

COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2023-078

Petitioner: Citisculpt, LLC
Rezoning Petition No.: 2023-078
Property: ±1.26-acre site located at 801 Kenilworth Avenue

This Community Meeting Report is being filed with the Office of the 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 9/27/2023. 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, October 10, 2023, at 6:00 PM.

PERSONS IN ATTENDANCE AT MEETING:

The Petitioner's representatives at the required Community Meeting were Shane Seagle and Chris Odle with Citisculpt and Keith MacVean with Moore & Van Allen, PLLC.

SUMMARY OF ISSUES DISCUSSED AT MEETING:

I. Overview of Petitioner's Presentation.

Introduction and Overview of Development Plan.

Mr. MacVean started the meeting by welcoming participants and thanking them for attending the community meeting for Rezoning Petition No. 2023-078. He then explained how the meeting would proceed and reviewed the agenda.

Mr. MacVean explained the project includes ±1.26 acres located at 801 Kenilworth Avenue between Greenwood Cliff and Harding Place. Mr. MacVean showed the site location identifying the parcel to be rezoned. The site was zoned O-2(PED) but now is NC, Neighborhood Center, and the requested zoning is CAC-2 for Community Activity Center, to align it with the 2040 policy map. It will allow development with residential and non-residential uses as allowed by the CAC-2 zoning district.

Mr. MacVean reviewed the proposed rezoning schedule with a proposed public hearing on November 20th, 2023, zoning committee on December 5th, 2023, and city council decision on December 18th, 2023.

The plan is to bring the zoning into alignment with the policy map. The new UDO with NC district changed some standards of what was allowed on this site. The CAC-2 brings some of that back. It comes with a greater height allowance which is up to 200 feet versus 100 feet for PED and 80 feet for NC. To go over 120-foot base height the developer would have to use public benefits which are determined during the

building permit process. There were parking minimums and maximums but for CAC-2 there are no minimums for this location due to its distance from the Neighborhood 1 place type (more than 400 feet), just maximums.

Mr. MacVean then opened the meeting for questions and answers.

II. Summary of Questions/Comments and Responses:

There were a few questions about plans for the parcel. Mr. Seagle stated that they first need to understand their limitations and then they'll design a plan. It most likely will be residential with a ground floor retail use. He also answered a question about the Wachovia currently on the parcel being operational which it is not. The bank building and a house are still on the parcel however neither are occupied. Mr. Seagle identified two adjacent apartment buildings and across Kenilworth Avenue, there are medical uses. There are NC and MUDD zoning on adjoining properties.

Mr. MacVean indicated the office market is still weak but residential is better. There isn't a solid timeline yet. Mr. Seagle indicated that it's too early to know height however they offered to loop in participants. Mr. MacVean offered to answer additional questions. Mr. MacVean reviewed the rezoning petition again with the participant that had audio issues. Mr. Seagle added that their design will incorporate a parking deck. The participant added that there's no parking anywhere around the parcel and that includes construction parking.

Mr. MacVean indicated that the city will stay in touch with adjacent owners and neighborhood organizations through the public hearing. Mr. MacVean also offered to send Mr. Seagle and Mr. Odle's contact information.

There being no further questions, Mr. MacVean thanked everyone for their participation.

CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:

The development team will continue to coordinate efforts with City Staff.

cc: Danté Anderson, Charlotte City Council District 1 Representative
David Pettine, Charlotte Planning, Design and Development Department
Charles Lindsey McAlpine, Citisculpt, LLC
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
WELL PAPPAS CORPORATE PARCEL OWNER LLC				4777 SHARON RD STE 550		CHARLOTTE	NC	28210
WELL PAPPAS CORPORATE PARCEL OWNER LLC				4777 SHARON RD STE 550		CHARLOTTE	NC	28210
WELLTOWER PAPPAS MOB 1 LLC			C/O PAPPAS PROPERTIES LLC	4777 SHARON RD STE 550		CHARLOTTE	NC	28210
WELLTOWER PAPPAS MOB 2 LLC			C/O PAPPAS PROPERTIES LLC	4777 SHARON RD STE 550		CHARLOTTE	NC	28210
WELLTOWER PAPPAS MOB 1 LLC			C/O PAPPAS PROPERTIES LLC	4777 SHARON RD STE 550		CHARLOTTE	NC	28210
1211 AND 1221 EAST MOREHEAD STREET LLC				PO BOX 34426		CHARLOTTE	NC	28234
MT CALVARY EVANGLI CL LU	CH INC			908 KENILWORTH AVE		CHARLOTTE	NC	28204
MT CALVARY EVANGLI CL LU	CHURCH INC			1225 E MOREHEAD ST		CHARLOTTE	NC	28204
MT CALVARY EVANGELICAL	LUTHERAN CHURCH INC			1225 E MOREHEAD ST		CHARLOTTE	NC	28204
DILWORTH VENTURES LLC			C/O LINCOLN PROPERTY COMPANY	200 FAIRBROOK DR SUITE 101		HERNDON	VA	20170
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REP3 HOLDINGS LLC				1328 HARDING PL		CHARLOTTE	NC	28204
PENNY	ROBERT E III	WADE PURCELL	PENNY	4424 PARVIEW DR N		CHARLOTTE	NC	28226
KINDER-MOURN INC				1320 HARDING PL		CHARLOTTE	NC	28204
KINDER-MOURN INC				1320 HARDING PL		CHARLOTTE	NC	28204
DILWORTH VENTURES LLC			C/O LINCOLN PROPERTY COMPANY	200 FAIRBROOK DR SUITE 101		HERNDON	VA	20170
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HARDING KENILWORTH PARTNERS LLC				1355 GREENWOOD CLIFF STE 150		CHARLOTTE	NC	28204
WEST MOREHEAD VENTURES LLC				1435 WEST MOREHEAD ST UNIT 130		CHARLOTTE	NC	28208
THE MCALPINE SEAGLE DEVELOPMENT COMPANY LLC				1355 GREENWOOD CLIFF STE 150		CHARLOTTE	NC	28204
HARDING PLACE RESIDENTIAL PARTNERS LLC				222 CENTRAL PARK AVE STE 2100		VIRGINIA BEACH	VA	23462
MECKLENBURG COUNTY				600 E 4TH ST		CHARLOTTE	NC	28202
KECK	JUDITH A	TRUST	INSIDE OUT LAND	700 E 8TH ST		CHARLOTTE	NC	28202
741 KENILWORTH AVENUE LLC				PO BOX 34426		CHARLOTTE	NC	28234
741 KENILWORTH AVENUE LLC				PO BOX 34426		CHARLOTTE	NC	28234
MECKLENBURG COUNTY			% REAL ESTATE /FINANCE DEPT	600 E 4TH ST 11TH FLOOR		CHARLOTTE	NC	28202
MECKLENBURG COUNTY			C/O REAL ESTATE /FINANCE DEPT	600 E 4TH ST 11TH FLOOR		CHARLOTTE	NC	28202
JONES	DARLENE S	TRUST	DARLENE S JONES	7715 WALTHALL CT		CHARLOTTE	NC	28210
MECKLENBURG COUNTY				600 E 4TH ST		CHARLOTTE	NC	28202
1355 GREENWOOD CLIFF LLC				PO BOX 471276		CHARLOTTE	NC	28247
NORELLI	NANCY BLACK	RONALD A	NORELLI	2320 WESTMINSTER PL		CHARLOTTE	NC	28207
OLSINSKI PROPERTIES LLC				1355 GREENWOOD CLIFF STE 300		CHARLOTTE	NC	28204
MORTIMER ENTERPRISES LLC			ATTN: MARK THOMPSON AND WES SUGG	309 SOUTH LAUREL AVE		CHARLOTTE	NC	28207
SPARK INVESTMENTS PARTNERS LLC				1355 GREENWOOD CLIFF DR STE 301		CHARLOTTE	NC	28204
WATERMARK HOLDINGS LLC				1355 GREENWOOD CLIFF DR STE 201		CHARLOTTE	NC	28204
K2C2 REAL ESTATE HOLDINGS LLC				2521 CROYDON RD		CHARLOTTE	NC	28209

Exhibit A (Cont.)

Neighborhood Organizations:

full_name_neighborhood	first_name	last_name	physical_address
American Cancer Society	Rebecca	Bross	1901 Brunswick Ave, Charlotte, NC, 28207, USA
Amherst Place Homeowners Associ	June	Watts-Mistri	1730 AMHERST PL, CHARLOTTE, NC, 28204
Charlotte Crown Realist Associ	Sandra	Norman	601 E. 5TH STREET, CHARLOTTE, NC, 28202
Cherry Neighborhood Association	Kathryn	Hubicki	325 BALDWIN AVE, CHARLOTTE, NC, 28204
Cherry Neighborhood Association	Kristen	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 Leade	Sylvia	Bittle-Patton	1623 LUTHER STREET, CHARLOTTE, NC, 28204
City of Charlotte - Housing & N	Landon	W.	600 E TRADE ST, CHARLOTTE, NC, 28202
City of Charlotte - Housing & N	Landon	Watanabe	600 E TRADE ST, CHARLOTTE, NC, 28202
City of Charlotte - Housing & N	Leslie	Blaser	600 E. TRADE STREET, CHARLOTTE, NC, 28202
Crescent Heights Neighborhood A	Cullen	McNulty	2237 CRESCENT AV, CHARLOTTE, NC, 28207
DCA Land Use	Ellen	Citarella	322 E. KINGSTON AVE, CHARLOTTE, NC, 28203
DCA Land Use	Ellen	Citarella	322 E. Kingston Ave.
Dilworth Community Association	Franklin	Keathley	523 E. KINGSTON AVE, CHARLOTTE, NC, 28203
Dilworth Community Association	Valerie	Preston	413 E. WORTHINGTON AVE, CHARLOTTE, NC, 28203
Dilworth Community Development	Cynthia	Schwartz	409 RENSSELAER AV, CHARLOTTE, NC, 28203
Dilworth Community Development	John	Fryday	1119 BELGRAVE PL, CHARLOTTE, NC, 28203
Dilworth Community Development	John	Gresham	717 E KINGSTON AV, CHARLOTTE, NC, 28203
Dilworth Community Development	Mathew	Demetriades	1320 FILLMORE AVENUE #422, CHARLOTTE, NC, 28203
Dilworth Community Development	Scott	Paviol	1920 PARK ROAD, CHARLOTTE, NC, 28203
Dilworth Community Development	Sis	AtlassKaplan	1320 FILLMORE AV, CHARLOTTE, NC, 28203
Dilworth Crescent Row	Maggie	Commins	1148 DILWORTH CRESCENT ROW, CHARLOTTE, NC, 28203
Fourth Ward	Andreia	Graddick	601 E. 5TH STREET, CHARLOTTE, NC, 28202
Friends & Residents Of Historic	Karen	Jensen	311 BALDWIN AV, CHARLOTTE, NC, 28204
Grove at Cherry Home Owners Ass	Richard	Wechsler	727 MORGAN PARK DR, CHARLOTTE, NC, 28204
Heart Math Tutoring	Holly	Rodden	805 LEXINGTON AVE, CHARLOTTE, NC, 28203
Kings Creek Homeowners Associat	Adaina	Velez	450 GOLDSTAFF LN, CHARLOTTE, NC, 28273
Myers Park Manor	Kris	Taylor	430 QUEENS ROAD, CHARLOTTE, NC, 28207
Neighborhoods of Cherry	Aletha	GreenBurgess	1423 MAIN ST, CHARLOTTE, NC, 28204
Neighborhoods of Cherry	Matthew	Hassey	609 WACO ST, CHARLOTTE, NC, 28204
Office Of The Governor Of The N	Budd	Berro	600 E FOURTH ST, CHARLOTTE, NC, 28202
Other	Linda	Vanderbosch	600 E WORTHINGTON AVE, CHARLOTTE, NC, 28203
Other	Rosalyn	Allison-Jacobs	634 WACO ST, CHARLOTTE, NC, 28204
Queens Station HOA	Rex	Jones	308 QUEENS ROAD #22, CHARLOTTE, NC, 28204
Queens West Homeowners Associat	Warren	Linde	2000 NOLEN PARK LANE, CHARLOTTE, NC, 28209
Sharon Woods	Sean	Smith	318 QUEENS RD, CHARLOTTE, NC, 28204
South End	Brigit	Taylor	315 ARLINGTON AVE, CHARLOTTE, NC, 28203
South End	Megan	Pearl	315 ARLINGTON AVENUE, CHARLOTTE, NC, 28203
The Cherry Community Organizati	Barbara	Rainey	610 BALDWIN AVENUE, CHARLOTTE, NC, 28204
Wayfinders (formerly Bruce Iron	Mollie	James	725 PROVIDENCE ROAD, CHARLOTTE, NC, 28207

Exhibit B

NOTICE TO INTERESTED PARTIES OF A REZONING PETITION PETITION # 2023-078

Subject: Rezoning Petition No. 2023-078
Petitioner/Developer: Citisculpt, LLC
Current Land Use: Residential
Existing Zoning: NC
Rezoning Requested: CAC-2

Date and Time of Meeting: *Tuesday, October 10, 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: 9/27/2023

Moore & Van Allen is assisting Citisculpt, LLC (the "Petitioner") on a recently filed request to rezone an approximately ±1.26-acre site located at 801 Kenilworth Avenue (the "Site"), in Charlotte, North Carolina, from NC to CAC-2 (Community Activity Center). The purpose of the rezoning is to allow the redevelopment of the Site with uses allowed in the CAC-2 zoning district, and per the standards of the CAC-2 zoning district. The request is consistent with the 2040 Policy Map Recommendation for Community Activity Center.

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, October 10, 2023, at 6:00 p.m.

*Please send an email to Drenna Hannon at drennahannon@mvalaw.com by October 9th in order to receive a secure virtual meeting link and reference *Petition #2023-078*.*

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
Charles Lindsey McAlpine, Citisculpt, LLC
Jeff Brown, Moore & Van Allen, PLLC
Keith MacVean, Moore & Van Allen, PLLC

Exhibit B (Cont.)

Site location:

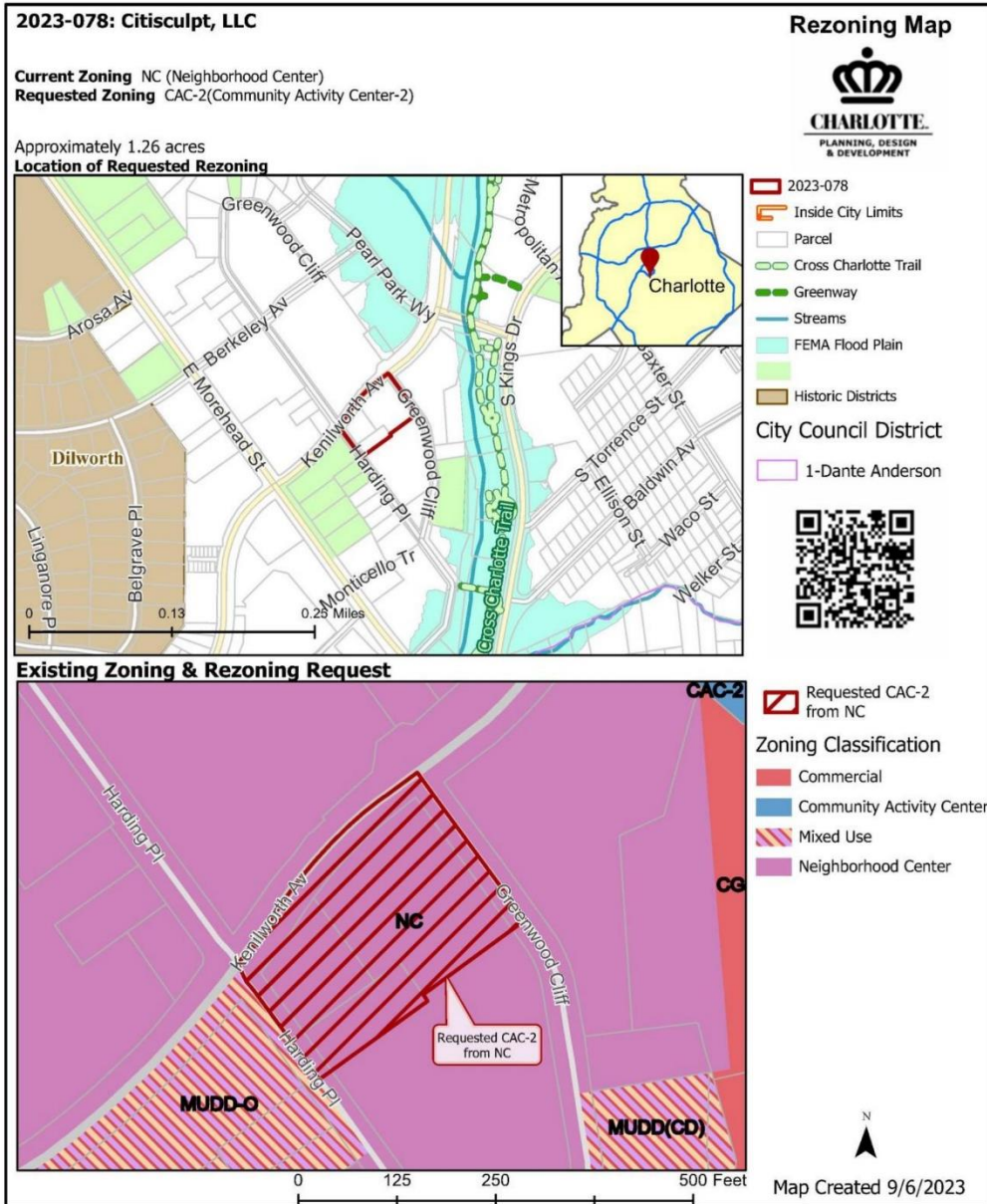


Exhibit C

Name	Email	Notes
Judy Keck	judy.keck@aol.com	1331 Greenwood Cliff/704.517.5840
Ellen Citarella	landuse@dilworthonline.org	
John Fryday	carguyjohn52@gmail.com	