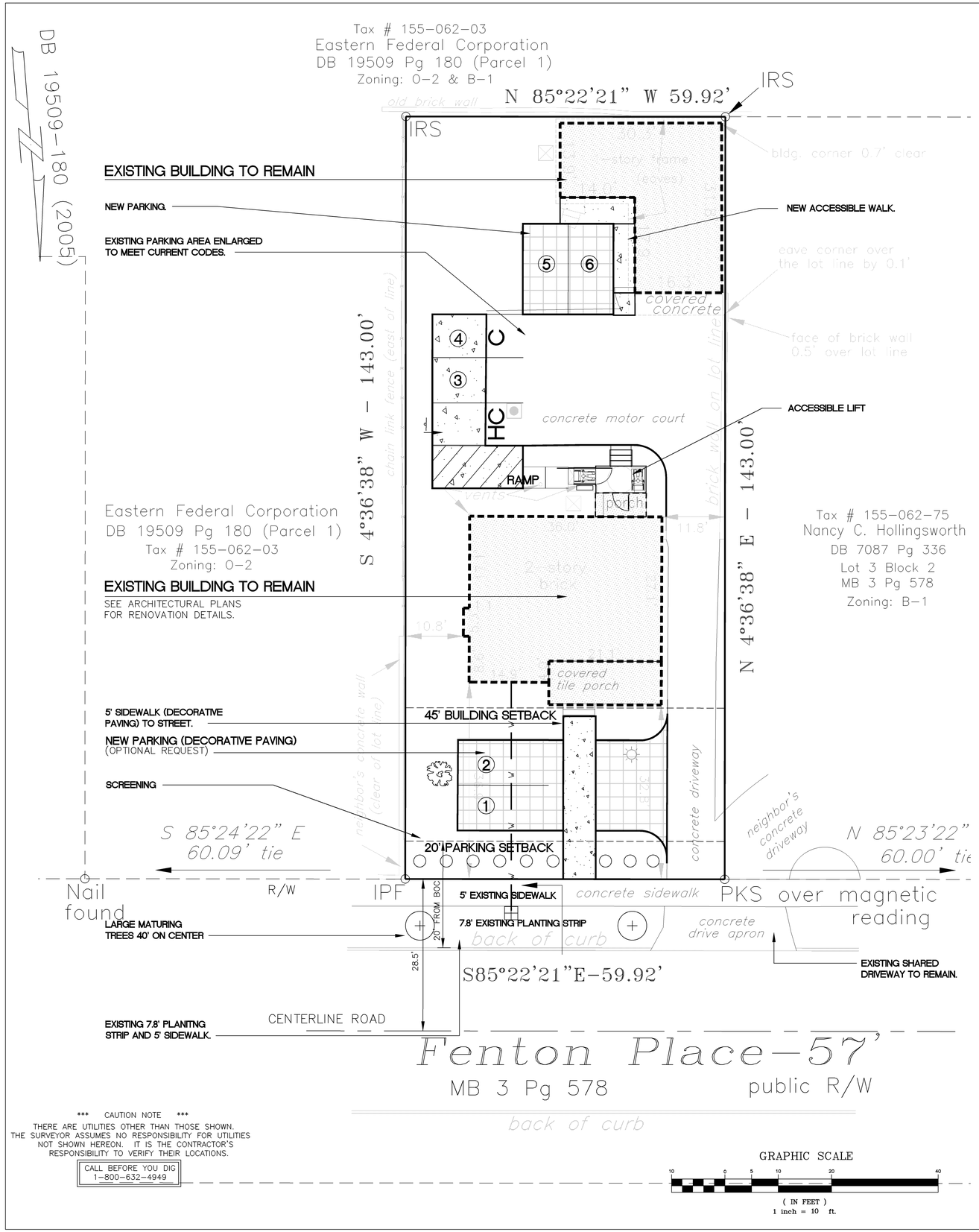
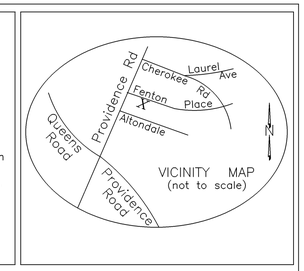


Fenton Place, LLC Development Standards 06/05/17
Rezoning Petition No. 2017-000

Site Development Data:

- Acreage: ± .19 acres
- Tax Parcel #s: 155-062-74
- Existing Zoning: O-2
- Proposed Zoning: MUDD-O
- Existing Uses: Office and personal service uses.
- Proposed Uses: Retail establishments, personal and recreational services, studios and galleries for artists, office uses, residential uses, small scale bakeries, neighborhood food and beverage service (including without limitation a coffee shop), and other similar uses as permitted by right, under prescribed conditions and by the Optional provisions below together with accessory uses as allowed in the MUDD zoning district (as more specifically described and restricted below in Section 3).
- Maximum Gross Square feet of Development: Up to 2,650 square feet of gross floor area of office, personal and recreational services, studios and galleries for artists, retail establishments, residential uses, small scale bakeries, neighborhood food and beverage service (including without limitation a coffee shop), and other similar uses as allowed by the MUDD zoning district and the optional provisions below.
- Maximum Building Height: Building height will be limited to 40 feet. Building height shall be as measured as defined by the Zoning Ordinance.



1. General Provisions:

a. Site Location. These Development Standards and Illustrative Site Plan set forth on Sheet RZ-1 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Fenton Place, LLC. ("Petitioner") to accommodate the re-use of the two existing buildings located on the Site for retail, personal service uses and office uses on an approximately .19 acre site located at 515 and 517 Fenton Place (the "Site").

b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan, 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. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, 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 final 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.

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. The total number of principal buildings to be developed on the Site will be limited two (2). 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) to which such the accessory structure/building shall relate.

2. Optional Provisions.
The following optional provisions shall apply to the Site:

a. To allow parking to be located between the existing building and Fenton Place as generally depicted on the Rezoning Petition.

b. To allow the existing 7.8' foot planting strip and five (5) foot sidewalk located along Fenton Place to remain as generally depicted on the Rezoning Plan.

For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, all loading dock areas (open or enclosed), and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards)

3. Permitted Uses, Development Area Limitations:

a. Subject to the restrictions and limitations listed below, the principal buildings constructed on the Site may be developed with up to 2,650 square feet of gross floor area.

b. The following uses are allowed on this Site: Office, retail establishments, studios and galleries for artists, personal and recreational services, residential uses, small scale bakeries, neighborhood food and beverage service (including without limitation a coffee shop) and other similar uses as permitted by right and under prescribed conditions and by the Optional provisions together with accessory uses as allowed in the MUDD zoning district.

c. The following uses will not be allowed on the Site; EDEE Type 1 and 2, automotive service stations, and hotel and motels.

d. The two (2) existing buildings located on the Site will remain. Repair and renovations to the existing building will be allowed.

"Personal services" uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandised but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spa's, Yoga and exercise studios, nail salons, massage shops, martial art training studios, dry cleaning establishments, locksmiths, and alike.

4. Access.

a. Access to the Site will be from Fenton Place as generally depicted on the Rezoning Plan.

5. Streetscape, Landscaping Open Space and Screening:

a. The existing planting strip and sidewalk in place along Fenton Place will remain as allowed by the Optional Provisions and as generally depicted on the Rezoning Plan.

b. The proposed parking along Fenton Place will be located a minimum of 20 feet behind the existing back of curb as generally depicted on the Rezoning Plan.

c. The existing buildings will remain and a minimum setback of 45 feet as measured from the existing back of curb will be provided as generally depicted on the Rezoning Plan.

6. General Design Guidelines:

a. The two (2) parking spaces proposed along Fenton Place will be attractively designed with decorative paving materials to create a parking court yard as generally depicted on the Rezoning Plan. The proposed sidewalk connection from the existing building to Fenton Place will also be designed with decorative paving as generally depicted on the Rezoning Plan.

7. Parking.

a. Parking as generally depicted on the Rezoning Plan and as required by the Ordinance will be provided.

8. Environmental Features:

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance (storm water control ordinance).

b. The Site will comply with the Tree Ordinance.

9. Signage:

a. Signage as allowed by the Ordinance may be provided.

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 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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CHARLOTTE NORTH CAROLINA

Sheet Title
ILLUSTRATIVE PLAN AND NOTES

C. FLEHAN
Drawn By
C. FLEHAN
Date Drawn
06/09/17
CADD Dwg. Name
FENTONSITE.DWG 1"=10'
Revisions
No. Date
No. Date
No. Date
No. Date
No. Date
No. Date
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Project Number

Sheet RZ-1 Of