

COMMUNITY MEETING REPORTS FOR REZONING PETITION NO. 2023-028

Petitioner: Childress Klein Properties
Rezoning Petition No.: 2023-028
Property: ±48.21 acres located on the west side of Quay Road with an 11.54 acre portion within Concord

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.

It is noted that this report relates to two (2) community meetings both of which did not result in attendees. The official meeting described below followed an earlier meeting held on August 8th which also resulted in no attendees.

The second official community meeting held on September 12, 2023 was noticed and held in order to add to the notices sent for the meeting additional property owners as a precaution and to ensure that the official community meeting took place after Charlotte City Council adopted on August 28th its Resolution on Split Jurisdiction whereby Charlotte ETJ planning and development jurisdiction will apply to the 11.54 acre portion of the 48.21 acre Property as of later approval of this Rezoning Petition No. 2023-028.

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 official 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 August 8, 2023. A copy of the written notice is attached as **Exhibit B**.

As indicated an earlier Virtual Community meeting was noticed to the same list of individuals with only a few additions by depositing in the U.S. mail a written notice on July 25, 2023.

TIME AND DATE OF MEETING:

The official Community Meeting required by the Ordinance was scheduled to be held virtually on Tuesday, September 12, 2023, at 6:00 PM. In addition, as indicated, the Petitioner also noticed and scheduled a Community Meeting for this Petition on August 8th, 2023, at 6:00 PM.

PERSONS IN ATTENDANCE AT MEETING:

None of the organizations or individuals contacted by the Petitioner by way of the notices for the official Community meeting requested a link to the virtual meeting; therefore, since there were no registered attendees or requests received as of the time for the meeting, there was no presentation as part of that meeting.

Similarly, at the initial Community meeting only two individuals signed up for the meeting – both individuals being associated with the Rooms to Go facility across Quay Road from the Property. But these individuals did not sign onto the virtual meeting and Petitioner therefore did not present at the meeting.

MEETING PRESENTATION MATERIAL:

Although neither meeting had attendees, we have attached the presentation that was prepared in connection with the official meeting as **Exhibit C**. This presentation notes that the purpose of the rezoning is to ensure

a preferred unified development of the entire 48.21-acre Property consistent with materials provided in connection with the prior Rezoning Petition # 2021-028 for Kings Grant, which referenced plans to have the entire 48.21 acres as part of one well-designed unified apartment community.

The earlier 2021 Kings Grant rezoning approved all but the 11.54-acre Concord portion of the Property for multi-family development and as part of that rezoning the Petitioner made it known that it planned to bring in the 11.54-acre Concord portion as part of a preferred unified development for multi-family uses for the entire 48.21-acre Property.

In fact, the 2021 Kings Grant rezoning included the currently proposed number of units for the 11.54-acre Concord portion in the Traffic Impact Study and road improvements associated with those units are required as part of the 2021 rezoning and for this rezoning #2023-028.

CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:

No changes to the proposed rezoning petition were made because of the community meetings. Changes have been made as part of the Staff review process.

cc: Renee Johnson, Charlotte City Council District 4 Representative
David Pettine, Charlotte Planning, Design and Development Department
Fred Klein III, Childress Klein
Kelly Dunbar, Childress Klein
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 |
|-------------------------------|-------------------|--------------|--------------------------------|---------------------------------|-----------|----------------|-------|---------|
| CK KINGS GRANT LAND LLC | | | C/O CHILDRESS KLEIN PROPERTIES | 301 S COLLEGE ST STE 2800 | | CHARLOTTE | NC | 28202 |
| CK KINGS GRANT LAND LLC | | | C/O CHILDRESS KLEIN PROPERTIES | 301 S COLLEGE ST STE 2800 | | CHARLOTTE | NC | 28202 |
| TAYLOR | JERRY V | MARGARET M | | 8961 QUAY RD | | CONCORD | NC | 28027 |
| WALLACE | HUGH BRYANT | PEGGY LOUISE | | 8951 QUAY RD | | CONCORD | NC | 28027 |
| LUNN | ROBERT | NOVELLA H | | 3619 DAVIDSON HWY | | CONCORD | NC | 28027 |
| HYATT | RAY | EMILY R | | 8981 QUAY RD | | CONCORD | NC | 28027 |
| CK LKPT KINGS GRANT TIC 1 LLC | | | CK LKPT KINGS GRANT TIC 2 LLC | 301 S COLLEGE ST STE 2800 | | CHARLOTTE | NC | 28202 |
| DAVIDLAND LLC | | | | 6707 FAIRVIEW RD, STE C | | CHARLOTTE | NC | 28210 |
| BLUM | CATHERINE BUTTERS | | | 9811 SCHEER CT | | HARRISBURG | NC | 28075 |
| KEITH FAMILY LIVING TRUST | WAYNE FITE | RENNE W | | 8457 OLD HOLLAND RD | | CHARLOTTE | NC | 28262 |
| WARD | DEBORAH LYNN | | | 2642 DUTCH RD | | MOUNT PLEASANT | NC | 28124 |
| CK KINGS GRANT LAND LLC | | | C/O CHILDRESS KLEIN PROPERTIES | 301 S COLLEGE ST STE 2800 | | CHARLOTTE | NC | 28202 |
| WALLACE | HUGH BRYANT | PEGGY LOUISE | | 8951 QUAY RD | | CONCORD | NC | 28027 |
| LUNN | ROBERT | NOVELLA H | | 3619 DAVIDSON HWY | | CONCORD | NC | 28027 |
| MALL AT CONCORD MILLS LP | | | | PO BOX 6120 | | INDIANAPOLIS | IN | 46206 |
| CK KINGS GRANT LAND LLC | | | C/O CHILDRESS KLEIN PROPERTIES | 301 S COLLEGE ST STE 2800 | | CHARLOTTE | NC | 28202 |
| CONCORD-ORIOLE LLC | | | | 11540 E US HIGHWAY 92 | | SEFFNER | FL | 33584 |
| DAVIDLAND LLC | | | | 6707 FAIRVIEW RD, STE C | | CHARLOTTE | NC | 28210 |
| CONCORD-ORIOLE LLC | | | | 11540 E US HIGHWAY 92 | | SEFFNER | FL | 33584 |
| HARKER | RONNIE R ESTATE | MARTHA H | | 553 S MIDDLETON ST | | ROBBINS | NC | 27325 |
| HARKER | EDDIE E | LOLITA S | | 8601 QUAY RD | | CONCORD | NC | 28027 |
| QUAY LLC | | | | PO BOX 5328 | | CONCORD | NC | 28027 |
| HESS | YVONNE H | GLENN E | | 2230 N FAYETTEVILLE ST, APT 18C | | ASHBORO | NC | 27203 |
| QUAY LLC | | | | PO BOX 5328 | | CONCORD | NC | 28027 |
| CK KINGS GRANT LAND LLC | | | C/O CHILDRESS KLEIN PROPERTIES | 301 S COLLEGE ST STE 2800 | | CHARLOTTE | NC | 28202 |
| CK KINGS GRANT LAND LLC | | | C/O CHILDRESS KLEIN PROPERTIES | 301 S COLLEGE ST STE 2800 | | CHARLOTTE | NC | 28202 |

Neighborhood Organizations:

| full_name_neighborhood | first_name | last_name | physical_address | apartment_unit_or_suite | city | zip_code |
|----------------------------------|------------|-----------|--------------------------|-------------------------|-----------|---------------|
| Mallard Lake Homeowners Associa | Andre | Christie | 10503 GREENHEAD VIEW | | CHARLOTTE | NC 28262 |
| Mills Creek | Janetta | Walls | 8451 CAROLINA LILY LANE | | CHARLOTTE | NC 28262-6471 |
| Christenbury Neighborhood Presid | Brittany | Raymer | 9896 Manor View Dr NW | | Concord | NC 28027 |
| Christenbury Hall President | Carissa | Thompson | 9754 Farmers Glade Pl NW | | Concord | NC 28027 |

Exhibit B

FURTHER NOTICE TO INTERESTED PARTIES OF A REZONING PETITION PETITION # 2023-028 CHILDRESS KLEIN

Subject: Rezoning Petition No. 2023-028
Petitioner/Developer: Childress Klein
Current Land Use: Residential and Vacant
Existing Zoning: R22-MF(CD) (for Charlotte/ETJ portion) and C-2 (for Concord portion)
Rezoning Requested: R22MF(CD) SPA & R-22MF(CD)

Date and Time of Follow Up Meeting: *September 12, 2023, at 6:00 p.m.*

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

Date of Notice: 8/30/2023

THIS IS A FOLLOW UP NOTICE TO AN EARLIER NOTICE TO ADD A FEW ADDITIONAL MAILING RECIPIENTS – MANY ADDRESSEES RECEIVED AN EARLIER NOTICE OF THIS REZ. PETITION.

Moore & Van Allen is assisting Childress Klein (the “Petitioner”) on a recently filed request for a Site Plan Amendment (SPA) and rezoning for an ±48.21-acre site located on the west side of Quay Road in Charlotte, NC with a portion within Concord (the “Site”). Of the 48.21 acres included in the Petition 11.54-acres are located in Concord and would be rezoned to have the same zoning regulations and land development standards as the portion of the property located in the Charlotte ETJ; this would allow the development of entire 48.21-acre Site under one set of unified multi-family development regulations creating a more uniform site plan.

By way of background, the 36.67-acre portion of the site located within Charlotte ETJ was rezoned in December 2021, for multi-family uses under the R-22MF(CD) zoning district, and it was discussed at that time that the developer planned to rezone later the 11.54 acre “orphan” Concord portion also for multi-family uses. This rezoning seeks to create a unified apartment development rather than having two different regulations governing the property. It is noted that the Concord zoning for the Concord “orphan” portion allows multi-family uses but under different land use regulations.

The Petitioner will hold a **Follow Up Virtual Community Meeting** to discuss this rezoning proposal with nearby property owners and organizations, a few of whom may not have received the notice for an earlier similar virtual meeting opportunity. 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 follow up Virtual Community Meeting opportunity to be held on September 12, 2023, at 6:00 p.m.

Please send an email to Drenna Hannon at drennahannon@mvalaw.com by September 11th to receive a secure virtual meeting link and reference Petition #2023-028.

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 providing an opportunity for you to learn about the rezoning proposal at this follow up Virtual Community Meeting. Thank you.

w

Exhibit B (continued)

cc: Renee Johnson, Charlotte City Council District 4 Representative
 David Pettine, Charlotte Planning, Design and Development Department
 Fred Klein III, Childress Klein
 Kelly Dunbar, Childress Klein
 Jeff Brown & Keith MacVean, Moore & Van Allen, PLLC

Site location:

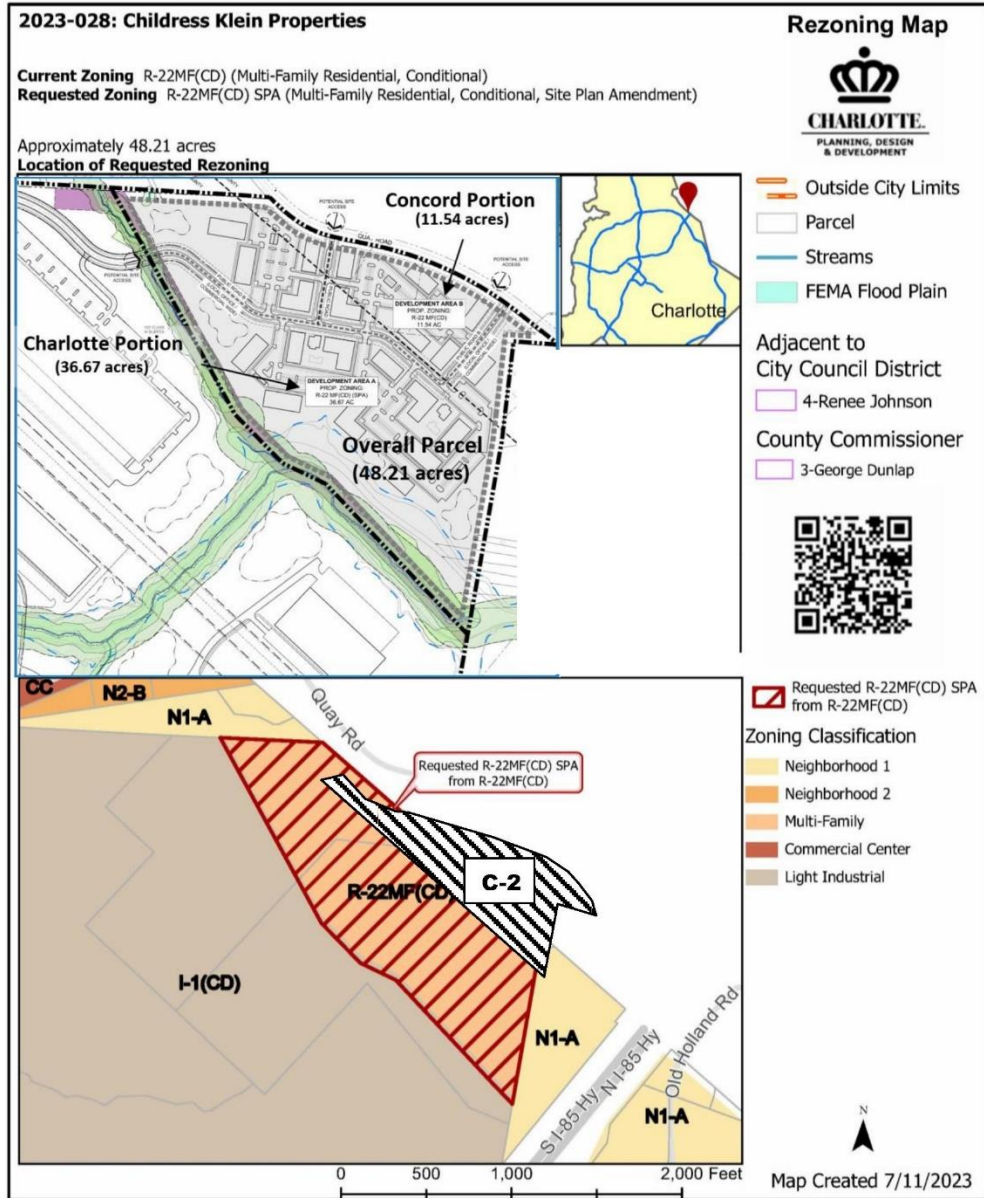


Exhibit C

CHILDRESS KLEIN
KINGS GRANT MULTI-FAMILY
Petition #2023-028

Community Meeting
September 12, 2023
6:30PM

CHAR2-#2875347v1 1

1

KINGS GRANT REZ. CONTEXT/ADJUSTMENTS

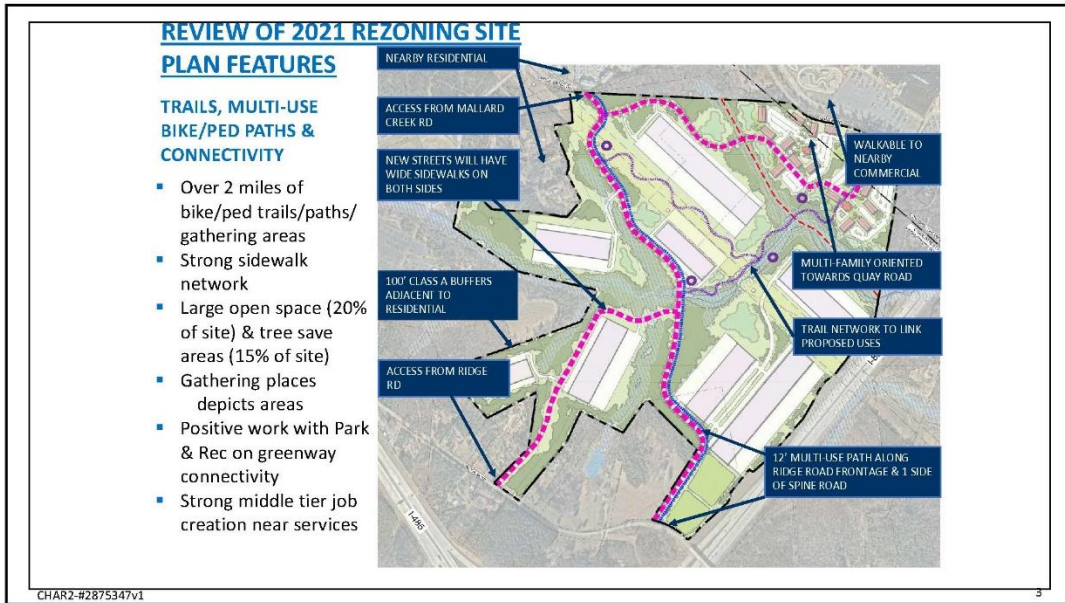
- In Dec. 2021, Council unanimously approved Indus/Distribution Uses & Multi-family Uses
- CK filed rezonings to swap Residential Land for Church Excess Land and Bring 11.54-acre Concord Parcel as part of Unified Development
- Reduces total dev levels as part of land swap of Church land and Residential Land; not increasing Bus. Park dev. levels (2.75M sf is not increased)
- Concord 11.54-acre units were studied in 2021 TIA with resulting required road improvements

CHAR2-#2875347v1 2

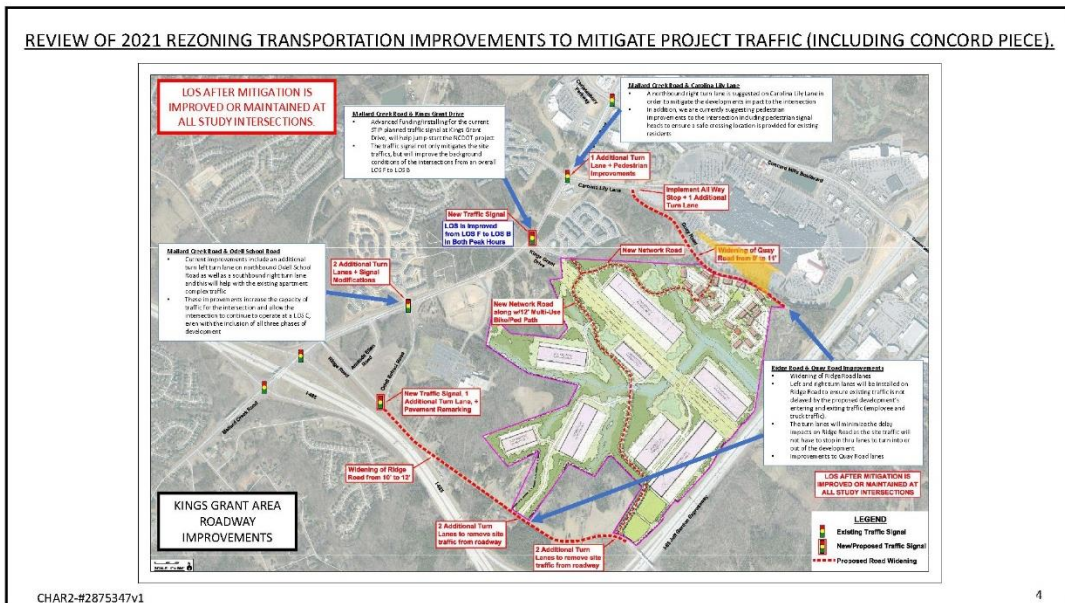
2

1

Exhibit C (Cont.)

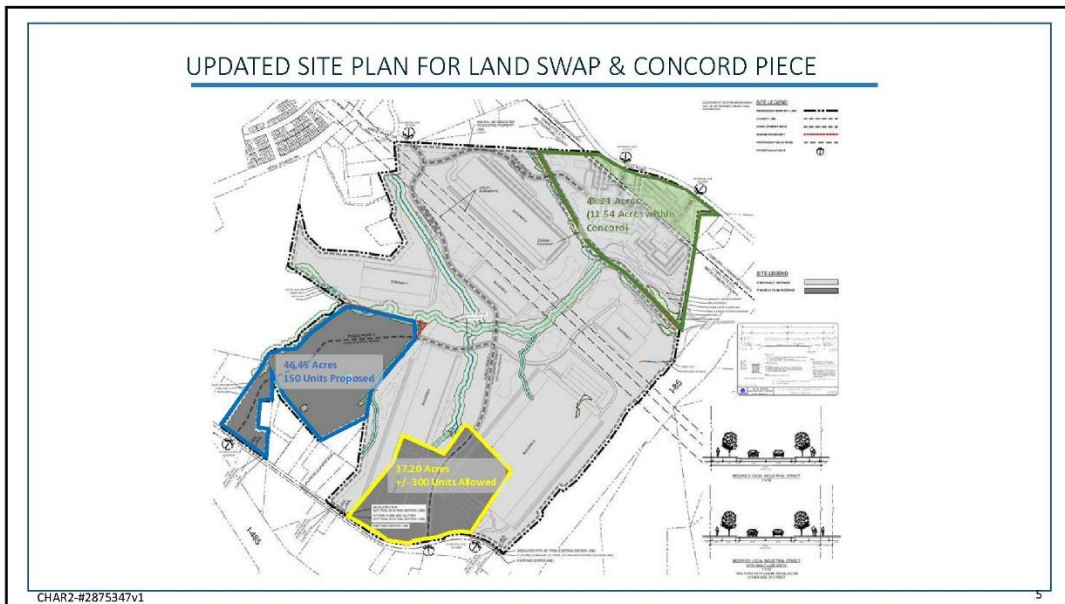


3

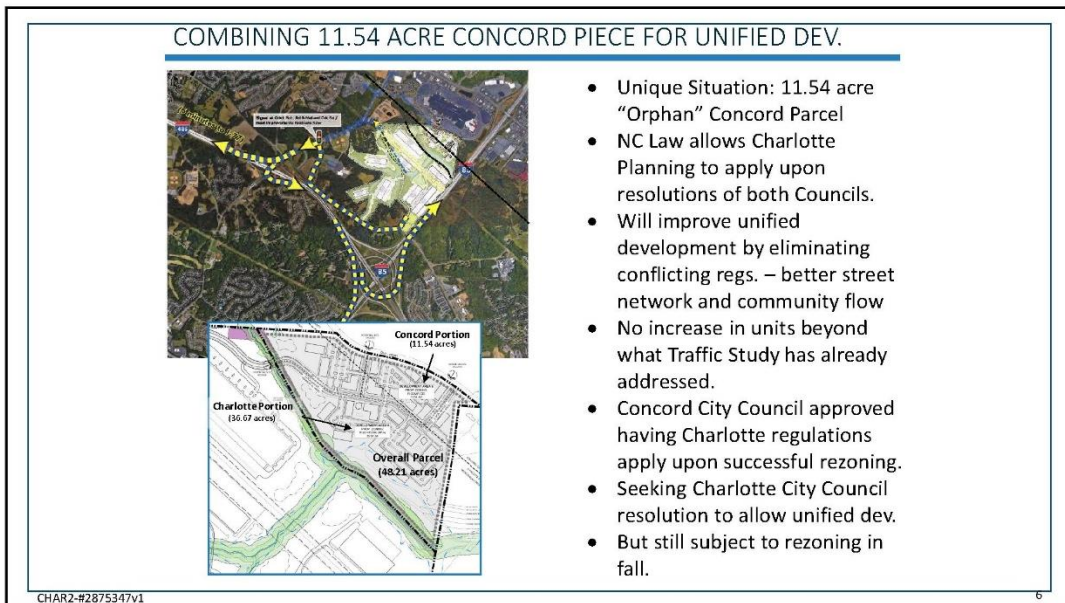


4

Exhibit C (Cont.)



5



6

Exhibit C (Cont.)



7