



# Charlotte-Mecklenburg Planning Department

**DATE:** January 10, 2020

**TO:** Sonja Sanders  
Zoning Supervisor

**FROM:** Taiwo Jaiyeoba  
Planning Director

**SUBJECT:** Administrative Approval for Petition No. 2018-151 EBA Crystal Real Estate, LLC

Attached is the revised site plan for the petition above. This request allows the modification of the proposed site plan as listed below. Since these changes do not alter the intent of the development and meets the requirements of the Charlotte Zoning Ordinance Section 6.207 Alterations to Approval, minor changes, I am administratively approving this plan. Please use these plans when evaluating requests for building permits and certificates of occupancy.

- Modify several residential building locations.
- Modification of several cross sections.
- Cross sections for an interim condition.

Staff supports of the request because:

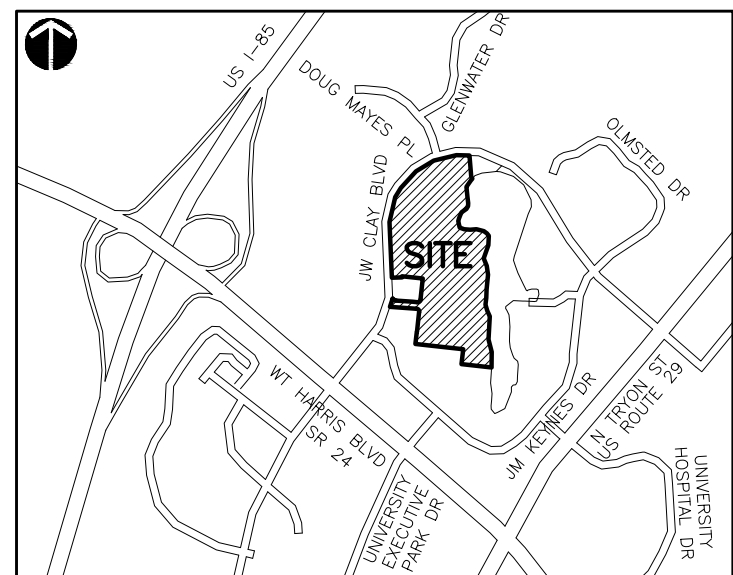
- The site plan complies with the conditional notes and still meets the intent of the original approval by the City Council.

**Note:**

**All other Zoning, PCSO, Subdivision, Tree Ordinances and conditional requirements still apply.**

**Signage was not reviewed as part of this request.**





VICINITY  
MAP  
NOT TO SCALE

- LEGEND:**
- INTERNAL PUBLIC STREET
  - INTERNAL PRIVATE STREET
  - 12' MULTI-USE PATH
  - OPTIONAL OFFSITE IMPROVEMENTS FOR 12' MULTI-USE PATH
  - TRAFFIC FLOW DIRECTION
  - MAJOR STREET CONNECTION
  - INTERNAL STREET CONNECTION
  - PEDESTRIAN / VEHICULAR OPEN SPACE
  - PUBLIC PLAZA / OPEN SPACE
  - PUBLIC ACCESS EASEMENT

**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)

EXISTING SIGNALIZED FULL  
MOVEMENT ACCESS

ALL ROADWAY AND LANDSCAPE IMPROVEMENTS  
ALONG J.W. CLAY PER CITY OF CHARLOTTE  
CDOT ROADWAY PROJECT #512-15-019

HOWELL FAMILY  
PROPERTIES LLC  
DB. 12939, PG. 55  
PARCEL 3D/E  
MB. 27, PG. 604  
PIN: 047-201-48

Attached to Administrative  
Approval

*Solomon A. Fortune*  
Solomon A. Fortune

AMIR MEHRIZI  
DB. 30759, PG. 666  
PARCEL 20  
MB. 26, PG. 40  
PIN: 047-252-06  
(NOT IN PETITION)

R & M PROPERTIES  
DB. 7818, PG. 772  
PARCEL 18  
MB. 26, PG. 40  
PIN: 047-252-05  
(NOT IN PETITION)

PARCEL 'D'  
+/-1.4 AC  
FUTURE  
RESIDENTIAL

PARCEL 'A'  
+/- 6.5 AC  
FUTURE  
RESIDENTIAL

PARCEL 'E'  
+/-1.6 AC  
FUTURE  
PARKING STRUCTURE

PARCEL 'C2'  
+/-1.6 AC  
FUTURE COMMERCIAL /  
RESIDENTIAL / PARKING  
STRUCTURE

PARCEL 'C1'  
+/-0.6 AC  
FUTURE  
RESIDENTIAL

PARCEL 'B'  
+/-1.8 AC  
COMMERCIAL / CIVIC / LIBRARY

UNIVERSITY PLACE  
OWNERS' ASSOCIATION  
DB. 5833, PG. 123  
PIN: 047-252-02

UNIVERSITY PLACE  
OWNERS' ASSOCIATION  
DB. 5833, PG. 123  
PIN: 047-252-02

UNIVERSITY PLACE  
OWNERS' ASSOCIATION  
DB. 5833, PG. 123  
PIN: 047-252-01

12' MULTI USE PATH MAY CONNECT TO CITY ROADWAY  
IMPROVEMENTS CDOT PROJECT #512-15-019 BY MEANS OF ADJACENT  
PROPERTY PENDING APPROVAL FROM GOVERNING HOA. IF ADJACENT  
PROPERTY OWNER DOES NOT ALLOW PATH ON ADJACENT PROPERTY,  
PATH WILL BE INSTALLED WITHIN THE PETITIONERS SITE.

KEY MAP

SEAL

PROJECT

PETITION  
NO. 2018-151  
CITY OF  
CHARLOTTE

PETITIONER:  
EB ARROW

LANDDESIGN PROJ.# 1018377

**REVISION / ISSUANCE**

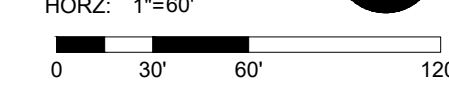
NO.	DESCRIPTION	DATE
1ST SUBMITTAL		11/20/2018
STAFF COMMENTS		01/14/2019
3RD SUBMITTAL		02/11/2019
4TH SUBMITTAL		04/15/2019
5TH SUBMITTAL		05/13/2019
6TH SUBMITTAL		05/24/2019
7TH SUBMITTAL		06/24/2019
8TH SUBMITTAL		07/09/2019
ADMINISTRATIVE AMENDMENT		11/01/2019
AA 2ND SUBMITTAL		12/16/2019

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

SCALE

VERT:

HORZ: 1"=60'



SHEET TITLE

TECHNICAL DATA SHEET

SHEET NUMBER

RZ-1.0



Development Standards  
Rezoning Petition No. 2018-151  
EBA Crystal Real Estate, LLC - Petitioner  
12/16/2019

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:
1. Car washes;  
2. Automobile service stations;  
3. Drive-through service windows;  
4. Drive-through service windows as an accessory to permitted principal uses;  
5. Adult establishments;  
6. 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;  
7. Automotive service stations, including minor adjustments, repairs, lubrication and accessory car washes;  
8. 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;  
14. Electric and gas substations;  
15. 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);  
16. 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.
1. 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.
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 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.
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.
- 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:

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1. The total square feet of gross floor area for non-office commercial uses limited to retail, restaurant and personal services uses shall not exceed 20,000 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 merchandise 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).
- d. **Conversion Rights.**
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.
2. 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.

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.
- b. Interim conditions described below are intended to allow flexibility of construction phasing until a final condition is achievable. The Petitioner may construct interim conditions that maintain public access, as generally depicted within the Rezoning Plan.

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302696583 v8

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302696583 v8

8

- g. The Petitioner shall provide a public access easement for Private Street "A" and "B," as generally depicted on the Rezoning Plan.
- h. 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 Keynes Drive prior to the issuance of the Site's first building certificate of occupancy.
- i. The Petitioner shall contribute \$75,000 to the City of Charlotte for the purpose of implementation of an eight (8) foot wide planting strip and eight (8) foot wide sidewalk along the Site's JW Clay Boulevard frontage prior to the issuance of the Site's first building certificate of occupancy.
- j. 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.
- k. 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 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 A, B, C1, and E. 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.
- l. 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. Any agreed upon transportation improvements as recommended in the traffic studies (if required) shall be completed prior to the first certificate of occupancy for primary buildings within the related Parcel, or timing as otherwise mutually agreed upon between the Petitioner and CDOT.
- m. 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. The agreed upon transportation improvements related to each Parcel shall be completed prior the first certificate of occupancy for primary buildings within the related

Design Guidelines

General Design Guidelines.

1. 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

Attached to Administrative  
Approval

Solomon A. Fortune

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	01/14/2018
	3RD SUBMITTAL	02/08/2019
	4TH SUBMITTAL	04/15/2019
	5TH SUBMITTAL	05/13/2019
	6TH SUBMITTAL	05/24/2019
	7TH SUBMITTAL	06/24/2019
	8TH SUBMITTAL	07/09/2019
	ADMINISTRATIVE AMENDMENT	11/01/2019
	AA 2ND SUBMITTAL	12/16/2019

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



KEY MAP

SEAL

PROJECT

UNIVERSITY CITY  
REZONING

PETITIONER:  
EB ARROW

LANDDESIGN PROJ.# 1018377

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
	4TH SUBMITTAL	04/15/2019
	5TH SUBMITTAL	05/13/2019
	6TH SUBMITTAL	05/24/2019
	7TH SUBMITTAL	06/24/2019
	8TH SUBMITTAL	07/09/2019
	ADMINISTRATIVE AMENDMENT	11/01/2019

DESIGNED BY:  
DRAWN BY:  
CHECKED BY:

SCALE NORTH  
VERT: NTS  
HORZ: NTS  
(NOT TO SCALE)

SHEET TITLE

REZONING NOTES

SHEET NUMBER

RZ-2.1

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 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.
- 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.
- 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.
- HVAC and related mechanical equipment will be screened from public view at grade from public or private streets.
- 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.
- Backflow preventers and transformers shall be screened and located outside the setback, but can be located in a four (4) foot transition zone.
- 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.
  - The facades of first/ground floor of buildings along streets shall incorporate a minimum of 20% Preferred Exterior Building Materials.
  - Direct pedestrian connection shall be provided between street facing doors and corner entrance features to sidewalks on adjacent streets.
  - 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

- Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:
  - Buildings shall be placed so as to present a front or side façade to all network required streets.
  - 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).

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

- 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.
- 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.

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

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.

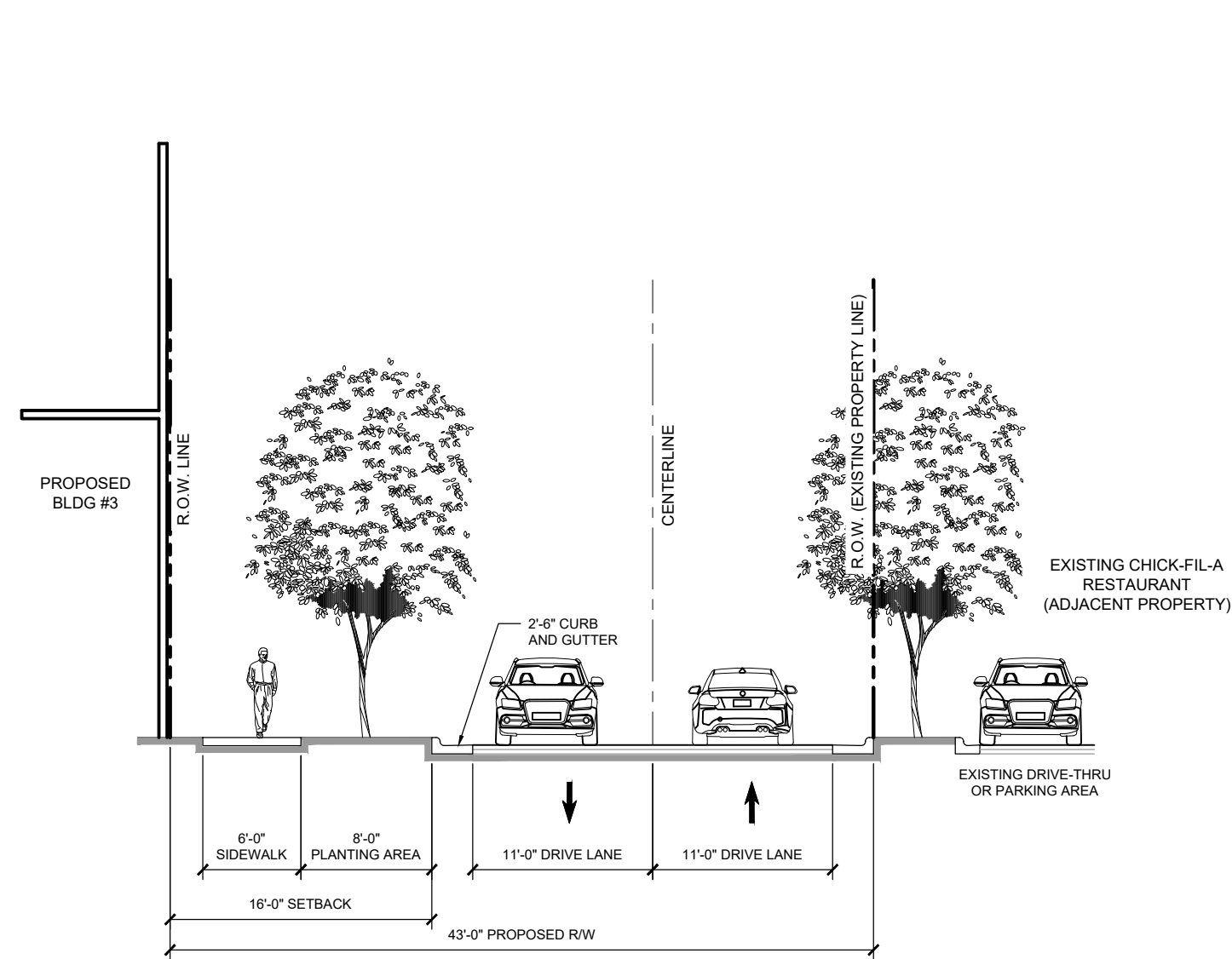
Attached to Administrative

Approval

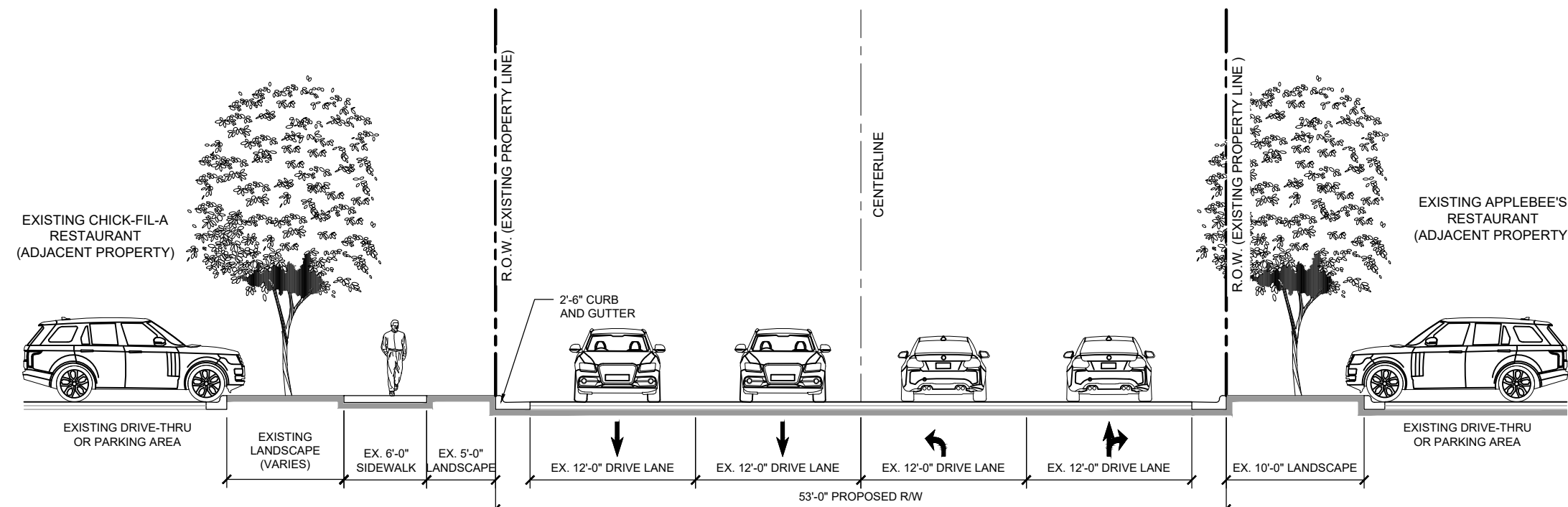
*Solomon A. Fortune* \$F

Solomon A. Fortune

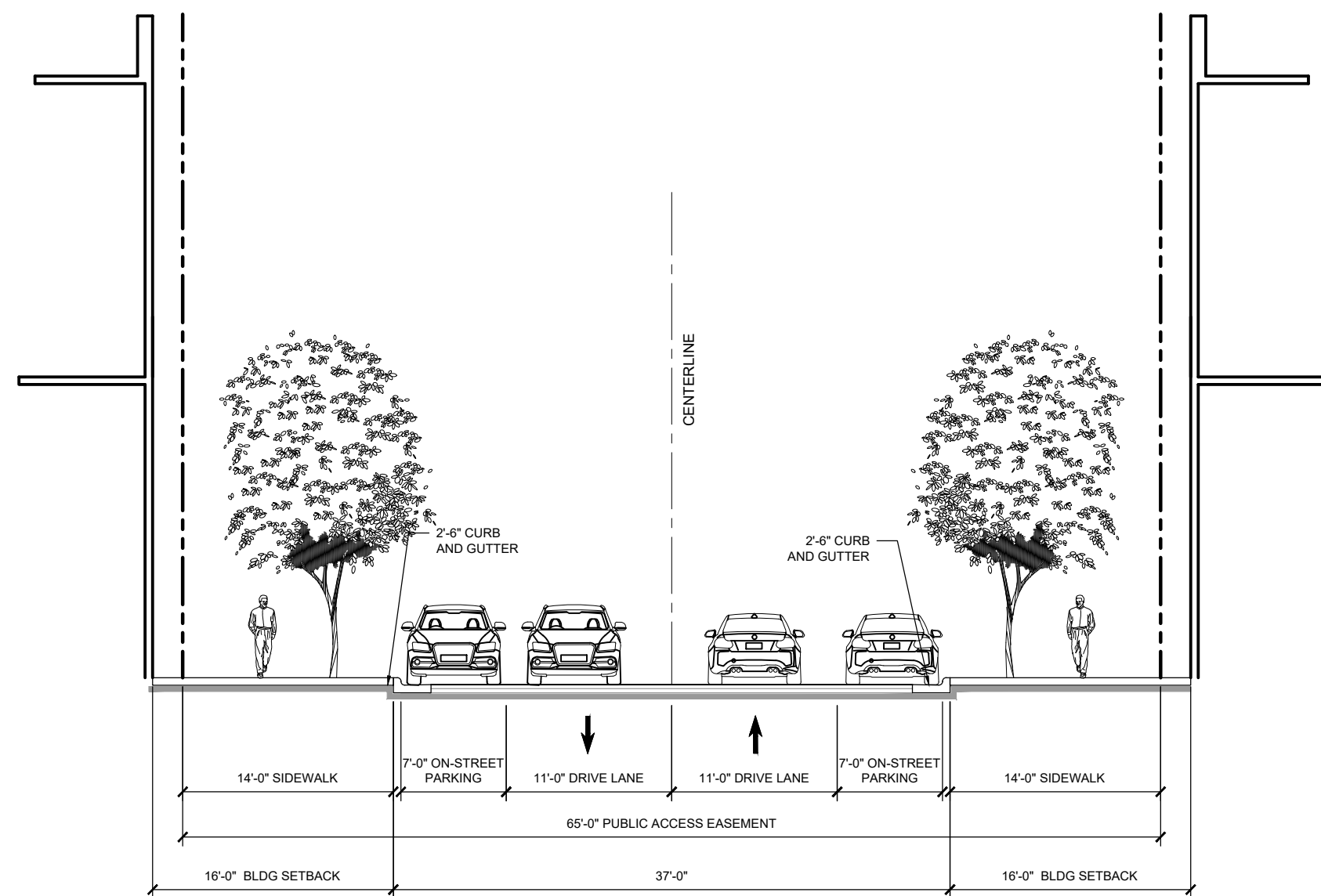




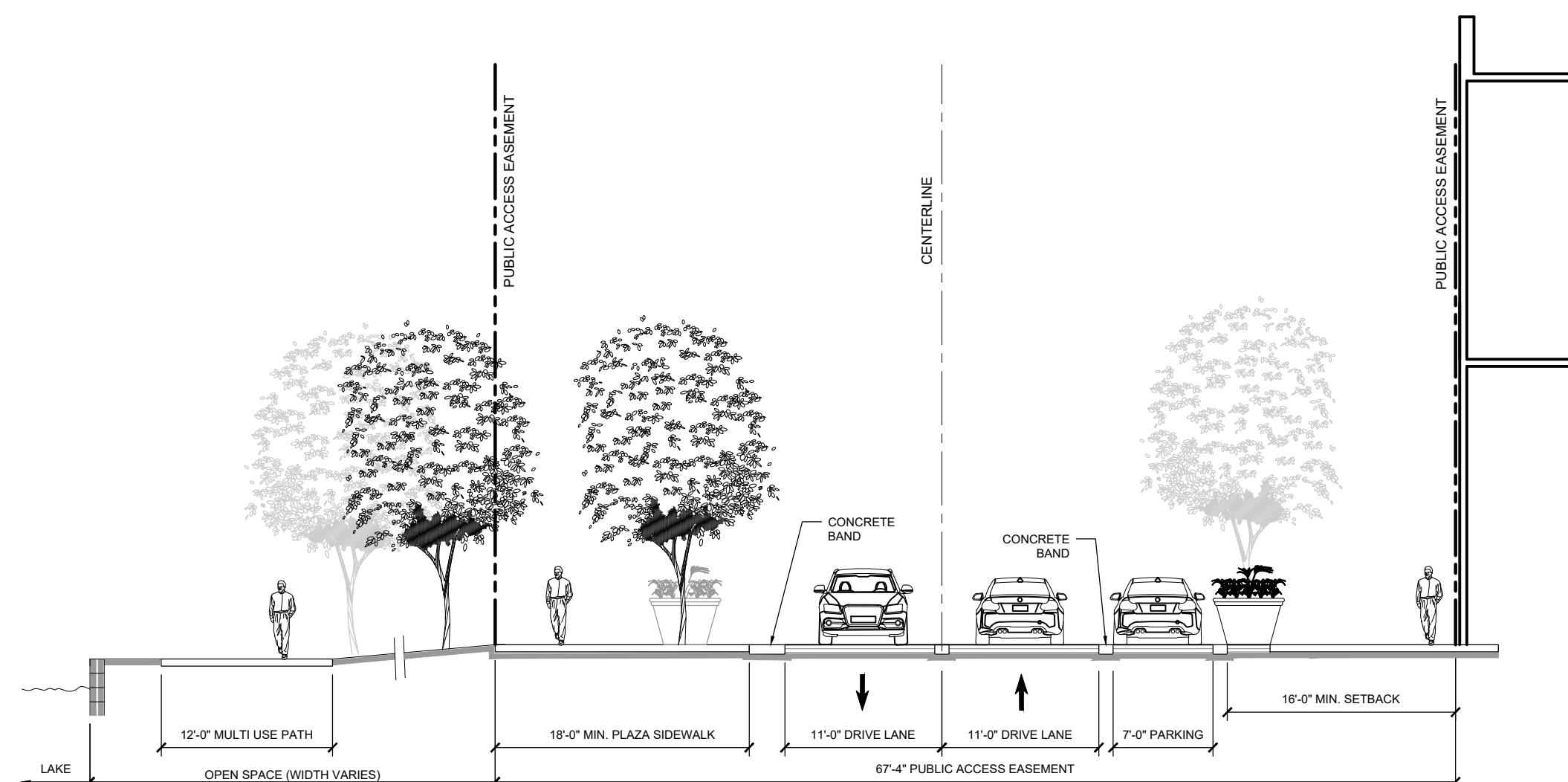
PUBLIC STREET 'B' CROSS-SECTION  
SECTION 1  
SCALE: 1" = 10'-0"



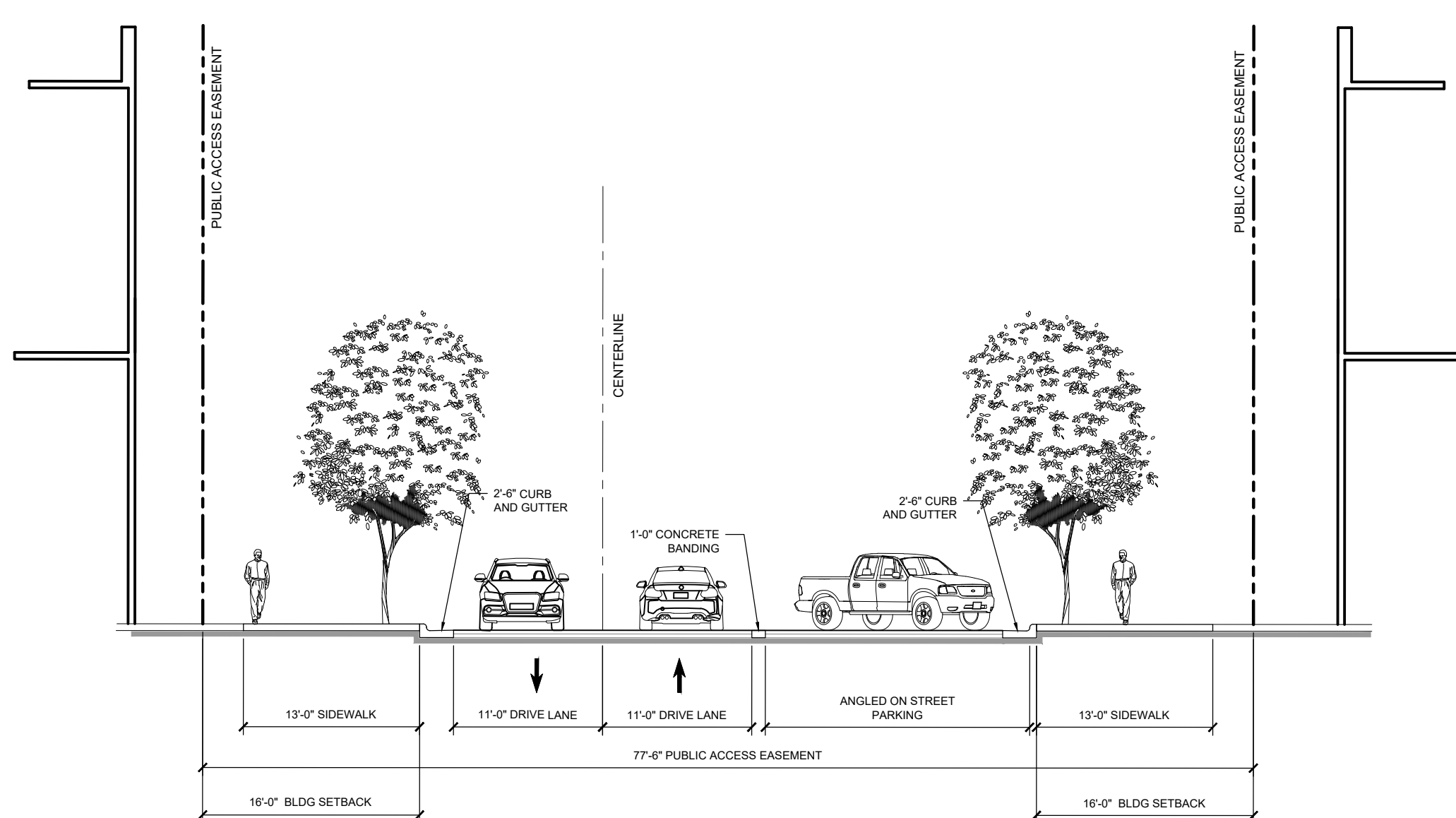
PUBLIC STREET 'A' CROSS-SECTION  
SECTION 2  
SCALE: 1" = 10'-0"



PRIVATE STREET 'A' CROSS-SECTION  
SECTION 3  
SCALE: 1" = 10'-0"



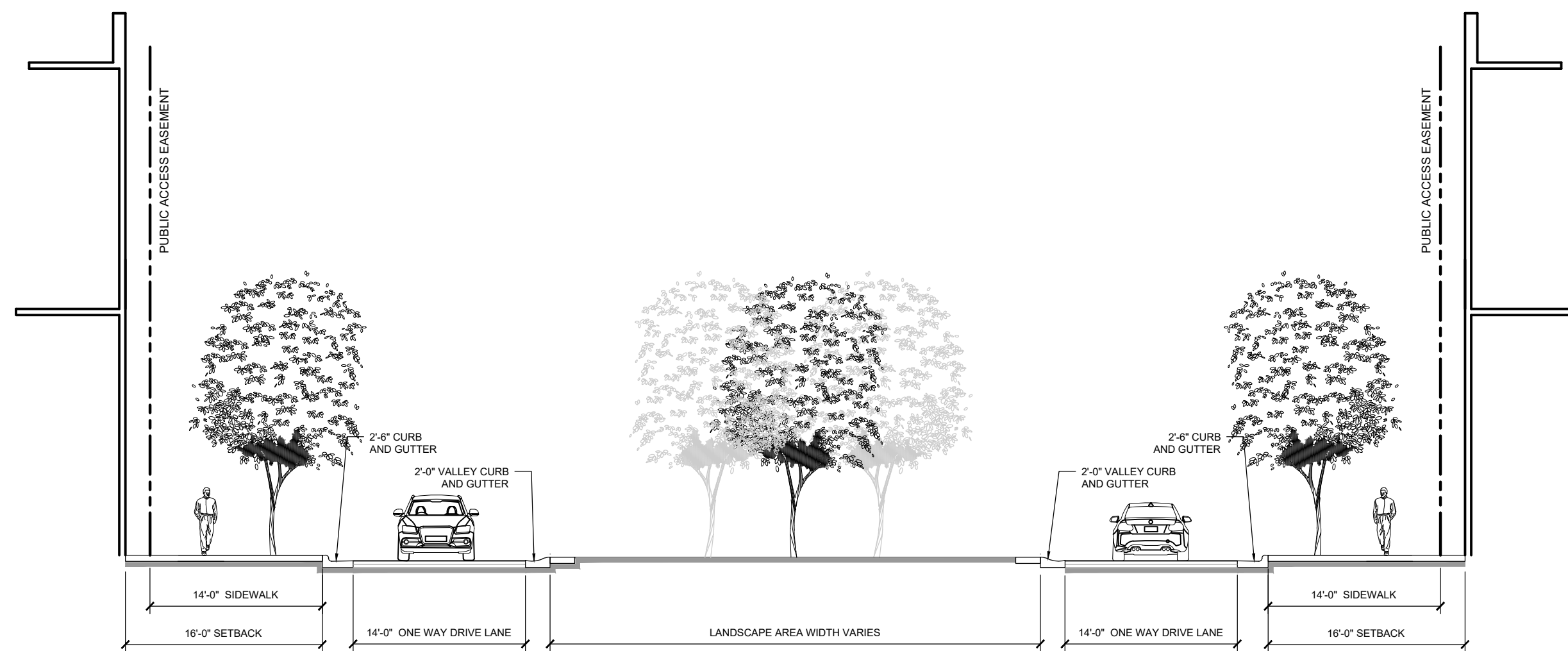
PRIVATE STREET 'A' PEDESTRIAN / VEHICULAR PLAZA AT OPEN SPACE  
CROSS-SECTION  
SECTION 4  
SCALE: 1" = 10'-0"



PRIVATE STREET 'A' PARKING  
SECTION 5  
SCALE: 1" = 10'-0"

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.



ONE WAY INTERSECTION  
SECTION 6  
SCALE: 1" = 10'-0"

Attached to Administrative  
Approval

*Solomon A. Fortune*  
Solomon A. Fortune

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
7TH SUBMITTAL		06/24/2019
8TH SUBMITTAL		07/09/2019
ADMINISTRATIVE AMENDMENT		11/01/2019

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

SCALE NORTH

VERT: AS NOTED  
HORZ: AS NOTED

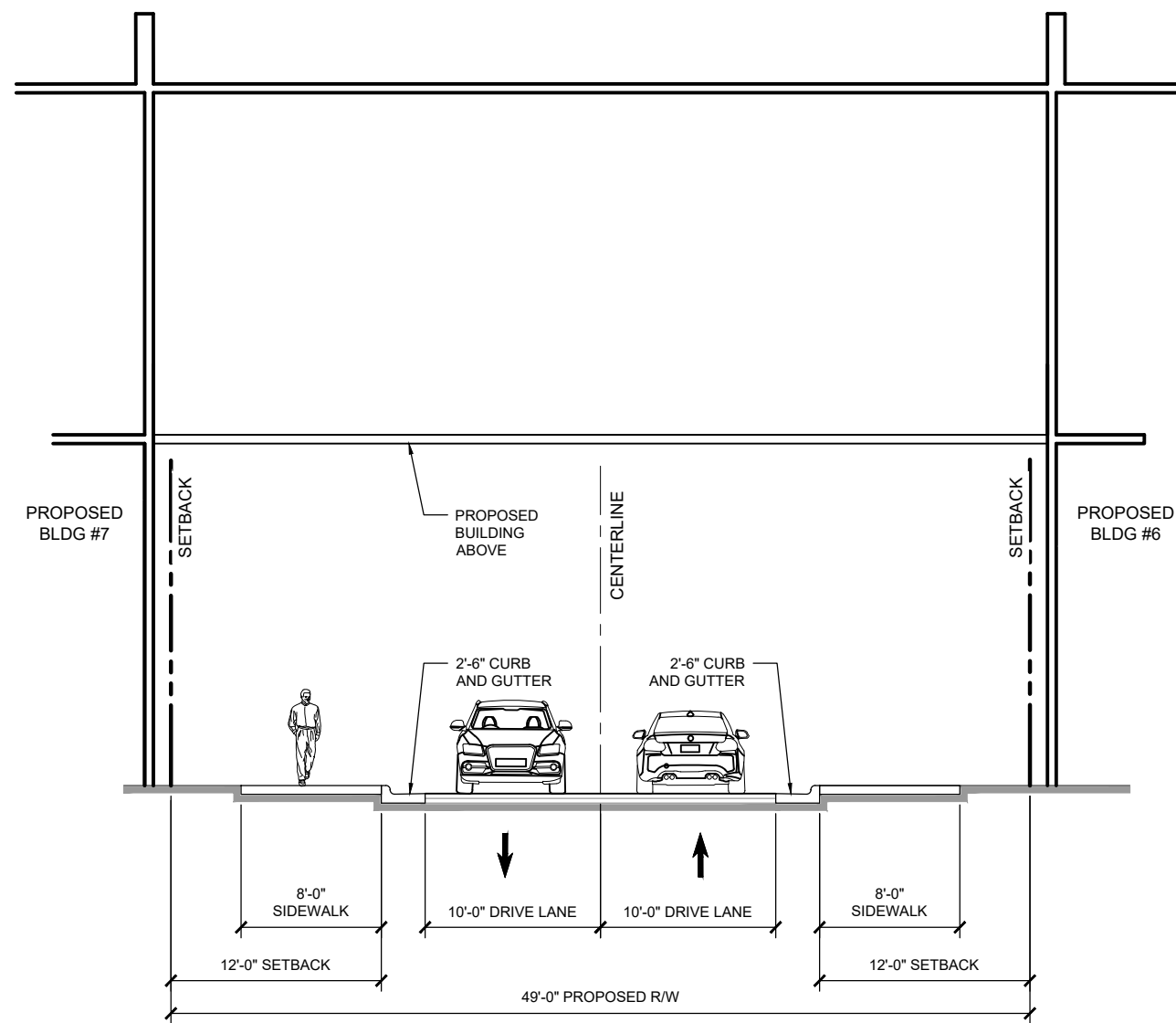
SHEET TITLE

STREET CROSS SECTIONS

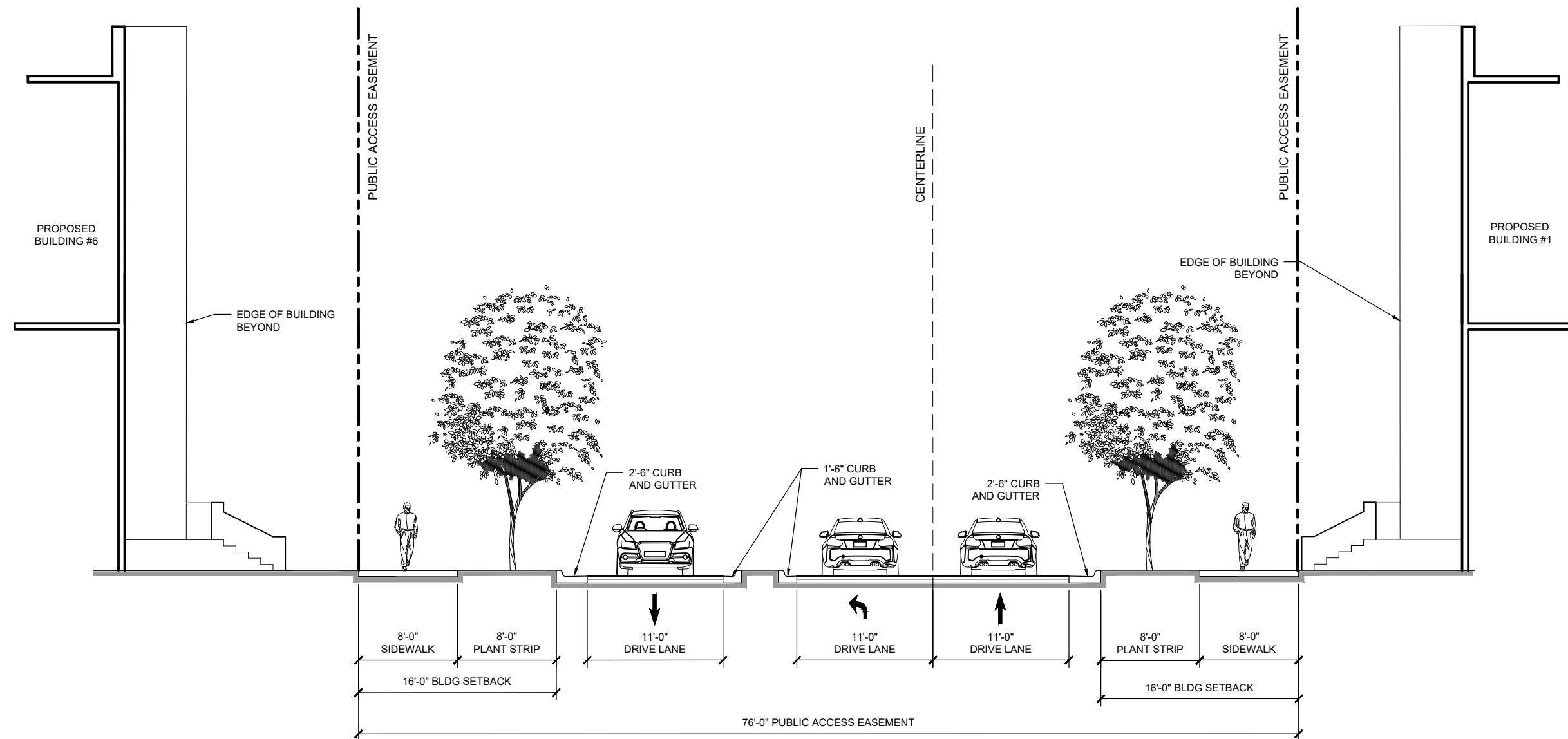
SHEET NUMBER

RZ-3.0

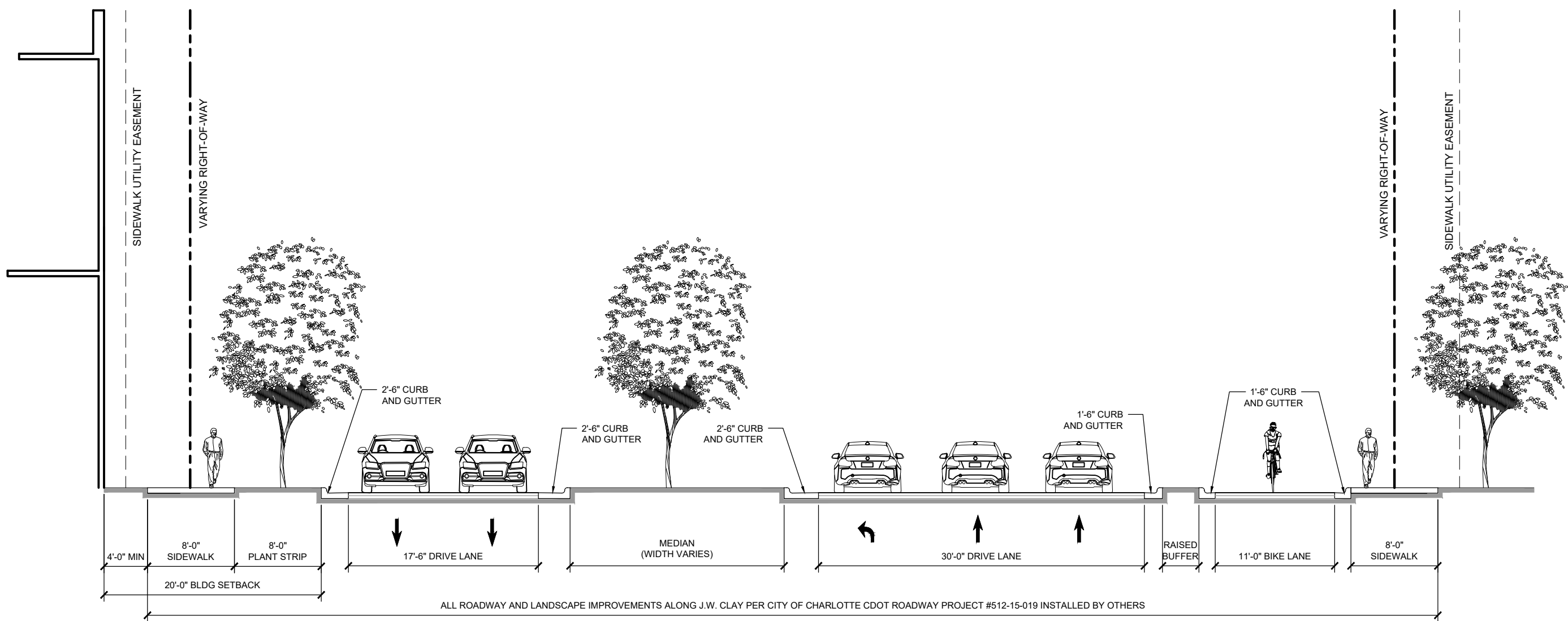




PRIVATE STREET 'C' CROSS-SECTION  
SECTION 7  
SCALE: 1" = 10'-0"



PRIVATE STREET 'B'  
SECTION 8  
SCALE: 1" = 10'-0"



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

Attached to Administrative  
Approval

*Solomon A. Fortune* \$F  
Solomon A. Fortune

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
4TH SUBMITTAL		04/15/2019
5TH SUBMITTAL		05/13/2019
7TH SUBMITTAL		06/24/2019
8TH SUBMITTAL		07/09/2019
ADMINISTRATIVE AMENDMENT		11/01/2019

DESIGNED BY:  
DRAWN BY:  
CHECKED BY:

SCALE NORTH

VERT: AS NOTED

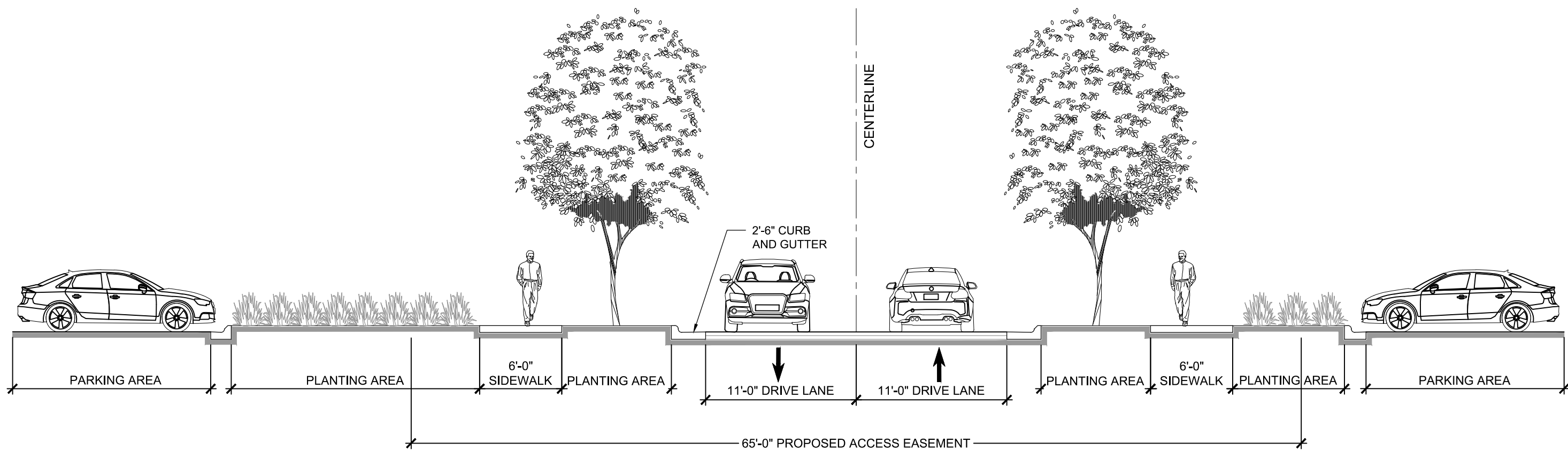
SHEET TITLE

STREET CROSS SECTIONS

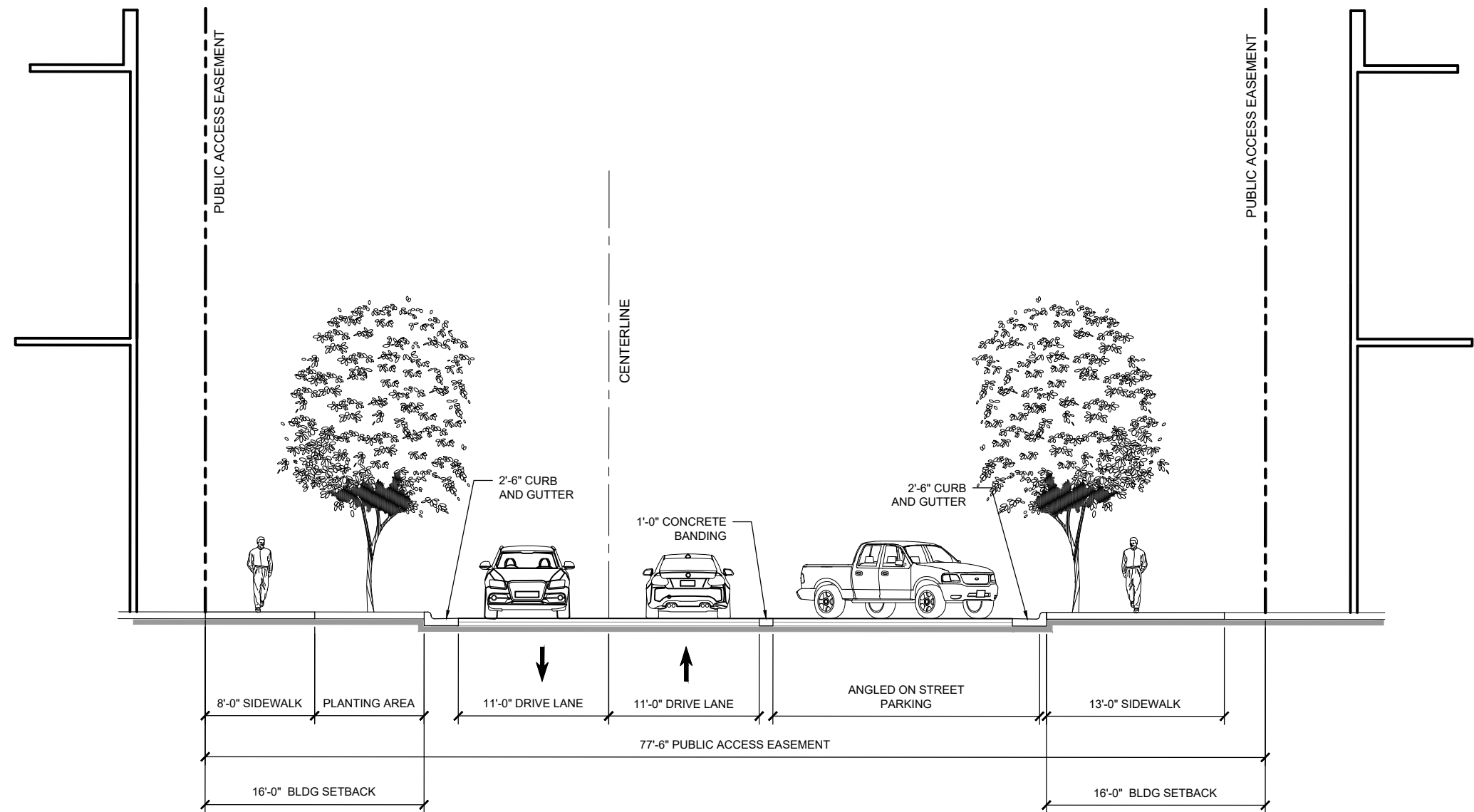
SHEET NUMBER

RZ-3.1

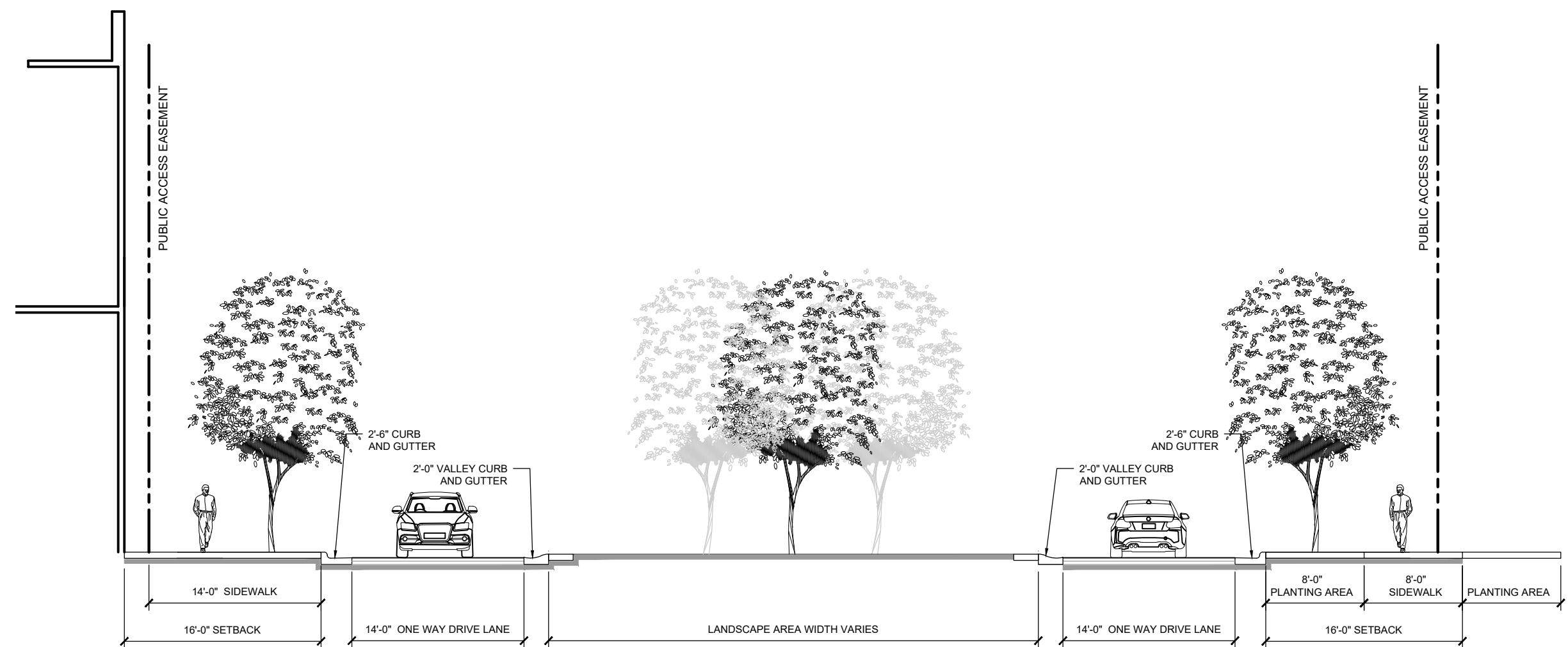




PRIVATE STREET 'A' INTERIM CONDITION  
SECTION 3  
SCALE: 1" = 10'-0"



PRIVATE STREET 'A' PARKING 'INTERIM CONDITION'  
SECTION 5  
SCALE: 1" = 10'-0"



ONE WAY INTERSECTION 'INTERIM CONDITION'  
SECTION 6  
SCALE: 1" = 10'-0"

Attached to Administrative  
Approval

*Solomon A. Fortune* \$F  
Solomon A. Fortune

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
	ADMINISTRATIVE AMENDMENT	11/01/2019

DESIGNED BY:  
DRAWN BY:  
CHECKED BY:

SCALE NORTH

VERT: AS NOTED  
HORZ: AS NOTED

SHEET TITLE

INTERIM STREET CROSS  
SECTIONS

SHEET NUMBER

RZ-3.2





PETITIONER  
EB ARROW

LAND DESIGN PROJ.#			1018377
REVISION / ISSUANCE			
NO.	DESCRIPTION	DATE	
	1ST SUBMITTAL	11/20/2011	
	2ND SUBMITTAL	01/14/2012	
	3RD SUBMITTAL	02/11/2012	
	4TH SUBMITTAL	04/15/2012	
	5TH SUBMITTAL	05/13/2012	
	7TH SUBMITTAL	06/24/2012	
	8TH SUBMITTAL	07/09/2012	
	ADMINISTRATIVE AMENDMENT	11/01/2012	

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

SCALE

VERT:

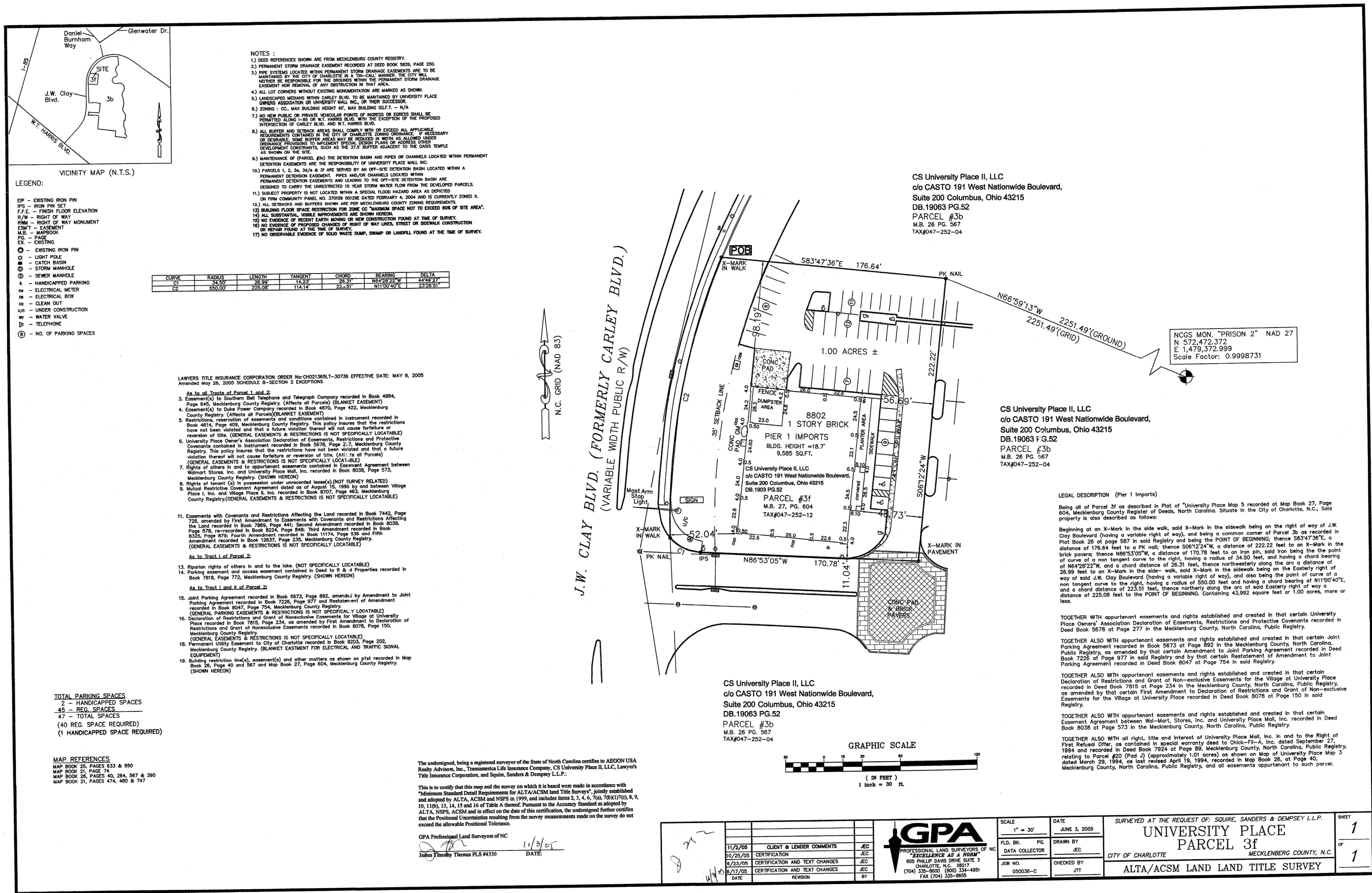
HORZ: AS NOTED

SHEET TITLE

SITE SURVEY

RZ-4.0





KEY MAP

SEAL

PROJECT

**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
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
8TH SUBMITTAL		07/09/2019
ADMINISTRATIVE AMENDMENT		11/01/2019

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



*Solomon A. Fortune* \$F  
Solomon A. Fortune



HOWELL FAMILY  
PROPERTIES LLC  
DB. 12939, PG. 55  
PARCEL 3D/E  
MB. 27, PG. 604  
PIN: 047-201-48

EXISTING SIGNALIZED FULL  
MOVEMENT ACCESS

(NOT IN PETITION)

12' MULTI USE PATH MAY CONNECT TO CITY ROADWAY IMPROVEMENTS CDOT PROJECT #512-15-019 BY MEANS OF ADJACENT PROPERTY PENDING APPROVAL FROM GOVERNING HOA. IF ADJACENT PROPERTY OWNER DOES NOT ALLOW PATH ON ADJACENT PROPERTY, PATH WILL BE INSTALLED WITHIN THE PETITIONERS SITE.

## RZ-5.0