

February 2, 2006



Tim Manes
Charlotte-Mecklenburg
Planning Commission
600 East Fourth Street
Charlotte, NC 28202

RE: Rezoning Petition 2006-004
McGirt Landscape Supply
Community Meeting Summary

Dear Tim:

Following is a summary of the discussions at the first community meeting held at the Steele Creek Presbyterian Church located at 7407 Steele Creek Road, Charlotte, NC 28217 on January 24, 2006.

GREENBRIER
DESIGN GROUP, P.C.

1. The following property owners and organizations were invited to attend the meeting via letter dated January 4, 2006 and mailed on January 5, 2006:

- A. AAC-Shopton Road, LP.
- B. Mr. Al Winget, Steele Creek Residents Association.
- C. Nancy L. & Calvin J. Redburn, Jr.
- D. Ms. Elaine Whitehead, Cedar Run HOA.
- E. Mr. David Hughes, Steele Creek Residents Association.
- F. Eagle Lake Fishing Club.
- G. Mr. Larry Harbin, Eagle Lake HOA.
- H. Harold C. Smith.
- I. Jerry E. Brown.
- J. Kim Sigmon.
- K. Mr. Lad Ackerman, Eagle Lake Fishing Club, Inc.
- L. Ms. Laura Miller, Steelechase HOA.
- M. Lawrence R. Kalafatich & Penny P. Woodall.
- N. New Creation Christian Church.
- O. Robert Honour.
- P. Tim Manes, Charlotte-Mecklenburg Planning Commission.
- Q. Virginia Ann Hesslein.
- R. Warren Turner, Charlotte City Councilman.
- S. Westphalia at Shopton, LP, c/o American Asset Corporation.

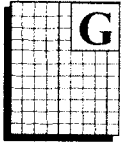
*Civil Site Engineering
Land Planning Services
Construction Management*

2. The community meeting was conducted at 7:00 PM on January 24, 2006 at the Steele Creek Presbyterian Church located at 7407 Steele Creek Road, Charlotte, NC 28217.

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Tim Manes

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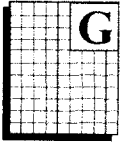


3. Attached is the attendee sign in sheets from the community meeting. Following is a roster of attendees (please note the spelling of names may not be correct due to the clarity of the signatures on the sign in sheet) at the community meeting:

- A. Cliff Schoff.
- B. Pastor Karen Woods.
- C. Linda Geter.
- D. Saundra Mitchell.
- E. Barry Sampson.
- F. Arlene Main.
- G. Kent Main.
- H. Mildred Gaffney.
- I. Larry Harbin.
- J. Christopher Poznored.
- K. Kent Crawford.
- L. Johnson Gulzar.
- M. Kim Sigmon.
- N. Blair McCombs.
- O. Ann Helms.
- P. Charlotte Gowen.
- Q. Steve Randle.
- R. Bob Honour.
- S. Steve McGirt, McGirt Landscape Supply.
- T. Billy McGirt, McGirt Landscape Supply.
- U. Jeff Boone, Greenbrier Design Group, representing the petitioner.

4. Following is a summary of the issues discussed during the community meeting:

- A. Clarification of the buffers required and the possible reduction by 25% with the use of screen fences and berms as allowed under the classification of the buffers as noted in the plans.
- B. Explained the potential other uses that would be allowed if the rezoning request is approved as noted in the Development Standards on the Technical Data Sheet.
- C. Pointed out the maximum development area being the area outside the buffers as shown on the Schematic Site Plan.
- D. Question was raised regarding traffic safety with respect to the truck traffic related to the project. It was noted that a left turn lane and related road widening as prescribed by CDOT will be constructed as a part of the project.



E. Question was raised if the McGirt Landscape Supply business would be open on Sundays. The petitioner indicated the business may be open on Sundays, but only to serve retail customers and that no inbound or outbound hauling is anticipated.

F. Siltation of Eagle Lake was a problem in the development of Sullivan's Trace a nearby residential community. It was noted that the property being rezoned had no involvement in Sullivan's Trace, and that it is understood that erosion control efforts will be given high priority when the property is developed.

G. The attendees expressed their desire that the permitted uses not include pest control or vehicle repair.

H. It was noted that there have been tractor trailers improperly stored on the property; the petitioner says that the tenant in the leased single family home is a truck driver, but he believes that the trailers in question are on the neighboring property to the west. It was later verified, there are currently no trailers being stored on the petitioners land but there are in fact several trailers stored on the neighboring property to the west.

I. It was noted that Eagle Lake is used as a regional storm water impoundment by the City of Charlotte.

J. The New Creation Christian Church located on the opposite side of Shopton Road and just west of the site, expressed concern with the roadway width along Shopton Road. The left turn lane and related widening as prescribed by CDOT was mentioned as a measure to lessen the narrow lane width in the area near the site along Shopton Road.

K. Question was raised regarding the amount of hauling of rock and other material products. The petitioner noted that large quantities of rock can be delivered direct from the rock quarry to the buyer without the material first being hauled onsite.

L. Question was raised if there will be the sale of fertilizer and would there be any odor problem. The petitioner noted that all fertilizer materials will be bagged. That is certainly the case if nay manure based fertilizer were to be sold, in which there would be no significant odor problem.

M. The allowable Floor Area Ratio (FAR) per code is 0.8. based on the proposed use per this rezoning request the (FAR) will be 0.02, negligible in comparison to the allowable FAR per code.

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5. Following is a summary of changes to the rezoning petition made by the petitioner as a result of the meeting:

A. The Permitted Uses called out in the Development Standards on the rezoning plans have been revised eliminating pest control & disinfecting services as an allowable use.

B. The Permitted Uses called out in the Development Standards on the rezoning plans have been revised by the petitioner agreeing to a further limitation of the building area that would be allowed for other permitted uses as:

a.) Offices up to 20,000 SF (not the building area of 100,000 SF as allowed by code).

b.) Showrooms up to 20,000 SF (not the building area of 100,000 SF as allowed by code).

6. Following are additional revisions made to the rezoning plan:

a.) The proposed warehouse building was relocated to the eastern side of the site, a lateral move with no increase in building area, based on the anticipation of poor soils where the building was originally located.

b.) It is understood that should the adjacent properties be rezoned and have a use that does not require the subject property to have buffers, the petitioner or his assigns may eliminate the buffers as required at the time of this rezoning, as is allowed by code. A note has been added to the plans under the Development Standards summarizing this understanding, as was confirmed in a telephone conversation on January 26, 2006 with Tim Manes with the Charlotte Mecklenburg Planning Commission.

c.) At the request of Tim Manes with the Charlotte Mecklenburg Planning Commission on February 2, 2006 the specific use of a stump grinding business was named to be not allowable for the site.

Please call should you have any questions.

Sincerely,
GREENBRIER DESIGN GROUP, P.C.

Jeffrey A. Boone, P.E.
President

Encl.: Community Meeting Attendee Sign In Sheets

McGIRT LANDSCAPE SUPPLY
REZONING PETITION 2006-004
COMMUNITY MEETING
JANUARY 24, 2006
ATTENDEE SIGN IN

NAME

ADDRESS

Cliff Schoff

4433 EAGLE LAKE DRIVE

Pastor Karen Woods

4141 Shapton Rd

"

"

"

"

"

Barry Sampson

Arlene Main

5509 Eagle Lake Dr.

Kent Main

"

Mildred Gaffney

3626 Shapton Road

LARRY HARBIN

4209 EAGLE LAKE ROAD

RESTORER ROSENBERG

5735 EAGLE LAKE DR.

Kent Crawford

4231 Eagle Lake Dr.

NAME

Johnson Gutzler + Kern Sigmund

8307 Hughes Bridge Rd Charlotte NC 28216

**McGIRT LANDSCAPE SUPPLY
REZONING PETITION 2006-004
COMMUNITY MEETING
JANUARY 24, 2006
ATTENDEE SIGN IN**

NAME

ADDRESS

Rick/
Bryan McCombs

4311 Eagle Lake Dr. 28217

Ann Helms

4221 Eagle Lake Dr. 28217

Charlotte Egan

4301 N. Eagle Lake Dr. 27217

**McGIRT LANDSCAPE SUPPLY
REZONING PETITION 2006-004
COMMUNITY MEETING
JANUARY 24, 2006
ATTENDEE SIGN IN**

NAME

ADDRESS

~~Bob Rindie~~
Bob Rindie

4331 EDGEMORE LAKE DRIVE
4200 Shopton Rd

February 10, 2006



Tim Manes
Charlotte-Mecklenburg
Planning Commission
600 East Fourth Street
Charlotte, NC 28202

RE: Rezoning Petition ~~2006-004~~
McGirt Landscape Supply
Community Meeting Summary

Dear Tim:

Following is a summary of the discussions at the second community meeting held at the New Creation Christian Church located at 4141 Shopton Road, Charlotte, NC on February 2, 2006.

GREENBRIER
DESIGN GROUP, P.C.

1. The following property owners and organizations were invited to attend the meeting via letter dated January 26, 2006 and mailed on January 26, 2006:

- A. AAC-Shopton Road, LP.
- B. Mr. Al Winget, Steele Creek Residents Association.
- C. Nancy L. & Calvin J. Redburn, Jr.
- D. Ms. Elaine Whitehead, Cedar Run HOA.
- E. Mr. David Hughes, Steele Creek Residents Association.
- F. Eagle Lake Fishing Club.
- G. Mr. Larry Harbin, Eagle Lake HOA.
- H. Harold C. Smith.
- I. Jerry E. Brown.
- J. Kim Sigmon.
- K. Mr. Lad Ackerman, Eagle Lake Fishing Club, Inc.
- L. Ms. Laura Miller, Steelechase HOA.
- M. Lawrence R. Kalafatich & Penny P. Woodall.
- N. New Creation Christian Church.
- O. Robert Honour.
- P. Tim Manes, Charlotte-Mecklenburg Planning Commission.
- Q. Virginia Ann Hesslein.
- R. Warren Turner, Charlotte City Councilman.
- S. Westphalia at Shopton, LP, c/o American Asset Corporation.

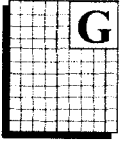
*Civil / Site Engineering
Land Planning Services
Construction Management*

2. The community meeting was conducted at 7:00 PM on February 2, 2006 at the New Creation Christian Church located at 4141 Shopton Road, Charlotte, NC.

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Tim Manes

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3. Attached is the attendee sign in sheets from the community meeting. Following is a roster of attendees (please note the spelling of names may not be correct due to the clarity of the signatures on the sign in sheet) at the community meeting:

- A. Steve Woods.
- B. Pastor Karen Woods.
- C. Kent Main.
- D. Stephanie Tolan.
- E. Larry Harbin.
- F. Steve Rundle.
- G. Sandra Mitchell.
- H. Rick McCombs.
- I. Blair McCombs.
- J. Sharika Neely.
- K. Michelle Y. Jones.
- L. Robert Jones.
- M. Sabra Geter.
- N. Sophia Mitchell.
- O. Barry Sampson.
- P. Ann Helms
- Q. Linda Geter
- R. Steve McGirt, McGirt Landscape Supply.
- S. Billy McGirt, McGirt Landscape Supply.
- T. Jeff Boone, Greenbrier Design Group, representing the petitioner.

4. Following is a summary of the issues discussed during the community meeting:

A. Clarification of storm water requirements already agreed to in the Development Standards on the Rezoning Plan Technical Data Sheet.

B. There was mention by Larry Harbin, one of the neighboring property owners that the Charlotte Observer recently published an article regarding the more stringent storm water quality requirements that will become effective in the future. I responded stating that those requirements, while not yet in effect, were being required on this conditional use rezoning petition.

C. The petitioner agreed to limit the permitted uses for the site as is called out in the Development Standards on the Technical Data Sheet as follows: "The site may be devoted to the following uses, all of which are permitted by right in the I-1 Light Industrial Zoning District: landscape & hardscape material sales; fence & fence material retail & wholesale; nursery & greenhouses retail & wholesale; showrooms up to 10,000 SF." The neighboring property owners in attendance at the community meeting were satisfied with the significant reduction in permitted uses.

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D. There was question of the intent of the Overview statement on the Schematic Site Plan. I responded saying that it is simply a summary of the rezoning plan if approved will allow for the development of the proposed facilities in conformance with the code requirements, Development Standards agreed to by the petitioner, but that minor modifications are allowed as per the zoning code.

5. Following is a summary of changes to the rezoning petition made by the petitioner as a result of the meeting:

A. The Development Standards on the Technical Data Sheet were revised to read as follows, significantly reducing the Permitted Uses for the site:

“The site may be devoted to the following uses, all of which are permitted by right in the I-1 Light Industrial Zoning District: landscape & hardscape material sales; fence & fence material retail & wholesale; nursery & greenhouses retail & wholesale; showrooms up to 10,000 SF.”

6. Following are additional revisions made to the rezoning plan:

A. Short Term and Long Term Bicycle Parking, conforming to the current Parking Requirements in the Charlotte Zoning Ordinance, were revised on the plan to address the comments by CDOT.

Please call should you have any questions.

Sincerely,
GREENBRIER DESIGN GROUP, P.C.

Jeffrey A. Boone, P.E.
President

Encl.: Community Meeting Attendee Sign In Sheets

CC: Ann Helms
Karen Woods
Larry Harbin
Steve Rundle

McGIRT LANDSCAPE SUPPLY
REZONING PETITION 2006-004
COMMUNITY MEETING
FEBRUARY 2, 2006
ATTENDEE SIGN IN

NAME

ADDRESS

Steve Woods

5809 Providence Country Club DR Charlotte 28277

KAREN Woods

5809 Providence Country Club Dr. Charlotte 28277

KENT MAIN

5509 EAGLE LAKE DR CHARLOTTE 28217

Stephanie Tolan

4511 Eagle Lake Dr. Charlotte 28217

LARRY HARRIN

4209 EAGLE LAKE DR CHARLOTTE 28217

* ~~PAUL R. WOOD~~

4431 EAGLE LAKE DR CHARLOTTE 28217

* = HAND INED 15

**McGIRT LANDSCAPE SUPPLY
REZONING PETITION 2006-004
COMMUNITY MEETING
FEBRUARY 2, 2006
ATTENDEE SIGN IN**

NAME _____

ADDRESS

NAME Linda Peters

4141 Shopton Rd.

Anders Mitchell

4141 Shopton Rd.

Rick Nichols

4311 Eagle Lake Ln

Glenn McLoone

4.511 ² ~~Ed~~ Lake Dr

Shirley N. May

4141 Shampoo Ref

Michelle Y. Jones

4141 Shopten Rd

Robert Jones

4141 Shopton Rd

Sabra Gefen

4141 Shepherd Rd.

Joseph Mitchell

941 Shipton Rd

BARRY Sampson

4141 Shopton Rd.

X Anna Helms

4221 Eagle Lake Dr., 28217