

**SITE DEVELOPMENT DATA:**

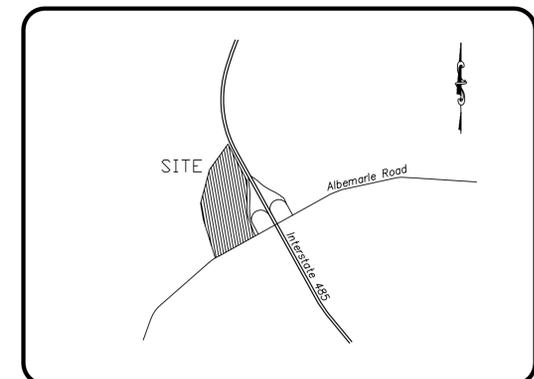
ACREAGE: ± 66.90 ACRES  
 TAX PARCEL NUMBERS: 111-461-03, 111-461-04, 111-461-05, 111-461-08, AND 111-461-09  
 EXISTING ZONING: R-3  
 PROPOSED ZONING: MX-1 AND NS  
 EXISTING USES: RESIDENTIAL FARM

PROPOSED USES: NON-RESIDENTIAL AND RESIDENTIAL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE NS ZONING DISTRICT ON THE PORTION OF THE SITE ZONED NS AND USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MX-1 ZONING DISTRICT ON THE PORTION OF THE SITE ZONED MX-1 (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).

MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: WITHIN THE NS ZONING DISTRICT UP TO: (i) 45,000 SQUARE FEET OF GROSS FLOOR AREA OF RETAIL, GENERAL AND MEDICAL OFFICE USES, EATING DRINKING ENTERTAINMENT ESTABLISHMENTS (EDIE), PERSONAL SERVICES, AND OTHER COMMERCIAL USES (AS MORE SPECIFICALLY DESCRIBED BELOW IN SECTION 3); (ii) 5,000 SQUARE FEET OF GROSS FLOOR AREA FOR AN ART GALLERY, ART STUDIO, CULTURAL ARTS FACILITY THAT MAY ALSO INCLUDE A RESIDENTIAL UNIT (THIS ALLOWED USE WILL BE LOCATED WITHIN THE EXISTING HOME LOCATED ON THE SITE); AND (iii) 350 MULTI-FAMILY RESIDENTIAL DWELLING UNITS. WITHIN THE MX-1 ZONING DISTRICT UP TO 75 DETACHED DWELLING UNITS.

MAXIMUM BUILDING HEIGHT: IN THE AREA ZONED MX-1, BUILDING HEIGHT AS SPECIFIED BY THE ORDINANCE WILL BE ALLOWED. IN THE AREA ZONED NS, BUILDING HEIGHTS WILL BE LIMITED TO A MAXIMUM OF THREE (3) STORES AND 50 FEET. BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.

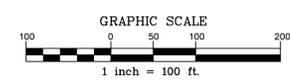
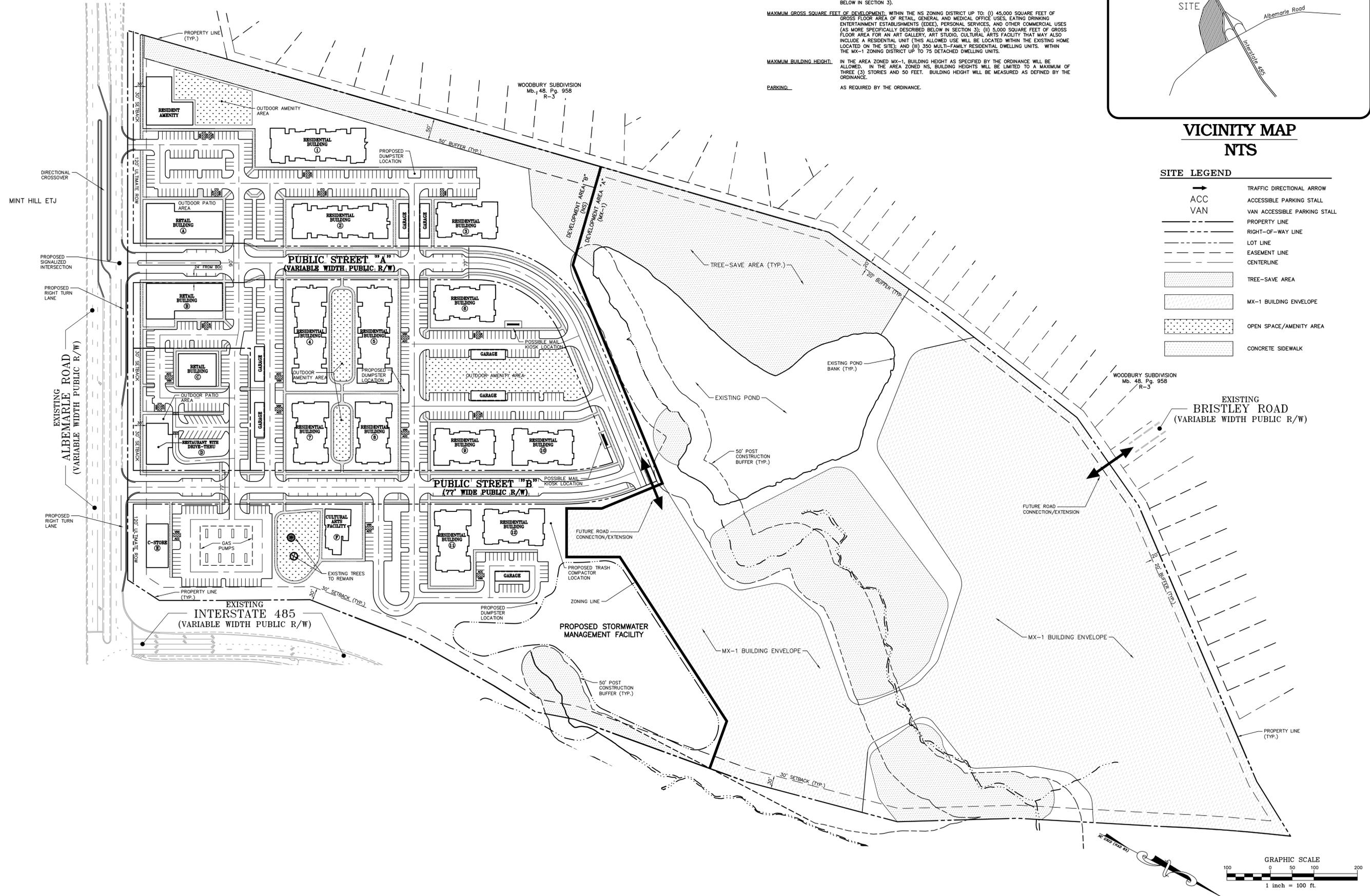
PARKING: AS REQUIRED BY THE ORDINANCE.



**VICINITY MAP  
NTS**

**SITE LEGEND**

- TRAFFIC DIRECTIONAL ARROW
- ACC VAN
- ACCESSIBLE PARKING STALL
- VAN ACCESSIBLE PARKING STALL
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- TREE-SAVE AREA
- MX-1 BUILDING ENVELOPE
- OPEN SPACE/AMENITY AREA
- CONCRETE SIDEWALK



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

THE JOHN R. MCADAMS COMPANY, INC.  
 3436 Torrington Way  
 Suite 110  
 Charlotte, North Carolina 28277  
 License No.: C-0283  
 (800) 733-5646 • McAdamsCo.com



REVISIONS:


OWNER:  
 J S HELMS FAMILY PROPERTIES, LLC  
 11901 ALBEMARLE ROAD  
 CHARLOTTE, NC 28227

**LEMMOND FARM**  
 ALBEMARLE ROAD  
 CHARLOTTE, NORTH CAROLINA  
 REZONING CONCEPT PLAN

PROJECT NO:	ALL-17030
FILENAME:	ALL17030-RZ1
CHECKED BY:	RMR
DRAWN BY:	AJB
SCALE:	1"=100'
DATE:	11-21-17
SHEET NO.	<b>RZ-1</b>

McAdams

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**I. General Provisions:**

a. **Site Location.** These Development Standards, the Technical Data Sheet and Schematic Site Plan, and related graphics form the Rezoning Plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by JS Helms Family Properties ("Petitioner") to accommodate development of a residential based pedestrian-friendly mixed-use community on an approximately 66.90 acres (the "Site").

b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, (i) the regulations established under the Ordinance for the NS zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site; and (ii) the regulations established under the Ordinance for the MX-1 zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Innovative Provisions provided below.

c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of the Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

- i. minor and don't materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance

d. **Number of Buildings Principal and Accessory; Accessory Building Design.** Notwithstanding the number of buildings or lots shown on the Rezoning Plan, the total number of principal buildings to be developed: (i) on the portions of the Site zoned NS and developed for residential and commercial uses (retail, EDJE, office, personal service uses), shall not exceed 25; and (ii) on the portion of the Site zoned MX-1 and developed for detached residential dwellings shall not exceed 75 lots. Accessory buildings and structures located on the Site, including, without limitation, community clubhouse, recreation and related uses, shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

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e. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located on the Site. Furthermore, the Petitioner and/or owners of the Site reserve the right to subdivide the portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in Section 3 below as to the Site as a whole and not individual portions, Development Areas or lots located therein.

f. **Gross Floor Area Clarification.** When determining the maximum development levels set forth in this Rezoning Plan, gross floor area as defined in the Ordinance shall exclude any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities), enclosed loading dock/service areas, and outdoor dining and gathering areas whether on the roof of the building or at street level.

**2. Permitted Uses, Development Area Limitations, and Transfer & Conversion Rights:**

a. For ease of reference, the Rezoning Plan sets forth two (2) development areas as generally depicted on the Technical Data Sheet as Development Areas A and B (each a "Development Area" and collectively the "Development Areas").

b. Development Area A may be developed with up to 75 detached dwelling units together with accessory uses in MX-1 Innovative zoning district, including, without limitation, community clubhouse, recreation, and related uses (e.g. improved passive and active open spaces, picnic shelters, gazebos, ball fields, maintenance buildings, outdoor recreational uses, and other uses typically associated with residential communities etc.).

c. Subject to the restrictions, limitations, listed below, the principal buildings constructed within Development Area B may be developed with (i) up to 45,000 square feet of gross floor area of retail, Eating Drinking Entertainment Establishment (EDEE), a gas station convenience store with or without gasoline sales, and personal services uses; (ii) 5,000 square feet of gross floor area for an art gallery, art studio, cultural arts facility that may also include a residential unit (this allowed use will be located within the existing home located on the Site); and (iii) 350 multi-family residential dwelling units, together with accessory uses as allowed in the NS zoning district. One (1) use with an accessory drive-through window may be constructed within Development Area B and only one gas station convenience store with or without gasoline sales will be allowed within Development Area B.

d. Only one use with an accessory drive-through window will be allowed within Development Area B as generally depicted on the Rezoning Plan. Only one gas station convenience store with or without gasoline sales will be allowed within Development Area B.

*Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandised but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spa's, Yoga and exercise studios, nail salons, massage shops, martial art training studios, laundries and dry-cleaning establishments, locksmiths, and alike (uses that are similar to the items listed but have not been listed but share the common trait that the primary purpose of the use is the sale of a service rather than goods).*

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**3. Transportation Improvements and Access:**

**I. Proposed Improvements:**

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

*The following Transportation Improvements are also illustrated on Figure -- on Sheet RZ-0 of the Rezoning Plan. The figure on Sheet RZ-04 is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number or letter when describing an improvement corresponds to the number or letter found on figure -- for the proposed improvement).*

**To be completed after the review of the TIA.**

**II. Standards, Phasing and Other Provisions.**

a. **CDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT (as it relates to the roadway improvements within its road system authority). It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad south Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

**b. Phasing.**

Notwithstanding the commitments of the Petitioner to provide for the roadway improvements described in Section 3.I above, the following provisions shall permit development to take place prior to completion of all of the above-referenced improvements:

- (i) To be completed after review of traffic study

*The areas of the Site associated with the following phases are illustrated on Sheet RZ-0 "Development Phasing for Off-Site Roadway Improvements" of the Rezoning Plan.*

*The phase #'s for the non-residential Development Areas are not meant to require them to be completed in the sequential order they are listed (before the residential or before each other) and as a result may be developed sooner upon the substantial construction of the roadway improvements listed for each non-residential Development Area.*

c. **Substantial Completion.** Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.II above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.II.a above provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

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d. **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

e. **Alternative Improvements.** Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT and the Planning Director; provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

**III. Access, and Pedestrian Circulation.**

a. Access to the Site will be from Albemarle Road and Bristley Road as generally depicted on the Rezoning Plan.

b. The number and location of access points to the internal public streets will be determined during the building permit process and thereafter additional or fewer driveways and/or additional private/public streets may be installed or removed with approval from appropriate governmental authorities subject to applicable statutes, ordinances and regulations.

c. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

d. The Petitioner will build two (2) Public Streets and one (1) private drive to access the Site from Albemarle Road as generally depicted on the Rezoning Plan. These two (2) public streets will be built to meet USDG standards.

e. The Petitioner will dedicate 60 feet of right-of-way from the existing center line of Albemarle Road to the City of Charlotte prior to the issuance of the first certificate of occupancy.

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**4. Architectural Standards and Parking Location Restrictions:**

a. The principal buildings constructed on the Site (Development Areas A and B) may use a variety of building materials. The building materials used for buildings (other than structured parking facilities, if any) will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as hardy-plank), EIFS or wood. Vinyl as a building material will not be allowed except on windows and soffits.

b. Parking and maneuvering for parking will not be allowed between the proposed buildings in Development Areas B located at the intersections of Albemarle Road and Public Street A and B as generally depicted on the Rezoning Petition. Parking areas may be located to the side of the proposed buildings.

c. The minimum height of one-story non-residential buildings constructed within Development Areas B will be a minimum 22 feet including architectural elements. This will not apply to the existing single-family home located on the Site that is to be re-used as a cultural arts facility.

d. The non-residential buildings shall provide street level, pedestrian oriented active uses along Public Street A.

e. For non-residential buildings (not including the leasing office/amenity center for multi-family) at least 40% of the first floor building façades between two (2) and ten (10) feet above grade of buildings facing Public Street A and B will utilize transparent, vision glass. In areas where transparent vision glass cannot be utilized due to building or tenant constraints display windows may be utilized, however, no more than 30% of the first floor building façade can be made up of display windows.

f. The Street Walls of the non-residential buildings constructed within Development Area B abutting Albemarle Road will be treated with a combination of the following features: (i) windows with applied graphic images; (ii) internally illuminated window boxes with applied graphic images; (iii) vertical elements such as art work and/or decorative garden and landscape elements; (iv) decorative lighting elements; and (v) landscaped areas composed of a combination of large and small maturing evergreen and deciduous trees, evergreen and deciduous shrubs and seasonal color.

**5. Design Guidelines for Residential Buildings Located Within Development Area B:**

**a. General Site Considerations**

- i. Architectural treatment shall continue on all sides of a building except as specifically noted otherwise.
- ii. All shared/common building entrances will be connected to the street network subject to grade and ADA standards (private patios will be considered a building entrance).

**b. Façade Composition**

- i. The Principal Entrances of a building that face a public street shall be articulated and expressed in greater architectural detail than other building entrances.

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**1. Façades shall incorporate windows and doors as follows:**

- i. Windows and doors shall be provided for at least 20% of the total Façade area along the proposed public streets, with each floor calculated independently. The maximum contiguous area without windows or doors on any floor facing a public street shall not exceed 30 feet in length in any direction. Changes in materials and other treatments may be used to break up walls where windows are not possible due to building layout (e.g. stairwells and/or mechanical/utility rooms).
- ii. The above requirement for windows and doors may be reduced by 50% where a Façade is not visible from a public street and the maximum contiguous area without windows or doors on any floor may be increased to 40 feet in length.

**2. Façade articulation:**

- i. Façades over 75 feet in length shall incorporate wall projections or recesses. Patios and balconies are acceptable projections.

**3. Additional Street Fronting Façade requirements on Public Streets:**

- i. Street fronting Façades and End fronting Façades shall be articulated and designed to create additional visual interest by varying architectural details, building materials, the roof line, and building offsets.
- ii. On corner lots, the architectural treatment of a building's intersecting Street Fronting Façades shall be substantially similar, except that said building may emphasize the corner location by incorporating other architectural embellishments at the corner.
- iii. First Story Façades of all buildings along streets shall incorporate up to three (3) of the following: columns, awnings, arcades, porches, stoops, windows, doors, or other architectural elements.
- iv. No more than four different materials, textures, colors, or combinations thereof may be used on a single building. This requirement shall not include materials used on windows, doors, porches, balconies, foundations, awnings or architectural details.
- v. Vinyl or aluminum siding, exposed standard concrete masonry unit (CMU) block, corrugated steel, prefabricated metal, exposed plywood, and exposed pressboard are prohibited, except when used as a decorative feature or accent.
- vi. Exterior materials of buildings along the Public Streets shall be limited to brick, stone, pre-cast concrete, wood, stucco, cementitious materials, glass, manufactured stone or granite.
- vii. Accessory Structures shall be consistent with the Principal Building in material, texture, and color.

**c. Roofs**

- i. Pitched or flat roofs are acceptable. The pitch of the building's primary roof shall have a minimum slope of 3:12. Flat roofs shall be screened from the view of Public Streets by a parapet.
- ii. Accessory features on a roof shall be screened from the view of the Public Streets by a parapet or other architectural feature.
- iii. Permitted sloped roof materials are asphalt shingles, composition shingles, wood shingles, tin, standing seam metal, and wood shakes.
- iv. Vents, stacks, and roof fans are to be painted to blend with the roof color and hidden from Public Street view to the greatest extent possible.

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**6. Streetscape, Landscaping and Buffer:**

a. Setbacks and yards as required by the MX-1 zoning district will be provided. Along I-485 a 30 foot setback as measured from the existing right-of-way will be provided.

b. Within Development Areas B a minimum building and parking setback of 30 feet as measured from the future right-of-way for Albemarle Road will be provided as generally depicted. Along Public Street A and B a minimum building setback of 24 feet as measured from the back of curb will be provided. Along I-485 within Development Area B a 30 foot setback from the existing right-of-way will be provided.

c. A 50 foot Class C buffer will be provided between the proposed uses in Development Area B and the adjoining Woodbury Neighborhood. Within Development Area A a 20 foot Class C Buffer will be provided adjacent to the Woodbury Neighborhood as generally depicted on the Rezoning Plan.

d. Along the Site's internal streets, the Petitioner will provide a sidewalk and a cross-walk network that links all of the principal buildings on the Site with one another by way of links to sidewalks along the abutting public and private streets and/or other pedestrian features. The minimum width for these internal sidewalks with the portion of the Site zoned NS will be six (6) feet and within the portions of the Site zoned MX-1 will be a minimum of five (5) feet.

**7. Environmental Features**

a. The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved from and engineering perspective with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

b. Storm water detention areas and water quality areas located along an interior public street will be landscaped to create an attractive street edge.

c. The Site will comply with the requirements of the City of Charlotte Tree Ordinance.

**8. Plazas and Open Space:**

a. The Petitioner will provide a series of passive and active open space areas throughout the Site as generally depicted on the Rezoning Plan (the exact location and configuration of these open space areas may vary from what is illustrated; the final locations and configuration of the open space areas will be determined/finalized during each phase of the approval process). The existing pond on the Site will be preserved. The existing pond may be used to meet storm water and water quality requirements.

**9. Signage:**

a. Signage as allowed by the Ordinance may be provided.

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**10. Lighting:**

a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

b. Detached lighting on the Site, except street lights located along public streets, will be limited to 26 feet in height.

**11. Amendments to the Rezoning Plan:**

a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area or portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

**12. Binding Effect of the Rezoning Application:**

a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

THE JOHN R. McADAMS COMPANY, INC.  
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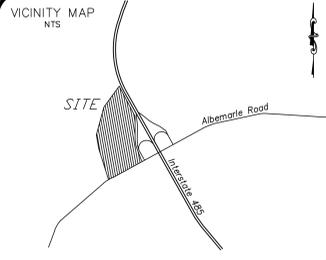
REVISIONS:

OWNER:  
J S HELMS FAMILY PROPERTIES, LLC.  
11901 ALBEMARLE ROAD  
CHARLOTTE, NC 28227

LEMMOND FARM  
ALBEMARLE ROAD  
CHARLOTTE, NORTH CAROLINA  
REZONING NOTES

PROJECT NO:	ALL-17030
FILENAME:	ALL17030-RZ1
CHECKED BY:	RMR
DRAWN BY:	AJB
SCALE:	N/A
DATE:	11-21-17
SHEET NO.	RZ-2

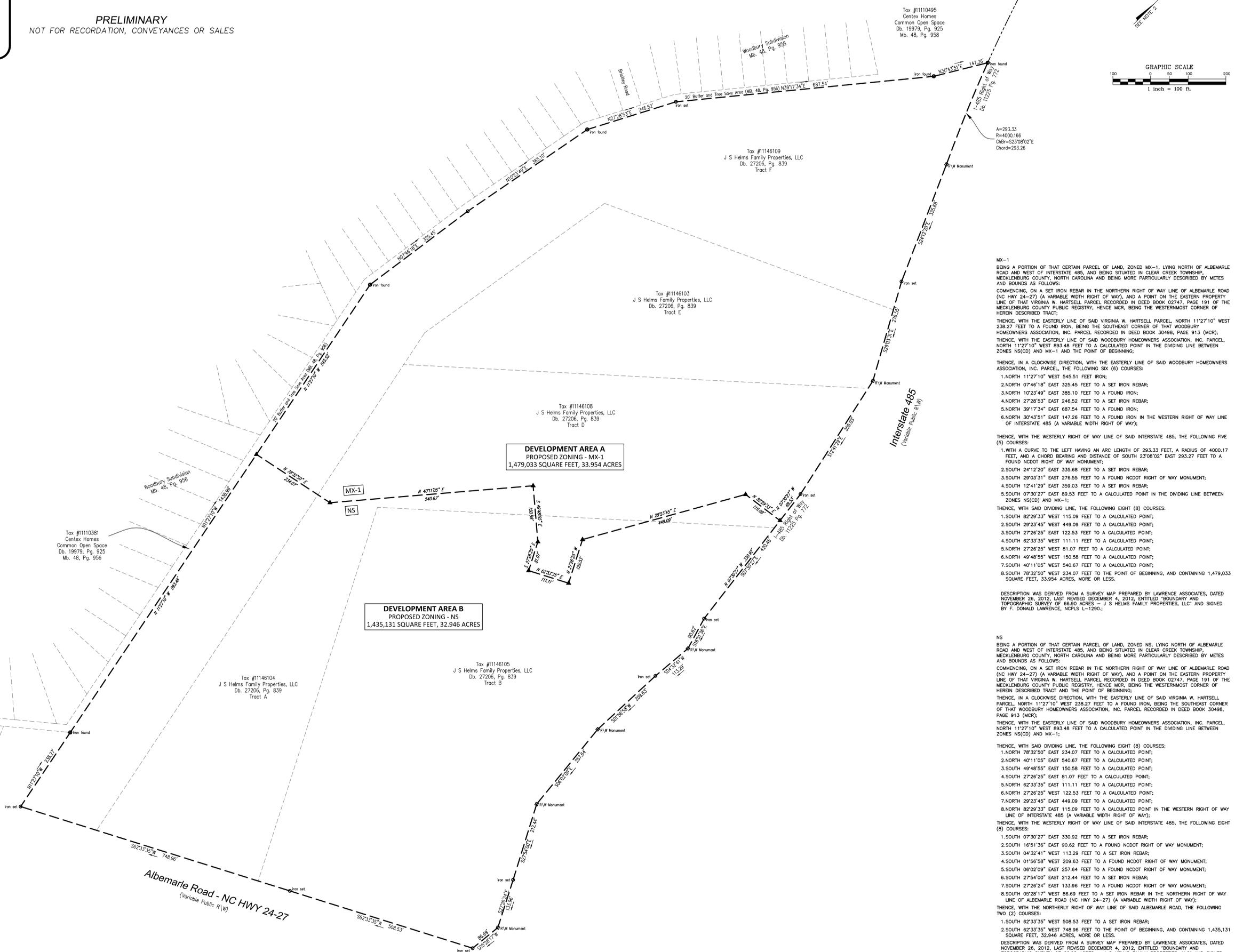
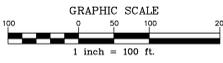




- GENERAL NOTES**
- 1.) THIS IS AN EXHIBIT TO SHOW THE LOCATION OF THE DIVIDING LINE BETWEEN ZONES NS(CD) & MX-1.
  - 2.) BOUNDARY INFO AND BEARINGS FOR THIS SURVEY ARE BASED ON A MAP TITLED, "ALTA SURVEY FOR: 66.90 ACRES - J S HELMS FAMILY PROPERTIES, LLC" BY LAWRENCE ASSOCIATES, DATED SEPTEMBER 28, 2017, NOT OF PUBLIC RECORD.
  - 3.) NO FIELD SURVEY DATA WAS USED IN THE PREPARATION OF THIS EXHIBIT.

**PRELIMINARY**  
NOT FOR RECORDATION, CONVEYANCES OR SALES

- LEGEND:**
- ▲ CALCULATED POINT
  - SURVEYED PROPERTY LINE
  - - - PROPERTY LINE NOT SURVEYED
  - - - ZONING LINE



**DEVELOPMENT AREA A**  
PROPOSED ZONING - MX-1  
1,479,033 SQUARE FEET, 33.954 ACRES

**DEVELOPMENT AREA B**  
PROPOSED ZONING - NS  
1,435,131 SQUARE FEET, 32.946 ACRES

**MX-1**  
BEING A PORTION OF THAT CERTAIN PARCEL OF LAND, ZONED MX-1, LYING NORTH OF ALBEMARLE ROAD AND WEST OF INTERSTATE 485, AND BEING SITUATED IN CLEAR CREEK TOWNSHIP, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:  
COMMENCING, ON A SET IRON REBAR IN THE NORTHERN RIGHT OF WAY LINE OF ALBEMARLE ROAD (NC HWY 24-27) (A VARIABLE WIDTH RIGHT OF WAY), AND A POINT ON THE EASTERN PROPERTY LINE OF THAT VIRGINIA W. HARTSELL PARCEL RECORDED IN DEED BOOK 02747, PAGE 191 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY, HENCE MCR, BEING THE WESTERMOST CORNER OF HEREIN DESCRIBED TRACT;  
THENCE, WITH THE EASTERLY LINE OF SAID VIRGINIA W. HARTSELL PARCEL, NORTH 11°27'10" WEST 238.27 FEET TO A FOUND IRON, BEING THE SOUTHEAST CORNER OF THAT WOODBURY HOMEOWNERS ASSOCIATION, INC. PARCEL RECORDED IN DEED BOOK 30498, PAGE 913 (MCR);  
THENCE, WITH THE EASTERLY LINE OF SAID WOODBURY HOMEOWNERS ASSOCIATION, INC. PARCEL, NORTH 11°27'10" WEST 893.48 FEET TO A CALCULATED POINT IN THE DIVIDING LINE BETWEEN ZONES NS(CD) AND MX-1 AND THE POINT OF BEGINNING;

THENCE, IN A CLOCKWISE DIRECTION, WITH THE EASTERLY LINE OF SAID WOODBURY HOMEOWNERS ASSOCIATION, INC. PARCEL, THE FOLLOWING SIX (6) COURSES:  
1. NORTH 11°27'10" WEST 545.51 FEET IRON;  
2. NORTH 07°46'18" EAST 325.45 FEET TO A SET IRON REBAR;  
3. NORTH 10°23'49" EAST 385.10 FEET TO A FOUND IRON;  
4. NORTH 27°28'53" EAST 246.52 FEET TO A SET IRON REBAR;  
5. NORTH 39°17'34" EAST 687.54 FEET TO A FOUND IRON;  
6. NORTH 30°43'51" EAST 147.26 FEET TO A FOUND IRON IN THE WESTERN RIGHT OF WAY LINE OF INTERSTATE 485 (A VARIABLE WIDTH RIGHT OF WAY);

THENCE, WITH THE WESTERLY RIGHT OF WAY LINE OF SAID INTERSTATE 485, THE FOLLOWING FIVE (5) COURSES:  
1. WITH A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 293.33 FEET, A RADIUS OF 4000.17 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 23°08'02" EAST 293.27 FEET TO A FOUND NCDOT RIGHT OF WAY MONUMENT;  
2. SOUTH 24°12'20" EAST 335.68 FEET TO A SET IRON REBAR;  
3. SOUTH 29°03'31" EAST 276.55 FEET TO A FOUND NCDOT RIGHT OF WAY MONUMENT;  
4. SOUTH 12°41'29" EAST 359.03 FEET TO A SET IRON REBAR;  
5. SOUTH 07°30'27" EAST 89.53 FEET TO A CALCULATED POINT IN THE DIVIDING LINE BETWEEN ZONES NS(CD) AND MX-1;

THENCE, WITH SAID DIVIDING LINE, THE FOLLOWING EIGHT (8) COURSES:  
1. SOUTH 82°29'33" WEST 115.09 FEET TO A CALCULATED POINT;  
2. SOUTH 29°23'45" WEST 449.09 FEET TO A CALCULATED POINT;  
3. SOUTH 27°26'25" EAST 122.53 FEET TO A CALCULATED POINT;  
4. SOUTH 62°33'35" WEST 111.11 FEET TO A CALCULATED POINT;  
5. NORTH 27°26'25" WEST 81.07 FEET TO A CALCULATED POINT;  
6. NORTH 49°48'55" WEST 150.58 FEET TO A CALCULATED POINT;  
7. SOUTH 40°11'05" WEST 540.67 FEET TO A CALCULATED POINT;  
8. SOUTH 78°32'50" WEST 234.07 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1,479,033 SQUARE FEET, 33.954 ACRES, MORE OR LESS.

DESCRIPTION WAS DERIVED FROM A SURVEY MAP PREPARED BY LAWRENCE ASSOCIATES, DATED NOVEMBER 26, 2012, LAST REVISED DECEMBER 4, 2012, ENTITLED "BOUNDARY AND TOPOGRAPHIC SURVEY OF 66.90 ACRES - J S HELMS FAMILY PROPERTIES, LLC" AND SIGNED BY F. DONALD LAWRENCE, NCPLS L-1290.

**NS**  
BEING A PORTION OF THAT CERTAIN PARCEL OF LAND, ZONED NS, LYING NORTH OF ALBEMARLE ROAD AND WEST OF INTERSTATE 485, AND BEING SITUATED IN CLEAR CREEK TOWNSHIP, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:  
COMMENCING, ON A SET IRON REBAR IN THE NORTHERN RIGHT OF WAY LINE OF ALBEMARLE ROAD (NC HWY 24-27) (A VARIABLE WIDTH RIGHT OF WAY), AND A POINT ON THE EASTERN PROPERTY LINE OF THAT VIRGINIA W. HARTSELL PARCEL RECORDED IN DEED BOOK 02747, PAGE 191 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY, HENCE MCR, BEING THE WESTERMOST CORNER OF HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;  
THENCE, IN A CLOCKWISE DIRECTION, WITH THE EASTERLY LINE OF SAID VIRGINIA W. HARTSELL PARCEL, NORTH 11°27'10" WEST 238.27 FEET TO A FOUND IRON, BEING THE SOUTHEAST CORNER OF THAT WOODBURY HOMEOWNERS ASSOCIATION, INC. PARCEL RECORDED IN DEED BOOK 30498, PAGE 913 (MCR);  
THENCE, WITH THE EASTERLY LINE OF SAID WOODBURY HOMEOWNERS ASSOCIATION, INC. PARCEL, NORTH 11°27'10" WEST 893.48 FEET TO A CALCULATED POINT IN THE DIVIDING LINE BETWEEN ZONES NS(CD) AND MX-1;

THENCE, WITH SAID DIVIDING LINE, THE FOLLOWING EIGHT (8) COURSES:  
1. NORTH 78°32'50" EAST 234.07 FEET TO A CALCULATED POINT;  
2. NORTH 40°11'05" EAST 540.67 FEET TO A CALCULATED POINT;  
3. SOUTH 49°48'55" WEST 150.58 FEET TO A CALCULATED POINT;  
4. SOUTH 27°26'25" EAST 81.07 FEET TO A CALCULATED POINT;  
5. NORTH 27°26'25" WEST 122.53 FEET TO A CALCULATED POINT;  
6. NORTH 27°26'25" WEST 122.53 FEET TO A CALCULATED POINT;  
7. NORTH 29°23'45" EAST 449.09 FEET TO A CALCULATED POINT;  
8. NORTH 82°29'33" EAST 115.09 FEET TO A CALCULATED POINT IN THE WESTERN RIGHT OF WAY LINE OF INTERSTATE 485 (A VARIABLE WIDTH RIGHT OF WAY);

THENCE, WITH THE WESTERLY RIGHT OF WAY LINE OF SAID INTERSTATE 485, THE FOLLOWING EIGHT (8) COURSES:  
1. SOUTH 07°30'27" EAST 330.92 FEET TO A SET IRON REBAR;  
2. SOUTH 16°51'36" EAST 90.62 FEET TO A FOUND NCDOT RIGHT OF WAY MONUMENT;  
3. SOUTH 04°32'41" WEST 113.29 FEET TO A SET IRON REBAR;  
4. SOUTH 01°56'58" WEST 209.63 FEET TO A FOUND NCDOT RIGHT OF WAY MONUMENT;  
5. SOUTH 06°02'09" EAST 257.64 FEET TO A FOUND NCDOT RIGHT OF WAY MONUMENT;  
6. SOUTH 27°54'00" EAST 212.44 FEET TO A SET IRON REBAR;  
7. SOUTH 27°26'24" EAST 133.96 FEET TO A FOUND NCDOT RIGHT OF WAY MONUMENT;  
8. SOUTH 05°28'17" WEST 86.69 FEET TO A SET IRON REBAR IN THE NORTHERN RIGHT OF WAY LINE OF ALBEMARLE ROAD (NC HWY 24-27) (A VARIABLE WIDTH RIGHT OF WAY);

THENCE, WITH THE NORTHERLY RIGHT OF WAY LINE OF SAID ALBEMARLE ROAD, THE FOLLOWING TWO (2) COURSES:  
1. SOUTH 62°33'35" WEST 508.53 FEET TO A SET IRON REBAR;  
2. SOUTH 62°33'35" WEST 748.96 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1,435,131 SQUARE FEET, 32.946 ACRES, MORE OR LESS.  
DESCRIPTION WAS DERIVED FROM A SURVEY MAP PREPARED BY LAWRENCE ASSOCIATES, DATED NOVEMBER 26, 2012, LAST REVISED DECEMBER 4, 2012, ENTITLED "BOUNDARY AND TOPOGRAPHIC SURVEY OF 66.90 ACRES - J S HELMS FAMILY PROPERTIES, LLC" AND SIGNED BY F. DONALD LAWRENCE, NCPLS L-1290.

**THE JOHN R. MCADAMS COMPANY, INC.**  
3456 Tompkins Way  
Suite 110  
Charlotte, North Carolina 28277  
(800) 735-5646 • [McAdamsCo.com](http://McAdamsCo.com)

**MCADAMS**

OWNER: J S HELMS FAMILY PROPERTIES, LLC  
11901 ALBEMARLE ROAD  
CHARLOTTE, NC 28227

**LEMMOND FARM**  
ALBEMARLE ROAD  
CHARLOTTE, NORTH CAROLINA

ZONE EXHIBIT

PROJECT NO: ALL-17030  
FILENAME: ALL17030-Q1.DWG  
DRAWN BY: RMR  
SCALE: 1"=100'  
DATE: 11-21-2017  
SHEET NO: 1-1

**MCADAMS**

## **MX-1 (APPROXIMATELY 33.954 ACRES) – DEVELOPMENT AREA A**

Being A portion of that certain parcel of land, zoned MX-1, lying North of Albemarle Road and West of Interstate 485, and being situated in Clear Creek Township, Mecklenburg County, North Carolina and being more particularly described by Metes and Bounds as follows:

**Commencing**, on a set iron rebar in the Northern right of way line of Albemarle Road (NC HWY 24-27) (A variable width Right of Way), and a point on the eastern property line of that Virginia W. Hartsell parcel recorded in Deed book 02747, Page 191 of the Mecklenburg County Public Registry, hence MCR, being the Westernmost corner of herein described tract;

**Thence**, with the Easterly line of said Virginia W. Hartsell parcel, North 11°27'10" West 238.27 feet to a found iron, being the Southeast corner of that Woodbury Homeowners Association, Inc. parcel recorded in Deed book 30498, Page 913 (MCR);

**Thence**, with the Easterly line of said Woodbury Homeowners Association, Inc. parcel, North 11°27'10" West 893.48 feet to a calculated point in the dividing line between Zones NS(CD) and MX-1 and the **Point of Beginning**;

**Thence**, in a clockwise direction, with the Easterly line of said Woodbury Homeowners Association, Inc. parcel, the following six (6) courses:

1. North 11°27'10" West 545.51 feet iron;
2. North 07°46'18" East 325.45 feet to a set iron rebar;
3. North 10°23'49" East 385.10 feet to a found iron;
4. North 27°28'53" East 246.52 feet to a set iron rebar;
5. North 39°17'34" East 687.54 feet to a found iron;
6. North 30°43'51" East 147.26 feet to a found iron in the Western right of way line of Interstate 485 (A variable width Right of Way);

**Thence**, with the Westerly Right of Way line of said Interstate 485, the following five (5) courses:

1. With a curve to the left having an arc length of 293.33 feet, a radius of 4000.17 feet, and a chord bearing and distance of South 23°08'02" East 293.27 feet to a found NCDOT right of way monument;
2. South 24°12'20" East 335.68 feet to a set iron rebar;
3. South 29°03'31" East 276.55 feet to a found NCDOT right of way monument;
4. South 12°41'29" East 359.03 feet to a set iron rebar;
5. South 07°30'27" East 89.53 feet to a calculated point in the dividing line between Zones NS(CD) and MX-1;

**Thence**, with said dividing line, the following eight (8) courses:

1. South 82°29'33" West 115.09 feet to a calculated point;
2. South 29°23'45" West 449.09 feet to a calculated point;
3. South 27°26'25" East 122.53 feet to a calculated point;
4. South 62°33'35" West 111.11 feet to a calculated point;
5. North 27°26'25" West 81.07 feet to a calculated point;
6. North 49°48'55" West 150.58 feet to a calculated point;
7. South 40°11'05" West 540.67 feet to a calculated point;
8. South 78°32'50" West 234.07 feet to the **Point of Beginning**, and containing 1,479,033 Square Feet, 33.954 Acres, more or less.

Description was derived from a survey map prepared by Lawrence Associates, Dated November 26, 2012, last revised December 4, 2012, entitled "Boundary and Topographic Survey of 66.90 acres – J S Helms Family Properties, LLC" and signed by F. Donald Lawrence, NCPLS L-1290.

## **NS (APPROXIMATELY 32.946 ACRES) – DEVELOPMENT AREA B**

Being A portion of that certain parcel of land, zoned NS, lying North of Albemarle Road and West of Interstate 485, and being situated in Clear Creek Township, Mecklenburg County, North Carolina and being more particularly described by Metes and Bounds as follows:

**Commencing**, on a set iron rebar in the Northern right of way line of Albemarle Road (NC HWY 24-27) (A variable width Right of Way), and a point on the eastern property line of that Virginia W. Hartsell parcel recorded in Deed book 02747, Page 191 of the Mecklenburg County Public Registry, hence MCR, being the Westernmost corner of herein described tract and the **Point of Beginning**;

**Thence**, in a clockwise direction, with the Easterly line of said Virginia W. Hartsell parcel, North 11°27'10" West 238.27 feet to a found iron, being the Southeast corner of that Woodbury Homeowners Association, Inc. parcel recorded in Deed book 30498, Page 913 (MCR);

**Thence**, with the Easterly line of said Woodbury Homeowners Association, Inc. parcel, North 11°27'10" West 893.48 feet to a calculated point in the dividing line between Zones NS(CD) and MX-1;

**Thence**, with said dividing line, the following eight (8) courses:

1. North 78°32'50" East 234.07 feet to a calculated point;
2. North 40°11'05" East 540.67 feet to a calculated point;
3. South 49°48'55" East 150.58 feet to a calculated point;
4. South 27°26'25" East 81.07 feet to a calculated point;
5. North 62°33'35" East 111.11 feet to a calculated point;
6. North 27°26'25" West 122.53 feet to a calculated point;
7. North 29°23'45" East 449.09 feet to a calculated point;
8. North 82°29'33" East 115.09 feet to a calculated point in the Western right of way line of Interstate 485 (A variable width Right of Way);

**Thence**, with the Westerly Right of Way line of said Interstate 485, the following eight (8) courses:

1. South 07°30'27" East 330.92 feet to a set iron rebar;
2. South 16°51'36" East 90.62 feet to a found NCDOT right of way monument;
3. South 04°32'41" West 113.29 feet to a set iron rebar;
4. South 01°56'58" West 209.63 feet to a found NCDOT right of way monument;
5. South 06°02'09" East 257.64 feet to a found NCDOT right of way monument;
6. South 27°54'00" East 212.44 feet to a set iron rebar;
7. South 27°26'24" East 133.96 feet to a found NCDOT right of way monument;
8. South 05°28'17" West 86.69 feet to a set iron rebar in the Northern right of way line of Albemarle Road (NC HWY 24-27) (A variable width Right of Way);

**Thence**, with the Northerly Right of Way line of said Albemarle Road, the following two (2) courses:

1. South 62°33'35" West 508.53 feet to a set iron rebar;
2. South 62°33'35" West 748.96 feet to the **Point of Beginning**, and containing 1,435,131 Square Feet, 32.946 Acres, more or less.

Description was derived from a survey map prepared by Lawrence Associates, Dated November 26, 2012, last revised December 4, 2012, entitled "Boundary and Topographic Survey of 66.90 acres – J S Helms Family Properties, LLC" and signed by F. Donald Lawrence, NCPLS L-1290.