

COMMUNITY MEETING REPORT  
**Applicant: BAPS Charlotte, LLC**  
Rezoning Application No. 2020-709

This Community Meeting Report is being filed with the Town of Matthews Planning Department pursuant to the provisions of the Town of Matthews Unified Development Ordinance.

**Persons and Organizations Contacted:**

A representative of the Applicant mailed a written notice of the date, time and location of the Community Meeting to the persons listed on the attached Exhibit A by depositing such notice in the U.S. mail on January 21, 2020. A copy of the written notice is attached as Exhibit B.

**Date, Time and Location of Meeting:**

The Community Meeting was held on Tuesday, February 4, 2020 at 6:30 PM at the Country Inn & Suites by Radisson, 2001 Mt. Harmony Church Road, Matthews, North Carolina.

**Persons in Attendance:**

The Community Meeting was attended by (among others) those individuals identified on the sign-in sheet attached as Exhibit C. The Applicant's representatives at the Community Meeting were Nik Patel of BAPS Charlotte, LLC, Swikar Ghadia of Cluck Design, and Ty Shaffer of Robinson Bradshaw & Hinson, P.A.

**Summary of Matters Discussed:**

The meeting began with informal discussion between the Applicant's representatives and the attendees, nearly all of whom were at the August 2019 meeting on Rezoning Petition 2019-702.

Following that discussion, Mr. Shaffer formally opened the meeting. He reminded attendees that BAPS filed an application last year for rezoning of two currently undeveloped parcels located between Stevens Mill Road and Mt. Harmony Church Road, so that BAPS could relocate its Charlotte mandir (temple) to the site. In November 2019, the Town Board of Commissioners approved that rezoning application, and the two parcels were rezoned to the R/I (CD) zoning district. That request did not include the parcel along Stevens Mill Road that was owned, at the time, by Mr. O'Tuel.

BAPS had been in discussions with Mr. O'Tuel for some time about purchasing his property; however, it was not until mid-November 2019 (at the same time the Commissioners were approving rezoning application 2019-702) that BAPS entered into a contract with Mr. O'Tuel to purchase his property. That purchase closed near the end of November 2019.

BAPS filed another rezoning application that would enable it to incorporate the O'Tuel property into its overall plan for the site by doing two things: (1) amending the approved site plan for the parcels that were rezoned R/I (CD) in November 2019, and (2) changing the zoning of the

O'Tuel parcel from R-15 to R/I (CD). The site plan submitted with the application is for all three parcels, in a unified project.

Mr. Shaffer gave an overview of the current/approved site plan, including certain significant conditions that the Applicant agreed to incorporate into the approved rezoning plan (e.g., the temporary third construction entrance on Stevens Mill Road; keeping all construction parking, stacking and staging on site after grading; restricting concrete trucks to the entrances on Stevens Mill Road during paving and building pad work). He noted that all of the conditions requested by the Town and agreed to by BAPS in November 2019 are carried over to this site plan and will apply to the entire site.

Mr. Shaffer showed attendees the new site plan (i.e. the plan currently under consideration, which incorporates the O'Tuel property) and explained that adding the additional parcel does allow for some changes to the layout of the site, including: (1) moving the building envelope toward Stevens Mill Road; (2) redesigning the parking lots; (3) locating the temporary third access point for construction use to the driveway on the O'Tuel parcel; and (4) moving the permanent access drive onto Stevens Mill Road away from the building and toward the Union County line. Mr. Shaffer confirmed that the Stevens Mill Road access will be gated and utilized as secondary access on Sundays, for special events, and for deliveries and garbage trucks.

The meeting opened for questions and comments.

- A neighbor asked about plans for the O'Tuel property and the house, and expressed an interest in making sure that it is boarded and secured for safety reasons. She also asked if BAPS plan to demolish the home or allow it to be burned for fire training. Mr. Patel said that the Applicant plans to demolish the home during site clearance work.
- A neighbor asked for more information about buffers, planting areas, and site distances from her home. Mr. Shaffer said that the Applicant could get more information from Bloc Design (the Applicant's site designers) and that he will pass along that information.
- The same neighbor, who lives across Stevens Mill Road from the O'Tuel parcel, said that her family is concerned that their privacy and safety will be jeopardized by the presence of construction traffic, exposure to dust and noise, and other visibility concerns. Her husband added that work on the site and removal of the home on the O'Tuel parcel will change things for them, and that the old plan seemed to provide a larger buffer for them from the building BAPS propose for the property. They are concerned about direct exposure to US 74 upon site clearance. They also are concerned that the proposed trees in the revegetation areas will take some time to grow. Because of this, these neighbors have drafted a letter, which was provided to the Applicant's counsel, requesting installation of a privacy fence on their property along Stevens Mill Road for safety and privacy reasons. The Applicant said that it would review the letter and consider the request, and discuss with the engineers working on the project, as well. The neighbors asked about the possibility of incorporating a berm in the buffer area, to further reduce visibility. Mr. Ghadia noted that because of the grade differences, the site should sit below grade from their home, so he would expect some visual and sound buffer from

that. Mr. Ghadia reiterated the Applicant's commitment to discuss with the engineers and look into the neighbor's concerns.

- In response to a question about lighting, Mr. Shaffer confirmed that the Applicant has committed to complying with the Ordinance's requirements.
- In response to a question, Mr. Shaffer identified the areas on the site where the Applicant is proposing tree save, as well as areas identified for revegetation.
- An attendee asked about parking provided on the site and whether the Applicant believes there is a risk of overflow. Mr. Shaffer noted that this version of the plan (with the added parcel) accommodates 411 parking spaces, which exceeds the minimum of 325 spaces required by the Ordinance. It also exceeds the 389 spaces proposed on the current approved site plan. Mr. Patel explained that at the current location, when BAPS expect parking overflow, they lease satellite parking locations (e.g. other churches or schools) and shuttle attendees to the temple. However, Mr. Patel believes that the 411 spaces proposed will accommodate the parking required for normal worship schedules.
- In response to a question, Mr. Ghadia explained that the Applicant's preference is to preserve as many existing trees as possible to help meet the tree save obligations. Mr. Shaffer explained that the Applicant will not have a clear idea of whether particular trees outside of tree save locations can be preserved until its engineers plan the site work and construction process.
- In response to a question about timing and targeted completion date, Mr. Ghadia said that BAPS aim to break ground in mid-summer 2020, and that the construction process likely will take 18-24 months. The contractors will better be able to estimate timing once fully engaged on the project. Mr. Shaffer noted that because BAPS have an approved site plan they are entitled to build out, they already are beginning the permitting process for site work, and if this current application is approved, they will be able to incorporate that work into the plans they currently are developing. Mr. Ghadia explained that the process will begin with site work and grading, following by building construction, and that the timelines will differ.
- A neighbor expressed concern about mud and runoff from the site onto Stevens Mill Road. Another attendee noted that he believes the side ditches along the road actually will protect against that, and should help to collect runoff. Mr. Ghadia also noted that various code requirements will apply during the construction period.
- Mr. Ghadia noted, in response to a question, that adding the O'Tuel parcel and moving the site improvements mitigates the need for extensive retaining walls.

Before adjourning the meeting, Mr. Shaffer provided the schedule of events relating to this rezoning application (all meetings held at Matthews Town Hall):

- Public Hearing: Monday, March 9, 2020 at 7:00 PM
- Planning Board: Tuesday, March 24, 2020 at 7:00 PM
- Town Commissioners' Decision: Monday, April 13, 2020 at 7:00 PM

\* \* \*

**Changes made to the Rezoning Application as a result of the Community Meeting as of the date of this report:** None at this time.

\* \* \*

Respectfully submitted, this 7 day of February, 2020.

  
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Ty Shaffer, Robinson Bradshaw & Hinson, P.A.  
Agent for Applicant

cc: Jay Camp, Matthews Planning Department (via e-mail)

**200' adjacent land owner listing**

**Mecklenburg County**

Parcel No. 21509410

Charles Roger Martin  
2442 Bain Farm Road  
Charlotte, NC 28227

Parcel No. 21509411

Charles Roger Martin  
2442 Bain Farm Road  
Charlotte, NC 28227

Parcel No. 21509405

PTM Holdings 2 LLC  
1070 Shoreline Drive  
Stanley, NC 28164

Parcel No. 21509217

Four Whell Investors LLC  
6811 Honors Court  
Charlotte, NC 28210

Parcel No. 21509221

Sunshine Hotels & Investments LLC  
2001 Mount Harmony Church Road  
Matthews, NC 28105

Parcel No. 21509211

Grady Reid Hill  
Walter Dean Hill  
2403 Medlin Road  
Monroe, NC 28112

Parcel No. 21509207

W T & Annie W. Hill Family Limited Partnership  
2403 Medlin Road  
Monroe, NC 28112



Parcel No. 21509401

W T & Annie W. Hill Family Limited Partnership  
2403 Medlin Road  
Monroe, NC 28112

Parcel No. 21512107

Team Church  
2301 Stevens Mill Road  
Matthews, NC 28104

Parcel No. 21512152

Dept of Transportation  
206 Charter Street  
Albemarle, NC 28001

Parcel No. 21512108

Kenneth P. Hoover  
Gina S. Hoover  
2417 Stevens Mill Road  
Matthews, NC 28105

Parcel No. 21512112

Angelia Michelle Hartis  
Thomas Keith Hartis  
2501 Stevens Mill Road  
Matthews, NC 28104

Parcel No. 21512109

2533 Stevens Mill Road LLC  
2100 Crescent Ave, Suite 200  
Charlotte, NC 28207

Parcel No. 21509404

Michael D. Hartis  
Teresa S. Hartis  
2524 Stevens Mill Road  
Matthews, NC 28105

Parcel No. 21509412

Weeks Realty of Carolinas LLC  
7018 Camrose Crossing Lane  
Matthews, NC 28104

Parcel No. 21509413

Weeks Realty of Carolinas LLC  
7018 Camrose Crossing Lane  
Matthews, NC 28104

Parcel No. 21509414

Plantation Carolina LLLP  
2442 Bain Farm Road  
Charlotte, NC 28227-4530

Parcel No. 21509415

Plantation Carolina LLLP  
2442 Bain Farm Road  
Charlotte, NC 28227-4530

Parcel No. 21509416

MSH Investments LLC  
8218 Glamorgan Lane  
Matthews, NC 28104

Parcel No. 21509417

MSH Investments LLC  
8218 Glamorgan Lane  
Matthews, NC 28104

Parcel No. 21509418

ESSA Properties LLC  
c/o Denise Jackson &  
Martin Schepers  
17 Remington Road  
Ormond Beach, FL 32174

Parcel No. 21509419

H&J Properties of Union County LLC  
1129 Flowe Drive  
Matthews, NC 28104

Parcel No. 21509420

Plantation South Construction Co  
c/o Charles Roger Martin  
2442 Bain Farm Road  
Charlotte, NC 28227

Parcel No. 21509421

Plantation South Construction Co  
c/o Charles Roger Martin  
2442 Bain Farm Road  
Charlotte, NC 28227

Parcel No. 21509422

Plantation South Construction Co  
c/o Charles Roger Martin  
2442 Bain Farm Road  
Charlotte, NC 28227

Parcel No. 21509423

HMS Consulting and Technologies LLC  
2020 Independence Commerce Drive, Suite E & F  
Matthews, NC 28105

Parcel No. 21509424

HMS Consulting and Technologies LLC  
2020 Independence Commerce Drive, Suite E & F  
Matthews, NC 28105

Parcel No. 21509425

HMS Consulting and Technologies LLC  
PO Box 2749  
Matthews, NC 28106

**Union County**

Parcel No. 07102033 80

McGee Corporation  
PO Box 1375  
Matthews, NC 28106

Parcel No. 07102033B

RM Matthews LLC  
2722 Chamber Drive  
Monroe, NC 28110

Parcel No. 07102033E

Plantation Carolina LLLP  
2442 Bain Farm Road  
Mint Hill, NC 28227

Parcel No. 07102033C80

PTM Holdings 2 LLC  
1070 Shoreline Drive  
Stanley, NC 28164

Parcel No. 07102033C90

PTM Holdings 2 LLC  
1070 Shoreline Drive  
Stanley, NC 28164

Parcel No. 07099011

Charles Roger Martin  
2442 Bain Farm Road  
Charlotte, NC 28227  
Parcel No. 07099011A

Charles Roger Martin  
2442 Bain Farm Road  
Charlotte, NC 28227

Parcel No. 07102033 90

McGee Corporation  
PO Box 1375  
Matthews, NC 28106

Parcel No. 07099010B

Johnny Lewis Starnes  
2801 Stevens Mill Road  
Matthews, NC 28104

Parcel No. 07099011D01

Charles Roger Martin  
2442 Bain Farm Road  
Charlotte, NC 28227

Parcel No. 07099011D02

Roger C. Hendrix  
Karen M. Hendrix  
8835 Ira Flowe Road  
Charlotte, NC 28227

Parcel No. 07099011D03

Roger C. Hendrix  
Karen M. Hendrix  
8835 Ira Flowe Road  
Charlotte, NC 28227

Parcel No. 07099011D04

Gail K. Hamilton  
2040 Independence Commerce Drive Suite C  
Matthews, NC 28105

Parcel No. 07099011D05

Viscount Holdings LLC  
PO Box 1439  
Matthews, NC 28106

Parcel No. 07099011D06

Viscount Holdings LLC  
PO Box 1439  
Matthews, NC 28106

Parcel No. 07099011C01

Plantation Carolina, L.L.L.P.  
2442 Bain Farm Road  
Charlotte, NC 28227

Parcel No. 07099011B

Plantation Carolina, L.L.L.P.  
2442 Bain Farm Road  
Mint Hill, NC 28227

**NOTICE TO INTERESTED PARTIES  
OF COMMUNITY MEETING**

**Subject:** Community Meeting – **Rezoning Application No. 2020-709** filed by BAPS Charlotte, LLC to request (1) the rezoning of a parcel located at 2416 Stevens Mill Road (Tax Parcel No. 215-094-03) and (2) a change in conditions for two parcels located at 2021 Independence Commerce Drive (Tax Parcel No. 215-094-02) and at 2050 Independence Commerce Drive (Tax Parcel No. 215-094-06)

**Date and Time of Meeting:** Tuesday, February 4, 2020 at 6:30 p.m.

**Place of Meeting:** Country Inn & Suites by Radisson  
2001 Mt. Harmony Church Road  
Matthews, NC 28104

We are assisting BAPS Charlotte, LLC (the “Applicant”) in connection with a Rezoning Application it has filed with the Town of Matthews requesting (1) the rezoning of a parcel located at 2416 Stevens Mill Road (Tax Parcel No. 215-094-02) from the R-15 zoning district to the R/I (CD) zoning district, and (2) a change in conditions to the approved R/I (CD) zoning plan (2019-702) for two parcels located at 2021 Independence Commerce Drive (Tax Parcel No. 215-094-02) and at 2050 Independence Commerce Drive (Tax Parcel No. 215-094-06). The purpose of the request is to incorporate the property at 2416 Stevens Mill Road into the Applicant’s previously approved rezoning application to accommodate a church and place of worship on the site, along with incidental and accessory uses relating thereto.

The Applicant will hold a Community Meeting prior to the Public Hearing on this Rezoning Application for the purpose of discussing this rezoning proposal with nearby property owners. The Mecklenburg County Tax Records and Union County Tax Records indicate that you are an owner of property that is located near the site.

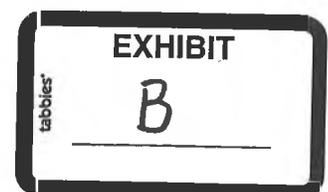
**Accordingly, on behalf of the Applicant, we give you notice that representatives of the Applicant will hold a Community Meeting regarding this Rezoning Application on Tuesday, February 4, 2020 at 6:30 p.m. at the Country Inn & Suites located at 2001 Mt. Harmony Church Road in Matthews.** Representatives of the Applicant look forward to sharing this rezoning proposal with you and to answering your questions.

In the meantime, should you have any questions or comments, please contact Ty Shaffer by phone at (704) 377-8142 or by email at [tshaffer@robinsonbradshaw.com](mailto:tshaffer@robinsonbradshaw.com).

Robinson, Bradshaw & Hinson, P.A.

cc: Mr. Jay Camp, Town of Matthews (via email)

Date Mailed: January 21, 2020



Community Meeting Sign-in-Sheet

BAPS Charlotte, LLC (Applicant) – Rezoning Application No. 2020-709

Country Inn & Suites by Radisson, 2001 Mt. Harmony Church Road, Matthews, NC 28104

Tuesday, February 4, 2020 at 6:30 P.M.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>E-MAIL ADDRESS</u>
1.	Ken + Gina Hoover	2417 Stevens Mill Rd Matthews	704-575-2422	gxhoover@hotmail.com
2.	AMBRISH + ANIL PATEL	2001 Mt. Harmony Church Rd Matthews, NC 28104	(315) 491-1087	denorohotels@gmail.com
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10.				



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Robinson, Bradshaw & Hinson, P.A.

cc: Mr. Jay Camp, Town of Matthews (via email)

Date Mailed: January 21, 2020