

COMMUNITY MEETING REPORT

Petitioner: Bellmore Hall, LLC

Rezoning Petition No.: 2009-021

**Property: Approximately 13.18 acres, located on the south side of Windyrush Road
between Sheffingdell Drive and Summerlin Place**

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 DATES AND EXPLANATIONS 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 the Community meeting Notice in the U.S. mail on January 22, 2009. A copy of the written notice is attached hereto as Exhibit B.

DATES, TIMES AND LOCATIONS OF MEETINGS:

The Community Meeting was held on Thursday, February 5, 2009 at 7:00 p.m. at Peace Moravian Church, 4418 Rea Road, in Charlotte, NC.

PERSONS IN ATTENDANCE AT MEETINGS:

The Community Meeting was attended by the individuals as indicated on the sign-in sheet attached hereto as Exhibit C. The Petitioner's representative at the Community Meeting was Ray Killian, Rick Jasinski, Phil Hughes and Jeff Devine. Also in attendance representing the petitioner was Joel Madden of Insite Engineering and Keith MacVean and Bambi Lohr of King & Spalding.

SUMMARY OF ISSUES DISCUSSED:

Meeting was opened by Keith MacVean and those attending from the community were asked to sign in. The development team was introduced and the rezoning application process schedule and status was reviewed by Keith MacVean.

An overview of the request was provided by Keith MacVean. Mr. MacVean started out by describing Bellmore Hall as a 39 lot single-family subdivision that had received subdivision approval from the city in the spring of 2008 under the current R-3 zoning. He also indicated that the reason for the zoning change was limited to a request to allow the construction of gates at the two entrances to Bellmore Hall from Windyrush Road. Since gates are not allowed on public streets the streets within Bellmore Hall would have to become private streets maintained by the home owners association. No other changes to the previously approved R-3 subdivision have been requested.

The following additional items were specifically highlighted: existing zoning (R-3), proposed zoning MX-1(Innovative), proposed use 39 single-family homes (no change to what is currently approved), tree save areas totaling 1.32 acres will be provided (no change to what is currently approved), an improved common open space area will be constructed, and a decorative brick wall is under construction along Windyrush Road.

Ray Killian then described and provided background information on Killian Simonini the developer of Bellmore Hall. He also indicated that Killian Simonini would be the company constructing the homes in Bellmore Hall. He mentioned other communities that the company has developed that are similar to what is been proposed for Bellmore Hall. Specifically mentioned were Hayden Hall on Smithfield Church Road and The Conservatory on Park South Drive.

Mr. Killian also explained why gates are being sought. He explained that gates allow them to offer an extra level of security for a segment of home buyers that have a desire or need for an extra sense of security. In addition the ability to install gates provides an additional marketing tool that can add value to the homes, can differentiate these homes from similar homes in the area and can result in a stronger demand for the homes within the neighborhood.

An artist rendering of the entrance to Bellmore Hall illustrating the proposed homes gates and decorative brick wall was presented and described.

QUESTIONS & COMMENTS FROM THOSE IN ATTENDANCE:

1) Several questions regarding traffic.

Response: Based on the Transportation Technical Memo, the proposed 39 homes within Bellmore Hall will generate 29 new trips during the AM peak hour and 39 trips during the PM peak hour. This is expected to have very little impact on the surrounding streets and community.

The school bus will stop at the front entrance to pickup any school children without having to access the property through the gates.

The gates will be equipped with facilities which allow emergency and vehicles/personal to enter with minimal delay.

The gates will be programed so that as a resident's car approaches the gates the driver will activate a transponder which will automatically open the gate, therefore eliminating the backup of traffic waiting for the gates to open.

2) What is the project size, roads, lighting, etc?

Response: The proposed site will consist of 39 custom built home sites. It will be the responsibility of the homeowners association to maintain the streets and lighting. There will be common areas within the property which will also be maintained by the homeowners association. If the Petition continues to move forward without delay, we are hoping to start building in the first quarter of 2010 and maybe finish the project in 2012.

3) What about the buffer for the surrounding neighbors and tree save areas?

Response: A wall will be installed at the front of the community and several tree save areas are located along the perimeter of the site adjoining existing single-family homes. There will be no

fencing installed at the backs of each of the property lots by the Petitioner. Fencing at the rear of the lots will be the responsibility of the future home owners.

4) What about the wall height and gate?

Response: The wall height when completed is expected to be around 6'3" in height. It is not completed at this time. Once the wall is completed landscaping will be installed between the wall and Windyrush Road. In addition to the gates to be installed across the streets there will be gates installed across the sidewalks that lead to Windyrush Road.

5) What about current problems with the blocking of driveways, trash, disturbed lawns?

Response: It was recognized by the development group that during development of the property there might have been some disturbance to yards of the adjacent property owners. Rick Jasinski of Bellmore Hall, LLC addressed these issues individually and assured the property owners that these issues would be resolved and provided his direct contact information.

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

Based on the comments from those in attendance, the Petitioner agreed to install the pedestrian gates leading into the neighborhood without locks and to keep them open to pedestrian traffic. The Petitioner also agreed to add a condition to the home owners document not allowing the pedestrian gates from been locked in the future.

The Petitioner hired a Traffic Engineer to evaluate the impact of the proposed gates on traffic entering and leaving Bellmore Hall. This was done in an effort to alleviate the concerns expressed by the adjoining property owners.

BELLMORE HALL, LLC

cc: Councilmember Warren Cooksey
Mr. Tom Drake, Charlotte-Mecklenburg Planning Commission
Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Commission
Mr. Ray Killian, Killian Simonini, LLC
Mr. Jeff Devine, Bellmore Hall, LLC
Mr. Jeff Brown, King & Spalding LLP

BELLMORE HALL, LLC
Rezoning Petition No. 2009-021
Community Meeting Sign-in Sheet
Peace Moravian Church - 4418 Rea Road
February 5, 2009
7:00 p.m.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1	Nancy Thompson	7300 Windyrush Rd	704 5448736	Nancy.McClander-Thompson@yahoo.com
2	SIMON HUMPHREY	4049 BON REA DR	704 7054423195	
3	Scott J. MacGregor	7417 Windyrush Rd	704-839-1384	Sjmacgregor@carolina.rr.com
4	Virginia Conner	7219 Windyrush Rd	704-540-9193	
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	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1	Marylyn Baker	7308 Stonybrook Rd	704 541-5605	60mrv22@aol.com
2	Tom Vebracy	7308 Windyhurst Rd	"	TOMAL1122@aol.com
3	Melinda Rose	7217 Edenbridge Lane	704-542-6617	N/A
4	Dan Rose	"	"	"
5	Ed Rose	7219-Windy Road	704-540-9193	
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