

COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2015-112

Tate Pappas SC Investors, LLC

Petitioner: Tate Pappas SC Investors, LLC
Rezoning Petition No.: 2015-112
Property: 0.55 acres located on the southeast corner of the intersection of Sharon Road and Ashley Park Lane

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to Section 6.203 of the City of Charlotte Zoning Ordinance.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATES AND EXPLANATIONS OF HOW CONTACTED:

The required Community Meeting was held on September 29, 2015, 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** by depositing the Community Meeting Notice in the U.S. mail on September 18, 2015. A copy of the written notice is attached as **Exhibit B**.

TIME AND LOCATION OF MEETING:

The Community Meeting required by the Ordinance was held on September 29, 2015 at 7:00 PM, at Sharon United Methodist Church located at 4411 Sharon Road, Charlotte, NC 28211.

PERSONS IN ATTENDANCE AT MEETING:

The sign-in sheet from the required Community Meeting is attached as **Exhibit C**. The Petitioner's representatives at the required Community Meeting were Brian Roth and Kathleen Smits with Pappas Properties. Also in attendance representing the Petitioner was Keith MacVean with Moore & Van Allen, PLLC.

SUMMARY OF ISSUES DISCUSSED AT MEETING:

I. Overview of Petitioner's Presentation.

Introduction and Overview of Development Plan.

Mr. MacVean introduced the development team to the attendees and provided a review of the rezoning process and time line. Mr. MacVean provided the attendees the upcoming Public Hearing date, Zoning Committee date and the date of the decision on the Petition.

He then explained that this Petition involves a request to rezone a .55 acre Site from MUDD-O (Mixed Use Development District Optional) to MUDD-O (SPA) (Mixed Use Development District Optional Site Plan Amendment). He explained that the reason for the rezoning request was to allow the Site to be developed with a limited service restaurant with a drive-through window.

Mr. MacVean also explained that this Site was originally rezoned in 2006 as part of the original rezoning petition for Sharon Square a residential, retail, and office based mixed use center. The original rezoning Petition for Sharon Square called for this Site to be developed with a multi-story building containing office and retail uses including a bank with a drive-through window. The original plan for Sharon Square also called for an additional driveway into the Site from Sharon Road to serve the drive-through bank.

The proposed site plan was then described. It was explained that the building with the proposed limited service restaurant would be located at the corner of Sharon Road and Ashely Park Lane. Pedestrian access to the restaurant will be from the sidewalk along Ashely Park Lane and from the sidewalk along Sharon Road. Vehicular access to the Site would be from Ashely Park Lane. There would not be any additional driveways to Sharon Road from the Site as contemplated by the original plan. .

The areas of the Site to be used for outdoor seating were indicated to the attendees. The outdoor seating areas will be provided along Ashley Park Lane and Sharon Road.

The attendees were then invited to ask questions.

II. Summary of Questions/Comments and Responses

The attendees asked the following questions.

How would the proposed restaurant be accessed? It was explained that access would occur from Ashley Park Lane the existing private street that provides access to Sharon Square from Sharon Road.

How many square feet would the new restaurant contain? It is anticipated that new restaurant would have about 2,000 square feet located on two floors. It was also explained that Site would have the ability to have a building with up to 4,000 square feet. Which was less than that was originally approved for the Site which was just over 16,000 square feet.

A question about building height was also asked. The proposed building would be a two story building. The maximum height allowed on the Site would be 55 feet which was the same height allowed by the previously approved plan.

One attendee wanted to know if pedestrian access from the adjoining Louisburg development could be provided via a gate. The Petitioner indicated that would be something that could be explored if the residents of Louisburg Square were interested.

A question about parking was asked. It was explained that parking would be available next to restaurant as well as on the lower level of the adjoining parking deck.

One attendee wanted to know why this use was being proposed. It was explained that this use would act as an amenity for Sharon Square as well as enhance the mix of uses.

A question about when the restaurant would be open was asked. It is anticipated that the restaurant would be open next summer.

The attendees which were all residents of Louisburg Square shared with the Petitioner's representatives some of the problems they had encountered as neighbors of Sharon Square. The Petitioner's representatives indicated they were interested in knowing some of the issues they were encountering so that they could be addressed by the property management company for Sharon Square.

The attendees were thanked for their time and interest; the meeting was then adjourned.

CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:

No changes to the Petition were made as a result of the Community Meeting.

TATE PAPPAS SC INVESTORS, LLC

cc: Mayor Dan Clodfelter and Members of Charlotte City Council
John Kinley, Charlotte Mecklenburg Planning Commission
Tammie Keplinger, Charlotte Mecklenburg Planning Commission
Rick Grochoske, Charlotte Department of Transportation (CDOT)
Peter A. Pappas, Pappas Properties
Brian Roth, Pappas Properties
Kathleen Smits, Pappas Properties
Jefferson W. Brown, Moore & Van Allen, PLLC
Keith MacVean, Moore & Van Allen, PLLC

Pet No.	TaxPID	OwnerLastN	OwnerFirst	COwnerFirs	COwnerLast	MailAddr1	MailAddr2	City	State	ZipCode
2015-112	18313646	ABEL	WALTER B JR	JANE V	ABEL	6708 LOUISBURG SQUARE LN		CHARLOTTE	NC	28210
2015-112	18313276	ASHLEY PARK LLC			C/O ALLEN TATE REALTY	6700 FAIRVIEW RD SUITE 300		CHARLOTTE	NC	28210-3324
2015-112	18313608	BLOCK	FRANKLIN L	WENDY B	BLOCK	322 CAUSEWAY DR		WRIGHTSVILLE BEACH	NC	28480
2015-112	18313642	BRAKE	CAROLE SLAUGHTER	THOMAS WALTER	BRAKE	6718 LOUISBURG SQUARE LN		CHARLOTTE	NC	28210
2015-112	18313621	BRODSKY	MARLA			6751 LOUISBURG SQUARE LN #14		CHARLOTTE	NC	28210
2015-112	18313601	CARSTARPHEN	CATHERINE STOWE PHARR			6705 LOUISBURG SQUARE LN		CHARLOTTE	NC	28210
2015-112	17901166	CENTER PROPERTIES #1 LLC	INC			5960 FAIRVIEW RD SUITE 200		CHARLOTTE	NC	28210
2015-112	18313860	CHARTERS TOWNHOUSE ASSOC				1014 EAST BLVD # 103		CHARLOTTE	NC	28203-5787
2015-112	18313616	CLERICI	FAYE STONE	CHERYLL L	DANIEL	6763 LEWISBURG SQUARE LN		CHARLOTTE	NC	28210
2015-112	18313647	DANIEL	WILLIAM WAYNE			141 SAN REMO DR		CARMEL	CA	93923
2015-112	18313610	DAVIS	ARLENE M			6731 LOUISBURG SQUARE UNIT 10		CHARLOTTE	NC	28210
2015-112	18313904	DDR TERRACES SP LLC			C/O DDR CORP	3300 ENTERPRISE PY		BEACHWOOD	OH	44122
2015-112	18313862	DDR TERRACES SP LLC			C/O DDR CORP	3300 ENTERPRISE PY		BEACHWOOD	OH	44122
2015-112	18313630	DONOHUE	ELAINE			6793 LOUISBURG SQUARE LN		CHARLOTTE	NC	28210
2015-112	18313606	EDWARDS	DANA D	ROBERT T	BROWN	6717 LOUISBURG SQUARE LN		CHARLOTTE	NC	28210
2015-112	18313615	EDWARDS	DEMTRY W	MAURICE	EDWARDS	5405 HEATHERFORD CT		GLEN ALLEN	VA	23059
2015-112	18313625	ESTWANIK	JOSEPH J III	EDWARDS	ESTWANIK	6783 LOUISBURG SQUARE LN		CHARLOTTE	NC	28210
2015-112	18313628	GAVIN	GHB S (TRUSTEE)	THE GHI S GAVIN FAMILY TRUST		6789 LOUISBURG SQUARE LN # 31		CHARLOTTE	NC	28210
2015-112	18313619	GIBSON	ANGLEAN GIBBS (TRUSTEE)	ANGLEAN GIBBS	GREGORY	6767 LOUISBURG SQUARE LN UNIT 17		CHARLOTTE	NC	28210
2015-112	18313618	GREGORY	JAMES T	KRISTIN S	HARRIS	7003 SUGAR LOAF CT		CHARLOTTE	NC	28210
2015-112	18313633	HARRIS	THOMAS ALLEN	ROSEMARY PAYNE	HARRIS	7015 LOUISBURG SQUARE LANE		CHARLOTTE	NC	28210
2015-112	18313605	HOCH	SCOTT A	ANN CLAIRE	HOCH	6727 LOUISBURG SQUARE LN Unit 9		CHARLOTTE	NC	28210
2015-112	17903202	KEHSEN	EARL C JR	BARBARA S	JENSEN	6507 TENSURTY CT		CHARLOTTE	NC	28210
2015-112	17903202	KERNS	MARSHALL GLENN	ARLENE P	KERNS	6714 LOUISBURG SQUARE LN		CHARLOTTE	NC	28210
2015-112	18313643	KHOSLA	PARBODH K	CHANCHAL K	KHOSLA	6713 LOUISBURG SQUARE LN		CHARLOTTE	NC	28210
2015-112	18313604	KUNKLER	ANDREW D	KILEY	KNEPP	7251 ENGLE RD STE 406		CHARLOTTE	NC	28210
2015-112	18313624	KV REAL ESTATE LLC				7251 ENGLE RD STE 406		MIDDLEBURG HTS	OH	44130
2015-112	18313624	KV REAL ESTATE LLC				7251 ENGLE RD STE 406		MIDDLEBURG HTS	OH	44130
2015-112	18313632	KV REAL ESTATE LLC				7251 ENGLE RD STE 406		MIDDLEBURG HTS	OH	44130
2015-112	18313602	LANG	XUSHAN	LI	WEI	6709 LOUISBURG SQUARE LANE		CHARLOTTE	NC	28210
2015-112	18313603	LIU	XINXIN	ETHAN	DUTY	918 E MOREHEAD ST		CHARLOTTE	NC	28204
2015-112	18313308	LONG	CLAUDE E	REBECCA C	LONG	918 E MOREHEAD ST		CHARLOTTE	NC	28204
2015-112	18313309	LONG	CLAUDE E	REBECCA C	LONG	2015 SOUTH TRYON ST STE 1-D		CHARLOTTE	NC	28203
2015-112	18313648	LOUISBURG SQUARE MASTER	ASSOCIATION INC		ATTN ROSS COWAN	575 FIFTH AVE 23FL		NEW YORK	NY	10017
2015-112	17901163	NW SOUTHEAST HOLDINGS LLC			ATTN ROSS COWAN	575 FIFTH AVE 23FL		NEW YORK	NY	10017
2015-112	17901164	NW SOUTHEAST HOLDINGS LLC				5960 FAIRVIEW RD SUITE 200		CHARLOTTE	NC	28210
2015-112	17901165	OLD TOWNE INVESTMENTS LLC			OSTERFELT	6791 LOUISBURG SQUARE LANE		CHARLOTTE	NC	28210
2015-112	18313629	OSTERFELT	DONALD J	C SUSAN	OSTERFELT	6723 LOUISBURG SQUARE #7		CHARLOTTE	NC	28210
2015-112	18313607	PARDUE	AUDREY		PETRARCA	6733 LOUISBURG SQUARE LN Unit 11		CHARLOTTE	NC	28210
2015-112	18313611	PETRARCA	VINCENT	MARY E	PETRARCA	6710 LOUISBURG SQUARE LN		CHARLOTTE	NC	28210
2015-112	18313645	PITTMAN	STEVE A			1 NATHAN DR		TOWACO	NJ	07082
2015-112	18313612	PREMIER REAL ESTATE SOLUTIONS	INC- THE			5100 SHARON RD		CHARLOTTE	NC	28210-4768
2015-112	17903248	PRESBYTERIAN HOME AT CHARLOTTE	INC- THE	MARIE HELENE	PYDER-COOK	6753 LOUISBURG SQUARE LN Unit 13		CHARLOTTE	NC	28210
2015-112	18313622	PYDER-COOK	ALLEN S	ANN	SCALA	6712 LOUISBURG SQUARE LN	SUITE 325	CHARLOTTE	NC	28210
2015-112	18313644	SCALA	HENRY			1111 METROPOLITAN AVE		CHARLOTTE	NC	28204
2015-112	18313374	SHARON SQUARE OFFICE INVESTORS				6787 LOUISBURG SQUARE LN Unit 32		CHARLOTTE	NC	28210
2015-112	18313627	SOPKO	RUTH K	JOHN	SOPKO	6749 LOUISBURG SQUARE LN Unit 15		CHARLOTTE	NC	28210
2015-112	18313620	SPELLMAN	ELLEN M		STOKES	1692 TERRA VERDE DR		CHARLOTTE	NC	28210
2015-112	18313631	STOKES	RONALD S	RHONDA J	STOKES	1111 METROPOLITAN AVE SUITE 325		MYRTLE BEACH	SC	28579
2015-112	18313626	STRAOTMAN REVOCABLE LIVING TRU		STEPHEN M	STRAOTMAN	1111 METROPOLITAN AVE SUITE 325		CHARLOTTE	NC	28204
2015-112	18313307	TATE PAPPAS APARTMENT INVESTOR	LLC			5100 SHARON RD		CHARLOTTE	NC	28210
2015-112	18313375	TATE PAPPAS APARTMENT INVESTOR				6755 LOUISBURG SQUARE LN Unit 22		CHARLOTTE	NC	28210
2015-112	17903201	THE PRESBYTERIAN HOME AT CHARL	JOHN	MARY	TINKEY	3725 SELWYN FARMS LN		CHARLOTTE	NC	28209
2015-112	18313613	TINKEY	JOHN			6765 LOUISBURG SQUARE LN #18		CHARLOTTE	NC	28210
2015-112	17901162	TRY-STAR	JOHN M			6757 LOUISBURG SQUARE LANE		CHARLOTTE	NC	28210
2015-112	18313617	WILLIAMS	HELEN J					CHARLOTTE	NC	28210
2015-112	18313614	ZELLER						CHARLOTTE	NC	28210

Pet. No.	First Name	Last Name	OrgLabel	MailAddress	MailCity	MailZip
2015-112	Connie	Farrell	Beverly Woods Civic Assoc.	3332 Champaign Street	Charlotte	NC 28210
2015-112	Carmen	Adams	Beverly Woods East Civic Assoc.	2941 Champaign Street	Charlotte	NC 28210
2015-112	Gina	Collins	Picardy HOA	315 Garrison Drive	Kings Mountain	NC 28086
2015-112	Dan	Medvid	Winding Brook Civic Assoc.	5117 Little Brook Lane	Charlotte	NC 28226
2015-112	Roger	Coates	Closeburn/Glenkirk Neighborhood	5616 Glenkirk Road	Charlotte	NC 28210
2015-112	Wilna	Eury	Picardy HOA	3040 Eastham Lane	Charlotte	NC 28209
2015-112	Christine	Woods	Heatherstone NA	3635 Stokes Avenue	Charlotte	NC 28210
2015-112	Phyllis	Strickland	Picardy HOA	5809 Wintercrest Lane	Charlotte	NC 28209
2015-112	Roger	Coates	Glenkirk NA	5616 Glenkirk Road	Charlotte	NC 28210
2015-112	Randy	Thomas	Southpark Mall - Simon Properties	4400 Sharon Road	Charlotte	NC 28211
2015-112	Ike	Greinger	Park Phillips Townhomes Owners Assoc.	6716 Churchill Park Court	Charlotte	NC 28210
2015-112	Teri	Marshall	Beverly Woods Civic Assoc.	3900 Kitty Place	Charlotte	NC 28210
2015-112	Rachel	Gold	Ballantyne Residential POA, Inc	5970 Fairview Road, Suite 710	Charlotte	NC 28210
2015-112	Tom	Golen	Piedmont Row COA	4625 Piedmont Row Drive, #511E	Charlotte	NC 28210
2015-112	Leslie	Mueller	Closeburn & Glenkirk NA	5523 Closeburn Road	Charlotte	NC 28210
2015-112	Maddy	Baer	Wrencrest HOA	5617 Fairview Rd #7	Charlotte	NC 28209
2015-112	Steven	Bock	South Park NA	2719 Phillips Drive	Charlotte	NC 28210
2015-112	George	Caudle	Fair Meadows HOA	3230 Sunnybrook Drive	Charlotte	NC 28210
2015-112	John	McCann	Piedmont Row HOA	4620 Piedmont Row Drive	Charlotte	NC 28210
2015-112	Rachel	Gold	Firstserve Residential, Inc.	5970 Fairview Road, Suite 710	Charlotte	NC 28210
2015-112	Todd	Dunnagan	Beverly Woods NA	4017 Meadston Lane	Charlotte	NC 28210
2015-112	Tammi	Gilbert	Southpark	5731 Closeburn Road	Charlotte	NC 28210

NOTICE TO INTERESTED PARTIES OF A REZONING PETITION
PETITION # 2015-112 – Tate Pappas SC Investors, LLC

Subject: Rezoning Petition No. 2015-112

Petitioner/Developer: Tate Pappas SC Investors, LLC

Property: .55 acres located on the southeast corner of the intersection of Sharon Road and Ashley Park Lane.

Existing Zoning: MUDD-O

Rezoning Requested: MUDD-O SPA

Date and Time of Meeting: **Tuesday, September 29, 2015 at 7:00 p.m.**

Location of Meeting: Sharon United Methodist Church
4411 Sharon Road
Charlotte, NC 28211

Date of Notice: Mailed on September 18, 2015

We are assisting Tate Pappas SC Investors, LLC (the “Petitioner”) on a Rezoning Petition it recently filed regarding a zoning change for approximately .55 acres (the “Site”) located on the southeast corner of the intersection of Sharon Road and Ashley Park Lane. We take this opportunity to furnish you with basic information concerning the Petition and to invite you to attend a Community Meeting to discuss it.

Background and Summary of Request:

This Petition involves a request to rezone a .55 acre Site from MUDD-O (Mixed Use Development District Optional) to MUDD-O(SPA) (Mixed Use Development District Optional Site Plan Amendment). The site plan associated with this rezoning request proposes to develop the Site with a limited service restaurant with an accessory drive-through window. A limited service restaurant is a restaurant that serves, primarily items such as coffee, ice cream, yogurt, juices, tea, bagels, muffins, pastries, and sandwiches that do not require on premise cooking of food.

This Site was originally in 2006 as part of the original rezoning petition for Sharon Square a residential, retail, and office based mixed use center. The rezoning Petition for Sharon Square called for this Site to be developed with a multi-story building contain office and retail uses including a bank with a drive-through window.

This rezoning request proposes to add to the previously approved uses for the Site the ability to develop a limited service restaurant with an accessory drive through window.

The building with the proposed limited service restaurant would be located at the corner of Sharon Road and Ashely Park Lane. Pedestrian access to the restaurant will be from the sidewalk along Ashely Park Lane and from the sidewalk along Sharon Road. Vehicular access to the Site would be from Ashely Park Lane.

Areas for outdoor seating will be provided along Ashley Park Lane and Sharon Road.

Community Meeting Date and Location

The Charlotte-Mecklenburg Planning Commission’s records indicate that you are either a representative of a registered neighborhood organization or an owner of property near the Site. **Accordingly, we are extending an invitation to attend the upcoming Community Meeting to be held on Tuesday, September 29th at**

7:00 p.m. at Sharon United Methodist Church – at 4411 Sharon Road, Charlotte, North Carolina 28211. Representatives of the Petitioner look forward to discussing this exciting rezoning proposal with you at the Community Meeting.

In the meantime, should you have questions about this matter, you may call Keith MacVean (704-331-3531) or Jeff Brown (704-331-1144). Thank you.

cc: Mayor Dan Clodfelter and Members of Charlotte City Council
John Kinley, Charlotte Mecklenburg Planning Commission
Tammie Keplinger, Charlotte Mecklenburg Planning Commission
Rick Grochoske, Charlotte Department of Transportation (CDOT)
Peter A. Pappas, Pappas Properties
Brian Roth, Pappas Properties
Jefferson W. Brown, Moore & Van Allen, PLLC
Keith MacVean, Moore & Van Allen, PLLC

Tate Pappas SC Investors, LLC
Rezoning Petition No. 2015-112
Community Meeting
September 29, 2015 @ 7:00 p.m.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1	Tim Gregory	6767 Louisa Street	704-576-1829	jim@insuranceconcepts.org
2	Marie Helene Ryan Cook	6753 Louisa Street	803-448-1784	mhyolencecook@gmail.com
3	Elaine Donohue	6793 Louisa Street	704-554-7547	zmeas@carolina.rr.com
4	Rosemary Harris	6799 Louisa Street	704-552-9559	rharris@carolina.rr.com
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