

REZONING  
PETITION NO.  
RZP-2023-033

KEY MAP

SEAL

**NOT FOR  
CONSTRUCTION**

PROJECT

**CENTRUM  
ELIZABETH - 7TH  
STREET  
REZONING**

CENTRUM REALTY & DEVELOPMENT

1815 E 7TH STREET

CHARLOTTE, NC

LANDDESIGN PROJ.# 1022203

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	REZONING SUBMITTAL	1.31.2023
2	REZONING 2ND SUBMITTAL	8.14.2023
3	REZONING 3RD SUBMITTAL	9.11.2023
4	REZONING 4TH SUBMITTAL	10.16.2023
5	REZONING 5TH SUBMITTAL	11.13.2023
6	REZONING 6TH SUBMITTAL	4.18.2024
7	REZONING 7TH SUBMITTAL	5.28.2024

DESIGNED BY: LD  
DRAWN BY: JA  
CHECKED BY: DW

SCALE

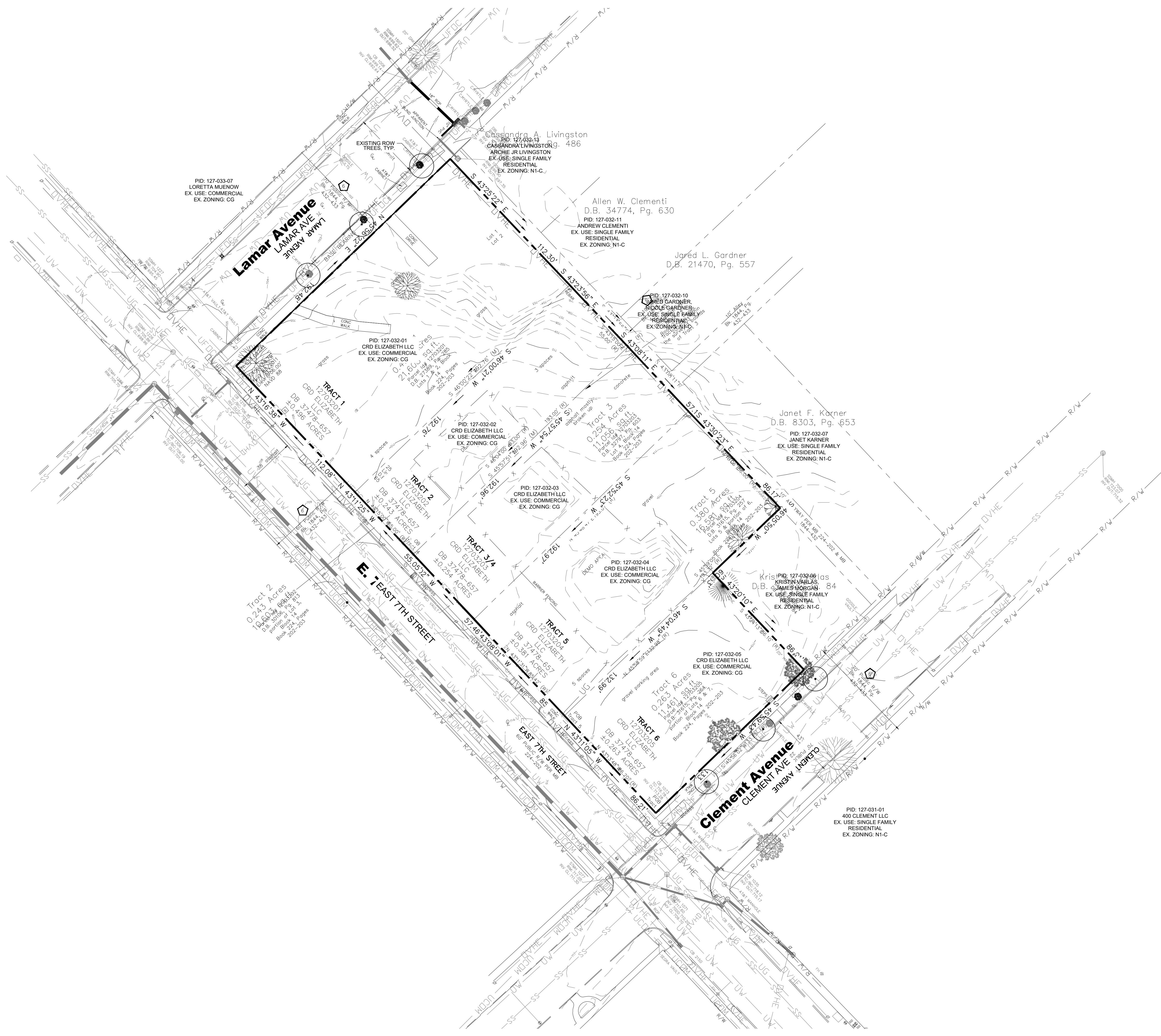
VERT: N/A  
HORZ: 1" = 30'

SHEET TITLE

EXISTING CONDITIONS PLAN

SHEET NUMBER

**RZ1-00**



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SCALE

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

SHEET TITLE

TECHNICAL DATA SHEET

SHEET NUMBER

**RZ2-00**

**SITE LEGEND**

- EXISTING PROPERTY LINE
- FULL ACCESS MOVEMENT

**SITE DEVELOPMENT DATA**

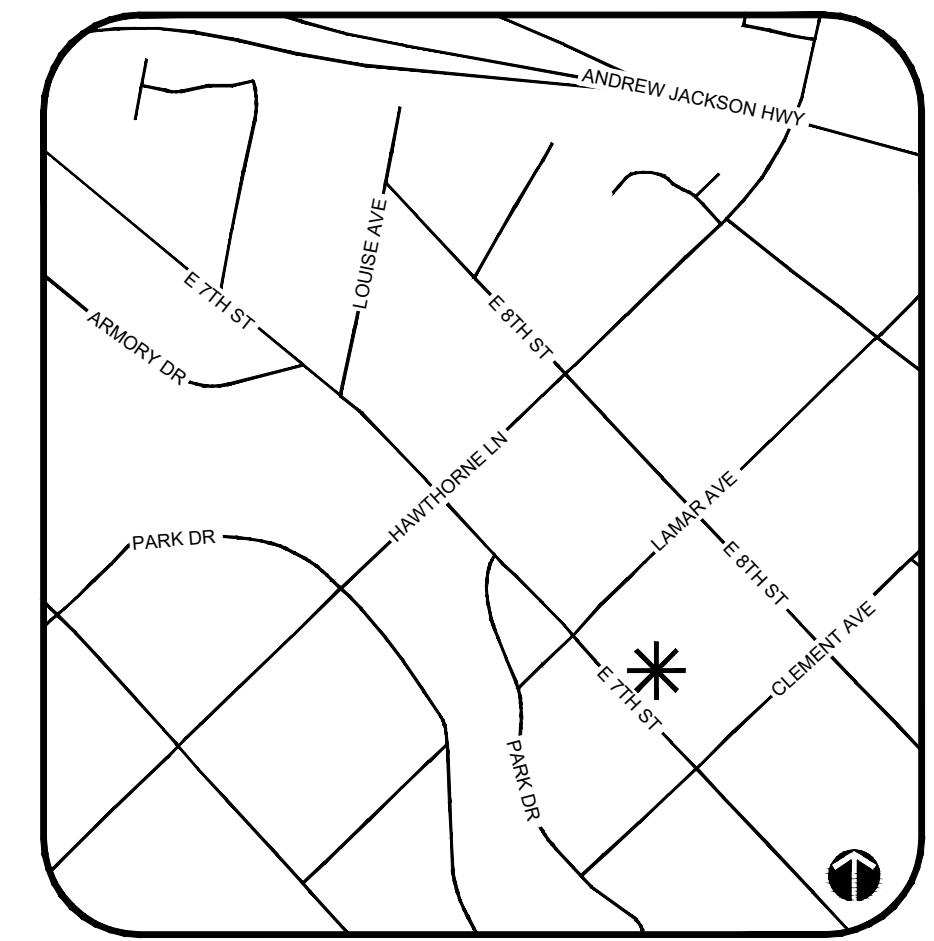
ACREAGE: ± 1.63 ACRES  
TAX PARCEL #s: 127-032-01, 127-032-02, 127-032-03, 127-032-04, 127-032-05  
EXISTING ZONING: CG  
PROPOSED ZONING: MUDD-O  
EXISTING USES: VACANT

**PROPOSED USES:** USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT NOT OTHERWISE LIMITED IN THE REZONING PLAN.

**MAXIMUM DEVELOPMENT:** 175 RESIDENTIAL DWELLING UNITS; AND MINIMUM OF 4,000 SF/MAXIMUM 5,600 SF OF NONRESIDENTIAL USES, UNLESS SUCH USES ARE OTHERWISE CHALLENGED BASED ON ENFORCEMENT OF DEED RESTRICTIONS.

**MAXIMUM BUILDING HEIGHT:** 78'

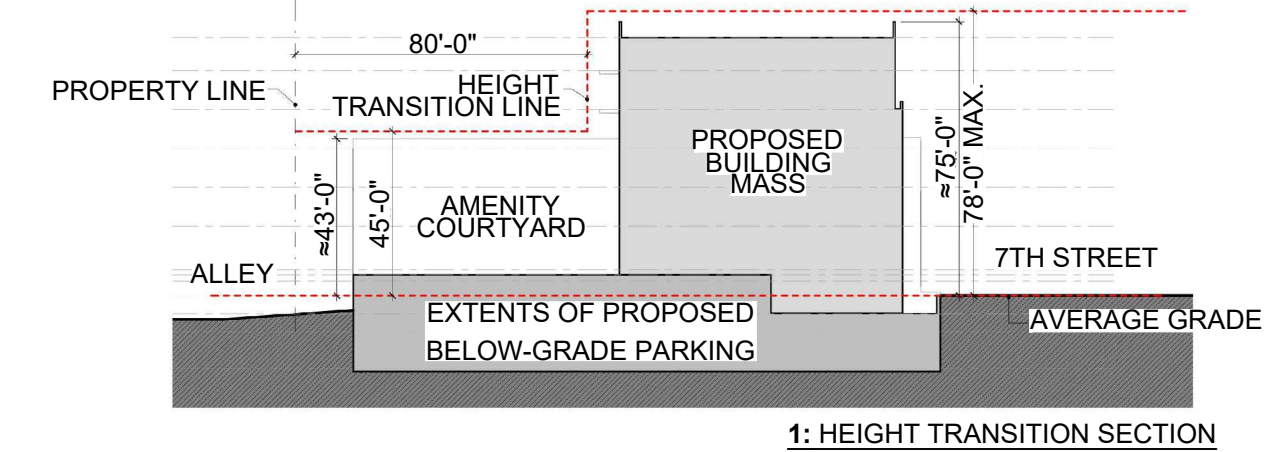
**PARKING:** WILL MEET OR EXCEED MINIMUM ORDINANCE REQUIREMENTS. IN NO CASE SHALL THE TOTAL NUMBER OF PARKING SPACES FOR THE SITE EQUAL LESS THAN 1.25 SPACES PER RESIDENTIAL USES.



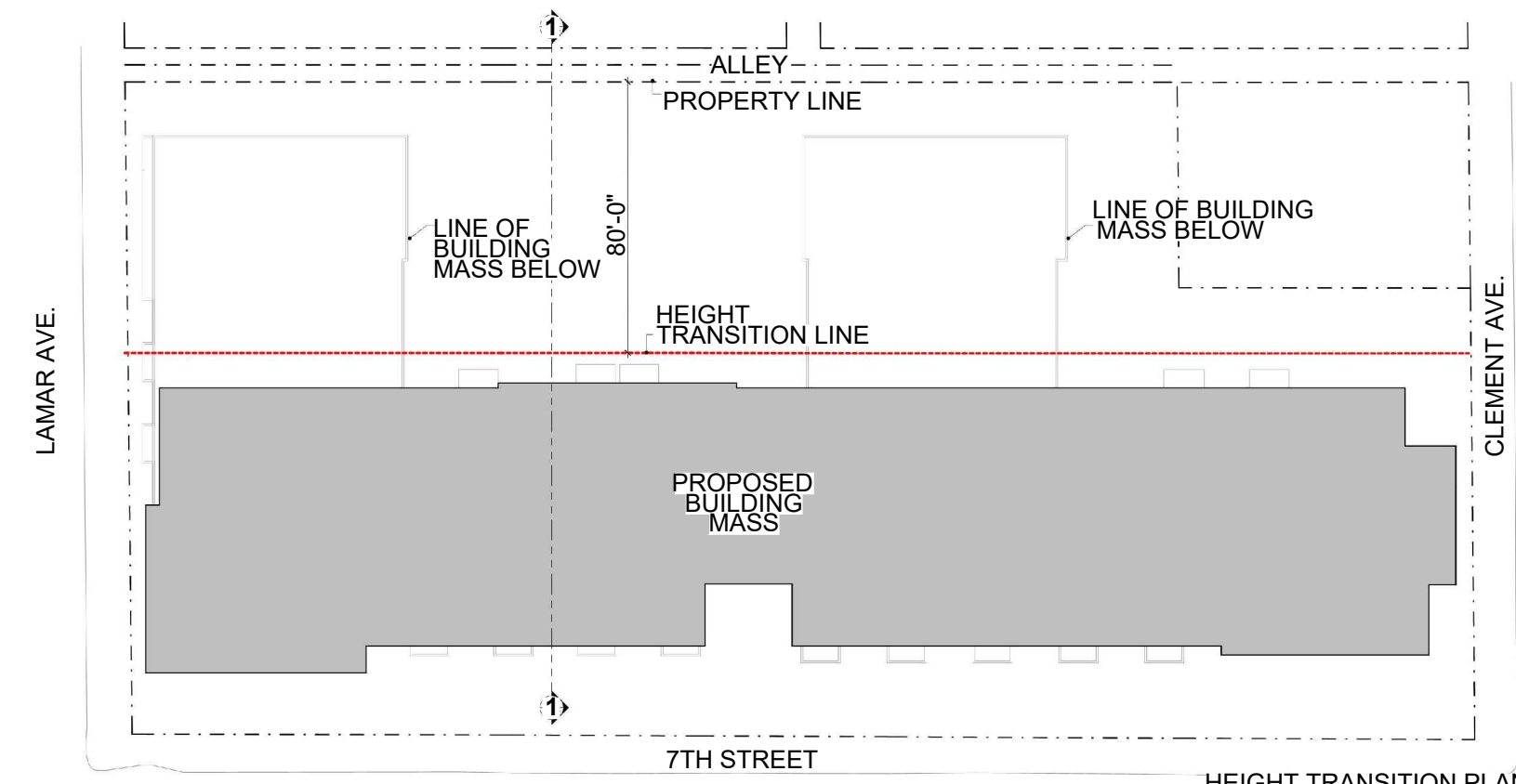
NTS  
VICINITY MAP

**HEIGHT PLANE EXHIBITS**

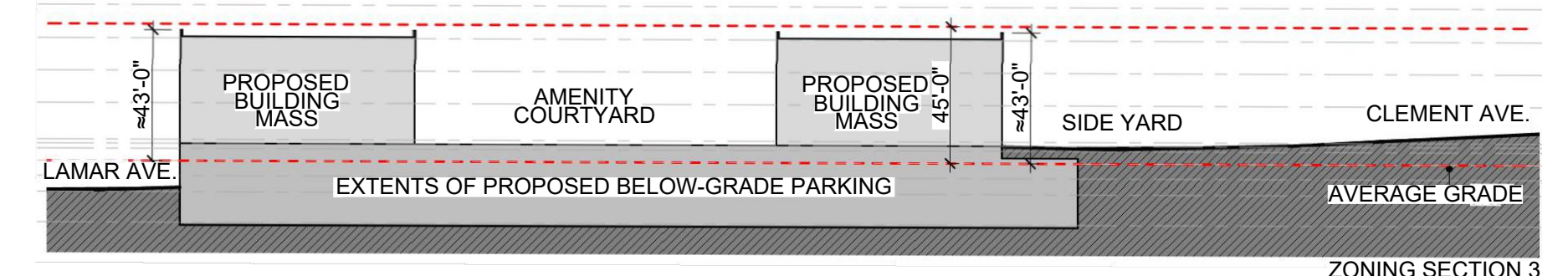
NOTE: THIS SECTION IS FOR REFERENCE ONLY AND IS SUBJECT TO FINAL ENGINEERING AND HEIGHT DEFINITION REQUIREMENTS AS SET FORTH BY THE CITY.



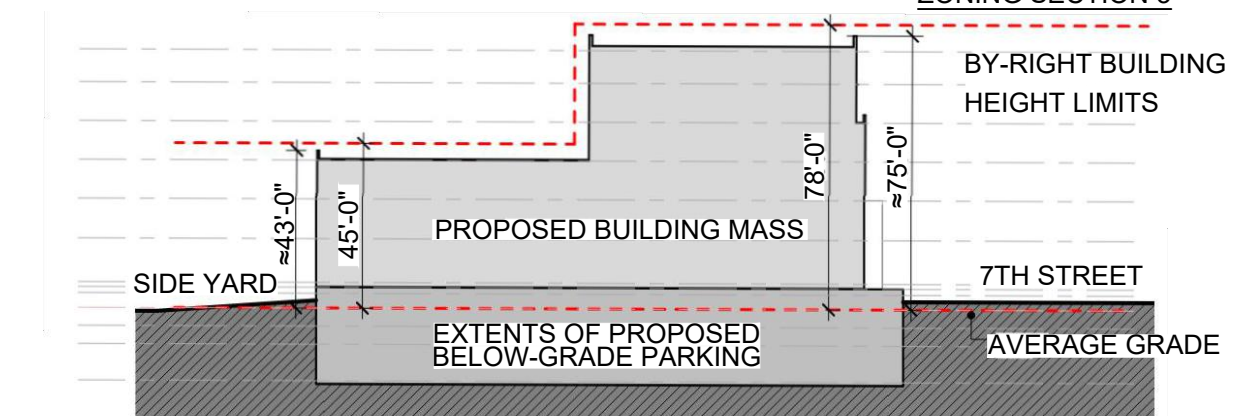
1: HEIGHT TRANSITION SECTION



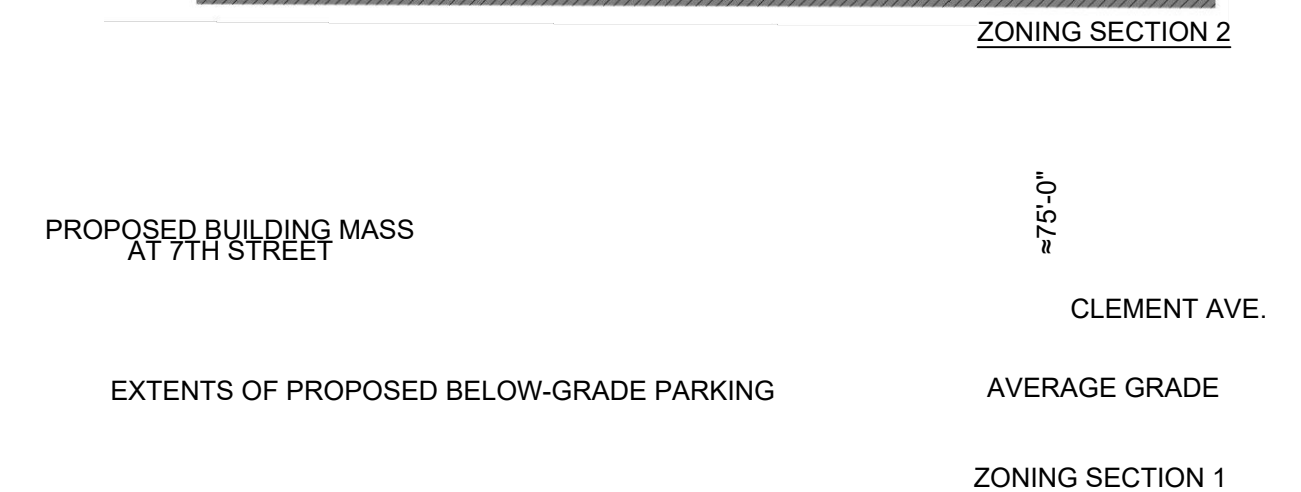
HEIGHT TRANSITION PLAN



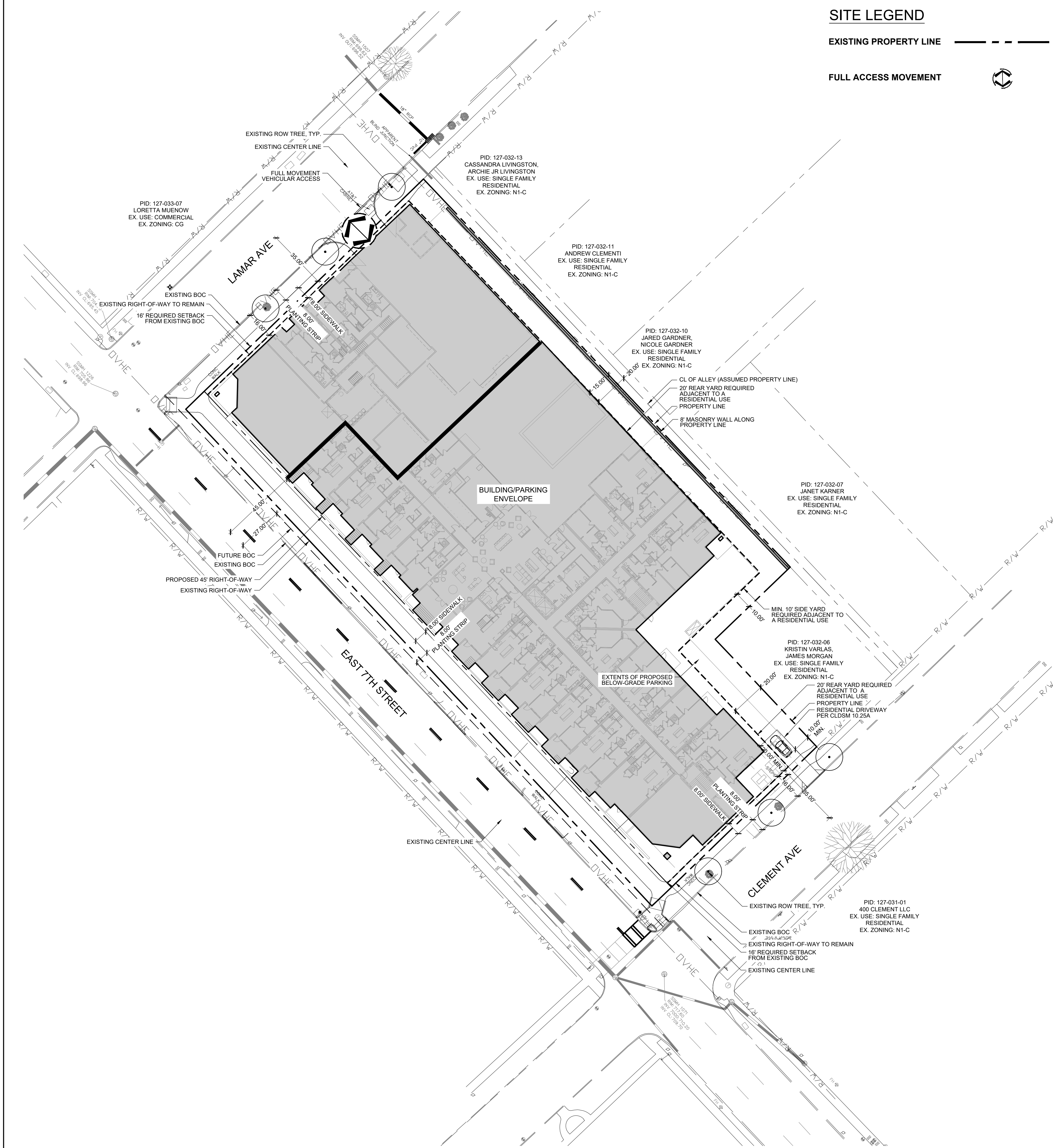
ZONING SECTION 3



ZONING SECTION 2



ZONING SECTION 1





**Site Development Data:**

- Average: 4.163 acres
- Tax Parcels: 127-032-01, 127-032-02, 127-032-03, 127-032-04, and 127-032-05
- Existing Zoning: CG
- Proposed Zoning: MUDD-O
- Existing Uses: Vacant
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district not otherwise limited in the Rezoning Plan.
- Maximum Development:
  - a. Residential dwelling units; and
  - b. Minimum of 4,000 square feet/Maximum of 5,600 square feet of nonresidential use (as further described in Section IV below)
- Maximum Building Height: Seventy-Eight (78) Feet, as further restricted herein.
- Parking: Will meet or exceed minimum Ordinance requirements, in no case shall the total number of parking spaces for the Site equal less than 1.15 spaces per residential unit

**I. General Provisions:**

- a. **Site Description.** These Development Standards and the Technical Data Sheet (as the rezoning plan (hereafter collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by CRD Elizabeth, LLC ("Petitioner") to accommodate development of a 7.75-unit multi-family residential building and 5,600 square feet of ground-floor retail uses on an approximately 1.63-acre site located at the southeast intersection of East 7<sup>th</sup> Street and Lamar Avenue (as more particularly described as Mecklenburg County Tax Parcel Numbers 127-032-01, 127-032-02, 127-032-03, 127-032-04, and 127-032-05 (the "Site").
  - b. **Zoning Districts/Ordinance.** Unless otherwise requested in the Optional Provisions, below, development of the Site will be governed by the Site as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- Unless the Rezoning Plan establishes more stringent standards, or as requested in the Optional Provisions below, the regulations established under the Ordinance for the MUDD zoning district shall govern all development taking place on the Site.

**II. Optional Provisions**

Petitioner requests the ability to provide parking and maneuvering between buildings and streets where generally depicted on the Rezoning Plan to provide one (1) parking space on Clement Avenue. Any such parking/maneuvering will include enhanced landscaping screening.

**III. Permitted Uses**

Subject to the Maximum Development provisions set forth under Section IV below, the Site may be devoted to any uses permitted by right or under prescribed conditions in the MUDD Zoning District not otherwise excluded herein, together with any incidental or accessory uses associated therewith.

**Prohibited Uses:** commercial self-storage buildings, auto service stations, hotel, commercial car washes and accessory drive-throughs shall not be permitted on the Site.

**Amplified sound for live or recorded music shall comply with the Noise Ordinance. Amplified sound shall not be permitted in the amenity courtyard.**

**IV. Maximum Development**

- a. The principal building(s) constructed may be developed with up to (i) 15 residential dwelling units and (ii) up to 5,600 square feet (minimum of 4,000 square feet) of nonresidential uses permitted by right and under prescribed conditions in the MUDD zoning district, along with any accessory uses allowed in the MUDD zoning district, except for the prohibited uses described above. If the City or a third party pursues legal action relating to the retail use, Petitioner shall be permitted to proceed without the retail component, provided that Petitioner shall retain the option of re-introducing the retail component at a later date.

**V. Transportation**

- a. Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.
- b. Petitioner shall provide a minimum eight (8) foot wide planting strip and eight (8) foot wide sidewalk along the Site's frontages of Lamar Avenue, East 7<sup>th</sup> Street and Clement Avenue.
- c. Petitioner shall upgrade the rapid flashing beacon pedestrian crossing at Clement Avenue and East 7<sup>th</sup> Street, or provide an upgraded pedestrian crossing at Lamar and East 7<sup>th</sup> Street, in coordination with CDOT during the permitting phase of development.
- d. Subject to CDOT approval, Petitioner shall stripe and provide signage for on-street parking along the Clement Avenue and Lamar Avenue frontages in coordination with CDOT.
- e. Subject to CDOT approval, Petitioner shall provide and install signage on Lamar Avenue and Clement Avenue indicating that through commercial trucks are prohibited, in coordination with CDOT.
- f. Primary commercial delivery, occupant loading and service vehicle parking shall be interior to the building/parking deck and an interior trash storage/collection area shall be provided within the parking deck. Trash containers may be rolled out to the public street for periodic trash collection.
- g. Solid waste collection shall be limited to the hours of 8:00 a.m. to 8:00 p.m., when under the Petitioner/Property Owner's control, excluding one-time extenuating circumstances.
- h. Petitioner will use commercially reasonable effort to provide adequate construction worker parking during the construction phase of development.
- i. Bicycle parking shall be provided within fifty (50) feet of the entry of each commercial occupancy at a rate of 1:500 square feet of gross floor area.
- j. Where a public sidewalk is located outside of the right-of-way, a sidewalk utility easement should be provided two feet behind the sidewalk or at the building face.
- k. A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual, group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.
- l. Where necessary, the Petitioner shall dedicate and convey in fee simple all rights-of-way to the City of Charlotte before the Site's first building certificate of occupancy is issued.
- m. All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad south Mecklenburg area, by way of a private/public partnership effort or other public sector project support.
- n. All transportation improvements shall be substantially completed before the Site's first building certificate of occupancy is issued.
- 1. Reference to "substantially complete" shall mean completion of the roadway improvements in accordance with the Technical Data Sheet provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or bond for any improvements not in place at the time such certificate of occupancy is issued to secure completion of the applicable improvements.

**VI. Design Guidelines:**

**a. General Design Guidelines.**

- Building design shall be as generally depicted on the conceptual building elevations included herein.
  - Preferred Exterior Building Materials: The principal building constructed on the Site shall be comprised of a minimum of 60% of the following materials when fronting a public street: glass, brick, metal, stone, simulated stone, pre-cast stone, architectural precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, or other materials approved by the Planning Director.
- a. Vinyl, as a building material, will only be allowed on windows, soffits and trim features.
  - b. EIFS and Stucco shall comprise of no more than 15% of each building facade.
  - 3. Building Massing and Height shall be designed to break up long monolithic building forms as follows:
    - a. Building elevations facing public streets 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.
    - b. Building height shall be restricted as generally depicted in the Rezoning Plan, transitioning to lower building heights to the rear of the Site adjacent to single-family residential zoning. As generally shown in the height plane diagrams, the rear of the building adjacent to single-family residential zoning shall be a maximum of approximately forty-five (45) feet. This forty-five-foot restricted height zone shall extend a minimum of eight (8) feet from the rear property line, requiring that building(s) do not exceed forty-five (45) feet within that zone. The building height may increase outside of this zone as generally depicted in the height plane diagrams, up to a maximum of seventy-eight (78) feet along the building's frontage of East 7<sup>th</sup> Street.
    - c. **Building Height Justification:** If the constructed building height exceeds sixty-five (65) feet, Petitioner shall commit to an affordable housing fee-in-lieu payment of \$132,439.50. Payment shall be made to the Charlotte-Mecklenburg Community Development Department (CDM) during the permitting phase of development.
  - 4. Building Facades and Site Design shall focus on and enhance the pedestrian or public or private network required streets, through the following:
    - a. The Site's frontage of East 7<sup>th</sup> Street shall, at a minimum, provide at least 60% of the length of the first floor street frontage designed for pedestrian-scale activity per the street walls provision in Section 9.8506(2)(a) of the Ordinance. Of the provided 60% street wall design, a minimum of 50% shall be met through the use of clear glass.
    - 5. Conceptual renderings of this Rezoning Plan are conceptual, architectural renderings that are intended to depict the general conceptual architectural style, character of the building, and overall design intent. Accordingly, each elevation shall be designed and constructed to substantially simulate the appearance of the relevant conceptual architectural elevations with respect to architectural style and character. As such, the use of color is not intended to depict a specific material or the location and amount of a material unless otherwise noted. Notwithstanding the foregoing, changes, refinements, and further development to the exterior of the building which do not materially change the overall conceptual architectural style and character shall be permitted.
    - 6. Meter banks shall be located outside of the setback, hidden from view from the pedestrian right-of-way, subject to utility company approval.
    - 7. Rooftop HVAC units will be screened from public right-of-way.
    - 8. All dumpster enclosure areas shall be internal to the building/parking facilities or screened from network required public or private streets with materials complementary to the principal structure.
    - 9. Outdoor amenities for residential uses (such as pools, cabanas, raised courtyards and the like), if provided, shall be located along the rear building facade with a finished floor elevation no greater than thirty (30) feet above grade and shall contain noise and visual mitigation measures for sensitivity to adjacent residential properties along the rear property line.
    - 10. Petitioner shall provide a minimum of two (2) pest waste disposal stations on-site.
  - b. **Enhanced Landscaping for Rear Property Line and Optional Provision Parking/Maneuvering Areas:** Petitioner shall provide a minimum of the following enhanced landscaping treatments in the twenty (20) foot proposed rear yard area as screening to the adjacent residential properties and as enhanced screening for parking/maneuvering between the building and the street per the optional provision above and as shown on the Rezoning Plan:
    - One (1) large maturing tree per 30 linear feet, one (1) evergreen shrub per 3 linear feet. A minimum of 40% of the required trees shall be evergreen species. Two (2) small maturing trees may be substituted for one (1) large maturing tree.
    - Petitioner shall provide a masonry wall, maximum height of eight (8) feet, along the rear property line as generally depicted on the Rezoning Plan. The wall shall have an exterior cladding that is composed of materials that are substantially similar in appearance to the masonry materials used to clad the rear elevation of the building below the amenity courtyard.
  - c. **Parking Deck Standards:**
    - The intention is for the majority of the parking structure to be below-grade as consistent with the conceptual elevations provided herein. Above-ground features, if provided, shall be designed so that vehicles parked on all levels of the structure and associated lighting are screened by a wall or panel measuring a minimum of 48 inches in height. Screening shall include both vertical and horizontal treatments that resembles patterns and architecture of the occupied portions of the building, including use of similar materials and a similar rhythm of window openings on frontages. The remaining opening shall be screened using decorative elements such as grillwork, louvers, or a similar treatment. Any such decorative screens shall be set back from the plane of the street facades and affixed in line with the internal face of walls to parking levels so as to be minimally intrusive when seen in perspective. For parking structures with rooftop open-air parking, a parapet wall of sufficient height to ensure vehicles are not visible from the nearest sidewalk is required. Any such parapet wall shall be a minimum of four (4) feet in height.

**VII. Environmental Features**

- a. The Petitioner shall comply with the Post Construction Stormwater Ordinance.
- b. The Petitioner shall comply with the Tree Ordinance.

**VIII. Lighting:**

- a. Lighting shall generally be of pedestrian scale at a height of twenty-one (21) feet or less. All lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed on buildings, along the driveways, sidewalks, and parking areas. However, upward facing accent/architectural lighting shall be permitted. Petitioner will share lighting plans with the Elizabeth Community Association during the permitting phase of development.

**IX. Amendments to the Rezoning Plan:**

Future amendments to the Rezoning Plan may be applied for by the then Owner or Owners of the applicable Lot of the Site affected by such amendment in accordance with the provisions herein and of Section 6.207 of the Ordinance.

**X. Binding Effect of the Rezoning Application:**

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 Lot(s), as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

SITE DEVELOPMENT DATA - COMPREHENSIVE TRANSPORTATION REVIEW SUMMARY		
<b>Proposed Trip Generation</b>		
Land Uses	Density	Daily Trips/Peak Hour Trips
1) Multifamily Housing (Mid-Rise)	213 DU	Daily: 970, AM: 82, PM: 83
2) Strip Retail Plaza (<40k)	5,600 SF	Daily: 466, AM: 20, PM: 52
3)		
4)		
5)		
Total with Pass-By Reduction and 30% TDM Adjustment:		Daily: 1,004, AM: 70, PM: 81
Multimodal Mitigation	Tier:	1.000
	Required Points:	5.000
<b>List of Mitigations:</b>		
1) Upgrade Rectangular Rapid Flashing Beacon (RRFB) and Receiving Ramps at E. 7th Street and Clement Avenue		
2)		
3)		
4)		
5)		
Transportation Demand Management Mitigation	Tier:	1.000
	Required Points:	2.000
<b>List of Mitigations:</b>		
1) Identify TDM Coordinator		
2) Complete Multimodal improvements		
3) Provide tenants with TDM education packets		
4) Provide bicycle parking to at least 125% of required UDO		
5) Provide a bicycle repair station		
6) Unbundle parking		
<b>TIS Required (Yes/No): No</b>		
<b>CO Phasing (list CO phasing of CTR mitigations and/or TIS improvements if applicable):</b>		
1)		
2)		
3)		
4)		
5)		



Alexander  
Ricks  
PLLC

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DESIGNED BY: LD  
DRAWN BY: JA  
CHECKED BY: DW

SCALE: NORTH

VERT: N/A  
HORZ: AS NOTED

SHEET TITLE

DEVELOPMENT NOTES

SHEET NUMBER

RZ3-00

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**NORTH ELEVATION**

SCALE: 1/16" = 1'-0"



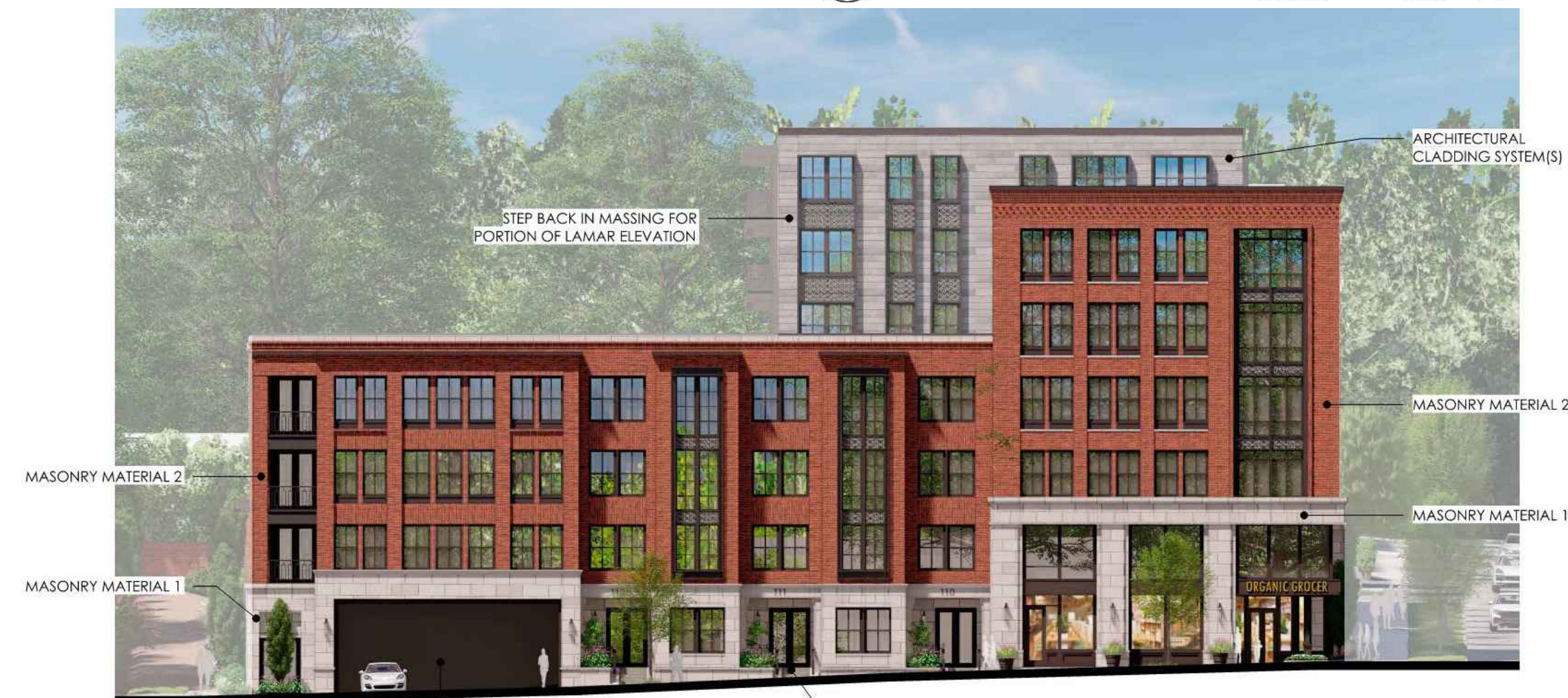
**7TH STREET ELEVATION**

SCALE: 1/16" = 1'-0"



**CLEMENT AVE. ELEVATION**

SCALE: 1/16" = 1'-0"



**LAMAR AVE. ELEVATION**

SCALE: 1/16" = 1'-0"

**NOTES**

- LEVEL 1 SCHEMATIC PLAN PROVIDED TO SHOW GENERAL EXTENTS OF PARKING. THE ACTUAL PLAN LAYOUT, INTERIOR CONFIGURATION AND EXTENTS OF BUILDING CONSTRUCTED MAY VARY.
- THESE ELEVATIONS ARE CONCEPTUAL IN NATURE ONLY AND ARE INTENDED TO REFLECT THE OVERALL SCALE OF THE BUILDING, VARIOUS BUILDING EXPRESSIONS AND DESIGN INTENT. HEIGHT SHALL BE PERMITTED AS SET FORTH IN THE DEVELOPMENT STANDARDS INCLUDED WITH THIS SUBMITTAL. THE ACTUAL BUILDING TO BE CONSTRUCTED ON THE SITE MAY VARY.

2  
RZ4-00

1  
RZ4-00