




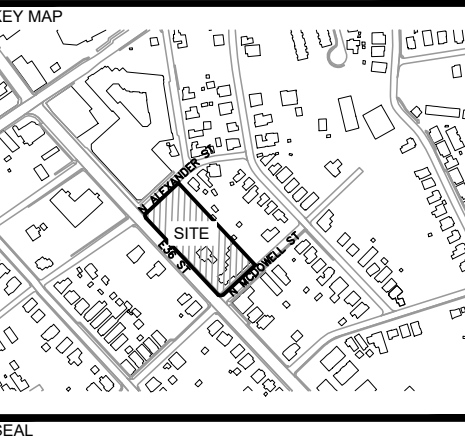
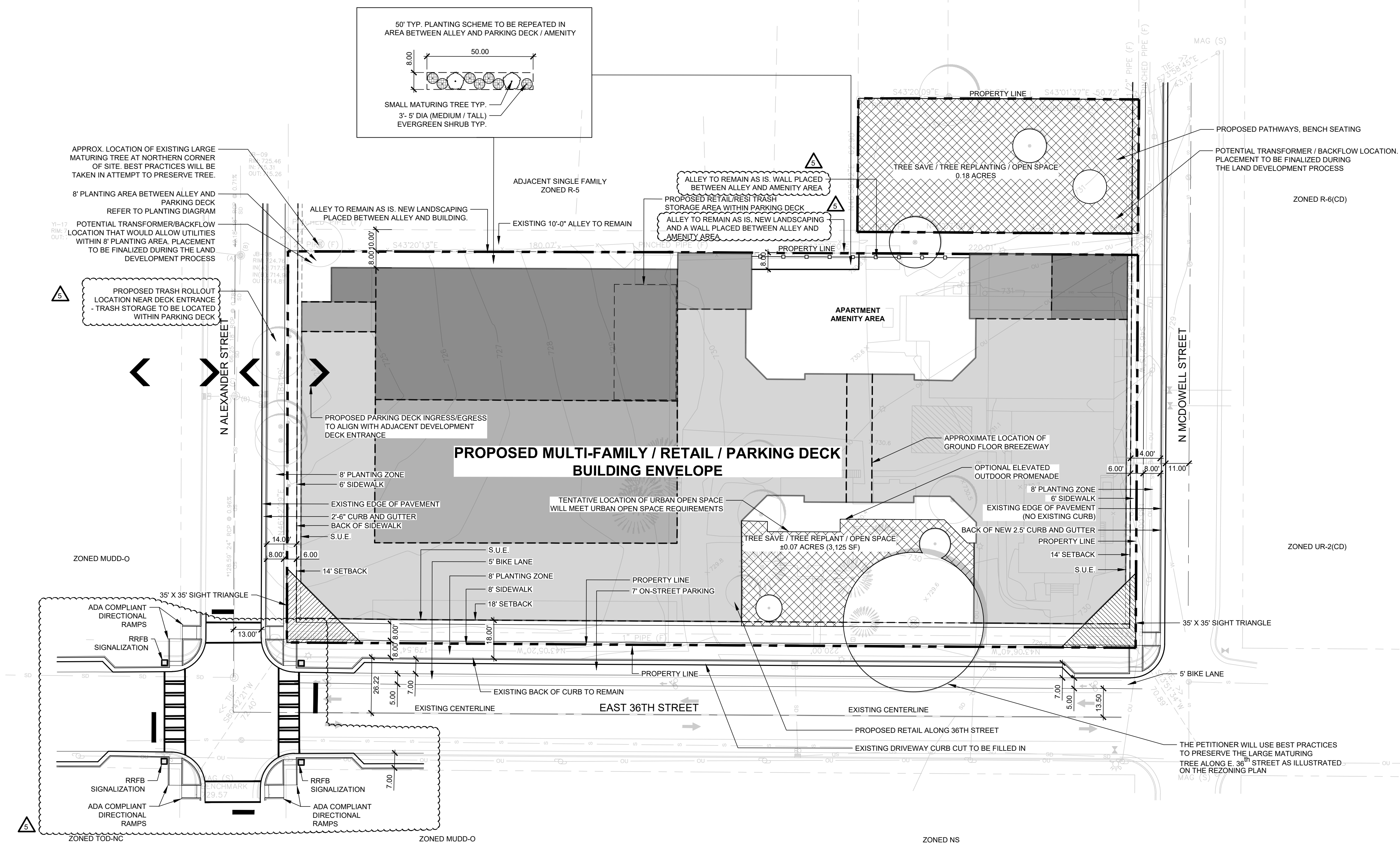
Site Development Data:

- Acreege: ± 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 (minimum of 7,000 square feet).
- Maximum Building Height: 65 feet, as further restricted on RZ-2.
- Parking: As described in the Optional Provision on RZ-2.

LEGEND

-  5 STORY
-  4 STORY
-  3 STORY

NOTE:
PLAN ILLUSTRATES APPROXIMATE LOCATION OF BUILDING SETBACKS.



PROJECT

CENTRO NODA
729 E 36 ST
CHARLOTTE, NC 28205

REZONING

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

LANDDESIGN PROJ.# 1021016

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
△	REVISIONS PER STAFF COMMENTS	09-13-2021
△	REVISIONS PER STAFF COMMENTS	10-11-2021
△	REVISIONS PER STAFF COMMENTS	11-15-2021
△	REVISIONS PER STAFF COMMENTS	12-22-2021
△	REVISIONS PER STAFF COMMENTS	01-18-2022

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

SCALE: NORTH

VERT: N/A
HORZ: 1"=30'

0 15 30 60

REZONING PETITION # 2021-096

TECHNICAL DATA

SHEET NUMBER

RZ-1

CENTRO NODA
DEVELOPMENT STANDARDS
Petitioner: Ascent Real Estate Capital, LLC
Rezoning Petition No. 2021-096
1/18/2022

Site Development Data:

- Acres: ± 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 (minimum of 7,000 square feet)
- Maximum Building Height: 65 feet as further restricted below
- 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 a minimum of 185 on-site vehicular parking spaces (with ability to provide up to a maximum of 211 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 units and (ii) a maximum of 11,100 square feet (and minimum of 7,000 square feet) of retail, personal service, EDEE, and other non-residential uses 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. **Prohibited Uses:** Car washes; Automobile Service Stations; accessory drive-through service windows; warehousing; and self-storage.

V. Transportation:

- 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. Petitioner shall construct four (4) curb bulb outs on the corners of the East 36th Street/Alexander Street intersection, as generally depicted on the Rezoning Plan and as directed by CDOT.

- e. Petitioner shall install Rapid Rectangular Flashing Beacons for the crosswalks across East 36th Street at both sides of North Alexander Street. Petitioner shall reconstruct the ADA ramps if necessary.

- f. 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.

VI. Design Guidelines:

- a. **Preferred Exterior Building Materials:** 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 facade 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. **Prohibited Exterior Building Materials:** The Petitioner will not utilize (1) vinyl siding (excluding the use of vinyl handrails, windows or door trim, which shall be permitted); or (2) concrete masonry units not architecturally finished.

- c. **Building Massing and Height** shall be designed to break up long monolithic building forms as follows:

- 1. Buildings exceeding 120 feet in length shall include modulations of the building massing/face 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 setbacks as generally depicted on the perspective images included in the Rezoning Plan shall be a maximum of forty-two (42) feet at the top of the setback for the portion of the building that is labeled as three (3) stories tall and a maximum of fifty-four (54) feet for portions labeled as four (4) stories tall. The indicated corner portions of the building closest to Alexander Street and McDowell Street abutting the alleyway shall not exceed forty (40) feet.

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

- 1. Building elevations shall be designed with vertical bays or articulated architectural facade 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 facade 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 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 deck. Examples are provided on Sheet 4 of this Rezoning Plan.

- 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. Within the area labeled as "Apartment Amenity Area," the Petitioner may provide elements such as, but not limited to, a cabana, seating areas, dining areas, grilling areas, fire pit, lounge area, and/or garden. The Apartment Amenity Area shall be screened with enhanced landscaping and a minimum eight (8) foot tall masonry wall as further depicted on the Rezoning Plan. The Petitioner shall provide a minimum of two (2) small maturing trees and seven (7) medium/tall evergreen shrubs for every fifty (50) linear feet of screening area. The Apartment Amenity Area shall not contain a swimming pool.

- j. 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.

- k. 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).

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

- m. 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%.

- n. The Petitioner shall provide a "breezeway" through the building as generally depicted on the Rezoning Plan where the ground floor level of the building is open air extending from the Plaza to the rear Amenity Area for approximately sixteen (16) feet in width and fourteen (14) feet in height through the entirety of the building running parallel with Alexander/McDowell Streets. The breezeway may be gated or provide other controlled access measures.

VII. Community Benefits

- 1. **Public Art.** The Petitioner shall donate \$25,000 for the purpose of local public art, to be coordinated with the NoDa Neighborhood and Business Association (NoDa NBA).
- 2. **Affordable Housing.** The Petitioner shall provide a minimum of 10% of the total residential units at a maximum rental rate of 80% of the Area Median Income (AMI) for a minimum of fifteen (15) years.

- 3. **Trash.** The Petitioner shall provide a trash compactor to reduce the amount of waste that is rolled out for pick up each week (and which will otherwise be stored within the parking deck). Petitioner will provide an on-site trash pad or grate for pick-up day outside of the right-of-way (if permitted by relevant City department(s)) and will use best practices to coordinate with building staff to minimize the amount of time trash bin(s) are located outside of the parking deck during pick-up day each week.

- 4. **Bicycle Parking.** Petitioner shall provide bicycle parking/storage in 10% excess of Ordinance requirements.

VIII. Environmental Features:

- a. The Petitioner shall provide stormwater detention controls 10% above and beyond the requirements of 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. 36th Street as illustrated on the Rezoning Plan. The Petitioner commits to consult with a licensed arborist during the construction process and provide deep root fertilization for the tree. If despite best efforts the E. 36th Street plaza tree cannot be saved, it will be replaced with a new tree of a species that will produce a similar canopy and of five (5) inch minimum caliper if the tree does not survive.

- d. The Petitioner will use best practices to preserve the large maturing tree in the alleyway adjacent to 3314 North Alexander Street (PID 091-104-12). The Petitioner commits to consult with a licensed arborist during the construction process and provide deep root fertilization for the tree. If the tree cannot be saved, it will be replaced with a new tree of five (5) inch minimum caliper if the tree does not survive within two (2) years of the issuance of the building certificate of occupancy, subject to adjacent property owner and the City approval, if necessary, to plant a new tree in the alleyway.

IX. 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.

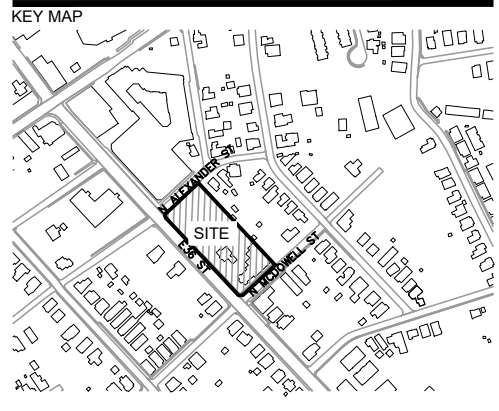
- b. Lighting at the top of the parking deck area adjacent to existing single-family zoning shall be limited to a maximum of twenty (20) feet in height and directionally angled to limit light pollution onto adjacent residential properties.

X. 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.

XI. 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.



REAL

CENTRO NODA
729 E 36 ST
SUITE 200
CHARLOTTE, NC 28205

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

LANDDESIGN PROJ.# 1021016

REVISION / ISSUANCE

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
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5	REVISIONS PER STAFF COMMENTS	01-18-2022

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

SCALE: NORTH

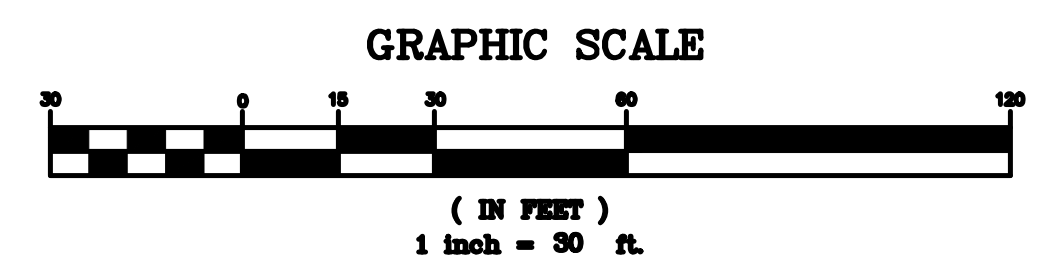
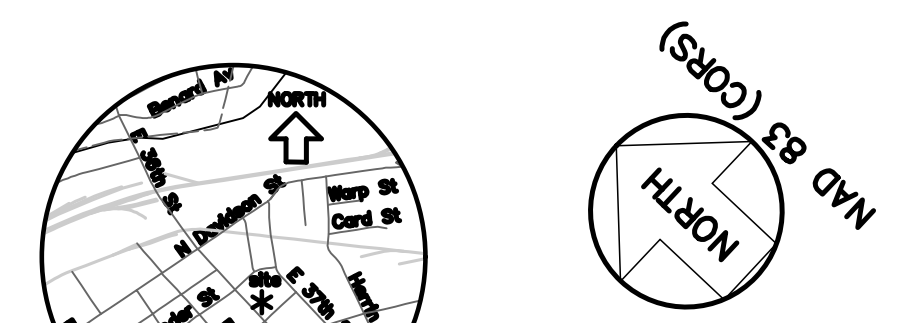
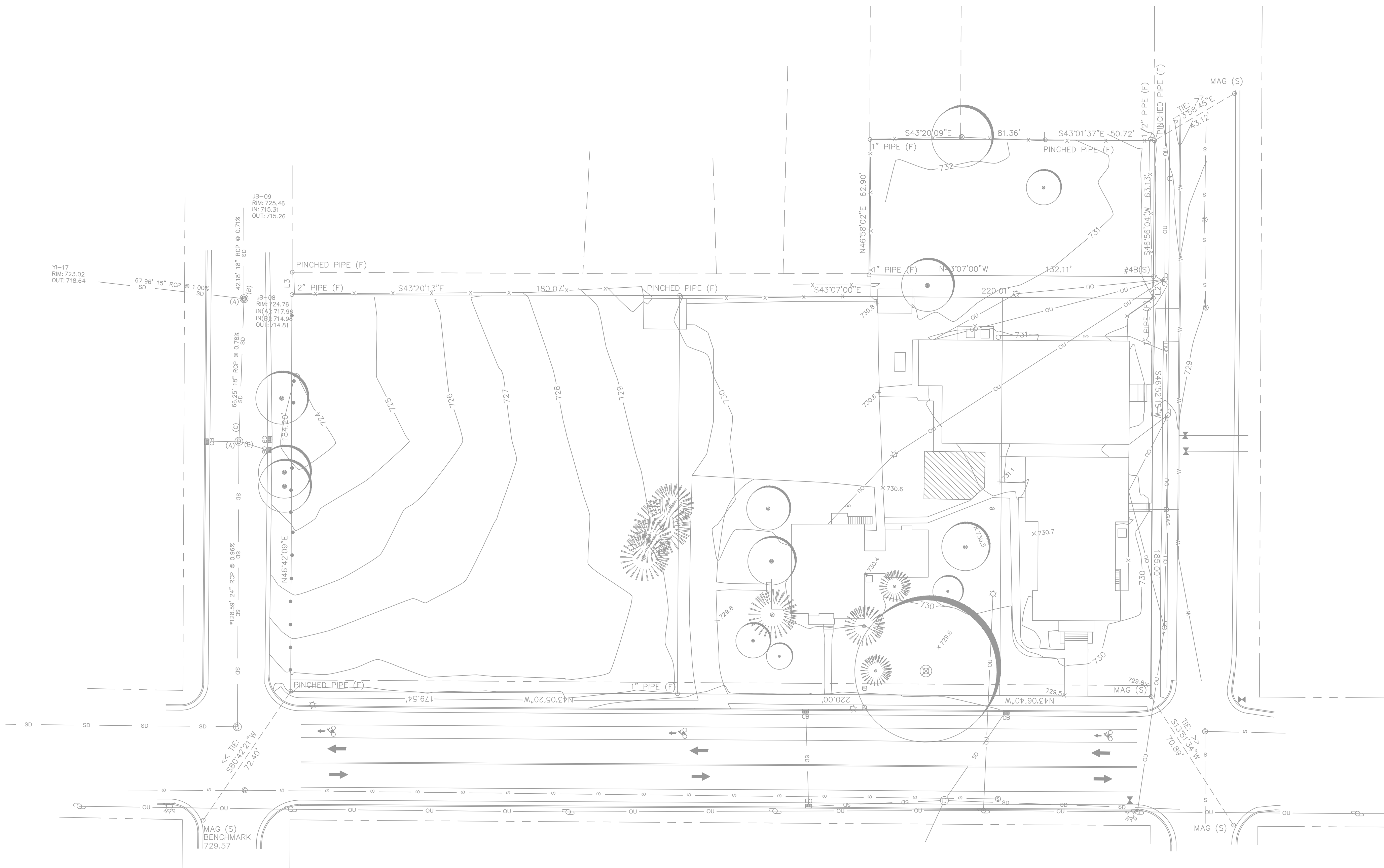
VERT: N/A
HORZ:

SHEET TITLE

DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-2



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

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

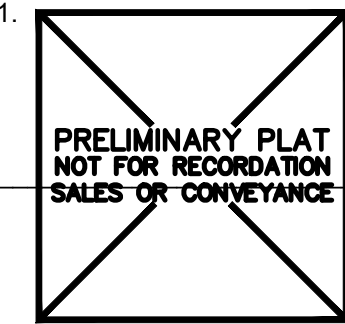
SURVEYOR'S CERTIFICATE

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 TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON MARCH 15, 2021.

DATE OF PLAT OR MAP: MARCH 23, 2021

CHARLES H. HODGE,
NC PLS L-3975



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.

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.

TRACT 3:
THIS PROPERTY WAS ACQUIRED BY GRANTOR BY INSTRUMENT RECORDED IN DEED BOOK 1186 PAGE 247.

TRACT 4:
THIS PROPERTY WAS ACQUIRED BY GRANTOR BY INSTRUMENT RECORDED IN DEED BOOK 3633 PAGE 35.

LEGEND			
A/C	A/C CONDENSING UNIT	F	FOUND
POB	POINT OF BEGINNING	S	SET
WM	WATER METER	R/W	RIGHT-OF-WAY
WV	WATER VALVE	FL	FENCE LINE
UFT	UNDERGROUND FUEL TANK	W	WOOD BOLLARD
DT	DECIDUOUS TREE	CI	CURB INLET
ET	EVERGREEN TREE	PH	FIRE HYDRANT
MFS	NO MONUMENT FOUND OR SET	SM	SANITARY SEWER MANHOLE
OU	OVERHEAD UTILITIES	SD	STORM DRAIN MANHOLE
SL	STORM DRAIN LINE	LP	LIGHT POLE
WL	WATER LINE	UP	UTILITY POLE
FOC	FIBER OPTIC CABLE	DI	DROP INLET
E	ELECTRIC FENCE	NG	NATURAL GAS LINE
		SSL	SANITARY SEWER LINE

ITEM #	DESCRIPTION	INSTRUMENT REFERENCE	LOCATION
3	BUILDING RESTRICTION LINES, EASEMENTS, AND ANY OTHER MATTERS SHOWN ON RECORDED PLATS	MAP BOOK 230 PAGE 14 MAP BOOK 6 PAGE 903	AS SHOWN ON SURVEY AS SHOWN ON SURVEY

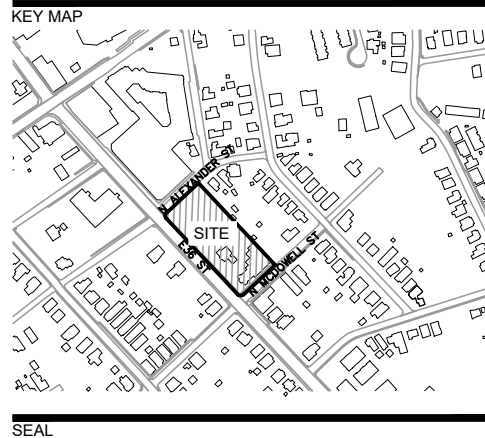
Lucas-Forman Incorporated
Land Surveying
Planning & Engineering

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

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

SURVEYED BY	DESIGNED BY	DRAWN BY	DATE
CHH/LHH		CHH	03/15/2021
CHECKED BY	JOB NUMBER	TOPO FILE NUMBER	
	18113	41	

REZONING PETITION # 2021-096



CENTRO NODA
729 E 36 ST
CHARLOTTE, NC 28205

REZONING

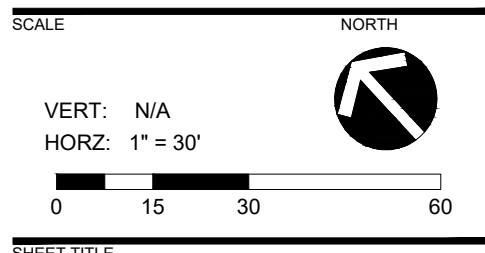
**ASCENT
REAL ESTATE CAPITAL**
2100 CRESCENT AVENUE
SUITE 200
CHARLOTTE, NC 28207

LANDDESIGN PROJ.# 1021016

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



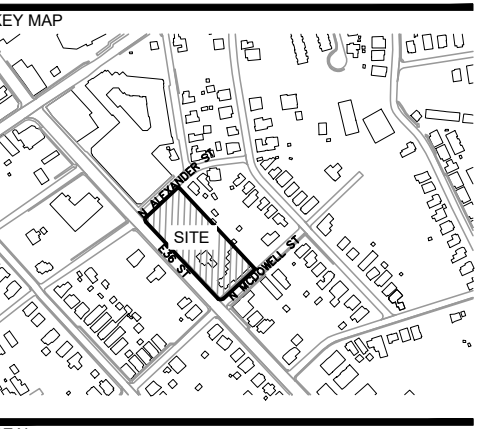
EXISTING CONDITIONS

SHEET NUMBER

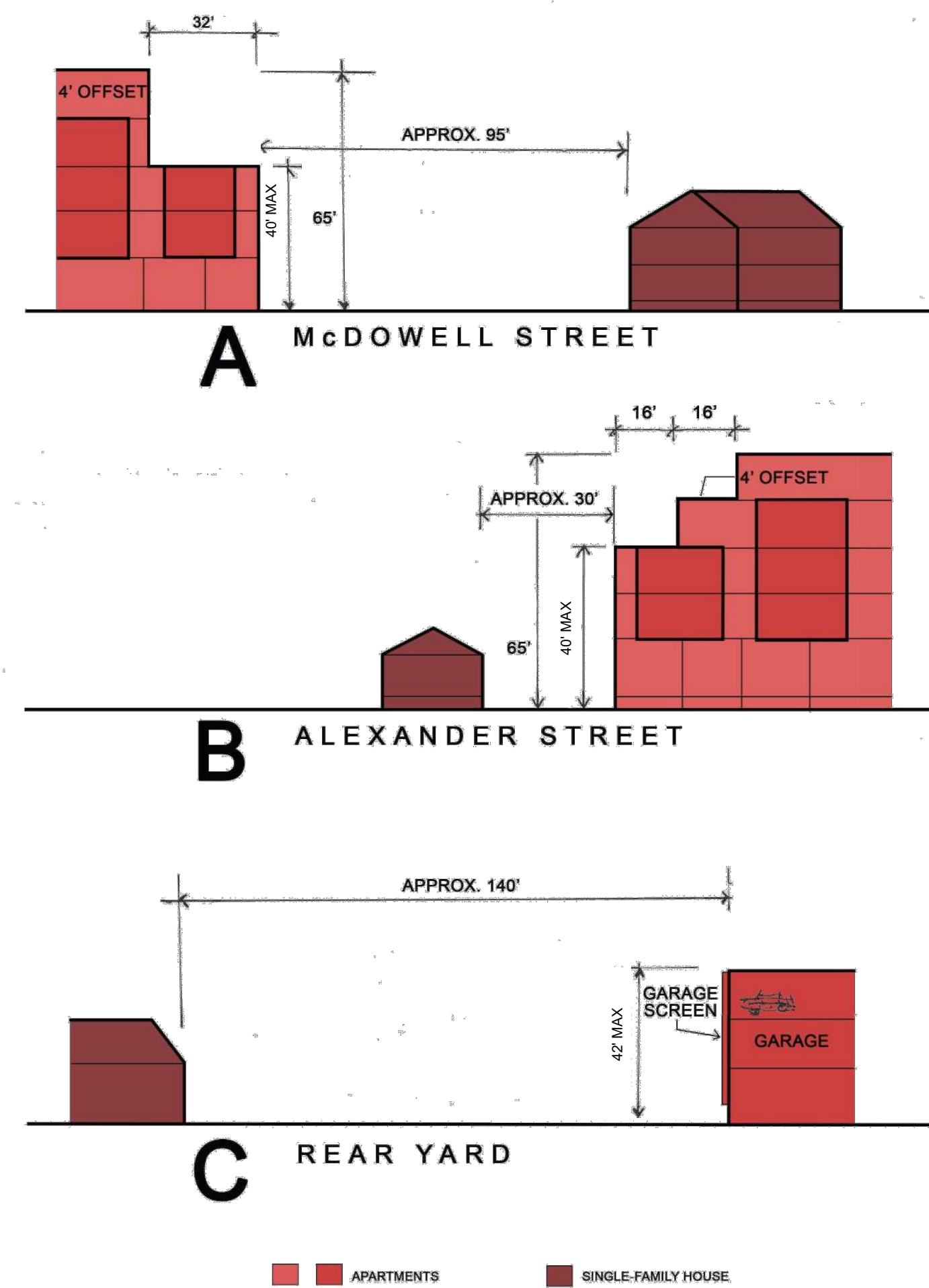
RZ-3



1 DECK SCREEN OPTIONS
RZ-4



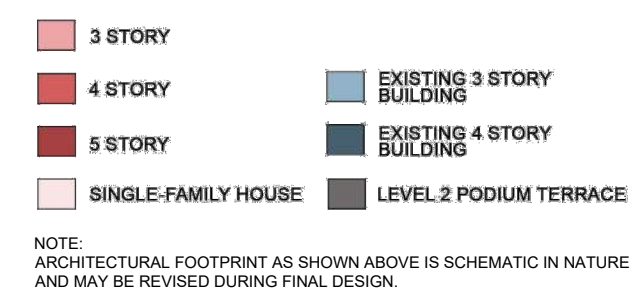
2 N. McDOWELL ST.
ARCHITECTURAL SIDE PERSPECTIVE
RZ-4



3 SITE SECTIONS
RZ-4 N.T.S.



4 KEY PLAN
RZ-4



PROJECT
CENTRO NODA
729 E 36 ST
CHARLOTTE, NC 28205

REZONING
ASCENT REAL ESTATE CAPITAL
2100 CRESCENT AVENUE
SUITE 200
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REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE
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△	REVISIONS PER STAFF COMMENTS	11-15-2021
△	REVISIONS PER STAFF COMMENTS	12-22-2021
△	REVISIONS PER STAFF COMMENTS	01-18-2022

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

SCALE: NORTH

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

SHEET TITLE
SUPPLEMENTAL GRAPHICS

REZONING PETITION # 2021-096

SHEET NUMBER
RZ-4