

**REZONING INFORMATION**

ADDRESS: 529 CHARLES AVE.

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

CURRENT USE: SINGLE FAMILY HOME - UNOCCUPIED  
PROPOSED USE: RESTAURANT USE PERMITTED BY RIGHT; SECT. 9.2302 & CATERING BUSINESS (CONDITIONAL USE)

HISTORIC DISTRICT: NO  
SULM. STREAM BUFFER: OUT  
FEMA FLOOD ZONE: OUT  
COMMUNITY FLOOD ZONE: OUT

**ACCESSORY USES (SECT. 9.2304)**

- DUMPST. SUBJECT TO REGULATIONS OF SECT. 12.405 - PROPOSED SOLID WASTE & RECYCLE CONTAINERS SHOWN ON PLAN
- OUTDOOR LIGHTING: SUBJECT TO REGULATIONS OF SECT. 12.402 - ALL PROPOSED LIGHTING WILL COMPLY. FIXTURES WILL BE FULLY SHIELDED WITH FULL CUTOFF TYPE FIXTURE. NO WALL "PAK" TYPE LIGHTING 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. 9.2302):**
- 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. 9.2306)**

- 1) DEVELOPMENT WILL BE BUILT IN ACCORDANCE WITH THE MIN. URBAN DESIGN STDS. IN THIS SECTION AND THE THE PROPOSED CONDITIONS FOR MDD-OPTIONAL ZONING AS SPECIFIED IN SECT. 9.2302.
- 2) STREETScape DESIGN STANDARDS
  - a) STREET WALLS: N/A
  - b) SCREENING REQ'D. PER SECT 12.305. THIS PROJECT IS A CHANGE OF USE WHICH REQUIRES THAT ALL SCREENING REQUIREMENTS BE MET.
  - c) CONFORMANCE W/APPROVED STREETScape PLAN OR W/THE STDS. OF SECT. 9.2306 PROVISIONS - THERE IS NO APPROVED STREETScape PLAN FOR N. DAVIDSON ST. OR MATHESON AVE.
  - d) STREET TREES - PETITIONER WILL COMPLY WITH REQUIREMENTS FOR STREET TREES - SEE OPTIONS BELOW.
  - e) REFLECTIVE SURFACES - PROJECT WILL COMPLY
  - f) 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-COMFORMING STATE & THAT NEW CONSTRUCTION (THE PATIO) BE ALLOWED TO EXTEND TO THE 10' SETBACK LINE ALONG THE MATHESON AVE R/W.
  - g) BUILDING ENTRANCES - ENTRANCE SHOWN ON PLAN.
  - h) BASE OF HIGH RISE BLDG.: N/A
- 3) EXISTING BLDGS. AND PLACES: THIS PROJECT INCORPORATES THE ADAPTIVE REUSE OF AN EXISTING STRUCTURE.
- 4) URBAN OPEN SPACES: N/A FOR EXISTING BUILDING
- 5) PRELIMINARY REVIEW: CONCEPTUAL DESIGN: T.B.D.  
DESIGN DEVELOPMENT: T.B.D.
- 6) CANOPIES AND OTHER BLDG. ENTRANCES: BLDG ENTRANCE SHOWN OFF OF PROPOSED PATIO (REUSING EXISTING HOUSE ENTRANCE)  
SECONDARY / MEANS OF EGRESS SHOWN FROM EXISTING PORCH
- 7) VALET PARKING: N/A

**PARKING AND LOADING STANDARDS (SECT. 9.2307)**  
MIN. PARKING REQUIRED FOR PROPOSED USE: 1 SPACE PER 600 S.F.  
PROPOSED PARKING: 2,146 SF (1,416 SF EXISTING HOUSE + 730 SF PATIO)/214.5 SF/PARKING SPACE = 9 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.

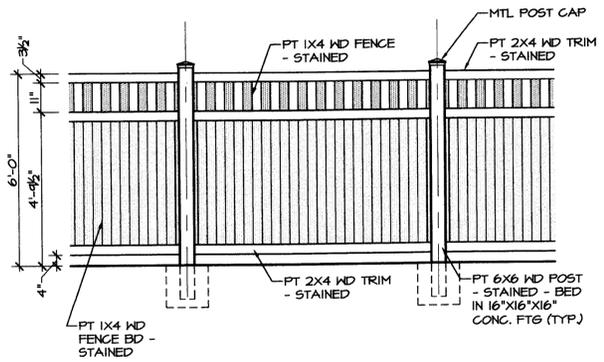
NOTE: INITIAL INVESTIGATION AS TO ADEQUATE SIGHT DISTANCE FROM THE PROPOSED DRIVEWAY IS ACCEPTABLE FOR FULL-MOVEMENT ACCESS.

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.

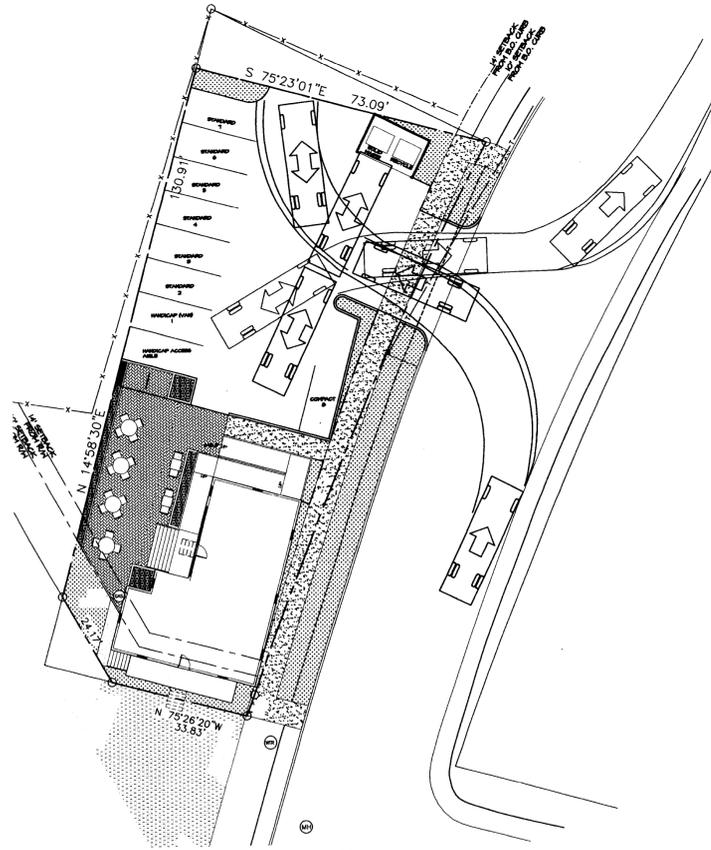
**OPTIONAL CONDITIONS REQUESTED BY THE PROPERTY OWNER/PETITIONER:**

- AS AN OPTIONAL CONDITION OF THIS REZONING PETITIONER REQUESTS THE CONTINUED USE OF THE EXISTING GRAVEL DRIVE AREA SHOWN IN THE SITE PLAN.
- AS AN OPTIONAL REQUEST OF THIS REZONING, PETITIONER REQUESTS TO ALLOW AN ENCROACHMENT OF THE EXISTING BUILDING & NEW PATIO INTO THE 14' SETBACK.



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.

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.

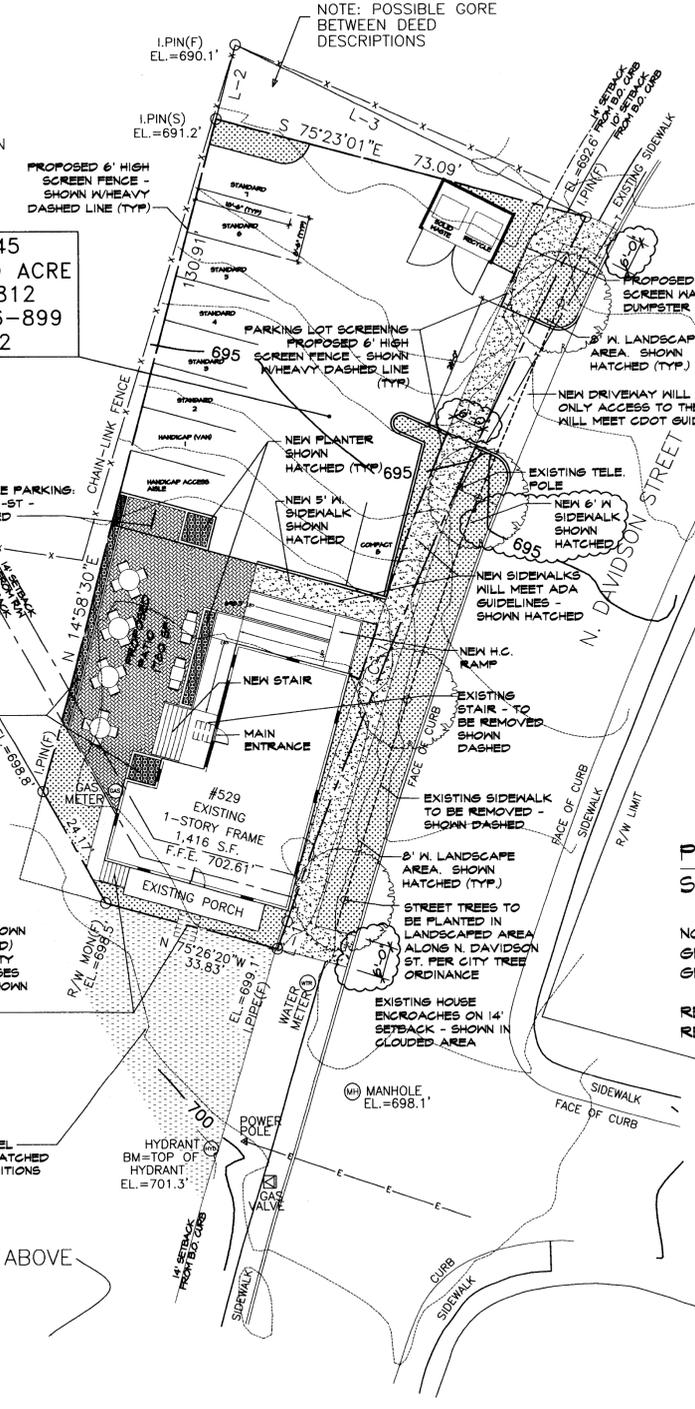
NEWTON D. MARTIN  
TAX #08306809  
8141-479

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

NEW PLANTERS SHOWN HATCHED (TYP). NOTE: NEW PLANTS TO BE TRAINED ON NEW 6\"/>

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



NOTE: POSSIBLE GORE BETWEEN DEED DESCRIPTIONS

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

NOTE: THE PETITIONER WILL SUBMIT DRIVEWAY PERMIT TO CDOT FOR REVIEW 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

[Pattern]	NEW CONC. SIDEWALK
[Pattern]	NEW PLANTER
[Pattern]	NEW PATIO
[Pattern]	NEW GRAVEL WALK
[Pattern]	PLANTED / GREEN SPACE
[Symbol]	ELECTRIC SERVICE
[Symbol]	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  
OCT. 17, 2008

SEPT 12, 2008  
REZONING  
PETITION  
NO.  
2008-130

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