

**I. REZONING APPLICATION
CITY OF CHARLOTTE**

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BY:

2016-086

Petition #: _____
Date Filed: 3/23/2016
Received By: [Signature]

Complete All Fields (Use additional pages if needed)

Property Owner(s): NODA 3536 LLC c/o Anthony Kuhn

Owner's Address(es): 427 Shasta Lane City, State, Zip: Charlotte, NC 28211

Date(s) Property(ies) Acquired: 1/21/2016

Property Address(es): 409 E 35th St., Charlotte, NC 28205

Tax Parcel Number(s): 083-084-09
Current Land Use: warehouse Size (Acres): ± 1.123 acres

Existing Zoning: I-2 and B-1 Proposed Zoning: TOD-M(O)

Overlay: _____
(Specify PED, Watershed, Historic District, etc.)

Required Rezoning Pre-Application Meeting* with: Sonja Sanders, Monica Holmes, Mandy Vari, and Rick Grochoske.

Date of meeting: 2/23/2016

(*Rezoning applications will not be processed until a required pre-application meeting with a rezoning team member is held.)

For Conditional Rezoning Only:
Requesting a vesting period exceeding the 2 year minimum? Yes No. Number of years (maximum of 5): N/A.
Purpose/description of Conditional Zoning Plan: To allow the redevelopment of the Site with a transit supportive residential based mixed-use building.

Jeff Brown
Keith MacVean
Bridget Dixon

Name of Rezoning Agent

Moore & Van Allen, PLLC
100 N. Tryon Street, Suite 4700

Agent's Address

Charlotte, NC 28202

City, State, Zip

704-331-1144 (JB) **704-378-1925 (JB)**
704-331-3531 (KM) **704-378-1954 (KM)**
704-331-2379 (BD) **704-378-1973 (BD)**

Telephone Number Fax Number

jeffbrown@mvalaw.com keithmacvean@mvalaw.com
bridgetdixon@mvalaw.com

E-mail Address

See Attachments A

Signature of Property Owner

(Name Typed/Printed)

CHAR2\1776471v1

ECP NoDa, LLC - Attn: Elam Hall

Name of Petitioner

1480 Environ Way

Address of Petitioner

Chapel Hill, NC 27517

City, State, Zip

919-904-4708 (o) **866-603-8367**
704-516-1177 (c)

Telephone Number Fax Number

ehall@ellercapital.com

E-mail Address

See Attachments B

Signature of Petitioner

(Name Typed/Printed)

ATTACHMENT B

REZONING PETITION NO. [2016-____]
ECP NoDa, LLC

ECP NoDa, LLC

By: 

Name: DANIEL ELLEN

Title: MANAGER

OR

_____ [Name
of individual

ATTACHMENT A

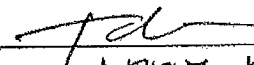
REZONING PETITION NO. [2016-_____] **ECP NoDa, LLC**

PETITIONER JOINDER AGREEMENT
NODA 3536 LLC, c/o Anthony Kuhn

The undersigned, as the owners of the parcels of land located at 436 E 36th St. that is/are designated as a portion of Tax Parcel Nos. 083-084-09 on the Mecklenburg County Tax Map and which is/are subject to the attached Rezoning Application (collectively, the "Parcels"), hereby joins in this Rezoning Application and consents to the change in zoning for the Parcels from the I-2 & B-1 zoning districts to the TOD-M(O) zoning districts as more particularly depicted on the related conditional rezoning plan, and to subsequent changes to the rezoning plan as part of this rezoning application.

This 24th day of MARCH, 2016.

NODA 3536 LLC, c/o Anthony Kuhn

By: 
Name: ANTHONY KUHN
Title: MANAGER

OR

[Name of individual]