

COMMUNITY MEETING REPORT  
**Petitioner: Albemarle Property Investors, LLC**  
Rezoning Petition No. 2020-181

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte Planning, Design and Development Department pursuant to the provisions of the City of Charlotte Zoning Ordinance.

**PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF CONTACT METHOD:**

Albemarle Property Investors, LLC (The Petitioner) mailed written notice of the date and time of the Community Meeting, and information on how to access the Community Meeting to the individuals/organizations listed under Exhibit A-1. These written notices were sent via US Postal Service Certified Mail on November 30, 2020. A copy of the written notice is attached hereto under Exhibit A-2.

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

The Community Meeting was held on Thursday, December 10, 2020 at 5:30 PM. The Community Meeting was conducted in person at the Cresswind Amenity Center located at 9304 Cresswind Blvd, Charlotte, NC 28215. Members of the community were also permitted to attend virtually via Zoom.

**PERSONS IN ATTENDANCE AT MEETING:**

The Community Meeting was attended by those individuals identified on Exhibit B attached hereto. The Petitioner's representatives included Amy McCook and Ryan Stahl of Equinox Development.

**SUMMARY OF ISSUES DISCUSSED:**

The Petitioner's Representatives utilized a PowerPoint presentation during the Community Meeting, a copy of the presentation is attached hereto as Exhibit C.

Amy McCook first introduced herself and welcomed the attendees to the official Community Meeting for RZP-2020-181. Amy then went on to introduce adjacent property owner Brian Helms; Cresswind HOA President Steve Maher; and Councilman Matt Newton. Additionally, she recognized Keith Postal of Kolter Homes. Amy stated Keith has been the liaison between The Petitioner and Kolter Homes. Amy then introduced Equinox Development President and CEO, Ryan Stahl. Ryan introduced himself and provided a brief history of Equinox Development and the project itself.

Amy discussed the rezoning request with the attendees. She informed audience members that this rezoning is a relatively minor modification to a rezoning petition which was completed by Kolter Homes in 2015. She then explained that there was a small parcel of land [located at 11525 Rocky

River Church Road, Charlotte, NC 28215 (Parcel Number: 11122105)] which is contiguous to Kolter's property and the Petitioner's property that was excluded from the original petition. Amy cited this exclusion as the main reason for the current rezoning petition. She went on to say that the goal of the rezoning is to change the zoning of the aforementioned land currently owned by Square A Land Holdings, LLC from R-3 to NS in effort to complement the surrounding zoning.

Amy then explained three specifics The Petitioner hopes to accomplish through the rezoning. First, Amy again described the inclusion of the Square A Land Holdings, LLC parcel into the rezoning petition. She explained that this inclusion would allow for better access to and from the shopping center. Next, Amy discussed allowing the drive aisle in front of the center to interact with the parking spaces in the center. She explained by eliminating the curb in front of the center, it will safely and more conveniently allow shoppers to traverse from their vehicle to the store and vice versa. Lasty, Amy discussed a change to the drive-thru windows on the property. She clarified that the pharmacy pick-up window is considered a drive-thru according to city code. Amy explained The Petitioner is working to have the pharmacy pick up window not included in the overall drive-thru total. Amy then stated that there could potentially be two additional drive-thrus on the front of the property.

Amy then presented the site plan for the shopping center. She highlighted where the grocery store will be on the site plan, the location of the 9,600 SF of in-line retail, and where the two outparcels will be located. Amy then addressed the red lines on the site plan and explained they are the path the trucks take to and from the center for deliveries.

Amy then showed attendees a conceptual site plan inclusive of The Petitioner's property and the neighboring property to the west owned by Jerry Helms. Amy clarified that this site plan was subject to change as both developments move forward. However, she did mention that this was one possible way both developments could be integrated to the Cresswind Community.

Lastly, Amy addressed the remaining rezoning schedule for the property. She stated that the Virtual Public Hearing for Property will be on Monday, March 15, 2021 which is followed by a Zoning Committee Meeting on Tuesday, March 30, 2021. Amy stated that it is unclear as to whether this meeting will be in person or virtual, but the 3 previous meetings have been virtual. Lastly, Amy stated that the City Council Zoning decision which finalizes the rezoning will be on Monday, April 19, 2021.

Amy then opened the floor to questions. A summary of these questions and the accompanying answers can be found below.

- In response to a question, Amy McCook stated that the sewer will be received from the Kolter neighborhood. The exact location is still to be determined.
- In response to a question regarding a direct roadway connection from the Cresswind neighborhood to the shopping center, Amy McCook stated the roadway connections will comply with the original 2015 rezoning petition, but the neighboring property owners are working together to refine the exact locations.

- In response to a question regarding truck entrance and exit, Amy McCook stated the delivery trucks servicing the grocery store will enter and exit from Rocky River Church Road and Albemarle Road.
- In response to an additional question about the sewer servicing the property, Amy McCook said the sewer will be a Charlotte Public Infrastructure. Additionally, Amy stated that it was always the intention that The Petitioner's property and the Helms' property to the west be serviced through Kolter's public infrastructure improvements.
- In response to a question, Amy McCook stated that there are no potential restaurant tenants as of yet, but the property is being actively marketed to restaurant users.
- In response to a question about other retailers within the center, Ryan Stahl stated that the size of the in-line space adjacent to the grocer was designed to attract high quality, long term tenants reducing vacancy and non-credit tenants.
- In response to a question regarding the location of the grocery store, Amy McCook stated that the large gray box on the conceptual site plan is the grocery store and it will be approximately 46,000 SF. Amy then pointed out the smaller rectangular box to the right of the grocer is the in-line retail space.
- In response to a question regarding the conceptual site plan showing The Petitioner's property as well as the Helms' adjacent property to the west, Amy McCook clarified that the Helms' development and The Petitioner's are being developed independently of each other.
- In response to a question about any residential plans on the Helms' property, Brian Helms stated that the property is currently zoned for office and retail only.
- In response to a question regarding the purpose of the white space at the bottom of the site plan, Amy McCook stated that those are outparcels which are free standing buildings with their own independent parking. She additionally said potential outparcel tenants could include banks, restaurants, and coffee users.
- In response to a question, Amy McCook stated that all the darker gray boxes on the conceptual site plan are a part of the Helms' property.
- In response to a question, Brian Helms stated Jake's Good Eats is a part of their property and is intended to stay operational. Brian then discussed the details of his potential site plan including 60,000 SF of office and 60,000 SF of retail.
- In response to a question, Amy McCook stated that outparcel users' preferences have shifted towards drive-thrus since the COVID-19 pandemic. Amy additionally stated that more upscale users are attempting to recreate the drive-thru concept and enhance the experience.
- In response to a question, Amy McCook stated that the traffic lights at Cresswind Boulevard and Rocky River Church Road intersecting Albemarle Road are the only lights being contemplated at this time.

Amy McCook thanked the attendees for their time and attendance at the meeting, and the meeting was adjourned.

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

No changes have been made to the rezoning plan or to the Rezoning Petition as of the date of this Community Meeting Report solely as a result of this Community Meeting.

Respectfully submitted this 8<sup>th</sup> day of February, 2020

**Albemarle Property Investors, LLC, Petitioner**

## Exhibit A-1

Organization/Owner Name	Parcel Number/s	Mailing Address	City	State	Zip
KH Mint Hill LP	111-221-10 & 111-221-04	105 NE 1st Street	Delray Beach	FL	33407
Jerry N Helms	111-221-08	11901 Albemarle Road	Charlotte	NC	28227
Woodrow M. Allen Family Property, LLC	137-152-04	10328 Allen-Munn Lane	Charlotte	NC	28227
Woodrow M. Allen	137-152-03	10328 Allen-Munn Lane	Charlotte	NC	28227
Albemarle Road Association, LLC c/o MVP Properties	137-152-60 & 137-152-59	2400 S. Blvd Suite 300	Charlotte	NC	28203
Caliber Investments Albemarle Rocky River, LLC	137-152-58	215 Queens Road Suite 200	Charlotte	NC	28204
Woodland Beaver Farms, LLC c/o Erwin Capital Inc.	111-233-33 & 111-233-32	1521 Providence Dr	Charlotte	NC	28211
Beaver Farms Owners Association, Inc. c/o Erwin Capital Inc.	111-233-37	1521 Providence Dr	Charlotte	NC	28211
Hawthorne-Midway Vista Park, LLC	111-233-31	Po Box 56607	Atlanta	GA	30343
Tuffy Properties Vista Park, LLC	111-233-31	Po Box 56607	Atlanta	GA	30343
Thomas & Howard Vista Park, LLC	111-233-31	Po Box 56607	Atlanta	GA	30343
Square A Land Holdings, LLC	111-221-05	11525 Rocky River Church Road	Charlotte	NC	28215
City Council Representative - Matt Newton	N/A	600 E. Fourth Street	Charlotte	NC	28202

## Exhibit A-2

### NOTICE TO INTERESTED PARTIES OF COMMUNITY MEETING

**Subject:** Community Meeting - Rezoning Petition filed by Albemarle Property Investors, LLC to rezone approximately 11.24 acres located at the northwest corner of Rocky River Church Road and Albemarle Road to allow for the development of a grocery anchored retail center with attached retail and two outparcels.

**Date & Time of Meeting:** Thursday, December 10th, 2020 at 5:30 PM

Virtual Meeting via Zoom  
Website: [www.zoom.us/join](http://www.zoom.us/join)  
Meeting ID: 3862951011  
Meeting Passcode: 1234  
Dial in Number: +1 (929) 205-6099

**Petitioner:** Albemarle Property Investors, LLC

**Petition No.:** RZP-2020-181

Albemarle Property Investors, LLC (the "Petitioner") has filed a rezoning petition (RZP-2020-181) with the Charlotte Planning, Design & Development Department and is seeking to rezone an approximately 11.24 acre site (the "Site") located at 12809 Albemarle Road, Charlotte, NC 28227 from the NS & R-3 zoning districts to the NS (SPA) & NS zoning districts. The purpose of the rezoning is to permit the development of a grocery anchored retail center with attached retail and two outparcels.

In accordance with the requirements of the City of Charlotte Zoning Ordinance, the Petitioner will hold a Community Meeting prior to the Public Hearing on this Rezoning Petition 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.

The Petitioner gives you notice that a Community Meeting will be held regarding this Rezoning Petition on Thursday, December 10th, 2020 at 5:30 PM. The Petitioner looks forward to sharing this rezoning proposal with you and to answering any questions you may have with respect to this Rezoning Petition.

In the meantime, should you have any questions or comments about this matter, please call Equinox Development at (407) 628-0077.

cc: Council Member Matt Newton, District 5 Representative

Date Mailed: 11/30/2020



**EQUINOX**  
DEVELOPMENT

## Exhibit B

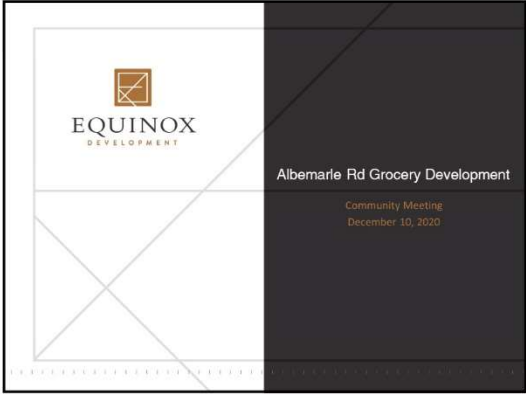
Name	Address	Phone Number	Email
Joe Sweeney	7216 OVERJOYED CROSSING CHARLOTTE NC 28215	(704) 929-2894	jfs106@gmail.com
Stephen Maher	7006 OVERJOYED CROSSING CHARLOTTE NC 28215	(980) 939-4342	semahernc@gmail.com
Steve Grazino	7324 OVERJOYED CROSSING CHARLOTTE NC 28215	(585) 370-1435	sgrazo@aol.com
Ronnie Yandle	7111 TREESDALE LANE CHARLOTTE NC 28215	(704) 254-3817	rbyandle@hotmail.com
Allen Kurtz	8029 FESTIVAL WY CHARLOTTE NC 28215	(914) 907-6039	lkurtz524@gmail.com
Barbara Farrell	5528 CHEERFUL LANE CHARLOTTE NC 28215	(603) 851-4964	farrellpb2@aol.com
Bill Spitzel	8209 FESTIVAL WY CHARLOTTE NC 28215	(714) 932-9706	pendaya@aol.com
Carlos McCoy	7367 OVERJOYED CROSSING CHARLOTTE 28215	(704) 617-7641	smccoy4161@yahoo.com
Cathy Peterson	8108 FESTIVAL WY CHARLOTTE NC 28215	(404) 281-9576	4cpete@gmail.com
Charlie Nicosia	8507 FESTIVAL WY CHARLOTTE NC 28215	(607) 435-0088	mnicosia814@gmail.com
Chris Turner	8109 FESTIVAL WAY CHARLOTTE NC 28215	(704) 560-3383	cturner1346@gmail.com
Daniel Catron	7025 OVERJOYED CROSSING CHARLOTTE NC 28215	(765) 860-4210	dbcatron3475@hotmail.com
Dale Apple	7511 SHORT PUTT COURT CHARLOTTE NC 28215	7946617302	dapple9000@aol.com
Dave Ulanow	7519 SHORT PUTT COURT CHARLOTTE NC 28215	(301) 980-1901	dau452@aol.com
Dawn Lemon	6425 GOOD NEWS DR CHARLOTTE NC 28215	(704) 293-8404	lemondawn528@gmail.com
Deborah Bliss	8210 FESTIVAL WAY CHARLOTTE NC 28215	(704) 839-2028	debemm31@yahoo.com
Derek Stanley	5543 CHEERFUL LANE CHARLOTTE NC 28215	(803) 427-2709	dstansr@att.net
Diana Davidson	7547 SURPRISE COURT CHARLOTTE NC 28215	(407) 334-5765	dianajd888@gmail.com
Dianna McDermet	5536 CHEERFUL LN CHARLOTTE NC 28215	(704) 787-2141	todd.dianna926@gmail.com
Dineen Spitzel	8209 FESTIVAL WY CHARLOTTE NC 28215	(714) 932-9706	pendaya@aol.com
Doug Pink	6509 SHOFF CIRCLE CHARLOTTE NC 28215	(615) 427-9064	dougpink@hotmail.com
Eileen Linzi	7018 OVERJOYED CROSSING CHARLOTTE NC 28215	(603) 547-7218	eelinzi@gmail.com
Eric Lanier	8112 FESTIVAL WAY CHARLOTTE NC 28215	704-724-3479	ericelanier@gmail.com
James Salkeld	8327 FESTIVAL WY CHARLOTTE NC 28215	(520) 260-0162	jwsalkeld@gmail.com

## Exhibit B

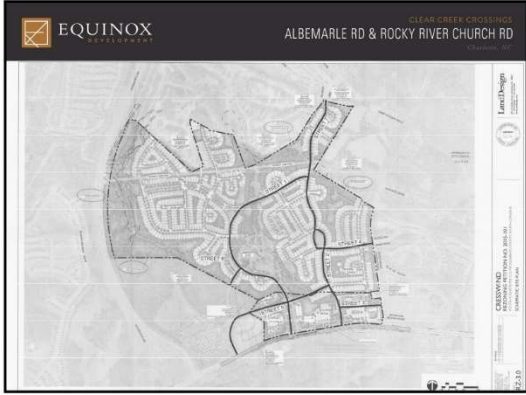
Name	Address	Phone Number	Email
Jean Pink	6509 SHOFF CIRCLE CHARLOTTE NC 28215	(615) 427-9064	dougpink@hotmail.com
Jody Brewer	5744 CHEERFUL LANE CHARLOTTE NC 28215	(704) 574-0836	jodybrwr@yahoo.com
John Krause	5029 RAFFERTY COURT CHARLOTTE NC 28215	(410) 591-3751	jboy21047@hotmail.com
Lee Servatius	6916 KEPLAR ROAD CHARLOTTE NC 28215	(315) 879-7017	servatiu@netsync.net
Libby Eudy	7123 TREESDALE LANE CHARLOTTE NC 28215	(704) 536-5708	libeudy@carolina.rr.com
Linda Cladias	8120 FESTIVAL WY CHARLOTTE NC 28215	(304) 479-2494	lmclad824@yahoo.com
Linda Kurtz	8029 FESTIVAL WY CHARLOTTE NC 28215	(914) 907-6039	lkurtz524@gmail.com
Lisa Thompson	12428 CURRENT DR CHARLOTTE NC 28278	(980) 613-8626	thompsonlisa1009@gmail.com
Maryjane Conti	8402 FESTIVAL WY CHARLOTTE NC 28215	(704) 808-9266	contimj2020@gmail.com
Melissa Nicosia	8507 FESTIVAL WY CHARLOTTE NC 28215	(607) 435-0088	mnicosia814@gmail.com
Mike Chaffin	7548 SURPRISE COURT CHARLOTTE NC 28215	(704) 568-7678	m_chaffin@bellsouth.net
Mike Sloop	6529 SHOFF CIRCLE CHARLOTTE NC 28215	(980) 613-3669	msloop21@gmail.com
Mitchell Greenberg	5022 RAFFERTY COURT CHARLOTTE NC 28215	(704) 996-6054	Mrwizzard2009@Gmail.com
Rick Manning	7219 OVERJOYED CROSSING CHARLOTTE NC 28215	(704) 575-6087	rickjm1939@gmail.com
Robert (Bob) Davidson	7547 SURPRISE COURT CHARLOTTE NC 28215	(407) 334-5765	dianajd888@gmail.com
Rod Crump	7005 OVERJOYED CROSSING CHARLOTTE NC	(704) 965-7761	rod.crump@gmail.com
Sharon McCoy	7367 OVERJOYED CROSSING CHARLOTTE 28215	(704) 617-7641	smccoy4161@yahoo.com
Sue Hartman	5524 CHEERFUL LANE CHARLOTTE NC 28215	(518) 222-6545	justsue2u2000@gmail.com
William Austin	6322 GOOD NEWS DR CHARLOTTE NC 28215	(540) 247-8832	Whaustin1@comcast.net
William McDermet	5536 CHEERFUL LN CHARLOTTE NC 28215	(704) 787-2141	todd.dianna926@gmail.com
Lucy's Mom			
Matt Newton			
Mark Erwin			
Brian Helms			
Liza McMahan			
Keith Postal			



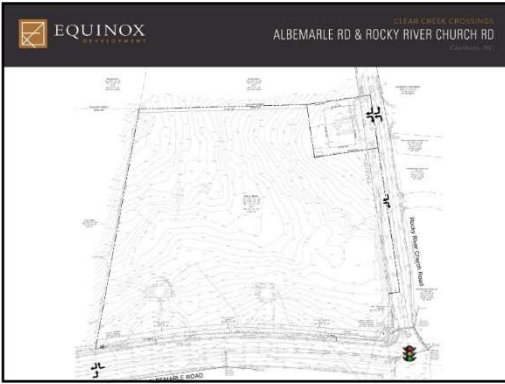
**Exhibit C**



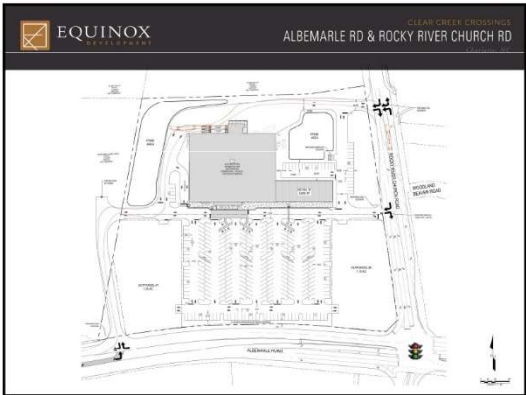
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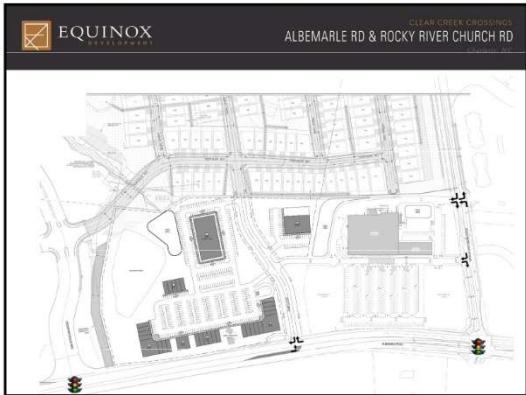
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