COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2015-078

Taylor/Theus Development Holdings, LLC

Petitioner: Taylor/Theus Development Holdings, LLC

Rezoning Petition No.: 2015-078

Property: Approximately 5.670 acres located on the northwest corner of N.

Community House Road and Ardrey Kell Road in Charlotte NC.

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to Section 6.203 of the City of Charlotte Zoning Ordinance.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATES AND EXPLANATIONS OF HOW CONTACTED:

The required Community Meeting was held on June 11, 2015, 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** by depositing the Community Meeting Notice in the U.S. mail on May 29, 2015. A copy of the written notice is attached as **Exhibit B**. The Petitioner has held individual meetings with a number of the adjoining property owners prior to the filing of the Petition. The Petitioner also met and presented the plans for the Site to the Dilworth Community Association Land Use Committee and the Dilworth Community Association Board.

TIME AND LOCATION OF MEETING:

The Community Meeting required by the Ordinance was held on June 11, 2015 at 7:00 PM, at South Charlotte Banquet Center at 9009 Bryant Farms Road Charlotte, North Carolina 28277.

PERSONS IN ATTENDANCE AT MEETING:

The sign-in sheet from the required Community Meeting is attached as **Exhibit C**. The Petitioner's representatives at the required Community Meeting were Bill Theus, Walter Taylor, and David Ellison with Taylor/Theus. Also in attendance representing the Petitioner was Diane Rivers with Brackett Flagship Properties, Jeff Orsborn with Orsborn Engineering and Keith MacVean with Moore & Van Allen, PLLC.

SUMMARY OF ISSUES DISCUSSED AT MEETING:

I. Overview of Petitioner's Presentation.

Introduction and Overview of Development Plan.

Mr. MacVean introduced the development team to the attendees and provided a review of the rezoning process and time line. Mr. MacVean provided the attendees the upcoming Public Hearing date, Zoning Committee date and the date of the decision on the Petition.

Mr. MacVean provided the attendees some background on the Site that was subject to the rezoning request. He explained that the Site is approximately a 5.67 acre Site currently zoned R-3 and surrounded on two sides by Ardrey Kell High School. The Site is directly adjacent to the high school's football stadium, baseball fields and a student parking lot. He explained that due to abutting land uses and size of the property developing the Site with quality residential uses as currently zoned would be very difficult.

He explained that the rezoning petition was seeking to rezone the Site to allow the property to be developed with general and medical office uses and a climate controlled storage building. He also

indicated that the request to allow a financial institution (bank) to be part of the development had been eliminated.

Mr. MacVean then provided an overview of the proposed site plan. He explained that the climate controlled storage building would be located at the rear of the Site and adjacent to high school's football stadium and baseball fields. The proposed office buildings would be located along Ardrey Kell Road. Landscape setbacks will be provided along the N. Community House Road and Ardrey Kell Road and a landscape buffer will be provided adjacent to Ardrey Kell High School. The landscape setback along N. Community House will be a minimum of 40 feet wide and would be used to meet a portion of the Site's tree save requirements, additional evergreen landscaping would also be installed within the setback to supplement the existing trees that would be preserved. The setback along Ardrey Kell Road would utilize a low brick wall to screen the parking areas. The portion of the Site at corner of N. Community House Road and Bryant Farms Road would be an open space area with a variety of landscaping and would also be the Site's water quality and storm water detention area.

The proposed climate controlled office building would be designed to look like a two story office building with quality building materials. The office buildings would also use quality building materials and would have a similar architectural appearance. The proposed buildings would be limited to a maximum height of 40 feet.

Vehicular access to the Site is proposed to be from Ardrey Kell Road and N. Community House Road. Each access point would be served by a left turn lane.

Mr. MacVean explained that the proposed office uses and the climate controlled storage use were seen as uses that would serve the surrounding residents and would eliminate the need of the area residents to drive longer distances to find these services.

The attendees were then invited to ask questions.

II. Summary of Questions/Comments and Responses:

The attendees asked a number of questions regarding how development of the Site would impact traffic in the area. It was expressed that any development on the Site that added traffic to the area roads was too much.

The Petitioners representatives explained that one of the reasons climate controlled storage was been proposed as a use for the Site was because of its low traffic generation. In addition the modest amount of office square footage proposed would also not generate significant amounts of traffic that could have a negative impact of the area roads. Traffic concerns were one of the reasons a bank was eliminated as a potential use. It is expected that traffic from the Site when developed as proposed would add up to 1.5 cars per minute in the AM peak hour and up to two (2) cars per minute in the PM peak hour.

It was also pointed out that proposed uses (office and climate controlled storage) would generate much less traffic than a number of other commercial uses (i.e. retail, restaurant, convenience stores) that would also consider developing the Site.

While it might be true that low intensity residential uses would generate less trips, the ability of a residential development to match the quality of this proposed development would be difficult due to the Site's location, size, and the ability of a residential project to spread the cost of development over a limited number of units that would be very sensitive to pricing. Quality residential development would be difficult on this Site.

A number of questions about the hours of operation of the climate controlled storage building were asked. The climate controlled facility would not be open to customers on a 24 hour basis. Access

to the climate controlled building would be limited to between 6:30 AM and 10:00 PM, the facility would have on-site management during a majority of these hours.

Other attendees expressed concerns about the type of items or materials that could be stored in the climate controlled facility. It was explained that the interior of the facility would be well illuminated and would be monitored by cameras 24 hours a day. Customers of the facility must sign a lease prohibiting the storage of illegal materials.

After the meeting the Petitioner enquired with the Charlotte Police Department about calls for service from climate controlled facilities. Police department records found that of six (6) similar facilities in the Charlotte area, only two minor call for service had occurred over the last year. Five of the six facilities had no calls for service.

Other attendees wanted to know why the school and had not purchased the property when it developed the Ardrey Kell High School. Some of the attendees mentioned that school did not provide enough parking for all its students, and some students might use this Site for parking. The Petitioner indicated that the parking areas would be monitored and if student parking became an issue enforcement measures would be taken. The Petitioner was not aware of why the school did not purchase the property.

One attendee mentioned existing storm water/drainage issues in a portion of the Ballanmoor neighborhood, which is located across Ardrey Kell Road from the Site and downstream. The Petitioner's representatives indicated they would be working with City Engineer to better understand this issue.

In response to a question from one of the attendees about the rezoning process, council member Driggs who was in attendance explained the review process the Petition would be undergoing. Council member Driggs explained that the proposed plans would be reviewed by a number of departments including the City Department of Transportation. He also explained the process for filing a protest petition.

He also mentioned that he had a town hall meeting to discuss development issues as well as had discussed the impact of additional development at a Ballantyne Breakfast Club meeting, and he was very aware of the issues new development brings. He also indicated he understood and was working with the City to look at ways to continue to invest in the infrastructure of the area. He also asked if a group of the attendees were interested, he would be willing to organize a meeting downtown with the City Departments that would be reviewing the Petition to respond to the neighborhoods questions.

The attendees were thanked for their time and interest, the meeting was then adjourned.

CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:

No changes to the Petition were made as a result of the Community Meeting.

TAYLOR/THEUS DEVELOMENT HOLDINGS, LLC

CC: Mayor Dan Clodfelter, and Members of Charlotte City Council John Kinley, Charlotte Mecklenburg Planning Commission Tammie Keplinger, Charlotte Mecklenburg Planning Commission Mike Davis, Charlotte Department of Transportation (CDOT) Bill Theus, Taylor Theus Holdings, Inc.
Walter Taylor, Taylor Theus Holdings, Inc.
David Ellison, Taylor Theus Holdings, Inc.
Diane B. Rivers, Brackett Flagship Properties,

Jefferson W. Brown and Keith MacVean, Moore & Van Allen, PLLC

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22905734	STEVEN R	BARBARA D	BAUER	7837 PEMSWOOD ST	CHARLOTTE	Š	28277
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22937528	GREGORY A	KIMBERLY C	BURTON	18510 CLAVEMORR CASTLE CT	CHARLOTTE	Š	28277
22905736	JAMES S	LAURAL	CALLIS	7911 PEMSWOOD ST	CHARLOTTE	NC	28277
22905744	ROBERT A JR	NICOLE	CASEY	8017 PEMSWOOD ST	CHARLOTTE	Š	28277
22905742	BARBARA A		THE CHRISTIE FAMILY WEALTH TST	8005 PEMSWOOD ST	CHARLOTTE	S	28277
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22905794				PO BOX 218	PINEVILLE	Š	28134
22402122			JOE M ARDREY TRUSTEE	10027 ARDREY KELL RD	CHARLOTTE	N	28277
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22937544	BEVERLY A	DENNIS P	LYNCH	18414 LILLIESLEAF GLENN LN	CHARLOTTE	Ų.	28277
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22905743	ADAM	JENNIFER	MILLER	8011 PEMSWOOD ST	CHARLOTTE	NC	28277
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22905739	GERALD	LISA	WINTERS	7931 PENSWOOD ST	CHARLOTTE	S :	28277
22905738	DAVID			7923 PEMSWOOD ST	CHARLOTTE	N N	28277

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NOTICE TO INTERESTED PARTIES OF A REZONING PETITION PETITION # 2015-078 – Taylor/Theus Development Holdings, LLC

Subject: Rezoning Petition No. 2015-078

Petitioner/Developer: Taylor/Theus Development Holdings, LLC

Property: 5.67 acres located on the northwest corner of N. Community

House Road and Ardrey Kell Road.

Existing Zoning: R-3

Rezoning Requested: BD(CD)

Date and Time of Meeting: Thursday, June 11, 2015 at 7:00 p.m.

Location of Meeting: South Charlotte Banquet Center

9009 Bryant Farms Road Charlotte, NC 28277

Date of Notice: Mailed on May 29, 2015

We are assisting Taylor/Theus Holdings, LLC (the "Petitioner") on a Rezoning Petition it recently filed regarding a zoning change for approximately 5.67 acres (the "Site") located on the northwest corner of the intersection of N. Community House Road and Ardrey Kell Road. We take this opportunity to furnish you with basic information concerning the Petition and to invite you to attend a Community Meeting to discuss it.

Background and Summary of Request:

This Petition involves a request to rezone a 5.67 acre Site from R-3 (Residential three units to the acre) to BD(CD) (Distributive Business Conditional District), to allow the Site to be developed with general and medical office uses, including a financial institution (bank) and a climate controlled storage building.

The Site is a vacant corner parcel with Ardrey Kell Road and N. Community House Road on two sides. The other two sides of the Site adjoin Ardrey Kell High School and are directly adjacent to the high school's football and baseball fields.

This rezoning petition proposed to develop the Site with a combination of office uses including a bank and a climate controlled storage building. The climate controlled storage building will be designed to look like an office building. The proposed office uses will be located along Ardrey Kell Road and the climate controlled use will be located at the rear of the Site. Landscape setbacks will be provided along the N. Community House Road and Ardrey Kell Road and a landscape buffer will be provided adjacent to Ardrey Kell High School. The height of the office uses is limited to two (2) stories and 40 feet while the height of the climate controlled storage building is limited to three (3) stories and 40 feet.

Access to the Site is proposed to be from Ardrey Kell Road and N. Community House Road. The site plan originally filed with the City proposed access only from N. Community House Road opposite Purchase Street, however, after review of the proposed site plan and access points by NCDOT, the site plan was revised to shift the access along N. Community House Road further north and to add an access point into the Site from Ardrey Kell Road. A copy of the revised site plan with these changes will be available to review at the community meeting.

Community Meeting Date and Location



The Charlotte-Mecklenburg Planning Commission's records indicate that you are either a representative of a registered neighborhood organization or an owner of property near the Site. Accordingly, we are extending an invitation to attend the upcoming Community Meeting to be held on Thursday, June 11th at 7:00 p.m. at South Charlotte Banquet Center – at 9009 Bryant Farms Road, Charlotte, North Carolina 28277. Representatives of the Petitioner look forward to discussing this exciting rezoning proposal with you at the Community Meeting.

In the meantime, should you have questions about this matter, you may call Keith MacVean (704-331-3531) or Jeff Brown (704-331-1144). Thank you.

cc: Mayor Dan Clodfelter and Members of Charlotte City Council
John Kinley, Charlotte Mecklenburg Planning Commission
Tammie Keplinger, Charlotte Mecklenburg Planning Commission
Dennis Rorie, Charlotte Department of Transportation (CDOT)
Bill Theus; Taylor Theus Holdings, Inc.
Walter Taylor; Taylor Theus Holdings, Inc.
David Ellison; Taylor Theus Holdings, Inc.
Diane B. Rivers; Brackett Flagship Properties, LLC
Thorn Baccich; Brackett Flagship Properties, LLC
Jeff Orsborn; Orsborn Engineering Group, P.A.
Jefferson W. Brown, Moore & Van Allen, PLLC
Keith MacVean, Moore & Van Allen, PLLC

Taylor/Theus Development Holdings, LLC

Rezoning Petition 2015-078 Community Meeting Thursday, June 11 @ 7:00 PM

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	11241 Dicke Ross Rd 28277	7	mrsvanessareed@yahoo.com
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Taylor/Theus Development Holdings, LLC

Rezoning Petition 2015-078 Community Meeting Thursday, June 11 @ 7:00 PM

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Taylor/Theus Development Holdings, LLC

Rezoning Petition 2015-078 Community Meeting Thursday, June 11 @ 7:00 PM

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of a armhouse of bellsouth, net SHELLA TZERMAN 9537 OSWAWD LANCE 28277 S. TZGRENSONE baxish@gmail.com -Ponzes + Tonusa 18306 hillisten Glass Shy 28277 Banish Sweth 18204 Ardwyck Pl 28277 10277 Willow Pack Dr 28277 7813 femswood St 28277 AARON HOWSE Paula Conway

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