

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM

729 E 36 ST **CHARLOTTE, NC 28205**

CENTRO NODA

REZONING

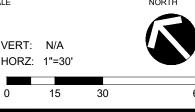
ASCENT REAL ESTATE CAPITAL

> 2100 CRESCENT AVENUE **CHARLOTTE, NC 28207**

1021016 REVISION / ISSUANCE DESCRIPTION REVISIONS PER STAFF COMMENTS REVISIONS PER STAFF

COMMENTS

DESIGNED BY: LD DRAWN BY: LD



TECHNICAL DATA

CENTRO NODA DEVELOPMENT STANDARDS Petitioner: Ascent Real Estate Capital, LLC Rezoning Petition No. 2021-096 10/11/2021

Site Development Data:

--Acreage: ± 1.89 acres --Tax Parcels: 091-104-01 and 091-104-02

--Existing Zoning: R-5
--Proposed Zoning: MUDD-O

--Existing Uses: Institutional/Religious, Vacant
--Proposed Uses: Uses permitted by right and under prescribed conditions together with

accessory uses, as allowed in the MUDD zoning district not otherwise limited in the

Rezoning Plan:

--Maximum Development, subject to conversion rights:

a. 21) Multi-family residential units; and
b. Up to 11,100 square feet of retail, EDEE, personal service or other non-residential uses (Excludes residential support uses such as leasing, fitness, etc.)

(aximum Building Height: 63 feet

--Parking: As described in the Optional Provision below.

I. 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 Ascent Real Estate Capital, LLC ("Petitioner") to accommodate development of a mixed-use project on an approximately 1.89-acre site located at 729 East 36th Street and 3315 N McDowell Street, more particularly described as Mecklenburg County Tax Parcel Numbers 091-104-01 and 091-104-02 (the "Site").
- b. **Intent.** This Rezoning is intended to accommodate development on the Site of a pedestrian-focused mixture of MUDD-permitted uses including but not limited to residential and ground-floor retail.
- c. **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, or as requested in the Optional Provisions below, the regulations established under the Ordinance for the MUDD zoning district shall govern all development taking place on the Site.

II. Permitted Uses:

Subject to the Maximum Development provisions set forth under Section III below, the Site may be devoted to any uses permitted by right or under prescribed conditions in the MUDD Zoning District, together with any incidental or accessory uses associated therewith.

III. Optional Provisions:

a. To allow mechanical and utility equipment such as transformers, enclosures, electrical equipment, and backflows to encroach within the setback, so long as they do not block the required sidewalk along street frontages.

b. To allow a minimum of 213 on-site vehicular parking spaces.

IV. Maximum Development and Restrictions:

a. Subject to the restrictions and limitations listed below, the principal buildings constructed on parcel 091-104-01 may be developed with up to: (i) a maximum of 211 residential 2 units and (ii) 11,100 square feet of retail, personal service. EDEE, and other non-2 residential uses (excluding residential support uses such as leasing, fitness, etc.) permitted by right and under prescribed conditions in the MUDD zoning district, along with any accessory uses allowed in the MUDD zoning district. Parcel 091-104-02 shall not contain any residential units or commercial uses.

b. <u>Prohibited Uses</u>: Car washes; Automobile Service Stations; accessory drive-through service windows; warehousing; and self-storage.

V. <u>Transportation:</u>

- a. Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.
- b. Petitioner shall construct an ADA compliant bus pad per Land Development Standard 60.01B in the area of the existing stop. The final location of the pads will be coordinated with CATS through the permitting process.

c. Petitioner shall provide two curb ramps at the intersections of East 36th Street with North Alexander Street and North McDowell Street at the corners of the Site, as generally depicted on the Rezoning Plan.

d. Where necessary, the Petitioner shall dedicate and convey in fee simple all rights-of-way to the City of Charlotte before the Site's first building certificate of occupancy is issued.

building certificate of occupancy is issued.

Right-of-way shall be set at two (2) feet behind back of sidewalk where feasible.

e. All transportation improvements shall be substantially completed before the Site's first

1. Reference to "substantially complete" shall mean completion of the roadway improvements in accordance with the Technical Data Sheet provided, however, in

the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or bond for any improvements not in place at the time such certificate of occupancy is issued to secure completion of the applicable improvements.

VI. <u>Design Guidelines:</u>

- a. <u>Preferred Exterior Building Materials</u>: The principal building facades constructed on the Site and abutting a network required public or private street shall comprise a minimum of 40% 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 or other materials approved by the Planning Director.
- b. <u>Prohibited Exterior Building Materials</u>: The Petitioner will not utilize (1) vinyl siding (excluding the use of vinyl handrails, windows or door trim, which shall be permitted); or (2) concreate masonry units not architecturally finished.

2 c. <u>Building Massing and Height</u> shall be designed to break up long monolithic building forms as follows:

 $\underbrace{1.}_{\text{max}}$

1. 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 ten (10) feet wide and shall project or recess a minimum of two (2) feet extending through at least a full floor.

2. Building corners shall have a stepback as generally depicted on the perspective images included in the Rezoning Plan.

2

d. <u>Architectural Elevation Design</u>: elevations shall be designed to create visual interest as follows:

- 1. 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 and/or change in materials or colors;
- 2. Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets. Such base may be executed through the use of Preferred Exterior Building Materials or articulated architectural façade features and color changes.
- 3. Building elevations fronting network required public or private streets shall not have expanses of blank walls greater than twenty (20) feet in all directions and architectural features such as (but not limited to) banding, medallions or design

features or materials that will be provided to avoid a sterile, unarticulated blank treatment of such walls.

e. Active ground floor uses shall occupy at minimum of 80% of the Site's linear street-level building frontage along East 36th Street. The 11,100 square feet of proposed retail uses shall be located along the East 36th Street frontage and/or surrounding the urban open space area as shown along the East 36th Street frontage.

f. A minimum of 70% of all parking structures shall be screened from public streets at the pedestrian level or street level by active uses. Car headlights shall be fully screened within the parking structure per Ordinance standards. Parking deck shall be appropriately screened with one of the following (a) in a style to mimic the rhythm of the building's windows; (b) decorative panels, or (c) a green screening method. Deck screening height will match height of the deals.

g. In order to stimulate pedestrian activity, the Site shall be designed to incorporate an urban open space area as generally depicted on the Rezoning Plan along East 36th Street, which shall be a minimum of 3,125 square feet.)

h.) The Petitioner shall provide an Open Space/Tree Save area within parcel 091-104-02 (3315 North McDowell Street) of the Site. This area may provide pathways, benches and/or other seating options to activate and amenitize the area.

i. The Petitioner shall provide a minimum eight (8) foot landscaped area adjacent to the existing ten (10) foot wide alleyway where abutting the parking deck) to serve as additional transition and screening to single-family residences.

j. The minimum step back of the fifth story of the building along N Alexander Street and N McDowell Street shall be four (4) feet, excluding balcony railings. Balcony railings on the top floor where stepped back from the rest of the building face shall not be constructed of

top floor where stepped back from the rest of the building face shall not be constructed of solid wall material (i.e., fifth floor railings will have openings or transparency).

k. The maximum prominent entrance spacing shall be one hundred (100) feet along the 36th Street frontage.

1. The minimum transparency for the ground floor of 36th Street shall be 60% total (exceeding the 50% MUDD requirement). The transparency for residential components (along the ground floor of McDowell Street and N Alexander Street and upper stories) shall be a minimum of 25%.

VII. <u>Environmental Features:</u>

- a. The Petitioner shall comply with the Post Construction Stormwater Ordinance.
- b. The Petitioner shall comply with the Tree Ordinance.

VIII. <u>Lighting</u>

ting shall be full cut-off type lighting fixtures excluding lower, decorative lighting

a. All lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed on buildings, along the driveways, sidewalks, and parking areas.

However, upward facing accent/architectural lighting shall be permitted.

b. Lighting at the top of the parking deck area adjacent to existing single-family zoning shall be limited to a maximum of twenty (20) feet in height and directionally angled to limit light pollution onto adjacent residential properties.

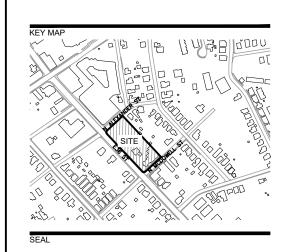
IX. Amendments to the Rezoning Plan:

Future amendments to the Rezoning Plan may be applied for by the then Owner or Owners of the applicable Lot of the Site affected by such amendment in accordance with the provisions herein and of Section 6.207 of the Ordinance.

X. 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 Lot(s), as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM



CENTRO NODA

729 E 36 ST

CHARLOTTE, NC 28205

REZONING

ASCENT REAL ESTATE CAPITAL

> 2100 CRESCENT AVENUE SUITE 200 CHARLOTTE, NC 28207

CICN DDO L#	
1021016	
REVISION / ISSUA	NCE
DESCRIPTION	DATE
REVISIONS PER STAFF COMMENTS	09-13-20
REVISIONS PER STAFF COMMENTS	10-11-20
SIGNED BY: LD AWN BY: LD IECKED BY: LD	
	DESCRIPTION REVISIONS PER STAFF COMMENTS REVISIONS PER STAFF COMMENTS SIGNED BY: LD AWN BY: LD

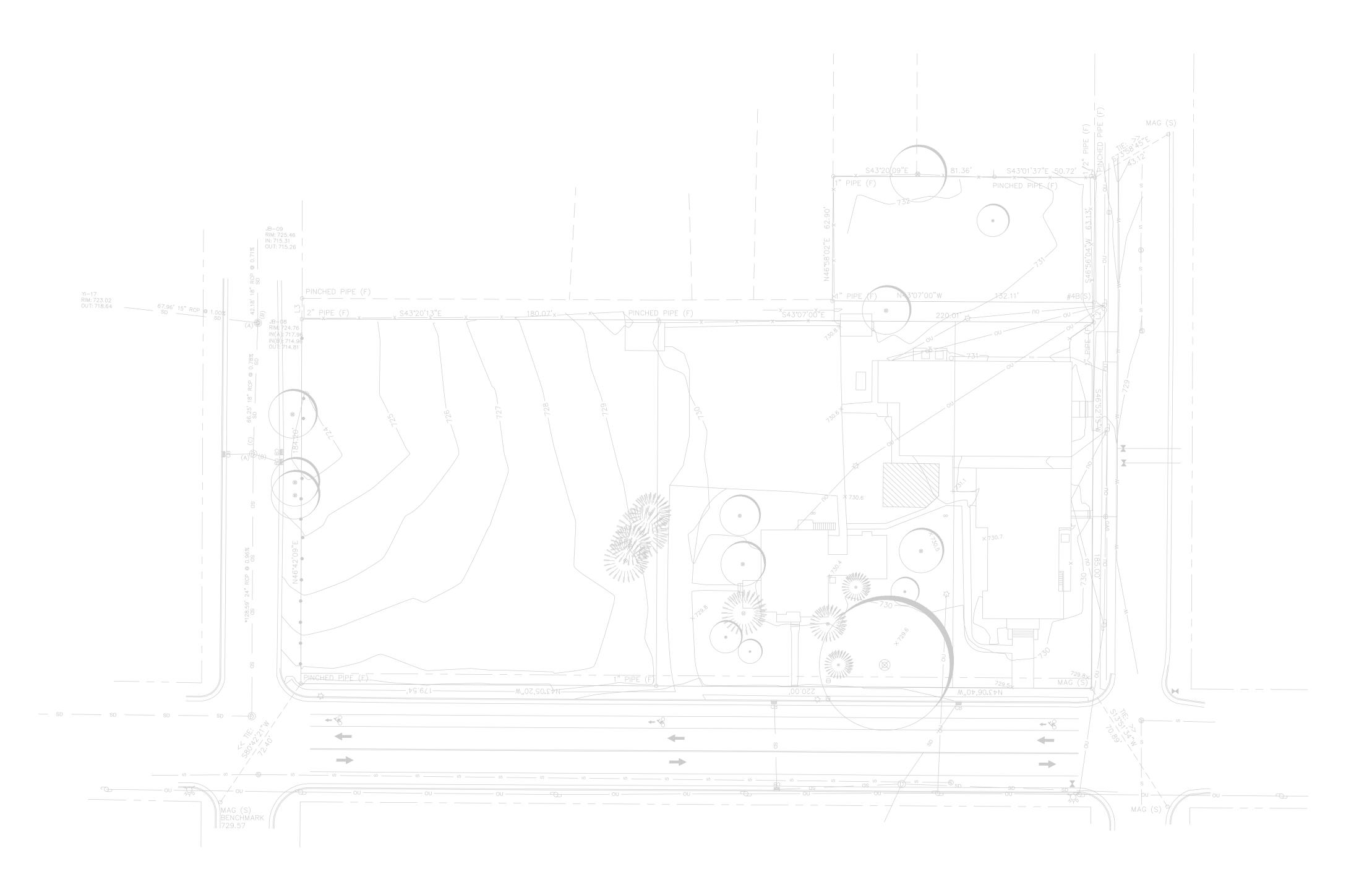
VERT: N/

ET TITLE

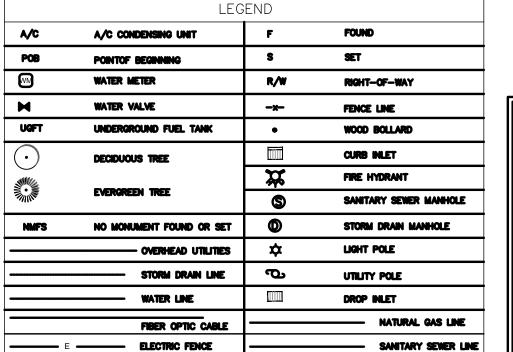
DEVELOPMENT STANDARDS

RZ-2

REZONING PETITION # 2021-096



INSTRUMENT REFERENCE



FIRST AMERICAN TITLE INSURANCE COMPANY **COMMITMENT NUMBER: 21-0876** COMMITMENT DATE: 03/02/2021 ISSUE DATE: 03/02/2021

SCHEDULE B - SECTION II - EXCEPTIONS

DESCRIPTION

BUILDING RESTRICTION LINES, EASEMENTS, MAP BOOK 230 PAGE 14 AND ANY OTHER MATTERS SHOWN ON MAP BOOK 6 PAGE 903 RECORDED PLATS

LOCATION AS SHOWN ON SURVEY AS SHOWN ON SURVEY

LEGAL DESCRIPTION

LYING IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1:

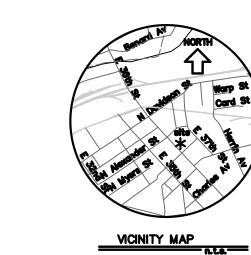
BEING ALL OF LOTS 1 THROUGH 8, BLOCK 8, OF THE PROPERTY OF NORTH CHARLOTTE REALTY COMPANY AS SHOWN ON A MAP THEREOF RECORDED IN MAP BOOK 230 PAGE 14 OF THE MECKLENBURG COUNTY REGISTRY, CONTAINING 1.696 ACRES, MORE OR LESS.

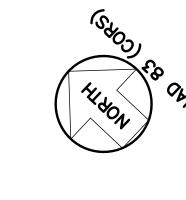
THIS PROPERTY WAS ACQUIRED BY GRANTOR BY THREE INSTRUMENTS RECORDED IN DEED BOOK 691 PAGE 300, DEED BOOK 1171 PAGE 132 AND DEED BOOK 1186 PAGE 247.

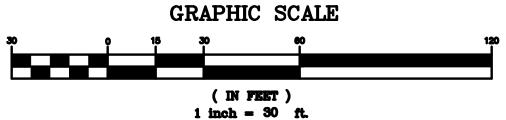
TRACT 2:

BEING ALL OF LOT 1 OF THE PROPERTY OF JOHNSTON MANUFACTURING COMPANY AS SAME IS SHOWN ON A MAP THEREOF RECORDED IN MAP BOOK 6, ON PAGE 903 OF THE MECKLENBURG COUNTY REGISTRY, CONTAINING 0.191 ACRES, MORE OR LESS.

THIS PROPERTY WAS ACQUIRED BY GRANTOR BY INSTRUMENT RECORDED IN DEED BOOK 3633 PAGE 35.







NOTES & REFERENCES:

TAX ID 09110401: 719 AND 729 E. 36TH ST.

LOTS 1-8, BLOCK 8, MAP BOOK 230 PAGE 14 OWNER: NORTH CHARLOTTE PRESBYTERIAN CHURCH DEED BOOK 691 PAGE 300

DEED BOOK 1171 PAGE 132 DEED BOOK 1886 PAGE 247

TAX ID 09110402: 3315 N. MCDOWELL ST. LOT 1, MAP BOOK 6 PAGE 903

OWNER: JACK M. MERRITT AND H.B. GRICE, TRUSTEES OF JOHNSTON MEMORIAL PRESBYTERIAN CHURCH

DEED BOOK 3633 PAGE 35

ZONING: R-5 PER MECKLENBURG COUNTY GIS CITY OF CHARLOTTE ZONING ORDINANCE SECTION 9.205 DEVELOPMENT STANDARDS FOR SINGLE FAMILY DISTRICTS:

MINIMUM SETBACK E. 36th ST: 20' FROM FUTURE R/W MINIMUM SETBACK N. ALEXANDER ST: 20' FROM EXISTING R/W MINIMUM SETBACK N. MCDOWELL ST: 20' FROM EXISTING R/W MINIMUM SIDE YARD = 5' (RESIDENTIAL) OR 20' (NON-RESIDENTIAL) MINIMUM REAR YARD = 35'

PARKING SUMMARY:

NO STRIPED PARKING SPACES ONE ACCESSIBLE SIGN AS SHOWN

F.E.M.A.-F.I.R.M. INFORMATION:

COMMUNITY 370159 (CHARLOTTE, CITY OF) MAP NUMBER 3710456400K

ZONE X EFFECTIVE FEBRUARY 19, 2014

EAST 36TH STREET IS A MINOR THOROUGHFARE AND MAY BE SUBJECT TO FUTURE RIGHT-OF-WAY ACQUISITION BY CITY OF CHARLOTTE. CURRENT LAND DEVELOPMENT STANDARDS REQUIRE A MINIMUM 70' RIGHT-OF-WAY FOR MINOR THOROUGHFARES (35' FROM CENTER).

VERTICAL DATUM IS NAVD '88

THIS PROPERTY MAY BE SUBJECT TO EASEMENTS AND/OR RIGHTS-OF-WAY EITHER RECORDED OR IMPLIED.

SURVEYOR'S CERTIFICATE

TO ASCENT REAL ESTATE CAPITAL, LLC, ITS SUCCESSORS AND ASSIGNS, (LENDER TBD), AND FIRST AMERICAN TITLE INSURANCE COMPANY, ITS SUCCESSORS AND ASSIGNS.:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7(a), 8, 9, 11(b), 13, 14, 16, & 18 OF <u>TABLE A</u> THEREOF. THE FIELDWORK WAS COMPLETED ON MARCH 15, 2021.

DATE OF PLAT OR MAP: MARCH 23, 2021

CHARLES H. HODGE, NC PLS L-3975

PRELIMINARY PLAT SALES OR CONVEYANCE



Incorporated

Land Surveying Planning & Engineering

4000 Stuart Andrew Boulevard Charlotte, North Carolina 28217 P.O. Box 11386 28220-1386 (704) 527-6626 Fax 527-9640 email: postmaster@ucas-forman.com

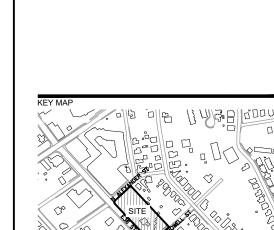
Lucas-Forman | ALTA/NSPS LAND TITLE SURVEY

FOREST HILL CHURCH 729 E. 36TH ST. City of Charlotte, Mecklenburg County, NC for ASCENT REAL ESTATE CAPITAL LLC

REZONING PETITION # 2021-096

IOF: ASCENT REAL ESTATE CAPITAL, LLC						
SURVEYED BY	DESIGNED BY	DRAWN BY	DATE			
CHH/LHH		СНН	03/15/2021			
CHECKED BY	JOB NUMBER	TOPO FILE NUMBER				
	18113	41				

ORIGINAL SHEET SIZE: 24" X 36" 10/11/2021 6:56 PM SOPHIE BUSCAGLIA N:_2021\1021016\CAD\REZONING\1021016_PLN_REZONING.DWG



223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM

CENTRO NODA

729 E 36 ST

CHARLOTTE, NC 28205

REZONING

ASCENT REAL ESTATE CAPITAL

2100 CRESCENT AVENUE SUITE 200

CHARLOTTE, NC 28207

1021016

REVISION / ISSUANCE DESCRIPTION

REVISIONS PER STAFF 09-13-2021 COMMENTS **REVISIONS PER STAFF** 10-11-2021 COMMENTS

DESIGNED BY: LD

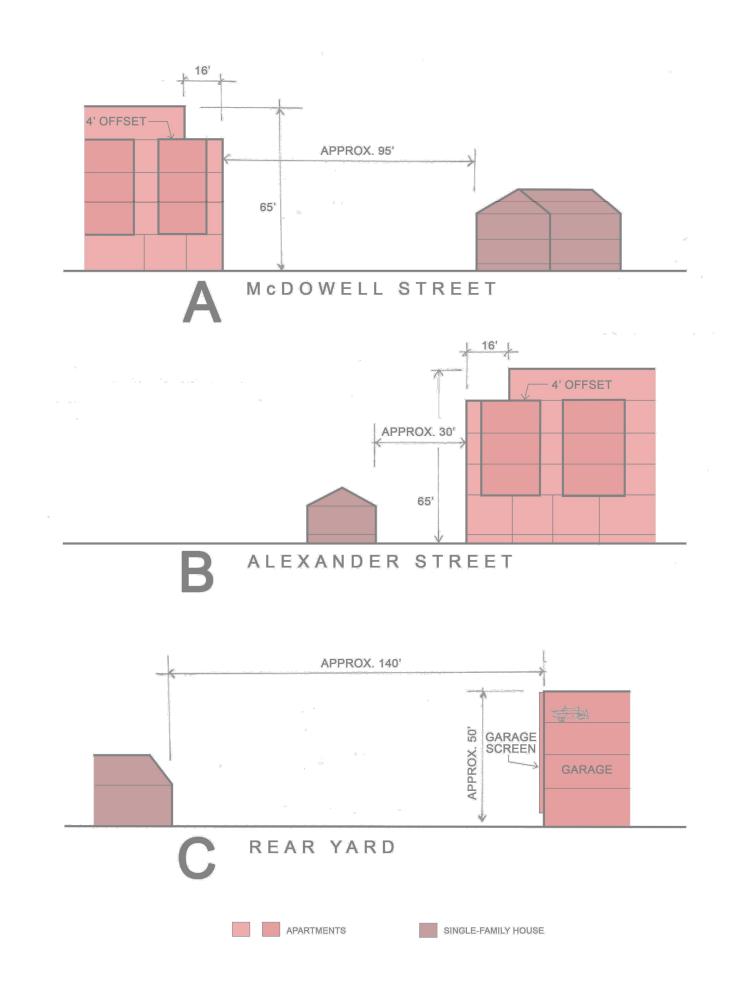
DRAWN BY: LD CHECKED BY: LD

HORZ: 1" = 30'

EXISTING CONDITIONS

RZ-3

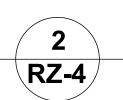




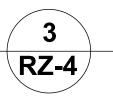




1 ARCHITECTURAL SIDE PERSPECTIVE RZ-4



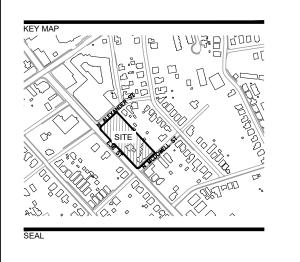
SITE SECTIONS
N.T.S.



KEY PLAN

Landbesign

223 NORTH GRAHAM STREET
CHARLOTTE, NC 28202
704.333.0325
WWW.LANDDESIGN.COM



CENTRO NODA

729 E 36 ST
CHARLOTTE, NC 28205

REZONING

ASCENT REAL ESTATE CAPITAL

2100 CRESCENT AVENUE SUITE 200 CHARLOTTE, NC 28207

	CHARLOTTE, NO 20	201		
LANDDES	SIGN PROJ.# 1021016			
REVISION / ISSUANCE				
NO.	DESCRIPTION	DATE		
\triangle	NEW SHEET	10-11-202		

DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD

VERT: N/A HORZ: N.T.S. #

SHEET TITLE

SUPPLEMENTAL GRAPHICS



SINGLE-FAMILY HOUSE