

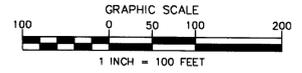
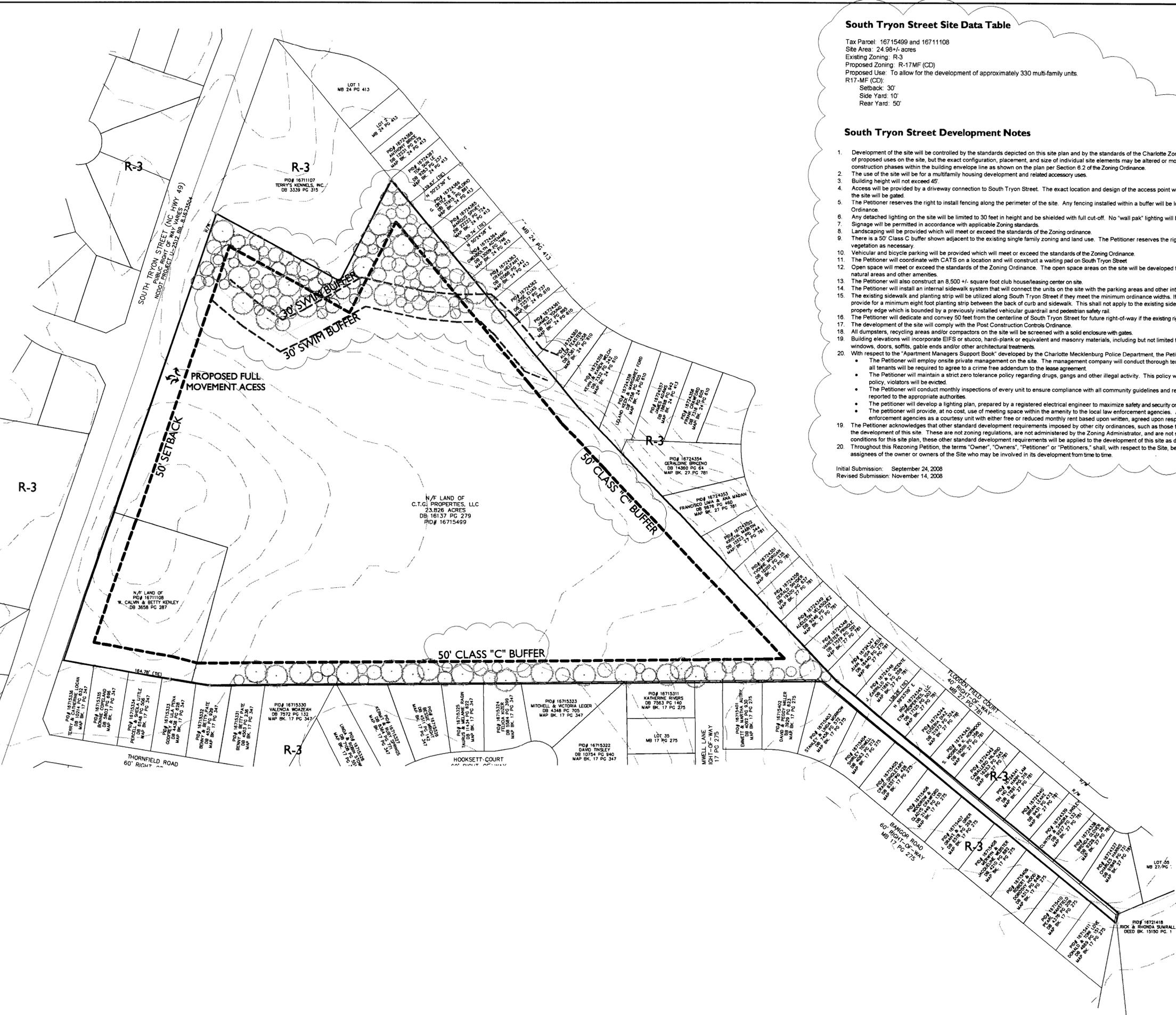
**South Tryon Street Site Data Table**

Tax Parcel: 16715499 and 16711108  
 Site Area: 24.96 +/- acres  
 Existing Zoning: R-3  
 Proposed Zoning: R-17MF (CD)  
 Proposed Use: To allow for the development of approximately 330 multi-family units  
 R17-MF (CD)  
 Setback: 30'  
 Side Yard: 10'  
 Rear Yard: 50'

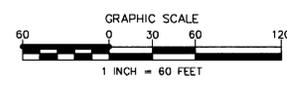
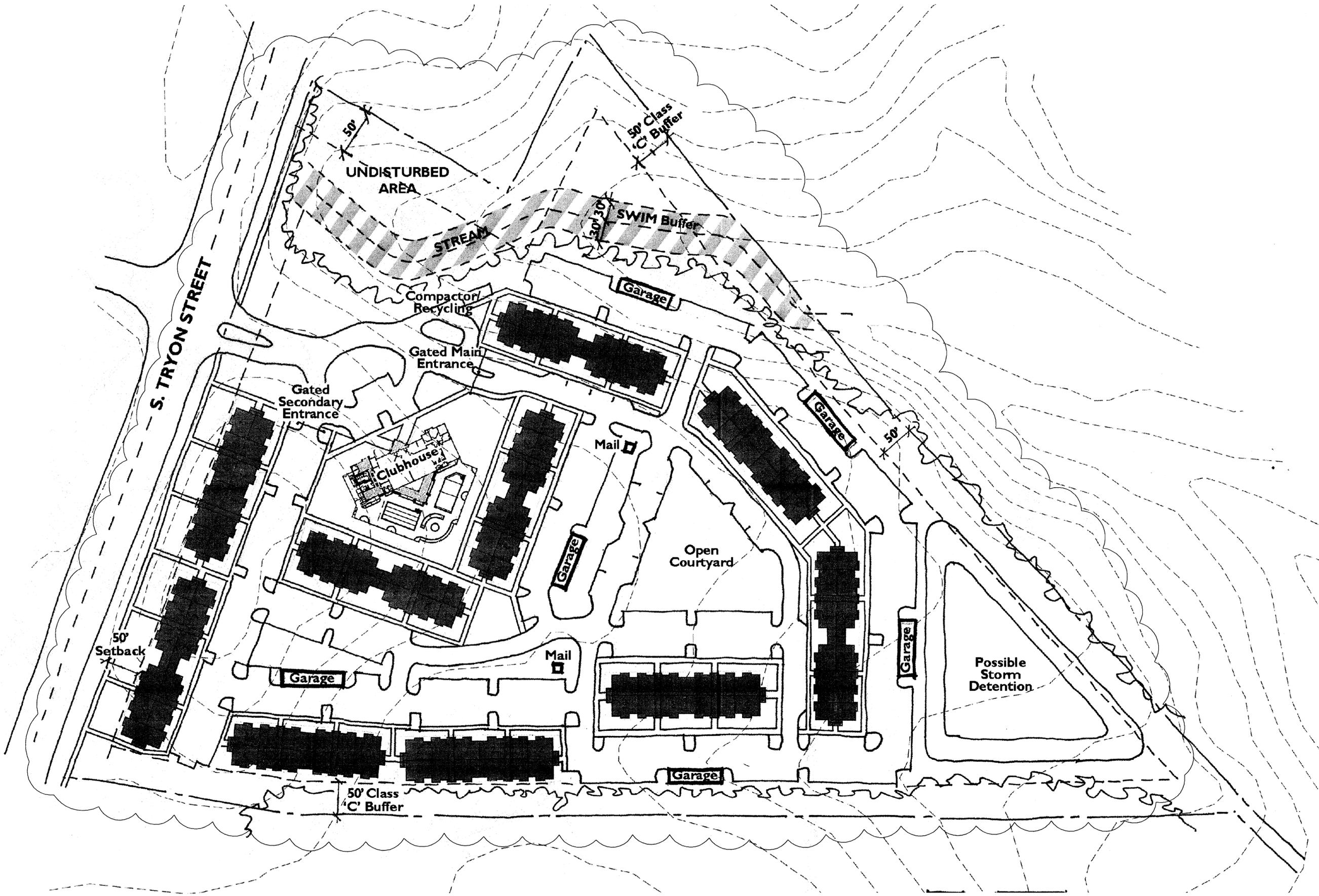
**South Tryon Street Development Notes**

- Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases within the building envelope line as shown on the plan per Section 6.2 of the Zoning Ordinance.
- The use of the site will be for a multifamily housing development and related accessory uses.
- Building height will not exceed 45.
- Access will be provided by a driveway connection to South Tryon Street. The exact location and design of the access point will be subject to approval by the appropriate transportation authority. All access points into the site will be gated.
- The Petitioner reserves the right to install fencing along the perimeter of the site. Any fencing installed within a buffer will be located on the interior line of the buffer and will meet or exceed the standards of the Zoning Ordinance.
- Any detached lighting on the site will be limited to 30 feet in height and be shielded with full cut-off. No "wall pak" lighting will be installed but architectural lighting on building facades will be permitted.
- Signage will be permitted in accordance with applicable Zoning standards.
- Landscaping will be provided which will meet or exceed the standards of the Zoning ordinance.
- There is a 50' Class C buffer shown adjacent to the existing single family zoning and land use. The Petitioner reserves the right to grade within the first ten feet on the inside of this buffer and to supplement existing vegetation as necessary.
- Vehicular and bicycle parking will be provided which will meet or exceed the standards of the Zoning Ordinance.
- The Petitioner will coordinate with CATS on a location and will construct a waiting pad on South Tryon Street
- Open space will meet or exceed the standards of the Zoning Ordinance. The open space areas on the site will be developed to include active and passive recreation amenities such as a swimming pool, green space, natural areas and other amenities.
- The Petitioner will also construct an 8,500 +/- square foot club house/leasing center on site.
- The Petitioner will install an internal sidewalk system that will connect the units on the site with the parking areas and other internal sidewalks as well as sidewalks on the adjacent public street.
- The existing sidewalk and planting strip will be utilized along South Tryon Street if they meet the minimum ordinance widths. If not, a six-foot wide sidewalk shall be provided and located along South Tryon Street so as to provide for a minimum eight foot planting strip between the back of curb and sidewalk. This shall not apply to the existing sidewalk and planting strip located to the north of the proposed driveway and running to the property edge which is bounded by a previously installed vehicular guardrail and pedestrian safety rail.
- The Petitioner will dedicate and convey 50 feet from the centerline of South Tryon Street for future right-of-way if the existing right-of-way is inadequate.
- The development of the site will comply with the Post Construction Controls Ordinance.
- All dumpsters, recycling areas and/or compactors on the site will be screened with a solid enclosure with gates.
- Building elevations will incorporate EIFS or stucco, hard-plank or equivalent and masonry materials, including but not limited to brick, decorative block and cultured stone. This requirement does not apply to walkways, windows, doors, soffits, gable ends and/or other architectural treatments.
- With respect to the "Apartment Managers Support Book" developed by the Charlotte Mecklenburg Police Department, the Petitioner also agrees to the following:
  - The Petitioner will employ onsite private management on the site. The management company will conduct thorough tenant screenings per the guidelines of the Apartment Managers' Support Book. Additionally, all tenants will be required to agree to a crime free addendum to the lease agreement.
  - The Petitioner will maintain a strict zero tolerance policy regarding drugs, gangs and other illegal activity. This policy will be provided to all residents at the time of initial rental. Based on the procedures of this policy, violators will be evicted.
  - The Petitioner will conduct monthly inspections of every unit to ensure compliance with all community guidelines and restrictions as well as local, state and federal laws. Any indication of illegal activity will be reported to the appropriate authorities.
  - The Petitioner will develop a lighting plan, prepared by a registered electrical engineer to maximize safety and security on the site.
  - The Petitioner will provide, at no cost, use of meeting space within the amenity to the local law enforcement agencies. Additionally, there will be at least one residential unit available to a member of local law enforcement agencies as a courtesy unit with either free or reduced monthly rent based upon written, agreed upon responsibilities within the community.
- The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, bicycle parking, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.
- Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners", shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.

Initial Submission: September 24, 2008  
 Revised Submission: November 14, 2008



Rezoning for Illustrative Purpose Only; Subject to Revisions



Rezoning for Illustrative Purpose Only; Subject to Revisions

DATE: SEPT. 18, 2008  
DESIGNED BY: SC  
CHECKED BY: WF  
O.C. BY: WF  
SCALE: 1" = 100'  
PROJECT #: 018529

REVISIONS:  
REVISION 1 - PER STAFF COMMENTS 11/14/2008

**S. TRYON STREET**  
**REZONING PETITION NUMBER: 2008-155**  
JDR COMMUNITIES  
CONCEPTUAL SITE PLAN

FLOOD CERTIFICATION

THIS IS TO CERTIFY THAT THE PROPERTY SHOWN ON THIS PLAT IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, COMMUNITY NUMBER 3710452106J, PRELIMINARY DATED OCTOBER 10, 2007.

LINE TABLE with columns: LINE, LENGTH, BEARING. Includes lines L1, L2, L3 with their respective measurements.

NOTES

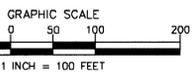
- SUBJECT TO ANY AND ALL RIGHTS OF WAY, EASEMENTS, COVENANTS AND RESTRICTIONS, APPURTENANCES OF RECORD, HOWEVER RECORDED AND/OR IMPLIED.
• THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP ARE APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. ACTUAL LOCATION, SIZE AND DEPTH SHOULD BE VERIFIED BY THE CONTRACTOR BEFORE COMMENCEMENT OF CONSTRUCTION.
• FLOODWAY INFORMATION OBTAINED FROM MECKLENBURG COUNTY STORM WATER SERVICES, FLOODZONE INTERACTIVE MAPPING.
• NO NCGS GRID MONUMENTS LOCATED WITHIN 2000 FEET OF SITE.
• CONTROL FOR THIS PROJECT WAS ESTABLISHED FROM GPS THREE-DIMENSIONAL MEASUREMENT SYSTEM BASED ON OBSERVATIONS OF THE RADIO SIGNALS OF THE DEPARTMENT OF DEFENSE'S NAVSTAR (NAVIGATIONAL SATELLITE TIMING AND RANGING) GPS SYSTEM; TRIMBLE 5700/5800 DUAL-FREQUENCY RECEIVERS WERE USED, UTILIZING "REAL TIME KINEMATIC" PROCEDURE; POSITIONAL ACCURACY MEETS OR EXCEEDS THE STANDARDS SET OUT IN NORTH CAROLINA ADMINISTRATIVE CODE, TITLE 21, CHAPTER 56 RULE 1603 RE: SPECIFICATIONS FOR TOPOGRAPHIC SURVEYS. "TRIMBLE GEOMATICS" SOFTWARE WAS USED TO PROCESS NGS-84 EARTH CENTER, EARTH FIXED, CARTESIAN COORDINATE SYSTEM VALUES USING A "THREE-PARAMETER DATUM TRANSFORMATION TO NORTH CAROLINA-STATE PLANE NAD-83 POSITIONS.
• MONUMENTATION FOUND OR SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
• ALL DISTANCES SHOWN ON THIS MAP ARE HORIZONTAL GROUND UNLESS OTHERWISE NOTED.
• AREAS CALCULATED BY COORDINATE GEOMETRY.
• NO DEVELOPMENTAL STUMP HOLE BURIAL SITES KNOWN AT THE TIME OF THIS SURVEY.
• SUBJECT PARCEL TAX ID'S: 16715499
• CURRENT ZONING: R-3
• SUBJECT PARCEL DEED REFERENCES: DEED BK. 16137 PG. 279

TITLE EXCEPTIONS PERTAINING TO SCHEDULE B - SECTION 2, OF TITLE COMMITMENT NUMBER 08A33147, PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY WITH AN EFFECTIVE DATE OF MAY 22, 2008.

- 1. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR THE VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT, NOT A SURVEY MATTER.
2. THE LIEN OF ALL TAXES FOR THE YEAR 2008 AND THEREAFTER, WHICH ARE NOT YET DUE AND PAYABLE, NOT A SURVEY MATTER.
3. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION AS TENANTS UNDER UNRECORDED LEASES, IF ANY, NOT A SURVEY MATTER.
4. EASEMENT AGREEMENT WITH THE CITY OF CHARLOTTE RECORDED IN BOOK 3800, PAGE 377, MECKLENBURG COUNTY REGISTRY, DOES NOT AFFECT PROPERTY.
5. DEED OF EASEMENT TO THE DEPARTMENT OF TRANSPORTATION RECORDED IN BOOK 11494, PAGE 568, MECKLENBURG COUNTY REGISTRY, AS SHOWN HEREON, DOES NOT AFFECT PROPERTY.
6. ANY ENCROACHMENT, OVERLAPS, BOUNDARY LINE DISPUTES, EASEMENTS, MEASUREMENTS, VARIATIONS IN AREA OR CONTENT, PARTY WALLS OR OTHER FACTS WHICH A CORRECT SURVEY AND INSPECTION OF THE PREMISES WOULD SHOW, AS SHOWN HEREON.

LEGEND

- R/W RIGHT OF WAY
IP(F) IRON PIN FOUND (AS NOTED)
CM(F) CONCRETE MONUMENT FOUND
IP(F) IRON PIN SET (#4 REBAR)
CALCULATED POINT
N.T.S. NOT TO SCALE
T/U TERMINUS UNIDENTIFIED
S.O.E. STORM DRAINAGE EASEMENT
SDM STORM DRAINAGE MANHOLE
HW HEADWALL
CB CATCH BASIN
CI CURB INLET
DI DROP INLET
YI YARD INLET
RCP REINFORCED CONCRETE PIPE
CPP CORRUGATED PLASTIC PIPE
SANITARY SEWER LINE
SANITARY SEWER MANHOLE
PVC POLY VINYL CHLORIDE PIPE
FIRE HYDRANT
WATER LINE
WATER VALVE
WATER METER
ELECTRIC MANHOLE
LIGHT POLE
UTILITY POLE
ELECTRIC TRANSFORMER
OVERHEAD UTILITY LINE
BURIED ELECTRIC LINE
TELEPHONE MANHOLE
BURIED TELEPHONE LINE
BURIED FIBER OPTIC LINE
BURIED CABLE TV LINE
UTILITY PEDESTAL
GAS VALVE
GAS LINE
GAS METER



BEGINNING AT A POINT WITHIN THE R/W OF SOUTH TRYON STREET (NCDOT PROJECT NUMBER U-2512 BB & 81673504), BEING THE SOUTHWESTERLY CORNER OF PROPERTY OF TERRY'S KENNELS (DEED BOOK 3339 PAGE 315 OF THE MECKLENBURG COUNTY REGISTER OF DEEDS) AND RUNNING THENCE FROM SAID BEGINNING POINT ALONG SOUTHERN LINE OF TERRY'S KENNELS S-61-15-42-E 90.80' TO AN IRON PIN SET ON THE R/W OF SOUTH TRYON STREET; THENCE CONTINUING ALONG SAID LINE S-61-15-42-E 307.91' TO A FOUND #1 REBAR; THENCE RUNNING ALONG THE EASTERLY LINE OF TERRY'S KENNELS N-26-48-21-E 247.39' TO A POINT IN THE SOUTHERLY LINE OF MCDOWELL MEADOWS (PLAT BOOK 24 PAGE 413 & PAGE 610), SAID POINT BEING LOCATED S-39-34-17-E 1.45' FROM A FOUND #4 REBAR; THENCE ALONG THE SOUTHERLY LINE OF MCDOWELL MEADOWS S-39-34-17-E 643.87' TO A SET IRON PIN; THENCE S-43-33-25-E 137.02' TO A FOUND #4 REBAR; THENCE CONTINUING ALONG MCDOWELL MEADOWS (PLAT BOOK 27 PAGE 781) S-43-33-25-E 683.48' TO A FOUND AXLE; THENCE S-50-33-50-E 794.96' TO A 1" INCH PIPE, BEING LOCATED S-67-13-44-W 332.19' FROM A FOUND #4 REBAR AND BEING THE CORNER OF PROPERTY OF RICK SUMRALL (DEED BOOK 15150 PAGE 1); THENCE S-11-08-49-W 22.74' TO A SET IRON PIN, BEING LOCATED N-11-08-49-E 215.88' FROM A FOUND #4 REBAR, AND BEING THE NORTHEASTERLY CORNER OF YORKWOOD SUBDIVISION (PLAT BOOK 17 PAGE 275), THENCE RUNNING WITH NORTHERLY LINE OF YORKWOOD N-50-33-50-W 829.57' TO A FOUND #4 REBAR; THENCE S-89-23-10-W 266.15' (PASSING A FOUND #5 REBAR AT 129.52') TO A SET IRON PIN; THENCE CONTINUING ALONG YORKWOOD (PLAT BOOK 17 PAGE 347) S-89-23-10-W 1071.61' TO AN IRON PIN SET; THENCE N-80-33-41-W 88.02' TO AN IRON PIN SET, BEING LOCATED S-80-33-23-E 164.78' FROM A FOUND #5 REBAR, AND BEING THE SOUTH EASTERLY CORNER OF PROPERTY OF W. CALVIN KENLEY (DEED BOOK 3658 PAGE 287); THENCE WITH THE EASTERLY LINE OF KENLEY N-15-01-50-E 301.10' TO A SET IRON PIN; THENCE WITH THE NORTHERLY LINE OF KENLEY N-72-41-30-W 211.65' TO AN IRON PIN SET ON THE R/W OF SOUTH TRYON STREET; THENCE CONTINUING N-72-41-30-W 50.01' TO A POINT WITHIN THE R/W OF SOUTH TRYON STREET; THENCE RUNNING ALONG SAID LINE WITHIN THE MARGIN OF SOUTH TRYON STREET N-18-33-43-E 708.12' TO THE POINT AND PLACE OF BEGINNING, CONTAINING 23.826 ACRES TOTAL.

TO JDR COMMUNITIES AND FIDELITY NATIONAL TITLE INSURANCE COMPANY: THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 1, 2, 3, 4, 8, 10, 11(A), 11(B) AND 17 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDESIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NORTH CAROLINA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

TONY D. CARPENTER, PLS L-4609

THE ISAACS GROUP logo and contact information: 8720 RED OAK BLVD, SUITE 420, CHARLOTTE, N.C. 28217, PHONE (704) 527-3440, FAX (704) 527-8335. Includes project details: File # 08190-ALTA.dwg, Date: 07/22/2008, Project PLS: TDC, Surveyed By: TDC, Drawn By: TDC, Scale: 1"=100'.

Table with columns: NO., BY, DATE, REVISION. Contains one row with '1' in the NO. column.