

**Note:**  
Although the size, placement and details of all signs depicted herein have received cursory approval from the City of Charlotte, they're subject to their final approval.

**Midtown Northside:**  
**Target &**  
**Expo Design Center**  
**Signs & Wayfinding**

**Metropolitan**  
**Midtown**  
**Mixed Use**  
**Project**  
Midtown Area  
Charlotte

**Pappas**  
**Properties, LLC**  
Charlotte

**Collett &**  
**Associates**  
Charlotte

**EXPO**  
**Design Center**  
Atlanta

**Cooper Carry**  
**& Associates/Architects**  
Atlanta

Prepared by  
Design Consultant  
**hixson design**  
Charlotte  
1.31.2006  
g.hixson

**Plan**  
**Key**

Page

**1.0**

**CHARLOTTE - MECKLENBURG**  
**PLANNING COMMISSION**

**INTER - OFFICE COMMUNICATION**

**DATE:** February 1, 2007

**TO:** Gary Huss  
Zoning Supervisor

**FROM:** *Debra Campbell*  
Debra Campbell  
Planning Director

**SUBJECT:** Administrative Approval for Petition No. 2005-60 by Pappas Properties Development, LLC

Attached is a revised signage package for the above mentioned rezoning petition. The signage package has been revised to allow "Wayfinding" signage to be added to certain building elevations. The square footage for the wayfinding signage has been deducted from the previously approved wall signage so that the total square footage of wayfinding signs and walls signs does not exceed the approved conditional plan allowances. Since this change is minor and does not increase the total allowed signage square footage I am approving these revisions administratively. Please use this revised signage plans when evaluating request for signage permits. If you have any questions please do not hesitate to call Keith MacVean at 704-336-5738.

**Sign Type**  
**Key**

**T**

Target  
Brand Signs

**E**

EXPO Design  
Center Brand  
Signs

**N**

Exterior  
Parking Deck  
Wayfinding  
Sign

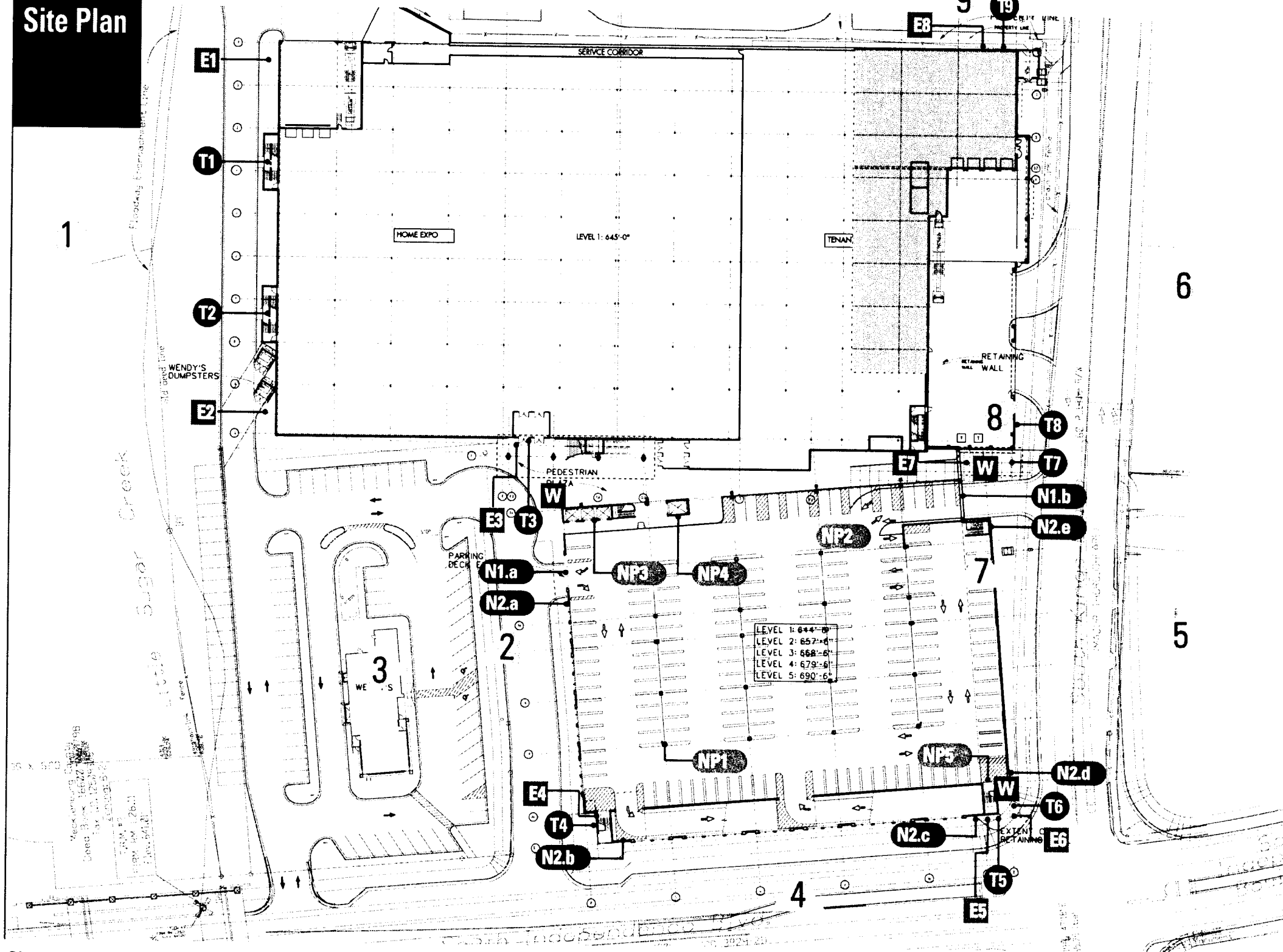
**NP**

Interior  
Parking Deck  
Wayfinding  
Sign

**W**

Pedestrian  
Wayfinding  
Sign

**Site Plan**



**Site Plan**  
Not to scale

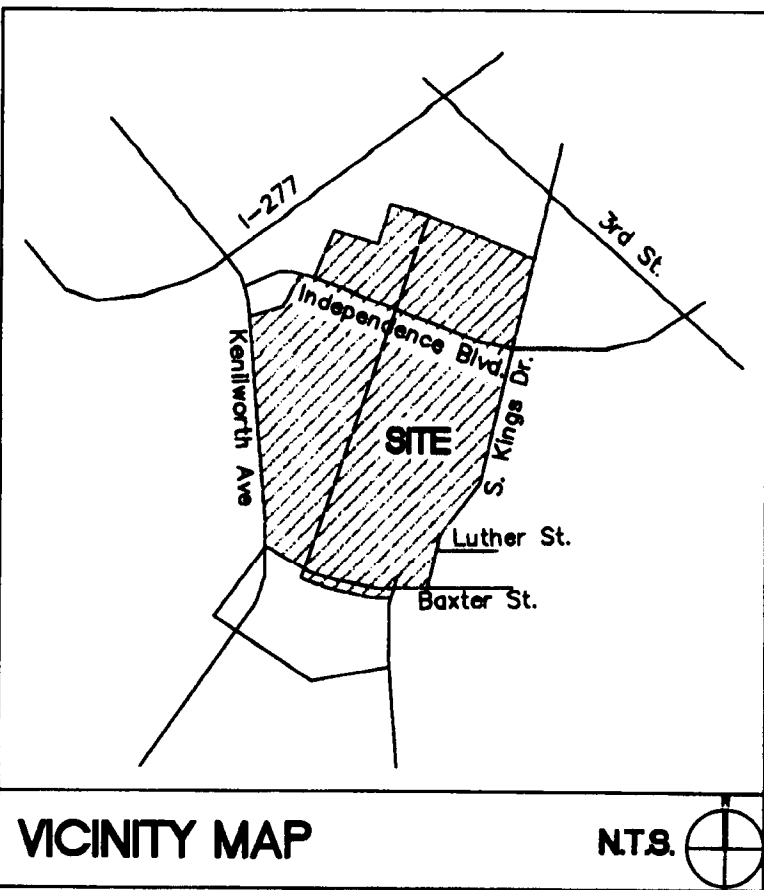
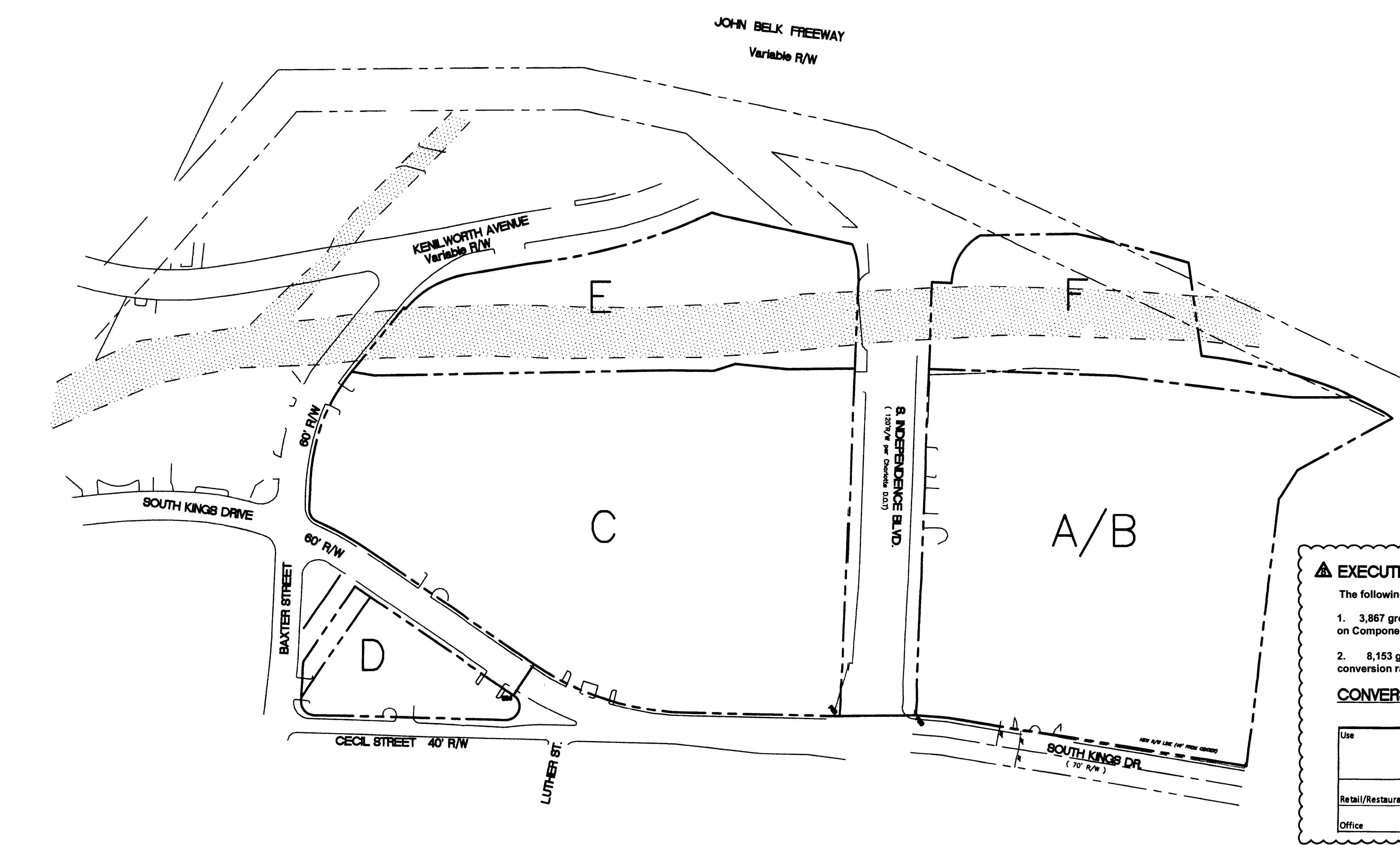












**Colejonest & Stone**  
Land Planning  
Landscape Architecture  
Civil Engineering  
Urban Design  
  
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Charlotte, North Carolina 28202  
Tel 704. 376. 1555  
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## MIDTOWN MIXED-USE VILLAGE

## PRELIMINARY BOUNDARY SURVEY

Project No.

3214

Issued

02/17/05

**Legal Description**  
Midtown Mixed Use  
Components A & B - approximately 7.87 acres (exclusive of R/W)

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a new pk nail located on the westerly margin of the right of way of South Kings Drive, said right of way being 60 feet in width, said pk nail being also located at the southwest corner of State Employees Credit Union as recorded in Deed Book 3796 Page 819 of the Mecklenburg County Registry, said pk nail also having North Carolina State Plane Coordinates of Northing=538,204.4 feet and Easting=1,432,458.6 feet (North American Datum of 1983), and running thence from said point and place of BEGINNING along the westerly right of way margin of the said South Kings Drive the following two (2) calls: (1) South 23-08-32 West 493.42 feet to an existing iron pin and (2) South 18-15-34 West 52.24 feet to an existing iron pin located at the intersection of the westerly right of way margin of the said South Kings Drive and the northerly right of way margin of South Independence Boulevard, said right of way being of variable width from 120 feet to 124 feet, said iron pin being also located North 13-16-40 East 123.76 feet from a new pk nail located at the intersection of the westerly right of way margin of the said South Kings Drive with the southerly right of way margin of the said South Independence Boulevard; thence following the northerly right of way margin of the said South Independence Boulevard the following three (3) calls: (1) North 73-55-29 West 180.28 feet to an existing iron pin, (2) North 73-56-43 West 224.52 feet to an existing iron pin and (3) North 74-04-08 West 130.01 feet to a new pk nail; thence following the easterly boundary of Mecklenburg County (Little Sugar Creek Greenway) the following three (3) calls: (1) North 15-56-46 East 305.85 feet to a new pk nail, (2) North 20-52-35 East 291.00 feet to a new pk nail and (3) North 13-27-52 East 97.76 feet to a new pk nail; thence following the easterly right of way margin of John Belk Freeway (Interstate 277) the following three (3) calls: (1) North 40-44-15 East 56.22 feet to a new iron pin, (2) North 29-45-48 East 9.14 feet to an existing iron pin and (3) North 68-41-31 East 6.35 feet to a new iron pin; thence following the southerly boundary of the aforesaid State Employees Credit Union the following three (3) calls: (1) South 15-03-46 East 174.18 feet to a new iron pin, (2) South 40-55-27 East 54.68 feet to an existing iron pin and (3) South 69-10-54 East 433.20 feet to the point or place of BEGINNING, containing 7.8665 acres as shown on a survey prepared by Andrew G. Zouteville dated February 22, 2005.

**Legal Description**  
Midtown Mixed Use  
Component C - approximately 9.10 acres (exclusive of R/W)

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pin located on the northerly margin of the right of way of Baxter Street, said right of way being 60 feet in width, said iron pin being also located at the southwest corner of Mecklenburg County (Little Sugar Creek Greenway) as recorded in Deed Book 16600 Page 798 of the Mecklenburg County Registry, said iron pin also having North Carolina State Plane Coordinates of Northing=536,938.7 feet and Easting=1,451,490.6 feet (North American Datum of 1983), and running thence from said point and place of BEGINNING following the easterly boundary of the said Mecklenburg County (Little Sugar Creek Greenway) the following arc (6) calls: (1) North 24-37-37 East 37.02 feet to an existing pk nail, (2) North 03-15-33 West 36.58 feet to an existing pk nail, (3) North 19-37-50 East 66.09 feet to an existing pk nail and (4) North 15-23-35 East 110.66 feet to an existing pk nail; thence following the westerly right of way margin of South Independence Boulevard, said right of way having a variable width from 120 feet to 124 feet, South 73-35-04 East 557.46 feet to a new pk nail, said pk nail being located South 13-16-40 West 123.76 feet from an existing iron pin located at the intersection of the right of way margin of the said South Independence Boulevard with the westerly right of way margin of South Kings Drive, said right of way having a width of 60 feet; thence following the westerly right of way margin of the said South Kings Drive the following four (4) calls: (1) South 15-23-38 West 251.58 feet to a new iron pin, (2) following the arc of a circular curve to the right having a radius of 404.04 feet and an arc length of 262.61 feet (chord bearing South 31-36-12 West 259.12 feet) to a new pk nail, (3) South 47-47-58 West 325.24 feet to an existing nail in pavement and (4) following the arc of a circular curve to the left having a radius of 592.93 feet and an arc length of 100.34 feet (chord bearing South 43-03-08 West 100.22 feet) to a new pk nail; thence along the right of way intersection curve which connects the westerly right of way margin of the said South Kings Drive with the northerly right of way margin of the aforesaid Baxter Street following the arc of a circular curve to the right having a radius of 20.00 feet and an arc length of 23.75 feet (chord bearing South 73-14-51 West 22.38 feet) to an existing iron pin; thence following the northerly right of way margin of the said Baxter Street the following two (2) calls: (1) North 73-16-33 West 47.70 feet to an existing nail in pavement and (2) following the arc of a circular curve to the right having a radius of 288.31 feet and an arc length of 187.46 feet (chord bearing North 54-45-17 West 184.17 feet) to the point or place of BEGINNING, containing 9.1006 acres as shown on a survey prepared by Andrew G. Zouteville dated February 22, 2005.

TOGETHER WITH that portion of the right of way of Baxter Street to be abandoned, adjacent to the southern boundary of the above-described parcel, comprising approximately 0.2 acres, more or less.

**Legal Description**  
Midtown Mixed Use  
Component D - approximately 1.20 acres (exclusive of R/W)

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing pk nail located on the easterly margin of the right of way of South Kings Drive, said right of way being 60 feet in width, said pk nail being also located at the westerly or southwesterly terminus of the intersection curve which connects the easterly right of way margin of the said South Kings Drive with the westerly right of way margin of Cecil Street, said right of way being 40 feet in width, said pk nail being also located the following six (6) calls from an existing iron pin located on the northerly margin of the right of way of Baxter Street, said iron pin having North Carolina State Plane Coordinates of Northing=536,938.7 feet and Easting=1,451,490.6 feet (North American Datum of 1983): (1) following the arc of a circular curve to the left having a radius of 288.31 feet and an arc length of 187.46 feet (chord bearing South 54-45-17 East 184.17 feet), (2) South 73-16-33 East 47.70 feet, (3) following the arc of a circular curve to the left having a radius of 20.00 feet and an arc length of 23.75 feet (chord bearing North 72-14-51 East 22.38 feet), (4) following the arc of a circular curve to the right having a radius of 592.93 feet and an arc length of 100.34 feet (chord bearing North 43-03-08 East 100.22 feet), (5) North 47-47-58 East 325.24 feet and (6) South 42-15-13 East 60.09 feet, and running thence from said point and place of BEGINNING following the arc of a circular curve to the right having a radius of 22.30 feet and an arc length of 37.23 feet (chord bearing South 36-36-26 East 42.77 feet) to an existing iron pin; thence following the westerly margin of the right of way of the aforesaid Cecil Street South 15-38-16 West 315.76 feet to an existing iron pin; thence following the arc of a circular curve to the right having a radius of 21.64 feet and an arc length of 35.74 feet (chord bearing South 62-57-24 West 31.81 feet) to an existing iron pin; thence following the northerly margin of the right of way of the aforesaid Baxter Street the following two (2) calls: (1) following the arc of a circular curve to the left having a radius of 1,279.70 feet and an arc length of 114.79 feet (chord bearing North 73-51-31 West 114.76 feet) to a new pk nail and (2) North 73-19-44 West 85.11 feet to an existing pk nail; thence following the arc of a circular curve to the right having a radius of 20.00 feet and an arc length of 40.67 feet (chord bearing North 15-41-20 West 34.02 feet) to an existing nail; thence following the easterly margin of the right of way of the aforesaid South Kings Drive the following two (2) calls: (1) following the arc of a circular curve to the right having a radius of 623.93 feet and an arc length of 49.47 feet (chord bearing North 47-34-56 East 49.46 feet) and (2) North 47-51-54 East 325.52 feet to the point or place of BEGINNING, containing 1.1985 acres as shown on a survey prepared by Andrew G. Zouteville dated February 22, 2005.

**Legal Description**  
Midtown Mixed-Use Village  
Component E - approximately 3.53 acres (exclusive of R/W)

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a North Carolina Department of Transportation Right of Way Monument on the east right of way of Kenilworth Avenue (variable right of way) at the intersection of John Belk Freeway, common corner with property now or formerly owned by City of Charlotte; thence from said Beginning point North 25-14-53 East 19.00 feet to a point; thence North 25-05-52 East 114.87 feet to a new iron pin set common corner to property now or formerly owned by Duke Power as shown in Deed Book 3932 Page 774; thence with the Duke property North 25-05-52 East 102.02 feet to a P.K. nail set on the northern right of way of John Belk Freeway; thence with the right of way of John Belk Freeway and the arc of a circular curve to the right, said curve having a chord bearing and distance of South 87-38-23 East 54.37 feet, an arc length of 54.84 feet and a radius of 120.78 feet to a North Carolina Department of Transportation Right of Way Monument at the southern right of way of Independence Boulevard (120' R/W); thence with the southern right of way of Independence Boulevard North 15-02-27 East 0.52 feet to a point and South 74-38-58 East 144.87 feet to a magnetic nail set; thence leaving Independence Boulevard and with the following arc (6) new lines: (1) South 12-23-54 West 110.66 feet to a magnetic nail set; (2) South 18-36-31 West 86.11 feet to a magnetic nail set; (3) South 04-14-41 East 36.56 feet to a magnetic nail set; (4) South 13-38-02 West 70.94 feet to a magnetic nail set; (5) South 11-50-03 West 484.14 feet to a magnetic nail set and (6) South 23-20-36 West 36.56 feet to a new iron pin set on the eastern right of way of Baxter Street (60' right of way); thence continuing with the right of way of Baxter Street North 37-10-20 West 132.75 feet to a North Carolina Department of Transportation Right of Way monument; thence North 55-40-54 East 3.68 feet to a North Carolina Department of Transportation Right of Way Monument; thence with the right of way of Kenilworth Avenue North 03-29-59 East 101.90 feet to the arc of a circular curve to the right, said curve having a chord bearing and distance of North 16-17-08 West 113.58 feet, an arc length of 110.60 feet and a radius of 163.00 feet to a North Carolina Department of Transportation Right of Way Monument; thence continuing with the right of way of Kenilworth Avenue North 03-29-59 East 101.90 feet to a North Carolina Department of Transportation Right of Way Monument; thence with the arc of a circular curve to the left having a chord bearing and distance of N 00-41-03 West 265.08 feet, an arc length of 265.84 feet and a radius of 1018.76 feet to a North Carolina Department of Transportation Right of Way Monument; thence North 11-06-58 West 46.84 feet to the point and place of Beginning.

**Legal Description**  
Midtown Mixed-Use Village  
Component F - approximately 2.25 acres (exclusive of R/W)

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a 1/2" rebar set located at the intersection of the northern right of way line of South Independence Boulevard (120' R/W) and the eastern right of way line of John Belk Freeway (variable R/W) which rebar is South 78-35-32 West 1782.41 feet from a NCOS Monument "Jerry" (NAD83 Coordinates N538214.763, E:1453337.828, SF 0.9998728), thence running from the beginning point along the eastern right of way of John Belk Freeway North 14-48-26 East 32.77 feet to a concrete right of way monument found; thence along the arc of a circular curve to the right having a chord bearing and distance of North 43-29-42 West 89.28 feet, an arc length of 93.34 feet and a radius of 90.78 feet to a concrete right of way monument found; thence North 11-50-43 East 155.58 feet to a concrete right of way monument found; thence along the arc of a circular curve to the right having a chord bearing and distance of North 26-52-07 East 189.05 feet, an arc length of 189.11 feet and a radius of 2231.83 feet to a concrete right of way monument found; thence South 85-18-12 East 150.19 feet to a 1/2" rebar set; thence with the arc of a circular curve to the right having a chord bearing and distance of North 26-24-36 East 227.30 feet, an arc length of 227.93 feet and a radius of 884.93 feet to a 1/2" rebar set; thence North 39-28-11 East 30.07 feet to a 1/2" rebar set; thence leaving said right of way with a new property line of Home Depot U.S.A., Inc. South 12-24-28 West 98.09 feet to a 1/2" rebar set; thence South 19-48-41 West 291.00 feet to a 1/2" rebar set; thence South 14-52-50 West 303.88 feet to a 1/2" rebar set located along the northern right of way of South Independence Boulevard (120' right of way); thence with said right of way North 75-07-10 West 138.36 feet to a 1/2" rebar set, said point being the True Point of Beginning.

### EXECUTION OF CONVERSION RIGHTS FOR COMPONENT C.

The following conversion rights have been executed regarding allowed development on Component C:

- 25,000 gross square feet of allowed retail/restaurant uses have been converted into 50 additional residential units. The total number of allowed residential units allowed on Component C is 256.
- The amount of allowed office uses has been increased by 17,915 square feet by converting 11,943 square feet of allowed retail/restaurant uses.

### CONVERSION TABLE

Use	Gross sf Approved per CD plan 2005-060	Gross sf Entitlements constructed as of 11/21/2011	Remaining after construction	Conversion of Retail to Office	Available after conversion	Conversion of Retail to Add'l. Resid. Units (c)	Available after conversion (12/1/11)	Conversion of Retail to Add'l Resid. Units	Available after conversion
Retail/Restaurant	248,000	192,306	55,694	(-11,943)	43,751	(-17,500)	26,251 (d)	(-7,500)	18,751 (f)
Office	165,000	182,915	-17,915 (b)	(+17,915)	0	0	0	0	0
Residential Units	206 (a)	101 (d)	105	0	105	(+35) (c)	140 (d)	(+15) (e)	155 (f)
Allowable SF	413,000	413,000							

(a) Up to a total of 256 (maximum) Residential units are permitted using the conversion rate of 500 Retail sf/unit per the Development Standards of Petition @ 2005-060, Section 3.

(b) Office square footage has been overbuilt by 17,915 s.f. The remaining retail/restaurant square footage has been reduced at a conversion rate of 500 sf of Retail/Restaurant space to 750 sf of Office space.

(c) An additional 35 Residential units beyond the 206 units approved may be converted from the Retail/Restaurant square footage, at the rate of 500 sf/unit.

(d) Unit Summary: 101 existing units + 105 proposed units (= 206 units) + 35 additional proposed units (105 + 35 = 140 available units) for a total of 241 units (101 + 140). Therefore, 15 units (256-241) remain. If 15 Residential units are converted from the remaining Retail/Restaurant square footage then the available total retail is reduced from 26,251 square feet (-7,500 [15 x 500 sf]) to 18,751 square feet.

(e) An additional 15 Residential units beyond the 241 units approved may be converted from the Retail/Restaurant square footage, at the rate of 500 sf/unit.

(f) Unit Summary: 101 existing units + 140 proposed units (=241 units) + 15 additional proposed units (140 + 15 = 155 available units) for a total of 256 units (101 + 155). There are not remaining residential units that can be converted from Retail/Restaurant square footage. The available total Retail/Restaurant is 18,751 square feet.

**Revised**  
02/17/05 REVISION TO INCLUDE COUNTY PARCEL AND PRELIMINARY COMMENTS FROM CITY.  
03/17/05 REVISION PLAN & NOTES  
04/14/05 REVISION PLAN & NOTES PER CMPC COMMENTS  
05/04/05 REVISION PLAN & NOTES  
06/09/05 TO CONFIRM FINAL CHANGE TO SECTION 1400  
11/09/11 COMPONENT C CONVERSION TABLE ADDED ON SHEET RZ2.0  
07/25/14 COMPONENT B CONVERSION TABLE UPDATED

ATTACHED TO ADMINISTRATIVE  
APPROVAL:

AUG 18 2014

BY: DEBRA CAMPBELL

SCALE: 1" = 100'

0 50 100 200

RZ2.0 of 2

The drawings, the project manual and the design shown herein are instruments of Colejonest & Stone, P.A. The reproduction or unauthorized use of the documents without consent of Colejonest & Stone, P.A. is prohibited.

Colejonest & Stone, P.A. 2004 ©





## Charlotte-Mecklenburg Planning Department

**DATE:** November 1, 2015

**TO:** Donald Moore  
Zoning Supervisor

**FROM:** Ed McKinney  
Interim, Planning  
Director

**SUBJECT:** Administrative Approval for Petition No. 2005-060 Pappas Properties Development, LLC

Attached is the revised site plan for the petition above. This request allows the modification of the proposed site plan as listed below. Since these changes do not alter the intent of the development and meets the requirements of the Charlotte Zoning Ordinance Section 6.207 Alterations to Approval, minor changes, I am administratively approving this plan. Please use these plans when evaluating requests for building permits and certificates of occupancy.

- Removal of 8,133 square feet from the petition for Component D.
- Removal of entitlements for Component now covered under petition 2015-079.

Reasons for Staff's support of the request:

- The site plan complies with the conditional notes and still meets the intent of the approved site plan by the City Council.

**Note: All other Zoning, Subdivision, Tree Ordinances, Building Codes, and conditional requirements still apply.**

**Signage was note reviewed as part of this request.**



ADJACENT PROPERTY OWNERS:

- MECKLENBURG COUNTY  
600 EAST FOURTH STREET  
CHARLOTTE, NC 28208  
PARCEL I.D. #12520148
- A. EPISCOPAL DIOCESE OF NC.  
B. THE ROUSE CO  
C. COMMUNITY RESEARCH AND DEVELOPMENT  
PO BOX 833  
COLUMBIA, MD 21044  
PARCEL I.D. #12520147
- MECKLENBURG COUNTY  
600 EAST FOURTH STREET  
CHARLOTTE, NC 28202  
PARCEL I.D. #12521316
- ACC/MIDTOWN INVESTMENTS, LLC  
4400 SILAS CREEK PARKWAY, SUITE 200  
WINSTON-SALEM, NC 27104;  
CHARLES W. EARP & RUTH T. EARP  
10401 ANDORON DRIVE  
MATTHEWS, NC 28105;  
ST. ARMANDS APTS., LLC CARE OF  
DON R. HOUSE  
3325 HEALY DRIVE  
WINSTON-SALEM, NC 27103;  
PASQUALE A. RUSSO  
(ADDRESS UNKNOWN)  
PARCEL I.D. #12521413
- MACQUEEN PROPERTIES  
825 CALLE DAVID  
SANTA FE, NM 87507  
PARCEL I.D. #12521412
- THE ASIAN (KOREAN) HERALD, INC.  
1339 BAXTER ST., STE. 200  
CHARLOTTE, NC 28204-3067  
PARCEL I.D. #12522107
- THE ASIAN (KOREAN) HERALD, INC.  
1339 BAXTER ST., STE. 200  
CHARLOTTE, NC 28204-3067  
PARCEL I.D. #12522104
- THE ASIAN (KOREAN) HERALD, INC.  
1339 BAXTER ST., STE. 200  
CHARLOTTE, NC 28204-3067  
PARCEL I.D. #12522103
- THE ASIAN (KOREAN) HERALD, INC.  
1339 BAXTER ST., STE. 200  
CHARLOTTE, NC 28204-3067  
PARCEL I.D. #12522103
- CHERRY COMMUNITY ORGANIZATION  
610 BALDWIN AVE.  
CHARLOTTE, NC 28204  
PARCEL I.D. #12522102
- PAU-JAC, INC.  
333 SOUTH KINGS DR.  
CHARLOTTE, NC 28204  
PARCEL I.D. #12522201
- TREFZ & TREFZ, INC.  
753 BROAD STREET #901  
AUGUSTA, GA 30801  
PARCEL I.D. #12522203
- KFC US PROPERTIES, INC.  
1441 GARDINER LANE  
LOUISVILLE, KY 40213  
PARCEL I.D. #12522202
- WELLS PROPERTY NUMBER ONE, LLC  
137 BREVARD COURT  
CHARLOTTE, NC 28202  
PARCEL I.D. #12510614
- THE MELISSARIS FAMILY LIMITED PARTNERSHIP  
209 S. KINGS DRIVE, #A  
CHARLOTTE, NC 28204  
PARCEL I.D. #12510621
- BYGIE S. MATTICK  
4140 ARBORWAY  
CHARLOTTE, NC 28211  
PARCEL I.D. #12510607
- A. NEWMAN EDNA EARLE(B/W)  
B. ANN CARSON  
7525 HOLLY GROVE CT.  
CHARLOTTE NC 28227  
PARCEL I.D. #12510606
- MATTICK MICHAEL J  
200 SOUTH KINGS DR.  
CHARLOTTE, NC 28204  
PARCEL I.D. #12510605
- STATE EMPLOYEES  
CREDIT UNION, INC.  
PO BOX 35412  
CHARLOTTE, NC 28235  
PARCEL I.D. #12509302
- SEVEN SEVENTEEN HB  
CHARLOTTE CORP  
1130 OLIVE STREET RD  
ST LOUIS MO 63141  
PARCEL I.D. #12508103

MIDTOWN MIXED-USE VILLAGE  
DEVELOPMENT STANDARDS  
May 16, 2005

1. GENERAL PROVISIONS:

Unless more stringent standards are established by the Technical Data Sheet or these Development Standards, all development standards established under the Charlotte Zoning Ordinance (the "Ordinance") for the Mixed Use Development District (Optional) "MUDD-O" shall be followed with respect to development occurring on Component A, Component B, Component C, Component E, and Component F (all as described below) of the Site.

Unless more stringent standards are established by the Technical Data Sheet or these Development Standards, all development standards established under the Charlotte Zoning Ordinance (the "Ordinance") for the Urban Residential-Commercial (UR-C) District shall be followed with respect to development occurring on Component D (as described below) of the Site.

2. STATEMENTS WITH RESPECT TO THE GRAPHICS WHICH ARE SET FORTH ON EXHIBITS ACCOMPANYING THE  
TECHNICAL DATA SHEET:

The ultimate layout of the development proposed for each Component of the Site and the parcels or lots forming parts thereof, the exact alignment of streets, thoroughfares and points of access, the configurations and placements of parking areas and the precise locations, heights and masses of buildings and parking decks and other individual site elements to be constructed have not been determined. As a consequence, the graphics herein are schematic in nature and are not to be considered as specific site development plans but rather as preliminary graphic representations of the type and quality of development proposed for each Component, it being understood that the exact configurations, placements and sizes of streets, driveways, parking areas and docks, buildings and other individual site elements may be altered or modified within the limits prescribed by the Technical Data Sheet and the Ordinance during the design development and construction phases. All such changes are subject to approval per Section 2.20(c)(2) of the Ordinance. Without limiting the generality of the foregoing, buildings generally depicted on the Schematic Site Plan may be combined or separated provided that the maximum number of buildings may not be increased above the number of buildings generally depicted on the Schematic Site Plan (it being understood that structures such as ATM, kiosks, enclosed service areas and the like shall not be considered in connection with the number of buildings).

3. PERMITTED USES AND BUILDING AREA RESTRICTIONS:

(a) This proposal is intended to accommodate a mixed use development principally of retail/restaurant, office (including without limitation financial/institutional) and residential uses which will be interconnected with open spaces, pedestrian and vehicular linkages.

(b) The Site may be devoted to any of the following uses:

(i) Up to 757,000 square feet of gross floor area as defined in this Section 3(b) may be devoted to commercial uses, of which no more than 372,000 square feet of gross floor area may be devoted to retail or restaurant uses and no more than 165,000 square feet of gross floor area may be devoted to office uses, subject, however, to the conversion rights set forth below;

(ii) Up to 206 residential units, subject, however, to the conversion rights set forth below;

(iii) Associated surface and structured parking facilities; and

(iv) Accessory uses and structures allowed in the MUDD-O zoning district with respect to Components A, B, C, E, and F and the UR-C zoning district with respect to Component D, together with the drive-through window facilities for Component A and Component B in accordance with and subject to the Optional Provisions set forth in Section 12 below and the drive-through window facility for Component C in accordance with and subject to the Optional Provisions set forth in Section 12 below.

For the purposes of this Section, the term "gross floor area" shall mean and refer to the sum of the gross horizontal area of each floor of the principal building, measured from the outside of the exterior walls or from the center line of party walls provided, however, that the area of the interior of the building shall be exclusive of the interior of the building and related access areas, areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl spaces), and areas devoted to uses and structures accessory to the residential uses on the Site. Areas devoted to outdoor dining are not intended to be included in the calculation of the square footage limitations set forth in these Development Standards, provided that any off-street parking required by the Ordinance will be provided for these areas.

The right is further reserved to increase the authorized amount of retail/restaurant and office area by an amount which does not exceed 50,000 square feet of additional area by converting authorized residential units into additional retail/restaurant or office area at the rate of 500 square feet of retail/restaurant and office area for each residential unit so converted. Up to a maximum of 25 residential units so converted.

The right is further reserved to increase the authorized number of residential units by up to 10 additional units (the intent being to limit the total number of authorized residential units on the Site to no more than 256 units if all residential conversions are exercised) by converting authorized retail/restaurant and office area to residential units at the rate of one residential unit for each 500 square feet of retail/restaurant and office area so converted.

The right is further reserved to increase the authorized amount of retail/restaurant area by an amount that does not exceed 50,000 square feet of additional area by converting authorized office area into additional retail/restaurant area at the rate of 500 square feet of retail/restaurant area for 750 square feet of office area so converted.

The right is further reserved to increase the authorized amount of office area by an amount that does not exceed 50,000 square feet of additional area by converting authorized retail/restaurant area into additional office area at the rate of 750 square feet of office area for 500 square feet of retail/restaurant area so converted.

Attached to Administrative

Approval

Solomon A. Fortune

CHARLOTTE ASSOCIATION  
OF REALTORS, INC.  
D.B. 8862-179

THIRTEEN THIRTY TWO  
EAST MOREHEAD PARTNERS  
D.B. 7967-683

DEMAYO REAL ESTATE  
MANAGEMENT, INC.  
D.B. 9283-809

AREA REMOVED FROM  
PETITION 2005-060NOW  
GOVERNED BY PETITION  
2015.079

PROPOSED  
RELOCATION AND  
ABANDONMENT OF  
BAXTER STREET

SOUTH CENTRAL OIL CO.  
DB. 8545-985

THIRTEEN HUNDRED  
BAXTER ST., LLC  
D.B. 7689-595

CECIL STREET 40' R/W

LUTHER ST

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(c) The Site will consist of six (6) components as depicted on the Technical Data Sheet, namely: Component A, which consists of the property generally located on the northern side of existing Independence Boulevard (excluding the Component B property); Component B, which is that parcel fronting and on the northern side of Independence Boulevard along the Mecklenburg County Greenway and adjacent to Component A; Component C, which consists of the property generally located on the southern side of Independence Boulevard and adjacent to Component D, which consists of the triangular parcel bounded by South Kings Drive, the proposed relocated Baxter Street as shown on the Technical Data Sheet and Cecil Street; Component E, which consists of that certain parcel currently owned by Mecklenburg County bounded by Component C, Kenilworth Avenue, 1277 and Independence Boulevard, and including a portion of Little Sugar Creek; and Component F, which consists of that certain parcel owned by Mecklenburg County bounded by Component A and Component B, Independence Boulevard and 1277, and including a portion of Little Sugar Creek. It is understood that the common boundary between Component C and Component E, and the common boundary between Component A and Component B, and the common boundary between Component A and Component F (and the rights and restrictions pertaining to all such Components) may be adjusted upon the mutual agreement of the Owners of such Components, subject to the approval of the Planning Director. Similarly, the common boundary between Component C and Component B (and the rights and restrictions pertaining to such Components) may be adjusted upon the mutual agreement of the Owners of such Components, subject to the approval of the Planning Director.

(d) The following uses will be allocated to Component A:

(i) Up to 300,000 square feet of gross floor area may be devoted to retail/restaurant uses, subject, however, to the conversion rights set forth in Section 3(b) above;

(ii) Associated surface and structured parking facilities; and

(iii) Accessory uses and structures permitted in the MUDD-O zoning district, together with the drive-through window facilities for the Existing Wendy's Parcel (as defined in Section 4 below) in accordance with and subject to the Optional Provisions set forth in Section 12 below (and as referenced in Section 4 below);

(e) The following uses will be allocated to Component B:

(i) Up to 12,000 square feet of retail/restaurant and/or office floor area, provided that only one fast food restaurant with drive-through window facility or in the alternative only one financial institution bank with drive-through window facility may be permitted on Component B;

(ii) Associated surface and structured parking facilities; and

(iii) Accessory uses and structures permitted in the MUDD-O zoning district, together with the drive-through window facility for Component B in accordance with and subject to the Optional Provisions set forth in Section 12 below.

(f) The following uses will be allocated to Component C: (SEE CONVERSION TABLE ON SHEET RZ2.0)

(i) Up to 248,000 square feet of gross floor area may be devoted to retail/restaurant uses and up to 165,000 square feet of gross floor area may be devoted to office uses, subject, however, to the conversion rights set forth in Section 3(b) above;

(ii) Up to 206 residential units, subject, however, to the conversion rights set forth in Section 3(b) above;

(iii) Associated surface and structured parking facilities; and

(iv) Accessory uses and structures permitted in the MUDD-O zoning district, together with the drive-through window facility for Component C in accordance with and subject to the Optional Provisions set forth in Section 12 below.

(g) The following uses will be allocated to Component D: (SEE CONVERSION TABLE ON SHEET RZ2.0)

(i) Up to 12,000 square feet of gross floor area may be devoted to retail/restaurant uses, subject, however, to the conversion rights set forth in Section 3(b) above;

(ii) Associated surface and structured parking facilities; and

(iii) Accessory uses and structures permitted in the UR-C zoning district.

(h) The following uses will be permitted on Component E and Component F:

(i) Parks, greenways and arboretums, indoor and outdoor recreation, and vehicular maneuvering areas, service areas, screening areas, retaining and screen walls, foundation and footing areas and other similar facilities in connection with uses permitted on Component A, Component B and Component C;

(ii) Accessory uses and structures permitted in the MUDD-O zoning district with respect to uses on the entire Site.

(i) The Owners of Component A, Component B, Component C and/or Component D, from time to time, shall be entitled, by mutual agreement of owners of each of the Components, to alter the initial allocation of uses and development amounts for the Components set forth above in this Section 3 interdependently with respect to Component A, Component B, Component C and Component D; provided, however, only the owners of Component C and D must agree to alter the allocation of uses and development amounts for Components C and D. Furthermore, the owner of an individual Component by itself shall be entitled to exercise the conversion options set forth in this Section 3 and allocate the resulting uses with respect to the Component so owned by such owner.

4. RESTAURANT/BANK/SITE

(a) That portion of Component B, Component C designated as the "Existing Wendy's Parcel" on the Technical Data Sheet is currently used and occupied for a fast food restaurant with drive-through window facility. It is contemplated that in connection with the development of Component A, this existing fast food restaurant will be relocated either to Component B as generally depicted on the Technical Data Sheet (also referred to therein as the "Relocated Wendy's Parcel"; and with the Existing Wendy's Parcel referred to together as the "Restaurant/Bank Site").

5. RELOCATION AND ABANDONMENT OF ROAD RIGHTS-OF-WAY

(a) It is contemplated that a portion of the right-of-way of Baxter Street, as generally depicted on the Technical Data Sheet, shall be abandoned and become available for development and use as part of Component C. In such event, the property to be abandoned as generally depicted on the Technical Data Sheet shall be incorporated into Component C and shall be entitled to all uses and rights set forth with respect to Component C. It is contemplated that a portion of the right-of-way of Baxter Street shall be relocated to the north to intersect with the southerly right-of-way margin of South Kings Drive in substantially the manner depicted on the Technical Data Sheet. Until such relocation occurs, the Petitioner reserves the right to use the B-2 zoned property located to the north of existing Baxter Street and adjacent to Component D as part of a unified development with development taking place on Component E.

(b) It is contemplated that a portion of the right-of-way of Cecil Street shall be abandoned and become available for development and use as part of Component C. In such event, the property to be abandoned located west of the centerline of Cecil Street shall be incorporated into Component D and shall be entitled to all uses and rights set forth with respect to Component D.

6. ACCESS POINTS

(a) The total number of ingress/egress points to South Kings Drive, Baxter Street and Independence Boulevard shall be limited to the number shown on the Technical Data Sheet. The exact locations may vary somewhat from those depicted based upon final design and locational requirements as regulated by CDOT and, where applicable, NCDOT. In addition to the above-referenced ingress/egress points, the Petitioner reserves the right to access Third Street from Component A across certain property or right of way in the location generally depicted on the Technical Data Sheet (the "Third Street Access"). The contemplated Third Street Access shall be subject to the approval of Mecklenburg County, CDOT and the Planning Staff during the design development and construction phase of Component A together with the acquisition of any applicable rights-of-way or easements to cross adjacent property, if required.

(b) The existing access points to the Site may continue to be used until the new accesses have been completed.

7. SETBACK, SIDE YARDS AND REAR YARDS

(a) All buildings constructed on Component A, B, C, E and F shall observe a 16-foot Setback from back of curb and shall satisfy or exceed the rear yard and side yard requirements established under the Ordinance for the MUDD-O zoning district. All buildings constructed on Component D shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the UR-C district.

8. SCREENING, LANDSCAPING AND OPEN SPACE AREAS

(a) Screening will conform to the applicable standards of Section 12.103 of the Ordinance for the applicable zoning district governing portions of the Site. Without limiting the generality of the foregoing, portions of Components E and F may be used for the purpose of screening improvements located on Components C, B and A.

(b) Landscaping shall satisfy the requirements of the Ordinance for the MUDD-O zoning district and the City of Charlotte Tree Ordinance. The trees to be planted shall be of a species and size as determined by the Planning Staff during the design development and construction phase of Component A and shall be planted in accordance with the standards of the Ordinance for the MUDD-O zoning district.

(c) Open Space Areas. The provision of Section 8.504(c) of the Ordinance regarding acquisition of urban open space as part of the unified master planned development shall, to extent necessary, constitute acceptable variations from the MUDD-O minimum standards.

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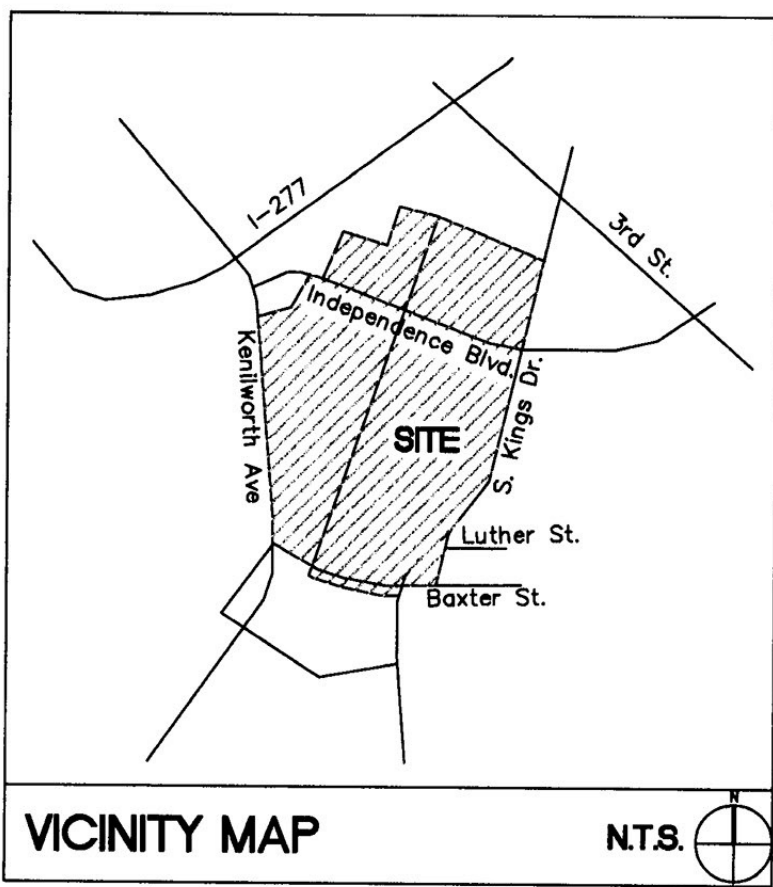
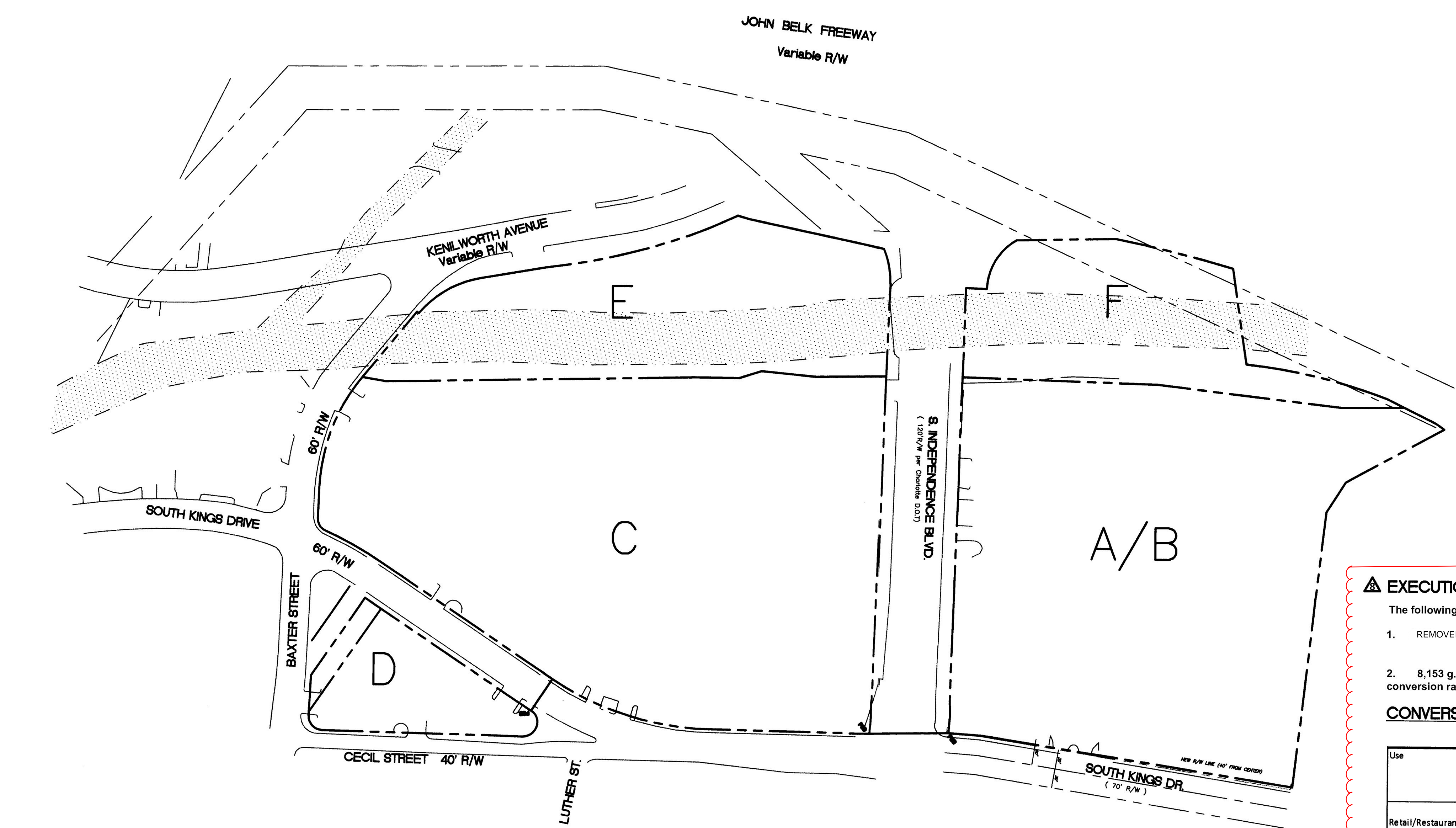
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**Colejonest & Stone**  
Land Planning  
Landscape Architecture  
Civil Engineering  
Urban Design

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Suite 1400  
Charlotte, North Carolina 28202  
Tel 704. 376. 1555  
Fax 704. 376. 7851  
www.colejoneststone.com

Attached to Administrative  
Approval  
  
*Solomon A. Fortune* \$  
Solomon A. Fortune

**EXECUTION OF CONVERSION RIGHTS FOR COMPONENT D.**

The following conversion rights have been executed regarding allowing development on Component d:

- REMOVED
- 8,153 g.s.f. remain available for retail/restaurant use or for conversion to add 1 office use per approved conversion rate and allowance.

**CONVERSION TABLE**

Use	Gross sf Approved per CD plan 2005-060	Gross sf Entitlements constructed as of 07/25/14	Conversion of Retail to Office	Available after conversion
Retail/Restaurant	12,000	0	(-3,867)	8,133

**Legal Description**  
**Midtown Mixed Use**  
**Components A & B - approximately 7.87 acres (exclusive of R/W)**

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a new pk nail located on the westerly margin of the right of way of South Kings Drive, said right of way being 60 feet in width, said pk nail being also located at the southeasterly corner of State Employees Credit Union as recorded in Deed Book 3796 Page 819 of the Mecklenburg County Registry, said pk nail also having North Carolina State Plane Coordinates of Northing=138,204.4 feet and Easting=1,452,458.6 feet (North American Datum of 1983), and running thence from said point and place of BEGINNING along the westerly right of way margin of the said South Kings Drive the following two (2) calls: (1) South 23-08-32 West 493.42 feet to an existing iron pin and (2) South 18-15-34 West 52.54 feet to an existing iron pin located at the intersection of the westerly right of way margin of the said South Kings Drive and the northerly right of way margin of South Independence Boulevard, said right of way being of variable width from 120 feet to 124 feet, said iron pin being also located North 13-16-40 East 123.76 feet from a new pk nail located at the intersection of the westerly right of way margin of the said South Kings Drive with the southerly right of way margin of the said South Independence Boulevard; thence following the northerly right of way margin of the said South Independence Boulevard the following three (3) calls: (1) North 73-55-29 West 180.28 feet to an existing iron pin, (2) North 73-56-43 West 224.52 feet to an existing iron pin and (3) North 74-04-08 West 150.01 feet to a new pk nail; thence following the easterly boundary of Mecklenburg County (Little Sugar Creek Greenway) the following three (3) calls: (1) North 15-56-46 East 305.85 feet to a new pk nail, (2) North 20-52-35 East 291.00 feet to a new pk nail and (3) North 13-27-52 East 97.76 feet to a new pk nail; thence following the easterly right of way margin of John Belk Freeway (Interstate 277) the following three (3) calls: (1) North 40-44-15 East 56.22 feet to a new iron pin, (2) North 29-45-48 East 9.14 feet to an existing iron pin and (3) North 68-41-91 East 6.35 feet to a new iron pin; thence following the southerly boundary of the aforesaid State Employees Credit Union the following three (3) calls: (1) South 15-03-46 East 174.18 feet to a new iron pin, (2) South 40-55-27 East 54.68 feet to an existing iron pin and (3) South 69-10-54 East 433.20 feet to the point or place of BEGINNING, containing 7.8665 acres as shown on a survey prepared by Andrew G. Zouteville dated February 22, 2005.

**Legal Description**  
**Midtown Mixed Use**  
**Component C - approximately 9.10 acres (exclusive of R/W)**

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pin located on the northerly margin of the right of way of Baxter Street, said right of way being 60 feet in width, said iron pin being also located at the southeasterly corner of Mecklenburg County (Little Sugar Creek Greenway) as recorded in Deed Book 16600 Page 798 of the Mecklenburg County Registry, said iron pin also having North Carolina State Plane Coordinates of Northing=536,938.7 feet and Easting=1,451,490.6 feet (North American Datum of 1983), and running thence from said point and place of BEGINNING following the easterly boundary of the said Mecklenburg County (Little Sugar Creek Greenway) the following six (6) calls: (1) North 24-37-37 East 37.02 feet to an existing pk nail, (2) North 12-59-09 East 484.14 feet to an existing pk nail, (3) North 14-38-28 East 70.93 feet to an existing pk nail, (4) North 03-15-53 West 36.58 feet to an existing pk nail, (5) North 19-37-50 East 86.09 feet to an existing pk nail and (6) North 13-52-35 East 110.66 feet to an existing pk nail; thence following the southerly right of way margin of South Independence Boulevard, said right of way having a variable width from 120 feet to 124 feet, said iron pin being also located North 13-16-40 East 123.76 feet from a new pk nail located at the intersection of the westerly right of way margin of the said South Kings Drive with the southerly right of way margin of the said South Independence Boulevard; thence following the northerly right of way margin of the said South Kings Drive, said right of way having a width of 60 feet; thence following the westerly right of way margin of the said South Kings Drive the following four (4) calls: (1) South 15-23-38 West 251.58 feet to a new iron pin, (2) following the arc of a circular curve to the right having a radius of 464.04 feet and an arc length of 262.61 feet (chord bearing South 31-36-12 West 259.12 feet) to a new pk nail, (3) South 47-47-58 West 325.24 feet to an existing notch in pavement and (4) following the arc of a circular curve to the left having a radius of 592.93 feet and an arc length of 100.34 feet (chord bearing South 43-03-08 West 100.22 feet) to a new pk nail; thence along the right of way intersection curve which connects the westerly right of way margin of the said South Kings Drive with the northerly right of way margin of the aforesaid Baxter Street following the arc of a circular curve to the right having a radius of 20.00 feet and an arc length of 23.75 feet (chord bearing South 72-14-51 East 22.38 feet) to an existing iron pin; thence following the northerly right of way margin of the said Baxter Street the following two (2) calls: (1) North 73-16-33 West 47.70 feet to an existing notch in pavement and (2) following the arc of a circular curve to the right having a radius of 288.31 feet and an arc length of 187.46 feet (chord bearing North 54-45-17 West 184.17 feet) to the point or place of BEGINNING, containing 9.1006 acres as shown on a survey prepared by Andrew G. Zouteville dated February 22, 2005.

TOGETHER WITH that portion of the right of way of Baxter Street to be abandoned, adjacent to the southern boundary of the above-described parcel, comprising approximately 0.2 acres, more or less.

**Legal Description**  
**Midtown Mixed Use**  
**Component D - approximately 1.20 acres (exclusive of R/W)**

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing pk nail located on the easterly margin of the right of way of South Kings Drive, said right of way being 60 feet in width, said pk nail being also located at the westerly or southwesterly terminus of the intersection curve which connects the easterly right of way margin of the said South Kings Drive with the westerly right of way margin of Cecil Street, said right of way being 40 feet in width, said pk nail being also located the following six (6) calls from an existing iron pin located on the northerly margin of the right of way of Baxter Street, said iron pin having North Carolina State Plane Coordinates of Northing=536,938.7 feet and Easting=1,451,490.6 feet (North American Datum of 1983): (1) following the arc of a circular curve to the left having a radius of 288.31 feet and an arc length of 187.46 feet (chord bearing South 54-45-17 East 184.17 feet), (2) South 73-16-33 East 47.70 feet, (3) following the arc of a circular curve to the left having a radius of 20.00 feet and an arc length of 23.75 feet (chord bearing North 72-14-51 East 22.38 feet), (4) following the arc of a circular curve to the right having a radius of 592.93 feet and an arc length of 100.34 feet (chord bearing North 43-03-08 East 100.22 feet), (5) North 47-47-58 East 325.24 feet and (6) South 42-13-13 East 60.09 feet, and running thence from said point and place of BEGINNING following the arc of a circular curve to the right having a radius of 22.30 feet and an arc length of 57.23 feet (chord bearing South 58-36-26 East 42.77 feet) to an existing iron pin; thence following the westerly margin of the right of way of the aforesaid Cecil Street South 15-38-16 West 315.76 feet to an existing iron pin; thence following the arc of a circular curve to the right having a radius of 21.64 feet and an arc length of 35.74 feet (chord bearing South 62-57-24 West 31.81 feet) to an existing iron pin; thence following the northerly margin of the right of way of the aforesaid Baxter Street the following two (2) calls: (1) following the arc of a circular curve to the left having a radius of 1,279.70 feet and an arc length of 114.79 feet (chord bearing North 73-51-31 West 114.76 feet) to a new pk nail and (2) North 73-19-44 West 85.11 feet to an existing pk nail; thence following the arc of a circular curve to the right having a radius of 20.00 feet and an arc length of 40.67 feet (chord bearing North 15-41-20 West 34.02 feet) to an existing nail; thence following the easterly margin of the right of way of the aforesaid South Kings Drive the following two (2) calls: (1) following the arc of a circular curve to the right having a radius of 632.93 feet and an arc length of 49.47 feet (chord bearing North 47-34-56 East 49.46 feet and (2) North 47-51-54 East 325.52 feet to the point or place of BEGINNING, containing 1.1985 acres as shown on a survey prepared by Andrew G. Zouteville dated February 22, 2005.

**Legal Description**  
**Midtown Mixed-Use Village**  
**Component E - approximately 3.53 acres (exclusive of R/W)**

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a North Carolina Department of Transportation Right of Way Monument on the east right of way of Kenilworth Avenue (variable right of way) at the intersection of John Belk Freeway, common corner with property now or formerly owned by City of Charlotte; thence from said Beginning point North 29-14-53 East 19.00 feet to a point; thence North 25-05-52 East 114.87 feet to a new iron pin set common corner to property now or formerly owned by Duke Power as shown in Deed Book 3932 Page 774, thence with the Duke property North 25-05-52 East 102.02 feet to a P.K. nail set on the northern right of way of John Belk Freeway, thence with the right of way of John Belk Freeway and the arc of a circular curve to the right, said curve having a chord bearing and distance of South 87-38-23 East 54.37 feet, an arc length of 54.84 feet and a radius of 120.78 feet to a North Carolina Department of Transportation Right of Way Monument at the southern right of way of Independence Boulevard (120' R/W); thence with the southern right of way of Independence Boulevard North 15-03-27 East 0.52 feet to a point and South 74-38-58 East 144.87 feet to a magnetic nail set; thence leaving Independence Boulevard and with the following six (6) new lines: (1) South 12-23-54 West 110.66 feet to a magnetic nail set; (2) South 18-36-31 West 86.11 feet to a magnetic nail set; (3) South 04-14-41 East 36.56 feet to a magnetic nail set; (4) South 13-38-03 West 70.94 feet to a magnetic nail set; (5) South 11-59-03 West 484.14 feet to a magnetic nail set and (6) South 23-20-36 West 36.92 feet to a new iron pin set on the eastern right of way of Baxter Street (50' right of way); thence continuing with the right of way of Baxter Street North 37-10-20 West 132.75 feet to a North Carolina Department of Transportation Right of Way Monument; thence North 54-40-54 East 3.68 feet to a North Carolina Department of Transportation Right of Way Monument; thence with the right of way of Kenilworth Avenue and the arc of a circular curve to the right, said curve having a chord bearing and distance of North 16-17-08 West 113.58 feet, an arc length of 116.01 feet and a radius of 163.00 feet to a North Carolina Department of Transportation Right of Way Monument; thence continuing with the right of way of Kenilworth Avenue North 03-29-29 East 101.90 feet to a North Carolina Department of Transportation Right of Way Monument; thence with the arc of a circular curve to the left having a chord bearing and distance of N 00-41-03 West 265.08 feet, an arc length of 265.84 feet and a radius of 1018.76 feet to a North Carolina Department of Transportation Right of Way Monument; thence North 11-06-58 West 46.84 feet to the point and place of Beginning.

**Legal Description**  
**Midtown Mixed-Use Village**  
**Component F - approximately 2.25 acres (exclusive of R/W)**

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a 1/2" rebar set located at the intersection of the northern right of way line of South Independence Boulevard (120' R/W) and the eastern right of way line of John Belk Freeway (variable R/W) which rebar is South 78-35-32 West 1782.41 feet from a NCGS Monument "Jerry's" (NAD83 Coordinates N:538214.763, E:1433337.828, SF 0.9998728); thence running from the beginning point along the eastern right of way of John Belk Freeway North 14-48-26 East 32.77 feet to a concrete right of way monument found; thence along the arc of a circular curve to the right having a chord bearing and distance of North 45-29-42 West 89.28 feet, an arc length of 93.34 feet and a radius of 90.78 feet to a concrete right of way monument found; thence North 11-50-43 East 155.58 feet to a concrete right of way monument found; thence along the arc of a circular curve to the right having a chord bearing and distance of North 26-52-07 East 189.05 feet, an arc length of 189.11 feet and a radius of 2231.83 feet to a concrete right of way monument found; thence South 85-18-12 East 150.19 feet to a 1/2" rebar set; thence with the arc of a circular curve to the right having a chord bearing and distance of North 26-24-36 East 227.30 feet, an arc length of 227.93 feet and a radius of 884.93 feet to a 1/2" rebar set; thence North 39-28-11 East 30.07 feet to a 1/2" rebar set; thence leaving said right of way 19-48-41 West 291.00 feet to a 1/2" rebar set; thence South 14-52-50 West 305.88 feet to a 1/2" rebar set located along the northern right of way of South Independence Boulevard (120' right of way); thence with said right of way North 75-07-10 West 158.36 feet to a 1/2" rebar set, said point being the True Point of Beginning.

**EXECUTION OF CONVERSION RIGHTS FOR COMPONENT C.**  
The following conversion rights have been executed regarding allowed development on Component C:

- 25,000 gross square feet of allowed retail/restaurant uses have been converted into 50 additional residential units. The total number of allowed residential units allowed on Component C is 256.
- The amount of allowed office uses has been increased by 17,915 square feet by converting 11,943 square feet of allowed retail/restaurant uses.


**CONVERSION TABLE**

Use	Gross sf Approved per CD plan 2005-060	Gross sf Entitlements constructed as of 11/21/2011	Remaining after construction	Conversion of Retail to Office	Available after conversion	Conversion of Retail to Add'l. Resid. Units (c)	Available after conversion (12/1/11)	Conversion of Retail to Add'l Resid. Units	Available after conversion
Retail/Restaurant	248,000	192,306	55,694	(-11,943)	43,751	(-17,500)	26,251 (d)	(-7,500)	18,751 (f)
Office	165,000	182,915	-17,915 (b)	(+17,915)	0	0	0	0	0
Residential Units	206 (a)	101 (d)	105	0	105	(+35) (c)	140 (d)	(+15) (e)	155 (f)
Allowable SF	413,000	413,000							

- (a) Up to a total of 256 (maximum) Residential units are permitted using the conversion rate of 500 Retail sf/unit per the Development Standards of Petition @ 2005-060, Section 3.
- (b) Office square footage has been overbuilt by 17,915 s.f. The remaining retail/restaurant square footage has been reduced at a conversion rate of 500 sf of Retail/Restaurant space to 750 sf of Office space.
- (c) An additional 35 Residential units beyond the 206 units approved may be converted from the Retail/Restaurant square footage, at the rate of 500 sf/unit.
- (d) Unit Summary: 101 existing units + 105 proposed units (=206 units) + 35 additional proposed units (105 + 35 = 140 available units) for a total of 241 units (101 + 140). Therefore, 15 units (256-241) remain. If 15 Residential units are converted from the remaining Retail/Restaurant square footage then the available total retail is reduced from 26,251 square feet (-7,500 [15 x 500 sf]) to 18,751 square feet.
- (e) An additional 15 Residential units beyond the 241 units approved may be converted from the Retail/Restaurant square footage, at the rate of 500 sf/unit.
- (f) Unit Summary: 101 existing units + 140 proposed units (=241 units) + 15 additional proposed units (140 + 15 = 155 available units) for a total of 256 units (101 + 155). There are not remaining residential units that can be converted from Retail/Restaurant square footage. The available total Retail/Restaurant is 18,751 square feet.

Revised	
02/17/05	REVISED TO INCLUDE COUNTY PARCEL AND PRELIMINARY COMMENTS FROM CITY.
03/17/05	REVISED PLAN & NOTES
04/14/05	REVISED PLAN & NOTES PER CMPC COMMENTS
05/16/05	REVISED PLAN & NOTES
06/26/05	TO CORRECT FINAL CHANGE TO SECTION 1403
12/09/11	COMPONENT C CONVERSION TABLE ADDED ON SHEET RZ2.0
11/09/12	COMPONENT D CONVERSION TABLE UPDATED ON SHEET RZ2.1
07/28/14	COMPONENT D CONVERSION TABLE UPDATED
10/07/15	REMOVE PORTION OF COMPONENT D

SCALE: 1" = 100'  
0 50 100 200



**RZ2.0 of 2**

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