

## COMMUNITY MEETING REPORT

**Petitioner: Southern Holdings IV, LLC**

**Rezoning Petition No.: 2008-068**

**Property: An approximate 11.05 acre site located at intersection of Eastfield Road and Highland Creek Parkway**

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 DATES AND EXPLANATIONS 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 the Community Meeting Notice in the U.S. mail on April 2, 2008. 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 Thursday, April 17, 2008, at 7:00 p.m. at Eastfield Presbyterian Church, 11800 Eastfield Road, Huntersville, NC.

### **PERSONS IN ATTENDANCE AT MEETINGS:**

A list of attendees is attached as **Exhibit B**.

### **SUMMARY OF ISSUES DISCUSSED:**

Keith MacVean, assisting the Petitioner, opened the meeting with an explanation of the rezoning schedule. The following key dates were reviewed: revised site plan deadline, City Council Public Hearing Date, Zoning Committee of the Planning Commission Meeting Date and City Council Decision Date.

The project team members present were then introduced. Joel Gilland the Petitioner with Southern Projects Group, Inc., Chip Cannon the site designer with Urban Design Partners and Keith MacVean with King & Spalding were introduced to the attendees.

An explanation and description of the proposed plan was provided.

The center was described in the following manner:

The site plan for the project proposes a pedestrian oriented shopping center. The uses proposed for the center are a mix of office, retail, a child care center and indoor recreational use. The total square footage for the center will be limited to 112,000 square feet. Retail uses will be limited to 81,000 square feet and office uses will be limited to 57,000 square feet. Restaurants with drive-thru windows and gas station convenience stores will not be allowed. The buildings will be constructed primarily of masonry materials (brick, stone) with stucco and EFIS accents.

Access to the site will be provided by one driveway and one public street to Highland Creek Parkway and one driveway to Eastfield Road. The Petitioner has agreed to fund the installation of a new traffic signal at the intersection of Highland Creek Parkway and Eastfield Road. A left turn lane into the site from Eastfield Road will also be constructed.

A 50 foot buffer with a six foot decorative fence and 20 feet of undisturbed vegetation would be provided adjacent to the Eastfield Meadows neighborhood. A 10 foot landscape area will be

provided between the proposed public street and the abutting property to the east. A two foot decorative masonry wall will be used to screen parking spaces at the corner of Eastfield Road and Highland Creek Parkway.

The following questions were asked:

1. Concerned about traffic at entry and Highland Creek Parkway intersection.  
Response: The Petitioner will be improving the intersection of Highland Creek Parkway and Eastfield Road with a new signal and a left turn lane.
2. Question about distance from street to parking lot at pharmacy.  
Response: The parking for the proposed pharmacy on Parcel A will be 45 feet from Eastfield Road and 30 feet from Highland Creek Parkway.
3. Requests for plans to study.  
Response: Copies of the plans will be e-mailed and will also be available on the Planning Commissions web page.
4. Concern about non-noticing (all the residents of Falcon Ridge did not get notices).  
Response: Notices were sent to all property owners within 300 feet of the site and neighborhood associations within a mile as required by the City.
5. Concern about heavy trucks (construction traffic in particular).  
Response: Petitioner will investigate limiting construction access to Eastfield Road.
6. Concerned about no residences in plan.  
Response: Residential uses were eliminated from the plan in order to increase buffers and move buildings away from adjoining single-family uses. It also became physically impossible to provide all the required parking.
7. "No need for recreation center"; why retail here?  
Response: The site is already zoned for a 70,000 square foot shopping center and has been planned as a retail center location since the original Highland Creek approved in 1990. Even though there are other indoor recreational uses in the area the Petitioner has found interest from these types of users in this location.
8. Is there a similar project we can see?  
Response: Other projects constructed by the Petitioner were identified (one on Prosperity Church Road and one on Mt. Holly-Huntersville Road at Brookshire Freeway).
9. Concern about limiting operating hours.  
Response: Petitioner responded that uses will be neighborhood friendly uses and will be monitored for problems that might arise. If problems arise corrective action will be taken including changing the hours of operation if they became a problem.
10. What is the construction time line, when will construction begin?  
Response: The project will be under construction by mid to late summer.
11. What is the area that is drawn to look like an area of water?  
Response: The area illustrated as having water is the location of the water quality/detention pond.

12. How much frontage on HCP?  
Response: The site has 820 feet of frontage on Highland Creek Parkway.
13. Is the building designated for the location of the indoor recreation use a two story building?  
Response: It will be a one story building but could have a basement that is exposed on one corner due to the change in topography.
14. What's traffic count? How many new trips does this development add?  
Response: The existing and proposed trip generation as calculated by CDOT was provided (5,400 trips under current zoning 7,800 trips per proposed plan). It was clarified that the proposed size of the shopping center had been reduced since the City Department of Transportation had calculated the number of trips, and new trip generation numbers would be available based on revised plan.
15. Will the existing Highland Creek monuments at the intersection of Eastfield Road and Highland Creek Parkway change?  
Response: No, the monuments are located in an easement and will be preserved.
16. Why only a 10 foot buffer along the Eastern property line between new public street and adjoining property? Why is a public street been provided?  
Response: The City Department of Transportation asked that a public street be constructed to provide connectivity. The location of the public street limited the width of the buffer that could be provided.
17. What will privacy be like for lots backing up to site in the Eastfield Meadows neighborhood?  
Response: A description of the 50 foot buffer which includes a six foot decorative fence and preserves 20 feet of existing vegetation was provided.
18. Concern about noise and traffic from pharmacy from neighbors across Highland Creek Parkway.  
Response: A description of the low masonry wall used to screen the parking area was provided.
19. Are there any confirmed tenants?  
Response: There are no signed leases at this time. But there is strong interest for a child care center, and a salon.
20. Concern about new public street to be constructed. Concerns that road "will devalue my property"...who decided to put it in?  
Response: The road was requested by the City and will be constructed as part of the development of the site. The Petitioner agreed to work with the adjoining property owner to minimize impact of the road.
21. Question about signage..."no neon"  
Response: Neon signs will not be allowed.

22. Concern about traffic issues at the Falconcrest intersection?

Response: Driveways will be designed to accommodate anticipated traffic. Highland Creek Parkway was designed with a left-turn lane and a median break and should be able to process the traffic from center.

23. Concern about pedestrian traffic...”can we do crosswalks at main entry?

Response: The Petitioner will work with the City to see if cross-walks can be installed on Highland Creek Parkway at the main entrance to the site.

24. Construction access to Eastfield is requested.

Response: Petitioner will investigate the option to limit construction access to Eastfield Road only.

25. Concern about loitering and hanging around.

Response: Petitioner explained that the company holds their projects and it is in the company’s interest to monitor loitering. If a problem arises corrective action would be taken including hiring off duty police officers to monitor site.

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

Changes have been made to the plan as a result of Staff comments.

In addition based on the questions and issues raised at the Community Meeting the following changes were made:

- The Petitioner met with Mr. Alan Buch and agreed to construct a berm and a six (6) foot brick wall between the new public street and Mr. Buch’s property. Detailed drawings of this agreement are been prepared and will be made part of the conditional plan.
- A note was added to the plan restricting construction access to the site to Eastfield Road subject to approval by the appropriate review agencies.
- The height of the masonry screen wall along Highland Creek Parkway and Eastfield used to screen the parking spaces on Parcel A was increased in height from two feet to three feet.
- A note not allowing Neon signs was added to the plan.
- A note was added to the plan indicating that if the Petitioner can secure approval from the City pedestrian cross-walks will be installed on Highland Creek Parkway at the main access to the site.

Respectfully submitted, this 9<sup>th</sup> day of May, 2008.

CHARLOTTE-MECKLENBURG HOUSING PARTNERSHIP

cc: Mayor Pat McCrory, Members of Charlotte City Council  
Thomas Drake, Charlotte-Mecklenburg Planning Commission  
Tammie Keplinger, Charlotte-Mecklenburg Planning Commission  
Joel Gilland, The Southern Projects Group  
Chip Cannon, Urban Design Partners

**NOTICE TO INTERESTED PARTIES OF REZONING PETITION**

**Subject:** Rezoning Petition No. 2008-068

**Petitioner:** Southern Holdings IV, LLC

**Property:** An approx. 11.05 acre site located at intersection of Eastfield Road and Highland Creek Parkway

**Existing Zoning:** R-9PUD

**Rezoning Requested:** NS (Neighborhood Services)

**Date and Time of Community Meeting:** Thursday, April 17, 2006 at 7:00 p.m.

**Location of Community Meeting:** Eastfield Presbyterian Church  
11800 Eastfield Road  
Huntersville, NC

**Date of Notice:** April 2, 2008

We have recently been asked to assist Southern Holdings IV, LLC ("Southern") on a rezoning petition it recently filed regarding property shown on the attached site locator map. We take this opportunity to invite you to attend a Community Meeting to discuss this petition. This is an opportunity for the community to learn more about the development plans.

**Background and Summary of Request:**

The petition seeks to rezone the site shown on the attached locator map from the R-9PUD (Single-Family Residential Planned Unite Development) zoning district to the NS (Neighborhood Services) zoning district to update and redesign the currently approved "retail strip center." This rezoning Petition proposes a pedestrian friendly neighborhood center of up to 115,000 square feet composed of office, retail, and restaurants uses as well as a day care center.

**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 rezoning site. **Accordingly, we invite you to attend a Community Meeting to be held on Thursday, April 17, 2008 at 7:00 p.m. in the Eastfield Presbyterian, 11800 Eastfield Road, Huntersville, NC.**

The Petitioner may later amend this conditional rezoning plan as a result of comments received at the Community Meeting, comments from the Planning Staff, comments from the Charlotte Department of Transportation, or as a result of modifications deemed appropriate by the Petitioner.



In the meantime, should you have questions or concerns about this matter, you may call Keith MacVean (704-503-2637), Jeff Brown (704-331-7471) or Bambi Lohr at (704) 503-2574).

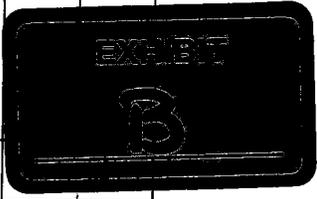
King & Spalding, L.L.P.

cc: Mayor Pat McCrory, Members of Charlotte City Council  
Michael Barnes, Charlotte City Council District 4  
Tom Drake, Planning Commission  
Tammie Keplinger, Planning Commission  
Joel Gilland, The Southern Projects Group  
Chip Cannon, Urban Design Partners

Southern Holdings IV, LLC  
 Rezoning Petition No. 2008-068  
 Community Meeting Sign-in Sheet  
 Eastfield Presbyterian Church

April 17, 2008  
 7:00 P.M.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
1	Marysushide Hitt	9319 Kestral Ridge Dr	704-975-7440	MARYSUSHIDE.105@earthlink.net
2	Karl & Mary Zultz	9121 Kestral Ridge Dr	704-992-6188	knmszultz@bellsouth.net
3	FRANCIS BUCKSTON	9127 Kestral Ridge Dr	704-992-6122	FPBuck@bellsouth.net
4	Charles D. Grouno	9212 Kestral Ridge Dr	704-992-6387	<sup>Debra</sup> dougrouno@bellsouth.net
5	Carole A. Winston	9238 Kestral Ridge Dr	704-642-1020	carolawinston@msn.com
6	Lisa Renfrow	9313 Kestral Ridge Dr	704-992-1482	lrenfrow@ix.netcom.com
7	Mr. & Mrs Bill Sorvillo	6601 Warbler Woods Ct	704-992-0972	charlottesorvillo@msn.com
8	MR./MRS RICHARD LUEBKEMANN	9018 KESTRAL RIDGE DR	704-947-5995	RLUEBY@WORLDNET.ATT.NET
9	DESIREE DELA CERNA	9143 SIMONTON DRIVE	(704) 947-0002	desron@people.net
10				



	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
13	FON CAROLAN	9006 KESTRAN ROAD		CAROLANR@BELL.SOUTH.NET
14	SABINA CAROLAN	" " "		
15	Just Romney Lunde	9012-Appleme Ridge Dr		Lunde@charlotte@aol.com
16	Frederick Chris Benjamin	9116 Highland Creek Ferry	704-875-5244	capben@bellsouth.net
17	Mike Justice	9024 " "	704-875-8476	
18	Juan M Ros, JCCS in care	9225 simonton DR.	(704) 948-5109	Tamomao@aol.com
19	Darrell Grant	11335 Woodfire RD	704 948-0688	DmANJR@aol.com
20	JIM McTee, nson	9122 KESTRAN/RIPGOLD	704 942 2040	
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	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>EMAIL ADDRESS</u>
45	ROBERT BIRCH	13619 CARDINALS NEST DR.	704-302-1736	bob@birch11c.com
46	DOTTIE BIRCH	11	11	11
47	Alan Buch	9200 Highland Creek	704661-7334	KK Buch.UNCC.Edu.com
48	Fony lowi	11534 WOODFINE	7049979247	ACLOWE1@AOL.COM
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NAME	Address	Phone / email
DAN GRIENEISEN	5509 Avannah Ct	704 597-5693 daniel.grieneisen@clairant.com
Jo Rickens	5632 Mullard Grove Rd	704-544-8410 Regjo@AOL.com
ED. OLIVER, Jr	11301 TRADITION VIEW DRIVE	704-445-6616
Clair Lane	2026 Chipstone Rd	EDOLIVERJr@AOL.com
		704-503-3994 ClairCraig@MSNBC
Doug King	9222 Heritage Woods Place	704-598-1021 dougking@davislake.org

