

**COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2023-170**

**Petitioner:** BV Belk Properties, LLC  
**Rezoning Petition No.:** 2023-170  
**Property:** ±1.578 acres located at 5740 & 5744 N. Tryon 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 1/17/2024. 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, January 31, 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 was Ryan Murphy with BVB Properties, LLC and John Floyd with Moore & Van Allen, PLLC.

**SUMMARY OF ISSUES DISCUSSED AT MEETING:**

**I. Overview of Petitioner’s Presentation.**

**Introduction and Overview of Development Plan.**

Mr. Floyd with Moore & Van Allen started the meeting by welcoming the participants and thanking them for attending the community meeting for Rezoning Petition No. 2023-170. He then introduced the Petitioner’s representative to the meeting attendees.

Mr. Floyd and the petitioner’s representative provided the following information during the presentation:

Mr. Floyd explained the location of the 1.578-acre site on the east side of N. Tryon Street, south of Orr Road and north of Old Concord Road. The site is zoned ML-2 (manufacturing and logistics), and the proposed zoning is IMU (Innovative Mixed Use) to allow the development of the site with all uses allowed in the IMU zoning district. Mr. Floyd explained further the IMU zoning district is intended to accommodate those areas that have typically developed as industrial areas but are transitioning from an exclusively industrial orientation to a broader mix of light industrial, artisan industrial, commercial, and moderate density residential uses within a more walkable environment. The Charlotte 2040 Plan place type recommendation is Innovative Mixed-Use, which supports development of the site.

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.

Mr. Floyd then opened the meeting for questions.

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

Participants questions centered on the intended use of the property after rezoning. Mr. Floyd explained that with a conventional rezoning, the owner is not agreeing to any particular use beyond the limitations set forth in the zoning ordinance. Nevertheless, Mr. Murphy indicated that the owner was seeking to rezone the property to allow retail uses, which is what the existing improvements would be best utilized for. There being no further questions, the presentation for Petition 2023-170 was concluded, and participants were thanked for their time and interest in the development.

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

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

cc: Malcolm Graham, Charlotte City Council District 2 Representative  
David Pettine, Charlotte Planning, Design and Development Department  
Ryan Murphy, BVB Properties, LLC  
John Floyd, Moore & Van Allen, PLLC  
Bridget Grant, Moore & Van Allen, PLLC

## Exhibit A

### Adjacent Owners:

OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	CITY	STATE	ZIPCODE
SOUDER PROPERTIES INC				4614 WILGROVE MINT HILL RD	CHARLOTTE	NC	28227
PECAN GROVE MHP LLC				206 COLLEGE ST	PINEVILLE	NC	28134
THREE TIER INVESTMENTS LLC				5744 N TRYON ST	CHARLOTTE	NC	28213
5740 NORTH TRYON LLC				204 C WEST WOODLAWN RD	CHARLOTTE	NC	28217
RRC CONCRETE INC				236 MATTHEWS TOWNSHIP PKWY	MATTHEWS	NC	28105
MIDWEST TRUST COMPANY		IRREVOCABLE TRUST	ABRAHAM B ROSENBERG	5901 COLLEGE BOULEVARD STE 100	LEAWOOD	KS	66211
THE CITY OF CHARLOTTE				600 E 4TH ST 14TH FL	CHARLOTTE	NC	28202
HARBOR BAPTIST CHURCH				5801 OLD CONCORD RD	CHARLOTTE	NC	28210
TRUTH BROADCASTING CORPORATION				4405 PROVIDENCE LN	WINSTON SA	NC	27106
CENTER FOR COMMUNITY STORAGE TRUST PROPERTIES L P	TRANSITIONS INC			PO BOX 33533	CHARLOTTE	NC	28215
HARBOR BAPTIST CHURCH			DEPT/PT/NC 28059	PO BOX 25025	GLENDALE	CA	91201
KILBROS3 LLC			C/O JAMES H KILLIAN SR MANAGER	5801 OLD CONCORD RD	CHARLOTTE	NC	28213
DARWICH	ALI			4148 WRANGLER DR SW	CONCORD	NC	28027
COUCHELL INVESTMENT COMPANY LLC				5735 N TRYON ST	CHARLOTTE	NC	28213
VLA ENTERPRISES LLC				3362 SMITH FARM RD	MATTHEWS	NC	28104
GOUCH	HARVEY W	LOUISE G	GOUCH	1283 BRAEBURN RD NW	CONCORD	NC	28027
				524 SOUTH HOSKINS RD	CHARLOTTE	NC	28208

### Neighborhood Organizations:

full_name_neighborhood	first_name	last_name	physical_address	apartment_unit_or_suite
Briarwood Academy Elementary	Brenda	Slade	1001 WILANN DR, CHARLOTTE, NC, 28215	
Bridlewood Community Associatio	Janie	Sumpter	6329 BRIDLEWOOD LN, CHARLOTTE, NC, 28215	
Bridlewood Community Associatio	Ola	Mitchell	227 VICKERY DR, CHARLOTTE, NC, 28215	
Charlotte Mecklenburg Community	George	Dortche	6236 COUNTRYSID	unit 5
Chastain Homeowners Association	Laura	Griggs	526 OWEN BV, CHARLOTTE, NC, 28213	
Faith Christian Methodist Episc	Sandra	Gripper	457 WELLINGFORD STREET, CHARLOTTE, NC, 28213	
Green Forest Neighborhood Assoc	Veronica	Thompson	6925 WOODFIELD DR, CHARLOTTE, NC, 28215	
Green Meadows Community Associa	Kay	Blake	311 BRIARWOOD DR, CHARLOTTE, NC, 28215	
Hampshire Hills Neighborhood As	Ruth	Johnson	5001 BANFSHIRE RD, CHARLOTTE, NC, 28215	
Hidden Valley	Krista	Gomez	4710 SPRINGVIEW RD, CHARLOTTE, NC, 28213	
Hidden Valley Community Associa	Jeff	Hopkins	229 AUSTIN DR, CHARLOTTE, NC, 28213	
Hidden Valley Community Associa	Linda	Moore	5209 SPRINGVIEW RD, CHARLOTTE, NC, 28213	
Hidden Valley Community Associa	Marjorie	Parker	5131 SPRINGVIEW ROAD, CHARLOTTE, NC, 28213	
Hidden Valley Community Develop	John	Wall	5017 SPRINGVIEW RD, CHARLOTTE, NC, 28213	
Hidden Valley Community Develop	Odell	Witherspoor	6601 HEATHERBROOKE AV, CHARLOTTE, NC, 28213	
Hidden Valley Community Homeown	Doris	Edwards	1224 KIRT CT, CHARLOTTE, NC, 28213	
Hidden Valley Community Homeown	Saundra	Jackson	6409 HIDDEN FOREST DR, CHARLOTTE, NC, 28213	
Hidden Valley Political Action	Samuel	Love	6417 HEATHERBROOKE AV, CHARLOTTE, NC, 28213	
Hidden Valley Zoning Committee	Priscilla	Duncan	6423 HEATHERBROOKE AV, CHARLOTTE, NC, 28213	
Homewood Acres Community Associ	Myron	Brown	4829 BANFSHIRE RD, CHARLOTTE, NC, 28215	
Huntingtowne Farms Neighborhood	Ashlynn	Kelker	6342 ELGYWOOD LN, CHARLOTTE, NC, 28213	
Plaza Midwood Neighborhood Asso	Leslie	Shinn	5906 OLD COACH RD, CHARLOTTE, NC, 28215	
Plaza/Eastway Partners/North Ea	Maxine	Eaves	5906 OLD COACH RD, CHARLOTTE, NC, 28215	

## Exhibit B

### **NOTICE TO INTERESTED PARTIES OF A REZONING PETITION PETITION # 2023-170**

Subject: Rezoning Petition No. 2023-170  
Petitioner/Developer: BVB Properties LLC  
Current Land Use: Commercial  
Existing Zoning: ML-2  
Rezoning Requested: IMU  
**Date and Time of Meeting:** *Wednesday, January 31, 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: 1/17/2024

Moore & Van Allen is assisting BVB Properties, LLC (the "Petitioner") on a recently filed request to rezone an approximately ±1.578-acre site located at 5740 & 5744 N. Tryon Street (the "Site"), in Charlotte, North Carolina, from ML-2 to IMU. The purpose of the rezoning is to allow the development of the Site with uses allowed in the IMU zoning district. The request is consistent with the 2040 Policy Map recommendation for IMU 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 Wednesday, January 31, 2024, at 6:00 p.m.**

*Please send an email to Drenna Hannon at [drennahannon@mvalaw.com](mailto:drennahannon@mvalaw.com) by January 30<sup>th</sup> in order to receive a secure virtual meeting link and reference Petition #2023-170.*

Residents who expect they will be unable to access the virtual meeting or have questions about this matter are asked to email [johnfloyd@mvalaw.com](mailto:johnfloyd@mvalaw.com) or call 704-331-3578 to make alternative arrangements to receive the presentation information. Presentation materials will be shared upon request after the virtual meeting.

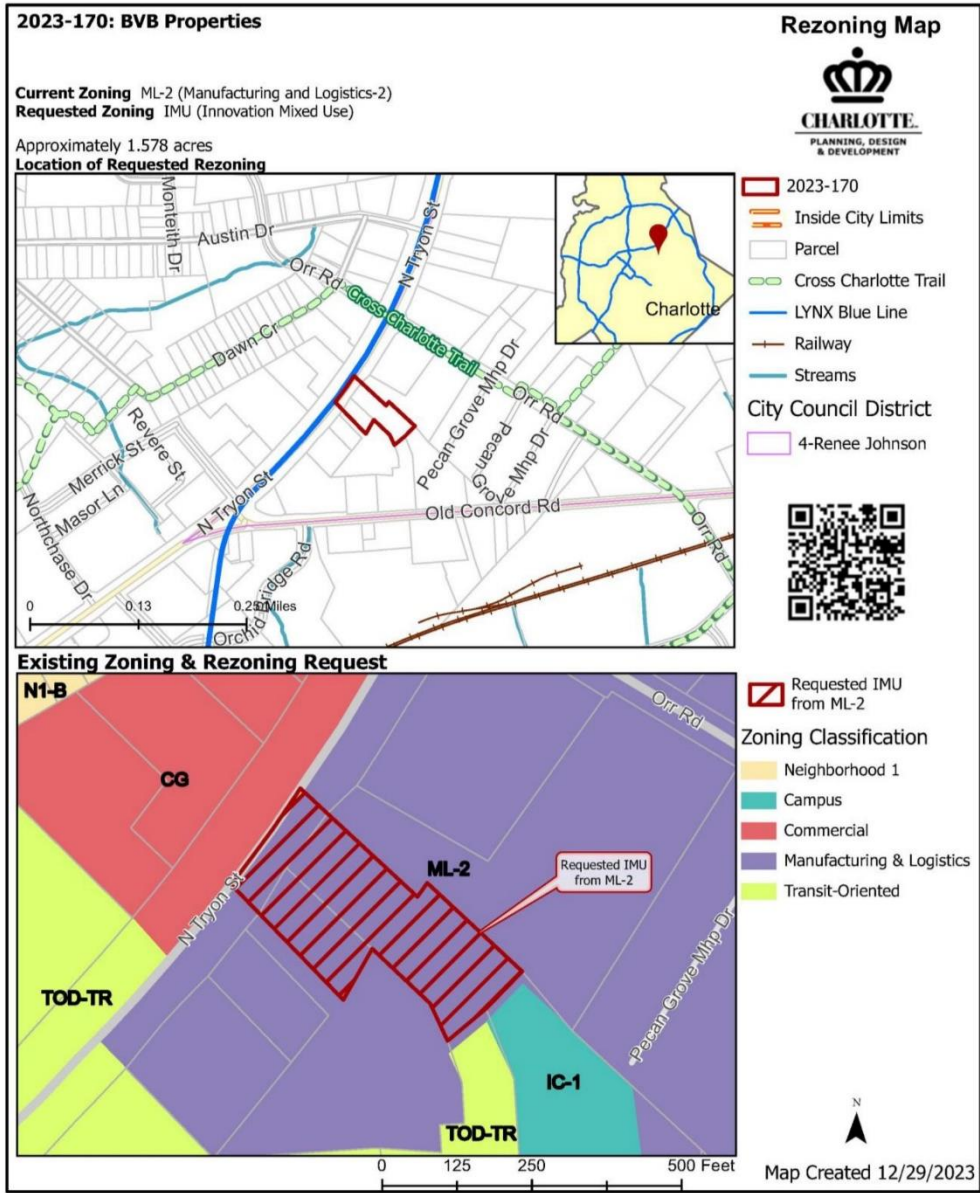
Representatives of the Petitioner look forward to discussing this exciting rezoning proposal with you at the Virtual Community Meeting. Thank you.

cc: Malcolm Graham, Charlotte City Council District 2 Representative  
David Pettine, Charlotte Planning, Design and Development Department  
Ryan Murphy, BVB Properties, LLC  
John Floyd, 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>
James Killian	<a href="mailto:jhkilliansr@yahoo.com">jhkilliansr@yahoo.com</a>
Ramiro Razo	<a href="mailto:rrc1concrete@gmail.com">rrc1concrete@gmail.com</a>
Vicki Almeter	<a href="mailto:vickialmeter1@gmail.com">vickialmeter1@gmail.com</a>
Tom Almeter/Jackie	<a href="mailto:jralmeter@gmail.com">jralmeter@gmail.com</a>
Charles Cooley	<a href="mailto:charles@rrc1concrete.com">charles@rrc1concrete.com</a>