



**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, STREETSCAPE 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.
- 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 TWO (2). THE EXISTING COMMERCIAL BUILDING AND SINGLE-FAMILY BUILDING WILL REMAIN AND A 275 SQ. FT. CINDER-BLOCK ADDITION AT THE REAR OF THE EXISTING COMMERCIAL BUILDING WILL BE REMOVED. 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 ENCR OACH WITHIN THE PUBLIC RIGHT-OF-WAY. IF THE EXISTING SECONDARY EGRESS IS REMOVED IN THE FUTURE, THE STAIRS WILL BE REMOVED AS WELL.
- b. TO ALLOW A MODIFIED SIDEWALK AND PLANTING STRIP WIDTH AND QUANTITY OF STREET TREES ALONG BELMONT AVENUE AS PRACTICAL DUE TO EXISTING SITE CONDITIONS. THE EXISTING BELMONT AVENUE STREETSCAPE WILL REMAIN AND BE MODIFIED TO EXTEND THE FOURTEEN (14) FOOT SIDEWALK TO THE EASTERN PROPERTY LINE.
- c. TO ALLOW A MODIFIED SIDEWALK AND PLANTING STRIP WIDTH AND QUANTITY OF STREET TREES ALONG HARRILL STREET AS PRACTICAL DUE TO EXISTING SITE CONDITIONS. THE EXISTING HARRILL STREET STREETSCAPE WILL REMAIN WITH THE PLANTING STRIP VARYING FROM THREE (3) FEET TO (EIGHT) FEET AND THE SIDEWALK WIDTH VARYING FROM SIX (6) FEET TO NINE (9) FEET.
- d. TO ALLOW THE EXISTING SINGLE-FAMILY BUILDING TO BE REMOVED IN THE FUTURE FOR PARKING LOT EXPANSION. IF THE SINGLE-FAMILY BUILDING IS REMOVED, THE HARRILL STREET STREETSCAPE WILL BE MODIFIED TO PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND SIX (6) FOOT SIDEWALK. ACCESS TO THE PARKING LOT WILL BE PROVIDED FROM THE EXISTING TEN (10) FOOT ALLEY AT THE REAR OF THE PROPERTY AND THE DRIVEWAY ENTRANCE AT HARRILL STREET WILL BE CLOSED. THE PARKING LOT EXPANSION WILL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED ZONING ORDINANCE AND TREE ORDINANCE.

**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 HARRILL STREET ONLY AS GENERALLY DEPICTED ON THE REZONING PLAN. VEHICULAR ACCESS TO THE SITE WILL BE PROHIBITED FROM BELMONT AVENUE.
- 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 BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.

**5. PEDESTRIAN ACCESS AND CIRCULATION DESIGN**

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

**6. ARCHITECTURAL STANDARDS**

- a. THE PETITIONER WILL PROVIDE ADDITIONAL BUILDING FENESTRATION INCLUDING WINDOWS ALONG THE EXISTING BUILDING'S HARRILL STREET FRONTAGE 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**

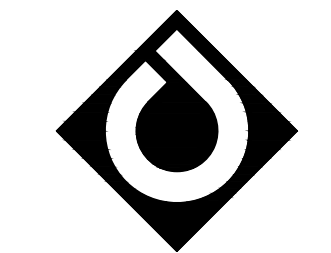
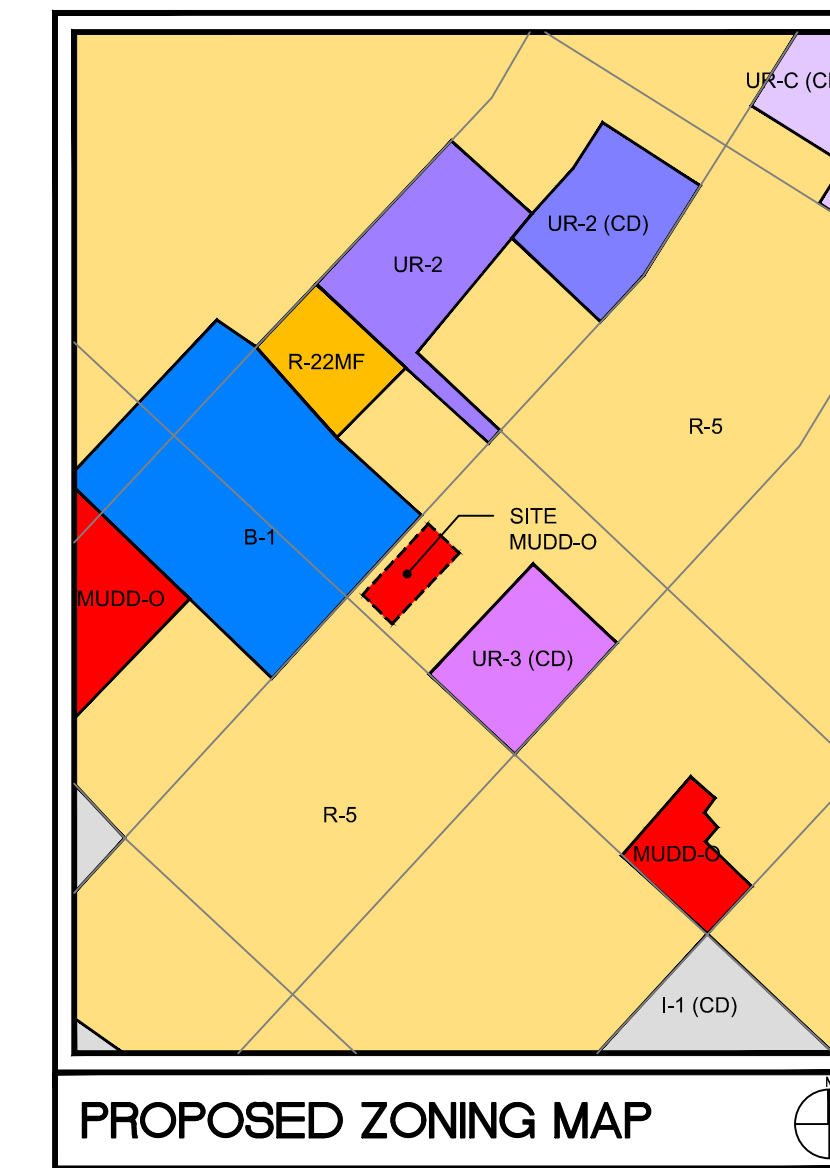
- a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.

**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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**OVERALL  
REZONING  
PLAN**

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4550

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08/23/17

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10/16/17 - FIRST REVIEW COMMENTS  
11/27/17 - SECOND REVIEW COMMENTS

**RZ-1**

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