

VICINITY MAP  
NTS

SITE DEVELOPMENT DATA

SITE ADDRESS: 430 E 36TH STREET  
CHARLOTTE NC 28205

PROPERTY OWNER(S): RM 36TH STREET INVESTORS LLC  
AND C/O MERRIFIELD PATRICK  
521 EAST MOREHEAD STREET # 400  
CHARLOTTE NC 28202

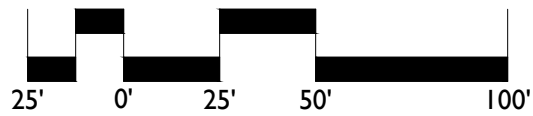
TAX PARCEL ID#: 083-031-03

EXISTING ZONING: I-2

SITE ACREAGE: +/- 6.973 ACRES

ADJACENT PROPERTY OWNER

- |   |  |    |  |
|---|--|----|--|
| 1 | I-1<br>09111229<br>HERRIN BROTHERS COAL & ICE CO<br>PO BOX 5291<br>CHARLOTTE, NC 28225   | 10 | MUDD(CD)<br>08303142<br>THE YARDS AT NODA LLC<br>3050 PEACHTREE RD NW STE 2<br>ATLANTA, GA 30305 |
| 2 | I-1<br>09111253<br>CITY OF CHARLOTTE<br>600 E 4TH ST<br>CHARLOTTE, NC 28202  | 11 | I-2<br>08303101<br>CITY OF CHARLOTTE<br>600 E 4TH ST<br>CHARLOTTE, NC 28202                      |
| 3 | TOD-R<br>09110154<br>TCB NODA MILLS LLC<br>C/O THE COMMUNITY BUILDERS<br>INC. ATTN: ROB FOSSI<br>PO BOX 52427<br>ATLANTA, GA 30355 | 12 | I-1<br>08303108<br>DAVID W JR WATSON<br>PO BOX 2062<br>PONTE VEDRA BEACH, FL<br>32094-2062       |
| 4 | I-2<br>09110157<br>CITY OF CHARLOTTE<br>600 E 4TH ST<br>CHARLOTTE, NC 28202  | 13 | I-1<br>08303107<br>MECKLENBURG COUNTY<br>600 E 4TH ST<br>CHARLOTTE, NC 28202-2816                |
| 5 | I-2<br>09110156<br>CITY OF CHARLOTTE<br>C/O STANLEY WILSON<br>600 E 4TH ST<br>CHARLOTTE, NC 28202                                  | 14 | I-1<br>08303106<br>MECKLENBURG COUNTY<br>600 E 4TH ST<br>CHARLOTTE, NC 28202                     |
| 6 | NS<br>08308419<br>DEBORAH MICHELLE NORKETT<br>442 E 36TH ST<br>CHARLOTTE, NC 28205   | 15 | I-1<br>08303105<br>CAROLINA FOODS INC<br>PO BOX 36816<br>CHARLOTTE, NC 28236                     |
| 7 | I-2<br>08308409<br>RM 36TH STREET INVESTORS LLC<br>C/O MERRIFIELD PATRICK<br>521 EAST MOREHEAD ST #400<br>CHARLOTTE, NC 28202      | 16 | I-1<br>08303147<br>PARRISH TIRE COMPANY<br>300 E 36TH ST<br>CHARLOTTE, NC 28206-2022             |
| 8 | MUDD<br>08308436<br>RM 36TH STREET INVESTORS LLC<br>C/O MERRIFIELD PATRICK<br>521 EAST MOREHEAD ST #400<br>CHARLOTTE, NC 28202     | 17 | I-1<br>08303146<br>CITY OF CHARLOTTE<br>600 EAST FOURTH ST<br>CHARLOTTE NC 28202-2844            |
| 9 | I-2<br>08308402<br>THE Y M C A OF CHARLOTTE<br>3025 N DAVIDSON ST<br>CHARLOTTE, NC 28205   | 18 | I-1<br>08303104<br>PARRISH TIRE COMPANY<br>300 E 36TH ST<br>CHARLOTTE, NC 28205-2022             |



DATE: FEBRUARY 13, 2015  
DESIGNED BY:  
DRAWN BY:  
CHECKED BY:  
SCALE:  
PROJECT #: 1015019  
SHEET #:

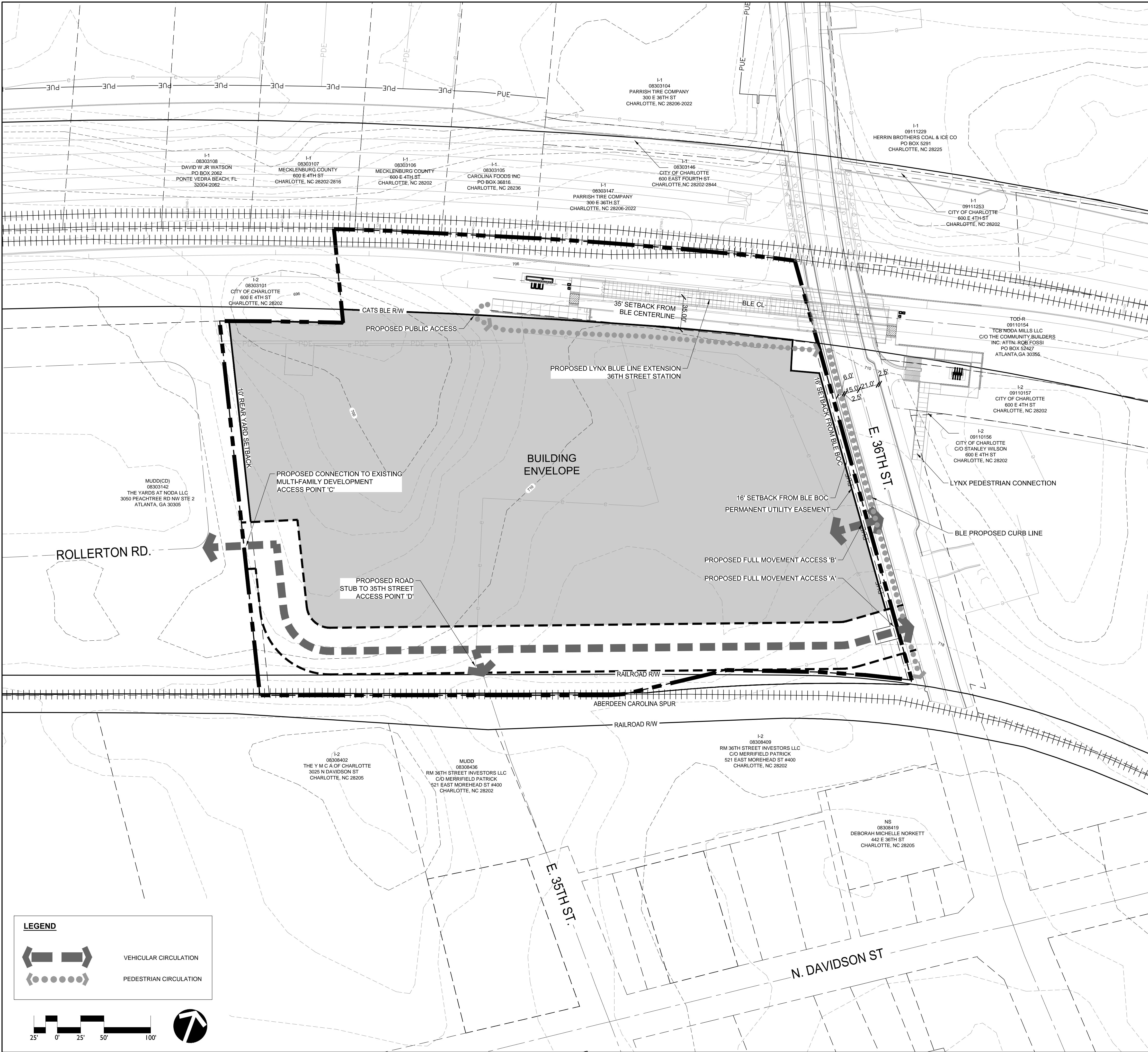
CRESCENT NODA  
REZONING  
CRESCENT COMMUNITIES, CHARLOTTE, NC

PETITION NO.  
2015-009



LandDesign  
223 N Graham Street Charlotte, NC 28202  
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www.LandDesign.com





DEVELOPMENT STANDARDS

Site Development Data:

- Acreage: ± 6.973 acres
- Tax Parcel #: 083-031-03
- Existing Zoning: I-2
- Proposed Zoning: TOD-MO
- Existing Uses: Commercial, office, and warehouse uses.
- Proposed Uses: Residential dwellings units; and non-residential uses as permitted by right, under prescribed conditions and by the Optional provisions below together with accessory uses, as allowed in the TOD-M zoning district (as more specifically described and restricted below in Section 3).
- Gross Square feet of Development: As required and permitted by right and under prescribed conditions in the TOD-M zoning district.
- Maximum Building Height: Building height will be limited to 80 feet (for the purposes of these height limits, roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment, spires, mansards, domes, or other architectural features will not be considered for the calculation of allowed building height, otherwise building height will be measured as defined by the Ordinance).
- Parking: Parking for the Site will comply with the minimum and maximum parking requirements of the TOD-M zoning district.

1. **General Provisions:**
- a. Site Location. These Development Standards, the Technical Data Sheet, and other graphics set forth on attached Sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Crescent Communities, LLC ("Petitioner") to accommodate the development of a transit supportive mixed use development on an approximately 6.973 acre site located at 430 E. 36th Street (the "Site").
  - b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the TOD-MO zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.
  - c. Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

- i. expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or,
- ii. minor and don't materially change the overall design intent depicted on the Rezoning Plan; or
- iii. modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the "external building line" (in this case the external setbacks) as indicated on Sheet Z-1; or
- iv. modifications to allow minor increases or decreases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

2. **Optional Provisions.**
- a. To allow one retail use with an accessory drive-through window on the Site. The allowed accessory drive-through window must be located to the rear or side of the principal structure, so as to minimize the visibility of the accessory drive-through window and associated drive-through lane from 36th Street and/or the light rail station.
  - b. To allow the 20 foot rear yard along the western property boundary and adjacent to tax parcel # 083-031-42 to be reduced to 10 feet as generally depicted on the Rezoning Plan.
3. **Permitted Uses, Development Area Limitations:**
- a. The Site may be developed with residential and non-residential uses as permitted by right and under prescribed conditions in TOD-M zoning district together with allowed accessory uses as permitted in the TOD-M zoning district and the optional provisions above.
4. **Access:**
- a. Access to the Site will be from East 36th Street as generally depicted on the Rezoning Plan.
  - b. Access to the Site will also be allowed from the extension of E. 35th Street, if E. 35th Street is extended to the property line and Southern Railway grants the Petitioner a permit to cross the existing rail road right-of-way.
  - c. To provide better interconnectivity between adjoining properties, the Petitioner will provide the adjoining parcel located along the western property boundary (tax parcel # 083-031-42 "the Adjoining Parcel") access to the Site' internal vehicular circulation system so that this adjoining parcel will have access to E. 36th Street as generally depicted on the Rezoning Plan, subject to the Petitioner and the owner of the Adjoining Parcel executing an access easement agreement on reasonable and customary terms.
  - d. The alignment of the vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.
5. **Streetscape, Landscaping Open Space and Screening:**
- a. The Site will comply with the TOD-M standards and the approved E. 36th Transit Station Area plan recommendations for Streetscape improvements.
  - b. Urban Open Space will be provided on the Site as required by the Ordinance.
  - c. Meter banks will be screened where visible from public view at grade level.
  - d. Roof top HVAC and related mechanical equipment will be screened from public view at grade level.

6. **Architectural Standards**
- h. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, decorative metal panels, decorative block and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings.
7. **Environmental Features**
- a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
  - b. The Site will comply with the Tree Ordinance.

8. **Signage**
- a. Signage as allowed by the Ordinance may be provided.

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

10. **Amendments to the Rezoning Plan**
- a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

11. **Binding Effect of the Rezoning Application**
- a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.