

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

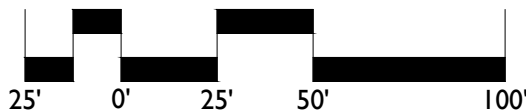
EXISTING ZONING: I-2

SITE ACREAGE: +/- 6.973 ACRES

ADJACENT PROPERTY OWNER

1	I-1 09111229 HERRIN BROTHERS COAL & ICE CO PO BOX 5291 CHARLOTTE, NC 28225	10	MUDD(CD) 08303142 THE YARDS AT NODA LLC 3050 PEACHTREE RD NW STE 2 ATLANTA, GA 30305
2	I-1 09111253 CITY OF CHARLOTTE 600 E 4TH ST CHARLOTTE, NC 28202	11	I-2 08303101 CITY OF CHARLOTTE 600 E 4TH ST CHARLOTTE, NC 28202
3	TOD-R 09110154 TCB NODA MILLS LLC C/O THE COMMUNITY BUILDERS INC. ATTN: ROB FOSSI PO BOX 52427 ATLANTA, GA 30355	12	I-1 08303108 DAVID W JR WATSON PO BOX 2062 PONTE VEDRA BEACH, FL 32054-2062
4	I-2 09110157 CITY OF CHARLOTTE 600 E 4TH ST CHARLOTTE, NC 28202	13	I-1 08303107 MECKLENBURG COUNTY 600 E 4TH ST CHARLOTTE, NC 28202-2816
5	I-2 09110156 CITY OF CHARLOTTE C/O STANLEY WILSON 600 E 4TH ST CHARLOTTE, NC 28202	14	I-1 08303106 MECKLENBURG COUNTY 600 E 4TH ST CHARLOTTE, NC 28202
6	NS 08308419 DEBORAH MICHELLE NORKETT 442 E 36TH ST CHARLOTTE, NC 28205	15	I-1 08303105 CAROLINA FOODS INC PO BOX 36816 CHARLOTTE, NC 28236
7	I-2 08308409 RM 36TH STREET INVESTORS LLC C/O MERRIFIELD PATRICK 521 EAST MOREHEAD ST #400 CHARLOTTE, NC 28202	16	I-1 08303147 PARRISH TIRE COMPANY 300 E 36TH ST CHARLOTTE, NC 28206-2022
8	MUDD 08308436 RM 36TH STREET INVESTORS LLC C/O MERRIFIELD PATRICK 521 EAST MOREHEAD ST #400 CHARLOTTE, NC 28202	17	I-1 08303146 CITY OF CHARLOTTE 600 EAST FOURTH ST CHARLOTTE NC 28202-2844
9	I-2 08308402 THE Y M C A OF CHARLOTTE 300 E 36TH ST 3025 N DAVIDSON ST CHARLOTTE, NC 28205	18	I-1 08303104 PARRISH TIRE COMPANY 300 E 36TH ST CHARLOTTE, NC 28206-2022

SITE SURVEYOR: LDSI
508 West 5th Street, Suite 125
Charlotte, NC
704.337.8329



REVISIONS:

1) 03.20.15, PER CITY COMMENTS

DATE: FEBRUARY 13, 2015
DESIGNED BY: K/LK
DRAWN BY: K/LK
CHECKED BY: NLD
SCALE: 1"=50'-0"

PROJECT #: 1015019

SHEET #:

RZ-1

CRESCENT NODA
REZONING

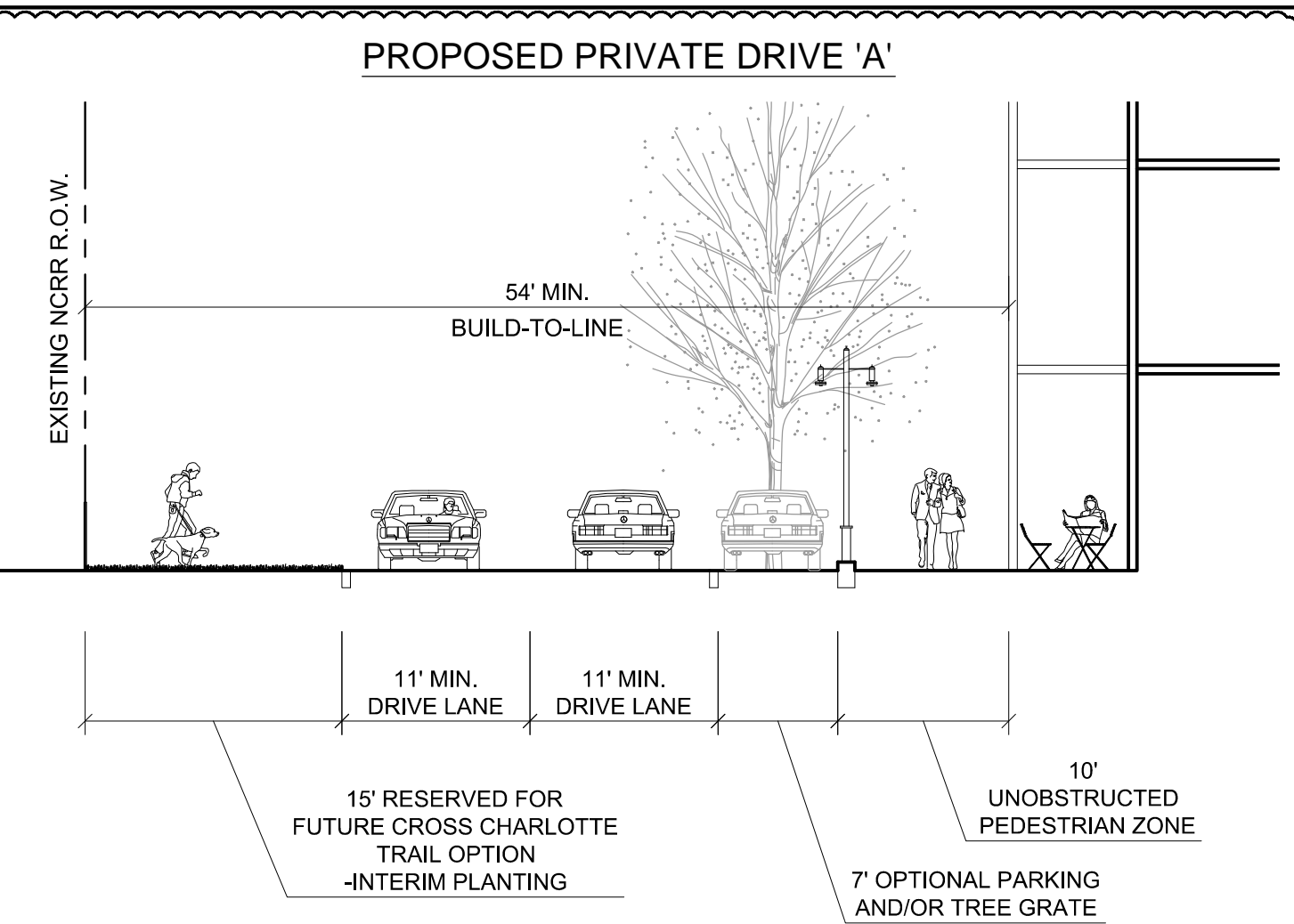
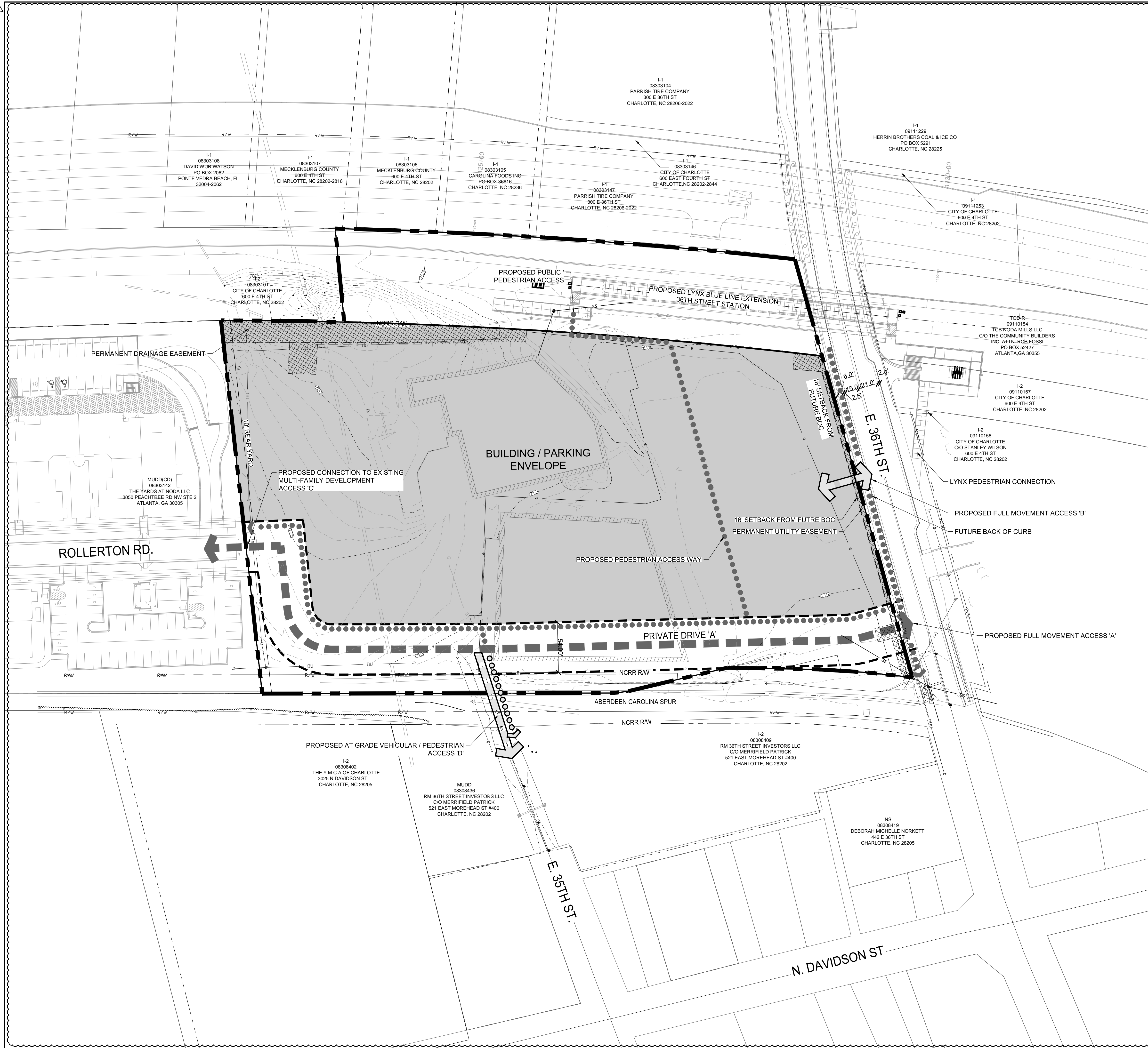
CRESCENT COMMUNITIES, CHARLOTTE, NC

EXISTING CONDITIONS

PETITION NO.
2015-009

LandDesign

223 N Graham Street Charlotte, NC 28202
V: 704.333.0325 F: 704.332.3246
www.LandDesign.com



LEGEND

VEHICULAR CIRCULATION

PEDESTRIAN CIRCULATION

25' 0' 25' 50' 100'

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, building and parking envelopes, 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; a parking structure to be constructed along E. 36th Street without having to devote up to 50% of the linear street frontage to retail, office civic, institutional or residential uses. However, the parking deck street wall will not be a solid wall and will be treated with a combination of design elements to enliven the streetscape, these design elements may include but are not limited to the following: cut outs with decorative grill work; material changes; art work; decorative form liners; street furniture; display areas; and architectural lighting.
 b. To allow a retaining wall to be constructed along E. 36th Street without having to meet the Street Wall requirements of the Ordinance. However, if a retaining wall is constructed along E. 36th Street the retaining wall will be treated with a combination of design elements to enliven the streetscape, these design elements will include but are not limited to the following: material changes; decorative form liners; display areas; architectural lighting; and landscaping.
 c. 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. The proposed access locations to East 36th Street are subject to review and approval by CDOT; and subject to the approval of CATS if the proposed access locations effect existing temporary or permanent easements secured by CATS as part of the construction of the LYNX Blue Line.
 b. The primary vehicular access to the Site is intended to be via the proposed driveway labeled as Access A on the Rezoning Plan. An additional secondary vehicular access location to the Site from E. 36th has also been indicated and labeled as Access B on the Rezoning Plan. The design, location and intended uses to be served by Access B will be submitted to CDOT for review. Prior to the issuance of a driveway permit for Access B the Petitioner must demonstrate to CDOT that the design and uses intended to be served by this proposed secondary access point will allow the proposed driveway to operate efficiently and without creating safety or unreasonable cost along East 36th Street.
 c. Access to the Site will also be allowed from the extension of E. 36th Street (Access D on the Rezoning Plan), if E. 36th Street is extended to the property line and Southern Railway grants the Petitioner a permit to cross the existing rail road right-of-way.
 d. 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 Street vehicular and pedestrian access to the Private Drive A 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. A public access easement will be provided along Private Drive A.
 e. The alignment of the vehicular circulation and driveways Private Drive A shown along the southern property boundary 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 a connection to the adjoining parcel is maintained as generally depicted on the Rezoning Plan and is not materially altered.

5. Streetscape, Cross Charlotte Trail, 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. The Petitioner will provide an eight (8) foot planting strip and an eight (8) foot sidewalk along East 36th Street as generally depicted on the Rezoning Plan.
 b. The Petitioner will construct Private Drive A as generally located along southern property line with two travel lanes, parallel on street parking on one side, street trees in grates or in planters in intervals between the parallel on street parking spaces, a 10 foot unobstructed sidewalk on one side, and pedestrian scale lighting as generally depicted on the Rezoning Plan. The 10 foot sidewalk will be included in the public access easement created for the internal drive.
 c. Residential units and/or commercial uses will be located along the majority of the internal drive. Mechanical equipment and service areas will be screened from the internal private drive.
 d. The Petitioner will reserve a ±15 foot area for the future Cross Charlotte Trail between Private Drive A and the AC&W Rail Corridor/Right-of-Way as generally depicted on the Rezoning Plan.
 e. Access to the future Cross Charlotte Trail from the Site will be allowed if constructed in the AC&W Rail Corridor/Right-of-Way or in the area reserved on the Site adjacent to the AC&W Rail Corridor/Right-of-way. Urban Open Space will be provided on the Site as required by the Ordinance.
 f. The TOD-M required public open space will be accessible to the public from either the East 36th Street Station or E. 36th Street.
 g. Meter banks will be screened where visible from public view at grade level.
 h. Roof top HVAC and related mechanical equipment will be screened from public view at grade level.
 6. Architectural Standards and Access to 36th Street LYNX Blue Line Station (the "36th Street Station").
 a. 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.
 b. The Petitioner will work with CATS to gain access to the proposed 36th Street LYNX Blue Line Station (the "36th Street Station") located along the Sites northern property line. Access to the 36th Street Station will not be allowed until the proposed access location has been reviewed and approved by CATS and any other agencies required to provide approval of the connection. If the connection to the 36th Street Station is approved the Petitioner will enter into multi-party agreement, with the applicable agencies, which will govern access to the 36th Street Station.
 c. If the Petitioner is granted access to the 36th Street Station from the Site; the Petitioner will provide a well-defined, pedestrian friendly access way (the Pedestrian Access Way) through the Site from the 36th Street Station to E. 36th Street, the location and alignment of the Pedestrian Access Way will be determined during Urban Review Process for the Site. The Pedestrian Access Way will be designed with the following characteristics and elements: (i) a sidewalk with a minimum total unobstructed width of 10 feet (the minimum 10 foot width may be split into two separate unobstructed five (5) foot segments); (ii) pedestrian scale lighting; (iii) active use on one side of the Pedestrian Access Way for at least 50% of the length of the Pedestrian Access Way (active uses include residential units, office, retail, civic, and institutional uses, as well as accessory uses associated with a residential development such as leasing offices, and on-site amenity spaces); and (iv) landscaping. If service areas and/or mechanical equipment is located along the Pedestrian Access Way they will be screened.
 d. Service areas and mechanical equipment will be screened from the rail corridor.
 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. Parking:
 a. Parking will be provided as required by the TOD-M zoning district.
 b. Parking spaces located in parking structures located along the LYNX Blue Line transit corridor will be screened as required by the Ordinance.
 10. Lighting
 a. All new attached and detached lighting shall be full cut-off type lighting fixtures excluding lower low level (landscape lighting, decorative pole lights and specialty lighting that may be installed along the driveways, sidewalks, open space areas and plazas) and parking areas.
 11. AC & W Rail Corridor/Right-of-Way.
 a. Should the AC & W Rail Corridor/Right-of-Way be abandoned in the future to allow for the construction of the Cross Charlotte Trail; the Petitioner will not make any claims on the land within the AC & W Rail Corridor/Right-of-Way currently owned by the AC & W so as to allow/facilitate the construction of the Cross Charlotte Trail.
 12. City (CATS) LYNX Blue Line Extension Property Interests/Easements Temporary and Permanent:
 a. The Petitioner acknowledges the presence of existing CATS property interests/easements both temporary and permanent. Any proposed site improvements that effect any of these existing easements will require approval by CATS and any other applicable agencies.
 13. 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.
 14. 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.