



COMMUNITY MEETING REPORT
Petitioner: DC Property, LLC
Rezoning Petition Nos. 2017-029 and 2017-030

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to the provisions of the City of Charlotte Zoning Ordinance.

PRELIMINARY STATEMENT

The Petitioner has filed two rezoning petitions (Petition Nos. 2017-029 and 2017-030) for parcels in the same immediate area and separated by a single parcel. They are referred to herein as the “Toddsville Road” property (Petition No. 2017-029) and the “Tar Heel Road” property (Petition No. 2017-030). Because of the close proximity of the parcels and the overlap between the notice parties, the Petitioner addressed both petitions in this combined Community Meeting.

PERSONS AND ORGANIZATIONS CONTACTED:

For Petition No. 2017-029, a representative of the Petitioner mailed a written notice of the date, time, and location of the Community Meeting to the individuals and organizations set out on Exhibit A-1 by depositing such notice in the U.S. Mail on Friday, January 6, 2017. A copy of the written notice for Petition No. 2017-029 is attached hereto as Exhibit A-2.

For Petition No. 2017-030, a representative of the Petitioner mailed a written notice of the date, time, and location of the Community Meeting to the individuals and organizations set out on Exhibit B-1 by depositing such notice in the U.S. Mail on Friday, January 6, 2017. A copy of the written notice for Petition No. 2017-030 is attached hereto as Exhibit B-2.

DATE, TIME AND LOCATION OF MEETING:

The Community Meeting was held on Wednesday, January 18, 2017 at 6:30 p.m. at Mulberry Presbyterian Church, 5600 Tuckaseegee Road, Charlotte, North Carolina 28208.

PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):

The Community Meeting was attended by those individuals identified on the sign-in sheets attached hereto as Exhibit C (Petition No. 2017-029) and Exhibit D (Petitioner No. 2017-030). The Petitioner’s representatives at the Community Meeting were: Bernie and Elizabeth Funck (DC Property, LLC), Kevin Caldwell (Geoscience Group), and John Carmichael and Ty Shaffer (Robinson, Bradshaw & Hinson, P.A.).

SUMMARY OF ISSUES DISCUSSED:

John Carmichael opened the meeting and introduced the Petitioner’s representatives. He then explained that this was the official Community Meeting for Petition Nos. 2017-029 and 2017-

030. He explained the process by which notice was provided for both meetings and the information the City provides for purposes of serving that notice.

Mr. Carmichael then gave a detailed overview of the existing approved site plan, which applies to the Toddville Road parcel, Tar Heel Road parcel, and the parcel located in the middle of the two (which is not owned by the Petitioner and is not subject of either rezoning petition). That existing approved plan calls for a single, 80,000 SF structure with accompanying outside storage and staging. The site included a 125' buffer along the southern border with the adjoining R-17 MF properties, and would have had access off of both Toddville Road and Tar Heel Road. The permitted uses are those uses allowed in the I-2 zoning district.

The meeting's sole neighborhood attendee asked about the current use of the parcel located between the Toddville Road and Tar Heel Road parcels. Bernie Funck explained that it housed a tank cleaning business. When asked if that site is in compliance with the Zoning Ordinance, Mr. Carmichael said he did not know.

Mr. Carmichael noted that the Petitioner currently owns both of the parcels that are the subject of the two rezoning requests. Mr. Carmichael then reviewed the proposed use for the Toddville Road parcel (Petition No. 2017-029). He explained that it calls for a maximum 30,000 SF building with a storage yard. When asked what kinds of tenants the Petitioner expected, Mr. Funck noted that their other properties similar to this proposed use house supply companies (e.g. plumbing supply and pump supply), uses that require both outside storage and a building. Mr. Carmichael noted that based on the Petitioner's current plans, it is likely that the building will be less than 30,000. Mr. Carmichael then noted the buffer proposed on the current site plan, and explained that it would include an interior berm.

Mr. Carmichael then reviewed the site plan for the Tar Heel Road parcel (Petition No. 2017-030), which is in many respects a mirror image of the other plan. He noted the buffer area called for on the Tar Heel Road parcel and noted that it also would include a berm. Mr. Carmichael and Mr. Funck noted that there are site constraints on this parcel that mean it will not have as large an outdoor storage area.

Mr. Carmichael then gave an overview of the rezoning schedule:

- Public Hearing, February 20, 2017 at 6:30 pm at the Government Center
- Zoning Committee Meeting, March 1, 2017 at 4:30 pm at the Government Center
- City Council Decision, March 20, 2017 at 5:30 pm at the Government Center

The meeting then opened for questions. The individual in attendance asked about the specific changes proposed for the parcels and why that required a rezoning. Mr. Carmichael explained that the Petitioner is seeking a site plan amendment in both petitions. Because the existing site plan was a conditional rezoning, that site plan calling for a single building still applies to these two parcels even though the property has been subdivided and partially sold. In order to build two buildings (one on each parcel), and because the proposed buffers will be changing from 125' to 66' with a berm, the Petitioner must seek a site plan amendment. Because the proposed use

does not match the existing site plan, Elizabeth Funck explained that the Petitioner is seeking the site plan amendment.

The attendee asked if the Petitioner was building with specific tenants in mind. Mr. Funck explained that they are not, but that strong demand for these uses in the area suggests they will find a tenant promptly.

Mr. Carmichael reviewed the surrounding zoning designations with the attendee.

The individual in attendance noted that he viewed the Petitioner's proposed uses for the two parcels favorably and preferred it to another residential project.

Mr. Funck showed the attendee pictures of other buildings the Petitioner has developed. The attendee asked if there would be a fence between the properties and the neighboring R-17 MF properties. Mr. Funck said there would be a fence, for security purpose. Mr. Caldwell and Mr. Carmichael confirmed that the fence would be located on the site side of the buffer shown on the site plan.

Mr. Carmichael noted that the Petitioner and its representatives would be meeting with Planning Staff on Friday, January 20 to discuss the plan, and that some changes are likely. He offered to share the revised site plan with the attendee via e-mail. One issue that Mr. Carmichael and the Petitioner noted was CDOT's possible request for construction of those portions of a public street necessary ultimately to connect Tar Heel Road to Toddville Road. That request would impose financial burdens that would make the proposed use infeasible.

The attendee asked for some more detail about exactly what the "buffer" entails. Mr. Carmichael said it would include plantings, set-aside space, and a berm. Mr. Caldwell noted that the existing trees would have to be disturbed to construct the berm (which would be a 6' high, 20' wide earthen structure), but that if the Petitioner opts to move to an 88' buffer, then the existing trees could possibly be preserved. Mr. Carmichael noted that if that tree cover is thick enough, it might obviate the need to include additional plantings.

When asked if the Petitioner plans to lease or to sell the completed projects, Ms. Funck noted that they planned to lease and to continue to manage the sites.

The Community Meeting then adjourned and informal discussions continued.

CHANGES MADE TO THE PETITION AS A RESULT OF THE COMMUNITY MEETING AS OF THE DATE HEREOF:

None at this time.

Respectfully submitted, this 23rd day of January 2017.

DC Property, LLC, the Petitioner

EXHIBIT A-1

Pct_No	taxpd	ownerlastn	ownerfirst	cownerfis	cownerlast	mailaddr1	mailaddr2	city	state	zipcode
2017-029		BERNE AND ELIZABETH FUNCK			DC PROPERTY, LLC	1234 WYNGOCROFTE PLACE		CHARLOTTE	NC	28209
2017-029	05714201	CALEAST NAT LLC				C/O CENTERPOINT PROPERTIES	1808 SWIFT DR	OAK BROOK	IL	60523
2017-029	05713255	CHACON	MAYRA Z	MARIA	CHACON	1315 NADES CT		CHARLOTTE	NC	28214
2017-029	05708102	CLINE	RONDA LYNN			13432 BROOKS RD		STARFIELD	NC	28163
2017-029	05707211	ENEIDA SUE BROOKTREE LLC				5176 BROOKTREE DR		CHARLOTTE	NC	28208
2017-029	05707212	ENYA LIVING LLC				PO BOX 236		HINESVILLE	NC	28134
2017-029	05707209	EQUITY TRUST COMPANY	CUSTODIAN PRG	IRA 71197	TERESITY C KHIANEZA-KULLBERG	PO BOX 550786		GASTONIA	NC	28055
2017-029	05713121	FEDEX GROUND PACKAGE SYSTEM INC				1600 FEDEX DR		MCGON TOWNSHIP	PA	15168
2017-029	05708105	FOX	PAULA SHOOK			703 ISLAND POINT RD		MOUNT HOLLY	NC	28120
2017-029	05707214	GREGORY	DAVID H			PO BOX 1017		CORNELIUS	NC	28031
2017-029	05707216	GREGORY	DAVID H			P O BOX 1017		CORNELIUS	NC	28031
2017-029	05707201	GREGORY	DAVID H			20128 BEARD ST		CORNELIUS	NC	28031
2017-029	05707202	GREGORY	DAVID H			20128 BEARD ST		CORNELIUS	NC	28031
2017-029	05707203	GREGORY	DAVID H			20128 BEARD ST		CORNELIUS	NC	28031
2017-029	05707204	GREGORY	DAVID H			20128 BEARD ST		CORNELIUS	NC	28031
2017-029	05707207	GREGORY	DAVID H			PO BOX 1017		CORNELIUS	NC	28031
2017-029	05707208	GREGORY	DAVID H			PO BOX 1017		CORNELIUS	NC	28031
2017-029	05707213	GREGORY	DAVID H			PO BOX 1017		CORNELIUS	NC	28031
2017-029	05707219	GREGORY	DAVID H			P O BOX 1017		CORNELIUS	NC	28031
2017-029		JOHN CARMICHAEL			ROBINSON BRADSHAW	101 N. THYON ST	SUITE 1000	CHARLOTTE	NC	28246
2017-029	05707215	LEWIS	TONIA	FELLOW F	LEWIS	5164 BROOKTREE DR		CHARLOTTE	NC	28214
2017-029	05707218	MARTIN	GUY D			PO BOX 690924		CHARLOTTE	NC	28227
2017-029	05707217	MARTIN	GUY F	BARBARA A	MARTIN	PO BOX 690924		CHARLOTTE	NC	28227
2017-029	05708103	MAST BROTHERS TANK	CLEANING INC			1730 TAR HEEL RD		CHARLOTTE	NC	28208
2017-029	05708108	MAST BROTHERS TANK CLEANING	INC			1730 TAR HEEL RD		CHARLOTTE	NC	28208
2017-029	05707101	MAYER	CHARLES EUGENE JR	WELLS	MAYER	1225 TODDVILLE RD		CHARLOTTE	NC	28214
2017-029	05707205	MCCAFFERTY	RONNIE	JENNIFER LIMBAG	MCCAFFERTY	1500 TOLEDO ST		BELLINGHAM	WA	98229
2017-029	05707237	RAIN MAKER ENTERPRISES	INC			8318 PINEVILLE -MATTHEWS RD STE 708-102		CHARLOTTE	NC	28226
2017-029	05713254	RGB ASSETS LLC				380 GRUNION CT		FOSTER CITY	CA	94404
2017-029	05707206	SMITH	BEVERLY D			5192 BROOKTREE DR		CHARLOTTE	NC	28208
2017-029	05707125	SPRINGMONT HOLDINGS LLC				262 EAST GATE DR PMB 266		AIKEN	SC	29803
2017-029	05708104	TAR HEEL ROAD LLC				PO BOX 1140		CORNELIUS	NC	28031
2017-029	05707210	TRUE NORTH PROPERTIES LLC				PO BOX 908		HUNTERSVILLE	NC	28070

Pet_No	FirstName	LastName	OrgLabel	MailAddres	MailCity	MailState	MailZip
2017-029	Gary	Dawkins	Hidden Valley CA	3815 North Tryon Street	Charlotte	NC	28206
2017-029	Rosita	Bruce	Westchester	4833 Westridge Drive	Charlotte	NC	28216

EXHIBIT A-2

EXHIBIT B-1

Pet_No	taxpid	ownerlastn	ownerfirst	cownerfrst	cownerlast	mailaddr1	mailaddr2	city	state	zipcode
2017-030	05707223	AAC REALTY INC				3430 TORINGDON WAY STE 200		CHARLOTTE	NC	28277
2017-030	05705554	ATLANTIC LAND & IMPROVEMENT CO THE				500 WATER ST UNIT C910		JACKSONVILLE	FL	32202
2017-030	05707220	BROWN	SHERRI	CHANTIA		5150 BROOKTREE DR		CHARLOTTE	NC	28214
2017-030	05705557	CSX TRANSPORTATION				500 WATER ST		JACKSONVILLE	FL	32202
2017-030	05705558	CSX TRANSPORTATION				500 WATER ST		JACKSONVILLE	FL	32202
2017-030	05707229	EAST TO WEST HOMES LLC				PO BOX 908		HUNTERSVILLE	NC	28078
2017-030	05707230	EAST TO WEST HOMES LLC				PO BOX 908		HUNTERSVILLE	NC	28078
2017-030	05707236	EAST TO WEST HOMES LLC				PO BOX 908		HUNTERSVILLE	NC	28078
2017-030	05707211	ENLIDA SUE BROOKTREE LLC				5176 BROOKTREE DR		CHARLOTTE	NC	28208
2017-030	05707212	ENYA LIVING LLC				PO BOX 236		PINEVILLE	NC	28134
2017-030	05707209	EQUITY TRUST COMPANY	CUSTODIAN FBO	IRA 71197	TERESITY C KRIANEZA-KULLBERG	PO BOX 550786		GASTONIA	NC	28055
2017-030	05707224	GARVEY	SHERWIN			5138 BROOKTREE DR		CHARLOTTE	NC	28214
2017-030	05707228	GREER	VIRGINIA			5126 BROOKTREE DR		CHARLOTTE	NC	28208
2017-030	05707214	GREGORY	DAVID H			PO BOX 1017		CORNELIUS	NC	28031
2017-030	05707216	GREGORY	DAVID H			P O BOX 1017		CORNELIUS	NC	28031
2017-030	05707221	GREGORY	DAVID H	BETH A	GREGORY	20128 BEARD ST		CORNELIUS	NC	28031
2017-030	05707222	GREGORY	DAVID H			PO BOX 1017		CORNELIUS	NC	28031
2017-030	05707232	GREGORY	DAVID H			PO BOX 1017		CORNELIUS	NC	28031
2017-030	05707207	GREGORY	DAVID H			PO BOX 1017		CORNELIUS	NC	28031
2017-030	05707208	GREGORY	DAVID H			PO BOX 1017		CORNELIUS	NC	28031
2017-030	05707213	GREGORY	DAVID H			PO BOX 1017		CORNELIUS	NC	28031
2017-030	05707219	GREGORY	DAVID H			P O BOX 1017		CORNELIUS	NC	28031
2017-030	05707233	GREGORY	DAVID H			PO BOX 1017		CORNELIUS	NC	28031
2017-030	05707227	HART GROUP HOMES LLC				401 HAWTHORNE LN	SUITE 110-238	CHARLOTTE	NC	28204
2017-030	05707223	HOOD	MARK A	JOHN S JR	FTCH	3510 RAVENCLIFF DR		CHARLOTTE	NC	28226
2017-030	05707226	HOOD	MARK P	JOHN S JR	HOOD	3510 RAVENCLIFF DR		CHARLOTTE	NC	28226
2017-030	05702502	ICON BOND DISTRIBUTION CENTER OWNERS	POOL 2 LP		INDCOR PROPERTIES	PO BOX 460169		HOUSTON	TX	77056
2017-030	05707215	LEWIS	TONIA	FELLOW F	LEWIS	5164 BROOKTREE DR		CHARLOTTE	NC	28214
2017-030	05707218	MARTIN	GUY D			PO BOX 690924		CHARLOTTE	NC	28227
2017-030	05707217	MARTIN	GUY F	BARBARA A	MARTIN	PO BOX 690924		CHARLOTTE	NC	28227
2017-030	05708103	MAST BROTHERS TANK	CLEANING INC			1730 TAR HEEL RD		CHARLOTTE	NC	28208
2017-030	05708108	MAST BROTHERS TANK CLEANING	INC			1730 TAR HEEL RD		CHARLOTTE	NC	28208
2017-030	05707205	MCCAFFERTY	RONNIE	JENNIFER LIMBAG	MCCAFFERTY	1500 TOLEDO ST		BELLINGHAM	WA	98229
2017-030	05707115	MECKLENBURG COUNTY				600 EAST 4TH ST		CHARLOTTE	NC	28202
2017-030	05707238	MECKLENBURG COUNTY				600 E 4TH ST		CHARLOTTE	NC	28202
2017-030	05707299	MECKLENBURG COUNTY				600 EAST FOURTH ST		CHARLOTTE	NC	28202
2017-030	05707234	QUELLAND	LEVI B			4680 DABNEY VIGOR DR		CHARLOTTE	NC	28209
2017-030	05707237	RAIN MAKER ENTERPRISES	JNC			8318 PINEVILLE - MATTHEWS RD STE 708-102		CHARLOTTE	NC	28226
2017-030	05707206	SMITH	BEVERLY D			5192 BROOKTREE DR		CHARLOTTE	NC	28208
2017-030	05707125	SPRINGMONT HOLDINGS LLC				262 EAST GATE DR PMB 266		AIKEN	SC	29803
2017-030	05707235	STEPHENSON	LINDA			21913 SW 112 AVENUE		MIAMI	FL	33170
2017-030	05702405	SUDDATH VAN LINES INC				815 S MAIN ST		JACKSONVILLE	FL	32207
2017-030	05708109	TAR HEEL ROAD LLC				PO BOX 1140		CORNELIUS	NC	28031
2017-030	05705553	TAR HEEL ROAD PROPERTIES LLC				1043 E MOREHEAD ST STE 300		CHARLOTTE	NC	28204
2017-030	05707210	TRUE NORTH PROPERTIES LLC				PO BOX 908		HUNTERSVILLE	NC	28070
2017-030	05707231	TRUESDALE	DELA H			5116 BROOKTREE DR		CHARLOTTE	NC	28208
2017-030		JOHN CARMICHAEL (ROBINSON BRADSHAW)				101 N TRYON ST	STE 1900	CHARLOTTE	NC	28246
2017-030		BERNIE AND ELIZABETH FUNCK			DC Properties, LLC	1234 WYNDCROFTE PLACE		CHARLOTTE	NC	28209

Pet_No	FirstName	LastName	OrgLabel	MailAddres	MailCity	MailState	MailZip
2017-030	Bill	Jones	Thomasboro NA	1012 Lewiston Avenue	Charlotte	NC	28208
2017-030	Gary	Dawkins	Hidden Valley CA	3815 North Tryon Street	Charlotte	NC	28206
2017-030	Linda	Brooks	Thomasboro NA	4716 Willard Street	Charlotte	NC	28208
2017-030	Rosita	Bruce	Westchester	4833 Westridge Drive	Charlotte	NC	28216
2017-030	Wigena	Tirado	Windy Ridge NA	4625 Palm Breeze Lane	Charlotte	NC	28215

EXHIBIT B-2

**NOTICE TO INTERESTED PARTIES
OF COMMUNITY MEETING**

Subject: Community Meeting—**Rezoning Petition No. 2017-030** filed by DC Property, LLC to request a site plan amendment for an approximately 7.972 acre site located at the end of Tar Heel Road between Brooktree Drive and Bond Street and east of Toddville Road

Date and Time of Meeting: Wednesday, January 18, 2017 at 6:30 p.m.

Place of Meeting: Mulberry Presbyterian Church
5600 Tuckaseegee Road
Charlotte, North Carolina 28208

We are assisting DC Property, LLC (the “Petitioner”) in connection with a Rezoning Petition it has filed with the Charlotte-Mecklenburg Planning Department requesting a site plan amendment for an approximately 7.972 acre site located at the end of Tar Heel Road between Brooktree Drive and Bond Street and east of Toddville Road. The property currently is zoned I-2 (CD) (LLWPA). If the Petitioner’s site plan amendment is approved, the property will remain zoned I-2 (CD) (LLWPA). The Petitioner is requesting a site plan amendment to accommodate the development of a maximum 30,000 square foot building on the site that would be devoted to office and industrial uses, and to permit related outside storage on the site.

The Petitioner will hold a Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Department’s records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the site.

Accordingly, on behalf of the Petitioner, we give you notice that representatives of the Petitioner will hold a Community Meeting regarding this Rezoning Petition on Wednesday, January 18, 2017 at 6:30 p.m. at Mulberry Presbyterian Church located at 5600 Tuckaseegee Road in Charlotte. Representatives of the Petitioner 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 call John Carmichael at (704) 377-8341 or Ty Shaffer at (704) 377-8142.

Robinson, Bradshaw & Hinson, P.A.

cc: Ms. LaWana Mayfield, Charlotte City Council District 3 (via email)
Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Department (via email)
Ms. Claire Lyte-Graham, Charlotte-Mecklenburg Planning Department (via email)
Mr. Richard Hobbs, Charlotte-Mecklenburg Planning Department (via email)

Date Mailed: January 6, 2017

EXHIBIT C

DC Property, LLC (Rezoning Petition No. 2017-029)
Community Meeting Sign-in-Sheet

Mulberry Presbyterian Church, 5600 Tuckaseegee Road, Charlotte, NC 28208

Wednesday, January 18, 2017
6:30 P.M.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>E-MAIL ADDRESS</u>
1.	DAVE GREGORY	Brooktree Dr	704-892-7036	dave.h.gregory@ gmail.com
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>E-MAIL ADDRESS</u>
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				
21.				
22.				
23.				

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>E-MAIL ADDRESS</u>
24.				
25.				
26.				
27.				
28.				
29.				
30.				
31.				
32.				
33.				
34.				
35.				
36.				

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>E-MAIL ADDRESS</u>
37.				
38.				
39.				
40.				
41.				
42.				
43.				
44.				
45.				
46.				
47.				
48.				
49.				

EXHIBIT D

DC Property, LLC (Rezoning Petition No. 2017-030)
Community Meeting Sign-in-Sheet

Mulberry Presbyterian Church, 5600 Tuckaseegee Road, Charlotte, NC 28208

Wednesday, January 18, 2017
6:30 P.M.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>E-MAIL ADDRESS</u>
1.	Dave Gregory	Brookline	704-892-7032	dave.h.gregory@gmail.com
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				