

OFFICIAL COMMUNITY MEETING REPORT

Petitioner: Levine Properties

Rezoning Petition No. 2022-099

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning, Design and Development Staff 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 written notice of the date, time and virtual format for 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 November 15, 2022. A copy of the written notice is attached hereto as Exhibit B.

DATE, TIME AND FORMAT OF MEETING:

The Virtual Community Meeting was held on Wednesday, December 7th at 7:00 p.m. via the Zoom platform.

Recipients of the notice letter were directed to RSVP for a link to the virtual meeting via email or phone to a member of the Petitioner's team. Members of the community who were unable to access the virtual meeting were directed to email or call a member of the Petitioner's team and could be provided with a copy (including a mailed paper copy, if necessary) of the meeting presentation.

MEETING PARTICIPATION:

The Virtual Community Meeting had twenty-six (26) total attendees at the start of the meeting, as listed in Exhibit C. The Petitioner was represented at the Community Meeting by Daniel Levine, as well as by Petitioner's agents Jeff Orsborn with Orsborn Engineering, and Collin Brown, Brittany Lins, and Lisa Larkins with Alexander Ricks PLLC.

SUMMARY OF PRESENTATION/DISCUSSION:

Mr. Collin Brown welcomed the attendees and introduced the Petitioner's team, using a PowerPoint presentation, attached hereto as Exhibit D. Mr. Brown showed aerials and street views of the approximately 0.94-acre site located at the southeast intersection of Commonwealth Avenue and The Plaza, north of East Independence Boulevard. He recognized that it is close to the "heart" of Plaza Midwood and adjacent to the existing Julian residential development, which was built by the Petitioner's team. The site currently contains an empty parking lot and was formerly the Charlotte Fire Department Credit Union, which now has a temporary location across the street.

Mr. Daniel Levine spoke as the Petitioner to give background of his family's long history in the Plaza Midwood neighborhood. He discussed the development of the Julien residential multi-family building adjacent to the proposed rezoning site, which he believed has been well-received. He recognized the evolution of Plaza Midwood and expected increased density to be balanced with the desire to preserve the character of the neighborhood. He believed that the site is uniquely situated to provide higher density given its proximity to the light rail and location along Independence Boulevard.

Mr. Brown explained that there are often many competing considerations that a developer must take into account, including transportation requirements, environmental constraints, council priorities, and community feedback. He stated that this property is currently zoned O-2 (office) with a PED (pedestrian) overlay. The recently adopted (but not effective until June 1, 2023) Unified Development Ordinance will automatically translate the site to the NC (neighborhood center) zoning district upon the effective date. The recently-adopted 2040 Policy Map, on the other hand, recommends the Community Activity Center (CAC) placetype, which promotes a mixture of higher density uses. He showed several examples of the CAC placetype, with goals of a well-connected, walkable place located within a 10-minute walk, bike, or transit trip of surrounding neighborhoods. CACs are mid-sized mixed-use areas, typically along transit corridors or major roadways that provide access to goods and services. Mr. Brown explained that although the rezoning is being requested under the current ordinance prior to the effective date of the UDO, the Petitioner's team is incorporating some of the vision of the CAC placetype, such as the proposed building height with bonus provisions.

Mr. Brown emphasized the multi-modal options available from the site, including the silver line, gold line, Independence bus route, signed bike lanes, and greenways.

The proposed rezoning is for the MUDD-O (mixed use – optional) zoning district to accommodate a maximum of 175 residential units and 12,000 square feet of ground-floor commercial uses. The Petitioner anticipates that the Charlotte Fire Department Credit Union may be one of the commercial tenants. The proposed maximum building height is 150 feet. An optional provision is proposed to allow for a potential drive-up accessory window to accommodate remote access to a potential bank use, targeted for the Charlotte Fire Department Credit Union.

Mr. Levine emphasized several commitments that the Petitioner's team will continue to evaluate and provide further details on as the rezoning process evolves, including: building materials, how the building meets the street, how the access points will be integrated into Commonwealth and The Plaza, and how the commercial/retail uses will interact with the pedestrian environment. Mr. Levine also expressed a desire to help facilitate the expansion of usable open space for the neighborhood. He mentioned that approximately seventy feet of right-of-way exists between the site's rear property line and the proposed light rail sidewalk. He believes this area could serve as a linear park for the neighborhood.

Mr. Brown concluded the presentation by explaining the rezoning timeline which could result in a public hearing in January and decision in February, at the earliest, but more time may be needed to continue coordinating with neighborhood organizations. The virtual meeting was then opened for discussion via the "chat box" function and "raise hand" function on Zoom:

Several community leaders provided their contact information to continue coordinating discussions. The Petitioner's team reached out to these community leaders to schedule follow-up discussions after the community meeting concluded.

In response to questions about building height, the Petitioner's team estimated that the proposed 150-foot maximum height would equal approximately eleven (11) stories. In response to an attendee's question about the proposed height at the nearby redevelopment at Pecan Avenue and Central Avenue by Crosland Southeast, the Petitioner's team stated that a portion of that site appears to be zoned to the TOD-UC zoning district which would typically accommodate 130 feet of building height by-right, with up to 300 feet permitted with the inclusion of bonus provisions. Bonus provisions might entail increased open space, EV charging stations, or affordable housing commitments, among others.

One attendee commented that they believed the proposed 150-foot building height was out of scale to the surrounding buildings. Mr. Brown agreed that the proposed building is taller than the current surroundings, but they expect that more density and height will come to the surrounding area in the future and be more consistent with the proposed rezoning going forward.

Several attendees commented on parking availability concerns in the Plaza Midwood area, including street parking taken up by apartment residents. The Petitioner's team stated that they intend to provide a minimum of one parking space per unit as well as some parking for the commercial uses on the ground floor. Mr. Levine recognized that there must be a balance between the amount of available parking and the City's goals of encouraging alternative modes of transportation to make Charlotte less of a car-centric community. While some developers are building sites with zero parking, the Petitioner intends to accommodate all resident parking on-site.

In response to an attendee's inquiry regarding a proposed linear park in the rail line silver line right-of-way at the rear of the property, Mr. Levine stated that they would be willing to contribute to its construction and help design the area in coordination with CATS and the City Planning Department. Another attendee commented that he liked the idea of rear activation along the greenway.

An attendee asked whether the Petitioner knew of any plans for another grocery store in the area, noting that the existing Harris Teeter struggles with parking and product availability. The Petitioner's team was unaware of any grocery store plans but opined that a future store would require more space than the small shops in the center of Plaza Midwood so the more likely location would be further down Central Avenue.

In response to a question related to future plans for other nearby properties owned by the Petitioner, Mr. Levine responded that the Petitioner's business strategy is for long-term investment into these sites. There are currently no plans to change the existing residences owned by Levine along Commonwealth and McClintock. The Petitioner's long-term strategy emphasizes quality and architectural detail for their projects because they plan to hold them for a long time and continue their investment in a way where they are motivated to make the buildings last.

An attendee asked if the Petitioner could evaluate a 4-way stop sign at Commonwealth and St. Julien since there is a stop sign at all other intersections on Commonwealth except at this location in front of the Julien. Another community member echoed the desire for a stop sign here. The Petitioner's team said they would evaluate the possibility and discuss it with CDOT.

The meeting concluded at approximately 8:00 p.m.

Respectfully submitted this 12th day of December 2022.

cc: Holly Cramer, Charlotte-Mecklenburg Planning Department

Exhibit A

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

2022-099	ORGANIZATION_NAME	FIRST_NAME	LAST_NAME	STREET_ADDRESS	UNIT_NUM	CITY	STATE	ZIP
2022-099		Kevonna	Martin	1348 Green Oaks Lane, Unit B		Charlotte	NC	28205
2022-099	Advent Coworking	Kevin	Giriunas	1925 Chatham Ave.		Charlotte	NC	28205
2022-099	Belmont	Anna	Glodowski	1209 Pegram Street		Charlotte	NC	28205
2022-099	Belmont	Bess	Hurdle	1015 E. 16th Street	223	Charlotte	NC	28205
2022-099	Belmont	Mark	Lynch	1021 Harrill Street		Charlotte	NC	28205
2022-099	Belmont	Tara	Peele	1640 Parson Street		Charlotte	NC	28205
2022-099	Belmont Community Association	Adrienne	Martinez	916 Allen Street		Charlotte	NC	28205
2022-099	Belmont Community Association	Diane	Adams	1615 Pegram St		Charlotte	NC	28205
2022-099	Belmont Community Association	Edward	Glodowski	1233 Pegram St		Charlotte	NC	28205
2022-099	Belmont Community Association	Kristen	Paulet	1201 Pegram Street		Charlotte	NC	28205
2022-099	Belmont Community Association	Kristen	Wilson	1201 Pegram Street		Charlotte	NC	28205
2022-099	Belmont Community Association	Teresa	Reid	1020 Belmont Avenue		Charlotte	NC	28205
2022-099	Belmont Community Association	Vicki	Jones	1237 Allen St		Charlotte	NC	28205
2022-099	Belmont Neighborhood Association	Lindsay	Olson	1116 E 15th St		Charlotte	NC	28205
2022-099	Berkeley Homeowners Association Inc.	Allan	Morgan	1600 Parson St		Charlotte	NC	28205
2022-099	Chantilly Neighborhood Association	Jonathan	Story	2414 Bay St.		Charlotte	NC	28205
2022-099	Chantilly Neighborhood Association	Rick	Winiker	2101 Shenandoah Ave		Charlotte	NC	28205
2022-099	Chantilly Neighborhood Association	Rick	Winiker	2121 Chesterfield Av		Charlotte	NC	28205
2022-099	Chantilly on the Green	FLORENTINA	ROSSELL	2705 Shenandoah Avenue		Charlotte	North Carolina	28205
2022-099	Commonwealth	Larry	Nabatoff	1208 The Plaza		Charlotte	NC	28205
2022-099	Commonwealth-Morningside Neighborhood Association	Allen	Nelson	1509 Ivey Dr		Charlotte	NC	28205
2022-099	Commonwealth-Morningside Neighborhood Association	jeannie	fennell	1513 Ivey Dr		charlotte	NC	28205
2022-099	Commonwealth-Morningside Neighborhood Association	Joseph	Sweeney	2416 Commonwealth Ave		Charlotte	NC	28205
2022-099	Commonwealth-Morningside Neighborhood Association	Shane A.	Johnson	1308 Morningside Dr		Charlotte	NC	28205
2022-099	Crestdale Community Organization	Harvey	Boyd	1318 Saint Julien St		Charlotte	NC	28205
2022-099	Elizabeth	David	Wolfe	316 Cameron Avenue		Charlotte	NC	28204
2022-099	Elizabeth	Madison	Hall	2513 Vail Ave	1	Charlotte	NC	28207
2022-099	Elizabeth	Stylianios	Alatsis	100 N. Laurel Ave		Charlotte	NC	28207
2022-099	Elizabeth Community Association	Beth	Haenni	2133 Greenway Av		Charlotte	NC	28204
2022-099	Elizabeth Community Association	Claire	Short	2300 Greenway Ave		Charlotte	NC	28204
2022-099	Elizabeth Community Association	Evan	Kettler	100 North Laurel Avenue, #104		Charlotte	NC	28207
2022-099	Elizabeth Community Association	Jim	Belvin	624 Lamar Ave		Charlotte	NC	28204
2022-099	Elizabeth Community Association	Melanie	Sizemore	2309 Vail Av		Charlotte	NC	28207
2022-099	Elizabeth Community Association	Monte	Ritchey	525 Clement Av		Charlotte	NC	28204
2022-099	Elizabeth Community Association	Sarah	Crowder	2050 Greenway Avenue		Charlotte	NC	28204
2022-099	International House	Johnelle	Causwell	1817 Central Avenue	#215	Charlotte	NC	28205
2022-099	Midwood Central POA	Tom	Warshauer	1530 Tippah Park Court		Charlotte	NC	28205
2022-099	Picardy Homeowners Association	Gina	Collias	1717 Kensington Dr		Charlotte	NC	28205
2022-099	Plaza Central Partners Neighborhood Association	John L.	Nichols, III	1200 Central Av		Charlotte	NC	28204
2022-099	Plaza Midwood	Jessica	Moreno	1817 Central Avenue		Charlotte	NC	28205
2022-099	Plaza Midwood	Maggie	Bean	1713 Truman Road		Charlotte	NC	28205
2022-099	Plaza Midwood	Zyquandra	Bradley	1403 Eastcrest Drive	T2	Charlotte	NC	28205
2022-099	Plaza Midwood Land Use Group	Phillip	Gussman	2008 Winter Street		Charlotte	NC	28205
2022-099	Plaza Midwood Landuse Review	Hamilton	Cort	2020 Winter St		Charlotte	NC	28205

2022-099	Plaza Midwood Merchants Association	Lesa	Kastanas	1512 Central Ave	Unit A	Charlotte	NC	28205
2022-099	Plaza Midwood Neighborhood Association	Adam	Doerr	1926 Truman Road		Charlotte	NC	28205
2022-099	Plaza Midwood Neighborhood Association	Adam	Richman	1914 Dunhill Dr		Charlotte	NC	28204
2022-099	Plaza Midwood Neighborhood Association	Hamilton	Cort	2000 Winter St.		Charlotte	NC	28205
2022-099	Plaza Midwood Neighborhood Association	Karen	Van Sickler	1525 Thomas Avenue		Charlotte	NC	28205
2022-099	Plaza Midwood Neighborhood Association	Karl	Celis	1817 Hamorton Place		Charlotte	NC	28205
2022-099	Plaza Midwood Neighborhood Association	PMNA		1914 Dunhill Dr		Charlotte	NC	28204
2022-099	Plaza Midwood Neighborhood Association	Joey	Guy	2215 Winter St		Charlotte	NC	28205
2022-099	Plaza Midwood Shows Up	Jenna	Thompson	2012 Hamorton Pl		Charlotte	NC	28205
2022-099	Premier Foundation	Martez	Prince	3010 Monroe Rd #101		Charlotte	NC	28205

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 QUESTIONS. THANK

2022-099	TAXPID	OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
2022-099	08117608	1103 TH PLAZA ,LLC				204 WEST WOODLAWN RD UNIT C		CHARLOTTE	NC	28217
2022-099	08117611	1431 E INDEPENDENCE BLVD LLC				204 C WEST WOODLAWN RD		CHARLOTTE	NC	28217
2022-099	08117612	GOLDEN TRIANGLE #7 COMMONWEALTH LLC				PO BOX 2439		MATTHEWS	NC	28106
2022-099	08117613	WP COMMONWEALTH LLC				4064 COLONY RD STE 310		CHARLOTTE	NC	28211
2022-099	08117614	DEGRAPPO	MICHELLE	CLIFTON	CASTELLOE	2008 COMMONWEALTH AVE		CHARLOTTE	NC	28205
2022-099	08117615	SIPLON	LAZARO D	SHERILYN B TAMAYO	SIPLON	2000 COMMONWEALTH AVE		CHARLOTTE	NC	28205
2022-099	08117627	CITY OF CHARLOTTE				600 E 4TH ST		CHARLOTTE	NC	28202
2022-099	08117628	RHYNO PARTNERS COFFEE LLC				1217 THE PLAZA		CHARLOTTE	NC	28205
2022-099	12901201	ACCORD HOLDINGS GROUP III LLC				300 ROCKLYN PL	ATTN: ROY KOPPELMANN	CHARLOTTE	NC	28209
2022-099	12901202	ONE THOUSAND TWO HUNDRED & EIGHT THE PLAZA LLC				PO BOX 9086		CHARLOTTE	NC	28299
2022-099	12901203	GOLDEN TRIANGLE #7-COMMONWEALTH LLC				PO BOX 2439		MATTHEWS	NC	28106
2022-099	12901204	GOLDEN TRIANGLE #7- COMMONWEALTH LLC			C/O LEVINE PROPERTIES INC	PO BOX 2439		MATTHEWS	NC	28106
2022-099	12901205	GOLDEN TRIANGLE #7 - COMMONWEALTH LLC			C/O: LEVINE PROPERTIES INC	PO BOX 2439		MATTHEWS	NC	28106
2022-099	12901206	GOLDEN TRIANGLE #7-COMMONWEALTH LLC				PO BOX 2439	ATTN: LEVINE PROPERTIES INC	MATTHEWS	NC	28106
2022-099	12901207	GOLDEN TRIANGLE #7-COMMONWEALTH LLC				8514 MCALPINE PAKR DR STE 190		CHARLOTTE	NC	28211
2022-099	12901208	GOLDEN TRIANGLE #7-COMMONWEALTH LLC				PO BOX 2439	ATTN: LEVINE PROPERTIES INC	MATTHEWS	NC	28106
2022-099	12901209	GOLDEN TRIANGLE #7-COMMONWEALTH LLC			C/O LEVINE PROPERTIES INC	PO BOX 2439		MATTHEWS	NC	28106
2022-099	12901210	GOLDEN TRIANGLE #7-COMMONWEALTH LLC			C/O LEVINE PROPERTIES INC	PO BOX 2439		MATTHEWS	NC	28106
2022-099	12901212	GOLDEN TRIANGLE #7-COMMONWEALTH LLC			C/O LEVINE PROPERTIES INC	PO BOX 2439		MATTHEWS	NC	28106
2022-099	12901213	GOLDEN TRIANGLE #7-COMMONWEALTH LLC			C/O LEVINE PROPERTIES INC	PO BOX 2439		MATTHEWS	NC	28106
2022-099	12901214	GOLDEN TRIANGLE #7-COMMONWEALTH LLC				C/O LEVINE PROPERTIES INC	PO BOX 2439	MATTHEWS	NC	28106
2022-099	12901215	GOLDEN TRIANGLE #7-COMMONWEALTH LLC				8514 MCALPINE PARK DR		CHARLOTTE	NC	28211
2022-099	12901219	HERNANDEZ	ORLANDO			2116 MCCLINTOCK RD UNIT 111		CHARLOTTE	NC	28205
2022-099	12901220	FOSTER	LEROY L			14934 CREEKS EDGE DR		CHARLOTTE	NC	28278
2022-099	12901221	PURGASON	EDWARD MITCHELL JR			2116 MCCLINTOCK RD UNIT 113		CHARLOTTE	NC	28205
2022-099	12901222	DEPASQUALE	MATTHEW GRAY			909 HOLDER DR		GASTONIA	NC	28052
2022-099	12901223	SMITH	DANIEL	KATHLEEN	SMITH	2116 MCCLINTOCK RD UNIT 121		CHARLOTTE	NC	28205
2022-099	12901224	TEIXEIRA	DANNY			2116 MCCLINTOCK RD UNIT 122		CHARLOTTE	NC	28205
2022-099	12901225	123 PLAZA VU LLC				26136 FINCHER DR		RAPIDAN	VA	22733
2022-099	12901226	CARABALLO	WENDI L			3229 COMMONWEALTH AVE		CHARLOTTE	NC	28205
2022-099	12901227	RICHARDSON	CHRISTOPHER S			2116 MCCLINTOCK RD UNIT 131		CHARLOTTE	NC	28205
2022-099	12901228	GANT	TYLER J			2116 MCCLINTOCK RD UNIT 132		CHARLOTTE	NC	28205
2022-099	12901229	PITTMAN	ZACHARY P	MALLORY B	PITTMAN	2719 FORT ST		CHARLOTTE	NC	28205
2022-099	12901230	MCKIEVER	THOMAS M	FRANCIS	MCKIEVER	2116 MCCLINTOCK RD UNIT 134		CHARLOTTE	NC	28205
2022-099	12901231	DEVENNEY	CHARLES FRANCIS III			2116 MCCLINTOCK RD UNIT 211		CHARLOTTE	NC	28205
2022-099	12901232	SROKA	MICHAL	ANNA	SROKA	2116 MCCLINTOCK RD UNIT 212		CHARLOTTE	NC	28205
2022-099	12901233	ADEN	JEFFRY S			4121 YADKIN DR		RALEIGH	NC	27609
2022-099	12901234	COLLINS	KATHRYN S			2116 MCCLINTOCK RD UNIT 214		CHARLOTTE	NC	28205
2022-099	12901235	ABERNATHY	DAVID BENTON			2116 MCCLINTOCK RD UNIT 221		CHARLOTTE	NC	28205
2022-099	12901236	CLEVINGER	R BRENT III			2116 MCCLINTOCK RD UNIT 222		CHARLOTTE	NC	28205
2022-099	12901237	ARISTOTLE PROPERTIES LLC				1509 MARYLAND AVE		CHARLOTTE	NC	28209
2022-099	12901238	CAVALCANTI	MATHEUS FARIAS DE HOLANDA			2116 MCCLINTOCK RD STE 224		CHARLOTTE	NC	28205
2022-099	12901239	JUSTUS	SARA			2116 MCCLINTOCK RD UNIT 231		CHARLOTTE	NC	28205
2022-099	12901240	RICHARD	JOSHUA JAMES	ALISA KAYE	GIBSON	2116 MCCLINTOCK RD UNIT 232		CHARLOTTE	NC	28205
2022-099	12901241	BRAUN	PATRYK			2116 MCCLINTOCK RD UNIT 233		CHARLOTTE	NC	28205
2022-099	12901242	SENECA	MATTHEW JOSEPH			2116 MCCLINTOCK RD UNIT 234		CHARLOTTE	NC	28205
2022-099	12901301A	CHARLOTTE FIRE DEPARTMENT CREDIT UNION				2100 COMMON WEALTH		CHARLOTTE	NC	28205
2022-099	12901301B	GOLDEN TRIANGLE #7-COMMONWEALTH LLC				PO BOX 2439		MATTHEWS	NC	28106
2022-099	12901315	GOLDEN TRIANGLE #7-COMMONWEALTH LLC				ATTN: LEVINE PROPERTIES INC		MATTHEWS	NC	28106

Exhibit B

November 15, 2022

Alexander Ricks PLLC
1420 E. 7th St., Suite 100
Charlotte, North Carolina 28204

VIA US MAIL

NOTICE TO INTERESTED PARTIES OF REZONING COMMUNITY MEETING

Date: Wednesday, December 7th at 7:00 p.m.
Location: Virtual Meeting, RSVP for link (details provided below)
Petitioner: Levine Properties
Petition No.: 2022-099

Dear Charlotte Neighbor:

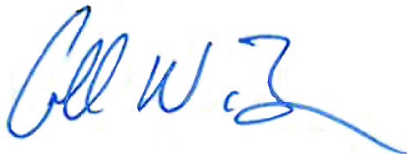
Our firm represents Levine Properties (the "Petitioner") in its proposal to rezone an approximately 0.94 acres located at the southeast intersection of Commonwealth Avenue and The Plaza, north of East Independence Boulevard. The Petitioner is requesting a rezoning from the O-2 (office) zoning district to the MUDD-O (mixed use development – optional) zoning district to accommodate its development plans. A property map is included for your reference.

In accordance with the requirements of the City of Charlotte Zoning Ordinance, the Petitioner will hold an Official Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this site plan amendment proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Commission's records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the Property.

The Official Community Meeting will be held virtually in accordance with guidance provided by the Charlotte Planning Design & Development Department. We invite you to attend the virtual Official Community Meeting via Zoom on **Wednesday, December 7th at 7:00 p.m.** If you are interested in attending the live virtual presentation and discussion session at the scheduled time, **please send an email to Lisa@alexanderricks.com and you will be provided with a link to RSVP and receive access information for the virtual meeting.** Please reference the property location ("Julian") in your email so we can send you the proper link.

If you expect you will be unable to access the virtual meeting and would like additional information, please contact Lisa@alexanderricks.com or call 980-498-6109 and we can make alternative arrangements for you to receive the rezoning information.



























Sincerely,



Collin W. Brown

Exhibit C

Find a participant

	Brittany Lins (Host, me)	 
CB	collin brown	
CB	Collin Brown	 
DL	daniel levine	 
JO	Jeff Orsborn	 
AH	Alex Hazen	 
	Allen Nelson (CMNA)	 
BG	Bob Glusenkamp	 
BC	Brian Conroy	
BH	Brooke Hadella	 
CE	Corey Erb	 
DT	Dale Trembley	 
DE	Dave Estochen	 








































	Dave Jones	 
	James Truchon	 
	Jason McAuliffe	 
	Jeannie Fennell	 
	Josh Richard	 
	Lisa Larkins	 
	Mason Sullivan	 
	MiYung T. & Lucas C.	 
	Pat Keul	 
	Phillip Gussman	 
	Stephanie Griffin	 
	Tom Markou	 
	Tracy Gregq	 

Exhibit D

REZONING #2022-099


@ COMMONWEALTH/PLAZA

LEVINE PROPERTIES

Official Community Meeting
December 7, 2022

Alexander
Ricks
PLLC

MEETING AGENDA

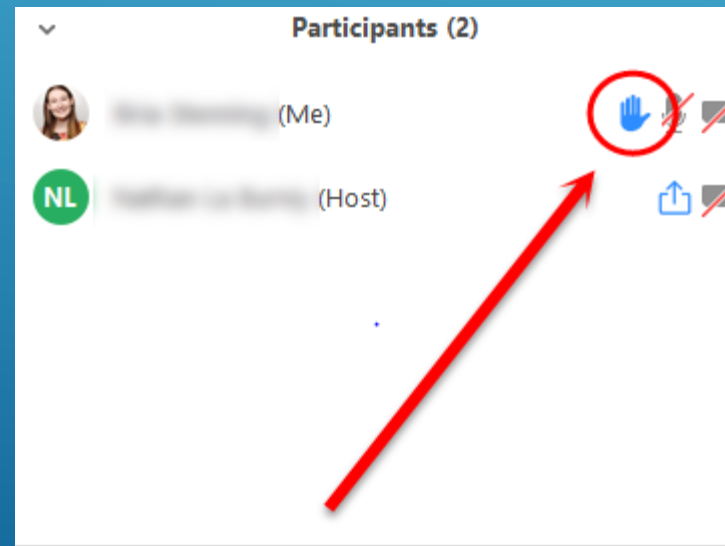
- Introductions
 - Property Location
 - Levine Properties Experience and Vision
 - Development Considerations
 - Current Zoning
 - 2040 Plan Recommendations
 - Proposed Rezoning Plan
 - Potential Rezoning Timeline
 - Questions/Discussion
- 
- Several thin, white, parallel diagonal lines are positioned in the bottom right corner of the slide, extending from the bottom edge towards the right edge.

AT THE END: QUESTIONS & DISCUSSION

Type your
questions



Or ask out loud



INTRODUCTIONS

Property Owner & Petitioner:

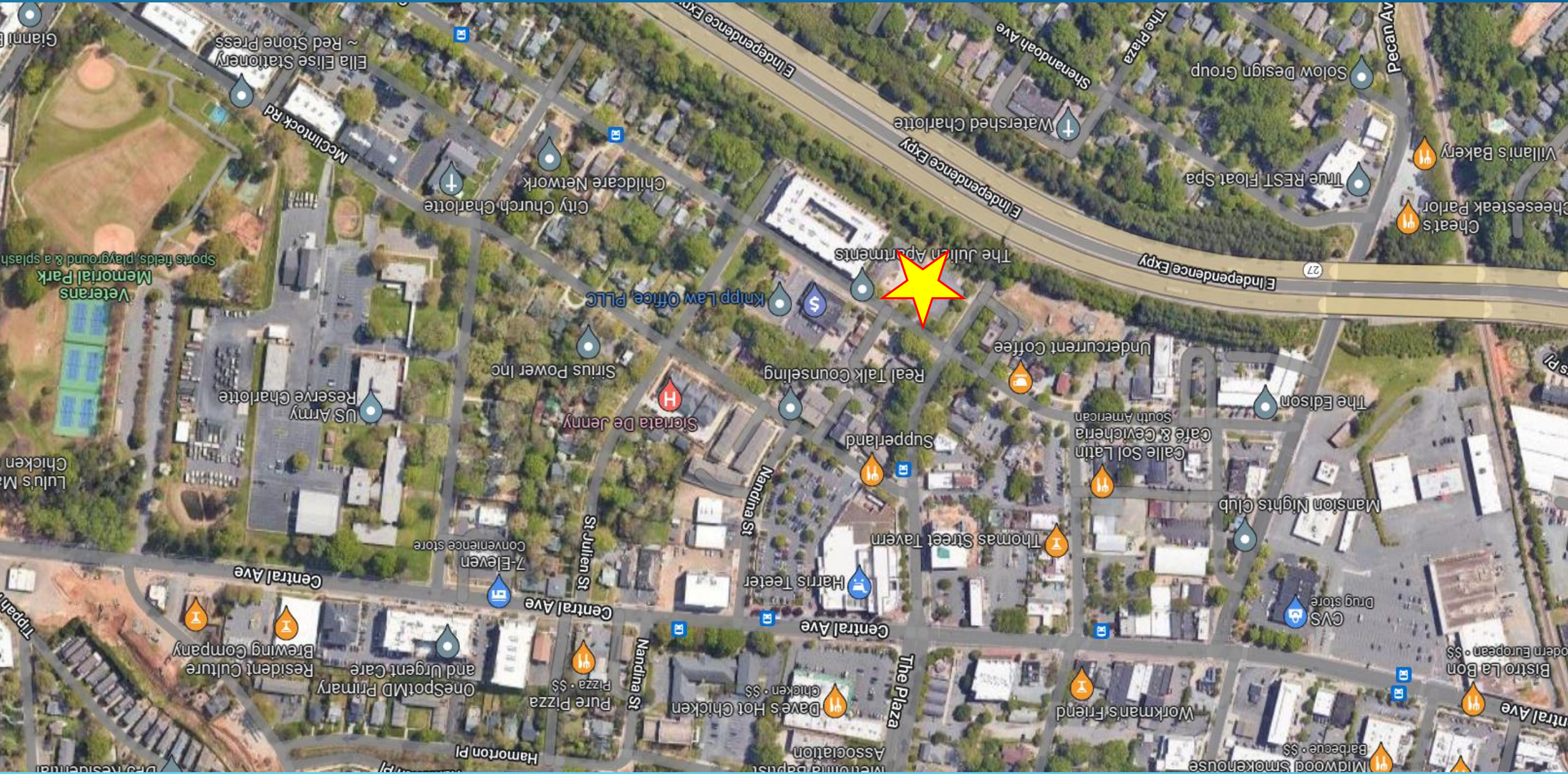


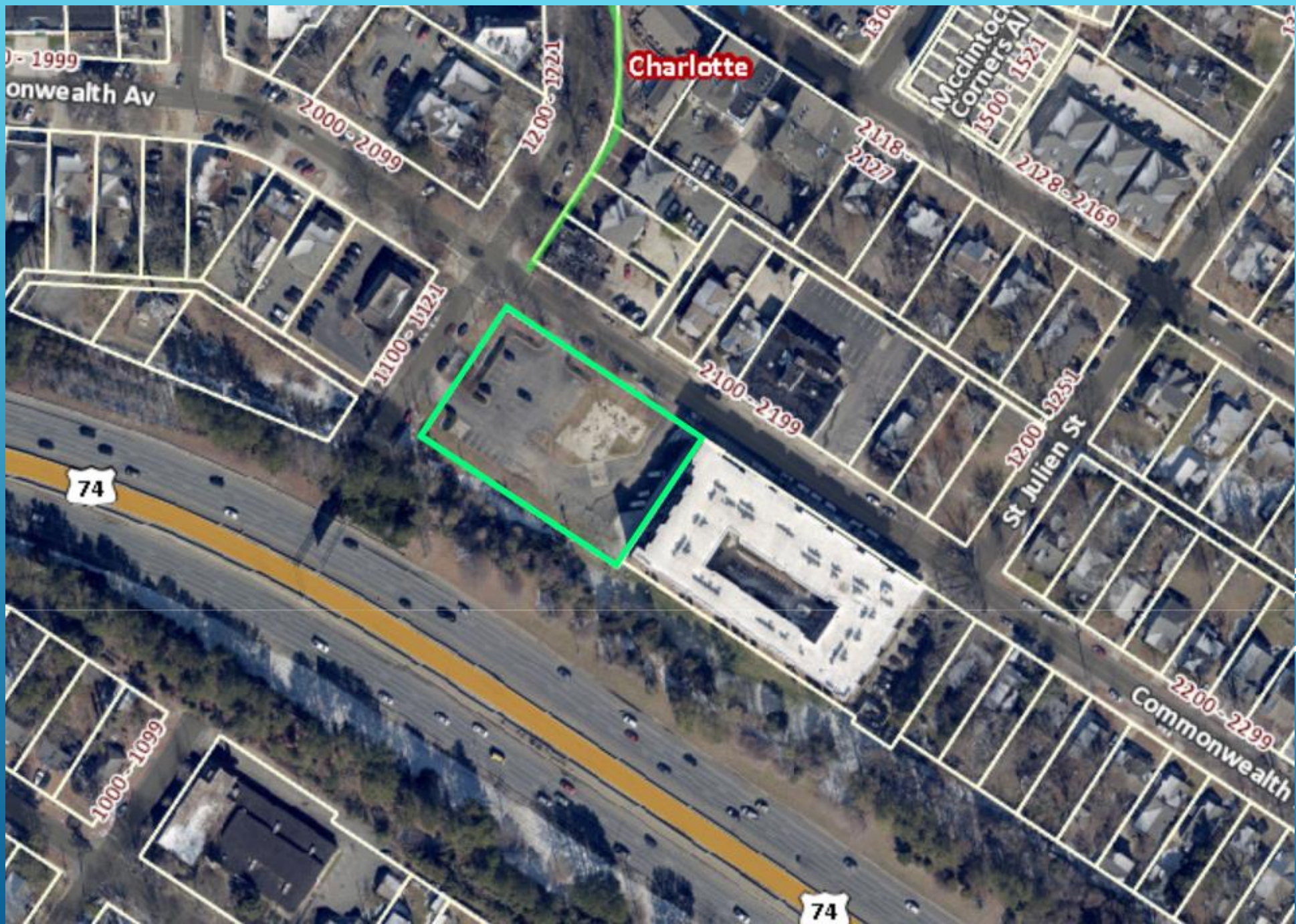
Daniel Levine

Alexander
Ricks
PLLC

Collin Brown &
Brittany Lins

PROPERTY LOCATION











1105 The Plaza



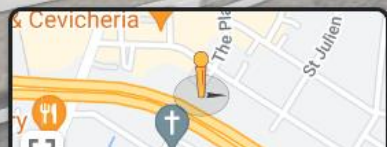
Charlotte, North Carolina



Google Street View

Sep 2022

[See more dates](#)



LEVINE HISTORY/VISION

Three parallel white lines of varying lengths are positioned in the bottom right corner of the slide, angled diagonally upwards from left to right.

The Charlotte Observer
BUSINESS

12-D

Sunday, June 19, 1960

They Parlayed \$1 A Night Into Three Success Stories

Champagne parties, tire chains and a \$2 limit.

If this sounds unorthodox, then you are on the way to understanding the three Levine brothers — Sherman, 30; Al, 27; and Leon, 23.

They earned their retail spurs in the family department store in Rockingham, known as The Hub. That store does about \$150,000 in sales a year.

This year, the brothers' separate businesses — all three of which have headquarters in the 1500-block of Central Avenue — will gross more than \$1½ million. Yet, the oldest of the operations, a chain of shoe stores owned by Al, was founded only three years ago.

Sherman, who operates a young men's clothing store, remembers running The Hub's military department during World War II at age 13. He even did all buying of military goods.

"Al and I did our lessons in the afternoon and worked at night. Daddy paid us a dollar a night and kept a record of it on a little white file card. Every 18 days, he'd buy a war bond for us.

"I made extra money by learning to sew. I sewed paratrooper patches on caps and picked up about \$4 a night." Camp McCall with several thousand servicemen was nearby.

In Charlotte, the brothers Levine operate independently of one another. Each specializes, underlining the family belief that this is the way to



THREE-TO-ONE THEY OWN IT — If Sherman, Al and Leon Levine (left to right) are walking as if they own the 1500-block of Central Avenue, there's a reason—they practically do. That is Sherman's clothing store in the background. (Observer photo—Walters)

a profit in today's competitive world.

Leon, the youngest, is the

newest on the scene. His Family Dollar Store Inc. has no item costing over \$2. He got the idea

from a Tennesseean who has a store with a top price of \$1. "I wanted to sell more soft goods and couldn't get as wide a variety as I wanted at the \$1 price so I went to \$2," he explained.

Grady's auditing office checks about 2,000 returns a year. These are referrals from the district collector in Greensboro who has pulled some of the returns because they have suspicious deductions and others merely on a spot check basis.

Grady's men are now checking 1958 returns. It is the 1960 return — which will be filed by taxpayers next year—that is going to get the closest scrutiny yet on expense account provisions.

IRS announced a few months

from a Tennesseean who has a store with a top price of \$1.

"I wanted to sell more soft goods and couldn't get as wide a variety as I wanted at the \$1 price so I went to \$2," he explained.

About 75 per cent of the merchandise is made in the Carolinas. Leon picks it up in bargain lots through factory overruns, closeouts and irregulars. He makes his money through lower overhead — customers serve themselves — and volume.

Business is so good that last week he opened a second store, next door to Park 'n Shop on Wilkinson Boulevard.

Sherman is perhaps the biggest promoter. He took over management of The Hub in 1948 because of his father's health. (Mr. Levine died the next year.) His widow, Mrs. Harry Levine, now lives in Charlotte with Sherman, her bachelor son.

One of Sherman's first acts was to rework the store's men's department into a specialty shop for young men. "We were amazed at the sales results."

Last year, he decided Charlotte "was a growing town where I wanted to be." He came, opened the city's only suburban specialty men's shop. "Charlotte is supposed to have 19,000 men between ages 19 and 29 by 1970."

Sherman originated such stunts as inviting 200 young executives to a champagne party in Sherman's Ltd., and stopping traffic with a Dixieland band in the store. This pulled about 1,000 people in





"If buildings could talk"

Charlotte's luckiest building?

By Tom Hanchett

It might be the luckiest building on the luckiest block in Charlotte. Two national Fortune 500 retailers got their start in this one hotspot in the heart of Plaza Midwood.

The double storefront at 1508-1510 Central Avenue doesn't look like much – and that's part of its charm. It's a one-story basic box, brick on the front with four stone or maybe concrete globes along the cornice. You could put a different small store in each half or throw it together to create one medium-sized store.

It sits right up at the sidewalk, surrounded by a block of similarly affordable buildings. That's what makes Plaza Midwood so lively. You go there not for any one anchor store but for the jumble of entrepreneurial energies.

A young man named W.T. Harris (von W.T. Harris Boulevard now honors him) saw the



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Schedule a Tour



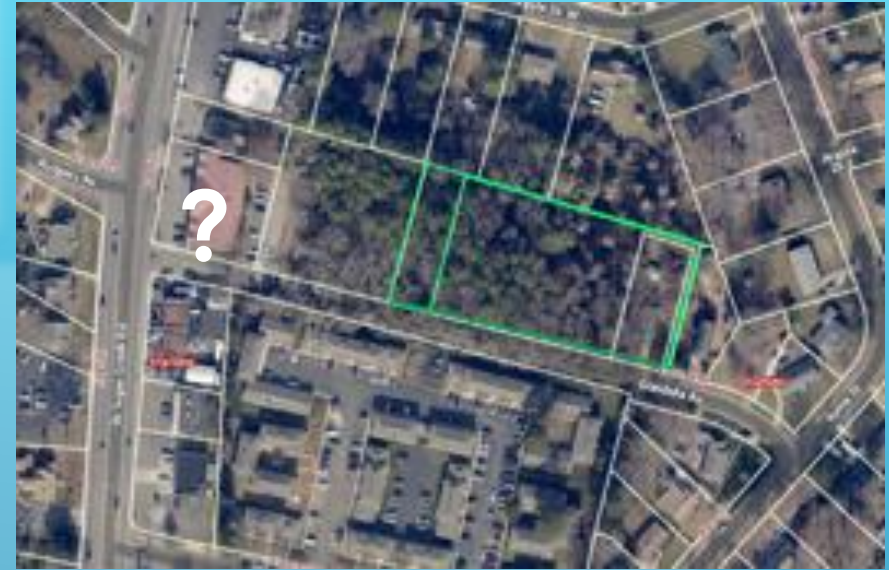


DEVELOPMENT CONSIDERATIONS



DEVELOPMENT CONSIDERATIONS

- ▶ Property Owner Requirements
- ▶ Existing Zoning
- ▶ Natural / Environmental Constraints
- ▶ Access / Transportation Requirements
- ▶ Adjacent Owner Concerns
- ▶ Ordinance / Policy Requirements (non-zoning, e.g., Stormwater, Tree)
- ▶ Adopted 2040 Plan and other Policy Recommendations
- ▶ City Priorities
- ▶ Adjacent Uses
- ▶ Broader Community Concerns
- ▶ Market Realities



REZONING PROCESS, GENERALLY



How to identify Conditional Rezoning:

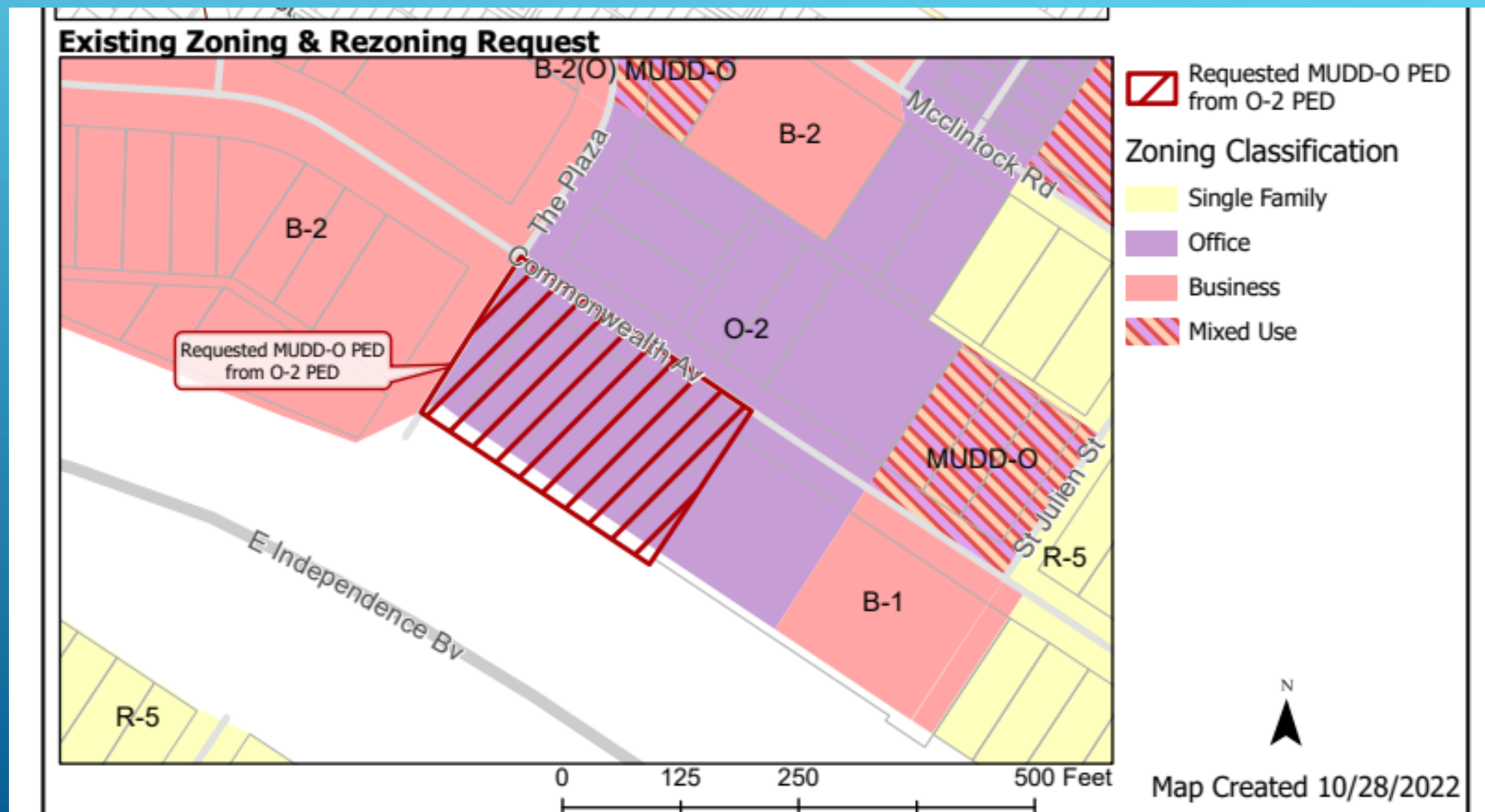
Conventional	Conditional
O-1	O-1(CD)*
TOD- UC	TOD- EX
	B-2(CD) SPA*
	NS, CC, RE-3, MX*

** Commits to standards that go beyond the base zoning ordinance requirements and are specific for each petition.*

*** Reduces or eliminates the base zoning ordinance standards, AND typically commits to other standards that go beyond the base zoning ordinance requirements. Also specific for each petition.*

EXISTING ZONING

CURRENT ZONING: O-2 PED



Zoning Translation and Rezoning

CONVENTIONAL ZONING

- ❖ Conventional zoning districts **translate** to UDO Zoning Districts on effective date
- ❖ Use UDO **Table 3-1** for UDO zoning districts translation
- ❖ Use Zoning Translation Map on CLTEX website

EXISTING ZONING

CONDITIONAL ZONING

- ❖ Conditional zoning districts will **not translate**
- ❖ Consider conditional zoning districts for **alignment zoning** after effective date during community area planning process
- ❖ Extensive **community engagement** will be done
- ❖ Conditional zoning **approved** under current/pre-UDO zoning regulations will also use current/pre-UDO land development regulations during permitting process

AUG 22, 2022

UDO Adoption

FEB 1, 2023

Start: File Conditional rezonings to UDO districts

Includes CTR requirements

MAR 1, 2023

Start: File Conventional rezonings to UDO districts

EFFECTIVE DATE: JUN 1, 2023

Translate Conventional zoning & rezonings to UDO districts

Begin processing UDO rezoning petitions

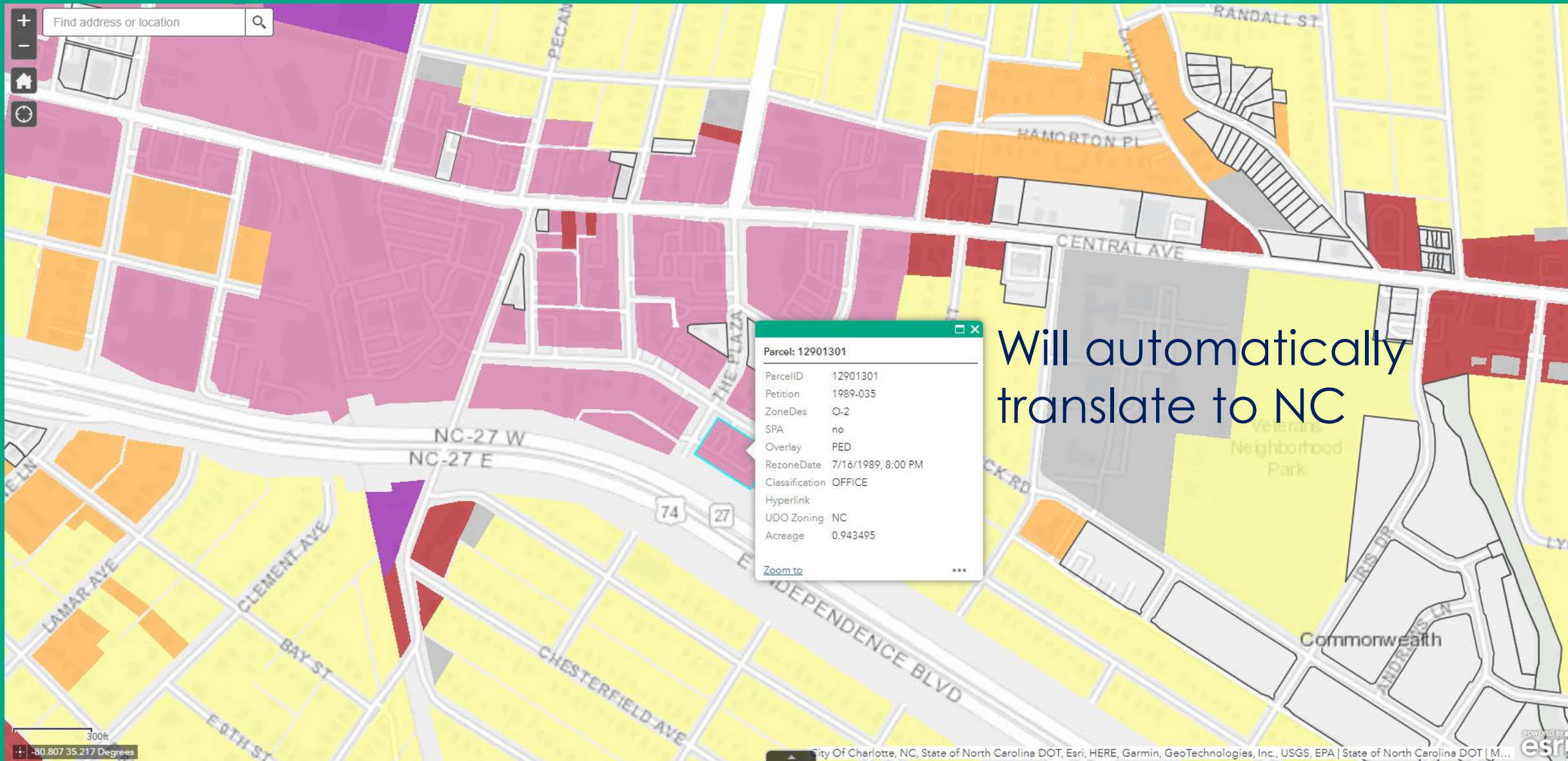
CONVENTIONAL REZONING

- ❖ All conventional rezoning petitions will **translate** to UDO zoning districts on effective date
- ❖ Conventional rezoning petitions for current/pre-UDO regulations:
 - Must be **filed** prior to March 1, 2023
- ❖ May **file** conventional rezoning petitions to UDO districts beginning March 1, 2023
- ❖ Beginning on the effective date, petitions to the UDO districts will be **processed** based on the order in which the petitions were submitted

REZONING

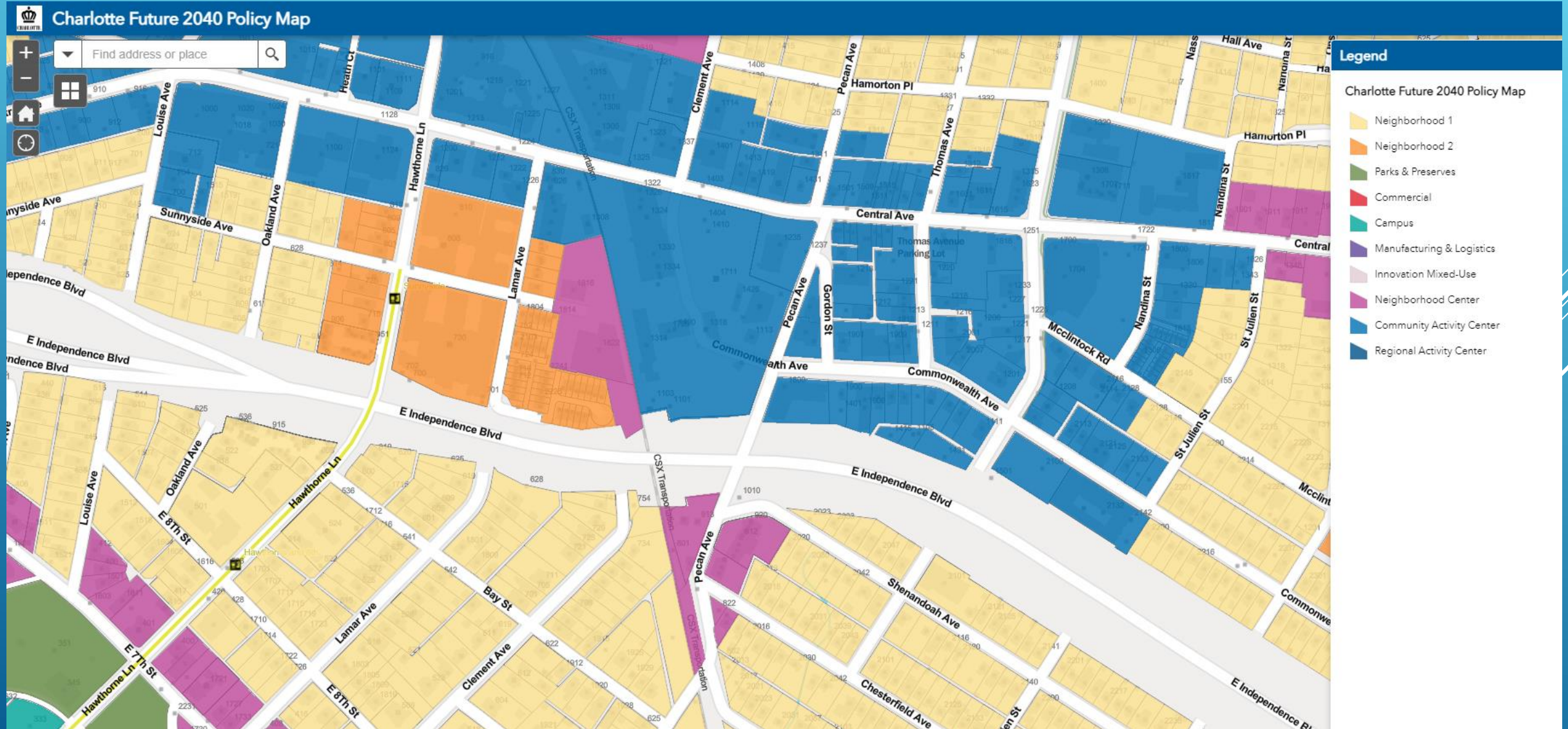
CONDITIONAL REZONING

- ❖ Conditional rezoning petitions for current/pre-UDO regulations:
 - Must be **filed** prior to February 1, 2023
 - May be **approved** before or after the effective date
 - Must be **approved** within 9 months of effective date (by March 1, 2024)
- ❖ May **file** conditional rezoning petitions to UDO districts (including CTR requirements) beginning Feb 1, 2023
- ❖ Beginning on the effective date, petitions to the UDO districts will be **processed** based on the order in which the petitions were submitted



2040 POLICY MAP RECOMMENDATION

2040 RECOMMENDATION: COMMUNITY ACTIVITY CENTER



Place Types: Community Activity Center



Goal: Provide places that have a concentration of primarily commercial and residential activity in a well-connected, walkable place located within a 10-minute walk, bike, or transit trip of surrounding neighborhoods.

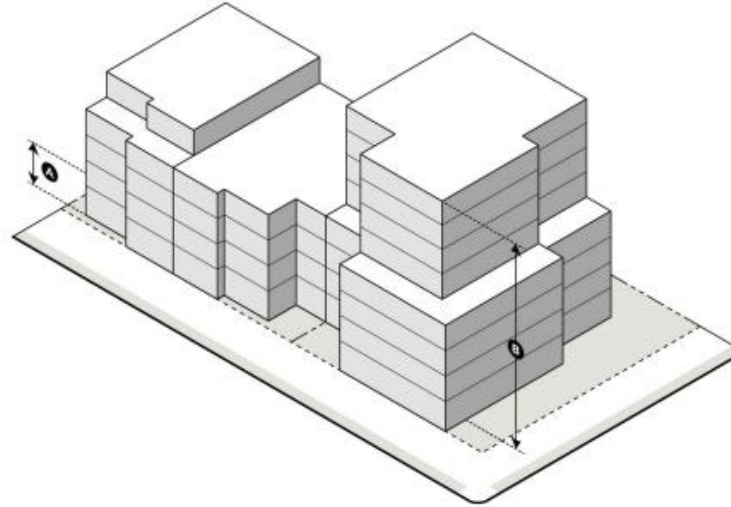
Community Activity Centers are mid-sized mixed-use areas, typically along transit corridors or major roadways, that provide access to goods, services, dining, entertainment, and residential for nearby and regional residents.



- A. Wide sidewalks with hardscape amenity zone or landscape zone
- B. Regular street trees on core streets
- C. Highly amenitized public realm with frequent open spaces
- D. Ground floors with retail, patios, or other active uses
- E. Upper story balconies and rooftop patios
- F. Improved multi-modal connectivity and mobility hub amenities
- G. Well-connected, amenity-rich transit stops
- H. On-street parking and screened or wrapped parking lots/structures

B. Building Height

Building height standards govern the minimum and maximum heights of buildings as applicable and are intended to provide flexibility while maintaining appropriate transitions to adjacent areas.

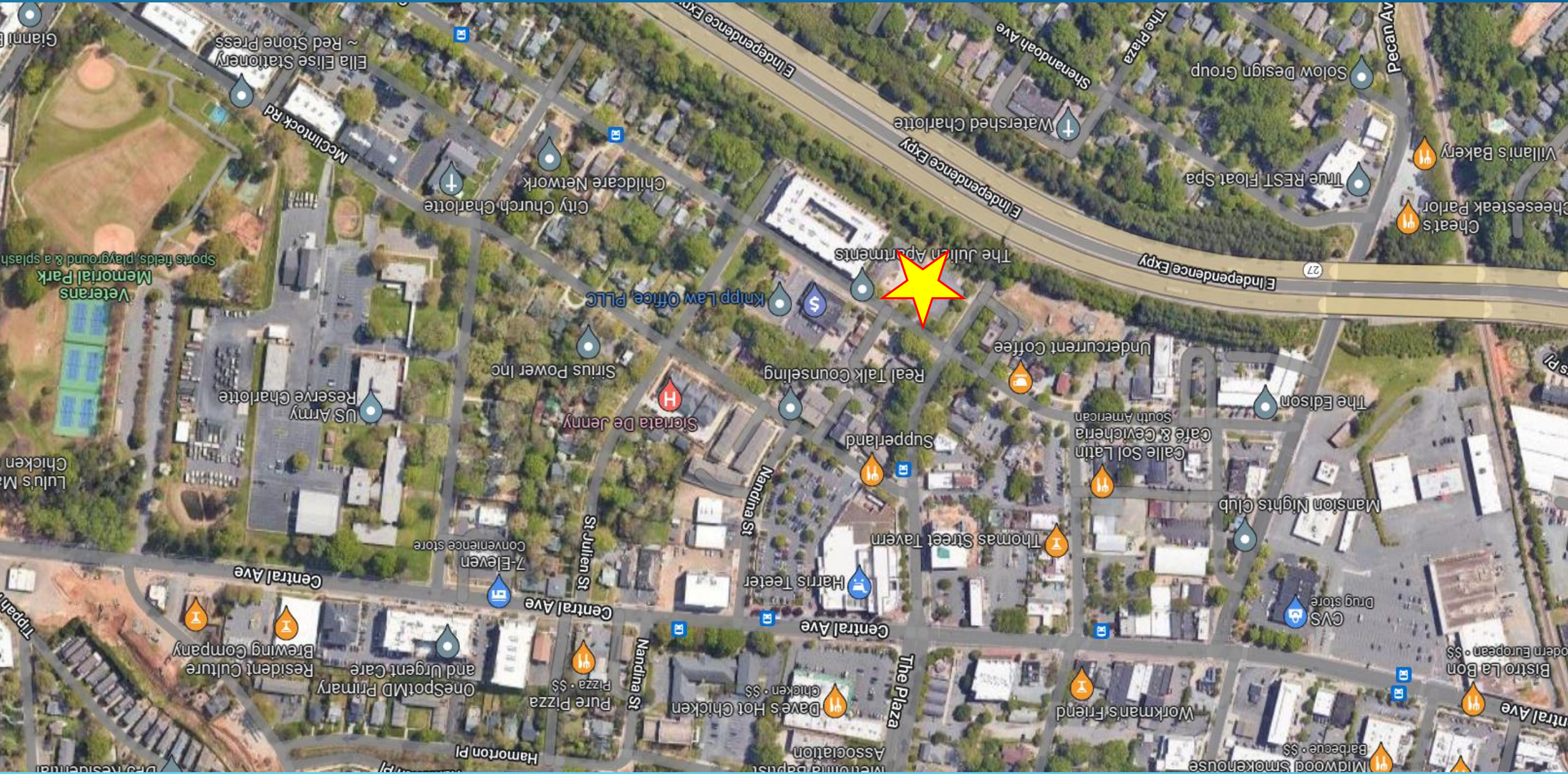


Community Activity Center Zoning Districts Building Height Standards			
		CAC-1	CAC-2
A	Minimum Building Height (feet) ¹		24
B	Maximum Building Height (feet) ^{2,3}	80	120
C	Maximum Height with Bonus (feet) (Section 16.3) ^{2,3}	120	200

¹ Lots of one-half acre in area or less are exempt from any applicable minimum building height requirements. Buildings of 2,000sf or less of gross floor area are exempt from any applicable minimum building height requirements.

² The height and location of structures may be restricted by the limitations set forth in the Code of Federal Regulations (CFR) Title 14 Part 77: Safe, Efficient Use, and Preservation of the Navigable Airspace. A notice of proposed construction FAA Form 7460-1 must be filed with the FAA for construction or alteration that impacts any of the imaginary surfaces as defined in 14 CFR Part 77, or is more than 200 feet in height above the ground at its site at least 45 days prior to construction. The Aviation Department Planning Division may serve as a point of contact for information regarding building notification requirements and obstruction evaluation.

³ The maximum building height of any structure within 200 feet of residential uses or vacant land in a Neighborhood 1 Place Type is limited as follows: That portion of a structure within the first 100 feet is limited to a maximum of 50 feet in height; that portion of a structure within 100 to 200 feet is limited to a maximum of 65 feet in height. These standards apply only to that part of a structure within the 200 foot distance. This limitation does not apply to public parks of three acres or greater within a Neighborhood 1 Place Type, nor to two or fewer adjacent parcels within a Neighborhood 1 Place Type.



MULTI-MODEL OPTIONS

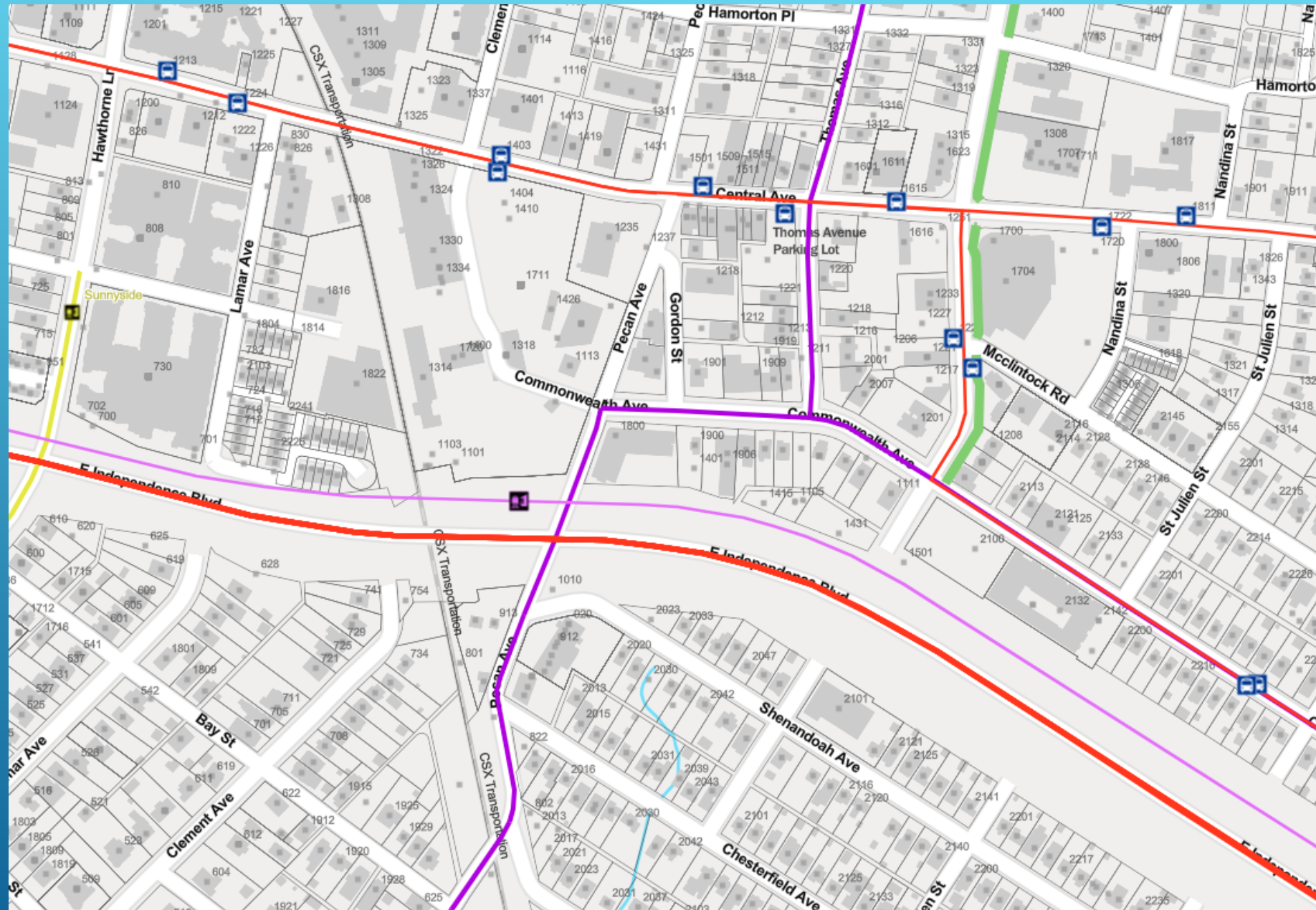
SILVER LINE

GOLD LINE

BUS ROUTE

SIGNED BIKE
LANE

GREENWAY



REZONING PROPOSAL

Three parallel white lines of varying lengths are positioned in the bottom right corner of the slide, angled diagonally upwards from left to right.

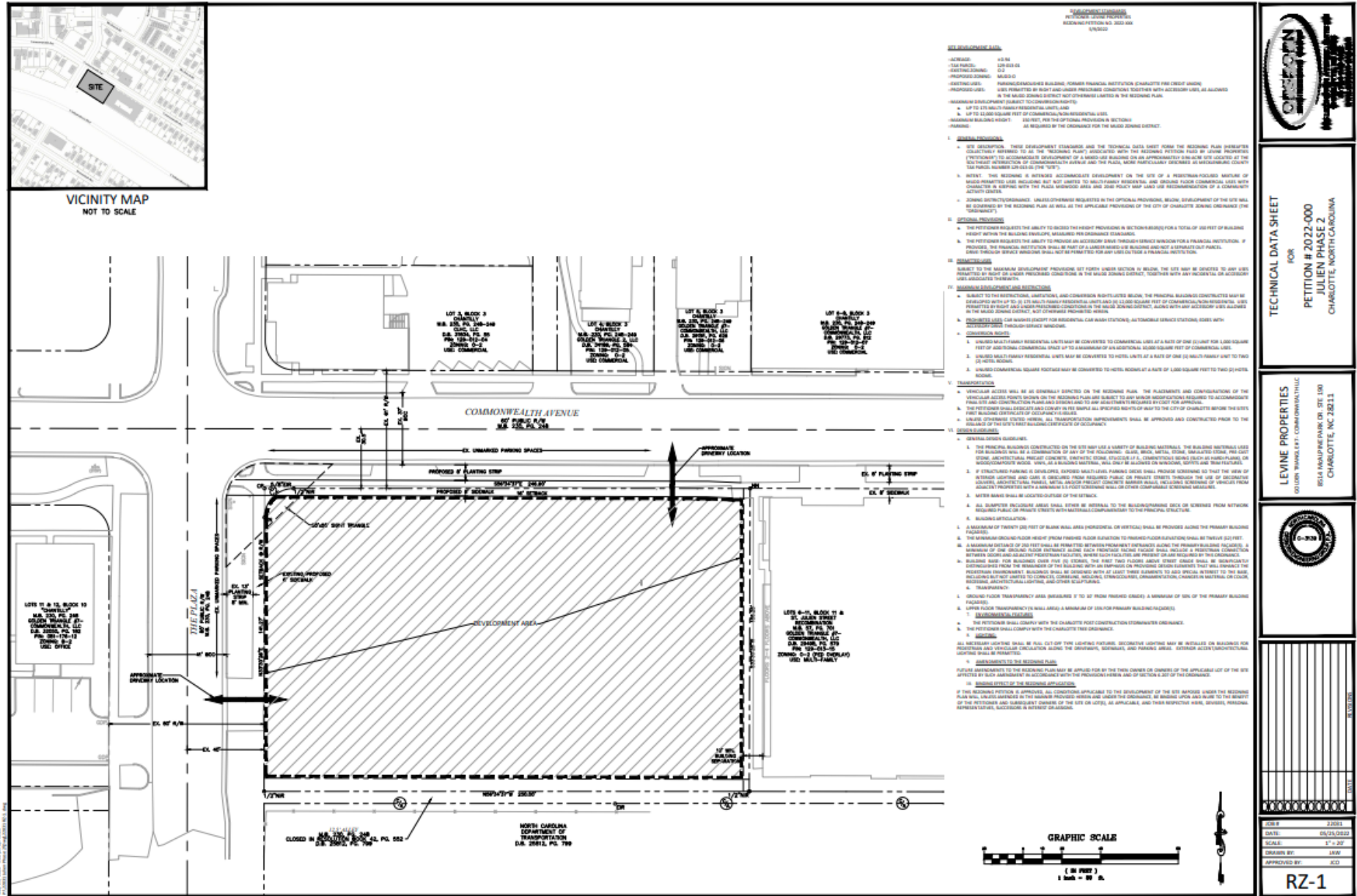
REQUESTING MUDD-O

MAX 175 UNITS

12,000 SF
COMMERCIAL

150' HEIGHT

OPTION FOR
DRIVE-UP



SITE DEVELOPMENT DATA:

- ACREAGE: ± 0.94
- TAX PARCEL: 129-013-01
- EXISTING ZONING: O-2
- PROPOSED ZONING: MUDD-O
- EXISTING USES: PARKING/DEMOLISHED BUILDING; FORMER FINANCIAL INSTITUTION (CHARLOTTE FIRE CREDIT UNION)
- PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED
 IN THE MUDD ZONING DISTRICT NOT OTHERWISE LIMITED IN THE REZONING PLAN.
- MAXIMUM DEVELOPMENT (SUBJECT TO CONVERSION RIGHTS):
 - a. UP TO 175 MULTI-FAMILY RESIDENTIAL UNITS; AND
 - b. UP TO 12,000 SQUARE FEET OF COMMERCIAL/NON-RESIDENTIAL USES.
- MAXIMUM BUILDING HEIGHT: 150 FEET, PER THE OPTIONAL PROVISION IN SECTION II
- PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD ZONING DISTRICT.

I. GENERAL PROVISIONS:

- a. SITE DESCRIPTION. THESE DEVELOPMENT STANDARDS AND THE TECHNICAL DATA SHEET FORM THE REZONING PLAN (HEREAFTER COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY LEVINE PROPERTIES ("PETITIONER") TO ACCOMMODATE DEVELOPMENT OF A MIXED-USE BUILDING ON AN APPROXIMATELY 0.94-ACRE SITE LOCATED AT THE SOUTHEAST INTERSECTION OF COMMONWEALTH AVENUE AND THE PLAZA, MORE PARTICULARLY DESCRIBED AS MECKLENBURG COUNTY TAX PARCEL NUMBER 129-013-01 (THE "SITE").
- b. INTENT. THIS REZONING IS INTENDED ACCOMMODATE DEVELOPMENT ON THE SITE OF A PEDESTRIAN-FOCUSED MIXTURE OF MUDD-PERMITTED USES INCLUDING BUT NOT LIMITED TO MULTI-FAMILY RESIDENTIAL AND GROUND FLOOR COMMERCIAL USES WITH CHARACTER IN KEEPING WITH THE PLAZA MIDWOOD AREA AND 2040 POLICY MAP LAND USE RECOMMENDATION OF A COMMUNITY ACTIVITY CENTER.
- c. ZONING DISTRICTS/ORDINANCE. UNLESS OTHERWISE REQUESTED IN THE OPTIONAL PROVISIONS, BELOW, DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").


II. OPTIONAL PROVISIONS

- a. THE PETITIONER REQUESTS THE ABILITY TO EXCEED THE HEIGHT PROVISIONS IN SECTION 9.8505(5) FOR A TOTAL OF 150 FEET OF BUILDING HEIGHT WITHIN THE BUILDING ENVELOPE, MEASURED PER ORDINANCE STANDARDS.
- b. THE PETITIONER REQUESTS THE ABILITY TO PROVIDE AN ACCESSORY DRIVE-THROUGH SERVICE WINDOW FOR A FINANCIAL INSTITUTION. IF PROVIDED, THE FINANCIAL INSTITUTION SHALL BE PART OF A LARGER MIXED-USE BUILDING AND NOT A SEPARATE OUT-PARCEL. DRIVE-THROUGH SERVICE WINDOWS SHALL NOT BE PERMITTED FOR ANY USES OUTSIDE A FINANCIAL INSTITUTION.

REZONING TIMELINE

- Rezoning Application: October Cycle
- Official Community Meeting: Today, December 5th
- Revised Plan Submittal: December 12th
- Earliest Possible Public Hearing: January 17, 2023
- Zoning Committee: January 31, 2023
- Earliest Possible Decision: February 20, 2023

COMMUNITY PRIORITIES?

- ▶ Public Realm
 - ▶ Design
 - ▶ Open Space
 - ▶ Uses
- 
- A series of white diagonal lines of varying lengths and thicknesses, located in the bottom right corner of the slide.

QUESTIONS?

THANK YOU!