OFFICIAL COMMUNITY MEETING REPORT Petitioner: EBA Investments, LLC

Rezoning Petition No. 2018-151

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to the provisions of the City of Charlotte Zoning Ordinance.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

A representative of the Petitioner mailed a written notice of the date, time and location of the Community Meeting to the individuals and organizations set out on <u>Exhibit A</u> attached hereto by depositing such notice in the U.S. mail on December 20, 2018. A copy of the written notice is attached hereto as <u>Exhibit B</u>.

DATE, TIME AND LOCATION OF MEETING:

The Community Meeting was held on Monday, January 7th at 6:00 p.m. at the Holiday Inn Express & Suites, 6020 University Pointe Boulevard, Charlotte, NC 28262.

PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):

The Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as <u>Exhibit C</u>. The Petitioner was represented by Greg Wattson as well as by Petitioner's agents Nate Doolittle and Richard Petersheim of LandDesign, Randy Goddard with Design Resource Group, and Collin Brown and Brittany Lins with K&L Gates. Representatives of University City Partners and Mecklenburg County Library System were also in attendance.

SUMMARY OF PRESENTATION/DISCUSSION:

Mr. Collin Brown welcomed the attendees and introduced the Petitioner's team, using a PowerPoint presentation, attached hereto as <u>Exhibit D.</u>

Mr. Brown explained that this petition involves approximately 20 acres of land located on the east side of J.W. Clay Boulevard, north of West W.T. Harris Boulevard. Mr. Brown explained the various development considerations that the Petitioner must account for in the rezoning process, including property owner requirements, existing zoning, policy considerations, environmental constraints, transportation requirements, adjacent property owner concerns, broader community concerns, City Staff and City Council priorities, and market realities.

Mr. Brown then gave a brief overview of the rezoning process, generally. The property is currently zoned CC for commercial center, which typically accommodates large shopping center developments. The University City Area Plan (adopted by City Council in 2015), recommends mixed-use for the site, including residential, office and retail uses. Mr. Richard Petersheim explained the contents of the University City Partners Stakeholder Study and expressed that the Petitioner's design is meeting many of the goals of that study, which proposes residential, lodging and civic-related districts for the site and

recommended an emphasis on walkability. A representative of University City Partners discussed the funding status for several transportation improvements in the University area, including the J.W. Clay Streetscape Project. The Petitioner's team is working in close coordination with University City Partners to ensure that the proposed project meets the vision for the area.

Mr. Brown explained that the Petitioner is seeking the MUDD-O (mixed use development district - optional) zoning district to accommodate the development of a live-work-shop-play area with significant attention to the lake and pedestrian trail/greenspace experience. The Petitioner is seeking a significant reduction of retail entitlements compared to what the current zoning would allow.

Mr. Greg Wattson discussed the existing conditions at the site and explained that the future of retail is changing. He explained the Petitioner's goal is to create meaningful density and activated public open space in a currently failing retail center. Many of the current retail tenants will have an opportunity to relocate across J.W. Clay to another retail development owned by the Petitioner. Mr. Wattson showed a conceptual schematic plan and explained that the project would be implemented in phases. The first phase of development would likely be an urban garden-style apartment complex with surface parking. Subsequent phases would include office and a potential hotel development with boutique retail components on the ground floor. As the development evolves, a wrapped parking deck would be appropriate along with an additional multi-family residential development. The Petitioner's team also hopes to work with Mecklenburg County Libraries to relocate a library into the development. Importantly, the Petitioner's team is focused on activating the lake and desires to create a special place for public enjoyment and walkability around the lake using a proposed 12-foot multi-use path and several pocket park areas.

One attendee commented that they did not like the location of the proposed parking area adjacent to the lakeside trail and was concerned with the view from the condos on the other side of the lake. The Petitioner's team said that parking could be screened with landscaping and that they would continue to evaluate alternative placements. Several other attendees echoed the desire for activity around the lake rather than automobile parking.

In response to questions related to parking, the Petitioner's team responded that there would likely be opportunities to reduce the number of parking spaces due to shared parking between the office uses during weekday hours and residential and restaurant/retail uses in the evenings and on weekends.

Several attendees commented on the dark and unsafe current conditions around the lake at the property's location since the current development's "back-of-house" dumpsters and unlit loading docks are adjacent to the lake and walkway. These attendees supported the Petitioner's plan to reactivate the lake.

An attendee asked whether the police department would be expanded in response to this development or if the property owners would provide their own security. The Petitioner's agents responded that this is not part of the rezoning process but property management would likely include on-site security staff. Additionally, the Petitioner expects that the proposed redevelopment will create safer conditions due to the increased pedestrian activity and lighting around the lake.

One attendee expressed concern over the existing wildlife. The Petitioner's team said they will consider protection of wildlife during redevelopment activities.

In response to an attendee's question regarding the target residents and tenants for the site, the Petitioner's agents responded that the apartments would likely be geared towards professionals and would not be student housing. Office tenants could include corporate users that desire a creative image and lake-side experience. Retail tenants would likely be boutique regional vendors rather than national tenants.

One attendee prepared a list of questions that were distributed to the Petitioner's team in advance of the community meeting. The Petitioner's team responded to each question in the order they were received. Responses included a commitment to provide conceptual images as the development team moves further along in the process. The Petitioner emphasized that the team needs flexibility but could commit to architectural standards in the notes to reflect the intent of the project.

In response to a question about the proposed internal street being private instead of public, the Petitioner's team stated that the street would be built to public standards and would look and feel like a public street, explaining that the private nature will allow the development team to run private utilities across the street and to maintain elements of the street that the City would not want to maintain. The street would not have parking meters or private gates.

An attendee commented that they'd like to see the library on the lakefront side of the development with outdoor reading space. The Petitioner's team was in agreement with that vision.

The formal meeting concluded at approximately 7:30 p.m. and the Petitioner's representatives continued to answer individual questions until approximately 7:45 p.m.

Respectfully submitted, this 14th day of January, 2019.

cc: Sonja S. Sanders, Charlotte-Mecklenburg Planning Department

Exhibit A

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| 2018-151 TAXPID 2018-151 04720101/ | OWNERLASTN A NCLAND LLLP | OWNERFIRST | COWNERFIRS | COWNERLAST | MAILADDR1 270 W NEW ENGLAND AVE | MAILADDR2 | CITY WINTER PARK | STATE FL | ZIPCODE 32789 |
|--|--|-------------------------|-------------------------|--------------------------------|--|------------------------|---------------------------|-------------|---------------------|
| 2018-151 04720139 | SAMS REAL ESTATE BUSINESS TRST | | | C/O WALMART PROPERTY TAX DEPT | PO BOX 8050 | MS 0555 | BENTONVILLE | AR | 72712 |
| 2018-151 04720143 | TACO BELL OF AMERICA INC | TAX UNIT #16848 | | | PO BOX 35370 | | LOUISVILLE | KY | 40232 |
| 2018-151 04720144 2018-151 04720145 | EBA BLISSFUL REAL ESTATE LLC EBA BLISSFUL REAL ESTATE LLC | | | | 8333 DOUGLAS AVENUE STE 975 8333 DOUGLAS AVENUE STE 975 | | DALLAS DALLAS | тх тх | 75225 75225 |
| 2018-151 04720148 | HOWELL FAMILY PROPERTIES LLC | | | C/O COLLETT & ASSOCIATES | PO BOX 36799 | | CHARLOTTE | NC | 28236 |
| 2018-151 04725101 | GUTHEIM | HENRIETTA | LEONARD | SUSSMAN | 9041 J M KEYNES DR UNIT # 1 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725102 | MARTCHEV TMB REALTY LLC | ZDRAVKO M | TANIA B | MARTCHEV | 9041 JM KEYNES DR UNIT 2 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725103 2018-151 04725104 | JOHNSON | TAMARA M | | | 10002 NUESTRA DR 9041 J M KEYNES DR #4 | | CHARLOTTE CHARLOTTE | NC NC | 28214 28262 |
| 2018-151 04725105 | SHERRILL | CHAD | | | 9041 J M KEYNES DR UN/T 5 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725106 | ROJI LLC | | | | 3507 FRENCH WOODS RD | | CHARLOTTE | NC | 28269 |
| 2018-151 04725107 2018-151 04725108 | TMB REALTY LLC RABURN | WILLIAM K | CYNTHIA | RABURN | 10002 CASA NUESTRA DR 1213 HARDWICKE PI | | CHARLOTTE CONCORD | NC NC | 28214 28027 |
| 2018-151 04725109 | WILLIAM R ROLLINS R/T | THEORY IN A | WILLIAM R | ROLLINS | 18320 MANDRAIN POINT DR | | CORNELIUS | NC | 28027 |
| 2018-151 04725110 | TMB REALTY LLC | | | | 10002 CASA NUESTRA DR | | CHARLOTTE | NC | 28214 |
| 2018-151 04725111 2018-151 04725112 | WEBER PREVA REALTY LLC | ORION J | | | 66 LAKE BYRD BV 1007 BALSAM TC | | AVON PARK CHARLOTTE | FL NC | 33825 28214-1297 |
| 2018-151 04725113 | VOYEK | KENNETH JOHN | | | 9039 J M KEYNES DR UNIT 13 | | CHARLOTTE | NC | 28214-1297 |
| 2018-151 04725114 | HUNDLEY | KIMBERLEY P | | | 9039 J M KEYNES DR Unit 14 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725115 2018-151 04725116 | FU | ZAIQIU OTHELLA | | USA GOLDWEB LLC | 9039 JM KEYNES DR UNIT 15 9039 J M KEYNES DR UNIT 16 | | CHARLOTTE | NC NC | 28262 28262 |
| 2018-151 04725118 | HAWTHORNE | JEANETTE | | | 9039 J M KEYNES DR UNIT 18 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725118 | DERKOWSKI | DIANE | | | 9039 J M KEYNES DR #18 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725119 2018-151 04725120 | BIZUB WATSON | RICHARD A STEVE | KENNETH J JANE | BROWN | 58 JACOBS CREEK DR | | EWING | NJ | 08628 |
| 2018-151 04725120 | RAMADNEH | AMMAR | JAINE | WATSON | 9039 J M KEYNES DR #20 2637 SHENANDOAH AVE | | CHARLOTTE CHARLOTTE | NC NC | 28262 28205 |
| 2018-151 04725122 | MEGGISON | MARK D | ZHANNA K | MEGGISON | 9037 -22 JIM KEYNES DR | | CHARLOTTE | NC | 28252 |
| 2018-151 04725123 2018-151 04725124 | GARDNER | SUSAN | | | 9037 JM KEYNES DR #23 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725124 2018-151 04725125 | GUTHEIM HAAG | HENRIETTA KAREN D | RICHARD P | HAAG | 9037 J M KEYNES BLVD #29 9037 J M KEYNES DR #25 | | CHARLOTTE CHARLOTTE | NC NC | 28262 28262 |
| 2018-151 04725126 | AGRAWAL | PANKAJ | HARSHA | AGARWAL | 9037 J M KEYNES DR UNIT 26 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725127 | BRINSON | GARY | | | 9037 JM KEYNES DR 27 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725128 2018-151 04725129 | HEMPHILL PREVA REALTY LLC | ALLISON LANE | | | 9037 J M KEYNES DR UNIT 28 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725129 | GONZALEZ | FRANK R | | | 10002 CASA NUESTRA DR 10 TRAINOR PL | | CHARLOTTE BROWNS MILLS | NC NJ | 28214 08015 |
| 2018-151 04725131 | CALL ME FIRST LLC | | | | 2820 SELWYN AV, UNIT 550 | | CHARLOTTE | NC | 28209 |
| 2018-151 04725132 | SONI | MITESH | PRIYANKA | BOOCHA | 9029 J M KEYNES DR UNIT 66 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725133 2018-151 04725134 | BOFENKAMP CHERRY | LISA A JOSEPH TREVOR | | | 9035 J M KEYNES DR UNIT 33 1819 TARTAN CT | | CHARLOTTE | NC NC | 28262 28212 |
| 2018-151 04725135 | TREGLLA | FRANCO R | | | 1101 LEIGH DR | | CHARLOTTE | NC | 28212 |
| 2018-151 04725136 | POOVEY | TONY L | DEBORAH W | POOVEY | 9035 JM KEYNES DR UNIT 36 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725137 2018-151 04725138 | HAMILTON | JULIE | SCOTT | HAMILTON | 2423 GODSEY WOOD DR | | CHARLOTTE | NC | 28213 |
| 2018-151 04725138 2018-151 04725139 | WANTA CROSBY | TAMMY STEVEN | | | 276 OSBORN ST 9035 J M KEYNES DR UNIT 39 | | PHILADELPHIA CHARLOTTE | PA NC | 19128 28262 |
| 2018-151 04725140 | WILLIAMS | BRIAN A | | | 9035 / M KEYNES DR #40 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725141 | AUSTIN | VIRGINIA ROSE | | | 9033 J M KEYNES DR UNIT 41 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725142 | CHENG LIVING TRUST THE | | ADA HWAI FUN TRUSTEE | CHENG | 21901 FOXLAIR RD | | | MD | 20882 |
| 2018-151 04725143 2018-151 04725144 | ATMORE PROPERTIES LLC COX | GREGORY A | | | 3576 DRAYCOTT AVE 9033 J M KEYNES DR #44 | | CHARLOTTE CHARLOTTE | NC NC | 28213 28262 |
| 2018-151 04725145 | LONGO | KAREN A | AARON B | LONGO | 9033 JM KEYNES DR UNIT 45 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725146 | JOBES | JANET | | | 9033 J M KEYNES DR UNIT 46 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725147 2018-151 04725148 | PATEL SHOOK | HITESH R DEBBIE S | | | 9031 J M KEYNES DR UNIT 47 2801 GROSBEAK LN | | CHARLOTTE | NC | 28262 |
| 2018-151 04725148 | MARK | JOHN W | | | 1221 1ST AVE APT 233 | | CHARLOTTE | NC WA | 28269 98101 |
| 2018-151 04725150 | RAJA | JAYARAMAN | MIRUNALINI | RAJA | 9031 J M KEYNES DR #50 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725151 | THE THIRD AMENDED & RESTATED REVOCABLE | TRUST AGREEMENT | | | 18320 MANDRIAN POINT DR | | CORNELIUS | NC | 28031 |
| 2018-151 04725152 2018-151 04725153 | HUGH HAVEN LLC JOHNSON | ROBERT E | | | 10116 FAIRLEA DR 9031 J M KEYNES DR 53 | | CHARLOTTE | NC NC | 28269 28213 |
| 2018-151 04725154 | WILLIAM R ROLLINS R/T | NODENT E | WILLIAM R | ROLLINS | 18320 MANDRAIN POINT DR | | CORNELIUS | NC | 28031 |
| 2018-151 04725155 | WILLIAM R ROLLINS R/T | | WILLIAM R | ROLLINS | 18320 MANDRAIN PT | | CORNELIUS | NC | 28031 |
| 2018-151 04725156 2018-151 04725157 | APONTE DU VALL | ANA DANIEL F | CHARLES H SR SUSAN F | APONTE | 9031 J M KEYNES DRIVE # 56 9031 J M KEYNES DR UNIT 59 | | Charlotte | NC | 2826228202 |
| 2018-151 04725158 | FINKE | RICHARD A | ANN | DU VALL FINKE | 106 CRAMER MTN WOODS | | CHARLOTTE CRAMERTON | NC NC | 28262 28032 |
| 2018-151 04725159 | HODGSON | ROSA | | | 50 E. 79TH STREET | | NEW YORK | NY | 10021 |
| 2018-151 04725160 | JETER | JAMES | CAROLYN | JETER | 9029 J M KEYNES DR UNIT 60 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725161 2018-151 04725162 | OLESKY ISACKS | DARIUS PAMELA J | | | 9029 J M KEYNES DR UNIT 61 9029 JM KEYNES DR # 62 | | CHARLOTTE CHARLOTTE | NC NC | 28262 28262 |
| 2018-151 04725163 | | COURTNEY ANNE | | | 9029 J M KEYNES DR UNIT 63 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725164 | ANTONIOUS | MEKBIB | | | 9029 J M KEYNES DR #64 | | CHARLOTTE | NC | 28262 |
| 2018-151 04725165 2018-151 04725166 | WILLIAM R ROLLINS R/T WAVE HILL PROPERTIES LLC | | WILLIAM R | ROLLINS | 18320 MANDRAIN POINT DR PO BOX 1285 | | CORNELIUS DAVIDSON | NC | 28031 |
| 2018-151 04725166 | FRANK | JENNIFER | NICHOLAS | FRANK | 232 MAIN ST UNIT 206 | | DELAFIELD | NC WI | 28036 53018 |
| 2018-151 04725201 | UNIVERSITY PLACE OWNERS ASSOC | | | C/O CASTO | 191 W NATIONWIDE BLVD | STE 200 | COLUMBUS | OH | 43215 |
| 2018-151 04725202 | UNIVERSITY PLACE OWNERS ASSOC | | | C/O CASTO | 191 W NATIONWIDE BLVD | STE 200 | COLUMBUS | он | 43215 |
| 2018-151 04725204 2018-151 04725205 | EBA CRYSTAL REAL ESTATE LLC R & M PROPERTIES | | | | 8333 DOUGLAS AVE STE 975 164 WIND CHIME CT | | DALLAS RALEIGH | TX NC | 75225 27615 |
| 2018-151 04725206 | MEHRIZI | AMIR | | | PO BOX 473452 | | CHARLOTTE | NC | 28247 |
| 2018-151 04725208 | UPH LAKESIDE L P | | | C/O HILTON AT UNIVERSITY PL | 8629 J M KEYNES DR | | CHARLOTTE | NC | 28262 |
| 2018-151 04725209 2018-151 04725212 | LOGAN CAROLINA PLACE ASSOC LTD EBA CRYSTAL REAL ESTATE LLC | | | C/O ROOMS TO GO TAX DEPT | PO BOX 56607 8333 DOUGLAS AVE STE 975 | | ATLANTA DALLAS | GA TX | 30343 75225 |
| 2018-151 04727401 | ORIGIN-OUP LLC | | | C/O ORIGIN CAPITAL PARTNERS | 350 N. LASALLE ST STE 1000 | | CHICAGO | iL | 60654 |
| 2018-151 04727402 | CS SHOPPES AT UNIVERSITY PLACE | | | C/O CASTO LLC | 250 CIVIC CENTER DR | SUITE 500 | COLUMBUS | он | 43215 |
| 2018-151 04727403 | CS SHOPPES AT UNIVERSITY PLACE | | | C/O CASTO LLC | 250 CIVIC CENTER DR | SUITE 500 | COLUMBUS | OH | 43215 |
| 2018-151 04727404 2018-151 04727405 | CS SHOPPES AT UNIVERSITY PLACE CS SHOPPES AT UNIVERSITY PLACE | | | C/O CASTO LLC C/O CASTO LLC | 250 CIVIC CENTER DR 250 CIVIC CENTER DR | SUITE 500 SUITE 500 | COLUMBUS | OH OH | 43215 43215 |
| 2018-151 04727405 | CS SHOPPES AT UNIVERSITY PLACE | | | C/O CASTO LLC | 250 CIVIC CENTER DR | SUITE 500 | COLUMBUS | OH | 43215 |
| 2018-151 04727407 | CS SHOPPES AT UNIVERSITY PLACE | | | C/O CASTO LLC | 250 CIVIC CENTER DR | SUITE 500 | COLUMBUS | он | 43215 |
| 2018-151 04727409 2018-151 04727411 | CS SHOPPES AT UNIVERSITY PLACE | | | C/O CASTO LLC | 250 CIVIC CENTER DR | SUITE 500 | COLUMBUS | он | 43215 |
| 2018-151 0472/411 2018-151 04729140 | | | | C/O ORIGIN CAPITAL PARTNERS | 350 N. LASALLE ST STE 1000 1435 HWY 258NN | | CHICAGO KINSTON | IL NC | 60654 28504 |
| 2018-151 04729153 | MORALES | LUIS | ADRIEAN | MORALES | 10023 ATKINS RIDGE DR | | CHARLOTTE | NC | 28213 |
| 2018-151 04729154 | | | | | 9010 GLENWATER DR 102 | | CHARLOTTE | NC | 28262 |
| 2018-151 04729155 2018-151 04729156 | | COREY RUSSELL A | | | 9010 GLENWATER DR #103 160 N 15T ST | | CHARLOTTE ALBEMARLE | NC NC | 28262 28001 |
| 2018-151 04729156 | | A | | | 5431 OPEN BOOK LN | | CHARLOTTE | NC | 28001 28270 |
| 2018-151 04729158 | BALDWIN OFFICE PROPERTIES LLC | | | | 2958 EUCLID TER | | THE VILLAGES | FL | 32163 |
| 2018-151 04729159 | MATOS | NELLY | JOSE | AROCHO | 11825 SIDNEY CREST AVE | | CHARLOTTE | NC | 2B213 |
| 2018-151 04729160 2018-151 04729198 | DIEM INVESTMENTS LLC UNIVERSITY PLACE OWNERS ASSOC | | | C/O CASTO | PO BOX 783 191 W NATIONWIDE BLVD | STE 200 | LEXINGTON COLUMBUS | NC OH | 27293 43215 |
| | | | | | | | | | |

| 2018-151 | ORGANIZATI | FIRST_NAME | LAST_NAME | STREET_ADD | UNIT_NUM | CITY | STATE | ZIP |
|----------|--|------------|------------|----------------------|-----------|-----------|-------|-------|
| 2018-151 | Bennington Place Homeowners Association Inc. | D, | Flynt | 8551 N Tryon St | | Charlotte | NC | 28262 |
| 2018-151 | Castle Gardens | Dave A. | Parker | 8800 N Tryon St | | Charlotte | NC | 28262 |
| 2018-151 | Catawba Colony Community Association | Jan | Slaven | 8800 N Tryon St | | Charlotte | NC | 28262 |
| 2018-151 | Lakeshore Village Condominiums | David D. | Jordon | 9041 J M Keynes Dr | Unit 3 | Charlotte | NC | 28262 |
| 2018-151 | Lakeshore Village Condominiums | Pamela | Isacks | 9029 J M Keynes | | Charlotte | NC | 28262 |
| 2018-151 | The Law Offices of Keith L. Howard, PLLC | Keith | Howard | 301 McCullough Dr | Suite 400 | Charlotte | NC | 28262 |
| 2018-151 | Welwyn | Karen | Tannenbaum | 9506 Glenwater Drive | | Charlotte | NC | 28262 |
| | | | | | | | | |

Exhibit B



December 20, 2018

Collin W. Brown collin.brown@klgates.com

T +1 704 331 7531 F +1 704 331 7598

NOTICE TO INTERESTED PARTIES OF COMMUNITY MEETING

| Date: | Monday, January 7, 2019 at 6:00 p.m. |
|---------------|--------------------------------------|
| Location: | Holiday Inn Express & Suites |
| | 6020 University Pointe Blvd. |
| | Charlotte, NC 28262 |
| Petitioner: | EBA Crystal Estate, LLC |
| Petition No.: | 2018-151 |

Dear Charlotte Resident.

We represent EBA Crystal Estate, LLC (the "Petitioner") in its plans to redevelop an approximately 20.56acre property located on the east side of J.W. Clay Blvd, north of West W.T. Harris Blvd. (the "Property"). The Petitioner requests a rezoning from the Property's Commercial Center (CC) zoning to a Mixed Use Development District (MUDD-O) to accommodate a live/work/play mixed use activity core with significant pedestrian trail network and greenspace amenities.

In accordance with the requirements of the City of Charlotte Zoning Ordinance, the Petitioner will hold a Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Commission's records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the Property.

Accordingly, on behalf of the Petitioner, we invite you to attend the Official Community Meeting regarding this Petition on Monday, January 7, 2019 at 6:00 p.m. to meet with the Petitioner and its design and development team. We will give a brief overview of the redevelopment concept and then provide an opportunity for you to meet and talk with individuals that are involved in planning the project.

Please contact me if you are unable to attend and would like additional information.

Very truly yours.

20m /BNL Collin W. Brown

CC! Sonja S. Sanders, Charlotte-Mecklenburg Planning Staff Greg Phipps, Charlotte City Council District 4

Exhibit C

Official Community Meeting Petitioner: EBA Crystal Estate, LLC Petition No. 2018-151 Holiday Inn Express & Suites - Charlotte/University 6020 University Pointe Blvd. Charlotte, NC 28262 January 7, 2019 6:00 PM

Please fill out completely. This information is used by the Planning Department to distribute material regarding this petition.

| Name | Address | Phone No. | Email | |
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| Richmond Bake | 3631 French woods Re | 44 309 3296 | Richnoba @ microsoft | .um |
| Tobe Holmes | 8801 JA Koywes Det 450 | 843 343 7709 | tholme curthers in as | 5 provisa |
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| MARTIN ZIMM | ERNAN | | | |
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| Luis Mortinez | THE HEATS BILL | 704-258-9271 | Lorrinez. n @ Sma | 1- com |
| Jonita Edmond | 301 E Harris Blud Jednmudsecontibran | 4.009 704-416-7201 | Yednowds@cmlibro | vy.og |
| Nancy Reitz | 89293.M. Leynes | 704-549-4811 | nreite@castoinfo | , com |
| Bradley Dilks | 447 Blue Rel. | 00°901-233-4892 | bhdilks Raol. con | 1 |
| KathyGister | 4601 Fairvista Dr. | 704-564-6919 | Kathy gister agmail | COM |
| Evereft Blackman | 11526 Hablie Little Street Charlette, NC 26269 | 704-46-7202 | estakmone collibrary.on | 5 |
| COREY I MAN ORTH | 9010 GLENWATER DR. 545 203 28262 | 704-239-6376 | COREYi@PEGRAMONL | INE . COM |
| Gina Petrie | Conc Til t | - म् म् जना | gpetrie comlibra | |
| Dare Waty | | 576-1725 | Jure lee vatson a | Dawail. |
| Paul Fitzgerald | 4330/haz/ittct. | | pifitzgerald 433 Olyma | |
| Mark Reynlas | 1645 Bonase La | 704-562-4663 | MREYNOLDS 5555 C | |
| Chuck Harris | 13214 Arbor Day ct Char, NC 28269 | 704-456-5948 | chuckharris ekw.c | om |
| WIL RUSSEL | 1100 | a 200 alul | | |
| Jarten Heater | 132432ASTELDVILLE | 704 549 914 | | |
| HAT CAPITER. | 12 B269 9100 Soyce Kumen an | 101 JOIN DOT | pgc101500elkorth | net |
| JODIG SHOLAR | LLT 28213 2017 Noten fark LN | 704 549 1463 | | |
| David Dillard | CUT NELSTON | 704 6080840 | de illard @ cmlibrary. | 9 |
| Carolyn Sheehan | char N.C., 28213 | 704-549-1538 | None | |

Official Community Meeting Petitioner: EBA Crystal Estate, LLC Petition No. 2018-151 Holiday Inn Express & Suites - Charlotte/University 6020 University Pointe Blvd. Charlotte, NC 28262 January 7, 2019 6:00 PM

Please fill out completely. This information is used by the Planning Department to distribute material regarding this petition.

| Name | Address | Phone No. | Email | |
|-----------------------|--|-------------------|-----------------------------|-----------|
| DIAN'E PETERSON | 9218 Robert Buret | -704-549-1533 | determ 70 care | ie |
| Amon Longo | 9033 JM Keynes Or | | | |
| Koren Longo | 9033 MKeynes Dr | | | |
| Bin Mily | DANIOSON, NC 20036 | 708-987-1877 | W JAMEN PUNCE. ch | |
| piane Denkou | 516 9039-185M | Keynes DY 704 9 | Sty sunnydilig | hte |
| Allison Hemphil | 9037-28 JM Key | nes or 704 737 18 | 92 ali hemphille | 1.com |
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| GRANT MEACCI | 1507 CAMPEN PD | 209 396 8308 | GRANT. MEACH OCHAR | IMENK. 00 |
| GARY BRINSON | 9037 Jus Keynes | 980-867-2751 | GARY Stanson Ord. | tota - |
| Samuel Orenada | $\chi_1 = \chi_{1,1}$ | 11 L/ | (L)]. | ÷ |
| | 9020 Nottowny Dr. 7323 Nottowny Dr. | 704-737-1924 | Kicho: 98@gmad.co | |
| ARWER HALPORK | Dr. | | the ponto smal | 1. com |
| MATT LUKAS | 8333 Darstes Alles Tr | 214/347-7704 | Matt. Inka @ eba - us co | 0 |
| DEDROICK Spelman | | 1 | derrickspellman 87 | × × |
| DEON K. SWITH | 2041 JM KEYNES | (204)351-7091 2 | REAMMAKEROKS | Dyuttoo |
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Exhibit D

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Official Community Meeting

EBA Crystal Estate, LLC / University City Rezoning Rezoning Petition No. 2018-151

Monday January 7, 2019

AGENDA

- Introductions
- Property Location
- Development Considerations
- Current Zoning
- Land Use Plan
- Proposed Redevelopment
- Community Concerns
- Timeline
- Discussion





Gregory Wattson



Collin Brown & Brittany Lins

Nate Doolittle & Richard Petersheim



Randy Goddard



Property Location













Development Considerations



DEVELOPMENT CONSIDERATIONS

- Property Owner Requirements
- Existing Zoning
- Natural/Environmental Constraints
- Access/Transportation Requirements
- Adjacent Owner Concerns
- Ordinance/Policy Requirement (non-zoning)
- Adopted Area Plans
- City Priorities
- Community Concerns
- Market Realities





Current Zoning



CURRENT ZONING: COMMERCIAL CENTER (CC)



PART 4: COMMERCIAL CENTER DISTRICT

Section 11.401. Purpose.

The Commercial Center Development (CC) district is hereby established in order to accommodate, in areas outside of the Uptown Charlotte expressway loop, the development of shopping centers and individual retail establishments primarily larger than 70,000 square feet of floor area. The location and design of such large-scale developments typically serve the employment, shopping, or service needs of an area ranging from a neighborhood to the entire community. The standards for this district therefore are designed to ensure compatibility of such development with nearby uses and the orderly development of the community. (*Petition No. 2002-30, § 11.401, 4-15-02*)

CC: Uses Permitted by right

Section 11.402. Uses permitted by right.

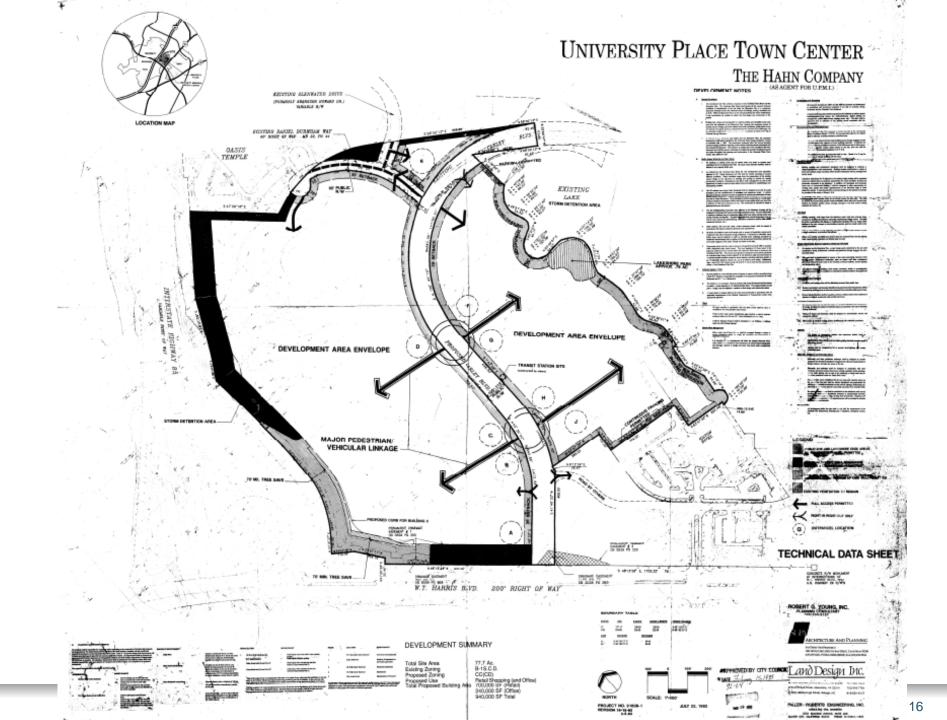
The following uses shall be permitted by right in the CC district, provided that they meet all requirements of this Part and all other requirements established in these regulations:

- (1) Automotive service stations, including minor adjustments, repairs and lubrication.
- (2) Barber and beauty shops.
- (3) Civic, social service and fraternal facilities.
- (4) Clinics, medical, dental and optical.
- (5) Cultural facilities.
- (6) Dry cleaning and laundry establishments, up to 4,500 square feet.
- Dwellings, detached, duplex, triplex, quadraplex, attached, multi-family and mixed-use buildings. (Petition No. 2002-30, § 11.402(7), 4-15-02)
- (8) Equipment rental and leasing, within an enclosed building.
- (9) Financial institutions.
- (10) Florists.
- (11) Funeral homes and embalming. (Petition No. 2012-012, §11.402(11), 03/19/2012)
- (12) Government buildings.

CC: Uses Permitted by right continued

- Highway and railroad rights-of-way. (13)(25)permitted in the district. (14)Hotels and motels. (26)Eating, Drinking and Entertainment Establishments (Type 1). (15)Indoor recreation. (Petition No. 2013-090, § 11.402(26), 07/21/2014) (16)Jewelers. (27)services permitted in the B-1 district. (17)Locksmiths and gunsmiths. Telephone booths. (28)(18)Nurseries and greenhouses. (29) Theaters, motion pictures. (19)Offices. (30)Vocational schools, within an enclosed building. Outdoor recreation. (20)
- (20.1) Outdoor seasonal sales.
- Parks, greenways and arboretums. (21)
- (21.1) Pet services indoor. (Petition No. 2010-044, §11..403(21.1),09/20/10)
- (22)Post offices.
- (23)Printing and publishing, up to 5,000 square feet.
- (24)Religious institutions.

- Repair or servicing of any article, within an enclosed building, the sale of which is
- Retail establishments, shopping centers, and business, personal and recreation



DEVELOPMENT SUMMARY

Total Site Area Existing Zoning Proposed Zoning Proposed Use Total Proposed Building Area 77.7 Ac. B-1S.C.D. CC(CD) Retail Shopping (and Office) 700,000 SF (Retail) 240,000 SF (Office) 940,000 SF Total



Land Use Plan



University City Area Plan LYNX Blue Line Extension Transit Station Area Plans Update





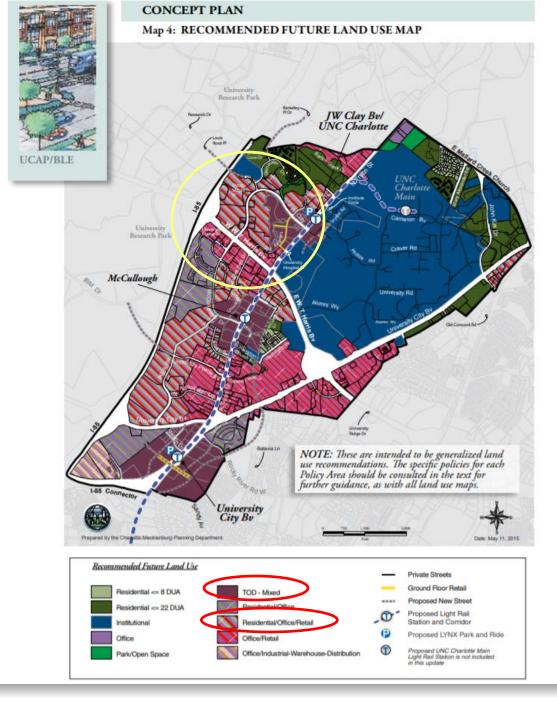


for University City Boulevard Station McCullough Station JW Clay Boulevard/UNC Charlotte Station

Prepared by: Charlotte-Mecklenburg Planning Department

Adopted by Charlotte City Council May 11, 2015

City of Charlotte Adopted Area Plan



Recommended Future Land Use: MIXED-USE

RESIDENTIAL OFFICE RETAIL

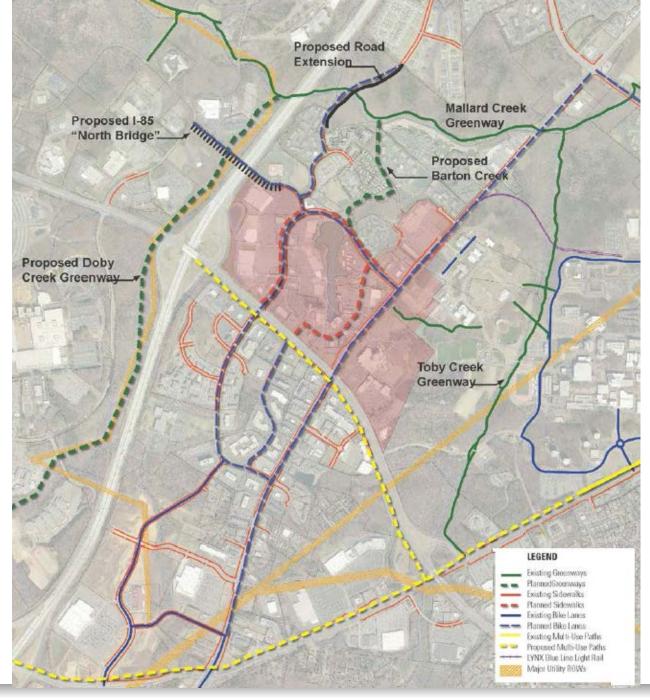
UNIVERSITY CITY TOWN CENTER

A Vision & Plan for the J.W. Clay Station Area

University City Partners Stakeholder Study

University City, Charlotte, North Carolina

diptyque



A New and Dynamic Future:

The J.W. Clay Town Center is to be organized into districts that take advantage of market opportunities, site adjacency and position relative to transportation.

- The districts are influenced by UNCC, CMC-U, the Hilton Hotel, I-85, the University Research Park and the existing residential neighborhoods located on the north side of the study area.
- Retail is located and scaled to best serve the district, to energize pedestrian streets and to create body heat in key locations. While there is not a significant addition to the existing retail footprint, it must be reorganized to meet demands for walkability.
- While each district has a primary use, it is envisioned that all will have elements of mixed use, particularly within close proximity to the J.W. Clay Station.
- A "college mainstreet" aims to capture students, alumni and fans.



FRAMEWORKS - DISTRICTS

City of Charlotte JW Clay Streetscape Project





Proposed Redevelopment



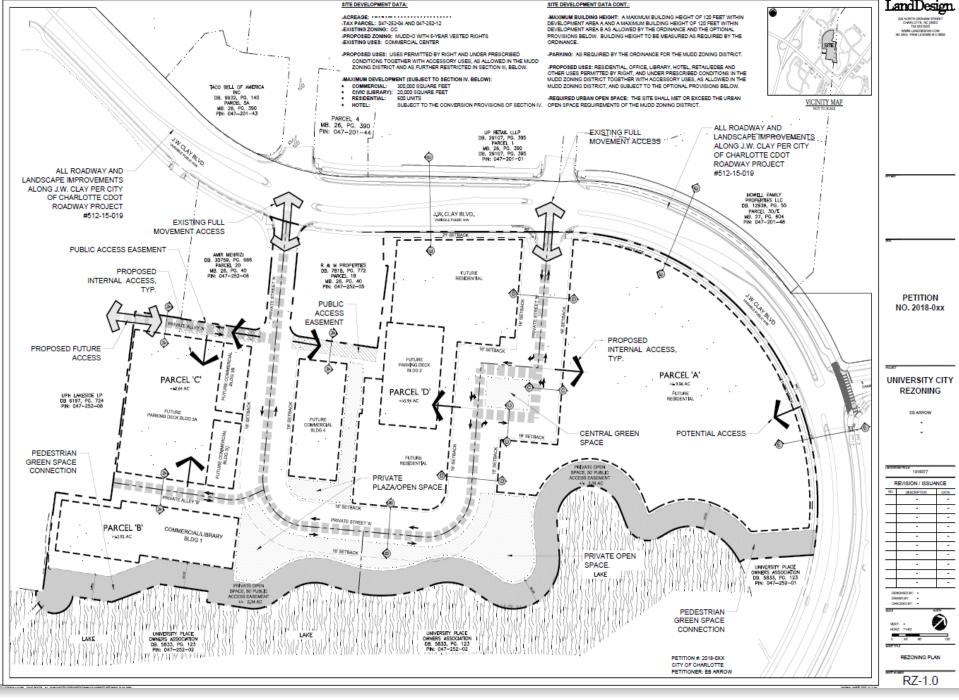
Proposed Zoning: MUDD-O

Section 9.8501. Mixed Use Development District established; purpose; options.

- (1) <u>Purpose.</u> The adopted Center City Charlotte Urban Design Plan calls for a development district outside the central employment core in which coordinated mixed use development will be permitted in order to encourage alternative development possibilities. The Mixed Use Development District (MUDD) encourages mixed use development and its accompanying support commercial and office uses while maintaining a strong emphasis on pedestrian scale, urban development, and amenities.
- (2) Options. Urban development cannot always be evaluated based upon predetermined, specific standards stated in the Ordinance. Therefore, an applicant might elect to seek a conditional zoning district approval in two circumstances. One circumstance is when the applicant can meet the standards for MUDD, but the applicant wants to voluntarily have conditions imposed upon the rezoning approval that will benefit abutting properties. That would be for a MUDD (CD). The second circumstance is when the applicant might wish to file an innovative urban rezoning petition which addresses new development concepts, innovative design, special problems, public/private ventures and other unique proposals or circumstances which cannot be accommodated by the standards of MUDD. Any of the standards in MUDD may be modified in the approval of the MUDD-O application.

EXISTING CONDITIONS





EXISTING CONDITIONS







Community Concerns





The submission appears to be merely a land-use diagram. Where is the site plan?

Where are the conceptual drawings of the buildings, including the parking decks?

What is the overall design intent and landscape architectural concept for the zone called "private open space"?







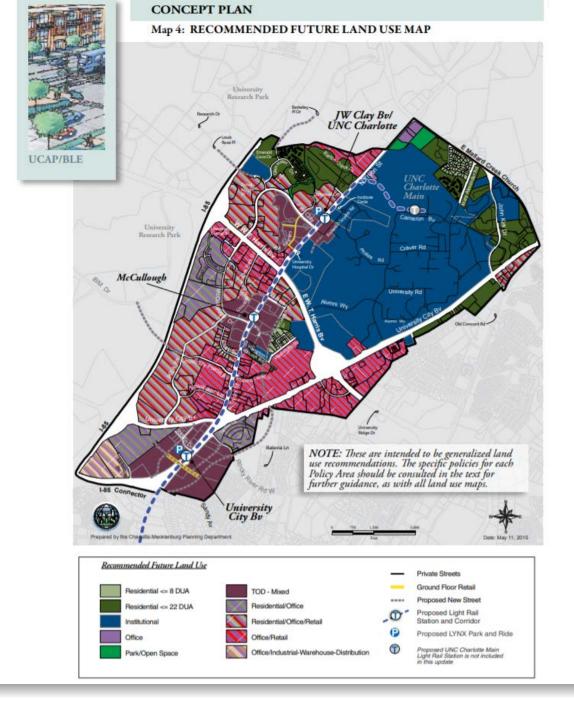
Who is the architectural firm for this project and what role did they play in determining your client's land-use diagram ?





Why isn't this project being submitted for a TOD development instead of MUDD?







Why is the internal street not a public street?







Who owns Parcel A and why isn't it part of the submitted land-use diagram?







How will this project be accessible for bicycle, bus and pedestrian traffic populations?







Does the developer have any commitments or letters of intent from commercial tenants or other sub-parcel developers?





If a hotel is considered as an option, what parcel would it occupy and what kind and size of product is intended?





What is the intended market for the housing? Given the crisis in affordable workforce housing in Charlotte, to what extent is the client committed to voluntarily provide workforce units?





The client is asking for 5-year vesting. What is the intended build-out timetable for this project?







Rezoning Timeline



Best Case Scenario Timeline:

Public Hearing:

Zoning Committee:

City Council Decision:

February 18, 2019

March 5, 2019

March 18, 2019



Discussion



K&L GATES