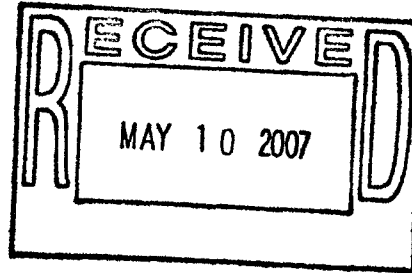


## HORACK • TALLEY

ATTORNEYS AT LAW

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COLLIN W. BROWN  
CBrown@HorackTalley.com

### COMMUNITY MEETING REPORT

**Petitioner: John R. Poore Builder**

Rezoning Petition No. 2007-59

**SUBJECT:** Community meeting held on Tuesday, May 1, 2007, in connection with Rezoning Petition No. 2007-59 submitted by John R. Poore ("Petitioner") regarding a rezoning from MUDD-O to UR-2 on the 1.3 acre parcel at the intersection of Briar Creek Road and Independence Boulevard.

#### **PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:**

In addition to the formal community meeting required by the City of Charlotte Zoning Ordinance, which took place on May 1, 2007, the Petitioner and its representatives have met on several occasions with nearby property owners and neighborhood representatives.

With respect to the formal community meeting required by the Ordinance, the Petitioner mailed written notices of the date, time and location of the meeting to the individuals and organizations set forth on Exhibit A. A copy of the Notice of Community Meeting for the May 1, 2007, meeting is set forth as part of Exhibit A.

#### **DATE, TIME AND LOCATION OF MEETING(S):**

The formal meeting required by the Zoning Ordinance was held at 7:00 p.m., Tuesday, May 1, 2007 in the board room of WTVI, located at 3242 Commonwealth Avenue, Charlotte, North Carolina 28205.

#### **PERSONS IN ATTENDANCE AT MEETING(S) (see attached copies of sign-in sheets and list of attendees):**

A list of individuals who attended the May 1, 2007, required Community Meeting is set forth on Exhibit B. Also in attendance were Taney Browder of Browder Engineering, John R. Poore and Collin Brown of Horack Talley.

The following is a list of general issues, questions and comments raised at the required Community Meeting held on May 1, 2007.

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Mr. Brown explained the existing MUDD-O site plan approved in 2003 and the uses that are currently permitted under that zoning. He then explained details of the proposed UR-2 plan. Mr. Brown indicated that the public hearing would be held at the Government Center on May 21, 2007. Mr. Brown also indicated that although the decision is scheduled to be made on June 18, 2007, he will be requesting that City Council vote on this rezoning following the public hearing. Mr. Brown mentioned that such an action was at the discretion of the Council and that if a decision was not made at the May 21, 2007, Council meeting, there would be a zoning committee work session to discuss the petition on May 30, 2007.

## **SUMMARY OF ISSUES DISCUSSED AND CHANGES MADE TO THE PETITION AS A RESULT OF THE MEETING(S):**

### **Overview Presentation**

Collin Brown opened the meeting, introduced the Petitioner's representatives and explained that the purpose of the meeting was to give the neighbors as much information as possible regarding the proposed site plan and the rezoning process. Mr. Brown noted that the site is currently zoned MUDD-O and allows office and retail uses. Mr. Brown explained that he would go over the site plan in detail, Taney Browder could answer engineering questions and Randy Poore could answer architectural and general questions.

Mr. Brown discussed the proposed site plan and used a Power-Point presentation to explain site plan details and revisions made as the result of neighborhood requests. Mr. Brown noted that the Petitioner had changed the proposed color palette in response to neighborhood feedback. He also pointed out that the site plan had been modified in order to attempt to preserve an existing tree on the site.

Following the presentation, Mr. Brown took questions from the audience the questions and responses are summarized below. At 8:15 p.m. Mr. Brown ended the formal meeting and discussions continued in small groups.

### **Questions and Comments**

Meeting attendees had the following questions and comments:

What will be the price range of the units?

*Mr. Poore indicated that he anticipates prices ranging from \$280,000.00 to \$325,000.00. Mr. Poore explained that the units would be marketed to young professionals seeking an urban lifestyle with convenient access to uptown.*

What is the square footage of individual condos?

*Mr. Poore indicated that square footage would range from 1100 square feet to 1300 square feet.*

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Several attendees asked questions regarding restrictions to prevent renters or investors. Several speakers communicated the concern that renters would drive down property values in the area.

*Mr. Brown and Mr. Poore indicated that there were no plans to add any such restrictions. They indicated that the price point of the units would likely reduce the economic viability of renting the units.*

Has a traffic study been performed?

*Mr. Brown responded that CDOT has provided comments on the petition and that CDOT's analysis indicated that the UR-2 plan would actually generate less trips per day than if the property were developed under the existing MUDD-O zoning.*

What are the setbacks?

*Mr. Browder responded that proposed setbacks were five foot side yards, ten foot rear yard, and zero front setback.*

Will there be an entrance from Shenandoah Avenue?

*Mr. Poore indicated that he did not own property abutting Shenandoah and that Shenandoah could not be accessed without crossing private property. Mr. Brown noted that the plan had been laid out to provide a potential for connectivity to the property in question and ultimately to Shenandoah if the intervening property is developed in the future.*

What is the height of the proposed buildings?

*Mr. Browder responded that the proposed height would be twenty eight feet to the ridge line.*

Will there be a gated entrance?

*No.*

Will everyone have a view of uptown from the terrace?

*Mr. Poore responded that he was still in the process of engineering for construction, but that he hoped to grade the site so that each unit would have a skyline view.*

Will condos have additional buffers to protect from street noise?

*No.*

May 10, 2007

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What will happen if the property is not rezoned?

*Mr. Poore indicated that he would most likely construct a commercial development as permitted under the current zoning.*

Where will everyone park?

*Mr. Brown indicated that the ordinance required one parking space per unit. He noted that the proposed site plan provides two spaces for each unit; one garage space and one driveway parking space. Mr. Browder said that from a practical prospective, interior streets were 22 feet wide and at high volume times, visitors would likely park on the sides of the interior drives.*

Will there be a fence or wall on the rear property line?

*No.*

Will pets be allowed?

*Mr. Poore indicated that he had not given consideration to this issue.*

Has Mr. Poore developed other properties in the area?

*Mr. Poore indicated that he developed the Uxbridge Condominium Development.*

What type of building materials are proposed?

*Mr. Poore responded that he did not plan on using vinyl siding and that he is proposing hardy plank, stucco and block as exterior materials.*

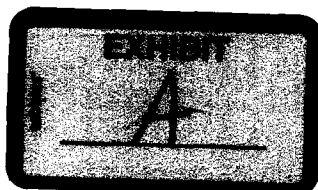
Respectfully submitted, this 10th day of May, 2007.

Horack, Talley, Pharr and Lowndes

John R. Poore, Builder, LLC  
Petition No. 2007-59

Rezoning Community Meeting  
Tuesday, May 1, 2007 at 7:00 p.m.

|     | NAME                 | ADDRESS                                | TELEPHONE    |
|-----|----------------------|--|--------------|
| 1.  | David Yates          | 1217 Oakmont Ave                       | 535 4246     |
| 2.  | Joyce Yates          | " "                                    | "            |
| 3.  | PHILIP J. FORLIDAS   | 1623 GLENN ST. A-6<br>28205            | 704/535-7222 |
| 4.  | Ben Kinney           | 3112 Commonwealth Ave <sup>28205</sup> | 704/531-2529 |
| 5.  | Ann Sprinkle         | 1324 Goodwin Ave 28205                 | 704-563-2647 |
| 6.  | FRIDRICH HAGGARD     | 1240 Goodwin Ave "                     |              |
| 7.  | A. J. FORLIDAS       | 1635 GLENN ST. A-2                     | 704.535.7222 |
| 8.  | Betty Faulks         | 3139 Shenandoah Ave                    | 704 536 8668 |
| 9.  | Cindy Stonerfer      | 1322 Goodwin                           | 704 563 5044 |
| 10. | MAXX SAYERS          | 1501 Woodland                          | 704-567-6884 |
| 11. | MARC HUNT            | 1501 Woodland Dr.                      | 704-567-6884 |
| 12. | JOAN BAKER           | 1246 PINECREST AVE                     | 704-839-6844 |
| 13. | Cherylanne<br>Wesber | 1448 pinecrest ave                     | 704 563 0046 |
| 14. | LUANNA<br>GALANTY    | 1444 PINECREST AV                      | 704 568 4309 |
| 15. | MIMI<br>WILLIAMS     | 1327 WOODLAND DR                       | 704 536 6395 |
| 16. | Douglas<br>Shevican  | 1452 Carolyn Dr.                       | 704-537-5469 |
| 17. | Beth Wells           | 1311 Briar Creek Rd.                   | 704-567-4460 |



John R. Poore, Builder, LLC  
Petition No. 2007-59

Rezoning Community Meeting  
Tuesday, May 1, 2007 at 7:00 p.m.

|     | NAME               | ADDRESS               | TELEPHONE    |
|-----|--------------------|-----------------------|--------------|
| 18. | <del>PARIGGS</del> | 1518 CAROLYN DR       | 7045375971   |
| 19. | Mr Hebert          | 1237 Woodland Dr      |              |
| 20. | MV Laing           | 1332 Carolyn Dr.      | 704-535-3889 |
| 21. | Chris Yost         | 1340 Carolyn Dr.      | 531-2697     |
| 22. | Susan Lockman      | 3032 Commonwealth Ave | 373-2661     |
| 23. |                    |                       |              |
| 24. |                    |                       |              |
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| 34. |                    |                       |              |