



EXISTING USE: PROPOSED USE:

UP TO 60 UNIT MULTI-FAMILY STACKED COMPLEX WITH CLUBHOUS Proved: Uas allowed by right and under prescribed conditions in the

MAXIMUM BUILDING HEIGHT 41'-8"

AS REQUIRED BY THE ORDINANCE PARKING:

1. GENERAL PROVISIONS:

- 1.A. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER SITE PLAN SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY RYAN'S WAY, LLC ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF MULTI-FAMILY APARTMENT COMPLEX ON AN APPROXIMATELY 7.15-ACRE SITE LOCATED NORTH OF ALBERMARLE RD. AND EAST OF E W.T. HARRIS BLVD. ON DELTA LANDING RD. (THE "SITE").
- 1.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 UNIFIED DEVELOPMENT ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE N2-B ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
- GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, BUILDING AND PARKING ENVELOPES, OPEN SPACE AREAS, 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 ARTICLE 37.3 OF THE ORDINANCE. SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE FLEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE MINOR AMENDMENT PROCESS PER ARTICLE 37.3 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE MINOR AMENDMENT PROCESS PER ARTICLE 37.3 OF THE ORDINANCE; IN EACH INSTANCE, HOWEVER, SUBJECT TO THE

PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE. 1.D. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TO 3. 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.

2. PERMITTED USES & DEVELOPMENT AREA LIMITATIONS:

- 2.1. THE SITE MAY BE DEVELOPED WITH UP TO 60 MULTI-FAMILY APARTMENT UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE N2-B ZONING
- 2.2. ONE HUNDRED PERCENT (100%) OF THE TOTAL MULTI-FAMILY RESIDENTIAL UNITS WITHIN THE SITE SHALL BE DESIGNATED AS AFFORDABLE HOUSING. THE MONTHLY RENTS OF THE AFFORDABLE UNITS WILL BE RESTRICTED TO HOUSEHOLDS WITH AN AREA MEDIAN INCOME OF SIXTY PERCENT (60%) OR LESS (AS PUBLISHED AND PERIODICALLY UPDATED BY THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT). MONTHLY RENTAL RATES SHALL BE SET NO HIGHER THAN ALLOWED BY SECTION 42 OF THE IRC. HOUSEHOLD INCOME WILL BE DETERMINED BY HOUSEHOLD INCOME VERIFICATION UNDER FEDERAL CODE OF REGULATIONS 24 CFR PART 5, AND WILL BE IN COMPLIANCE WITH FEDERAL AND STATE REGULATIONS. AFFORDABLE UNITS WILL REMAIN AFFORDABLE FOR A PERIOD OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE THE UNITS ARE PLACED IN SERVICE. ONCE AFFORDABLE UNITS ARE PLACED IN SERVICE. THEY WILL BE SUBJECT TO INSPECTION BY THE NORTH CAROLINA HOUSING FINANCE AGENCY, EQUITY PARTNER AND FINANCIAL LENDERS FOR THE DURATION OF THE AFFORDABILITY PERIOD. ALL UNITS FOR EACH BUILDING (TOTAL OF 2 BUILDINGS) MUST BE SUBSTANTIALLY COMPLETE BEFORE THE CERTIFICATE OF OCCUPANCY WILL BE ISSUED FOR THAT BUILDING. PETITIONER WILL EXECUTE A DECLARATION OF LAND USE RESTRICTIVE COVENANTS FOR LOW-INCOME HOUSING TAX CREDITS TO THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE IN CONJUNCTION WITH THE TAX CREDITS.

ACCESS AND TRANSPORTATION IMPROVEMENTS:

- 3.1. ACCESS TO THE SITE WILL BE FROM DELTA LANDING RD. AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY CDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- 3.3. THE PETITIONER WILL CONSTRUCT THE EXTENSION OF DELTA LANDING RD. THROUGH THE SUBJECT PROPERTY, AS REQUIRED BY THE UDO AS PART OF THE DEVELOPMENT OF THE SITE IF NOT EXTENDED BY OTHERS PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY OF THE BUILDINGS THAT HAVE FRONTAGE ON THESE STREETS. THE PETITIONER MAY POST A BOND WITH THE CITY OF CHARLOTTE FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME OF THE ISSUANCE OF THE BUILDING PERMIT.
- REQUIRED ROADWAY IMPROVEMENTS. IF ANY, WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING ON THE SITE, SUBJECT TO THE PETITIONER'S ABILITY TO POST A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.
- 3.5. THE PETITIONER SHALL DEDICATE AND CONVEY IN FEE SIMPLE ALL RIGHTS-OF-WAY TO THE CITY BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. CDOT REQUESTS RIGHTS-OF-WAY SET AT 2' BEHIND BACK OF SIDEWALK WHERE FEASIBLE.
- 3.6. A RIGHT-OF-WAY ENCROACHMENT AGREEMENT IS REQUIRED FOR THE INSTALLATION OF ANY NON-STANDARD ITEM(S) (IRRIGATION SYSTEMS, DECORATIVE CONCRETE PAVEMENT, BRICK PAVERS, ETC.) WITHIN A PROPOSED/EXISTING CITY-MAINTAINED STREET RIGHT-OF-WAY BY A PRIVATE INDIVIDUAL, GROUP, BUSINESS, OR HOMEOWNER'S/BUSINESS ASSOCIATION. AN ENCROACHMENT AGREEMENT MUST BE APPROVED BY CDOT PRIOR TO CONSTRUCTION/INSTALLATION. CONTACT CDOT FOR ADDITIONAL
- INFORMATION CONCERNING COST, SUBMITTAL, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS. ALL PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AND NCDOT, AS APPLICABLE, TO THE ROADWAY IMPROVEMENTS WITHIN THEIR RESPECTIVE ROAD SYSTEM AUTHORITY. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY THE PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE BROAD NORTHERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.
- 3.8. COMMIT TO DEDICATE 53-FEET OF RIGHT-OF-WAY FROM THE ROAD CENTERLINE ALONG EAST W T HARRIS BOULEVARD.
- 3.9. COMMIT TO CONSTRUCT 12-FOOT SHARED-USE PATH ALONG EAST W T HARRIS BOULEVARD ALONG PROPERTY FRONTAGE.
- 3.10. COMMIT TO DEDICATE 33.5-FEET MINIMUM OF RIGHT-OF-WAY FROM THE ROAD CENTERLINE ALONG DELTA LANDING ROAD.

4. STREETSCAPE, BUFFERS, YARDS, OPEN SPACE, AND LANDSCAPING:

- 4.1. ALONG THE PROPOSED DELTA LANDING RD. EXTENSION AN EIGHT-FOOT (8') PLANTING STRIP AND EIGHT-FOOT (8') SIDEWALK WILL BE PROVIDED.
- 4.2. THE PROPOSED MULTI-FAMILY ATTACHED DWELLING UNITS SHALL PROVIDE ON-SITE OPEN SPACE ARE REQUIRED BY ARTICLE 5.4.A. SUCH OPEN SPACE MAY BE PRIVATE OPEN SPACE (25,265 SF), COMMON OPEN SPACE, PUBLIC OPEN SPACE, OR ANY COMBINATION THEREOF. RESIDENTIAL ON-SITE OPEN SPACE SHALL MEET THE DESIGN REQUIREMENTS OF ARTICLE 16.5 OF THE ORDINANCE.
- 4.3. 10FT CLASS B LANDSCAPE YARD ALONG THE NORTH, WEST AND SOUTH PROPERTY BOUNDARY.

5. ARCHITECTURAL STANDARDS:

5.1. THE BUILDINGS ON THE SITE WILL COMPLY WITH THE APPLICABLE RESIDENTIAL SITE LAYOUT. BUILDING DESIGN STANDARDS, AND BUILDING MATERIAL RESTRICTIONS FOUND IN ARTICLE 5 OF THE ORDINANCE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS, AND DESIGNS AS THE PRINCIPAL BUILDING(S) LOCATED ON THE

- 5.2. METER BANKS ABOVE GROUND LEVEL WILL BE SCREENED FROM ADJOINING PROPERTIES AND FROM PUBLIC STREETS WITH LANDSCAPING.
- 5.3. HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AND FROM VIEW OF ADJACENT PROPERTIES AT GRADE WITH LANDSCAPING. GROUND-MOUNTED MECHANICAL EQUIPMENT SHALL NOT BE IN THE ESTABLISHED SETBACK ALONG DELTA LANDING RD. FRONTAGE. ROOF-MOUNTED MECHANICAL EQUIPMENT SHALL BE SCREENED BY AN ARCHITECTURAL ELEMENT SO THAT IT IS NOT VISIBLE FROM AN ABUTTING FRONTAGE.
- 5.4. DUMPSTER AND RECYCLING AREA WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A DECORATIVE GATE. THE WALL OR FENCE USED TO ENCLOSE THE DUMPSTER WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE PRINCIPAL BUILDINGS.

6. ENVIRONMENTAL FEATURES:

- 6.1. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE FOUND IN ARTICLE 25 OF THE ORDINANCE. THE LOCATION, SIZE. AND TYPE OF STORM WATER MANAGEMENT SYSTEM(S) DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING PETITION. ADJUSTMENTS MAY BE NECESSARY TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE
- THE SITE WILL COMPLY WITH THE TREE PROVISIONS OF THE ORDINANCE FOUND IN ARTICLE 20. THE FINAL LOCATION OF THE REQUIRED TREE SAVE AREAS WILL BE DETERMINED DURING THE LAND DEVELOPMENT APPROVAL PROCESS FOR THE SITE. TREE SAVE AREAS WILL COMPLY WITH THE REQUIREMENTS OF THE TREE ORDINANCE.
- 6.3. DEVELOPMENT WITHIN ANY SWIM/PCSO BUFFERS SHALL BE COORDINATED WITH AND SUBJECT TO APPROVAL BY CHARLOTTE-MECKLENBURG STORM WATER SERVICES AND MITIGATED IF REQUIRED BY ORDINANCE. THERE ARE NO WATER QUALITY BUFFERS IDENTIFIED ON THE SITE.

- 7.1. ALL FREESTANDING EXTERIOR LIGHTING INSTALLED ON THE SITE SHALL COMPLY WITH ARTICLE 16.2 OF
- 7.2. IF PROVIDED, FREESTANDING LIGHTING SHALL BE NO MORE THAN 15' IN HEIGHT, DIRECTED DOWNWARD, AND SHIELDED.

8. AMENDMENTS TO THE REZONING PLAN:

8.1. 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 ARTICLE 37.3 OF THE ORDINANCE.

9. BINDING EFFECT OF THE REZONING APPLICATION:

9.1. 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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> PRELIMINARY DO NOT USE FOR CONSTRUCTION

PLAN STATUS 7/25 | 1ST RZNG SUBMIT /31/25 ADDED TREE SURVE 4/24/25 |2ND RZNG SUBMITTA 5/16/25 |3RD RZNG SUBMITTAI /19/25 |4TH RZNG SUBMITTA DATE | DESCRIPTION

XXX | XXX | XXX DESIGN DRAWN CHKD SCALE

JOB No. 220246-01-001 DATE **MARCH 7, 2025**

RZ-3 SHEET

