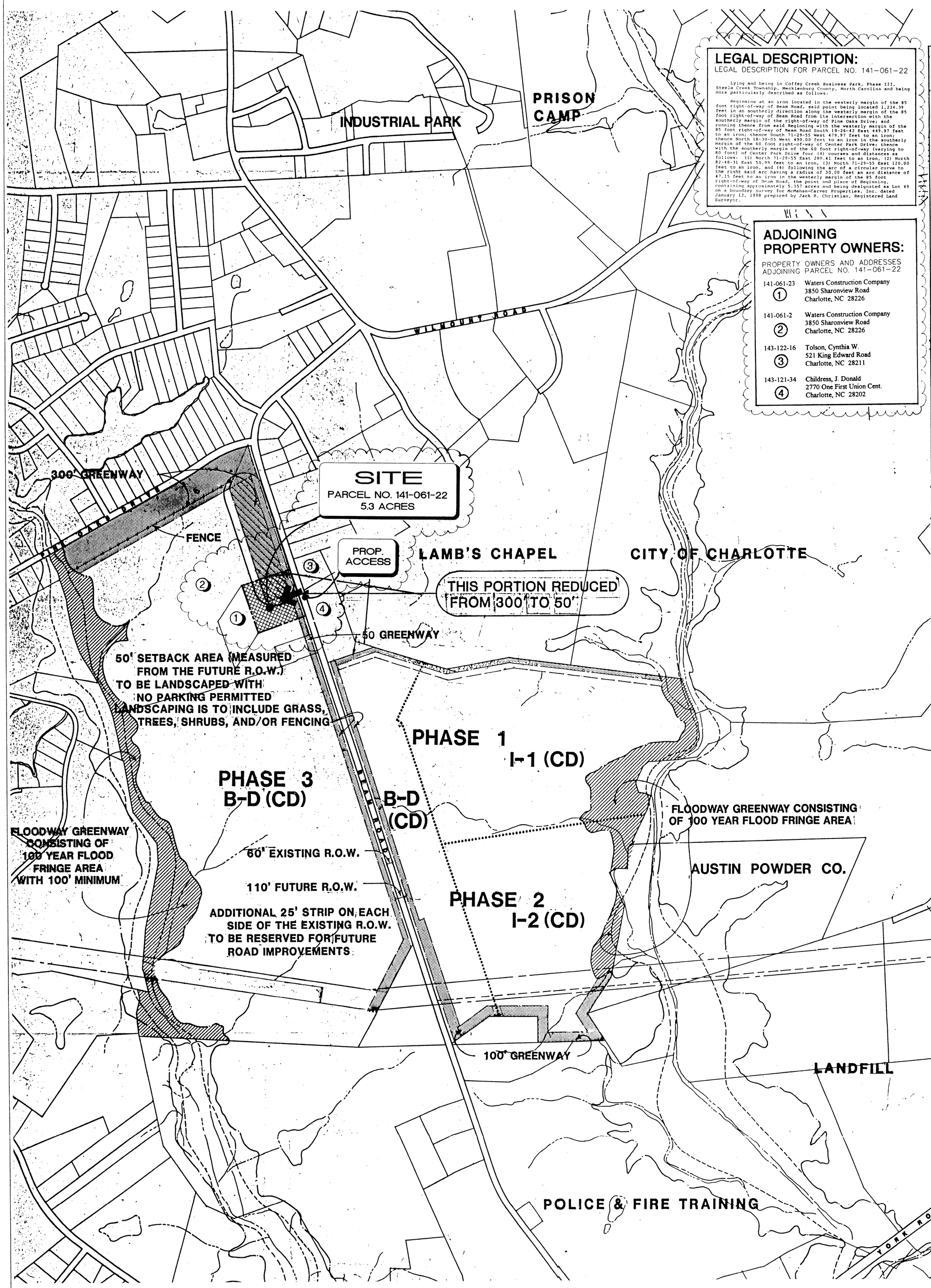

LEGAL DESCRIPTION:

LEGAL DESCRIPTION FOR PARCEL NO. 141-061-22

Lying and being in Coffey Creek Business Park, Phase III, Steele Creek Township, Mecklenburg County, North Carolina and being more particularly described as follows:

Beginning at an iron located in the westerly margin of the 85 foot right-of-way of Beam Road, said point being located 1,234.39 feet in an southerly direction along the westerly margin of the 85 foot right-of-way of Beam Road from its intersection with the southerly margin of the right-of-way of Pine Oaks Drive; and running thence from said Beginning with the westerly margin of the 85 foot right-of-way of Beam Road South 18-26-42 East 449.97 feet to an iron; thence South 71-29-55 West 479.97 feet to an iron; thence North 18-30-05 West 490.00 feet to an iron in the southerly margin of the 60 foot right-of-way of Center Park Drive; thence with the southerly margin of the 60 foot right-of-way (varying to 80 foot) of Center Park Drive four (4) courses and distances as follows: (1) North 71-29-55 East 280.41 feet to an iron, (2) North 82-48-31 East 50.99 feet to an iron, (3) North 71-29-55 East 120.00 feet to an iron, and (4) following the arc of a circular curve to the right said arc having a radius of 30.00 feet an arc distance of 47.15 feet to an iron in the westerly margin of the 85 foot right-of-way of Beam Road, the point and place of Beginning, containing approximately 5.357 acres and being designated as Lot 49 on a boundary survey for McMahan-Carver Properties, Inc. dated January 12, 1988 prepared by Jack R. Christian, Registered Land Surveyor.

ADJOINING PROPERTY OWNERS:

PROPERTY OWNERS AND ADDRESSES ADJOINING PARCEL NO. 141-061-22

141-061-23	1	Waters Construction Company 3850 Sharonview Road Charlotte, NC 28226
141-061-2	2	Waters Construction Company 3850 Sharonview Road Charlotte, NC 28226
143-122-16	3	Tolson, Cynthia W. 521 King Edward Road Charlotte, NC 28211
143-121-34	4	Childress, J. Donald 2770 One First Union Cent. Charlotte, NC 28202

CONDITIONAL REQUIREMENTS

1. PERMITTED USES

Only those uses indicated below shall be permitted in each district.

B-D (CD)

Banks
Book Binding
Bottling and canning works for soft drinks
~~[illegible]~~
Dairy products processing, bottling and distribution
Engraving, excluding textile engraving
Food processing, excluding poultry and animal slaughtering and dressing
Warehousing within enclosed buildings
Buildings for the display of sample merchandise
Cafeterias
Contractors' offices, excluding accessory storage
Government office and public utility buildings
Laboratories and other facilities for research within enclosed buildings
~~[illegible]~~
Laboratory, dental, medical and optical
Offices
~~[illegible]~~
Post Offices
Printing and photo-processing
Repair and servicing, indoors only
Restaurants
Vending machines
Wholesale sales with related storage and warehousing, within enclosed buildings excluding truck terminals
Accessory uses
Farms
Fire stations
Police stations
~~[illegible]~~
Business and professional offices
Day Care Centers

Uses above would be allowed by right. Other uses allowed in the Mecklenburg County Zoning Ordinance for business distribution districts would still be allowed by special use permit. No other uses would be permitted.

I-1 (CD)

All those uses allowed as a matter of right in the I-1 table of permitted uses of the Mecklenburg County Zoning Ordinance in effect on March 1, 1982, except the following:

Blacksmith shops
Engraving, including textile engraving
Freight Terminals
Manufacture of:
Batteries and carbon products
Chalkboards
Cigars and cigarettes
Emery cloth and sandpaper
Excelsior and fiber
Furniture
Roofing materials
Insulation materials
Oilcloth and linoleum
Paper products, cardboard and building board
Pharmaceutical products
Reed and rattan products
Sweeping compound
Petroleum storage, as a principle use
Plating work
Quarries
Tire recapping and retreading
Tobacco processing
Tobacco storage
Truck Terminals
Trucks (tractor and trailer units), sales and service of accessory items
Fuel oil distribution
Woodworking and cabinet shops

I-2 (CD)

All those uses allowed in the BD (CD) and I-1 (OC) districts of this conditional plan, plus the following additional uses:

Building materials storage yards and wholesale and retail sales
Contractors' offices and storage yards
Freight Terminals, limited to air freight handling
Heavy equipment, retail and wholesale sales and rental, including accessory service and repair
Public utility construction equipment and materials

2. BUILDING AREA AND STANDARDS

All buildings erected within the boundaries of this plan shall meet the following requirements:

a. Total land area covered by building shall not exceed the stated amount for each district as shown on this plan.

b. All buildings shall be located outside the Greenway buffer, and Setback Areas indicated on the plan. Setback, side and rear yard requirements for any subdivided portion of the property shall, as a minimum, comply with the applicable portions of the Mecklenburg County Zoning Ordinance.

c. Before any building is constructed, approval shall be secured from an architectural design review committee described below.

d. Except during building construction, no temporary structures will be allowed.

3. PARKING AND LOADING

Off-street parking and loading shall be provided in accordance with applicable ordinances and the following requirements:

a. All parking areas, driveways and walkways shall be paved.

b. All parking and driveways shall be located at least 15 feet from the front of buildings in the B-D district, but shall not be permitted in setbacks required by the Mecklenburg County Zoning Ordinance.

c. No loading dock shall open directly on to Beam Road unless adequately screened.

d. The number of access roads from Beam Road into the property will be eight (8). One driveway, will be permitted from Beam Road to serve parcel 141-061-22 as depicted on this plan. This driveway will be designed and constructed in accordance with the standards of the Charlotte Department of Transportation.

e. When and if additional access to Beam Road is provided in the form of a public street which will occur to the west of parcel 141-061-22, the driveway access to Beam Road, as requested within this petition, will be removed with the understanding that if satisfactory access to parcel 141-061-22 is provided by the construction of this future public road, it will allow for a new access to the parcel from the west. Future access to parcel 141-061-22, when and if this public access road is constructed, will occur a minimum of 180 feet back from the right-of-way of Beam Road, and will be constructed to the requirements of the governing department of transportation at the time of construction.

f. No access shall be permitted through the 300 foot green ways along Pine Oaks Drive.

4. SCREENING

Screening will be provided in full compliance with Section 12.303 of the County zoning regulations.

All dumpsters will be screened with a solid wooden or masonry enclosure with gates.

5. PROPERTY OWNERS ASSOCIATION

An association of all property owners shall be created and shall, as a minimum, have the following duties and responsibilities:

a. Provide for proper maintenance of all Greenways, buffer, and other association controlled property.

b. Maintain the Greenway areas in generally natural condition, especially controlling the cutting of trees.

c. Carry out all obligations assigned to it by established and recorded restrictive covenants described below.

6. ARCHITECTURAL DESIGN REVIEW COMMITTEE

An architectural design review committee shall be created in accordance with requirements set forth in the restrictive covenants described below, and shall carry out those duties assigned to it by these requirements and/or the applicable covenants.

7. RESTRICTIVE COVENANTS

The conditional requirements of this plan shall be supplemented by more detailed and additional requirements imposed by duly recorded covenants and restrictions to be binding on all future property owners of land affected by this conditional plan.

8. MISCELLANEOUS

a. Subsequent subdivision of the property shall be in accordance with the requirements of this plan and all applicable codes and zoning ordinances.

b. All utilities distribution lines for buildings within 500 feet of Beam Road shall be placed underground.

c. The size, shape, design and location of all signs shall be approved by the architectural design review committee and shall comply with their requirements in addition to the requirements of the Mecklenburg County Zoning Ordinance.

d. Within ninety (90) days after adoption of a resolution or resolutions by the Mecklenburg County Board of Commissioners requesting conveyance of all or any portion of the Floodway Greenway areas along Big Sugar Creek and Coffey Creek as shown on this site plan, the owner or owners of said properties shall convey, by fee simple warranty deed free and clear of all encumbrances and without consideration other than stated herein, said properties to Mecklenburg County for inclusion in the Mecklenburg County greenway system. The consideration for said conveyance or conveyances shall be the reservation to the then owner or owners, their successors and assigns, of such easement or easements as the then owner or owners deem necessary for installation and maintenance of utility lines and conduits, including, but not limited to, water, sewer and natural gas. Such reservation of easements shall be without consideration except as stated herein, and shall be in form mutually acceptable to the County Attorney and attorney for the then owner or owners. After any conveyance as herein described, Mecklenburg County shall have the sole responsibility for maintenance and upkeep of said conveyed properties.

AREA TABULATION:

Coffey Creek East

Parcel No.	Zoning	Area	Maximum Building Coverage
1	B-D (CD)	50.98 AC	888,275 SF
2	I-1 (CD)	88.98 AC	1,162,790 SF
3	I-2 (CD)	64.07 AC	669,815 SF

Coffey Creek West

Parcel No.	Zoning	Area	Maximum Building Coverage
4	B-D (CD)	252.28 AC	4,395,730 SF

GENERAL NOTES:

1. All Greenway areas may be utilized to satisfy building yard requirements, but cannot be used for parking, storage or other active uses.
2. All Greenway areas to be maintained in natural condition except where additional landscaping is desirable for screening purposes.
3. Fences included in Greenway areas will be constructed when building construction starts within 1800'.
4. Parking will be permitted in the north 100' of the buffer area subject to the satisfaction of easement agreements and Mecklenburg County Zoning Ordinance provisions.

NORTH

400 200 0 400 800
SCALE 1"=400'

PETITIONER:
McMAHAN-CARVER PROPERTIES
5815 Westpark Drive
Charlotte, NC 28217
704-561-8771

ARCHITECT:
LITTLE & ASSOCIATES ARCHITECTS
5815 Westpark Drive
Charlotte, NC 28217
704-525-6350

APPROVED BY COUNTY COMMISSION
DATE MARCH 11, 1997

NOTE: All {clouded} areas indicate proposed amendments to the previously approved Plan, titled "SITE PLAN PETITION for COFFEY CREEK PARK", Petition no.88-12(C). Approved November 19, 1990.

PETITION NO. 97-5(c) - FOR PUBLIC HEARING

Division President in Charge
Project Architect
J. GAMBLE
Drawn By
C. K. DEAN
Date Drawn
11/21/96
AutoCAD® Dwg. Name
TITLE.DWG
1"=400'
Revisions
No. 1 Date 01-15-97
No. 2 Date 02-10-97
No. Date
No. Date
No. Date
No. Date
No. Date
No. Date
No. Date
Issue Date 11/25/96

Project Number
18-4496-00
Sheet 1 Of 1

Project
COFFEY CREEK PARK

Sheet Title
BD (CD) SITE PLAN AMENDMENT

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