COMMUNITY MEETING REPORT
Petitioner: NRP Properties/Northlake Seniors
Rezoning Petition No. 2012-024

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 first 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 March 5, 2012. A copy of the written notice is attached hereto as Exhibit A-2.

A representative of the Petitioner mailed a written notice of the date, time and location of the second Community Meeting to the individuals and organizations set out on Exhibit A-3 attached hereto by depositing such notice in the U.S. mail on March 22, 2012. A copy of the written notice is attached hereto as Exhibit A-4.

DATES, TIMES AND LOCATIONS OF MEETINGS:

The first Community Meeting was held on Thursday, March 15, 2012 at 7:00 PM in Suite D of the Pecan Ridge Shopping Center located at 9548 Mount Holly-Huntersville Road in Huntersville, North Carolina.

The second Community Meeting was held on Thursday, March 29, 2012 at 7:00 PM in Suite D of the Pecan Ridge Shopping Center located at 9548 Mount Holly-Huntersville Road in Huntersville, North Carolina.

PERSONS IN ATTENDANCE AT MEETINGS (see attached copies of sign-in sheets):

The first Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit B-1. The Petitioner's representatives at the first Community Meeting were Bobby Drakeford of the Petitioner, Jim Guyton of Design Resource Group, P.A., the Petitioner's landscape architect, and John Carmichael of Robinson Bradshaw & Hinson, P.A.

The second Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit B-2. The Petitioner's representatives at the second Community Meeting were Bobby Drakeford of the Petitioner, Jim Guyton of Design Resource Group, P.A., the Petitioner's landscape architect, and John Carmichael of Robinson Bradshaw & Hinson, P.A.

SUMMARY OF ISSUES DISCUSSED:

A. First Community Meeting

John Carmichael opened the Community Meeting by introducing himself, Bobby Drakeford of the Petitioner and Jim Guyton of Design Resource Group.

John Carmichael stated that the site subject to this rezoning request contains approximately 1.724 acres and is located on the northeast corner of the intersection of Forest Drive and West W.T. Harris Boulevard. The site is the undeveloped outparcel associated with this shopping center.

John Carmichael stated that the site is currently zoned CC (Commercial Center), and a freestanding retail/commercial building may be developed on the site under the current zoning. However, a fast food restaurant with drive-through windows and a convenience store and gas station may not be developed on the site under the current zoning. However, a bank with a drive-through window could be developed on the site under the current zoning.

John Carmichael stated that the Petitioner is seeking to rezone the site to the MUDD-Optional zoning district. Prior to sharing the conditional rezoning plan, John Carmichael provided the schedule of events relating to the rezoning request.

John Carmichael advised that the Public Hearing is scheduled for Monday, April 16, 2012 at 6:00 p.m. at the Charlotte-Mecklenburg Government Center. The Zoning Committee Work Session will be held on Wednesday, April 25, 2012 at 4:30 p.m. at the Charlotte-Mecklenburg Government Center, and City Council will render a decision on this rezoning request on Monday, May 21, 2012 at 6:00 p.m. at the Charlotte-Mecklenburg Government Center.

Under this rezoning request, the Petitioner is seeking to rezone the site to the MUDD-Optional zoning district to accommodate the development of a maximum 70 unit age restricted, senior or elderly multi-family residential building. The Petitioner is also seeking to retain the existing development rights for the site in the event that the senior or elderly multi-family residential building is not developed. Specifically, in the event that the senior or elderly multi-family residential building is not developed on the site, a maximum 10,000 square foot freestanding commercial building could be developed on the site. In other words, the Petitioner is seeking the approval of two development alternatives for the site. The current owner of the site is requiring that the Petitioner seek the approval of two development alternatives for the site.

Under the commercial development alternative for the site, a convenience store/gas station, a restaurant with drive-through or drive-in windows, an ABC store and adult establishments would not be permitted on the site.

In response to a question, John Carmichael stated that an optional provision is requested to allow a parking ratio of .5 parking spaces per residential dwelling unit under the senior or elderly multi-family alternative, and optional provisions are needed to allow drive-through windows associated with a bank or financial institution, the location of parking areas, driveways and vehicular circulation and maneuvering areas between the freestanding commercial building and Forest Drive and West W.T. Harris Boulevard and the five-foot sidewalk and planting strip along the site's frontages on Forest Drive and West W.T. Harris Boulevard, and the elimination of the urban open space requirement under the commercial alternative.

The Community Meeting was then devoted to a question, answer and comment session. Set out below is a summary of the responses to the questions and comments that were received at the meeting.

- An area resident asked if this development would hurt property values in the area. Bobby Drakeford stated that the impact on property values is difficult to predict, as it is difficult to attribute property values to a single nearby use.

- John Carmichael stated that the site is already zoned commercial, and a retail building could be developed on the site today.

- In response to a question as to whether there are limits on the amount of commercial development that can be developed in a given area, John Carmichael stated that the amount of commercial development allowed on a particular site is a function of the site's zoning.

- In response to a question, Bobby Drakeford stated that the proposed residential units would not be assisted living units. Rather, they would be independent living units.

- In response to a question as to whether or not the residential units would be low income or high income units, Bobby Drakeford stated that the units would be affordable to moderate income apartment units.

- In response to a question regarding parking for the residential units, Bobby Drakeford stated that he is planning to have two parking spaces per three dwelling units on the site. However, under the rezoning request, he is asking for one parking space per two dwelling units.

- An area resident stated that she is concerned with the amount of parking that would be provided for the residential units.

- In response to a question, Bobby Drakeford stated that the residents would be required to be seniors.

- An area resident asked if a child or grandchild could live with a senior residing in a unit, and Bobby Drakeford stated that a child or grandchild could not live in this apartment community.

- An area resident asked how you control or prevent a child or grandchild from living in a unit, and Bobby Drakeford stated that the on-site management staff would monitor the occupancy of the residential units.

- An adjoining property owner asked if a fence could be installed along the site's eastern property line, and Bobby Drakeford stated that he would agree to install a fence along the site's eastern property line.

- In response to a question, Jim Guyton stated that with respect to the residential alternative, the width of the buffer adjacent to the building would be 18 feet, however, the width of the buffer plus the tree-save area adjacent to the parking lot would be a total of 44 feet.

- In response to a question, Bobby Drakeford stated that a senior resident's grandchild would be unable to live in a unit during the summer months.

- In response to a question, Bobby Drakeford said he would install an 8 foot privacy fence along the site's eastern property line.

- In response to a question, Bobby Drakeford stated that in the event that this rezoning request is approved, he anticipates that construction of the residential building would begin in April 2013, and the residential community could open in the fall of 2013. It takes approximately six months to build the residential building.

- An adjoining property owner expressed concerns regarding the windows facing her property, which is located immediately to the east of the site. Bobby Drakeford stated that he would look at that issue and see if something could be done regarding those windows.

- In response to a question, Bobby Drakeford indicated that NRP has a property management group, and that his company, The Drakeford Company, does not manage multi-family developments.

- In response to a question, Bobby Drakeford listed some of the other projects that he has developed in the Charlotte area.

- In response to a question, Bobby Drakeford indicated that he has not previously developed a senior or elderly multi-family apartment community.

- An area resident asked if Bobby Drakeford could make changes to the conditional rezoning plan once it is approved. In response, Bobby Drakeford stated that other than minor amendments to the conditional rezoning plan, any development of the site must be in accordance with the approved conditional rezoning plan unless the site is rezoned again.

- In response to a question, Bobby Drakeford stated that there would not be vehicular access from Forest Drive into the site. Vehicular access into the site would be through the shopping center.

- In response to a question, Bobby Drakeford estimated that approximately one half of the residents would drive.

- In response to a question, Bobby Drakeford stated that this rezoning petition does not affect the zoning of property located across the street and to the south.

- In response to a question, Bobby Drakeford stated that most of the dwelling units would be one-bedroom units. Approximately 40% of the units would be two-bedroom units. Bobby Drakeford estimated that approximately 80 people would live in the residential development.

- Bobby Drakeford stated that there would be lounges on each floor of the proposed residential building, and one large lounge for the residents. There would also be a recreational component in the multi-family building.

- Bobby Drakeford then handed out copies of portions of the approved Northlake area plan.

- An area resident stated that this is the last stretch of residential development on this road for miles.

- An area resident asked where the storm water from this site would flow. Bobby Drakeford stated that it would drain to the back of the Food Lion, and that the development of the site would have to meet the post-construction controls ordinance.

- In response to a question, Jim Guyton stated that the setback from Forest Drive will be 15 feet from the edge of the right-of-way for the residential alternative.

- In response to a question, Jim Guyton stated that curb and gutter would have to be installed in front of the site, and that no turn lanes would be installed as a result of this development.

- An area resident asked what happens if the neighbors' yards get flooded and trash and debris are thrown onto the neighbors' yards. Jim Guyton stated that the management staff will make every effort to keep trash from being thrown onto the neighbors' yards.

- An area resident stated that trash already comes onto the neighbors' yards from Food Lion.

- An area resident asked if the Petitioner had done a storm water study. Bobby Drakeford stated that he had not done a storm water study, but that the development will have to meet the requirements of the post-construction controls ordinance.

- An area resident stated that Forest Drive is already flooding during heavy rains, and that she is concerned about the impact on flooding of the proposed development.

- An area resident expressed concerns regarding the flooding caused by the shopping center development.

- An area resident stated that she lost eleven trees on her lot that rotted due to flooding caused by storm water from the shopping center.

- Bobby Drakeford stated that this proposed development would not address the existing storm water problems, but it should not make it any worse. Jim Guyton stated that the storm water issues will have to be reviewed.

- An area resident once again expressed her concern regarding flooding and the impact of this proposed development on storm water runoff.

- An area resident stated a concern regarding traffic in the area and the increase in traffic that would be caused by this proposed development.

- In response to a question, Bobby Drakeford stated that this residential community would likely have three employees, a manager, an assistant manager and a maintenance worker. The manager would not live on the site.

- In response to a question, Bobby Drakeford stated that NRP currently operates in eight states.

- In response to a question, Bobby Drakeford stated that if the rezoning request is approved and the residential community is developed, that his group will buy the site.

- In response to a question about who would be the developer of the proposed residential community, Bobby Drakeford said that NRP and his company would be the co-developers of the project.

B. <u>Second Community Meeting</u>

The Petitioner held a second Community Meeting to clarify certain matters and to provide an update on revisions to the conditional rezoning plan.

John Carmichael opened the meeting by providing a revised schedule of events relating to this rezoning request. The schedule has been revised because the date of City Council's decision on the rezoning request has been changed from Monday, May 21, 2012 to Monday, May 14, 2012 at 6:00 p.m. at the Charlotte-Mecklenburg Government Center. The Public Hearing will be held on Monday, April 16, 2012 at 6:00 p.m. at the Charlotte-Mecklenburg Government Center, the Zoning Committee Work Session will be held on Wednesday, April 25, 2012 at 4:30 p.m. at the Charlotte-Mecklenburg Government Center, and City Council will, once again, render a decision on this rezoning request on Monday, May 14, 2012 at 6:00 at the Charlotte-Mecklenburg Government Center.

John Carmichael noted that a Community Meeting was previously held regarding this rezoning request on March 15, 2012, and that the Petitioner is holding this second Community Meeting for the purpose of sharing revisions to the conditional rezoning plan and to provide additional information regarding the proposed development.

John Carmichael then discussed the rezoning request and the conditional rezoning plan. More specifically, John Carmichael stated that the Petitioner is seeking to rezone the site from the CC (Commercial Center) zoning district to the MUDD-Optional zoning district to accommodate the potential development of a senior or elderly multi-family residential building contain a maximum of 70 dwelling units, while retaining the ability to develop the site in accordance with the currently approved conditional rezoning plan. The currently approved conditional rezoning plan would permit the development of a freestanding commercial building that could be devoted to retail, restaurant and office uses among other things. Under the currently approved conditional rezoning plan and the commercial alternative, a convenience store, a gas station, a restaurant with drive-through or drive-in windows, an ABC store and an adult establishment could not be

located on the site. The current owner of the site is requiring the Petitioner to retain the existing development rights so that a commercial use can be developed on the site in the event that the senior or elderly multi-family residential building is not developed on the site.

John Carmichael then listed the optional provisions that are being requested by the Petitioner. With respect to the senior or elderly multi-family alternative, an optional provision is being requested so that parking may be provided at a ratio of .5 parking spaces per dwelling unit. With respect to the commercial alternative, optional provisions are being requested to allow drive-through windows as an accessory use to a bank or a financial institution, the location of parking areas, driveways and vehicular circulation and maneuvering areas between the freestanding commercial building and Forest Drive and West W.T. Harris Boulevard and the five-foot sidewalk and planting strip shown on the conditional rezoning plan, and the elimination of the urban open space requirement.

John Carmichael then discussed elements of the conditional rezoning plan.

The Community Meeting was then devoted to a question, answer and comment session. Set out below is a summary of the responses to the questions and comments that were received at the meeting.

- Bobby Drakeford stated that the traffic that would be generated by the proposed senior or elderly multi-family residential building would likely be less than the traffic generated by a commercial use on the site. Bobby Drakeford stated that vehicular access to the site would not be provided from Forest Drive.

- In response to a question, Bobby Drakeford stated that a traffic signal would not be installed at the intersection of Forest Drive and W.T. Harris Boulevard as a result of this proposed development.

- An area resident stated that a traffic signal is needed at this intersection, and that it is unrealistic to propose this development without the installation of a traffic signal. This individual stated that she lives on Forest Drive, and it is very difficult to get from Forest Drive onto W.T. Harris Boulevard due to the traffic.

- An area resident stated that her parents are over 70 years old and they both drive cars. The amount of parking to be provided on this site for the residential building is not realistic because there are not enough parking spaces. This area resident lives on Lake Spring.

- Jim Guyton stated that a traffic signal would have to be warranted and it would have to be located an appropriate distance from existing traffic signals. Jim Guyton stated that he doubts that a traffic signal at this intersection could meet either of these requirements.

- An area resident stated that elderly people will certainly need a traffic signal at the intersection of Forest Drive and W.T. Harris Boulevard.

- An area resident asked if there is an option to put a bus route out here if this residential building is approved. Bobby Drakeford stated that he has been in touch with CATS and as he understands it, there are no current plans to put a bus route at this site.

- In response to a question, Bobby Drakeford stated that most of the residential units will be one-bedroom units. Bobby Drakeford stated that there would be 63 parking spaces on the site, although the conditional rezoning plan would allow fewer parking spaces.

- Bobby Drakeford stated that the height of the proposed residential building will be reduced from 4-stories to 3-stories, and this will reduce the number of residential units. Bobby Drakeford stated that he does not know what the final unit count will be at this time, but he anticipates an ultimate actual parking ratio of 1 parking space per unit. Bobby Drakeford also stated that most of the apartment units would be occupied by only one person.

- An area resident asked where visitors would be expected to park at this residential community. Bobby Drakeford stated that there are senior communities with parking ratios less than the parking ratio proposed pursuant to this rezoning request. He also stated that overflow parking could park in the shopping center as well.

- An area resident asked if any off-site road improvements would be constructed as a result of the proposed senior residential community. Bobby Drakeford stated that CDOT is not requiring any off-site transportation improvements. Jim Guyton stated that the traffic expected to be generated by this proposed senior residential community will be lower than the traffic that would be expected to be generated by a development under the existing zoning.

- An area resident who lives on Forest Drive stated that she is opposed to the proposed senior residential community.

- An area resident stated that there is already a significant storm water problem on Forest Drive, and this area resident is concerned that the proposed development would worsen an already bad situation.

- An area resident asked if Food Lion is okay with this proposed senior residential community, and Bobby Drakeford stated that it is his understanding that Food Lion is comfortable with this proposed project.

- Jim Guyton stated that if the proposed senior residential community is developed, the developer will have to incorporate storm water improvements into the site.

- In response to a question, Bobby Drakeford stated that it would take approximately 6 to 7 months to construct the senior residential community after all approvals have been obtained.

- An area resident asked Bobby Drakeford if he really wants to develop the proposed senior multi-family residential project, and Bobby Drakeford stated that he does want to develop the project.

- An area resident asked about the current owner of the site, and Bobby Drakeford stated that the current owner is a retail developer.

- An area resident asked if this would be a low income residential community. Bobby Drakeford stated that a portion of the senior residential community would be occupied by individuals that would be considered to be low income individuals. The remainder of the apartment units would be considered to be affordable units. The monthly rent would be $500 to $650 depending on the bedroom type.

- In response to a question, Bobby Drakeford stated that no one under age 55 could live in the apartment units, and that on-site management would be provided. The residential building would be constructed of brick and hardi-plank.

- An area resident stated his opinion that the age restriction cannot be enforced. Bobby Drakeford stated that it can be enforced, and that there is a financial penalty if the requirements are not met. Bobby Drakeford stated that the management of the project would be evaluated twice annually.

- An area resident asked what the impact on property values would be of the proposed senior residential community. Bobby Drakeford stated that he is not aware of a study that would speak to this issue, but he did not believe that a senior residential community would adversely impact the quality of life in the area.

- An area resident expressed her opinion that this would be an unattractive residential community and that it would not fit in with the surrounding area.

- An area resident asked if it was a done deal with respect to the 3-story height limitation, and Bobby Drakeford stated that he is committing to a maximum height of 3-stories.

- Bobby Drakeford then shared some of the floor plans of the proposed residential building.

- An area resident asked if the residential units must be leased prior to the beginning of the construction of the residential building, and Bobby Drakeford stated that they would not need to be leased. Bobby Drakeford stated that there is a great demand for these types of units.

- In response to a question, Bobby Drakeford stated that in the event that this rezoning request is approved and all other approvals are obtained, that construction of the residential building would begin in March 2013.

- In response to a question, Bobby Drakeford stated that he had never rezoned a site for a certain use and not developed that use.

- In response to a question about the relationship between NRP and The Drakeford Company, Bobby Drakeford stated that his company would be partners with NRP on this development.

- In response to a question, Jim Guyton stated that in connection with the senior multi-family residential alternative, an 18-foot Class C buffer would be provided along the site's eastern property line, and a 44-foot wide tree save area (that includes the buffer) would be provided along a portion of the site's eastern property line.

- In response to a question, Bobby Drakeford stated that an 8 foot tall decorative wooden fence with brick columns would be installed along the site's eastern property line.

- In response to a question, Bobby Drakeford confirmed that vehicular access into the site would be through the shopping center rather than from Forest Drive.

- An area resident asked if Bobby Drakeford lived near this type of residential project, and Bobby Drakeford stated that he did not live near this type of development.

- An area resident stated that she is unsure of the need for this type of residential community as there are vacant units all around town.

- Bobby Drakeford stated that there is a need for elderly housing throughout the community, and that every such residential development that opens is generally full within three months of opening.

- Bobby Drakeford stated that the Planning Department wants the height of the proposed residential building limited to a maximum of 3-stories, and that he has agreed to limit the height to a maximum of 3-stories. Bobby Drakeford stated that the Planning Department is not supportive of the request for the approval of alternative uses, residential or commercial. The Planning Department wants one type of use proposed rather than two types of uses.

- An area resident expressed concern regarding traffic and that this proposed residential community would adversely impact the traffic situation in the area.

- An area resident stated that an apartment community does not fit in with the area, and this area resident stated that there are concerns regarding storm water runoff and traffic.

- An area resident stated that she is going to contact the county regarding the existing storm water problem.

- An area resident stated that by developing the site, green space would be taken away, which would worsen the storm water runoff issues in the area.

- Jim Guyton stated that the storm water from the site will go to the same place that it currently goes. Jim Guyton reiterated that the development of the site would have to comply with the post-construction controls ordinance.

- Bobby Drakeford stated that the development would have to detain storm water runoff.

- Jim Guyton stated that a detention basin is already located on the site, and it is designed and sized for the shopping center, including the site. Jim Guyton stated that under the existing conditional rezoning plan for the site, there is more impervious area than what is being proposed under the senior multi-family residential alternative.

- An area resident stated that it is simply not enough to merely comply with the post-construction controls ordinance.

- Bobby Drakeford confirmed that an 8-foot decorative wooden fence with brick columns would be installed along the site's eastern property line in connection with the residential building.

- An area resident asked if the 8-foot decorative wooden fence had been requested by a neighbor at the first Community Meeting. Bobby Drakeford stated that it had been requested.

- In response to a question, Bobby Drakeford stated that the residential development would not be a gated community.

- An area resident asked if the site would be considered to be private property after it is developed, and Jim Guyton said that it would be considered to be private property.

- An area resident stated that he had heard that the Food Lion located in the shopping center is closing. Bobby Drakeford stated that he did not believe that the Food Lion would be closing.

- An area resident stated that he is concerned that if the residential units cannot be leased, that the residential building would not be restricted to seniors, and it would be leased to anyone who can pay the rent.

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

As a result of the Community Meetings, the Petitioner agreed to incorporate the following revisions into its conditional rezoning plan:

1) An 8-foot tall decorative wooden fence with brick columns will be installed along the site's eastern property line if the senior or elderly multi-family apartment community is developed on the site.

2) The windows on the easternmost section of the proposed residential building that face the adjoining single-family home located to the east of the site have been eliminated. This is the portion of the proposed residential building located closest to the site's eastern property line.

Respectfully submitted, this 5th day of April, 2012.

NRP Properties/Northlake Seniors, Petitioner

cc: Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Commission (via email)
Mr. Shad Spencer, Charlotte-Mecklenburg Planning Commission (via email)
Mr. Bobby Drakeford, NRP Properties/Northlake Seniors (via email)

Community Meeting Sign-In Sheet March 15, 2012

Rezoning Petition No. 2012-024

Name	Address	Email Address	Phone No.
MARY AVERY	9626 Woodland Cir, CHARLOTTE 28216	alvinavery@bellsouth.net	704-394-4778
Alison Wilson	9626 Woodland Cir, Charlotte		"
Tim & Katherine	9610 Forest Drive, Charlotte	N/A	N/A
Shields & Brenda Napier	9609 " "		704-392-2757
Robby Keziah	9714 Woodland Circle Charlotte		704-391-1256
Betty Keziah	9732 Woodland Cir Charlotte NC		704-394-9874
Becky Oddy	9533 Forest Dr. Charlotte NC		704-494-4467
Jeremy Oddy			
KAY OWENS	9420 MT. HOLLY-HUNTERSVILLE RD	KWOABC@BELLSOUTH.NET	704 455 9487
Mack Wicker	9726 Williamsburg Cir H.Ville	& Sybil Wicker same address.	
Mary Lou Rhoden	9324 Mt Holly Huntsville Rd.		
PATRICIA BROWN	10191 Reindeer Way LN 28216	pbrown1577@yahoo	704 391 1977

Keziah Fab@Yahoo.com

EXHIBIT

tabbies

B-1

Community Meeting 3/29/12

Name	Address	Email
Glenn Avery	9626 Woodland Cir.	
Jim & Katherine Chesser	9610 Forest Drive	
Shields Napier	9609 Forest Drive	
Barry & Kay Owens	9420 Mt. Holly-Huntersville Rd	
Nancy Detweiler Kerestesy	9639 Forest Dr.	
Jeremy Oddy	9533 Forest Dr	
Nino Robles	9137 Whittel Rd	
Janet Gech	8928 Carastan Dr.	
Charles Keller	8906 Cardstan Drive	charles.w.keller@gmail.com
Shazia Keller (parking ratio)	8906 Carastan Dr.	silverymoon@yahoo.com
↳ please put me on notification list for zoning changes		
Gopal Shiddapur	8913 Carastan Dr	gopals@att.net
Lindsay Wiesner	8907 McCartney Way	lwiesner@ameresco.cc
Nori Fuentes	9312 Lake Spring Ave	norifuentes@yahoo.com
Betty Keziah	9732 WoodLand Cir / Robby Keziah	
Mary Avery	9626 Woodland Cir.	
Charlie Kiper	8413 Londonshire Dr 28216	
Alan Jacobson	8912 Cypress Forest Dr 28216	
[illegible]	[illegible] Court [illegible] 28216	
[illegible]	8510 [illegible]	
Ed Akerberg	8908 McCartney Way	ed.akerberg@gmail.com
Dean Bisson	9103 Vermel Ct	ddcwfl@aol.com

EXHIBIT B-2