



VICINITY MAP
NTS

SITE DEVELOPMENT DATA

ACREAGE: ± 311.0 ACRES FOR REZONING SITE IN CHARLOTTE ETJ

TAX PARCEL #S: 029-591-05, 029-591-03, 029-591-04, 029-581-21, 029-581-15, 029-581-03, 029-581-110 AND 029-181-10

EXISTING ZONING: CC

PROPOSED ZONING: I-1(CD) & R-22MF(CD), FIVE YEARS VESTED RIGHTS

EXISTING USES: VACANT

PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN (I) THE I-1 ZONING DISTRICT FOR THE PORTION OF THE SITE SHOWN AS ZONED I-1(CD) (AS GENERALLY DEPICTED ON THE REZONING PLAN) AND (II) THE R-22MF ZONING DISTRICT FOR THE PORTION OF THE SITE SHOWN AS ZONED R-22MF(CD) (AS GENERALLY DEPICTED ON THE REZONING PLAN), EACH AS MORE SPECIFICALLY DESCRIBED BELOW IN SECTION 2 (WHICH SHALL CONTROL).

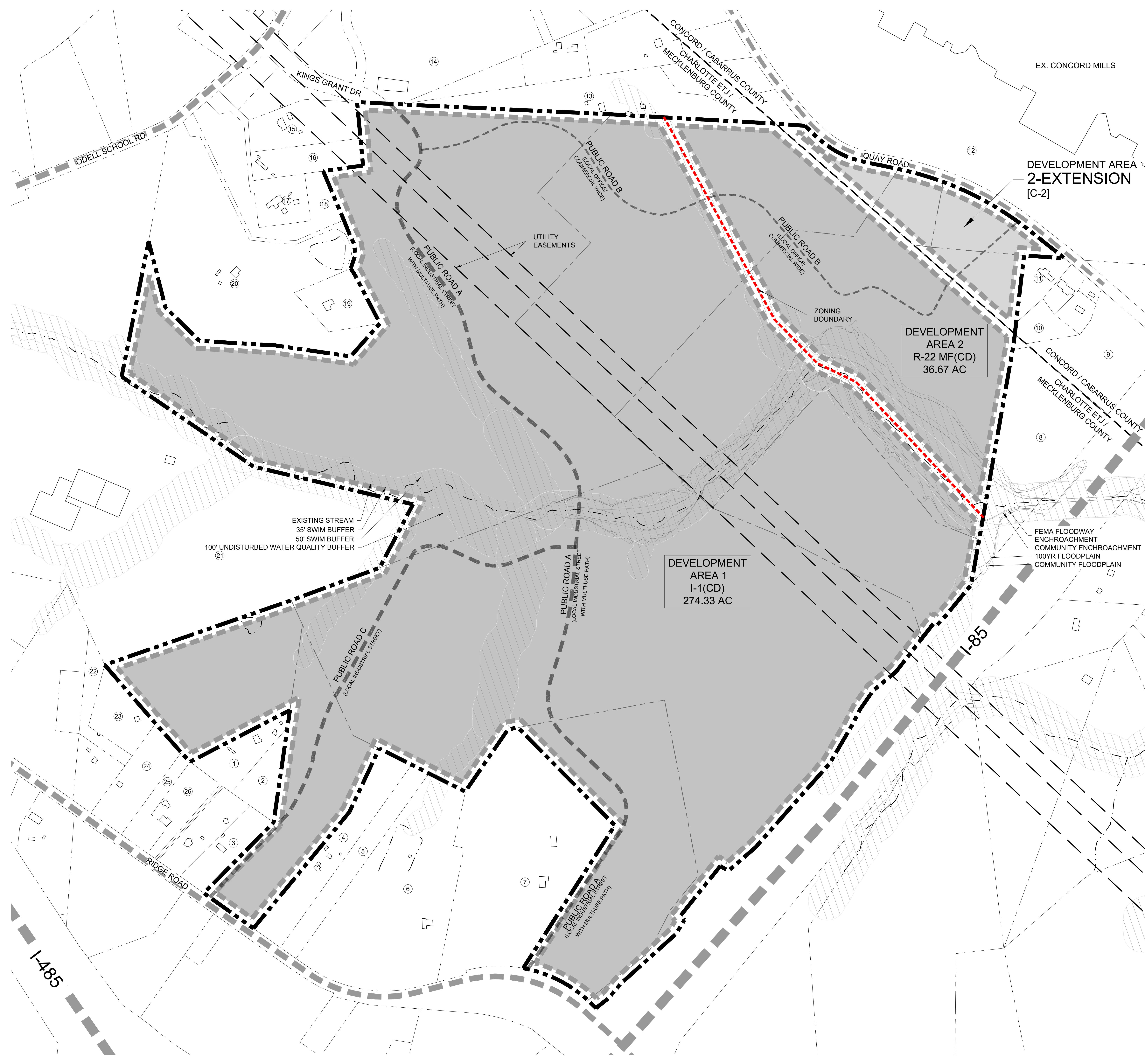
MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT:

A. WITHIN THE I-1(CD) ZONING DISTRICT ON A PHASED BASIS, UP TO 2.75 MILLION SQUARE FEET OF GROSS FLOOR AREA OF WAREHOUSE, DISTRIBUTION AND OTHER PERMITTED USES AS ALLOWED IN THE I-1 ZONING DISTRICT, AS MORE PARTICULARLY DESCRIBED BELOW IN SECTION 2 (WHICH SHALL CONTROL).

B. WITHIN THE R-22MF(CD) ZONING DISTRICT, UP TO 488 MULTI-FAMILY RESIDENTIAL UNITS, AS MORE SPECIFICALLY SET FORTH IN SECTION 2 (WHICH SHALL CONTROL). [NOTE FOR INFORMATION: ADDITIONAL 212 MULTI-FAMILY UNITS DESIGNATED FOR 10.42 ACRE ADJACENT PARCEL WITHIN CONCORD FOR PROJECT TOTAL OF 700 MULTI-FAMILY UNITS]

MAXIMUM BUILDING HEIGHT: IN THE AREA ZONED I-1(CD) BUILDING HEIGHTS SHALL BE AS SET FORTH IN THE ORDINANCE FOR THE I-1 ZONING DISTRICT. BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE. IN THE AREA ZONED R-22MF(CD) ALLOWED BUILDING HEIGHTS WILL BE LIMITED TO 65 FEET.

PARKING: AS REQUIRED BY THE ORDINANCE.



NO.	DESCRIPTION	DATE
1	INITIAL SUBMITTAL	03.09.21
2	PER STAFF COMMENTS	04.12.21
3	PER STAFF COMMENTS	05.17.21
4	PER STAFF COMMENTS	06.14.21
5	PER STAFF COMMENTS	08.16.21
6	PER STAFF COMMENTS	09.08.21
7	PER STAFF COMMENTS	11.18.21

NO.	DESCRIPTION	DATE		
1	029-581-18	WENDY DAWN COPENHAVER	08697-410	R-3
2	029-581-07	NORMAN J PENNINGER	04415-422	R-3
3	029-581-09	JAMES EDWARD JR SHAVER	10202-684	R-3
4	029-581-12	AMH NC DEVELOPMENT LP	34410-379	R-3
5	029-581-22	AMH NC DEVELOPMENT LP	34410-379	R-3
6	029-581-13	AMH NC DEVELOPMENT LP	34410-379	R-3
7	029-581-14	AMH NC DEVELOPMENT LP	33132-74	CC
8	029-591-01	DAVIDLAND LLC	08627-724	R-3
9	458-791-1759-0000	DAVIDLAND LLC / A NC LLC	03033-0044	LI
10	458-961-8976-0000	QUAY LLC / A NC LLC	09853-0036	LI
11	458-962-8251-0000	HARKER RONNIE R / MARTHA H WF	12242-0271	LI
12	458-963-6730-0000	MALL AT CONCORD MILLS LP	10206-0313	C-2
13	029-181-04	ROBERT LUNN	33182-1	R-3
14	029-181-26	KINGS GRANT APARTMENTS LLC	33318-17	CC
15	029-181-12	PIEDMONT NATURAL GAS COMPANY INC	30216-687	R-3
16	029-181-22	PIEDMONT NATURAL GAS COMPANY INC	30216-687	R-3
17	029-181-21	WINNIE N FOX LLC	35142-558	R-3
18	029-181-20	WINNIE N FOX LLC	35142-558	R-3
19	029-181-19	FIVE FOX LLC	35142-556	R-3
20	029-181-18	FIVE FOX LLC	35142-556	R-3
21	029-171-02	HICKORY GROVE BAPTIST CHURCH	08023-218	INST
22	029-581-20	JAMES E JR SHAVER	31515-280	R-3
23	029-581-02	STEPHEN LAWRENCE	04917-540	R-3
24	029-581-04	R FRANCES (N/C) BELT	08930-877	R-3
25	029-581-05	ALICE C WIKE	02315-592	R-3
26	029-581-06	ALICE COVINGTON WIKE	03855-473	R-3

REVISED

SCALE

PROJECT

KINGS GRANT

CHARLOTTE, NC
REZONING
#2021-028

LANDDESIGN PROJ# 1020184

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
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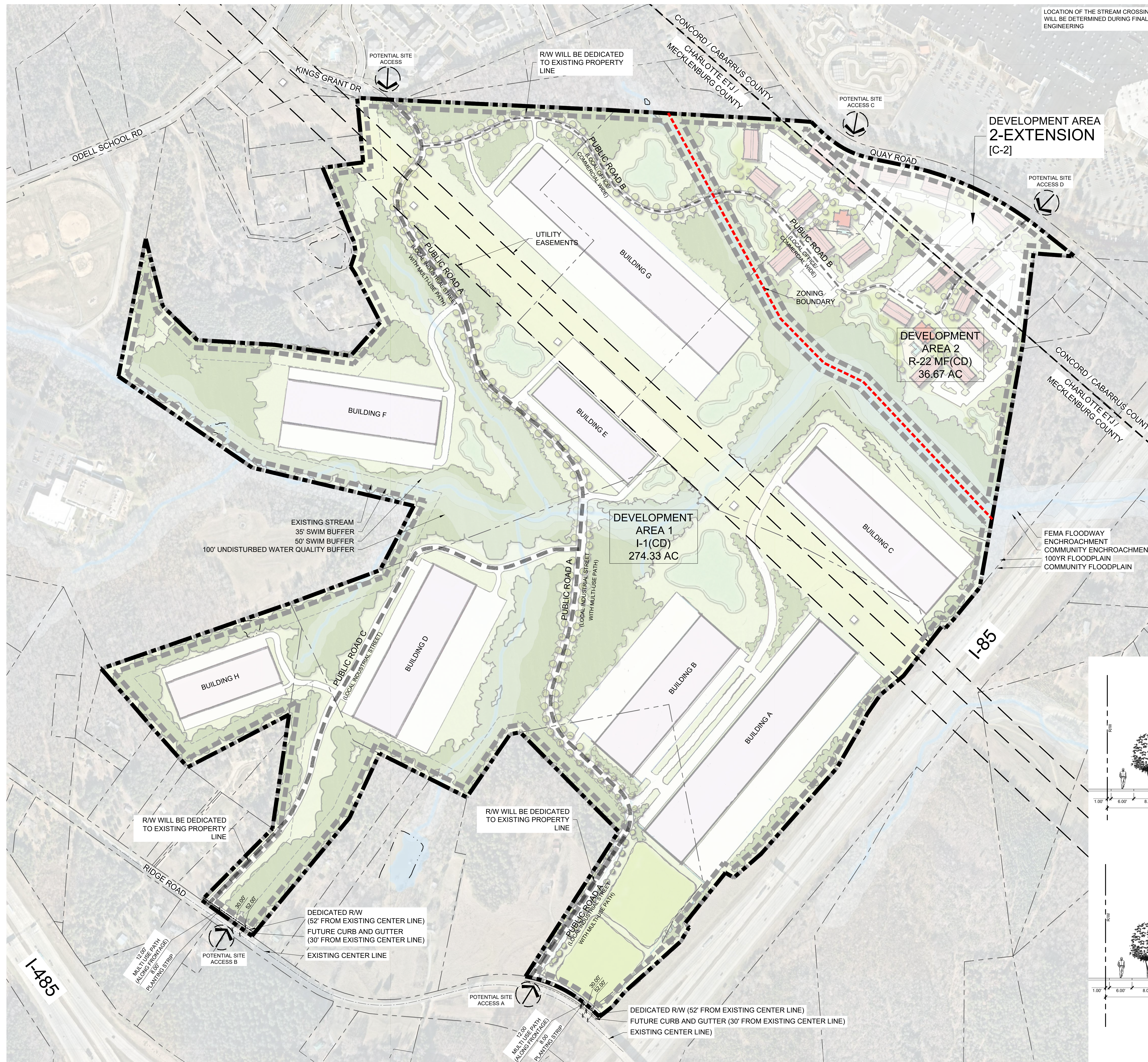
DESIGNED BY: JYK
DRAWN BY: JYK
CHECKED BY: KST

SCALE

VERT: N/A
HORZ: 1"=200'
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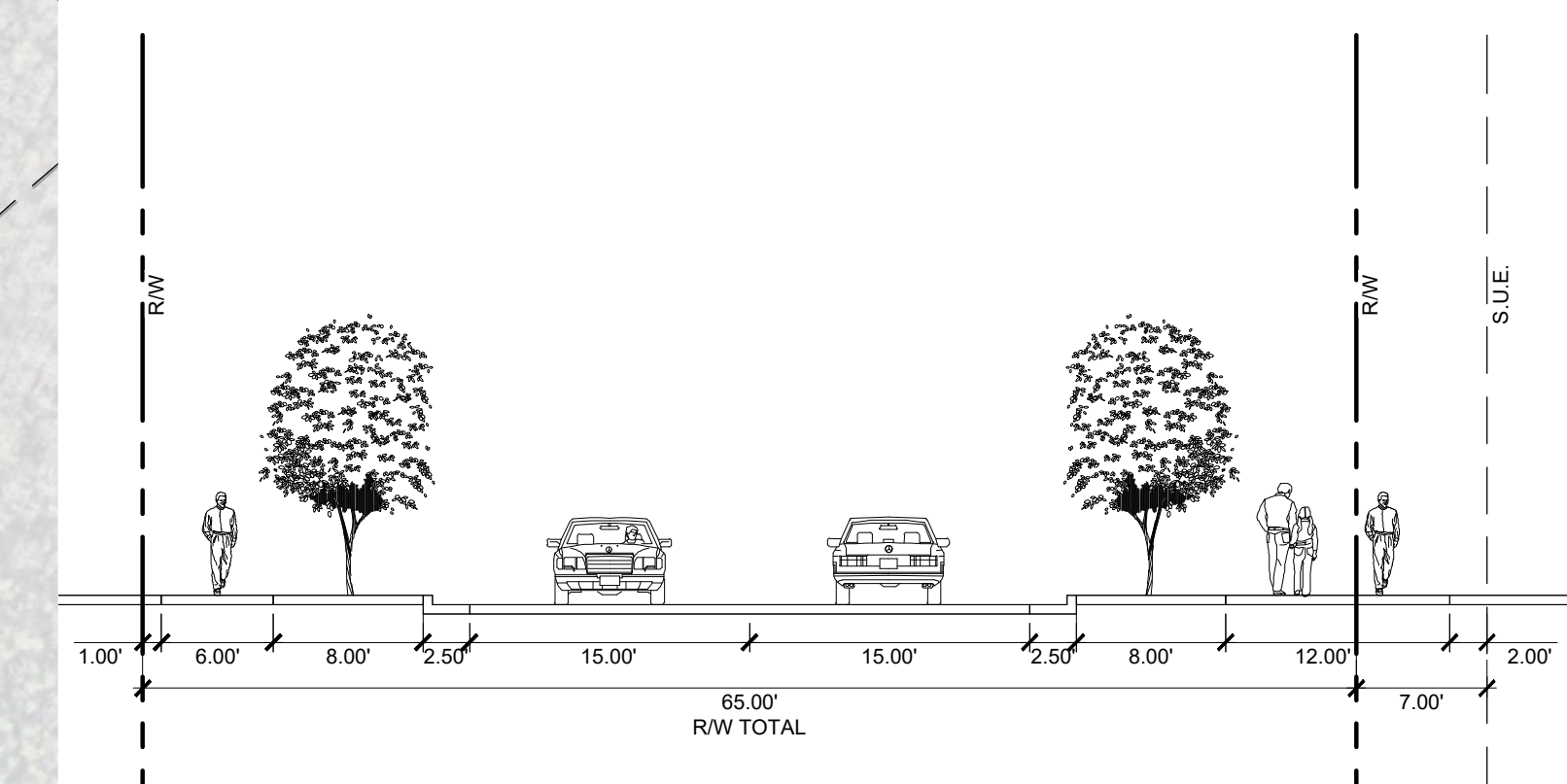
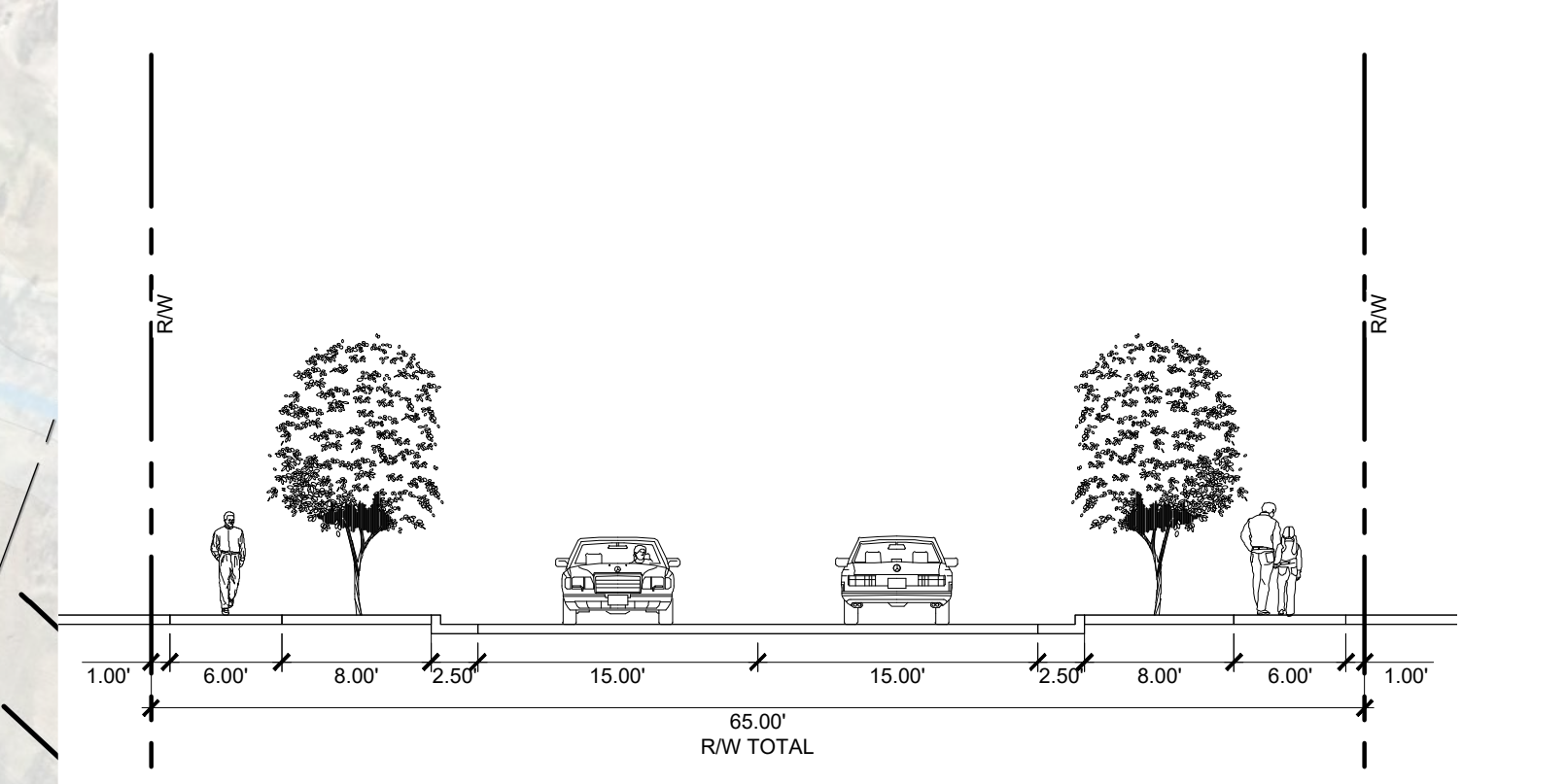
TECHNICAL DATA

SHEET NUMBER
RZ-1



SITE LEGEND

- PROPOSED PROPERTY LINE
- COUNTY LINE
- DEVELOPMENT AREA
- ZONING BOUNDARY
- PUBLIC ROAD A
- PUBLIC ROAD B
- POTENTIAL ACCESS



REVISION / ISSUANCE

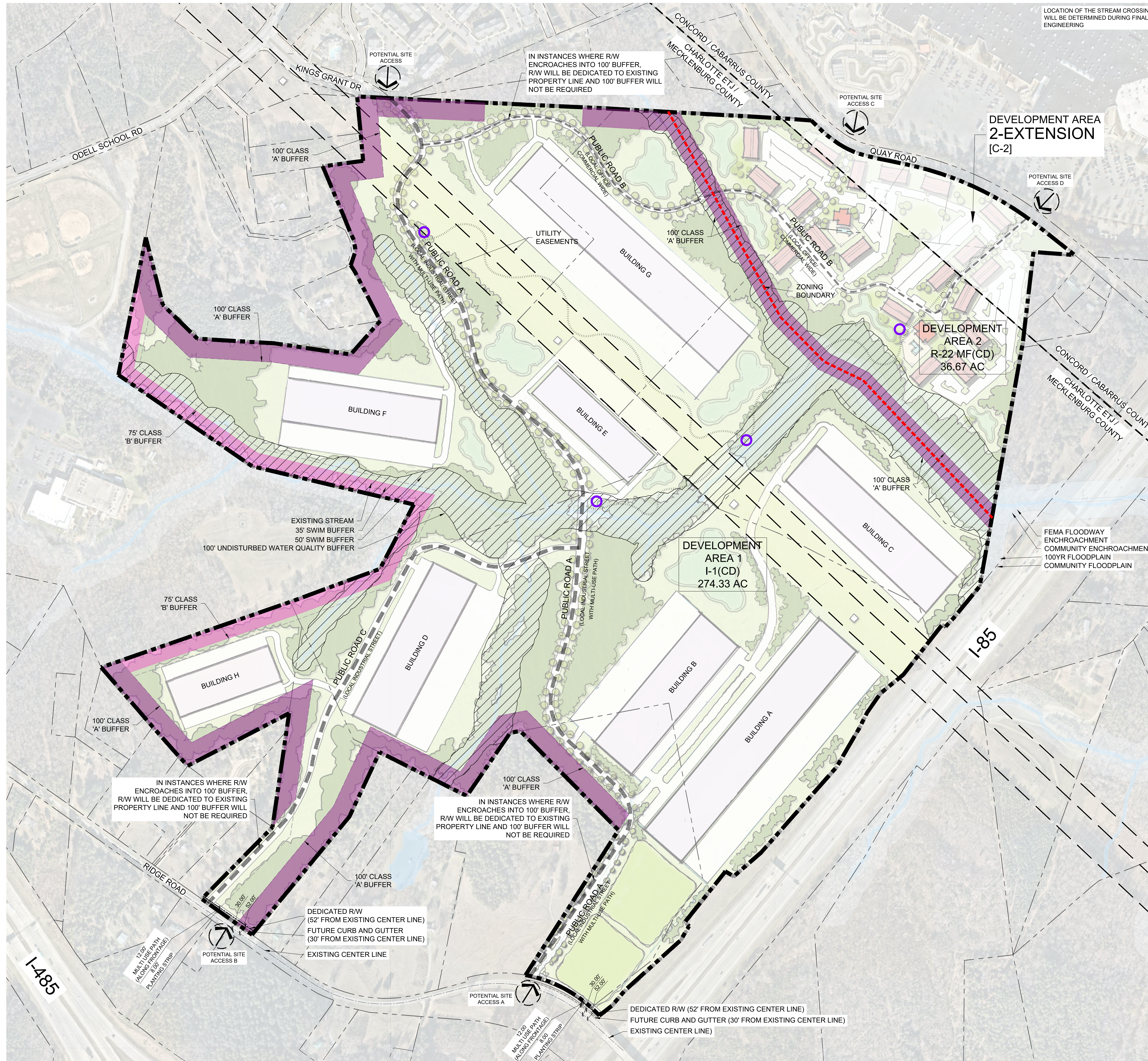
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6	PER STAFF COMMENTS	09.08.21
7	PER STAFF COMMENTS	11.18.21

DESIGNED BY: JJK
 DRAWN BY: JJK
 CHECKED BY: KST

SCALE: 1"=200'

SCHEMATIC SITE PLAN

RZ-2



LOCATION OF THE STREAM CROSSING
WILL BE DETERMINED DURING FINAL
ENGINEERING

BUFFER LEGEND

- 100' CLASS 'A' BUFFER
- 75' CLASS 'B' BUFFER
- POTENTIAL TREE SAVE/
OPEN SPACE
- POTENTIAL TRAIL NETWORK
- POTENTIAL GATHERING SPOTS

REVISED

SCALE

PROJECT

KINGS GRANT

CHARLOTTE, NC
REZONING
#2021-028

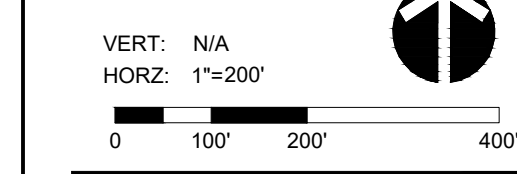
DESIGNER PROJECT #
1020184

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	INITIAL SUBMITTAL	03.09.21
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DESIGNED BY: JJK
DRAWN BY: JJK
CHECKED BY: KST

SCALE

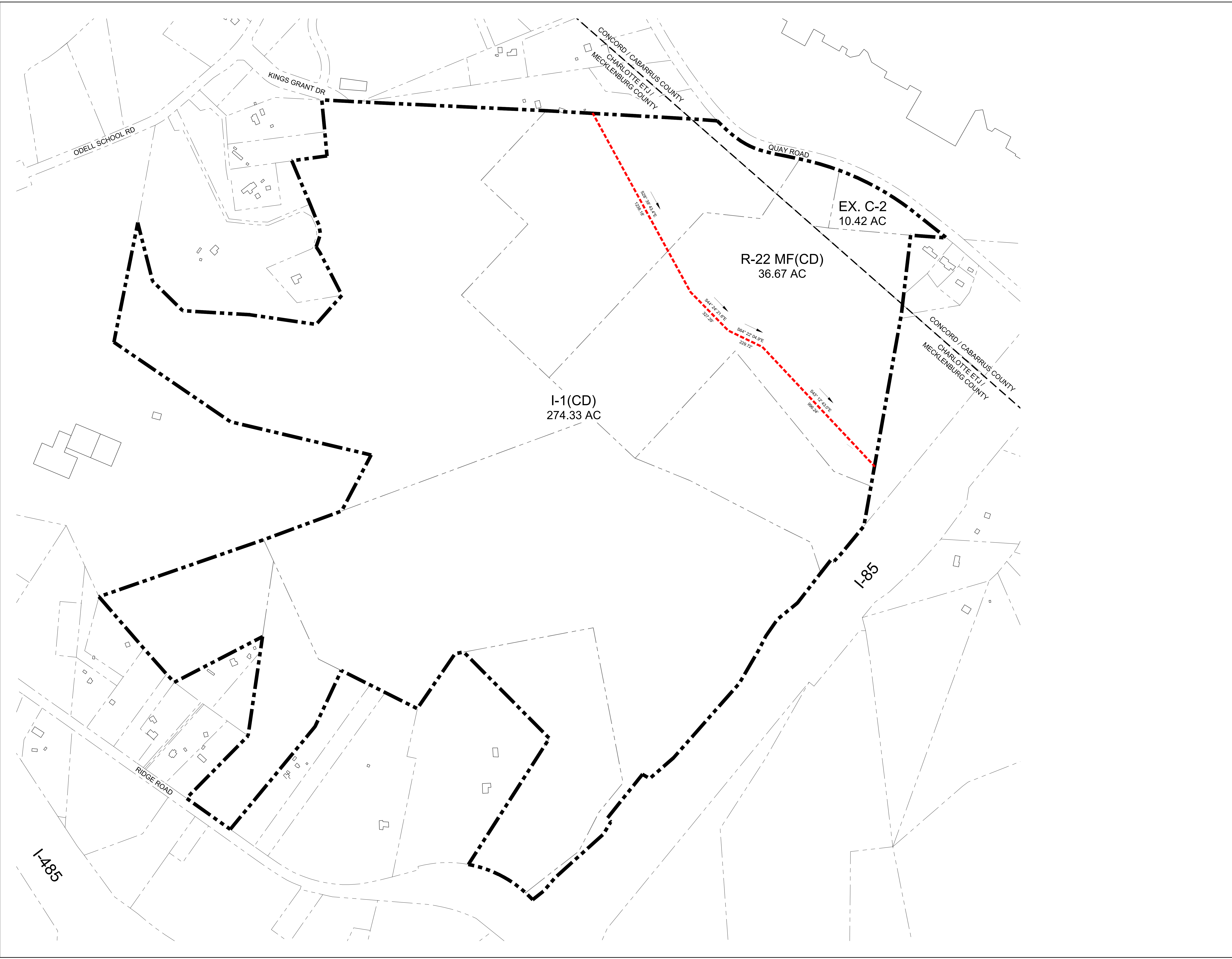


SHEET TITLE

PROPOSED BUFFERS

SHEET NUMBER

RZ-3



KEY MAP

SEAL

PROJECT

KINGS GRANT

CHARLOTTE, NC
 REZONING
 #2021-028

LANDDESIGN PROJ# 1020184

REVISION / ISSUANCE

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DESIGNED BY: JJK
 DRAWN BY: JJK
 CHECKED BY: KST

SCALE
 VERT: N/A
 HORZ: 1"=200'

SHEET TITLE

ZONING BOUNDARY

SHEET NUMBER

RZ-4

**Childress Klein - Kings Grant
Development Standards
1/18/2021
Rezoning Petition No. 2021-028**

(Section 3.11.b below)

Site Development Data:

- Acreage:** ± 311.0 acres for Rezoning Site in Charlotte ETJ (Mecklenburg County) - see below for additional 10.42 acres in Concord/Cabarrus County)
- Tax Parcel #s:** 029-591-05, 029-591-03, 029-591-04, 029-581-21, 029-581-15, 029-581-03, 029-581-110 and 029-181-10
- Existing Zoning:** C
- Proposed Zoning:** I-1(CD) & R-22MF(CD), five years vested rights
- Existing Uses:** Vacant
- Proposed Uses:** Uses permitted by right and under prescribed conditions together with accessory uses as allowed in (i) the I-1 zoning district for the portion of the Site shown as zoned I-1(CD) (as generally depicted on the Rezoning Plan) and (ii) the R-22MF zoning district for the portion of the Site shown as zoned R-22MF(CD) (as generally depicted on the Rezoning Plan), each as more specifically described below in Section 2 (which shall control).
- Maximum Gross Square Feet of Development:**
 - A. Within the I-1(CD) zoning district on a phased basis, up to 2.75 Million square feet of gross floor area of warehouse, distribution and other permitted uses as allowed in the I-1 zoning district, as more particularly described below in Section 2 (which shall control).
 - B. Within the R-22MF(CD) zoning district, up to 488 multi-family residential units, as more specifically set forth in Section 2 (which shall control). **[NOTE FOR INFORMATION: additional 212 multi-family units designated for 10.42 acre adjacent parcel within Concord for project total of 700 multi-family units.]**
- Maximum Building Height:** In the area zoned I-1(CD) building heights shall be as set forth in the Ordinance for the I-1 zoning district. Building height will be measured as defined by the Ordinance. In the area zoned R-22MF(CD) allowed building heights will be limited to 65 feet.
- Parking:** As required by the Ordinance.

- General Provisions:**
 - a. Site Location.** These Development Standards, the Technical Data Sheet and Schematic Site Plan, and related graphics form the Rezoning Plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Childress Klein Properties ("Petitioner") to accommodate development on the approximately 311.0 acre site located at the northeast intersection of I-85 and Ridge Road, as generally depicted on Sheet RZ-1 (the "Site" of (i) a residential community on the portion of the Site zoned R-22MF(CD) (as generally depicted on the Rezoning Plan), and (ii) distribution/logistics/warehouse and other allowed uses on the portion of the Site zoned I-1(CD) (as generally depicted on the Rezoning Plan).

[NOTE FOR INFORMATION - ADDITIONAL PROPERTY WITHIN CITY OF CONCORD: This Rezoning Plan seeks rezoning of the Site located within Mecklenburg County, but the Rezoning Plan sets forth for conceptual site planning purposes only an additional ±10.42 acres of adjacent land fronting Quay Road located within the City of Concord, Cabarrus County (the "Concord Property") and generally depicted on the Rezoning Plan as an extension of Development Area 2 (the "Development Area 2 Extension"). This Rezoning Plan and accompanying City of Charlotte Ordinance provisions governs the Site located within Mecklenburg County, and the Concord Property is shown for conceptual site planning purposes to generally depict the overall master plan development by including all of the proposed multi-family based development, whether located within Mecklenburg County or within the City of Concord. The zoning for the Concord Property shall be governed the zoning regulations of the City of Concord, with the understanding that it is intended that the Site and the Concord Property are intended to constitute a seamless planned/unified development as generally depicted on portions of the Rezoning Plan.]

- Development Areas.** For ease of reference, the Rezoning Plan sets forth two (2) development areas as generally depicted on Sheet RZ-1 as Development Area 1 and Development Area 2 (each a "Development Area" and collectively the "Development Areas"). **[NOTE FOR INFORMATION: it is understood that for the purposes of adherence to the requirements of the Rezoning Plan portion of Development Area 2 generally depicted as "Development Area 2 Extension" and located within Concord shall be governed under the Concord Property zoning.]**
 - a. 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, (i) the regulations established under the Ordinance for the I-1(CD) zoning classification for the portion of the Site so designated on the Rezoning Plan (i.e. consisting of Development Area 1) shall govern all development taking place on such portion of the Site, and (ii) the regulations established under the Ordinance for the R-22MF(CD) zoning classification for the portion of the Site so designated on the Rezoning Plan (i.e. consisting of Development Area 2) shall govern all development taking place on such portion of the Site.

- Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Development 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 Section 6.207 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 Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

- expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or
 - minor and not materially change the overall design intent generally 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 Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

- Number of Buildings Principal and Accessory; Accessory Building Design.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed: (i) on the portion of the Site zoned I-1(CD) shall not exceed ~~(20)~~ **(12)** and (ii) in the R-22MF(CD) zoned portion of the Site shall not exceed ~~(20)~~ **(20)**. **[NOTE FOR INFORMATION: this number of building limitation only applies to the portion of the Site located within Mecklenburg County.]** provided, further, the maximum number of principal buildings in each instance above may be reduced. 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 within the same Development Area as the accessory structure/building. The size of accessory structures/buildings located within the portion of the Site zoned R-22MF(CD) will be limited to 20% of the building area of the principal buildings constructed within such Development Areas to which the accessory structure/building (other than parking structures) relate.

- Planned/Unified Development.** The Site (including the various Development Areas) 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, side and rear yards, buffers, building height separation standards, FAR requirements 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 owners of the Site reserve the right to subdivide the portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in Section 3 below as to the Site as a whole and not individual portions or lots located therein. **[NOTE FOR INFORMATION: as stated above, while the Concord Property as generally depicted on the Rezoning Plan shall be governed by the Concord zoning regulations, it is intended that the Site and the Concord Property shall be deemed a planned/unified development as generally depicted on the Rezoning Plan.]**

- Five Year Vested Rights.** Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development and/or redevelopment, the level of investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period, but such provisions shall not be deemed a limitation on any other vested rights whether at common law or otherwise.

- Gross Floor Area.** When determining the maximum development levels set forth in this Rezoning Plan, gross floor area as defined in the Ordinance shall exclude any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities), utility or similar pump-station facilities, enclosed loading dock/service areas, balconies, outdoor dining areas and all gathering areas whether on the roof of a building or at street level.

- Project Phasing.** Development taking place on the Site may occur in phases and in such event, except as expressly required in this Rezoning Plan or by the Ordinance, certain streetscape improvements, roadway improvements and the like, may take place in connection with the phase of development to which such improvements relate as described herein **(Section 3 below)**.

2. Permitted Uses & Development Area Limitations:

- Uses within the I-1(CD) Areas.** The provisions of this Section 2.1 shall apply only to the I-1(CD) zoned portion of the Site.

- Development Area 1.** Subject to the restrictions and limitations listed below in subsection 2.1.b below, the principal buildings constructed on the I-1(CD) portion of the Site may be developed with up to 2,750,000 square feet gross floor area of warehousing, warehouse distribution, logistics, office, manufacturing, and all other uses permitted by right and under prescribed conditions together with accessory uses, all as allowed in the I-1 zoning district. Of the allowed square footage in Development Area 1, no more than 5,000 square feet of gross floor area may be utilized for retail/EDEE uses.

- Prohibited Uses.** In no event shall the following uses be permitted in the I-1(CD) portion of the Site as a principle use:
 - auction sales,
 - automobiles, truck and utility trailer rental,
 - automotive repair garages,
 - automotive sales and repair,
 - automotive service stations,
 - manufactured housing sales or repair,
 - petroleum storage facilities,
 - recycling or drop off centers

- Uses within R-22MF(CD) Area.** The following provisions of Section 2.1, shall apply to the R-22MF(CD) area only.

- Development Area 2.** Development Area 2 on the Site may be developed with up to 488 multi-family residential units and other uses permitted by-right or under prescribed conditions together with accessory uses, all as allowed in the R-22MF zoning district. **[NOTE FOR INFORMATION: additional 212 multi-family units designated for 10.42 acre adjacent parcel within Concord for project total of 700 multi-family units.]**
 - a. Workforce Housing.** The Petitioner shall voluntarily provide a workforce housing program to ensure that no fewer than 5% of the total amount of rental units developed within Development Area 2 on the Site for a period of not less than 15 years, maintain monthly rents that are income restricted for households earning 80% or less of the area median income.

- Transportation Improvements and Access/Pedestrian Circulation:**
 - I. Proposed Improvements:** The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:
 - The following roadway improvements will be made by the Petitioner as part of the redevelopment of the Site as proposed in the Rezoning Plan in accordance with the phasing described below (it is understood that the dates listed as part of Phases in the list of improvements set out in the approved traffic study are illustrative most aggressive targets, and the applicable roadway improvements shall be provided in connection with the applicable Phased development levels set forth in)

1. Derlin Road & Concord Mills Boulevard/Christenbury Parkway (Signalized)

Phase 1

- No suggested improvements

Phase 1A

- No suggested improvements

Phase 2

- No suggested improvements

2. Mallard Creek Road & Carolina Lily Lane (Signalized)

Phase 1

- Implement pedestrian improvements such as APS pushbuttons

Phase 1A

- No suggested improvements

Phase 2

- Construct a northbound right turn lane on Carolina Lily Lane with 250 feet of storage

3. Mallard Creek Road & Kings Grant Drive (Unsignalized)

Phase 1

- No suggested improvements

Phase 1A

- Through the intersection does not meet signal warrants, due to the future signalized nature of this intersection under STIP U-6032 the following is suggested:
 - Install a traffic signal when warrants are met or
 - Make a monetary contribution towards the installation of the currently planned signal at this intersection

Phase 2

- No suggested improvements

4. Mallard Creek Road & Odell School Road (Signalized)

Phase 1

- No suggested improvements

Phase 1A

- Widened Ridge Road corridor (travel lanes) from 10 feet to 12 feet from Odell School Rd. to the end of the Site's frontage on Ridge Rd.

Phase 1B

- Widened Quay Road corridor (travel lanes) from 9 feet to 11 feet from Carolina Lily Ln. to the end of the Site's frontage on Quay Rd.

Phase 2

- The Petitioner will construct the portion of Public Street B within Development Area 1 as part of the construction on Building G as generally depicted on the Rezoning Plan. This portion of Public Street B will be substantially completed prior to the issues of a certificate of occupancy for Building G.

Phase 2A

- Construct a northbound right turn lane on Carolina Lily Lane with 250 feet of storage

5. Mallard Creek Road & I-85 Outer Ramps (Signalized)

Phase 1

- Construct an additional northbound left turn lane on Odell School Road with 425 feet of storage

Phase 1A

- No suggested improvements

Phase 2

- Construct a southbound right turn lane on Odell School Road with 125 feet of storage

Phase 2A

- Implement right turn overlap phasing on the southbound leg of the intersection

6. Mallard Creek Road & I-85 Inner Ramps (Signalized)

Phase 1

- No suggested improvements

Phase 1A

- No suggested improvements

Phase 2

- No suggested improvements

7. Ridge Road & Odell School Road (Unsignalized)

Phase 1

- Restripe the existing westbound approach on Odell School Road to provide a terminating westbound left turn lane and a separate right turn lane with 100 feet of storage

Phase 1A

- No suggested improvements

Phase 2

- Construct a northbound right turn lane on Ridge Road with 100 feet of storage

Phase 2A

- Install a traffic signal

8. Carolina Lily Lane & Quay Road (Unsignalized)

Phase 1

- No suggested improvements

Phase 1A

- Convert the intersection to all-way stop control

Phase 2

- Remark the existing pavement to allow for a separate eastbound left turn lane on Quay Road with 100 feet of storage

9. Ridge Road & Access "A" (Unsignalized)

Phase 1

- No suggested improvements

Phase 1A

- One ingress lane and two egress lanes (a terminating westbound right turn lane and a separate left turn lane with 100 feet of storage)

Phase 2

- Construct a southbound left turn lane with 100 feet of storage on Ridge Road

Phase 2A

- Construct a northbound right turn lane with 100 feet of storage on Ridge Road

Phase 2B

- 100-foot internal protected stem

10. Ridge Road & Access "B" (Unsignalized)

Phase 1

- No suggested improvements

Phase 1A

- One ingress lane and two egress lanes (a terminating westbound right turn lane and a separate left turn lane with 100 feet of storage)

Phase 2

- Construct a southbound left turn lane with 100 feet of storage on Ridge Road

Phase 2A

- Construct a northbound right turn lane with 100 feet of storage on Ridge Road

Phase 2B

- 100-foot internal protected stem

Phase 2C

- Construct a northbound right turn lane on Carolina Lily Lane with 250 feet of storage

Phase 2D

- Implement pedestrian improvements such as APS pushbuttons

Phase 2E

- No suggested improvements

Phase 2F

- No suggested improvements

Phase 2G

- No suggested improvements

Phase 2H

- No suggested improvements

Phase 2I

- No suggested improvements

Phase 2J

- No suggested improvements

Phase 2K

- No suggested improvements

Phase 2L

- No suggested improvements

- 100-foot internal protected stem

Phase 1A

- No suggested improvements

Phase 2

- No suggested improvements

11. Quay Road & Access "C" (Unsignalized)

Phase 1A

- One ingress lane and one egress lane (a combined eastbound left-right turn lane on Access "C")

Phase 1B

- 100-foot internal protected stem

Phase 2

- No suggested improvements

12. Quay Road & Access "D" (Unsignalized)

Phase 1A

- One ingress lane and one egress lane (a combined eastbound left-right turn lane on Access "C")

Phase 1B

- 100-foot internal protected stem

Phase 2

- No suggested improvements

13. Ridge Road

Phase 1

- Widened Ridge Road corridor (travel lanes) from 10 feet to 12 feet from Odell School Rd. to the end of the Site's frontage on Ridge Rd.

Phase 2

- No suggested improvements

14. Quay Road

Phase 1A

- Widened Quay Road corridor (travel lanes) from 9 feet to 11 feet from Carolina Lily Ln. to the end of the Site's frontage on Quay Rd.

Phase 1B

- The Petitioner will construct the portion of Public Street B within Development Area 1 as part of the construction on Building G as generally depicted on the Rezoning Plan. This portion of Public Street B will be substantially completed prior to the issues of a certificate of occupancy for Building G.

Phase 1C

- The Petitioner shall dedicate additional right-of-way along the Site's frontage of Ridge Road to result in fifty-two (52) feet of right-of-way as measured from the existing centerline of Ridge Road along the Site's frontage.

II. Standards, Phasing and Other Provisions.

- CDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, (as it relates to the roadway improvements within its 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 Mallard Creek Road area, by way of any applicable private/public partnership effort or other public sector project support.

- Phasing.** Road improvements shall be completed in phases, or subphases, that align with the permitted uses and development levels described above Section 2, subject to the adjustments permitted by Section 2, above such as conversions/transfers of uses and other provisions of Section 3. Prior to the development proceeding in a subsequent phase or subphase of development for transportation purposes, the roadway improvements listed for the given phase (or subphase) shall be substantially completed prior to issuance of the first certificate of occupancy for development to take place in such next subsequent phase or subphase, subject to other provisions of this Section 3.11. The primary phases for transportation purposes and accompanying improvements are set forth below.

- Right-of-way Dedication.** Subject to the qualifications set forth herein, right-of-way to be dedicated for the required roadway improvements described in above will be dedicated via fee simple conveyance before the certificate of occupancy is issued for the level of improvements required by the phasing tied to the identified roadway improvements as described above and on this Rezoning Plan. The Petitioner will provide a sidewalk utility easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way. The sidewalk utility easement will be located at a minimum of two (2) feet behind the sidewalk where feasible.

- Substantial Completion.** Reference to "substantial completion" or "substantially completed" for certain improvements as set forth in the provisions of this Section 3 above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 3.11, provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT, or NCDOT, as applicable) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for buildings on the Site in connection with related development phasing described above, then CDOT, or NCDOT, as applicable, will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

- Right-of-way Availability.**