



DOGWOOD
ENGINEERING

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REV	DATE	COMMENTS
1	06/23/2023	STAFF COMMENTS
2	08/13/2023	STAFF COMMENTS

1823 CLEVELAND
AVENUE

CITY OF CHARLOTTE
MECKLENBURG COUNTY, NORTH CAROLINA

DATE: 08/13/2023
SCALE: HORIZ : 1" = 10'
DRAWN BY: SBS

REZONING
SITE PLAN

RZ1.1

2 1

GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY ON CLEVELAND LLC (THE "PETITIONER") FOR AN APPROXIMATELY 0.517 ACRE SITE LOCATED ON CLEVELAND AVENUE, WHICH IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE") THE SITE IS COMPRISED OF TAX PARCEL # 12105301.
- B. THE PURPOSE OF THIS REZONING REQUEST IS TO PROVIDE FOR THE RELOCATION AND DEVELOPMENT OF AN EXISTING HISTORICAL BUILDING (LEEPER AND WYATT STORE BUILDING) TO THE SITE FOR USE AS A RESTAURANT IN ADDITION TO THE EXISTING BUILDING TO REMAIN ON SITE.
- C. DEVELOPMENT OF THE SITE IS GOVERNED BY THE CONDITIONAL REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE UNIFIED DEVELOPMENT ORDINANCE ("THE ORDINANCE") SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED IN THE ORDINANCE FOR THE NEIGHBORHOOD CENTER ("NC") ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT OF THE SITE.

EXCEPTION (EX) DISTRICT PROVISIONS

- A. PETITIONER REQUESTS THE APPROVAL OF THE FOLLOWING MODIFICATIONS TO THE APPLICABLE QUANTITATIVE ZONING AND STREET CROSS SECTION STANDARDS FOR THE PROPOSED DEVELOPMENT:
- REDUCTION IN NUMBER OF REQUIRED ON-SITE PARKING SPACES FROM (22) REQUIRED SPACES TO (12) PARKING SPACES WHICH CONSIST OF (4) ON-SITE SPACES AND (8) ON-STREET SPACES. THIS REQUEST IS DUE TO PROPOSED HISTORIC BUILDING RELOCATION TO SITE. PETITIONER ELECTS TO PROVIDE (10) ADDITIONAL SPACES THROUGH OFF-SITE PARKING LEASE AGREEMENTS.
 - MODIFICATION OF STREETSCAPE STANDARDS SUCH THAT THE EXISTING STREET SECTIONS MAY REMAIN. THIS REQUEST IS TO PROTECT EXISTING MATURE STREET TREES AND TO PROTECT THE EXISTING HISTORICAL BUILDING ON SITE THAT IS TO REMAIN. EXISTING STREET SECTIONS REQUESTED TO REMAIN PROVIDE THE FOLLOWING:

CLEVELAND AVENUE (EX 60' PUBLIC ROW)	EAST WORTHINGTON AVENUE (EX 60' PUBLIC ROW)
• 30' TWO-WAY DRIVE WITH AREAS OF ON-STREET PARKING	• 30' TWO-WAY DRIVE WITH AREAS OF ON-STREET PARKING
• 6" VERTICAL CURB	• 6" VERTICAL CURB
• 7' PLANTING STRIP WITH EXISTING MATURE TREES TO REMAIN	• 8' PLANTING STRIP WITH EXISTING MATURE TREES TO REMAIN
• 5' CONCRETE SIDEWALK	• 6' CONCRETE SIDEWALK
 - MODIFICATION OF LANDSCAPE YARD REQUIREMENT FOR SITES ABUTTING NEIGHBORHOOD TYPE 1 LAND USE FROM A 25' CLASS B LANDSCAPE YARD TO 3.75' CLASS B LANDSCAPE YARD WITH EXISTING SHRUBS TO REMAIN. REQUEST IS TO ACCOMMODATE EXISTING CURB AND PAVEMENT TO REMAIN WITHIN AREA NECESSARY FOR SITE VEHICLE CIRCULATION.
 - REDUCTION OF MINIMUM REAR SETBACK ABUTTING NEIGHBORHOOD 1 PLACE TYPE FROM 20' TO 10' WHERE EXISTING CURBING AND PAVING WITHIN REAR SETBACK IS TO REMAIN. THIS REQUEST IS TO ALLOW FOR USE OF LIMITED SITE AREA AFTER PROPOSED BUILDING RELOCATION FOR SITE ITEMS SUCH AS THE PROPOSED DUMPSTER ENCLOSURES AS SHOWN ON SITE PLAN AND TO ACCOMMODATE EXISTING ENCLOSURES CURRENTLY ON SITE.
 - MODIFICATION OF MINIMUM BUILDING LENGTH AS A PERCENTAGE OF LOT WITH ALONG FRONTAGE FROM 60% TO APPROXIMATELY 46.5%. THIS REQUEST IS TO ACCOMMODATE THE TOTAL OF THE WIDTH OF THE EXISTING BUILDING TO REMAIN AND THE WIDTH OF THE HISTORIC BUILDING PROPOSED TO BE RELOCATED WHICH ARE FIXED IN RELATION TO THE FRONTAGE WIDTH. THE EXISTING BUILDING WIDTHS ARE TO REMAIN AS-IS AND PLACED AS SHOWN ON PROPOSED SITE PLAN TO MAINTAIN HISTORIC CHARACTER OF BUILDINGS.
 - MODIFICATION OF MAXIMUM BLANK WALL AREA (GROUND FLOOR AND UPPER FLOOR; HORIZONTAL OR VERTICAL) REQUIREMENT FOR ALL APPLICABLE FRONTAGES FROM 20' TO MATCH EXISTING HORIZONTAL AND VERTICAL DISTANCES ON EXISTING HISTORICAL BUILDINGS. THIS REQUEST IS TO PROTECT THE EXISTING FACADES OF THE EXISTING HISTORICAL BUILDINGS.
 - MODIFICATION OF GROUND FLOOR TRANSPARENCY- NON-RESIDENTIAL AND MIXED USE (% OF WALL AREA BETWEEN 3' AND 10' FROM GRADE) FROM 50% TO MATCH EXISTING PERCENTAGE TRANSPARENCY PRESENT IN EXISTING HISTORICAL BUILDING. THIS REQUEST IS TO PROTECT THE EXISTING FACADES OF THE EXISTING HISTORICAL BUILDINGS.
 - MODIFICATION OF UPPER FLOOR TRANSPARENCY- NON-RESIDENTIAL AND MIXED USE (% OF WALL AREA PER STORY) FROM 15% TO MATCH EXISTING PERCENTAGE TRANSPARENCY PRESENT IN EXISTING HISTORICAL BUILDING. THIS REQUEST IS TO PROTECT THE EXISTING FACADES OF THE EXISTING HISTORICAL BUILDINGS.
- B. PUBLIC BENEFITS FROM GRANTING OF EX DISTRICT AND APPROVAL OF ZONING MODIFICATIONS LISTED ABOVE INCLUDE THE FOLLOWING:
- SUSTAINABILITY- THE PROPOSED PROJECT IS AN ADAPTIVE REUSE OF AN EXISTING BUILDING THAT IS HISTORICALLY SIGNIFICANT AND MAY OTHERWISE BE DEMOLISHED.
 - PUBLIC AMENITY- PRESERVATION OF THE HISTORICALLY SIGNIFICANT LEEPER AND WYATT STORE BUILDING WHICH WAS ERECTED IN 1903 AND IS CONSIDERED THE OLDEST SURVIVING BRICK COMMERCIAL BUILDING IN DILWORTH'S FIRST BUSINESS DISTRICT ALONG SOUTH BOULEVARD PER THE CHARLOTTE-MECKLENBURG LANDMARKS COMMISSION. THE LEEPER AND WYATT STORE BUILDING IS CURRENTLY SLATED FOR DEMOLITION. THIS PROJECT PROPOSES AN AREA FOR THE BUILDING TO BE RELOCATED WHERE THE BUILDING WILL CONTINUE TO BE IN USE FOR THE COMMUNITY AND PRESERVE THE HISTORIC CHARACTER OF THE DILWORTH NEIGHBORHOOD. ADDITIONALLY, THE PROPOSED PROJECT INCLUDES A MINIMUM OF 2,246 SF OPEN SPACE WITH A MINIMUM OF 1,123 SF TO BE PUBLIC AND ACCESSIBLE ALONG EAST WORTHINGTON AVENUE.

PERMITTED USES

- A. PERMITTED USES INCLUDE USES ALLOWED UNDER NC ZONING DISTRICT.

TRANSPORTATION

- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
- B. ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE OPENING BUSINESSES ON THE SITE.
- C. THE PETITIONER SHALL INSTALL BICYCLE PARKING SPACES AS REQUIRED BY THE ORDINANCE.

ARCHITECTURAL STANDARDS

- A. THE MAXIMUM HEIGHT IN STORIES OF THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE APPROXIMATELY 42'-5.5" AND AS APPROVED BY THE HISTORIC DISTRICT COMMISSION.
- B. DUMPSTER AND RECYCLING AREAS SHALL BE ENCLOSED ON ALL FOUR SIDES BY AN OPAQUE WALL OR FENCE WITH ONE SIDE BEING A HINGED OPAQUE GATE.
- C. THE BUILDINGS FACADES SHALL REMAIN IN KEEPING WITH THEIR HISTORIC APPEARANCE AND AS APPROVED BY THE HISTORIC DISTRICT COMMISSION AND SHALL BE PLACED TO MAINTAIN THEIR EXISTING FRONTAGES TO THE STREET.

OFF-SITE VEHICLE PARKING

- A. PARKING AREAS FOR NONRESIDENTIAL USES MAY BE LOCATED IN AN OFF-SITE PARKING LOT OR PARKING STRUCTURE NO MORE THAN 800 FEET WALKING DISTANCE FROM THE DEVELOPMENT WHERE THE USE IS LOCATED. SUCH OFF-SITE PARKING SHALL BE APPROVED BY THE ZONING ADMINISTRATOR. ANY OFF-SITE PARKING SHALL BE PROVIDED BY LEASE OF THE OFF-SITE PARKING AREA FOR A MINIMUM OF FIVE YEARS, TERMINABLE BY THE LANDLORD IN THE EVENT OF A SALE OF THE PARKING LOT OR PROPERTY WHERE THE PARKING IS LOCATED, A CHANGE OF CONTROL, CONSTRUCTION ON OR DEMOLITION OF THE PARKING LOT OR PROPERTY WHERE THE PARKING IS LOCATED, SIMILAR CONDITIONS OR PROVISIONS IN THE LEASE DOCUMENT, OR OTHER CUSTOMARY TERMINATION PROVISIONS. THE TENANT WILL NOT BE REQUIRED TO RENEW THE LEASE FOLLOWING THE INITIAL LEASE TERM, NOR SHALL A NEW OR RENEWED LEASE BE REQUIRED IN THE EVENT OF A CHANGE OF USE OF THE DEVELOPMENT SITE OR TERMINATION OF THE LEASE BY THE LANDLORD. SUCH OFF-SITE PARKING SHALL BE RESERVED FOR THE EXCLUSIVE USE OF THE NONRESIDENTIAL USE.

STREETSCAPE AND LANDSCAPING

- A. THE PETITIONER SHALL COMPLY WITH THE SETBACK, SIDE YARD AND REAR YARD REQUIREMENTS OF THE NC ZONING DISTRICT.

OPEN SPACE

- A. DEVELOPMENT OF THE SITE SHALL PROVIDE 10% ON-SITE OPEN SPACE WITH 50% OF ON-SITE OPEN SPACE OPEN TO THE PUBLIC PER THE ORDINANCE FOR COMMERCIAL DEVELOPMENT.
- B. PROPOSED PUBLIC OPEN SPACE ALONG EAST WORTHINGTON AVENUE SHALL BE PROVIDED AS REQUIRED PER THE OPEN SPACE REQUIREMENTS IN THE ORDINANCE (UDO ARTICLE 16.5) AND SHALL INCLUDE THE FOLLOWING ITEMS AT A MINIMUM:
- A MINIMUM WIDTH AND LENGTH OF 10 FEET AND A MINIMUM OF 25% OF TOTAL OPEN SPACE SHALL BE CONTIGUOUS.
 - SHALL BE LOCATED OUTDOORS OR IN THE OPEN AIR BUT MAY BE UNDER A ROOF, CANOPY OR SCREENED. OPEN SPACE MAY BE LOCATED ON THE GROUND, DECKS, GALLERIES, PORCHES, TERRACES, PATIOS, OR ROOFS.
 - WHEN ADJACENT TO A SIDEWALK ALONG A STREET, THE SURFACE AREA OF THE OPEN SPACE SHALL NOT BE MORE THAN AN AVERAGE OF 24' HIGHER OR LOWER THAN THE ELEVATION OF THE ADJACENT WALK FOR A MINIMUM OF 10' FROM THE EDGE OF THE WALK.
 - WHEN LOCATED AT GROUND LEVEL, THE REQUIRED OPEN SPACE SHALL BE SUBSTANTIALLY COVERED IN A COMBINATION OF AT LEAST TWO OF THE FOLLOWING: 1)GRASS AND GROUNDCOVER, 2)SHRUBS AND TREES OR 3)USABLE OUTDOOR HARDSCAPE FEATURES SUCH AS COURTYARDS, SEATING AREAS, PATIOS, FOUNTAINS/WATER FEATURES.

ENVIRONMENTAL FEATURES

- A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.
- B. THE PETITIONER SHALL COMPLY WITH THE CITY OF CHARLOTTE POST CONSTRUCTION STORM WATER REGULATIONS (UDO ARTICLE 25).

FIRE PROTECTION

- A. FIRE TRUCK ACCESS TO BE MADE FROM THE STREET. ALL AREAS OF PROPOSED BUILDING CAN BE ACCESSED BY 150' HOSE PULL.