

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 et al 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 S66° 52' 51" E 995.39 feet to an existing concrete monument; 2) thence S65° 30' 59" E 412.19 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 538.41 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 Crosland Coventry II, LLC as described in Deed Book 1624 Page 237 of the Mecklenburg County Registry; thence leaving the right-of-way of I-485 and running with the line of Crosland Coventry II, LLC, Crosland Coventry, LLC (Deed Book 11001 Page 932) and Coventry Neighborhood Association, Inc. (Deed Book 12694 Page 108) S 79° 00' 49" E 66.54 feet to an existing axle; thence N 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 173.49 to a found concrete monument; thence N 34° 14' 28" E 53.47 feet to a point; thence N 34° 09' 51" E 589.76 feet to a found 1" rebar; thence S 78° 29' 38" E 167.51 feet to a found 1" rebar; thence S 50° 46' 51" E 285.42 to a point in the centerline of Back Creek; thence with the centerline of Back Creek the following fifty-four (54) calls: 1) N 18° 34' 41" E 67.96 feet to a point; 2) thence N 81° 50' 02" 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 212.84 feet to a point; 5) thence N 58° 58' 15" 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

GENERAL NOTES

Unless more stringent standards are established by this Technical Data Sheet or these Development Standards, all development standards established under the Mecklenburg County Zoning Ordinance (the "Ordinance") for the MX-1 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 this Technical Data Sheet. The configurations, placements and sizes of the buildings outlined on the Schematic Site Plan accompanying this Rezoning Petition are schematic in nature and, subject only to the provisions set forth below, may be altered or modified during design development and construction document phases within the maximum building envelope lines established on this Technical Data Sheet, per Section 6 of the Ordinance.

Permitted Uses

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 any incidental or accessory structures and uses permitted under the Ordinance in the MX-1 District (Innovative).
2. Commercial uses shall not be permitted.

Buffers, Landscape Setback and Common Open Space

1. 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 SWIM Buffer Ordinance (the "Swim Area"). It is acknowledged that portions of the rear yards of several lots to be developed on the Site as generally depicted on the Schematic Site Plan encroach into the 100' SWIM Buffer. It is further acknowledged that development of lots on the Site shall comply with the requirements of the SWIM Buffer Ordinance. Additionally, within one hundred eighty (180) days after recordation of the final approved subdivision plat for the final lots developed on the Site, Petitioner shall dedicate and convey to Mecklenburg County Parks and Recreation for greenway purposes that portion of the SWIM Area generally depicted on the Technical Data Sheet and the Schematic Site Plan not located within the area reserved for lots as shown on the recorded subdivision plats for the development on the Site; it being understood, however, that (i) any encroachment of the rear yards of developed lots into the 100' SWIM Buffer shall not exceed 50% of any such rear yard and (ii) the aggregate amount of the area represented by the 100' SWIM area located on the Site.

2. Petitioner reserves the right to install pedestrian sidewalks or pathways, and utility lines and facilities within the buffer areas and common open space.
3. No buildings, parking spaces or maneuvering areas may be located within buffer areas depicted on the Technical Data Sheet.
4. The Petitioner will provide a 30' Landscape Setback area along the length of I-485 that will utilize 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 Petitioner 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 consist 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 covenants, conditions and restrictions (as the same may be amended from time to time) governing the Coventry community located to the west and south of the Site (the "Coventry Covenants") 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 and east of Back Creek Tributary designated as "Common Open Space (Coventry I)" on the Technical Data Sheet. Pedestrian access from the Site to such "Common Open Space (Coventry I)" area shall be provided in order to facilitate use of the play fields, benches and picnic area to be installed in this area. Petitioner, as the declarant under the Coventry Covenants, agrees to use diligent good faith efforts to seek an administrative site plan amendment to that portion of the property governed by the R-4 (CD) rezoning plan associated with Petition #99-26(c) to confirm the availability of the access and common open space improvements contemplated by this paragraph; provided, however, the failure of Petitioner, after exercising diligent good faith efforts, to obtain any such administrative site plan amendment shall not constitute a zoning violation with respect to development undertaken pursuant to this rezoning petition. Setbacks, Side Yards and Rear Yards

1. Building setbacks will be established in the manner depicted on this Technical Data Sheet.
2. It is understood that the Site may be developed with "Zero Lot Line" standards whereby buildings and structures may be located on the lot line provided that building separation standards provided for on this Technical Data Sheet are satisfied.

Lighting

All freestanding lighting fixtures will be uniform in design and will be to pedestrian scale.

Landscaping

Street trees shall be provided at a minimum of [40'] O.C. on public and private rights-of-way.

Signs

All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.

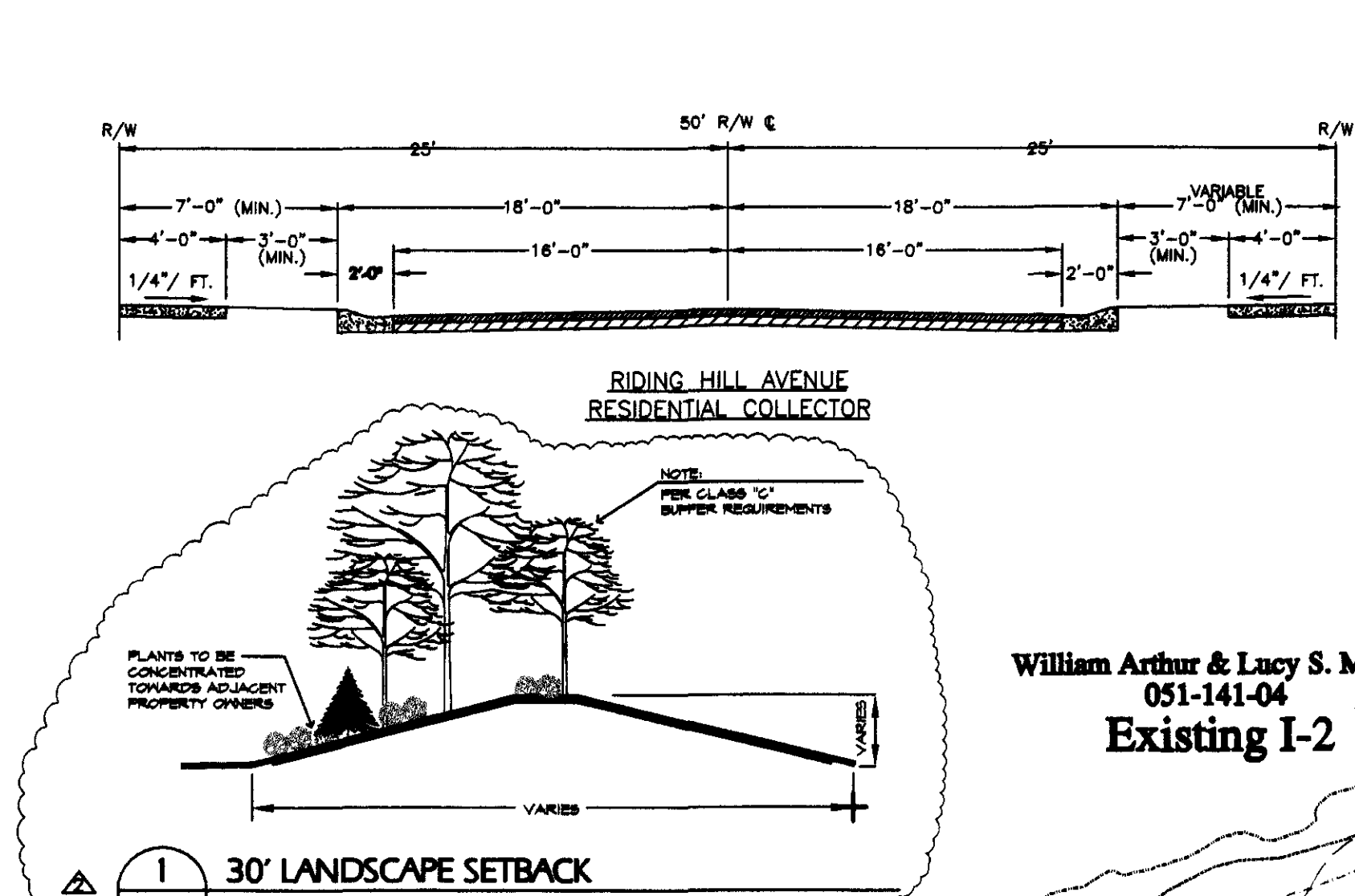
Access Points and Streets

1. The number of vehicular access points to the Site shall be as depicted on this Technical Data Sheet.
2. The placements and configurations of each access point (including any "stub streets") are subject to any minor modifications required to accommodate final site and architectural construction plans and designs.
3. Petitioner shall provide a "stub street" to the parcel located along the westerly boundary of the Site (and consisting of that portion of Tax Parcel No. 051-421-02 located to the southeast of Back Creek) in the manner generally depicted on the Schematic Site Plan. The Petitioner agrees to provide a "stub street" in the approximate 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.
4. 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 Tributary 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 by "Inset" on the Technical Data Sheet. The terminus of the Residential Collector Street standards for Riding Hill Lane will end at the point shown on the Technical Data Sheet.

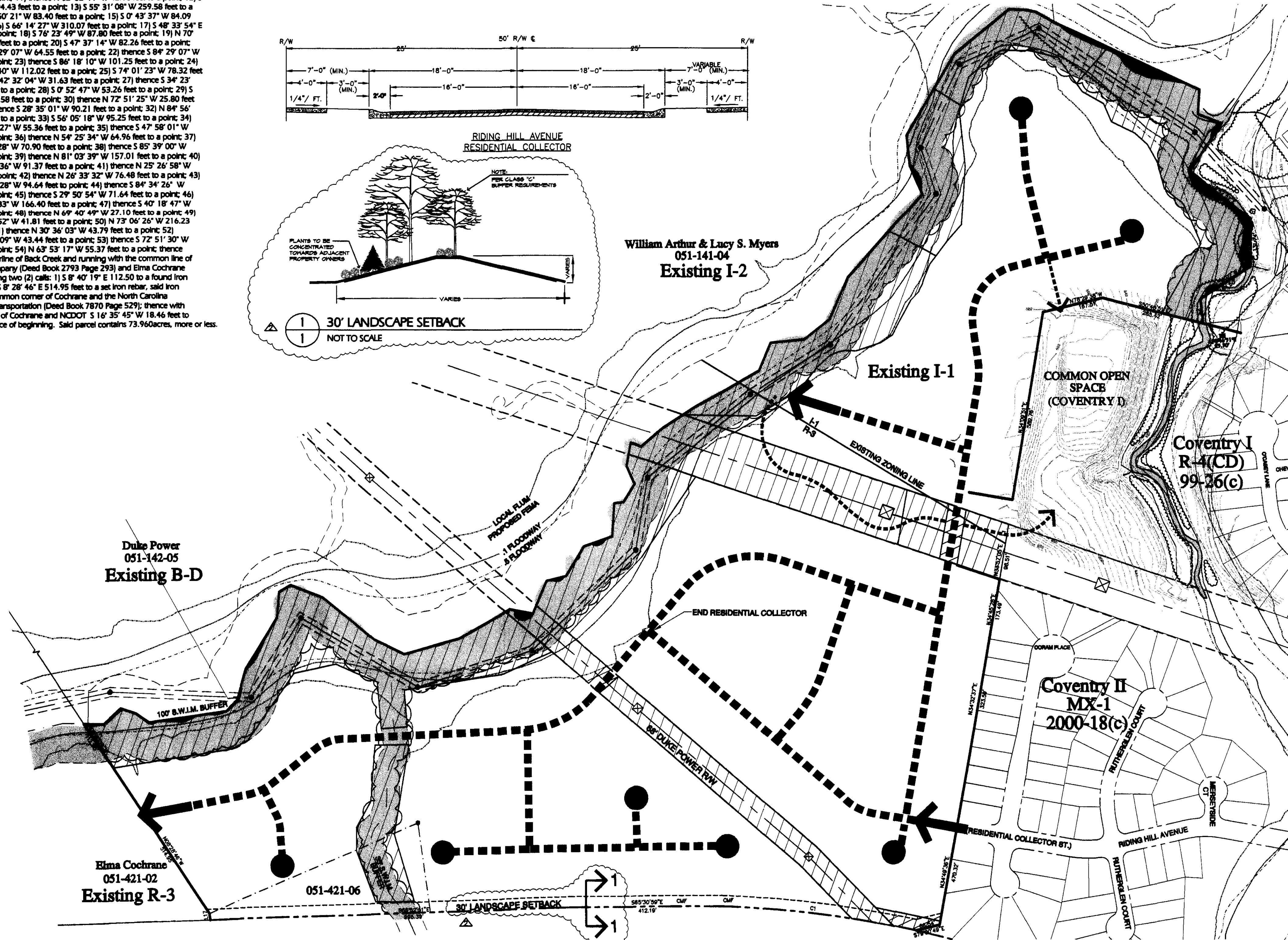
Storm Water Management

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 this Site. Amendments to Rezoning 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 these Development Standards and the 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 subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

30.96 feet to a point; 11) thence N 62° 52' 11" W 42.98 feet to a point; 12) S 757° 07' 32" W 194.43 feet to a point; 13) S 55° 31' 08" W 259.58 feet to a point; 14) S 18° 50' 21" W 83.40 feet to a point; 15) S 0° 43' 37" W 84.09 feet to a point; 16) S 68° 14' 27" W 310.07 feet to a point; 17) S 48° 33' 54" E 126.11 feet to a point; 18) S 76° 23' 49" W 87.80 feet to a point; 19) N 70° 46' 13" W 93.14 feet to a point; 20) S 47° 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 74° 01' 23" W 78.32 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 53.26 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' 54" W 82.60 feet to a point; 33) S 56° 05' 18" W 95.25 feet to a point; 34) thence N 79° 26' 27" W 55.36 feet to a point; 35) thence S 47° 58' 01" W 97.35 feet to a point; 36) thence N 54° 25' 34" W 64.96 feet to a point; 37) thence S 84° 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° 13' 36" W 91.37 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 point; 44) thence S 84° 34' 26" W 36.54 feet to a point; 45) thence S 29° 50' 54" W 71.64 feet to a point; 46) thence S 56° 08' 33" W 166.40 feet to a point; 47) thence S 40° 18' 47" W 86.99 feet to a point; 48) thence N 69° 40' 49" W 27.10 feet to a point; 49) thence S 68° 46' 52" W 41.81 feet to a point; 50) N 73° 06' 26" W 216.23 feet to a point; 51) thence N 30° 36' 03" W 43.79 feet to a point; 52) thence N 46° 43' 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 centerline of Back Creek and running with the common line of Duke Power Company (Deed Book 2793 Page 293) and Elma Cochran (et al) the following two (2) calls: 1) S 8° 40' 19" E 112.50 to a found iron rebar; 2) thence S 8° 28' 46" E 514.95 feet to a set iron rebar, said iron rebar being a common corner of Cochran and the North Carolina Department of Transportation (Deed Book 7870 Page 529); thence with the common line of Cochran 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.



William Arthur & Lucy S. Myers
051-141-04
Existing I-2



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'

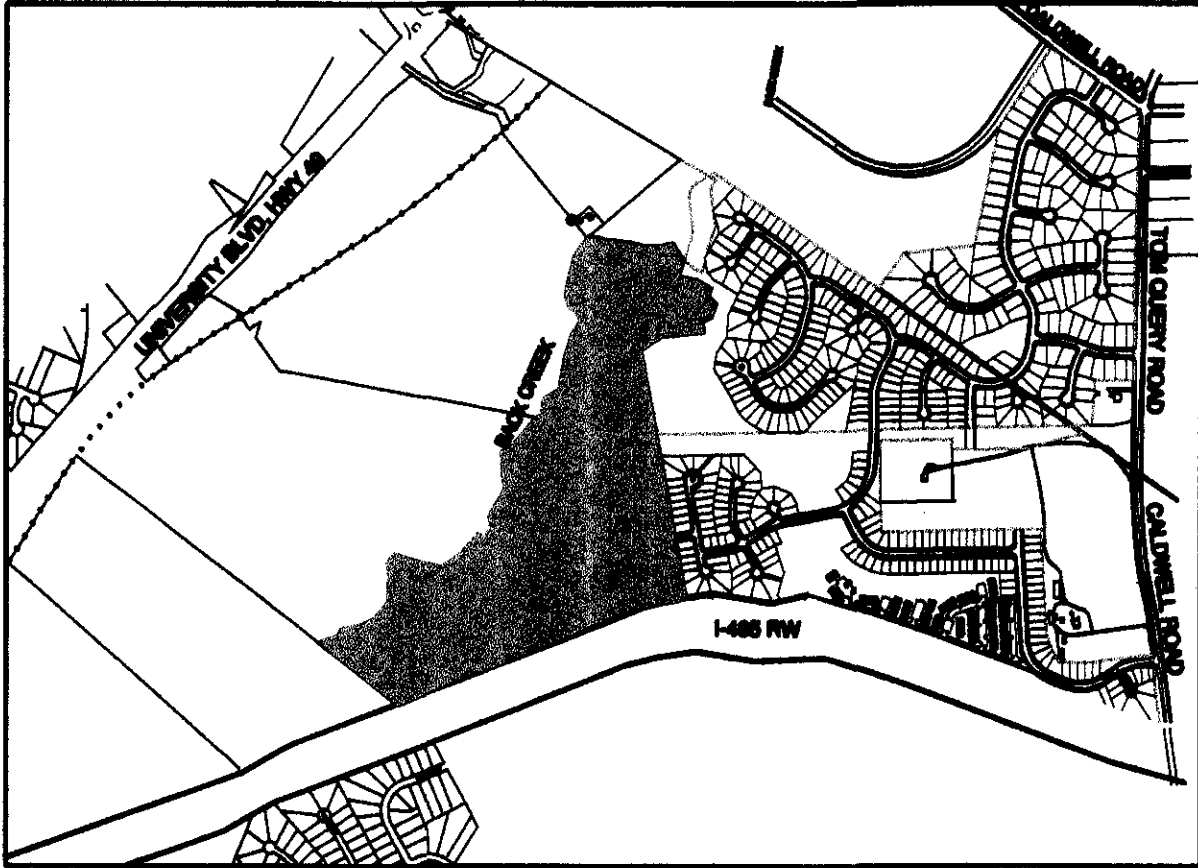
FOR PUBLIC HEARING

SYMBOL LEGEND

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

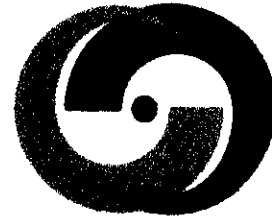
DEVELOPMENT DATA

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%)



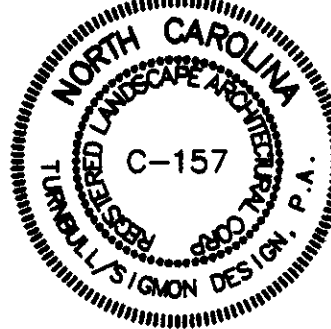
VICINITY MAP N.T.S.

TURNBULL SIGMON DESIGN



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LAND DEVELOPMENT DESIGN SERVICES



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CROSLAND
141 SCALEYBARK ROAD
CHARLOTTE, NC 28209



0 100 200 400 600
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

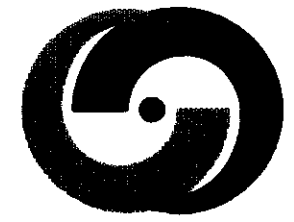
DESIGNED BY: SRT

ISSUE DATE: 6/14/02

APPROVED BY CITY COUNCIL

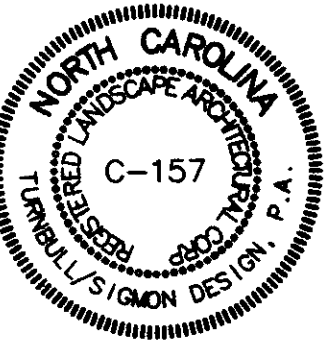
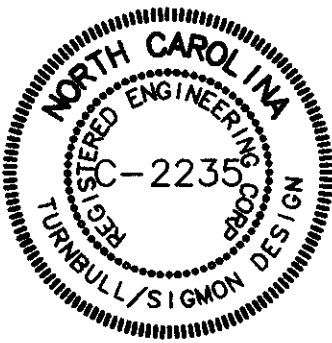
DATE 6/21/02

9/16/02 ABS PER STAFF COMMENTS
8/19/02 ABS PER STAFF COMMENTS
NO. DATE: BY: REVISIONS:



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CHARLOTTE, NC 28209



0 100 200 400 600
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
8/19/02 ABS PER STAFF COMMENTS
NO. DATE: BY: REVISIONS:

2
SHEET NO

2
OF

