



Charlotte-Mecklenburg Planning, Design, & Development

DATE: August 10, 2020

TO: Sonja Sanders
Zoning Supervisor

FROM: Taiwo Jaiyeoba
Planning Director

SUBJECT: Administrative Approval for Petition No. 2019-069 Harrison Tucker, Cohab LLC

Attached is the revised site plan for the petition above. This request allows the modification of the proposed site plan as listed below. Since these changes do not alter the intent of the development and meets the requirements of the Charlotte Zoning Ordinance Section 6.207 Alterations to Approval, minor changes, I am administratively approving this plan. Please use these plans when evaluating requests for building permits and certificates of occupancy.

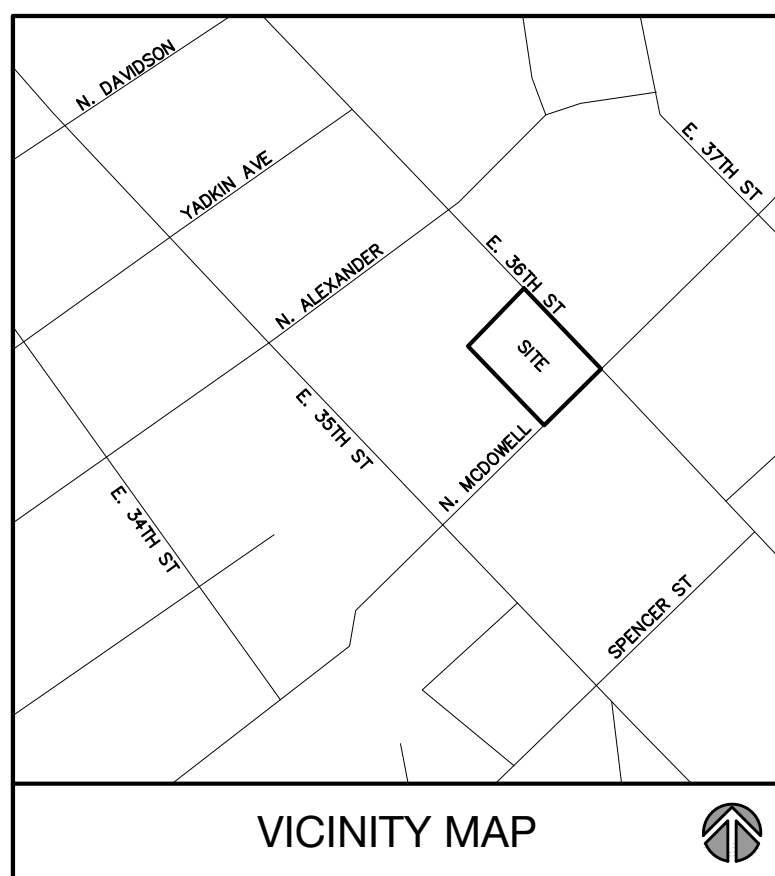
- To allow an increase of five dwelling units per section 6.207.

Staff supports of the request because:

- The site plan complies with the conditional notes and still meets the intent of the original approval by the City Council.

Note: All other Zoning, Subdivision, Tree, PCSO Ordinances, conditional requirements and building codes still apply.

Signage was not reviewed as part of this request.



Attached to Administrative
Approval
Solomon A. Fortune
Solomon A. Fortune

HATCH LEGEND

- CONCRETE PAVING
- ENHANCED PAVING
- SIDEWALK UTILITY EASEMENT

Site Development Data:
 Acreage: +/- 0.9 AC
 Tax Parcel: 083-087-08, 083-087-07 & 083-087-06
 Existing Zoning: R-5
 Proposed Zoning: NS
 Existing Uses: Vacant & Single Family Detached
 Proposed Uses: Commercial and multi-family residential
 Maximum Density: Up to 4,200sf of ground floor commercial & up to (65) Dwelling Units
 General Provisions:

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by CoHab, LLC ("Petitioner") to accommodate new construction of a single mixed-use building and associated subterranean parking on an approximate 0.9 acre site located at the west corner of East 36th Street and North McDowell Street (the "Site").
- 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 NS zoning classification shall govern.
- Throughout this Rezoning Petition, the terms "Owner" and "Petitioner" shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.
- This Rezoning Plan illustrates schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, access driveways, courtyards, streetscape 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.
- A minimum of three (3) multi-family dwelling units constructed on the site shall maintain monthly rents that are eligible for the Federal Housing Choice Voucher Program for a period of not less than 15 years from the date of issuance of a certificate of occupancy on the site.

Purpose
 The purpose of this Rezoning application is to provide for a single building, as generally illustrated within the Plan, which allows for a mix of uses as described within the Neighborhood Services District.

- Permitted Uses:
- A proposed structure up to four (4) stories and a maximum height of 56' shall be allowable on site. The maximum height of 56' shall be limited to the fourth floor indicated as stepped back on the Site Plan. Heights associated with the primary building extents shall follow zoning ordinance standards.
 - The Site may only be devoted to the uses as described below.
 - Uses allowed on the property included in this Petition will be those uses, and related accessory uses as are permitted in the NS district.
 - A maximum of 4,200sf shall be devoted to leasable ground floor commercial and retail uses. Additional Square Footage area of non-residential ancillary and support uses related to the proposed onsite residential including residential leasing office, resident amenity areas, residential storage, etc. shall be excluded from the noted 4,200sf of allowable commercial and retail uses.
 - A portion of allowable ground floor retail, a minimum of 1,600sf total, shall be reserved as "affordable" and shall be leased at a maximum of 60% of the current commercial space market rate at the time of leasing.
 - A maximum of 65 multi-family dwelling units and any incidental and accessory uses relating to such uses as are customary, without limitation, including leasing and management offices and site amenities such as courtyards and patio areas.
 - Eating, drinking and entertainment establishments (Type 1 and Type 2) may not play amplified or broadcast music outdoors between the hours of 9pm and 8am Sunday - Thursday and between the hours of 11pm and 8am Friday and Saturday.
 - Auto oriented businesses allowable within the Neighborhood Services zoning district shall be prohibited on site. These uses shall include accessory drive-thru windows, automotive service stations including repair and lubrication, automotive maintenance services, auto sales and rental, fueling stations, and commercial car washes.

Transportation:
 1. The Site will have vehicular access via driveway a connection to North McDowell Street as generally identified on the Site plan. The final placement and configuration of the vehicular access point shown on the Rezoning Plan are subject to minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for final approval.

- The Petitioner shall provide curb ramps at the two western corners the intersection of North McDowell Street and East 36th Street as generally depicted on the Site plan.
- Vehicular access to the adjacent improved alley is not permissible.
- Off street parking shall be provided within the proposed building extents and shall exceed the minimum required number of spaces per the NS zoning district. A total of 10 surface parking spaces shall be dedicated towards public commercial/retail uses. An additional 94 parking spaces shall be reserved for residential use on site utilizing a combination of surface parking spaces, compact spaces and hydraulic lift parking spaces within the parking area.
- Existing on street parking spaces along East 36th Street shall not be counted towards the minimum number of parking spaces required within zoning Ordinance.
- All public related transportation improvements shall be approved and constructed before the site's first building certificate of occupancy is issued.
- A sidewalk utility easement (SUE) shall be provided as generally illustrated on the Site plan between the existing property line along North McDowell and East 36th Street and the proposed 16' setback along North McDowell Street and East 36th Street.

- Architectural Standards:
- A variety of principal building materials may be utilized on site and will be a combination of the following: Masonry, brick, concrete, pre-cast concrete, stone, precast stone, pre-finished metal, aluminum, steel, stucco, wood, ceramic tile, cementitious fiber board and glass fiber reinforced concrete. Vinyl, as a building material, will only be allowed on windows, soffits and trim features.
 - Building placement and site design shall focus on and enhance the pedestrian environment along public streets through the following means:
 - The building shall present a massing along East 36th Street and maintain the established front building line along East 36th Street. Patios, architectural building projections, canopies and roof lines shall be permitted project beyond the established building line.
 - Facades fronting public streets shall include a combination of transparent glass, operable doors and primary building materials between the proposed ground plane and up to 14' of the first floor. Up to 10% of this area may be comprised of signage. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" above adjacent street sidewalk.
 - Building massing and elevations adjacent public rights of way shall incorporate a combination of articulation and modulation within the facade plane.
 - Roof form, articulation and lines shall be designed to avoid the appearance of a large monolithic roof structure. Long flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form.
 - Public courtyard spaces shall be provided as generally depicted on the Site plan and shall be improved with a combination of paving materials, site furnishings and landscape plantings.
 - All HVAC and mechanical equipment shall be located on the rooftop and shall be screened from public view at grade from public streets and alleys. Screen walls located above building rooflines shall be excluded from building height measurements.
 - Dumpster area shall be located internal to the site within the enclosed parking area and shall be fully screened from public view. Dumpster area and parking shall be vented to the roof of the building.
- Streetscape and Landscaping:
- A setback of 16', as measured from the existing back of curb, shall be provided along East 36th Street and North McDowell Street as generally depicted on the Site plan.
 - Above ground backflow preventers will be screened from public view and will be located behind existing right-of-way and out of the required setbacks along abutting public streets.
 - Streetscape treatment will be a unifying element through the use of paving materials, lighting, landscape, and site furnishings throughout the development area.
 - A 15' Class C landscape buffer shall be provided along property lines adjacent existing single family uses and adjacent the existing alley. A wooden screen fence shall be provided along the existing alley in combination with landscape material and trees as required.

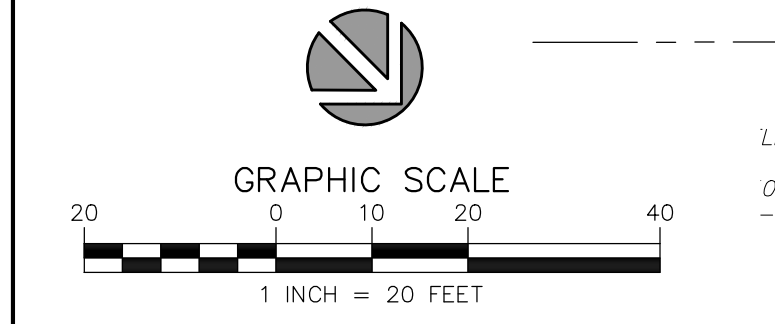
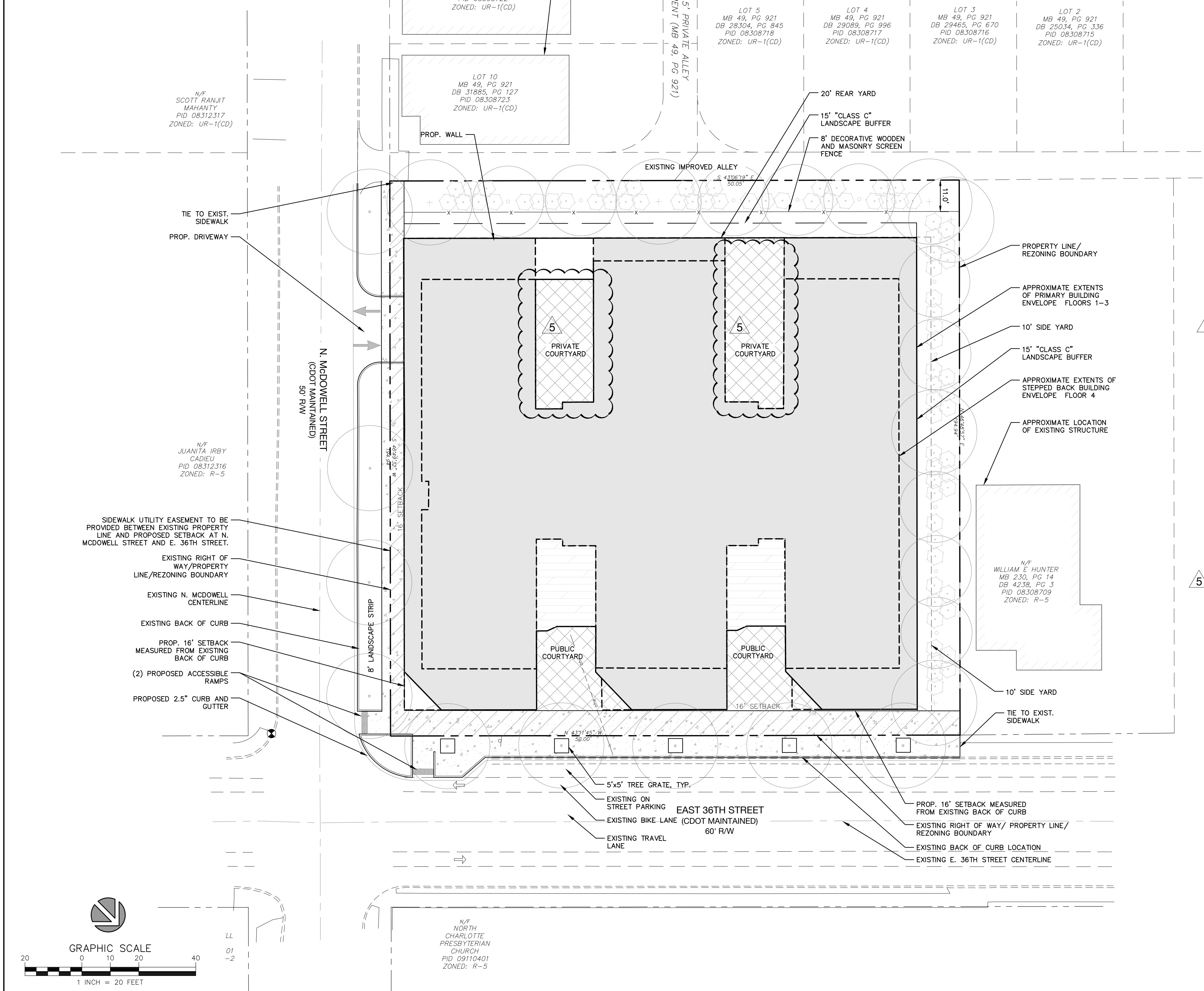
Environmental Features:
 1. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
 2. The Site will comply with the City of Charlotte Tree Ordinance.
 3. For adjoining parcels receiving storm water discharge, the petitioner shall analyze the adequacy of the existing storm water conveyance on the adjoining parcels to E. 35th Street. If the existing storm water conveyance on the adjoining parcels is found to be inadequate, the Petitioner shall make a good faith effort with the property owner(s) to improve the storm water conveyance.

Signage
 1. The site will comply with Section 11.509 of the Zoning Ordinance.

Lighting
 1. All new lighting shall be full cut-off type fixtures; excluding, lower decorative lighting that may be installed along the internal drive aisles, sidewalk, courtyards, and landscape accent lighting.
 2. Decorative pedestrian scaled lights may be provided within the Site.

Amendments to Rezoning Plan:
 1. 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 of Chapter 6 of the Ordinance.

Binding Effect of the Rezoning Documents and Definitions:
 1. 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 under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.



Cohab Development
 Roma Homes
 1918 Beverly Drive
 Charlotte, NC 28207

E. 36th Street Mixed Use
Administrative Amendment
 Charlotte, NC

| NO. | DATE | BY: | REVISIONS: |
|-----|----------|-----|--------------------------|
| 1 | 11-06-19 | UDP | PER PLANNING COMMENTS |
| 2 | 12-23-19 | UDP | PER PLANNING COMMENTS |
| 3 | 02-11-20 | UDP | PER PLANNING COMMENTS |
| 4 | 06-19-20 | UDP | ADMINISTRATIVE AMENDMENT |
| 5 | 07-28-20 | UDP | ADMINISTRATIVE AMENDMENT |

Project No: 19-005
 Date: 06.19.2020
 Designed by: UDP
 Drawn By: UDP
 Sheet No:

AA-1.0

REZONING PETITION #2019-069



ELEVATION 1: 36TH STREET

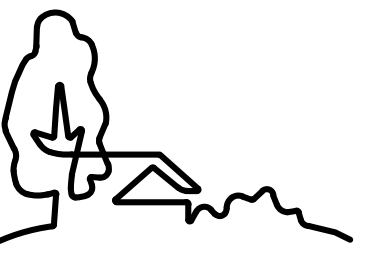


ELEVATION 2: N. MCDOWELL



ELEVATION 3: RESIDENTIAL ALLEY 8' WOODEN AND MASONRY

*ILLUSTRATIVE ARCHITECTURAL ELEVATIONS PROVIDED FOR REFERENCE PURPOSES ONLY. FINAL BUILT CONDITION MAY VARY FROM GRAPHIC ILLUSTRATIVE SHOWN. REFERENCE SHEETS RZ-1.0 FOR ASSOCIATED DEVELOPMENT CONDITIONS.



**URBAN
DESIGN
PARTNERS**

1318-e6 central ave. p 704.334.3303
charlotte, nc 28205 f 704.334.3305
urbanpartners.com
nc firm no: P-0418
sc cda no: C-03044

Cohab Development
Roma Homes

1918 Beverly Drive
Charlotte, NC 28207

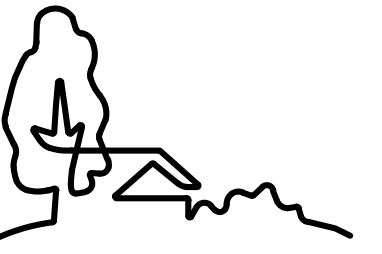
E. 36th Street Mixed Use

**Administrative Amendment
Building Elevations**
Charlotte, NC

| NO. | DATE | BY: | REVISIONS: |
|-----|----------|-----|--------------------------|
| 1 | 11-06-19 | UDP | PER PLANNING COMMENTS |
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Project No: 19-005
Date: 06.19.2020
Designed by: UDP
Drawn By: UDP
Sheet No:

AA-2.0



**URBAN
DESIGN
PARTNERS**

1318-e6 central ave. p 704.334.3303
charlotte, nc 28205 f 704.334.3305
urbandesignpartners.com
nc firm no: P-0418
sc cda no: C-03044

Cohab Development
Roma Homes

1918 Beverly Drive
Charlotte, NC 28207

E. 36th Street Mixed Use

**Administrative Amendment
Conceptual Street View**
Charlotte, NC

| NO. | DATE | BY | REVISIONS: |
|-----|----------|-----|--------------------------|
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Project No: 19-005
Date: 06.19.2020
Designed by: UDP
Drawn By: UDP
Sheet No:

AA-3.0

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