

11/15/2021 6:03 PM CHASE WEAVER N:\\_2021\1021016\CAD\REZONING\1021016\_PLN\_REZONING.DWG

#### 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. 211 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)
- --Maximum Building Height: 65 feet
- --Parking: As described in the Optional Provision



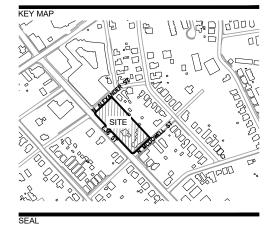
Land

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325

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## **CENTRO NODA**

729 E 36 ST CHARLOTTE, NC 28205

REZONING

ASCENT **REAL ESTATE CAPITAL** 2100 CRESCENT AVENUE SUITE 200 CHARLOTTE, NC 28207

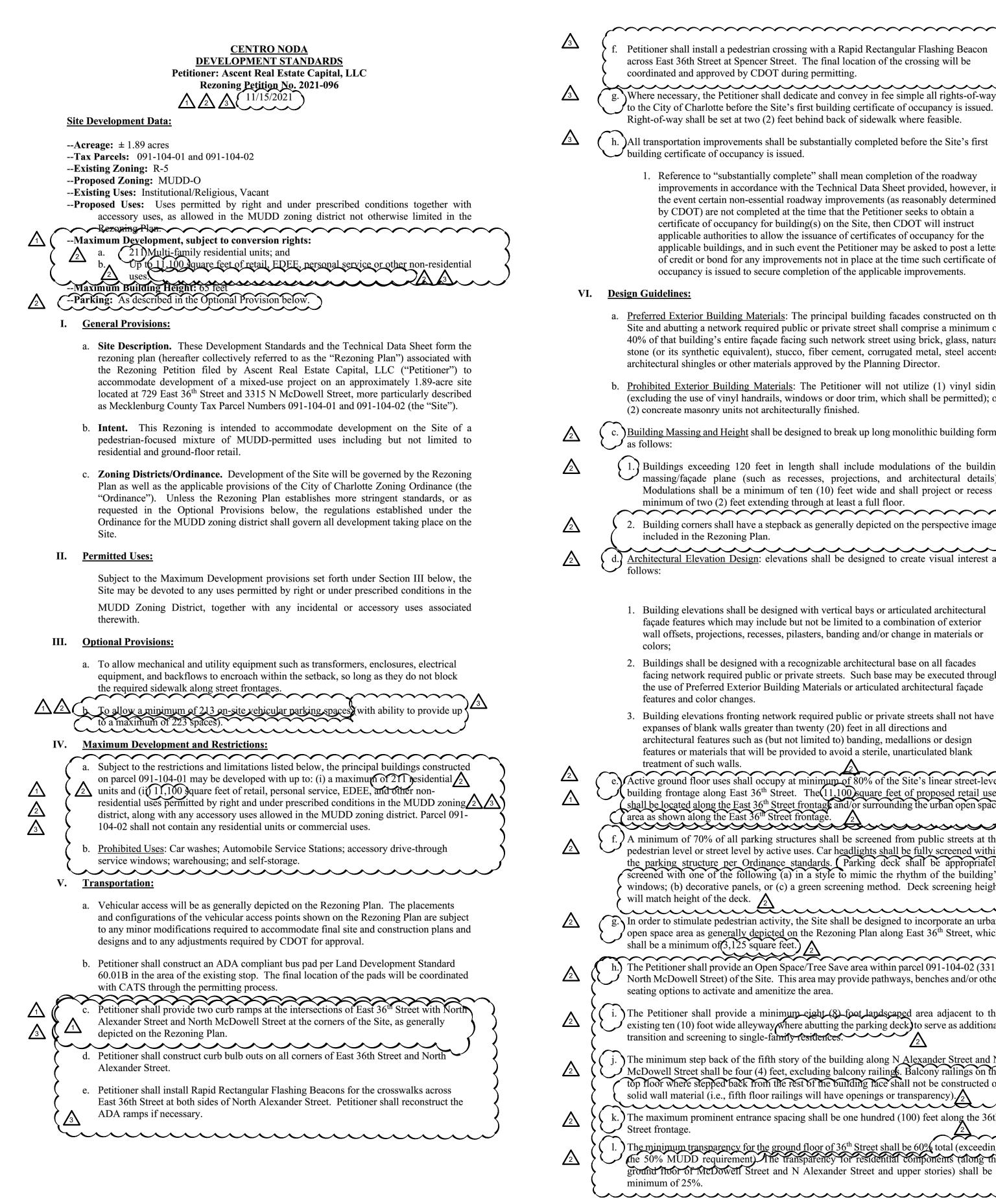
	SIGN PROJ.# 1021016	
F	REVISION / ISSUA	NCE
NO.	DESCRIPTION	DATE
$\Lambda$	REVISIONS PER STAFF COMMENTS	09-13-2021
$\Delta$	REVISIONS PER STAFF COMMENTS	10-11-2021
	REVISIONS PER STAFF COMMENTS	11-15-2021
	SIGNED BY: LD	
	AWN BY: LD ECKED BY: LD	
SCALE	NC	ORTH
VER	RT: N/A	
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**RZ-1** 

## **REZONING PETITION # 2021-096**

05

ORIGINAL SHEET SIZE: 24" X 36"



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Petitioner shall install a pedestrian crossing with a Rapid Rectangular Flashing Beacon across East 36th Street at Spencer Street. The final location of the crossing will be coordinated and approved by CDOT during permitting.

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

h. All transportation improvements shall be substantially completed before the Site's first building certificate of occupancy is issued.

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.

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.

)Building Massing and Height shall be designed to break up long monolithic building forms

.) 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.

Architectural Elevation Design: elevations shall be designed to create visual interest as

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

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

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

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

mintermenter 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 36<sup>th</sup> 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.

.) 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 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  $\sim \not \rightarrow \sim$ 

The minimum transparency for the ground floor of 36<sup>th</sup> Street shall be 60% total (exceeding) the 50% MUDD requirement). The transparency for residential components (along the pround floor of McDowell Street and N Alexander Street and upper stories) shall be a \_\_\_\_\_

#### VII. Environmental Features:

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

b. The Petitioner shall comply with the Tree Ordinance.

c. The Petitioner will use best practices to preserve the large maturing tree along E. 36<sup>th</sup> Street as illustrated on the Rezoning Plan. <u>Lighting:</u>

VIII. 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.

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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. 

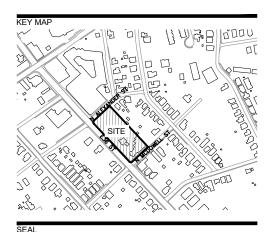
IX. Amendments to the Rezoning Plan:

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. <u>Binding Effect of the Rezoning Application:</u>

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.





# **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** NO. DESCRIPTION DATE **REVISIONS PER STAFF** 09-13-2021 1COMMENTS **REVISIONS PER STAFF** $\underline{2}$ 10-11-2021 COMMENTS **REVISIONS PER STAFF** $\underline{\Lambda}$ 11-15-2021 COMMENTS

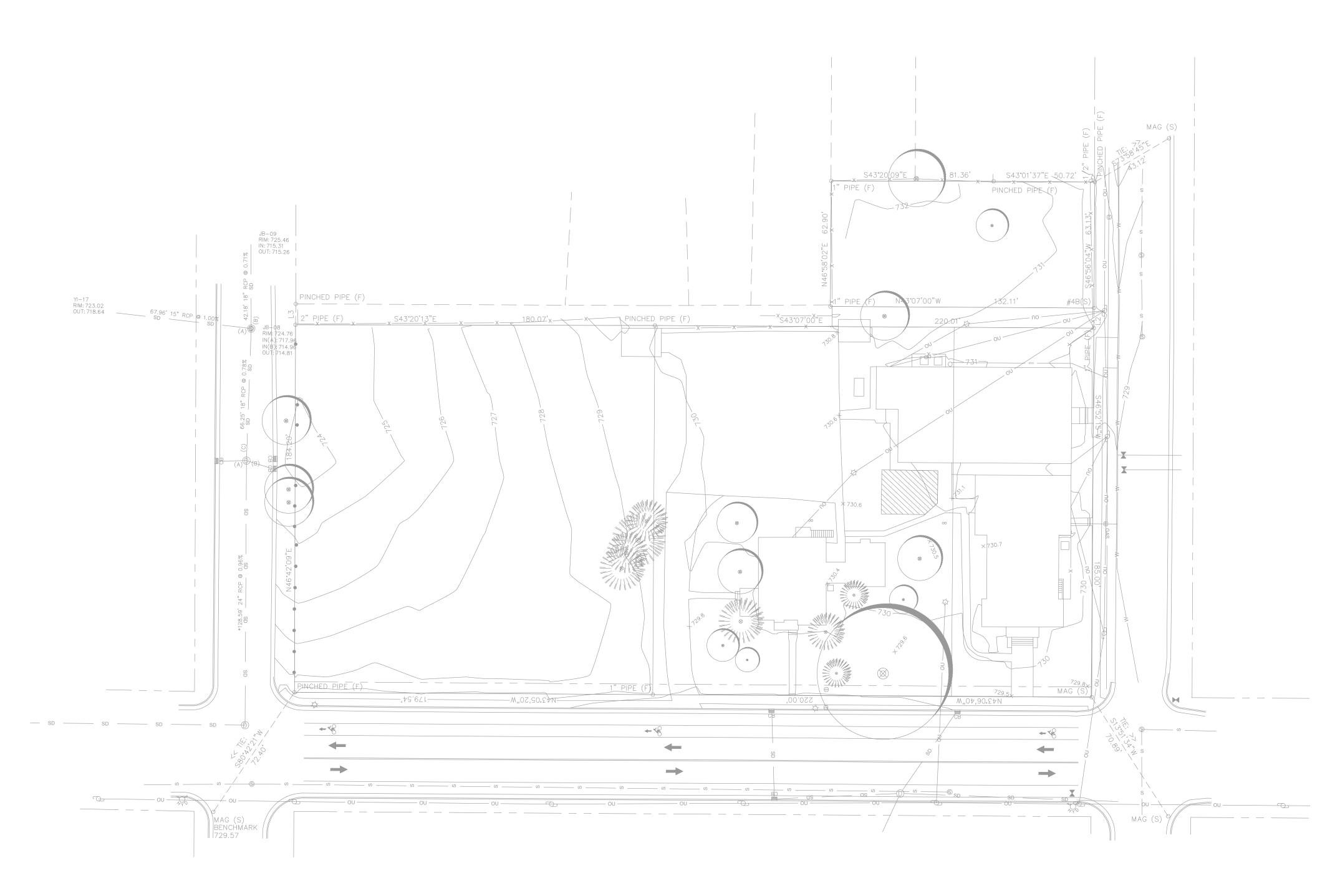
DESIGNED BY: LD DRAWN BY: LD CHECKED BY: LD

VERT: N/A HORZ:

# **REZONING PETITION # 2021-096**



DEVELOPMENT STANDARDS



LEGEND				
A/C	A/C CONDENSING UNIT	F	FOUND	
POB	POINTOF BEGINNING	S	SET	
	WATER METER	R/W	RIGHT-OF-WAY	
M	WATER VALVE	-x-	FENCE LINE	
UGFT	UNDERGROUND FUEL TANK	•	WOOD BOLLARD	
$\bigcirc$	DECIDUOUS TREE		CURB INLET	
		¥	FIRE HYDRANT	
	EVERGREEN TREE	6	SANITARY SEVER MANHOLE	
NMFS	NO MONUMENT FOUND OR SET	0	STORM DRAIN MANHOLE	
	Overhead utilities	\$	LIGHT POLE	
	Storm Drain Line	ę	UTILITY POLE	
	WATER LINE		DROP INLET	
	FIBER OPTIC CABLE		NATURAL GAS LINE	
E	ELECTRIC FENCE		SANITARY SEWER LINE	

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FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NUMBER: 21-0876
COMMITMENT DATE: 03/02/2021
ISSUE DATE: 03/02/2021
SCHEDULE B - SECTION II - EXCEPTIONS

ITEM # DESCRIPTION

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

## 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.



#### **INSTRUMENT REFERENCE**

MAP BOOK 6 PAGE 903

**LOCATION** AS SHOWN ON SURVEY AS SHOWN ON SURVEY

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		GRAPH	IC SCAL	E
)	0 15	30	60	120
		( IN 1 inch	FEET ) = 30 ft.	

#### NOTES & REFERENCES:

#### SUBJECT TRACTS:

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

RECORDED OR IMPLIED.

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

#### 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.

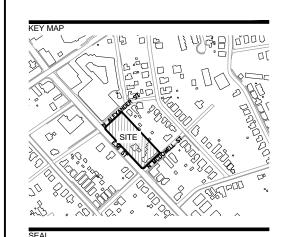
DATE OF PLAT OR MAP: MARCH 23, 2021

CHARLES H. HODGE, NC PLS L-3975



Lucas-Forman Incorporated Land Surveying Planning & Engineering 4000 Stuart Andrew Boulevard	ALTA/NSPS LAND TITLE SURVEY of FOREST HILL CHURCH 729 E. 36TH ST. City of Charlotte, Mecklenburg County, NC for: ASCENT REAL ESTATE CAPITAL, LLC				
Charlott <del>e</del> , North Carolina 28217 P.O. Box 11386 28220—1386	Surveyed by CHH/LHH	DESIGNED BY	CHH	<b>date</b> 03/15/2021	
704) 527—6626 Fax 527—9640 email: postmaster <b>G</b> lucas-forman.com	Checked by	<b>Job Number</b> 18113	<b>TOPO FILE NUMBER</b> 41		

# **REZONING PETITION # 2021-096**



LandD

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

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729 E 36 ST CHARLOTTE, NC 28205

REZONING

ASCENT **REAL ESTATE CAPITAL** 

> 2100 CRESCENT AVENUE SUITE 200 CHARLOTTE, NC 28207

	1021016			
F	<b>REVISION / ISSUANCE</b>			
NO.	DESCRIPTION	DATE		
1	REVISIONS PER STAFF COMMENTS	09-13-2021		
2	REVISIONS PER STAFF COMMENTS	10-11-2021		
3	REVISIONS PER STAFF COMMENTS	11-15-2021		
DE	SIGNED BY: LD			
	DRAWN BY: LD			
CHECKED BY: LD				
SCALE	NO			
VEF	RT: N/A			
HOF	RZ: 1" = 30'			
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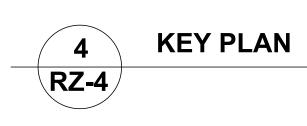
EXISTING CONDITIONS

**RZ-3** 

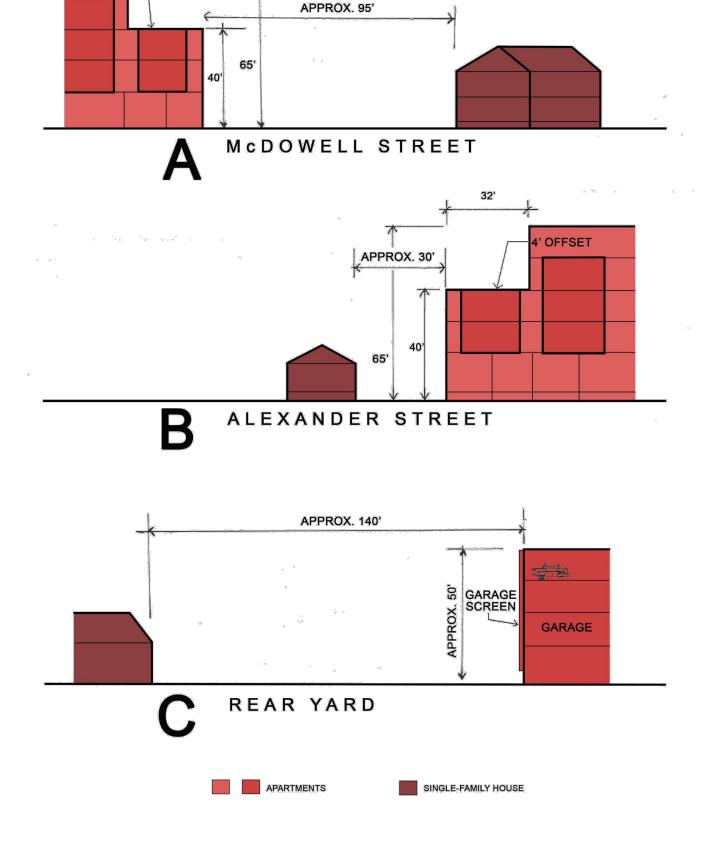




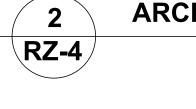
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# CENTRO NODA



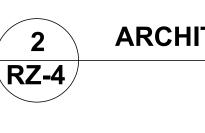




**ARCHITECTURAL BIRD'S-EYE PERSPECTIVE** 





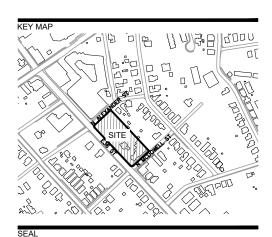




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ORIGINAL SHEET SIZE: 24" X 36





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LANDDESIGN PROJ.# 1021016 **REVISION / ISSUANCE** NO. DESCRIPTION DATE 110-11-2021 NEW SHEET REVISIONS PER STAFF COMMENTS  $\Delta$ 11-15-2021 DESIGNED BY: LD DRAWN BY: LD CHECKED BY: LD VERT: N/A HORZ: N.T.S. #

SUPPLEMENTAL GRAPHICS