

**REZONING INFORMATION**

ADDRESS: 529 CHARLES AVE.

CURRENT ZONING: R-5  
PROPOSED REZONING: MUDD-OPTIONAL

CURRENT USE: SINGLE FAMILY HOME - UNOCCUPIED  
PROPOSED USE: RESTAURANT (USE PERMITTED BY RIGHT; SECT. 9.2502) & CATERING BUSINESS (CONDITIONAL USE)

HISTORIC DISTRICT: NO  
S.U.M. STREAM BUFFER: OUT  
FEMA FLOOD ZONE: OUT  
COMMUNITY FLOOD ZONE: OUT

**ACCESSORY USES (SECT. 9.2504)**

- DUMPSITE: SUBJECT TO REGULATIONS OF SECT. 12.403 - PROPOSED SOLID WASTE & RECYCLE CONTAINERS SHOWN ON PLAN
- OUTDOOR LIGHTING: SUBJECT TO REGULATIONS OF SECT. 12.402 - ALL PROPOSED LIGHTINGS WILL COMPLY. FIXTURES WILL BE FULLY SHIELDED WITH FULL CUTOFF TYPE FIXTURE. NO WALL 'PAK' TYPE LIGHTINGS WILL BE ALLOWED. HEIGHT OF LIGHT FIXTURES WILL NOT EXCEED 20'.
- SIGNAGE: ALL PROPOSED SIGNAGE WILL COMPLY WITH ORDINANCE.

**AREA, YARD AND HT. REGULATIONS (SECT. 9.2505)**

- MIN. LOT AREA: NONE REQUIRED
- MIN. SETBACK: 14' MIN. FROM B.O. EXISTING OR PROPOSED CURB, WHICHEVER IS GREATER OR AS SPECIFIED IN A CITY COUNCIL ADOPTED STREETSCAPE PLAN FOR THE STREETS THAT THE PROJECT ABUTS.
- MIN. SIDE YARD: NONE, BUT 10' BLDG. SEPARATION REQ'D. ADJACENT TO A RESIDENTIAL USE. PROPERTY NOT ADJACENT TO RESIDENTIAL USE.
- MIN. REAR YARD: NONE, BUT 10' BLDG. SEPARATION REQ'D. ADJACENT TO A RESIDENTIAL USE. PROPERTY NOT ADJACENT TO RESIDENTIAL USE.
- HEIGHT: EXISTING SINGLE STORY HOUSE - PETITIONER MAY DESIRE TO INCREASE HEIGHT OF EXISTING HOUSE TO 2-STORIES.

**URBAN DESIGN AND DEVELOPMENT STANDARDS (SECT. 9.2506)**

1) DEVELOPMENT WILL BE BUILT IN ACCORDANCE WITH THE MIN. URBAN DESIGN STDS. IN THIS SECTION AND THE THE PROPOSED CONDITIONS FOR MUDD-OPTIONAL ZONING AS SPECIFIED IN SECT. 9.2508.

**2) STREETSCAPE DESIGN STANDARDS**

- STREET WALLS: N/A
  - SCREENING REQ'D. PER SECT 12.303. THIS PROJECT IS A CHANGE OF USE WHICH REQUIRES THAT ALL SCREENING REQUIREMENTS BE MET.
  - CONFORMANCE W/APPROVED STREETSCAPE PLAN OR W/THE STDS. OF SECT. 9.2506 PROVISIONS - THERE IS NO APPROVED STREETSCAPE PLAN FOR N. DAVIDSON ST. OR MATHESON AVE.
  - STREET TREES - PETITIONER WILL COMPLY WITH REQUIREMENTS FOR STREET TREES - SEE OPTIONS BELOW.
  - REFLECTIVE SURFACES - PROJECT WILL COMPLY.
  - TRANSPORTATION CORRIDOR RIGHTS-OF-WAY - R/W SHOWN PLAN - NOTE: EXISTING 14' AND 10' SETBACKS ARE SHOWN W/ REF. TO N. DAVIDSON ST & MATHESON AVE. WE REQUEST AS A CONDITION OF THIS REZONING THAT THE EXISTING STRUCTURE REMAIN IN ITS NON-CONFORMING STATE & THAT NEW CONSTRUCTION (THE PATIO) BE ALLOWED TO EXTEND TO THE 10' SETBACK LINE ALONG THE MATHESON AVE R/W.
  - BUILDING ENTRANCES - ENTRANCE SHOWN ON PLAN.
  - BASE OF HIGH RISE BLDG.: N/A
- EXISTING BLDGS. AND PLACES: THIS PROJECT INCORPORATES THE ADAPTIVE REUSE OF AN EXISTING STRUCTURE.
  - URBAN OPEN SPACES: N/A FOR EXISTING BUILDING
  - PRELIMINARY REVIEW: CONCEPTUAL DESIGN: T.B.D. DESIGN DEVELOPMENT: T.B.D.
  - CANOPIES AND OTHER BLDG. ENTRANCES: BLDG ENTRANCE SHOWN OFF OF PROPOSED PATIO (REUSING EXISTING HOUSE ENTRANCE) SECONDARY / MEANS OF EGRESS SHOWN FROM EXISTING PORCH
  - VALET PARKING: N/A

**PARKING AND LOADING STANDARDS (SECT. 9.2507)**

MIN. PARKING REQUIRED FOR PROPOSED USE: 1 SPACE PER 600 G.S.F.  
PROPOSED PARKING: 2,146 SF (1,416 SF EXISTING HOUSE + 730 SF PATIO)/214.5 SF/PARKING SPACE = 8. PARKING SPACES (SHOWN ON SITE PLAN).

NOTE: EXISTING SITE IS 0.20 ACRES AND WILL COMPLY WITH THE POST CONSTRUCTION CONTROLS ORDINANCE FOR STORM WATER.

NOTE: INITIAL INVESTIGATION AS TO ADEQUATE SIGHT DISTANCE FROM THE PROPOSED DRIVEWAY IS ACCEPTABLE FOR FULL-MOVEMENT ACCESS.

NOTE: PETITIONER WILL CONVEY 60' RIGHT-OF-WAY IN FEE SIMPLE TITLE FOR N. DAVIDSON ST. TO MEET REQUIREMENTS OF CDOT.

NOTE: PETITIONER WILL MEET APPLICABLE STANDARDS IN THE CHARLOTTE LAND DEVELOPMENT STANDARDS MANUAL - LATEST REVISION.

**OPTIONAL CONDITIONS REQUESTED BY THE PROPERTY OWNER/PETITIONER.**

- AS AN OPTIONAL REQUEST OF THIS REZONING, PETITIONER REQUESTS TO ALLOW AN ENCROACHMENT OF THE EXISTING BUILDING & NEW PATIO INTO THE 14' SETBACK.

- THE PETITIONER GRANTS TO CDOT A 2-FOOT EASEMENT ALONG THE SIDEWALK.

CURRENT ZONING: I-2  
CURRENT LISTED USE: WAREHOUSE

NEWTON D. MARTIN  
TAX #08306809  
8141-479

NOTE: THE PETITIONER WILL SUBMIT A SOLID WASTE MANAGEMENT PLAN TO MECKLENBURG COUNTY SOLID WASTE PRIOR TO INITIATING LAND CLEARING, DEMOLITION, AND/OR CONSTRUCTION ACTIVITIES.

NOTE: PARKING AREA, SIDEWALK, PLANTING STRIP, LOCATION OF DUMPSTER, AND BIKE PARKING HAVE ALL BEEN REVISOR, BUT NOT CLOUDED FOR CLARITY OF THE DRAWINGS.

NOTE: THE PETITIONER WILL SUBMIT DRIVEWAY PERMIT TO CDOT FOR APPROVAL AND APPROVAL AN ENCROACHMENT AGREEMENT MUST BE APPROVED BY CDOT PRIOR TO CONSTRUCTION ON THE SITE.

NOTE: THERE ARE NO DRIVEWAYS ON THE OPPOSITE SIDE OF N. DAVIDSON ST. ALONG AND OPPOSITE THE PETITIONER'S PROPERTY

- LEGEND**
- NEW CONC. SIDEWALK
  - NEW PLANTER
  - NEW PATIO
  - NEW GRAVEL WALK
  - PLANTED / GREEN SPACE
  - ELECTRIC SERVICE
  - TELEPHONE SERVICE

**PROPOSED SITE PLAN**  
SCALE: 1/16" = 1'-0"

NOTE: THIS PLAN SHOWS EXISTING GRADING ONLY - NOT PROPOSED GRADING.

REVISIONS INDICATED W/CLOUD.  
REVISION DATE: SEPTEMBER 09, 2008.

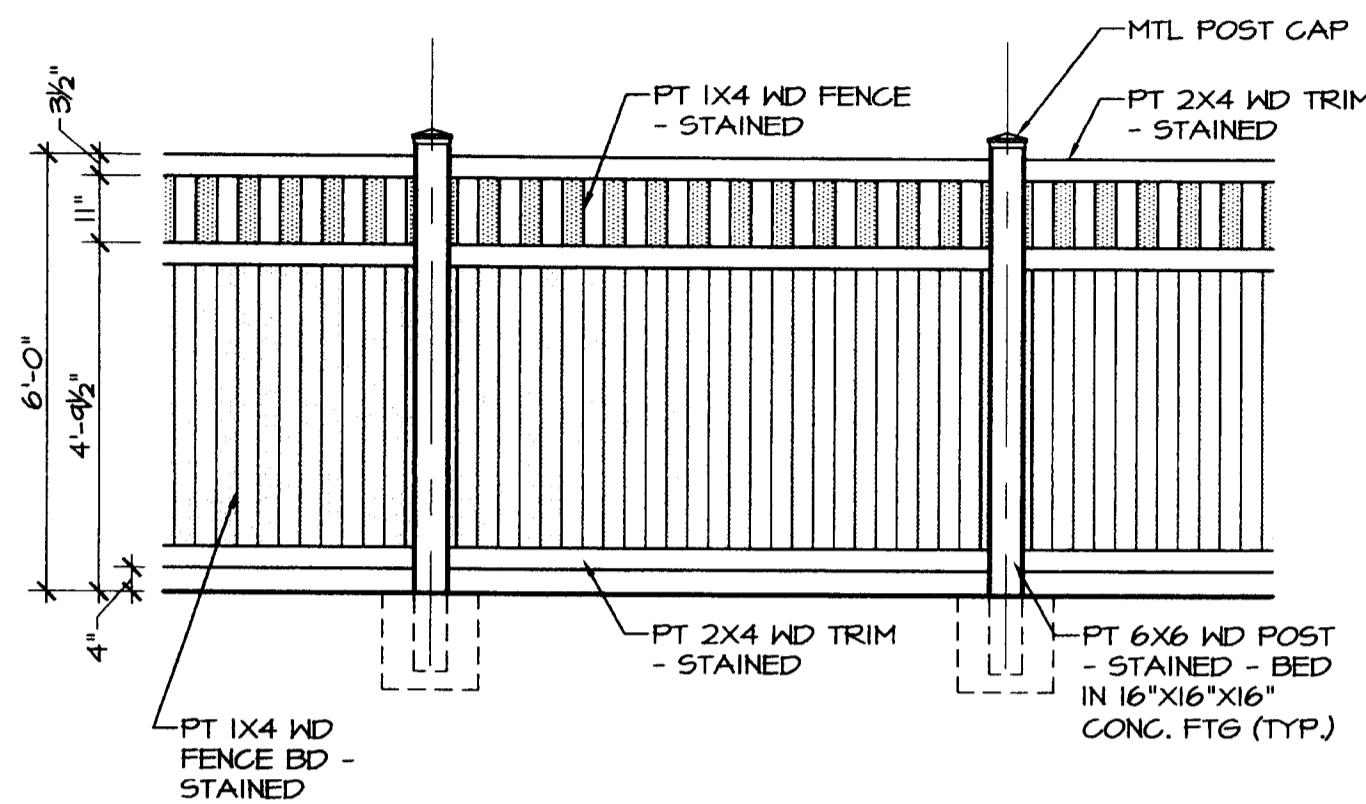
REVISIONS  
NOV. 14, 2008

REVISIONS  
NOV. 3, 2008

REVISIONS  
OCT. 17, 2008

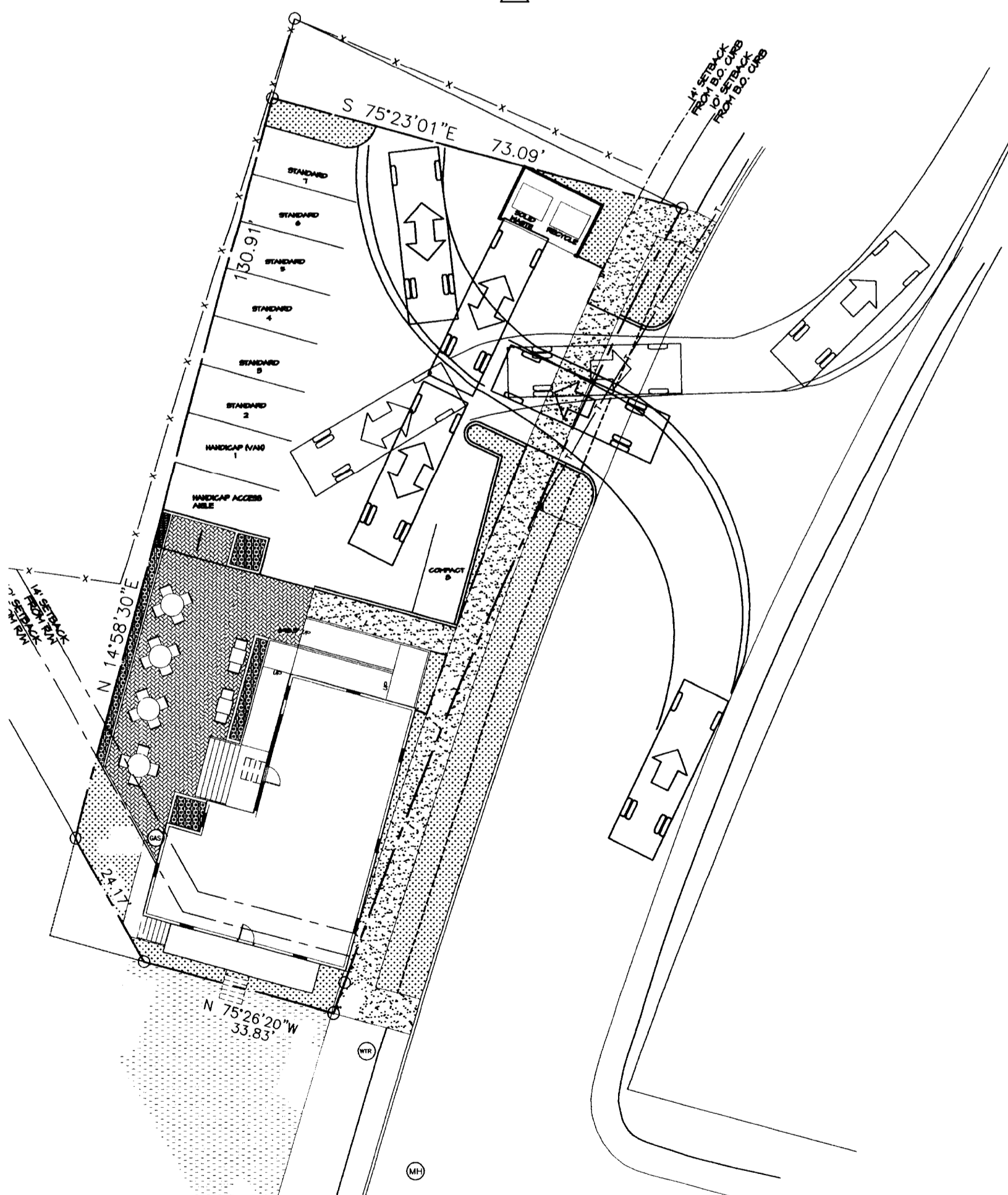
SEPT 12, 2008

**REZONING PETITION NO. 2008-130**



SCREEN FENCE DETAIL  
SCALE: 3/8" = 1'-0"

NOTE: PETITIONER WILL SPECIFY THAT THE WASTE COLLECTION VEHICLE WILL BE A FRONT-LOADING VEHICLE AND MAKE THIS PART OF THE CONTRACT FOR WASTE COLLECTION SERVICE.



DUMPSTER TRUCK SITE ACCESS DIAGRAM  
SCALE: N.T.S.

P/LOT 145  
AREA = 0.20 ACRE  
TAX#08306812  
MAP BOOK 6-899  
21351-22

NOTE: EXISTING STAIR (SHOWN DASHED - TO BE REMOVED) EXTENDED OVER PROPERTY LINE. PETITIONER PROPOSES RELOCATING STAIR AS SHOWN W/ GRAVEL WALK TO PROPOSED PATIO.

NOTE: EXISTING GRAVEL DRIVE AREA - SHOWN HATCHED - SEE OPTIONAL CONDITIONS REQUESTED NOTES

APPROVED BY CITY COUNCIL  
DEC 15 2008

**PROPOSED RE-ZONING OF: 529 CHARLES AVE. - NODA**

2108 SOUTH BLVD SUITE 110, CHARLOTTE NC 28203 PHONE: (704)332-6763 FAX: (704)334-0262

