

DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY C.O. ACKERMAN, JR. (THE "PETITIONER") TO AMEND THE EXISTING APPROVED O-1 (GD) CONDITIONAL REZONING PLAN (REZONING PETITION NO. 2005-40) (THE "ORIGINAL PLAN") FOR AN APPROXIMATELY 3.619 ACRE SITE LOCATED ON THE NORTH SIDE OF SHOPTON ROAD AND DESIGNATED AS TAX PARCEL NO. 141-071-05, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER, THE "SITE").
- B. THE SITE WAS REZONED TO THE O-1 (GD) ZONING DISTRICT BY THE CHARLOTTE CITY COUNCIL IN 2005 (SEE REZONING PETITION 2005-40) TO ACCOMMODATE PETITIONER'S USE OF THE SITE FOR OPERATION OF A LAW PRACTICE WITHIN THE CURRENTLY HISTORICALLY DESIGNATED RESIDENCE, AND CONSTRUCTION OF A FUTURE GARAGE/OFFICE ADDITION ON THE SITE IN THE AREA OF DEVELOPMENT INDICATED ON THE PLAN (THE "APPROVED FUTURE OFFICE BUILDING"). PURSUANT TO THIS REZONING PETITION THE PETITIONER IS REQUESTING AN AMENDMENT OF THE ORIGINAL PLAN TO ACCOMMODATE USE OF THE HISTORICALLY DESIGNATED RESIDENCE AND THE APPROVED FUTURE OFFICE BUILDING FOR GENERAL AND PROFESSIONAL OFFICE USES AND ANY INCIDENTAL OR ACCESSORY USES ALLOWED IN THE O-1 ZONING DISTRICT, AND ALSO TO ACCOMMODATE THE CONVERSION AND USE OF THE EXISTING OPEN AIR POLE BARN CONSTRUCTED ON THE SITE BY PETITIONER TO AN ENCLOSED (I.E. WALLED) STORAGE BUILDING, WHICH WILL BE AN ACCESSORY USE TO THE PRINCIPAL OFFICE USES ON THE SITE.
- C. THE EXISTING USE AND 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") FOR THE O-1 ZONING DISTRICT UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THESE DEVELOPMENT STANDARDS OR THE REZONING PLAN.
- D. THE PLACEMENT AND SIZE OF THE APPROVED FUTURE OFFICE BUILDING FOOTPRINT AND PARKING AREA ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES; PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT 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.

2. PERMITTED USES

- A. THE SITE MAY BE DEVOTED TO GENERAL AND PROFESSIONAL OFFICE USES AND ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE ALLOWED IN THE O-1 ZONING DISTRICT.

3. DEVELOPMENT LIMITATIONS

- A. IT IS THE INTENT OF THE REZONING TO PRESERVE THE HISTORIC LANDMARK "JAMES MORROW COFFEE HOUSE AND GROUNDS" AS DESCRIBED IN THE HISTORIC DESIGNATION DATED JUNE 14, 2001, BY USING THE MAIN STRUCTURE (THE "2 STORY HOUSE") FOR THE USES PERMITTED HEREBY. ANY ALTERATIONS TO OR EXPANSIONS OF THE 2 STORY HOUSE SHALL BE PERMITTED ONLY AS ALLOWED BY THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICE OR ANY OTHER APPLICABLE REGULATING AGENCY. ALL OTHER EXISTING STRUCTURES ON THE SITE DESIGNATED AS A HISTORIC LANDMARK SHALL REMAIN IN PLACE AND MAY BE ALTERED OR EXPANDED ONLY AS ALLOWED BY THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICE OR ANY OTHER APPLICABLE REGULATING AGENCY.

4. TRANSPORTATION

- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF EACH 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. PETITIONER WILL DEDICATE AND CONVEY TO CDOT RIGHT-OF-WAY TOTALING 35' FROM THE CENTERLINE OF SHOPTON ROAD.
- C. OFF-STREET VEHICULAR PARKING SHALL BE PROVIDED ON THE SITE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE. FOR THE 2 STORY HOUSE, PARKING WILL BE PROVIDED BY THE EXISTING GRAVEL DRIVE, GRAVEL TURNAROUND AREA, AND GRAVEL PARKING AREA ADJACENT TO THE 2 STORY HOUSE AS DEPICTED ON THE REZONING PLAN. PARKING MAY BE EXPANDED TO THE APPROVED FUTURE OFFICE BUILDING, WHEN CONSTRUCTED, AND AN ASPHALT APRON MAY BE USED IN FRONT OF THE APPROVED FUTURE OFFICE BUILDING, AS INDICATED ON THE REZONING PLAN.

- D. BECAUSE THE ENCLOSED STORAGE BUILDING MAY BE USED ONLY FOR STORAGE ACCESSORY TO THE PERMITTED PRINCIPAL USES ON THE SITE, PARKING FOR ITS USE WILL NOT BE PROVIDED.

- E. ALL TRANSPORTATION IMPROVEMENTS WILL BE CONSTRUCTED AND APPROVED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED OR PHASED PER THE SITE'S DEVELOPMENT PLAN.

5. ARCHITECTURAL AND DESIGN STANDARDS

- A. THE APPROVED FUTURE OFFICE BUILDING SHALL BE COMPATIBLE WITH THE HISTORIC NATURE OF THE 2 STORY HOME, USING RESIDENTIAL MATERIALS (MASONRY FOUNDATION, SIDING, SHINGLE OR "TIN" ROOF, RESIDENTIAL WINDOWS AND GARAGE DOORS). PRIOR TO THE ISSUANCE OF A BUILDING PERMIT OR OTHER APPROVALS AUTHORIZING THE CONSTRUCTION OF THE APPROVED FUTURE OFFICE BUILDING, THE PETITIONER SHALL APPLY TO THE CHARLOTTE-MECKLENBURG HISTORIC LANDMARKS COMMISSION FOR ITS REVIEW AND, IF NECESSARY, APPROVAL OF SUCH PLANS.
- B. THE APPROVED FUTURE OFFICE BUILDING WILL NOT EXCEED 40' IN HEIGHT, AND WILL BE RESIDENTIAL IN SCALE.
- C. THE APPROVED FUTURE OFFICE BUILDING WILL NOT EXCEED 3500 SQUARE FEET ON TWO FLOORS, WITH A FOOTPRINT NOT TO EXCEED 2,000 SQUARE FEET AS DEPICTED IN THE REZONING PLAN.
- D. TO THE EXTENT ANY CHANGES ARE TO BE MADE TO THE EXISTING STRUCTURES ON THE SITE, THE PETITIONER SHALL APPLY TO THE CHARLOTTE-MECKLENBURG HISTORIC LANDMARKS COMMISSION FOR ITS REVIEW AND, IF NECESSARY, APPROVAL OF SUCH PLANS PRIOR TO ISSUANCE OF A BUILDING PERMIT OR OTHER APPROVALS AUTHORIZING THE CONSTRUCTION OF THE IMPROVEMENTS.

6. STREETScape AND LANDSCAPING

- A. A 26' CLASS C UNDISTURBED BUFFER SHALL BE ESTABLISHED ALONG THE WESTERN, NORTHERN, AND EASTERN BOUNDARY LINES AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN.
- B. AS DEPICTED ON THE REZONING PLAN, PETITIONER SHALL INSTALL A 6' SIDEWALK AND AN 8' PLANTING STRIP ALONG THE SITE'S FRONTAGE ON SHOPTON ROAD.

7. ENVIRONMENTAL FEATURES

- A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE.
- B. LIGHTING
 - A. ALL NEWLY INSTALLED FREESTANDING LIGHTING FIXTURES ON THE SITE SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED.
 - B. NO DETACHED POLE LIGHTING, OTHER THAN TYPICAL SINGLE FAMILY RESIDENTIAL STYLE LOW POLE LIGHTING OR RESIDENTIAL STYLE LIGHTING ATTACHED TO THE STRUCTURE, WILL BE USED.

8. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

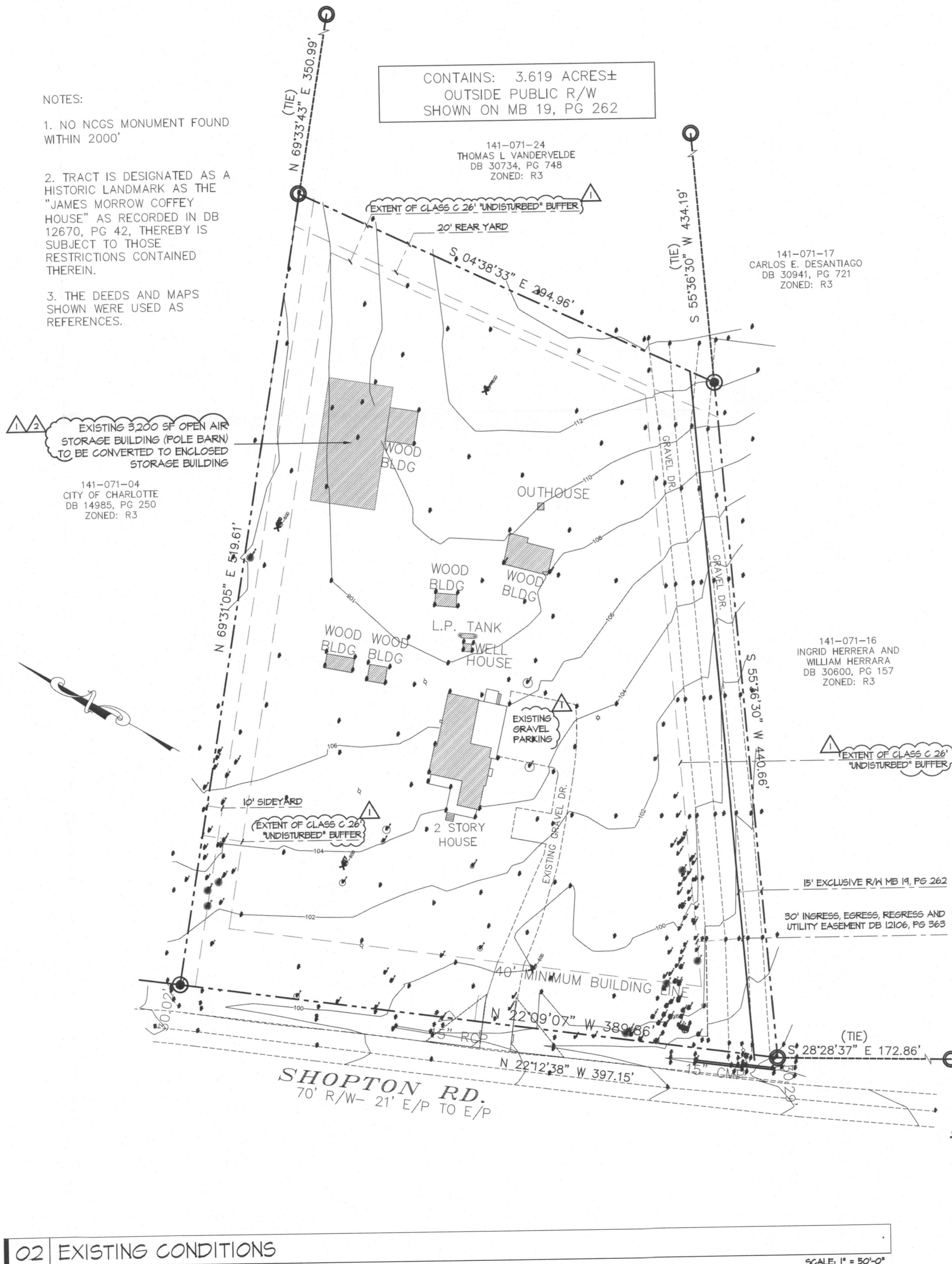
- A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND SUBSEQUENT 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.

SITE DATA TABLE			
PARCEL ID: 141-071-05	EXISTING HOME SQ. FT.	TYP. PARKING SPACE TO BE 8'-6" X 18'-6" MIN.	
TOTAL ACREAGE: 3.619 ACRES +/-	1840		
EXISTING ZONING: O-1 (GD)	FUTURE OFFICE BUILDING SQ. FT.		
	3500		
PROPOSED ZONING: O-1 (GD) SPA	TOTAL SQ. FT.	PARKING REQUIRED	TOTAL PARKING SHOWN
	5340	1/300 = 18	13**
MAX. BUILDING HEIGHT: 40'-0"	BASED ON GROSS AREA		

**SITE WILL MEET PARKING REQUIREMENTS. DEVELOPER HAS THE OPTION OF SEEKING A 25% PARKING REDUCTION TO SAVE EXISTING TREES. 12,202 PARKING SHOWN ASSUMES 25% REDUCTION.

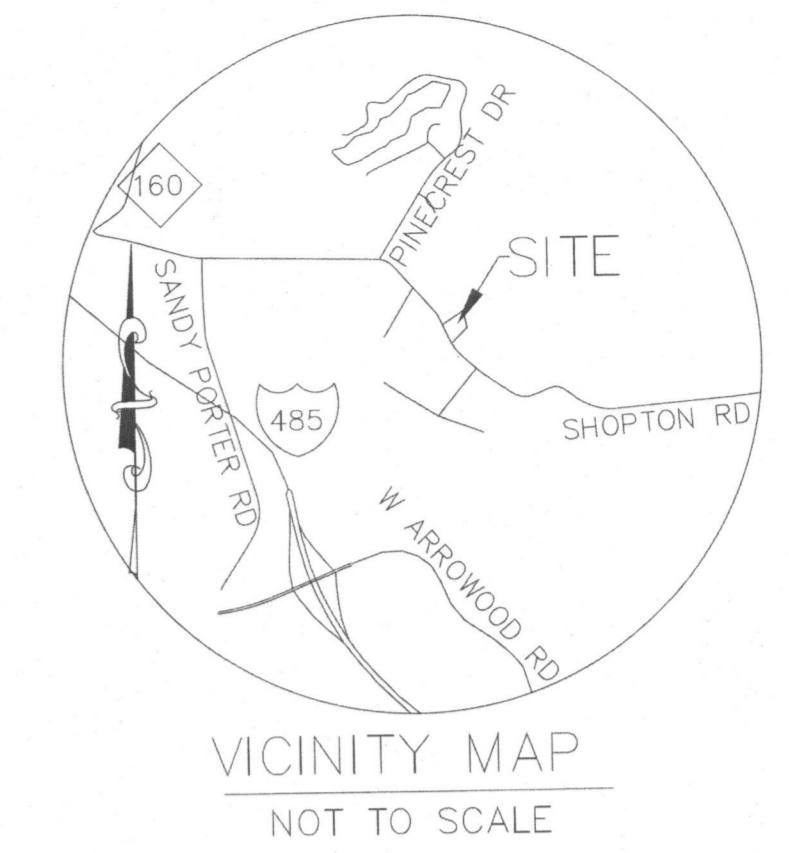
NOTES:

- 1. NO NCGS MONUMENT FOUND WITHIN 2000'
- 2. TRACT IS DESIGNATED AS A HISTORIC LANDMARK AS THE "JAMES MORROW COFFEE HOUSE" AS RECORDED IN DB 12670, PG 42, THEREBY IS SUBJECT TO THOSE RESTRICTIONS CONTAINED THEREIN.
- 3. THE DEEDS AND MAPS SHOWN WERE USED AS REFERENCES.

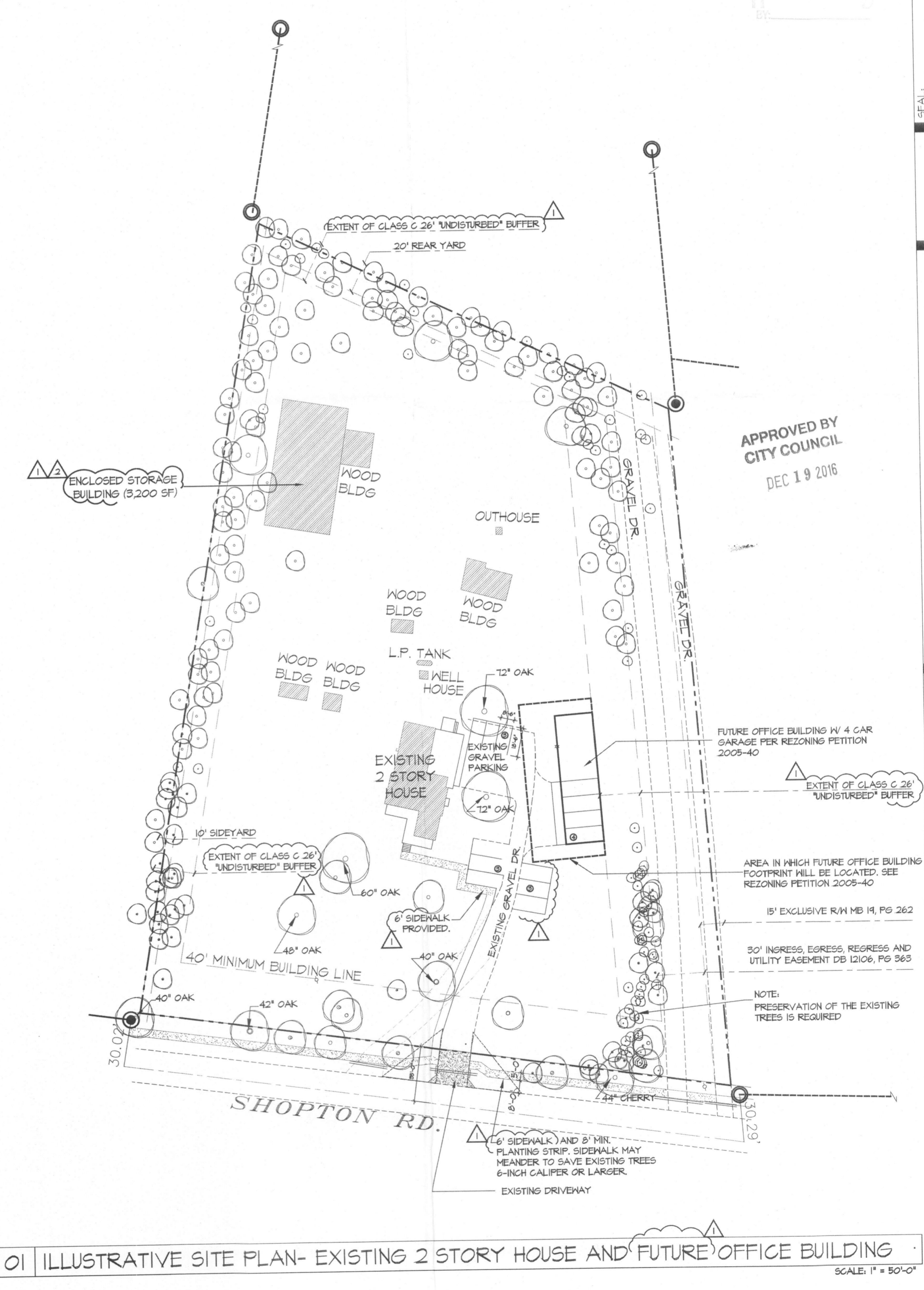


02 EXISTING CONDITIONS

SCALE: 1" = 50'-0"



RECORDED
DEC 02 2016



01 ILLUSTRATIVE SITE PLAN- EXISTING 2 STORY HOUSE AND FUTURE OFFICE BUILDING

SCALE: 1" = 50'-0"

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PROJECT NAME:
ACKERMAN PROPERTY- REZONING
5300 Shopton Rd.
Charlotte, North Carolina

DATE: 12-01-2016
ISSUED FOR: REZONING
REVISIONS:
1 - ZONING COMMENTS (04-15-2016)
2 - ZONING COMMENTS (11-25-2016)
3 - ZONING COMMENTS (12-01-2016)

SHEET TITLE:
REZONING PETITION FOR PUBLIC HEARING FOR PETITION NO. 2016-119

SHEET NUMBER:
RZ.1