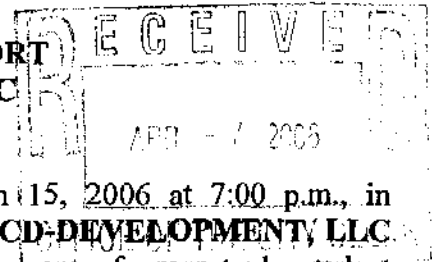


COMMUNITY MEETING(S) REPORT

Petitioner: FCD-Development, LLC

Rezoning Petition No. 2006-050



SUBJECT: Community Meeting held on Wednesday, March 15, 2006 at 7:00 p.m., in connection with Rezoning Petition No. 2006-050 submitted by **FCD-DEVELOPMENT, LLC** ("FCD-Development" or "Petitioner") regarding the redevelopment of property located at 3800 E. Independence Boulevard, known as the Amity Gardens Shopping Center.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

In addition to the formal meeting required by the City of Charlotte Zoning Ordinance, which took place on Wednesday, March 15, 2006, over the past several months, FCD-Development and its representatives have met with nearby neighborhood and community leaders to discuss the redevelopment and Rezoning Petition. These meetings included, among others: (i) the formal Community Meeting required by the Zoning Ordinance on March 15, 2006; (ii) a well-attended meeting with neighborhood leaders and residents located near the site on January 11, 2006; and (iii) a smaller meeting with certain eastside and neighborhood leaders on December 20, 2006. In addition, the Petitioner is holding a special meeting with the Amity Gardens neighborhood on April 10, 2006. With respect to the formal Community Meeting required by the Ordinance, written notices of the date, time and location of the meeting were mailed to the individuals and organizations set forth on **Exhibit A** by depositing the notices in the U.S. mail on March 3, 2006. A copy of the Notice of Community Meeting for the March 15, 2006 meeting is set forth as part of **Exhibit A**.

DATE, TIME AND LOCATION OF MEETING(S):

The formal meeting required by the Zoning Ordinance was held at 7:00 p.m. on Wednesday, March 15, 2006 in the cafeteria of the Charlotte Merchandise Mart. Please see the other meetings referenced above.

PERSONS IN ATTENDANCE AT MEETING(S) (see attached copies of sign-in sheets and list of attendees):

A list of the individuals who attended the required Community Meeting held on March 15, 2006 is attached as part of **Exhibit B**. The sign-in sheets for additional meetings held by the Petitioner are also attached as part of **Exhibit C**.

SUMMARY OF ISSUES DISCUSSED AND CHANGES MADE TO THE PETITION AS A RESULT OF THE COMMUNITY MEETING(S):

The following is a summary of general issues, questions and comments at the required Community Meeting held on March 15, 2006 and at the meeting on January 11, 2006.

OVERVIEW PRESENTATIONS:

At each meeting held on March 15, 2006 and January 11, 2006, Jeff Brown, assisting the Petitioner, welcomed those in attendance and provided an overview of the meeting agenda and the rezoning process and timeline. Mr. Brown also introduced those individuals who are representing or assisting the Petitioner, namely Jensie Teague and Steve Smith of Faison Associates, Mal McLean of the Provident Group of the Carolinas, Bill White, Brett Perry and Jonathan Guy of Kimley-Horn & Associates and at the January 11, 2006 meeting Glen Wilkins of Wal-Mart Corporation and at the March 15, 2006 meeting Michael Simonds, the project architect.

As the meeting agenda/outlines indicate, representatives of the Petitioner reviewed the existing site conditions with reference to photographs showing the dilapidated and mostly abandoned buildings located on the site, the proposed redevelopment plans including photos of other Wal-Mart projects that have used enhanced architectural features, other site aspects including how the creek located to the rear of the property will be treated, storage of materials, access matters and traffic items. At the March 15, 2006 meeting, representatives of Kimley-Horn, the project planner and transportation consultant, overviewed preliminary findings of the traffic study undertaken in connection with the project.

The agenda/outline for the meeting held on March 15, 2006 is attached to this report as **Exhibit D-1** and the agenda/outline for the meeting held on January 11, 2006 is attached as **Exhibit D-2**.

COMMENTS, QUESTIONS AND ISSUES:

Representatives of FCD-Development addressed questions, comments and issues regarding the petition and redevelopment at the January 11, 2006 and March 15, 2006 meetings, generally summarized as follows:

Access to Site: In response to questions, Petitioner's representatives reviewed the access points to the Site from Independence Boulevard, Pierson Drive and the adjacent Coliseum Center property. It is noted that in response to comments at the January 11, 2006 meeting, access from Pierson Drive was changed to discourage traffic coming from surrounding neighborhoods by avoiding a direct vehicular access from entering streets.

Streetscape Along Pierson Drive: The cross-section along Pierson Drive was reviewed and enhancements were made as a result of comments at the meetings. Enhanced sidewalks and landscaping treatment are now provided.

Crosswalk/Lighting at Pierson Access Closest to Independence: It was suggested that a cross-walk and enhanced lighting be included over the Pierson Drive entrance near Independence and that sidewalks be extended along Pierson. Petitioner agreed to look into these items.

Traffic Signal at Pierson Near Independence: One resident asked if a traffic signal would be installed at the Pierson Drive entrance near Independence. Kimley-Horn explained that CDOT currently has no plans for a signal installation at this location nor does the proposed development warrant an installation. Furthermore, for a traffic signal to be installed at this location, traffic warrants as outlined in the MUTCD must be met prior to consideration by CDOT.

Transit Station Location: Questions regarding transit plans and the proposed station were raised. The Petitioner's representative indicated that according to the Planning Staff and CATS, it appears likely that the station will be located north of the site.

Catalyst for Coliseum Site: In response to questions, it was explained that City Staff seeks a strong vehicular connection from the site to the Coliseum property. While the Petitioner does not have ability to control development on the Coliseum property, it is hoped that the redevelopment of the Amity Gardens Center will support redevelopment efforts in the area.

Store Hours: Questions and concerns were raised regarding the expected hours of operations of the contemplated Wal-Mart store. It was explained that Wal-Mart requires the store to operate on a 24-hour basis. Residents of the Amity Gardens neighborhood expressed concerns with this, especially in terms of late night noise, crime in the area and after hours traffic through nearby neighborhoods. A Wal-Mart representative addressed these concerns noting Wal-Mart's approach to security, loss prevention efforts, among other matters.

Closing of Access from Neighboring Streets or Rear Access after Hours: In response to concerns raised about store hours and after hours access to the site, a few residents suggested that access from neighboring streets be closed after hours. It was explained that the ability to close public streets after hours would be limited or prohibited by CDOT. The Petitioner did agree to look into the possibility of closing the rear entrance to the site from Pierson as a means of discouraging late night traffic to and from nearby neighborhoods.

Concerns with "Cut-through" traffic in Amity Gardens and Nearby Neighborhoods: At both meetings, residents of the nearby neighborhoods expressed concerns with increased traffic traveling through the Amity Gardens neighborhood and other nearby neighborhoods. Petitioner representatives stated that because of the reduction in square footage on the site from the current allowed amount, the site will generate less traffic under the proposed zoning plan than under the current zoning. It is acknowledged that more traffic will be generated with the redevelopment plan than currently exists since the site is mostly vacant. It was explained that there are no direct or convenient "straight-shot" paths from Monroe Road through surrounding neighborhoods. Creeks prevent a number of vehicular connections from occurring. At the March 15, 2005 meeting, representatives from Kimley-Horn & Associates reviewed trip generation numbers regarding possible traffic to and from nearby neighborhoods. It was noted that CDOT required very conservative assumptions in the allocation of traffic through the neighborhoods. It was acknowledged that there will be some increase in trips in this area but the number is relatively modest when reviewed in terms of AM and PM peak hour conditions. This discussion included the possibility of installation of traffic calming devices, such as speed humps on impacted streets. Petitioner agreed to consider a financial contribution to the installation of speed humps on the impacted streets. It was explained that CDOT standards require the consent of 60 percent of the homeowners along the street in question, a minimum of 1,000 vehicles per day on the street, a documented speeding problem, and a letter of consent from the homeowners association if applicable.

Effects on Residential Values: Questions were raised regarding the impact of the project on residential property values. Petitioner said it could not speculate except to say that the

redevelopment is of a dilapidated building that is an eyesore for the community. It is hoped that the redevelopment will be a positive for the community.

Status of Eastway & Central Store: Questions were raised as to the possible closing of the Eastway Wal-Mart store as a result of the opening of this smaller than normal super center. It was explained that Wal-Mart has provided a letter to the City whereby it promised to assist in re-letting the space, not placing anti-competition provisions on the spaces, maintaining the exterior of the store among other vacancy mitigation provisions.

Timeline for Development: In response to questions on project timing, Petitioner explained that the rezoning will take a few more months, then it may take 6 months or more to get through permitting and the store is likely to open in early 2008

LIST OF CHANGES MADE TO PETITION AS RESULT OF COMMUNITY MEETING(S):

As indicated above, the Petitioner has received helpful feedback and suggestions for the project. For example, the plan has been modified to avoid a direct connection from neighboring streets across Pierson into the site. The Petition will include enhanced streetscape features along Pierson Drive. Enhanced screening of loading areas, improved sidewalk connections and lighting and the like will take place. Petitioner is considering other changes which are likely to be incorporated into the rezoning petition as a result of resident feedback.

Respectfully submitted, this 7th day of April, 2006.

FCD-Development, LLC, Petitioner

cc: Mayor Pat McCrory and Members of Charlotte City Council
Ms. Debra Campbell, Charlotte-Mecklenburg Planning Commission
Mr. Keith H. MacVean, Charlotte-Mecklenburg Planning Commission
Ms. Brenda Freeze, Clerk to the City Council
Mr. Jense Teague, Faison Associates
Mr. Steve Smith, Faison Associates
Mr. Malcolm McLean, Provident Group
Mr. Jeff Brown

NOTICE TO INTERESTED PARTIES OF REZONING PETITION

Subject: Rezoning Petition No. 2006-050

Petitioner: FCD-Development, LLC

Property: An approximately 18.8 acre site located at 3800 E. Independence Boulevard (Amity Gardens Shopping Center)

Existing Zoning: B-2

Rezoning Requested: CC

Date and Time of Community Meeting: Wednesday, March 15, 2006 at 7:00 p.m.

Location of Community Meeting: Charlotte Merchandise Mart Cafeteria

Date of Notice: March 3, 2006

Ladies and Gentlemen:

We are assisting FCD-Development, LLC (the "Petitioner") on a rezoning petition it recently filed. Many of you attended a pre-filing community meeting on January 11th to hear about the exciting plans for the redevelopment of the Amity Gardens Shopping Center and to obtain input from you and neighborhood leaders regarding the project. We take this opportunity to invite you to attend a follow-up Community Meeting to discuss the rezoning petition and redevelopment plans. The Petitioner wants to provide that residents in the area have an additional chance to learn more about the redevelopment plans, in accordance with City of Charlotte notice requirements.

Background and Summary of Request:

This rezoning request seeks to allow the development of the dilapidated and nearly vacant Amity Gardens Shopping Center for a new commercial center with up to 175,000 square feet of retail and commercial uses, using high quality site designs and architectural and streetscape features.

Community Meeting Date and Location

The Charlotte-Mecklenburg Planning Commission's records indicate that you are either a representative of a registered neighborhood organization or an owner of property near the rezoning site. Accordingly, we invite you to attend a Community Meeting to be held on **Wednesday, March 15, 2006 at 7:00 p.m. at the Charlotte Merchandise Mart Cafeteria.** Free parking will be available.

Representatives of the Petitioner look forward to discussing this rezoning proposal with you at the Community Meeting.

The Petitioner may later amend this conditional rezoning plan as a result of comments received at the Community Meeting, comments from the Planning Staff, comments from the Charlotte Department of Transportation, or as a result of modifications deemed appropriate by the Petitioner.

In the meantime, should you have questions or concerns about this matter, you may call Jeff Brown (704-331-7471) or Laura Simmons at (704-331-5784).

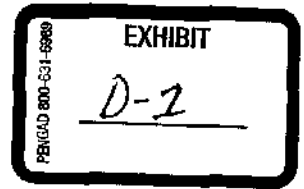
Kennedy Covington Lobdell and Hickman, L.L.P.

cc: Ms. Nancy Carter, District 5 Representative
Mr. Keith McVean, Charlotte-Mecklenburg Planning Commission
Mr. Jense Teague, Faison Associates
Mr. Steve Smith, Faison Associates
Mr. Malcolm McLean, Providence Group
Mr. Brett Perry, Kimley-Horn and Associates
Mr. Christopher Young, Scott & Goble Architects

AMITY GARDENS PROPOSED REDEVELOPMENT

Pre-Filing Community Meeting
Wednesday, January 11, 2006
Charlotte Merchandise Mart
7:00 p.m.

- Welcome
- Introductions
- Overview of Process & Timeline
- Review of Existing Site Conditions
- Review of Proposed Redevelopment Plans
- Questions



AMITY GARDENS PROPOSED REDEVELOPMENT

Community Meeting – Rezoning Petition No. 2006-050

Wednesday, March 15, 2006

Charlotte Merchandise Mart

7:00 p.m.

- Welcome
- Introductions
- Overview of Process & Timeline
- Review of Existing Site Conditions
- Review of Proposed Redevelopment Plans
- Update on Changes to Plans Due to Transitional Right of Way
- Review of Preliminary Traffic Study Information
- Questions

Community Meeting Sign-in Sheet
Wednesday, March 15, 2006

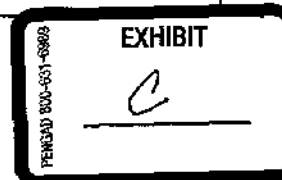
	NAME	ADDRESS	TELEPHONE	EMAIL ADDRESS
1.	James Brown	4128 Sheridan DR	704-535-6167	JRB 79 @ AOL.com
2.	Sally Chetfield	1112 Cutler Pl	704-562-0145	
3.	Charles & Connie Jenkins	1100 Cutler Pl	704-537-2895	
4.	Georgia Spetz	3800 Winfield	704-333-201-7462	
5.	R.C. Childs memo	601 E Trade ST	336-8535	rchild@cmpd.org
6.	Charles Blackwood	5405 Hittage Cir.	704 421-0869	dmarehead2000_@yahoo.com
7.	John R Willigur	1716 Seefert Cir 28208 7344 Meadows Lake Ln Charlotte NC 28212	704 560653	William55272@aol.com
8.	Tracy Perreault	4026 Winfield Dr 28205	704 535-7705	N/A
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AMITY GARDENS PROPOSED REDEVELOPMENT
Pre-Filing Community Meeting
Wednesday, January 11, 2006
Charlotte Merchandise Mart
7:00 p.m.

PLEASE CLEARLY PRINT ALL CONTACT INFORMATION

	Name	Address	Phone No.	Email Address
1.	Joel DeLoach	5020 Lenoka Ave 28205		
2.	Wayne Bowton	5021 " " "		
3.	CARLA STISH	1500 Chippendale Rd 28205		
4.	KARE & PETER VASZEK	4219 COMMUNWEALTH AVE CINC 28205		
5.	CHANCE LIVINGSTON	1508 CHIPPENDALE RD.		Red.sprout@mac.com
6.	MIKE KENERLEY	4105 COMMUNWEALTH AVE. 28205		lilmikeeats@yahoo.com
7.	Karen Denney	6003 Knightbridge Ct Char NC 28269		Henning@att.com
8.	Donna Fisher	2421 Eaton Rd at NC		
9.	Barbara Plummer	16201 Cory Cove Rd 28208 CIT		BGPLUMMER4@aol.com
10.	PHILIP J. FORLIDAS	P.O. BOX 18447 CHARLOTTE, NC 28218		
11.	ANGELO J. FORLIDAS	P.O. BOX 18447 CHARLOTTE, NC 28218		
12.	Willie and Genachy Bradford	4114 Chatterbox St. Cham. 28205		
13.	John Wiley	1108 Cutler Pl Char 28205		



AMITY GARDENS PROPOSED REDEVELOPMENT
Pre-Filing Community Meeting
Wednesday, January 11, 2006
Charlotte Merchandise Mart
7:00 p.m.

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	Name	Address	Phone	Email Address
	Sally Chaffield	1112 Cutler PL 28205		
	Karen Mackenzie	3601 Winterfield Pl. 28205	704-536-8236	Kmackenzie23@earthlink.net
16.	John Bott	3541 DRIFTWOOD DR		
17.	John Griffith	3514 Rosehaven Drive 28205	704-536-7702	clbgriff@hotmail.com
18.	Chad Nixon	4229 H. Edenbrook Dr 28205	704-569-9190	elephantshoe@carolina.rr.com
19.	Suzanne Boehlke	5368 Buena Vista Ave 28205	704.568.9141	suzanne@carolina.rr.com
20.	Carolyn & Galen Bolin	1114 Roanoke Ave. 28205	704-536-5771	gbolin@att.net
21.	ROB RONDELEZ	4132 GREENHAVEN 28205	704.287.4169	NO WALMART RRONDELEZ@CAROLINA.rr.com
	William Grasty/Grasty Investments, LLC	2216 Crescent Ave 28207	704 377 1596	
	Lori Polite	800 Fugate Ave 28205		loripolite@yahoo.com
24.	DARREN WOOD	1127 Rembrandt Circle 28211		
25.	Donna Bise	511 Pierson Av.		dbise@carolina.rr.com
26.	Pat Nystrom	3725 Selwyn Farms	704-529-0063	PNYSTROM@carolina.rr.com

AMITY GARDENS PROPOSED REDEVELOPMENT

Pre-Filing Community Meeting

Wednesday, January 11, 2006

Charlotte Merchandise Mart

7:00 p.m.

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27.	Louise Borden	1501 E Lonsdale Dr 28205	704-535-6385	LOUISE@LBORDEN.COM
28.	John Borden	4810 Beechknoll Ct 28212	704-567-8761	jboarden@charlotte.com
29.	Greg Evangelist	1518 CHIPPENDALE RD. 28205	704 567 4676	
30.	VICKI JONES	1012 DODLEY DR 28205	704-908 5059	VICKILIN@GOS @YAHOO.COM
31.	Charles Jenkins	1100 Cutler Pl. 28205	704-537-2995	
32.	Hugh RUSSELL	922 Dudley Dr 28205	704-537-8546	
33.	Grace Wallace	4126 Greenhaven Ln. 28205		
34.	TERRY E. HOWARD - Home	(OWNER OF PROPERTY) 4908 W. HANCOCK RD. 3801 FOXFORD RD	(704) 535-5366	THENNYMAN@AOL.COM
35.	JAMES A. BROWN JR	5008 DORIS AV 28205	704 534 5254	
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AMITY GARDENS PROPOSED REDEVELOPMENT
Pre-Filing Community Meeting
Wednesday, January 11, 2006
Charlotte Merchandise Mart
7:00 p.m.

PLEASE CLEARLY PRINT ALL CONTACT INFORMATION

NAME	ADDRESS	PHONE NO.	EMAIL ADDRESS
40. Kathy Hindman	10210 Hanging Moss Tr	704 545-8596	Kathy.hindman@attmail.com
41. Claude Shaw	3819 Sheffield Drive	704 5635624	cgshawx3@yahoo.com
42. Mr. & Mrs Porter Taggart	5014 Kistler Avenue	704-537-5438	
Michelle Kruse	5001 Erickson Rd Chit 28205	704-532-1583	michelle Kruse @ bellsooth.net
44. A. J. FOZLIDAS	1635-A-2 GLENNS ST. CHIT 28205	704 535 7222	
45. Sheila Jones	5000 Kistler Ave. 28205	704 493 5115	sdjones315@aol.com
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AMITY GARDENS PROPOSED REDEVELOPMENT

Pre-Filing Community Meeting

Wednesday, January 11, 2006

Charlotte Merchandise Mart

7:00 p.m.

PLEASE CLEARLY PRINT ALL CONTACT INFORMATION

53.	Name	Address	Phone	Email
	Mr & Mrs Mike Skeean	4920 Unaka Ave, Charlotte, NC 28205	704 566 8523	
54.	Edward Garber	1031 Norland Rd Charlotte NC	704-968-7471	edgarber@hotmail.com
55.	Mr. & Mrs. Charles Stubbs	5015 Kistler Ave Charlotte, NC 28205	704-537-9524	
56.	Tyler M'Clacken	2246 Ferncliff Rd Charlotte, NC 28211	704-301-6966	Tyler.mcc@cofco.com
57.	Ann Cawley	1776 Selfert Cir. Charlotte 28205	704 531-1716	aine343@yahoo.com
58.	Susan Lindsay	6205 Rose Croft Dr. 28205	531-2269	LindsaySG3@peoplepc.com
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AMITY GARDENS PROPOSED REDEVELOPMENT
Pre-Filing Community Meeting
Wednesday, January 11, 2006
Charlotte Merchandise Mart
7:00 p.m.

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	NAME	ADDRESS	PHONE NO.	EMAIL ADDRESS
66.	Robin Needham	4728 Charleston Dr, Char, N.C 28212	704-563-0552	
67.	James Caldwell	4315 Tulane St. Charlotte, NC 28205	704-493-5199	
68.	Dave Zimmerman	1636 CHAPMAN AVE N.W. 28205	536-4918	
69.	Mark Cll	1018 VLOENKE AVE	704-532-1500	
70.	Ben Adams	5135 Greenbrook Drive	704 258 8049	bh_adams@hotmail.com
71.	Ann Lamar Whitman	627 MAYNARD DR.	704 996 3813	AWHITMAN@CMEC.NC.GOV
72.	Deborah Gilbert	1360 Carolyn Dr 28205	704 567 1395	
73.	ERIC SPECKMAN	5500 EXECUTIVE CENTER DR STE 110 28212	704-535-2203	eric.speckman@chrc.cc
74.	Pat Heard	800 Briar Creek Rd 28205	704-377-5371	pheard@bridgecharlottesville.com
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AMITY GARDENS PROPOSED REDEVELOPMENT
Pre-Filing Community Meeting
Wednesday, January 11, 2006
Charlotte Merchandise Mart
7:00 p.m.

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	NAME	ADDRESS	PHONE NO.	EMAIL ADDRESS
79.	CHRIS PRICE	1020 CUTLER PL 28205	537-1647	
80.	Donna M. Thomas	5362 Buena Vista Ave 28205	535-6859	thriftyblonde@gmail.com
81.	ED ECHEVERRIA	1619 CHIPPENDALE RD 28205	535-8581	edech@bellsouth.net
82.	Mark Lerner	5009 Monroe Rd 28205	536-2900	m.lerner@Lernerapartners.com
83.	Dot Hailey	4028 LEEKS DR. 28205	537-7423	hvdhailey@Bellsouth.net
84.	DAVID KRUG	131 PROVIDENCE RD 28207	376-8000	david@davidkrug.com
85.	Nancy Carter			
86.	KYLE WOODSTEF			
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Independence Boulevard - Wal-Mart Project
 Tuesday, December 20, 2005
 Charlotte Merchandise Mart

	NAME	ADDRESS	TELEPHONE/EMAIL
1.	BYLG WOODSTRE	5242 GLENBERRY 28212	704-342-9876 EXT. 22
2.	Jim VARNADORE	4037 INDEPENDENCE	704.536.0072 X 22
3.	Nancy Carter	1401 CAVENDISH CR. 28211	704.336.3431
4.	Donna Thomas	5362 Buena Vista 28205 Ave.	thriftyblonde@gmail.com 704-535-6859
5.	Chet Snow Jr.	800 PIMSON DR Charlotte 28205	SNOWMAJ@AOL.COM 704 537 4949
6.	MITCH Ruhl	4920 RAYMOND PI	MRUHL@CAROLINA.RR.COM 704 531-1187
7.	Deborah Gilbert	1360 Carolyn Dr 28205	704.567-1395
8.	Karen Henning	6203 Knights Gate Dr Char 28269	Henning60@AOL.COM 704-947-3830
9.	Steve Smith	121 W. Trade St. Charlotte, NC 28202	steve.smith 704/972-2604 @faison.com
10.	Malcolm McLean	2310 LATHROP AVE Charlotte 28211	(707)767-0034 MMcL@engr.com
11.	Jensia Teague	Fusion	707972-2642
12.	Ed Barber	1031 Norland Rd	704-968-7471; 386-4980
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