	NC	29277
2015-063	07323220	MOVEMENT FOUNDATION INC				14835 BALLANTYNE VILLAGE WAY STE 225		CHARLOTTE	NC	29277
2015-063	07323221	MOVEMENT FOUNDATION INC				14835 BALLANTYNE VILLAGE STE 225		CHARLOTTE	NC	29277
2015-063	07323223	MOVEMENT FOUNDATION INC				14835 BALLANTYNE VILLAGE WAY STE 225		CHARLOTTE	NC	29277
2015-063	07323225	MOVEMENT FOUNDATION INC				14835 BALLANTYNE VILLAGE WAY STE 225		CHARLOTTE	NC	29277
2015-063	07101136	NASH	AMBER A			1513 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07323206	NETT	STEPHEN	RAULI	GILLOOLY	133 SOUTH SUMMIT AV		CHARLOTTE	NC	28208
2015-063	07101161	PATEL	ASHOKKUMAR C	BHARTI A	PATEL	1212 LOOKOUT CR		WAXHAW	NC	28173
2015-063	07101164	PATEL	ASHOKKUMAR C	BHARTI A	PATEL	1212 LOOKOUT CR		WAXHAW	NC	28173
2015-063	07101139	PUNJABI	MAJESH P	BNIA	PUNJABI	1 BARNSTABLE LN		STAMFORD	CT	06907
2015-063	07101151	RANSOM	BYRON J	SONALI	RANSOM	1572 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07101149	ROGERS	SCOTT J	MARISA S	ROGERS	672 GARDEN DISTRICT DR		CHARLOTTE	NC	28202
2015-063	07323224	ROMERO	JOHNATAN			111 S SUMMIT AVE		CHARLOTTE	NC	29208
2015-063	07101170	SARAFIN	JENNIFER L			1678 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07101166	SAUNDERS	BENJAMIN C			1000 ALBARA LN		MATTHEWS	NC	28208
2015-063	07101148	SMITH	ROSS W	TIFFANY	KELLY M	1143 ANDOVER RD		CHARLOTTE	NC	28211
2015-063	07101602	SOUTH CENTRAL OIL CO INC				% APTS		ALBEMARLE	NC	28001-5423
2015-063	07101605	SOUTH CENTRAL OIL CO INC				% LOT BOJANGLES		ALBEMARLE	NC	28001-5423
2015-063	07101612	SOUTH CENTRAL OIL CO INC				% APTS		ALBEMARLE	NC	28001-5423
2015-063	07101613	SOUTH CENTRAL OIL CO INC				2121 WEST MAIN ST		ALBEMARLE	NC	28001
2015-063	07101614	SOUTH CENTRAL OIL CO INC				2121 W MAIN ST		ALBEMARLE	NC	28001-5423
2015-063	07101143	STYLIANOS	JOANN			1543 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07818105	TAB&S ENTERPRISES OF NC INC				7801 BRIDLE CT		CHARLOTTE	NC	28214
2015-063	07818106	TAB&S ENTERPRISES OF NC INC				7801 BRIDLE CT		CHARLOTTE	NC	28214
2015-063	07818107	TAB&S ENTERPRISES OF NC INC				7801 BRIDLE CT		CHARLOTTE	NC	28214
2015-063	07101146	TARULLI	JOSEPH A	MINDY P	TARULLI	4384 COVE LN		CHARLOTTE	NC	28216
2015-063	07101138	TEJCHMA	JERRY L JR			1521 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07101147	TIPTON	NICHOLAS L			1556 WALNUT VIEW DR		CHARLOTTE	NC	28208
2015-063	07101152	VANDENBERG	MICHAEL R	KIMBERLY	VANDENBERG	806 CAPINGTON LN		CHARLOTTE	NC	28173
2015-063	07101605	WELCH	PERRY J		SHERRI ANN	1521 W TRADE ST		CHARLOTTE	NC	28216-5545
2015-063	07818701	WESTSIDE ENTERPRISES INC				1414 W TRADE ST		CHARLOTTE	NC	28216
2015-063	07101609	WILSON	PAULA			1423 WEST TRADE ST		CHARLOTTE	NC	28216
2015-063	07101610	WILSON	PAULA A (REVOC TRUST)			1224 PEACHTREE RD		CHARLOTTE	NC	28216
2015-063	07101615	WILSON	PAULA A (REVOCABLE TRUST)			1224 PEACHTREE RD		CHARLOTTE	NC	28216
2015-063	07101608	WILSON	PAULA ANITA			1224 PEACHTREE RD		CHARLOTTE	NC	28216

**NOTICE TO INTERESTED PARTIES
OF COMMUNITY MEETING**

Subject: Community Meeting -- **Rezoning Petition No. 2015-063** filed by Bojangles' Restaurants, Inc. to request the rezoning of an approximately .909 acre site located on the south side of West Trade Street between Grandin Road and Interstate 77 from the B-1 (PED) zoning district to the MUDD-O zoning district

**Date and Time
of Meeting:** Wednesday, May 20, 2015 at 7:00 PM

Place of Meeting: DoubleTree by Hilton Charlotte
Tryon Room on the Second Floor
895 West Trade Street
Charlotte, NC 28202

We are assisting Bojangles' Restaurants, Inc. (the "Petitioner") in connection with a Rezoning Petition it has filed with the Charlotte-Mecklenburg Planning Department seeking to rezone an approximately .909 acre site located on the south side of West Trade Street between Grandin Road and Interstate 77 from the B-1 (PED) zoning district to the MUDD-O zoning district. The purpose of this rezoning request is to accommodate the replacement of the existing restaurant building with a drive through window on the site with a new restaurant building with a drive through window for use by the existing Bojangles' Restaurant, and to permit other uses allowed under the 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 Department'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 site.

Accordingly, on behalf of the Petitioner, we give you notice that representatives of the Petitioner will hold a Community Meeting regarding this Rezoning Petition on Wednesday, May 20, 2015 at 7:00 PM in the Tryon Room meeting room located on the second floor of the DoubleTree by Hilton Charlotte located at 895 West Trade Street in Charlotte, North Carolina.

Please park in the adjacent parking deck, and your parking will be validated when you leave the meeting.

Representatives of the Petitioner look forward to sharing this rezoning proposal with you and to answering your questions.

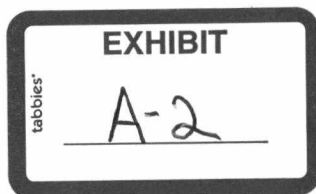
In the meantime, should you have any questions or comments, please call John Carmichael at (704) 377-8341.

Robinson, Bradshaw & Hinson, P.A.

cc: Mr. Al Austin, Charlotte City Council District 2 (via email)
Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Department (via email)
Ms. Claire-Lyte Graham, Charlotte-Mecklenburg Planning Department (via email)

Date Mailed: May 8, 2015

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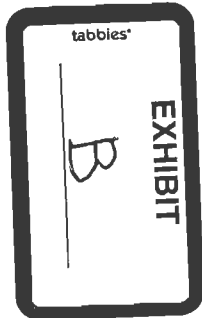
Bojangles' Restaurants, Inc., Petitioner
Rezoning Petition No. 2015-063

Community Meeting Sign-in Sheet

DoubleTree by Hilton Charlotte
Tryon Room, Second Floor
895 West Trade Street
Charlotte, NC

Wednesday, May 20, 2015

7:00 P.M.



	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1.	Virginia S. Woolard	1001 West First Street, 28202	704-333-2158	virginiaswoolard@gmail.com
2.	Al Austin	city council	704-336-3185	
3.	Claude Clark		980-721-9166	cclark@bojangles.com
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