

COMMUNITY MEETING REPORT

Petitioner: Beazer Homes
Rezoning Petition No. 2007-032

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 23, 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 Monday, February 5, 2007 at 7:00 p.m. at the Mallard Creek Recreation Center, Multi-Purpose Room # 1, located at 2530 Johnston-Oehler Road in Charlotte, NC.

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 Chris Robusto of Beazer Homes, Peter Tatge and Matt Mandle of ESP Associates, the Petitioner's engineers and land planners, and John Carmichael of Kennedy Covington Lobdell & Hickman.

SUMMARY OF ISSUES DISCUSSED:

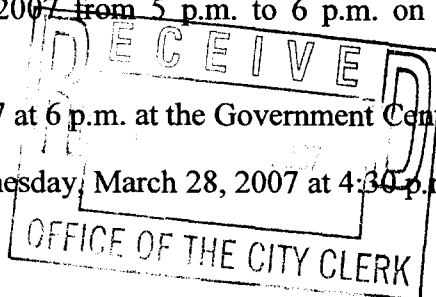
John Carmichael opened the meeting by welcoming those in attendance and introducing the Petitioner's representatives. John Carmichael advised that the subject of Rezoning Petition No. 2007-032 is an 8.38 acre site located near the corner of West Mallard Creek Church Road and Senator Royall Drive. Prior to discussing the existing zoning of the site and Beazer Homes' rezoning proposal, John Carmichael provided an outline of the Community Meeting. John Carmichael stated that first, he will share the schedule of events relating to this Rezoning Petition; second, he will discuss the site's existing zoning; third, he will share Beazer Homes' conditional rezoning plan and the elevations of the proposed townhome buildings; and fourth, Beazer Homes' representatives will answer any questions.

John Carmichael then provided the following schedule of events.

Public Forum: Monday, February 12, 2007 from 5 p.m. to 6 p.m. on the 8th floor of the Government Center.

Public Hearing: Monday, March 19, 2007 at 6 p.m. at the Government Center.

Zoning Committee Work Session: Wednesday, March 28, 2007 at 4:30 p.m. on the 8th floor of the Government Center.



City Council Decision: Monday, April 16, 2007 at 6 p.m. at the Government Center.

John Carmichael then discussed the site's existing zoning. He stated that pursuant to Rezoning Petition No. 2002-142, the site was rezoned to the MUDD-O zoning district in 2002. Under the approved conditional rezoning plan relating to Rezoning Petition No. 2002-142, up to 63 for sale townhome units can be built on the site. Under the architectural controls portion of the approved conditional rezoning plan, the front elevation of the townhome buildings cannot exceed two stories in height. However, three story conditions are permitted on the rear elevation of the townhome buildings to accommodate basements. Each townhome unit is required to have an attached garage, and the buildings located along West Mallard Creek Church Road must contain windows and shutters that face West Mallard Creek Church Road. The approved conditional rezoning plan requires a 50 foot undisturbed Class C buffer along the site's common boundary line with Mallard Creek Presbyterian Church.

John Carmichael then briefly described Beazer Homes' rezoning proposal. John Carmichael stated that Beazer Homes is seeking to rezone the site to the R-12 MF (CD) zoning district to accommodate the development of up to 70 townhome units on the site, which represents an increase of 7 units over the approved conditional rezoning plan. John Carmichael stated that a major reason that Beazer Homes is seeking to rezone the site is to allow the front elevation of the townhome buildings to be three stories in height. Beazer Homes has a three story product that it would like to develop on the site.

John Carmichael and Chris Robusto then shared Beazer Homes' conditional rezoning plan and the elevations of the proposed townhome buildings. John Carmichael stated that the front elevations of the proposed townhome buildings were submitted to the Charlotte-Mecklenburg Planning Commission.

John Carmichael stated that under Beazer Homes' conditional rezoning plan, approximately 23% of the site would be devoted to open space, and a minimum of 10% of the site would be devoted to tree save areas. A 44 foot wide Class C buffer would be located along the site's common boundary line with Mallard Creek Presbyterian Church, however, the width of this buffer could be reduced by 25% by installing a fence or berm in the buffer. Pedestrian scale street lights would be installed throughout the site, and a sidewalk would be installed on one side of the site's internal street.

Chris Robusto then provided details on Beazer Homes. Chris Robusto stated that the proposed product is a product that Beazer Homes has developed in Charleston and Maryland. Chris Robusto stated that this product is a front-loaded product rather than an alley-loaded product, which works better on this site in Beazer Homes' opinion. Chris Robusto stated that the exterior portions of the first floor of these buildings would contain some brick, and that the upper floors of the townhome units would have vinyl as the primary exterior building material. The townhome units would have wooden porches as well.

The floor was then opened to questions from those in attendance. Set out below is a summary of the concerns expressed by those in attendance and the responses of Beazer Homes to the questions.

- Chris Robusto stated that Beazer is seeking an additional 7 units because after doing some preliminary engineering work, the site could possibly accommodate an additional 7 units.
- Chris Robusto stated that the end townhome units would contain approximately 2,000 square feet of floor area and have a two-car garage, and the interior townhome units would contain approximately 1,400 to 1,500 square feet of floor area and have a one-car garage.
- In response to a question, Chris Robusto stated that the exterior walls on the first floors of the townhome units would contain brick except for the back of the units and the garage doors.
- Chris Robusto stated that the townhome units would be constructed on a slab.
- A neighbor expressed concerns about traffic due to this proposed project and the additional 7 townhome units. In response, Chris Robusto stated that he did not believe that an additional 7 units would have a measurable impact on traffic in the area.
- In response to a question, Chris Robusto stated that the target market for these townhome units are young professionals working in the area.
- In response to a question, Chris Robusto indicated that the approximate distance from the creek to the entrance is 200 to 300 feet.
- In response to a question, Chris Robusto said that Beazer Homes' restrictive covenants do not prevent an owner from renting his townhome unit to a third party. Chris Robusto indicated that he would look into this, however.
- An area resident expressed concern about the trees that would be removed at the rear of the site in connection with this development and in connection with the detention pond. This resident asked if Beazer Homes would reforest the site. Chris Robusto said that Beazer Homes would have to remove trees to accommodate the detention pond, and that they would not reforest the site after it is developed. However, Beazer will be preserving trees as required under the Tree Ordinance.
- Chris Robusto stated that the wetlands areas would not be disturbed by Beazer Homes.
- Chris Robusto stated that the aerial photograph of the site shown at the meeting was taken in winter.
- Chris Robusto stated that the price point would be approximately \$165,000 for the 1,400 to 1,500 square foot units and approximately \$200,000 for the 2,000 square foot units. Chris Robusto stated that these would be nicely equipped townhome units.
- An area resident stated that if 7 additional units were not built, more trees could possibly be saved.

- An area resident indicated that she did not want more units allowed on the site because of traffic concerns, and that additional units were not warranted.
- In response to a question, Chris Robusto said that Beazer Homes would not be filling the site, and Peter Tatge stated that there would be no importing of fill material to the site. Beazer Homes will be working with the existing terrain. Peter Tatge stated that the site essentially sits in a bowl.
- Chris Robusto indicated that the detention pond would be a permanent detention pond.
- The parcel located to the west of the site at the corner of Senator Royall Drive and West Mallard Creek Church Road is not owned by Beazer Homes.
- Chris Robusto stated that a grading analysis has not been performed, so Beazer Homes has not been able to determine the size of the detention pond as of yet. Chris Robusto said it may be possible to move the detention pond closer to West Mallard Creek Church Road, but he was not sure.
- A neighbor asked if Beazer Homes would replant trees where trees are taken out, and Peter Tatge indicated that Beazer Homes would plant trees along the streets. Additionally, Chris Robusto stated that trees cannot be planted over the sewer easement.
- In response to a question, Chris Robusto stated that the drainage from West Mallard Creek Church Road would be piped from the road into the creek. Chris Robusto stated that this is an existing condition that will remain in place.
- Chris Robusto stated that the homeowners association would maintain the exterior portions of this community, and Chris Robusto stated that he could share an example of the restrictive covenants if individuals would like to review them.
- Chris Robusto stated once again that the primary exterior building material for the townhome units would be vinyl.

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

No changes were made to the Rezoning Petition or to the Petitioner's conditional rezoning plan as a result of the Community Meeting, however, changes will be made as a result of the Planning Staff's comments.

Respectfully submitted, this 9th day of March, 2007.

BEAZER HOMES, Petitioner

cc: Mr. Keith H. MacVean, Charlotte-Mecklenburg Planning Commission
Ms. Brenda Freeze, Clerk to City Council
Mr. Chris Robusto

Beazer Homes
Rezoning Petition No. 2007-032

Community Meeting Sign-in Sheet
Mallard Creek Recreation Center - Multi-Purpose Room #1
Monday, February 5, 2007
7:00 P.M.

	NAME	ADDRESS	TELEPHONE	EMAIL ADDRESS
1.	DAVID TOMONO -	10306 OLDE NY WAY 28262	704 644 3706	DAVIDTOMONO@YAHOO.COM
2.	HARRY KIRK	7008 MALLARD CREEK RD ²⁸²⁶²	704 596-2057	
3.	CHARLIE MOON	1825 GALLOWAY RD	704 547-0416	
4.	Lisa DiNapoli	1815 Arbor Vista Dr.	704-971-2070	
5.	Alexis D'Amora	1717 Arbor Vista Dr. (Pablo)	704 919 3520	
6.	Maria Edwards	1918 Arbor Crest Court	704 969 2627	edwardscrest@yahoo.com
7.	Pablo Perez	1717 Arbor Vista Dr	704 969-2627	
8.	Jim REESE	4114 ARMITAGE DR	704 549 4041	
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