



Charlotte-Mecklenburg Planning Department

DATE: October 29, 2019

TO: Sonja Sanders
Zoning Supervisor

FROM: Taiwo Jaiyeoba
Planning Director

SUBJECT: Administrative Approval for Petition No. 2015-039 DAMBCA, 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 the development of townhomes instead of apartments.

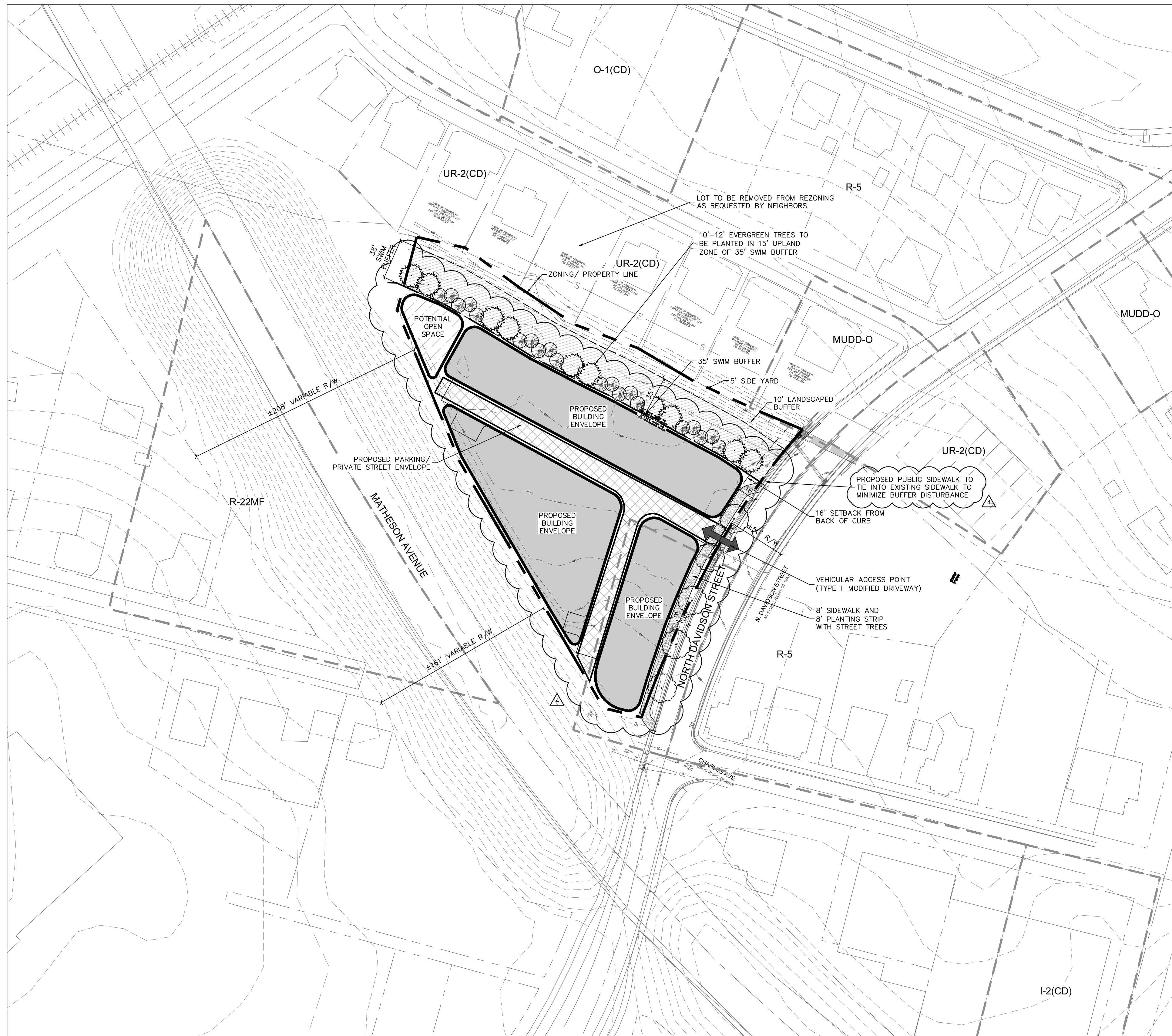
Staff supports of the request because:

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

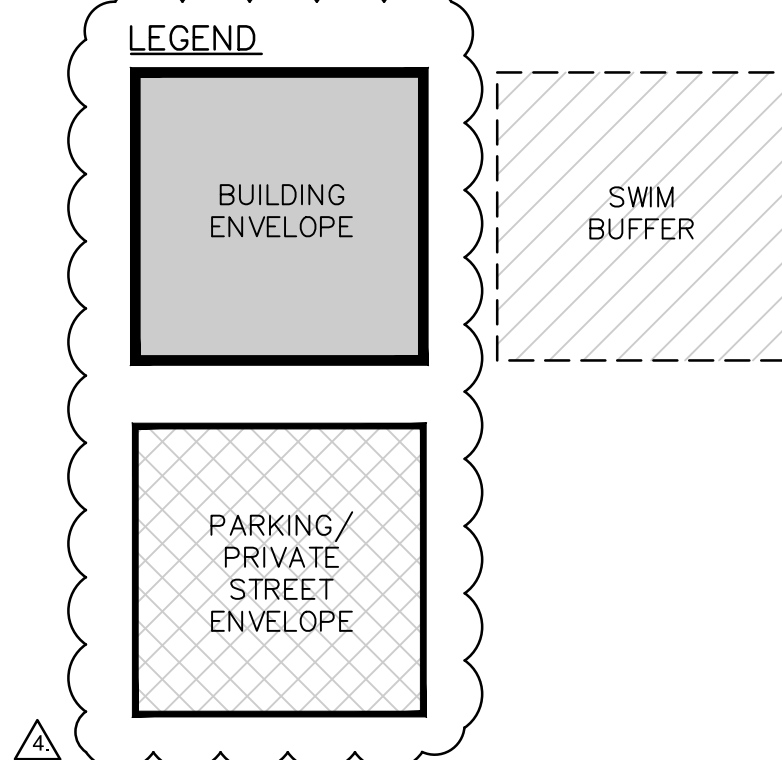
Note:

All other Zoning, PCSO, Subdivision, Tree Ordinances and conditional requirements still apply.

Signage was not reviewed as part of this request.



SITE DATA	
ACREAGE:	±1.52 ACRES
TAX PARCEL #:	PORTION OF 083-068-09 & 083-068-12
EXISTING ZONING:	I-2, MUDD-O
PROPOSED ZONING:	TOD-MO
EXISTING USE:	INDUSTRIAL/COMMERCIAL, SINGLE FAMILY RESIDENTIAL
PROPOSED USE:	TOWNHOMES
MAXIMUM BUILDING HEIGHT:	WILL BE PROVIDED AS REQUIRED BY ORDINANCE
PARKING:	
RESIDENTIAL:	1 SPACE PER BEDROOM
URBAN OPEN SPACE:	WILL BE PROVIDED AS REQUIRED BY ORDINANCE



DEVELOPMENT STANDARDS

OCTOBER 18, 2019

GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY DAMBCA ENTERPRISES, LLC (THE "PETITIONER") TO ACCOMMODATE TOWNHOME DEVELOPMENT ON APPROXIMATELY 1.52 ACRE SITE LOCATED ON THE NORTHWEST QUADRANT OF THE INTERSECTION OF MATHESON AVENUE AND NORTH DAVIDSON STREET, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE").
- B. THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"), SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE TOD-MO ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- C. THE DEVELOPMENT AND USES DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS. PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
- D. PARKING LAYOUTS AND DRIVEWAYS MAY BE MODIFIED TO ACCOMMODATE THE FINAL BUILDING LOCATION. SIDEWALKS GENERALLY DEPICTED ON THE REZONING PLAN ARE INTENDED TO REFLECT THE GENERAL PEDESTRIAN CIRCULATION FOR DEVELOPMENT ON THE SITE BUT THE SPECIFIC LOCATIONS OF SUCH SIDEWALKS MAY BE SUBJECT TO VARIATIONS THAT DO NOT MATERIALLY CHANGE THE DESIGN INTENT GENERALLY DEPICTED ON THE REZONING PLAN.
- E. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

OPTIONAL PROVISIONS

- THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE DEVELOPMENT OF THE SITE:
- A. THE MAXIMUM HEIGHTS OF THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE AS PROVIDED ON THE BUILDING HEIGHT EXHIBIT ATTACHED TO THE REZONING PLAN AS SHEET RZ-5.0.
 - B. THE BUILDING HEIGHT EXHIBIT DESIGNATES THE MAXIMUM HEIGHTS OF THE PARAPET OF THE BUILDING ALONG THE EDGES OR PERIMETER OF THE BUILDING. THE ROOF OF THE BUILDING WILL BE BELOW THE IMMEDIATELY ADJACENT PARAPET OF THE BUILDING. THE HEIGHTS OF THE PARAPET ARE MEASURED FROM THE AVERAGE GRADE AT THE BASE OF THE BUILDING TO THE TOP OF THE PARAPET.
 - C. A "NODA" SIGN SHALL BE INSTALLED BY PETITIONER ON THE SOUTHEAST CORNER OF THE BUILDING AS GENERALLY DEPICTED ON THE CONCEPTUAL ARCHITECTURAL RENDERING OF THE NORTH DAVIDSON STREET ELEVATION OF THE BUILDING. THE "NODA" SIGN SHALL NOT EXCEED 36 SQUARE FEET IN SIZE. IN ADDITION TO THE "NODA" SIGN, PETITIONER MAY INSTALL ANY OTHER SIGNS ON THE BUILDING OR ON THE SITE THAT ARE PERMITTED IN THE TOD-M ZONING DISTRICT, AND THE "NODA" SIGN SHALL NOT COUNT TOWARDS THE MAXIMUM NUMBER OF SIGNS ALLOWED ON THE BUILDING OR ON THE SITE OR TOWARDS THE TOTAL MAXIMUM SIGN SURFACE AREA ALLOWED. THE DESIGN OF THE "NODA" SIGN MAY VARY FROM THE DESIGN DEPICTED ON THE CONCEPTUAL ARCHITECTURAL RENDERING OF THE NORTH DAVIDSON STREET ELEVATION OF THE BUILDING.
 - D. THE TOTAL MAXIMUM SIGN SURFACE AREA OF THE SIGNS INSTALLED ON THE BUILDING MAY EXCEED THE MAXIMUM ALLOWED UNDER THE ORDINANCE BY 15%. AS NOTED ABOVE, THE SIGN SURFACE AREA OF THE "NODA" SIGN SHALL NOT COUNT TOWARDS THE TOTAL MAXIMUM SIGN SURFACE AREA ALLOWED.

PERMITTED USES

- A. THE SITE MAY BE DEVOTED TO MULTI-FAMILY RESIDENTIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE TOD-M ZONING DISTRICT, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE TOD-M ZONING DISTRICT. INCIDENTAL AND ACCESSORY USES TO THE MULTI-FAMILY RESIDENTIAL USES MAY INCLUDE, WITHOUT LIMITATION, A LEASING AND MANAGEMENT OFFICE AND AMENITIES FOR THE RESIDENTS SUCH AS A FITNESS CENTER AND SHALL BE CONSIDERED TO BE PART OF THE RESIDENTIAL USE.
- B. NOTWITHSTANDING ANYTHING CONTAINED HEREIN TO THE CONTRARY, A MAXIMUM OF 29 TOWNHOME UNITS MAY BE LOCATED ON THE SITE.

TRANSPORTATION

- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINT ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
- B. WITH RESPECT TO THE RESIDENTIAL COMPONENT OF THE BUILDING TO BE CONSTRUCTED ON THE SITE, A MINIMUM OF 1 PARKING SPACE PER BEDROOM SHALL BE PROVIDED ON THE SITE.
- C. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AREAS AND THE DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

STREETScape/LANDSCAPING/BUFFERS/OPEN SPACE

- A. THE SITE WILL COMPLY WITH THE TOD-M STANDARDS WITH RESPECT TO THE STREETScape ALONG THE SITE'S FRONTAGE ON PUBLIC STREETS.
- B. THE DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE APPLICABLE LANDSCAPING, SCREENING AND BUFFER REQUIREMENTS OF THE ORDINANCE.
- C. URBAN OPEN SPACE WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.
- D. PETITIONER SHALL INSTALL WITHIN THE 15 FOOT UPLAND ZONE PORTION OF THE 35 FOOT WIDE SWIM BUFFER EVERGREEN TREES AS DEPICTED ON SHEET RZ-2.0. THE EVERGREEN TREES SHALL HAVE A MINIMUM HEIGHT OF 10 TO 12 FEET AT INSTALLATION, AND THE EVERGREEN TREES SHALL BE INSTALLED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE.

ARCHITECTURAL AND DESIGN STANDARDS

- A. THE MAXIMUM HEIGHTS OF THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL COMPLY WITH ORDINANCE REQUIREMENTS.
- B. SET OUT ON SHEETS RZ-3.0 ARE CONCEPTUAL ARCHITECTURAL ELEVATIONS OF THE BUILDINGS TO BE CONSTRUCTED ON THE SITE THAT ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF EACH ELEVATION OF SUCH BUILDINGS. ACCORDINGLY, THE ELEVATIONS OF THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE DESIGNED AND CONSTRUCTED SO THAT EACH ELEVATION IS SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE RELEVANT CONCEPTUAL ARCHITECTURAL ELEVATIONS SET OUT ON SHEET RZ-3.0 WITH RESPECT TO ARCHITECTURAL STYLE AND CHARACTER. NOTWITHSTANDING THE FOREGOING, CHANGES AND ALTERATIONS TO THE ELEVATIONS OF THE BUILDING TO BE CONSTRUCTED ON THE SITE WHICH DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER SHALL BE PERMITTED.
- C. AS DEPICTED ON THE CONCEPTUAL ARCHITECTURAL RENDERING OF THE NORTH DAVIDSON STREET ELEVATION OF THE BUILDING, FOUR DISPLAY ENCLOSURES OR CASES SHALL BE LOCATED ON THIS ELEVATION OF THE BUILDING FOR THE DISPLAY OF MURALS AND/OR ART WORK PROVIDED BY LOCAL ARTISTS OR OTHERS.
- D. SPACE WILL BE RESERVED ON THE MATHESON AVENUE EDGE OF THE SITE FOR A POTENTIAL SCULPTURE. PETITIONER SHALL NOT BE REQUIRED TO PROVIDE OR INSTALL A SCULPTURE ON THE SITE, BUT SHALL BE REQUIRED TO RESERVE A SPACE FOR A SCULPTURE IF PROVIDED BY LOCAL ARTISTS OR OTHERS.
- E. THE EXTERIOR BUILDING MATERIALS FOR THE BUILDING TO BE CONSTRUCTED ON THE SITE WILL BE A COMBINATION OF THE FOLLOWING: BRICK ALONG THE BASE OF THE BUILDING, CEMENTITIOUS SIDING, CORRUGATED METAL SIDING, METAL GRATES, METAL CANOPIES, METAL RAILINGS AND/OR ALUMINUM RAILINGS, ALUMINUM STOREFRONT AND A METAL STANDING SEAM ROOF. VINYL AS AN EXTERIOR BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS AND SOFFITS.
- F. ALL ROOF MOUNTED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHTS-OF-WAY AND ABUTTING PROPERTIES AS VIEWED FROM GRADE.
- G. DUMPSTER AND RECYCLING AREAS WILL BE ENCLOSED ON ALL FOUR SIDES BY AN OPAQUE WALL OR FENCE WITH ONE SIDE BEING A HINGED OPAQUE GATE. IF ONE OR MORE SIDES OF A DUMPSTER AND RECYCLING AREA ADJOIN A SIDE WALL OR REAR WALL OF A BUILDING, THEN THE SIDE WALL OR REAR WALL OF THE BUILDING MAY BE SUBSTITUTED FOR THE WALL OR FENCE ALONG EACH SUCH SIDE. ALTERNATIVELY, SUCH FACILITIES MAY BE LOCATED WITHIN OR UNDER THE STRUCTURES PROPOSED TO BE CONSTRUCTED ON THE SITE.

ENVIRONMENTAL FEATURES

- A. THE 20 FOOT STREAMSIDE ZONE PORTION OF THE 35 FOOT WIDE SWIM BUFFER SHALL REMAIN UNDISTURBED.

SIGNS

- A. SUBJECT TO THE OPTIONAL PROVISIONS, ALL SIGNS INSTALLED ON THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE ORDINANCE.
- B. PETITIONER SHALL INSTALL A "NODA" SIGN ON THE SOUTHEAST CORNER OF THE BUILDING AS GENERALLY DEPICTED ON THE CONCEPTUAL ARCHITECTURAL RENDERING OF THE NORTH DAVIDSON STREET ELEVATION OF THE BUILDING. THE "NODA" SIGN SHALL NOT EXCEED 36 SQUARE FEET IN SIZE. IN ADDITION TO THE "NODA" SIGN, PETITIONER MAY INSTALL ANY OTHER SIGNS ON THE BUILDING OR ON THE SITE THAT ARE PERMITTED IN THE TOD-M ZONING DISTRICT, AND THE "NODA" SIGN SHALL NOT COUNT TOWARDS THE MAXIMUM NUMBER OF SIGNS ALLOWED ON THE BUILDING OR ON THE SITE OR TOWARDS THE TOTAL MAXIMUM SIGN SURFACE AREA ALLOWED. THE DESIGN OF THE "NODA" SIGN MAY VARY FROM THE DESIGN DEPICTED ON THE CONCEPTUAL ARCHITECTURAL RENDERING OF THE NORTH DAVIDSON STREET ELEVATION OF THE BUILDING.

LIGHTING

- A. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING STREET LIGHTS, LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS AND PARKING AREAS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
- B. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE SHALL BE 20 FEET.
- C. ANY LIGHTING FIXTURES ATTACHED TO THE BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS.

- A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
- B. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.
- C. ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.

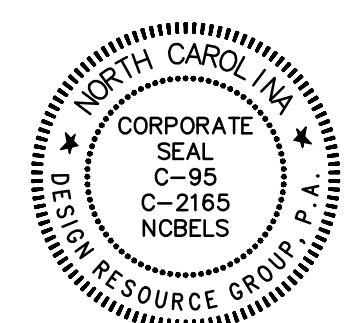
Attached to Administrative
Approval

Solomon A. Fortune \$F
Solomon A. Fortune



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704.343.0608
www.drgroup.com

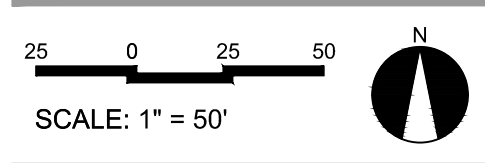


MATHESON
CHARLOTTE, NORTH CAROLINA
DAMBCA ENTERPRISES, LLC
4492 RICHMOND HILL DR.
MURRELLS INLET, SC 29576

REZONING DOCUMENTS

REZONING
PETITION
#2015-039

**TECHNICAL
DATA SHEET**



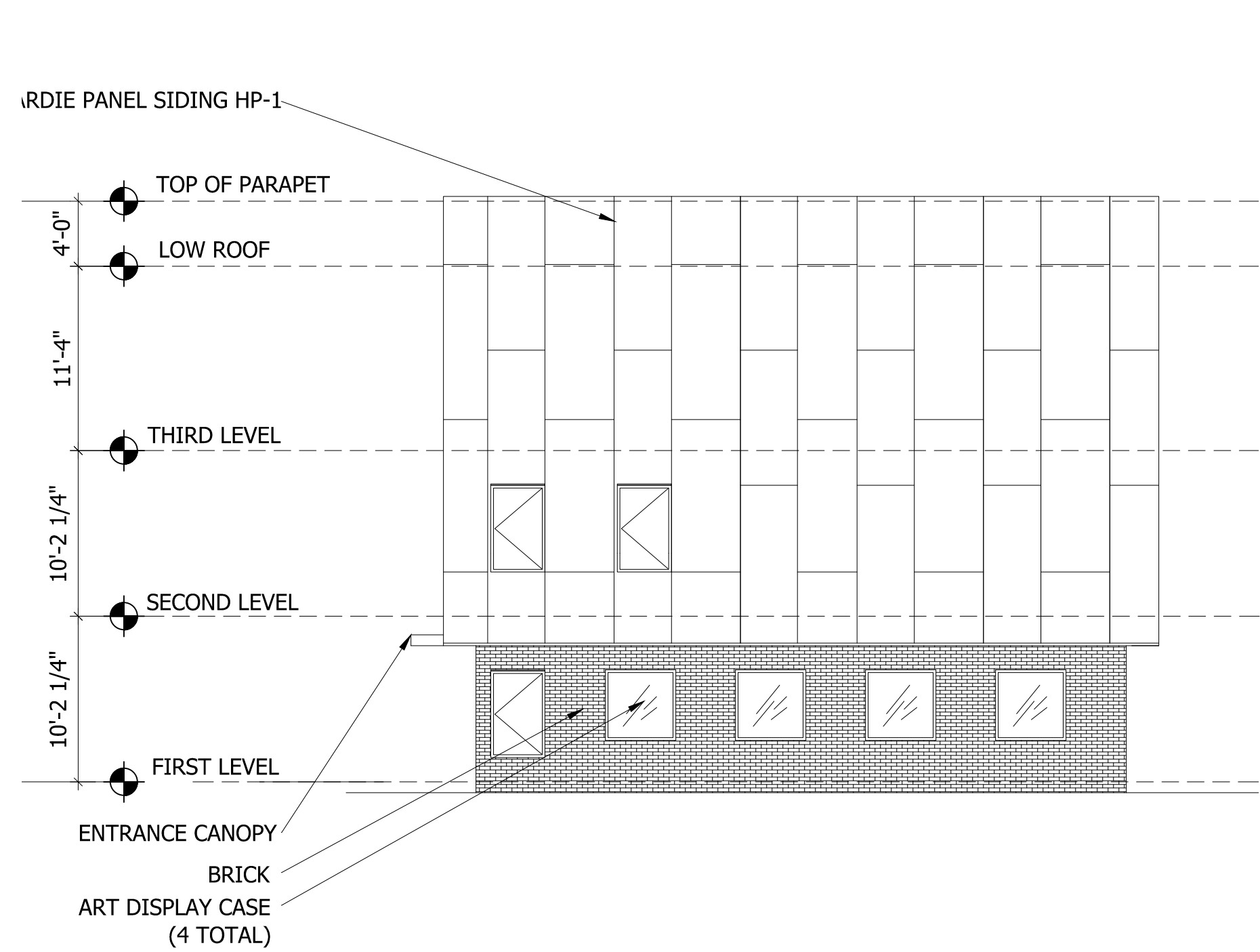
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MARCH 23, 2015

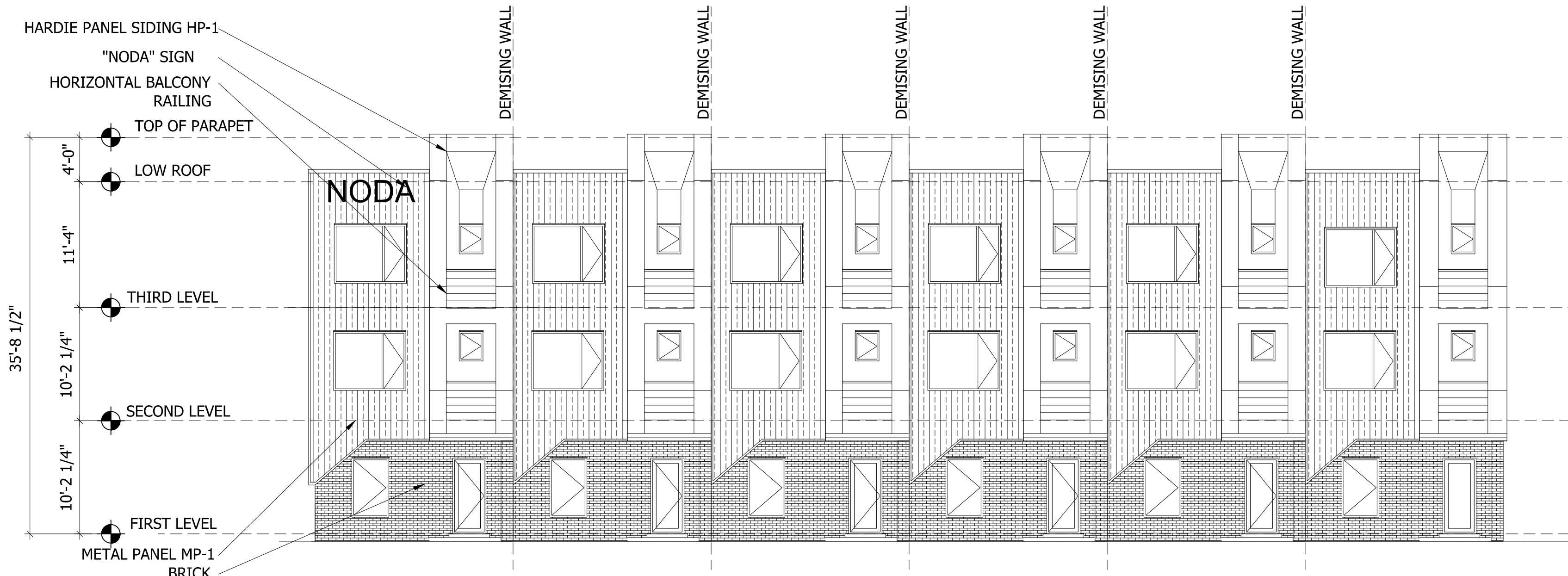
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1. 05/15/15 PER CMPC COMMENTS AND NEIGHBORHOOD INPUT
 2. 06/19/15 PER CMPC COMMENTS AND NEIGHBORHOOD INPUT
 3. 07/08/15 PER CMPC COMMENTS
 4. 10/07/15 ADMINISTRATIVE APPROVAL
 5. 10/18/15 PER ADMIN. APPROVAL COMMENTS

Tuesday, October 08, 2019 | 3:35pm | N:\Data\Fiorezza\Noda\Matheson\ZONING Elevations.dwg

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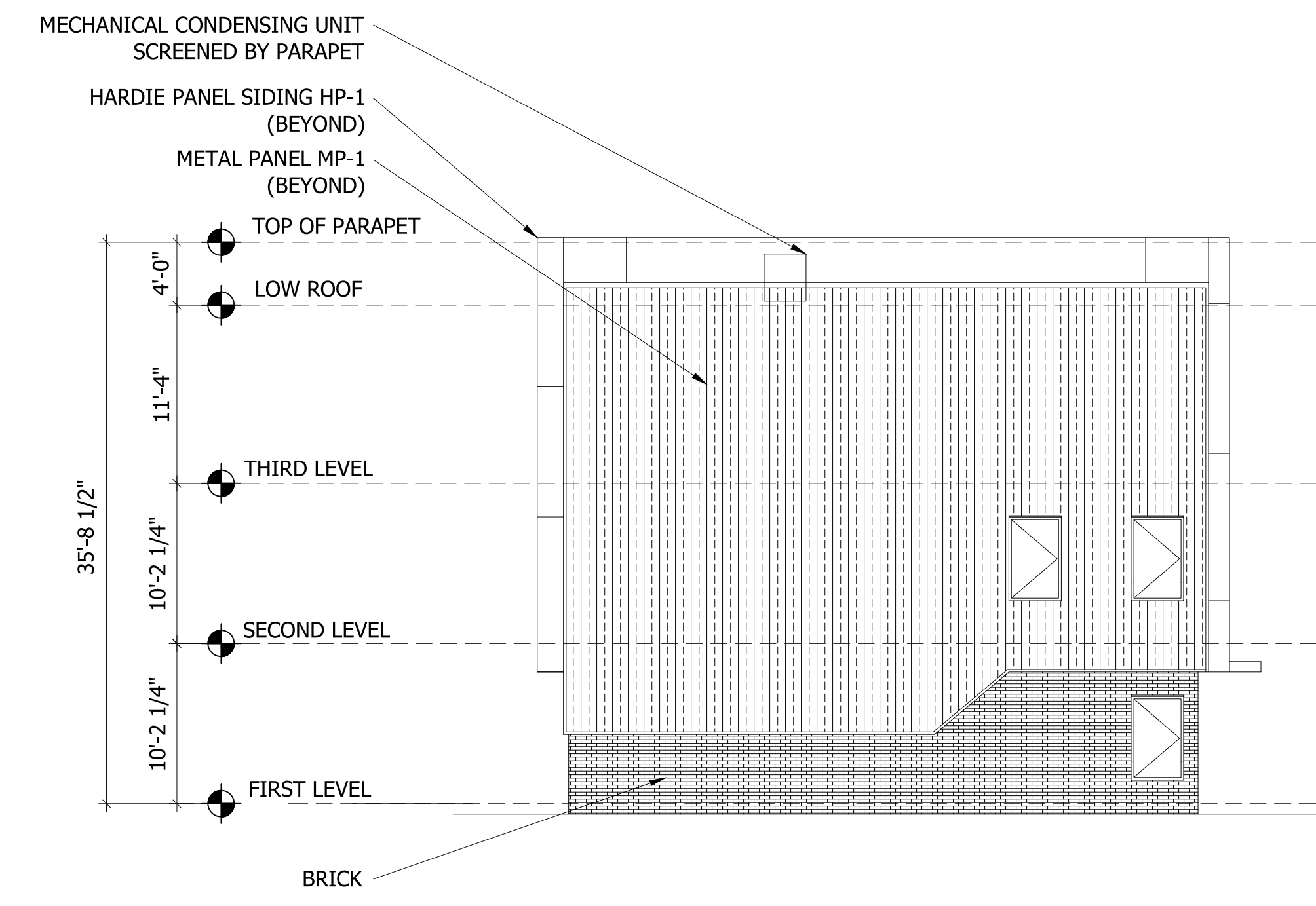
4 RIGHT SIDE ELEVATION
RZ3.0 SCALE: 1/8" = 1'-0"



3 FRONT ELEVATION
RZ3.0 SCALE: 1/8" = 1'-0"



1 ALLEY / GARAGE SIDE ELEVATION
RZ3.0 SCALE: 1/8" = 1'-0"



2 LEFT SIDE ELEVATION
RZ3.0 SCALE: 1/8" = 1'-0"

Attached to Administrative
Approval

Solomon A. Fortune SF
Solomon A. Fortune

INTEC

INTEC Group, Inc.
214 W. TREMONT AVENUE
SUITE 301
CHARLOTTE, NC 28203
P: 704.372.7910
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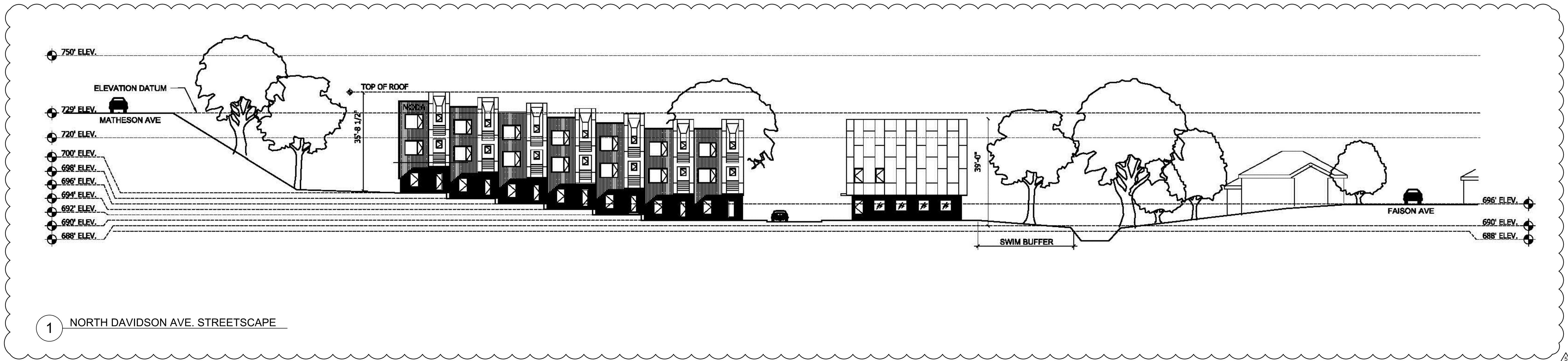
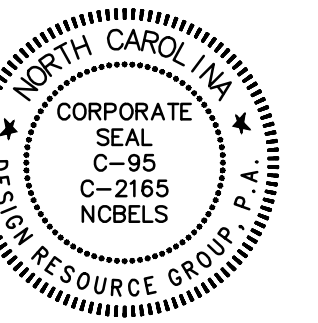
DRAWING LOG

SHEET INFORMATION
DATE OF DRAWING: 10/7/2019
DRAWN BY:
JOB NUMBER:

RZ3.0

Attached to Administrative
Approval

Solomon A. Fortune \$F
Solomon A. Fortune

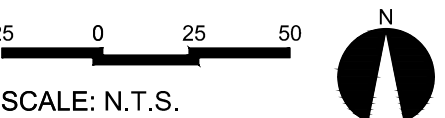


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REZONING DOCUMENTS

REZONING
PETITION
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**BUILDING
HEIGHT
ELEVATION**



SCALE: N.T.S.

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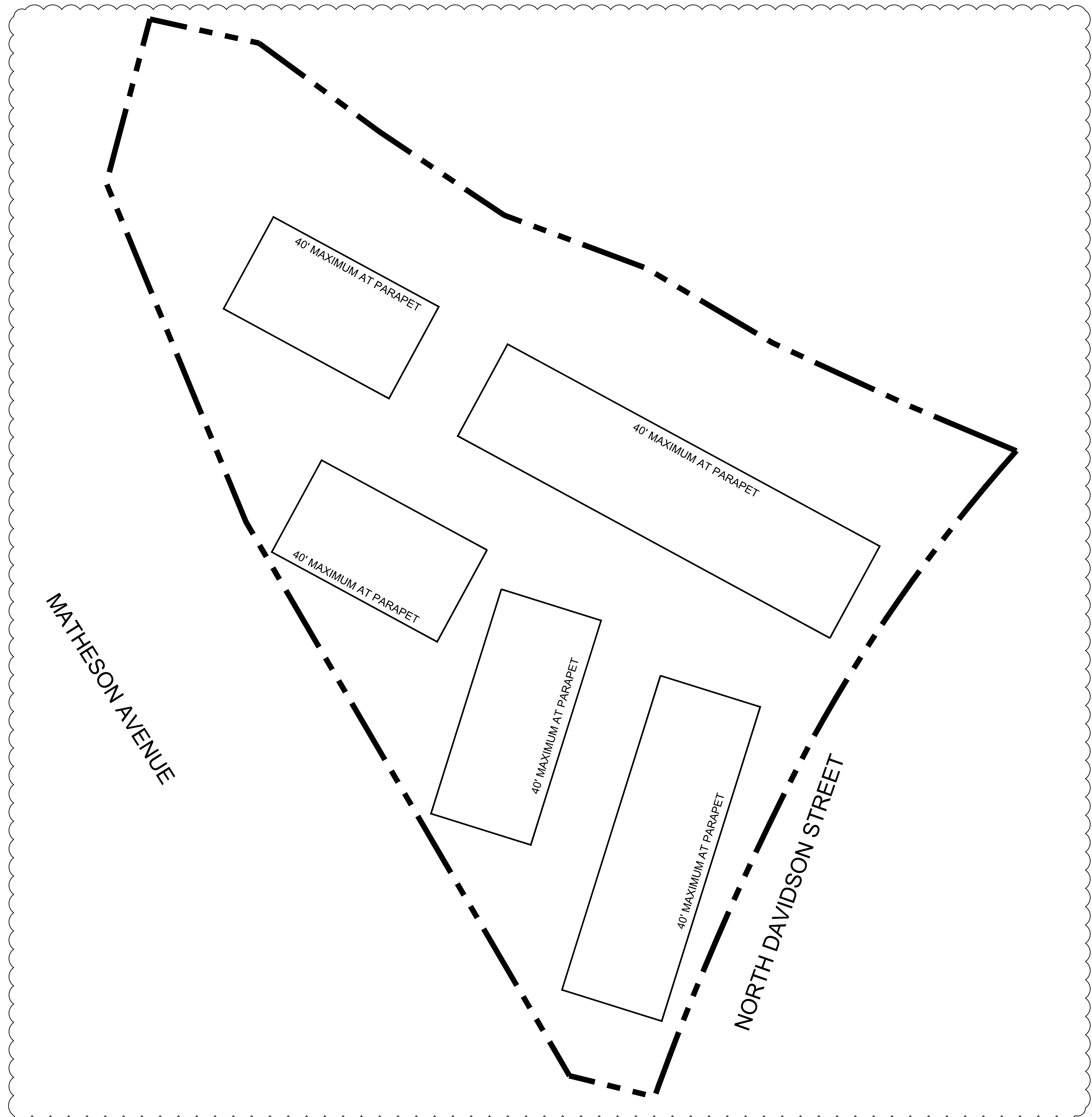
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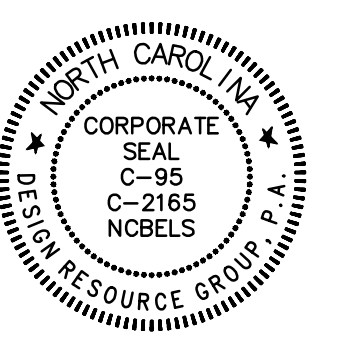
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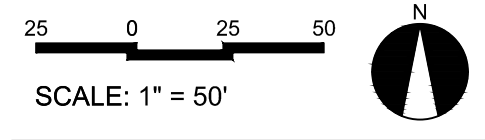


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REZONING DOCUMENTS

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BUILDING
HEIGHT
EXHIBIT



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RZ5.0