

NoDa Neighborhood Association

April 3, 2012

Welcome & Introduction to NoDa N.A. – *Hollis Nixon* – The meeting was called to order at 6:35 pm at the Evening Muse.

Treasury Updates & Dues – *Lauren Schalburg* – Lauren summarized the monthly treasury report.

NoDa Grand Prix – *Chris Wooten & Shawn Moseley* – *Shawn* – Event is coming up April 15th. This all-day event will feature multiple skill levels racing through the downtown NoDa area. Kid-friendly events are included. www.nodagrandprix.org

By-Laws Amendment Change – *Chad Maupin & Lauren* – *Chad* – The Board has suggested a by-laws policy change for the NA dues schedules. Dues will be rolling on a 12 month basis rather than be due every January. The by-laws change will remove the word “calendar” from the schedule and make the verbiage vague so it can be flexible if there is a need to change it in the future. There are also tweaks to the language to better define membership groups. The NA will vote on the changes at the May meeting.

Lauren added the three-month grace period will no longer be applicable. She used an example of someone paying on April 7th. That date is the person’s “born on” date. A reminder will be sent to that member in March a year from now to remind him/her that dues are about to be due. The member has until May to update his or her dues to still be eligible to vote. Regardless of when they pay (in April, May or after), April 7th for this member will forever be the “born on” date. Dues will be due for that person every year on that date.

Crime & Safety – *Greg Levin*

– Meets the 2nd Monday of each month: this month on April 9th at 6:30 pm in the Trolley Room of the Johnston YMCA. Muttley Crew will be starting again in May.

Fall Events Task Force – *Hollis & Lauren* – *Hollis* – Because the Thunder Road event has moved up to November, the Board is trying to get volunteers to help plan the events so we are not scrambling at the last minute. NoDaWeen alone will cost at least \$10K that will need to be made up in sponsorships.

Lauren – We have a budget for Thunder Road for the first time, and we’d like to start planning now so we can try to win the Neighborhood Spirit Award for the fifth consecutive year.

A sign-up sheet was passed out for volunteers.

Johnston & Mecklenburg Mills Update – *The Community Builders (Rosa Estrada and Frank Quattrocchi [from Shook Kelley])* – The group reviewed the rezoning request and process.

Rosa Estrada reviewed the existing zoning (UR-3 Conditional). She touched on the high level changes and what the current zoning allows: a total of 177 apartments, a day care center for 100 children and 199 parking spaces.

Frank Quattrocchi discussed the changes that would occur if TOD-R (Transit Oriented District – Residential) is approved. The City asked them to pursue this zoning. The changes are subtle, but the biggest differences are the parking spaces required. The current zoning states residential should be 1 spot minimum per apartment, 2 maximum. There is no minimum to parking for restaurant/commercial space and the maximum is 1 parking spot/400 square feet. TOD-R would cap residential parking spaces at 1.6/apartment. There would be a minimum parking for restaurant/commercial space at 1/150 square feet and 1/75 maximum. He also discussed the height elevation differences between the two zonings. The group has met with CATS regarding the proposed LYNX station at 36th Street. They are now planning for the sidewalks to have more of a switchback effect and are allowing for future commercial space along 36th Street. They plan to develop townhomes and flats along N. Davidson Street and extend Mercury Street into the current property. Townhomes and flats will be built along it as well. A parking structure is planned along 36th Street behind the mixed-use retail space to create green space in the center and relieve pressure to build surface lots. Their plans incorporate the proposed greenway along the property as well.

Q&A from the NA as follows:

AMI – I was unaware CATS does not want to elevator this site. Will there be handicap access? Do you know the percentage of residential space and will it be ADA compliant? And how many will be truly affordable housing? *Frank* – It is too early to do exact numbers; those will be determined to by exact margins. But we will build to Federal ADA guidelines and have committed to as much affordable housing as the project will allow.

AMI – Are you building the CATS station, too? *Frank*– No. CATS will be developing that site.

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AM2 – Will there be a noise wall along N. Davidson? Rosa Estrada – We plan on hiring a consultant to create something to mitigate the noise. We are not planning walls for N. Davidson Street because we want to keep it open to the neighborhood. But we will look at ways to lower the noise as much as possible.

KG – This station is slated to be a fly-over. The trains will not need to blow their horns when they pass through any more.

CM – The bad news is the railroads are planning on ramping up activity.

The developers left the room. Internal discussion from the NA as follows:

AM1 – I think it's a great plan, and they have respected the wishes of the neighborhood.

AM2 – Can anyone add clarification of the rezoning? It seems like it limits parking. Why are they doing this? What are the benefits?

AM3 – They have to do rezoning based on the current zoning in the area. They have to request a rezoning to address the changes needed to the buildings and add more space. The City asked them to do TOD-R based on the location to the light rail.

AM4 – Will all of the apartments be low income?

AM5 – Their requirement is 80% affordable housing at 60% AMI. They don't have the exact numbers, but they're committed to those goals. This is also something we asked for in our neighborhood requests to fight gentrification.

Motion: Accept proposal as presented. *Motion passes unanimously, 20-0.*

35th & Yadkin Avenue – Chad – Reviewed letter that the Board wrote after voting approval of the petition.

Q&A from the NA as follows:

AM1 – I live by the project on 35th Street and did not attend the March meeting. I did not realize that after the February meeting there were any conditions. I didn't see any changes to their plans after February meeting. I still think there are height issues with the project.

CM – After the February meeting there was a straw vote and the request was rejected. The developers came back in March and presented again. The changes were not substantial, but there were more clarifications that the NA found acceptable. They voted again and this time approved the request. The Board was aware of the two votes, but we voted to support the second vote of the NA. We are aware there are a few neighbors unhappy, but followed our normal protocol when approving this rezoning request.

AM1 – Is it possible for the neighbors in that area to discuss our concerns at the next Board meeting?

CM – Yes. All you have to do is request to be added to the agenda.

Rezoning Petition 2012-009 (Renaissance & Herrin Avenue) – Dave Rasenberg – This was Dave's second presentation. His plan now faces Warp Street and has access from N. Davidson Street. He reduced the site to 20 one-bedroom apartments with 20 on-site parking and three new parallel spots on Warp Street. The project has a more residential feel that fits in better with the current residential lots in the area. The current zoning has 4 live work units, 6 two-bedroom apartments and only 14 parking spaces. This plan better accommodates the space.

Q&A from the NA as follows:

AM1 – How many bedrooms were in your prior plan? Dave Rasenberg – 22 units with 27 bedrooms.

AM2 – Why is this a rezoning? Dave Rasenberg – This is a site plan amendment because it is a conditional use plan.

AM3 – What is the price point for the apartments? Dave Rasenberg – Around \$750. The units will be around 720 square feet plus a balcony.

AM4 – Do you have any plans for LEED certification? Dave Rasenberg – We will pursue Energy Star. It's very difficult to do LEED standards for a project this size. We will possibly do a bio retention pond (aka rain garden) in the open space between the Renaissance and this project.

AM3 – Will there be green space on site? Dave Rasenberg – We will feature green space on either side of the project and trees in the front and back of it.

ML – What does the bio retention pond do? Dave Rasenberg – Discharged water is filtered before going into the pond.

The developer left the room. Internal discussion from the NA as follows:

AM1 – I feel this is the best plan he's had so far to address the concerns raised by the neighborhood.

AM2 – It looks better, but there is still a parking issue in the area.

AM3 – This is the same developer that did the Renaissance. I won't tell you how to vote, but please use that for your judgment.

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AM4 – I live in the Renaissance and the project has been a nightmare. We didn't have an HOA until after 2 years after the buildings opened because we weren't allowed to have it. We also have a parking nightmare and were never delivered on promised amenities. There are multiple lawsuits totaling around \$3.5 million dollars right now against this developer.

AM5 – Does this vote have any impact on whether he develops the site? Or will he sell it or try to build at current zoning?

HN – We have been told he plans to build this project.

AM6 – Is it possible he's had such a bad example at the Renaissance that he's trying to do a better job now?

AM7 – According to the original zoning, regardless of the number of units, where were the traffic entrances and exits?

AM8 – Warp Street as it is currently zoned.

AM9 – To clarify about parking, our internal NoDa parking policy as approved by the NA is one parking space per bedroom. This cannot count existing parking and cannot count handicap spaces. So he's changed his planning to be in accordance to the neighborhood policy. My opinion is that this proposal is better for the current space. But he obviously has issues with the project he's done in the past.

AM10 – It sounds like this developer is planning on doing a project here regardless. Are we giving him the green light to build a substandard project?

AM11 – I think we should ask ourselves if this is more of an issue with the plan or with the developer.

Motion: Approve zoning as presented. *Motion rejected: 5 in favor, 8 against, 8 abstained.*

AM11 – Can the Board override the neighborhood vote? I'm concerned because four Board members voted in favor of the project. Can the public attend Board meetings? And are the minutes public?

HN – Yes to all three questions.

New Business

AM1 – There will be a large Earth Day event downtown. See www.FreedomRiders.com for more information.

AM2 – Our local primary is May 8th. Trevor Fuller is running for County Commissioner and introduced himself. www.votetrevorfuller.com,

CM – There will be an amendment to the state constitution defining marriage. Also, voting for the primary is at Plaza Elementary.

AM3 – Roy Wiggins also introduced himself. He is running for District Judge.

The Broken Napoleons are next playing April 27th at Revolution Pizza & Ale.

Green Yard of the Month – April's GYOTM winner is Richard Evans on Ritch Avenue.

Committee Updates

NoDaRioty – Lauren

– Meets the 1st Thursday of each month: this month on April 5th at 6:30 pm at the Salud Beer Shop. NoDa playing cards are available for sale for anyone interested.

Greenification – Amy Farris Ray

– Meets the 3rd Thursday of month: this month on April 19th at 6:30 at Revolution Pizza & Ale. Their annual stream cleanup will be held April 14th at Cordelia Park starting at 10:00 am. There is also a tree and bush planting on April 28th at Matheson Bridge for the Meck Deck mural done by Will Puckett.

Back in the Day – Michele Lemere

– Meets the 2nd Thursday of the month: this month on April 12th at 6:30 at Revolution Pizza & Ale. The group will be offering free history tours of the neighborhood on May 19th. Tours will be given before and after the Matheson Street Bridge ribbon cutting ceremony.

Association Member of the Month – *Betsy Hintzmann* – The April AMOM is Tommy Ray. Tommy has been working to keep the neighborhood clean by helping organize the neighborhood and Little Sugar Creek clean ups. Tommy was also an artist during last year's Pimp My Rack event, and you can see his NoDa Bike Rack at the Johnston YMCA. He has scaled many neighborhood trees to apply tree bands in the fall. And he was an all-day attendee of the Hintzmann Heat, a workshop recently sponsored by the Greenification Committee.

Meeting Closure – *Hollis* – The meeting was closed at 7:55 pm.

Minutes by Matt Lemere.

Approved by NoDa N.A. Board