

ColeJenest & Stone

Shaping the Environment
Realizing the Possibilities

Land Planning
Landscape Architecture
Civil Engineering
Urban Design

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UNIT 5F
BROOKLYN, NY 11201

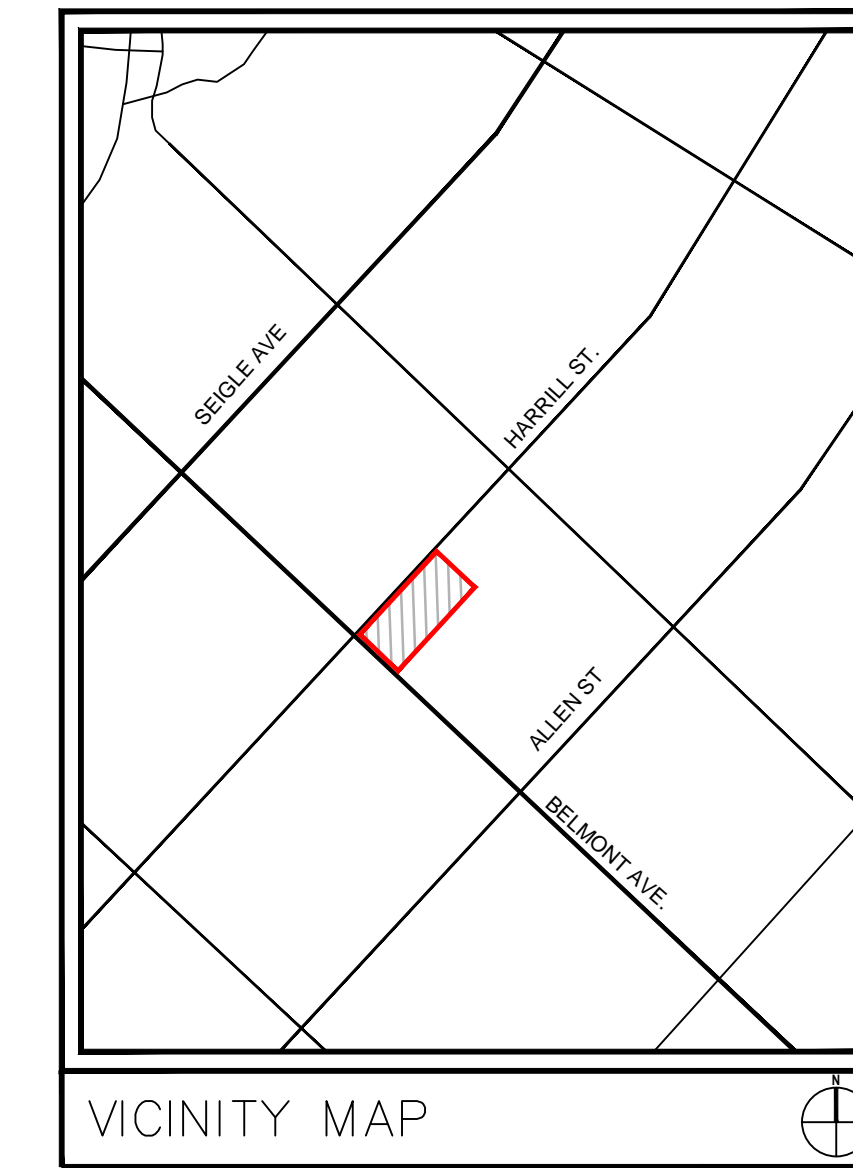
1001 BELMONT AVENUE
CHARLOTTE, NC 28205
North Carolina 28284

OVERALL REZONING PLAN

Project No.
4550

Issued
08/23/17

Revised
00/00/00



LEGEND

SYMBOL

- PROPOSED SIDEWALK
- PROPOSED CURB & GUTTER
- SITE BOUNDARY
- BIKE PARKING
- FENCE
- SETBACK

SITE DEVELOPMENT DATA

TAX PARCEL NUMBER:	081-128-01
SITE AREA (ACRES):	.16 AC ±
EXISTING ZONING:	R-5
PROPOSED ZONING:	MUDD-0
EXISTING USES:	COMMERCIAL BUILDING & SINGLE FAMILY RESIDENTIAL
PROPOSED USES:	COMMERCIAL BUILDING (EDEC - TYPE I) AND SINGLE FAMILY RESIDENTIAL
PARKING REQUIRED:	1 SPACE/600 SF = 3 1 SPACE/DWELLING UNIT = 1 TOTAL: 4 SPACES
PARKING PROVIDED:	4 SPACES (1 ACCESSIBLE)
BICYCLE PARKING REQUIRED:	0 LONG-TERM SPACES (BUILDING AREA IS LESS THAN 2,500 SF) .2 SHORT-TERM SPACES (5% OF AUTO PARKING)
BICYCLE PARKING PROVIDED:	5 SHORT-TERM SPACES

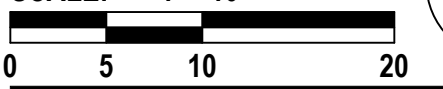
GENERAL REZONING NOTES

- SEE SHEET RZ-200 FOR DEVELOPMENT STANDARDS
- SEE SHEET RZ-200 FOR ZONING EXHIBIT

SURVEY DISCLAIMER

SURVEY ISSUED ON AUGUST 16, 2015 BY ZOUTEWELLE
LAND SURVEYORS, PC, 1123 SHADOWBROOK LANE
CHARLOTTE, NC 28211; (704) 910-2329

SCALE: 1"= 10'

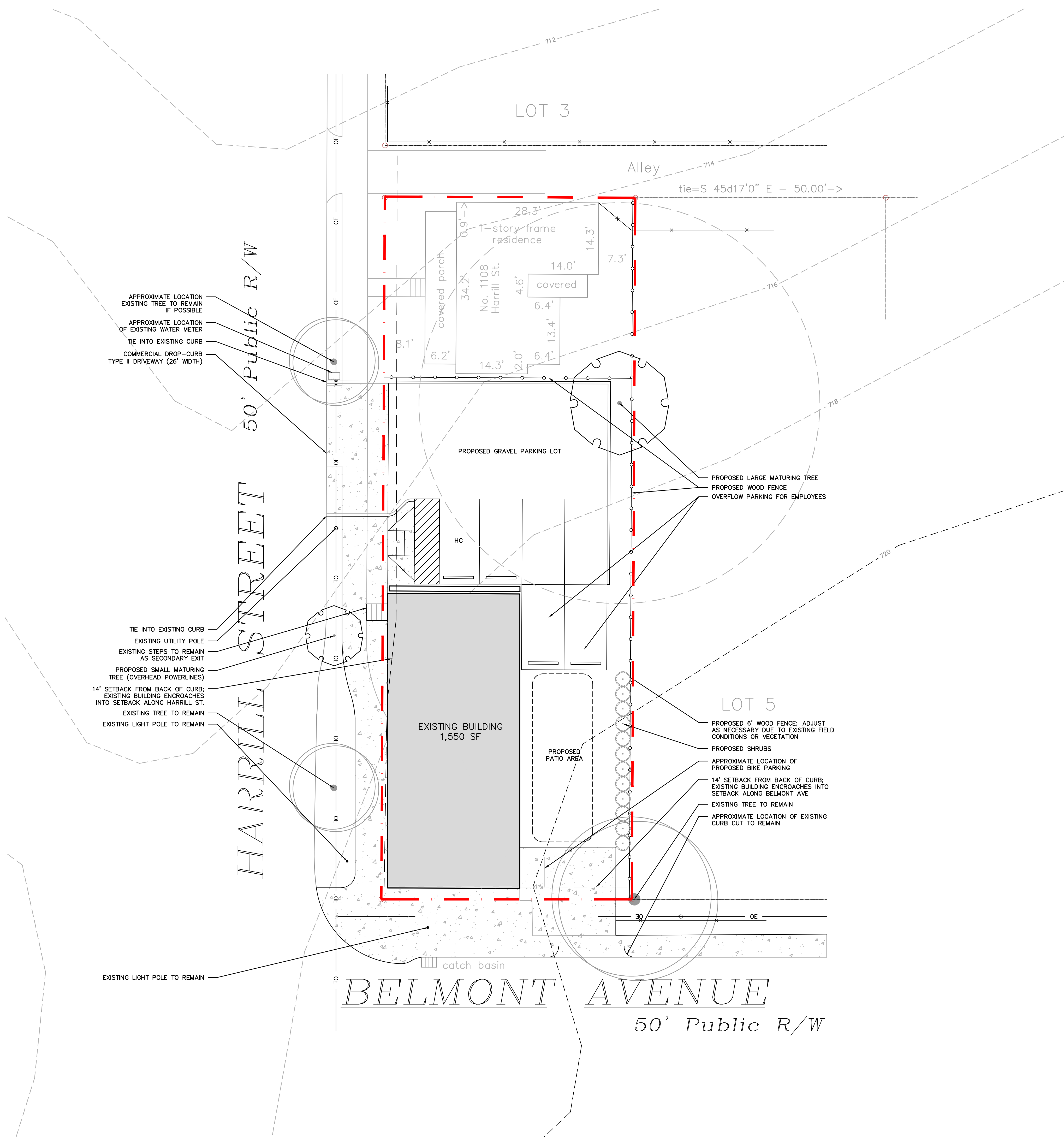


RZ-1

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PETITION #: 2017-XXX



SITE DEVELOPMENT DATA:

- **ACREAGE:** 0.16 ACRES ±
- **TAX PARCEL #:** 081-128-01
- **EXISTING ZONING:** R-5
- **PROPOSED ZONING:** MUDD-O
- **EXISTING USES:** COMMERCIAL BUILDING AND SINGLE FAMILY RESIDENTIAL
- **PROPOSED USES:** COMMERCIAL BUILDING (EDEE - TYPE 1) AND SINGLE FAMILY RESIDENTIAL
- **MAXIMUM BUILDING HEIGHT:** 120 FEET MAXIMUM AS ALLOWED IN THE MUDD-O DISTRICT.
- **PARKING:** RESIDENTIAL - 1 SPACE/DWELLING UNIT
COMMERCIAL - 1 SPACE/600 SQ. FT.

1. GENERAL PROVISIONS:

- a. **SITE LOCATION:** THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET AND OTHER GRAPHICS SET FORTH ON ATTACHED RZ SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY 813 BELMONT, LLC ("PETITIONER") TO ACCOMMODATE DEVELOPMENT OF AN EDEE DEVELOPMENT ON AN APPROXIMATELY 0.16 ACRE SITE LOCATED AT THE INTERSECTION OF BELMONT AVENUE AND HARRILL 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 MUDD-O ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW.
- c. **GRAPHICS AND ALTERATIONS/MODIFICATIONS:** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, BUILDING MATERIALS, STREETS/SCAPE PERSPECTIVES, DRIVEWAYS, STREETS, 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 DEPICTED ON THE REZONING PLAN, SUCH AS MINOR MODIFICATIONS TO THE CONFIGURATIONS OF THE DRIVEWAY/SIDEWALK DIMENSIONS AND THE LIKE AS LONG AS THE MODIFICATIONS MAINTAIN THE GENERAL BUILDING/PARKING ORIENTATION AND CHARACTER OF THE DEVELOPMENT GENERALLY DEPICTED ON THE REZONING PLAN; OR
- (ii) MODIFICATIONS TO MOVE STRUCTURES GRAPHICALLY DEPICTED ON THE REZONING PLAN CLOSER TO ADJACENT PROPERTIES IN A RESIDENTIAL DISTRICT OR ABUTTING RESIDENTIAL USE BUT NO CLOSER THAN THE "EXTERNAL BUILDING LINE" (IN THIS CASE THE EXTERNAL SETBACKS, REAR/SIDE YARDS OR BUFFER AREAS, IF APPLICABLE) INDICATED ON SHEET RZ-1; OR
- (iii) MODIFICATIONS TO ALLOW MINOR INCREASES IN THE MASS OF THE BUILDING THAT DOES 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.

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 SHALL NOT EXCEED ONE (1). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING(S) LOCATED ON THE SITE AS THE ACCESSORY STRUCTURE/BUILDING.

e. **GROSS FLOOR AREA.** WHEN DETERMINING THE MAXIMUM DEVELOPMENT LEVELS SET FORTH IN THIS REZONING PLAN, GROSS FLOOR AREA AS DEFINED IN THE ORDINANCE SHALL EXCLUDE ANY SURFACE OR STRUCTURED PARKING FACILITIES (INCLUDING, WITHOUT LIMITATION, CORRIDORS AND ELEVATORS WITHIN SUCH FACILITIES), ENCLOSED LOADING DOCK/SERVICE AREAS, AND OUTDOOR DINING AND GATHERING AREAS WHETHER ON THE ROOF OF THE BUILDING OR AT STREET LEVEL.

2. OPTIONAL PROVISIONS.

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE SITE:

- a. TO ALLOW THE EXISTING SECONDARY STAIR EGRESS ALONG HARRILL STREET TO REMAIN AND ENCROACH WITHIN THE PUBLIC RIGHT-OF-WAY.
- b. TO ALLOW MODIFIED SIDEWALK AND PLANTING STRIP WIDTH AND QUANTITY OF STREET TREES ALONG HARRILL STREET AND BELMONT AVENUE AS PRACTICAL DUE TO EXISTING SITE CONDITIONS.

3. PERMITTED USES & DEVELOPMENT AREA LIMITATIONS:

- a. THE SITE MAY BE DEVELOPED WITH EDEE AND RESIDENTIAL USES ALONG WITH ACCESSORY USES AS ALLOWED IN THE MUDD-O ZONING DISTRICT.

4. TRANSPORTATION IMPROVEMENTS AND ACCESS:

I. PROPOSED IMPROVEMENTS:

- a. VEHICULAR ACCESS TO THE SITE WILL BE PROVIDED FROM BELMONT AVENUE AND HARRILL STREET AS GENERALLY DEPICTED ON THE REZONING PLAN.
- b. MINOR ADJUSTMENTS IN THE LOCATION OF THE POSSIBLE CONNECTIONS CAN BE MADE IN CONSULTATION WITH THE PLANNING DEPARTMENT DURING THE URBAN REVIEW AND APPROVAL PROCESS.
- c. SUBJECT TO THE PROVISIONS AND DESIGN DESCRIBED IN THE SECTION ABOVE, THE PLACEMENTS AND CONFIGURATIONS OF VEHICULAR ACCESS POINTS ARE SUBJECT TO MINOR MODIFICATIONS, AS APPROVED BY CDOT, REQUIRED TO ACCOMMODATE THE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND ANY ADJUSTMENTS REQUIRED TO FOR APPROVAL BY CDOT IN ACCORDANCE WITH THE PUBLISHED STANDARDS.

II. STANDARDS, PHASING AND OTHER PROVISIONS.

- a. ALL PUBLIC TRANSPORTATION IMPROVEMENTS SHALL BE APPROVED AND CONSTRUCTED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE PROPOSED DEVELOPMENT EDEE BUILDING ON THE SITE.

5. PEDESTRIAN ACCESS AND CIRCULATION DESIGN

- a. PEDESTRIAN ACCESS WILL BE PROVIDED FROM BELMONT, WITH SECONDARY ACCESS ON HARRILL.

6. ARCHITECTURAL STANDARDS

- a. THE PETITIONER WILL PROVIDE ADDITIONAL BUILDING FENESTRATION INCLUDING WINDOWS ALONG THE EXISTING BUILDING'S HARRILL STREET FRONTAGE AS REQUIRED PER THE MUDD ZONING DISTRICT REGULATIONS.
- b. SERVICE AREA SCREENING - ANY SITE SERVICE AREAS (DUMPSTERS, REFUSE AREAS, RECYCLING AREAS, STORAGE) SHALL BE SCREENED FROM PUBLIC VIEW IN ACCORDANCE WITH THE ZONING REGULATIONS.

7. SIGNAGE:

- a. SIGNAGE AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED IN ACCORDANCE WITH THE ZONING REGULATIONS.

8. LIGHTING:

- a. LIGHTING AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED IN ADDITION TO THE LIGHTING OTHERWISE ALLOWED IN THIS SECTION.
- b. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.
- c. DETACHED LIGHTING ON THE SITE, EXCEPT DECORATIVE LIGHTING OR ART WORK THAT UTILIZES LIGHTING ELEMENTS WHEN LOCATED IN THE PUBLIC OPEN SPACE AREAS AND STREET LIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 20 FEET IN HEIGHT.

9. ENVIRONMENTAL FEATURES

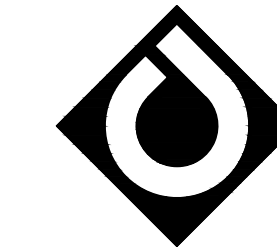
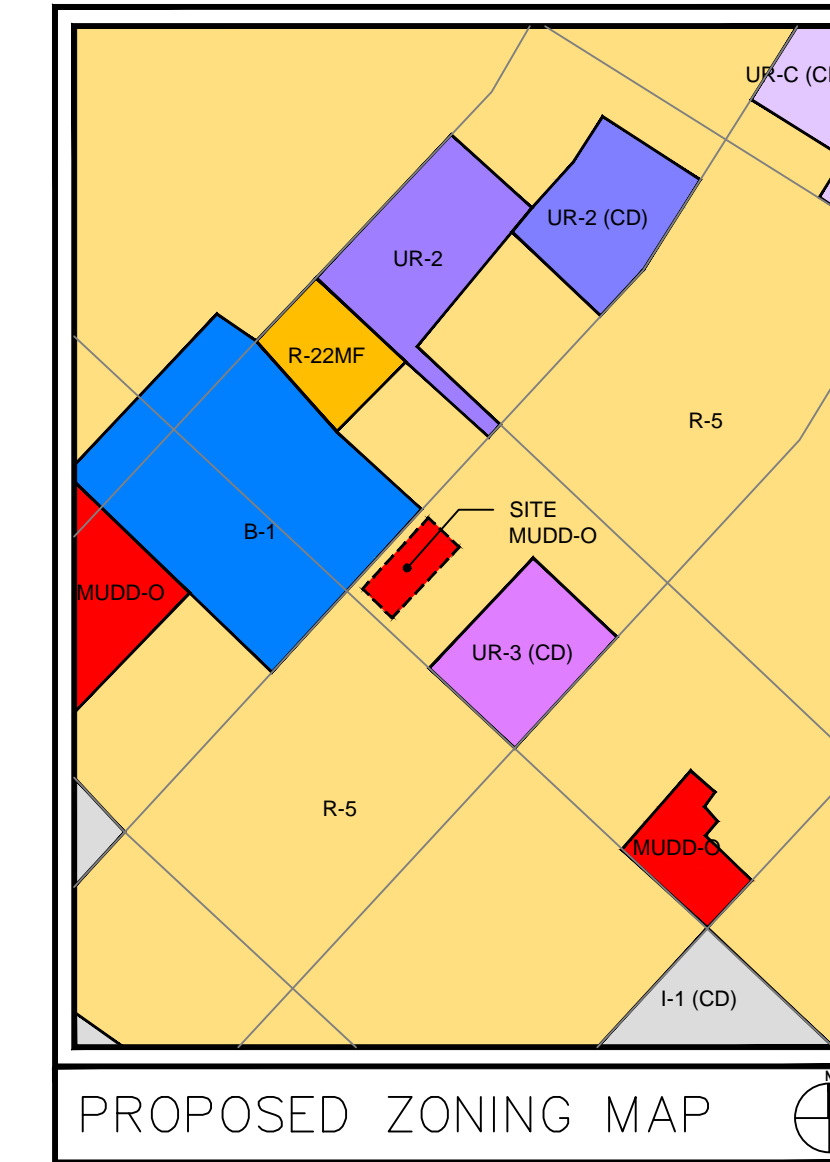
- a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.

10. 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 OR PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

11. 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.



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DEVELOPMENT STANDARDS

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