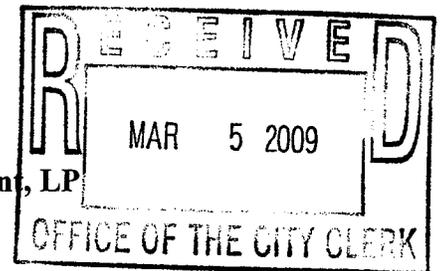


COMMUNITY MEETING REPORT  
**Petitioner: Moody Lake Office Park Development, LP**  
Rezoning Petition No. 2008-053



This 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 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 January 12, 2009. A copy of the written notice is attached hereto as Exhibit A-2.

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

The Community Meeting was held on Wednesday, February 4, 2009 at 7:00 p.m. at the Courtyard by Marriott located at 800 West Arrowood Road.

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

The Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit B. The Petitioner's representatives at the Community Meeting were Barry James of American Asset Corporation, Heth Kendrick of LandDesign, the Petitioner's land planner, John Townsend and Steve Blakley of Kimley-Horn & Associates, the Petitioner's traffic engineers, and John Carmichael of K&L Gates.

**SUMMARY OF ISSUES DISCUSSED:**

John Carmichael opened the Community Meeting by introducing himself and the Petitioner's representatives. John Carmichael then provided those in attendance with the dates, times and locations of the remaining events relating to this Rezoning Petition. Specifically, John Carmichael advised that the Public Hearing before City Council and the Zoning Committee will be held on Thursday, March 19, 2009 at 6:00 P.M. at the Charlotte-Mecklenburg Government Center located at 600 East 4<sup>th</sup> Street. The Zoning Committee Work Session will be held on Wednesday, March 25, 2009 at 4:30 P.M. at the Charlotte-Mecklenburg Government Center. The Zoning Committee will make a recommendation to City Council as to whether or not this Rezoning Petition should be approved at its Work Session. John Carmichael advised that City Council will render a decision on this Rezoning Petition on Monday, April 20, 2009 at 6:00 P.M. at the Charlotte-Mecklenburg Government Center.

Barry James then shared a PowerPoint presentation regarding the rezoning and the proposed project and provided a brief history of the Site and the Petitioner's ownership thereof. Barry James also provided information on American Asset Corporation and the existing Whitehall development. Barry James advised that he has been working on this rezoning for quite some time, and that he started discussions with the Planning Staff over two years ago. The Rezoning Petition was filed on January 25, 2008.

Barry James advised that the Site subject to this Rezoning Petition contains approximately 60 acres, and it is part of an approximately 82 acre parcel of land owned and to be developed by the Petitioner. The Petitioner is seeking to rezone the Site from the BP(CD) zoning district to the MUDD-O zoning district to accommodate the development of a master planned mixed use project on the Site that would be comprised of a maximum of 1,800,000 square feet of office uses (including ground level retail), up to 40,000 square feet of free standing retail/commercial/restaurant uses and up to 400 multi-family residential uses. This development would be part of a larger mixed-use project to be developed on the entire 82 acre parcel of land owned by the Petitioner. When describing the proposed development, Barry James shared with those in attendance the Petitioner's conditional rezoning plan.

Steve Blakley of Kimley-Horn & Associates then addressed traffic issues and considerations with those in attendance. Among other things, Steve Blakley advised that Arrowood Road is a thoroughfare that operates more as a neighborhood collector street. Steve Blakley advised that the median breaks on Arrowood Road would be adjusted as a result of this development.

An individual in attendance asked whether this development would connect to the Whitehall Shopping Center site. Barry James stated that it ultimately could connect, but that such connection would be up to the adjoining property owner, the Yager family. However, under this conditional rezoning plan, the Petitioner is providing a connection from the Site to the Yager family's property.

Barry James then mentioned that a future grade separated connection from the Site over I-485 to Whitehall Park Drive could be constructed in the future, but this improvement would not be constructed by the Petitioner. The Petitioner would be assisting in the design of this improvement and providing some of the right-of-way for it. Additionally, a future collector road will connect Arrowood Road to Shopton Road, however, this improvement will not be constructed by the Petitioner. Steve Blakley then reiterated that the Petitioner will be dedicating right-of-way on the Site to accommodate the future grade separated connection from the Site over I-485 to Whitehall Park Drive.

In response to a question, Barry James indicated that the collector road would enable you to get to Sandy Porter Road and Shopton Road from Arrowood Road.

Steve Blakley then described the improvements to the Arrowood Road/I-485 interchange that would be constructed by the Petitioner.

An individual in attendance asked how long the zoning would be effective in the event this Rezoning Petition were approved. John Carmichael stated that the Petitioner is asking for five year vested rights, and that the zoning would remain in place until such time that City Council determined to rezone the Site.

In response to a question, Barry James indicated that the build-out for this project could be 15 years.

An individual in attendance stated that his main concern would be the traffic generated by the proposed development. He stated that traffic already backs up and it is difficult to take a left turn onto I-485, so there are traffic issues in this area today.

In response to a question, Steve Blakley described the improvements to Highway 49 that would be installed in connection with this Rezoning Petition.

Barry James then went over the site plan again and shared the building perspectives with those in attendance. Barry James described the open space and gathering places within the development, and stated that the Petitioner likes to have its developments have a sense of place. Barry James then briefly described the residential component of this proposed mixed use development, and he described the building height limitations. Specifically, two of the buildings on the Site to be devoted to office uses may have a maximum height of 12 stories and six of the buildings on the Site to be devoted to office uses may have a maximum height of 8 stories. The buildings on the Site that would be located next to the multi-family residential development could have a maximum height of 5 stories. The buildings located immediately next to Arrowood Road could have a maximum height of 5 stories as well. Barry James then described the walking trail that would be installed around Moody Lake.

An individual asked if sidewalks would be installed between the buildings and connecting to the streets, and Barry James indicated that sidewalks would indeed be installed between the buildings and connect to the streets. Heth Kendrick indicated that the sidewalks along Arrowood Road would be 6 feet in width and the planting strip would be 8 feet in width.

In response to a question, Barry James indicated that retail and restaurant uses could be located in the buildings adjacent to Arrowood Road.

An individual asked if the multi-family residential units would be apartments or condominiums, and Barry James indicated that the multi-family residential units could be either rental apartments or for-sale units. Barry James indicated that it would be a high density residential community. Heth Kendrick stated that portions of the tops of the two parking decks located adjacent to I-485 would have green roofs, however, the green roofs would not be open space or a park.

In response to a question, Heth Kendrick stated that the entire tops of the two parking decks would not be green roofs due to the expense.

Barry James then discussed the proposed phasing for the development of the project, and he stated that generally speaking, the buildings with parking decks would be developed last. Barry James stated that there would be 8 office buildings within the rezoning Site and there could be hotels located on the portion of the Petitioner's property not subject to this Rezoning Petition.

An individual asked if the Petitioner had received any interest from corporations with respect to the Site, and Barry James said that there had been good interest early, but no one has committed to the Site. Barry James also indicated that there had been interest in the hotel sites.

An individual asked if the proposed loop at the I-485 and Arrowood Road interchange would be subject to NCDOT approval, and Barry James indicated that the loop would be subject to NCDOT approval.

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

No changes were made to the Conditional Rezoning Plan or to the Rezoning Petition as a result of the Community Meeting.

Respectfully submitted, this 5<sup>th</sup> day of March, 2009.

MOODY LAKE OFFICE PARK  
DEVELOPMENT, LP, Petitioner

cc: Mr. Tim Manes, Charlotte-Mecklenburg Planning Commission  
Ms. Stephanie Kelly, Clerk to City Council  
Mr. Barry James, Moody Lake Office Park Development, LP

**Moody Lake Office Park Development LP, Petitioner  
Rezoning Petition No. 2008-053**

**Community Meeting Sign-in Sheet  
Courtyard by Marriott  
Wednesday, February 4, 2009  
7:00 P.M.**

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1.	Roy Brown	Employers Assoc. 3020 W. Arrowood Rd. 28273		
2.	DAVE HUNT	3638 BROAD OAK RD CMT 28273	704-588-5929	hnt4642@bellsouth.net
3.	David Wiggins	13938 Dingess Rd CMT 28273	756-664-5663	inbs@steelecreekresidents.org
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