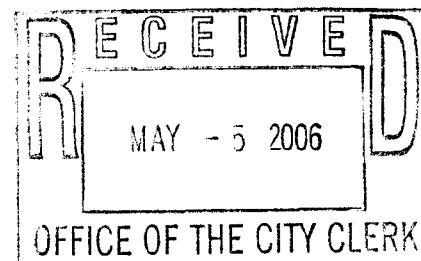


COMMUNITY MEETING REPORT  
**Petitioner: DESOTO/POOLE, LLC**  
Rezoning Petition No. 2006-065



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.

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

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 attached hereto by depositing such notice in the U.S. mail on April 18, 2006. A copy of the written notice is attached hereto as Exhibit A-2.

**DATE, TIME AND LOCATION OF MEETING:**

The Community Meeting was held on Wednesday, May 3, 2006 at 7:00 p.m. at the Reformed Theological Seminary, Chapel Building A, 2101 Carmel Road, Charlotte, North Carolina.

**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 sheet attached hereto as Exhibit B. The Petitioner's representatives at the Community Meeting were Bobby Poole and Rick DeSoto of DeSoto/Poole, LLC, Johnny Denton, the Petitioner's engineer, Frank Snodgrass, the Petitioner's architect, and John Carmichael of Kennedy Covington Lobdell & Hickman.

**SUMMARY OF ISSUES DISCUSSED:**

The Petitioner held a Community Meeting on March 30, 2006 prior to the official Community Meeting held on May 3, 2006. For informational purposes, a copy of the notice of the prior Community Meeting is attached hereto as Exhibit C, a copy of the mailing list is attached hereto as Exhibit D, and a copy of the sign in sheet from the prior Community Meeting is attached hereto as Exhibit E. The issues discussed at the prior, or first, Community Meeting are set out below as well as the issues discussed at the official, or second, Community Meeting.

At both Community Meetings, John Carmichael opened the meeting by introducing the parties, and describing the rezoning request in general terms and providing the schedule of events. Specifically, John Carmichael advised that the Petitioner is DeSoto/Poole, LLC, and the site subject to this Rezoning Petition is a 2.71 acre site located at 5908 Carmel Road. John Carmichael advised that the owner of the site, Malinda Wallace, currently lives in a single family home on the site.

Pursuant to this Rezoning Petition, the Petitioner seeks to rezone the site from the R-3 zoning district to the R-8(CD) zoning district. The purpose of the rezoning is to accommodate the subdivision of the site into four separate lots and the construction of a residential building on each lot that would contain two duplex-style, townhome/condominium units. Therefore, a total of eight residential units would be located on the site, resulting in a density of 2.96 dwelling units per acre.

With respect to the schedule of events, John Carmichael advised that the public hearing will be held on Monday, May 15, 2006 at 6:00 p.m. at the Government Center located at 600 East Fourth Street, the Zoning Committee Work Session will be held on Wednesday, May 24, 2006 at 4:30 p.m. on the 8<sup>th</sup> Floor of the Government Center and City Council will render a decision on this Rezoning Petition on Monday, June 19, 2006 at 6:00 p.m. at the Government Center.

John Carmichael then stated that Johnny Denton will discuss the rezoning plan in more detail, and that Frank Snodgrass will go over the architectural elevations of the proposed buildings.

Johnny Denton then shared the plan with the attendees. Among other things, he indicated that a private road would be constructed within the site to serve the four, two-unit residential buildings. Water service would be provided from Carmel Road and sewer service would be provided from the rear of the site. A six-foot stone wall would be installed along the sides and rear of the site, and a three-foot wall would be installed along the front of the site on Carmel Road. At the second Community Meeting, the attendees were advised that the wall would be constructed of brick rather than stone.

Johnny Denton advised at the first Community Meeting that the stormwater would be required to be detained, but that he anticipates that it would be a dry pond. At the second Community Meeting, Johnny Denton stated that because the City is requiring water quality measures as well as detention measures, that the pond could possibly be a wet pond. Johnny Denton then discussed the grading of the site, and he discussed the 15-foot Class C buffer that would be required to abut those properties zoned residential. Johnny Denton indicated that the developer would try to preserve as many trees as possible, and at the second Community Meeting, he stated that those trees that would be protected are specifically identified on the Conditional Rezoning Plan. At the first Community Meeting, Ms. Wheeler, an adjacent property owner, stated that there is a very large oak tree located on her property line that she is concerned about, and she also wondered if there was any way to shift the buildings further away from her property. At the second Community Meeting, Johnny Denton noted that under the Petitioner's revised Conditional Rezoning Plan, the buildings have been shifted further away from Ms. Wheeler's property line by a minimum of 15 feet, and he also indicated that the developer would try to protect the oak tree.

At the second Community Meeting, Johnny Denton stated that under the revised Conditional Rezoning Plan, all buildings are set back a minimum of 20 feet from the side and rear property lines. However, Johnny Denton indicated that the setback along the rear of the site would be changed so that it is a minimum of 30 feet. In discussing the buffer along those portions of the site adjacent to residentially zoned property, John Carmichael made it clear that the planting requirements for a Class C buffer are fairly minimal, and the Petitioner would be required to

plant 20 shrubs and 4 trees per 100 feet. John Carmichael stated that he was clarifying that point so that those in attendance would not think that the buffer would be heavily wooded.

At the second Community Meeting, Johnny Denton noted that an 8-foot planning strip and a 6-foot sidewalk would be installed along the site's frontage on Carmel Road. At the first and second Community Meetings, sewer and stormwater were discussed in some detail, and Johnny Denton indicated that the developer would work with the neighbors in locating the sewer easement. The Lawsons, adjoining property owners, were concerned about the removal of the trees in connection with the installation of the sewer line leading to the site, and Johnny Denton indicated that the developer would replant any trees that are removed. At the second Community Meeting, Johnny Denton reiterated that because of the water quality requirements, the detention pond may have to be wet, but that there are other ways to do it, and they will investigate ways to keep the pond dry.

At the first and second Community Meetings, Frank Snodgrass went over the architectural elevations. Essentially, he stated that the design is a Country French/French Eclectic design. Exterior materials would be brick and stone, and each building would look like one large individual home. Frank Snodgrass stressed that each building would have four-sided architecture. At the second Community Meeting, Frank Snodgrass shared a design of the wall that would be installed around the perimeter of the site. He indicated that the thought now was to make it a brick wall rather than a stone wall, more specifically, a brick wall with weeping mortar. The wall would be 6 feet in height along the sides and rear of the site, and it would be lower along the front of the site.

At the second Community Meeting, Frank Snodgrass showed photos of several residences as examples of the exterior building materials. Once again, he stated that the exteriors would be brick with weeping mortar with stone accents. In response to a question, Bobby Poole indicated that the roof materials would be earth tone in color.

Frank Snodgrass also noted that gates would be installed in the wall along Carmel Road, but that they would remain open. Frank Snodgrass also shared side and rear elevations of the proposed residential buildings.

In response to a question, Bobby Poole indicated that if the Rezoning Petition is approved, he hopes to start development of the project in September, and to start the first residential building in Spring of 2007.

Towards the conclusion of the second Community Meeting, John Carmichael advised that additional revisions need to be made to the Conditional Rezoning Plan to reflect or incorporate commitments made by the Petitioner. Specifically, he indicated that notes regarding the exterior building materials would need to be added, as well as a note committing to 4-sided architecture. Additionally, the setback along the rear property line needs to be increased to 30 feet, and side and rear elevations of the buildings and elevations of the 6-foot brick wall need to be added to the Conditional Rezoning Plan.

John Carmichael concluded the meeting by saying that he would be happy to mail copies of the revised Conditional Rezoning Plan to those in attendance.

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

As of the date hereof, no changes have been made to this Rezoning Petition or to the Conditional Rezoning Plan as a result of the Community Meeting held on May 3, 2006. However, changes were made to the Conditional Rezoning Plan as a result of the first Community Meeting held on March 30, 2006 as more specifically described above.

Respectfully submitted, this 5<sup>th</sup> day of May, 2006.

DeSoto/Poole, LLC, Petitioner

cc: Mr. Keith H. MacVean, Charlotte-Mecklenburg Planning Commission  
Ms. Brenda Freeze, Clerk to City Council  
Mr. Bobby Poole

**NOTICE TO INTERESTED PARTIES  
OF SECOND COMMUNITY MEETING**

**Subject:** Second Community Meeting -- Rezoning Petition filed by DeSoto/Poole, LLC to rezone an approximately 2.71 acre site located at 5908 Carmel Road

**Date of Meeting:** Wednesday, May 3, 2006 at 7:00 P.M.

**Place of Meeting:** Reformed Theological Seminary, Chapel Building A  
2101 Carmel Road  
Charlotte, NC 28226

**Petitioner:** DeSoto/Poole, LLC

**Petition No.:** 2006-065

We are assisting DeSoto/Poole, LLC (the "Petitioner") in connection with a Rezoning Petition it has filed with the Charlotte-Mecklenburg Planning Commission seeking to rezone an approximately 2.71 acre site located at 5908 Carmel Road from the R-3 zoning district to the R-8 (CD) zoning district. The purpose of the requested rezoning is to accommodate the subdivision of the Site into four separate lots and the construction of a residential building on each lot that would contain two townhome/condominium units. Accordingly, if this Rezoning Petition is approved, a total of four residential buildings and a total of eight townhome/condominium units could be located on the Site, resulting in an overall density of 2.96 dwelling units per acre.

We are writing to advise you that the Petitioner will hold a Second Community Meeting on this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Commission'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 invite you to attend a Second Community Meeting regarding this Rezoning Petition on Wednesday, May 3, 2006 at 7:00 P.M. at the Reformed Theological Seminary, Chapel Building A, 2101 Carmel Road, Charlotte, NC. The Petitioner's representatives look forward to discussing this rezoning proposal with you and to answering any questions you may have with respect to this Rezoning Petition.

In the meantime, should you have any questions or comments about this matter, please call John Carmichael at (704) 331-7509.

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

cc: Mr. Andy Dulin, City Council District 6  
Mr. Keith H. MacVean, Charlotte-Mecklenburg Planning Commission  
Mr. Bobby Poole  
Mr. Steve Halvorson, Reformed Theological Seminary



DESOTO/POOLE, LLC  
Petition No. 2006-065

Community Meeting Sign-in Sheet  
Reformed Theological Seminary  
Chapel Building A  
Wednesday, May 3, 2006  
7:00 P.M.

	NAME	ADDRESS	TELEPHONE	EMAIL ADDRESS
1.	GARY EILEEN LYDSON	3912 Mc Morrow Rd	704 542-9291	GLYDSON@CAROLINA.RR.COM
2.	GERALD & MITZI CONNORS	3701 CARMEL FOREST DR.	704-544-0440	gerry189@bellsouth.net
3.	Shirley Wheeler	5804 Winburn Ln	704-576-3265	swheeler5@carolina.rr.com
4.	Missy Stewart		996 9080	MSTEWART@BISSELLHAYES.COM
5.	John A. & Debra R. Rose	7438 Dotts Ct Charlotte, NC 28226	704 541-6642	JRose98140@carolina.rr.com
6.	Michael Parker	3900 Meadowsridge Dr Charlotte NC 28226	704 543-4675	CLTCFD@yahoo.com
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**NOTICE TO INTERESTED PARTIES  
OF COMMUNITY MEETING**

**Subject:** Community Meeting -- Rezoning Petition filed by Sarah Melinda Wallace to rezone an approximately 2.71 acre site located at 5908 Carmel Road

**Date of Meeting:** Thursday, March 30, 2006 at 7:00 P.M.

**Place of Meeting:** Reformed Theological Seminary, Chapel Building A  
2101 Carmel Road  
Charlotte, NC 28226-6399

**Petitioner:** Sarah Melinda Wallace

**Petition No.:** 2006-065

We are assisting Sarah Melinda Wallace and DeSoto/Poole, LLC (collectively, the "Petitioner") in connection with a Rezoning Petition they have filed with the Charlotte-Mecklenburg Planning Commission seeking to rezone an approximately 2.71 acre site located at 5908 Carmel Road from the R-3 zoning district to the R-8 (CD) zoning district. The purpose of the requested rezoning is to accommodate the subdivision of the Site into four separate lots and the construction of a residential building on each lot that would contain two townhome units. Accordingly, if this Rezoning Petition is approved, a total of four residential buildings and a total of eight townhome units could be located on the Site, resulting in an overall density of 2.96 dwelling units per acre.

For informational purposes, we are enclosing elevations of the proposed residential building that would be located on each of the four lots. The first elevation depicts the front of the residential building and the front of one of the townhome units, and the second elevation depicts the side of the residential building and the front of the second townhome unit. In other words, the second townhome unit is located on the side of the residential building.

We are writing to advise you that the Petitioner will hold a Community Meeting on this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Commission'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 invite you to attend a Community Meeting regarding this Rezoning Petition on Thursday, March 30, 2006 at 7:00 P.M. at the Reformed Theological Seminary, Chapel Building A, 2101 Carmel Road, Charlotte, NC. The Petitioner's representatives look forward to sharing this rezoning proposal with you and to answering any questions you may have with respect to this Rezoning Petition.

In the meantime, should you have any questions or comments about this matter, please call John Carmichael at (704) 331-7509.

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

cc: Mr. Andy Dulin, City Council District 6  
Mr. Keith H. MacVean, Charlotte-Mecklenburg Planning Commission  
Mr. Bobby Poole  
Mr. Steve Halvorson, Reformed Theological Seminary



Sarah Melinda Wallace - DeSoto/Poole, LLC

Community Meeting Sign-in Sheet  
Reformed Theological Seminary  
Chapel Building A  
Thursday, March 30, 2006  
7:00 P.M.

	NAME	ADDRESS	TELEPHONE	EMAIL ADDRESS
1.	GARY ELLEN LAWSON	3912 MEADOWBRIDGE DR		glawson4@carolina.rr.com
2.	SANDRA WALSH	13212 MINT LAKE DR		
3.	GERALD & MITZI CONNORS	3701 CARMEL FOREST DR	704-544-0444	
4.	JEFF SMITH	3908 MEADOWBRIDGE DR	704-543-8771	
5.	Michael & Jennifer Parker	3100 Meadowridge CV	704-543-4075	
6.	N. NAKH	2430 DUTTS CT	704-542-1808	
7.	JACK BUCHERT	STURNBERG HOMEOWNERS ASSOCIATION	704-409-3972	
8.	Shirley Wheeler	5804 Winburn Ln	704-576-3265	swheeler5@carolina.rr.com
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