

COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2016-113

Petitioner: ZOM Development
Rezoning Petition No.: 2016-113
Property: ± 2.679 acres located at 4401 Barclay Downs Drive, Charlotte, NC (the "Site").

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 Tuesday, August 9, 2016, 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 July 26, 2016. A copy of the written notice is attached as **Exhibit B**. Prior to the Community Meeting, Petitioner also had smaller group meetings with leaders of the Barclay Downs, Deering Oaks and Picardy neighborhoods.

TIME AND LOCATION OF MEETING:

The **Community Meeting required by the Ordinance was held on August 9, 2016 at 7:00 PM**, at Sharon United Methodist Church, 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 representative at the required Community Meeting were Darryl Hemminger with ZOM Carolinas, Terry Shook and Robert Bittel of Shook Kelley, Randy Goddard with Design Resource and Brian Crutchfield with the Timmons Group. Also in attendance were Jeff Brown and Bridget Dixon with Moore & Van Allen, PLLC.

SUMMARY OF ISSUES DISCUSSED AT MEETING:

I. Overview of Petitioner's Presentation.

Introduction and Overview of Development Plan.

Jeff Brown opened to meeting and welcomed everyone in attendance. Mr. Brown gave background information on the project and an overview of the rezoning process. He told attendees that they have met with several neighborhood leaders in small group settings and will continue to work with the community as they move forward in the rezoning. Mr. Brown reviewed the agenda for the meeting, provided an overview of the rezoning process and introduced Darryl Hemminger of ZOM Carolinas.

ZOM Development is a multi-family developer with high quality projects in Florida, Washington DC, Dallas and the Carolinas. Mr. Hemminger told attendees that ZOM does not create cookie cutter communities, and it does focus on creating high design that is suitable to the area. He explained that currently, the site has an existing office building which will be replaced with high quality mixed-use residential and retail/dining development. The development seeks up to 266 multi-family residential units and up to 15,000 s.f. of retail, restaurant and personal service uses. It was noted that the 15,000 s.f. of non-residential uses could be increased by an additional 10,000 s.f. upon a reduction in the number of residential units by twenty. Mr. Brown stated that this project proposes to place emphasis on the public realm and to design a building and spaces that are oriented to the street. Bridget Dixon reviewed current site conditions including the narrow and discontinuous sidewalks on Carnegie as well as the lack of sidewalk on Bulfinch Road. Ms. Dixon also provided an overview of the Urban Land Institute recommendations for improved pedestrian amenities and connectivity specific to this site.

Ms. Dixon then introduced Terry Shook of Shook Kelley. Mr. Shook stated that the development combines green space and retail in a way that promotes pedestrian connectivity and interest. The redevelopment will result in the loss of some of the existing trees on the site, but many will be preserved and will be punctuated with parks, plazas and courtyards. Mr. Shook described a community that will make stride to be part of the public realm. The architecture and the incorporation of open spaces and plazas will result in a building that appears to be a series of buildings rather than one continuous long wall along the street edge.

Jeff Brown then introduced Randy Goddard to speak on transportation and pedestrian improvements. Mr. Goddard told attendees that the new development would not create major trip generation issues during the peak travel hours. Mr. Goddard acknowledged that traffic traveling on Barclay Downs Drive has created resident concerns for pedestrians walking along the street. This project may be a catalyst of sorts for improved connectivity or sidewalks beyond the project site for broader community benefit. Mr. Goddard also described two pedestrian/transportation improvements that are planned by others to be underway in the future. The first being at Roxborough and Colony and the second at Barclay Downs and Fairview. Mr. Brown then discussed potential support from ZOM for possible sidewalk improvements along Barclay Downs and the less than desirable existing sidewalk network on Barclay Downs Drive subject to community buy-in and CDOT approval.

Mr. Brown closed the presentation issues by highlighting that the development is designed to be a true mixed-use building. Through high-quality architecture, inviting open spaces and improved pedestrian connectivity, this project will provide a new positive, walkable destination for South Park.

Attendees were invited to follow-up with either Darryl Hemminger, Terry Shook or Jeff Brown with additional questions.

II. Summary of Questions/Comments and Responses:

Attendees asked about the height of the building and general site topography. Mr. Hemminger said the zoning plan proposes for 5 stories of residential over a larger/taller ground floor of non-residential uses. The total height would have a maximum of 96' on average grade and the grade of the site does vary.

Attendees asked how many parking spaces would be available for the development and how it would be configured. Robert Bittel explained that the design is still at the conceptual level and the exact parking configurations are subject to change. Attendees asked then about the appearance of the parking deck from the back of the building. Mr. Bittel explained that the back of the building will have balconies and residential units as well as a screening for the parking deck.

Attendees asked about public art and activity at the ground level retail. Darryl Hemminger pointed out possible areas for public art pieces and explained that locations and details have not been finalized. Terry Shook then explained that the goal is to create a well-articulated brownstone townhome project with residential access directly to the street on Bulfinch side of the project.

Attendees then asked about the type of dining/restaurants planned; it was explained that quality restaurants befitting this location in South Park were contemplated. In response to a follow-up question, it was noted that plan does not contemplate to include drive-thru restaurants, and that a note will be added prohibiting such use.

One attendee asked about the likelihood that South Park Mall would no longer exist in its current form and inquired about future opportunities to provide connectivity through the area. Another individual asked if it was possible to incorporate a cut through for pedestrians. Mr. Hemminger explained that they are willing to address this concept but it would require cooperation from the owner of the Mall.

Attendees asked about preserving trees and what steps the developer plans to take in order to preserve root systems. Mr. Hemminger explained that the trees are a great asset to the real estate. Efforts for preservation and supporting long term health will be established through consultations with an arborist and appropriate techniques that may include creating ventilation for roots.

Attendees had questions pertaining to transportation. One attendee asked about the trip generation increase. Attendees were told that under current estimates, a total increase of 3,000 +/- trips could be expected in the area and a traffic study has been reviewed by CDOT. One resident asked about the streets/intersections that were in the traffic analysis. It was explained that CDOT determines which intersections are studied as part of the analysis. A resident referenced a possible "road diet" to create a narrower 2-lane road to slow down traffic and add landscaping. Mr. Shook also suggested that the addition of visual friction will help to get people to slow down.

Attendees also inquired about accessibility for bikes and public transit. Mr. Hemminger pointed out that there is a bus stop currently and plans for bike racks within some of the courtyards of the development.

The attendees were thanked for their time and interest and encouraged to stay longer for one-on-one questions and discussion. The meeting was then adjourned.

CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:

As a result of community feedback from the meeting, additional elevations will be provided as part of the rezoning application; the development team will assist on additional meetings with the Charlotte Department of Transportation to discuss sidewalk improvements for the broader area; Pedestrian improvements will be detailed and clarified; drive-thru restaurants will be noted as prohibited; rear building finishes will be upgraded; sidewalks will be widened to a minimum of 12' along Barclay Downs; developer will commit to submit an arborist report detailing the measures taken to protect existing trees for city review; the development team will make additional efforts to coordinate future pedestrian/connectivity improvements with the owner of the Mall; and the Petitioner will continue to communicate with neighborhood leaders and stakeholders on additional input.

cc: Mayor and Members of Charlotte City Council
Tammie Keplinger, Charlotte Mecklenburg Planning Department
John Kinley, Charlotte Mecklenburg Planning Department
Darryl Hemminger, ZOM Carolinas
Terry Shook, Shook Kelley
Robert Bittel, Shook Kelley
Randy Goddard, Design Resource Group
Julianne McCollom, Yellow Duck Marketing
Jeff Brown, Moore & Van Allen, PLLC
Bridget Dixon, Moore & Van Allen, PLLC
Keith MacVean, Moore & Van Allen, PLLC

Pet_No	TaxPID	ownerlastn	ownerfirst	cownerfirs	cownerlast	mailaddr1	mailaddr2	city	state	zipcode
2016-113	17706302	B H H PROPERTY CO #111				4201 CONGRESS ST STE 175		CHARLOTTE	NC	28209
2016-113	17706301	CAPITOL TOWERS LLC				4725 PIEDMONT ROW DR	SUITE 800	CHARLOTTE	NC	28210
2016-113	17706401	CARNEGIE TEN LLC				13860 BALLANTYNE CORP PL STE 300		CHARLOTTE	NC	28277
2016-113	17706402	CARTMAN HOTEL LLC			C/O LEE LAROCHELLE	5501 CARNEGIE BLVD		CHARLOTTE	NC	28209
2016-113	17706107	CEC-BDA-II PARTNERS LLC				4401 BARLCAY DOWNS DR STE 200		CHARLOTTE	NC	28209
2016-113	17706404	CEENTA FAIRVIEW PROPERTIES LLC				6035 FAIRVIEW RD		CHARLOTTE	NC	28210
2016-113	17706118	DOWEL CHARLOTTE LLC				4201 CONNECTICUT AVE NW STE 407		WASHINGTON	DC	20008
2016-113	17706403	NC	FIRST UNION NAT BANK OF		C/O W E MCGEE VP	PO BOX 36246		CHARLOTTE	NC	28236
2016-113	17706106	GT REAL ESTATE USA LLC			ATTN: JIMMY YU	6201 FAIRVIEW RD STE 330		CHARLOTTE	NC	28210
2016-113	17706117	PARTNERS LP	HANFORD-KING PROPERTY		C/O ECKERD PHARMACY	PO BOX 3165		HARRISBURG	PA	17105
2016-113	17706303	RAR2 CONGRESS ST NC LP			C/O RYAN, LLC DEPT 207	PO BOX 4900		SCOTTSDALE	AZ	85261
2016-113	17706108	SOUTHPARK MALL LP			C/O SIMON PROPERTY GROUP	PO BOX 6120		INDIANAPOLIS	IN	46206
2016-113	17706121	SOUTHPARK MALL LP			C/O THE NEIMAN MARCUS GROUP	C/O RYAN LLC-PTS	PO BOX 460389	HOUSTON	TX	77056
2016-113		ZOM DEVELOPMENT ATTN: DARRYL HEMMINGER DEVANEY	M. JAY		NEXSEN PRUET, PLLC	4208 SIX FORKS RD, SUITE 1000 701 GREEN VALLEY ROAD	SUITE 100	RALEIGH GREENSBORO	NC NC	27609 27408

Pet_No.	FirstName	LastName	OrgLabel	MailAddress	MailCity	MailZip
2016-113	Jo Ellen	Bray	Briar Creek (Lower) HOA	3118 Michael Baker Place	Charlotte	NC 28209
2016-113	Margaret	Lee	Parkdale League NA	5400 Wintercrest Lane	Charlotte	NC 28209
2016-113	Gina	Collias	Picardy HOA	315 Garrison Drive	Kings Mountain	NC 28086
2016-113	Wilna	Eury	Picardy HOA	3040 Eastham Lane	Charlotte	NC 28209
2016-113	Beth	Carpenter	Deering Oaks NA	2400 Richardson Drive	Charlotte	NC 28211
2016-113	Christine	Woods	Heatherstone NA	3635 Stokes Avenue	Charlotte	NC 28210
2016-113	Phyllis	Strickland	Picardy HOA	5809 Wintercrest Lane	Charlotte	NC 28209
2016-113	Roger	Coates	Glenkirk NA	5616 Glenkirk Road	Charlotte	NC 28210
2016-113	Randy	Thomas	Southpark Mall - Simon Properties	4400 Sharon Road	Charlotte	NC 28211
2016-113	Derek	Dittner	Barclay Downs HOA	3831 Barclay Downs Drive	Charlotte	NC 28209
2016-113	Ike	Grainger	Park Phillips Townhomes Owners Assoc.	6716 Churchill Park Court	Charlotte	NC 28210
2016-113	Leslie	Mueller	Closeburn & Glenkirk NA	5523 Closeburn Road	Charlotte	NC 28210
2016-113	Maddy	Baer	Wrencrest HOA	5617 Fairview Rd #7	Charlotte	NC 28209
2016-113	Steven	Bock	South Park NA	2719 Phillips Drive	Charlotte	NC 28210
2016-113	John	McCann	Piedmont Row HOA	4620 Piedmont Row Drive	Charlotte	NC 28210
2016-113	Rachel	Gold	Firstserve Residential, Inc.	5970 Fairview Road, Suite 710	Charlotte	NC 28210
2016-113	Anna	Wilder	Barclay Downs HOA	3201 Wickersham Road	Charlotte	NC 28211
2016-113	Connie	Farrell	Beverly Woods Civic Assoc.	3332 Champaign Street	Charlotte	NC 28210
2016-113	Roger	Coates	Closeburn/Glenkirk Neighborhood	5616 Glenkirk Road	Charlotte	NC 28210
2016-113	Rachel	Gold	Ballantyne Residential POA, Inc	5970 Fairview Road, Suite 710	Charlotte	NC 28210
2016-113	Tom	Golen	Piedmont Row COA	4625 Piedmont Row Drive, #511E	Charlotte	NC 28210
2016-113	George	Caudle	Fair Meadows HOA	3230 Sunnybrook Drive	Charlotte	NC 28210
2016-113	Todd	Dunnagan	Beverly Woods NA	4017 Meadston Lane	Charlotte	NC 28210
2016-113	Tammi	Gilbert	Southpark	5731 Closeburn Road	Charlotte	NC 28210
2016-113	Anne	Greak	Ballantyne Residential Property Owners Association	5970 Fairview Road, Ste 710	Charlotte	NC 28210
2016-113	David	Herran	Fairmeadows Neighborhood Association	2918 Eastburn Road	Charlotte	NC 28210
2016-113	Robert	Aulebach	Royal Crest Homeowners Association	6000 South Regal Lane	Charlotte	NC 28210
2016-113	Rachel	Gold	Highgrove Homeowners Association	5970 Fairview Road, Ste 710	Charlotte	NC 28210
2016-113	Brian	Gesing	Barclay Downs Homeowners Association	3301 Ferncliff Road	Charlotte	NC 28211

NOTICE TO INTERESTED PARTIES OF A REZONING PETITION
PETITION # 2016-113 – ZOM Development

Subject: Rezoning Petition No. 2016-113

Petitioner/Developer: ZOM Development

Current Land Use: Office Building

Existing Zoning: O-1

Rezoning Requested: MUDD(O)

Date and Time of Meeting: **Tuesday, August 9, 2016 at 7:00 p.m.**

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

Date of Notice: July 26, 2016

We are assisting ZOM Development (the “Petitioner”) on a Rezoning Petition recently filed to allow the development of the site with a well-designed high quality residential community with active ground floor uses, including retail, and residential units that directly relate to the street located on Barclay Downs Drive (the “Site”). 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 the ±2.679 acre Site from O-1 to MUDD(O). The rezoning plan proposes to allow the development of the Site with 266 high quality residential units with 15,000 square feet of ground floor retail space. The Site will be developed to include improved pedestrian connections as well as amenity spaces and opportunities for outdoor dining. The building height will not exceed six stories. See Site Location on reverse side.

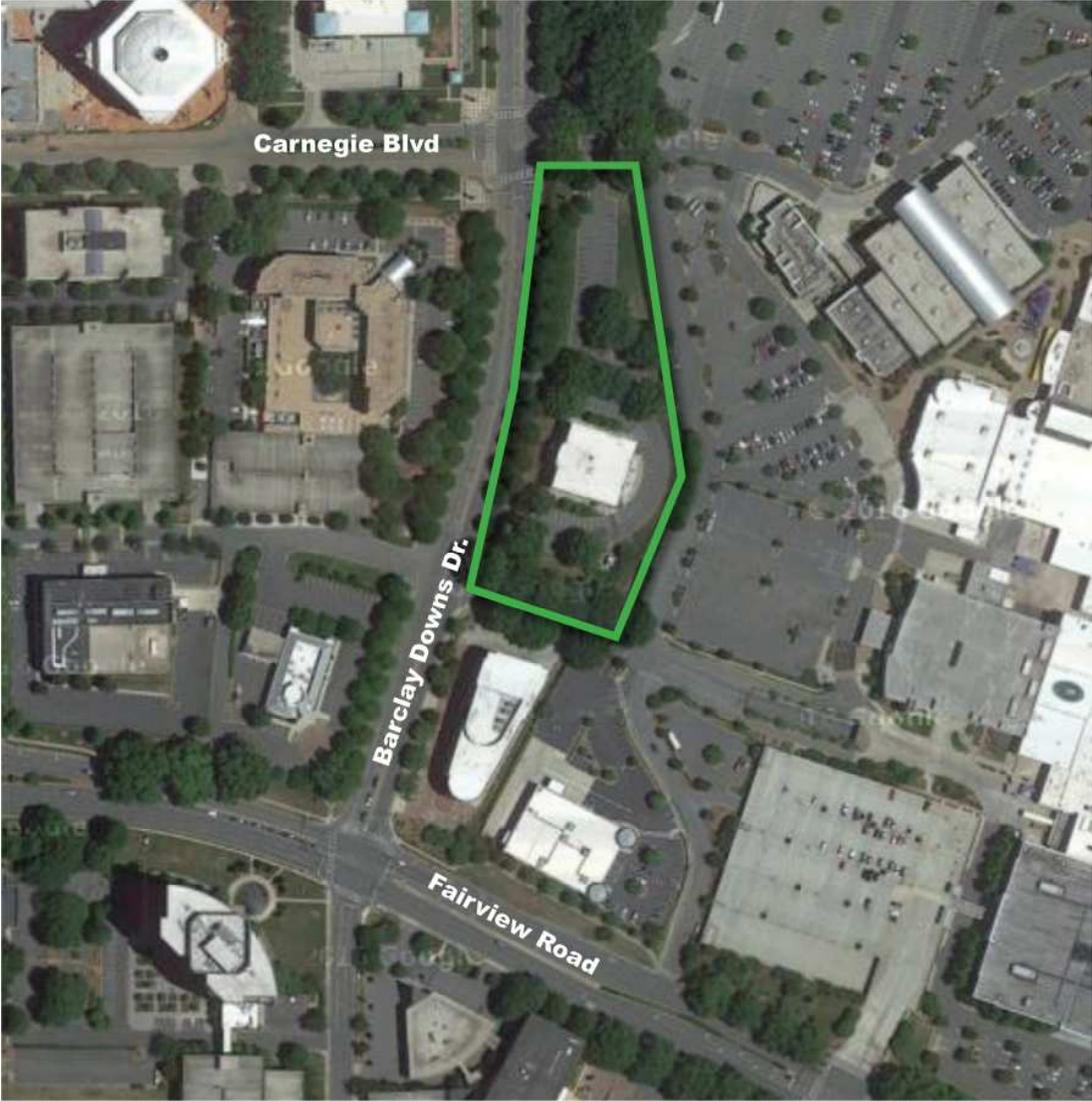
Community Meeting Date and Location:

The Charlotte-Mecklenburg Planning Department’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, August 9, 2016, at 7:00 p.m. at Sharon United Methodist Church, 4411 Sharon Road, Charlotte, NC 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 Bridget Dixon (704-331-2379) or Jeff Brown (704-331-1144). Thank you.

cc: Mayor and Members of Charlotte City Council
Tammie Keplinger, Charlotte Mecklenburg Planning Commission
Darryl Hemminger, ZOM Carolinas
Jeff Brown, Moore & Van Allen, PLLC
Bridget Dixon, Moore & Van Allen, PLLC
Keith MacVean, Moore & Van Allen, PLLC

Site Location



ZOM Development
 Rezoning Petition 2016-113
 Community Meeting – August 9, 2016 @ 7:00p

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
29	MIRIAM MARTIN	3040 EASTHAM LN	704 553-2615	MIRIAMTHEGARDNER@ATT.NET
30	WILNA EURY	3040 EASTHAM LN	704 553-2615	WILNA.EURY@ATT.NET
31	Bernie Gesing	3301 Ferchiff Rd	704 806-1524	bernardgesing@gmail.com
32	JASON RERICHA	3910 BARCLAY DOWNS	704-576-8841	JASON.RERICHA@GMAIL.COM
33	Lee & Jocelyn Guice	2725 Beverwyck Rd	704-367-2502	Jbellissimo@carolinarr.com
34	Laura Spencer	2342 Richardson Dr.	704-365-1978	lkeespencer@bellsouth.net
35	Derek Dittner	3831 Barclay Downs Dr	704 724 3698	Ddittner@carolinarr.com
36	REBECCA FANT	2500 SAYRE RD.	704-527-4221	rfant@archmatters.com
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**ZOM Development
Rezoning Petition 2016-113
Community Meeting – August 9, 2016 @ 7:00p**

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1	Charles Harris	721 Governor Morrison St	704 619 4453	Jmh214@Carolina.RR.com
2	Joyce Harris	"	"	"
3	John Crowell		704-714-7641	jcrowell@lincoln-harris.com
4	Patricia Peterman	225 West Washington ^{Incl Indianapolis} IN	317-263-7731	ppeterman@simon.com
5	Rely Thomas	625 Tullamore Court Matthews	704 295-0975	R.Thomas@simon.com
6	Jay DeVaney	701 Green Valley Rd Glen	336 387 5108	jdevaney@nexus-prest.com
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**ZOM Development
Rezoning Petition 2016-113
Community Meeting – August 9, 2016 @ 7:00p**

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
15	Jim Lynn Rogers	4327 Cameron Oaks Dr		jvrogers@gmail.com
16	Tattic BOS	3051 Funchaji Pk		
17	SAM ARORA	3934 Barclay Dawn		SASAM8@gmail.com
18	James East	3013 Colony Rd		
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ZOM Development
 Rezoning Petition 2016-113
 Community Meeting – August 9, 2016 @ 7:00p

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
85	Elizabeth M Greer	3122 Landerwood Dr a - NC 28210		President@MBCIVIC.com
86	Karin Lukas - Cox	3300 Mill Pond CIT NC 28226		karinlukascox@yahoo.com
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