

## **COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2023-169**

**Petitioner:** D. R. Horton  
**Rezoning Petition No.:** 2023-169  
**Property:** ±33.95 acres located on Lemmond Farm Drive

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 1/23/2024. 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, February 6, 2024, at 6:00 p.m.

### **PERSONS IN ATTENDANCE AT MEETING:**

The list of attendees from the required Community Meeting is attached as **Exhibit C**. The Petitioner's representative at the required Community Meeting were Tim Derylak and Logan Foster Creech with D. R. Horton, Eddie Moore with McAdams, the design engineer, and Bridget Grant with Moore & Van Allen, PLLC.

### **SUMMARY OF ISSUES DISCUSSED AT MEETING:**

#### **I. Overview of Petitioner's Presentation.**

##### **Introduction and Overview of Development Plan.**

Ms. Grant with Moore & Van Allen started the meeting by welcoming the participants and thanking them for attending the community meeting for Rezoning Petition No. 2023-169. She then introduced the Petitioner's representatives to the meeting attendees.

Ms. Grant and the petitioner's representatives provided the following information during the presentation:

Ms. Grant explained the location of the 33.95-acre site on the west side of I-485, east of Harrisburg Road, north of Albemarle Road. The site is zoned MX-1 (residential mixed-use), and the proposed zoning is N2-A(CD) to allow the development of the site with a residential community. Ms. Grant explained further the N2-A zoning district is intended to accommodate multi-family attached dwellings. The Charlotte 2040 Plan place type recommendation is Neighborhood 2 which supports development of the site. Ms. Grant shared the original approved conditional plan which had an undeveloped portion of the site that permits up to 75 units. The proposed site plan was shared illustrating 124 townhome style units, sidewalks throughout the site, access points, tree save and increased open space.

The anticipated rezoning schedule is for a March 18, 2024, Public Hearing, then an April 2, 2024, Zoning Committee and a City Council Decision on April 15, 2024.

Ms. Grant then opened the meeting for questions.

**II. Summary of Questions/Comments and Responses:**

Participants questions centered on overall access, storm water and construction related concerns.

The development team confirmed that access will not be provided directly from I-485; connections will be provided by connecting and extending existing public streets. The proposed park dedication will be open to the public. Mecklenburg County Park and Recreation will be responsible for improving and maintaining the area. The development team will be providing a trail as generally depicted on the submitted rezoning plan. The development team also confirmed that a wall will not be provided between the existing and proposed community.

Members from the DR Horton team confirmed that they will follow all applicable ordinance requirements related to storm water run off and construction practices.

There being no further questions, the presentation for Petition 2023-169 was concluded, and participants were thanked for their time and interest in the development. The presentation was sent to all registered attendees.

**CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:**

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

cc: Marjorie Molina, Charlotte City Council District 5 Representative  
David Pettine, Charlotte Planning, Design and Development Department  
Tim Derylak, D. R. Horton  
Jeff Brown, Moore & Van Allen, PLLC  
Bridget Grant, Moore & Van Allen, PLLC

## Exhibit A

### Adjacent Owners:

| OWNERLASTN                    | OWNERFIRST     | COWNERFIRS     | COWNERLAST             | MAILADDR1                         | CITY        | STATE | ZIPCODE |
|-------------------------------|----------------|----------------|------------------------|-----------------------------------|-------------|-------|---------|
| LEGAMO                        | YONAS          | YENEWORK       | YALEW                  | 8819 GRAY WILLOW RD               | CHARLOTTE   | NC    | 28227   |
| HORACE                        | JOHNNY T II    | PATRICIA W     | POWELL                 | 8823 GRAY WILLOW RD               | CHARLOTTE   | NC    | 28227   |
| SCHMIDT                       | HENRY J        | BRIAN A        | SCHMIDT                | 8903 GRAY WILLOW RD               | CHARLOTTE   | NC    | 28227   |
| SMITH                         | LALaura M      |                |                        | 11918 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| THR NORTH CAROLINA II LP      |                |                | C/O INVITATION HOMES   | 1717 MAIN ST SUITE 2000           | DALLAS      | TX    | 75201   |
| 2018-4 IH BORROWER LP         |                |                | C/O INVITATION HOMES   | 1717 MAIN ST STE 2000             | DALLAS      | TX    | 75201   |
| CALDWELL                      | STACEY         |                |                        | 11906 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| NGAFUA                        | JEFFREY JR     | LATRICA        | YOUNG                  | 11902 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| JOHNSON                       | JESSICA C      | CARL E         | JOHNSON                | 11828 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| IH6 PROPERTY NORTH CAROLINA I |                |                |                        | 9335 HARRIS CORNERS PKWY STE 150  | CHARLOTTE   | NC    | 28269   |
| PENN                          | WILLIE BLANCHI | PETRONILA ELEI | CLARK                  | 11820 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| RODRIGUZ COLBERT              | JOY A          | DARON          | RODRIGUZ COLBERT       | 11816 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| CONNOLLY                      | CHARLES CHRIS  |                |                        | 11812 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| MOTARD                        | ANNE           |                |                        | 11808 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| PROGRESS RESIDENTIAL BORROW   |                |                |                        | PO BOX 4090                       | SCOTTSDALE  | AZ    | 85261   |
| UNDERWOOD                     | BARBARA F      |                |                        | 11800 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| RODRIGUEZ                     | HEIDI          | DANIEL         | RODRIGUEZ              | 11726 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| LOTT                          | SHIRLEY        |                |                        | 11722 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| NOBLES                        | LASHANDA M     |                |                        | 11718 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| CENTEX HOMES                  |                |                |                        | 11121 CARMEL COMMONS BLV,STE 450  | CHARLOTTE   | NC    | 28226   |
| OPENDOOR PROPERTY TRUST I     |                |                |                        | 410 NORTH SCOTTSDALE RD STE 160   | TEMPE       | AZ    | 85281   |
| FREDERICK                     | MADELINE       |                |                        | 7120 BEAR GRASS LN                | CHARLOTTE   | NC    | 28227   |
| AMET                          | GWENDOLYN A    |                |                        | 7116 BEAR GRASS LN                | CHARLOTTE   | NC    | 28227   |
| IH6 PROPERTY NORTH CAROLINA,  |                |                |                        | 7112 BEAR GRASS LN                | CHARLOTTE   | NC    | 28227   |
| PROGRESS RESIDENTIAL BORROW   |                |                |                        | PO BOX 4090                       | SCOTTSDALE  | AZ    | 85261   |
| DANIELS                       | ALBERT W III   | TRACEY E       | DANIELS                | 7104 BEAR GRASS LN                | CHARLOTTE   | NC    | 28227   |
| BUXTON                        | ENOCH JR       | CRYSTAL        | LEWIS                  | 8826 GRAY WILLOW RD               | CHARLOTTE   | NC    | 28227   |
| RHUE                          | TESSYE         |                |                        | 8822 GRAY WILLOW RD               | CHARLOTTE   | NC    | 28227   |
| BYRD III                      | EDDIE L        | ANGELIA        | BYRD                   | 8818 GRAY WILLOW RD               | CHARLOTTE   | NC    | 28227   |
| EDMOND                        | MATTHEW A      | ANQUONETTE S   | EDMOND                 | 8814 GRAY WILLOW RD               | CHARLOTTE   | NC    | 28227   |
| JOHNSON                       | ANNMARIE       | DADSEETA       | ROWE                   | 8810 GRAY WILLOW RD               | CHARLOTTE   | NC    | 28227   |
| WOODBURY HOMEOWNERS ASSO      |                |                |                        | 11111 CARMEL COMMONS BLVD STE 410 | CHARLOTTE   | NC    | 28226   |
| WOODBURY HOMEOWNERS ASSO      |                |                |                        | 11111 CARMEL COMMONS BLVD STE 410 | CHARLOTTE   | NC    | 28226   |
| WOODBURY HOMEOWNERS ASSO      |                |                |                        | 11111 CARMEL COMMONS BLVD STE 410 | CHARLOTTE   | NC    | 28226   |
| JOYNER                        | ALYCIA T       |                |                        | 11711 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| VALI                          | RYAN CHRISTOP  | AMY LY         | HETHCOTE               | 11715 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| FORESTIER-RODRIGUEZ           | JEAN PABLO     | DEANNA A       | FORESTIER-RODRIGUEZ    | 11719 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| PROGRESS RESIDENTIAL BORROW   |                |                |                        | PO BOX 4090                       | SCOTTSDALE  | AZ    | 85261   |
| IH6 PROPERTY NORTH CAROLINA I |                |                |                        | 9335 HARRIS CORNERS PKWY STE 100  | CHARLOTTE   | NC    | 28269   |
| MONROY                        | NELVA CHAPAR   |                |                        | 11803 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| TRONCOSO                      | JAIIME G SAEZ  | VANUSA DECAS   | FELIPE                 | 11807 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| MANGHAN                       | DARLENE        |                |                        | 11811 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| JARAMA                        | JORGE          | CARMELISHA     | JARAMA                 | 11815 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| CAA PROPERTY MANAGEMENT LL    |                |                |                        | 4000 CLOVER HILL RD               | INDIAN TRAI | NC    | 28079   |
| ANNASTAS                      | BARBARA A      |                |                        | 11823 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| BUSTAMANTE                    | PAULA I        |                |                        | 10026 BRISTLEY RD                 | CHARLOTTE   | NC    | 28227   |
| 2018-4 IH BORROWER LP         |                |                | C/O INVITATION HOMES   | 1717 MAIN ST STE 2000             | DALLAS      | TX    | 75201   |
| MOSES                         | LUQUARN C      |                |                        | 10019 BRISTLEY RD                 | CHARLOTTE   | NC    | 28227   |
| GASKINS                       | PATSY          |                |                        | 10025 BRISTLEY RD                 | CHARLOTTE   | NC    | 28227   |
| VERVOORT                      | MARK R         |                |                        | PO BOX 185                        | TROUTMAN    | NC    | 28166   |
| MAUNG                         | KO KO          | DAR            | MEI                    | 12013 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| WINSLOW                       | BRANDON ALEX   | KIERSTEN MESS  | WINSLOW                | 12017 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| MCH SFR NC OWNER 1 LP         |                |                |                        | 14355 COMMERCE WAY                | MIAMI LAKE  | FL    | 33016   |
| CANNON                        | DEREK          |                |                        | 12025 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| RILEY                         | CARLTON B      | FAITH N        | RILEY                  | 12029 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| SAVOY                         | ASHLEY M       |                |                        | 12105 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| MOSES                         | SHERRON D      |                |                        | PO BOX 29438                      | CHARLOTTE   | NC    | 28229   |
| WOODBURY HOMEOWNERS ASSO      |                |                |                        | 11111 CARMEL COMMONS BLVD STE 410 | CHARLOTTE   | NC    | 28226   |
| NICOLAS                       | LESUE          |                |                        | 12108 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| FKH SFR PROPCO A LP           |                |                | C/O FIRSTKEY HOMES LLC | 1850 PARKWAY PL STE 900           | MARIETTA    | GA    | 30067   |
| CENTEX HOMES                  |                |                |                        | 12034 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| HYDAA LLC                     |                |                |                        | 2041 CLARION DR                   | INDIAN LAN  | SC    | 29707   |
| TURRO                         | JAVIER O       | ANA R          | FREY                   | 12026 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| GOLDSON                       | CARLA ELAINE   |                |                        | 12022 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28277   |
| PROGRESS RESIDENTIAL BORROW   |                |                |                        | PO BOX 4090                       | SCOTTSDALE  | AZ    | 85261   |
| FLOWERS                       | ELIZABETH L    |                |                        | 12014 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| FESSEHA                       | HIWOT          |                |                        | 12010BENDING BRANCH RD            | CHARLOTTE   | NC    | 28227   |
| PROGRESS RESIDENTIAL BORROW   |                |                |                        | PO BOX 4090                       | SCOTTSDALE  | AZ    | 85261   |
| CSHP ONE LP                   |                |                |                        | 8665 EAST HARTFORD DR STE 200     | SCOTTSDALE  | AZ    | 85255   |
| IBRAHIM                       | RILWAN B       | OLUWATOSINE    | IBRAHIM                | 12208 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| SCHOFFSTALL                   | DONALD G       |                |                        | 12204 BENDING BRANCH RD           | CHARLOTTE   | NC    | 28227   |
| WOODBURY HOMEOWNERS ASSO      |                |                |                        | 11111 CARMEL COMMONS BLVD STE 410 | CHARLOTTE   | NC    | 28226   |
| LEMMOND FARM HOLDINGS III LLC |                |                |                        | 13088 GINOVANNI WAY               | MINT HILL   | NC    | 28227   |
| 12009 LEMMOND FARM (NC) OWN   |                |                |                        | PO BOX A-3878                     | CHICAGO     | IL    | 60690   |
| 12009 LEMMOND FARM (NC) OWN   |                |                |                        | PO BOX A-3878                     | CHICAGO     | IL    | 60690   |
| 12009 LEMMOND FARM (NC) OWN   |                |                |                        | PO BOX A-3878                     | CHICAGO     | IL    | 60690   |

**Exhibit A (Cont.)**

**Neighborhood Organizations:**

| <b>full_name_neighborhood</b>   | <b>first_name</b> | <b>last_name</b> | <b>physical_address</b>                         | <b>apartment_unit_or_suite</b> |
|---------------------------------|-------------------|------------------|---|--------------------------------|
| Avensong Homeowners Association | Cassandra         | Nathan           | 12102 HARPLEY COURT, CHARLOTTE, NC, 28215       |                                |
| Avensong Homeowners Association | Donald            | Albritton        | 9724 AVENSONG CROSSING DR, CHARLOTTE, NC, 28215 |                                |
| Avensong Homeowners Association | Sherry            | Washington       | 12135 HARPLEY COURT, CHARLOTTE, NC, 28215       |                                |
| Beachwood/Glenwood Homeowners   | Brenda            | Hudgins          | 9816 AVENSONG CROSSING DR, CHARLOTTE, NC, 28215 |                                |
| Cedarbrook Acres Neighborhood A | Sandra            | Zane             | 7720 CEDARBROOK DR, CHARLOTTE, NC, 28215        |                                |
| Far East Neighborhoods Coalitio | Vernetta          | Mitchell         | 5520 SUNCREST COURT, CHARLOTTE, NC, 28215       |                                |
| Robinson Woods Steering Committ | HCWoody           | Woodward         | 7216 CEDARBROOK DR, CHARLOTTE, NC, 28215        |                                |
| Turtle Rock Homeowners Associat | Vernetta          | Mitchell         | 5123 TIMBERTOP LANE, CHARLOTTE, NC, 28215       |                                |
| Turtle Rock Homeowners Associat | Vernetta          | Mitchell         | 5520 SUNCREST CT, CHARLOTTE, NC, 28215          |                                |
| Woodbury                        | Shelia            | Campbell         | 8710 HEARTLEAF ROAD, CHARLOTTE, NC, 28227       |                                |

## Exhibit B

### NOTICE TO INTERESTED PARTIES OF A REZONING PETITION PETITION # 2023-169

Subject: Rezoning Petition No. 2023-169  
Petitioner/Developer: D. R. Horton  
Current Land Use: Vacant  
Existing Zoning: MX-1  
Rezoning Requested: N2-A(CD)

**Date and Time of Meeting:** *Tuesday, February 6, 2024, at 6:00 p.m.*

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

Date of Notice: 1/23/2024

Moore & Van Allen is assisting D. R. Horton (the “Petitioner”) on a recently filed request to rezone an approximately ±33.95-acre site located on Lemmond Farm Drive (the “Site”), in Charlotte, North Carolina, from MX-1 to N2-A(CD). The purpose of the rezoning is to allow the development of the Site with a residential community. The request is consistent with the 2040 Policy Map Recommendation for Neighborhood 2 place types.

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, February 6, 2024, at 6:00 p.m.**

*Please send an email to Drenna Hannon at [drennahannon@mvalaw.com](mailto:drennahannon@mvalaw.com) by February 5<sup>th</sup> in order to receive a secure virtual meeting link and reference Petition #2023-169.*

Residents who expect they will be unable to access the virtual meeting or have questions about this matter are asked to email [bridgetgrant@mvalaw.com](mailto:bridgetgrant@mvalaw.com) or call 704-331-2379 to make alternative arrangements to receive the presentation information. Presentation materials will be shared upon request after the virtual meeting.

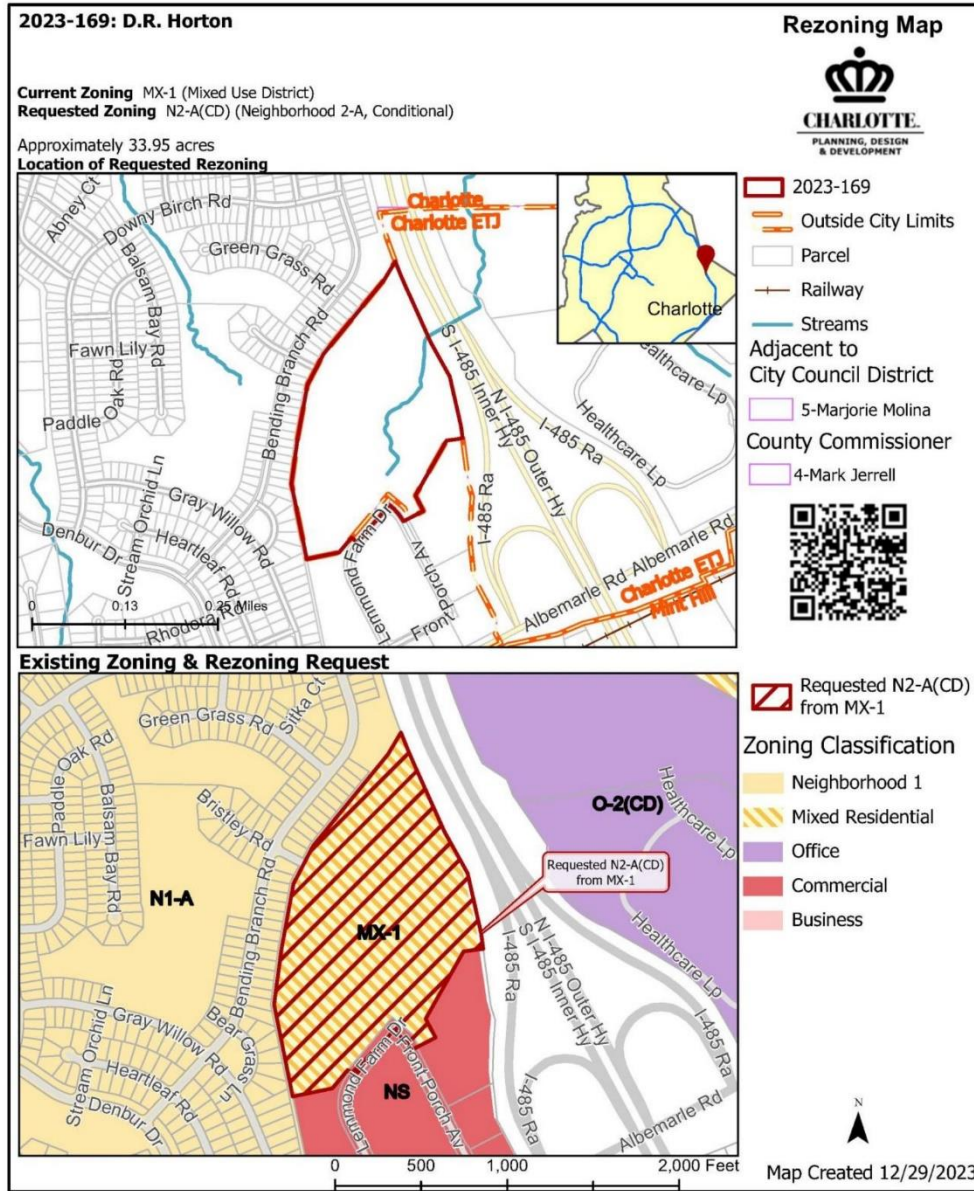
Representatives of the Petitioner look forward to discussing this exciting rezoning proposal with you at the Virtual Community Meeting. Thank you.

cc: Marjorie Molina, Charlotte City Council District 5 Representative  
David Pettine, Charlotte Planning, Design and Development Department  
Tim Derylak, D. R. Horton  
Jeff Brown, Moore & Van Allen, PLLC  
Bridget Grant, Moore & Van Allen, PLLC

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## Exhibit B (Continued)

Site location:



**Exhibit C**

| <b>Name</b>         | <b>Email</b>   |
|---------------------|--|
| Tessye J. Rhue      | <a href="mailto:tjrhue@gmail.com">tjrhue@gmail.com</a>                   |
| Benjamin Sullivan   | <a href="mailto:bsulliv@me.com">bsulliv@me.com</a>                       |
| Ella Stainback      | <a href="mailto:ella.stainback@gmail.com">ella.stainback@gmail.com</a>   |
| CJ Turner           | <a href="mailto:locsqueen@msn.com">locsqueen@msn.com</a>                 |
| Tracey Daniels      | <a href="mailto:tdaniels919@yahoo.com">tdaniels919@yahoo.com</a>         |
| Madeleine Frederick | <a href="mailto:fredmaddy421@gmail.com">fredmaddy421@gmail.com</a>       |
| Vernetta Mitchell   | <a href="mailto:charlotte.fenco@gmail.com">charlotte.fenco@gmail.com</a> |
| Patricia Campbell   | <a href="mailto:plcampbell11@yahoo.com">plcampbell11@yahoo.com</a>       |