

Mathias A. Young
Attorney

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myoung@jahlaw.com

WRITER'S DIRECT DIAL:
704-998-2302

January 15, 2024

VIA EMAIL AND U.S. MAIL

City of Charlotte
Office of the City Clerk
Attn: Stephanie C. Kelly
600 East 4th Street
Charlotte, NC 28202

Re: Rezoning Community Meeting Report: RZP-2023-148 (The RMR Group LLC)

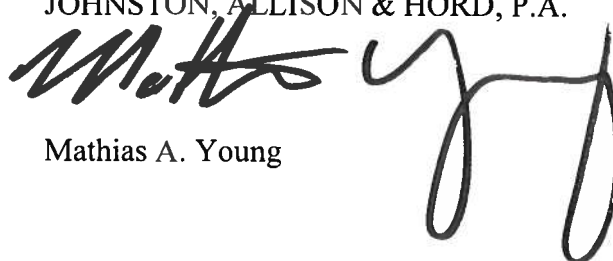
Dear Ms. Kelly,

Enclosed please find the Community Meeting Report for Rezoning 2023-RZP-148.

Should you have any questions or concerns, please do not hesitate to contact our office.

Sincerely,

JOHNSTON, ALLISON & HORD, P.A.



Mathias A. Young

Encl.

cc: The RMR Group LLC (via email only)

Joe Mangum, Project Coordinator (via email only)

COMMUNITY MEETING REPORT
PETITIONER: The RMR Group LLC
REZONING PETITION NO. 2023-148

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 Unified Development 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 attached hereto by depositing such notice in the U.S. mail on December 27, 2023. A copy of the written notice is attached hereto as Exhibit B.

DATE, TIME AND LOCATION OF MEETING:

The Community Meeting was held on Thursday, January 11, 2024 at 6:30PM at the CBI Client & Community Center, 4110 Old Pineville Road, Charlotte, NC 28217.

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

The Community Meeting was attended by the person(s) identified on the sign-in sheet attached hereto as Exhibit C. Petitioner, The RMR Group LLC, was represented at the Community Meeting by Julie Livingstone, Director of Real Estate Development, and by R. Susanne Todd and Mathias A. Young, attorneys with Johnston, Allison & Hord, P.A.

SUMMARY OF PRESENTATION/DISCUSSION:

The Petitioner's agent, R. Susanne Todd, welcomed the attendee and introduced the Petitioner's team. Ms. Todd indicated that the Petitioner proposed to rezone an approximately 0.518 acre site (the "Site") located at 4112 Yancey Road and 301 E. Peterson Dr, Charlotte, NC from the Neighborhood 1-D (N1-D) zoning district to the Transit Oriented Development-Neighborhood Center (TOD-NC) zoning district. Ms. Todd explained that the purpose of the meeting was to discuss the rezoning request with nearby property owners and community leaders, address questions, and receive comments. Ms. Todd and Ms. Livingstone showed applicable portions of the PowerPoint presentation attached Exhibit D to address attendee's questions.

Attendee Questions and Answers:

Q. Are there any plans for the Site right now?

A. No, there are no development plans for the Site at this time. Petitioner is rezoning this property to bring it into the same zoning classification as neighboring properties and to

allow for future development consistent with the City's vision and TOD development standards.

Q. Is there a Site plan?

A. No, a Site plan is not required for a conventional rezoning. Further, Petitioner has no current plans to develop the Site.

Q. Why did the Petitioner choose the TOD-NC zoning district?

A. The TOD-NC zoning district is a less intensive TOD zoning district, making it appropriate for development next to residential uses. Additionally, it allows for a variety of uses consistent with the Community Activity Center place type, thereby supporting the City's goals of creating Complete Communities. It is also consistent with the zoning of other properties south of E. Peterson Drive, requiring development in keeping with the character of the area.

Q. What is the difference between TOD-NC and TOD-CC ("Transit Oriented Development-Commercial Center") zoning districts?

A. One of the main differences between the two zoning districts is the density of development allowed. TOD-CC allows for buildings of up to 90 feet high, up to 130 feet with bonus credits. TOD-NC has a maximum building height of 75 feet (and up to 100 feet with bonus). However, TOD-NC limits building heights to 50 feet within 100 feet of residential, providing an appropriate transition between more intensive TOD districts (such as TOD-CC) and adjacent residential.

Q. When did the Petitioner buy the Site?

A. The Petitioner closed on the Site in December of 2023.

Q. Does Petitioner has other properties in the area?

A. Petitioner manages the nearby Bowers development.

Comment was made regarding the high quality of the Petitioner's investments, and its tenants.

Comment was made that the Petitioner is doing good things in the area.

The Community Meeting was adjourned at 8:00 PM.

Respectfully submitted, this the 15th day of January, 2024.

By:



cc: Charlotte Planning, Design & Development Department – Joe Mangum

Exhibit A

2023-148	TAXPID	OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
2023-148	14902101	MECK CITY SOCIAL RE LLC				2300 SOUTH BLVD. UNIT 432		CHARLOTTE	NC	28203
2023-148	14902103	ATHARVA ASSET MANAGEMENT LLC				200 SOUTHSIDE DR		CHARLOTTE	NC	28217
2023-148	14902107	YANCEY ROAD LLC			C/O RMR OFFICE OPFP LLC	225 WASHINGTON ST STE 300		NEWTON	MA	02458
2023-148	14902110	YANCEY ROAD LLC			ATTN JENNIFER B CLARK	255 WASHINGTON ST STE 300		NEWTON	MA	02458
2023-148	14902111	YANCEY ROAD LLC			ATTN JENNIFER B CLARK	255 WASHINGTON ST STE 300		NEWTON	MA	02458
2023-148	14902201	MCGOVERN	CHARLES P			7701 BABE STILLWELL FARM RD		HUNTERSVILLE	NC	28078
2023-148	14902203	VARELA PROPERTIES LLC				4030 YANCEY RD		CHARLOTTE	NC	28217
2023-148	14902302	PETERSON DRIVE LLC				230 E PETERSON DRIVE		CHARLOTTE	NC	28217
2023-148	14902303	CDAGDC LLC				125 N HARRINGTON ST		RALEIGH	NC	27603
2023-148	14902304	HEFNER				1219 PRINCETON AV		CHARLOTTE	NC	28209
2023-148	14902612	TOVAR	LINDA K			324 E PETERSON DR		CHARLOTTE	NC	28217
2023-148	14902613	COLLINS	TONIA P			1027 OAKENSHAW ST		FORT MILL	SC	29715
2023-148	14902614	VON DER EMBSE	TIMOTHY S	CYNTHIA A	AZIZ	1804 E BV		CHARLOTTE	NC	28203
2023-148	14902615	TSOULOS	IOANNIS DIMITRIOS			844 BURNLEY RD		CHARLOTTE	NC	28210
2023-148	14902616	FUNDERBURK	SHIRLEY A			306 E PETERSON DR		CHARLOTTE	NC	28217
2023-148	14902617	MARSH	BEATE A			300 E PETERSON DR		CHARLOTTE	NC	28217
2023-148	14902618	COLLINS	TONIA P			1027 OAKENSHAW ST		FORT MILL	SC	29715
2023-148	14902625	HC ALEXANDER PLACE LLC				1616 CLEVELAND AVE		CHARLOTTE	NC	28203
2023-148	14903202	OMB PROPERTY HOLDINGS LLC				4150 YANCEY RD		CHARLOTTE	NC	28217
2023-148	14903203	VON	DER EMBSE TIMOTHY S		CYNTHIA A AZIZ	1804 EAST BLVD		CHARLOTTE	NC	28203
2023-148	14903204	SMITH	BRANDON C			307 E PETERSON DR		CHARLOTTE	NC	28217
2023-148	14903205	MCGOVERN	CHARLES			7701 BABE STILLWELL FARM RD		HUNTERSVILLE	NC	28078
2023-148	14903206	PATTERSON	ANNIE MAE			315 E PETERSON DR		CHARLOTTE	NC	28217
2023-148	14903207	EMBSE	TIMOTHY VON DER	CYNTHIA A	AZIZ	319 E PETERSON DR		CHARLOTTE	NC	28217
2023-148	14903208	VONDEREMBSE	TIMOTHY S	CYNTHIA A	AZIZ	1804 E BLVD		CHARLOTTE	NC	28203
2023-148	14903209	VON DER EMBSE	TIMOTHY S	CYNTHIA A	AZIZ	1804 EAST BV		CHARLOTTE	NC	28203
2023-148	14903223	VON	DR EMBSE TIMOTHY S		CYNTHIA A AZIZ	1804 EAST BLVD		CHARLOTTE	NC	28203

2023-148	full_name_neighborhood	first_name	last_name	physical_address	apartment_unit_or_suite	city	zip_code
2023-148	Barringer Woods Community	Patty	Shomaker	1525 WALTON ROAD, CHARLOTTE, NC, 28208		CHARLOTTE	28208
2023-148	Brightwalk Homeowners Associati	Kim	Graham	4601 CHARLOTTE PARK DRIVE, CHARLOTTE, NC, 28217		CHARLOTTE	28217
2023-148	Charlotte Mecklenburg Housing P	Deborah	Clark	4601 CHARLOTTE PARK DRIVE, SUITE 350, CHARLOTTE, NC, 28217		CHARLOTTE	28217
2023-148	Clanton Park - Roseland	Wayne	Crowe	925 HOMEWOOD PLACE, CHARLOTTE, NC, 28217		CHARLOTTE	28217
2023-148	Clanton Park Community Neighbor	Brenda	Campbell	3339 BARFIELD, CHARLOTTE, NC, 28217		CHARLOTTE	28217
2023-148	Clanton Park Community Neighbor	Charese	Baker	925 HOMEWOOD PLACE, CHARLOTTE, NC, 28217		CHARLOTTE	28217
2023-148	Clanton Park Community Neighbor	Cynthia	Ward	912 HOMEWOOD PL., CHARLOTTE, NC, 28217		CHARLOTTE	28217
2023-148	Clanton Park Community Neighbor	Tena	Armstrong	3332 GRAYMONT DR, CHARLOTTE, NC, 28217		CHARLOTTE	28217
2023-148	Collingwood Neighborhood Associ	Kathy	Murray	3909 Haverhill Dr, Charlotte, NC, 28209, USA		CHARLOTTE	28209
2023-148	Collingwood Neighborhood Associ	Tim	Bookout	4443 APPLGATE RD, CHARLOTTE, NC, 28209		CHARLOTTE	28209
2023-148	Collins Park	Susan	Posego	819 MANHASSET ROAD, CHARLOTTE, NC, 28209		CHARLOTTE	28209
2023-148	Colonial Village Neighborhood A	Alison	Hall	3624 TRENT ST, CHARLOTTE, NC, 28209		CHARLOTTE	28209
2023-148	Colonial Village Neighborhood A	Carl	Swift	825 HARTFORD AV, CHARLOTTE, NC, 28209		CHARLOTTE	28209
2023-148	Colonial Village Neighborhood A	Lisa	Yarrow	408 WEBSTER PL, CHARLOTTE, NC, 28209		CHARLOTTE	28209
2023-148	Colonial Village Neighborhood A	Michelle	Taylor	3732 CONWAY AVE., CHARLOTTE, NC, 28209		CHARLOTTE	28209
2023-148	Colonial Village Neighborhood A	Peter	Yarborough	501 WEBSTER PLACE, CHARLOTTE, NC, 28209		CHARLOTTE	28209
2023-148	Coulwood Hills Community Council	Louis	Scarnecchia	1416 HARTFORD AV, CHARLOTTE, NC, 28209		CHARLOTTE	28209
2023-148	Freeland Park	Anita	Zarey	3800 DEWITT LANE, CHARLOTTE, NC, 28217		CHARLOTTE	28217
2023-148	Freeland Park	David	Holitt	3827 ELLENWOOD PL, CHARLOTTE, NC, 28217		CHARLOTTE	28217
2023-148	MeckMIN	LeDayne	Polaski	3618 ANNLIN AVENUE, CHARLOTTE, NC, 28209		CHARLOTTE	28209
2023-148	Oberbeck Farm Neighborhood Asso	Kathleen	Baron	2720 HEIDLEBURG LN, CHARLOTTE, NC, 28210		CHARLOTTE	28210
2023-148	Other	Nicole	Frambach	3325 ANSON ST, CHARLOTTE, NC, 28209		CHARLOTTE	28209
2023-148	Other	Pamela	Mullen	4501 CHARLOTTE PARK DRIVE SUITE 110, CHARLOTTE, NC, 29217		CHARLOTTE	29217
2023-148	Sedgefield Neighborhood Associa	Katie	Zender	3221 MAYFIELD AV, CHARLOTTE, NC, 28209		CHARLOTTE	28209
2023-148	South Village HOA	Korinne	Kobes	3736 SKY HAVEN DRIVE, CHARLOTTE, NC, 28209		CHARLOTTE	28209
2023-148	Villa Heights Community Organiz	Heather	Allieri	1704 GRACE STREET, CHARLOTTE, NC, 28205		CHARLOTTE	28205
2023-148	West Boulevard Neighborhood Coa	Shenequa	Thomas	3715 BLANDWOOD DR, CHARLOTTE, NC, 28217		CHARLOTTE	28217

NOTICE TO INTERESTED PARTIES
OF REZONING COMMUNITY MEETING

Subject: Community Meeting – Rezoning Petition filed by The RMR Group LLC to rezone approximately 0.518 acres located at 4112 Yancey Rd and 301 E. Peterson, Charlotte, NC from N1-D to TOD-NC.

Date and Time of Meeting: **Thursday, January 11, 2024 from 6:30 PM to 8:00 PM**

Place of Meeting: CBI Client & Community Center
4110 Old Pineville Road
Charlotte NC 28217

Petitioner: The RMR Group LLC

Petition No.: RZP-2023-148

Dear Charlotte Neighbor:

Our firm represents The RMR Group LLC (the “Petitioner”) in its proposal to rezone approximately 0.518 acres located on the south side of East Peterson Drive, north side of Yancey Road, and west side of Heriot Avenue and having an address of 4112 Yancey Road and 301 Peterson Drive in Charlotte North Carolina (the “Site”) from the N1-D zoning district to the TOD-NC zoning district to accommodate existing uses and future development plans. A Site map is included for your reference.

In accordance with the provisions of the City of Charlotte Unified Development Ordinance, Petitioner is required to hold a Community Meeting prior to the Public Hearing on this Rezoning Petition in order to discuss this rezoning proposal with nearby property owners and organizations. The Charlotte Planning, Design and Development Department’s records indicate that either you are a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the Site.

Petitioner will hold its official Community Meeting on the date, time and place as set forth above. Please refer to the enclosed diagram for access and parking at the CBI Client & Community Center.

On behalf of Petitioner, we cordially invite you to attend the Community Meeting. Petitioner’s representatives look forward to sharing this rezoning proposal with you and answering questions you may have with respect to this Rezoning Petition.

In the meantime, should you have any questions or comments about this matter, please feel free to call me at (704) 998-2306 or email me at stodd@jahlaw.com.

Sincerely,



R. Susanne Todd

cc: Ms. Victoria Watlington, Charlotte City Council District 3 (via email)
Mr. Joe Mangum, Rezoning Project Coordinator (via email)

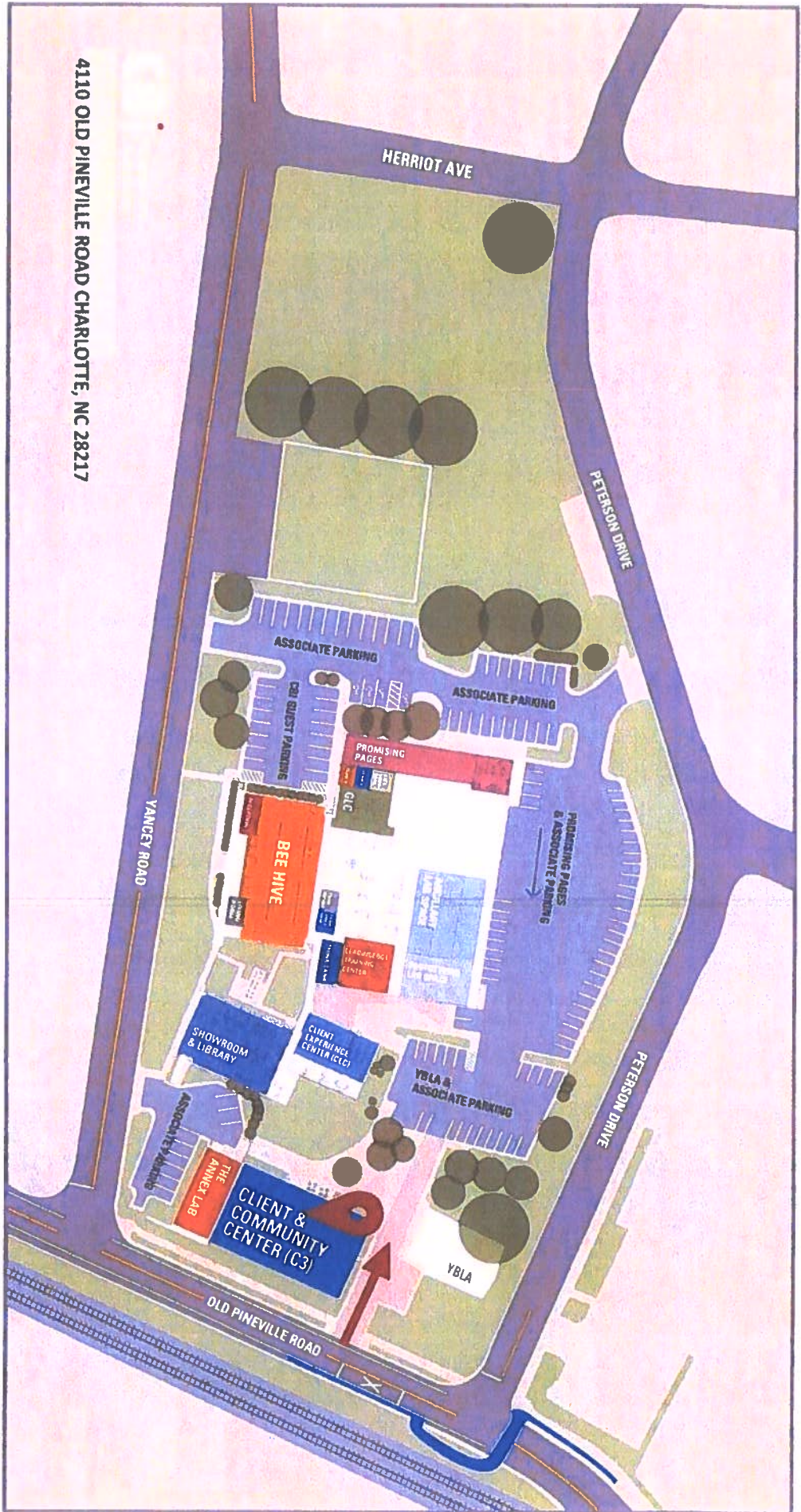
Date Mailed: December 27, 2023.

SITE MAP

Proposed rezoning Site highlighted in Green.



4110 OLD PINEVILLE ROAD CHARLOTTE, NC 28217



Community Meeting Attendance Sheet

** This sign in sheet is to acknowledge your attendance at the community meeting and so that the City Council may know who attended the community meeting. Signing this attendance sheet does not indicate support or opposition to the proposed rezoning petition. **

Petitioner: The RMR Group LLC

Rezoning petition Number 2023-148

Date

Name	Address	Phone	Email
Charlie Swanson	230 Peterson Dr.	(604) 622-2487	charlie@partecore.com

Add additional sheets as needed

Yancey Road TOD-NC Rezoning

(Rezoning # 2023-148)

4112 Yancey Rd. and 301 E Peterson Dr.

Official Community Meeting

January 11, 2024

Exhibit D

THE
RMR
GROUP

JOHNSTON
ALLISONHORD
START HERE

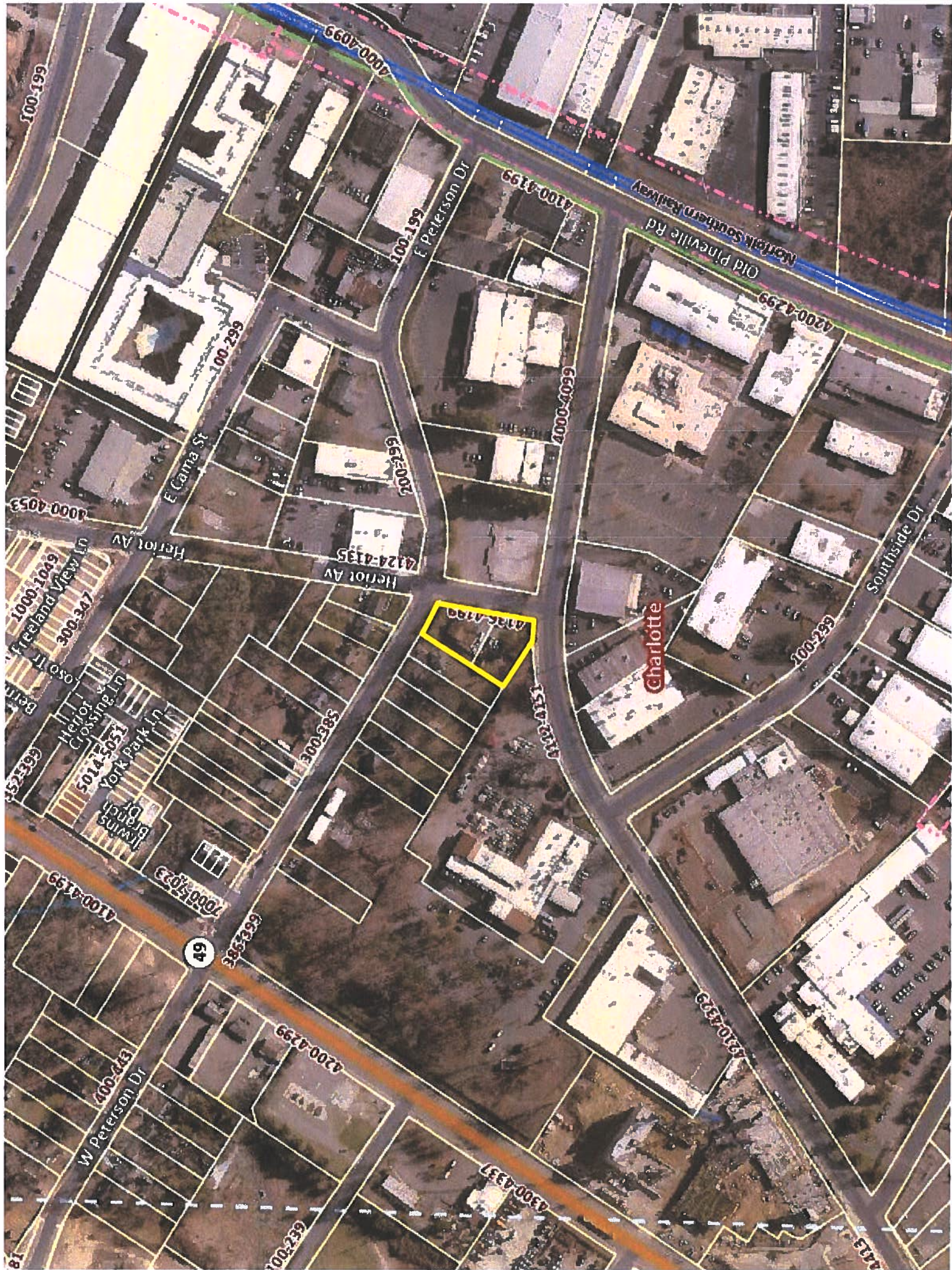
Team Introductions

- ▶ Property Owner: Yancey Road LLC
- ▶ Petitioner: The RMR Group LLC
 - ▶ Julie Livingstone
- ▶ Petitioner's Agent: Johnston, Allison & Hord, P.A.
 - ▶ Susanne Todd
 - ▶ Mathias Young

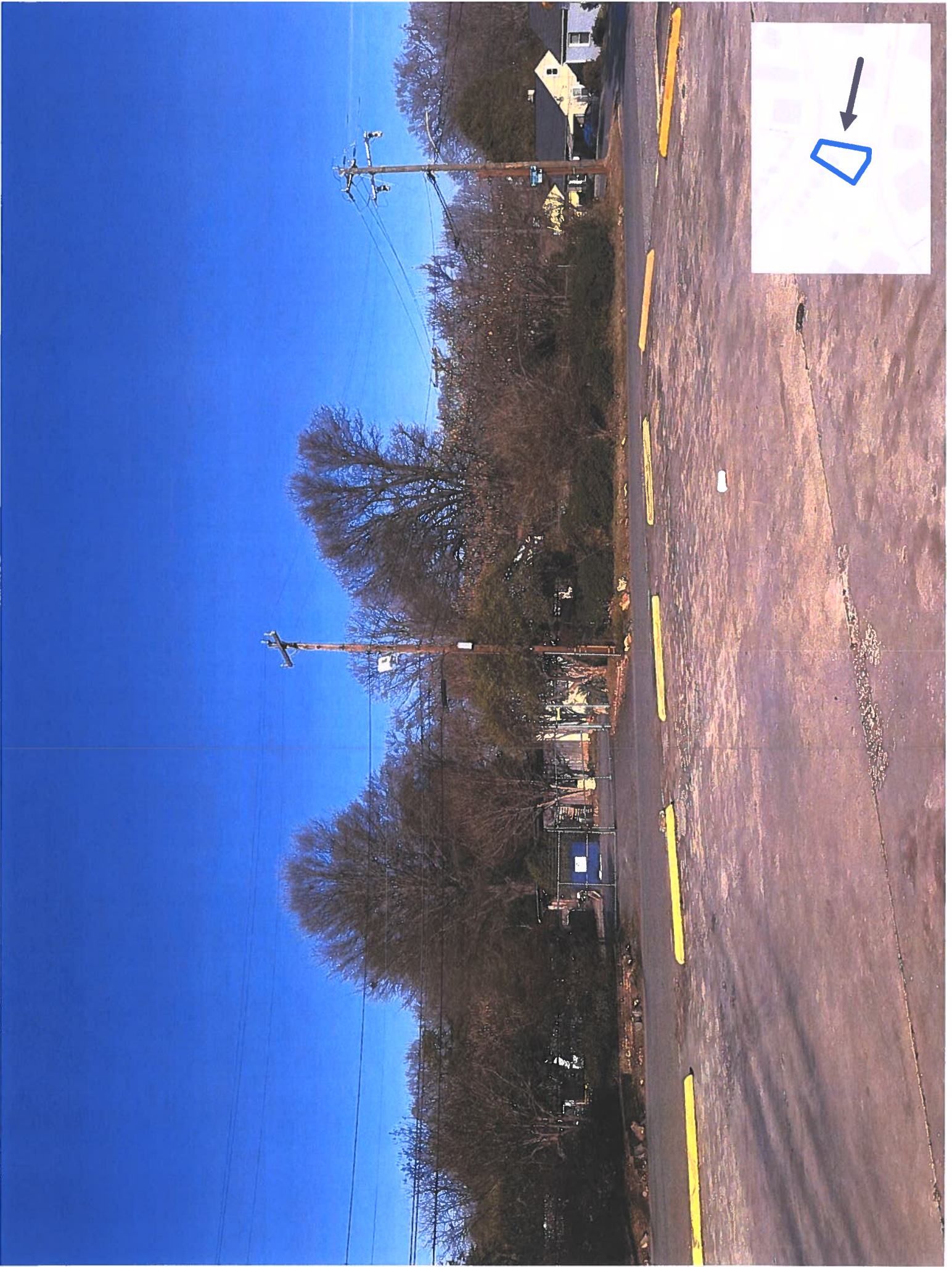
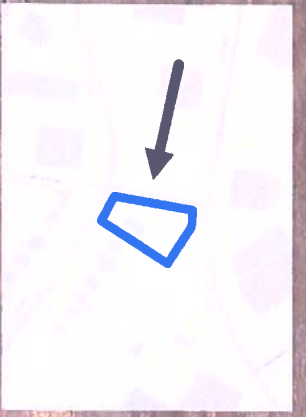
Meeting Agenda

- ▶ Introductions
- ▶ Property Location
- ▶ Current Zoning
- ▶ Proposed Zoning
- ▶ Land Use Plan Recommendation
- ▶ Anticipated Rezoning Schedule
- ▶ Questions/Discussion

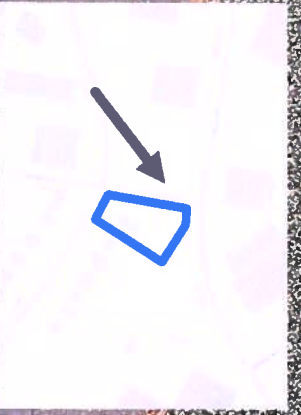
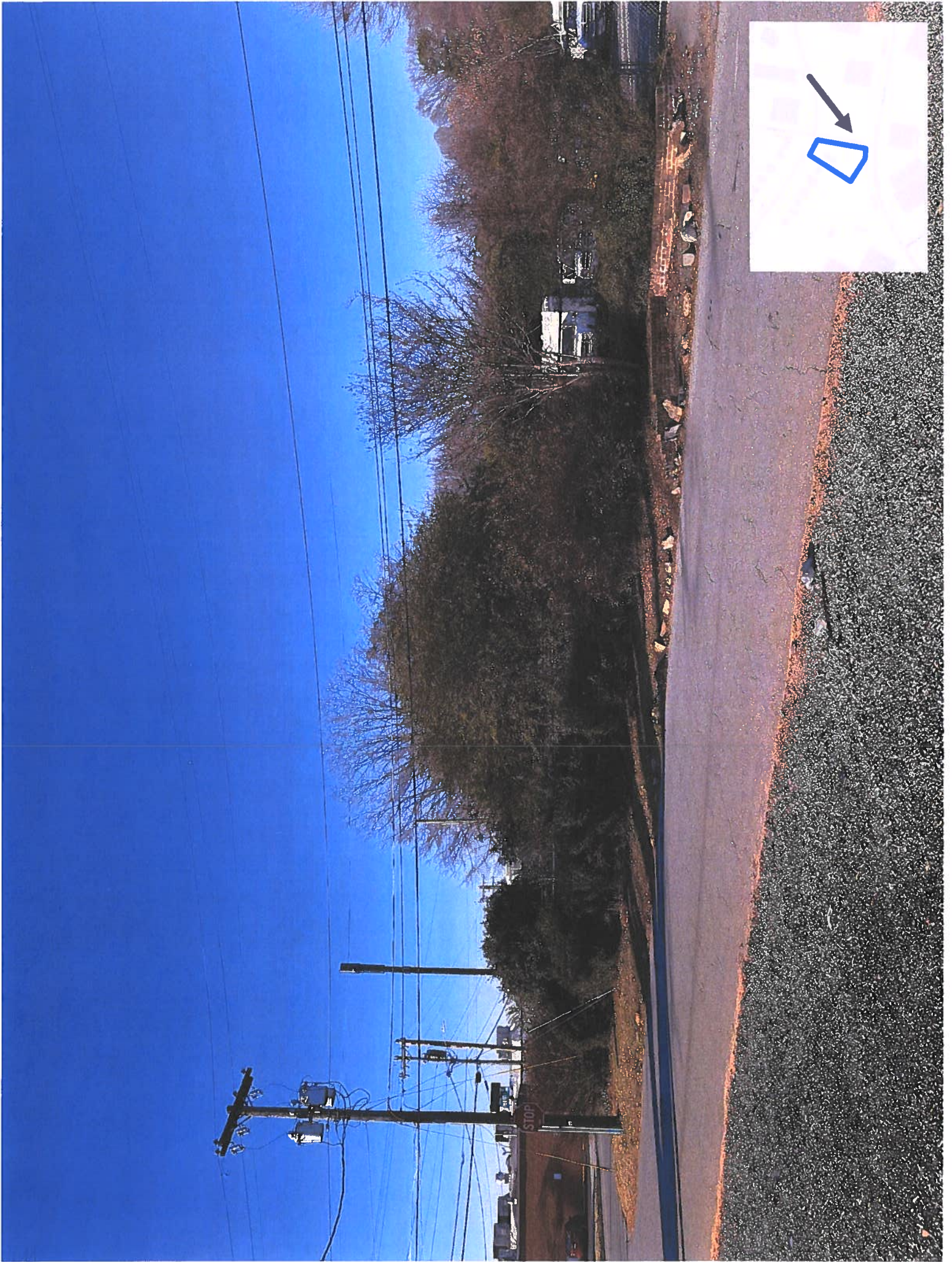
Property Location

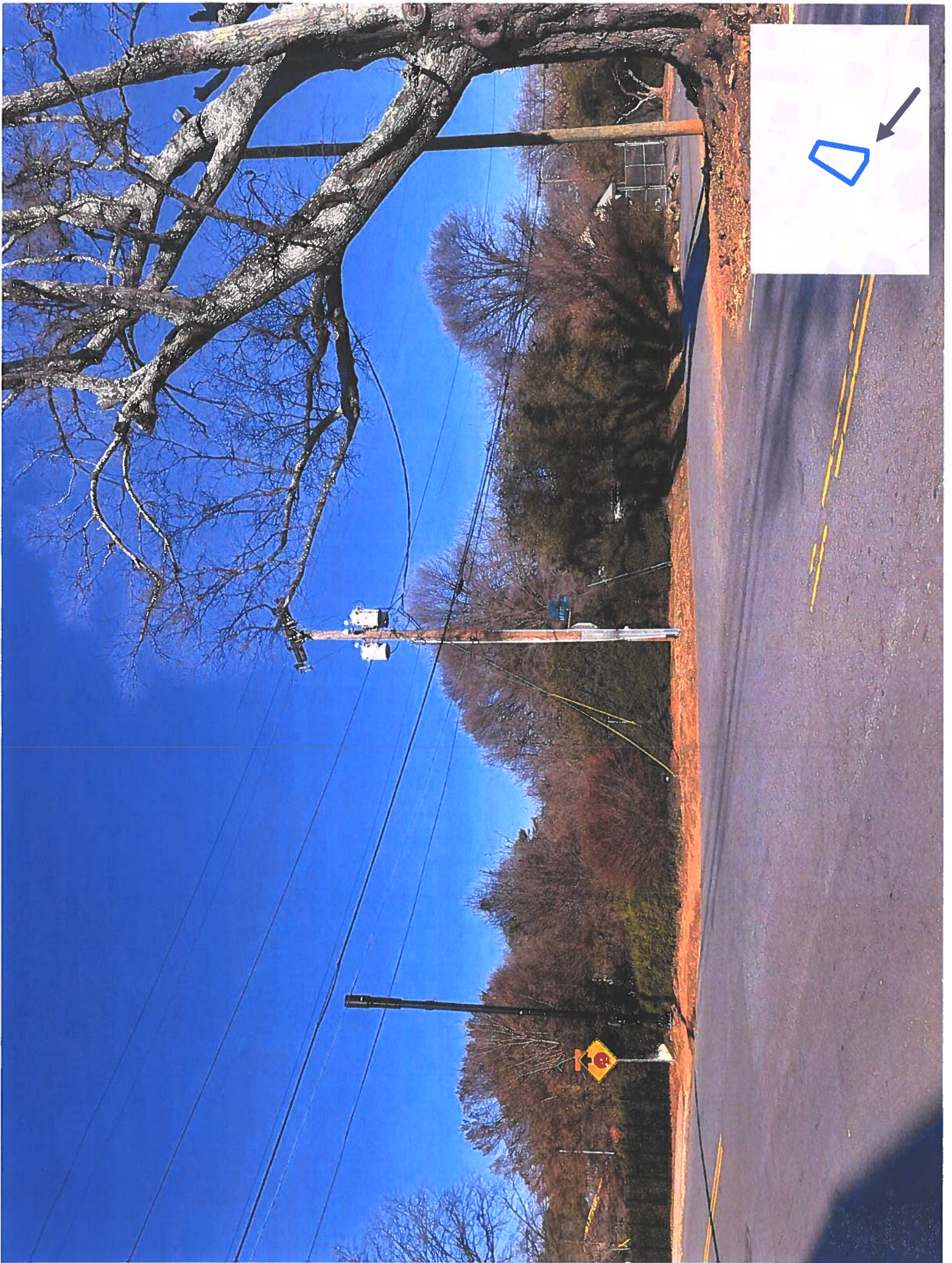












Measurement



Miles

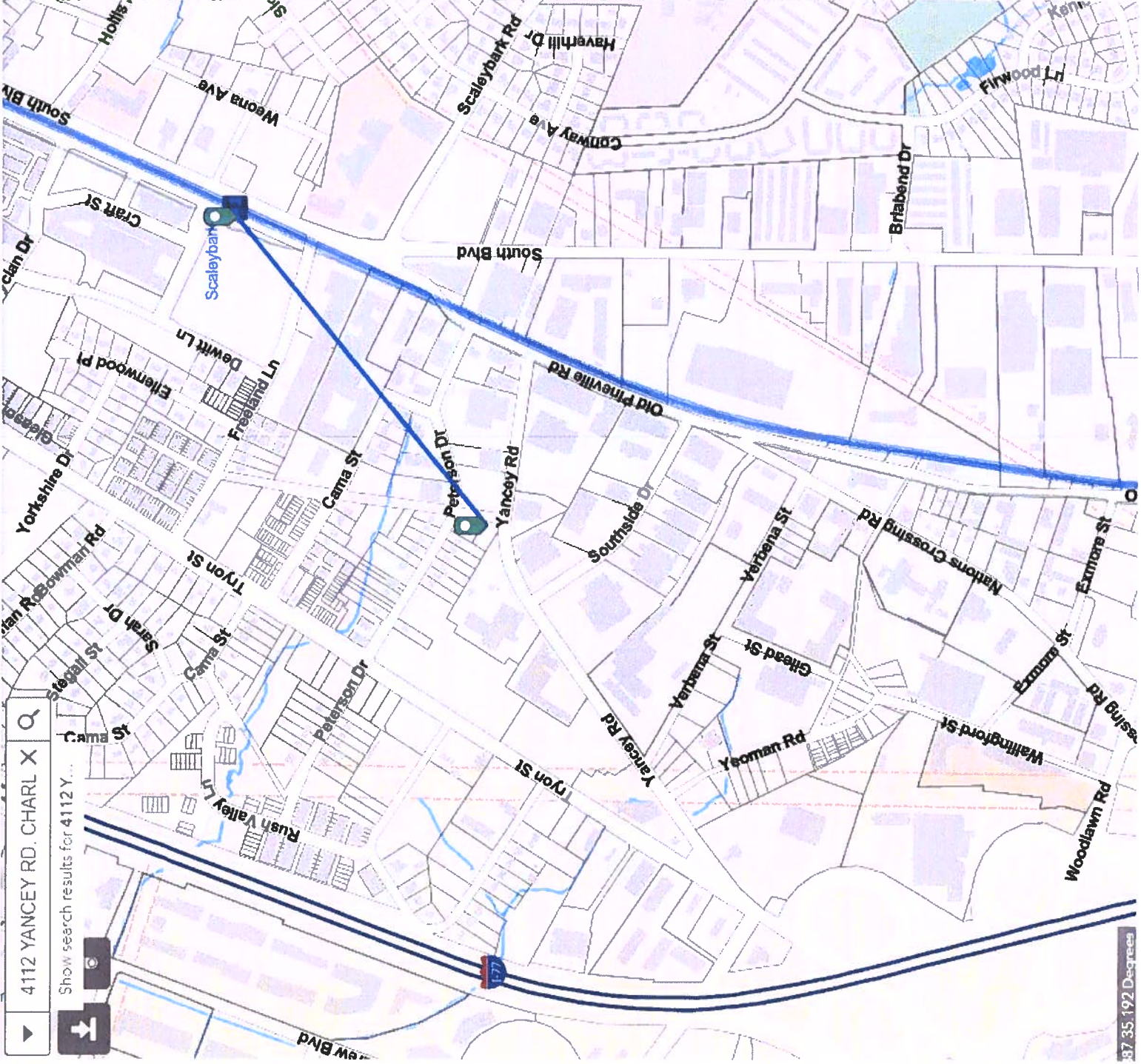
Measurement Result

0.37 Miles

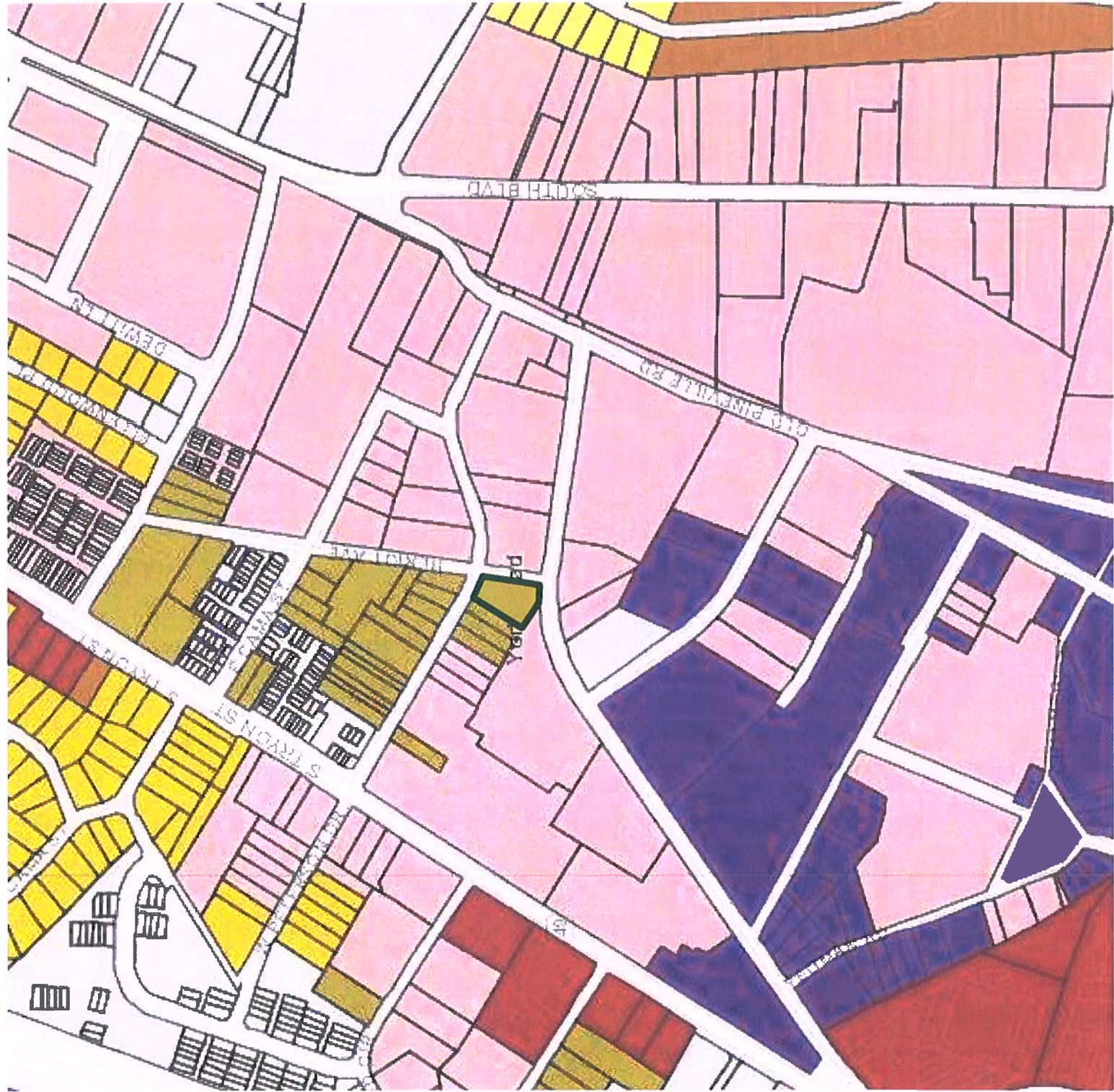
Clear

4112 YANCEY RD, CHARL X

Show search results for 4112 Y...








Current & Proposed Zoning



ZONING

-  Transit Oriented Development (TOD)
-  Mixed Use Development District (MUDD)
-  Manufacturing & Logistics (ML)
-  General Commercial (CG)
-  Neighborhood 1
-  Residential (ND-1)

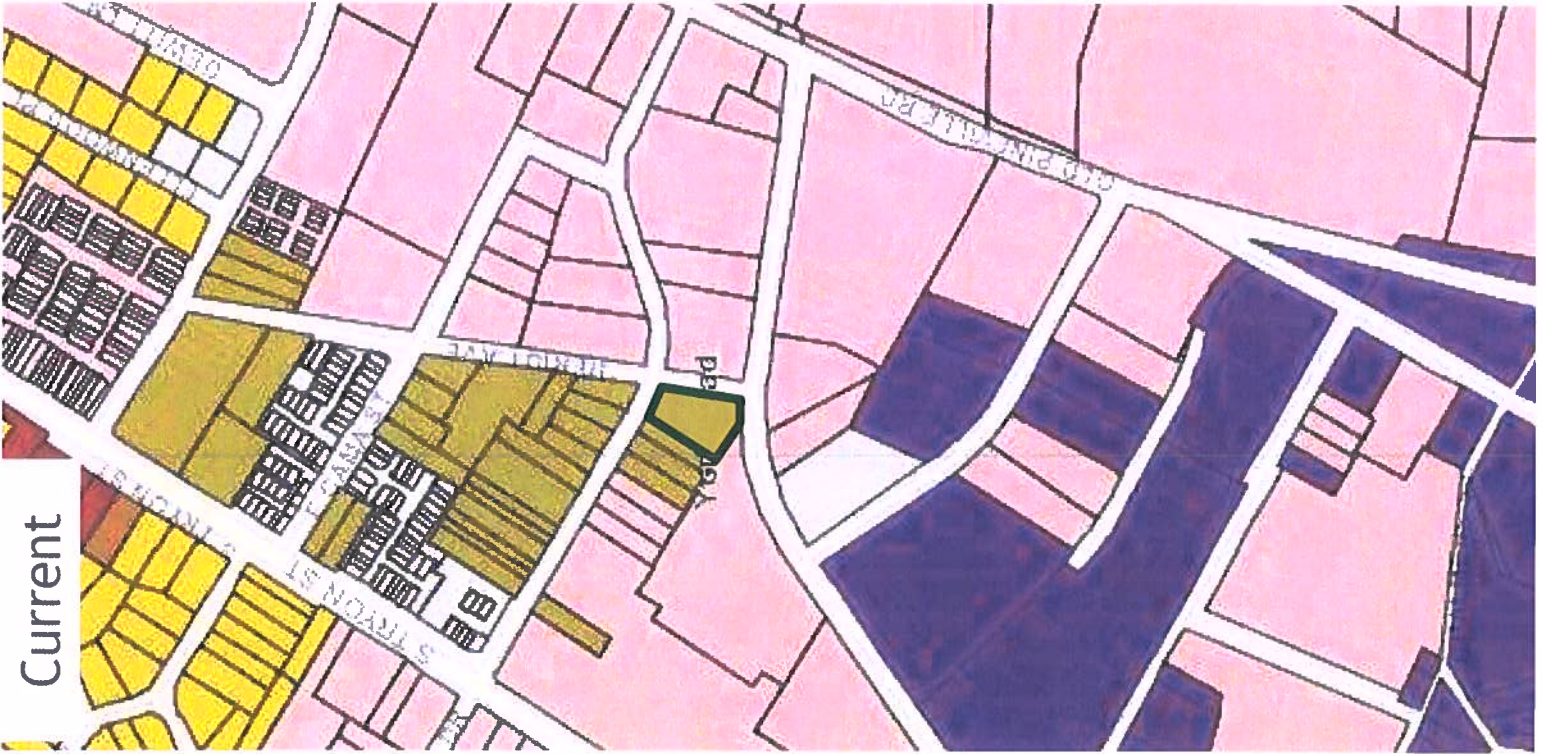
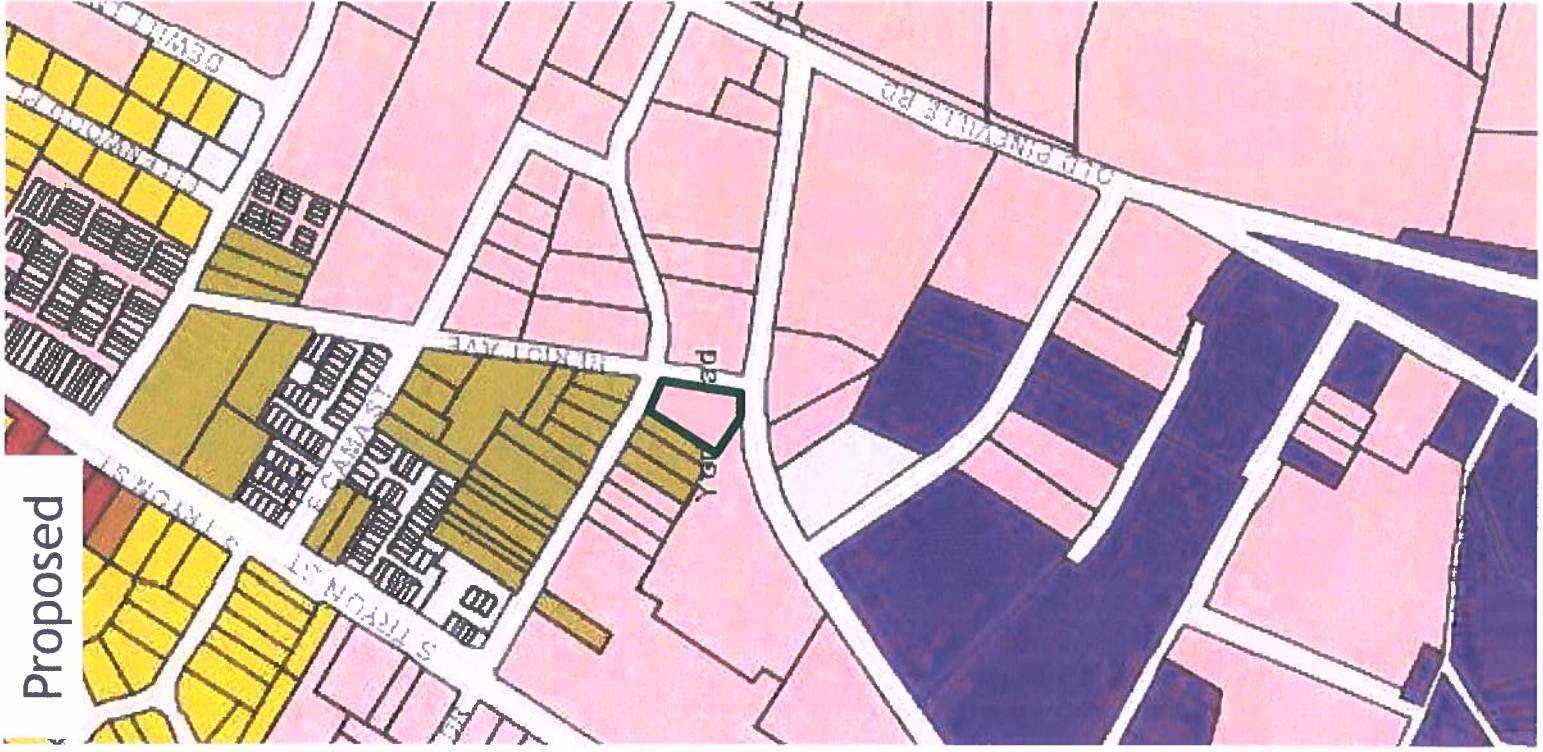
ZONING

-  Transit Oriented Development (TOD)
-  Mixed Use Development District (MUDD)
-  Manufacturing & Logistics (ML)
-  General Commercial (CG)
-  Neighborhood 1 Residential (ND-1)

**THE
RMR
GROUP**

Proposed

Current





Proposed Zoning: TOD-NC











Transit-Oriented Development - Neighborhood Center

- ▶ Rezoning to a Transit Oriented Development district (“TOD”) is recommended for properties within 1 mile of a rapid transit station.
- ▶ TOD-NC is intended for transitional use between a higher intensity district and adjacent existing neighborhoods.
- ▶ TOD-NC is preferred where less intensity is more appropriate, such as adjacent to single-family neighborhoods.
- ▶ Majority of the properties south of E. Peterson Drive are already TOD-NC.
- ▶ TOD-NC is consistent with the existing zoning of other properties in the area and advances the UDO’s intent and purposes for land use and development which is appropriate for the area.

Land Use Plan Recommendation

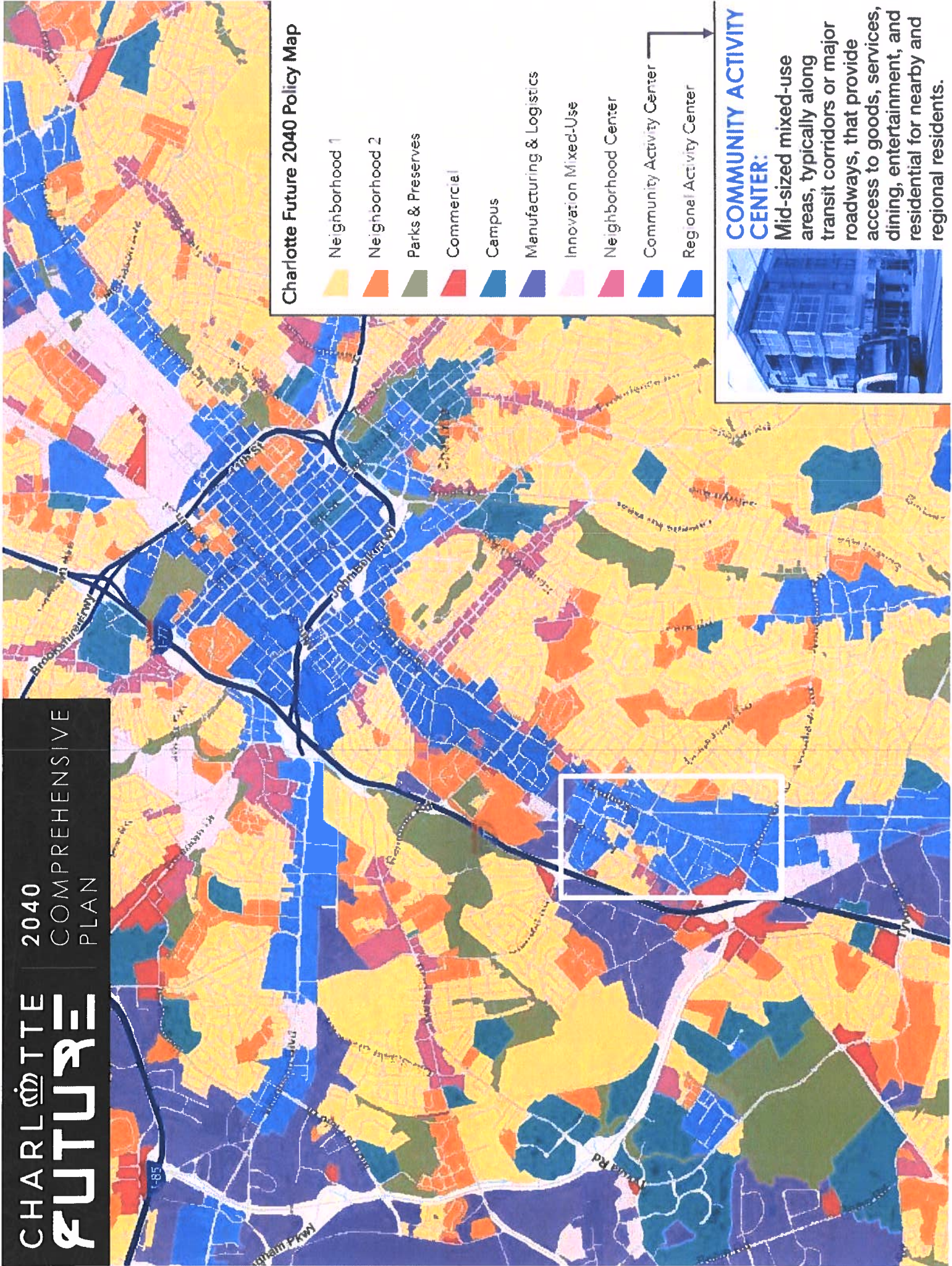
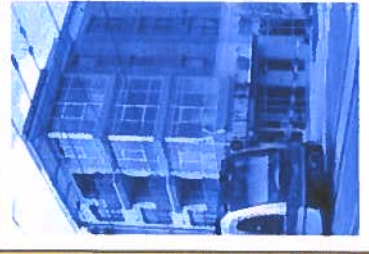
CHARLOTTE 2040 COMPREHENSIVE PLAN FUTURE

Charlotte Future 2040 Policy Map

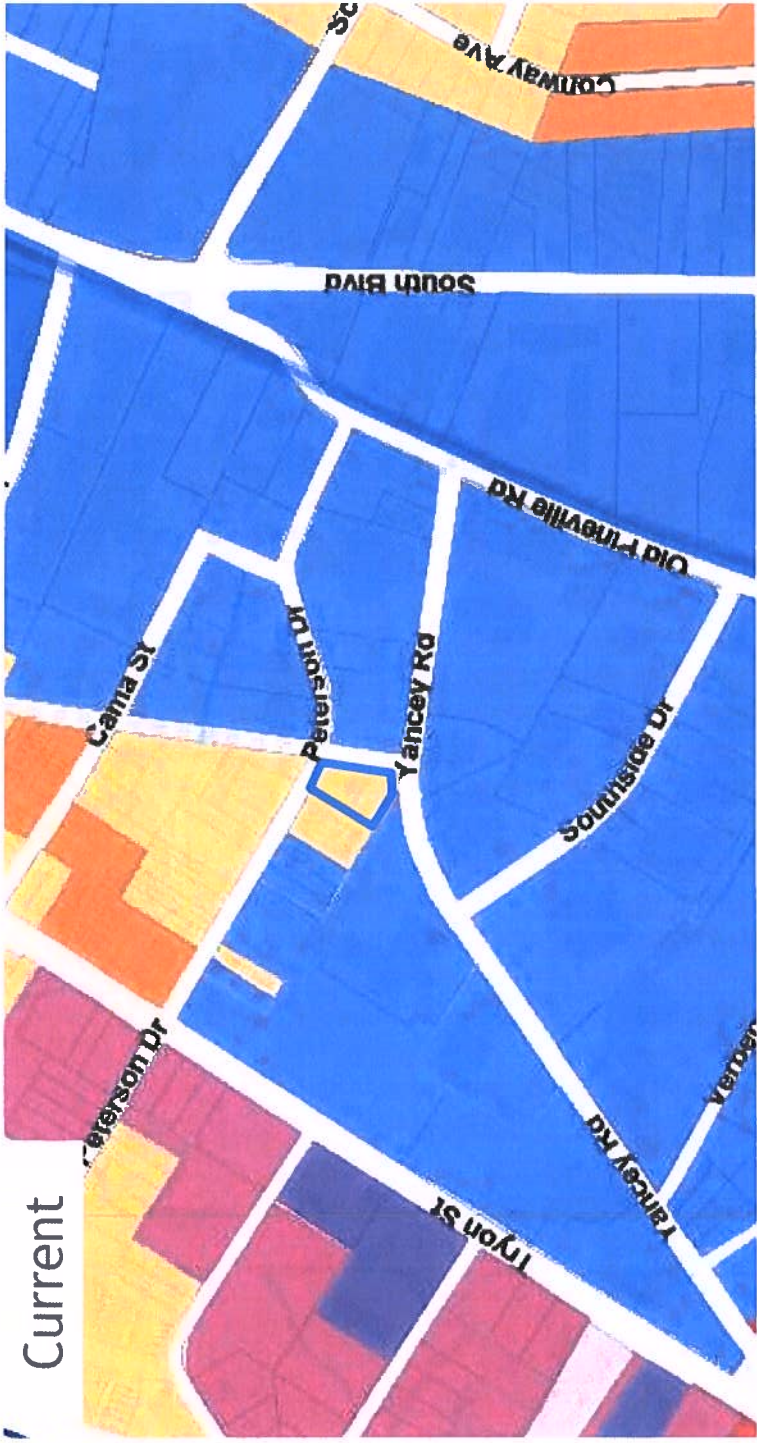
-  Neighborhood 1
-  Neighborhood 2
-  Parks & Preserves
-  Commercial
-  Campus
-  Manufacturing & Logistics
-  Innovation Mixed-Use
-  Neighborhood Center
-  Community Activity Center
-  Regional Activity Center

COMMUNITY ACTIVITY CENTER:

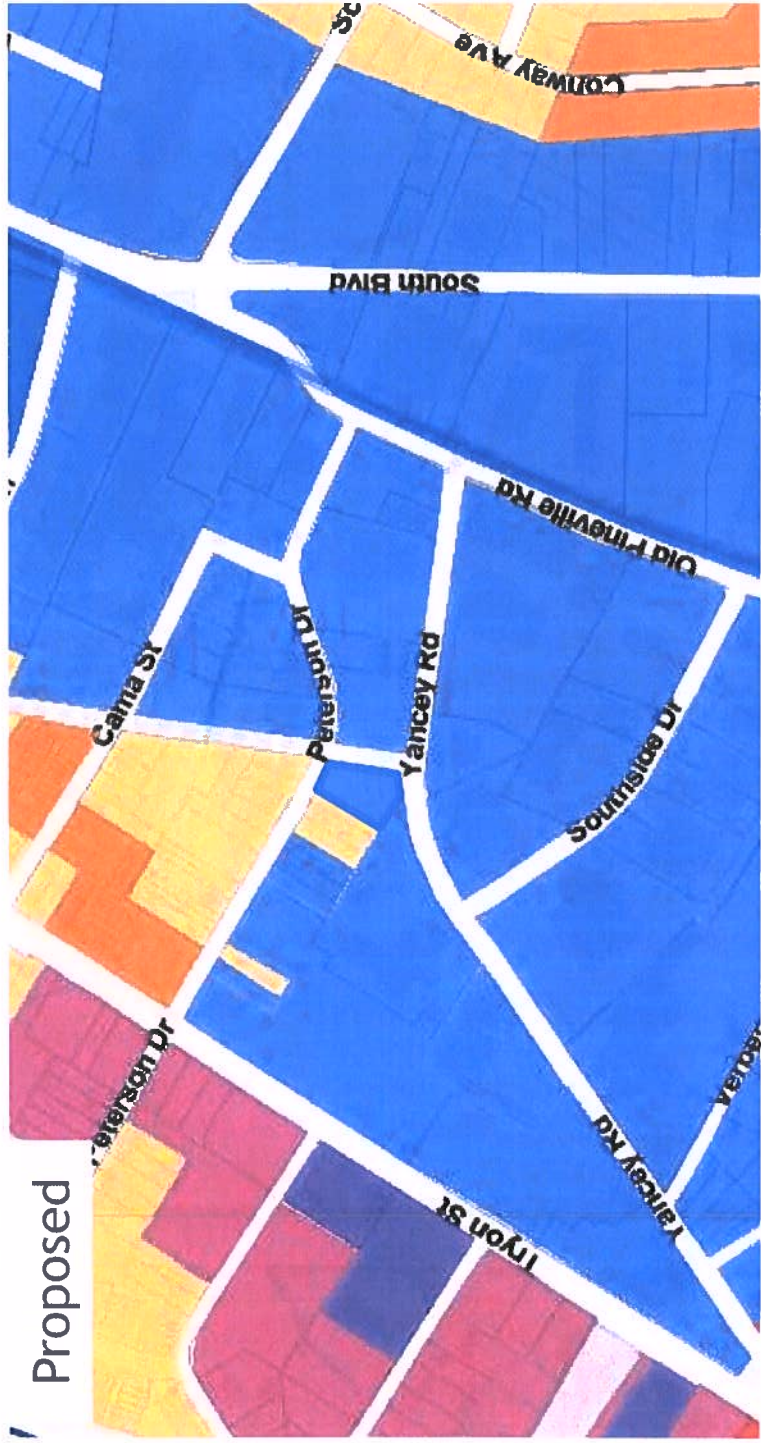
Mid-sized mixed-use areas, typically along transit corridors or major roadways, that provide access to goods, services, dining, entertainment, and residential for nearby and regional residents.













Current



Proposed



Charlotte Future 2040 Policy Map

-  Neighborhood 1
-  Neighborhood 2
-  Parks & Preserves
-  Commercial
-  Campus
-  Manufacturing & Logistics
-  Innovation Mixed-Use
-  Neighborhood Center
-  Community Activity Center
-  Regional Activity Center

TOD-NC Supports the City's Vision

- ▶ Rezoning supports the goals of the Charlotte Future 2040 Comprehensive Plan:
 - ▶ Adjacent to existing Community Activity Center (CAC) on two sides.
 - ▶ Within a 10-minute walkshed of a transit station (Scaleybark Station).
 - ▶ Has more potential to provide equitable access to jobs, goods and services, and housing than the existing place type.

Anticipated Rezoning Schedule

- ▶ Application Filed: November 2023
- ▶ Official Community Meeting: Today, January 11, 2024
- ▶ Public Hearing: February 19, 2024
- ▶ Zoning Committee: March 5, 2024
- ▶ City Council Decision: March 18, 2024

*These are anticipated dates, subject to change. Please check the City of Charlotte website for updates.

Questions / Discussion