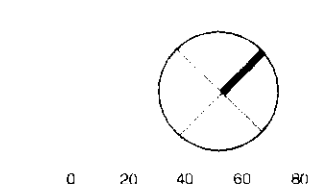


APPROVED BY CITY COUNCIL
DATE *5/1/04*

FOR PUBLIC HEARING
PETITION # 2004-015

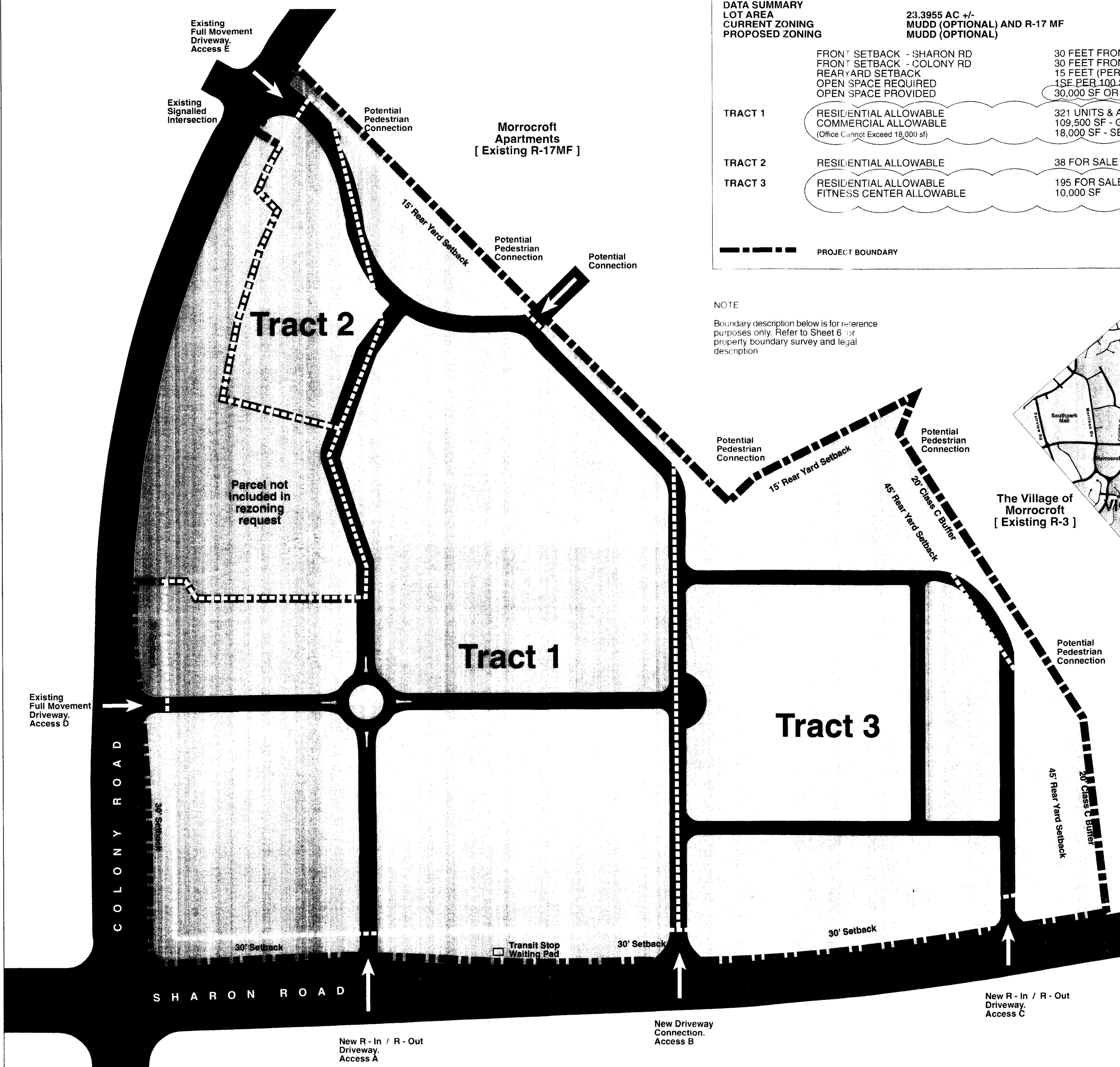
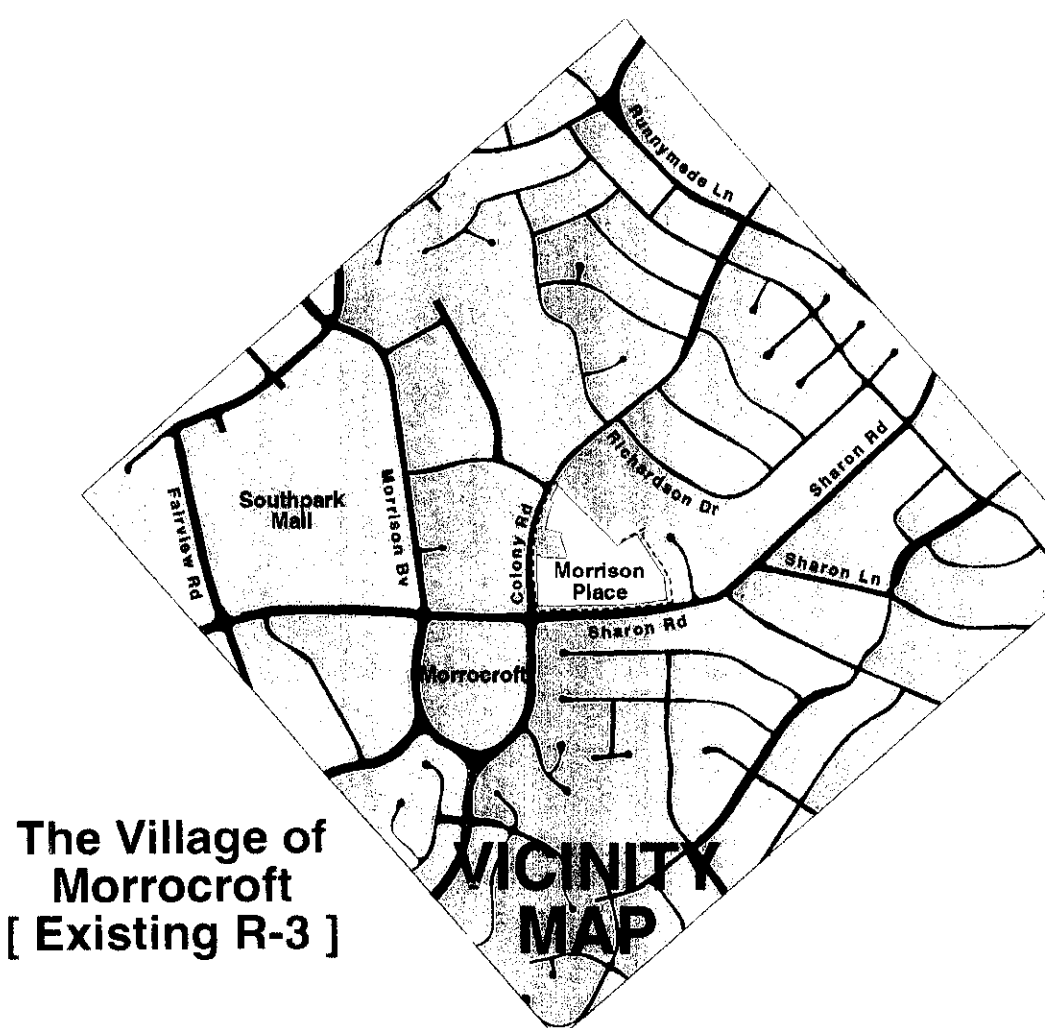
CONCEPTUAL MASTERPLAN
VERSION 8:040804BN
DATE CREATED: 04-08-04
REVISED: 05-24-04
REVISED: 06-13-04
REVISED: 06-20-04
REVISED: 07-16-04
REVISED: 09-16-04
REVISED: 11-16-04



DATA SUMMARY	
LOT AREA	23.3955 AC +/-
CURRENT ZONING	MUDD (OPTIONAL) AND R-17 MF
PROPOSED ZONING	MUDD (OPTIONAL)
	FRONT SETBACK - SHARON RD 30 FEET FROM R.O.W. FRONT SETBACK - COLONY RD 30 FEET FROM R.O.W. REARYARD SETBACK 15 FEET (PER MUDD) OPEN SPACE REQUIRED 1SF PER 100 SF OPEN SPACE PROVIDED 30,000 SF OR GREATER
TRACT 1	RESIDENTIAL ALLOWABLE COMMERCIAL ALLOWABLE (Office Cannot Exceed 18,000 sf)
TRACT 2	RESIDENTIAL ALLOWABLE
TRACT 3	RESIDENTIAL ALLOWABLE FITNESS CENTER ALLOWABLE
	321 UNITS & ACCESSORY USES 109,500 SF - GROUND FLOOR 18,000 SF - SECOND FLOOR
	38 FOR SALE UNITS & ACCESSORY USES
	195 FOR SALE UNITS & ACCESSORY USES 10,000 SF

NOTE

Boundary description below is for reference purposes only. Refer to Sheet 6 for property boundary survey and legal description



--- PROJECT BOUNDARY

New R - In / R - Out Driveway. Access A
New Driveway Connection. Access B
New R - In / R - Out Driveway. Access C

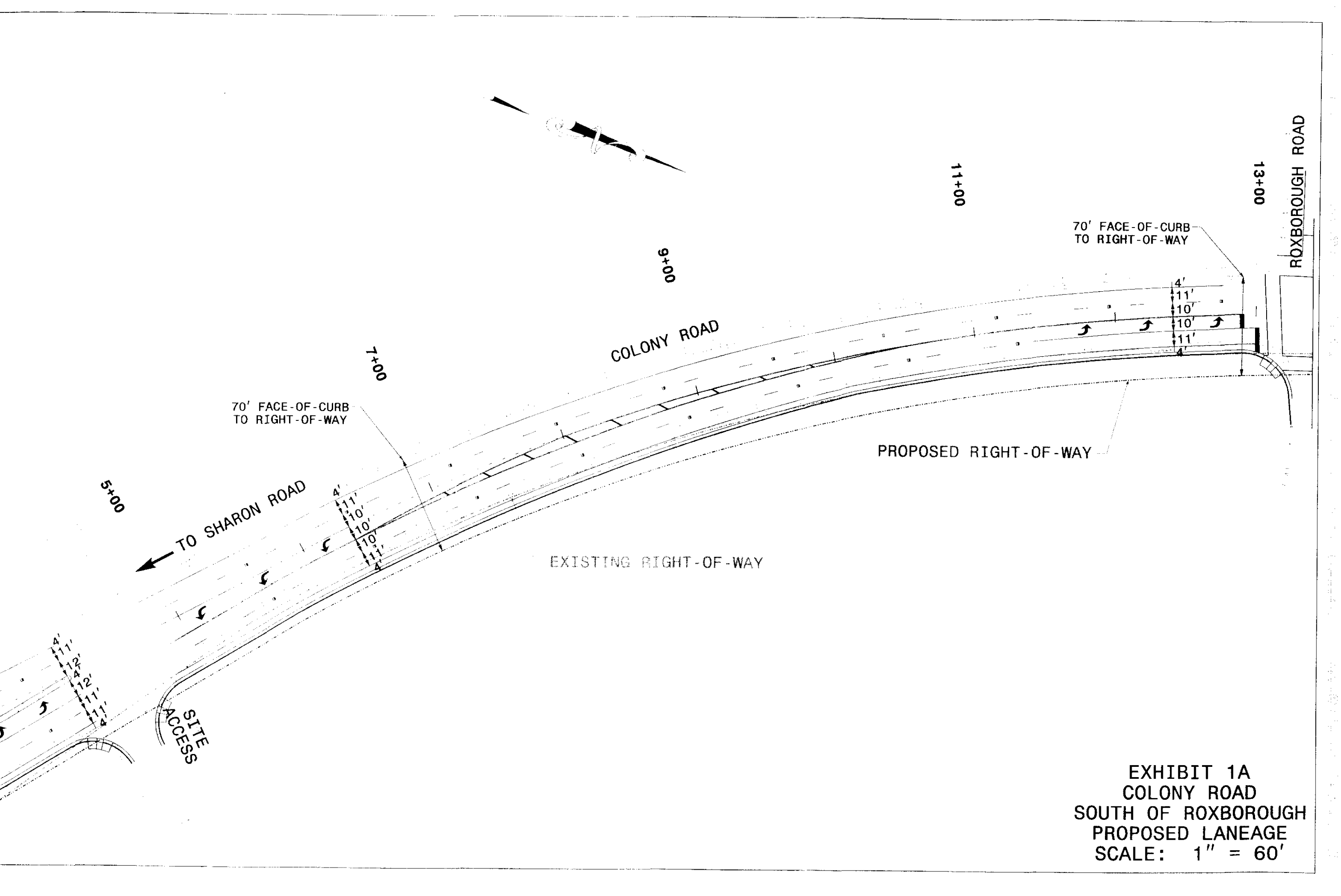
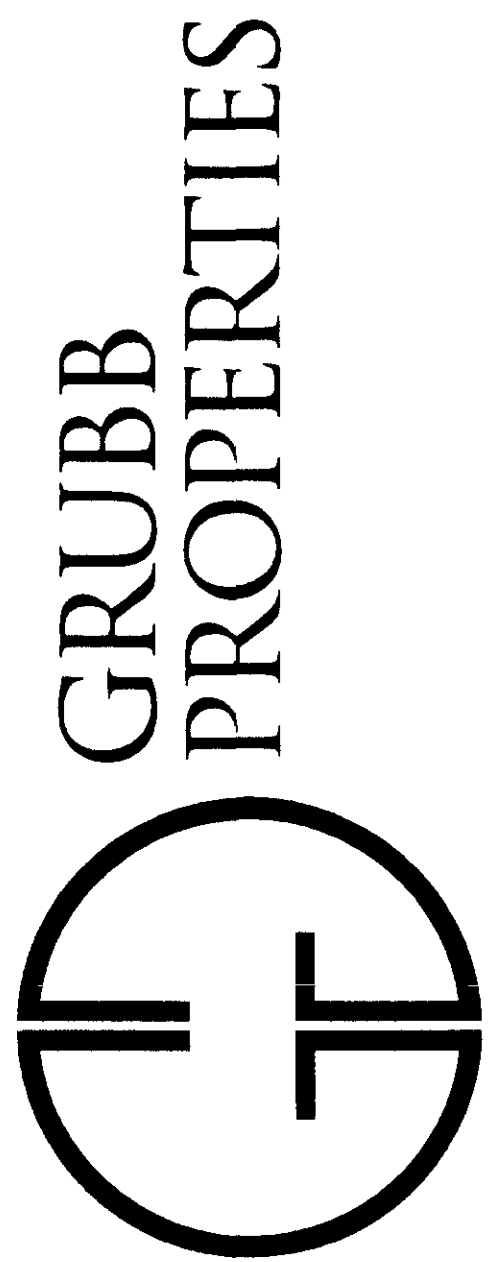


EXHIBIT 1A
COLONY ROAD
SOUTH OF ROXBOROUGH
PROPOSED LANEAGE
SCALE: 1" = 60'



APPROVED BY CITY COUNCIL

FOR PUBLIC HEARING
PETITION # 2004-015

CONCEPTUAL MASTERPLAN
VERSION 8:040804BN
DATE CREATED: 04-08-04
REVISED: 05-24-04
REVISED: 06-13-04
REVISED: 06-20-04
REVISED: 07-16-04
REVISED: 09-16-04
REVISED: 11-16-04

THIS IS TO CERTIFY THAT THIS SURVEY IS BASED UPON MY BEST KNOWLEDGE, INFORMATION AND BELIEF
THIS SURVEY DOES NOT REFLECT A COMPLETE TITLE EXAMINATION. PRECISION IS GREATER THAN 1:10,000

I, Andrew G. Zoutewelle, certify that this plat was drawn under my supervision from an actual survey made under my supervision (see description recorded in Deed Book 10659 Page 913; that the boundaries not surveyed are clearly indicated as dashed lines drawn from adjoining deed sources as shown hereon; that the ratio of precision as calculated is 1:15,000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this _____ day of _____, 2004.

Seal or Stamp
Surveyor: L-3098
Registration Number

LEGEND

- ch. churd
- L,R curve length & radius
- S, I square feet (by coordinates)
- I PIN iron survey stake
- conc. concrete
- - - - - fence line
- MB, DB record map and deed references
- IPF iron pipe found
- IPS iron pin set

I, _____ Review Officer of Mecklenburg County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer _____ Date _____

NOTES

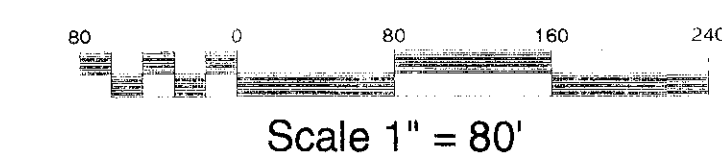
1. TOTAL PROPERTY AREA = 1,145,080 square feet (26,2874 Acres)
2. Source of Title is Deed Book 16228 Page 124. See also Book 10659 Page 913
3. Zoning of this parcel is MUDD-O and R-17 MF. Setback configuration is subject to the approval of the Mecklenburg County Planning Commission. There may be additional buffers required by the Planning Commission. This survey does not reflect a complete zoning analysis.
5. This survey does not reflect complete underground utility locations. Contractor should contact the NC One-Call Utility Locating Service at 1-800-632-4849 before any digging or excavation is begun.
6. This survey does not reflect a complete title examination which may reveal additional easements, restrictions or other matters of file.
7. This property does not lie within a designated Flood Hazard Area as per Flood Insurance Rate Map Panel No. 370159-0227 E dated February 04, 2004
8. The Tax Parcel I.D. numbers of this property are 177-092-03, 177-092-05 and 177-092-06
9. No improvements are shown hereon.
10. This survey is a recombination of land within the City of Charlotte which has a subdivision ordinance.
11. No N.C.G.S. horizontal control is located within 2000' of this site.
12. Iron pipes set on all lot corners unless otherwise indicated.
13. Project has been completed without bury pits, to the best knowledge of surveyor.
14. The individual tracts shown hereon are part of a unified development.

THE PURPOSE OF THIS PLAT IS TO REVISE THE ROAD RIGHT OF WAY ALONG COLONY ROAD AS SHOWN ON PLAT RECORDED IN MAP BOOK 42 PAGE 285 THIS MAP SUPERCEDES AND REPLACES MAP BOOK 42 PAGE 285.

HORIZONTAL CONTROL
POINT #1 (METAL SPIKE IN GRASS)
N = 517726.189
E = 1165726.472
(NAD 83 N.C. GRID)
Combined Grid
Factor = 0.999846067

Copyright 2004

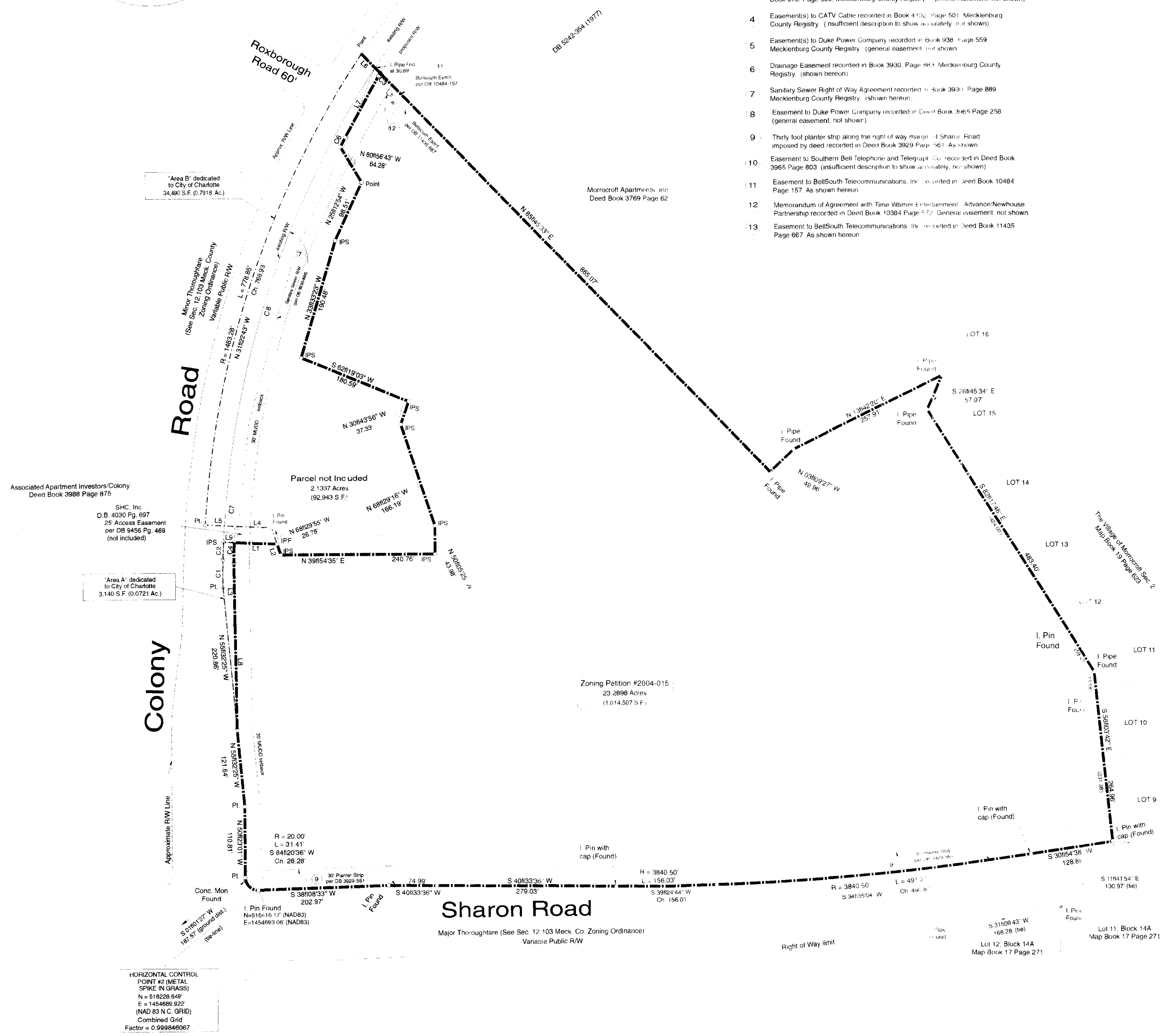
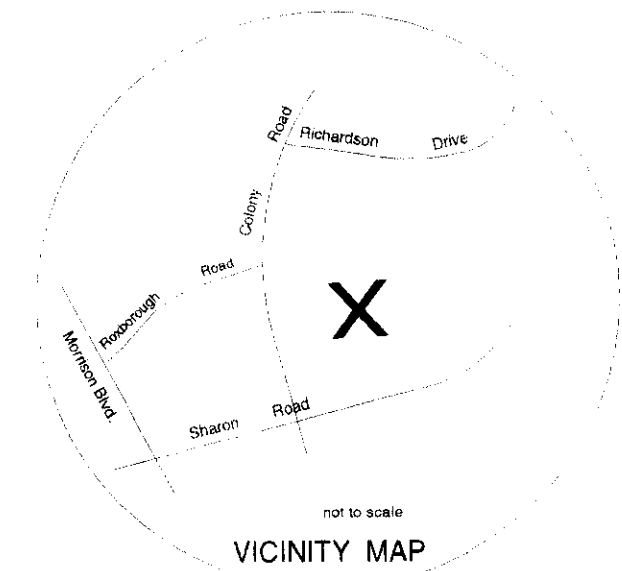
FINAL RECORD PLAT REVISION
MORRISON PLACE - MAP 1
CHARLOTTE, MECKLENBURG COUNTY, N.C.
MORRISON PLACE, LLC (owner)
Scale 1" = 80' August 17, 2004
ANDREW G. ZOUTEWELLE, L-3098
1418 East Fifth Street Charlotte, NC 28204
Telephone 704-372-9444 Facsimile 704-372-9555



A.G. ZOUTEWELLE
SURVEYORS
1418 East Fifth Street Charlotte, NC 28204

EXCEPTIONS TO TITLE

- This survey does not reflect a complete title examination. However, see the following title exceptions:
3. Easements to Southern Bell Telephone and Telegraph Company recorded in Book 878, Page 308, Mecklenburg County Registry. (general easement, not shown)
 4. Easements to CATV Cable recorded in Book 4102, Page 501, Mecklenburg County Registry. (insufficient description to show accurately, not shown)
 5. Easements to Duke Power Company recorded in Book 938, Page 559, Mecklenburg County Registry. (general easement, not shown)
 6. Drainage Easement recorded in Book 3930, Page 881, Mecklenburg County Registry. (shown hereon)
 7. Sanitary Sewer Right of Way Agreement recorded in Book 3931, Page 889, Mecklenburg County Registry. (shown hereon)
 8. Easement to Duke Power Company recorded in Deed Book 3465, Page 258 (general easement, not shown)
 9. Thirty foot planter strip along the right of way margin of Sharon Road imposed by deed recorded in Deed Book 3929, Page 961. As shown.
 10. Easement to Southern Bell Telephone and Telegraph Co. recorded in Deed Book 3965, Page 803. (insufficient description to show accurately, not shown)
 11. Easement to BellSouth Telecommunications, Inc. recorded in Deed Book 10484, Page 157. As shown hereon.
 12. Memorandum of Agreement with Time Warner Entertainment, Advance/Newhouse Partnership recorded in Deed Book 10384, Page 517. (General easement, not shown)
 13. Easement to BellSouth Telecommunications, Inc. recorded in Deed Book 11435, Page 667. As shown hereon.



LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	N 4213627° W	66.50
L2	S 6812955° E	18.31
L3	N 5014821° W	98.05
L4	S 4210349° W	56.87
L5	S 4210349° W	46.17
L6	N 8564533° E	42.08
L7	N 2112154° W	108.10
L8	N 5118074° W	160.34
L9	S 4213627° W	16.80

CURVE TABLE

NUMBER	Radius	Length	Chord Bearing	Chord Dist
C1	977.70	43.35	N 4814614° W	43.35
C2	977.70	27.60	N 4714129° W	27.60
C3	1441.67	5.12	N 1614655° W	5.12
C4	1655.43	31.65	N 4811625° W	31.65
C5	1448.28	125.70	N 1910450° W	125.66
C6	1437.27	16.64	N 2113057° W	16.64
C7	1655.43	50.94	N 4610657° W	50.94
C8	1437.27	564.77	N 3310617° W	561.15

HORIZONTAL CONTROL
POINT #2 (METAL SPIKE IN GRASS)
N = 516228.648
E = 11654698.922
(NAD 83 N.C. GRID)
Combined Grid
Factor = 0.999846067

DEVELOPMENT STANDARDS - REZONING PETITION # 2004-15

Morrison Place Development at Sharon and Colony Roads

General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Grubb Properties to accommodate development of a mixed use, pedestrian-friendly village type center to be known as Morrison Place (formerly known as Park South) on a 23.4 acre, more or less, site located at the northwesterly corner of the intersection formed by Sharon Road and Colony Road (the Site). Development of the Site will be governed by the Technical Data Sheets (6 sheets), these Development Standards, and the applicable provisions of the City of Charlotte Zoning Ordinance (the Ordinance) subject to the Optional Provisions set forth under Section A below. Unless the Technical Data Sheets or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Mixed Use Development District (MUDD) Zoning Classification, shall govern all development taking place on this Site.

The exact alignment of internal streets and driveways has not been determined and are subject to final design and engineering plans. Minor modifications or alternations of these alignments may therefore take place during design development and construction phases.

The exact locations of buildings and parking areas have also not been determined and are subject to final design and engineering plans. Accordingly, flexibility shall be granted to the Petitioners/Developers to make adjustments to the precise building sizes and locations shown on the Site Plan during final design changes. However, buildings shall be located within the building envelopes depicted on the Technical Data Sheet, their placements shall be generally consistent with the locations depicted on the Site Plan and they shall satisfy all other Ordinance Standards.

Locations of trees, plantings, open space and hardscape amenities may be altered or modified to accommodate Site plan configuration changes. Parking layouts may also be modified to accommodate final building location and parking spaces may be located inside or outside building envelopes to the extent permitted by the Ordinance and the Optional provision outlined above.

All such changes are subject to approval per Section 6.206(2) of the Ordinance.

A. Optional Provisions

This Petition proposes a unique concept for an outdoor parking courtyard facing Colony Road. This courtyard will adjoin areas devoted to retail shops, residential and/or restaurants that may include outdoor dining facilities and seating along with intensive streetscape and landscaping elements. The courtyard will also include automobile parking to support the restaurants and other nearby uses. As such, the Petitioner is requesting a variation from Section 9.8507 (2) to allow parking within the outdoor courtyard area. (See Sheet 4 for detail of outdoor courtyard treatment).

The Petitioner also requests a variation from the MUDD signage provisions in order to allow for a series of 6 detached, ground-mounted signs in the locations indicated on the Schematic Site Plan on Sheet 2. (See Signs provision below.) 4 signs will be used for the commercial / mixed-use portion of the project and will be located at Access points A, B, and D and will be no greater than 65 square feet in size and up to 5 feet in height. 2 signs will be used for the residential portion of the project and will be located at Access points C and E and will be no greater than 32 square feet in size and up to 4 feet in height.

B. Permissible Development & Uses

1. TRACT 1:

Permitted Uses: Tract 1 may be devoted to any commercial uses and residential uses, including any accessory uses, as permitted in the MUDD Zoning Classification, except the following disallowed commercial uses:

- Convenience stores
Car washes
Automobile service stations
Restaurants with interior dining spaces of greater than 4,000 square feet subject to the permitted exceptions provided below.
Retail tenants with over 15,000 square feet of floor area per floor of a building, subject to the permitted exceptions provided below.

Permitted Development: Development of Tract 1 shall be subject to the following restrictions and limitations:

Residential Up to 321 residential units along with accessory uses

Commercial Up to 109,500 square feet of ground floor commercial uses. In addition, commercial uses may be allowed to occupy second floors of buildings for up to an additional 18,000 square feet. Of the total 127,500 square feet of commercial space, no more than 18,000 square feet may be devoted to office uses.

No commercial tenants within the center shall occupy over 15,000 square feet of floor area with the exception that one tenant within Building A may occupy up to 15,000 square feet of first floor space and 17,000 square feet of second floor space, and one tenant within Building F may occupy up to 25,000 square feet of floor space a portion of which may be located on the second floor.

No restaurants with interior dining space of over 4,000 square feet shall be permitted in this Tract with the exception of two restaurants which may each contain interior dining spaces of up to 5,500 square feet.

Building Descriptions / Restrictions

Building A Building A must contain two stories of occupied floors and no part of the structure may exceed 50 feet in height measured from the average grade of the building. Building A may contain up to 18,000 square feet of total ground floor commercial uses and up to 18,000 square feet of total second floor commercial uses, subject however, to the maximum square footage limitation provided above for Tract 1.

The second floor of Building A must contain usable area which is no less than 60 percent of the ground floor area. Any part of the building not covered with a second story must have a pitched roof or clearstory space with windows to provide the visual aesthetic of a second floor use or roofline.

Building B Building B must contain two stories of occupied floors and no part of the structure may exceed 50 feet in height measured from the average grade of the building. Building B is permitted to include up to 25,000 square feet of ground floor commercial uses, subject however, to the maximum square footage limitation provided above for Tract 1.

Building B must contain second floor residential uses and the usable area must be no less than 40 percent of the ground floor area. Any part of the building not covered with a second story must have a pitched roof or clearstory space with windows to provide the visual aesthetic of a second floor use or roofline.

Building C Building C may not contain more than three stories of occupied floors and no part of the structure may exceed 65 feet in height measured from the average grade of the building. Building C is permitted to include up to 7,500 square feet of ground floor commercial uses, subject however, to the maximum square footage limitation provided above for Tract 1. The second floor of Building C may contain up to 7,500 square feet of commercial uses instead of residential on the second floor, subject however, to the maximum square footage limitations provided above for Tract 1. Building C must contain residential uses on at least one of the second or third floors for a minimum of one full floor.

Building D Building D may not exceed 90 feet in height measured from the average grade of the building. Building D may contain up to 5,000 square feet of commercial uses and/or up to 38 residential units and residential accessory subject however, to the maximum square footage and unit limitations provided above for Tract 1. Residential uses must be located on at least one full floor above the ground level, subject however, to the maximum unit limitations provided above for Tract 1. Building D may contain a ground floor garage structure immediately under or behind the residential portion of the building provided they are architecturally treated as a facade and integrated with the building design.

Building E Building E must contain two stories of occupied floor space and no part of the structure may exceed 50 feet in height measured from the average grade of the building. Up to 25,000 square feet of ground floor commercial uses may be located in Building E, subject however, to the maximum square footage limitations provided above for Tract 1. The second floor of Building E must contain residential uses.

Building F Building F must contain at least two stories and no more than four stories and no part of the structure may exceed 70 feet in height measured from the average grade of the building. Building F may contain up to 37,000 square feet of ground floor commercial uses, subject however, to the maximum square footage limitations provided above for Tract 1. Building F must contain residential uses occupying a floor area which is at least equal to 60% of the total ground floor floor area, subject however, to the maximum unit limitations provided above for Tract 1.

Building G Building G must contain at least two stories and no more than five stories and no part of the structure may exceed 70 feet in height measured from the average grade of the building. However, no portion of any building located within 40 feet of the property line along the Site's northerly boundary may exceed 45 feet in height measured from the average grade of the building. Only residential uses will be allowed in Building G and these uses will be subject to the maximum unit limitation provided above for Tract 1.

Petitioner reserves the right to join Building F with Building G and combine their uses so as to form a continuous building. In the event that both buildings are combined, Petitioner will be allowed to combine the total ground floor and upper floor uses allowed between the two buildings. Commercial uses however, will be limited to the area designated as Building F.

2. TRACT 2

Permitted Uses: Tract 2 may be devoted to only residential uses, including any accessory uses as permitted in the MUDD Zoning Classification.

Permitted Development: Tract 2 may be developed with up to 38 for-sale residential units and accessory uses as permitted in the MUDD zoning classification.

Building Descriptions / Restrictions

No part of any building built within Tract 2 shall exceed 90 feet in height as measured from average grade around the building to the top of a flat roof or to the ridge of a pitched roof.

3. TRACT 3

Permitted Uses: Tract 3 may be devoted to residential and fitness center uses, including any accessory uses as permitted in the MUDD Zoning Classification.

Permitted Development: Tract 3 may be developed with up to 195 for sale residential units and a fitness center open to the public containing up to 10,000 square feet as permitted in the MUDD zoning classification and subject to the following building restrictions.

Building Descriptions / Restrictions

Any portion of any building technical Data Sheets.

4. Other Use Conditions and Limitations (all Tracts)

Accessory uses to the residential development include but are not limited to, laundry rooms, leasing offices, property management offices, pools, clubhouses, fitness rooms, storage/panitorial rooms, lobbies, concierge areas, loading docks, and trash/recycling areas shall not be included in the calculation of the maximum floor areas or residential units noted above.

Accessory uses to the commercial development are limited to loading docks, and trash/recycling areas which shall not be included in the calculation of the maximum floor areas or allowable commercial square footage noted above.

Any surface level parking or structured parking facilities shall not be included in the calculation of the maximum floor areas or maximum residential units noted above. Surface, on-street, and/or structured parking facilities may be constructed within Tracts 1, 2 and 3.

Residential units may be transferred from Tract 2 and Tract 3 to Tract 1 subject to the maximum residential unit count established for the entire site. Additional residential units may not be transferred to either Tract 2 or Tract 3.

C. Setbacks, Side Yards, Rear Yards and Edge Treatments

1. All buildings constructed within the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the Mixed Use Development District (MUDD), and as depicted on the Technical Data Sheet Site Plan - Sheet 2. The setback along Colony Road is to be measured from the back of the new (future) curb line.

2. The edge treatment along the Village of Morrocroft property line (see Technical Data Sheet) shall include the following minimum elements:

- A landscape strip of at least 20 feet in width that shall include sufficient planting materials to satisfy the standards of a Class C buffer.
A minimum distance of 45 feet between the Village of Morrocroft property line and any buildings located within Tract 3.

Note: The above referenced 20 foot landscape strip may be included within the 45 foot building separation and the walking trail may meander throughout the 45 foot building separation.

D. Architectural Controls

- Buildings constructed on the Site along Sharon Road and Colony Road will utilize four-sided architecture and contain windows, and doors that face these streets and these doors shall be operational. Large expanses of solid walls for these buildings will be avoided through the introduction of articulated facades and other specially designed architectural elements in accordance with the Ordinance.
Dumpster areas will be enclosed on all four sides by an opaque wall with one side being a hinged opaque gate. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side. Dumpsters will be screened in accordance with the Ordinance. No dumpsters will be located within 100 feet of the northerly or easterly property lines abutting residential zoning classifications.
The design treatment of the proposed development shall include, at a minimum, the following amenities as generally indicated on the Schematic Site Plan

- a. a parking courtyard/plaza area, as generally depicted on Sheet 4, along Colony Road, featuring paving materials that are different and distinct from the paving materials within the standard parking areas, such as stamped asphalt or pavers, as well as heavy landscaping and an architectural and/or landscape element on the corner.
b. the parking courtyard/plaza area shall contain heavy landscaping including but not limited to, large and/or small maturing trees and decorative trees, as generally depicted on Sheet 4, and in excess of that required by the City of Charlotte Tree Ordinance.
c. seating located throughout the courtyard/plaza area, a walking trail and bicycle path system extending along the perimeter of the Site generally as depicted on the Schematic Site Plan - Sheet 2.
d. a low-lying brick screen wall which is at least 3 feet in height along the perimeter of the courtyard abutting Colony Road as indicated on Sheet 4 will be constructed, and
e. urban open space/hardscape areas which may contain stamped asphalt or pavers, heavy landscaping, outdoor dining/seating, etc. as highlighted on Sheet 3

- 4. The existing buildings within Tract 3 may be either demolished or preserved subject to the maximum number of units allowed for the Tract. In the event such buildings are preserved, they may be up-fitted without coming into compliance with Section 9.8506 of the Ordinance.
5. The Petitioner shall provide for the burial of the existing overhead utility lines along those portions of Sharon and Colony Roads abutting the site.
6. The building materials for all elevations shall include brick and glass as the primary construction material with accents of stucco, architectural concrete block, EIFS, natural or manufactured stone, pre-cast concrete, and architectural metals. At least 60% of the exterior opaque vertical surfaces below the eaves (not including the doors and windows) of all buildings constructed within the mixed-use portion of the site will be composed of brick.

E. Phases

Any or all portions of the development permitted in Tract 1, Tract 2 or Tract 3 may be constructed at any point subject to Section P below. Temporary interim parking may be provided throughout the Site subject to the standards of the Ordinance.

F. Streetscape Treatment

- 1. The streetscape treatment along Sharon Road and Colony Road will conform to Section 9.8506 of the Ordinance and include either existing or proposed large or small maturing trees and supplemental shrubbery.
2. The Petitioner shall make every reasonable effort to preserve all existing trees six inches in caliper and larger located within the 30-foot setbacks along Sharon Road and Colony Road, with the exception of trees which may be removed in order to install driveways across the setbacks. The Petitioner will utilize tree protection measures such as barricades during the construction process and tree maintenance measures such as automatic irrigation in an effort to preserve such trees.

3. The Petitioner shall cause to be installed on the Site six-foot wide sidewalks and eight-foot wide planting strips along its frontage on Sharon Road and Colony Road as new development occurs adjacent to the streets.

4. Sidewalks of at least 5 feet in width shall be provided along both sides of all internal streets and extending from the interior of the Site out to the sidewalks system along Sharon Road and Colony Road, as generally depicted on the Schematic Site Plan - Sheet 2.

5. Large maturing trees, spaced approximately 40 feet on center, shall be provided along both sides of all internal streets.

6. Bicycle racks containing a minimum of 36 total spaces will be provided at location(s) within the mixed-use portion of the project in order to provide secure storage locations for bicycles.

G. Screening and Landscaping Areas

- 1. The Petitioner shall cause to be installed within the setback areas along Sharon Road and Colony Road, trees and other materials in accordance with the City of Charlotte Tree Ordinance and Sheet 2 and shall thereafter maintain or cause to be maintained all such materials (including replacement of all dead or dying trees and/or other plant materials).
2. Internal areas of the Site shall be landscaped in accordance with the requirements of the City Code and the Schematic Plan - Sheet 2.

3. The landscape area along the rear project edge shall conform to the standards and treatments delineated in the Schematic Site Plan - Sheet 2 and on Sheet 3 and will include large or small maturing trees and a walking trail.

4. The height of any screening materials located at the corner of Sharon Road and Colony Road shall comply with the provisions of Section 12.109 of the Ordinance to maintain clear sight triangles.

5. All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.

6. The Petitioner agrees to construct, at its cost, a 6-0 high brick or stone veneer wall along the entire length of the property boundary between the proposed development and the Village of Morrocroft development if the appropriate easements can be obtained. The wall will be constructed on the Village of Morrocroft side of the boundary line and may contain gates at intervals along the length of the wall to provide access to the project from the Village of Morrocroft neighborhood.

7. Storm water retention areas will be located to the rear of the site within Tract 1 and 3 and each of these areas will contain heavy landscaping and seating.

8. All other screening and landscaping shall meet or exceed the standards of the Ordinance.

H. Parking and Loading

- 1. Off street parking and loading will meet the standards established under the Ordinance.
2. Parking areas may include surface parking and/or structured parking. Surface parking areas will be screened in accordance with the Ordinance. Developer is allowed to vary the location, quantity and configuration of the proposed parking areas identified in the Schematic plan. Structured parking will be treated architecturally or screened by buildings and/or landscaping in order to avoid large expanses of blank walls.

3. Angled, parallel or perpendicular parking may be provided along internal streets within the Site.

I. Lighting

1. The Petitioner shall provide pedestrian-scale lighting along Sharon and Colony Roads, along the internal streets, at vehicular entrances to the Site from Sharon and Colony Roads and along the walking trail. The Petitioner shall thereafter maintain or cause to be maintained all such lighting. All pedestrian scale lighting will be capped to direct lighting downward.

2. The maximum height of any freestanding lighting fixture located on the Site (other than streetlights on public rights-of-way) including its base, shall not exceed 20 feet. All parking lot lighting shall be designed such that direct illumination does not extend past any property line.

3. No wall pack light fixtures will be allowed on any structures constructed on the Site. However, wall-mounted decorative light fixtures such as sconces are permitted.

J. Signs (See Optional Provision)

- 1. A master signage and graphics system will be implemented throughout the Site. The Petitioner intends to submit documentation of this system to the City of Charlotte for approval.
2. Any detached signage shall be ground-mounted or monument-style. Commercial / Mixed Use detached signage will be no more than 5 feet in height as measured from the final grade and no more than 65 square feet in size. The area of the copy of any Commercial / Mixed Use detached signage shall not exceed a size of 50 square feet per sign. Residential detached signage will be no more than 4 feet in height as measured from the final grade and no more than 32 square feet in size. The area of the copy on any Residential detached signage shall not exceed a size of 28 square feet per sign.

K. Access Points

- 1. Each of the proposed vehicular accesses to Sharon Road will be limited to a right-in, right-out driveway, as generally indicated on the Technical Data Sheet with the potential exception of the middle access (Access B) along Sharon Road which may be improved as a signalized, full movement intersection if approved by CDOT.
2. Vehicular access to Colony Road shall be limited to two driveways, as generally depicted on the Technical Data Sheet Schematic Site Plan - Sheet 2.

3. The placement and configuration of each of these access points are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation.

4. Upon its completion, the walking trail will be open and available for use by the general public. This path shall be at least 19 feet in width through the back portion of the site.

5. The vehicular connection to the adjoining Morrocroft Apartments will be located no closer than 350 feet to Colony Road.

L. Right-of-Way Conveyance

The Petitioner shall dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) those portions of the Site required to provide right-of-way measuring 50 feet from the centerline of Sharon Road and 35 feet from the centerline of Colony Road prior to the issuance of any building permits on the Site if such right-of-way does not presently exist. The Petitioner further agrees to dedicate at least 6 feet of right-of-way behind the new curbline on Colony Road to accommodate required and proposed transportation improvements as described in Paragraphs P.1 and P.4 below, or 35 feet from the centerline, whichever is greater.

Petitioner agrees to grant the City an easement for roadway construction purposes on any additional land beyond 50 feet from centerline of Sharon Road that may be necessary to accommodate the City's planned Phase XI improvements on Sharon Road.

M. Transit Stop Waiting Pad

A concrete pad of approximately 10 feet by 15 feet shall be provided as a waiting area for transit riders. The waiting pad shall be located generally in the area noted on the Schematic Site Plan.

N. Fire Protection

Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshal's specifications. Plans for each building will be submitted to the Fire Marshal's office for approval before the construction of that building commences.

O. Storm Water Management

Storm water runoff from the Site will be managed through proven techniques that satisfy the standards imposed by the City of Charlotte and surface level detention will not be located in the setback. The Petitioner shall have the existing drainage system located in the culverts under Sharon Road and Colony Road abutting the Site analyzed to ensure that it will not be taken out of standard due to this development. If it is found that the development will cause the receiving storm drainage system to be taken out of standard, the Petitioner shall provide adequate detention to prevent this from occurring. Should the existing receiving drainage system be deemed to be out of standard prior to development

of its Site, the Petitioner agrees to provide adequate detention to ensure that the system will not be additionally overburdened.

P. Transportation Commitments:

1. Construction Commitments

a. The Petitioner shall provide all of the following roadway improvements prior to the issuance of any certificates of occupancy for any new development on the Site.

- i. Provision of vehicular access for Tract 1 and Tract 3 to Access E via Tract 1 and Tract 2
ii. Construction of northbound and southbound left turn lanes on Colony Road at Access D (the existing full movement intersection at Cornerwood Lane and Colony Road)
iii. Construction of northbound and southbound left turn lanes on Colony Road at Access E (the existing full movement, signalized intersection at Roxborough Road and Colony Road)
iv. Construction of a second eastbound left turn lane on Colony Road at Sharon Road
v. Construction of a minimum of two of the following three Access points to Sharon Road:
Access A (a new right in/right out driveway to Sharon Road closest to Colony Road)
Access B (a new right in/right out driveway to Sharon Road halfway toward Colony Road or a full movement, signalized intersection subject to CDOT approval)
Access C (a new right in/right out driveway to Sharon Road closest to Morrocroft Lane)

b. In addition to constructing the above transportation improvements prior to the issuance of any certificates of occupancy for the Site, the Petitioner will also not receive any certificates of occupancy for the site until the City's planned Phase XI road improvement to Sharon Road has been completed. The Petitioner may, at its option, elect to construct the City's planned Phase XI improvement to Sharon Road along the Site's Sharon Road frontage in accordance with the City's design (in which case the City would cover labor and costs associated with paving for this improvement up to \$175,000) in order to allow for the release of certificates of occupancy for the Site. In this event the Petitioner shall construct that part of the City's planned Phase XI Sharon Road improvement along the Site's Sharon Road frontage in accordance with City's design, with the Petitioner paying all costs except those associated with paving, which paving costs will be borne as follows:

- i. first \$175,000 by the City and any cost over that amount by the Petitioner; and
ii. construct at Petitioner's cost Access A; and
iii. construct at Petitioner's cost either Access B or Access C

2. Design Commitments

a. Until the design of each of the roadway/intersection improvements described in Section P.1.a above is completed and reviewed / approved by CDOT, no Site Plans may be approved by the Petitioner/Developer for any building/driveway permits.

b. The Petitioner shall, at its expense, design the proposed second east bound left turn lane on Colony Road at Sharon Road so as to establish and determine for these portions of Colony Road the proposed curb lines and the new setback lines as measured from the proposed curb lines.

3. Signal Modifications

The Petitioner will be responsible for all costs associated with signal modifications which are directly related to and made necessary by the roadway/intersection improvements described above at the intersection of Colony/Roxborough Roads, the intersection of Colony/Sharon Roads, and the potential intersection located at the middle entrance along Sharon Road that may become a full movement signalized intersection subject to CDOT approval; including, but not limited to, traffic signals, signal poles and steel poles/mast arms, pedestrian signals, loop detectors, any related equipment, signal control or relocation and pavement markings.

4. Right-of-Way to Add Second Northbound Lane on Colony Road from Sharon Road

Petitioner agrees to dedicate and convey to the City prior to building/driveway permit approval (by quitclaim deed and subject to reservation for any necessary utility easements) that part of the Site necessary to add a second northbound lane on Colony Road from Sharon Road to a location north of Roxborough Road, all as more particularly depicted on Exhibit 1B which was prepared by Petitioner's traffic consultant in collaboration with CDOT.

Petitioner further agrees to exercise good faith efforts to secure for the City that part of the adjoining parcel needed to provide a minimum of 6 feet of right-of-way measured from the back of the proposed curbline to add a second northbound lane on Colony Road from Sharon Road to a location north of Roxborough Road, all as more particularly depicted on Exhibit 2B which was prepared by Petitioner's traffic consultant in collaboration with CDOT. Should the Petitioner not be able to acquire the off site right-of-way described above, all as more particularly depicted on Exhibit 2B, through good faith efforts at a reasonable cost appraised value prior to building/driveway permit approval, the Petitioner agrees to contribute the cost of such right-of-way to the City prior to obtaining a Certificate of Occupancy for the first building on the Site. The cost of this right-of-way is to be determined by the City in accordance with its standard right-of-way appraisal/acquisition practices. Petitioner shall be responsible for the City's costs in determining the value of this right-of-way. Contributed funds are to be kept by the City in an escrow account for the potential future construction of this Colony Road construction Project. Contributed funds will be returned to the Petitioner if the Project has not been funded within 15 years of the date on which this Rezoning Petition is approved.

Q. Amendments to Rezoning Plan

Future amendments to the Technical Data Sheet, the Schematic Plan and these Development Standards may be applied for by the then Owner or Owners of the parcel or parcels within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

R. Binding Effect of the Rezoning Documents and Definitions

- 1. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under this Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
2. Throughout these Development Standards, the terms, "Petitioner" and "owner" or "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

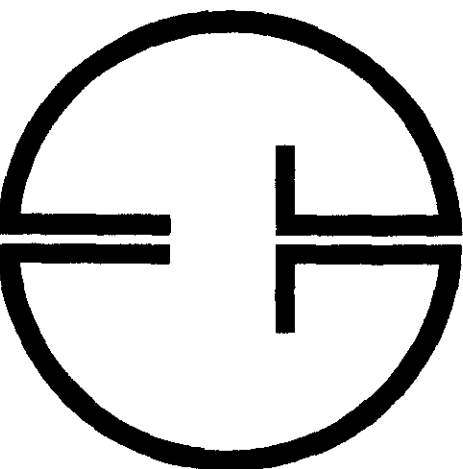
Michael Gallis & Associates

1000 West Morehead St. Suite 150 Charlotte, NC 28208 (704) 332 - 6677

TECHNICAL DATA SHEET

SHEET 6 OF 7

GRUBB PROPERTIES

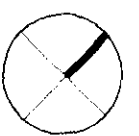


APPROVED BY CITY COUNCIL

DATE 5/15/04

FOR PUBLIC HEARING PETITION # 2004-015

CONCEPTUAL MASTERPLAN VERSION 8:040804BN DATE CREATED: 04-08-04 REVISED: 05-24-04 REVISED: 06-13-04 REVISED: 06-20-04 REVISED: 07-16-04 REVISED: 09-16-04 REVISED: 11-16-04





TYPICAL TRACT 1, BUILDING G, APARTMENT BUILDING TYPE



TYPICAL TRACT 2 LUXURY CONDO BUILDING TYPE

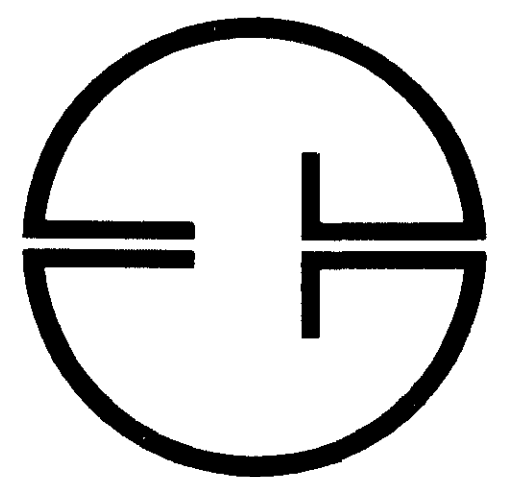


TYPICAL TRACT 3 TOWNHOME BUILDING TYPE



TYPICAL TRACT 3 CONDO BUILDING TYPE

GRUBB
PROPERTIES



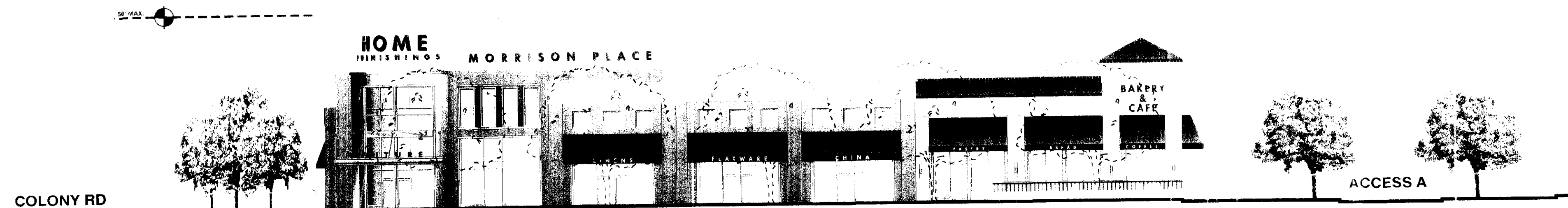
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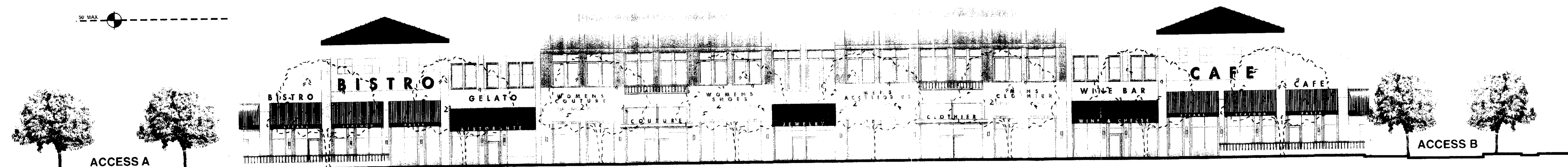
NOTE

Elevations shown are conceptual and are subject to change during architectural design.

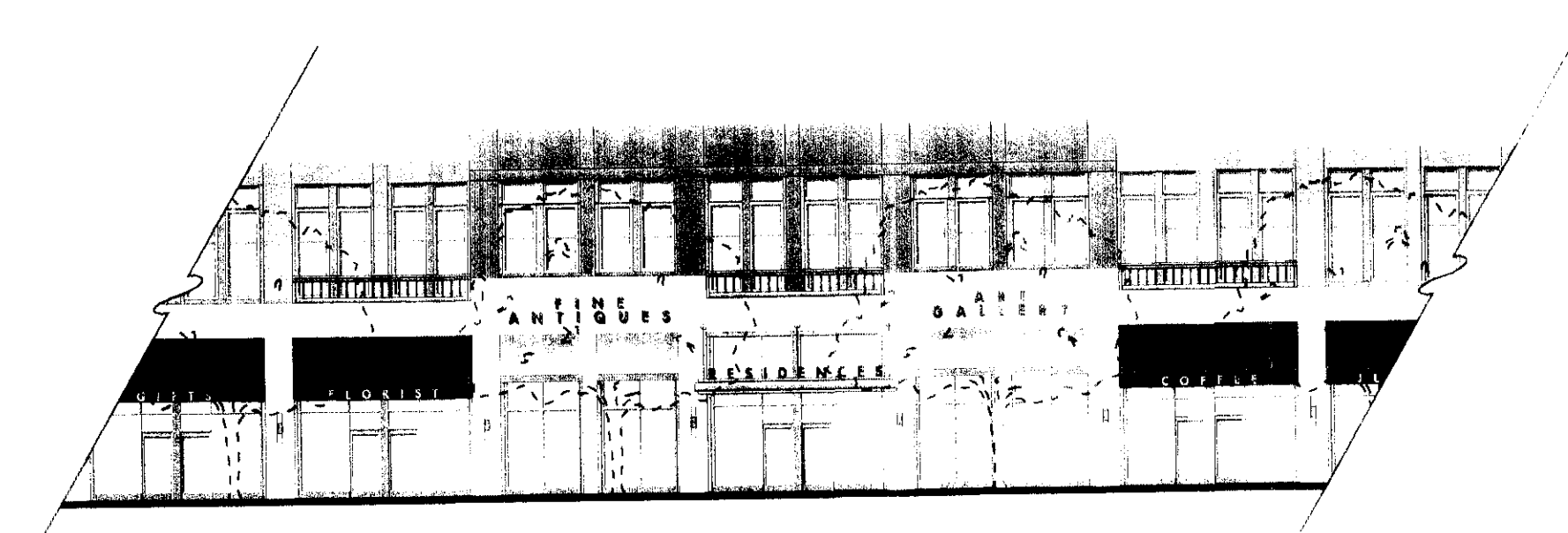
Courtyard plan shown below is conceptual and subject to configuration change during architectural design. Plantings and tree locations may vary based on final design.



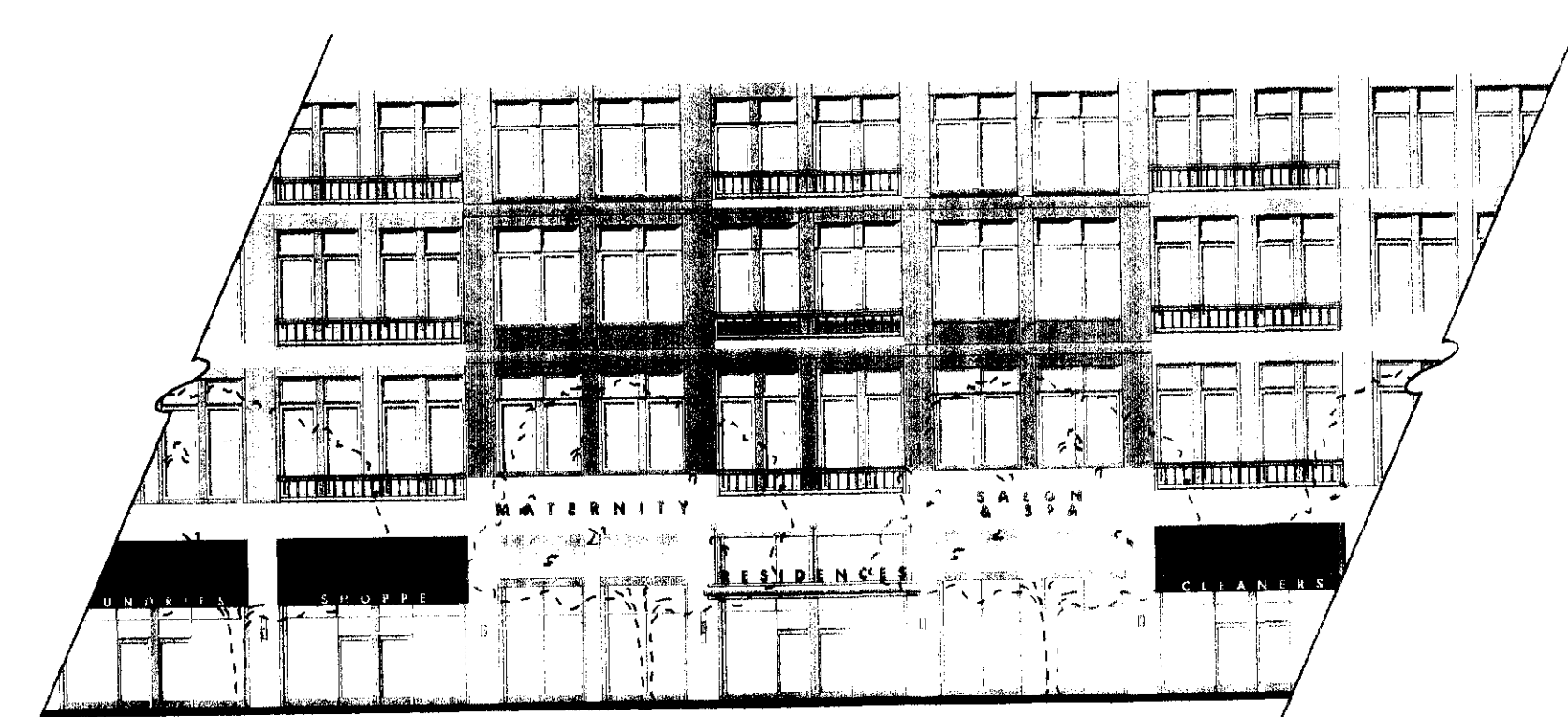
BUILDING A - CONCEPTUAL ELEVATION (Looking from Sharon Road)



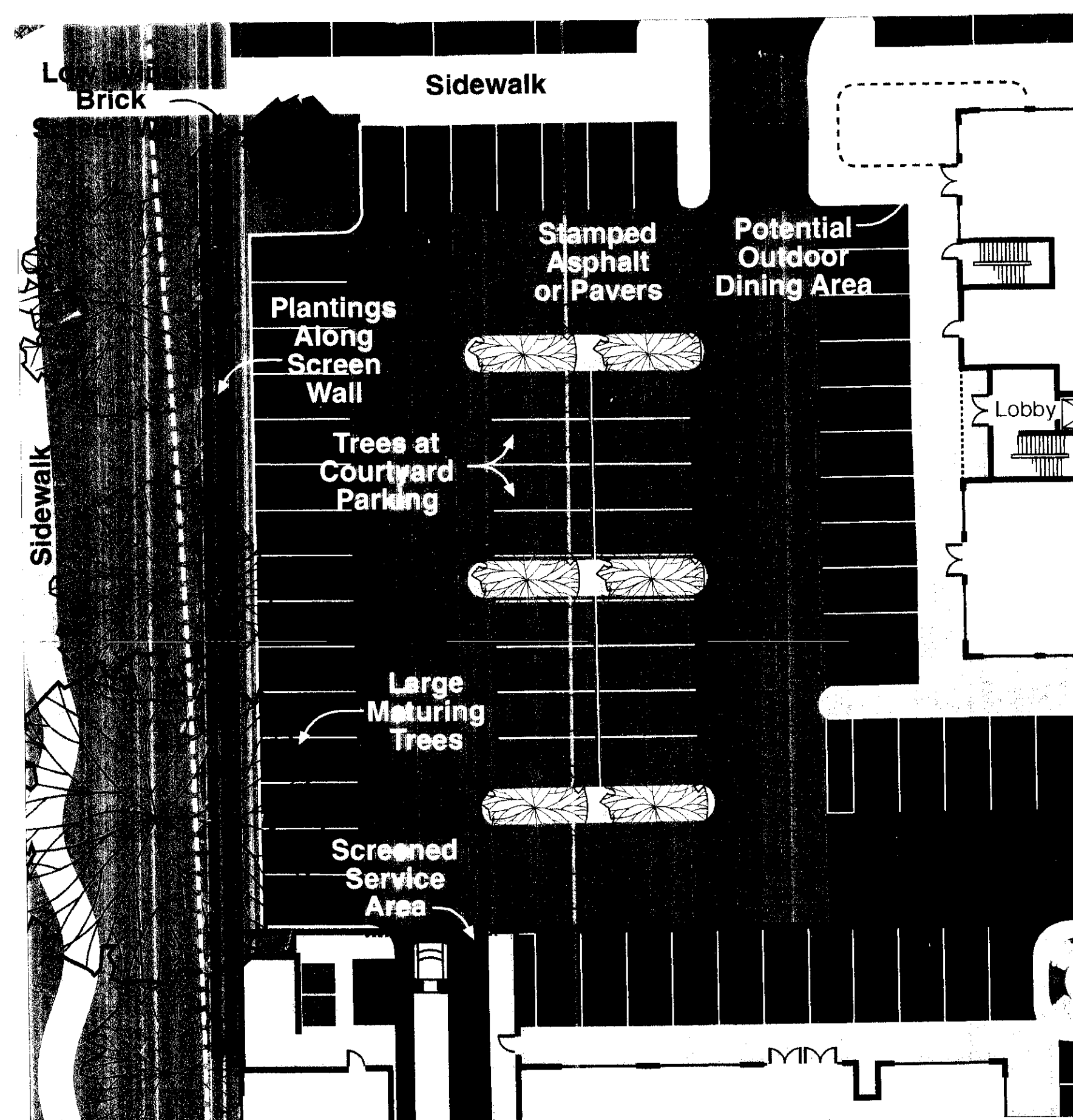
BUILDING B - CONCEPTUAL ELEVATION (Looking from Sharon Road)



TYPICAL TWO STORY CONCEPTUAL ELEVATION - MIXED USE (Residential over Retail)

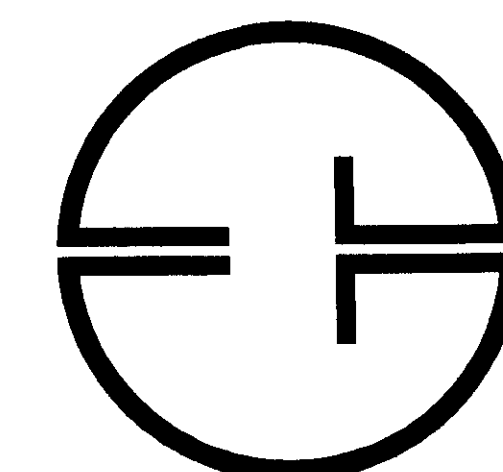


TYPICAL THREE TO FOUR STORY CONCEPTUAL ELEVATION - MIXED USE (Residential over Retail)



CONCEPTUAL COURTYARD PLAN

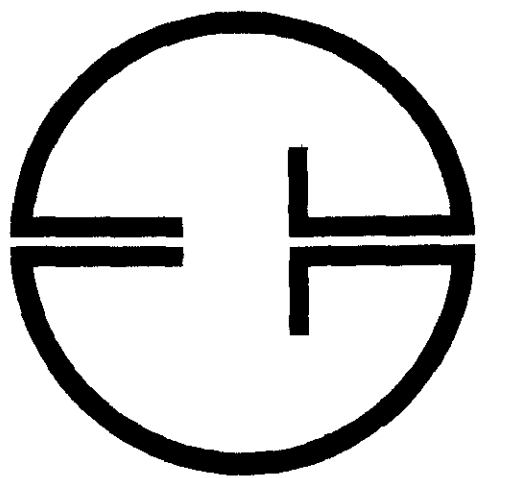
GRUBB PROPERTIES



APPROVED BY THE BOARD OF DIRECTORS

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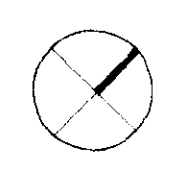
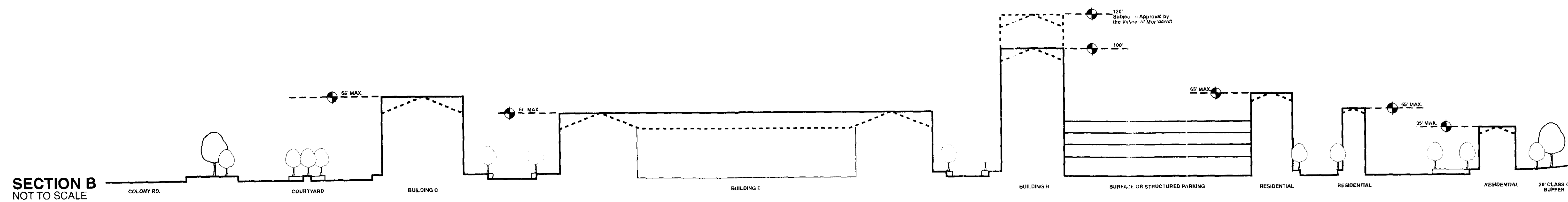
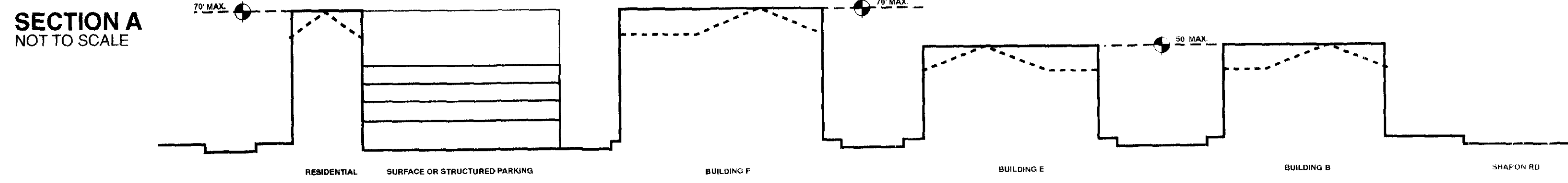
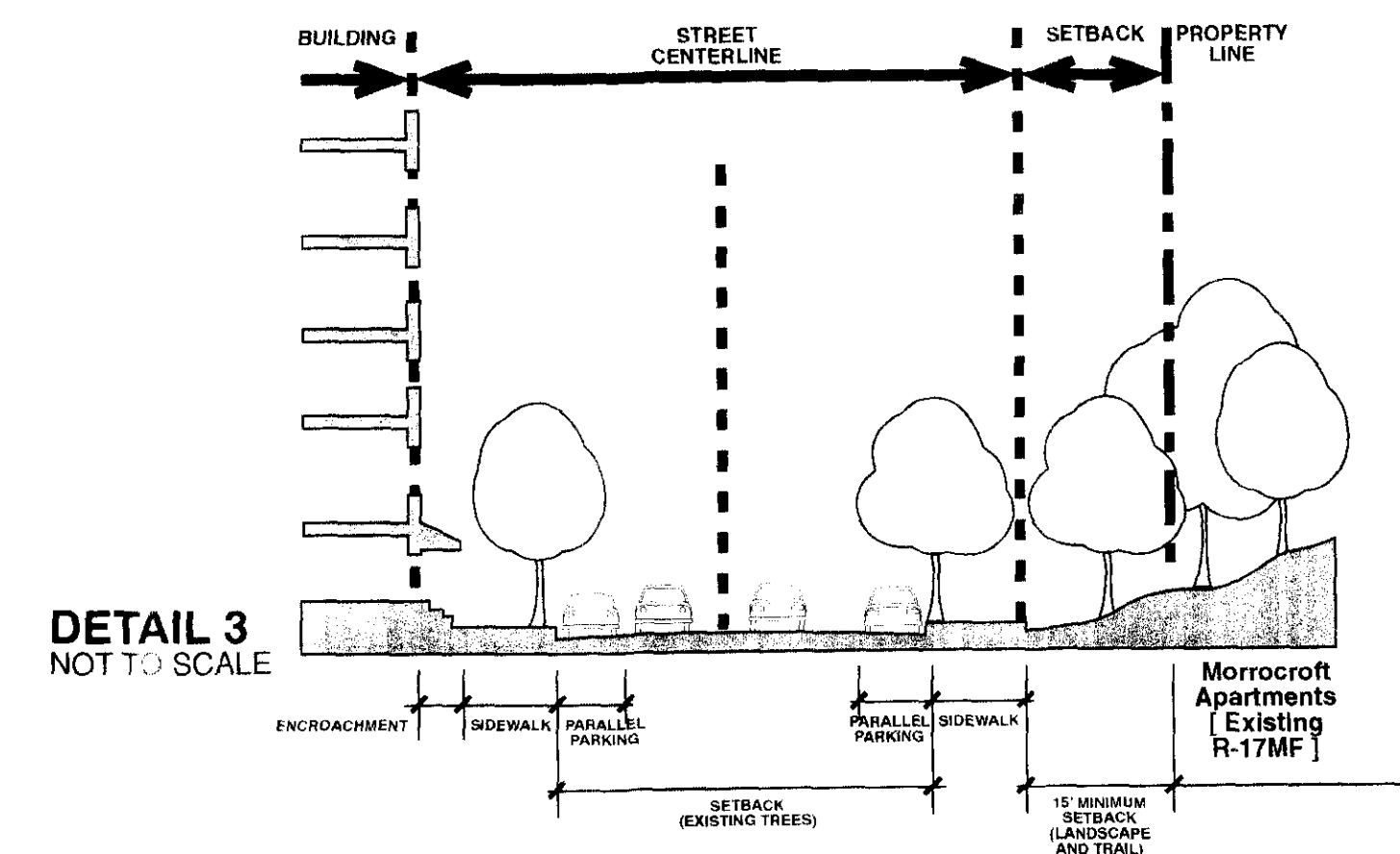
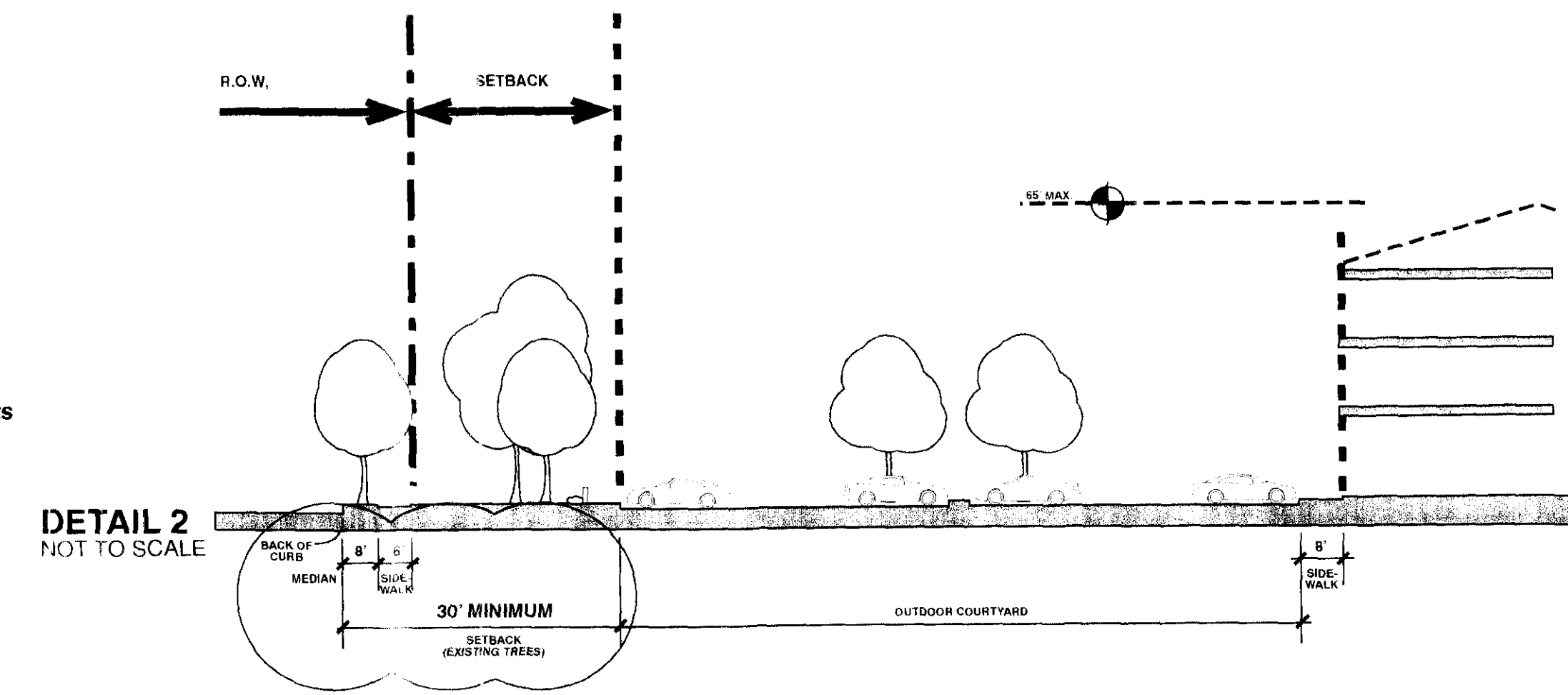
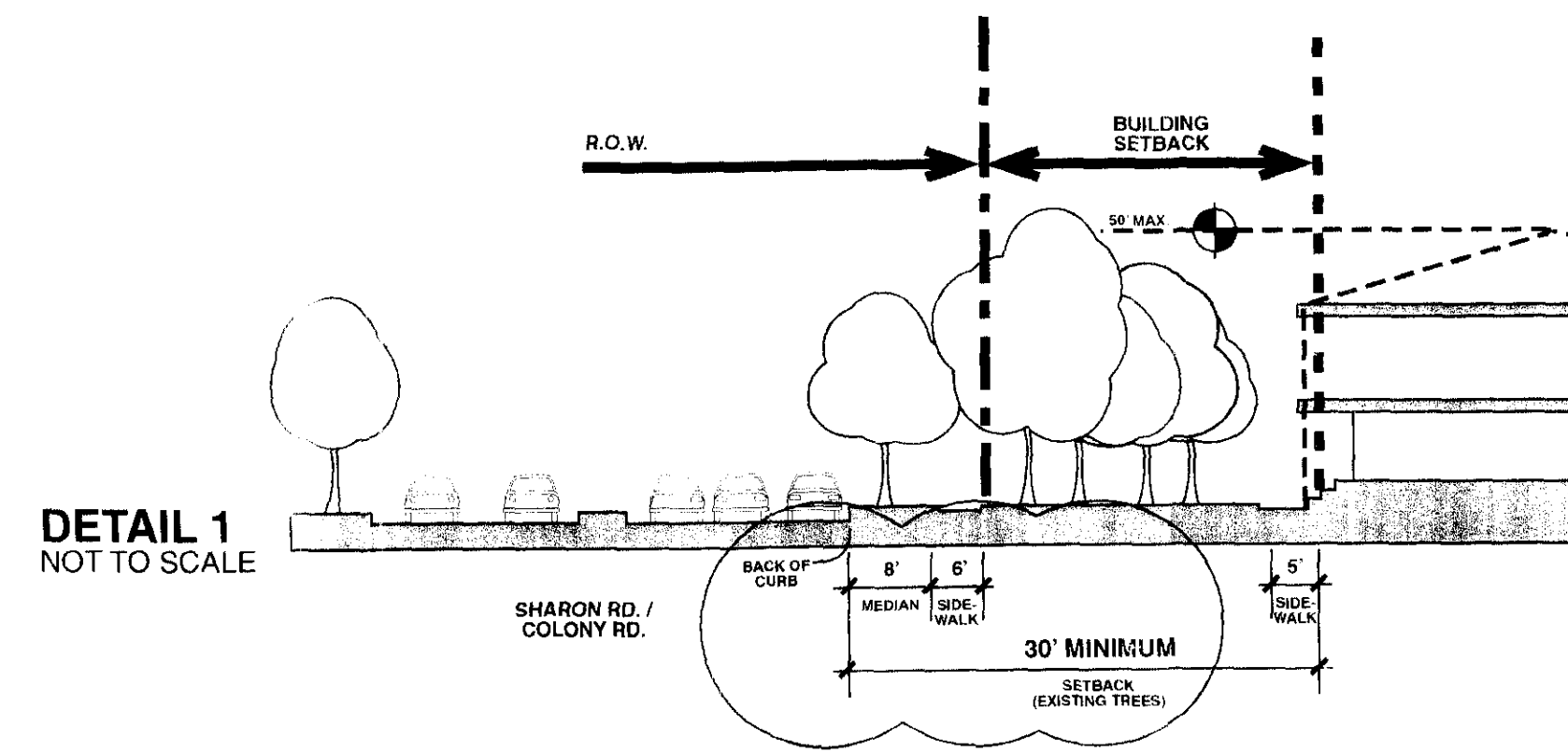
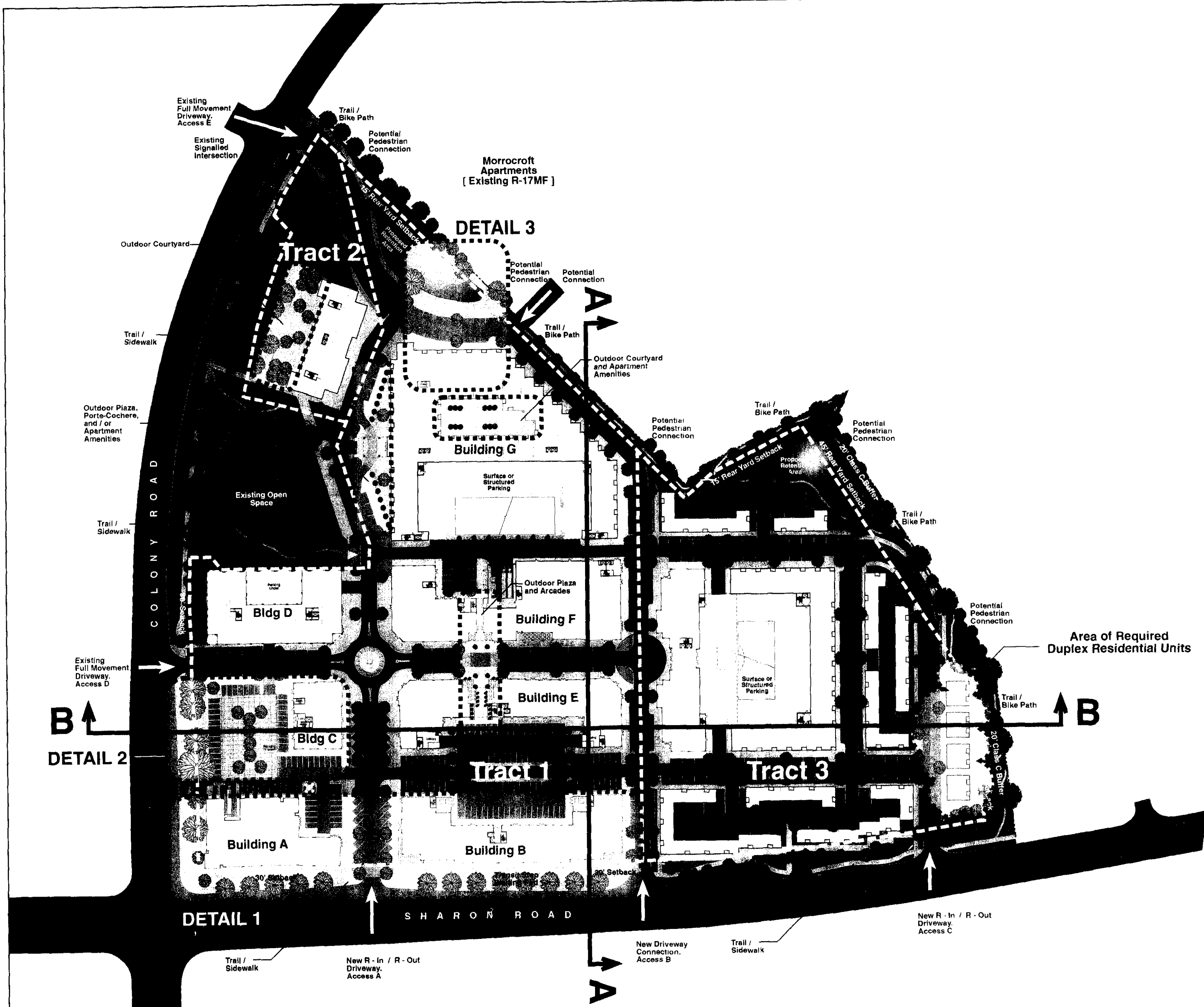
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The Village of
Morrocroft
[Existing R-3]



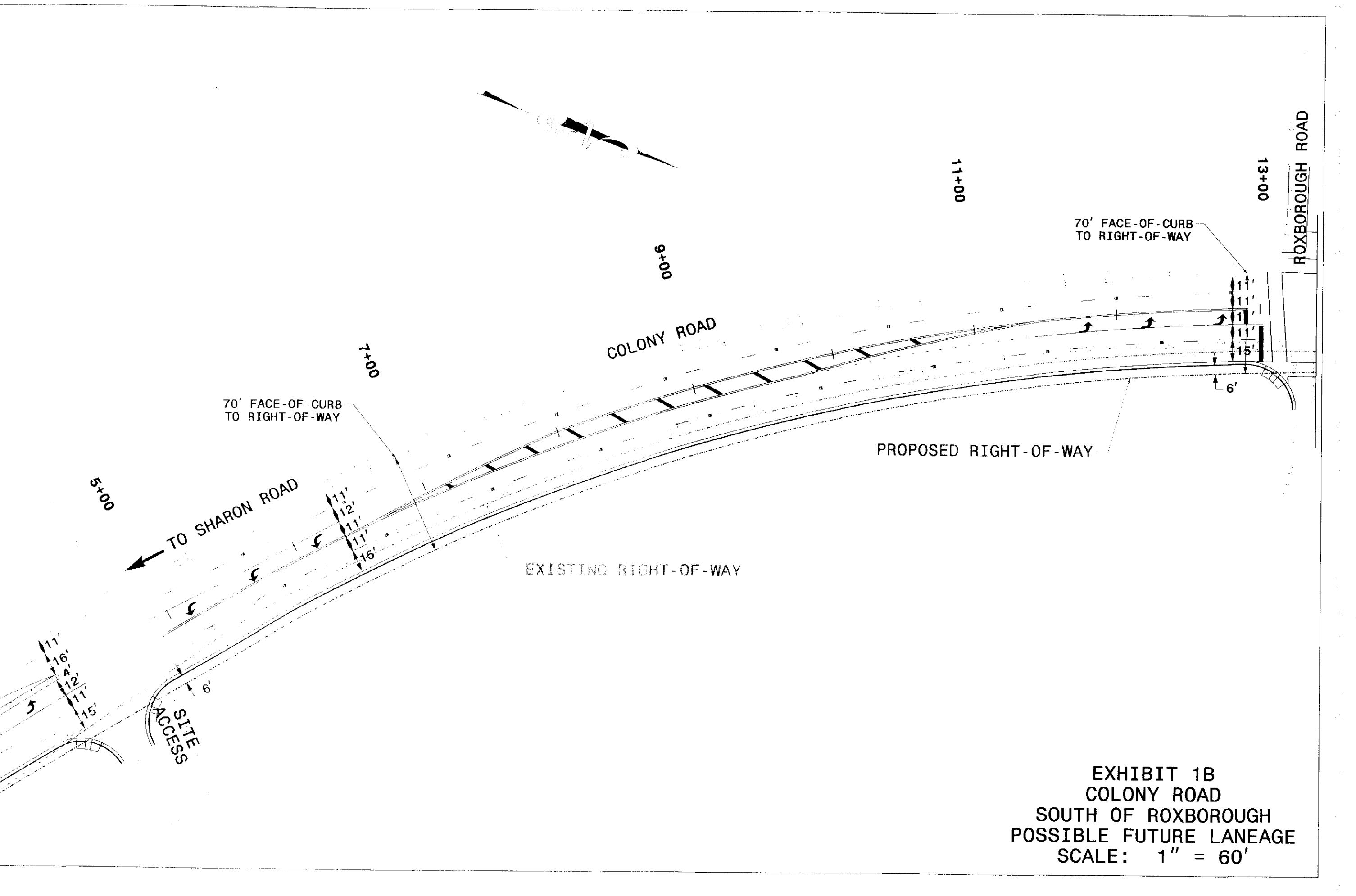
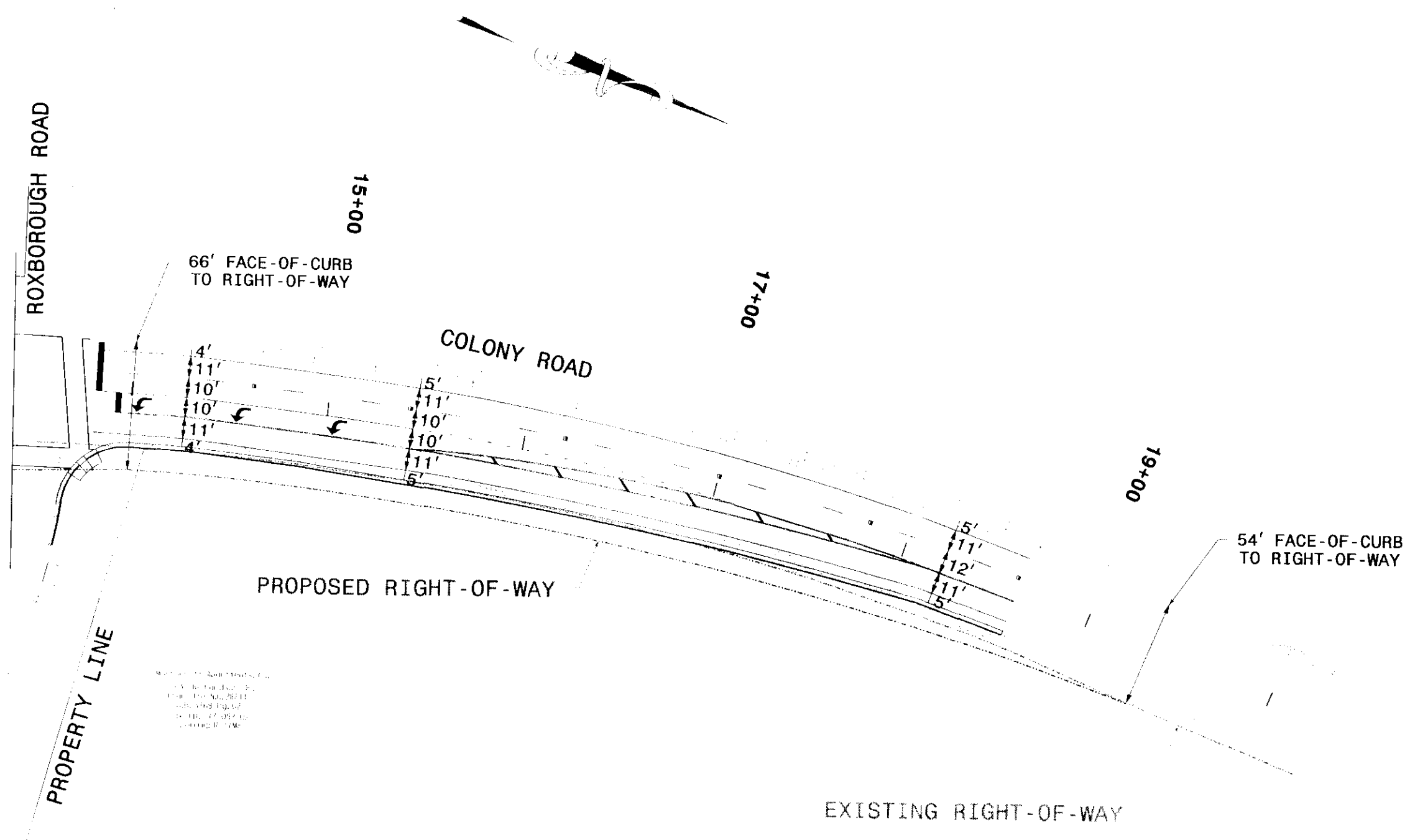
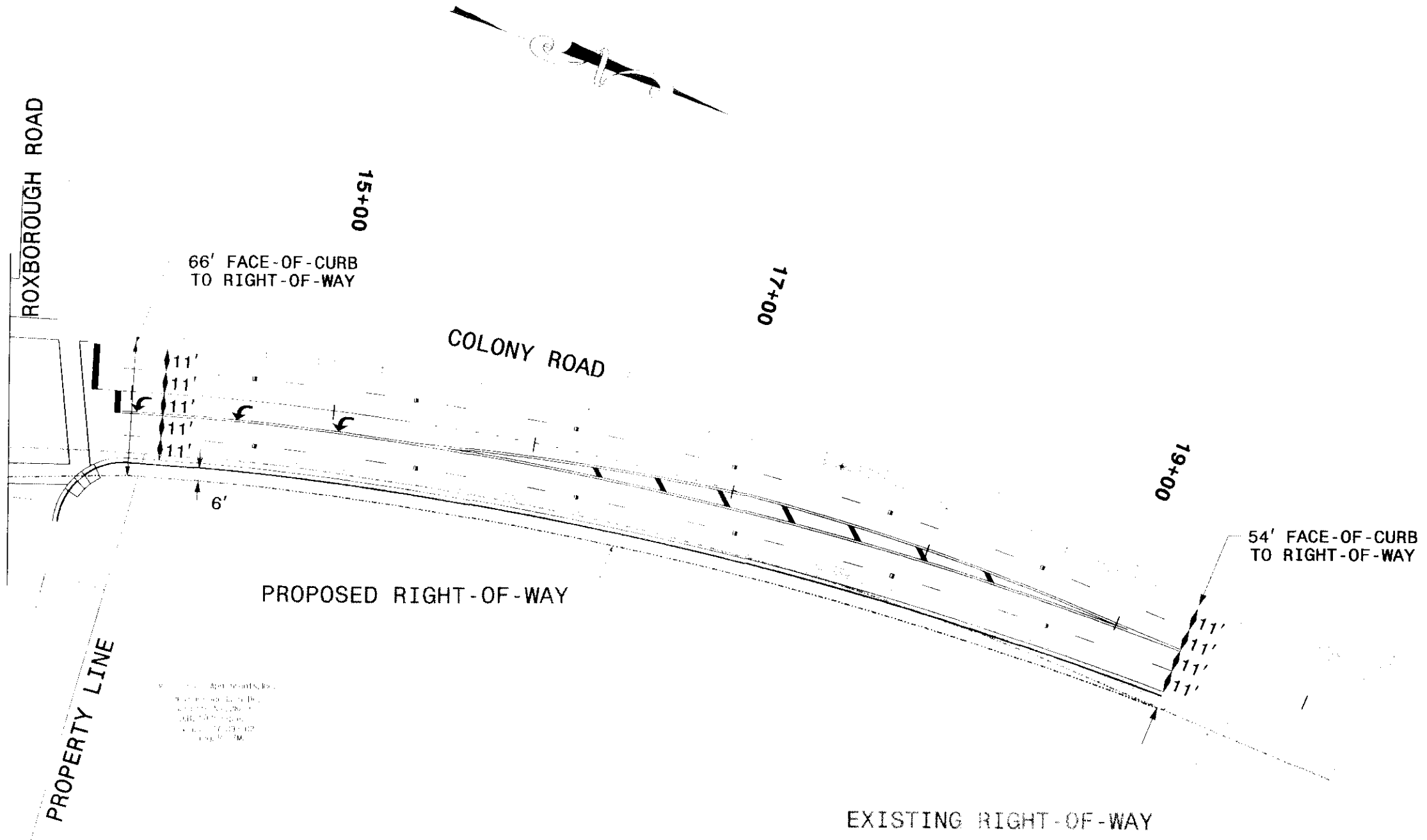


EXHIBIT 1B
 COLONY ROAD
 SOUTH OF ROXBOROUGH
 POSSIBLE FUTURE LANEAGE
 SCALE: 1" = 60'



M. J. ...
 ...
 ...
 ...
 ...

EXHIBIT 2A
COLONY ROAD
NORTH OF ROXBOROUGH
PROPOSED LANEAGE
SCALE: 1" = 60'



1. All measurements are in feet and inches.
 2. All dimensions are to the centerline of the road.
 3. All dimensions are to the centerline of the road.
 4. All dimensions are to the centerline of the road.
 5. All dimensions are to the centerline of the road.

EXHIBIT 2B
COLONY ROAD
NORTH OF ROXBOROUGH
POSSIBLE FUTURE LANEAGE
SCALE: 1" = 60'