



Site Development Data:

--Acreage: ± 20.56 acres --Tax Parcel: 047-252-04 and 047-252-12 --Existing Zoning: CC -- Proposed Zoning: MUDD-O with 5-year vested rights --Existing Uses: Commercial Center --Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district and as further restricted in Section III and IV, below. --Maximum Development (subject to Section IV. below): 260,000 square feet Commercial: Civic (Library): 40,000 square feet Residential: 600 Units Hotel: Subject to the conversion provisions of Section IV. -- Maximum Building Height: Parcel A: 70 feet Parcel B: 120 feet Parcel C: 120 feet Parcel D: 120 feet Parcel E: 120 feet --Parking: As required by the Ordinance for the MUDD zoning district.

1. General Provisions

- Site Description. These Development Standards and the Technical Data Sheet a. form the rezoning plan (hereafter collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by EBA Investments ("Petitioner") to accommodate development of a mixed use activity center on an approximately 20.56-acre site located on Mecklenburg Tax Parcel Numbers 047-252-04 and 047-252-12 (the "Site").
- Intent. This Rezoning is intended to accommodate development on the Site in a manner consistent with the objectives set forth in the Blue Line Extension Transit Station Area Plan and the University City Partners Area Plan. Development of the Site would include a horizontally-integrated mixture of uses, including office, retail, restaurant, residential, public library and other ground floor commercial uses within walking distance of a greenway connection and University City area amenities. The Petitioner seeks to create a pedestrian-scale greenspace multi-modal trail with pocket amenity parks to accent the existing lake feature and provide a connection to the greenway. The overall development plan is intended to allow the

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- The total square feet of gross floor area for non-office commercial uses limited to retail, restaurant and personal services uses shall not exceed 48,000 square feet of gross floor area. The site must contain a minimum of 10,000 square feet of ground-floor retail uses. 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, spas, yoga and exercise studios, nail salons, massage shops, martial art training studios, laundries and dry cleaning establishments.
- c. For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements) the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, all loading dock areas (open or enclosed), and outdoor dining areas (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).
- Conversion Rights. d.
 - 1. Unused commercial/office square footage may be converted to hotel rooms at a rate of 1,000 square feet per 1 hotel room and unused residential units can be converted at a rate of 1 residential unit per 1 hotel room. However, the total number of hotel rooms converted from commercial/office square footage shall not exceed fifty (50) hotel rooms and the total number of converted hotel rooms shall not exceed 300 rooms at any time, including conversions.
 - Unused residential units may be converted to additional commercial/office square footage at a rate of one (1) residential unit per 1,000 square feet of commercial/office use.

V. **Transportation**

- a. All public roadway improvements will be subject to the standards and criteria of CDOT, as applicable, to the roadway improvements within their respective 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 University City area, by way of a private/public partnership effort or other public sector project support.
- Petitioner shall construct internal Public Street A, Private Street A, and Private Street B, as generally depicted on the Rezoning Plan, before the first certificate of occupancy is issued for Parcel A, Parcel B, Parcel C, or Parcel D. Petitioner shall construct internal Public Street B before the first certificate of occupancy is issued for Parcel B, Parcel C2, Parcel D, or Parcel E.

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Site to evolve in a manner that is consistent with the future vision for the area, resulting in a well designed, quality experience for nearby residents, employees, and visitors, as well as the larger community.

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, the regulations established under the Ordinance for the MUDD 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 Optional Provisions provided below.

- include changes to graphics if they are:
- Rezoning Plan.

Optional Provisions for the MUDD-O Zoning District

- MUDD standards:
- b.
- to 36 square feet of sign area.

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- Parcel E.
- the back of sidewalk, where feasible.

- Keynes Drive.

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Graphics and Alterations/Modifications. The schematic depictions of the uses, Parcel areas, parking areas, sidewalks, structures and buildings, building materials, streetscape perspectives, driveways and other development matters and site elements set forth on the Rezoning Plan are intended to be conceptual in nature. 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 matters and 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

i. Minor and do not materially change the overall design intent depicted on the Rezoning Plan, such as minor modifications to the configurations of the street dimensions and the like as long as the modifications maintain the general building/parking orientation and character of the development generally depicted on the Rezoning Plan; or

ii. Modifications to allow minor increases in the mass of the building that does not materially change the design intent depicted on or described in the

University City Partners shall be reasonably notified of all administrative amendment applications related to this Rezoning Plan.

The following optional provisions are provided to accommodate deviations from the

a. To allow wall signs to have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less.

To allow one (1) detached ground mounted identification sign for each building. These detached identification signs may be up to five (5) feet high and contain up

Petitioner shall develop open space through a fifty (50) foot public access easement along the edge of the existing pond connection from Doug Mayes Place and J.W. Clay Boulevard for future pedestrian improvements and the existing public open space network through the Site, as generally depicted as the Pedestrian Greenspace Connection on the Rezoning Plan. The improvements to the Pedestrian Greenspace Connection and adjacent private plaza/open space areas shall be provided before the first certificate of occupancy is issued for Parcel B, Parcel C2, Parcel D, or

1. The Petitioner shall provide a minimum of four (4) public access easement connections from the proposed internal street to the Pedestrian Greenspace Connection in locations to be determined during the permitting phase of development. Some of these public access connections may be stairs or (otherwise not ADA accessible. A minimum of two (2) public access connections shall be ADA accessible.

Where necessary, the Petitioner shall dedicate and convey in fee simple all rights of way to the City of Charlotte before the Site's first building certificate of occupancy is issued. The Petitioner shall set the right-of-way at two (2) feet behind

During development of Parcel A, B C1, and non-residential uses within C2, uses may be served by surface parking areas. Structured parking facilities shall be required prior to the issuance of the first certificate of occupancy for Parcel E, Parcel D or residential development within Parcel C2.

The lakefront segment of Private Street A is envisioned as an enhanced hardscaped plaza that effectively manages vehicular and pedestrian traffic. The intent is for the street to be curbless and to feel like an extension of the park. Pedestrian movements shall be delineated with elements such as bollards, planters, street furnishings, and changes in surface materials, finish, or pattern (such as pavers, concrete, etc.). It is also envisioned that this segment of Private Street A may be temporarily closed to vehicular traffic during special community events.

The Petitioner shall provide a public access easement for Private Street "A" and "B," as generally depicted on the Rezoning Plan.

The Petitioner shall provide an \$80,000 contribution to the City of Charlotte for the completion of a "Z" pedestrian crossing on West W.T. Harris Boulevard and JM

The Petitioner shall donate 0.39 acres of right-of-way along the site's J.W. Clay Road frontage to the City of Charlotte's J.W. Clay CIP project (valued at approximately \$343,000), in an area coordinated and mutually agreed upon between the Petitioner and the City of Charlotte.

The Petitioner shall provide a vehicular connection through Parcel C2 and Parcel D, as generally depicted on the Rezoning Plan and as labeled Private Street C. (If)

To allow temporary signs and banners not to exceed 100 square feet in sign area. Any such signs or banners will be professionally fabricated banners made of fabric or plastic of any type. Paper banners will not be allowed; and no more than two (2) banners will be allowed at a time.

To allow existing surface level vehicular parking and maneuvering areas between buildings and JW Clay Boulevard to remain until redevelopment is complete on each Parcel. Once redevelopment for a Parcel is complete, parking areas shall not exceed 35% of the JW Clay Boulevard frontage for each Parcel and shall be adequately screened with landscaping.

e. To allow drop off areas in front of office buildings, pick-up and drop off areas in front of EDEE and hotel uses, valet parking, and service areas for uses such as mail delivery, loading and delivery. The Petitioner shall coordinate with CDOT during the permitting phase of redevelopment regarding the final location of the proposed valet/loading area.

Subject to the Maximum Development provisions set forth under Section 4 below,

III. Permitted Uses

the Site may be devoted to any residential or commercial uses permitted by right or under prescribed conditions in the MUDD Zoning District together with any incidental or accessory uses associated therewith, except for the following: Car washes; Automobile service stations; Drive-through service windows: Drive-through service windows as an accessory to permitted principal uses; Adult establishments; Auction sales or auction houses not to exceed 10,000 square feet, excluding any associated outdoor storage and the sales of automobiles, trucks, trailers and construction equipment; Automotive service stations, including minor adjustments, repairs, lubrication and accessory car washes; Equipment rental and leasing within an enclosed building; (9.) Group homes; >10. Subdivision sales offices; (11.) Telecommunications and data storage facility; 12. Boarding houses; 13. Donation drop-off facility; Electric and gas substations; Self-storage facilities, excluding storage units as an accessory to support > 15. permitted residential or commercial tenants within the Site (i.e., no third party self-storage will be permitted); 16. Outdoor sales as an accessory use; and

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the connection is private, it shall include a public access easement with dedication occurring prior to the Site's first certificate of occupancy. However, construction of the proposed connection shall not be required prior to the issuance of the first certificate of occupancy for Parcel D. The proposed development for Parcels C and D may have building connections over Private Street C, as generally depicted on the Rezoning Schematic Site Plan. This building overpass shall allow for adequate clearance for emergency vehicles.

The Petitioner shall work in coordination with CDOT during the Land Development permitting process and provide any requested traffic studies for modifications to the existing J.W. Clay Boulevard turn lanes (if requested), prior to the approval of Land Development plans.

The Petitioner shall work in coordination with CDOT during the Land Development permitting process and provide any requested traffic studies and analysis for internal stacking and vehicular lanes on Private Streets A and B and Public Streets A and B. The Petitioner and CDOT shall come to an agreement on an internal roadway design that does not create unreasonable vehicular stacking issues on J.W. Clay Boulevard as a result of this development while providing for an activated pedestrian-friendly environment on all new internal streets.

Unless otherwise stated herein, all transportation improvements shall be substantially completed before the Site's first building certificate of occupancy is issued for Parcel A or Parcel C1.

1. Substantial completion shall mean completion of the roadway improvements in accordance with the standards set forth herein provided, however, in the event certain non-essential roadway improvements such as street striping, trees and lighting (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.

n. Access:

Access to the Site from external public streets will be as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.

2. (There shall be a maximum of two (2) access points from J.W. Clay Boulevard, as generally depicted on the Rezoning Plan. Petitioner, in its > discretion may limit ingress and egress movements or restrict certain vehicular access points to one-way traffic if necessary.

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Minimum and Maximum Development

- The Site consists of Parcels A, B, C1, C2, D, and E (collectively, "the Parcels"), as generally depicted on the Rezoning Plan.
 - 1. The principal buildings within <u>Parcel A</u> and Parcel C1 will be developed with no less than 200 and up to 325 multi-family residential units and associated surface parking, along with any accessory uses allowed in the MUDD zoning district not otherwise excluded in Section III, above)
 - 2. The principal buildings within Parcel B will be developed with: (i) no less than 20,000 and up to 40,000 square feet of library, community center or other civic uses and (ii) up to 148,000 square feet of commercial uses limited to office, retail, Eating, Drinking and Entertainment Establishments ("EDEE"), and other commercial non-residential uses permitted by right and under prescribed conditions, along with any accessory uses allowed in the MUDD zoning district and not excluded in Section III, above.)
 - 3. The principal buildings within Parcel C2 and Parcel D will be developed with up to 125,000 square feet of gross floor area of commercial uses limited to office, retail, EDEE, and other commercial non-residential uses permitted by right and under prescribed conditions, along with associated structured parking facilities and/or surface parking and any other accessory uses allowed in the MUDD zoning district, and up to 300 multi-family residential units and associated structured parking facility and/or surface parking, along with any accessory uses allowed in the MUDD zoning district not otherwise excluded in Section III above.
 - 4. The principal buildings within <u>Parcel E</u> may be developed as a parking structure to serve the broader development with ground floor commercial uses fronting Private Street A or other uses allowed in the MUDD zoning) district not otherwise excluded in Section III, above.
 - 5. A minimum of 130,000 square feet of commercial space will be shared between Parcel B, Parcel C2, Parcel D and Parcel E, with the balance of the minimum square feet (i.e., 130,000 square feet) permitted with the last of the four Parcels to be developed. The minimum may be reduced to 80,000 square feet between the four Parcels based on the conversion of up to 50,000 square feet converted to fifty (50) hotel rooms as permitted in Section IV.
- The total square feet of gross floor area devoted to office uses and other commercial uses such as retail, EDEE and personal services uses shall be interchangeable provided that:

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3. The alignment of vehicular circulation and driveways may be modified by the Petitioner, subject to CDOT's final approval.

VI. **Design Guidelines**

General Design Guidelines.

- Buildings along the lakefront and Pedestrian Greenspace Connection shall be a minimum of fifty (50) feet from the edge of the lake and shall have a primary orientation towards the lakefront and Pedestrian Greenspace Connection. Such primary orientation shall require access (but not necessarily primary access) into the building from the lakefront side of the building. Residential buildings shall have entrances at least once every seventy-five (75) feet per building. These entrances may be private access points. Commercial buildings shall each have a minimum of two (2) primary entrances.
- 2. Preferred Exterior Building Materials: All principal and accessory buildings abutting a network required public or private street shall comprise a minimum of 50% of that building's entire façade facing such network street using brick, glass, natural stone (or its synthetic equivalent), stucco, fiber cement, corrugated metal, steel accents, architectural shingles, (architectural precast) or other material approved by the Planning Director.
- Prohibited Exterior Building Materials: The Petitioner will not utilize (1) vinyl siding or hand rails (though may use vinyl windows or door trim) or (2) concrete masonry units not architecturally finished.
- 4 The ground floor of each building façade fronting Private Street A, Private Street B, and the Pedestrian Greenspace Connection shall contain a minimum of 60% visible ground-floor active use. For the purposes of this provision, it is understood that visible ground-floor active uses shall include residential units with exterior-facing patios.
- Building Massing and Height shall be designed to break up long monolithic building forms as follows:
 - Buildings exceeding 120 feet in length shall include modulations of the building massing/façade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10 feet wide and shall project or recess a minimum of one (1) foot extending through at least a full floor
 - Buildings shall not exceed 400 feet in length at the ground level.
- 6. Meter banks will be screened where visible from public view at grade from public or private streets and shall be located outside of the setback.
- 7. HVAC and related mechanical equipment will be screened from public view at grade from public or private streets.

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PETITION NO. 2018-151 CITY OF CHARLOTTE

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM NC ENG. FIRM LICENSE # C-0658

UNIVERSITY CITY REZONING

PETITIONER: EB ARROW

LANDDES	SIGN PROJ.# 1018377					
REVISION / ISSUANCE						
NO.	DESCRIPTION	DATE				
	1ST SUBMITTAL	11/20/2018				
	STAFF COMMENTS	01/14/2018				
	3RD SUBMITTAL	02/08/2019				
	4TH SUBMITTAL	04/15/2019				
	5TH SUBMITTAL	05/13/2019				
	SIGNED BY: RJP	·				
	AWN BY: LDB ECKED BY: RJP					
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	REZONING NOTES					

RZ-2.0

8. Dumpsters, loading and services areas shall be screened from streets, i. Buildings shal common open spaces and any adjacent residential uses with materials required stree complimentary to the principal structure. Dumpster enclosures will not directly abut the back of a sidewalk, except for sidewalks providing access ii. Buildings sha to the dumpster enclosure. frontage on accessible op 9. Backflow preventers and transformers shall be screened and located outside storm water fa the setback, but can be located in a four (4) foot transition zone. iii. Driveways in 10. With the exception of structured parking facilities, multi-story buildings shall have required street a minimum of 20% percent transparency on all upper stories. b. Office and Commercial Building Design Guidelines iv. Architectural interest as foll 1. The commercial or retail space(s) proposed in Parcel E shall have a minimum 1. Building depth of forty (40) feet. architectu combinati 2. Office and Commercial building heights shall be a minimum of twenty-two (22) feet. banding, materials 3. Building Placement and Site Design shall focus on and enhance the pedestrian 2. Building of environment on public or private network required streets through the following: not have e architectu i. Buildings shall be placed so as to present a front or side façade to all streets. design fe ii. Facades fronting streets shall include a combination of windows and unarticula operable doors for a minimum of (60%) of each frontage elevation transparent glass between 2' and 10' on the first floor. Up to 10% of this requirement may v. Roof Form an be comprised of display windows. These display windows must maintain a the appearanc minimum of 3'-0" clear depth between window and rear wall. Windows Long pitcl within this zone shall not be screened by film, decals, and other opaque variation material, glazing finishes or window treatments. The maximum sill height for not be lim required transparency shall not exceed 4'-0" above adjacent street sidewalk. 2. For pitche iii. The facades of first/ground floor of buildings along streets shall incorporate a a flat roof minimum of 20% Preferred Exterior Building Materials. vi. Exposed mult iv. Direct pedestrian connection shall be provided between street facing doors and corner entrance features to sidewalks on adjacent streets. lighting and accomplished v. Building elevations shall not have expanses of blank walls greater than levels so that twenty (20) feet in all directions and shall contain architectural features such level. as but not limited to banding, medallions or design features or materials to

> vii. Sidewalk exte public and pri

VII. <u>Parking & Pedestrian Areas</u>

a. Structured parking faci pedestrian-scale interest

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c.

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avoid a sterile, unarticulated blank wall treatment.

1. Building Placement and Site Design shall focus on and enhance the pedestrian

Residential Building Design Guidelines

environment through the following:

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hall be placed so as to present a front or side façade to all network eets. hall front a minimum of 60% of the total network required street			compatible with primary buildings on all levels. The proposed parking structure on Parcel C2 that fronts on Private Street C shall not have ground floor active uses fronting Private Street C. The ground floor parking shall be screened from the street with architectural louvers or decorative screens.
n the site (exclusive of driveways, pedestrian access, points, open space, tree save or natural areas, tree replanting areas and facilities).		b.	Openings at the street level are limited to vehicular entrances, pedestrian access to the structure, and ventilation openings. All such openings shall be decorative and be an integral part of the overall building design.
intended to serve single units shall be prohibited on all network eets.		c.	On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances.
al Elevation Design - elevations shall be designed to create visual ollows:		d.	<u>Urban Open Space</u> . The Site shall meet or exceed the Urban Open Space requirements of the MUDD zoning district.
g elevations shall be designed with vertical bays or articulated ctural façade features which may include but not be limited to a ation of exterior wall offsets, projections, recesses, pilasters, g, windows, balconies, awnings, bump outs, and change in ls or colors. g elevations facing network required public or private streets shall e expanses of blank walls greater than 20 feet in all directions and ctural features such as but not limited to banding, medallions or features or materials will be provided to avoid a sterile, alated blank treatment of such walls.			1. The Petitioner will provide a Pedestrian Greenspace Connection in the area as generally depicted on the Rezoning Plan to serve as a focal point adjacent to the existing lake edge. This area will include a twelve (12) foot multi-modal trail with pocket amenity plazas and linear park features. The Pedestrian Greenspace Connection shall be a minimum of two (2) acres. The Private Plazas, Private Open Space, and Central Green Space areas, as generally shown on the Rezoning Plan, shall be a minimum of one and a half (1.5) acres, total, and may include features such as, but not limited to: water features, gazebos, specialty graphics or sculptures, landscaping, specialty paving, seating areas, signage (e.g., wayfinding, directional, special event), art work, and/or other site elements that help create vibrant pedestrian open space.
nce of a large monolithic roof structure as follows:	VIII.	Envi	ironmental Features
itched or flat roof lines shall avoid continuous expanses without on by including changes in height and/or roof form, to include but imited to gables, hips, dormers or parapets.			Petitioner shall comply with the Post Construction Stormwater Ordinance and Tree nance.
ched roofs the minimum allowed is 4:12 excluding buildings with of and parapet walls.	IX.	<u>Sign</u>	age
ulti-level parking decks shall provide screening so that interior d cars are not visible from public streets. This is primarily			age as allowed by the Ordinance and by the Optional Provisions set forth under Section ove may be provided.
ed by the use of architectural louvers or decorative screens on all	Х.	Ligh	ting:
at vehicles and interior lighting are not seen from adjacent street		a.	Detached lighting on the Site, except street lights located along public streets, will be limited to 30 feet in height.
xtensions shall be provided between all required street trees on all private network required streets when parking is adjacent.		b.	Attached and detached lighting shall be downwardly directed. However, upward facing accent lighting shall be permitted.
<u>s</u>	XI.	Ame	endments to the Rezoning Plan:
acilities shall be designed to encourage and complement est and activity on the ground floor and be architecturally		Futu	re amendments to the Rezoning Plan may be applied for by the then Owner or Owners

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of the applicable Development	Area portion	of the Site	affected by such	amendment	in
accordance with the provisions	herein and of	Chapter 6 o	of the Ordinance.		

Land

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PETITION

NO. 2018-151

CITY OF

CHARLOTTE

UNIVERSITY CITY

REZONING

PETITIONER: EB ARROW

1018377

REVISION / ISSUANCE

DATE 04/15/2019

05/13/2019

DESCRIPTION

4TH SUBMITTAL

5TH SUBMITTAL

LANDDESIGN PROJ.

DESIGNED BY: DRAWN BY: CHECKED BY:

(NOT TO SCALE)

REZONING NOTES

RZ-2.1

VERT: HORZ: NTS

ORIGINAL SHEET SIZE: 24" X 36"

NO.

XII. Binding Effect of the Rezoning Application:

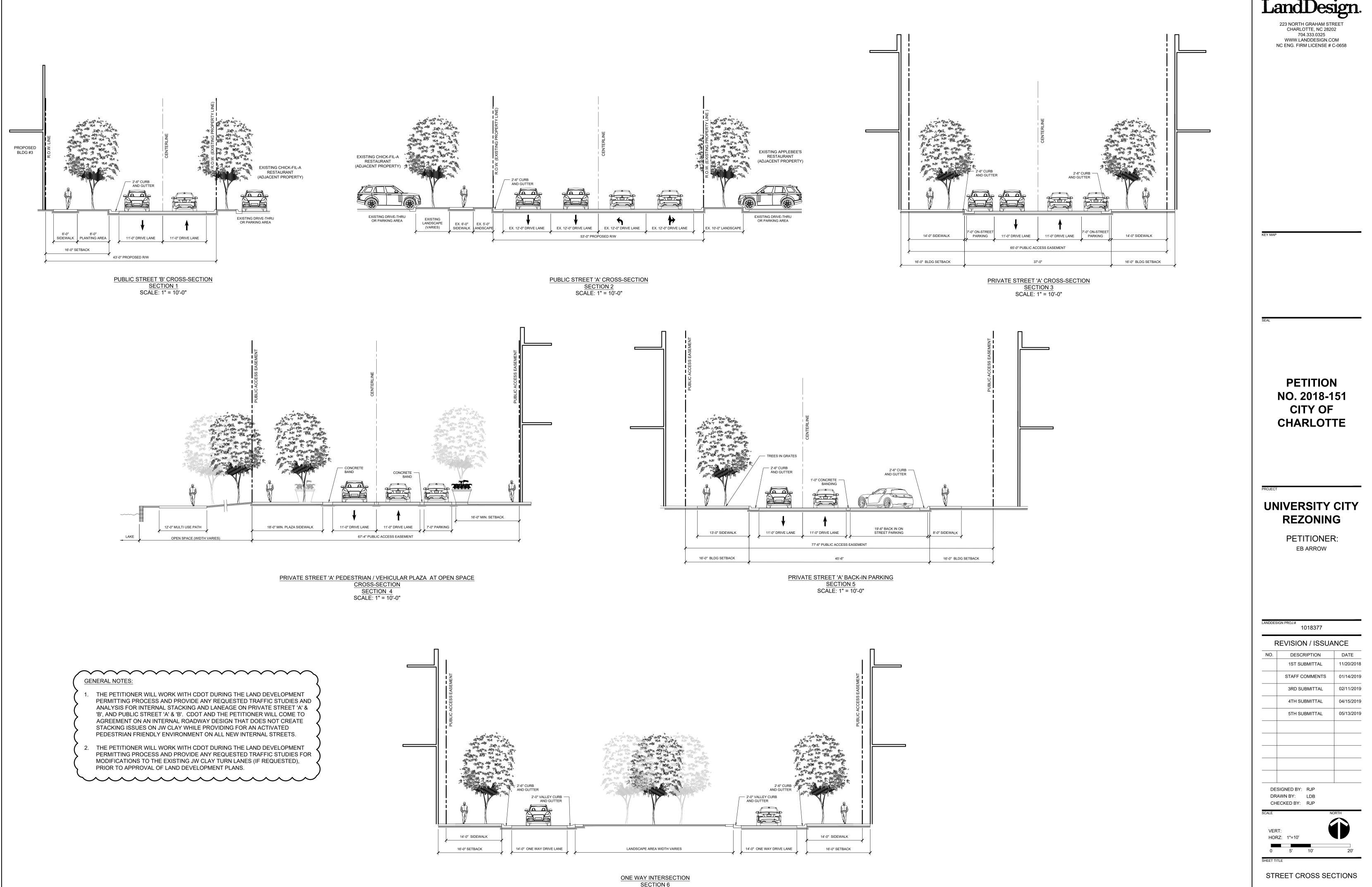
If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development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

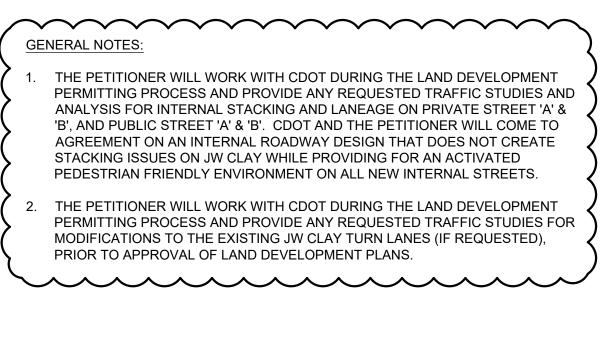
XIII. <u>Vested Rights Provision:</u>

If this Rezoning Petition is approved by the Charlotte City Council then, pursuant to Section 1.110 of the Ordinance, the Petitioner hereby requests a five-year vested right to undertake and complete the development of this Site under the terms and conditions as so approved, commencing upon approval of this Rezoning Petition by the Charlotte City Council. The Petitioner makes this request for a five-year vested right due to the size and phasing of the proposed development, market conditions and the level of investment involved.

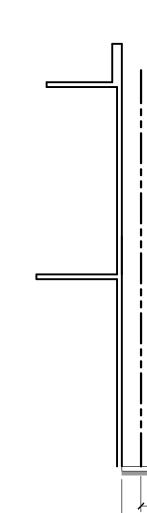
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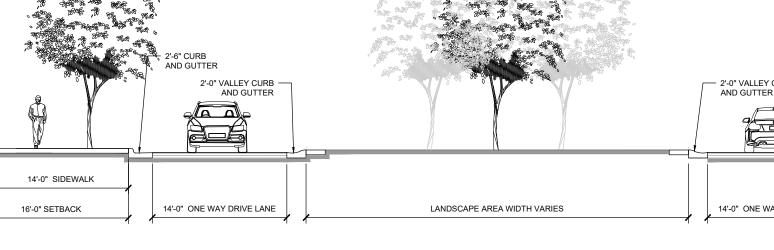
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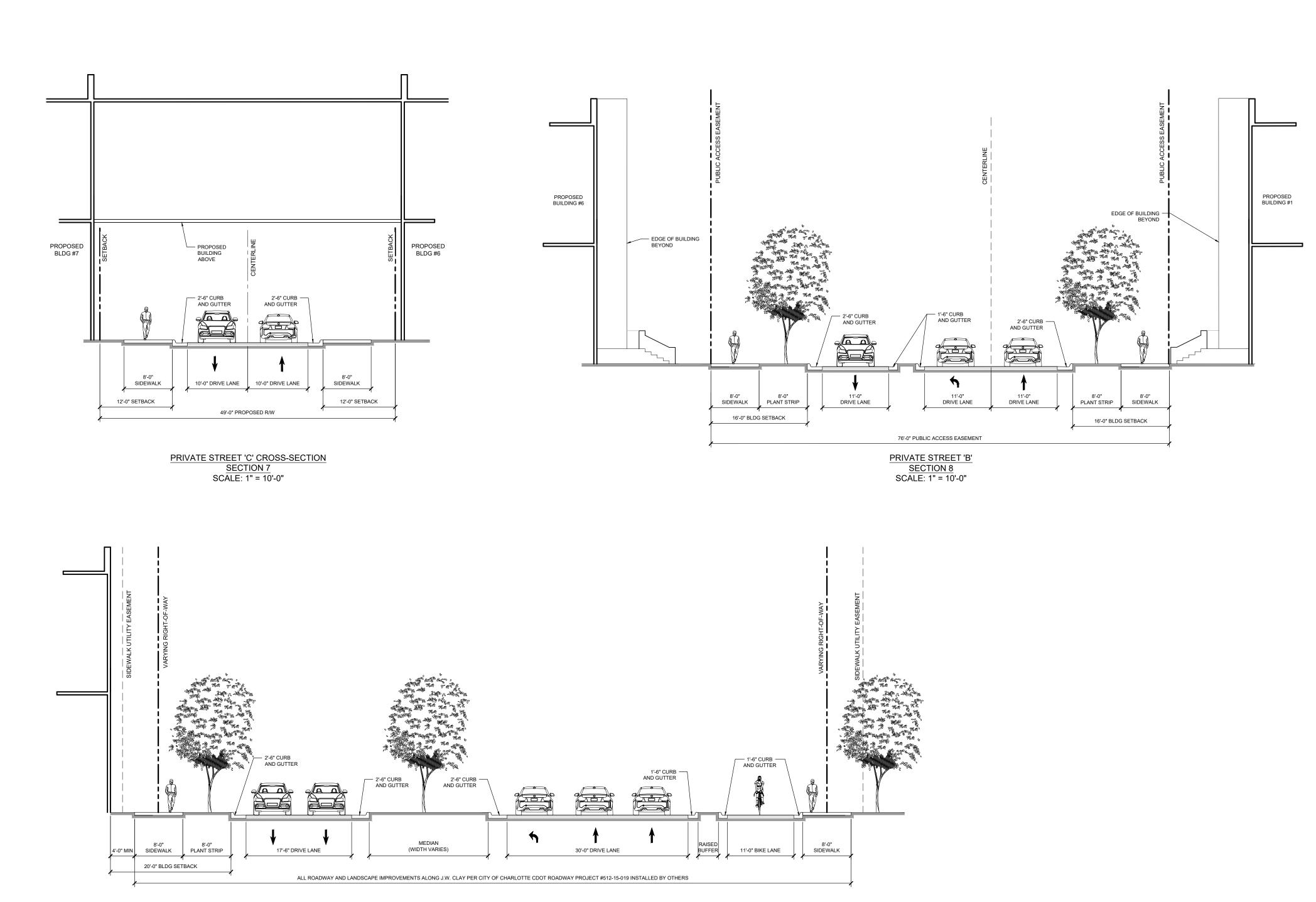




<u>SECTION 6</u> SCALE: 1" = 10'-0"

ORIGINAL SHEET SIZE: 24" X 36"

RZ-3.0

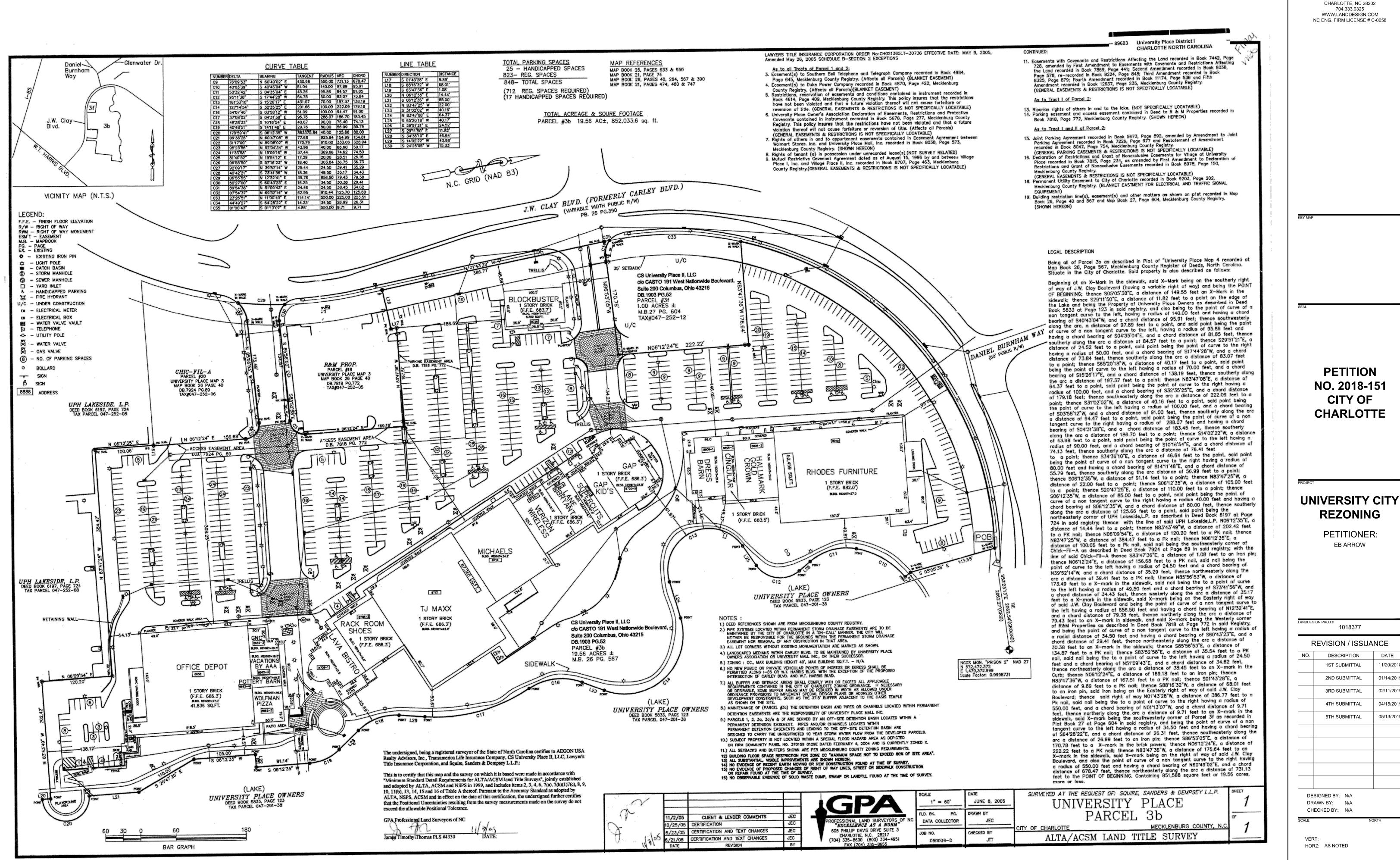


J.W. CLAY CROSS-SECTION SECTION 9 SCALE: 1" = 10'-0"

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ORIGINAL SHEET SIZE: 24" X 36"



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ORIGINAL SHEET SIZE: 24" X 36"

SITE SURVEY

RZ-4.0

DATE

11/20/2018

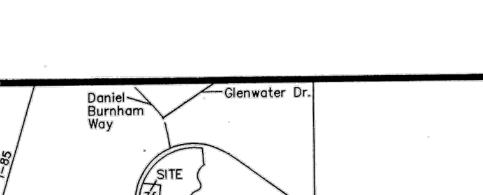
01/14/2019

02/11/2019

04/15/2019

05/13/2019

223 NORTH GRAHAM STREET



3b

VICINITY MAP (N.T.S.)

J.W. Clay~

Blvd.

LEGEND:

EIP - EXISTING IRON PIN

R/W - RIGHT OF WAY

O – EXISTING IRON PIN 🕸 - Light Pole

CATCH BASIN
 STORM MANHOLE

S - SEWER MANHOLE

EM - ELECTRICAL METER

EB - ELECTRICAL BOX co - CLEAN OUT

TELEPHONE

A – HANDICAPPED PARKING

U/C - UNDER CONSTRUCTION WY - WATER VALVE

(8) - NO. OF PARKING SPACES

IPS - IRON PIN SET F.F.E. - FINISH FLOOR ELEVATION

R/W - RIGHT OF WAY RWM - RIGHT OF WAY MONUMENT ESMIT - EASEMENT M.B. - MAPBOOK PG. - PAGE EX. - EXISTING

NOTES :

- 1.) DEED REFERENCES SHOWN ARE FROM MECKLENBURG COUNTY REGISTRY. 2.) PERMANENT STORM DRAINAGE EASEMENT RECORDED AT DEED BOOK 5839, PAGE 250.
- 3.) PIPE SYSTEMS LOCATED WITHIN PERMANENT STORM DRAINAGE EASEMENTS ARE TO BE MAINTAINED BY THE CITY OF CHARLOTTE IN A 'ON-CALL' MANNER. THE CITY WILL NEITHER BE RESPONSIBLE FOR THE GROUNDS WITHIN THE PERMANENT STORM DRAINAGE EASEMENT NOR REMOVAL OF ANY OBSTRUCTION IN THAT AREA.
- 4.) ALL LOT CORNERS WITHOUT EXISTING MONUMENTATION ARE MARKED AS SHOWN.
- 5.) LANDSCAPED MEDIANS WITHIN CARLEY BLVD. TO BE MAINTAINED BY UNIVERSITY PLACE OWNERS ASSOCIATION OR UNIVERSITY MALL INC., OR THEIR SUCCESSOR.
- 5.) ZONING : CC., MAX BUILDING HEIGHT 40', MAX BUILDING SQ.F.T. N/A
- 7.) NO NEW PUBLIC OR PRIVATE VEHICULAR POINTS OF INGRESS OR EGRESS SHALL BE PERMITTED ALONG I-85 OR W.T. HARRIS BLVD. WITH THE EXCEPTION OF THE PROPOSED INTERSECTION OF CARLEY BLVD. AND W.T. HARRIS BLVD.
- 8.) ALL BUFFER AND SETBACK AREAS SHALL COMPLY WITH OR EXCEED ALL APPLICABLE REQUIREMENTS CONTAINED IN THE CITY OF CHARLOTTE ZONING ORDINANCE. IF NECESSARY OR DESIRABLE, SOME BUFFER AREAS MAY BE REDUCED IN WIDTH AS ALLOWED UNDER ORDINANCE PROVISIONS TO IMPLEMENT SPECIAL DESIGN PLANS OR ADDRESS OTHER DEVELOPMENT CONSTRAINTS, SUCH AS THE 37.5' BUFFER ADJACENT TO THE OASIS TEMPLE
- AS SHOWN ON THE SITE. 9.) MAINTENANCE OF (PARCEL #3c) THE DETENTION BASIN AND PIPES OR CHANNELS LOCATED WITHIN PERMANENT DETENTION EASEMENTS ARE THE RESPONSIBILITY OF UNIVERSITY PLACE MALL INC. 10.) PARCELS 1, 2, 3a, 3d/e & 3f ARE SERVED BY AN OFF-SITE DETENTION BASIN LOCATED WITHIN A
- PERMANENT DETENSION EASEMENT. PIPES AND/OR CHANNELS LOCATED WITHIN PERMANENT DETENTION EASEMENTS AND LEADING TO THE OFF-SITE DETENTION BASIN ARE DESIGNED TO CARRY THE UNRESTRICTED 10 YEAR STORM WATER FLOW FROM THE DEVELOPED PARCELS. 11.) SUBJECT PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS DEPICTED
- ON FIRM COMMUNITY PANEL NO. 370159 00129E DATED FEBRUARY 4, 2004 AND IS CURRENTLY ZONED X. 12.) ALL SETBACKS AND BUFFERS SHOWN ARE PER MECKLENBURG COUNTY ZONING REQUIREMENTS.
- 13) BUILDING FLOOR SPACE RESTRICTION FOR ZONE CC "MAXIMUM SPACE NOT TO EXCEED 80% OF SITE AREA".
- 14) ALL SUBSTANTIAL, VISIBLE IMPROVEMENTS ARE SHOWN HEREON.
 14) ALL SUBSTANTIAL, VISIBLE IMPROVEMENTS ARE SHOWN HEREON.
 15) NO EVIDENCE OF RECENT EARTH MOVING OR NEW CONSTRUCTION FOUND AT TIME OF SURVEY.
 16) NO EVIDENCE OF PROPOSED CHANGES OF RIGHT OF WAY LINES, STREET OR SIDEWALK CONSTRUCTION OR REPAIR FOUND AT THE TIME OF SURVEY.
 17) NO OBSERVABLE EVIDENCE OF SOLID WASTE DUMP, SWAMP OR LANDFILL FOUND AT THE TIME OF SURVEY.

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
And a second	34.50'	26.99'	14.23	26.31	N64*28'22"W	44'49'2
<u>C1</u>		225.08	114.14'	22,.51	N11'00'40"E	23'26'5
C2	550.00'	223.08	1,1,77,1,77			

LAWYERS TITLE INSURANCE CORPORATION ORDER No: CH021365LT-30736 EFFECTIVE DATE: MAY 9, 2005 Amended May 26, 2005 SCHEDULE B-SECTION 2 EXCEPTIONS

- As to all Tracts of Parcel 1 and 2; 3. Easement(s) to Southern Bell Telephone and Telegraph Company recorded in Book 4984, Page 645, Mecklenburg County Registry. (Affects all Parcels) (BLANKET EASEMENT)

- Page 040, Mecklenburg County Registry. (Affects all Parcels) (BLANKET EASEMENT)
 4. Easement(s) to Duke Power Company recorded in Book 4870, Page 422, Mecklenburg County Registry. (Affects all Parcels)(BLANKET EASEMENT)
 5. Restrictions, reservation of easements and conditions contained in instrument recorded in Book 4614, Page 409, Mecklenburg County Registry. This policy insures that the restrictions have not been violated and that a future violation thereof will not cause forfeiture or parallel 4 Mile. (CONFORT EASEMENTS) reversion of title. (GENERAL EASEMENTS & RESTRICTIONS IS NOT SPECIFICALLY LOCATABLE)
- 6. University Place Owner's Association Declaration of Easements, Restrictions and Protective Covenants contained in instrument recorded in Book 5678, Page 2.7, Mecklenburg County Registry. This policy insures that the restrictions have not been violated and that a future violation thereof will not cause forfeiture or reversion of title. (Afric its all Parcels) (GENERAL EASEMENTS & RESTRICTIONS IS NOT SPECIFICALLY LOCATABLE)
- (GENERAL EASEMENTS & RESTRICTIONS IS NOT SPECIFICALLY LOCATABLE)
 7. Rights of others in and to appurtenant easements contained in Easement Agreement between Walmart Stores. Inc. and University Place Mall, Inc. recorded in Book 8038, Page 573, Mecklenburg County Registry. (SHOWN HEREON)
 8. Rights of tenant (a) in possession under unrecorded lease(s).(NOT SURVEY RELATED)
 9. Mutual Restrictive Covenant Agreement dated as of August 15, 1996 by and between Village Place I, Inc. and Village Place II, Inc. recorded in Book 8707, Page 463, Mecklenburg County Registry.(GENERAL EASEMENTS & RESTRICTIONS IS NOT SPECIFICALLY LOCATABLE)
- 11. Easements with Covenants and Restrictions Affecting the Land recorded in Book 7442, Page 728, amended by First Amendment to Easements with Covenants and Restrictions Affecting the Land recorded in Book 7869, Page 441; Second Amendment recorded in Book 8038, Page 578, re-recorded in Book 8224, Page 848; Third Amendment recorded in Book 8325, Page 879; Fourth Amendment recorded in Book 11174, Page 536 and Fifth Amendment recorded in Book 12637, Page 235, Mecklenburg County Registry. (GENERAL EASEMENTS & RESTRICTIONS IS NOT SPECIFICALLY LOCATABLE)

As to Tract | of Parcel 2;

Riparian rights of others in and to the lake. (NOT SPECIFICALLY LOCATABLE)
 Parking easement and access easement contained in Deed to R & M Properties recorded in Book 7818, Page 772, Mecklenburg County Registry. (SHOWN HEREON)

As to Tract | and || of Parcel 2:

- As to Tract I until of Forcer 2.
 Joint Parking Agreement recorded in Book 5673, Page 892, amended by Amendment to Joint Parking Agreement recorded in Book 7226, Page 977 and Restatement of Amendment recorded in Book 8047, Page 754, Mecklenburg County Registry. (GENERAL PARKING EASEMENTS & RESTRICTIONS IS NOT SPECIFICALLY LOCATABLE)
 Declaration of Restrictions and Grant of Nonexclusive Easements for Village at University Place recorded in Book 7815, Page 234, as amended by First Amendment to Declaration of Restrictions and Grant of Nonexclusive Easements recorded in Book 8078, Page 150, Mecklenburg County Registry. (GENERAL EASEMENTS & RESTRICTIONS IS NOT SPECIFICALLY LOCATABLE)
 Permanent Utility Easement to City of Charlotte recorded in Book 9203, Page 202, Mecklenburg County Registry. (BLANKET EASTMENT FOR ELECTRICAL AND TRAFFIC SIGNAL EQUIPEMENT)

- EQUIPEMENT) 19. Building restriction line(s), easement(s) and other matters as shown on p1st recorded in Map Book 26, Page 40 and 567 and Map Book 27, Page 604, Mecklenburg County Registry. (SHOWN HEREON)

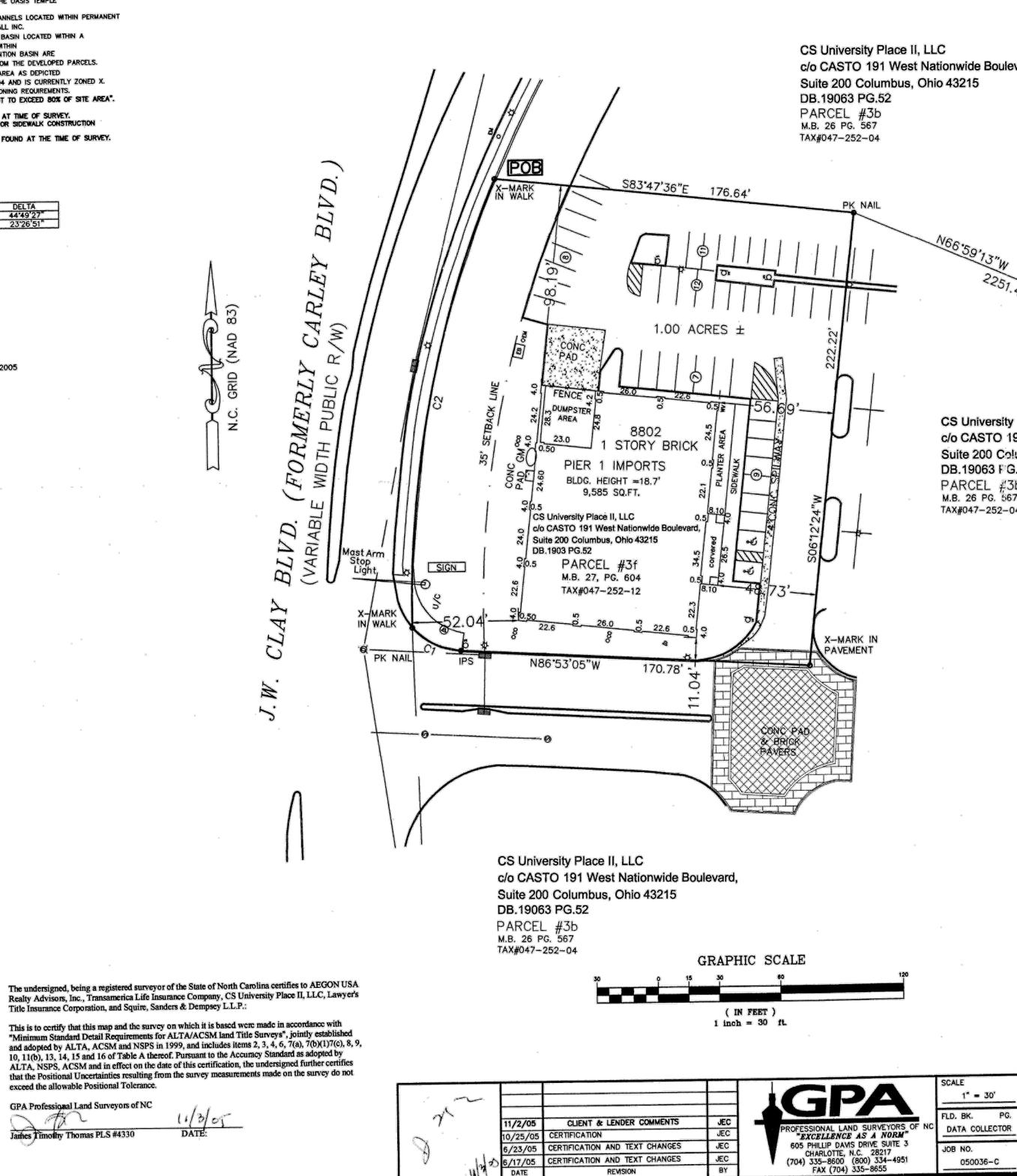
TOTAL PARKING SPACES 2 - HANDICAPPED SPACES 45 - REG. SPACES 47 - TOTAL SPACES (40 REG. SPACE REQUIRED) (1 HANDICAPPED SPACE REQUIRED)

MAP REFERENCES MAP BOOK 25, PAGES 633 & 950 MAP BOOK 21, PAGE 74 MAP BOOK 26, PAGES 40, 264, 567 & 390 MAP BOOK 21, PAGES 474, 480 & 747

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exceed the allowable Positional Tolerance.

GPA Professional Land Surveyors of NC AN laines Timothy Thomas PLS #4330



property is also described as follows: Beginning at an X-Mark in the side walk, sold X-Mark in the sidewalk being on the right of way of J.W. Cay Boulevard (howing a variable right of way), and being a common corner of Parcel 3b as recorded in Plat Book 26 at page 587 in sold Registry and being the POINT OF BEGINNING, thence S834736°E, a distance of 176.64 feet to a PK noll; thence S051224°W, a distance of 222.22 feet to an X-Mark in the brick pavers; thence N8653305°W, a distance of 170.78 feet to an iron pin, sold iron being the the point of curve of a non tangent curve to the right, having a radius of 34.50 feet, and having a chord bearing of N6472822°W, and a chord distance of 28.31 feet, thence northwesterly along the orc a distance of a sold J.W. Clay Boulevard (having a variable right of way), and also being the point of curve of a mon tangent curve to the right, having a radius of 53.50.00 feet and having a chord bearing of N10704°E; and a chord distance of 225.05 feet to the POINT OF BEGINNING. Containing 43,992 square feet or 1.00 acres, more or less. TOGETHER WITH appurtenant easements and rights established and created in that certain University Place Owners' Association Declaration of Easementa, Restrictions and Protective Covenants recorded in Deed Book 5678 at Page 277 in the Mecklenburg County, North Carolina, Public Registry. TOGETHER ALSO WITH appurtenant easements and rights established and created in that certain Joint Parking Agreement recorded in Deed Book 5673 at Page B92 in sold Registry. TOGETHER ALSO WITH appurtenant easements and rights established and created in that certain Deel acreated in that certain Deel Book B047 of Page 754 in sold Registry. TOGETHER ALSO WITH appurtenant easements and rights established and created in that certain Deel Book 7815	223 NORTH GRAHAM S CHARLOTTE, NC 283 704.333.0325 WWW.LANDDESIGN. NC ENG. FIRM LICENSE #	TREET 202 COM
 Weight of the second sec	,	
LEGAL DESCRIPTION (Pler 1 Imports) Proceed Being all of Parced 3f as described in Plat of "University Place Map 5 recorded at Map Book 27. Page 604, Meckhenburg County Register of Deeds, North Carolina. Situate in the Gity of Chortotte, N.C., Said property is also described as follows: Image: County Register of Deeds, North Carolina. Situate in the Gity of Chortotte, N.C., Said property is also described as follows: Image: County Register of Deeds, North Carolina. Situate in the Gity of Chortotte, N.C., Said property is also described as follows: Image: County Register of Deeds, North Carolina, County, Chence S347/367. a distance of 176.64-Res 53057. Soid distance of 22.31 feet, there northwestery doing the arc a distance of 22.35 feet, on A-Mark in the side-walk, said X-Mark in the side-walk, said X-Mark in the side-walk, said X-Mark in the sidewalk being on the Casterly right of way of didtance of 22.35 feet, there northwestery doing the point of curve of a more of addition of 22.35 feet, there northwestery doing the arc a distance of 22.35 feet, there northerly along the arc a distance of 22.35 feet, does there yield with distance of 22.35 feet, there northerly along the arc of addition the registry and and along 22.35 is the there found with a sidewalk being and rights established and created in that certain Joint Parking Agreement recorded in Book 5673 at Page 832 in the Mecklenburg County. North Carolina, Public Registry. TOGETHER ALSO WTH appurtenant easements and rights established and created in that certain Joint Parking Agreement recorded in Book 5673 at Page 832 in the Mecklenburg County. North Carolina, Public Registry. TOGETHER ALSO WTH appurtenant easements and rights e	PETITIO NO. 2018- CITY OI CHARLOT	151 =
Deed Book 5678 at Page 277 in the Mecklenburg County, North Carolina, Public Registry. TOGETHER ALSO WITH appurtenant easements and rights established and created in that certain Joint Parking Agreement recorded in Book 5673 at Page 892 in the Mecklenburg County, North Carolina, Public Registry, as amended by that certain Amendment to Joint Parking Agreement recorded in Deed Book 7226 at Page 977 in said Registry and by that certain Restatement of Amendment to Joint Parking Agreement recorded in Deed Book 8047 at Page 754 in said Registry. TOGETHER ALSO WITH appurtenant easements and rights established and created in that certain Deed Book 7815 at Page 234 in the Mecklenburg County, North Carolina, Public Registry, as amended by that certain First Amendment to Declaration of Restrictions and Grant of Non-exclusive Easements for the Village at University Place recorded in Deed Book 8078 at Page 150 in said Registry. TOGETHER ALSO WITH appurtenant easements and rights established and created in that certain Registry. TOGETHER ALSO WITH appurtenant easements and rights established and created in that certain Registry. TOGETHER ALSO WITH appurtenant easements and rights established and created in that certain Registry. TOGETHER ALSO WITH appurtenant easements and rights established and created in that certain Easement for the Village at University Place Roll, Inc. recorded in Deed Boo	NIVERSITY REZONIN PETITIONE EB ARROW	IG
relating to Parcel #20 (Pad 0) (approximately not occorded in Map Book 26, at Page 40, dated March 29, 1994, as last revised April 19, 1994, recorded in Map Book 26, at Page 40, Mecklenburg County, North Carolina, Public Registry, and all easements appurtenant to such parcel.	SIGN PROJ.# 1018377 REVISION / ISSU DESCRIPTION 1ST SUBMITTAL 2ND SUBMITTAL 3RD SUBMITTAL 4TH SUBMITTAL 5TH SUBMITTAL	ANCE DATE 11/20/2018 01/14/2019 02/11/2019 04/15/2019 05/13/2019
	ESIGNED BY: N/A RAWN BY: N/A HECKED BY: N/A	NORTH

RZ-4.1

SITE SURVEY

