



SITE DATA: Tax Parcels 12312401
 Acreage: approximately 0.40 acres
 Existing Zoning: O-2
 Proposed Zoning: MUDD-O

Background Statement

The Boulevard Company is the petitioner on that certain Rezoning Application 2007-142 (the "Petition") relating to an approximately 0.40 acre site located between Kenilworth Avenue and Scott Avenue at their intersection with Romany Road in Charlotte, North Carolina (the "Site"). The Site is presently zoned O-2. The Petition seeks to have the Site rezoned to MUDD-O.

The Petitioner's development plan seeks certain variations from MUDD and the Dilworth Land Use and Streetscape Plan adopted by the Charlotte City Council on June 26, 2006 (the "Dilworth Plan").

Development Standards

1. Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed buildings and uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases.
2. Access to the site will be provided by driveway connections to Scott Ave. and Kenilworth Ave. as generally depicted on this site plan.
3. The proposed use of the property will be for the development of the site to accommodate general and medical office uses along with associated parking and service areas. The floor area will be limited to 30,000 square feet and a building height of 50 feet above average grade. It has been designed to comply with the Dilworth Small Area Plan.
4. All trash areas will be within the parking deck areas of the building and utilize small containers and service vehicles.
5. All outdoor lighting shall be full cut-off type lighting fixtures with the exception of lower, decorative lighting that may be installed along the driveway, sidewalks, and parking areas. Site lighting, if provided, will be limited to 20 feet in height and will be shielded or capped. No "wall pak" lighting will be installed but architectural lighting on building facades will be permitted.
6. The proposed development will comply with all applicable Ordinance requirements for signage, screening, and landscaping, and tree planting. A landscaping plan will be reviewed and approved as part of the MUDD review process.
7. The Petitioner has provided labeled, illustrative building elevations for the structure to be constructed on the site. The building illustrations that are included on this application are intended to reflect the general mass, scale, configuration, and character of the building. The Petitioner may make revisions to the design details, materials, and architectural style of the building so long as the general mass, scale, configuration, and character of the building is maintained. The parking on the site will be screened as required by the ordinance and may use walls, fences, vegetation or any combination thereof that effectively screens the parking as required by the ordinance.
8. The site is constrained by the occurrence of overhead electrical transmission lines and as a result the Petitioner seeks relief from the following standards through the MUDD-Optional provisions: allowance for parking to be located between the building and the street along the Kenilworth Ave. frontage and to allow underground parking to be allowed between the building and the street along Kenilworth Ave. as generally depicted on the site plan.
9. Surface parking will be screened with walls and landscaping as represented on the illustrative building elevations. The exact configuration and composition of the screening will be determined during the MUDD review process to comply with the provisions of the ordinance. The underground parking will be directly under the surface. Due to the slope of the site, the underground parking may extend above grade by as much as 5 feet and any portion that does extend will be screened.
10. The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.
11. Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners" shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.

July 23, 2007, Initial submission.
 Revised per Staff comments, November 16, 2007
 Revised per Staff comments, January 16, 2008
 Revised per staff comments January 29, 2008
 Revised per staff comments February 7, 2008

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APPROVED BY
 CITY COUNCIL
 FEB 11 2008

1301
 KENILWORTH
 AVENUE

AT SCOTT AVENUE & ROMANY ROAD
 CHARLOTTE, NORTH CAROLINA

FOR
 THE BOULEVARD COMPANY
 715 NORTH CHURCH STREET SUITE 140
 CHARLOTTE, NC 28202
 704-348-8942

ISSUED FOR: For Public Hearing
 ISSUE DATE: 11/7/07
 REVISIONS: 2/7/08

TECHNICAL
 DATA SHEET
 2007-142

FILE NAME: Kenilworth/KMRezone22.dwg
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