COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2023-013

Petitioner: Toll Brothers Apartment Living

Rezoning Petition No.: 2023-013

Property: ±19.75 acres located at 13607 Choate Circle

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 5/16/2023. 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 Tuesday, May 30, 2023, at 6:00 PM. The Petitioner has also met with the Steele Creek Residents Association Land Use Committee and held a meeting with the Yorkshire residents.

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 Cory Bachstein and Michael Skena from Toll Brothers, and Nate Bouquin and Eddie Moore from McAdams. 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 19.75-acre site at 13607 Choate Circle, south of S. Tryon St., west of Carowinds Blvd. and east of Steele Creek Rd. He introduced Mallory Ballard with the Piedmont Kennel Club, and she explained how and why the property was marketed and offered for sale. Michael Foess added more information about the sale of the property. The Steele Creek Residents Association was contacted by the Kennel Club for advice on future redevelopment plans for the property. The Kennel Club chose Toll Brothers for their quality, unique architecture and multi-family experience.

Mr. MacVean explained that the site was occupied by the Piedmont Kennel Club and zoned R-3. Proposed zoning is UR-2(CD) to allow development of a residential community. The city of Charlotte developed the 2040 policy map which shows the future land use throughout Charlotte. The site has a place type of Community Activity Center. With this place type the city is looking to accommodate higher density residential areas and commercial uses because of the close proximity to goods and services, greenway trails and transit services.

A rendered site plan for the proposed multi-family community was shared with the attendees. Of note are 50' class C buffers, potential tree save areas, amenity/open space, access points, a 12' multi-use path along Choate Circle and a left turn lane into the development. After staff comments on the plan, a revised plan will be submitted in early July (Note: changed from meeting in which June was stated). There is a maximum of up to 375 units in the project. The streets are private built to public street standards with a public access easement. There was a question about the number of parking spaces and Mr. Moore stated that there will be a number based on the number of bedrooms per unit.

Mr. Skena answered various questions in the chat feature of the meeting. He explained the left turn lane is proposed so that traffic may move along without difficulty. There is a 15% tree save requirement for the size of the project which is just under three (3) acres. Mr. MacVean stated that the site is within walking distance of the Walker Branch Greenway. The team is working with the city on a Technical Transportation Memorandum (TTM) to analyze the impact of the proposed development on the transportation network. After review of the TTM by CDOT, improvement to the surrounding road network could be required. This has not been finalized however they will work with the city on any suggested improvements.

Mr. Skena explained that they want this to be an upscale, pleasing, architectural project. They expect the renter base to be at a point in their life where they want the amenities and benefits that come with this type of community.

Mr. MacVean detailed the tentative rezoning schedule which is dependent on staff comments. The potential is for a public hearing on July 17, 2023, zoning committee on August 1, 2023, with a city council decision on August 20, 2023. This is the fastest the petition can move forward. Mr. Skena added that they rely on community engagement for this conditional rezoning project. They build homes and work with the community to bring the best product available. (Note: At the time of this report, the rezoning schedule has been deferred to an August 21st public hearing, September 6th zoning committee and a city council decision on September 18, 2023. This can also change based on staff comments.)

Mr. MacVean then opened the meeting up for questions.

II. Summary of Ouestions/Comments and Responses:

Attendee's questions centered around architectural aspects, environmental concerns, traffic, and the increase in crime in the area.

Mr. MacVean explained what is meant by "potential" tree save. The term is used because the designer will need the flexibility to slightly change the site plan as staff comments arise. Access to the site will be from Choate Circle and a future potential connector on the north side of the site. They will also create a 12' multi-use path along Choate Circle giving pedestrians a way to walk safely. They have also discussed putting up a fence along the 50' class C buffer to prevent pedestrians from going through to the single-family neighborhood or vice-verse.

Mr. MacVean explained further that the TTM will be reviewed by CDOT and city staff, changes can be requested based on the impact to the community. There is a blind spot on the curve on the west side of the development. Mr. Skena explained that they will work with CDOT to keep traffic moving. The left turn lane helps keep traffic moving so traffic does not have to stop, blocking a single lane street. Choate is not expected to be widened. The TTM will be ready within the next few weeks. CDOT will then review it. It is a public document however Mr. MacVean will find out if CDOT wishes to review it before releasing to the public. It may be shared on the HOA website. Mr. Skena indicated that they are transparent and want to provide what is requested. The engineers are adding potential traffic from the site to the TTM. They are looking at the busiest times of the day in AM/PM peak hours. Mr. Skena will ask the traffic engineers about vehicles traveling onto Choate Circle, speed and spacing.

Mr. MacVean indicated that public transportation is available for use by the residents/apartment renters. A participant questioned whether a luxury apartment renter would use public transportation. An appropriate amount of parking is included in the plan.

There was a statement from one of the participants about the urban look to the buildings. The elevations do not consider the suburban and residential nature of the surrounding community. The request is to make them look like they "fit" in the community. Mr. Skena indicated that they are still in the petition phase of development. He stated that their buildings are unique and are created for the renter in all phases of life. There was concern about the view of higher buildings. Mr. MacVean stated that there will be buffers large enough that the top of buildings should not be visible from adjacent neighborhoods.

Mr. Skena stated that there is not an affordable housing requirement in this multi-family residential community. Mr. MacVean explained that the housing trust fund is one of the tools the City uses to create affordable housing and the new UDO provides development bonus for developments that create affordable housing such as additional building height. The highest building in this development is four stories. They also have elevators within the buildings to make access easier for aging adults and families. The closest building is approximately 173' from the property line and 238' to the nearest single-family home. The current plan is drawn to be no more than 375 units.

There was a concern about crime with the influx of people and traffic. Mr. Skena stated that within the Toll Brothers portfolio, the average renter will have an annual income over \$100,000 and the average age is 34. The team reached out to CMPD to gather information on crime in the area, it was noted that as an area is developed the reports of crime increase as a result of more people living in the area.

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. They will meet with the Yorkshire Neighborhood on Friday, June 2^{nd} . He also agreed to share information as it becomes available.

cc: Victoria Watlington, Charlotte City Council District 3 Representative David Pettine, Charlotte Planning, Design and Development Department Cory Bachstein, Toll Brothers Apartment Living Jeff Brown, Moore & Van Allen, PLLC Keith MacVean, Moore & Van Allen, PLLC

Exhibit A

Adjacent Owners:

OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
STEELE CREEK ATHLETIC	ASSOC INC		% LYNN ROBERTS	PO BOX 7195		CHARLOTTE	NC	28241
STEELE CREEK ATHLETIC ASSOC INC				PO BOX 7195		CHARLOTTE	NC	28241
DENNY	ROBIN	KENNETH	WILSON	12113 STAINSBY LN		CHARLOTTE	NC	28273
WOODALL	ERIC D	JESSICA R	WOODALL	12119 STAINSBY LN		CHARLOTTE	NC	28273
MCCORKLE	WANDA H			12123 STAINSBY LN		CHARLOTTE	NC	28273
KINCH	ARTHUR J	ROSEMARY A	KINCH	12127 STAINSBY LN		CHARLOTTE	NC	28273
HAWKINS	KEITH A	MONIKA	HAWKINS	12133 STAINSBY LN		CHARLOTTE	NC	28273
DUNBAR	LONNIE B		LORETTA L WILSON	12139 STAINSBY LN		CHARLOTTE	NC	28273
LEWIS	DAVID M JR	JEANNE A	LEWIS	12134 STAINSBY LN		CHARLOTTE	NC	28273
JONES	MARYLAND Z JR	JACQUELINE M	JONES	12126 STAINSBY LN		CHARLOTTE	NC	28273
STAFF	RICHARD H	SANDRA P	STAFF	12116 STAINSBY LN		CHARLOTTE	NC	28273
PINCKNEY	SALLY			13701 WALKERS CREEK DR		CHARLOTTE	NC	28273
FISHER	HUNTER LEE			13705 WALKERS CREEK DR		CHARLOTTE	NC	28273
CARSTEN	RICHARD C II	LEAH J	CARSTEN	13711 WALKERS CREEK DR		CHARLOTTE	NC	28273
SLABAKOVA	VIOLETA G	LL III J	CHICIEN	13717 WALKERS CREEK DR		CHARLOTTE	NC	28273
SEIBERT	ERIC J	PAMELA	SEIBERT	13716 WALKERS CREEK DR		CHARLOTTE	NC	28273
PATTERSON	STELLA L	TAMEDA	SEIDERT	13702 WALKERS CREEK DR		CHARLOTTE	NC	28273
BAKER	DAVID E	DEDDIE A	DAKED			CHARLOTTE	NC	28273
	DAVIDE	DEBBIE A	BAKER	13628 WALKERS CREEK DR			AZ	85261
TRUE NORTH PROPERTY OWNER B LLC	0.000			PO BOX 4090		SCOTTSDALE	_	
RICHARDS-ATKINS	CASSONJAR			13614 WALKERS CREEK RD		CHARLOTTE	NC	28273
SWH 2017-1 BORROWER LP				8665 EAST HARTFORD DR, SUITE 200		SCOTTSDALE	AZ	85255
HATCHER	WILLIAM III			376 NELSON ST SW UNIT E2		ATLANTA	GA	30313
BELL	HENRY J	NANCY W	BELL	12300 WALKERS GLEN CT		CHARLOTTE	NC	28273
MATTHEWS	GREG EDGAR	JEANNIE	MATTHEWS	12303 WALKERS GLEN CT		CHARLOTTE	NC	28273
AMH NC PROPERTIES LP				30601 AGOURA RD STE 200		AGOURA HILLS	CA	91301
GULLETT	JOHNNY E	DOROTHY E	GULLETT	13617 WALKERS CREEK DR		CHARLOTTE	NC	28273
REAL ESTATE PROPERTIES HOLDING LLC				13623 WALKERS CREEK DR		CHARLOTTE	NC	28273
WALKERS CREEK HOMEOWNERS ASSOCINC			% R N HUMPHREY	18636 STARCREEK DR		CORNELIUS	NC	28031
WALKERS CREEK HOMEOWNERS ASSOCINC			% RN HUMPHREY	18636 STARCREEK DR		CORNELIUS	NC	28031
WALKERS CREEK HOMEOWNERS ASSOCINC			% R N HUMPHREY	18636 STARCREEK DR		CORNELIUS	NC	28031
ADARFIO	FRANCISCO DAVID MONSALVE	ANDREINA DEL VALLE	RAMOS	13600 MERTON WOODS LN		CHARLOTTE	NC	28273
ZELEZNIK	GREGORY F	MONICA L	ZELEZNIK	13601 MERTON WOODS LN		CHARLOTTE	NC	28273
STRICKLAND	DAJUAN JEROME			13605 MERTON WOODS LN		CHARLOTTE	NC	28273
STOKES	SARAH			13616 CAPWORTH LN		CHARLOTTE	NC	28273
BROWN	JIMMIE SANDERS	OPHELIA ESTHER	BROWN	13610 CAPWORTH LN		CHARLOTTE	NC	28273
CONDIE	BRITTANY			13604 CAPWORTH LN		CHARLOTTE	NC	28273
SCHAEFER	JOHN J			13600 CAPWORTH LN		CHARLOTTE	NC	28273
DOLORES	FERNARDO	MARIA A	PEREZ	13601 CAPWORTH LN		CHARLOTTE	NC	28273
HELMSTETTER	LISA MARIE	WAWAA	I LIKEZ	13607 CAPWORTH LN		CHARLOTTE	NC	28273
VINCENT	KEVIN JOSEPH	SUZANNE MAE	VINCENT	13611 CAPWORTH LN		CHARLOTTE	NC	28273
		SUZAININE IVIAE	VIINCEIVI					28273
BURGESS	BECKY		C/O INIVITATION LIONATE	13618 QUIXLEY LN		CHARLOTTE	NC	
2019-1 IH BORROWER LP	AAATTUEN PRICE		C/O INVITATION HOMES	1717 MAIN ST STE 2000		DALLAS	TX	75201
CASEY	MATTHEW BRICE	0.10.4.1.1.4.1.5.15.11		13604 QUIXLEY LN		CHARLOTTE	NC	28273
MEEHAN	CHRISTOPHER JAME	SUSAN HAYDEN	PROPST	13600 QUIXLEY LN		CHARLOTTE	NC	28273
WESTMORELAND	JEFFREY	HEIDI	WESTMORELAND	13605 QUIXLEY LN		CHARLOTTE	NC	28273
GAMMON	MARY-JANE			13615 QUIXLEY LN		CHARLOTTE	NC	28273
CRANDALL	STEVEN GERALD	KELLY LYNNE	CRANDALL	13621 QUIXLEY LN		CHARLOTTE	NC	28273
NORMAN	MATTHEW	MARK	NORMAN	13612 ANNSDALE LN		CHARLOTTE	NC	28273
SHAYEB	ADAM			13606 ANNSDALE LN		CHARLOTTE	NC	28273
SKOWRONSKI	MEGAN	JOSEPH	ROBINSON	13600 ANNSDALE LN		CHARLOTTE	NC	28273
ROGERS	MICHAEL P	IRENE W	ROGERS	13601 ANNSDALE LN		CHARLOTTE	NC	28273
DECARUFEL	RONALD C			13607 ANNSDALE LN		CHARLOTTE	NC	28273
VILLAFANA	ANA S RAMIREZ	ABRAHAM DAVID LEON	GARCIA	13611 ANNSDALE LN		CHARLOTTE	NC	28273
CHOATE	L REBECCA GORDON	T DIANE	GORDON	5007 SHARON RD APT F		CHARLOTTE	NC	28210
DAVIS	JOEL CHRISTOPHER	ANNA	DAVIS	13801 CHOATE CIR	İ	CHARLOTTE	NC	28273
PIEDMONT KENNEL CLUB INC			C/O LINDA FLEENOR	508 CREEK MEADOW DR		GASTONIA	NC	28054
DAVIS	JOEL CHRISTOPHER	ANNA	DAVIS	13801 CHOATE CIR		CHARLOTTE	NC	28273
BULLARD	CAROL R	AINIA	PUAID			CHARLOTTE	NC	28273
DAVIS	JOEL CHRISTOPHER	ANNA	DAVIS	13801 CHOATE CIR		CHARLOTTE	NC	28273
MARLER		AININA	כועאט	13801 CHOATE CIR		CHARLOTTE	NC	
	LEE		C\ O DI AZE DA DENIESS · · · S	13930 WILD HEATHER CT				28273
STEELE CREEK PROPERTY LLC			C\O BLAZE PARTNERS LLC	/6 SPKINGS ST STE A1		CHARLESTON	SC	29403

Exhibit A (Cont.)

Neighborhood Organizations:

ORGANIZATION_NAME	FIRST_NAME	LAST_NAME	STREET_ADDRESS	UNIT_NUM	CITY	STATE	ZIP
Bennington Place 1	Carolyn	Tatanish	13652 Meade Glen Ct.		Charlotte	NC	28273
Bennington Place II Homeowners Association, Inc.	Andrew	Page	14221 Tranters Creek Ln		Charlotte	NC	28273
Enclave/Rivergate	Lauren	Neal	13816 Firenza Circle		Charlotte	NC	28278
Foxboro Neighborhood Association	Virginia	Keogh	12301 Port Rush Lane		Charlotte	NC	28273
Hamilton Lakes Homeowners Association	Theodore	Flor	12704 Cumberland Cove Drive		Charlotte	NC	28273
Huntington Forest	Rachel	Slade	14339 Perugia Way	205	Charlotte	NC	28273
Huntington Forest Community	Crystal	Ramseur	12736 Swann Branch Dr		Charlotte	NC	28273
Huntington Forest Community	Jenifer	Abubakari	12717 Swann Branch Dr		Charlotte	NC	28273
Huntington Meadow Community	David	Gutierrez	10924 Huntington Meadow Ln		Charlotte	NC	28273
Ramblewood Neighborhood Association	Bertha	Fee	12301 Port Rush Ln		Charlotte	NC	28273
Ramblewood Neighborhood Association	Patricia	Jefferson	12301 Portrush Ln		Charlotte	NC	28273
Rivergate Town	Kacey	Weis	14837 Cane Field Dr		Charlotte	NC	28273
Savannah Townhomes	Renee	Coard	13251 Savannah Point Dr		Charlotte	NC	28273
Southbridge Forest HOA LLC	Thomas	Lomas	14417 Southbridge Forest Dr		Charlotte	NC	28273
Southwest Area Neighborhood Coalition	Virginia	Keogh	12301 Port Rush Lane		Charlotte	NC	28273
Steele Creek Residents Association	Curtisia Renee	Jarrett	12962 Sickles Dr		Charlotte	NC	28273
The Crossings Community Association	Arnold	Jones	14208 Arbor Ridge Dr.		Charlotte	NC	28273
The Waters of Steele Creek	Michael	Felts	12018 Portobello Way		Charlotte	North Carolina	28273
Walkers Creek Neighborhood	Rachel	Lewis	12532 Walkers Down Ct		Charlotte	NC	28273
Wing Pointe	Carlton	Whidby	14200 King Eider Dr		Charlotte	NC	28273
Yorkshire HOA	James	Eskew	11907 Tanton Ln		Charlotte	NC	28203
Yorkshire HOA	Jim	Obi	13607 Stephendale Dr.		Charlotte	NC	28273
Yorkshire HOA	Jimmie	Brown	13610 Capworth Lane		Charlotte	NC	28273

Exhibit B

NOTICE TO INTERESTED PARTIES OF A REZONING PETITION PETITION #2023-013

Subject: Rezoning Petition No. 2023-013

Current Land Use: Residential

Existing Zoning: R-3

Petitioner/Developer:

Rezoning Requested: UR-2(CD)

Date and Time of Meeting: Tuesday, May 30, 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.*

Toll Brothers Apartment Living

Date of Notice: 5/16/2023

Moore & VanAllen is assisting Toll Brothers Apartment Living (the "Petitioner") on a recently filed request to rezone an approximately ± 19.75 -acre site located at 13607 Choate Circle in Charlotte, North Carolina (the "Site") from R-3 to UR-2(CD). The request is to allow redevelopment of the Site with a multi-family residential community. The Site is currently developed with Piedmont Kennel Club. A 50-foot Class C buffer will be provided along the rear and southern property boundaries. Tree save areas are also proposed along these property lines. Access to the Site will be from Choate Circle via a new street built to public street standards that will also provide future connectivity to the north. The proposed buildings are oriented toward this new internal street and along Choate Circle.

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 Tuesday, May 30, 2023, at 6:00 p.m.

*Please send an email by May 29th to Drenna Hannon at <u>drennahannon@mvalaw.com</u> in order to receive a secure virtual meeting link and reference Petition #2023-013.

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.

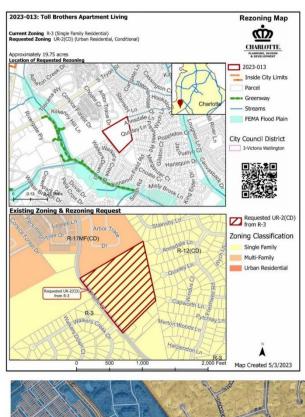
Representatives of the Petitioner look forward to discussing this exciting rezoning proposal with you at the Virtual Community Meeting. Thank you.

cc: Victoria Watlington, Charlotte City Council District 3 Representative David Pettine, Charlotte Planning, Design and Development Department Cory Bachstein, Toll Brothers Apartment Living Jeff Brown, Moore & Van Allen, PLLC Keith MacVean, Moore & Van Allen, PLLC

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Exhibit B (Cont.)

Site Location:





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EXHIBIT C

EXHIBIT C				
Name	Email			
Mallory Ballard	tiger78@comporium.net			
Michael Foess	michael@themontroseteam.com			
Merl Jones	merljjz@bellsouth.net			
Andrew Page	andrewjpage1@gmail.com			
Ted Flor	teddflor@gmail.com			
Dean Burwell	dean@PawGate.com			
Thomas	Tlomas@gmail.com			
Eric Seibert	ejseibert1973@gmail.com			
Michael "Phil" Rogers	mphilliprogers@gmail.com			
Dave Wiggins	info@steelecreekresidents.org			
Brandi Mullen	brandilynnmullen@gmail.com			
Robyn Pikuritz	robynp914@gmail.com			
Christopher Meehan	cmeehan114@gmail.com			
Karen Glenn	karenglenn@bellsouth.net			
Beth Wardley	eawardley@gmail.com			
Janet Harlan	wyliebrit20@gmail.com			
Jennifer Brow	jennifer.brow1911@gmail.com			
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Lee Marler	leemarler@yahoo.com			
Carol Bullard	innercity51@yahoo.com			
Jerry Esposito	jespo6.je@gmail.com			
Rick & Leah Carsten	RickCarsten@hotmail.com			
Lisa Helmstetter	lisahelmstetter@gmail.com			
Liz Young	soldbylizyoung@gmail.com			
Jeff Maddix	jeffmaddix@gmail.com			
Kevin Vincent	kevinvincent103@gmail.com			
Lasey Britton	llsaccounting@gmail.com			
Sarah Belmonte	belmonte1030@gmail.com			
Maria Perez	hayliandp@gmail.com			
Michelle Krewson	michellepkrewson@gmail.com			
Monica Zeleznik	monicazeleznik@gmail.com			