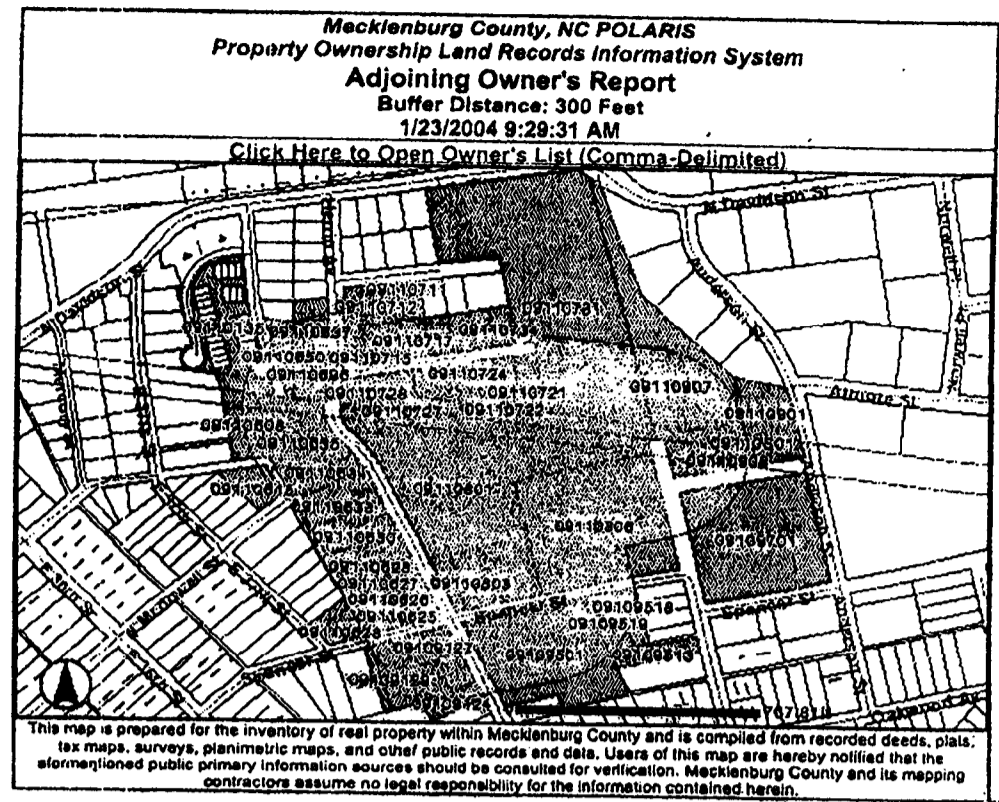


ADJOINING OWNER'S REPORT

Table with columns: Parcel ID, Owner Name, Mailing Address, City, State, ZIP, Legal Description, Deed Book, Deed Page, Land Area. Lists adjacent property owners and their details.



NoDa HERRIN TOWERS
REZONING
FOR PUBLIC HEARING
PETITION NO : 2004-42

Monday January 26, 2004
Revised: March 19, 2004
REQUESTED ZONING CHANGE
FROM: Industrial 1 & 2, '11 & '12'
TO: MUDD-O (Mixed Use Development District - Optional)

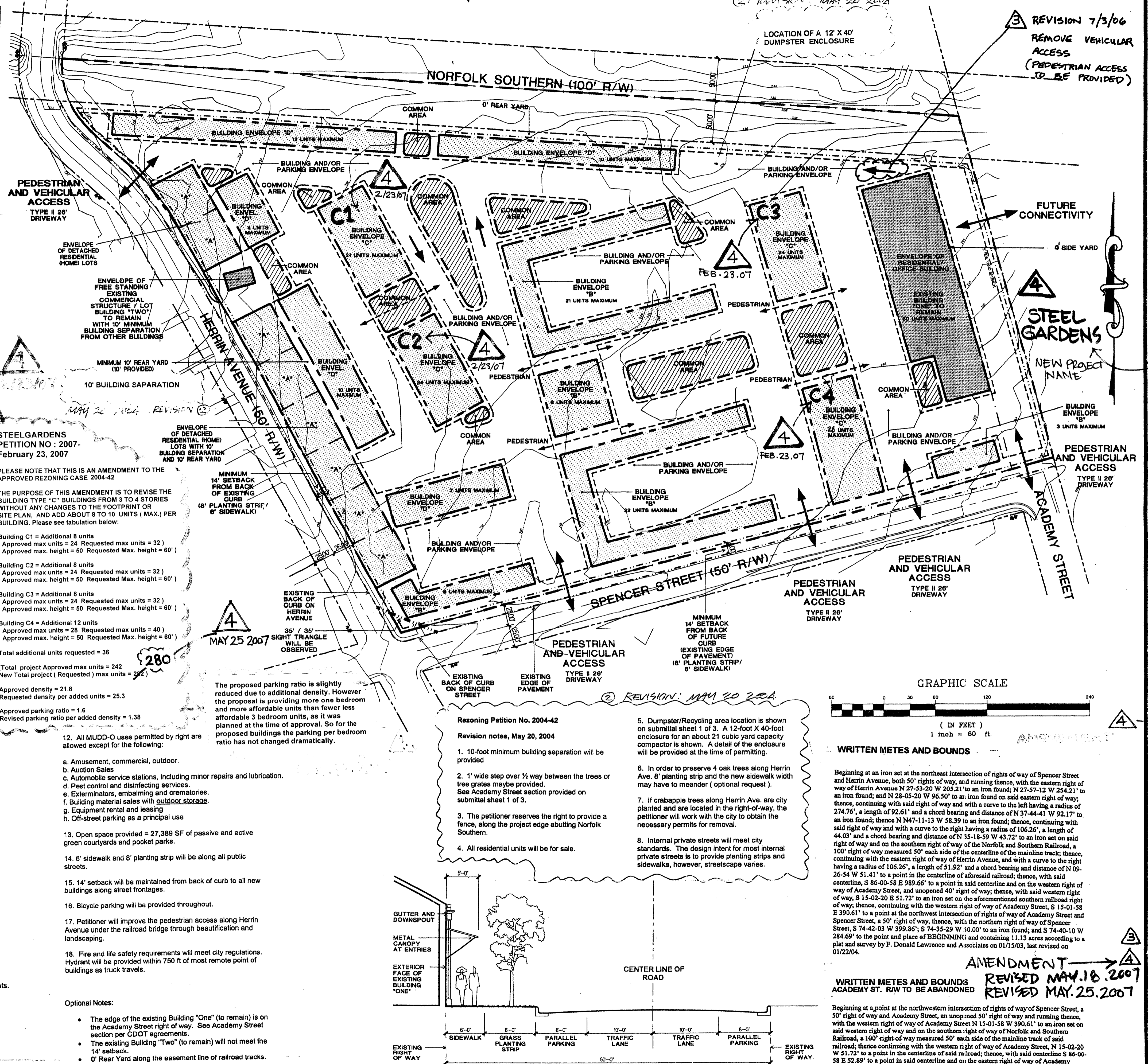
Date and Notes:
1. Size : 11.11 acres (483,951.6 S.F.)
2. Present zoning : I1 & I2
3. Proposed zoning : MUDD-O.

MUDD-O has been chosen to allow the preservation of the two free standing existing buildings on site to be used as commercial / office.
Approximately 24,000 S.F. of two existing buildings will be preserved.

Existing Building One is 1st floor = 22,000 S.F.
2nd floor = 1,600 S.F.
Total = 23,000 S.F.
Existing Building Two is 800 S.F.

- 4. Potential future additional building S.F. or additional units will comply with the parking requirements of MUDD-O.
5. Existing parking : approximately 50 cars and trucks/trailers
6. Future required parking : per MUDD-O Residential: 1 space per dwelling unit All Other Uses: 1 space per 600 SF
6a. 8 home sites labeled "A": 3,000 SF minimum lot size with a minimum of one on-site parking space. 40' maximum height.
6b. 163 residential units (types "B" and "C") with 225 on site parking spaces. 50' maximum height.
6c. 40 residential units (type "D") with 72 garaged and on street parking spaces. 60' maximum height.
6d. 23,500 SF of existing building "One" with a maximum of 30 residential/office units with 30 on-site parking spaces.
6e. 600 SF of existing building "Two" with a minimum of one on-site parking space.
6f. Herrin Avenue on street parking = 16 spaces.
6g. Spencer Street on street parking = 20 spaces.
6h. Academy Street on street parking = 23 spaces.

The petitioner shall coordinate with Charlotte Storm Water Services regarding the possibility of incorporating low impact development techniques to offset detention requirements.
The petitioner shall tie-in and have the receiving drainage system(s) analyzed to ensure that it will not be taken out of standard due to the development. If it is found that development will cause the storm drainage system(s) to be taken out of standard, the petitioner shall provide adequate detention to prevent this from occurring.



STEEL GARDENS
PETITION NO : 2007-
February 23, 2007

PLEASE NOTE THAT THIS IS AN AMENDMENT TO THE APPROVED REZONING CASE 2004-42

THE PURPOSE OF THIS AMENDMENT IS TO REVISE THE BUILDING TYPE "C" BUILDINGS FROM 3 TO 4 STORIES WITHOUT ANY CHANGES TO THE FOOTPRINT OR SITE PLAN, AND ADD ABOUT 8 TO 10 UNITS (MAX.) PER BUILDING. Please see tabulation below:

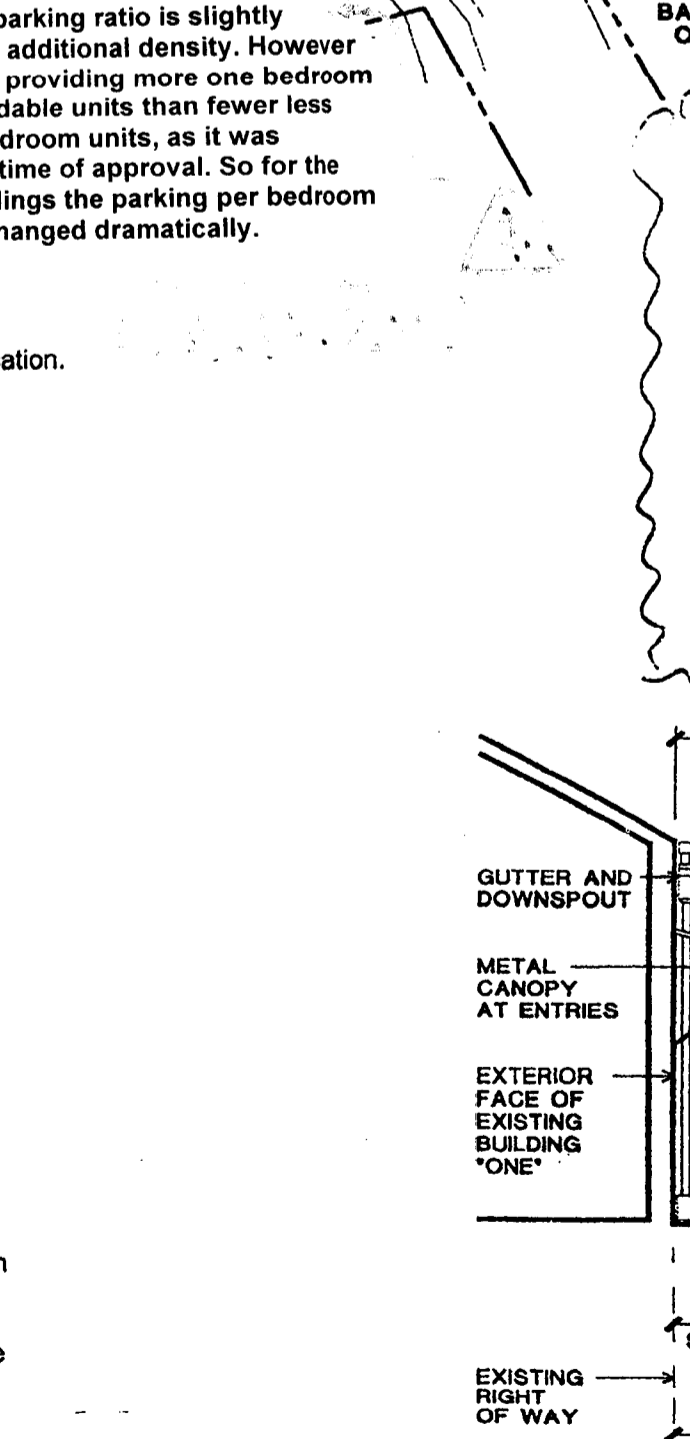
- Building C1 = Additional 8 units (Approved max units = 24 Requested max units = 32) (Approved max height = 50' Requested Max height = 60')
Building C2 = Additional 8 units (Approved max units = 24 Requested max units = 32) (Approved max height = 50' Requested Max height = 60')
Building C3 = Additional 8 units (Approved max units = 24 Requested max units = 32) (Approved max height = 50' Requested Max height = 60')
Building C4 = Additional 12 units (Approved max units = 28 Requested max units = 40) (Approved max height = 50' Requested Max height = 60')
Total additional units requested = 36
[Total project Approved max units = 242 New Total project (Requested) max units = 278]
Approved density = 21.8 Requested density per added units = 25.3
Approved parking ratio = 1.6 Revised parking ratio per added density = 1.38

The proposed parking ratio is slightly reduced due to additional density. However the proposal is providing more one bedroom and more affordable units than fewer less affordable 3 bedroom units, as it was planned at the time of approval. So for the proposed buildings the parking per bedroom ratio has not changed dramatically.

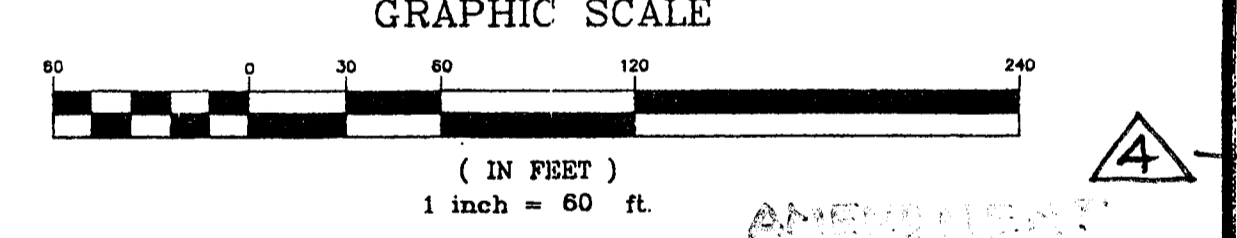
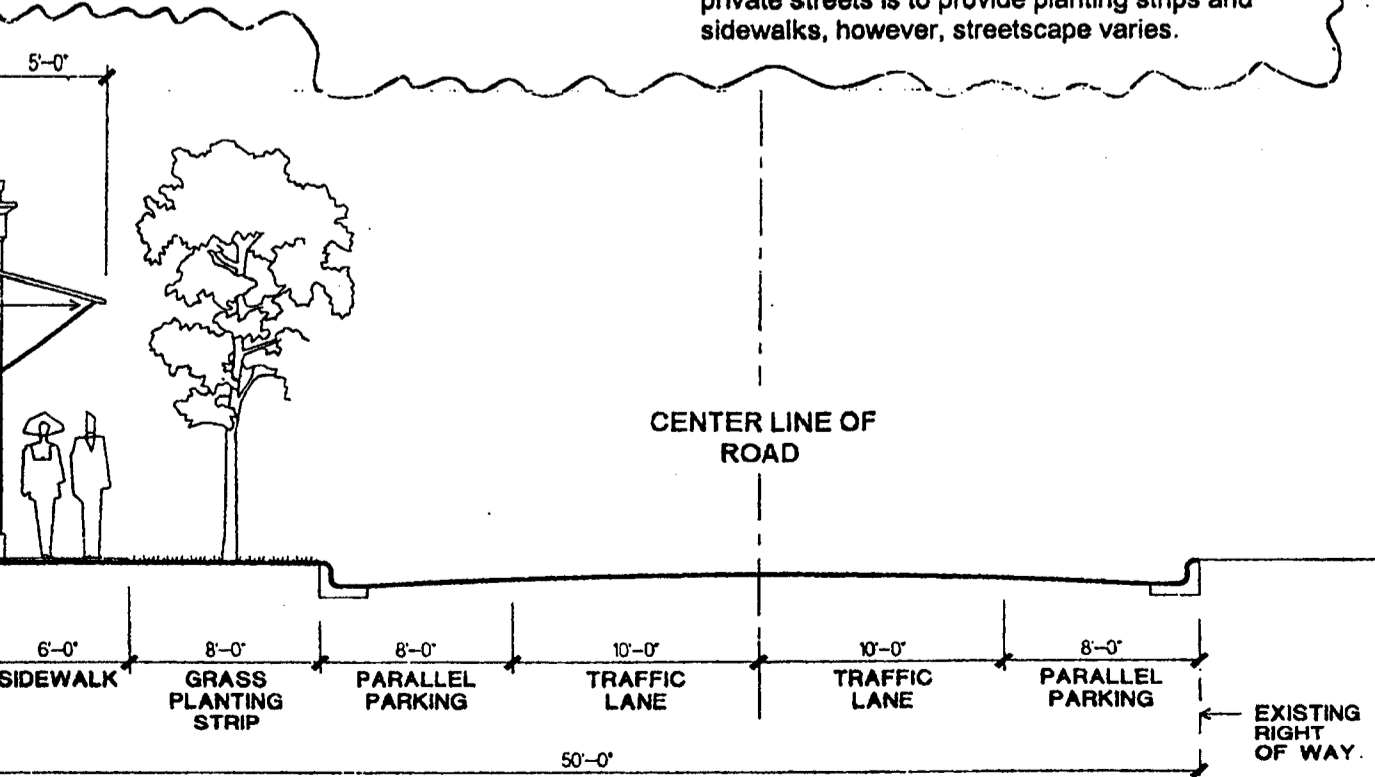
- 12. All MUDD-O uses permitted by right are allowed except for the following:
a. Amusement, commercial, outdoor.
b. Auction Sales
c. Automobile service stations, including minor repairs and lubrication.
d. Pest control and disinfecting services.
e. Extremators, embalming and crematories.
f. Building material sales with outdoor storage.
g. Equipment rental and leasing
h. Off-street parking as a principal use

- 13. Open space provided = 27,389 SF of passive and active green courtyards and pocket parks.
14. 6' sidewalk and 8' planting strip will be along all public streets.
15. 14' setback will be maintained from back of curb to all new buildings along street frontages.
16. Bicycle parking will be provided throughout.
17. Petitioner will improve the pedestrian access along Herrin Avenue under the railroad bridge through beautification and landscaping.
18. Fire and life safety requirements will meet city regulations. Hydrant will be provided within 750 ft of most remote point of buildings as truck travels.

- Optional Notes:
• The edge of the existing Building "One" (to remain) is on the Academy Street right of way. See Academy Street section per CDOT agreements.
• The existing Building "Two" (to remain) will not meet the 14' setback.
• 0' Rear Yard along the easement line of railroad tracks.



Rezoning Petition No. 2004-42
Revision notes, May 20, 2004
1. 10-foot minimum building separation will be provided
2. 1' wide step over 1/4 way between the trees or tree grates may be provided.
3. The petitioner reserves the right to provide a fence, along the project edge abutting Norfolk Southern.
4. All residential units will be for sale.



WRITTEN METES AND BOUNDS
Beginning at an iron set at the northeast intersection of rights of way of Spencer Street and Herrin Avenue, both 50' rights of way, and running thence, with the eastern right of way of Herrin Avenue N 27-53-20 W 205.21' to an iron found; and N 27-57-12 W 254.21' to an iron found; and N 28-05-20 W 96.50' to an iron found on said eastern right of way; thence, continuing with said right of way and with a curve to the left having a radius of 274.76', a length of 92.61' and a chord bearing and distance of N 74-41-17 W 92.17' to an iron found; thence N 47-11-13 W 58.39' to an iron found; thence, continuing with said right of way and with a curve to the right having a radius of 106.26', a length of 44.03' and a chord bearing and distance of N 35-18-59 W 43.72' to an iron set on said right of way and on the southern right of way of the Norfolk and Southern Railroad, a 100' right of way measured 50' each side of the centerline of the mainline track; thence, continuing with the eastern right of way of Herrin Avenue, and with a curve to the right having a radius of 106.26', a length of 51.92' and a chord bearing and distance of N 09-26-54 W 51.41' to a point in the centerline of aforesaid railroad; thence, with said centerline, S 86-00-58 E 989.66' to a point in said centerline and on the western right of way of Academy Street, an unopened 40' right of way; thence, with said western right of way, S 15-02-20 E 51.72' to an iron set on the aforesaid southern railroad right of way; thence, continuing with the western right of way of Academy Street, S 15-01-58 E 390.61' to a point at the northwest intersection of rights of way of Academy Street and Spencer Street, a 50' right of way, thence, with the northern right of way of Spencer Street, S 74-42-03 W 399.86' to an iron found; and S 74-40-10 W 284.69' to the point and place of BEGINNING and thence, with said centerline S 86-00-58 E 52.89' to a point in said centerline and on the eastern right of way of Academy Street; thence, with said eastern right of way S 15-01-58 E 424.86' to a point on said eastern right of way; thence, crossing the right of way of Academy Street S 74-42-03 W 50.00' to the point and place of beginning and being the unopened area of Academy Street between the northern right of way of Spencer Street and the centerline of the Norfolk and Southern Railroad, as shown on a plat and survey by F. Donald L. and Associates on 01/22/04.

WRITTEN METES AND BOUNDS
ACADEMY ST. RW TO BE ABANDONED
Beginning at a point at the northwestern intersection of rights of way of Spencer Street, a 50' right of way and Academy Street, an unopened 50' right of way and running thence, with the western right of way of Academy Street N 15-01-58 W 390.61' to an iron set on said western right of way and on the southern right of way of Norfolk and Southern Railroad, a 100' right of way measured 50' each side of the mainline track of said railroad; thence continuing with the western right of way of Academy Street, N 15-02-20 W 51.72' to a point in the centerline of said railroad; thence, with said centerline S 86-00-58 E 52.89' to a point in said centerline and on the eastern right of way of Academy Street; thence, with said eastern right of way S 15-01-58 E 424.86' to a point on said eastern right of way; thence, crossing the right of way of Academy Street S 74-42-03 W 50.00' to the point and place of beginning and being the unopened area of Academy Street between the northern right of way of Spencer Street and the centerline of the Norfolk and Southern Railroad, as shown on a plat and survey by F. Donald L. and Associates on 01/22/04.

URBANA ARCHITECTURE
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CONTACT: BABAK EMADI
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704.334.1648 P 704.334.1649 F babak@urbana-architecture.com
CITY OF CHARLOTTE MECKLENBURG COUNTY NORTH CAROLINA
PETITIONER: HALF MOON OF UNION LLC 1734 UNIVERSITY COMMERCIAL PL CHARLOTTE, NC 28213
TECHNICAL DATA SHEET
REZONING PETITION #2004-42 #2007-62
FOR PUBLIC HEARING
REVISIONS: MARCH 19, 2004 MAY 20, 2004 JULY 3, 2004 FEB. 23, 2007 JANUARY 26, 2004
Final 1 OF 3 ORIGINAL (WHEN RED) COPYRIGHT 2004 Urbana

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NoDa
HERRIN
TOWERS

CITY OF
CHARLOTTE
MECKLENBURG
COUNTY
NORTH
CAROLINA

PETITIONER:

HALF MOON OF
UNION LLC
1734 UNIVERSITY
COMMERCIAL PL
CHARLOTTE, NC
28213

ILLUSTRATIVE
SITE
PLAN

REZONING
PETITION
#2004-42

FOR
PUBLIC
HEARING

REVISIONS:

MARCH 19, 2004

JULY 3, 2006

NO REVISIONS
TO THIS SHEET

● JANUARY 26, 2004

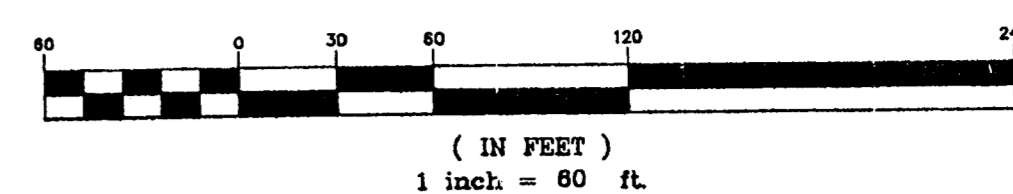
Final

2 OF 3

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ORIGINAL (WHEN REC)

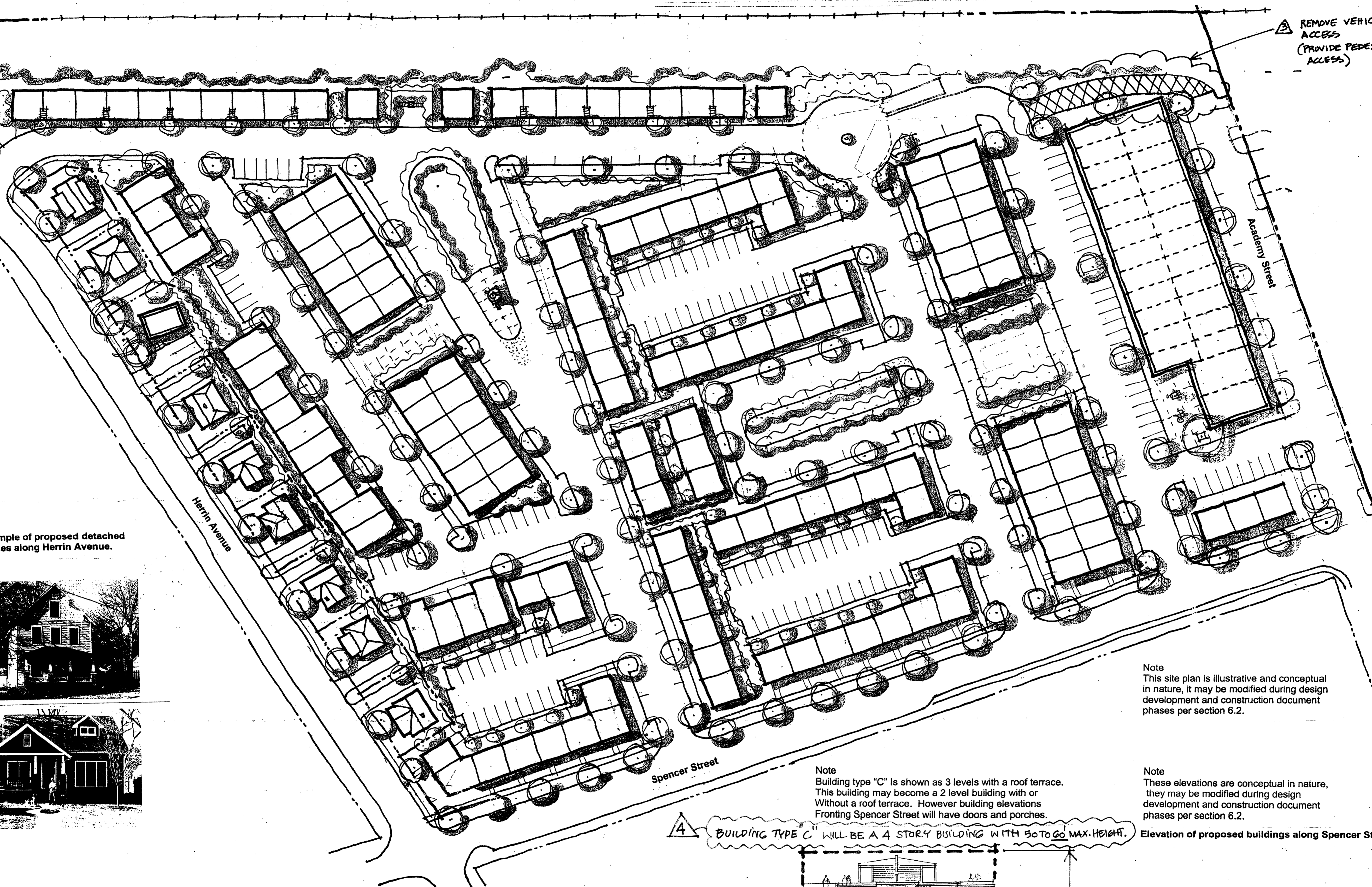
GRAPHIC SCALE



REMOVE VEHICULAR
ACCESS
(PROVIDE PEDESTRIAN
ACCESS)



Example of proposed detached
homes along Herrin Avenue.

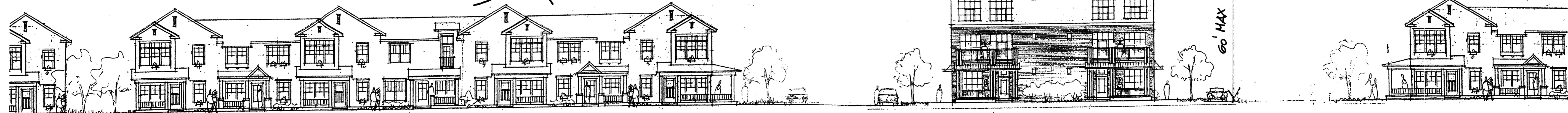


Note
This site plan is illustrative and conceptual
in nature, it may be modified during design
development and construction document
phases per section 6.2.

Note
Building type "C" is shown as 3 levels with a roof terrace.
This building may become a 2 level building with or
without a roof terrace. However building elevations
fronting Spencer Street will have doors and porches.

Note
These elevations are conceptual in nature,
they may be modified during design
development and construction document
phases per section 6.2.

4 BUILDING TYPE C WILL BE A 4 STORY BUILDING WITH 50 TO 60 MAX. HEIGHT. Elevation of proposed buildings along Spencer Street.



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NoDa
HERRIN
TOWERS
 CITY OF
 CHARLOTTE
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 COUNTY
 NORTH
 CAROLINA

PETITIONER:
 HALF MOON OF
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 1734 UNIVERSITY
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 CHARLOTTE, NC
 28213

SURVEY
REZONING
PETITION
#2004-42

FOR
PUBLIC
HEARING

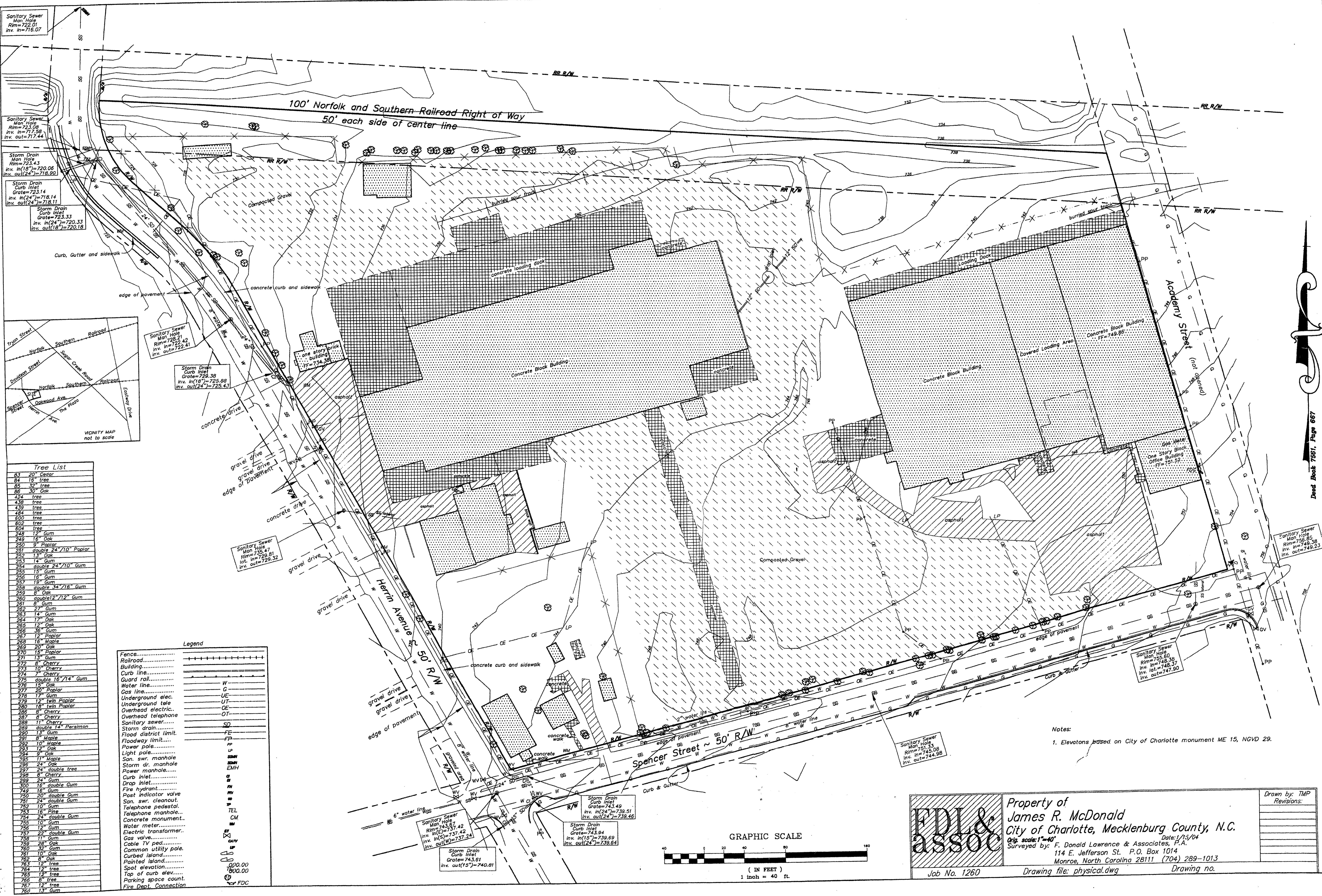
REVISIONS:
MARCH 19, 2004
 (NO REVISIONS TO THIS SHEET)

NO REVISIONS
 TO THIS SHEET

• JANUARY 26, 2004

Final
3 OF 3

ORIGINAL (WHEN RE)

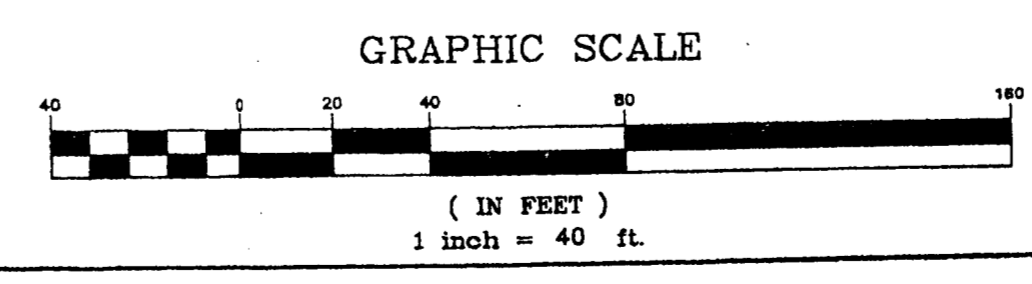


Tree List

63	20'	Cedar
84	18'	tree
85	30'	Oak
424		tree
436		tree
439		tree
484		tree
E00		tree
604		tree
248	12'	Gum
249	16'	Oak
250	9'	Poplar
251	double 24"/10'	Poplar
252	13'	Oak
253	14'	Gum
254	double 24"/10'	Gum
255	15'	Gum
256	16'	Gum
257	19'	Gum
258	double 34"/16'	Gum
259	8'	Oak
260	double 12"/12'	Gum
261	8'	Gum
262	22'	Gum
263	14'	Gum
264	17'	Oak
265	12'	Oak
266	36'	Gum
267	12'	Poplar
268	16'	Maple
269	20'	Oak
270	15'	Poplar
271	13'	Gum
272	8'	Cherry
273	10'	Cherry
274	7'	Cherry
275	double 16"/14'	Gum
276	13'	Oak
277	20'	Poplar
278	17'	Gum
279	12'	Wal Poplar
280	16'	Wal Poplar
286	8'	Cherry
287	8'	Cherry
288	11'	Cherry
289	double 14'	Perismon
290	13'	Gum
291	8'	Maple
292	10'	Maple
293	12'	Oak
294	9'	Oak
295	11'	Maple
296	24'	Oak
297	24'	double tree
298	8'	Cherry
299	24'	Gum
300	16'	double Gum
301	16'	Gum
750	20'	double Gum
751	24'	double Gum
752	10'	Gum
753	16'	Pine
754	24'	double Gum
755	10'	Gum
756	12'	Gum
757	22'	double Gum
758	10'	Gum
759	28'	Oak
760	32'	Gum
761	12'	Oak
762	8'	Oak
763	12'	tree
764	12'	tree
765	12'	tree
766	8'	tree
767	12'	tree
768	13'	Gum

Legend

Fence.....	W
Railroad.....	UC
Building.....	UT
Curb line.....	OC
Guard rail.....	OT
Water line.....	SD
Gas line.....	FE
Underground elec.....	PP
Underground tele.....	ENH
Overhead electric.....	CM
Overhead telephone.....	TEL
Sanitary sewer.....	CM
Storm drain.....	CM
Flood district limit.....	PP
Floodway limit.....	PP
Power pole.....	PP
Light pole.....	PP
San. swr. manhole.....	PP
Storm dr. manhole.....	PP
Power manhole.....	PP
Curb inlet.....	PP
Drop inlet.....	PP
Fire hydrant.....	PP
Post indicator valve.....	PP
San. swr. cleanout.....	PP
Telephone pedestal.....	PP
Telephone manhole.....	PP
Concrete monument.....	PP
Water meter.....	PP
Electric transformer.....	PP
Gas valve.....	PP
Cable TV ped.....	PP
Common utility pole.....	PP
Curbed island.....	PP
Painted island.....	PP
Spot elevation.....	PP
Tap of curb elev.....	PP
Parking space count.....	PP
Fire Dept. Connection.....	PP



FDI & assoc
 Property of
James R. McDonald
 City of Charlotte, Mecklenburg County, N.C.
 Date: 1/15/04
 Surveyed by: F. Donald Lawrence & Associates, P.A.
 114 E. Jefferson St. P.O. Box 1014
 Monroe, North Carolina 28111 (704) 289-1013
 Job No. 1260 Drawing file: physical.dwg Drawing no.

Drawn by: TMP
 Revisions:

Notes:
 1. Elevations based on City of Charlotte monument ME 15, NGVD 29.

Deed Book 7661, Page 667