

COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2022-209

Petitioner: The Keith Corporation
Rezoning Petition No.: 2022-209
Property: ±1.62 acres located at 911 E. Morehead Street

This Community Meeting Report is being filed with the City of City Clerk and the Charlotte-Mecklenburg Planning, Design and Development Department pursuant to 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 4/19/2023. 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 Wednesday, May 3, 2023, at 6:00 PM. The Petitioner also met with Dilworth Land Use Committee at its April 10th meeting.

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 Jay Coleman with The Keith Corporation, Jeffrey Floyd and Pat Campbell with LS3P, and Ryan Lewis with Kimley-Horn. 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.

Mr. MacVean introduced the petitioner and team representatives to the participants. He explained the purpose of the meeting and the location of the 1.62-acre site at 911 E. Morehead Street, east of McDowell, and primarily developed with retail and restaurant uses. The site is zoned B-1 and part of the Midtown Morehead Cherry PED (pedestrian) overlay district. The proposed zoning is MUDD-O and some adjacent properties are also MUDD-O and UMUD zoning. There are also some office and business zoning districts within the Midtown Morehead Cherry PED overlay zoning district.

Mr. MacVean displayed the land use 2040 plan place type recommendation map that was adopted by the city last year. This parcel is listed in the Community Activity Center place type. The new UDO will have translations for the MUDD zoning district of CAC-2 zoning district on June 1st. The CAC-2 zoning district allows building heights up to 200 feet. He showed the approved petition #2021-092 – the Atrium Pearl Innovative district conditional plan which allows the same building height along E. Morehead as what is proposed by this petition. Rezoning this parcel will allow the site to be developed with up to 275,000 square feet of office uses and up to 15,000 square feet of ground floor retail and restaurant uses. The building height along E. Morehead would be limited to 100 feet which is what is allowed for the Atrium Pearl district plan. There would also be a required setback of 10 feet for the building façade along E. Morehead that is

over 80 feet in height. This height limit applies for the first 115 feet of the Site as measured from E. Morehead St. Buildings located further back on the Site may have building heights of up to 225 feet.

LS3P's Pat Campbell and Jeff Floyd worked on concept plans for the site. Mr. MacVean displayed several site plans for the roof view and ground floor views. Mr. Campbell reviewed the conceptual site plans and the questions they've had previously from the Dilworth community during the land use committee meeting. On the east side of the site, a portion of the building will be next to the property line, is a certain height and then steps back. He pointed out a terrace that sits on part of the parking deck. The parking structure has frontage on Morehead but is designed to screen parked cars and is designed to be integrated with the proposed office building design. There's an open space area for seating that is connected to the ground floor retail and restaurant spaces. Along Morehead, the setback is identical to that of Atrium's approved petition and will have plantings and trees.

Mr. Campbell went on to show the building footprints and the walkability feature between them. The ingress and egress will be from the new street to the north and circulate between the three buildings. Mr. Campbell shared several conceptual images of the elevations and ground floor retail spaces.

Mr. MacVean reviewed the proposed rezoning schedule with a public hearing on June 20, 2023, zoning committee on July 5, 2023, and then a decision on July 17, 2023, however this can change based on staff comments. He then opened the meeting up for questions.

II. Summary of Questions/Comments and Responses:

There were not any questions from the attendees.

There being no further comments, 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 as they arise.

cc: Danté Anderson, Charlotte City Council District 1 Representative
David Pettine, Charlotte Planning, Design and Development Department
Jay Coleman, The Keith Corporation
Jeff Brown, Moore & Van Allen, PLLC
Keith MacVean, Moore & Van Allen, PLLC

Exhibit A

Adjacent Owners:

| 2022-209 | TAXPID | OWNERLAST | OWNERFIRST | COWNERFIRS | COWNERLAST | MAILADDR1 | MAILADDR2 | CITY | STATE | ZIPCODE |
|----------|----------|--|-----------------|------------|----------------------------|-------------------------------|--------------------------|------------------|-------|---------|
| 2022-209 | 12305310 | DUKE ENDOWMENT THE | | | | 100 NORTH TRYON ST SUITE 3500 | | CHARLOTTE | NC | 28202 |
| 2022-209 | 12310101 | COVENANT PRESBYTERIAN CHURCH | | | | 1000 E MOREHEAD ST | | CHARLOTTE | NC | 28204 |
| 2022-209 | 12314108 | CLEVELAND | ROGER | | | 1128 DILWORTH CRESCENT RW | | CHARLOTTE | NC | 28203 |
| 2022-209 | 12314109 | HODGKINS | DAVID C | DONNA M | HODGKINS | 1132 DILWORTH CRESCENT ROW | | CHARLOTTE | NC | 28203 |
| 2022-209 | 12314110 | ENNA | DAVID R | DEBORAH J | ENNA | 1136 DILWORTH CRESCENT ROW | | CHARLOTTE | NC | 28203 |
| 2022-209 | 12314111 | BUNKNER | KATHRYN M | | | 1140 DILWORTH CRESCENT ROW | | CHARLOTTE | NC | 28206 |
| 2022-209 | 12314112 | WOJCIEHOWSKI | THOMAS | JULIA | WOJCIEHOWSKI | 1144 DILWORTH CRESCENT ROW | | CHARLOTTE | NC | 28203 |
| 2022-209 | 12314113 | BRYSON | JAY H | MARGARET M | COMMINS | 1148 DILWORTH CRESCENT ROW | | CHARLOTTE | NC | 28203 |
| 2022-209 | 12314114 | WINTER WEARY LLC | | | | 1150 DILWORTH CRESCENT ROW | | CHARLOTTE | NC | 28203 |
| 2022-209 | 12314115 | HOBSON | HOLLY E | | | 1200 DILWORTH CRESCENT ROW | | CHARLOTTE | NC | 28203 |
| 2022-209 | 12314116 | DYAR | ROBERT | CONNICE | DYAR | 1204 DILWORTH CRESCENT ROW | | CHARLOTTE | NC | 28203 |
| 2022-209 | 12314136 | JONES | GEORGE W | | | 1137 DILWORTH CRESCENT ROW | | CHARLOTTE | NC | 28203 |
| 2022-209 | 12314137 | CAKE PROPERTIES LLC | | | | 5 SPRING ST UNIT 403 | | SARATOGA SPRINGS | NY | 12866 |
| 2022-209 | 12314199 | DILWORTH CRESCENT HOMEOWNER'S | ASSOCIATION INC | | C/O J J GROSS | 3040 ONE FIRST UNION CTR | 301 SOUTH COLLEGE STREET | CHARLOTTE | NC | 28202 |
| 2022-209 | 12314204 | ORIOLE STREET REAL ESTATE LLC | | | | 800 E. MOREHEAD ST. | | CHARLOTTE | NC | 28202 |
| 2022-209 | 12314205 | MOREHEAD STREET REAL ESTATE LLC | | | | 800 E MOREHEAD ST | | CHARLOTTE | NC | 28202 |
| 2022-209 | 12314206 | HALL | CYNTHIA B | | | 7207 PENCE RD | | CHARLOTTE | NC | 28215 |
| 2022-209 | 12517301 | DUNCAN-PARNELL CO | | | | PO BOX 35649 | | CHARLOTTE | NC | 28235 |
| 2022-209 | 12517322 | BEACON MPI-831EM LLC | | | | 500 E MOREHEAD ST STE 200 | | CHARLOTTE | NC | 28202 |
| 2022-209 | 12520101 | SCJ UNLIMITED LLC | | | | 9725 HATFIELD RD | | CHARLOTTE | NC | 28278 |
| 2022-209 | 12520102 | 919 S MCDOWELL LLC | | | | 4201 CONGRESS ST STE 170 | | CHARLOTTE | NC | 28209 |
| 2022-209 | 12520104 | GG-MOREHEAD LLC | | | | 5126 PARK RD 2E | | CHARLOTTE | NC | 28209 |
| 2022-209 | 12520105 | LB ACQUISITIONS LLC | | | | 3340 ROBINWOOD RD STE 100-521 | | GASTONIA | NC | 28054 |
| 2022-209 | 12520106 | FAISON-MOREHEAD STREET LLC | | | MOUNTAIN ASSOCIATES II LLC | 1011 E MOREHEAD ST STE 150 | | CHARLOTTE | NC | 28204 |
| 2022-209 | 12520107 | LOOKOUT NC PROPERTIES LLC | | | C/O ROBINSON BRADSHAW | 101 N TRYON ST STE 1900 | | CHARLOTTE | NC | 28246 |
| 2022-209 | 12520110 | LOOKOUT NC PROPERTIES LLC | | | C/O ROBINSON BRADSHAW | 101 N TRYON ST STE 1900 | | CHARLOTTE | NC | 28246 |
| 2022-209 | 12520150 | LOOKOUT NC PROPERTIES LLC | | | C/O ROBINSON BRADSHAW | 101 N TRYON ST STE 1900 | | CHARLOTTE | NC | 28246 |
| 2022-209 | 12520158 | LOOKOUT NC PROPERTIES LLC | | | C/O ROBINSON BRADSHAW | 101 N TRYON ST STE 1900 | | CHARLOTTE | NC | 28246 |
| 2022-209 | 12520166 | PEARL RI OWNER LLLP | | | | 801 S MCDOWELL ST | | CHARLOTTE | NC | 28204 |
| 2022-209 | 12520167 | THE PEARL INNOVATION DISTRICT MANAGEMENT COMPANY | | | | PO BOX 32861 | | CHARLOTTE | NC | 28232 |
| 2022-209 | 12520186 | 919 S MCDOWELL LLC | | | | 4201 CONGRESS ST STE 170 | | CHARLOTTE | NC | 28209 |

Neighborhood Organizations:

| ORGANIZATION_NAME | FIRST_NAME | LAST_NAME | STREET_ADDRESS | UNIT_NUM | CITY | STATE | ZIP |
|--|---------------|----------------|-------------------------------|----------|-----------|-------|-------|
| | Brigit | Taylor | 315 Arlington Ave | 1602 | Charlotte | NC | 28203 |
| | Linda | Vanderbosch | 600 E Worthington Ave | | Charlotte | NC | 28203 |
| | Megan | Pearl | 315 Arlington Avenue | | Charlotte | NC | 28203 |
| | Sean | Smith | 318 Queens Rd | | Charlotte | NC | 28204 |
| Amherst Place Homeowners Association | June | Watts-Mistri | 1730 Amherst Pl | | Charlotte | NC | 28204 |
| Bike Routes 4 Fitness Inc | Debra L. | Franklin | 1750 Camden Road | Apt. 610 | Charlotte | NC | 28203 |
| Charlotte Center City Partners- Uptown Neighborhoods | Kyle | Bridges | 200 South Tryon | | Charlotte | NC | 28202 |
| Charlotte Observer | Karen | Sullivan | 600 S Tryon St | | Charlotte | NC | 28202 |
| Charlotte Regional Realtor Association | Joe | Padilla | 1201 Greenwood Cliff | | Charlotte | NC | 28204 |
| Cherry Neighborhood Association | Kathryn | Hubicki | 325 Baldwin Ave | | Charlotte | NC | 28204 |
| Cherry Neighborhood Association | Kristen Joyce | Moyer | 1922 Luther St | | Charlotte | NC | 28204 |
| Cherry Neighborhood Association | Myron | Patton | 1623 Luther St | | Charlotte | NC | 28204 |
| Cherry Neighborhood Association | Stephanie | Wick | 1712 Amherst Pl | | Charlotte | NC | 28204 |
| Cherry Neighborhood Joint Leadership Team | Sylva | Bittle- Patton | 1623 Luther Street | | Charlotte | NC | 28204 |
| Cherry/ Elizabeth | Rex | Jones | 308 Queens Road #22 | | Charlotte | NC | 28204 |
| DCA Land Use | Ellen | Citarella | 322 E. Kingston Ave | | Charlotte | NC | 28203 |
| Dilworth | Franklin | Keathley | 2144 Park Road | | Charlotte | NC | 28203 |
| Dilworth | Christine | Williamson | 705 McDonald Ave | | Charlotte | NC | 28203 |
| Dilworth Community Development Association | Cynthia L | Schwartz | 409 Rensselaer Av | | Charlotte | NC | 28203 |
| Dilworth Community Development Association | Jill K | Walker | 1140 Liganore Pl | | Charlotte | NC | 28203 |
| Dilworth Community Development Association | John | Fryday | 1119 Belgrave Pl | | Charlotte | NC | 28203 |
| Dilworth Community Development Association | John | Gresham | 717 E Kingston Av | | Charlotte | NC | 28203 |
| Dilworth Community Development Association | Mathew | Demetriades | 1320 Fillmore Avenue #422 | | Charlotte | NC | 28203 |
| Dilworth Community Development Association | Scott | Pavoi | 1920 Park Road | | Charlotte | NC | 28203 |
| Dilworth Community Development Association | Sis | Atlass Kaplan | 1320 Fillmore Av | 318 | Charlotte | NC | 28203 |
| Dilworth Community Organization | Valerie | Preston | 413 E. Worthington Ave | | Charlotte | NC | 28203 |
| First Ward, Southend | Cassie | Brown | 709 E. 8th Street | | Charlotte | NC | 28202 |
| Fourth Ward | Terri | Cain | 127 N. Tryon St. #14 | | Charlotte | NC | 28202 |
| Friends & Residents Of Historic Cherry | Karen | Jensen | 311 Baldwin Av | | Charlotte | NC | 28204 |
| Heart Math Tutoring | Holly | Rodden | 805 Lexington Ave | | Charlotte | NC | 28203 |
| Historic South End | Megan | Gude | 1507 Camden Road | | Charlotte | NC | 28203 |
| Myers Park Manor | Kris | Taylor | 430 Queens Road | #521 | Charlotte | NC | 28207 |
| Office Of The Governor Of The North Carolina | Budd D. | Berro | 600 E Fourth St | | Charlotte | NC | 28202 |
| South End Neighborhood Association | Jennifer | McCartney | 1453 Camden Road | | Charlotte | NC | 28203 |
| The Cherry Community Organization (CCO) | Barbara | Rainey | 610 Baldwin Avenue | | Charlotte | NC | 28204 |
| Villa Heights Community Organization | Candace | Davis | 129 W. Trade St. Eighth Floor | | Charlotte | NC | 28202 |
| Wilmore Neighborhood Association | Marilyn | Corn | 218 W Park Ave | | Charlotte | NC | 28203 |

Exhibit B

NOTICE TO INTERESTED PARTIES OF A REZONING PETITION PETITION #2022-209 THE KEITH CORPORATION

Subject: Rezoning Petition No. 2022-209

Petitioner/Developer: The Keith Corporation

Current Land Use: Commercial

Existing Zoning: B-1(PED)

Rezoning Requested: MUDD-O

Date and Time of Meeting: **Wednesday, May 3, 2023 at 6:00 PM**

Virtual Meeting Registration: *Please send an email to Drenna Hannon at drennahannon@mvalaw.com to receive a secure meeting link.*

Date of Notice: 4/19/2023

Moore & VanAllen is assisting The Keith Corporation (the "Petitioner") on a recently filed request to rezone an approximately ±1.62-acre site located at 911 East Morehead Street in Charlotte, North Carolina (the "Site") from B-1(PED) to MUDD-O. The request is to allow the development of the Site with an office building with ground floor retail and restaurant uses. The rezoning request will limit building height within 115 feet of East Morehead to 100-feet and will also require a minimum building setback of 10 feet from the building façade along E. Morehead St. for the portion of the building over 80 feet in height. Building height located further than 115 feet from E. Morehead St. is limited to 225 feet. Access to the Site will be from East Morehead Street and a new street that is to be constructed by others that will be located at the rear of the Site.

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 Wednesday, May 3, 2023, at 6:00 p.m.

Please send an email by May 2nd to Drenna Hannon at drennahannon@mvalaw.com in order to receive a secure virtual meeting link and reference Petition #2022-209.

Residents who expect they will be unable to access the virtual meeting or have questions about this matter are asked to email keithmacvean@mvalaw.com 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: Danté Anderson, Charlotte City Council District 1 Representative
David Pettine, Charlotte Planning, Design and Development Department
Jay Coleman, The Keith Corporation
Jeff Brown, Moore & Van Allen, PLLC
Keith MacVean, Moore & Van Allen, PLLC

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Exhibit B (Cont.)

Site Location:

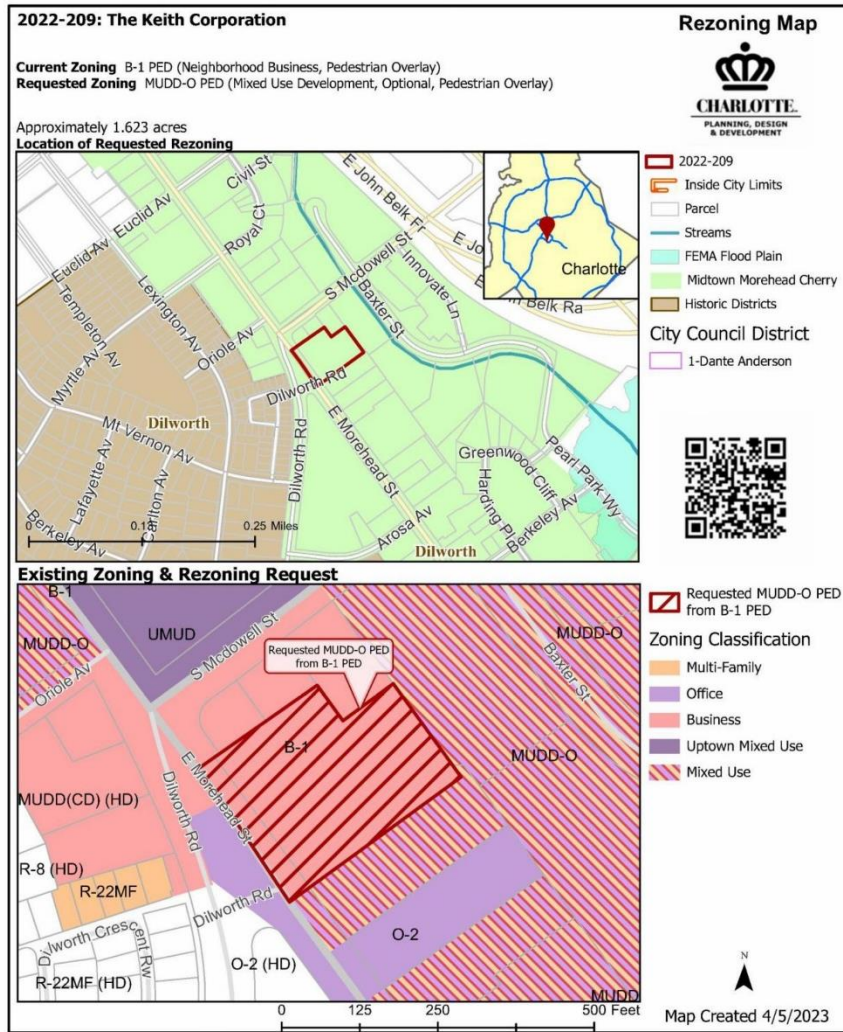


EXHIBIT C

| Name | Email |
|---------------------|--|
| Cynthia Hall | ckbhall@aol.com |
| Julie Wojciechowski | juliewoj123@gmail.com |
| Laura A. Peres | Lperes@tde.org |
| John Coppala | kingscrossdevelopment@gmail.com |
| John Theobald | kingscrossjt@gmail.com |
| A. Theobald | atheobald1992@gmail.com |
| M. Theobald | mtheobald1989@gmail.com |
| Robert Dyar | RobertDyar@mac.com |