

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):

- COMMERCIAL: 260,000 SQUARE FEET
- CIVIC (LIBRARY): 40,000 SQUARE FEET
- RESIDENTIAL: 600 UNITS
- HOTEL: SUBJECT TO THE CONVERSION PROVISIONS OF SECTION IV.

SITE DEVELOPMENT DATA CONT.:

-MAXIMUM BUILDING HEIGHT:
PARCEL 'A': 70 FEET
PARCEL 'B': 120 FEET
PARCEL 'C': 120 FEET
PARCEL 'D': 120 FEET
PARCEL 'E': 120 FEET

-PARKING:

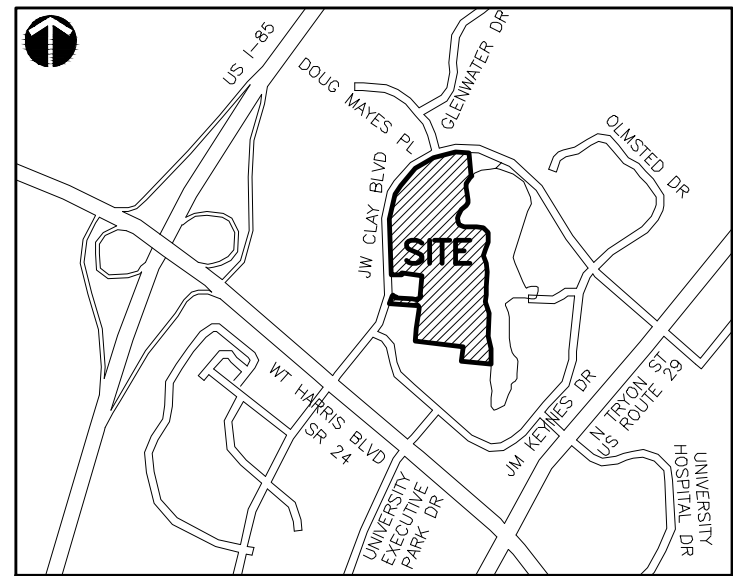
AS REQUIRED BY THE ORDINANCE FOR THE MUDD ZONING DISTRICT.

-PROPOSED USES:

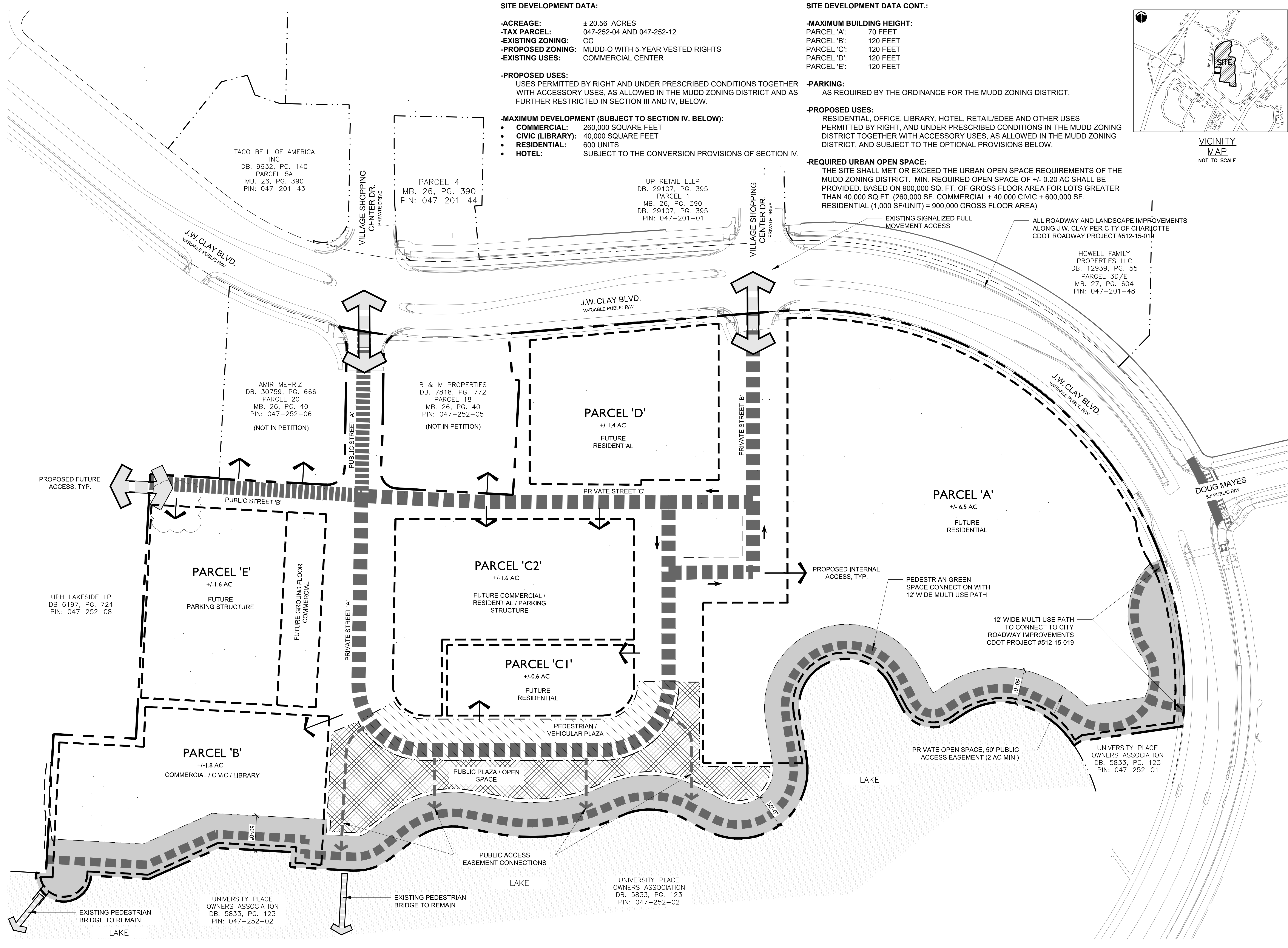
RESIDENTIAL, OFFICE, LIBRARY, HOTEL, RETAIL/EDEE AND OTHER USES PERMITTED BY RIGHT, AND UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT, AND SUBJECT TO THE OPTIONAL PROVISIONS BELOW.

-REQUIRED URBAN OPEN SPACE:

THE SITE SHALL MET OR EXCEED THE URBAN OPEN SPACE REQUIREMENTS OF THE MUDD ZONING DISTRICT. MIN. REQUIRED OPEN SPACE OF +/- 0.20 AC SHALL BE PROVIDED. BASED ON 900,000 SQ. FT. OF GROSS FLOOR AREA FOR LOTS GREATER THAN 40,000 SQ.FT. (260,000 SF. COMMERCIAL + 40,000 CIVIC + 600,000 SF. RESIDENTIAL (1,000 SF/UNIT) = 900,000 GROSS FLOOR AREA)



VICINITY
MAP
NOT TO SCALE



KEY MAP

SEAL

PETITION
NO. 2018-151
CITY OF
CHARLOTTE

PROJECT

UNIVERSITY CITY
REZONING

PETITIONER:
EB ARROW

LANDDESIGN PROJ.#
1018377

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1ST SUBMITTAL		11/20/2018
STAFF COMMENTS		01/14/2019
3RD SUBMITTAL		02/11/2019
4TH SUBMITTAL		04/15/2019
5TH SUBMITTAL		05/13/2019
6TH SUBMITTAL		05/24/2019
7TH SUBMITTAL		06/24/2019

DESIGNED BY: RJP
DRAWN BY: LDB
CHECKED BY: RJP

SCALE

VERT: 1"=60'
HORZ: 1"=60'

0 30' 60' 120'

SHEET TITLE

TECHNICAL DATA SHEET

SHEET NUMBER

RZ-1.0

Development Standards
Rezoning Petition No. 2018-151
EBA Crystal Real Estate, LLC - Petitioner
6/24/2019

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):
Commercial: 260,000 square feet
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.

General Provisions

- a. **Site Description.** These Development Standards and the Technical Data Sheet form the rezoning plan (hereafter collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by EBA Crystal Real Estate, LLC ("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").
- b. **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

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.

- c. **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 include changes to graphics if they are:
- 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 Rezoning Plan.
- d. University City Partners shall be reasonably notified of all administrative amendment applications related to this Rezoning Plan.

Optional Provisions for the MUDD-O Zoning District

The following optional provisions are provided to accommodate deviations from the MUDD standards:

- 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.
- b. 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 to 36 square feet of sign area.

- c. 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.
- d. 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.

Permitted Uses

- a. Subject to the Maximum Development provisions set forth under Section 4 below, 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;
 - Group homes;
 - Subdivision sales offices;
 - Telecommunications and data storage facility;
 - Boarding houses;
 - Donation drop-off facility;
 - Electric and gas substations;
 - Self-storage facilities, excluding storage units as an accessory to support permitted residential or commercial tenants within the Site (i.e., no third party self-storage will be permitted);
 - Outdoor sales as an accessory use; and

17. Satellite dish farms.

Minimum and Maximum Development

- a. The Site consists of Parcels A, B, C1, C2, D, and E (collectively, "the Parcels"), as generally depicted on the Rezoning Plan.

- The principal buildings within Parcel A 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.
 - 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.
 - 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.
 - The principal buildings within Parcel E 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.
 - 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.
- b. 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:

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.

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.
- 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.
- The alignment of vehicular circulation and driveways may be modified by the Petitioner, subject to CDOT's final approval.
- The proposed Building 10 parking deck entrance/exit driveway on Public Street B shall be located as close as reasonably possible to the Site's southern property line, as generally depicted on the Rezoning Plan.

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.
- 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 facade 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.
- The ground floor of each building facade 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

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	1ST SUBMITTAL	11/20/2018
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	4TH SUBMITTAL	04/15/2019
	5TH SUBMITTAL	05/13/2019
	6TH SUBMITTAL	05/24/2019
	7TH SUBMITTAL	06/24/2019

DESIGNED BY: RJP
DRAWN BY: LDB
CHECKED BY: RJP

SCALE

VERT: NTS
HORZ: NTS



(NOT TO SCALE)

SHEET TITLE

REZONING NOTES

SHEET NUMBER

RZ-2.0

directional, special event), art work, and/or other site elements that help create vibrant pedestrian open space.

VIII. **Environmental Features**

The Petitioner shall comply with the Post Construction Stormwater Ordinance and Tree Ordinance.

IX. **Signage**

Signage as allowed by the Ordinance and by the Optional Provisions set forth under Section II above may be provided.

X. **Lighting:**

- Detached lighting on the Site, except street lights located along public streets, will be limited to 30 feet in height.
- Attached and detached lighting shall be downwardly directed. However, upward facing accent lighting shall be permitted.

XI. **Amendments to the Rezoning Plan:**

Future amendments to the Rezoning Plan may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

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. **Vested Rights Provision:**

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.

KEY MAP

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	5TH SUBMITTAL	05/13/2019
	6TH SUBMITTAL	05/24/2019
	7TH SUBMITTAL	06/24/2019

DESIGNED BY:
DRAWN BY:
CHECKED BY:

SCALE

NORTH

VERT:
HORZ: NTS

(NOT TO SCALE)

SHEET TITLE

REZONING NOTES

SHEET NUMBER

RZ-2.1

provision, it is understood that visible ground-floor active uses shall include residential units with exterior-facing patios.

5. **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.

8. Dumpsters, loading and services areas shall be screened from streets, common open spaces and any adjacent residential uses with materials complimentary to the principal structure. Dumpster enclosures will not directly abut the back of a sidewalk, except for sidewalks providing access to the dumpster enclosure.

9. Backflow preventers and transformers shall be screened and located outside the setback, but can be located in a four (4) foot transition zone.

10. With the exception of structured parking facilities, multi-story buildings shall have a minimum of 20% percent transparency on all upper stories.

b. **Office and Commercial Building Design Guidelines**

- Building(s) in Parcel B shall include a minimum ground floor height of sixteen (16) feet.
- The commercial or retail space(s) proposed in Parcel E shall have a minimum depth of forty (40) feet.
- Office and Commercial building heights shall be a minimum of twenty-two (22) feet.
- Building Placement and Site Design shall focus on and enhance the pedestrian environment on public or private network required streets through the following:
 - Buildings shall be placed so as to present a front or side façade to all streets.
 - Facades fronting streets shall include a combination of windows and 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 be comprised of display windows. These display windows must maintain a minimum of 3'-0" clear depth between window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" above adjacent street sidewalk.

iii. The facades of first/ground floor of buildings along streets shall incorporate a minimum of 20% Preferred Exterior Building Materials.

iv. Direct pedestrian connection shall be provided between street facing doors and corner entrance features to sidewalks on adjacent streets.

v. Building elevations shall not have expanses of blank walls greater than twenty (20) feet in all directions and shall contain architectural features such as but not limited to banding, medallions or design features or materials to avoid a sterile, unarticulated blank wall treatment.

c. **Residential Building Design Guidelines**

1. Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:

i. Buildings shall be placed so as to present a front or side façade to all network required streets.

ii. Buildings shall front a minimum of 60% of the total network required street frontage on the site (exclusive of driveways, pedestrian access, points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities).

iii. Driveways intended to serve single units shall be prohibited on all street frontages, including the lakeside pedestrian connection.

iv. Architectural Elevation Design - elevations shall be designed to create visual interest as follows:

- Building elevations shall be designed with vertical bays or articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding, windows, balconies, awnings, bump outs, and change in materials or colors.
- Building elevations facing network required public or private streets shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

v. **Roof Form and Articulation** - roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:

- Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers or parapets.
- For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls.

vi. Exposed multi-level parking decks shall provide screening so that interior lighting and cars are not visible from public streets. This is primarily accomplished by the use of architectural louvers or decorative screens on all levels so that vehicles and interior lighting are not seen from adjacent street level.

vii. Sidewalk extensions shall be provided between all required street trees on all public and private network required streets when parking is adjacent.

VII. **Parking & Pedestrian Areas**

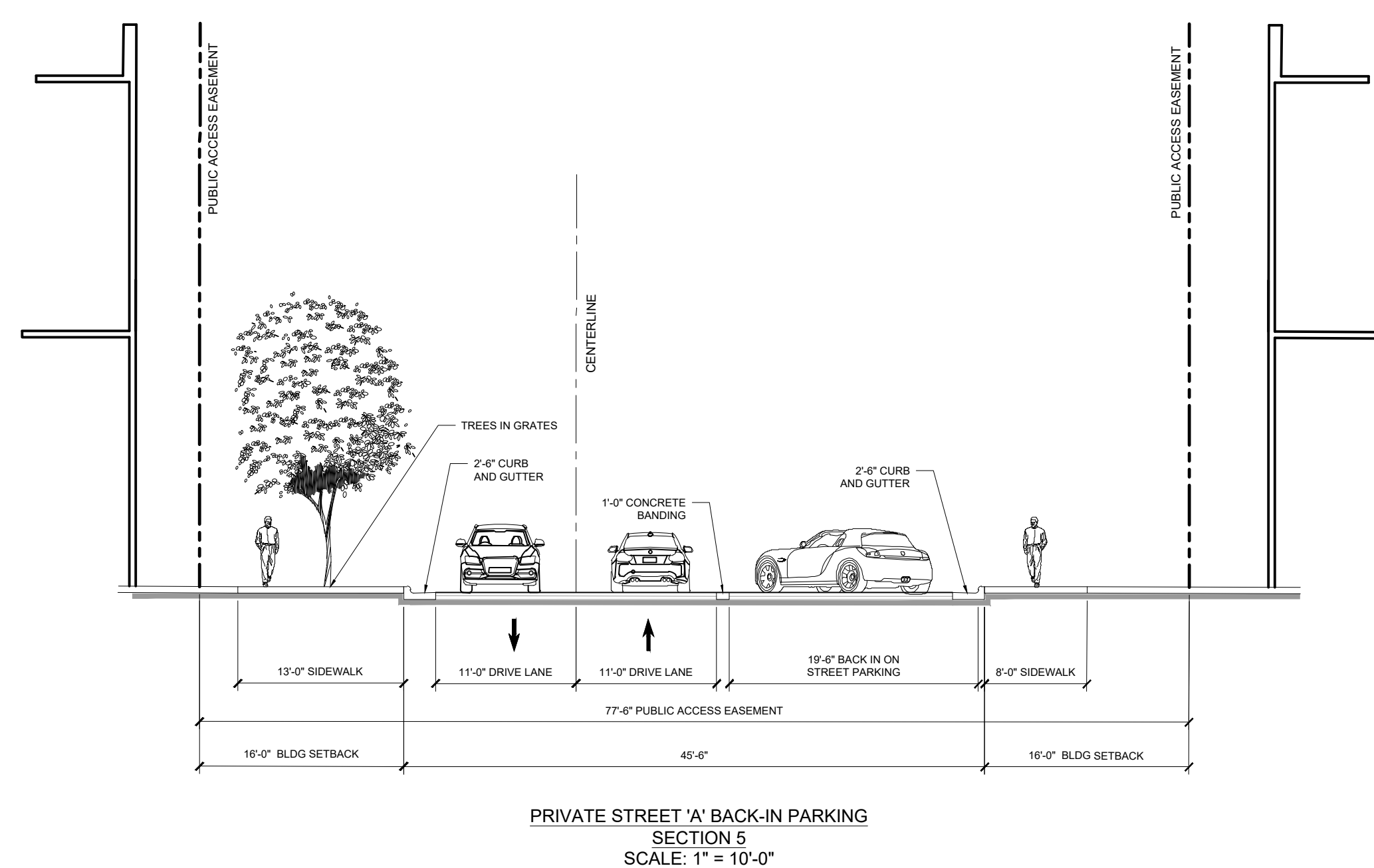
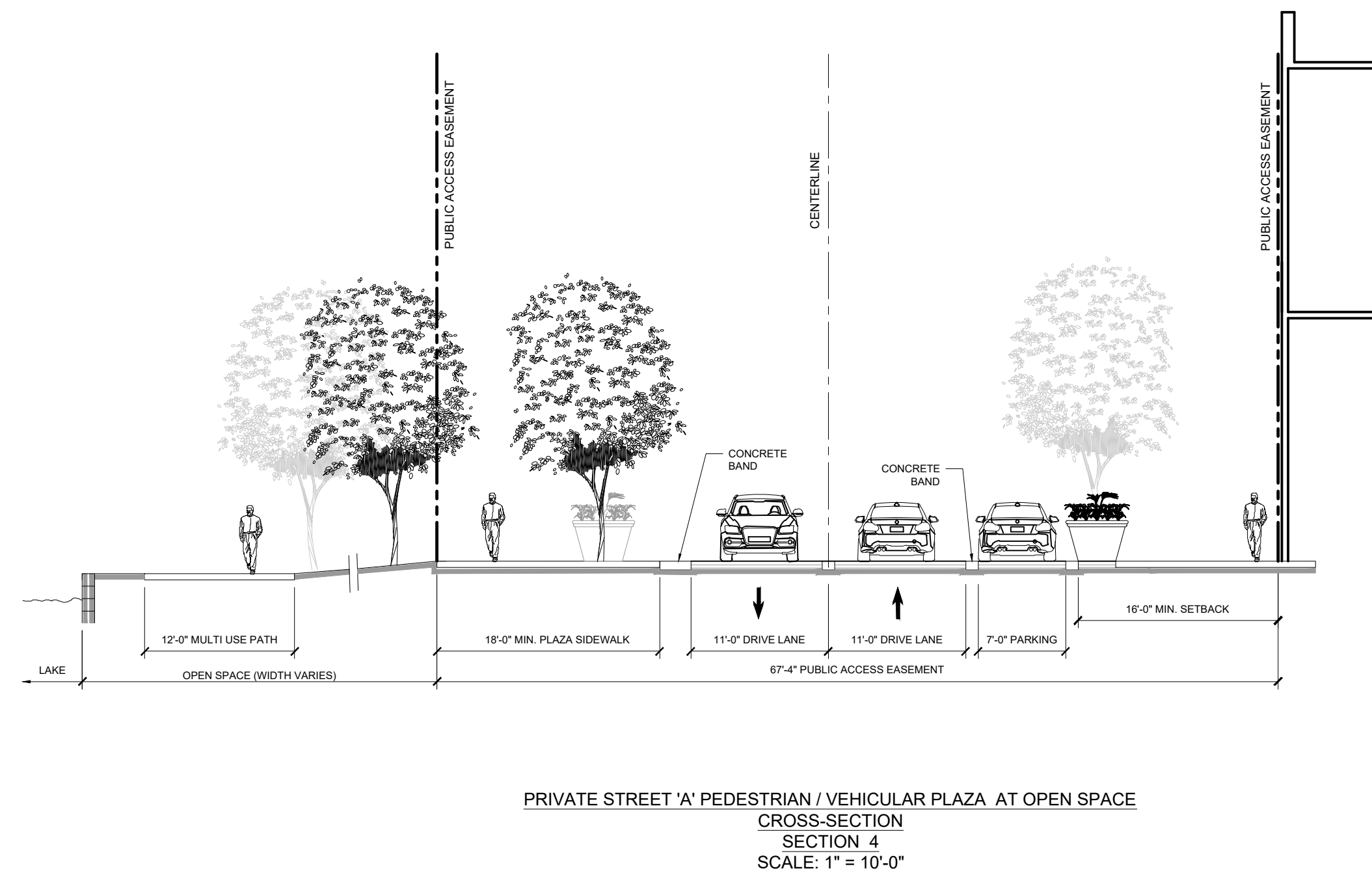
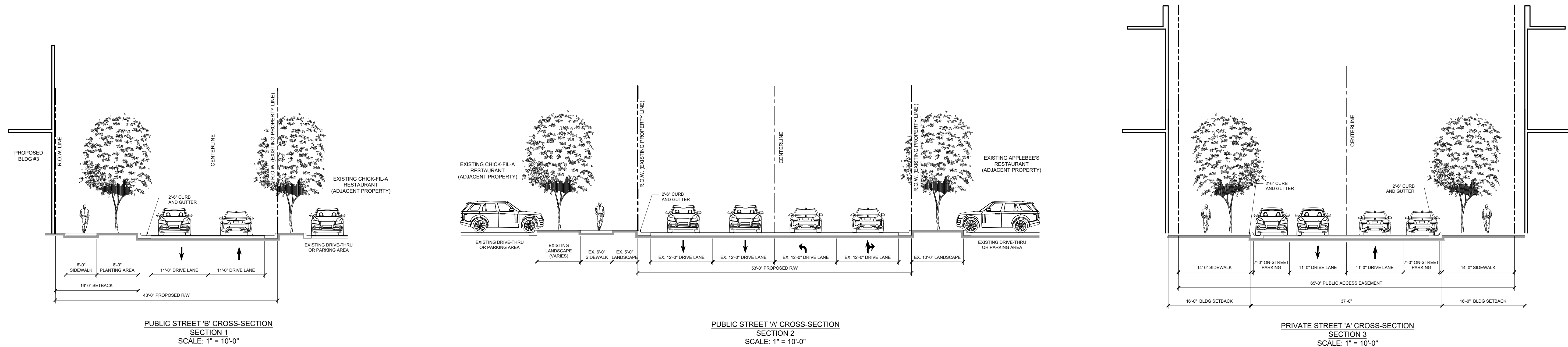
a. Structured parking facilities shall be designed to encourage and complement pedestrian-scale interest and activity on the ground floor and be architecturally compatible with primary buildings on all levels. The proposed parking structure on Parcel C2 that fronts on Private Street C shall not have ground floor active uses fronting Private Street C. The ground floor parking shall be screened from the street with architectural louvers or decorative screens.

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.

c. On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances.

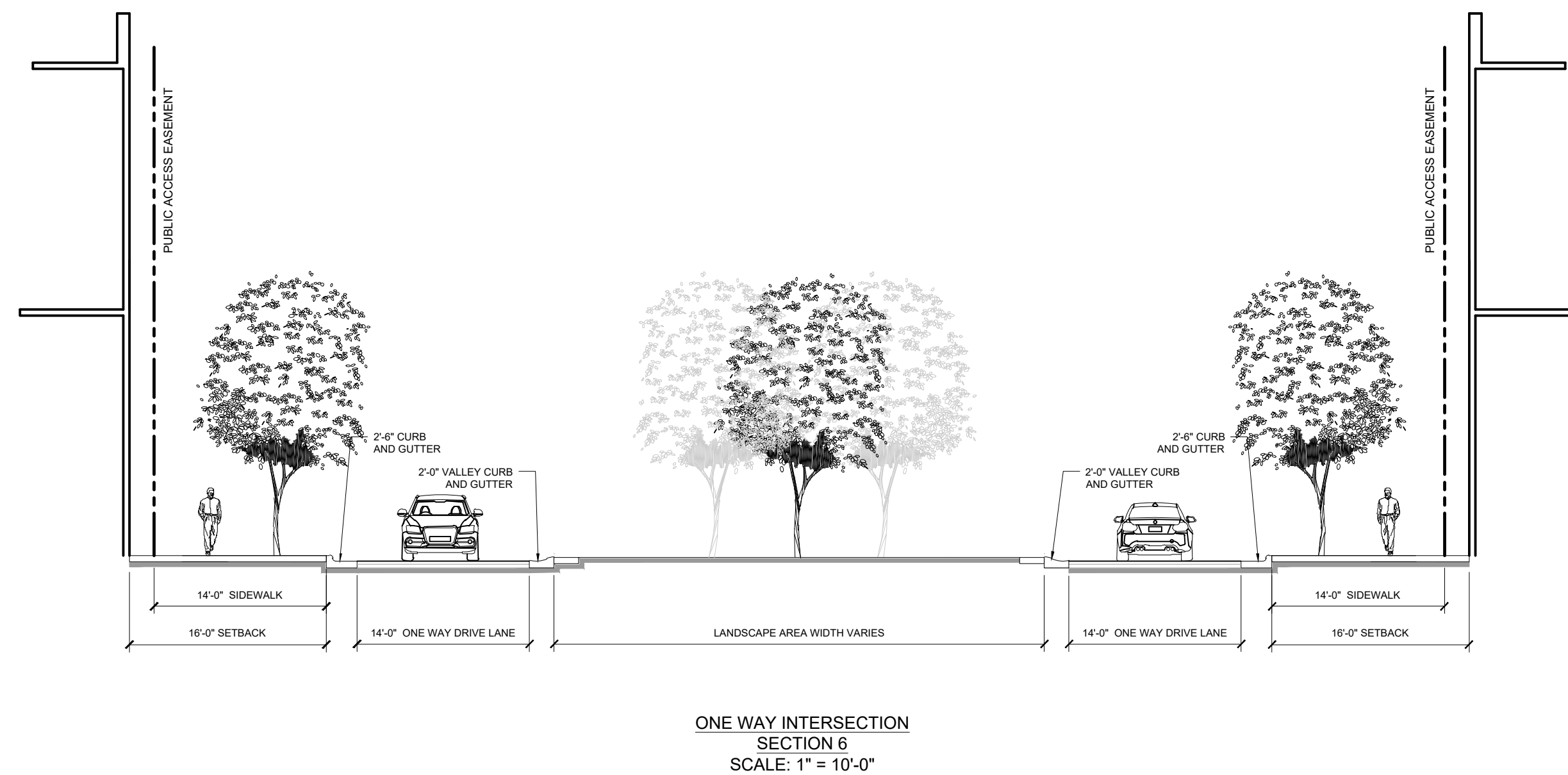
d. **Urban Open Space.** The Site shall meet or exceed the Urban Open Space requirements of the MUDD zoning district.

- 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,



GENERAL NOTES:

- THE PETITIONER WILL WORK WITH CDOT DURING THE LAND DEVELOPMENT PERMITTING PROCESS AND PROVIDE ANY REQUESTED TRAFFIC STUDIES AND ANALYSIS FOR INTERNAL STACKING AND LANEAGE ON PRIVATE STREET 'A' & 'B', AND PUBLIC STREET 'A' & 'B'. CDOT AND THE PETITIONER WILL COME TO AGREEMENT ON AN INTERNAL ROADWAY DESIGN THAT DOES NOT CREATE STACKING ISSUES ON JW CLAY WHILE PROVIDING FOR AN ACTIVATED PEDESTRIAN FRIENDLY ENVIRONMENT ON ALL NEW INTERNAL STREETS.
- THE PETITIONER WILL WORK WITH CDOT DURING THE LAND DEVELOPMENT PERMITTING PROCESS AND PROVIDE ANY REQUESTED TRAFFIC STUDIES FOR MODIFICATIONS TO THE EXISTING JW CLAY TURN LANES (IF REQUESTED), PRIOR TO APPROVAL OF LAND DEVELOPMENT PLANS.



KEY MAP

SEAL

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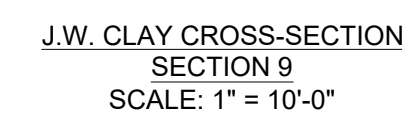
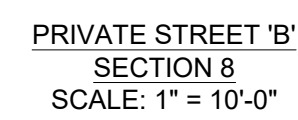
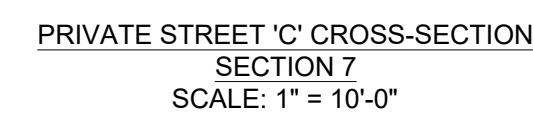
VERT: 1"=10'
HORZ: 1"=10'

SHEET TITLE

STREET CROSS SECTIONS

SHEET NUMBER

RZ-3.0



SEAL

PROJECT



PETITIONER:
EB ARROW

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SCALE

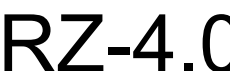
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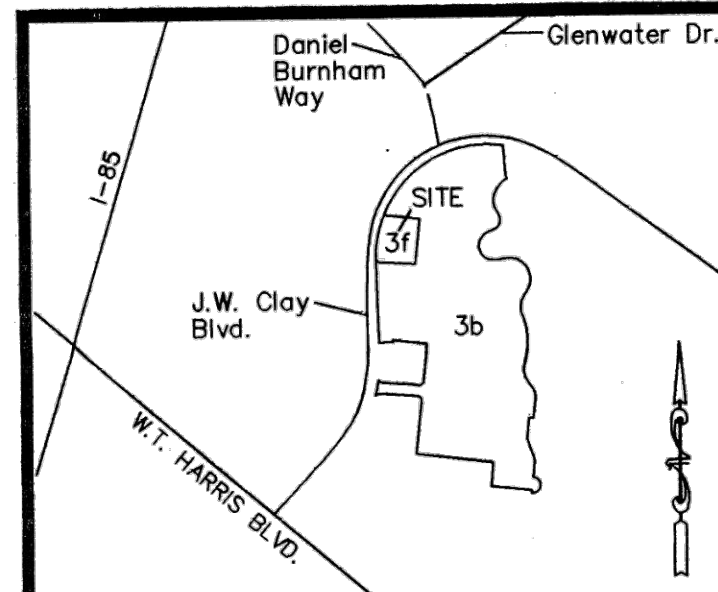
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SHEET NUMBER

RZ-3.1





VICINITY MAP (N.T.S.)

LEGEND:

- EP - EXISTING IRON PIN
IPS - IRON PIN SET
F.F.E. - FINISH FLOOR ELEVATION
R/W - RIGHT OF WAY
R/W - RIGHT OF WAY MONUMENT
ESMT - EASEMENT
M.B. - MAPBOOK
PG. - PAGE
EX. - EXISTING
C - EXISTING IRON PIN
L - LIGHT POLE
C - CATCH BASIN
S - SEWER MANHOLE
A - SEWER MANHOLE
H - HANDICAPPED PARKING
M - ELECTRICAL METER
E - ELECTRICAL BOX
C - CLEAN OUT
U/C - UNDER CONSTRUCTION
W - WATER VALVE
D - TELEPHONE
P - NO. OF PARKING SPACES

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	14.50	28.99	14.23	28.31	N64°28'22"W	44°49'27"
C2	550.00	225.08	114.14	222.51	N11°00'40"E	23°26'51"

LAWYER'S TITLE INSURANCE CORPORATION ORDER NO. CH021368LT-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)
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 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 277, 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. (A/C: to all Parcels) (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 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)
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 726, amended by First Amendment to Easements with Covenants and Restrictions Affecting the Land recorded in Book 7669, Page 441; Second Amendment recorded in Book 8038, Page 578, re-recorded in Book 8224, Page 846; Third Amendment recorded in Book 8355, Page 876; 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 I of Parcel 2:

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

As to Tract I and II of Parcel 2:

15. Joint Parking Agreement recorded in Book 8673, 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)
16. 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)
18. Permanent Utility Easement to City of Charlotte recorded in Book 8203, Page 202, Mecklenburg County Registry. (BLANKET EASTMENT FOR ELECTRICAL AND TRAFFIC SIGNAL EQUIPMENT)
19. Building restriction line(s), easement(s) and other matters as shown on plat 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

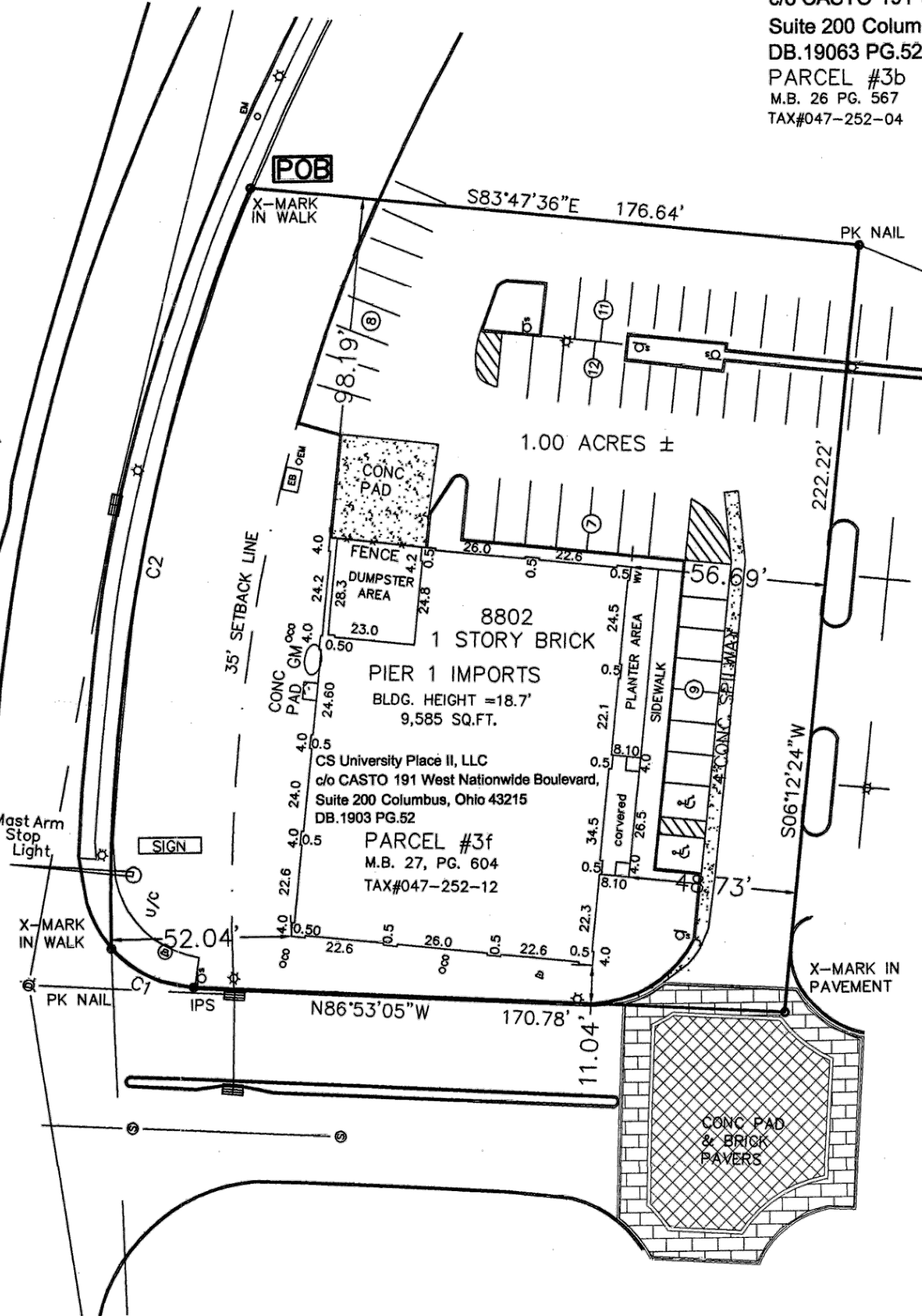
MAP BOOK 25, PAGES 633 & 950
MAP BOOK 21, PAGE 74
MAP BOOK 26, PAGES 40, 264, 567 & 390
MAP BOOK 21, PAGES 474, 480 & 747

NOTES:

1. DEED REFERENCES SHOWN ARE FROM MECKLENBURG COUNTY REGISTRY.
2. PERMANENT STORM DRAINAGE EASEMENT RECORDED AT DEED BOOK 5838, 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 NOT 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 MEDIAN WITHIN CABLEY BLVD. TO BE MAINTAINED BY UNIVERSITY PLACE OWNERS ASSOCIATION OR UNIVERSITY PLACE MALL, INC. OR THEIR SUCCESSOR.
6. ZONING: CC, MAX BUILDING HEIGHT 40', MAX BUILDING S.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 CABLEY 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 CASES TEMPLE AS SHOWN ON THE SITE.
9. MAINTENANCE OF (PARCELS) 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, 3b/4 & 3f ARE SERVED BY AN OFF-SITE DETENTION BASIN LOCATED WITHIN A PERMANENT DETENTION 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 D002E 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 BOX OF SITE AREA".
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 CHANGE 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.

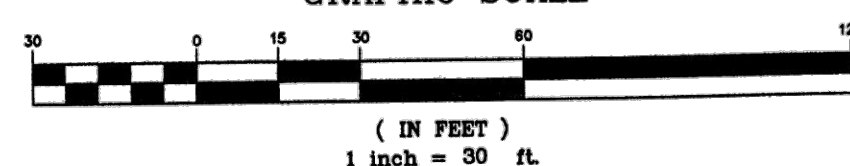
J.W. CLAY BLVD. (FORMERLY CARLEY BLVD.)
(VARIABLE WIDTH PUBLIC R/W)

N.C. GRID (NAD 83)



CS University Place II, LLC
c/o CASTO 191 West Nationwide Boulevard,
Suite 200 Columbus, Ohio 43215
DB.19063 PG.52
PARCEL #3b
M.B. 26 PG. 567
TAX#047-252-04

GRAPHIC SCALE



CS University Place II, LLC
c/o CASTO 191 West Nationwide Boulevard,
Suite 200 Columbus, Ohio 43215
DB.19063 PG.52
PARCEL #3b
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PARCEL #3b
M.B. 26 PG. 567
TAX#047-252-04

LEGAL DESCRIPTION (Pier 1 Imports)

Being all of Parcel 3f as described in Plot of "University Place Map 5 recorded at Map Book 27, Page 604, Mecklenburg County Register of Deeds, North Carolina. Situate in the City of Charlotte, N.C., Said property is also described as follows:

Beginning at an X-Mark in the side walk, said X-Mark in the sidewalk being on the right of way of J.W. Clay Boulevard (having a variable right of way), and being a common corner of Parcel 3b as recorded in Plot Book 26 at page 587 in said Registry and being the POINT OF BEGINNING; thence S83°47'36"E, a distance of 176.64 feet to a PK nail; thence S06°12'24"W, a distance of 222.22 feet to an X-Mark in the brick pavers; thence N68°53'05"W, a distance of 170.78 feet to an iron pin, said iron pin being 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 N64°28'22"W, and a chord distance of 26.31 feet, thence northwesterly along the arc a distance of 26.98 feet to an X-Mark in the side walk, said X-Mark in the sidewalk being on the Easterly right of way of said J.W. Clay Boulevard (having a variable right of way), and also being the point of curve of a non-tangent curve to the right, having a radius of 550.00 feet and having a chord bearing of N11°00'40"E, and a chord distance of 223.51 feet, thence northerly along the arc of said Easterly right of way a distance of 225.08 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 Easements, 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 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 Declaration of Restrictions and Grant of Non-exclusive Easements for the Village at University Place recorded in 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 Easement Agreement between Wal-Mart Stores, Inc. and University Place Mall, Inc. recorded in Deed Book 8038 at Page 573 in the Mecklenburg County, North Carolina, Public Registry.

TOGETHER ALSO WITH all right, title and Interest of University Place Mall, Inc. in and to the Right of First Refusal Offer, as contained in special warranty deed to Chick-Fil-A, Inc. dated September 27, 1994 and recorded in Deed Book 7924 at Page 89, Mecklenburg County, North Carolina, Public Registry, 1994 and recorded in 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 all right, title and Interest of University Place Mall, Inc. in and to the Right of First Refusal Offer, as contained in special warranty deed to Chick-Fil-A, Inc. dated September 27, 1994 and recorded in Deed Book 7924 at Page 89, Mecklenburg County, North Carolina, Public Registry, 1994 and recorded in 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.

GPA PROFESSIONAL LAND SURVEYORS OF NC 605 PHILIP DAVIS DRIVE SUITE 3 CHARLOTTE, NC 28217 (704) 335-8600 (800) 334-4951 FAX (704) 335-8655			SCALE 1" = 30'	DATE JUNE 3, 2005	SURVEYED AT THE REQUEST OF: SQUIRE, SANDERS & DEMPSEY L.L.P.	SHEET 1
CLIENT & LENDER COMMENTS 11/2/05 JEC 10/25/05 JEC 6/23/05 JEC 6/17/05 JEC			DATA COLLECTOR JEC	DRAWN BY JEC	UNIVERSITY PLACE PARCEL 3f CITY OF CHARLOTTE MECKLENBURG COUNTY, N.C.	OF 1
CERTIFICATION AND TEXT CHANGES DATE REVISION BY			JOB NO. 050036-C	CHECKED BY JTT	ALTA/ACSM LAND TITLE SURVEY	

The undersigned, being a registered surveyor of the State of North Carolina certifies to AEGON USA Realty Advisors, Inc., Transamerica Life Insurance Company, CS University Place II, LLC, Lawyer's Title Insurance Corporation, and Squire, Sanders & Dempsey L.L.P.:

This is to certify that this map and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys", jointly established and adopted by ALTA, ACSM and NSPS in 1999, and includes items 2, 3, 4, 6, 7(a), 7(b)(1)(i), 8, 9, 10, 11(a), 12, 14, 15 and 16 of Table A thereof. Pursuant to the Accuracy Standard as adopted by ALTA, NSPS, ACSM and in effect on the date of this certification, the undersigned further certifies that the Positional Uncertainties resulting from the survey measurements made on the survey do not exceed the allowable Positional Tolerance.

GPA Professional Land Surveyors of NC

James Timothy Thomas PLS #4330

DATE: 11/3/05

PETITION
NO. 2018-151
CITY OF
CHARLOTTE

UNIVERSITY CITY
REZONING

PETITIONER:
EB ARROW

REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE
1ST SUBMITTAL		11/20/2018
2ND SUBMITTAL		01/14/2019
3RD SUBMITTAL		02/11/2019
4TH SUBMITTAL		04/15/2019
5TH SUBMITTAL		05/13/2019
7TH SUBMITTAL		06/24/2019

DESIGNED BY: N/A
DRAWN BY: N/A
CHECKED BY: N/A

SCALE: NORTH

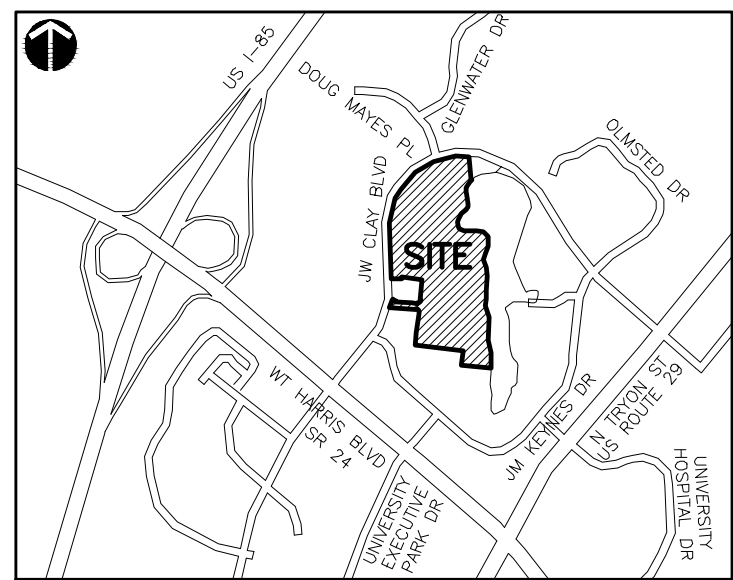
VERT: AS NOTED
HORZ: AS NOTED

SHEET TITLE

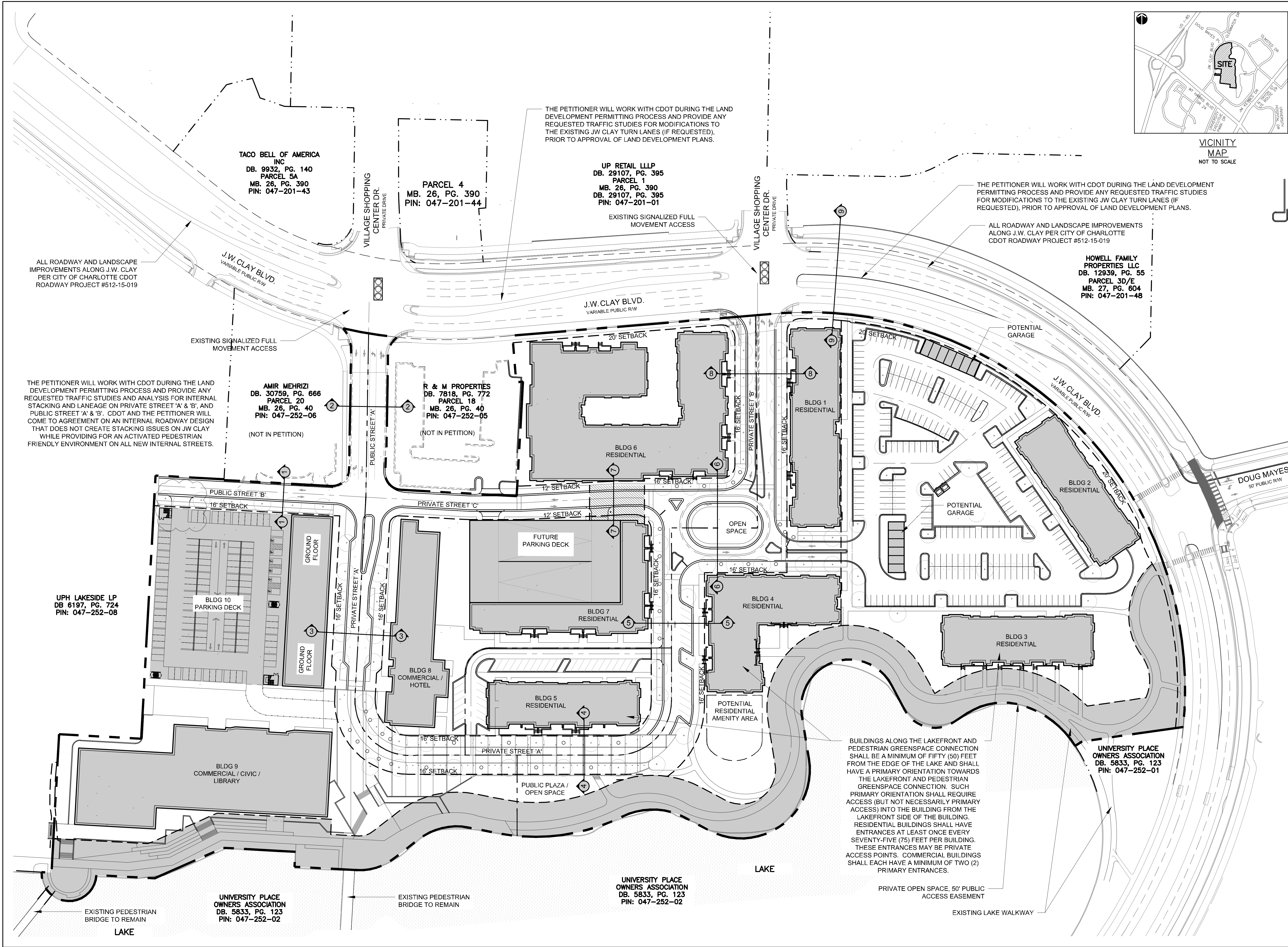
SITE SURVEY

SHEET NUMBER

RZ-4.1



VICINITY
MAP
NOT TO SCALE



KEY MAP

SEAL

PETITION
NO. 2018-151
CITY OF
CHARLOTTE

UNIVERSITY CITY
REZONING

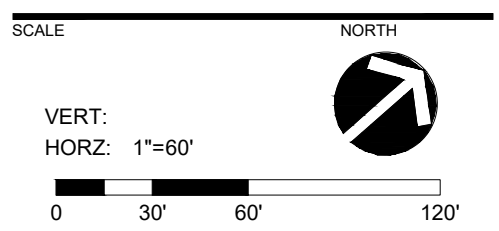
PETITIONER:
EB ARROW

LANDDESIGN PROJ.# 1018377

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1ST SUBMITTAL		11/20/2018
STAFF COMMENTS		01/14/2019
3RD SUBMITTAL		02/11/2019
4TH SUBMITTAL		04/15/2019
5TH SUBMITTAL		05/13/2019
7TH SUBMITTAL		06/24/2019

DESIGNED BY: RJP
DRAWN BY: LDB
CHECKED BY: RJP



REZONING SCHEMATIC SITE
PLAN

SHEET NUMBER

RZ-5.0