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8-28-2009

Rezoning Petition # 2009-048  
Community Meeting Report

Presenters

Bob Silverman	Winter Properties	(Developers)
Greg Glass	Mall Properties	(Developers)
Frank Martin	Martin-Grimes	(Developers)
Tom Wright	Narmour Wright	(Architects)
Curtis Sloop	Narmour Wright	(Architects)
Stuart Povall	Narmour Wright	(Architects)
Sue Freyler	ColeJenest & Stone	(Landscape Architect)
Randy Goddard	Design Resource Group	(Traffic Engineer)

Community Meeting

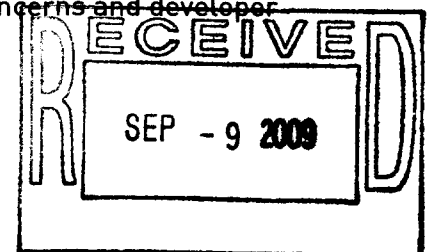
A community meeting was held on August 27, 2009 at 5:30 pm at the Hawthorne Lane United Methodist Church in the neighborhood of Elizabeth. As required, notifications were sent to those listed on "Exhibit A-1" by mailing a postcard invitation on August 11, 2009 with the date, time, and location of the planned meeting ("Exhibit A-2"). In addition to those listed, every effort was made to notify the neighborhood as a whole through the neighborhood association. An agenda was handed out at the meeting and is attached as "Exhibit B". Those in attendance were asked to sign; that sign in sheet is attached as "Exhibit C".

Notes were taken during the question and answer session. Every effort was made to get a summary of each exchange between the presenters and the community. Please see "Exhibit D" for typed minutes from the meeting.

Please note that the Elizabeth Community Association submitted to Winter Properties a *Summary of Comments on Winter Elizabeth Development Proposal*. This has been submitted separately from this community meeting report.

Summary of Planned Revisions as a Result of Community Input

There were a number of concerns raised by the community, which we feel are important to address. For this reason, we intend to defer our rezoning process by one month in order to allow the development team time to rework the plan. Neighborhood concerns and developer responses are as follows:



1. Residents are concerned about a traffic increase and request a traffic study. They are also concerned about the use of the Bascom Extension by residents to access local internal neighborhood roads.
  - a. We intend to rely on the recommendations and requirements of CDOT on the traffic study issue. CDOT is not requiring a traffic study to be performed as a result of the rezoning petition, and does not deem the increase in traffic to be significant.
  - b. We intend to rely on the recommendations of CDOT and the Planning Department on the Bascom Extension issue. We have won a major concession from NCDOT in that they will not require a turn lane and street widening on 7<sup>th</sup> Street, no matter what we end up doing. Now what will need to be worked out is whether or not we will be installing the Bascom St extension and closing Ranier, or simply leaving the streets as they are. Ultimately we want to do what the neighborhood desires, but we will look to CDOT and planning for guidance.
2. Residents want a *"...three story building height of about 35' on seventh street as documented and recommended in the development charrette..."*. (taken from the Summary of Comments provided by Elizabeth Community Association)
  - a. We intend to keep the building at 3 floors on 7<sup>th</sup> Street and Bascom Extension. However, due to site conditions the actual height of the building will vary. We were not able to find any reference to an actual height of 35' in the Workshop Summary Report from the Developer Response Charette.
3. Residents wish to see the building step down along with the site on 7<sup>th</sup> Street to avoid a blank wall condition at the low ends of the site.
  - a. It is inordinately expensive to do this on a building of this type. It will not be possible to meet this request. However, as presented to the community, we intend to minimize the "wall-condition" through the use of permanent planters against the wall. The unit stairs and patios will also achieve a reduction in scale.
4. *"Residents strongly favor the development charette's recommendation of a 22 to 32 foot setback."* (taken from the Summary of Comments provided by Elizabeth Community Association)
  - a. The Workshop Summary Report from the Developer Response Charette recommends setbacks of 20'-32'. We have already gone to great strides to increase the setback from the required minimum by MUDD zoning of 14'. The main building face of the building is between 18' – 30' from the back of curb. We intend to study the revising of the plan in order to get the building a minimum of 20' from the back of curb in all instances. As a result, this would necessarily decrease our density.
5. The neighborhood feels the development is too dense.
  - a. We intend to lose some of the units. Some of the concerns outlined in this report are going to necessarily result in the loss of density.
6. Residents are concerned about the flooding of Briar Creek as a result of additional impermeable surfaces.

- a. It is a requirement by the city that we detain all water runoff that is beyond that which the site already experiences and allow for a slow permeation of the collected water. This will be done.
- 7. Residents felt that the developers notes on the site plan are too general and brief.
  - a. These will continue to be developed and will be revised and resubmitted. The residents will be able to access the revisions through the Planning Department website.

**Rezoning Petition 09-048  
Hawthorne Ln United Methodist Church  
Thursday August 27, 5:30 PM**

**Community Meeting Agenda**

*Please be sure and sign in.*

Current Zoning : R-22 MF  
Proposed Zoning : MUDD (CD)

Thank you for coming to the community meeting concerning rezoning petition number 09-048. This is the property bound by 7<sup>th</sup> Street and Weddington Avenue near Fifth Street. It has been important to us through this process to have a continuous dialogue with the neighborhood through meetings with the Elizabeth Community Association leaders. We hope through their input we have been able to arrive at a solution for the site that will please the neighborhood. We look forward to your input during this meeting and in the future.

**Agenda**

- I. Introduction of project by the Development Team
- II. Overview of the design strategies by Narmour Wright (architects) and COLEJENEST & STONE (civil engineers)
- III. Explanation of rezoning schedule
  - a. Current Public Hearing : 9-21-09
  - b. Current City Council Decision : 10-19-09
- IV. Conclusion by development team
- V. Question and answer session

For future information and to follow the process please go to <http://www.charmeck.org/Departments/Planning/Rezoning/Home.htm> and access our petition number under 2009 petitions.

## Exhibit D – Community Meeting Minutes

Q : Please explain the dedication of Bascom St. Extension right of way one more time?

A : We have been asked to build the Bascom St. extension by the City. However, if there is enough opposition from the neighborhood then we are willing to try and get the city to relent on this request. We may be asked by the city, however, to dedicate the Right of Way for Bascom to the city so that in the future, should they deem it necessary, they can build it.

Q : What is NCDOT's position on signaling at the Bascom Ext. and 7<sup>th</sup> street?

A : They would not consider a traffic signal. They would however consider a "no left turn" during peak hours at Bascom. The city would consider this as well.

Q : Did you do a traffic count as a result of this development? What is the impact?

A : We were required to do a study to see if the turn lane at 5<sup>th</sup> Street would be adequate storage in conjunction with a turn lane at the Bascom Extension (before we were allowed to not install the turn lane). CDOT and NCDOT agree that the existing streets (Ranier and Firefighter Ln.) are adequate. The count is around an additional 2,700 trips per day. The current traffic count on 7<sup>th</sup> is 16,000 to 18,000 trips per day.

- *NOTE (not stated in meeting) : With an anticipated unit count of 360 units the trips per day generated by this development would be 2,394.*

Q : the 2200 and 2300 block of seventh is currently 3 lanes. I think you need to extend that all the way down and have a traffic signal at the Bascom Extension.

A : It is not really in our control to extend the 3 lane condition, but it is our understanding that the city is in preliminary stages of studying this. It is our understanding that NCDOT will not consider a traffic signal at Bascom Extension.

Q : What is the impact of traffic on 5<sup>th</sup> street and Laurel?

A : we have not studied that because the city deems it insignificant.

Q : How much parking have you provided?

A : we are planning on approximately 288 spaces per deck (2 parking Decks) and an additional 40 angled spaces on Weddington Ave.

Q : It seems to me that the site plan is in line with what both DOT's want, so why are we still discussing this?

Q : Why not re-route bus route to Weddington instead of having it stop on 7<sup>th</sup> and clog traffic?

A : That is not in our power to do. Besides it is actually an effective traffic calming device.

Q : Bus stops on 7<sup>th</sup> street isn't convenient to the rest of Elizabeth, only to your development. I think the bus route should be on 5<sup>th</sup> street.

A : We are not proposing moving any bus routes; they are currently on 7<sup>th</sup> street. It is our understanding that they were on 5<sup>th</sup> street, but were moved to 7<sup>th</sup> street. We will be working

with CATS on the location of the bus stops in front of our development and will follow their wishes.

Q : The development on 5<sup>th</sup> street has greatly impacted traffic in the neighborhood. I think yours would also be a huge impact.

A : According to CDOT, it would not be a significant impact.

Q : What is the length of the buildings?

A : They range from 160' – 200'

Q : What is the overall length of the 7<sup>th</sup> Street frontage?

A : 920'

Q : Are the parking decks open?

A : There will be no roof on the top level, but they will be fully enclosed and not visible to the neighborhood.

Q : What is the required open space compared to what you are providing?

A : We are required to provide about 6,000 square feet. We have provided 8,000 square feet in our smallest courtyard. In addition to that, we have another, larger courtyard and the park going through the middle of the site. We are way over the required minimum.

- *NOTE (not stated in meeting) : Based on an approximate 600,000 square feet of building, we would be required to have 6,000 square feet of open space. The current site plan provides approximately 40,000 square feet of open space.*

Q : Do the steps from the street lead to porches? How deep are they?

A : yes they do. 6' to 7'

Q : Will the power-lines on 7<sup>th</sup> be buried?

A : yes, they will be buried.

Q : Will trees be saved?

A : It is very difficult to save the trees because they are tucked into the site, rather than being on a planting strip next to the street. In all likelihood any trees we attempted to save would die in a few years anyway. You see it happen all the time. If the tree "grew up" in a certain condition, it will not be able to adapt to a new root condition and would die.

Q : Are the trees historically protected?

A : Charlotte does not have any such designation. We are not required to provide a tree save area as a result of the rezoning.

Q : We don't want Bradford Pears. Can you put oaks in?

A : Bradford Pears have actually been outlawed. We would be required to put a Large Maturing Species in, like an oak.

EXHIBIT

Rezoning Petition 09-048  
Community meeting sign in sheet  
Hawthorne Ln United Methodist Church  
Thursday August 27, 5:30 PM

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EXHIBIT C

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