

COMMUNITY MEETING REPORT  
**Petitioner: Coastal Acquisition Entity, LLC**  
Rezoning Petition No. 2021-209

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg 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 HOW CONTACTED:**

David W. Murray, 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 January 26, 2022. A copy of the written notice is attached hereto as Exhibit B.

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

The Community Meeting was held virtually on Tuesday, February 8, 2022, at 6:00 p.m. Link: <https://us06web.zoom.us/j/89524630561?pwd=S3d3cW90NHRCeC8zMHVXbEJHbWRHdz09>. A call-in number was also available.

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

The Community Meeting was attended by six (6) community members and one (1) Councilmember as shown on the list attached hereto as Exhibit C. The Petitioners were represented at the Community Meeting by David W. Murray (agent and attorney for Petitioner), Mark Durno (representative of Petitioner), and Chris Young (site planner).

**SUMMARY OF PRESENTATION/DISCUSSION:**

Mr. Murray prepared opening statements to introduce himself, Mr. Durno and Mr. Young. All people present for the virtual meeting stayed the entire meeting. A copy of the PowerPoint presentation is attached hereto as Exhibit D.

The presentation began at approximately 6:05 p.m. and was complete at approximately 6:35 p.m. The Petitioners remained on the meeting until approximately 7:00 p.m. The Petitioners indicated that they proposed to rezone an approximately 1 acre site (the "Site") from R-3 to NS. The Petitioners explained the rezoning process in general and stated that the purpose of the meeting was to discuss the rezoning request and the conditional site plan and respond to questions and concerns from nearby residents and property owners. The Petitioners informed the attendees that the proposed use was for a restaurant/retail with a drive-thru window. The Petitioners showed the attendees the submitted site plan and advised attendees that they could email comments to [david@murraylawfirm.com](mailto:david@murraylawfirm.com). No email comments were received but follow up emails regarding the process were exchanged.

The Petitioners asked if the attendees had any comments about the proposed plan and one neighbor spoke. The Jarrells are the adjacent neighbors in the residential house. Mrs. Jerrell had concerns about access to the site and about improvements to Rigsby Road. Since that time, Petitioners have learned from CDOT and NCDOT that a developer is currently planning a commercial redevelopment of all the adjacent residential lots along Rigsby Road, including the Jarrell's lot, so Petitioners assume that will alleviate the

neighbors' concerns, given their property is part of that proposed development.

The Petitioners gave the attendees the City's rezoning case number so that they could know when to attend the public hearings or review the comments from staff online.

Submitted, this 14th day of March, 2022.

A handwritten signature in blue ink, appearing to read "D. W. Murray". The signature is stylized with a large, sweeping "M" and a long, curved line extending from the end.

David W. Murray, Esq.  
Murray Law Firm, PLLC

PLEASE NOTE THERE ARE TWO MAILING LISTS YOU NEED TO USE. SEE BOTH TABS BELOW AND MAIL TO ALL NAMES LISTED. PLEASE CONTACT US WITH ANY

2021-209	TAXPID	OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
2021-209	19924153	MCDONALD'S REAL ESTATE COMPANY			C/O ADRIAN SMITH ICE AGE MANAGEMENT	PO BOX 4386		GREENSBORO	NC	27404
2021-209	19924154	SAM'S INVESTMENTS V LLC				PO BOX 56607		ATLANTA	GA	30343
2021-209	19924309	STEELE-TROJAN PROPERTIES LLC				831 E MOREHEAD ST STE 445		CHARLOTTE	NC	28202
2021-209	19924315	STEELE-TROJAN PROPERTIES LLC				831 E MOREHEAD ST STE 445		CHARLOTTE	NC	28202
2021-209	20107307	SOSEBEE	JAMES LEE	DELORES B	SOSEBEE	9111 STEELE CREEK RD		CHARLOTTE	NC	28210
2021-209	20107310	MCNEIL	WILLIAM GARY	MITZI I	MCNEIL	13421 RIGSBY RD		CHARLOTTE	NC	28273
2021-209	20107313	HARRAMAN	BETTY B	NANCY B	CATHEY	9100 PARAGON DR		CHARLOTTE	NC	28273
2021-209	20109102	YAUS	CARL WILLIAM		BENNIE MULL	13428 RIGSBY RD		CHARLOTTE	NC	28273
2021-209	20109103	KASHYAP	SUSHIL K	VEENA	KASHYAP	2910 PROVIDENCE VIEW LN		CHARLOTTE	NC	28270
2021-209	20109104	CASALINO CARTING INC				66-00 LONG ISLAND EXPRESSWAY STE 102		MASPETH	NY	11378
2021-209	20109114	MARK OIL COMPANY INC				1115 NORTH CHURCH ST		CHARLOTTE	NC	28232
2021-209	20109115	STEELE CREEK 1997 LLC				5625 FAIRVIEW RD		CHARLOTTE	NC	28209
2021-209	20109116	JARRELL	DAVID E	RENAE J	JARRELL	13420 RIGSBY RD		CHARLOTTE	NC	28273
2021-209	20109119	KNCT DIXIE RIVER LLC				3024 SHALLOWOOD LN		CHARLOTTE	NC	28277

**EXHIBIT**

**A (1 of 2)**

exhibitstickers.com

PLEASE NOTE THERE ARE TWO MAILING LISTS YOU NEED TO USE. SEE BOTH TABS BELOW AND MAIL TO ALL NAMES

2021-209	ORGANIZATION_NAME	FIRST_NAME	LAST_NAME	STREET_ADDRESS	UNIT_NUM	CITY	STATE	ZIP
2021-209	Berewick	Melinda	Lilly	10020 Perth Moor Rd		Charlotte	NC	28278
2021-209	Berewick	Tifini	Bradbury	5659 Garrow Glen Road		Charlotte	NC	28278
2021-209	Berewick	Valerie	McWilliams	8202 Kelburn Lane		Charlotte	NC	28273
2021-209	Berewick Homeowners Association	Victor	Brown	9445 Glenburn Lane		Charlotte	NC	28278
2021-209	Berewick Neighborhood Association	Beverly	Berglass	6327 Breckfield Court		Charlotte	NC	28278
2021-209	Clearview Acres	William	Harraman	9100 Paragon Dr		Charlotte	NC	28273
2021-209	Village at Prestwick HOA	Jonathan	DuBose	5649 Tipperlinn Way		Charlotte	NC	28278
2021-209	Wildwood Meadows	Jose	Flores	13228 Brown Grier Rd.		Charlotte	NC	28273

Mayor, Mayor Pro Tem, Councilmembers were also mailed the community meeting notice.

**EXHIBIT**

**A (2 of 2)**

exhibitsticker.com

# MURRAY LAW FIRM, PLLC

P.O. BOX 11685  
CHARLOTTE, NC 28220  
(704) 940-9095  
MURRAYLAWFIRM.COM

EMINENT DOMAIN | ZONING | LAND USE | LITIGATION

January 26, 2022

## NOTICE TO INTERESTED PARTIES OF VIRTUAL REZONING COMMUNITY MEETING

**Subject:** Community Meeting – Rezoning Petition filed by Coastal Acquisition Entity, LLC, to rezone approximately 1 acre located at 9301 Steele Creek Road from R-3 to NS.

**Date and Time of Meeting:** Tuesday, February 8, 2022, at 6:00 p.m.

**Place of Meeting:** Virtual via Zoom (see instructions to join below)

Join Zoom Meeting Link:

<https://us06web.zoom.us/j/89524630561?pwd=S3d3cW90NHRCeC8zMHVXbEJHbWRHdz09>

Meeting ID: 895 2463 0561

Passcode: 198646

**Petitioner:** Coastal Acquisition Entity, LLC

**Petition No.:** 2021-209

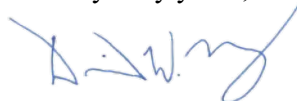
I am assisting Coastal Acquisition Entity, LLC (the “Petitioner”) with a Rezoning Petition filed with the Charlotte Planning, Design & Development Department seeking to rezone an approximately 1 acre site (the “Site”) located at 9301 Steele Creek Road from the R-3 (Single-Family Residential) zoning district to NS (Neighborhood Services) zoning district. The purpose of the rezoning is to permit the development of a new Dunkin’ Donuts restaurant location.

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.

Accordingly, on behalf of the Petitioner, I give you notice that representatives of the Petitioner will hold a Community Meeting regarding this Rezoning Petition on Tuesday, February 8, 2022, at 6:00 pm, virtually via Zoom. The Petitioner’s representatives look 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 email me, David W. Murray, attorney with Murray Law Firm, PLLC, at [david@murraylawfirm.com](mailto:david@murraylawfirm.com).

Very truly yours,



David W. Murray

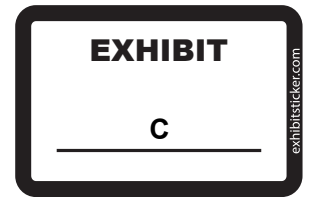
cc: Hon. Victoria Watlington (City Council member)

Date Mailed: January 26, 2022

Coastal Acquisition Entity, LLC

2021-209

Community Meeting Attendee List



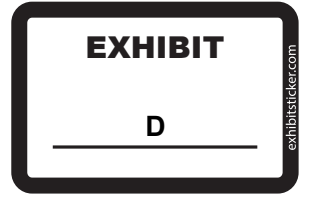
Councilmember Greg Phipps

Sandy Thomas, 6825 Wilkinson Blvd., Belmont, NC 28012

Renaë & David Jarrell (adjacent owner), 13420 Rigsby Road, Charlotte, NC 28273

Sushil Kashyap (owner), 2910 Providence View Lane, Charlotte, NC 28270

Two (2) Unidentified participants



Community Meeting  
Rezoning 2021-2029  
9301 Steele Creek Road

AG: DAVID W. MURRAY, ESQ.  
AP: COASTAL ACQUISITION  
ENTITY, LLC  
OWR REP: MARK DURNOW  
PL: CHRIS YOUNG, PLA

# Zoom Suggestions

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- During the presentation, please keep your Mic muted
- During the Question session if you would like to speak, please click on the “reactions” button at the bottom and the click “Raise Hand”



# Meeting Agenda

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- Introductions
- Property Location
- Development Considerations
- Current Zoning
- Land Use Plan Recommendation
- Proposed Rezoning Concept
- Potential Rezoning Timeline
- Questions/Discussion

# Team Introductions

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- Petitioner: Coastal Acquisition Entity, LLC c/o Mark Durno
- Rezoning Agent: David W. Murray, Esq., Murray Law Firm, PLLC
- Site Planning: Chris Young, PLA, DPR Design, Inc.

# Property Location

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- Steele Creek
- Located on east side Steele Creek Road at the intersection with Rigsby Road
- Charlotte Premium Outlets located across Steele Creek Road (Hwy 160)
- Adjacent to BP Gas Station



# Property Location

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Seddon "Rusty" Goode Freeway (I 485)

Fashion Road

Trojan Road

Trojan Drive

Steele Creek Road (NC 160)

Rigsby Road

Paragon Drive



# Property Location - Today

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# Development Considerations

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- Existing Zoning
- Existing and Adjacent Uses
- Ordinance / Policy Requirements
- Adopted Area Plans
- City Priorities
- Community and Neighbor Comments/Concerns
- Market Realities

# Rezoning Process Generally

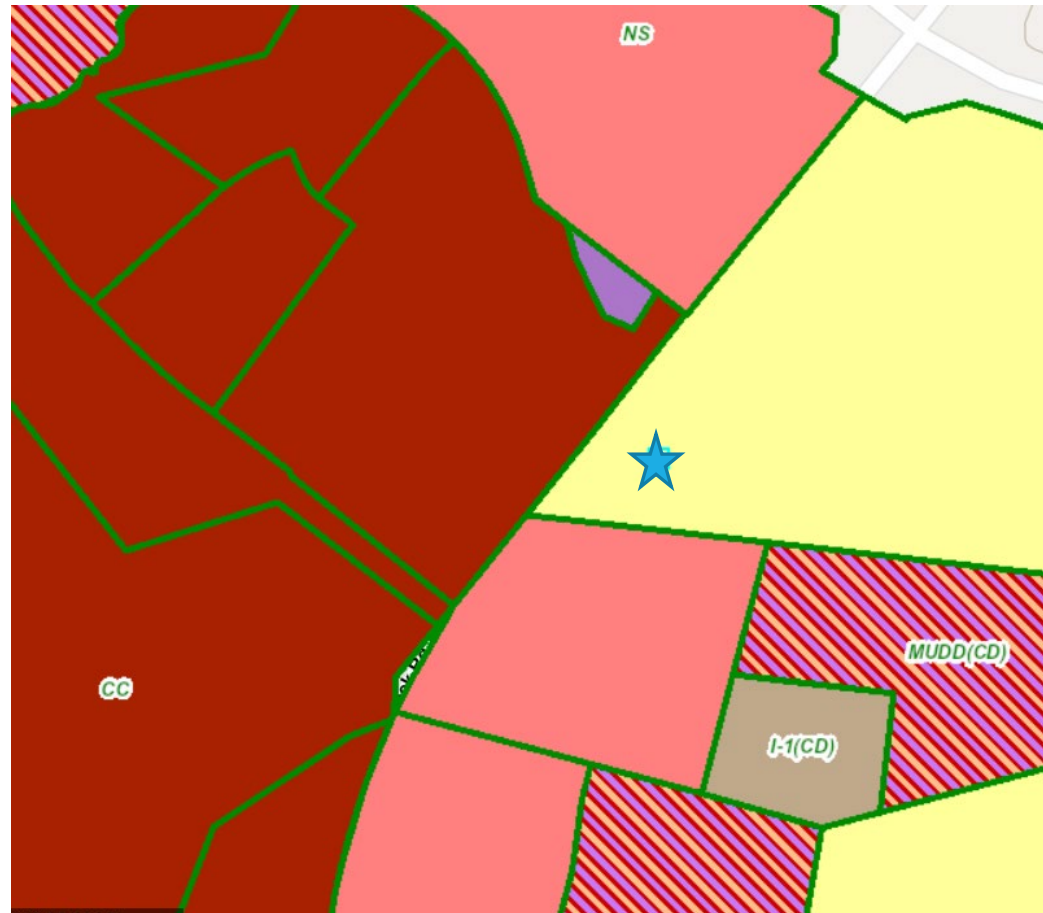
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- There are two types of rezonings in Charlotte: conventional and conditional
- Conventional rezonings do not require a site plan and are limited only by the zoning ordinance.
- Conditional rezonings require a site plan with stated conditions and go through more detailed staff analysis and review before a determination is made.



# Existing Zoning - R-3 (Single Family Res.)

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# Existing Uses

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- This site is currently used for a single-family residential detached dwelling.
- The land to the south is zoned NS.
- Another rezoning is proceeding on the land to the east of Risgby Road by Steele Creek (1997), LLC for O-2(CD) zoning.

# Recommended Land Use Plan

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- Steele Creek Area Plan adopted 2012 (10 years ago)
- Calls for Residential 6DUA
- At the time of the adjacent NS rezoning for the BP and Bojangles, the City conducted a study and determined that the uses along Rigsby Road were better suited for commercial use given their location between I-485 and the adjacent commercial rezonings.
- Since 2012, there has been a continued commercialization of this exit and the lots along Steele Creek Road.

R-3 ZONING  
N/F  
DAVID E. JARRELL, and  
JENNIFER E. JARRELL  
DB 12290 PG 692

PLANT DIXIE RIVER LLC  
DB 29640 PG 137

NS ZONING  
N/F  
MARK CL. COMP4  
DB 28724 PG

SCREENING PER ORDINANCE  
SECTION 12.303, TYP.

TRASH + RECYCLING  
ENCLOSURE

CONCRETE SIDEWALK  
PLANTING STRIP

TWO-WAY TYPE II  
MODIFIED DRIVEWAY

R-3 ZONING

RIGSBY RD  
(60' PUBLIC R/W)

4,000 SF  
COMMERCIAL  
BUILDING

DRIVE-THRU LANE

10' SIDE YARD

AREA FOR  
BMP/STORMWATER

FUTURE EASEMENT  
PER NCDOT PLANS

FUTURE R/W PER  
NCDOT PLANS

FUTURE CURB LINE  
PER NCDOT PLANS

FUTURE 12' MULTI-USE PATH

RIGHT-IN RIGHT-OUT  
ACCESS DRIVEWAY

# Notable Conditions

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- Adding a brick landscaping wall to buffer drive through isle like at the McDonalds and Bojangles locations on Steele Creek Road.
- Additional screening will be provided during plan review process.
- High quality architectural materials and landscaping like adjacent commercial uses.

# Potential Timeline (Subject to Change)

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- Public Hearing: 3/21/22
- Planning Commission Meeting: 4/5/22
- City Council Vote: 4/18/22

# Questions?

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Click “Reactions” at bottom and then Click “Raise Hand”

Thank you for attending!