

## **COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2016-147**

**Petitioner:** Mallard Creek Associates, LLC  
**Rezoning Petition No.:** 2016-147  
**Property:** ±10.80 acres located at Providence and Fairview Road, Charlotte, NC 28211 (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 Monday, November 7<sup>th</sup>, 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 10/28/2016. 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 November 7<sup>th</sup>, 2016 at 7:00 PM**, at Sandra and Leon Levine Jewish Community Center, Weinberg Room, Charlotte, NC 28226.

### **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 David Miller, Daniel Levine, Dean DeVillers and David Smith. Also in attendance 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.**

David Miller thanked the attendees for attending the meeting and then introduced the Petitioners representatives.

Mr. Miller explained the history of the Site. The Site was rezoned late last year to allow the Site to be redeveloped with up to 95,000 square feet of retail and restaurant uses and up to 195 residential dwelling units as part of a pedestrian oriented mixed use center.

He explained that the current rezoning petition involves a request to rezone the ±10.80 acre Site from MUDD-O to MUDD-O (Site Plan Amendment (SPA)). The proposed SPA for the Site proposes to make a few minor changes to the previously approved conditional plan.

The proposed changes include; adding an underground climate controlled storage use to the Site; increasing the number of allowed residential units from 195 to 201, increasing the allowed residential building height from five (5) stories to six (6) stories to allow the portion of the building located near Providence Road and the Pinehurst Apartments to be up to six stories high to accommodate a change in the grade of the Site; and other minor changes related to changes to the building footprint of the proposed residential mixed use building. The proposed building elevations and architectural treatment is not changing from the previous approval.

Access to the Site is unchanged, and will continue to be from Providence Road, Fairview Road as well as from the adjoining Pinehurst Apartments via an internal private street. Setbacks, side and rear yards from the previous approved rezoning petition have been maintained. The commitment to build an eight (8) foot brick wall adjacent to the single-family lots on Columbine Circle is also carried over by the new petition.

The attendees were invited to ask questions.

## **II. Summary of Questions/Comments and Responses:**

One attendee wanted to know if the private street proposed through the Site would be connected to the Pinehurst Apartments. The private street within the development would be connected to the Pinehurst Apartments allowing residents of the Pinehurst Apartments to walk, bike and drive to the proposed retail uses. The connection to the Pinehurst Apartments will also allow the residents and customers of the Site to have access to a future signal at the intersection of Providence Road and Strawberry Hill Drive. Mr. Miller also explained how the Site's access to Providence Road would also be a signalized intersection that would allow right-in right-out and left in movements from Providence Road. The new signals along Providence Road would be synchronized to maximize their operation. The Petition would also be adding a third southbound through lane along its Providence Road frontage which combined with the other improvements should help with the operation of the intersection.

Another attendee wanted to know if the traffic study for the Site had taken into account the future plans for the Strawberry Hill shopping center and the redevelopment plans for the Pinehurst Apartments. The traffic study had taken these planned development into account and had recommend the improvements to help mitigate the proposed traffic from the Site and improve the operation of the intersection.

One attendee wanted to know if the median on Fairview would be removed to allow access to the Site from eastbound Fairview Road. The existing median in Fairview Road would not be removed or modified, and the access to the Site from Fairview Road would be limited to right-in right-out access only.

Another attendee wanted to know where the height of the residential building was increasing. The height of the residential building was increasing due to a change the topography of the Site as it adjoined the Pinehurst Apartments property. As a result the portion of the building facing the Pinehurst Apartments was increasing from five (5) stories to six (6) stories the maximum height of 75 feet as originally approved was not changing.

One of the attendees wanted to know about the buffer adjacent to the homes on Columbine Court and about the buffer adjacent to the home adjacent to the Site on Fairview Road. The proposed

plan maintains a landscape area with an eight (8) foot solid brick wall adjacent to the lots on Columbine Court. In addition where the proposed residential building is adjacent to the lots on Columbine Court a 35 foot side yard and tree save area will also be provided to supplement the proposed brick wall.

One attendee indicated that she was not aware of the previous rezoning petition and had only found out about the previously approved plan as a result of the new rezoning request. The Petitioner indicated that the development team would be sensitive to the concerns of the adjoining property owner and would be willing to sit down and review the plans in more detail to respond to concerns and issues.

A question about would the property owners on Columbine Court that about the Site be allowed to have a gate in the proposed wall to allow access to the Site was asked. The Petitioner indicated that they would be allowed to have a gate if they wanted one.

A question about would the proposed underground storage units be available to the public was also asked. The proposed underground storage units would be available for lease by the public and would be accessed via a freight elevator.

A question about the parking and security of the parking structure was also asked. The proposed parking structure would accommodate parking for the retail uses, the residential units as well as the storage use. The parking deck would be well illuminated and would be well managed.

One attendee wanted to know about the time frame for the redevelopment of the Site. It was explained that demolition would take about six (6) months and construction would last about a year. It is anticipated that the Site would be open in the summer of 2018. All the proposed uses would be open at that time.

**CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:**

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

cc: Mayor and Members of Charlotte City Council  
Tammie Keplinger, Charlotte Mecklenburg Planning Department  
David Miller, Raley Miller Properties  
Daniel Levine, Levine Properties  
Jeff Brown, Moore & Van Allen, PLLC  
Bridget Grant, Moore & Van Allen, PLLC  
Keith MacVean, Moore & Van Allen, PLLC

Pet. No	TaxPID	ownerlastn	ownerfirst	cownerfirs	cownerlast	mailaddr1	mailaddr2	city	state	zipcode
2016-147	18701753	925 BEYOND LLC				17464 TUSCANY LN		CORNELIUS	NC	28031
2016-147	18701712	A E Y LIMITED PARTNERSHIP				9906 LARGO CT		MURRELLS INLET	SC	29576
2016-147	18701770	AEY LIMITED PARTNERSHIP				5020-N SARDIS RD		CHARLOTTE	NC	28270
2016-147	18701718	AKHAVANREZAYAT	KOUROSH	FATEMEH	BEHDANL	6618 LANCE DR		CHARLOTTE	NC	28226
2016-147	18701756	ALEXANDER	ELIZABETH	H HEATH	ALEXANDER	233 COTTAGE PL		CHARLOTTE	NC	28207
2016-147	18701795	ARRINGTON	SHERON G		LISA ARRINGTON	4918 SARDIS RD APT G		CHARLOTTE	NC	28270
2016-147	18701790	AUSTIN	GEORGE J			4918-B SARDIS RD		CHARLOTTE	NC	28210
2016-147	18701783	BABCHUK	HALIA			4912 SARDIS RD #C		CHARLOTTE	NC	28270
2016-147	18701763	BAIRD	JAMES D			5020 SARDIS RD #G		CHARLOTTE	NC	28270
2016-147	18701777	BAKER	MARY LOU			4906 SARDIS RD APT E		CHARLOTTE	NC	28270
2016-147	18312109	BHOJWANI	NAVIN	JENNIFER T	BHOJWANI	4351 COLUMBINE CR		CHARLOTTE	NC	28211
2016-147	18701826	BIZARDI	GLORIA			4948 SARDIS RD APT B		CHARLOTTE	NC	28270
2016-147	18701814	BROWN	F LOUIS			8834 HEDGE MAPLE RD		CHARLOTTE	NC	28269
2016-147	18701773	BRYANT	RONALD E	CAROL E	BRYANT	4906 SARDIS RD #A		CHARLOTTE	NC	28270
2016-147	18706137	CAMDEN SUMMIT PARTNERSHIP	LP			PO BOX 27329		HOUSTON	TX	77227
2016-147	18701735	CASSIDY	ANNE			5026-C SARDIS RD		CHARLOTTE	NC	28270
2016-147	18701774	CHAPPELL	H LYNN			153 LUTOMMA CR		CHARLOTTE	NC	28270
2016-147	18701715	CHINIWALLA HOLDINGS LLC				5971 ROLLING RIDGE DR		KANNAPOLIS	NC	28081
2016-147	18701899	CHURCH OF CHARLOTTE NC	CHRIST EVANGELICAL LUTHERAN			4519 PROVIDENCE RD		CHARLOTTE	NC	28226
2016-147	18701818	CLINE	DONALD KEITH		BARBARA JEANETTE	4936 SARDIS RD APT F		CHARLOTTE	NC	28270
2016-147	18701803	COEN	JENA B			4924 SARDIS RD #C		CHARLOTTE	NC	28270
2016-147	18701757	COLLINS	MARY N			5020 SARDIS RD Unit A		CHARLOTTE	NC	28270
2016-147	18312108	COLUMBINE PROPERTIES II LLC				10815 SIKES PL		CHARLOTTE	NC	28277
2016-147	18706138	ASSOCIATION INC	COLUMBINE COURT HOMEOWNER			P O BOX 37109		CHARLOTTE	NC	28237
2016-147	18312107	COLUMBINE PROPERTIES LLC		INC	C/O RALEY-MILLER PROPERTIES	10815 SIKES PL SUITE 300		CHARLOTTE	NC	28277
2016-147	18701704	CONCIATORI	VINCENZO A			5008-D SARDIS RD		CHARLOTTE	NC	28270
2016-147	18312117	CONWAY	JILL M	SHAWN A	MIKLAUCIC	8719 FAIRVIEW RD		CHARLOTTE	NC	28211
2016-147	18701779	COVINGTON	MARY W			4906 SARDIS RD APT G		CHARLOTTE	NC	28270
2016-147	18701743	CROWELL	TOMMY KIM			5024 SARDIS RD # C		CHARLOTTE	NC	28270
2016-147	18701828	CUTHBERTSON	PAUL G JR	JOY M	CUTHBERTSON	4948 SARDIS RD Unit D		CHARLOTTE	NC	28270
2016-147	18701808	DADKHAH	AMIR			3131 PROVIDENCE RD		CHARLOTTE	NC	28211
2016-147	18706191	DENBY	STEPHANIE DAWN			4403 COLUMBINE CT		CHARLOTTE	NC	28210
2016-147	18701794	DRUM	JOHN C	MARTHA C	DRUM	4918 SARDIS RD APT F		CHARLOTTE	NC	28270
2016-147	18701749	DWELLE	JOY R			715 E 9TH ST		CHARLOTTE	NC	28202
2016-147	18701701	ECONOMIDES	MARIAN ELIZABETH			16227 LONG TALON WY		CHARLOTTE	NC	28278
2016-147	18701817	ESSEX 4936 E LLC				PO BOX 221		PINEVILLE	NC	28134
2016-147	18701733	EVANS	CHARLES M	MARY R	EVANS	10220 WHITETHORN DR		CHARLOTTE	NC	28277
2016-147	18701804	FAASSEN	ROLAND W	SHARON W	FAASSEN	3007 FOWLER SECREST RD		MONROE	NC	28110
2016-147	18701731	FOX	DAVID A	SUZANNE H	FOX	6530 FOLGER DR		CHARLOTTE	NC	28270
2016-147	18701802	GILDER	GWEN W			5815 CROSSING KING DR		CHARLOTTE	NC	28212
2016-147	18701720	GLOVER	GREGORY W	JODI SUZANNE	GLOVER	227 CHADMORE DR		CHARLOTTE	NC	28270
2016-147	18706192	GOLDBERG	ILENE SUE	GOLDBERG LIVING	TRUSTEE OF THE ILENE SUE	4401 COLUMBINE COURT		CHARLOTTE	NC	28226
2016-147	18312114	GOLDEN TRIANGLE #3 LLC			C/O LEVINE PROPERTIES INC	8514 MCALPINE PARK DR STE 190	ATTN: MR DANIEL LEVINE	CHARLOTTE	NC	28211
2016-147	18312106	GOLDEN TRIANGLE 3 LLC				C/O LEVINE PROPERTIES INC	PO BOX 2439	MATTHEWS	NC	28106
2016-147	18701747	GOLDSMITH	JAMES WALTER	CYNTHIA GREENE	GOLDSMITH	131 SOUTH CANTERBURY RD		CHARLOTTE	NC	28211
2016-147	18701776	GOLDSMITH	KAREN MICHELLE			301 WAKEFIELD DR #D		CHARLOTTE	NC	28209
2016-147	18701787	GOODE	BARRETT S			4912 SARDIS RD APT G		CHARLOTTE	NC	28270
2016-147	18701815	GOSSETT	JACKSON R	OREE T	GOSSETT	4936 SARDIS RD APT C		CHARLOTTE	NC	28270
2016-147	18701710	GRAHAM	JOHN DAVID	KATHRYN A	GRAHAM	5012 SARDIS RD UNIT B		CHARLOTTE	NC	28270
2016-147	18701761	GREEAR	CALVIN G	JEANNE J	GREEAR	1332 COVENANT DR		GASTONIA	NC	28054
2016-147	18701728	GREGORY	ROBBIE			5016 SARDIS RD APT D		CHARLOTTE	NC	28270
2016-147	18701714	GRIFFITH	ROBERT LEE JR			5012 SARDIS RD #F		CHARLOTTE	NC	28270
2016-147	18701819	HARTSOE	RANDY WADE SR	BARBARA S	HARTSOE	207 ABERBEEN LN		PISGAH FOREST	NC	28768
2016-147	18701768	HEMPHILL	SUSAN	WALTER A	HEMPHILL	8504 GRUENEWALD LN		CHARLOTTE	NC	28210
2016-147	18701734	HILL	BRYAN HALSEY			5026-B SARDIS RD		CHARLOTTE	NC	28270
2016-147	18701711	HOOVER	JOHN C			5012 SARDIS RD APT C		CHARLOTTE	NC	28270
2016-147	18312105	HORNE	CHARLES WRIGHT JR	CHRISTY HAMPTON	HORNE	4301 COLUMBINE CR		CHARLOTTE	NC	28211
2016-147	18701723	HUNTE	RONALD C	MERYL D	HUNTE	2544 HOWERTON CT		CHARLOTTE	NC	28270
2016-147	18701772	JESSOP	TWILA A			5020 SARDIS RD		CHARLOTTE	NC	28270
2016-147	18701805	JOHNSTON	ELIZABETH C	ELIZABETH ANN CRANFORD	JOHNSTON	4232 CHELTENHAM RD		CHARLOTTE	NC	28211
2016-147	18701786	KOURAKOS	DIMITRA T			4912 SARDIS RD APT F		CHARLOTTE	NC	28270
2016-147	18701738	LACY	KENNETH			5026 SARDIS RD #F		CHARLOTTE	NC	28270
2016-147	18701821	LANDRUM	PAGE			4942 SARDIS RD APT A		CHARLOTTE	NC	28270

2016-147	18701705	LANSDOWNE	MARCIA H			5008 SARDIS RD APT E	CHARLOTTE	NC	28270
2016-147	18701781	LAWRENCE	JACLYN NICOLE			4912 SARDIS RD, UNIT A	CHARLOTTE	NC	28270
2016-147	18701737	LAWRENCE	KARI C			5026 SARDIS RD UNIT E	CHARLOTTE	NC	28270
2016-147	18701736	LEGGATT	DAVID B	LENORA	LEGGATT	5026 SARDIS RD # D	CHARLOTTE	NC	28270
2016-147	18701741	LENTO	MICHAEL S			5024 SARDIS RD #A	CHARLOTTE	NC	28270
2016-147	18701706	LINBERGER ADREWS	LYNDA			PO BOX 308	WACO	NC	28169
2016-147	18701782	LITAKER	BRENDA R			4912 SARDIS RD APT B	CHARLOTTE	NC	28270
2016-147	18701825	MAHAFFEY	SARA A			4948 SARDIS RD UNIT A	CHARLOTTE	NC	28270
2016-147	18312110	MALLARD CREEK ASSOCIATES #1	LLC	PARTNER	C/O GREYSTAR REAL ESTATE	PO BOX 56607	ATLANTA	GA	30343
2016-147	18701739	MANNERING	GEORGIA M		PETER J MANNERING (W/H)	5026-G SARDIS RD	CHARLOTTE	NC	28270
2016-147	18512117	MARSH REALTY COMPANY				PO BOX 35329	CHARLOTTE	NC	28235
2016-147	18701601	MARSH REALTY COMPANY			COLONY CARMEL INVESTORS LLC	2448 PARK RD	CHARLOTTE	NC	28203
2016-147	18701807	MARTIN	SANDRA B			4924 SARDIS RD APT G	CHARLOTTE	NC	28270
2016-147	18701775	MASOURAS	GEORGIA			4906 SARDIS RD UNIT C	CHARLOTTE	NC	28270
2016-147	18701789	MAULDIN	THOMAS CRAIG			4918 SARDIS RD APT A	CHARLOTTE	NC	28270
2016-147	18701810	MCKELPIN	THELMA B		DIANE B &BRENDA NUNNALLY (R/S)	PO BOX 221462	CHARLOTTE	NC	28222
2016-147	18701729	MCNULTY	EILEEN M			5016 SARDIS RD APT E	CHARLOTTE	NC	28270
2016-147	18701816	MEEK	FAYE M			4936 SARDIS RD APT D	CHARLOTTE	NC	28270
2016-147	18701703	MIELKE	MATTHEW C			5008 SARDIS RD UNIT C	CHARLOTTE	NC	28270
2016-147	18701827	MILLER	BARBARA G			4948 SARDIS RD APT C	CHARLOTTE	NC	28270
2016-147	18701791	MISHLER	DIANA KIM			12109 GROTH COURT	CHARLOTTE	NC	28277
2016-147	18701824	MOORE	WILLIAM D.	JUDITH B.	MOORE	4021 DAYLILLY RD	MATTHEWS	NC	28104
2016-147	18701823	MORAN	JEAN			4942-C SARDIS RD	CHARLOTTE	NC	28211
2016-147	18701793	MORGAN	ASHTON C	CARTER W	MORGAN	4918 SARDIS RD UNIT F	CHARLOTTE	NC	28270
2016-147	18701725	NANCY B GOODSON REVOCABLE TRUST				5016 A SARDIS RD	CHARLOTTE	NC	28270
2016-147	18312116	NGUYEN	MYDUYEN V	FRANKLIN	MCKINLEY	8707 FAIRVIEW RD	CHARLOTTE	NC	28226
2016-147	18312111	NR PINEHURST PROPERTY OWNER LLC				1057 EAST MOREHEAD ST SUITE 300	CHARLOTTE	NC	28204
2016-147	18701716	OJEDA	SOFIA			5604 LANDMARK DR	CHARLOTTE	NC	28270
2016-147	18701766	OLSON	SARAH LYNN			5020 SARDIS RD Unit J	CHARLOTTE	NC	28270
2016-147	18701717	PAPPAS	THEO GUS	MARY MARGIOTIS	PAPPAS	1330 ASHCRAFT LN	CHARLOTTE	NC	28209
2016-147	18701785	PATEL	ANDY ASHOK			4912 SARDIS RD APT E	CHARLOTTE	NC	28270
2016-147	18312115	PATT	JOSHUA C	RHONDA P	PATT	4343 COLUMBINE CR	CHARLOTTE	NC	28211
2016-147	18701771	PATTERSON	FRANK S	JAMES B JR	PATTERSON	2405 NORTHMONT DR	ASHEBORO	NC	27205
2016-147	18701806	PEARSON	KENNETH WILLIAM			5111 HAVILON CT	CHARLOTTE	NC	28211
2016-147	18701702	PHELPS	JACLYN M			5008 SARDIS RD # B	CHARLOTTE	NC	28270
2016-147	18701708	POPE	GEORGE R			5008 SARDIS RD #H	CHARLOTTE	NC	28270
2016-147	18701801	REID	ANDREA			4924 SARDIS RD #A	CHARLOTTE	NC	28270
2016-147	18701746	REYNOLDS	PETER LEE JR			PO BOX 79122	CHARLOTTE	NC	28271
2016-147	18701780	ROWELL	EDWARD THOMAS			3333 STONEHEDGE SQ	ROANOKE	VA	24018
2016-147	18701784	ROWIE	ROBERT L JR			4912 SARDIS RD #D	CHARLOTTE	NC	28270
2016-147	18701745	RUSSELL	KENNETH EDWARD	ANN QUEEN	RUSSELL	3940 AYSCOUGH RD	CHARLOTTE	NC	28211
2016-147	18701727	SAKKO	JENNIFER J	SHAWN A	PETERSON	PO BOX 6	HEALY	AK	99743
2016-147	18512118	SAM'S INVESTMENTS III LLC				7935 COUNCIL PL SUITE 200	MATTHEWS	NC	28105
2016-147	18701765	SCAFFE	JAMES E	MELANIE G	SCAFFE	5020 SARDIS RD APT I	CHARLOTTE	NC	28270
2016-147	18701748	SCHELCH	MANUELA R			2819 GLENDALE RD	CHARLOTTE	NC	28209
2016-147	18312104	SHELLHORN	KEITH W	KATRINA N	SHELLHORN	4233 COLUMBINE CIR	CHARLOTTE	NC	28211
2016-147	18701713	SEAWELL	CAROL W			5012 E SARDIS RD	CHARLOTTE	NC	28270
2016-147	18701742	SEAWELL	CATHERINE C			5024 SARDIS RD Unit B	CHARLOTTE	NC	28270
2016-147	18701769	SECURE INC				119 N SALISBURY ST	RALEIGH	NC	27603
2016-147	18701820	SETTLE	ROY THOMAS		TERRY MURR	PO BOX 464	WAXHAW	NC	28173
2016-147	18701724	SHAFER	MICHAEL J			5012-P SARDIS RD	CHARLOTTE	NC	28270
2016-147	18701762	SHAPIRO	LEILA A			5020 SARDIS RD # F	CHARLOTTE	NC	28270
2016-147	18701758	SHARON	GIL	SHIRLEY	SHARON	8000 WILBY HOLLOW DR	CHARLOTTE	NC	28270
2016-147	18701796	SHERWOOD	BRIAN MERRITT			4918 SARDIS RD APT H	CHARLOTTE	NC	28270
2016-147	18701730	SIMPSON	JOHN CHILDS III			5016 SARDIS RD # F	CHARLOTTE	NC	28270
2016-147	18701726	SPROCK	WINSTON E			5016 SARDIS RD # B	CHARLOTTE	NC	28270
2016-147	18701732	STEINBERGER	NORMAN F			PO BOX 221473	CHARLOTTE	NC	28222
2016-147	18701792	THEOFANIDIS	MARIA			4918 SARDIS RD APT D	CHARLOTTE	NC	28270
2016-147	18701721	THOMPSON	OLIVER C	MYRNA R	THOMPSON	5012 SARDIS RD #M	CHARLOTTE	NC	28270
2016-147	18701759	TSOULOS	JOHN			15000 CROOKED BRANCH LN	CHARLOTTE	NC	28278
2016-147	18701812	ULLOA	DAVID			4930 SARDIS RD #D	CHARLOTTE	NC	28270
2016-147	18701709	VARNER	CHRISTOPHER S	AMY C	VARNER	3339 JOHNNY CAKE LN	CHARLOTTE	NC	28226
2016-147	18701707	WEATHERS	LISA M			5008 SARDIS RD APT G	CHARLOTTE	NC	28270
2016-147	18701788	WEBER	STEPHANIE E			4912 SARDIS RD #H	CHARLOTTE	NC	28270

2016-147	18701767	WILKINS	DAVID	DEBBIE	WILKINS	5020 SARDIS RD #K		CHARLOTTE	NC	28270
2016-147	18701719	WILSON	SUSAN DIANE			5012 SARDIS RD # K		CHARLOTTE	NC	28270
2016-147	18701778	WOODSON	JOHN L	LEWIS S III	WOODSON	4906 SARDIS RD UNIT F		CHARLOTTE	NC	28270
2016-147	18701809	ZHONG	JING			4930-A SARDIS RD		CHARLOTTE	NC	28270
2016-147		JEFF BROWN & BRIDGET DIXON			MOORE & VAN ALLEN, PLLC	100 N. TRYON ST.	SUITE 4700	CHARLOTTE	NC	28202
2016-147		MALLARD CREEK ASSOCIATES #1	DAVID MILLER		C/O RALEY-MILLER PROPERTIES, INC.	10815 SIKES PLACE	SUITE 300	CHARLOTTE	NC	28277

Pet_No	FirstName	LastName	OrgLabel	MailAddress	MailCity	MailZip
2016-147	Todd	Stewart	Carmel Park NA	4533 Oglukian Road	Charlotte	NC 28226
2016-147	Alan	Wells	Hunter Wood	236 Hunter Lane	Charlotte	NC 28211
2016-147	H.C. Woody	Woodward	Robinson Woods Steering Committee	346 Whitestone Road	Charlotte	NC 28270
2016-147	Jeff	Pease	Southpark Coalition	1335 Greyllyn Drive	Charlotte	NC 28226
2016-147	Marnie	Rodgers	Columbine Court NA	4505 Columbine Court	Charlotte	NC 28226
2016-147	Marlyn	Morton	Old Salem/Meredith NA	1338 East Barden Road	Charlotte	NC 28226
2016-147	Allen	Nedrich	Foxcroft HOA	2101 Sedley Road	Charlotte	NC 28211
2016-147	Scott	Wallace	Greentree NA	951 Greentree Drive	Charlotte	NC 28211
2016-147	Olivia	Crowley	Providence Pines NA	1420 Pine Tree Drive	Charlotte	NC 28270
2016-147	J F	Rice	Jefferson Park NA	1014 Jefferson Drive	Charlotte	NC 28270
2016-147	Kristen	Brockmeier	Jefferson Park NA	928 Jefferson Drive	Charlotte	NC 28211
2016-147	Daryl	Greenberg		1501 Carmel Road	Charlotte	NC 28226
2016-147	Carole & Fisk	Outwater	Greyllyn Drive NA	1319 Greyllyn Drive	Charlotte	NC 28226
2016-147	Ronald	Wimberly	Governor's Square HOA	3400 Chevington Road	Charlotte	NC 28226
2016-147	Ross	Payne	Providence Park Neighborhood Organization	242 Beckham Court	Charlotte	NC 28211
2016-147	Stuart	Owen	Greyllyn Drive NA	1327 Greyllyn Drive	Charlotte	NC 28226
2016-147	Kathryn	Horne	Providence Park Neighborhood Organization	1341 Kingscross Drive	Charlotte	NC 28211
2016-147	Carolyn	Carlbury	Columbine Homeowners Association	4409 Columbine Court	Charlotte	NC 28226

**NOTICE TO INTERESTED PARTIES OF A REZONING PETITION**  
**PETITION # 2016-147 – Mallard Creek Associates LLC**

Subject: Rezoning Petition No. 2016-147  
Petitioner/Developer: Mallard Creek Associates LLC  
Current Land Use: Multi-family and Gas Station with a Convenience Store  
Existing Zoning: MUDD-O  
Rezoning Requested: MUDD-O (SPA)

**Date and Time of Meeting:** **Monday, November 7, 2016 at 7:00 p.m.**

Location of Meeting: Sandra and Leon Levine Jewish Community Center;  
Weinberg Room  
5007 Providence Road  
Charlotte, NC 28226

Date of Notice: 10/28/2016

We are assisting Mallard Creek Associates LLC (the “Petitioner”) on a Rezoning Petition recently filed to allow the redevelopment of the site with a residential and retail mixed use center on 10.80 acres located on the northwest quadrant of the intersection of Providence Road and Fairview Road (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 ±10.80acre Site from MUDD-O to MUDD-O (SPA). This Site was rezoned late last year to allow the Site to be redeveloped with up to 95,000 square feet of retail and restaurant uses and up to 195 residential dwelling units as part of a pedestrian oriented mixed use center.

This proposed Site Plan Amendment (SPA) for the Site proposes to make a few minor changes to the previously approved conditional plan.

The proposed changes include; adding an underground climate controlled storage use to the Site; increasing the number of allowed residential units from 195 to 201, increasing the allowed residential building height from five (5) stories to six (6) stories to allow the portion of the building located near Providence Road to be up to six stories high to accommodate a change in the grade of the Site; and other minor changes related to changes to the building footprint of the proposed residential mixed use building.

Access to the Site is unchanged, and will continue to be from Providence Road, Fairview Road as well as from the adjoining Pinehurst Apartments via an internal private street. Setbacks, side and rear yards from the previous approved rezoning petition have been maintained. The commitment to build an eight (8) foot brick wall adjacent to the single-family lots on Columbine Circle is also carried over by the new petition.

## 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 Monday, November 7th, at 7:00 p.m. at Sandra and Leon Levine Jewish Community Center, Charlotte, NC 28226.** 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 and Members of Charlotte City Council  
Tammie Keplinger, Charlotte Mecklenburg Planning Commission  
David Miller, Raley Miller Properties  
Daniel Levine, Levine Properties  
Jeff Brown, Moore & Van Allen, PLLC  
Bridget Dixon, Moore & Van Allen, PLLC  
Keith MacVean, Moore & Van Allen, PLLC

## Site Location



Mallard Creek Associates, LLC  
 Rezoning Petition 2016-147  
 Community Meeting – November 7, 2016 @ 7:00pm

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1	Pattie Owen	1327 Greelyn Dr	704 362 1906	
2	Jill Conway	8219 FAIRVIEW RD	704 998 1457	
3	STUART K. OWEN	1327 Greelyn Dr. 28226	704 362 1906	STUOWEN@ATT.NET
4	MIKE RAIBLE	417 ROXBONTRD 28270	704-999-0435	mkrabile@gmail.com
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				