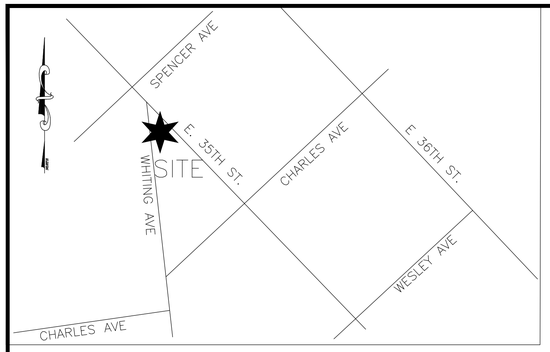
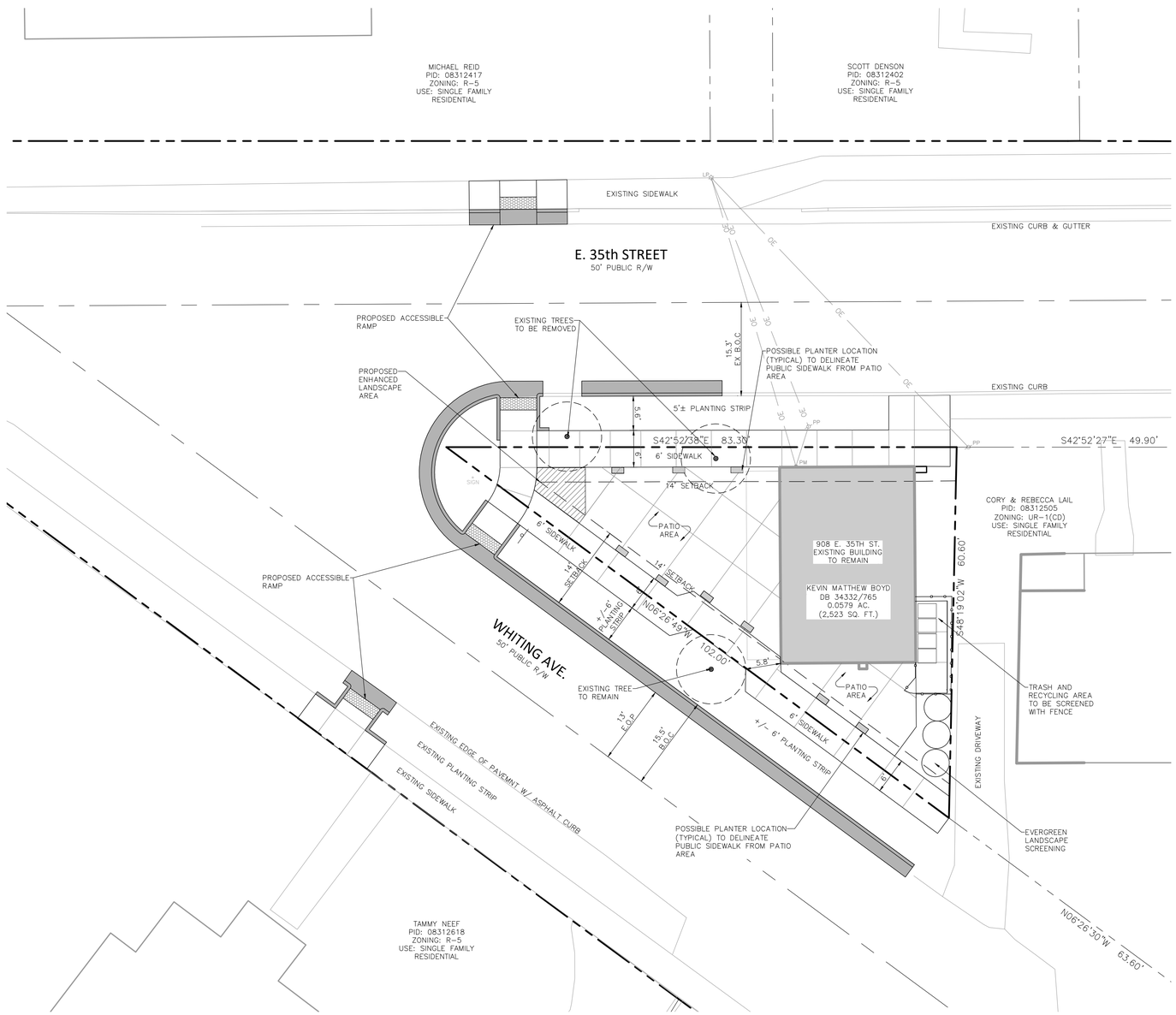


VICINITY MAP

NOT TO SCALE



Site Development Data:

- Acreage:	+/- 0.053 acres
- Tax Parcels:	083-125-01
- Existing Zoning:	R-5
- Proposed Zoning:	MUDD-O
- Existing Uses:	Commercial
- Proposed Uses:	Commercial
- Maximum Development:	800 heated square feet (740 SF existing building + flexibility for potential minor future expansion)
- Maximum Building Height:	40 feet
- Parking:	Per the Optional Provision below

I. General Provisions

a. Site Description. These development Standards and the Technical Data Sheet form the rezoning plan (hereafter collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Kevin Boyd (the "Petitioner") to accommodate the adaptive reuse of the building located at 908 East 35th Street for commercial uses on the parcel of land more particularly described as Mecklenburg Tax Parcel Number 083-125-01 (the "Site").

b. Intent. This Rezoning is intended to accommodate adaptive reuse of the existing building by allowing flexibility in the parking and streetscape standards to maintain the existing character of the Site.

c. 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 zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.

d. Graphics and Alterations/Modifications. The schematic depictions of the uses, , sidewalks, structures and buildings, building elevations (if provided), building materials, streetscape perspectives, driveways and other development matters and site elements set forth on the Rezoning Plan are intended to be conceptual in nature. Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide flexibility in allowing some alterations or modifications from the graphic representations and renderings of the development matters and site elements. Therefore, there may be instances where minor modifications will be permitted without requiring the administrative amendment process per Section 6.207 of the Ordinance.

II. Optional Provisions

The following optional provisions are provided to accommodate deviations from the MUDD Ordinance standards:

a. To allow the existing building to remain without being required to come into conformance with architectural design standards under the MUDD zoning district. For the sake of clarity, if the existing building is demolished (other than by casualty, acts of God, etc.) and a new building is constructed on the Site, the new building(s) must conform with MUDD design standards;

b. To eliminate the parking requirement for uses contained in the existing building, potential expansion, and outdoor uses. For the sake of clarity, if the existing building is demolished (other than by casualty, acts of God, etc.) and a new building is constructed on the Site, the new building(s) must meet parking standards as required under the Ordinance;

c. To allow deviations from the typical streetscape requirements, as generally depicted on the Rezoning Plan, in coordination with CDOT; and

d. To allow deviations from the sight triangle requirements as generally depicted on the Rezoning Plan.

III. Permitted Uses

a. Subject to the Maximum Development provisions set forth under Section IV. below, the Site may be devoted to any uses permitted by right or under prescribed conditions in the MUDD Zoning District together with any incidental or accessory uses associated therewith *except* that the site shall not contain a gas station, car wash, self-storage building, or accessory vehicular drive-through window.

b. Hours of operation shall be limited to 7:00am to 10:00pm.

IV. Maximum Development

a. The principal building(s) on the Site may be developed with up to 800 square feet of heated gross floor area of non-residential uses permitted by right and under prescribed conditions, along with any accessory uses allowed in the MUDD zoning district.

b. For purposes of the development limitations set forth in these Development Standards, the following items shall not be counted as part of the allowed gross floor area for the Site: outdoor dining areas and patios.

V. Transportation

a. There shall not be vehicular access to the Site.

b. Sidewalk, planting trips, and street trees shall be as generally depicted on the Rezoning Plan. Decorative planters or similar arrangement shall be provided to delineate the patio area from the sidewalk, as generally depicted on the Rezoning Plan.

c. Where applicable, the Petitioner shall dedicate all rights-of-way to the City of Charlotte prior to the issuance of the first building certificate of occupancy.

d. Where applicable, all transportation improvements shall be approved and constructed prior to the issuance of the first building certificate of occupancy.

VI. Design Guidelines

a. The existing building shall be permitted to remain in an as-is condition. Any minor renovations, façade changes, additions/deletions of windows or doors, and minor expansions shall meet code requirements at the point of change. Unless the existing building is destroyed by casualty (in which case it can be rebuilt under substantially similar conditions and dimensions), any new building constructed on the Site must meet all MUDD design standards.

b. Dumpsters, HVAC and related mechanical equipment will be screened from public view at grade from all the public streets.

c. Enhanced landscaping/screening shall be provided as generally depicted on the Rezoning Plan.

VII. Environmental Features

a. The Petitioner shall satisfy the requirements of the Post Construction Stormwater Ordinance (PCSO) and Tree Ordinance.

b. The Petitioner shall comply with the Charlotte Tree Ordinance.

VIII. Binding Effect of the Rezoning Application

a. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns.

b. Throughout these Development Standards, the terms "Petitioner" and "Owner(s)" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or Owner(s) of any part of the Site from time to time who may be involved in any future development thereof.

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

ORSBORN ENGINEERING GROUP
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www.orsborn-eng.com

TECHNICAL PLAN
PETITION #2021-116
FOR
908 E 35TH STREET
CHARLOTTE, NORTH CAROLINA

KEVIN BOYD
JEFF BOYD
3209 WESTON ST
CHARLOTTE, NC 28209

NORTH CAROLINA PROFESSIONAL ENGINEERING COMPANY C-3139 ORSBORN ENGINEERING GROUP, P.A.

REVISIONS	DATE
1 REVISED PER COMMENTS	10/08/2021

JOB #	21005
DATE:	04/22/21
SCALE:	1" = 10'
DRAWN BY:	GMJ
APPROVED BY:	JCO

RZ-1

October 11, 2021 - 3:40pm By: lleslie
P:\21005 908 E 35th Street\Dwg\21005 Rezoning plan.dwg

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