

COMMUNITY MEETING REPORT
Petitioner: Thies Realty & Mortgage Co.
Rezoning Petition No. 2011-008

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 24, 2011. 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 Thursday, February 3, 2011 at 7:00 PM at the Little Church on the Lane located at 528 Moravian Lane, Charlotte, North Carolina.

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 Frank Thies and Boyce Thies of Thies Realty & Mortgage Co., Chip Cannon of Urban Design Partners, the Petitioner's land planner, and John Carmichael of K&L Gates.

SUMMARY OF ISSUES DISCUSSED:

John Carmichael opened the meeting by introducing himself and Frank Thies and Boyce Thies of Thies Realty & Mortgage Co. and Chip Cannon of Urban Design Partners. John Carmichael advised that the site subject to this rezoning request is the old Mecklenburg Furniture building site located at 520 Providence Road. The site contains 1.16 acres and is improved with a multi-story brick building that contains approximately 43,050 square feet of building area. John Carmichael advised that the Petitioner is seeking to rezone this site from the B-1 zoning district to the UR-C (CD) zoning district.

John Carmichael then provided the following schedule of events relating to the rezoning request. He advised that the Open House Forum will be held on Monday, February 7, 2011 from 5:00 P.M. to 6:00 P.M. on the 8th Floor of the Charlotte-Mecklenburg Government Center. The Public Hearing before City Council and the Zoning Committee will be held on Monday, February 21, 2011 at 6:00 P.M. at the Charlotte-Mecklenburg Government Center. The Zoning Committee Work Session will be held on Wednesday, March 2, 2011 at 4:30 P.M. on the 2nd Floor of the Charlotte-Mecklenburg Government Center, and City Council is scheduled to render a decision on this rezoning request on Monday, March 21, 2011 at 6:00 P.M. at the Charlotte-Mecklenburg Government Center.

John Carmichael reiterated that the site is currently zoned B-1. He stated that the existing building located on the site was constructed in 1967, and was occupied by Mecklenburg Furniture for 40 years. Mecklenburg Furniture vacated the building around 2007.

At the time the building was initially constructed and occupied, it presumably complied with the applicable ordinances and regulations. Unfortunately, the building and the site do not comply with certain requirements of the current zoning ordinance for the B-1 zoning district. Specifically, the site does not meet the buffer and floor area ratio requirements and the parking requirements for certain uses allowed in the B-1 zoning district.

With respect to the buffer requirements, John Carmichael stated that buffers would be required along the rear portions of the site and along portions of the northern property line of the site. However, there is no buffer currently provided on the site, and there is little or no room to install the required buffers.

Regarding the floor area ratio limitation, the B-1 zoning district has a floor area ratio limitation of .50. This means, for example, that if you had a 20,000 square foot lot, the maximum size building you could locate on the lot would be a 10,000 square foot building, which is 50% of the lot size. The site subject to this rezoning request contains approximately 50,625 square feet of area, so the maximum size building that can be located on the site with a .50 floor area ratio limitation is a 25,313 square foot building. The existing building located on the site exceeds that limitation by approximately 18,000 square feet.

Regarding parking, the site has 64 parking spaces, so for almost all of the uses that could be located on the site, the parking requirements could not be met.

As a result, under the current zoning and as currently configured, the building could not be put back to a productive use because the site and the building do not meet all of the current zoning requirements.

To remedy these issues, the Petitioner is seeking to rezone the site to the UR-C(CD) zoning district to allow urban development and parking standards to be utilized on the site. Under the current rezoning plan, the existing building could be re-used but it could not be expanded. The non-residential commercial and office uses allowed in the UR-C zoning district are essentially those uses permitted in the B-1 zoning district, which the site is currently zoned. However, under the conditional rezoning plan, only the following uses would be permitted:

- (1) Office;
- (2) Professional office;
- (3) Retail;
- (4) Retail (furniture);
- (5) Restaurants, provided that a maximum of 5,000 square feet of the building could be devoted to restaurant uses;

- (6) Neighborhood food and beverage;
- (7) Dental, medical and optical laboratories; and
- (8) Universities, colleges, and junior colleges.

Medical office uses would not be permitted on the Site.

John Carmichael advised that buffers are not required in the UR-C zoning district. The maximum floor area ratio allowed in the UR-C zoning district is 3.0, and this floor area ratio limitation easily accommodates the existing building located on the site.

Regarding parking requirements in the UR-C zoning district, there is a minimum and a maximum parking requirement. At a minimum, a site zoned UR-C is required to have 1 parking space per 1,000 square feet of building area, and the maximum number of parking spaces allowed on a site zoned UR-C is 1 parking space per 400 square feet of building area. Under the current conditional rezoning plan relating to this rezoning request, 1 parking space per 750 square feet of building area is proposed.

At this time, the Community Meeting was devoted to questions, comments and concerns from attendees and responses from the Petitioner's representatives.

An adjoining property owner stated that her family had trouble with the truck traffic on the site in connection with the furniture store that previously operated in the building located on the site. More specifically, truck deliveries would occur during the nighttime or early morning hours, and the trucks would idle their engines for extended periods of time, creating noise and pollution. Additionally, she expressed concern about the trash generated from the prior furniture store use.

Another adjoining property owner stated that the primary concerns are the timing of the truck deliveries to the building and the idling of the truck engines. This individual inquired whether conditions could be placed on the conditional rezoning plan limiting the hours of truck deliveries and prohibiting the extended idling of truck engines on the site. John Carmichael stated these types of conditions can be placed on the conditional rezoning plan, and that he would discuss such conditions with Frank Thies and Boyce Thies and follow-up with this neighbor regarding these conditions.

A general discussion was then held concerning the prior owners and operators of the furniture business previously located on the site, and a discussion was held regarding the neighborhood in general.

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

No changes have been made to the conditional rezoning plan or to the Rezoning Petition as of the date of this Community Meeting Report as a result of the Community Meeting. However, the Petitioner is working with the adjoining property owners on conditions relating to the timing of truck deliveries to the site and the idling of truck engines on the site.

Respectfully submitted, this 10th day of February, 2011.

THIES REALTY & MORTGAGE CO.,
Petitioner

cc: Mr. Shad Spencer, Charlotte-Mecklenburg Planning Commission (via email)
Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Commission (via email)
Ms. Sonja Sanders, Charlotte-Mecklenburg Planning Commission (via email)
Mr. F. Boyce Thies, Thies Realty & Mortgage Co. (via email)

Thies Realty & Mortgage Co., Petitioner
Rezoning Petition No. 2011-008

Community Meeting Sign-in Sheet
Little Church on the Lane
Thursday, February 3, 2011
7:00 P.M.

	NAME	ADDRESS	TELEPHONE	EMAIL ADDRESS
1.	Dr. Mrs. June Raven	332 S. Laurel Ave.	704-333-5400	opahjessabentk@...
2.	Carol Mesrobian	531 Moravian Lane	704-377-2377	
3.	Frank Smith	517 Moravian Lane	704-629-1029	FSMITT70@CANOLUXA.RR...
4.	Catherine Mesrobian	527 Moravian Lane	704-562-0070	cmesrobian@...
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