

COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2023-172

Petitioner: BV Belk Properties
Rezoning Petition No.: 2023-172
Property: ±0.786 acres located along Mt. Holly-Huntersville Road

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 1/4/2024. 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 Thursday, January 18, 2024, at 6:00 p.m.

PERSONS IN ATTENDANCE AT MEETING:

The Petitioner's representatives at the required Community Meeting were John Floyd with Moore & Van Allen, PLLC and Benji Layman of the Isaacs Group. There were three attended to the meeting, who are listed on **Exhibit C**.

SUMMARY OF ISSUES DISCUSSED AT MEETING:

I. Overview of Petitioner's Presentation.

Introduction and Overview of Development Plan.

Mr. Floyd with Moore & Van Allen was introduced and started the meeting by welcoming the participants and thanking them for attending the community meeting for Rezoning Petition No. 2023-172. He then explained that the primary purpose of the rezoning was to change the existing conditions on the property to allow for the construction of two smaller buildings instead of one larger building, that the maximum square footage of construction would not change from 7,250, that the zoning district was being modified to account for changes in the Charlotte UDO, and that the potential uses were being further limited by the petitioner.

Mr. Floyd then provided the following information during the presentation: The location of the 0.786-acre site is on the south side of Mt. Holly-Huntersville Road, east of Lawing School Road and west of Bellhaven Boulevard and Highway I-485. The existing zoning is B-1(CD) and the proposed zoning is CG(CD). The Charlotte 2040 Plan place type recommendation is commercial. The original approved site plan petition #2000-018 shows the outparcel with one building. The proposed site plan is non-residential use as permitted by right and under prescribed conditions with accessory uses. There will be up to 7,250 square feet of gross floor area or a maximum 2,000 square feet of gross floor area for any permitted use if developed with a drive through establishment and a maximum of two buildings. Mr. Floyd also shared the upcoming schedule of public hearing on March 18, 2024, zoning committee on April 2, 2024, and a city council decision on April 15, 2024.

II. Summary of Questions/Comments and Responses:

The three attendees were all present on behalf of their mother, who lives across the street from the site. The attendees raised concerns about traffic, and it was explained that the site would not have its own street access and would only access the existing shopping center through internal driveways.

The attendees asked questions regarding the orientation of the proposed buildings and whether their mother's property would be facing a loading dock or dumpster. It was explained that no decisions had been made regarding the size or location of the buildings but that any dumpster would be subject to the screening requirements of the UDO and that given the size of the site and limitations on total building size, it was unlikely that any development would involve a large-scale loading dock. It was also noted that the architectural conditions on the existing shopping center would also apply to the site, so that any construction should have a similar appearance.

The attendees also asked questions about the proposed use on the site, the hours of operation, and the type of tenant. It was explained that no decisions had been made regarding the specific use or tenant that would operate on the site but that the site would be subject to the requirements of the UDO and the petitioner was agreeing to further limitations on the potential use to avoid less appealing uses such as gas stations, adult entertainment, and nightclubs.

There being no further questions, the meeting 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
Randy Smith, BV Belk Properties
Jeff Brown, Moore & Van Allen, PLLC
Bridget Grant, Moore & Van Allen, PLLC

Exhibit A

Adjacent Owners:

OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
HOLDEN	MARTHA SEARC			10101 LAWING SCHOOL RD		CHARLOTTE	NC	28214
GRICE	HELEN F			2824 MT HOLLY HUNTERSVILLE RD		CHARLOTTE	NC	28214
WHITE	MILDRED C			2800 MT HOLLY-HNTSVL RD		CHARLOTTE	NC	28214
BASCOMS CORNER LLC				204 C WEST WOODLAWN RD		CHARLOTTE	NC	28217
GORGON CHARLOTTE LLC				4900 NW 2ND AV		MIAMI	FL	33127
NEDILA	MICHAEL T	KLAUDIA A	DZUIRDZIA	10116 LAWING SCHOOL RD		CHARLOTTE	NC	28214
BASCOMS CORNER LLC			ARGUS HOLDINGS LLC	204C WOODLAWN RD		CHARLOTTE	NC	28217
DT RETAIL PROPERTIES LLC			ATTN: DAMON OSBORNE	500 VOLVO PARKWAY		CHESAPEAKE	VA	23320
CALVARY BAPTIST CHURCH INC				2727 MT HOLLY-HUNTERSVILLE RD		CHARLOTTE	NC	28214
GOODWILL INDUSTRIES OF THE SC THERN PIEDMO				2122 FREEDOM DR		CHARLOTTE	NC	28208

Neighborhood Organizations:

full_name_neighborhood	first_name	last_name	physical_address	apartment_unit_or_suite
Devonwood Towns Homeowners Asso	Victoria	Carnall	4742 STONEY BRANCH DR, CHARLOTTE, NC, 28216	
Hunter Ridge Homeowners Associa	Michael	Peters	9431 ISAAC HUNTER DR, CHARLOTTE, NC, 28214	
Melbourne Homeowners Associatio	Jonelle	Flynn	2114 MOUNT HOLLY-HUNTERSVILLE RD, CHARLOTTE, NC, 2	
Mountain Island Lake Business D	Deanna	Hamm	12218 BACKWATER DRIVE, CHARLOTTE, NC, 28214	
Oakview Terrace Neighborhood As	Thomas	Cowans	9327 MOUNTAIN AIRE CR, CHARLOTTE, NC, 28214	
Polo Club At Mountain Island La	Thomas	Clark	5112 POLO GATE BLVD., CHARLOTTE, NC, 28216	
Riverbend	Kerwin	Scott	12247 FULLERTON COURT, CHARLOTTE, NC, 28214	
Woods at Coulwood /selene godde	Kimberly	Brooksbank	9258 AUSTIN RIDGE LN, CHARLOTTE, NC, 28214	

Exhibit B

NOTICE TO INTERESTED PARTIES OF A REZONING PETITION PETITION # 2023-172

Subject: Rezoning Petition No. 2023-172
Petitioner/Developer: BVB Properties LLC
Current Land Use: Vacant
Existing Zoning: B-1(CD)
Rezoning Requested: CG(CD)

Date and Time of Meeting: ***Thursday, January 18, 2024, 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: 1/5/2024

Moore & Van Allen is assisting BVB Properties, LLC (the "Petitioner") on a recently filed request to rezone an approximately ±0.786-acre site located along Mt. Holly-Huntersville Road (the "Site"), in Charlotte, North Carolina, from B-1(CD) to CG(CD). The purpose of the rezoning is to allow the development of the Site with uses allowed in the CG(CD) zoning district. The request is consistent with the 2040 Policy Map recommendation for commercial 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 Thursday, January 18, 2024, at 6:00 p.m.

Please send an email to Drenna Hannon at drennahannon@mvalaw.com by January 17th in order to receive a secure virtual meeting link and reference Petition #2023-172.

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 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
Randy Smith, BVB Properties, LLC
Jeff Brown, Moore & Van Allen, PLLC
John Floyd, Moore & Van Allen, PLLC

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Exhibit B (continued)

ite location:

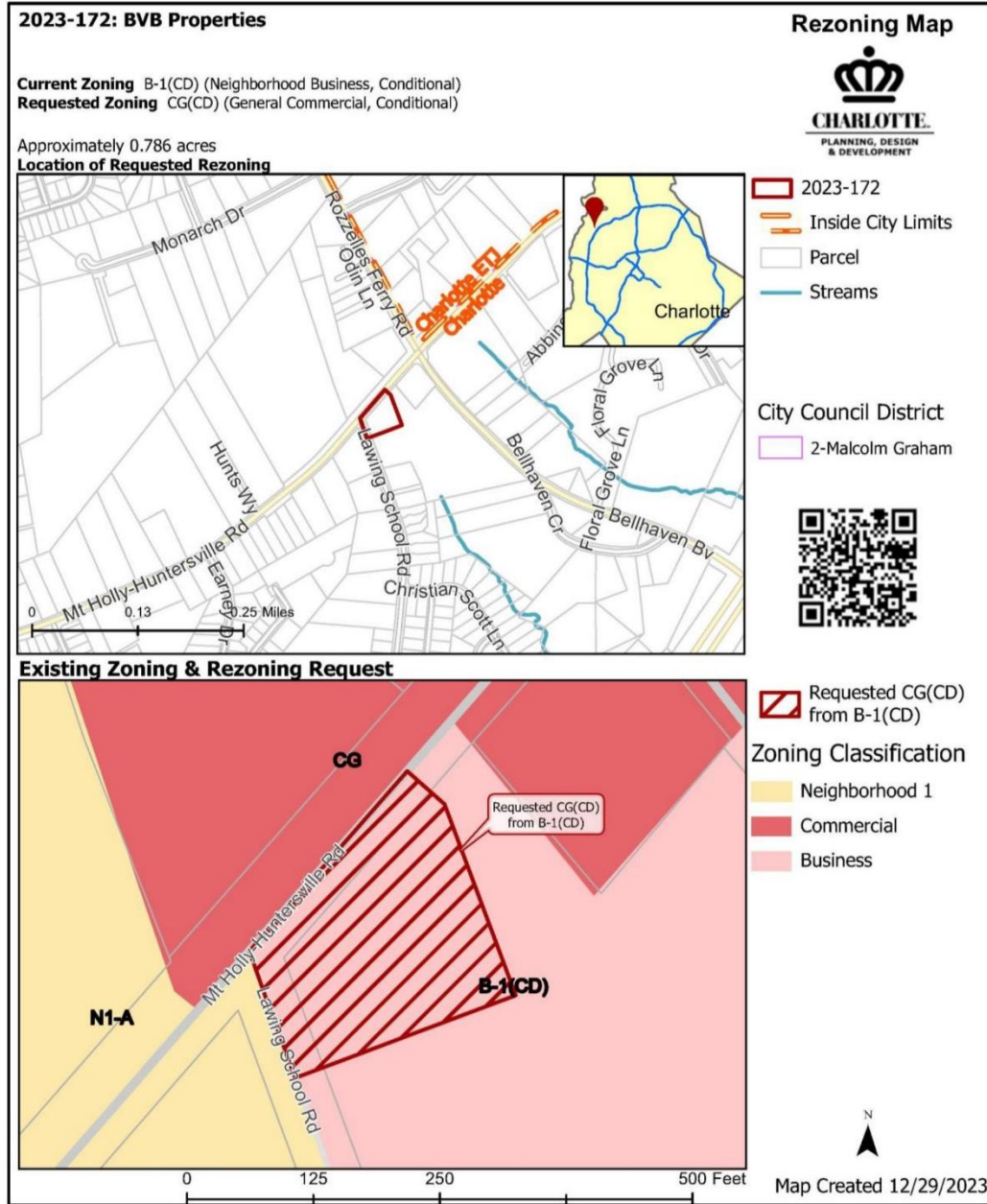


Exhibit C

Name	Email
Wanda G. Mathis	wgmthis75@gmail.com
Susan Renckens	susanrenckens@gmail.com
Tina Clanton	tclan4X@carolina.rr.com