



THE GOODYEAR HOUSE/3024 N. DAVIDSON  
Community Meeting Report  
Petitioner: AJ Klenk  
Rezoning Petition 2022-181

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 Zoning 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 US Mail on Wednesday, March 22<sup>nd</sup>, 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 Wednesday, April 5<sup>th</sup>, 2023 at 6:30pm in the rear garden of The Goodyear House (3024 N. Davidson Street, Charlotte, NC 28205)

**Persons in Attendance at the Meeting (see attached copy of sign-in sheet):**

The Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit C. The Petitioner was represented at the Community Meeting by Sean Potter (The Goodyear House) and Chip Cannon (LaBella Associates).

The Petitioner's Agent, Chip Cannon, was prepared to begin the meeting at 6:30 but no invitees had arrived. At approximately 6:35, 2 individuals arrived for the meeting. After waiting another 4-5 minutes for any other late arrivals, Mr. Cannon introduced himself and Mr. Potter and welcomed the attendees to the meeting. He briefly explained the rezoning process and intent of the Petitioner in rezoning the property and noted the purpose of the meeting was to discuss the rezoning request and plan and answer questions and address concerns from the community.

Mr. Cannon explained the purpose of the rezoning is to amend the site plan associated with the property zoning to allow outdoor dining. He provided the history leading up to the rezoning... the restaurant The Goodyear House opened about a month before the pandemic-related shutdown. When public officials began limiting the ability of non-essential businesses and public spaces to remain open for people/patrons, the owners decided to immediately invest in expanding the restaurant's outdoor space into the rear garden of the site next door. They wanted to provide an outdoor-based place for the neighborhood residents to come and safely gather. They also felt it was important to provide jobs for affected service industry employees and a critical step to remain solvent as a business. Mr. Potter of GYH provided additional information about the process and success of the outdoor expansion, despite not knowing they were in violation of the Conditional Site Plan associated with current zoning of the property (the current site plan illustrates the space as a parking lot). Mr. Cannon then explained the following: as a part of routine



inspection by the county, the zoning department was notified of the use as outdoor dining. The zoning department then notified the owner they were in violation of the approved conditional site plan as approved via rezoning in 2013. The GYH ownership and agents proposed a Site Plan Amendment process to address the issue but staff recommended the full rezoning to MUDD-O. Mr. Cannon noted that the rezoning would change conditions and plan of the property to allow the Petitioner to use the space for outdoor dining as is currently taking place on the site today and that this is different than the parking lot as currently allowed/prescribed. Nothing about the site would be changing. Mr. Potter explained that the ownership group is looking into new EDEE-based use for the building on site but it would be done within the current structure. Mr. Cannon reviewed the rezoning site plan with the guests.

The attendees, both neighbors to the rear of the site, noted they're happy the rezoning is simply to allow the existing use. They had 2 questions...

- 1) They asked about the large deodar cedar and if it'd be staying. Mr. Cannon said the tree will be staying and explained that it's the most important asset of the whole site. He also pointed out that if the currently approved site plan were constructed, the tree would have to be removed to build parking per plan.
- 2) They asked about parking. Mr. Potter explained that GYH had recently leased parking spaces in a nearby parking lot for use by their patrons. He said the restaurant has made a concerted effort to educate their patrons about proper parking in the neighborhood (don't park on residential streets) – they have information on their website about parking and provide information when reservations are confirmed.

After asking those questions and stating they had no other questions, the attendees stayed and chatted with Mr. Potter and Mr. Cannon about the changes of the neighborhood over the years. They agreed that it's good to see such positive development in the neighborhood but it does come with challenges. They thanked Mr. Potter for hosting the meeting and left.

In addition to this required community meeting, the Petitioner presented the project at the NoDa NBA meeting on the evening of Tuesday, April 4<sup>th</sup> as recommended by the organization.

The preceding minutes represent the author's understanding of the matters discussed at the Community Meeting.

Respectfully submitted, this 10<sup>th</sup> day of April, 2023.

LABELLA ASSOCIATES, D.P.C.

Chip Cannon, RLA Senior Landscape Architect

Cc: Charlotte Planning, Design & Development Department – Rezoning Staff

# Exhibit A

2022-181	ORGANIZATION_NAME	FIRST_NAME	LAST_NAME	STREET_ADDRESS	UNIT_NUM	CITY	STATE	ZIP
2022-181		Brionna	Spells	3327 N DAVIDSON ST	105	Charlotte	NC	28205
2022-181		Leah	Massey	406 Hilo Dr	D	Charlotte	NC	28206
2022-181		Matt	Toffey	3027 N. Myers St.		Charlotte	NC	28205
2022-181		Nicole	D Peterson	3013 Whiting Avenue		Charlotte	NC	28205
2022-181		Sarah	Edwards	2120 N Brevard St	120	Charlotte	NC	28206
2022-181		Vincent	Bidez	1120 E. 36th St.		Charlotte	NC	28205
2022-181	Dillehay Courts	Lucille	Puckett	2621 N Pine St		Charlotte	NC	28206
2022-181	Graham Heights	Kathryn	Johnson	2762 catalina ave.		Charlotte	North Carolina	28206
2022-181	Graham Heights Neighborhood Association	Jeff	Pharr	419 Norris Ave		Charlotte	NC	28206
2022-181	Highland Mill Montessori Parent- Teacher Association	Tatjana	Eres	3201 Clemson Avenue		Charlotte	NC	28205
2022-181	Noda	Dr. Rodriguez	Finley	2120 N.Brevard street		Charlotte	North Carolina	28202
2022-181	NoDa Neighborhood & Business	Lauren	Schalburg	816 E 37th Street		Charlotte	NC	28205
2022-181	NoDa Neighborhood and Business Association	Jacob	Horr	3401 Benard Avenue		Charlotte	NC	28206
2022-181	NoDa Neighborhood Association	Chad	Maupin	1109 East 35th St		Charlotte	NC	28205
2022-181	NoDa Neighborhood Association	Chamiese	Marion	1120 Leigh Avenue		Charlotte	NC	28205
2022-181	NoDa Neighborhood Association	Hollis	Nixon	3409 Ritch Av		Charlotte	NC	28206
2022-181	NoDa Neighborhood Association	Sid	Baxi	3007 North McDowell St		Charlotte	NC	28205
2022-181	NoDa Vision	Jon	Branham	2604 Pinckney Av		Charlotte	NC	28277
2022-181	None	Mary	Brown	1211 Parkwood Ave		Charlotte	NC	28205
2022-181	Northend Partners Neighborhood Organization	Carol	Burke	3815 N Tryon St.		Charlotte	NC	28206
2022-181	Plaza Midwood Neighbrohood Association	Lisa	Proud	2836 Georgia Ave		Charlotte	NC	28205
2022-181	Plaza Shamrock Neighborhood Association	Jimmy	Royster	3735 McMillan Street		Charlotte	NC	28205
2022-181	Plaza Shamrock Neighborhood Association	Stephanie	Phelps	3735 McMillan Street		Charlotte	NC	28205
2022-181	Robinson Community Association	Clara	Konzelmann	3400 Ritch Av		Charlotte	NC	28206
2022-181	University Park Improvement Association	Hattie	Watkins	845 Woodside Av		Charlotte	NC	28205
2022-181	Villa Heights	Allison	Horinko	1109 Leigh Ave		Charlotte	NC	28205
2022-181	Villa Heights Community Organization	Abby	Seymour	701 E 26th Street		Charlotte	NC	28205
2022-181	Villa Heights Community Organization	Angela	Ambroise	701 E 26th Street		Charlotte	NC	28205
2022-181	Villa Heights Community Organization	Chantelle	Morales	2105 Yadkin Ave		Charlotte	NC	28205
2022-181	Villa Heights Community Organization	Jason	Mathis	1209 Grace St		Charlotte	NC	28205
2022-181	Villa Heights Community Organization	Max	Carroll	1813 Parson Street		Charlotte	NC	28205
2022-181	Villa Heights Land Community Organization	Elise	Berman	2112 Yadkin Ave		Charlotte	NC	28205
2022-181	Villa Heights Neighborhood Association	Anne	Monsted	1100 Woodside Avenue		Charlotte	NC	28205

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2022-181	TAXPID	OWNERLASTN	OWNERFIRST	MAILADDR1	CITY	STATE	ZIPCODE
2022-181	08307101	NEIGHBORHOOD PROPERTIES LLC		2929 FOREST PARK DR	CHARLOTTE	NC	28209
2022-181	08307102	3001 YADKIN LLC		2929 FOREST PARK DR	CHARLOTTE	NC	28209
2022-181	08307103	LOVE	TYLER ORR	3007 YADKIN AVE	CHARLOTTE	NC	28205
2022-181	08307104	WEBSTER	ROBERT S	6624 STEVENS MILL RD	MATTHEWS	NC	28104
2022-181	08307105	SIKES	CARROLL D	3019 YADKIN AVE	CHARLOTTE	NC	28205
2022-181	08307106	NALLS	CARL WILLIAM	3025 YADKIN AVE	CHARLOTTE	NC	28205
2022-181	08307107	HUBER	JASON ESKWITH	3031 YADKIN AVE	CHARLOTTE	NC	28205
2022-181	08307108	HILL	ANGELA S	3037 YADKIN AVE	CHARLOTTE	NC	28205
2022-181	08307109	DRIGGS	CHRISTOPHER LEE	11801 RIVERHAVEN DR	CHARLOTTE	NC	28214
2022-181	08307110	SYED	WAJABAT	10906 TAVERNAY PKWY	CHARLOTTE	NC	28262
2022-181	08307111	LEONARD	PHYLLIS H	1800 CAMDEN ST STE 107-248	CHARLOTTE	NC	28203
2022-181	08307112	GOODYEAR HOUSE NODA REAL ESTATE LLC		3032 NORTH DAVIDSON ST	CHARLOTTE	NC	28205
2022-181	08307113	SEDNA INC		10906 TAVERNAY PY	CHARLOTTE	NC	28262
2022-181	08307114	MDH PURPLE HOLDINGS LLC		1850 E 3RD ST STE 125	CHARLOTTE	NC	28204
2022-181	08307115	WITHERSPOON	FRANCELLA ARNOLD	PO BOX 16757	CHARLOTTE	NC	28297
2022-181	08307116	CORRIGAN & JOHNSTON CASTING INC		3006 N DAVIDSON ST	CHARLOTTE	NC	28205
2022-181	08307514	DAWSON	DOUGLAS	3046 YADKIN AVE	CHARLOTTE	NC	28205
2022-181	08307515	THOMAS	MARK R	3040 YADKIN AVE	CHARLOTTE	NC	28205
2022-181	08307516	BALL	PAMELA S	3036 YADKIN AVE	CHARLOTTE	NC	28205
2022-181	08307517	FISHER	TERRY	3030 YADKIN AV	CHARLOTTE	NC	28205
2022-181	08307518	LAFAYETTE	DANIEL ROBERT	3024 YADKIN AVE	CHARLOTTE	NC	28205
2022-181	08307519	POLAND	DAVID J	3020 YADKIN AVE	CHARLOTTE	NC	28205
2022-181	08307520	PUCKETT	WILLIAM L JR	3014 YADKIN AVE	CHARLOTTE	NC	28205
2022-181	08307801	WRPV XIII HIGHLAND CHARLOTTE LP		30 SOUTH WACKER DR STE 3600	CHICAGO	IL	60606
2022-181	08307809	CORRADI	KIMBERLY M	480 E 33RD ST	CHARLOTTE	NC	28205
2022-181	08307810	MILLER	CAROLINE CAPPS	1235 EAST BLVD SUITE 206	CHARLOTTE	NC	28203
2022-181	08307811	KURZYDLOWSKI	ROBERT	472 E 33RD ST	CHARLOTTE	NC	28205
2022-181	08307812	JARRETT	JASON L	468 E 33RD ST	CHARLOTTE	NC	28205
2022-181	08307813	HOCK	BENJAMIN	464 E 33RD ST	CHARLOTTE	NC	28203
2022-181	08307814	SHIRO	M LEWIS	500 WESTOVER DR UNIT 11085	SANFORD	NC	27330
2022-181	08307815	STRONG	LEAH	456 E 33RD ST UNIT 22	CHARLOTTE	NC	28205
2022-181	08307842	HIGHLAND PARK TOWNHOMES I OWNERS ASSOCIATION INC		2550 WEST TYVOLA RD STE 100	CHARLOTTE	NC	28217
2022-181	08308302	CREEDON	KEVIN A	3101 YADKIN AV	CHARLOTTE	NC	28205
2022-181	08308322	LANCASTER	HARRY L III	2942 HEGLER RD	CONCORD	NC	28025
2022-181	08308323	MILLER FARMS OF WILKES REAL ESTATE LLC		502 FINLEY ST	N WILKESBOROR	NC	28659
2022-181	08308324	HELFRICH	STEVEN W	513 E 34TH ST UNIT 103	CHARLOTTE	NC	28205
2022-181	08308325	MILLER FARMS OF WILKES REAL ESTATE LLC		502 FINLEY ST	N WILKESBOROR	NC	28659
2022-181	08308326	FOX	MICHELLE LORETTA	505 E 34TH ST STE 201	CHARLOTTE	NC	28205
2022-181	08308327	SHADDAY	RYAN	507 E 34TH ST UNIT 202	CHARLOTTE	NC	28205

# Exhibit A

2022-181	08308328	FISHKIN	ROBERT	3100 N DAVIDSON ST UNIT 203	CHARLOTTE	NC	28205
2022-181	08308329	KIM	TOMMY	13014 BRICKINGHAM LN	HUNTERSVILLE	NC	28078
2022-181	08308330	FALZARANO	JOHN	515 E 34TH ST UNIT 205	CHARLOTTE	NC	28205
2022-181	08308331	MULAGHA	SAYIWE	3100 N DAVIDSON ST UNIT 206	CHARLOTTE	NC	28205
2022-181	08308332	HALL	JAMES DOUGLAS	519 E 34TH ST	CHARLOTTE	NC	28205
2022-181	08308333	ALVES	MARGARETE S	521 E 34TH ST	CHARLOTTE	NC	28205
2022-181	08308334	HARIHARAN	SHOBA	523 E 34TH ST	CHARLOTTE	NC	28202
2022-181	08308335	VELIZ	RUBEN MIGUEL	525 E 34TH ST UNIT 304	CHARLOTTE	NC	28205
2022-181	08308336	CRAIG	ERIC	4609 COUNTRY LN	CHARLOTTE	NC	28270
2022-181	08308337	VILLARROEL	CONSTANZA L GONZALEZ	8207 BLUESAGE CR	CHARLOTTE	NC	28270
2022-181	08308401	Y M C A OF CHARLOTTE	& MECKLENBURG THE	400 E MOREHEAD ST	CHARLOTTE	NC	28202
2022-181	08308402	Y M C A OF CHARLOTTE	& MECKLENBURG THE	400 E MOREHEAD ST	CHARLOTTE	NC	28202

# Exhibit B

## NOTICE TO INTERESTED PARTIES OF COMMUNITY MEETING

Subject of Notice: Community Meeting – Rezoning Petition filed by AJ Klenk to rezone approximately 0.22 acres located on the south side of N. Davidson Street between 33<sup>rd</sup> St. and 34<sup>th</sup> St. to allow for outdoor dining on the site.

Date/Time of Meeting: Wednesday, April 5<sup>th</sup>, 2023, at 6:30pm

Place of Meeting: 3024 N. Davidson Street, Charlotte, NC 28205 (in the rear garden)

Petitioner: AJ Klenk

Petition Number: RZP-2022-181

We are assisting AJ Klenk (the “Petitioner”) with a Rezoning Petition filed with the Charlotte Planning, Design & Development Department seeking to rezone an approximately 0.22-acre site (the “Site”) located at 3024 N. Davidson Street, Charlotte, North Carolina (28205) from the TOD-MO zoning district to MUDD-O zoning district. The purpose of the rezoning is to allow for outdoor dining on the site as permitted use of the MUDD-O zoning district.

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, we give you notice that representatives of the Petitioner will hold a Community Meeting regarding this Rezoning Petition on **Wednesday, April 5<sup>th</sup>, 2023, at 6:30pm at 3024 N. Davidson Street** in the rear garden of the Site. The Petitioner’s representatives look forward to sharing this rezoning proposal with you and 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 contact Chip Cannon with LaBella Associates (704-414-1520 or ccannon@labellapc.com).

Cc: Dante Anderson, District 1 Councilmember

# Exhibit C

## 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: AJ Klenk

Rezoning petition Number 2022-181

April 5, 2023 @ 6:30pm

Name	Address	Phone	Email
Jason Huber	3031 YADKIN Ave	304 545 8302	JASONHUBER@GMAIL.COM
CARROLL SIKES	3019 YADKIN AVE	704 376-4684	CARROLL SIKES @ATT.NET

**\*Add additional sheets as needed\***