

COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2021-213

Petitioner: Goldberg Companies Inc.
Rezoning Petition No.: 2021-213
Property: ±42.85 acres site located on the eastern side of Hugh Forest Rd. and south of Highway 51 Pineville-Matthews Rd. (the “Site”)

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 Section 6.203 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 details of the Virtual Community Meeting to the individuals and organizations set out on **Exhibit A** by depositing the Community Meeting Notice in the U.S. mail on 1/20/2022. A copy of the written notice is attached as **Exhibit B**.

TIME AND DATE OF MEETING:

The Community Meeting required by the Ordinance was held virtually on Thursday, February 3, 2022, at 6:00 PM.

PERSONS IN ATTENDANCE AT MEETING:

The list of registered attendees from the required Virtual Community Meeting is attached as **Exhibit C**. The Petitioner’s representatives at the required Community Meeting were Eric Bell, Ryan Linker and Norman Glazer with the Goldberg Companies, Inc.; Matt Edwards and Laura Reid with Kimley-Horn; and Edmund Driggs, Charlotte City Council District 7 Representative. Also, in attendance was Keith MacVean with Moore & Van Allen, PLLC.

SUMMARY OF MEETING DISCUSSION:

I. Overview of Petitioner’s Presentation.

Introduction and Overview of Development Plan.

Keith MacVean opened the meeting, welcomed everyone in attendance, and introduced the development team.

Mr. MacVean explained the tentative rezoning schedule.

Mr. Bell provided an overview of the Goldberg Companies and some of their residential communities. They purchased the Site in 2005 and rebranded it Legacy like their other properties throughout the south. Mr. Linker described the project and the redevelopment of the western pod of Legacy Arboretum Apartments which is underutilized.

Mr. Edwards described highlights of the Site plan with visual representation. There are 75-foot buffers on both Hugh Forest and Pineville-Matthews Road. There will also be a storm water

retention pond to capture and treat the storm water runoff from the redeveloped portion of the Site; and as the subdivision ordinance requires two new streets with connections to Hugh Forest and Hwy. 51.

Mr. MacVean explained the land use recommended for the South District Plan which is multi-family residential. The Charlotte Future 2040 Policy Map also recommends moderate to higher intensity housing or neighborhood place type #2 for the Site. These land use recommendations are a way to provide diverse housing types and meeting housing needs throughout the community. He also explained that the Site was rezoned to R-12MF(CD) in 1990 by the County Commissioner that approval put in the place the current access restrictions and buffers. City policies and Ordinance were updated in 2008 to require new developments subject to the Subdivision regulations to install new streets to create appropriate blocks and street spacing.

The meeting was opened for questions.

II. Summary of Questions/Comments and Responses:

Attendees expressed concerns with the impact the Site would have on the traffic in the area. Mr. MacVean used the illustration from the Traffic Impact Study to help illustrate how traffic from the Site would use the proposed access points and the adjoining roadways. Ms. Reid, a traffic engineer, explained that they looked at the trip generation and net increase with the number of 234 new apartments. The data was derived from CDOT and NCDOT with rates based on industry standards. The attendees would like the traffic data shared with the group and they felt the pandemic skewed the data. It was stated that the Site will have traffic distributed through various entries and exits. Attendees would like to know the capacity of Highway 51, indicating it is already over capacity. They would like to know the number of accidents and fatalities at the intersection. The attendees also requested that the traffic information include traffic volumes and movements during the times when Providence High School students arrived and left the school which also had an impact on the operation of the intersection of Hugh Forest and Hwy. 51.

The team reviewed all comments received during the presentation in the “Chat” function. There were numerous comments regarding the impact of the development the adjoining roadways as well as comments regarding the additional access point to Hugh Forest and the changes to the setback and buffers currently in place. The attendees also expressed concerns with the traffic data provided and asked that the development team visit the Site during peak traffic hours so they could experience the traffic in the area.

There were questions about the change in buffers. When apartments were originally developed, the communities surrounding the Site requested Hugh Forest not be accessible from the Site and the buffers be 200 feet wide. A change has been proposed to accommodate the proposed redevelopment with additional dwelling units and to comply with the requirements of the subdivision regulations that now require a connection to Hugh Forest that the Petitioner cannot eliminate.

Attendees also expressed concern about overcrowding in schools. CMS has projected 80 new students with this development, of which 22 would go to the high school. The school district is aware of the project.

The height of the four-story buildings was questioned. Mr. MacVean explained that the proposed buildings would be limited to a maximum height of 48 feet and would utilize flat roofs instead of pitched roofs. He also explained that the current subdivision regulations and the requirement for additional streets and connections came into effect in 2008. City regulations have evolved over time based on best practices to help address the impact of development in a growing community.

Mr. MacVean reviewed the planning and rezoning schedule for the attendees.

Mr. Driggs requested that the community/homeowner's association leaders coordinate with him on a meeting with CDOT and other regulatory agencies (CMS, CMPD, etc.), to discuss the challenges facing this petition. He provided his email as edriggs@charlottenc.gov and encouraged attendees to reach out. He also recommended they go to the City Council webpage and submit messages.

There was a discussion about putting a gate in the new community.

Mr. MacVean thanked everyone for their attendance and the meeting was adjourned.

CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:

The development team will continue to address staff comments and will provide updated plans with community meeting attendees. The Petitioner will also work with CDOT to address community concerns regarding the impact of the expanded residential community on the adjoining road network.

cc: Edmund Driggs, Charlotte City Council District 7 Representative
David Pettine, Charlotte Planning, Design and Development Department
Eric Bell, Goldberg Co. Inc.
Ryan Linker, Goldberg Co. Inc.
Norman Glazer, Goldberg Co. Inc.
Jeff Brown, Moore & Van Allen, PLLC
Keith MacVean, Moore & Van Allen, PLLC

EXHIBIT A

Adjacent Owners:

2021-213	TAXPID	OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2 CITY	STATE	ZIPCODE
2021-213	21304111	COFTY	GARY LEE		JOANN GRAVES	1614 PINEVILLE MATTHEWS RD	CHARLOTTE NC	28270	
2021-213	21304163	ASHISHKUMAR	SHIRPA	ASHISH	KUMAR	1532 PINEVILLE-MATTHEWS RD	CHARLOTTE NC	28270	
2021-213	21305106	CHARLOTTE MECKLENBURG BOARD OF EDUCATION				701 E 2ND ST	CHARLOTTE NC	28204	
2021-213	21305108	BEDROCK HOLDINGS II (CHARLOTTE) LLC				433 E LAS COLINAS BLVD STE 300	IRVING TX	75039	
2021-213	21305110	BEVERLY CREST COMPANY LLC			% CHILDREN WORLD LEARNONG CTR	573 PARK POINT DR	GOLDEN CO	80401	
2021-213	21305111	BEVERLY CREST MASTER ASSOCIATION INC			C/O CUSICK COMMUNITY MGMT	7422 CARMEL EXECUTIVE PARK	SUITE 220 CHARLOTTE NC	28226	
2021-213	21347214	PECK	KELLY M	KRISTINA M	PECK	2100 MIROW PLACE	CHARLOTTE NC	28270	
2021-213	21347298	BEVERLY CREST MASTER ASSOCIATION INC			C/O CUSICK COMMUNITY MGMT	7422 CARMEL EXECUTIVE PARK	SUITE 220 CHARLOTTE NC	28226	
2021-213	21347299	BEVERLY CREST MASTER ASSOCIATION INC			C/O CUSICK COMMUNITY MGMT	7422 CARMEL EXECUTIVE PARK	SUITE 220 CHARLOTTE NC	28226	
2021-213	22706107	CHARLOTTE SOCCER ACADEMY				13501 DORMAN RD	PINEVILLE NC	28134	
2021-213	22706130	ECHO FOREST APARTMENTS 2 LLC				25101 CHAGRIN BV STE 300	BEACHWOOD OH	44122	
2021-213	22706211	SVOBODA	JAN	SUZANNE	WIETING	922 ARBORFIELD DR	MATTHEWS NC	28105	
2021-213	22706217	KUWADA	MEEGHAN MICHELLE			1509 ELMFORD LN	MATTHEWS NC	28105	
2021-213	22706218	MENACHEM	RAFI	CINDY	VARGA	1513 ELMFORD LN	MATTHEWS NC	28105	
2021-213	22706219	PROSSER	JAMES BENJAMIN JR	JODIE P	PROSSER	1517 ELMFORD LN	MATTHEWS NC	28105	
2021-213	22706220	KING	NATHAN JOHN	MEGAN SCHMITT	KING	1518 ELMFORD LN	MATTHEWS NC	28105	
2021-213	22706221	KOLETIC	DAVID B	NATALIE A	KOLETIC	1514 ELMFORD LN	MATTHEWS NC	28105	
2021-213	22706222	WOOD	BRIAN	WHITNEY	WOOD	1510 ELMFORD LN	MATTHEWS NC	28105	
2021-213	22706224	MADRAZO	CARLYLE M	KIM L	MADRAZO	1504 ELMFORD LN	MATTHEWS NC	28105	
2021-213	22706257	BROWN	JUSTIN	RACHEL R	BROWN	1625 SHADOW FOREST DR	MATTHEWS NC	28105	
2021-213	22706258	COHEN	YARON	JESSICA SUSAN	COHEN	1633 SHADOW FOREST DR	MATTHEWS NC	28105	
2021-213	22706259	LINDNER	MATTHEW T	LESLIE M	LINDNER	1701 SHADOW FOREST DR	MATTHEWS NC	28105	
2021-213	22706260	MARTIN	LARRY JR	JERMELIAH T	MARTIN	1709 SHADOW FOREST DR	MATTHEWS NC	28105	
2021-213	22706261	CHEN	ALEXANDER S	JENNY L	CHEN	1719 SHADOW FOREST DR	MATTHEWS NC	28105	
2021-213	22706262	CARLTON	SCOTT	LESLY ANN	CARLTON	1731 SHADOW FOREST DR	MATTHEWS NC	28105	
2021-213	22706263	NAJAKA	MICHAEL J	MARYANNE H	NAJAKA	1737 SHADOW FOREST DR	MATTHEWS NC	28105	
2021-213	22706264	HOY	BRADLEY VAN	DAWN M	VAN HOY	1741 SHADOW FOREST DR	MATTHEWS NC	28105	
2021-213	22706265	PATEL	MAHESH			1740 SHADOW FOREST DR	MATTHEWS NC	28105	
2021-213	22706266	BOLT	KEITH P	JENNIFER N	BOLT	1736 SHADOW FOREST DR	MATTHEWS NC	28105	
2021-213	22706267	CHURCH	DANIEL J	PEGGY F	CHURCH	1728 SHADOW FOREST DR	MATTHEWS NC	28105	
2021-213	22706268	WOJNOWICH	MARC A	KIM S	WOJNOWICH	1714 SHADOW FOREST DR	MATTHEWS NC	28105	
2021-213	22706269	WARD	DON M	ANYA W	WARD	1636 SHADOW FOREST DR	MATTHEWS NC	28105	
2021-213	22706281	THE FOREST COMMUNITY ASSOCIATION INC				6707-B FAIRVIEW RD	CHARLOTTE NC	28210	
2021-213	22706282	THE FOREST COMMUNITY ASSOCIATION, INC				6707-B FAIRVIEW RD	CHARLOTTE NC	28210	
2021-213	22706301	THAKUR	SIDDARTH	ELYSE REED	THAKUR	2022 WALTHAM LN	CHARLOTTE NC	28270	
2021-213	22706302	GOLDBERG	NOAH	MARA	GOLDBERG	2016 WALTHAM LN	CHARLOTTE NC	28270	
2021-213	22706303	LINSE	ROBERT B	DEBRA M	LINSE	2010 WALTHAM LN	CHARLOTTE NC	28270	
2021-213	22706304	KULKARNI	VENKATESH	LEENA	KULKARNI	2004 WALTHAM LN	CHARLOTTE NC	28270	
2021-213	22706305	HUFF	RYAN NEALE	JULIE AUBURN	HUFF	1744 EMORY OAK DR	CHARLOTTE NC	28270	
2021-213	22706306	NAVAZ	SARFRAZ	VIBHA	GAUBA	1738 EMORY OAK DR	CHARLOTTE NC	28270	
2021-213	22706390	SHI	BO	QING	LI	1732 EMORY OAK DR	CHARLOTTE NC	28270	
2021-213	22706392	OAK MANOR HOMEOWNERS ASSOCIATION INC				11121 CARMEL COMMONS BV STE 450	CHARLOTTE NC	28226	
2021-213	22706522	CIOFFI	CHRISTOPHER C	CHARLES ROBERT	MEDLIN	1725 MARGARET RIDGE DR	MATTHEWS NC	28105	
2021-213	22706523	EISENHAEUER	ANTHONY W	STACY K	EISENHAEUER	7014 CAMROSE CROSSING LN	MATTHEWS NC	28104	
2021-213	22706524	MCVICKER	CHRISTOPHER A	LAVONTA J	MCVICKER	1109 SHELTON OAKS CT	MATTHEWS NC	28105	
2021-213	22706525	CASH MONEY INVESTMENTS GROUP LLC				PO BOX 1177	MATTHEWS NC	28106	
2021-213	22706526	MARTINIE	DAN	SHAUNA	MARTINIE	1119 SHELTON OAKS CT	CHARLOTTE NC	28270	
2021-213	22706527	MAHALE	ADIT	NAINA	MAHALE	1726 MARGARET RIDGE CT	CHARLOTTE NC	28270	
2021-213	22706532	THOMPSON	PRESTON	KELLY	THOMPSON	1004 ARBORFIELD DR	MATTHEWS NC	28105	
2021-213	22706533	KHOSLA	RAJESH	MONIKA	KHOSLA	942 ARBORFIELD DR	MATTHEWS NC	28105	
2021-213	22706534	DEATON	ADELE	KEVIN	TROGDON	936 ARBORFIELD DR	MATTHEWS NC	28105	
2021-213	22706535	SCHUETTE	CYNTHIA J			1605 ARBORFIELD COMMONS CT	MATTHEWS NC	28105	
2021-213	22706536	GUSTA	LAIMA V			1611 ARBORFIELD COMMONS CT	MATTHEWS NC	28105	
2021-213	22706537	LEVITZ	MARK	AMY	LEVITZ	1617 ARBORFIELD COMMONS CT	MATTHEWS NC	28105	
2021-213	22706538	MERTEN	GREGORY J	CHRISTIE LYNN	MERTEN	4709 COBURN CT	CHARLOTTE NC	28277	
2021-213	22706539	HERRING JR	JAMES G	HEATHER W	HERRING	1616 ARBORFIELD COMMONS CT	MATTHEWS NC	28105	
2021-213	22706540	GRIFFIN	MEGAN ELIZABETH KOHLER			1610 ARBORFIELD COMMONS CT	MATTHEWS NC	28105	
2021-213	22706541	CASEY	BRETT THOMAS	SHANNON MACK	CASEY	1604 ARBORFIELD COMMONS CT	MATTHEWS NC	28105	
2021-213	22744334	SAWYER	DAVID B	STEPHANIE S	SAWYER	936 IBERVILLE ST	CHARLOTTE NC	28270	
2021-213	22744335	RYBAK	DAVID W	KIMBERLY	RYBAK	928 IBERVILLE ST	CHARLOTTE NC	28270	
2021-213	22744336	SMITH	RAYMOND	JENNIFER	SMITH	920 IBERVILLE ST	CHARLOTTE NC	28270	
2021-213	22744337	JAFFA	BROOKS FOSTER	RUPAL KASBEKAR	JAFFA	912 IBERVILLE ST	CHARLOTTE NC	28270	
2021-213	22744338	BASHORE	ROBERT S	ELIZABETH	BASHORE	900 IBERVILLE ST	CHARLOTTE NC	28270	
2021-213	22744339	JONES	MICHAEL W		MAXINE A SEIVWRIGHT	901 IBERVILLE ST	CHARLOTTE NC	28210	
2021-213	22744340	RINGLEY	RICHARD T	MARY ALICE	DIXON	903 IBERVILLE ST	CHARLOTTE NC	28270	
2021-213	22744341	BARTEL	KYLE D	SHERI W	BARTEL	911 IBERVILLE ST	CHARLOTTE NC	28270	
2021-213	22744342	GREEN	STALEY	DEBBIE R	GREEN	919 IBERVILLE ST	CHARLOTTE NC	28270	
2021-213	22744343	SULLIVAN	JAMES M	CHRISTINE G	SULLIVAN	927 IBERVILLE ST	CHARLOTTE NC	28270	
2021-213	22744344	CHOPRA	NEENA			935 IBERVILLE ST	CHARLOTTE NC	28270	
2021-213	22744345	DOAK	TRAVIS A	MARCY S	DOAK	943 IBERVILLE ST	CHARLOTTE NC	28270	

EXHIBIT A (Continued)

Neighborhood Organizations:

2021-213	ORGANIZATION_NAME	FIRST_NAME	LAST_NAME	STREET_ADDRESS	UNIT_NUM	CITY	STATE	ZIP
2021-213	Alexander Brack	Elizabeth	Holland	7935 Alexander Rd		Charlotte	NC	28270
2021-213	Alexander Hall Owners Association	David	Murray	6709 Alexander Hall Drive		Charlotte	NC	28270
2021-213	Candlewyck Homeowners Association	Willian	Majercsik	2307 Lawton Bluff Rd		Charlotte	NC	28226
2021-213	Cedars East	Charles A.	Newton	6536 Cedar Croft Dr		Charlotte	NC	28270
2021-213	Deerfield	Angela	Johnson	8022 Providence Road, Suite 500/162		Charlotte	NC	28277
2021-213	Dixie/Berryhill Community	Sue	Friday	6725 Brookfield Pl		Charlotte	NC	28270
2021-213	Hembstead	Ken	Kerr	2221 Hogan Ct		Charlotte	NC	28270
2021-213	Huntington Homeowners Association	Charles	Forrest	1241 Iverleigh Tr		Charlotte	NC	28270
2021-213	Huntington Homeowners Association	Ruth	Stanton	1115 Iverleigh Tr.		Charlotte	NC	28270
2021-213	Providence Springs	Doyle	George	3214 Springs Farm Ln		Charlotte	NC	28226

EXHIBIT B

NOTICE TO INTERESTED PARTIES OF A REZONING PETITION PETITION # 2021-213 Goldberg Companies – Legacy Arboretum

Subject: Rezoning Petition No. 2021-213
Petitioner/Developer: Goldberg Companies
Current Land Use: Residential
Existing Zoning: R-12MF(CD)
Rezoning Requested: R-12MF(CD)SPA

Date and Time of Meeting: *February 3, 2022 at 6:00 p.m.*

Virtual Meeting Registration: *Please send an email to Keith MacVean at keithmacvean@mvalaw.com to receive a secure meeting link.*

Date of Notice: 1/20/2022

We are assisting Goldberg Companies (the “Petitioner”) on a recently filed request to rezone an approximately ±43-acre site located on the eastern side of Hugh Forest Rd., south of Highway 51 Pineville-Matthews Rd. (the “Site”) from R-12MF(CD) to R-12MF(CD)SPA. The request would allow the redevelopment of the portion of the Site located on the western property boundary adjacent to Hugh Forest Rd. The rezoning plans would allow the removal of 66 older existing units located in this portion of the Site and proposes to replace them with 300 new units, a net increase of 234 units.

The existing units located on the eastern portion of the Site will not be affected and will remain as currently developed. There are 200 existing units located in this portion of the Site that will remain in place.

The rezoning petition will add a new public street access to the Site from Hugh Forest Dr. as well as a new private street access from Pineville Matthews Road. The existing access to the Site via Echo Forest Dr. will remain. The proposed site plan will maintain a 100-foot buffer along the southern property line and 75-foot buffers along Hugh Forest Rd. and Hwy. 51. The proposed site plan indicates open space amenities such as landscaping, seating areas, hardscape elements and shade structures.

In accordance with local and state orders in place to prevent the further spread of COVID-19, the Petitioner will hold a **Virtual Community Meeting** to discuss this rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning, Design and Development Department’s records indicate that you are either a representative of a registered neighborhood organization or an owner of property near the Site.

Accordingly, we are extending an invitation to participate in the upcoming Virtual Community Meeting to be held on February 3, 2022, at 6:00 p.m.

Please send an email to Keith MacVean at keithmacvean@mvalaw.com in order to receive a secure virtual meeting link and reference Petition #2021-213.

Residents who expect they will be unable to access the virtual meeting or have questions about this matter are asked to email Keith MacVean or call **704-331-3531** to make alternative arrangements to receive the presentation information. Presentation materials will be shared upon request after the virtual meeting.

Representatives of the Petitioner look forward to discussing this exciting rezoning proposal with you at the Virtual Community Meeting. Thank you.

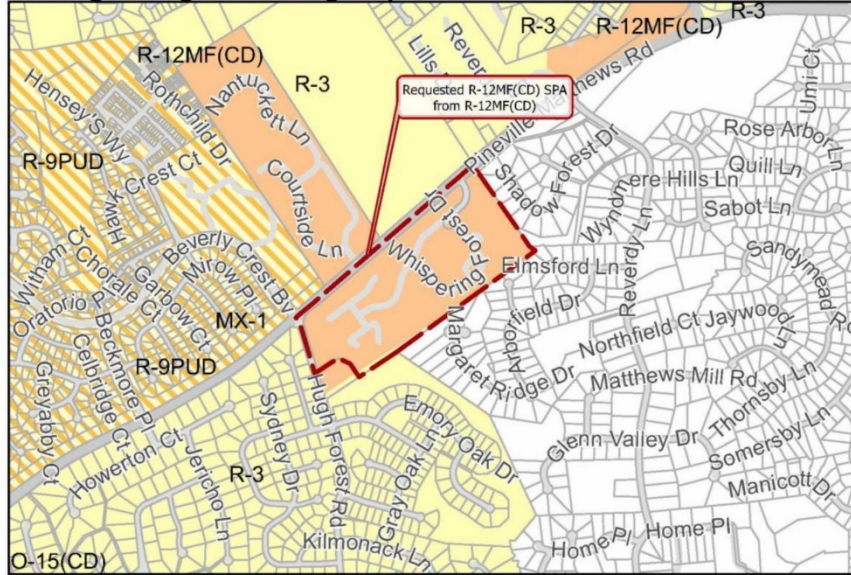
cc: Edmund Driggs, Charlotte City Council District 7 Representative
David Pettine, Charlotte Planning, Design and Development Department
Ryan Linker, Goldberg Companies
CHAR2\2519753v1

EXHIBIT B (continued)

Jeff Brown, Moore & Van Allen, PLLC
Keith MacVean, Moore & Van Allen, PLLC

Site location:

Existing Zoning & Rezoning Request



Aerial Site Location:



EXHIBIT C

Amy Levitz	13144522259	Jermeliah Martin
Beth Buchanan	+13157203004	Jill Kraynak
chan	+16316726181	Joe Culik
Chen	+17042772658	John Koslick
Chris McVicker	+17043514176	Jon Profita
Daniel Stanton	+17043520438	k
Dick	+17044437251	Kyle B
dick neidich	+17044437251	Laurie McWilliams
Donna Ackerman	+17044437251	Lesly Carlton
Ed Driggs	+17044918322	Lesly Carlton
Edwards, Matt	+17046170153	Lily Li
Eric Bell	+17046518771	Lisa Dovoedo
Flavio Almeida	+17049042127	Mark Levitz
Jim and Chris Sullivan	+17049681721	Mike
john	+18034871461	Neena Chopra
Katherine Caylor	+18288352285	Neena Chopra
Kathy	+19199955599	Nengfeng Zhou
Keith MacVean	Adele	P Nagpal
Kim Wojnowich	Ali Buzanowski	Patricia Lausier
Kurt Bock	Amy	Paul Marvin
Kyle B	B	Paula Core
Laura Reid (Kimley-Horn)	B	Paula Core
Laurie	brad	Peter Anderson
Linwei	Brian Wheeler	Ray
Marcy Kelley	Carrie Rabinowitz	Rebecca Shelton
Mark Levitz	Chunyi	Steve And maxine horowitz
Mark Levitz	Chunyi	Terri Boyd
Marla Mahon	CK	Tom Seddon
Matt Papes	Dan	Tony Mecia
Megan Lu	Dan	Tricia Coorey
Meha Shah	Daniel Stanton	VH
Melissa Miller	Darrin Williams	Yaoguo
Michelle Chen	Darrin Williams	Zhike Jiang
Norman Glazer	David Williams	Zhike Jiang
Paul Marvin	David Williams	
Rich Buchanan	David Williams	
Richard Brizzi	Dorothy Shapiro	
Richard Brizzi	Elizabeth Bashore	
Robert Linse	Gambella	
Ryan Linker	Grace	
Shan Yan	Graig Harr	
Tao Hong	Green	
Tom Molitor	Green	
Walter ^	Greg Bullard	
+12025771868	Huan	
+13019437241	jeff shelton	
	Jeffrey Dunnigan	