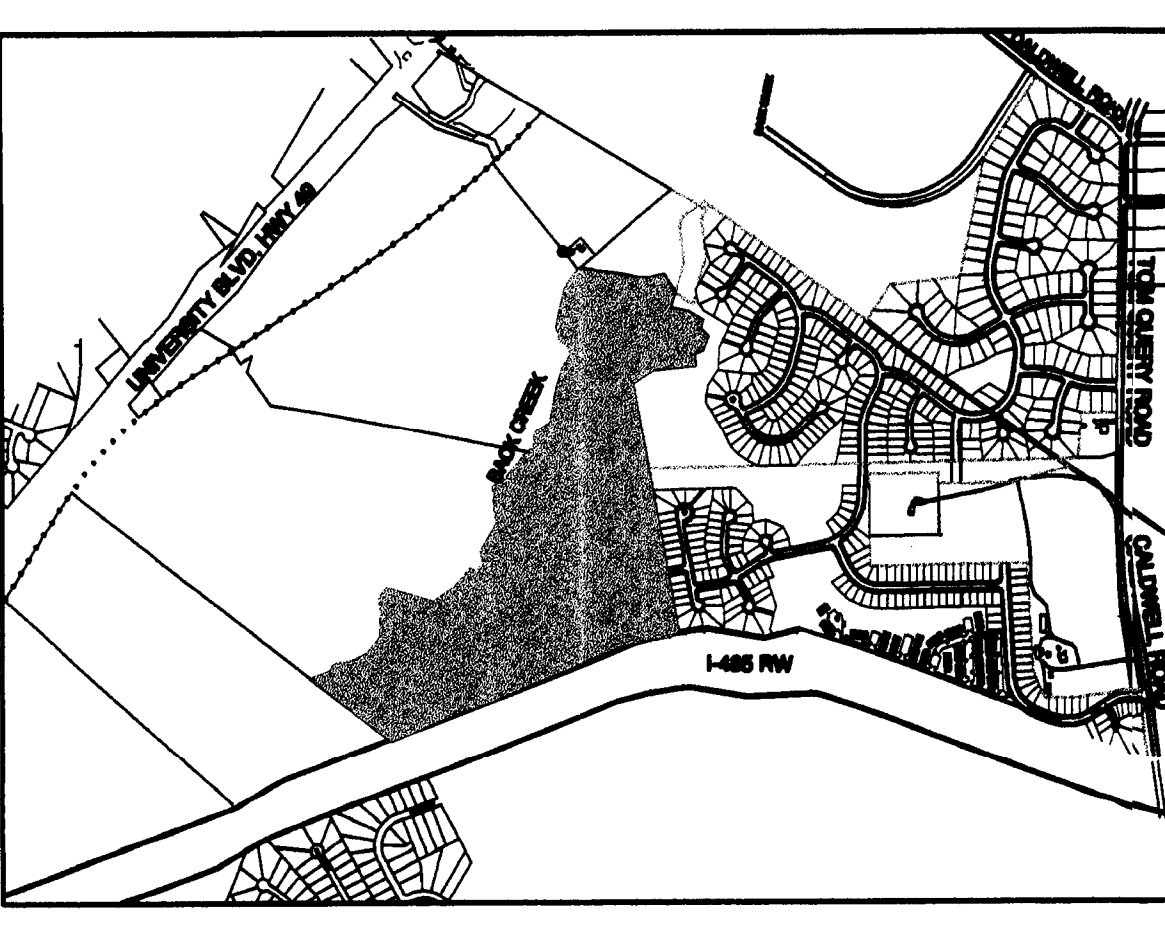
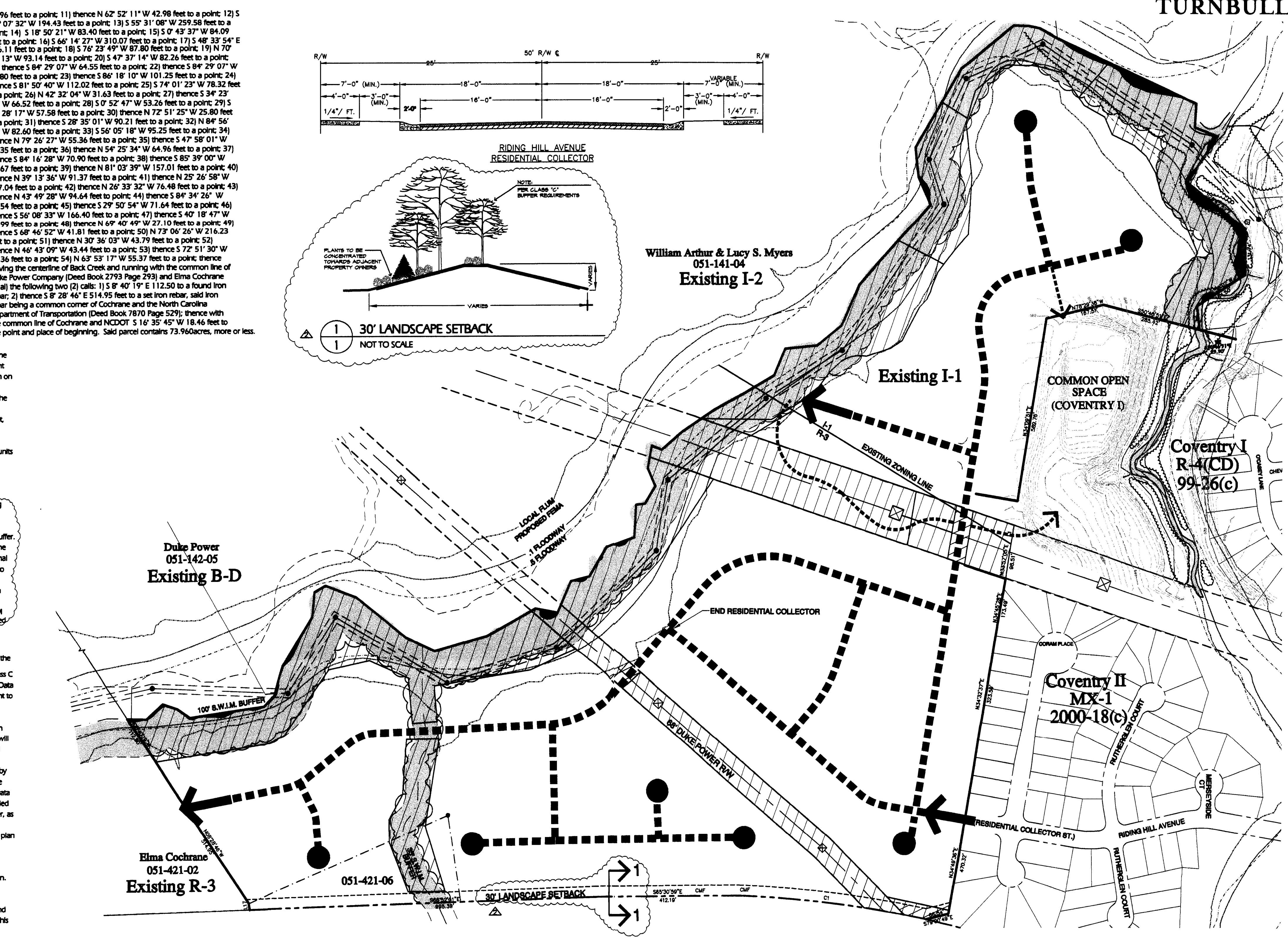


LEGAL DESCRIPTION

Being located in Crab Orchard Township, Mecklenburg County, North Carolina and being more particularly described as follows:
Beginning at an existing concrete monument on the northern right of way of I-485, said concrete monument being the southwest corner of the Elma Cochran 051-421-06 property as described in Deed Book 2850 page 435 of the Mecklenburg County registry, and runs thence from said point of beginning the following three (3) calls: 1) thence S60° 52' 11" E 995.39 feet to an existing concrete monument; 2) thence S65° 30' 59" E 412.19 feet to an existing concrete monument; 3) thence along a circular curve to the right having a radius of 3039.79 feet, an arc length of 338.41 feet, and a chord bearing and distance of S 57° 49' 06" E 537.70 feet to an iron rebar set, said iron rebar set being the northwestern corner of the Elma Cochran 051-421-06 property as described in Deed Book 2850 page 435 of the Mecklenburg County registry; thence leaving the right-of-way of I-485 and running with the line of Coventry I, LLC, Coventry I, LLC (Deed Book 11001 Page 932) and Coventry Neighborhood Association, Inc. (Deed Book 2294 Page 1185) 79° 00' 49" E 565.54 feet to an existing side; thence S 34° 49' 36" E 470.32 feet to a found iron rebar; thence N 34° 45' 28" E 323.59 feet to a found iron rebar; thence N 34° 45' 28" E 113.40 feet to a found concrete monument; thence N 14° 28' E 53.47 feet to a point; thence N 34° 09' 51" E 589.76 feet to a found iron rebar; thence N 34° 09' 51" E 107.21 feet to a found iron rebar; thence S 58° 41' E 67.96 feet to a point; 2) thence N 81° 00' E 164.50 feet to a point; 3) thence N 25° 05' 40" W 131.74 feet to a point; 4) thence N 28° 42' 52" W 212.94 feet to a point; 5) thence N 58° 49' 58" E 155.94 feet to a point; 6) thence N 43° 54' 56" W 69.65 feet to a point; 7) thence N 28° 33' 09" E 66.38 feet to a point; 8) thence N 39° 56' 57" W 440.25 feet to a point; 9) thence N 35° 03' 07" W 59.21 feet to a point; 10) thence N 52° 52' 58" W 30.96 feet to a point; 11) thence N 42° 52' 11" W 42.98 feet to a point; 12) S 75° 07' 32" W 194.43 feet to a point; 13) S 55° 31' 06" W 259.58 feet to a point; 14) S 18° 50' 21" W 83.40 feet to a point; 15) S 0° 49' 37" W 84.09 feet to a point; 16) S 46° 14' 22" W 310.07 feet to a point; 17) S 48° 33' E 126.11 feet to a point; 18) S 72° 23' 49" W 87.80 feet to a point; 19) N 17° 44' 13" W 81.14 feet to a point; 20) S 49° 37' 14" W 82.26 feet to a point; 21) thence S 84° 29' 07" W 64.55 feet to a point; 22) thence S 84° 29' 07" W 30.80 feet to a point; 23) thence S 86° 18' 10" W 101.25 feet to a point; 24) thence S 81° 50' 40" W 112.02 feet to a point; 25) S 7° 01' 23" W 76.32 feet to a point; 26) N 42° 32' 04" W 31.63 feet to a point; 27) thence S 34° 23' 57" W 66.52 feet to a point; 28) S 0° 52' 47" W 52.26 feet to a point; 29) S 56° 28' 17" W 57.58 feet to a point; 30) thence N 72° 51' 25" W 25.80 feet to a point; 31) thence S 28° 35' 01" W 90.21 feet to a point; 32) N 84° 56' 57" W 62.60 feet to a point; 33) S 5° 02' 18" W 25.25 feet to a point; 34) thence N 79° 26' 27" W 55.36 feet to a point; 35) thence S 47° 58' 01" W 87.35 feet to a point; 36) thence N 54° 53' 34" W 64.76 feet to a point; 37) thence S 8° 16' 28" W 70.90 feet to a point; 38) thence S 85° 39' 00" W 87.67 feet to a point; 39) thence N 81° 03' 39" W 157.01 feet to a point; 40) thence N 39° 15' 36" W 41.37 feet to a point; 41) thence N 25° 26' 58" W 107.04 feet to a point; 42) thence N 26° 33' 32" W 76.48 feet to a point; 43) thence N 43° 49' 28" W 94.64 feet to a point; 44) thence S 84° 34' 26" W 36.54 feet to a point; 45) thence S 70° 54' W 71.64 feet to a point; 46) thence S 56° 06' 33" W 166.40 feet to a point; 47) thence S 40° 18' 47" W 86.99 feet to a point; 48) thence S 70° 54' W 71.64 feet to a point; 49) thence S 68° 46' 52" W 41.81 feet to a point; 50) N 73° 06' 25" W 216.23 feet to a point; 51) thence N 36° 03' W 43.75 feet to a point; 52) thence N 46° 42' 09" W 43.44 feet to a point; 53) thence S 72° 51' 30" W 62.36 feet to a point; 54) N 63° 53' 17" W 55.37 feet to a point; thence leaving the common line of Back Creek and running with the common line of Duke Power Company (Deed Book 2793 Page 793) and Elma Cochran (et al) the following two (2) calls: 1) S 8° 40' 19" E 112.50 feet to a found iron rebar; 2) thence S 18° 46' E 514.95 feet to a found iron rebar, said iron rebar being a common corner of Cochrane and the North Carolina Department of Transportation (Deed Book 1870 Page 529) thence with the common line of Cochrane and NCDOT S 16° 35' 45" W 18.46 feet to the point and place of beginning. Said parcel contains 73.96 acres, more or less.

GENERAL NOTES

Unless more stringent standards are established by the Technical Data Sheet or these Development Standards, all development standards established under the Mecklenburg County Zoning Ordinance (the "Ordinance") for the M61 zoning district classification shall be followed in connection with development taking place on the Site. Development may occur in accordance with the Innovative Standards set forth on the Technical Data Sheet. The following Innovative Standards are hereby adopted as part of the Ordinance for the M61 zoning district classification. The Ordinance shall be amended to read as follows:
1. The Site may be developed for single-family residential uses, at a density not to exceed 4.0 dwelling units per gross acre, together with accessory or ancillary structures and uses permitted under the Ordinance in the M61 District (Innovative).
2. Commercial uses shall not be permitted.
3. Buffers, Landscape Setbacks and Common Open Space. As shown on the Technical Data Sheet and the Schematic Site Plan, portions of the Site located along the common boundary with Back Creek are located within the area regulated by the SWM Buffer Ordinance (the "SWM Area"). It is acknowledged that portions of the rear yards of several lots on the Site are located within the SWM Area as generally depicted on the Schematic Site Plan. The Ordinance shall be amended to read as follows:
1. The SWM Buffer shall not exceed 50% of any such rear yard and (b) the aggregate amount of the area represented by the 100' SWM Buffer shall not exceed 10% of the total area of the Site.
2. Portion of the SWM Buffer shall be used to install pedestrian sidewalks or pathways, and utility lines and facilities within the buffer areas and common open space.
3. No driveways, parking spaces or maneuvering areas may be located within buffer areas depicted on the Technical Data Sheet.
4. The Pedestrian shall provide a 30' Landscape Setback area along the length of I-485 that will fulfill Class C Buffer requirements in the manner generally depicted on the "cross-section" set forth on the Technical Data Sheet and section 12.302 of the Zoning Ordinance, provided, however, the Pedestrian reserves the right to install walls, berms, fences and utility lines and facilities within such landscaped area.
5. The proposed improvement to the common open space located on the Site, which consists of a pedestrian path, is depicted on the Technical Data Sheet. Pedestrian connections to the common open space will be provided by the pedestrian path. In addition, the development to take place on the Site will become subject to the applicable subdivision standards and regulations in the same manner as the same time to time governing the Coventry community located to the west and south of the Site (the "Coventry Community") thereby permitting use by homeowners within the development contemplated by this rezoning petition of that portion of the existing common open space located to the west of the Site. The Pedestrian agrees to provide a "sub street" in the appropriate location shown on the Technical Data Sheet to the Site side of Back Creek in a manner that would permit a right-of-way connection between the Site and the existing I-2 property located across Back Creek from the Site (being tax parcel 051-141-04), provided, however, such connection would be permitted only to the extent such property is developed for single-family residential uses.
6. It is understood that Riding Hill Avenue (as shown on the Technical Data Sheet) shall be extended from the existing Coventry Phase 2 development into the Site in the manner generally depicted on the Technical Data Sheet except for the portion crossing Back Creek (traverse) which will have curb adjacent sidewalks. (The portion of Riding Hill Avenue shown on the Technical Data Sheet shall be designed as a Residential Collector Street utilizing a 50-foot wide right-of-way and a cross-section substantially similar to the one set forth in "Type 1" on the Technical Data Sheet. The terminus of the Residential Collector Street standards for Riding Hill Avenue will end at the point shown on the Technical Data Sheet.)
7. Storm Water Management
1. Storm water runoff from the Site will be managed through proven techniques which satisfy the standards, if any, imposed by the Mecklenburg County Engineering Department.
2. Since Development lies within a regulated floodplain, no storm water detention is required on the Site. Amendments to Resolving Plan Future amendments to the Technical Data Sheet and these Development Standards may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Binding Effect of the Rezoning Application If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under this Development Standards and the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and future to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.



FOR PUBLIC HEARING

SYMBOL LEGEND

- Public Streets
- Pedestrian Connection
- Access Point
- Common Open Space
- Tree Save
- Swim Buffer

INNOVATIVE STANDARDS

MINIMUM LOT SIZE	4,000 SF
MIN. FRONT SETBACK	10'
MIN. SIDE YARD	Zero lot line
MIN. REAR YARD	20'
MIN. LOT WIDTH	40'
MIN. BUILDING SEPARATION	6'

DEVELOPMENT DATA

TOTAL SITE AREA	73.96 ac.
TAX PARCEL #S	051-421-05, 06
MAX # LOTS	295
EXISTING ZONING	R-3, I-1
PROPOSED ZONING	MX-1 (Innovative Dev.)
DENSITY/GROSS AC.	4.0 D.U./AC.
COMMON OPEN SPACE	17.3 ac. (23%)

TURNBULL • SIGMON DESIGN
 Turnbull Sigmon Design
 10101 Morehead Square Drive
 Suite 550
 Charlotte, NC 28209
 Phone: 704.529.6500
 Fax: 704.522.0882

LAND DEVELOPMENT DESIGN SERVICES

SEAL: NORTH CAROLINA ENGINEERING BOARD - 2233
 SEAL: NORTH CAROLINA LAND DEVELOPMENT DESIGN BOARD - C-157

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SCALE: 1" = 200'

DUKE MYERS PROPERTY

CITY OF CHARLOTTE, ETJ
 NORTH CAROLINA

TECHNICAL DATA SHEET

Petition # 02-99

PROJECT NUMBER: 02-022
 DRAWN BY: WCT, SFC
 DESIGNED BY: SRT
 ISSUE DATE: 6/14/02

APPROVED BY CITY COUNCIL
 DATE: 6/27/02

9/16/02 ABS PER STAFF COMMENTS
 5/19/02 ABS PER STAFF COMMENTS
 NO. DATE: BY: REVISIONS:

1 SHEET NO 2 OF

TURNBULL • SIGMON DESIGN
 Turnbull Sigmon Design
 10101 Morehead Square Drive
 Suite 550
 Charlotte, NC 28209
 Phone: 704.529.6500
 Fax: 704.522.0882

LAND DEVELOPMENT DESIGN SERVICES

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SCALE: 1" = 200'

DUKE MYERS PROPERTY

MECKLENBURG COUNTY
 NORTH CAROLINA

SCHEMATIC SITE PLAN

Petition # 02-099

PROJECT NUMBER: 02-022
 DRAWN BY: WCT, SFC
 DESIGNED BY: SRT
 ISSUE DATE: 6/14/02

9/16/02 ABS PER STAFF COMMENTS
 5/19/02 ABS PER STAFF COMMENTS
 NO. DATE: BY: REVISIONS:

2 SHEET NO 2 OF

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