

## SECOND OFFICIAL COMMUNITY MEETING REPORT

**Petitioner: James Poutier**

Rezoning Petition No. 2018-128

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

### **PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:**

A representative of the Petitioner mailed a written notice of the date, time and location of the Second Community Meeting to the individuals and organizations set out on Exhibit A attached hereto by depositing such notice in the U.S. mail on April 25, 2019. A copy of the written notice is attached hereto as Exhibit B.

### **DATE, TIME AND LOCATION OF MEETING:**

The Second Community Meeting was held on Thursday, May 9th at 6:00 p.m. at the Mountain Island Church of Christ, 4205 Mt. Holly-Huntersville Road, Charlotte, NC 28216.

### **PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):**

The Second Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit C. The Petitioner (James Poutier) was in attendance and also was represented by Petitioner's agents George Macon with MPV Properties, Nate Doolittle with LandDesign, Josh Rine with Geoscience Group, Inc., and Collin Brown and Brittany Lins with K&L Gates.

### **SUMMARY OF PRESENTATION/DISCUSSION:**

Mr. Collin Brown welcomed the attendees and introduced the Petitioner's team, using a PowerPoint presentation, attached hereto as Exhibit D.

Mr. Brown explained that meeting is a follow-up to the prior community held in November 2018 involving approximately 5.5 acres of land located on the south side of Mt. Holly-Huntersville Road, east of Brookshire Boulevard, near the Riverbend development and adjacent to the Holly Hunter Church. Mr. Brown then gave a brief overview of the rezoning process and redevelopment considerations, generally. Mr. Brown reiterated the various development considerations that the Petitioner must account for in the rezoning process, including property owner requirements, existing zoning, policy considerations, environmental constraints, transportation requirements, adjacent property owner concerns, broader community concerns, City Staff and City Council priorities, and market realities.

The property is currently zoned R-3, which typically allows three residential units per acre. The Brookshire Boulevard / I-485 Interchange Area Plan (adopted by City Council in 2002), recommends multi-family, office or retail uses for this site.

Mr. Brown briefly reviewed the prior rezoning proposal that was discussed in the November 2018 meeting, explaining that the Petitioner has since decided to go in a different direction, partly due to community feedback at the prior meeting. The original request was for a rezoning to the UR-2(CD) (urban residential) zoning district to accommodate the development of for-sale townhomes with up to 10 townhome units per acre.

In the initial feedback, the Petitioner's team received feedback including: importance of buffering next to existing single-family homes; concern over the removal of trees; traffic congestion; disruption from car headlights shining into existing homes; and desire for restaurants and commercial uses instead of townhomes.

Mr. Brown then demonstrated several new development concepts under the NS zoning district to accommodate neighborhood services uses. The Petitioner's current intent is to construct a two-story medical office building and other associated commercial uses. The conceptual design shows the buildings pulled as far away from the existing Chastain Glen neighborhood as possible. The Petitioner's team explained that the small footprint for medical office would serve as a good neighbor in light of the concerns discussed at the prior meeting since medical office hours do not include nights or weekends and provide less peak-hour trips than many other uses. As compared to the prior plan, the buffer has been increased from 20 feet to 32 feet and the building height would be similar to that proposed for the townhome development. The Petitioner's team will also commit to install an opaque fence along the property boundary to help with light spillage from the headlights and commit to capping the parking lot lights so that they are downwardly-directed to further reduce light pollution.

The Petitioner's team presented several concept examples of the desired commercial development based on existing product created by MPV Properties. Mr. George Macon explained the MPV Properties is looking to do a similar development as the examples shown. Mr. Macon stated that the proposed development would be similar to size and design of MVP's developments named Jetton Village in Cornelius and Marvin Crossing near the intersection of Ardrey Kell Road and Marvin Road, which are both also adjacent to residential neighborhoods.

In response to traffic concerns, the Petitioner's agents responded that the site plan proposes a new connection with access to Mt. Holly-Huntersville Road that will likely prevent people from using the Riverbend project's new connection through the Chastain Glen neighborhood. This will benefit the Chastain Glen neighborhood in reducing the cut-through traffic through their neighborhood while also taking some congestion away from the heavily-trafficked intersections. In response to an attendee's safety concerns with a full-access drive into the proposed development from Mt. Holly-Huntersville Road, the Petitioner's team confirmed that the proposed access will be restricted to right-in/right-out only. Additionally, the proposed site plan removes one of the adjacent church's access points along Mt. Holly-Huntersville Road in favor of an internal connection through the Petitioner's proposed site, further improving the safety along Mt. Holly-Huntersville Road.

Several neighbors stated that there already appears to be medical office space available or under construction in the Mountain Island area and asked what would set this development apart from the other available medical office spaces. Mr. Macon responded that MPV Property's specialization in medical

office developments will set this space apart with superior access, design and parking availability as well as the site's location to residential developments and Riverbend amenities. Several attendees echoed that they did not want the space to lay vacant.

An attendee stated that they didn't want the commercial spaces to be nail salons, dollar stores, or an Auto Zone, for example, if medical offices do not end up at the site. Mr. Macon responded that due to the land cost and development cost, the site does not lend itself to those uses. Further, the Petitioner is willing to commit to specifically exclude automobile service station, repair garages, car washes, tattoo establishments, fast food drive-thru windows, and adult establishments from the list of permitted uses for the site. An attendee commented that the area is in need of a nice sit-down restaurant. The Petitioner's team agreed that their desire is for the proposed rezoning to permit the flexibility to include a restaurant.

The Petitioner's team stated that the earliest possible public hearing could be June 17th, with a City Council decision July 15th, but that at least a one-month deferral is expected as the Petitioner works through the updated site plan with Planning Staff and City Council, shifting the likely City Council decision to September 16th.

The formal meeting concluded at approximately 7:00 p.m. and the Petitioner's representatives continued to answer individual questions until approximately 7:30 p.m.

Respectfully submitted, this 13th day of May, 2019.

cc: Claire Lyte-Graham, Charlotte-Mecklenburg Planning Department

## **EXHIBIT A**

2018-128	TAXPID	OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
2018-128	02311314	LINEBERGER	TERRY I	ELIZABETH S	LINEBERGER	11318 PUMP STATION RD		CHARLOTTE	NC	28216
2018-128	02326204	MCQUAY	RICHARD LEIGHTON	MARION C	MCQUAY	4403 MOUNT HOLLY HUNTERSVILLE	RD	CHARLOTTE	NC	28216
2018-128	02326205	SPEARES	GREGORY L	CHERYL	SPEARES	4415 MT HOLLY-HUNTERS VILL RD		CHARLOTTE	NC	28216
2018-128	02326206	HILTON INVESTMENT LLC				330 NORTH MULBERRY ST		STATESVILLE	NC	282677
2018-128	02326207	TODD	DORIS B			4431 MOUNT HOLLY HUNTERSVILLE	RD	CHARLOTTE	NC	28216
2018-128	02326330	SAVILLE	ROBERT J	NADINE N	SAVILLE	4627 ANDREW JAMES DR		CHARLOTTE	NC	28216
2018-128	02326331	GRESHAM	KRIS W	DEBRA C	GRESHAM	4635 ANDREW JAMES DR		CHARLOTTE	NC	28216
2018-128	02326332	HUDNALL	SHEILA A			4640 ANDREW JAMES DR		CHARLOTTE	NC	28216
2018-128	02326333	OVERLOOK OWNERS ASSOC INC				PO BOX 1003		CHARLOTTE	NC	28201
2018-128	03304108	PAIGE	DAVID HOWARD	CATHERINE E	PAIGE	4422 MT HOLLY-HUNTERS VLR		CHARLOTTE	NC	28216
2018-128	03304112	POUTIER	JAMES F	VIRGINIA P	POUTIER	2625 LILLY MILL RD		CHARLOTTE	NC	28210
2018-128	03304113	MOUNTAIN ISLAND COMMUNITY CHURCH				4316 MT HOLLY-HUNTERSVILLE RD		CHARLOTTE	NC	28216
2018-128	03304127	BC BUILDING #1 LLC				500 EAST MOREHEAD ST STE 200		CHARLOTTE	NC	28202
2018-128	03304187	MT ISLAND PARTNERS LLC				800 17TH STREET NW		HICKORY	NC	28601
2018-128	03304197	MT ISLAND PROMENADE LLC				1401-B SUNSET DR		GREENSBORO	NC	27408
2018-128	03304401	PALMER	MARCUS			11222 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304402	OJEDA	ROSA LINDA	HISRAEL OJEDA	HERNANDEZ	11213 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304403	ADAMS	RONALD	TAMARA	ADAMS	11210 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304404	HORNE	MAGGIE R			11204 CHASTAIN PARE DR		CHARLOTTE	NC	28216
2018-128	03304405	BROWN	LESTER L III	CHRISHALA CHANTEL ANNETTE	BROWN	11201 GOLDEN DR		CHARLOTTE	NC	28216
2018-128	03304406	MORALES-TERAN	OSCAR ALFREDO	MARIA	MORALES	11209 GOLDEN DR		CHARLOTTE	NC	28216
2018-128	03304407	RALSTON	ANTHONY M	MARIA	RALSTON	11213 GOLDEN DR		CHARLOTTE	NC	28216
2018-128	03304408	CAMPANELLI	PAUL	KATHRYN	CAMPANELLI	11217 GOLDEN DR		CHARLOTTE	NC	28216
2018-128	03304422	NELSON	ROBERT L	MILLIE G	NELSON	11132 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304423	SIMS	TAMARA N			11124 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304424	SHAW	MARK			11118 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304425	BALDWIN	VICKI L		MARCO A VERASTEGUI	11112 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304426	BURTON	JOSEPH R			11106 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304427	THOMPSON	LAWRENCE P III (L/T)	KIMBERLY B(L/T)	THOMPSON	9604 CALLIS CT		HARRISBURG	NC	28075
2018-128	03304428	SWEENEY	JONATHAN C	JEANNE F	WINN	11028 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304501	GRAHAM	DENNIS L JR	KWAN	GRAHAM	11001 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304502	SNIDER	SCOTT H	ANGELA L	SNIDER	11007 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304503	SEAMANS	DOUGLAS V JR	LINDSAY	SEAMANS	11015 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304504	BARTLETT	SHERRY L			11021 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304505	KOONCE	ELISA DIANNE			11029 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304506	WOLFSOHN	EDWARD	RITA	WOLFSOHN	11101 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304507	COCHRAN	YO LONDRA			11107 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304508	CUBERO	DAVID CASTRO	JESHIRA	GONZALEZ-SOTO	11113 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304509	BECKHAM	DEREK B	CYNTHIA LYNN	BECKHAM	11119 CHASTAIN PARC DRIVE		CHARLOTTE	NC	28216
2018-128	03304510	AMH NC PROPERTIES LP				11629 SIDNEY CREST AVE		CHARLOTTE	NC	28213
2018-128	03304511	CURBEAM	STEVEN C	SAKIRA V	CURBEAM	11133 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304512	BLAKENEY	ANESTHA W			11203 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304513	CORREA	GEORGE JR	ANA	WILLMORE-CORREA	11211 CHASTAIN PARC DR		CHARLOTTE	NC	28216
2018-128	03304598	MT ISLAND PROMENADE LLC				1401 SUNSET DR SUITE B		GREENSBORO	NC	27408

2018-128	ORGANIZATI	FIRST_NAME	LAST_NAME	STREET_ADD	UNIT_NUM	CITY	STATE	ZIP
2018-128	Chastain HOA	Mark	Shaw	11118 Chastain Parc Drive		Charlotte	NC	28216
2018-128	Chatham Homeowners Association	Neale	Turlington	9527 Chastain Walk Dr		Charlotte	NC	28216
2018-128	Devonwood Towns Homeowners Association	Victoria	Carnall	4742 Stoney Branch Dr		Charlotte	NC	28216
2018-128	Morgan Glenn	Larry	Bumgarner	5201 Mountain Point Ln		Charlotte	NC	28216
2018-128	Mountain Island (Overlook) Homeowners Association	Steve	Swicegood	12511 Overlook Mountain Dr		Charlotte	NC	28216

## **EXHIBIT B**

April 25, 2019

Collin W. Brown  
collin.brown@klgates.com

T +1 704 331 7531  
F +1 704 331 7598

**NOTICE TO INTERESTED PARTIES OF SECOND COMMUNITY MEETING**

**Date:** Thursday, May 9th at 6:00 p.m.  
**Location:** Mountain Island Church of Christ  
4205 Mt. Holly-Huntersville Road  
Charlotte, NC 28216  
**Petitioner:** James Poutier  
**Petition No.:** 2018-128

Dear Charlotte Resident,

We represent James Poutier (the "Petitioner") in his request to rezone an approximately 5.5-acre property located on the southeast side of Mt. Holly-Huntersville Road, between Riverbend Village Drive and Chastain Parc Drive (the "Property"). The Petitioner intends to amend its rezoning application to request a rezoning from the R-3 zoning district to the NS (Neighborhood Services) zoning district in order to accommodate its revised development plans.

The Petitioner originally held a meeting on November 26, 2018 under its former plans to request a rezoning to the UR-2(CD) zoning district to accommodate a townhome development. Based on community feedback and market conditions, the Petitioner is now considering a commercial development that we would like to discuss with the community at this follow-up meeting.

In accordance with the requirements of the City of Charlotte Zoning Ordinance, the Petitioner will hold a Second Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this updated rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Commission's records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the Property.

Accordingly, on behalf of the Petitioner, we invite you to attend the Second Official Community Meeting regarding this Petition on **Thursday, May 9th at 6:00 p.m.** to meet with the Petitioner and its design and development team. We will give a brief overview of the revised redevelopment concept and then provide an opportunity for you to meet and talk with individuals that are involved in planning the project.

Please contact me if you are unable to attend and would like additional information.

Very truly yours,



Collin W. Brown

cc: Dr. Justin Harlow, Charlotte City Council District 2



## **EXHIBIT C**

**6:00 PM**

Please fill out completely. This information is used by the Planning Department to distribute material regarding this petition.

## **EXHIBIT D**



SECOND Official Community Meeting

James Poutier / Mt. Holly-  
Huntersville Road  
Petition No. 2018-128

May 9, 2019

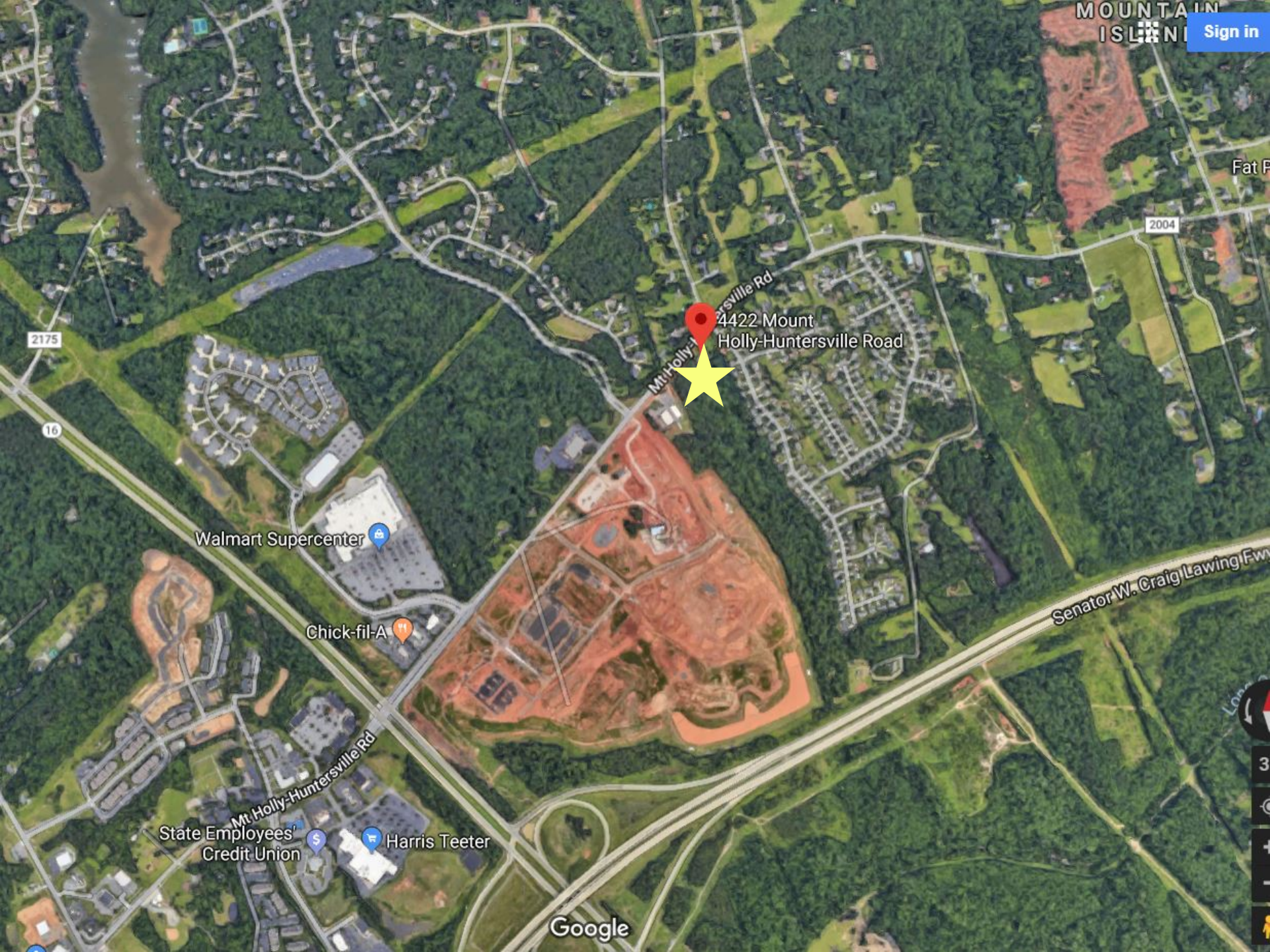
# AGENDA

- Introductions
- Property Location
- Development Considerations
- Current Zoning
- Area Plan Recommendation
- Initial Development Concept
- Community Feedback
- REVISED Development Proposal
- Concept Examples
- Rezoning Timeline
- Discussion

The top portion of the slide features a vibrant blue background with a bokeh effect, consisting of numerous out-of-focus light spots in various shades of blue and white, creating a sparkling, underwater-like texture.

# Property Location





4422 Mount  
Holly-Huntersville Road

Walmart Supercenter

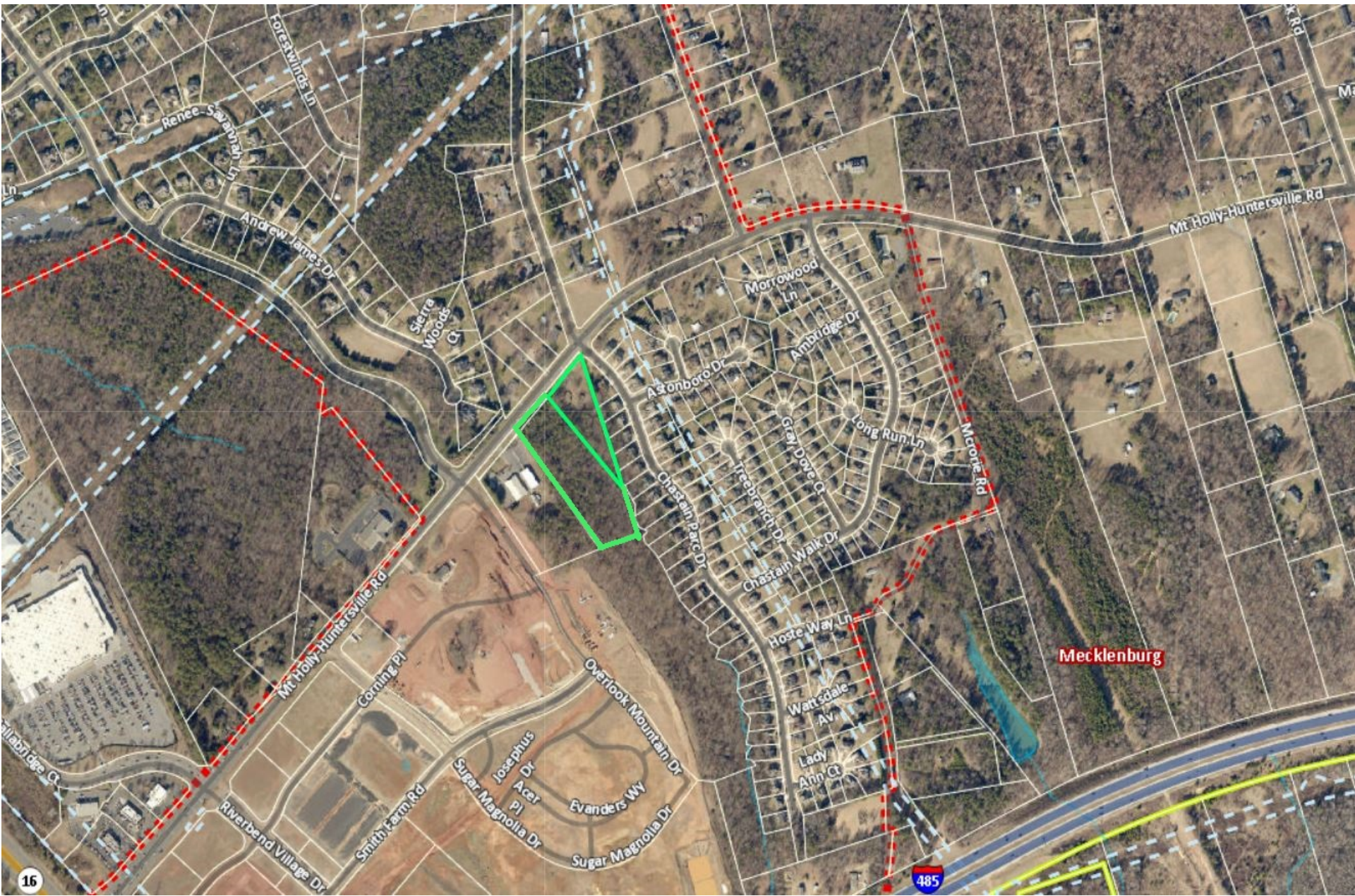
Chick-fil-A

State Employees'  
Credit Union

Harris Teeter

Senator W. Craig Lawing Fwy















Google



# Development Considerations

- Property Owner Requirements
- Existing Zoning
- Natural/Environmental Constraints
- Access/Transportation Constraints
- Adjacent Owner Concerns
- Ordinance/Policy Requirement (non-zoning)
- Adopted Area plans
- City Priorities
- Adjacent Uses
- Community Concerns
- Market Realities

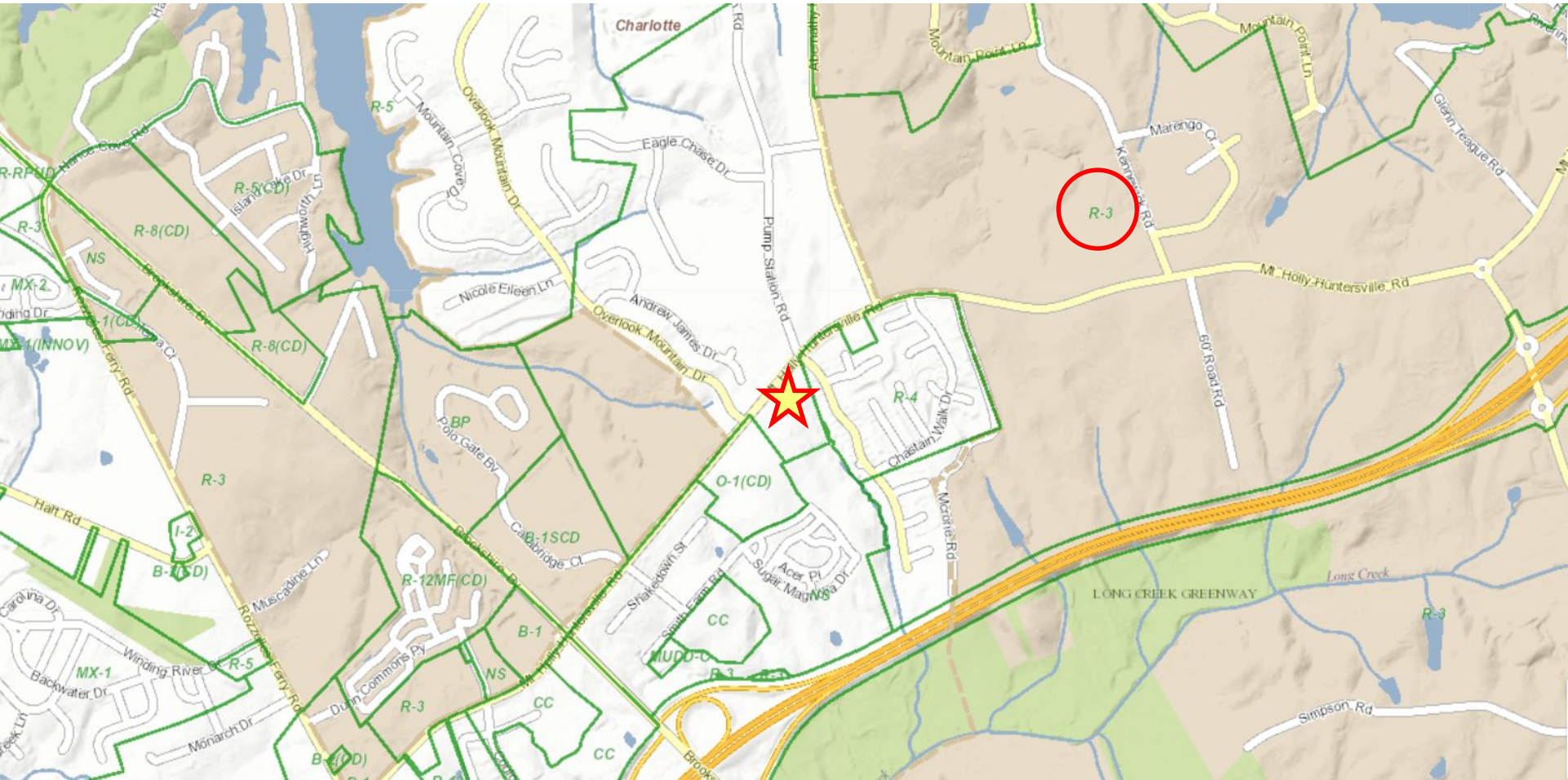




# Current Zoning



# Current Zoning: R-3



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# Land Use Plan

# Brookshire Boulevard/I-485 Area Plan

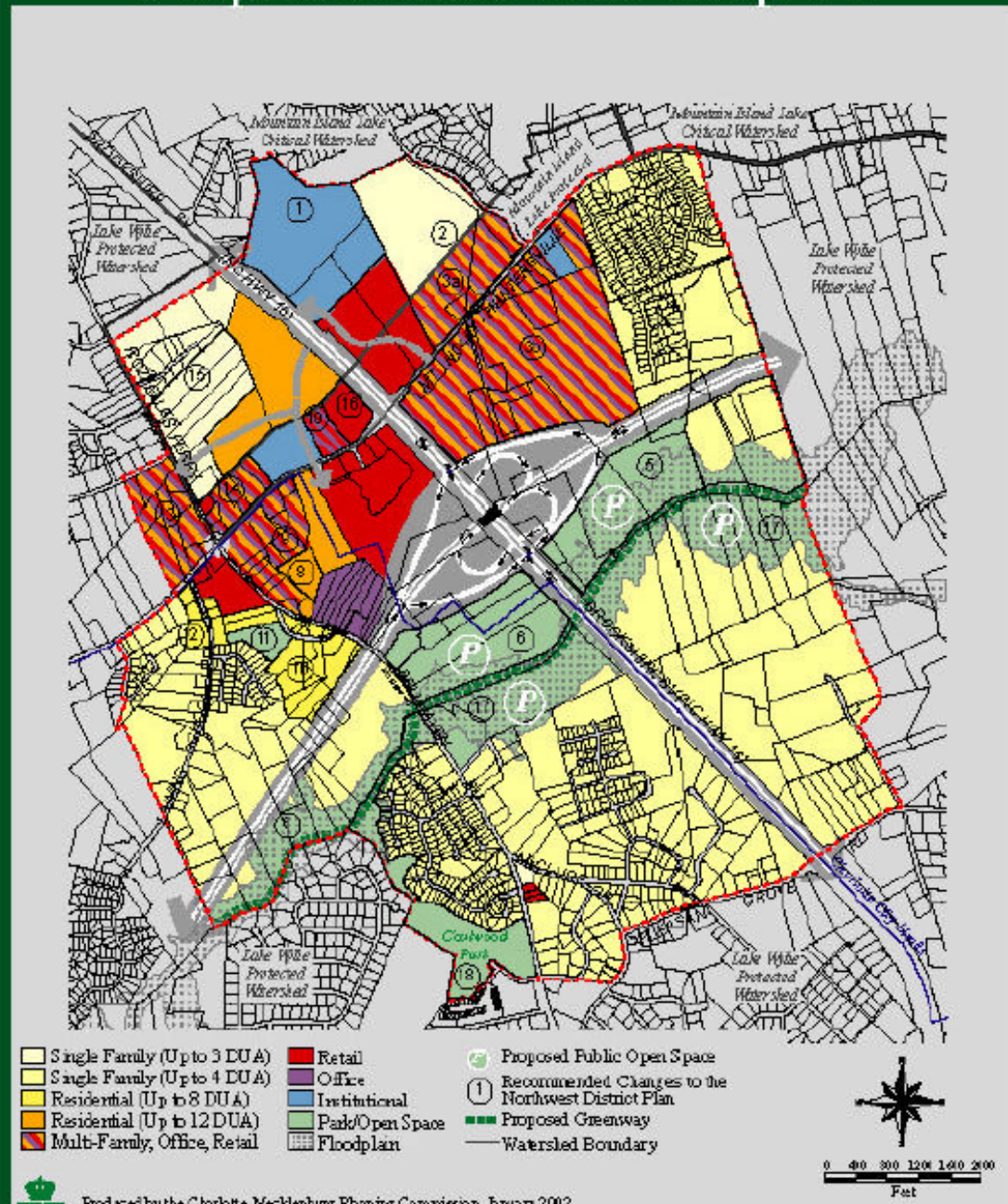
## *Volume I: Concept Plan*

Adopted by City Council January 28, 2002

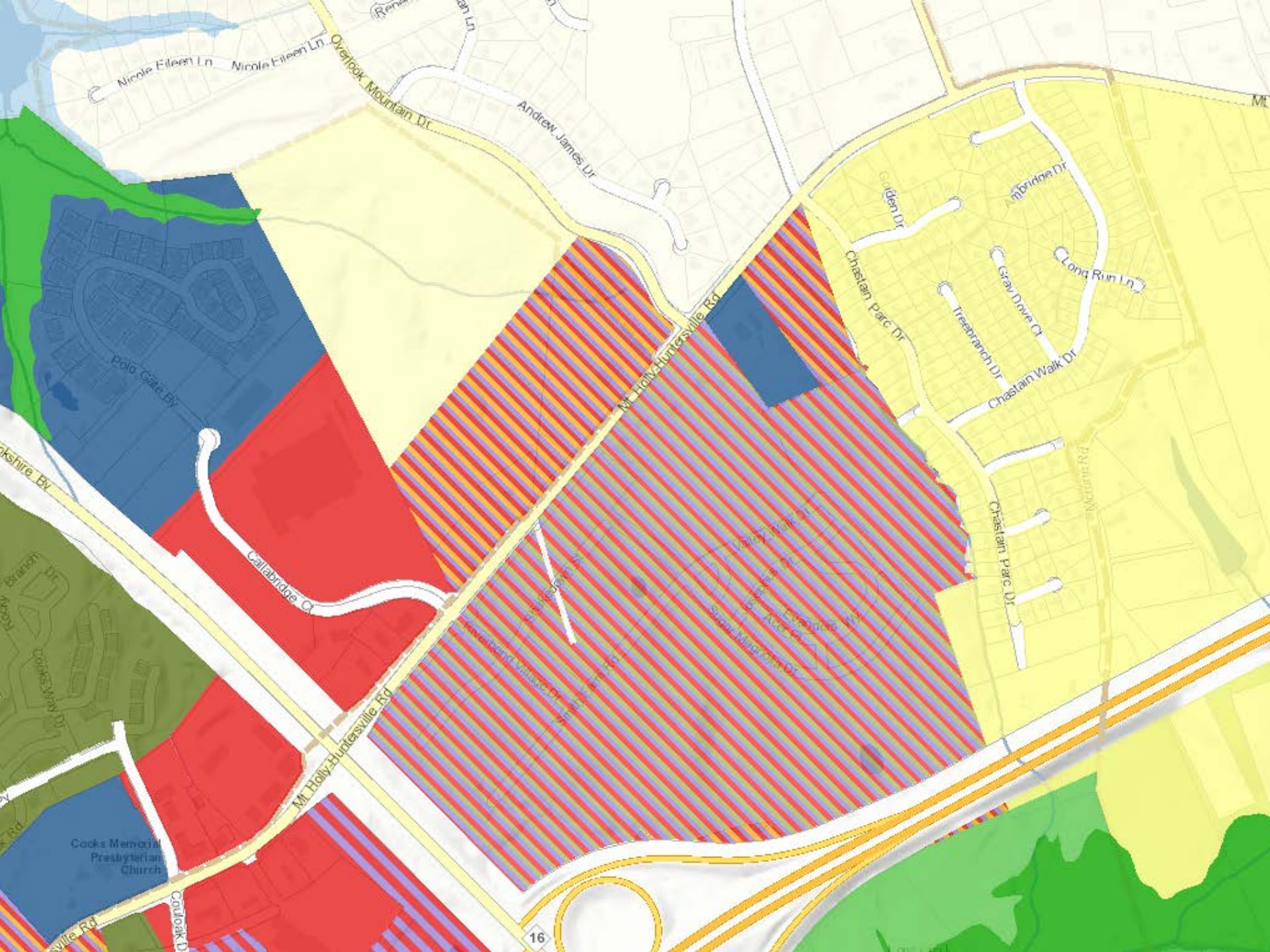




# Brookshire Boulevard / I-485 Interchange Proposed Land Use: Map # 6







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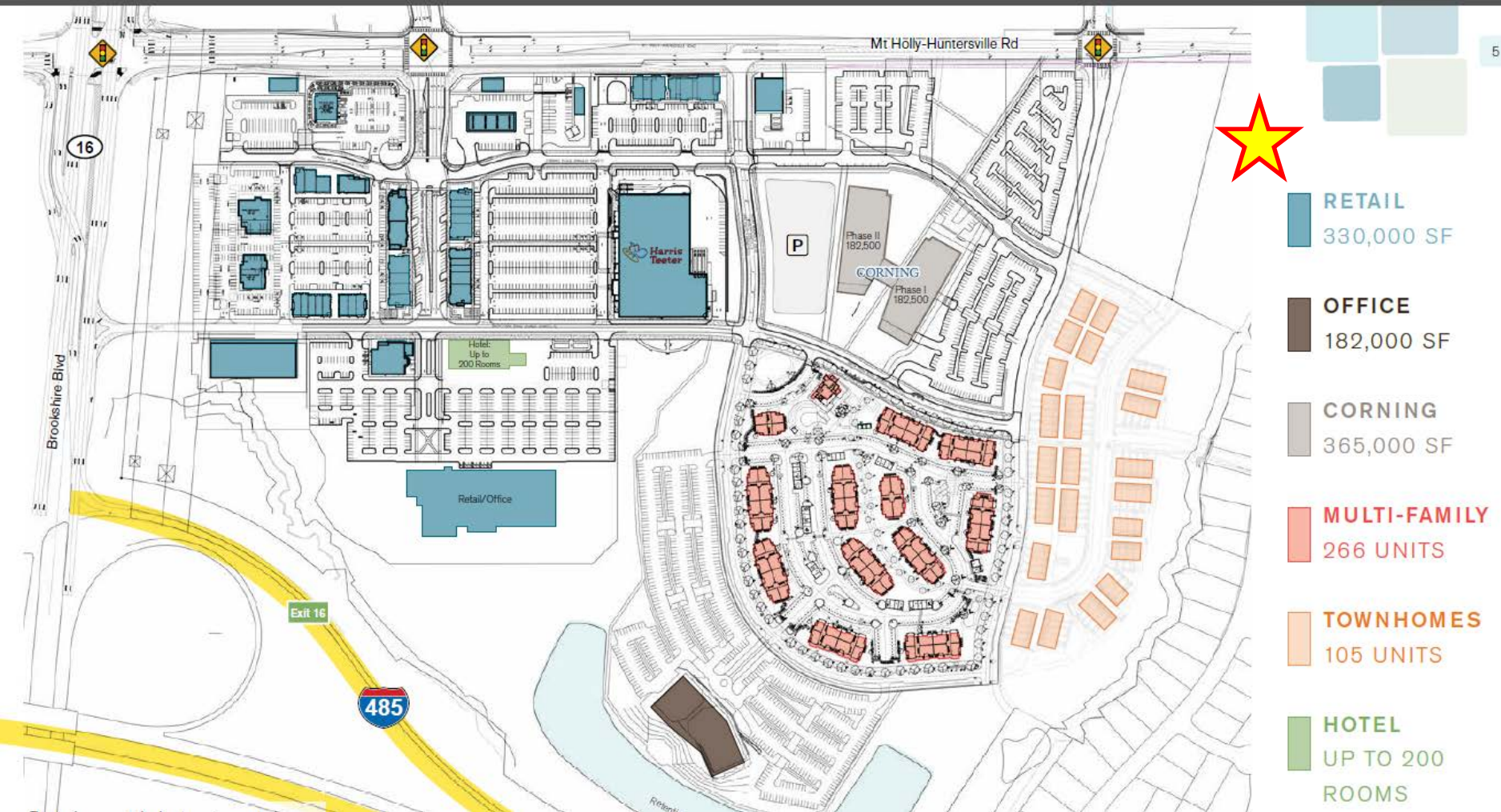
Riverbend is an Amenity



# OVERVIEW

## RIVERBEND VILLAGE

5



The background of the slide features a blue bokeh effect with out-of-focus light spots. A solid orange horizontal band runs across the middle of the image, serving as a backdrop for the title text.

# Proposed Zoning

# Proposed Zoning: Neighborhood Services (NS)

## CHARLOTTE CODE

### PART 5: NEIGHBORHOOD SERVICES DISTRICT

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#### **PART 5: NEIGHBORHOOD SERVICES DISTRICT**

##### **Section 11.501. Purpose.**

The purpose of the Neighborhood Services District (NS) is to encourage and accommodate the development and continued existence of mixed use districts, which provide a focus for neighborhood retail and service activities. This district provides for a variety of neighborhood-oriented retail and service uses intermixed with high density residential uses. Residential uses on the upper floor of commercial structures are strongly encouraged. Emphasis in the district is placed upon creating a pedestrian scale urban environment with strong linkages to the neighborhood and access to transit.

##### **Section 11.502. Applicability.**

The delineation of Neighborhood Services Districts will be done primarily through the area planning process. This does not preclude, however, a private sector initiated rezoning petition to establish a district. The following criteria must be considered for the establishment of the Neighborhood Services District:

- (1) The district must be directly adjacent to or within a residential neighborhood.
- (2) The proposed uses are intended to serve the surrounding neighborhood.
- (3) The district must have frontage on a major or minor thoroughfare, unless an approved site plan provides otherwise.
- (4) The district must have proximity to existing and future transit routes.

The background of the slide is a deep blue with numerous out-of-focus light spots, creating a bokeh effect. These spots vary in size and brightness, with some appearing as sharp white or yellow points and others as soft, larger blue or white circles. The overall texture is grainy and organic, resembling a microscopic view or a starry night sky.

# Initial Proposed Development Concept (Prior Rezoning Plan)





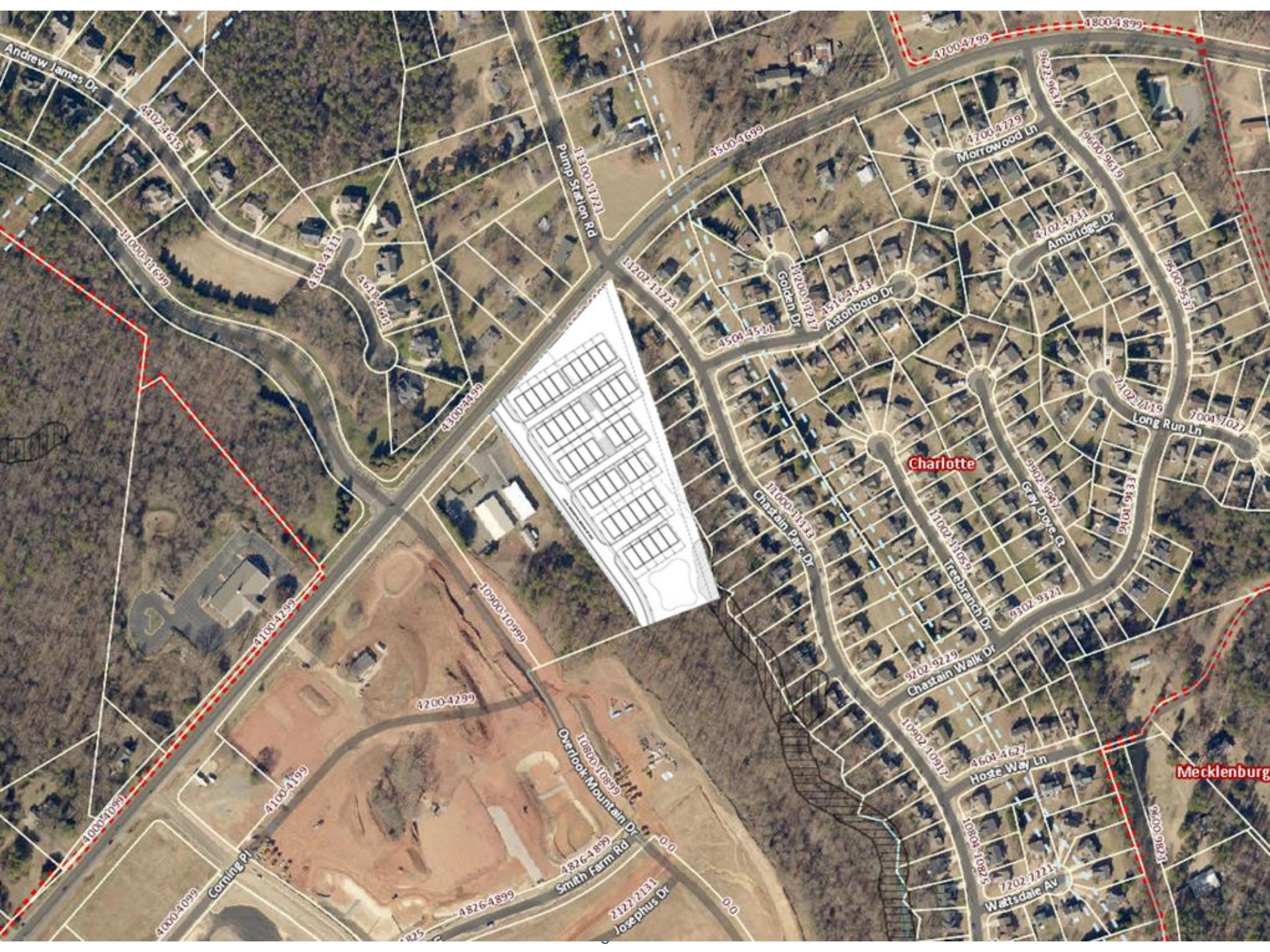
**Townhomes:** Attached Dwellings,  
underlying land owned by homeowner,  
common areas maintained by an HOA.



DENSITY: MAXIMUM OF 10 DUA

RZ-2





Andrew James Dr

4402-4519

4100-4199

4304-4311

4512-4562

Pump Station Rd

4120-4122

4500-4599

Golden Dr

4516-4543

Astonboro Dr

4700-4729

Morrowood Ln

9622-9671

9600-9679

4702-4731

Ambridge Dr

9800-9879

9800-9879

Long Run Ln

7004-7027

Charlotte

Chastain Park Dr

9102-9119

9102-9119

Treebranch Dr

9102-9119

9102-9119

9102-9119

9102-9119

9102-9119

9102-9119

Chastain Walk Dr

9202-9229

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9202-9229

9202-9229

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9202-9229

9202-9229

Hoste Way Ln

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4604-4627

4604-4627

Wattsdale Av

7202-7221

7202-7221

7202-7221

7202-7221

7202-7221

Overlook Mountain Dr

10800-10899

10800-10899

10800-10899

10800-10899

10800-10899

10800-10899

10800-10899

10800-10899

10800-10899

10800-10899

10800-10899

10800-10899

10800-10899

10800-10899

Smith Farm Rd

4826-4899

4826-4899

4826-4899

4826-4899

4826-4899

4826-4899

4826-4899

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4826-4899

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4826-4899

Josephus Dr

2422-2431

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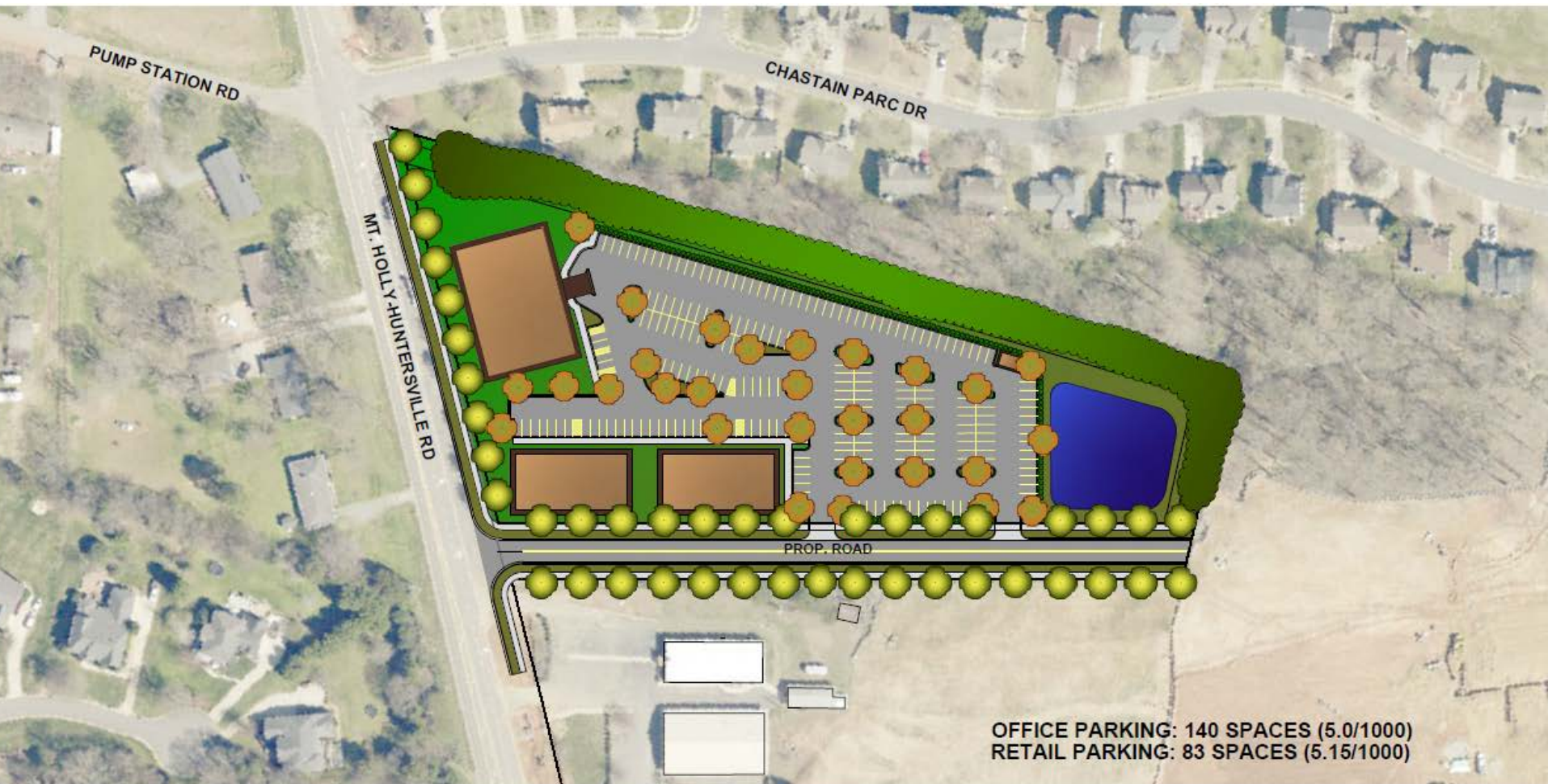
# Community Feedback

# COMMUNITY FEEDBACK FROM INITIAL MEETING

- Buffering to existing single family homes
- Removal of Trees
- Traffic
- **Desire for restaurants/commercial instead of townhomes**

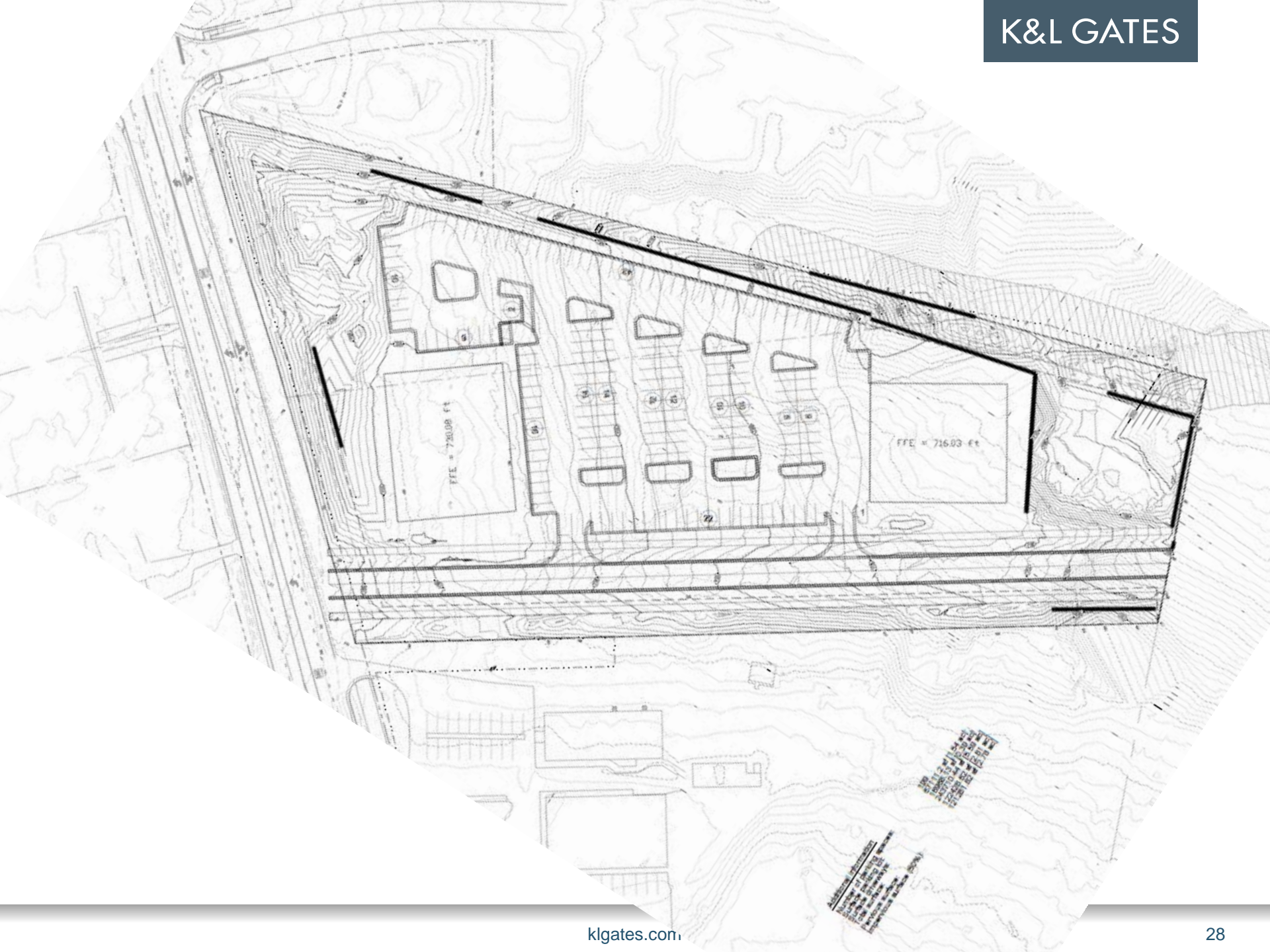
The background of the slide is a deep blue with numerous out-of-focus light spots, creating a bokeh effect. These spots vary in size and brightness, with some appearing as sharp, bright white or yellowish points and others as larger, softer, light blue or white circles. The overall effect is a textured, shimmering blue background.

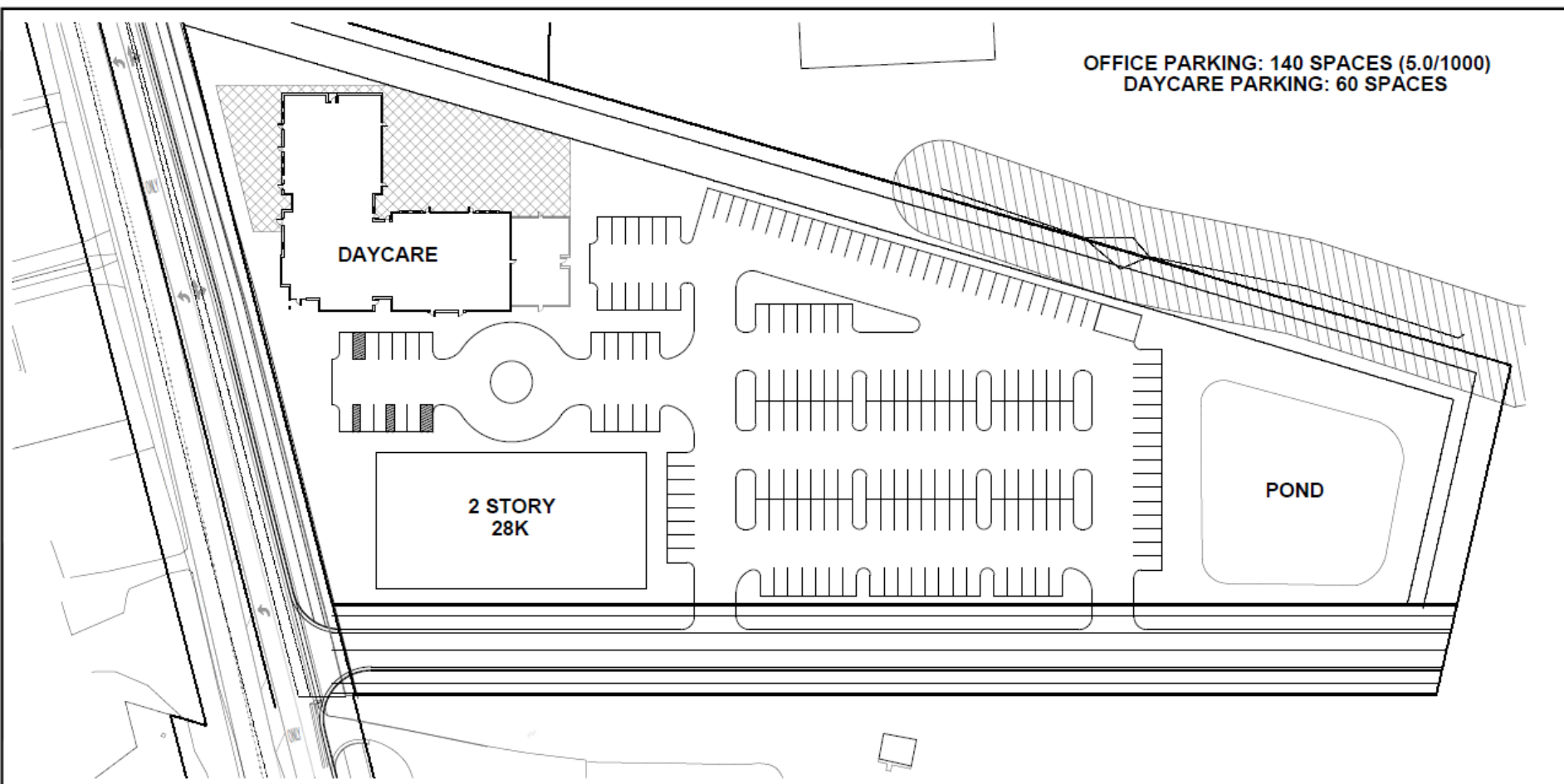
# New Development Concepts



**38,000 s.f. Office/Services**  
**8,000 s.f. Retail**









The background of the slide is a deep blue with numerous out-of-focus light spots, creating a bokeh effect. These spots vary in size and brightness, with some appearing as sharp, bright white or yellowish circles and others as softer, larger blue or white blurs. The overall texture is grainy and organic, resembling light reflecting off water droplets or particles in a dark space.

# Comparison to Prior Plan



The top half of the slide features a blue bokeh background with out-of-focus light spots in various shades of blue and white.

# Concept Examples

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# Rezoning Timeline



## Potential Rezoning Timeline

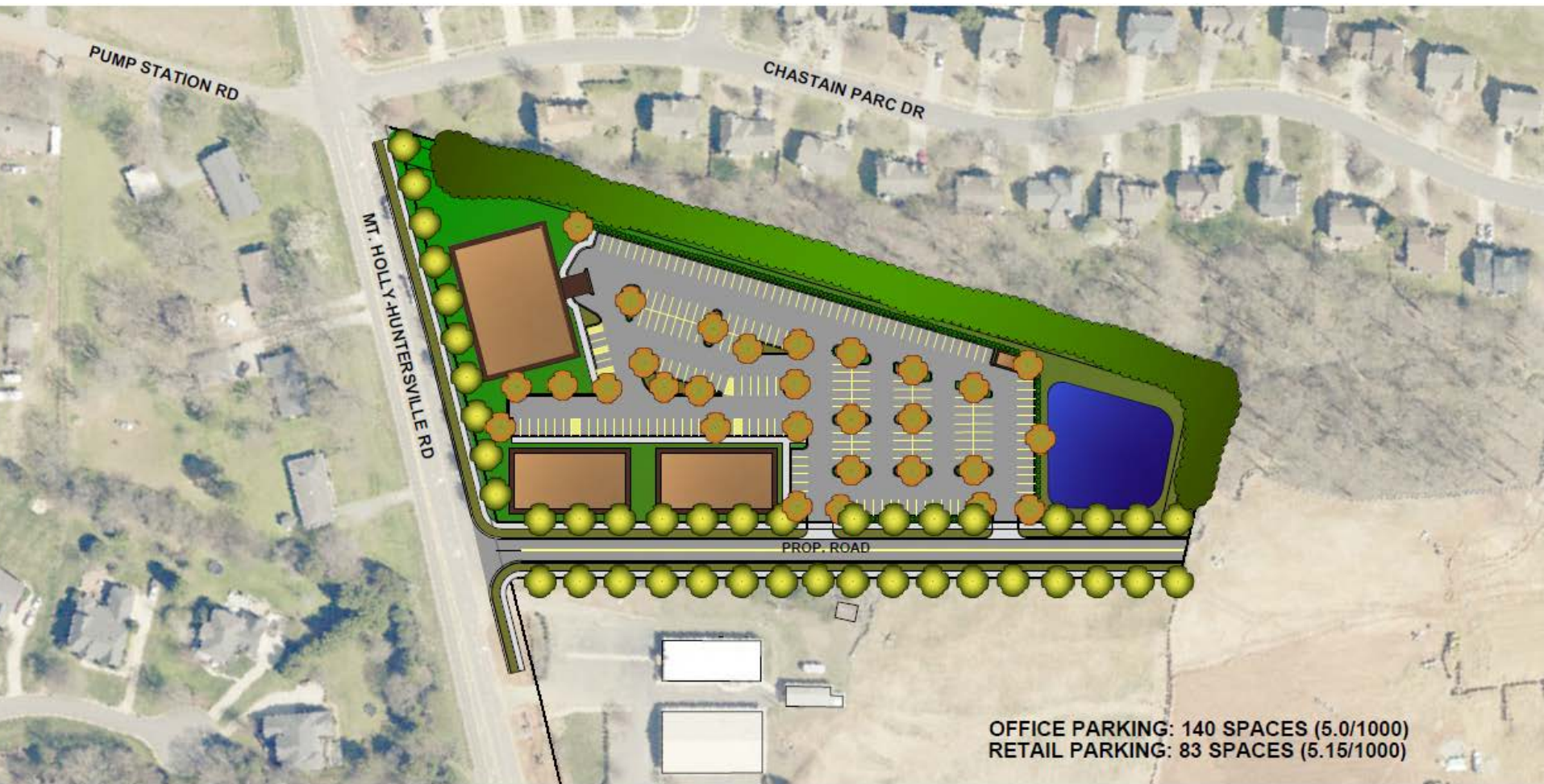
First Official Community Meeting:	November 26, 2018
Second Official Community Meeting :	May 9, 2019
Revised Site Plan Submittal:	May 13, 2019
Public Hearing:	June 17, 2019
Zoning Committee:	July 2, 2019
City Council Decision:	July 15, 2019

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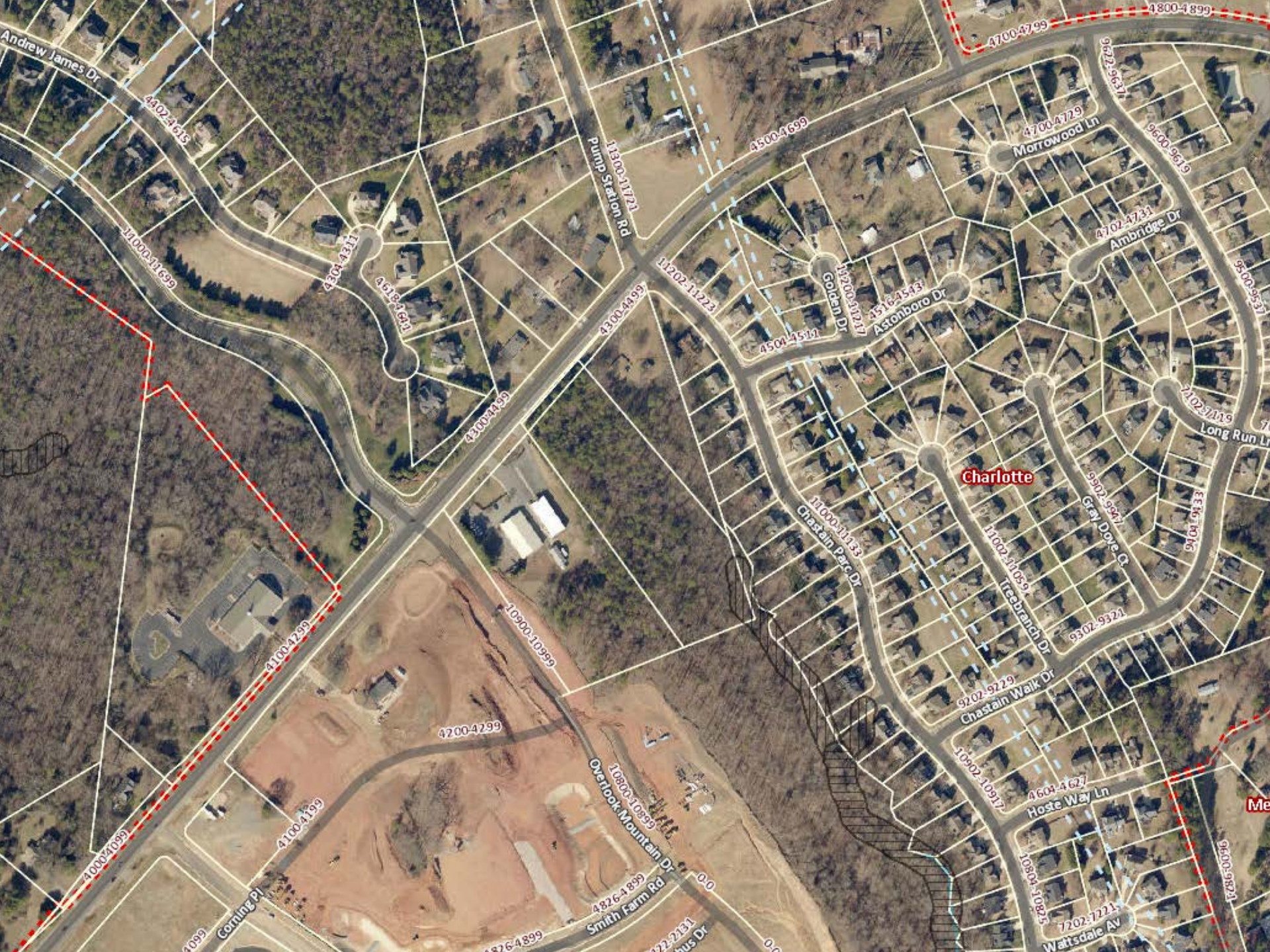
# Discussion





**38,000 s.f. Office/Services**  
**8,000 s.f. Retail**





Andrew James Dr

4402-4615

11000-11699

4304-4311

4618-4621

Pump Station Rd

4300-4499

Overlook Mountain Dr

4826-4899

Smith Farm Rd

4500-4699

Golden ID

1516-4543

Astonboro Dr

4504-4517

Morrowood Ln

4700-4729

Ambridge Dr

4702-4731

Long Run Ln

9500-9537

Charlotte

Chastain Parc Dr

11000-11033

Treebranch Dr

11002-11059

Chastain Walk Dr

9202-9229

Gray Dove Ct

9902-9927

9102-9119

9104-9133

Hoste Way Ln

4604-4627

Wattsdale Av

7202-7211

Corning Pl

4100-4199

4200-4299

10900-10999

4000-4099

Me



K&L GATES