

COMMUNITY MEETING REPORT
Petitioner: Landmark Development, LLC
Rezoning Petition No. 2008-139

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 September 4, 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 Wednesday, September 17, 2008 at 7:00 p.m. at the South Charlotte Banquet Center located at 9009 Bryant Farms Road.

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

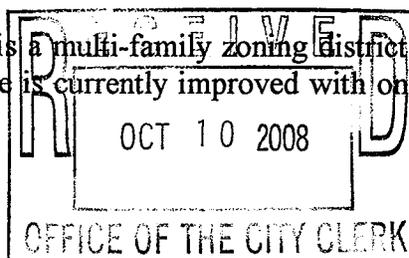
The Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit B. The Petitioner's representatives at the Community Meeting were Randy Smith, David Smith and Ed Estridge of the Petitioner, and John Carmichael of K&L Gates.

SUMMARY OF ISSUES DISCUSSED:

John Carmichael opened the meeting by introducing Randy Smith, Ed Estridge, David Smith and himself. John Carmichael stated that this is the Community Meeting in connection with Rezoning Petition No. 2008-139. John Carmichael then provided the following schedule of events in connection with this Rezoning Petition. The Public Hearing will be held on Monday, October 20, 2008 at 6:00 P.M. at the Charlotte-Mecklenburg Government Center. The Zoning Committee Work Session will be held on Wednesday, October 29, 2008 at 4:30 P.M. at the Charlotte-Mecklenburg Government Center. City Council will render a decision on this Rezoning Petition on Monday, November 17, 2008 at 6:00 P.M. at the Charlotte-Mecklenburg Government Center.

John Carmichael then stated that the site subject to this Rezoning Petition contains approximately 7.11 acres, and it is located on the north side of Ballantyne Commons Parkway, just east of Rea Road. The site is located next to the Brittany Oaks neighborhood.

The site is currently zoned R-12MF(CD), which is a multi-family zoning district that generally permits up to 12 dwelling units per acre. The site is currently improved with one multi-family building.



Under this Rezoning Petition, the Petitioner is seeking to rezone the site to the B-D(CD) and O-1(CD) zoning districts to accommodate a development comprised of:

- (i) A 100,800 square foot building that would contain a maximum of 93,000 square feet of climate-controlled self-storage usages and a maximum of 10,500 square feet of office uses.
- (ii) Up to seven other free-standing buildings that would total a maximum of 70,000 square feet in floor area. These buildings would contain office uses and possibly an adult daycare center.

With respect to the 100,800 square foot building, John Carmichael indicated that the office uses would be located in the front of the building and the self-storage uses would be located to the rear of the office uses. No outside storage would be allowed, and there would be no exterior entrances into the individual storage units, as customers would enter their individual storage units from internal hallways. The building containing the self-storage uses would have the appearance of an office building. The maximum height of the building devoted to office and self-storage uses would be 4 stories and 45 feet.

With respect to the seven free-standing buildings, the maximum height of Buildings B through F would be 3 stories and the maximum height of Buildings G and H would be 2 stories. Buildings G and H are the two free-standing buildings located closest to the Brittany Oaks subdivision. The maximum size of Buildings G and H would each be 8,000 square feet of floor area.

John Carmichael stated that elevations of the proposed buildings have been submitted to the Planning Staff, and architectural commitments are contained in the Conditional Rezoning Plan. Buildings developed on the site would be required to be substantially similar in appearance to the elevations that are part of this Rezoning Petition.

The architectural elevations were shared with those in attendance at the meeting, and they were discussed by Randy Smith.

John Carmichael indicated that a 30-foot landscape setback would be established the site's frontage on Ballantyne Commons Parkway. A 46 ½ foot Class B Buffer would be established on the site adjacent to the adjoining parcels that are used for residential purposes. Under the current Conditional Rezoning Plan, a fence would be installed on the inner-half of the 46 ½ foot Class B Buffer. However, with respect to that portion of the 46 ½ foot Class B Buffer located adjacent to the Brittany Oaks subdivision, John Carmichael indicated that the Petitioner is working with the adjoining property owners in the Brittany Oaks subdivision on whether or not a fence or a brick wall would be installed, and what type of landscaping would be installed and maintained in this portion of the buffer. John Carmichael advised those in attendance that it is his understanding that the Petitioner will be meeting with the adjoining property owners in the Brittany Oaks subdivision in the coming weeks to work on the details of the 46 ½ foot Class B Buffer located adjacent to the Brittany Oaks subdivision.

An alternative rezoning plan has also been filed with the Planning Commission, and under the alternative rezoning plan, the existing pump station is relocated to the front of the site, resulting in a slight reconfiguration of the buildings proposed to be located on the site.

The floor was then opened to questions from the individuals in attendance at the meeting. Set out below is a summary of the responses to and the information provided as a result of those questions, as well as any concerns expressed by those in attendance.

- The operating hours of the self-storage facility would be limited to 7:00 A.M. to 9:00 P.M. daily, and this commitment will be on the revised Conditional Rezoning Plan.
- With respect to signage, each office building would have individual signage. The signage would not be internally illuminated, but would be externally illuminated by uplighting.
- The maximum size of any wall sign installed on the building devoted to office and self-storage uses would be 100 square feet.
- One person in attendance described a problem with vehicles doing U-turns off of Ballantyne Commons Parkway into the Brittany Oaks subdivision. This individual was worried that the approval of this Rezoning Petition would make this problem worse. David Smith indicated that he understood this concern, but he did not think that this Rezoning Petition would make it worse since vehicles could make left turns into the site from Ballantyne Commons Parkway.
- A lengthy discussion was held between Randy Smith, David Smith, Ed Estridge, John Carmichael and residents of the Brittany Oaks subdivision regarding the type of fence or wall that would be installed within the portion of the 46 ½ foot Class B Buffer adjacent to the Brittany Oaks subdivision, as well as the type of landscaping materials that would be installed within this portion of the buffer. The Petitioner's representatives and the residents of the Brittany Oaks subdivision agreed that they would meet within the next several weeks to finalize the details with respect to the 46 ½ foot Class B Buffer located adjacent to the Brittany Oaks subdivision. The Petitioner's representatives expressed a sincere desire to work with the Brittany Oaks neighbors on this matter.
- Regarding whether a fence or a wall should be installed within the inner-half of the 46 ½ foot Class B Buffer located adjacent to the Brittany Oaks subdivision, some of the neighbors indicated that they prefer a brick wall as opposed to a wooden or a plastic fence.
- With respect to the installation of a brick wall within the inner-half of the 46 ½ foot Class B Buffer located adjacent to the Brittany Oaks subdivision, Randy Smith expressed some concern that the installation of a brick wall would cause the loss of more trees than the installation of a wood or plastic fence.
- As a possible compromise between a brick wall and a wood or plastic fence, it was suggested that maybe a wood or plastic fence with brick pillars could be installed.
- The pump station located on the site would be screened from view by a brick wall.

- An individual in attendance asked if the median located in Ballantyne Commons Parkway could be landscaped. Randy Smith indicated that he would look into this issue.

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

The following changes were made to the Conditional Rezoning Plan as a result of the Community Meeting:

- The operating hours of the self-storage facility were placed on the Conditional Rezoning Plan.
- A note was added to the Conditional Rezoning Plan that provides that the pump station located on the site will be screened from view by a solid enclosure with a gate. The walls of the enclosure (excluding the gate) will be brick.
- A note was added to the Conditional Rezoning Plan that provides that signage shall not be internally illuminated, but shall be externally illuminated by uplighting.

Respectfully submitted, this 10th day of October, 2008.

LANDMARK DEVELOPMENT, LLC, Petitioner

cc: Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Commission
Mr. Tom Drake, Charlotte-Mecklenburg Planning Commission
Mr. Tim Manes, Charlotte-Mecklenburg Planning Commission
Mr. Randy Smith, Landmark Development, LLC
Ms. Brenda Freeze, Clerk to City Council

Landmark Development, LLC, Petitioner
Rezoning Petition No. 2008-139

Community Meeting Sign-in Sheet
South Charlotte Banquet Center
Wednesday, September 17, 2008
7:00 P.M.

	NAME	ADDRESS	TELEPHONE	EMAIL ADDRESS
1.	Cary Dice	11400 Br. Hany Oaks	704 708 8593	gdice@ptn.com
2.	Mary Ellis	7501 Celtic Ct. 28277	704 458 3125	mjellis@perigee.net
3.	Bob Robinson	11203 BRITANY OAKS	704-846-8578	RS COLONEL e. ALONIA .COOL
4.	Philip Lee / HILARY LEE	11401 Br. Hany Oaks	704-996-4678	watronhilary@aol.com
5.	Gene Glankler	7523 Celtic Ct	74 968-5670	gene.glankler@wdchovia.com
6.	Tim Cox	11409 Brittany Oaks	704 845 9632	
7.			704 845 9632	
8.			tim and Karen Cox @	
9.			Carolina, rr. Can	
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EXHIBIT
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