



ASANA
PARTNERS

**REZONING
PETITION NO.
2018-136**

SEAL



PROJECT

436 E. 36TH ST.

ASANA PARTNERS
CHARLOTTE, NC

LANDDESIGN PROJ.# 1018295

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	REZONING	10.22.18
△	REZONING REV. 1	12.22.18
△	REZONING REV. 2	01.28.19

DESIGNED BY: LD
DRAWN BY: MB
CHECKED BY: AM

SCALE: NORTH

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

SHEET TITLE

TECHNICAL DATA SHEET

SHEET NUMBER

RZ1-00

Site Development Data:
 Acreage: ± 1.103 acres
 Tax Parcel #: 083-084-08
 Existing Zoning: TOD-M(O)
 Proposed Zoning: TOD-M(O) SPA
 Existing Uses: Warehouse Building.
 Proposed Uses: 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 in Section 3 on Sheet RZ3-00).

Maximum Gross Square Feet of Development: Up to 22,509 (equal to the existing square footage plus up to 2,500 additional square feet) square feet of gross floor area of non-residential uses as permitted by right and under prescribed conditions in the TOD-M zoning district subject to the limitations described in Section 3 below.

Maximum Building Height: Maximum building height will not exceed 67 feet, as allowed by the Ordinance.

Parking: Parking as required by the Ordinance and the Optional Provision below.

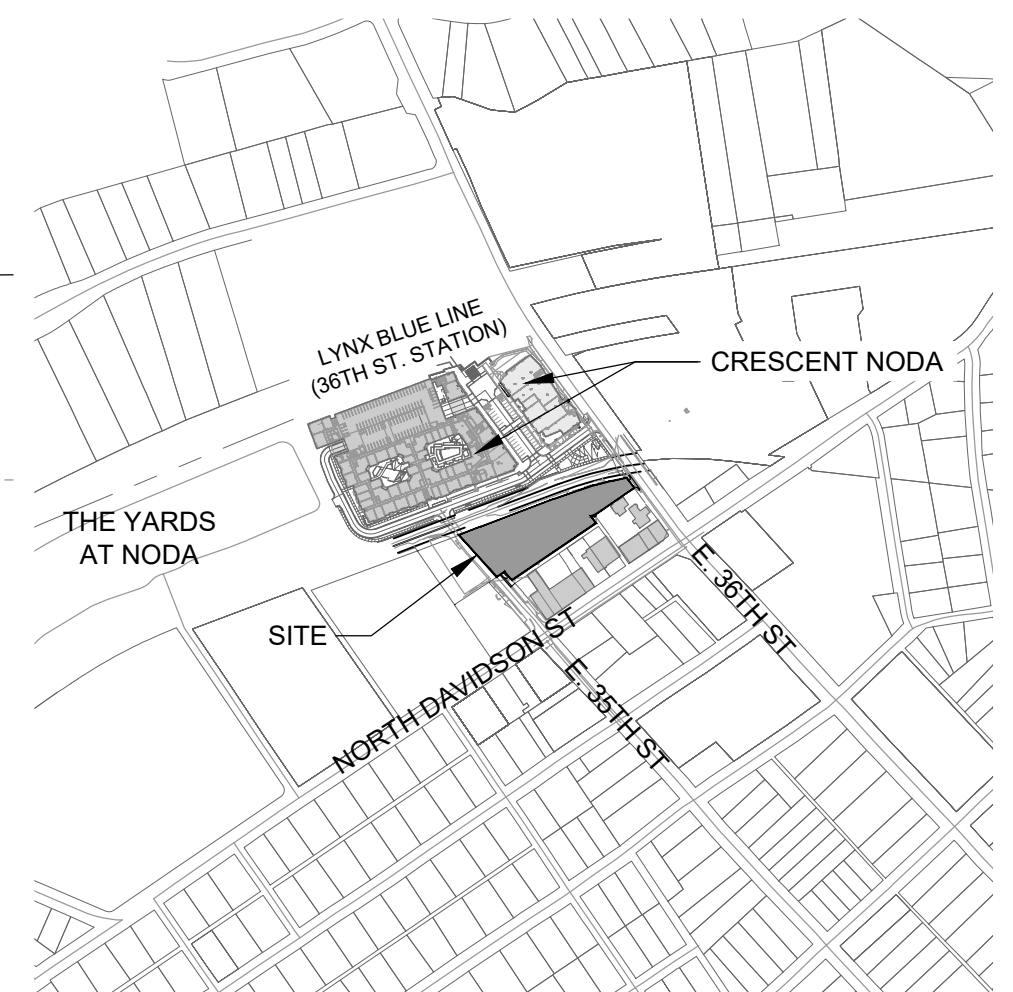
Bicycle Parking: As required by the Ordinance for the TOD-M(O) SPA zoning district.

Required Screening: Per Ordinance, required for service entrances, utility structures, loading docks and dumpsters.

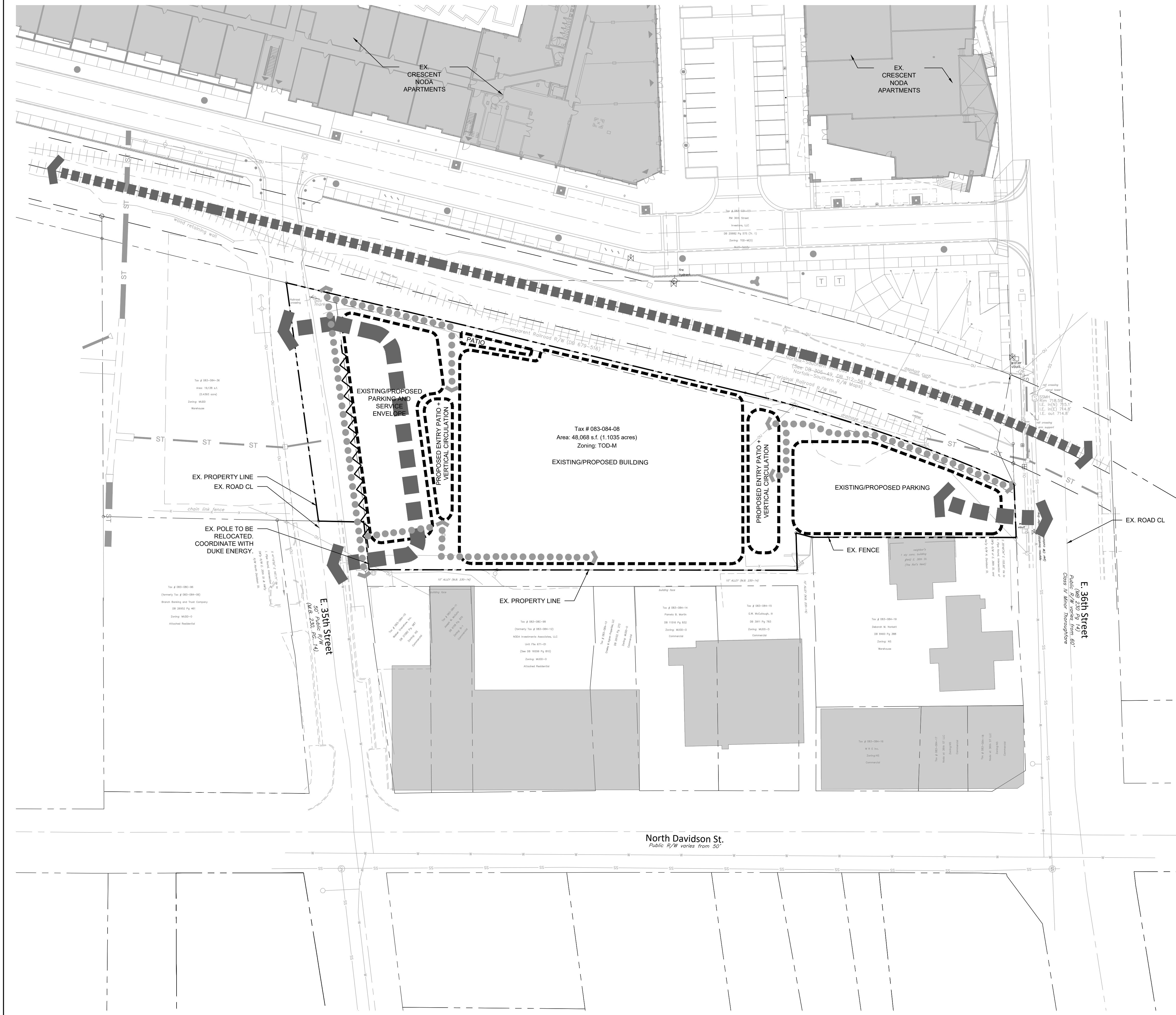
NOTE:
THE REZONING PLAN IS ILLUSTRATIVE IN NATURE AND IS INTENDED TO DEPICT BUILDING, PARKING AND CIRCULATION RELATIONSHIPS.

LEGEND

- VEHICULAR CIRCULATION
- PEDESTRIAN CIRCULATION
- EXISTING RAIL LINE
- PROPOSED SCREENING AS REQUIRED



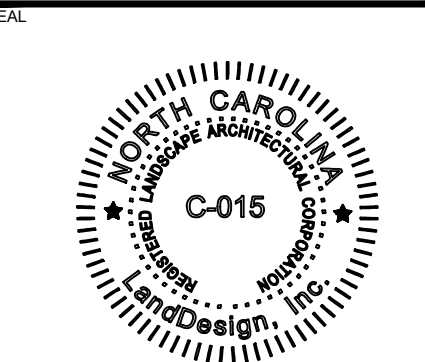
VICINITY MAP
NOT TO SCALE





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SCALE: NORTH

VERT: N/A
HORZ: 1"=30'
0 15' 30' 60'

SHEET TITLE

SITE PLAN

SHEET NUMBER

RZ2-00

Site Development Data:

Acreeage: ± 1.103 acres
Tax Parcel #: 083-084-08
Existing Zoning: TOD-M(O)
Proposed Zoning: TOD-M(O) SPA
Existing Uses: Warehouse Building.
Proposed Uses: 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 in Section 3 on Sheet RZ3-00).

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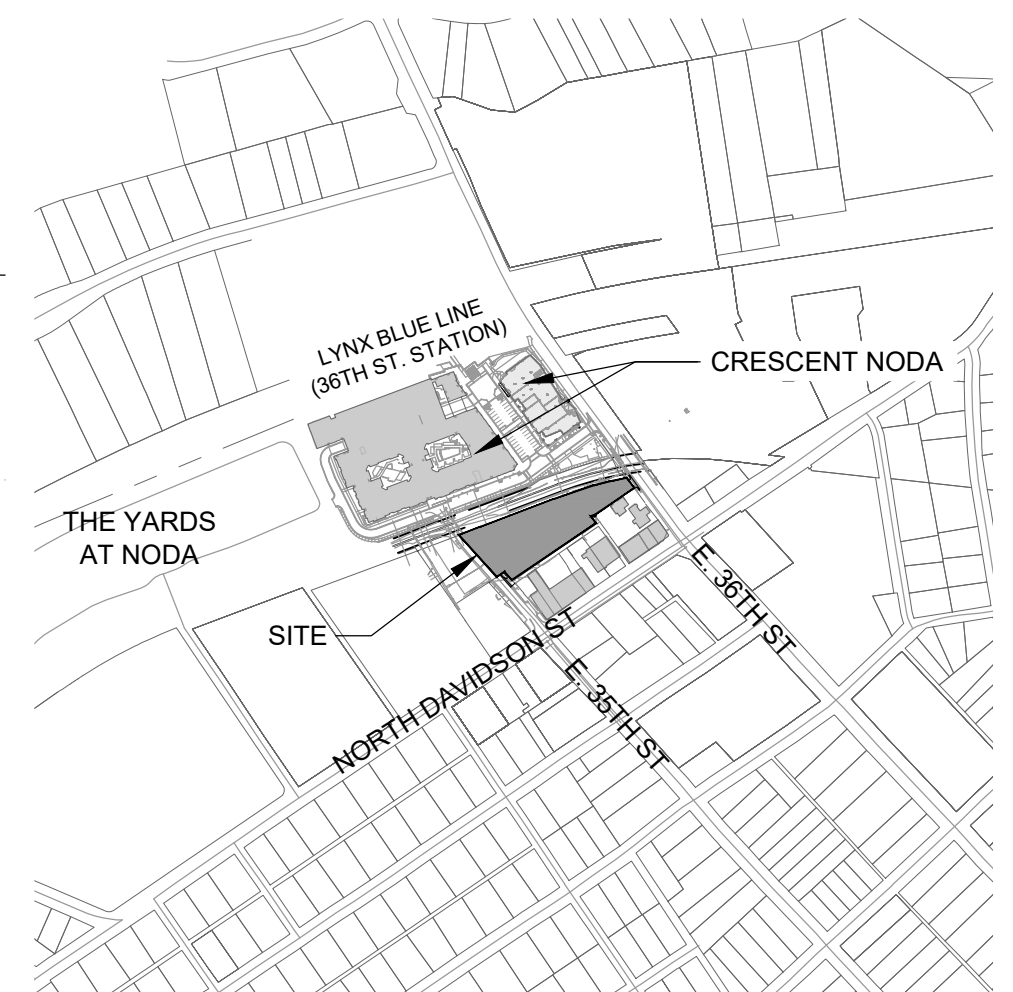
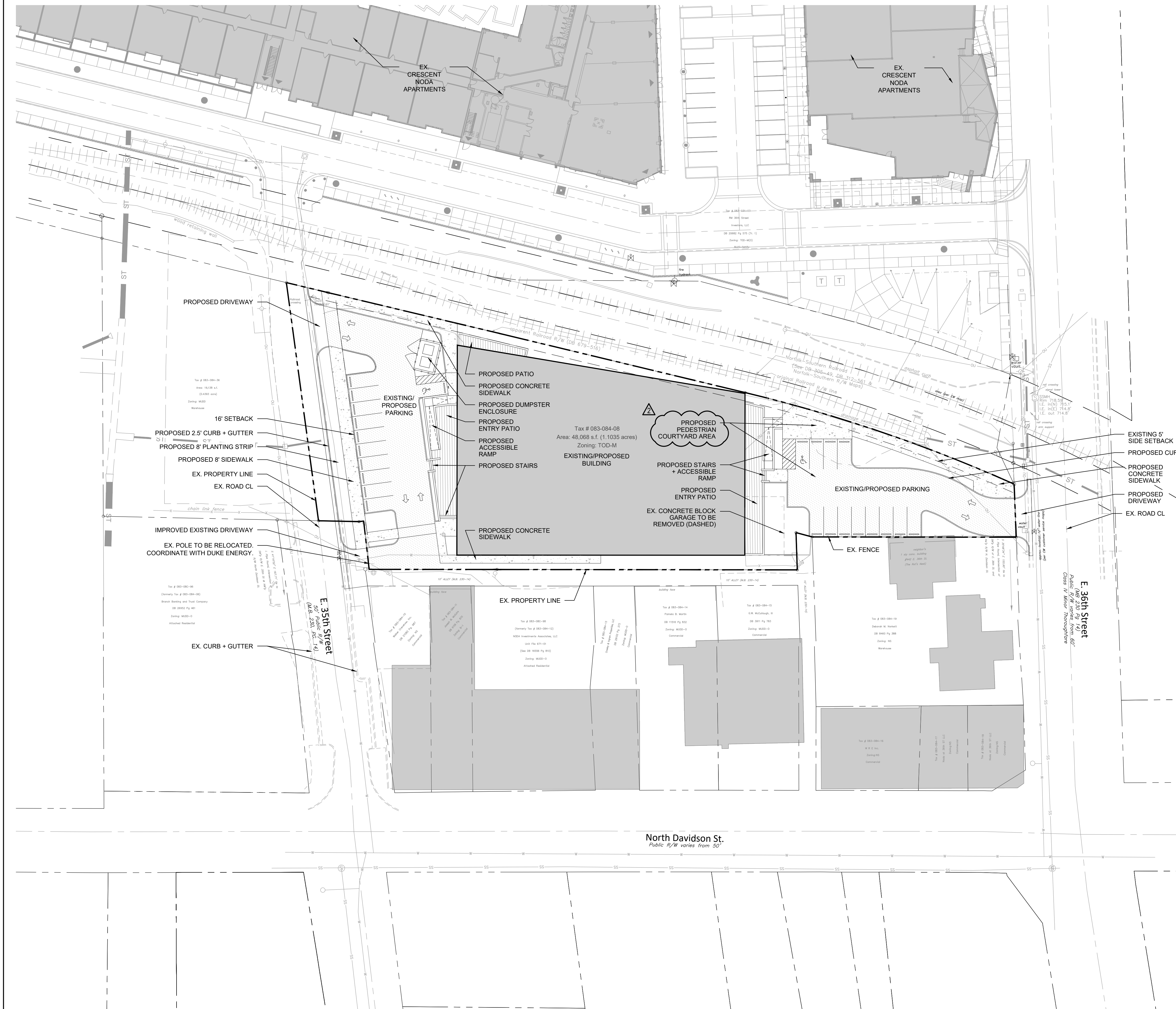
Parking: Parking as required by the Ordinance and the Optional Provision below.

Bicycle Parking: As required by the Ordinance for the TOD-M(O) SPA zoning district.

Required Screening: Per Ordinance, required for service entrances, utility structures, loading docks and dumpsters.

NOTE:

THE REZONING PLAN IS ILLUSTRATIVE IN NATURE AND IS INTENDED TO DEPICT BUILDING, PARKING AND CIRCULATION RELATIONSHIPS.



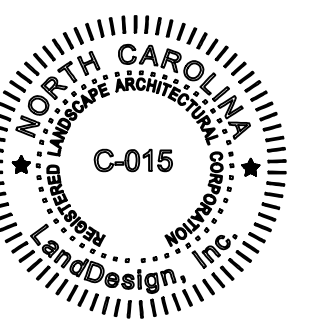
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HORZ: NTS

(NOT TO SCALE)

SHEET TITLE
DEVELOPMENT STANDARDS
NOTES

SHEET NUMBER

RZ3-00

Asana Partners LP- E. 36th Street
Development Standards

01/28/19

Rezoning Petition No. 2018-136

Site Development Data Table

Site Area: +/- 1.103 acres
 Tax Parcel: 083-084-08
 Existing Zoning: TOD-M(O)
 Proposed Zoning: TOD-M(O) SPA
 Existing Use: Warehouse building.
 Proposed Uses: 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).

Maximum Gross Square Feet of Development: Up to 22,509 (equal to the existing building square footage plus up to 2,500 additional square feet) square feet of gross floor area of non-residential uses as permitted by right and under prescribed conditions in the TOD-M zoning district subject to the limitations described in Section 3 below.

Maximum Building Height: As Maximum building height will not exceed 67 feet, as allowed by the Ordinance.

Parking: Parking as required by the Ordinance and the Optional Provision below.

1. General Provisions:

- a. **Site Location.** These Development Standards, the Technical Data Sheet, Schematic Site Plan and other site plan sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Asana Partners, LP ("Petitioner") to accommodate the reuse of the existing building located between East 36th Street and East 35th Street with non-residential uses allowed by the TOD-M zoning district and the Optional Provisions below on an approximately 1.103 acre site located at 436 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 depictions of the building and parking envelopes, sidewalks, driveways, 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. minor and don't materially change the overall design intent and stay within the setbacks and yards depicted on 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.

- d. **Number of Buildings Principal and Accessory.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site will be limited to two (2). The allowance of two (2) principal buildings accounts for bisection of the existing building. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site.

2. Optional Provisions:

The following optional provisions shall apply to the Site:

- a. To allow a minimum of 18 on-site parking spaces to meet the minimum parking requirements of the TOD-M zoning district for the allowed uses.
- b. To not require additional parking spaces when new or additional EDEE/ restaurant square footage including outdoor dining for EDEE's/restaurants is constructed on the Site. A minimum of 18 on-site parking spaces will be provided.
- c. To allow existing and new parking spaces located on the Site to be screened from the adjoining public streets and from adjoining properties with a green screen. Parking areas need not be screened from the existing rail line of the future multi-use path when constructed.
- d. To allow the parking areas adjacent to the future rail trail to not be screened until the rail trail is constructed. The screening of parking areas from the future rail trail may be screened with a green screen.

d. e. To not require the installation of the required streetscape improvements along E. 36th Street due to the limited street frontage and the need to access the Site from E. 36th Street. The proposed streetscape improvements proposed are generally depicted on the Rezoning Plan.

e. f. To allow the existing parking located between the existing building and E. 36th Street to remain, and to allow the existing parking located between the building and the future extension of E. 35th Street across the Site's western property boundary to remain, should E. 36th Street be extended.

f. g. To allow a major facade renovation whose value exceeds 25% of the currently listed tax value without providing the required streetscape improvements along E. 36th Street.

g. h. To allow a building expansion of up to 2,500 square feet without providing additional parking and to allow the existing parking located between the building and E. 36th Street and E. 35th (existing and future extension of) to remain.

h. i. To not require functional entrance to the future multi-use trail until the trail is constructed. Entrances will be added in the future when the multi-use trail is constructed. The building fenestration along the future multi-use trail will be designed to allow entrances to be added in the future.

3. Permitted Uses, Development Area Limitations:

a. The Site may be developed with up to with up to 22,509 (equal to the existing square footage plus an additional 2,500 square feet) square feet of gross floor area of non-residential uses permitted by right and under prescribed conditions in the TOD-M Zoning district together with accessory uses as allowed in the TOD-M zoning district.

b. The allowed uses and the allowed square footage will be utilized within the existing building, that will be reused, located on the Site as generally depicted on the Rezoning Plan (not all portions of the existing buildings currently located on the Site need be preserved). Minor building additions that do not exceed 2,500 square feet will be allowed as long as the total allowed square footage does not exceed 22,509 square feet and the building additions occur within the building envelopes indicated on the Rezoning Plan.

c. The construction of a new building, not including building additions as allowed above, on the Site will require the filing of a new rezoning petition.

d. Portions of the Site will be utilized as an improved urban open space areas including outdoor seating area for the proposed tenants. This improved urban open space area may be utilized as seating and outdoor dining areas for the allowed uses on the Site. A minimum of 500 square feet of improved Urban Open area will be set aside on the Site.

4. Access:

a. Access to the Site will be from E. 36th Street and E. 35th Street as generally depicted on the Rezoning Plan.

b. The Petitioner will improve the Site's western property boundary with ten (10) feet of pavement, 2' 5" foot curb and gutter, an eight (8) foot planting strip and an eight (8) foot sidewalk to accommodate for the future extension of E. 35th across the Site's frontage as generally depicted on the Rezoning Plan. The Petitioner will also dedicate and convey to the City 27.5 28.5 feet of right-of-way along the Site's western frontage when requested by the City to allow for the completion of E. 35th Street Extension.

c. The Petitioner will improve E. 36th Street as generally depicted on the Rezoning Plan.

d. The Petitioner will work with the City to construct a sidewalk connection in the existing AC + W rail road R/W to allow a connection between the E. 36th side of the building and the E. 35th Street Extension side of building, should the City acquire the rights from AC + W to construct a sidewalk within the existing R/W.

e. 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.

f. Any required transportation improvements will be approved and constructed before the Site's first building certificate of occupancy is issued.

g. The Petitioner will provide a sidewalk easement for any portions of the existing and proposed sidewalk that falls outside of the existing right-of-way. The sidewalk easement will be recorded prior to the issuance of the first certificate of occupancy for the Site.

5. Architectural Standards:

a. The building facades fronting on E. 36th Street and the future extension of E. 35th Street (E. 35th Street Extension") shall include windows for a minimum of 60% of the facade facing E. 36th Street and E. 35th Street Extension elevation, transparent glass between 2' feet and 10' feet on the first floor. Up to 20% of this requirement may be comprised of display windows. These display windows must maintain a minimum of 3'-0" foot clear depth between window and rear wall. Windows within this zone shall not be screened with film, decals, and other opaque material, or glazing finishes.

b. The building design will include a door(s) facing/oriented toward E. 36th Street and E. 35th Street Extension.

c. The ground floor portion of the building facing the future cross-Charlotte trail (the existing A C and W Line) will be designed to have store fronts that will allow for future access from the building to the future cross-Charlotte trail. A minimum of (40%) of the linear ground floor frontage of the building facing the future cross-Charlotte trail will be designed with transparent glass between 2' and 10' feet.

d. The building(s) constructed on the Site will use a variety of building materials. The building materials used on the Site will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, metal, cementations siding (such as hardi-plank), stucco, EFIS or wood. Vinyl as a building material may only be used on windows and soffits, and handrails/railings.

d. e. A pedestrian connection shall be provided between the building and E. 36th Street and E. 36th Street Extension, to the sidewalk along E. 36th Street and E. 35th Street Extension as generally depicted on the Rezoning Plan. The sidewalk connection between E. 36th Street and the existing building will be a minimum of eight (8) feet wide.

e. f. Building elevations facing E. 36th Street and E. 35th Street Extension shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions, or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

f. g. The Petitioner will purchase or have commissioned a minimum of \$10,000 dollars worth of public Art that will be installed on the Site. The Petitioner will have the proposed public Art installed prior to issuance of the final certificate of occupancy for the Site. The Petitioner may alternatively choose to contribute the \$10,000 to the Developer Public Arts Fund managed by the Arts and Science Fund that will be established to implement public Art on the Site. If this option is chosen, a minimum of \$10,000 will be contributed to this fund by the Petitioner prior to the issuance of a certificate of occupancy for the proposed building. Unless approved by the Petitioner, the art work secured or commissioned by these funds must be located on the Site, or if approved by the Petitioner off-site in the NoDa neighborhood. The Petitioner will have the right to review and approve the art work purchased or commissioned by these funds.

g. h. Utilities shall be screened from the future Cross-Charlotte Trail. This includes transformers, mechanical and electrical equipment, utility meters, dumpsters, and backflow preventers. No fencing shall be located between the building and the future Cross-Charlotte Trail. However, fencing may be provided between the building and any open space areas located adjacent to A C and W Line while it is in use.

h. i. The Petitioner will design a portion of the parking area between the building and E. 36th Street with decorative pavement treatments to create an area for shared parking and pedestrian courtyard space.

6. Parking and Maneuvering Restrictions:

a. As allowed by the Optional Provisions above the existing parking areas and maneuvering for parking located between the building and the public street will be allowed to remain.

7. Environmental Features:

a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

b. The Site will meet the applicable Tree Ordinance requirements.

8. Lighting:

a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding; low landscape, decorative, specialty, and accent lighting that may be installed along the driveways, sidewalks, open space/amenity areas, and parking areas.

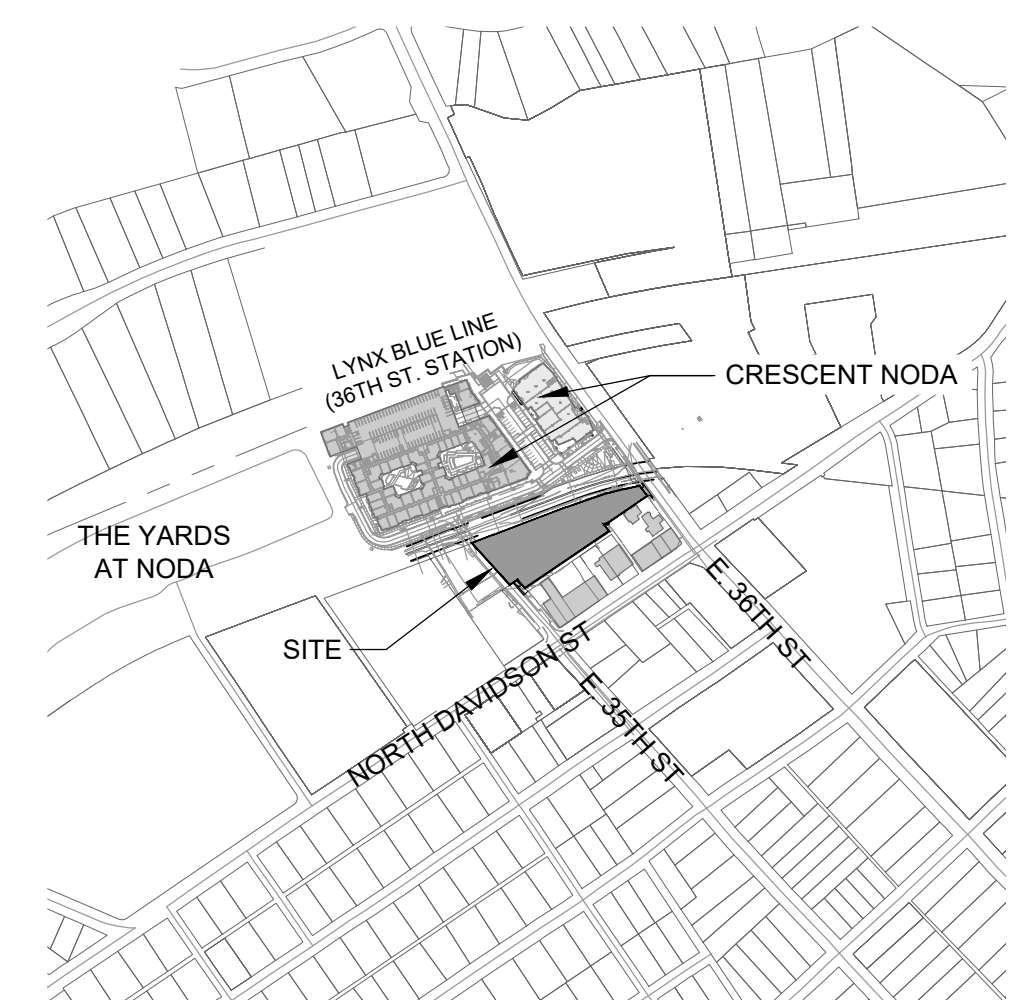
b. Detached lighting on the Site, except street lights located along public streets, will be limited to 16 feet in height.

9. 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.

10. Binding Effect of the Rezoning Application:

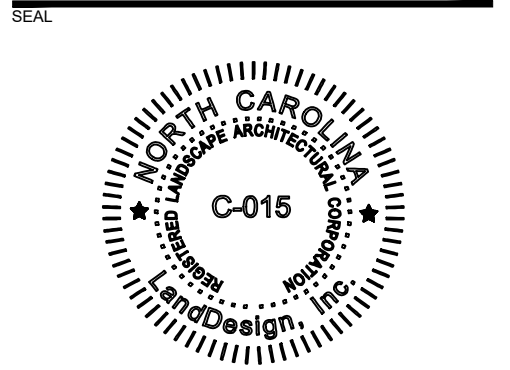
a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or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



VICINITY MAP
NOT TO SCALE



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436 E. 36TH ST.

ASANA PARTNERS
CHARLOTTE, NC

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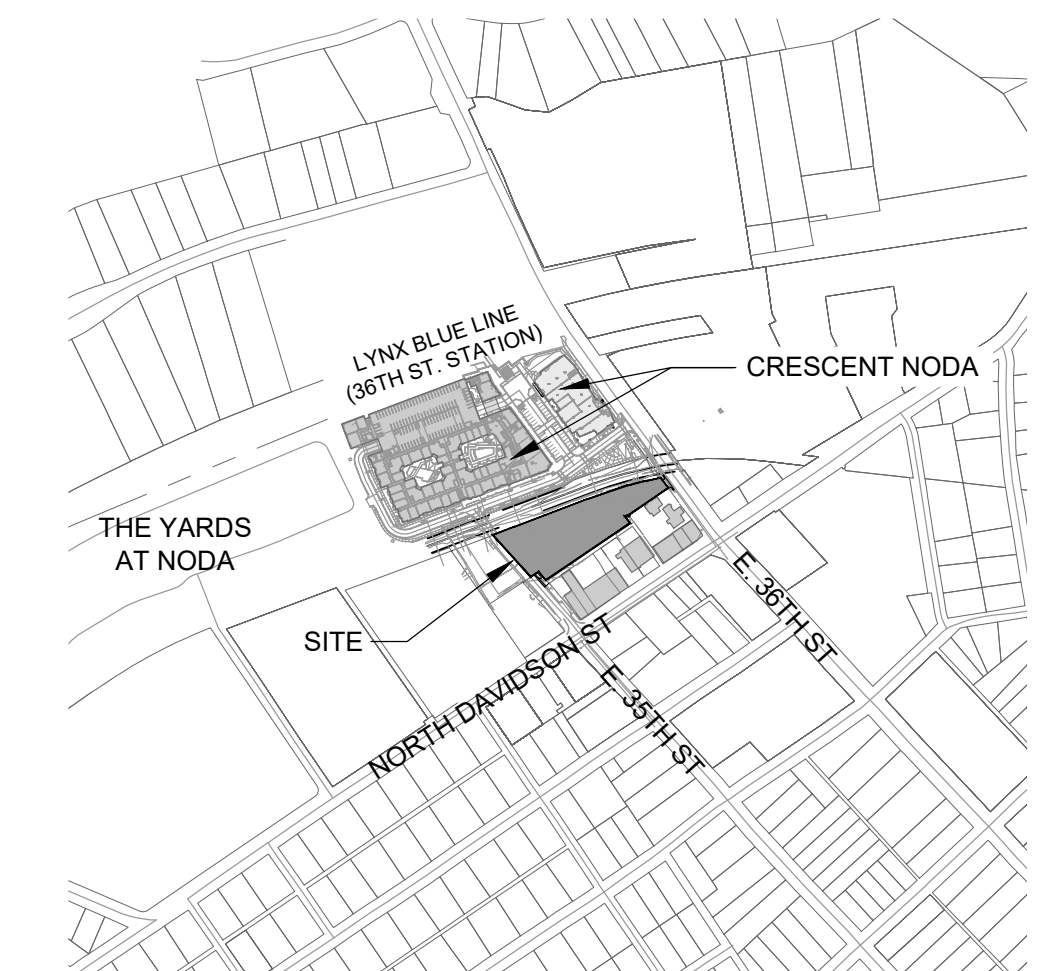
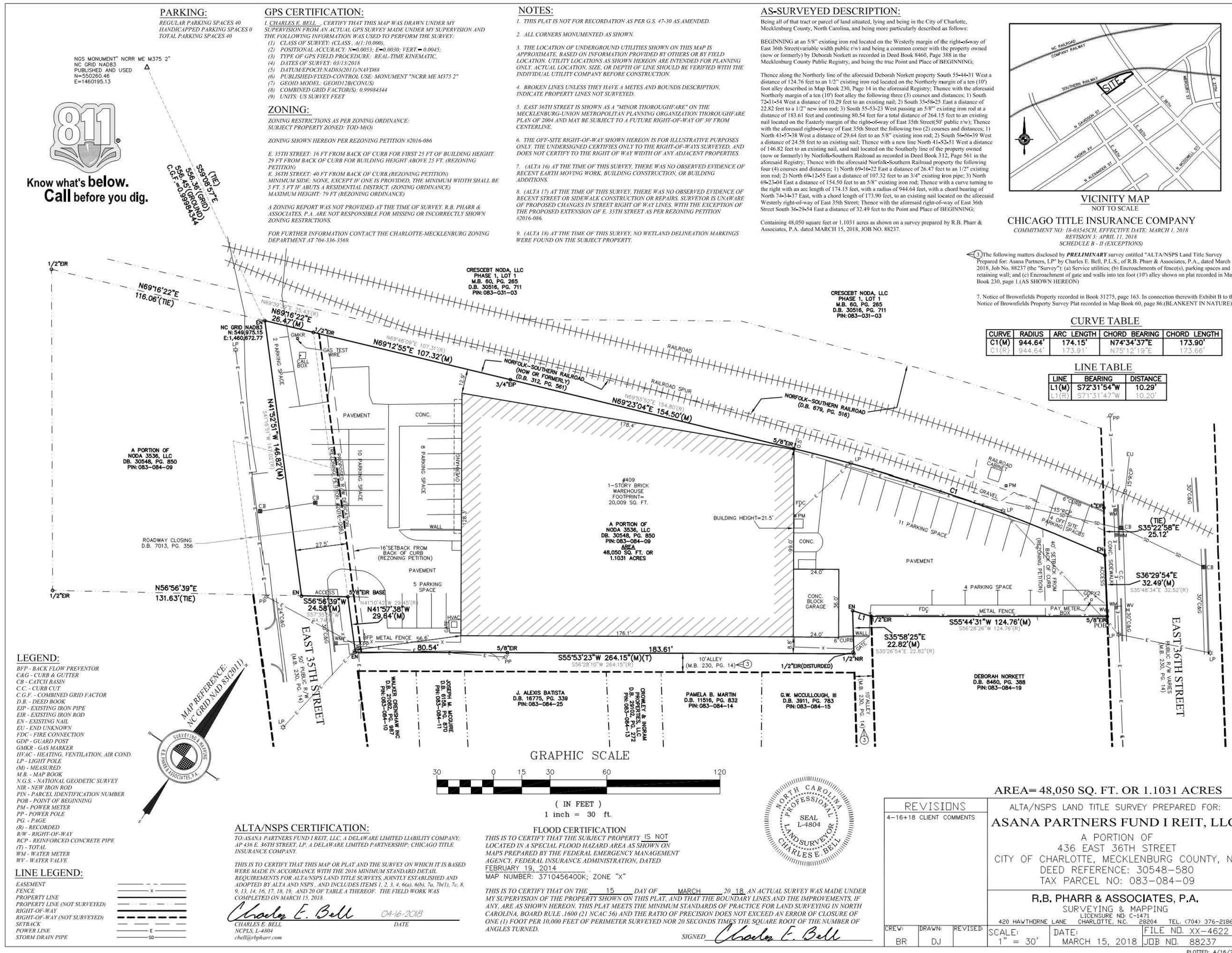
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SHEET TITLE

EXISTING CONDITIONS

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RZ4-00



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