

DEVELOPMENT STANDARDS

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 DELRAY VENTURES, LLC ("PETITIONER") TO ACCOMMODATE DEVELOPMENT OF A MULTI-FAMILY RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 13.08-ACRE SITE LOCATED ON THE EAST SIDE OF MALLARD CREEK ROAD, BETWEEN GOVERNOR HUNT ROAD AND ALEXANDER ROAD, MORE PARTICULARLY DESCRIBED AS MECKLENBURG COUNTY TAX PARCEL NUMBERS 047-152-10, 047-152-25, 047-152-15, 047-152-45, 047-152-14, 047-152-46, 047-152-13, 047-152-12, AND 047-152-11 (THE "SITE").

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 ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

c. PLANNED/UNIFIED DEVELOPMENT. THE SITE SHALL BE VIEWED AS A PLANNED/UNIFIED DEVELOPMENT PLAN AS TO THE ELEMENTS AND PORTIONS OF THE SITE GENERALLY DEPICTED ON THE REZONING PLAN. AS SUCH, SETBACKS, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION STANDARDS, AND OTHER SIMILAR ZONING STANDARDS WILL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS AND OTHER SITE ELEMENTS LOCATED ON THE SITE. FURTHERMORE, THE PETITIONER AND/OR OWNER OF THE SITE RESERVE THE RIGHT TO SUBDIVIDE PORTIONS OR ALL OF THE SITE AND CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH INTERNAL SEPARATION STANDARDS, AND PUBLIC/PRIVATE STREET FRONTAGE REQUIREMENTS. PROVIDED, HOWEVER, THAT ALL SUCH SEPARATION STANDARDS ALONG THE EXTERIOR BOUNDARY OF THE SITE SHALL BE ADHERED TO AND TREATED AS THE SITE AS A WHOLE AND NOT INDIVIDUAL PORTIONS OR LOTS LOCATED THEREIN.

II. PERMITTED USES & MAXIMUM DEVELOPMENT

a. PERMITTED USES. SUBJECT TO THE MAXIMUM DEVELOPMENT SET FORTH BELOW, THE SITE MAY BE DEVOTED TO ALL RESIDENTIAL USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE ZONING DISTRICT, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH.

b. MAXIMUM DEVELOPMENT. THE SITE MAY BE DEVOTED TO A MAXIMUM OF TWO HUNDRED AND NINETY-FIVE (295) MULTI-FAMILY RESIDENTIAL UNITS.

III. TRANSPORTATION

a. VEHICULAR ACCESS WILL BE FROM MALLARD CREEK ROAD, AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINTS WILL BE COORDINATED WITH CDDT BASED ON FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CDDT FOR APPROVAL.

b. PETITIONER SHALL DEDICATE FIFTY (50) FEET OF RIGHT-OF-WAY FROM THE ROAD CENTERLINE, AS GENERALLY DEPICTED ON THE REZONING PLAN.

c. PETITIONER SHALL CONSTRUCT BICYCLE FACILITIES BY INSTALLING A TWELVE (12) FOOT MULTI-USE PATH ON MALLARD CREEK ROAD, AS GENERALLY DEPICTED ON THE REZONING PLAN.

d. PETITIONER SHALL CONSTRUCT TURN LANE IMPROVEMENTS ON MALLARD CREEK ROAD AT THE SITE ACCESS POINTS. EACH ACCESS ON MALLARD CREEK ROAD SHALL HAVE A RIGHT TURN LANE WITH 100-FOOT FEET OF FULL WIDTH STORAGE AND A LEFT TURN LANE WITH 150-FOOT FEET OF FULL WIDTH STORAGE, OR AS OTHERWISE COORDINATED WITH NCDOT. THE EXISTING TWO-WAY LEFT TURN LANE ON MALLARD CREEK ROAD SHALL BE RESTRIPTED TO DEDICATED LEFT TURN LANES PER NCDOT PAVEMENT MARKING STANDARDS.

e. INTERSECTION SITE DISTANCE SHALL BE MET PER NCDOT'S POLICY ON STREET AND DRIVEWAY ACCESS AND CDDT'S SIGHT DISTANCE POLICY AT THE INTERSECTION OF MALLARD CREEK ROAD AND THE PROPOSED SITE ACCESS POINTS.

f. THE PROPOSED PUBLIC STREET SHALL BE EXTENDED AS FAR AS FEASIBLE TO THE EASTERN PROPERTY LINE WITHOUT REQUIRING A CONSTRUCTION EASEMENT, TO BE FURTHER COORDINATED DURING THE PERMITTING PHASE OF DEVELOPMENT. THE PROPOSED PUBLIC STREET SHALL BE INSTALLED PER CDDM U-03 SERIES FOR LOCAL RESIDENTIAL WIDE STREET. MINIMUM EIGHT (8) FOOT WIDE SIDEWALKS AND PLANTING STRIPS SHALL BE PROVIDED ALONG THE PROPOSED PUBLIC STREET.

g. PETITIONER SHALL PROVIDE A MINIMUM 100-FOOT DRIVEWAY STEM FROM THE PROPOSED RIGHT-OF-WAY ON MALLARD CREEK ROAD TO THE FIRST PARKING SPACE ON EACH SITE ACCESS PER COORDINATION WITH NCDOT.

h. WHERE NECESSARY, THE PETITIONER SHALL DEDICATE AND CONVEY IN FEE SIMPLE ALL RIGHTS-OF-WAY TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. IF APPLICABLE, A TWO (2) FOOT EASEMENT SHALL BE PROVIDED WHERE FEASIBLE BEHIND THE BACK OF SIDEWALK.

i. UNLESS OTHERWISE STATED HEREIN, ALL TRANSPORTATION IMPROVEMENTS SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF THE FIRST BUILDING CERTIFICATE OF OCCUPANCY FOR THE SITE.

j. ALL PUBLIC ROADWAYS IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDDT 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 NORTH EASTERN MECKLENBURG AREA, BY WAY OF THE FORMATION OF A PUBLIC/PRIVATE PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.

k. PETITIONER SHALL CONSTRUCT AN ADA COMPLIANT BUS WAITING PAD PER LAND DEVELOPMENT STANDARD 60.05A ALONG THE SITE'S FRONTAGE OF MALLARD CREEK ROAD. THE FINAL LOCATION OF THE PAD SHALL BE COORDINATED WITH CATS DURING THE PERMITTING PHASE OF DEVELOPMENT.

IV. DESIGN GUIDELINES:

a. PREFERRED EXTERIOR BUILDING MATERIALS: ALL PRINCIPAL AND ACCESSORY BUILDINGS ABUTTING A NETWORK REQUIRED PUBLIC OR PRIVATE STREET SHALL COMPRISE A MINIMUM OF 30% OF THAT BUILDING'S ENTIRE FAÇADE FACING SUCH NETWORK REQUIRED STREET USING BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, SYNTHETIC STONE, STUCCO, OR OTHER MATERIAL APPROVED BY THE PLANNING DIRECTOR.

b. PROHIBITED EXTERIOR BUILDING MATERIALS: (A) VINYL SIDING, AS A BUILDING MATERIAL, WILL ONLY BE ALLOWED ON WINDOWS, SOFFITS AND TRIM FEATURES, AND (B) CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED SHALL NOT BE PERMITTED.

c. METER BANKS SHALL BE LOCATED OUTSIDE OF THE SETBACK.

d. SERVICE AREAS SUCH AS DUMPSTER ENCLOSURE AREAS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED FROM NETWORK REQUIRED PUBLIC OR PRIVATE STREETS, COMMON OPEN SPACES AND ANY ADJACENT PARCELS WITH MATERIALS COMPLEMENTARY TO THE PRINCIPAL STRUCTURE. SUCH DESIGN SHALL INCLUDE A MINIMUM 20% PREFERRED EXTERIOR BUILDING MATERIALS OR A CLASS B BUFFER NOT LESS THAN TEN (10) FEET IN DEPTH AT ALL ABOVE GRADE PERIMETER NOT PAVED FOR ACCESS.

e. PETITIONER SHALL SCREEN ALL PARKING AREAS ADJACENT TO PUBLIC STREETS WITH LANDSCAPING AND/OR INTERMITTENT LOW WALLS.

f. BUILDING PLACEMENT AND DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING:

1. BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FAÇADE TO ALL NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE);

2. BUILDINGS SHALL FRONT A MINIMUM OF 60% OF THE TOTAL NETWORK REQUIRED STREET FRONTAGE ON THE SITE (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE OR NATURAL AREAS, TREE REPLANTING AREAS AND STORM WATER FACILITIES);

3. PARKING LOTS SHALL NOT BE LOCATED BETWEEN ANY BUILDING AND ANY NETWORK REQUIRED STREET; AND

4. DRIVEWAYS INTENDED TO SERVE SINGLE UNITS SHALL BE PROHIBITED ON NETWORK-REQUIRED PUBLIC STREETS.

g. BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:

1. BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FAÇADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF TEN (10) FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF FIVE (5) FEET EXTENDING TO THE SOFFIT OF THE BUILDING.

h. ARCHITECTURAL ELEVATION DESIGN - BUILDING ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:

1. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS.

2. BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FAÇADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS. SUCH BASE MAY BE EXECUTED THROUGH THE USE OF PREFERRED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES AND/OR COLOR CHANGES.

3. BUILDING ELEVATIONS FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN TWENTY (20) FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS BUT NOT LIMITED TO, BANDING, MEDALLIONS, OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.

i. ROOF FORM AND ARTICULATION - ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:

1. LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE BUT NOT BE LIMITED TO GABLES, HIPs, DORMERS OR PARAPETS;

2. FOR PITCHED ROOFS THE MINIMUM ALLOWED IS 4:12 EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS.

3. ROOF TOP HVAC UNITS AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST PUBLIC STREET.

j. MINIMUM BUILDING GROUND FLOOR TRANSPARENCY (MEASURED 3' TO 10' FROM FINISHED GRADE) SHALL BE 25% FOR RESIDENTIAL USES. UPPER FLOOR TRANSPARENCY SHALL BE A MINIMUM OF 20%.

k. EXPOSED MULTI-LEVEL PARKING DECKS, IF PROVIDED, SHALL PROVIDE SCREENING SO THAT INTERIOR LIGHTING AND CARS ARE NOT VISIBLE FROM PUBLIC STREETS. THIS IS PRIMARILY ACCOMPLISHED BY THE USE OF ARCHITECTURAL LOUVERS OR DECORATIVE SCREENS ON ALL LEVELS.

l. RESIDENTIAL GROUND FLOOR UNITS WILL HAVE ENTRANCES FACING THE INTERIOR STREET, WHERE GRADE ALLOWS, AND SHALL BE RAISED A MINIMUM OF 12" TO A MAXIMUM OF 24".

V. OPEN SPACE AND AMENITY AREAS.

a. THE PETITIONER SHALL PROVIDE AN AMENITY AREA AND COMMON OPEN SPACE AREA(S), AS GENERALLY DEPICTED ON THE REZONING PLAN, FOR A MINIMUM TOTAL AREA OF 20,000 SQUARE FEET AND WHICH MAY INCLUDE AMENITIES SUCH AS, BUT NOT LIMITED TO, A CLUBHOUSE, COMBINATION OF HARDSCAPE AND SOFTSCAPE, POOL, CABANA, SEATING, LANDSCAPING, ART, FOUNTAINS, POOL, CABANA, GARDEN, CLUBHOUSE, MAIL KIOSK, DOG PARK, AND/OR OTHER SIMILAR AMENITIES.

VI. ENVIRONMENTAL FEATURES.

a. THE PETITIONER SHALL COMPLY WITH THE POST CONSTRUCTION STORMWATER ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS THAT MAY BE 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. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

1. STORM WATER QUALITY TREATMENT. FOR DEFINED WATERSHEDS GREATER THAN 10% BUILT-UPON AREA (BUA), CONSTRUCT WATER QUALITY STORMWATER CONTROL MEASURES (SCMS) DESIGNED FOR THE RUNOFF GENERATED FROM THE FIRST 1-INCH OF RAINFALL FOR ALL NEW AND REDEVELOPED BUA ASSOCIATED WITH THE PROJECT. SCMS MUST BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE CHARLOTTE-MECKLENBURG BMP DESIGN MANUAL.

2. VOLUME AND PEAK CONTROL. FOR DEFINED WATERSHEDS GREATER THAN 10% BUILT-UPON AREA, CONTROL THE ENTIRE VOLUME FOR THE 1-YEAR, 24-HOUR STORM FOR ALL NEW AND REDEVELOPED BUA ASSOCIATED WITH THE PROJECT. RUNOFF VOLUME DRAWDOWN TIME SHALL BE IN ACCORDANCE WITH THE CHARLOTTE-MECKLENBURG BMP DESIGN MANUAL.

FOR COMMERCIAL PROJECTS WITH GREATER THAN 10% BUA, CONTROL THE PEAK TO NOT EXCEED THE PREDEVELOPMENT RUNOFF RATES FOR THE 10-YR, 6-HR STORM AND PERFORM A DOWNSTEAM FLOOD ANALYSIS TO DETERMINE WHETHER ADDITIONAL PEAK CONTROL IS NEEDED AND IF SO, FOR WHAT LEVEL OF STORM FREQUENCY. OR IF A DOWNSTEAM ANALYSIS IS NOT PERFORMED, CONTROL THE PEAK FOR THE 10-YR AND 25-YR, 6-HOUR STORMS.

FOR RESIDENTIAL PROJECTS WITH GREATER THAN 10% BUA, CONTROL THE PEAK TO NOT EXCEED THE PREDEVELOPMENT RUNOFF RATES FOR THE 10-YEAR AND 25-YEAR, 6-HOUR STORMS OR PERFORM A DOWNSTEAM ANALYSIS TO DETERMINE WHETHER PEAK CONTROL IS NEEDED, AND IF SO, FOR WHAT LEVEL OF STORM FREQUENCY.

b. THE PETITIONER SHALL COMPLY WITH THE TREE ORDINANCE.

VII. AMENDMENTS TO THE REZONING PLAN.

FUTURE AMENDMENTS TO THE REZONING PLAN MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE LOT OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF SECTION 6.207 OF THE ORDINANCE.

VIII. BINDING EFFECT OF THE REZONING APPLICATION.

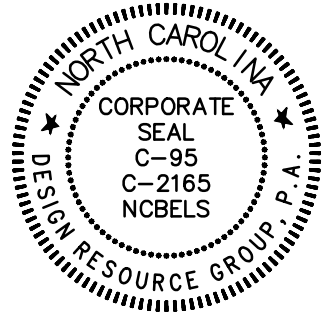
IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE OR LOT(S), AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNERS.

SITE DATA	
TOTAL SITE AREA:	± 13.08 ACRES
TAX PARCELS:	047-152-10, 047-152-25, 047-152-15, 047-152-45, 047-152-14, 047-152-46, 047-152-13, 047-152-12, and 047-152-11
EXISTING ZONING:	R-3
PROPOSED ZONING:	UR-2 (CD)
EXISTING USE:	SINGLE-FAMILY RESIDENTIAL
PROPOSED USE:	RESIDENTIAL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE UR-2 ZONING DISTRICT NOT OTHERWISE LIMITED HEREIN
MAX. DEVELOPMENT:	MAXIMUM OF 295 MULTI-FAMILY RESIDENTIAL UNITS
MAX. BUILDING HEIGHT:	60', AS MEASURED PER THE ORDINANCE
PARKING PROVIDED:	AS REQUIRED BY THE ORDINANCE FOR THE UR-2 ZONING DISTRICT



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REZONING PETITION
FOR PUBLIC HEARING
2021-251

REZONING
DOCUMENTS

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CHARLOTTE, NORTH CAROLINA
DELRAY VENTURES
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DEVELOPMENT STANDARDS

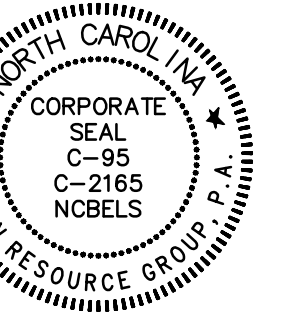
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APRIL 11, 2022

REVISIONS:

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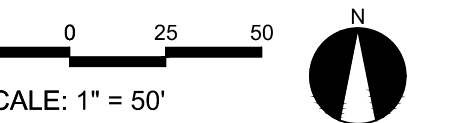
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REVISIONS:

