

**SITE DEVELOPMENT DATA:**

ACREAGE: ± 55 ACRES  
 TAX PARCELS: 073-261-02, 119-102-01,  
 073-262-30A, 073-262-30B,  
 073-268-01, 073-252-13,  
 073-252-15, 073-252-11,  
 073-252-07, 073-252-02,  
 073-252-16, 073-252-17,  
 073-256-01, 073-256-02,  
 073-255-01, 073-251-14,  
 073-141-05, 073-142-01,  
 073-252-10, and 073-252-09

EXISTING ZONING: I-2, I-2(CD),  
 MUDD-O

PROPOSED ZONING: UMUD-O  
 WITH 5-YEAR VESTED RIGHTS

MAXIMUM BUILDING HEIGHT: AS  
 REQUIRED BY THE ORDINANCE FOR  
 THE UMUD ZONING DISTRICT.

PARKING: AS REQUIRED BY THE  
 ORDINANCE FOR THE UMUD ZONING  
 DISTRICT.

PROPOSED DEVELOPMENT ON SITE  
 WILL COMPLY WITH SUBDIVISION  
 ORDINANCE.

**LEGEND:**

- DEVELOPMENT AREA A
  - DEVELOPMENT AREA B
  - CONCEPTUAL LIGHT RAIL RIGHT-OF-WAY RESERVATION (+/- 70')
  - CONCEPTUAL TEMPORARY NO-BUILD ZONE RESERVATION
- \* REFER TO NOTE IN DEVELOPMENT STANDARDS

**TRANSPORTATION PHASING:**

**PHASE 1A:**

- 500,000 SF OFFICE
- 6,250 SF RESTAURANT
- 6,250 SF RETAIL
- 500 RESIDENTIAL UNITS

**PHASE 1B:**

- 1,500,000 SF ADDITIONAL OFFICE
- 18,750 SF ADDITIONAL RESTAURANT
- 18,750 SF ADDITIONAL RETAIL
- 500 ADDITIONAL RESIDENTIAL UNITS

*NOTE: PHASE 1 DEVELOPMENT LOCATED IN DEVELOPMENT AREA A. UP TO 25% OF PHASE 1A AND PHASE 1B MAY BE LOCATED WITHIN DEVELOPMENT AREA B.*

*NOTE: SEE TRANSPORTATION NOTES WITHIN DEVELOPMENT STANDARDS FOR FULL COMMITMENTS.*

KEY MAP

SEAL

**NOT FOR CONSTRUCTION**

**CHARLOTTE PIPE FOUNDRY**

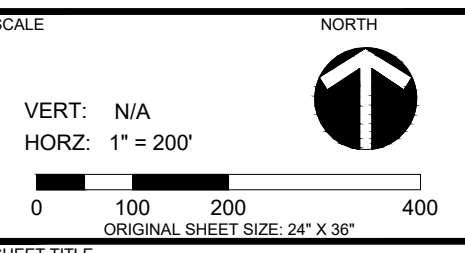
REZONING PETITION 2021-033

LANDDESIGN PROJ# 1020131

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NO.	DESCRIPTION	DATE

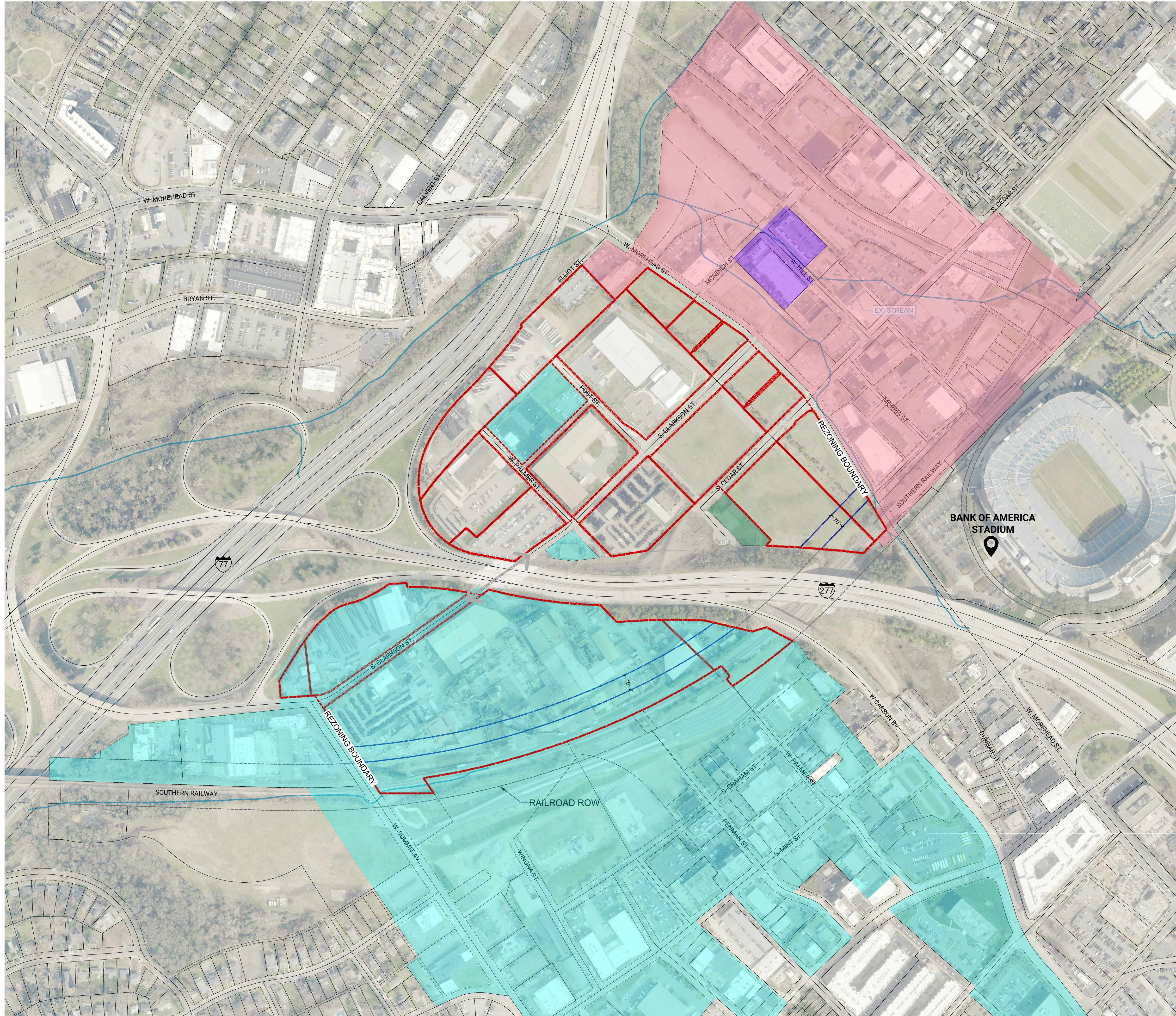
DESIGNED BY: LRM  
 DRAWN BY: LRM  
 CHECKED BY: LRM



TECHNICAL DATA SHEET

SHEET NUMBER

**RZ-1.0**



**ADJACENT PARCELS EXISTING ZONING LEGEND:**

- EXISTING ZONING MUDD
- EXISTING ZONING MUDD-O
- EXISTING ZONING I-2
- EXISTING ZONING I-2 (CD)

KEY MAP

SEAL

**NOT FOR CONSTRUCTION**

**CHARLOTTE PIPE FOUNDRY**

REZONING PETITION 2021-033

LANDDESIGN PROJ.# 1020131

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DESIGNED BY: LRM  
DRAWN BY: LRM  
CHECKED BY: LRM

SCALE: NORTH

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

0 100 200 400  
ORIGINAL SHEET SIZE: 24" X 36"

**ADJACENT PARCEL ZONING DATA**

SHEET NUMBER: **RZ-1.1**

**CHARLOTTE PIPE & FOUNDRY COMPANY REZONING  
DEVELOPMENT STANDARDS  
Rezoning Petition No. 2021-033  
11/18/2021**

**Site Development Data:**

- Acres: ± 55 acres
- Tax Parcels: 073-261-02, 119-102-01, 073-262-30A, 073-262-30B, 073-268-01, 073-252-13, 073-252-15, 073-252-11, 073-252-07, 073-252-02, 073-252-16, 073-252-17, 073-256-01, 073-256-02, 073-255-01, 073-251-14, 073-141-05, -73-142-01, 073-252-10, and 073-252-09
- Existing Zoning: I-2, I-2(CD), MUDD-O
- Proposed Zoning: UMUD-O with 5-year vested rights
- Existing Use: Industrial
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the UMUD zoning district not otherwise limited in the Rezoning Plan.
- Maximum Building Height: As required by the Ordinance for the UMUD zoning district.
- Parking: As required by the Ordinance for the UMUD zoning district.

**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 Charlotte Pipe & Foundry Co. ("Petitioner") to accommodate development of an urban mixed-use project on an approximately 55-acre site located along the north and south side of John Belk Freeway, east of Interstate 77, and northwest of South Mint Street, more particularly described as Mecklenburg County Tax Parcel Numbers 073-261-02, 119-102-01, 073-262-30A, 073-262-30B, 073-268-01, 073-252-13, 073-252-15, 073-252-11, 073-252-07, 073-252-02, 073-252-16, 073-252-17, 073-256-01, 073-256-02, 073-255-01, 073-251-14, 073-141-05, -73-142-01, 073-252-10, and 073-252-09 (the "Site").
- b. **Intent.** This Rezoning is intended to provide the framework to accommodate development on the Site for a mixture of UMUD-permitted uses including but not limited to residential, office, commercial, recreational, hospitality, and sports entertainment uses.
- 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, or as requested in the Optional Provisions below, the regulations established under the Ordinance for the UMUD zoning district shall govern all development taking place on the Site.
- d. **Flexibility in Placement of Development/Site Elements; Alterations/Modifications.** The Development Area layout depicted on the Rezoning Plan is schematic in nature and

intended to depict the possible general arrangement of permitted uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements generally depicted on the Rezoning Plan, if provided, are graphic representations of the possible proposed development and site elements; but since the project has not undergone design development, it is intended that this Rezoning Plan provide for flexibility in ultimate layout, locations and sizes of development and site elements including allowing alterations or modifications to graphic representations in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards.

Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Minor alterations to the Rezoning Plan not otherwise contemplated by this Rezoning Plan are subject to Section 6.207 of the Ordinance.

- e. **Planned/Unified Development.** The Site and each Development Area and parcel created therein shall be viewed as a planned/unified development plan as may be generally depicted on the Rezoning Plan; as such, except where design guidelines or standards are set forth in the Rezoning Plan, 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 within the Site. Furthermore, the Petitioner and/or owner of the applicable portion of the Site reserve the right to subdivide portions or all of the Site and create lots within the interior of the portion of the Site without regard to any such internal separation standards; provided, however, all such separation standards applied to the Site along the exterior boundary of the Site shall be adhered to.
- f. **Five Year Vested Rights.** Per 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 & its timing, and the level of investment, among other factors, this Petition includes vesting of the Rezoning Plan and the Rezoning Site for a five (5) year period, but such provisions shall not limit any other vested rights at common law or otherwise.

**II. Permitted Uses:**

The Site may be devoted to any uses permitted by right or under prescribed conditions in the UMUD Zoning District, together with any incidental or accessory uses associated therewith.

**III. Optional Provisions:**

- The Petitioner requests the following deviations from the UMUD Zoning Ordinance:
- a. Except as may be expressly set forth in the Rezoning Plan, the frontage of the Site with I-77 and I-277 shall not be deemed public street frontage for design or other types of zoning regulations (*See Section 9.906(2) of the Ordinance*).
  - b. To allow temporary special event off-street parking as a principal use, for an unlimited number of special events per year, not to exceed seven (7) days in duration per event and not to run seven-day events consecutively, and not to exceed a total of 150 events per year.

The use shall be exempt from any requirements related to installation of sidewalks, trees, and buffering or screening of parking until a certificate of occupancy for a new building is issued for the associated block of development, at which time sidewalks, trees, buffering and screening will be required per Ordinance. The use shall be located a distance of at least 200 feet from any single-family residential zoning district or land use. (*See Section 9.903(16.1) of the Ordinance for comparison*).

- c. Petitioner requests the ability to deviate from the standard provisions of Section 9.906(4)(a) in order to provide a master-planned park and/or amenitized open space areas for the overall site. This optional provision shall allow the Petitioner to satisfy the urban open space requirements of Section 9.906(4)(a) by aggregating the open space requirements for individual lots or buildings and to provide the open spaces anywhere within the Site.

**IV. Transportation Phasing and Conversion Rights:**

- a. **Development Areas.** The Technical Data Sheet (RZ-1.0) depicts the general location of Development Areas A and B that are associated with the Transportation Phasing described below.
- b. **Transportation Phase IA** may include a maximum of 500 residential units, 500,000 square feet of office uses, 6,250 square feet of retail uses, and 6,250 square feet of EDEE uses as permitted in the UMUD Zoning District as not otherwise restricted herein and subject to the conversion rights allowing for conversions to residential uses at the rate stated in IV.f. below. The requested maximum entitlements for Phase IA may be modified in coordination with the Planning Director (or its assignee) as long as the resulting development is traffic neutral to these requested entitlements. Phase IA shall be located within Development Area A, as generally depicted on the Rezoning Plan, except that up to 25% of Phase I may be located within Development Area B.
- c. **Transportation Phase IB** may include a maximum of 1,500,000 square feet of additional office uses, 18,750 square feet of additional retail uses, 18,750 square feet of additional EDEE uses, and 500 additional residential units above the Phase IA entitlements, as permitted in the UMUD Zoning District as not otherwise restricted herein and subject to the conversion rights in Section IV.f. The requested maximum entitlements for Phase IB may be modified in coordination with the Planning Director (or its assignee) as long as the resulting development is traffic neutral to these requested entitlements. Phase IB may be located within Development Area A, as generally depicted on the Rezoning Plan, except that up to 25% of Phase I may be located within Development Area B.
- d. **Transportation Phase I Alternative.** Phase IA and IB may alternatively be combined to include a sports/entertainment complex with a maximum of 250 residential units and 500,000 square feet of non-residential uses as permitted in the UMUD Zoning District as not otherwise restricted herein and subject to the conversion rights allowing for conversions to residential uses at the rate stated in IV.f. Phase I Alternative may be located within Development Area A, as generally depicted on the Rezoning Plan, except that up to 25% of Phase I Alternative may be located within Development Area B.

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- e. **Transportation Phase II** may include all development, as permitted in the UMUD Zoning District as not otherwise restricted herein, exceeding 1,000 residential units, 2,000,000 square feet of office, 50,000 square feet of retail uses (i.e., the Phase IA and Phase IB entitlements outlined above), subject to conversion rights listed below. Phase II may be located within Development Area A and B as generally depicted on the Rezoning Plan.
  - f. **Transportation Conversion Rights:**
    - 1. Residential dwelling units may be converted to hotel rooms (and vice versa) at a ratio of one (1) residential dwelling unit to two (2) hotel rooms.
    - 2. Residential dwelling units may be converted to non-residential uses (and vice versa) at a rate of one (1) residential unit per 1,000 square feet of non-residential gross floor area.
  - g. A master development chart will be maintained and submitted with each new development.
- V. Transportation Commitments:**
- a. **Street Network and Connectivity.** Due to the master planned nature of the development of the Site which will occur over many years, the applicable transportation network will be implemented over time and may adapt to the timing of development, availability of public and private funding and other factors, and if needed, in coordination with NCDOT/CDOT approval.

- 6. **Elliot Street** shall be extended (subject to NCDOT approval, if necessary) as a public street into the site providing access to Morehead Street and connected to the future street network of the site.
- 7. **Internal Streets:** All internal streets shall follow Land Development Standards for a commercial-wide street cross section, including a minimum eight (8) foot wide amenity zone and eight (8) foot wide sidewalk.
- b. **Morehead Street.** The required future cross section of Morehead Street is described/illustrated in the development standards on RZ-2.1.
  - 1. The necessary right-of-way for this future cross section shall be reserved by the petitioner for future dedication as adjacent development occurs.
  - 2. The additional travel/turn lanes, planting strip and multi-use path shall be constructed by the petitioner as adjacent development occurs and as described in Section V.d.
  - 3. The streetscape improvements (multi-use path and planting strip) may be modified to accommodate the existing School Supply and Boxer Buildings as determined during land development permitting.
- c. **NCDOT Interchange No Build Zone.** The Petitioner shall temporarily designate a NCDOT interchange "No Build Zone" as generally depicted on the Rezoning Plan. The Petitioner shall work with NCDOT and CDOT on furthering the I-277 / I-77 interchange design in order to reach an agreement of future right-of-way reservation/dedication. No development shall occur in the No Build Zone(s) until an agreement of future right-of-way reservation/dedication occurs. Should an agreement not be reached by both parties prior to December 31, 2023, development rights defer back to the rezoning boundary and associated rezoning conditions, thereby extinguishing the No Build Zone.

**2. Phase IB Transportation Improvements.** The following shall be required to be completed prior to the issuance of the first building certificate of occupancy for Phase IB:

- a. **I-77 and Morehead Street.** Petitioner shall install an additional left turn lane on the I-77 southbound ramp to West Morehead Street. The ramp shall include dual left turn lanes and a dedicated right turn lane maximizing storage to the gore area on the highway. Additionally, the Petitioner shall restripe the eastbound approach to gain an additional through lane at the intersection;
- b. **West Morehead and McNinch Street.** Petitioner shall install a traffic signal and an eastbound left turn lane on West Morehead Street maximizing the storage and taper prior to the 1023 West Morehead property existing building, with approximately 150 linear feet of storage and a 50 linear foot taper. The Petitioner shall install a westbound left turn lane on West Morehead Street with approximately 285 linear feet of storage and a 50 linear foot taper, maximizing storage between McNinch Street and Cedar Street. The Petitioner shall construct a northbound left turn lane along McNinch Street with approximately 175 linear feet of storage and 100 linear foot taper. The Petitioner shall install a southbound left turn lane along McNinch Street with approximately 125 linear feet of storage and 100 linear foot taper;
- c. **Elliot Street and Morehead Street.** Petitioner shall install a traffic signal and intersection improvements at Elliot Street/West Morehead Street/I-77 northbound ramp when new development on the Site creates a connection at Elliot Street to this intersection (certificate of occupancy to be tied to first building after such connection is made). Elliot Street exists inside of NCDOT right-of-way, and any additional widening to support a dedicated 150 linear foot right turn lane will require approval from NCDOT for additional improvements and widening adjacent to I-77. The existing driveway to 1023 West Morehead Street shall remain;
- d. **Carson Street and Mint Street.** Petitioner shall modify the Carson Street off-ramp laneage to accommodate dual left turn lanes and a thru right lane;
- e. **Clarkson Street and Summit Avenue.** Petitioner shall install a traffic signal at the intersection of Summit Avenue and Clarkson Street.
- f. Petitioner shall provide a study of 30% of the Freedom Drive ramp design, to be coordinated with CDOT/NCDOT.
- g. **Alternative Compliance:** As an alternative to the improvements listed in this Section V.d.2.a-d, above, if all parties in coordination with CDOT, NCDOT and the City of Charlotte as applicable, find that alternative transportation improvements may be preferred, the above commitments may be modified by such parties.

**3. Phase I Alternative Transportation Improvements.** No permits nor certificates of occupancy may be issued with respect to Phase I Alternative Development

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KEY MAP

SCALE

**NOT FOR CONSTRUCTION**

**CHARLOTTE PIPE FOUNDRY**

REZONING PETITION 2021-033

LANDDESIGN PROJ# 1020131

**REVISION / ISSUANCE**

NO.	DESCRIPTION	DATE

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DRAWN BY: LRM  
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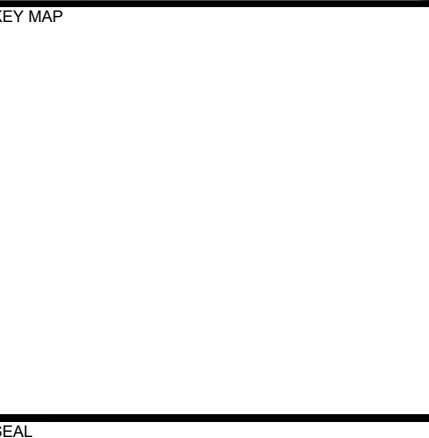
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HORZ:

ORIGINAL SHEET SIZE: 24" X 36"  
SHEET TITLE

DEVELOPMENT STANDARDS

SHEET NUMBER

**RZ-2.0**



**NOT FOR CONSTRUCTION**

**CHARLOTTE PIPE FOUNDRY**

REZONING PETITION 2021-033

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**RZ-2.1**

without additional transportation impact study(s) reasonably defined by and reasonably acceptable to CDOT and NCDOT, as applicable, in accordance with customary guidelines for the same to quantify and evaluate the transportation adequacy of Phase I Alternative (including, but not limited to, the mix of use, development levels, phasing and site location) relative to defined transportation investments/improvements.

**4. Phase II Major Transportation Investment/Improvements:** The provision of Phase II Development is intended to anticipate and accommodate additional development in excess of Phase IA and IB maximums associated with, and supportive of, planned major transportation commitments, investments and improvements within Areas A and B.

a. **Utilization of Phase II Development.** It is expressly understood that no permits nor certificates of occupancy may be issued with respect to the Phase II Development (or any portion thereof) without BOTH:

- i. The determination, occurrence and documentation of a Major Transportation/Improvement (as defined in Section V.d.4.b below); AND

- ii. Additional transportation impact study(s) reasonably defined by and reasonably acceptable to CDOT and NCDOT, as applicable, in accordance with customary guidelines for the same to quantify and evaluate the transportation adequacy of Phase II Development (including, but not limited to, the mix of use, development levels, phasing and site location) relative to defined Major Transportation Investments/Improvements, except where additional transportation analysis is not required, as stated in Section V.d.4.b.i.

b. **Major Transportation Investments/Improvements** shall be defined as transportation related commitment(s), improvement(s), investment(s), and/or future technological mobility advancement(s) that can be quantified and demonstrated to significantly alter the transportation/congestion management environment for the Site. The definition, determination and approval of an appropriate Major Transportation Investments/Improvement commitment or combination thereof necessary for any consideration of Phase II Development shall be made jointly and reasonably by the Directors of Planning, CDOT, CATS and NCDOT, as required, in accordance with customary guidelines for the same and could include by way of illustration only:

- i. A commitment to light rail service to the Site, which shall not require additional traffic analysis by the Petitioner, that could include either:
  - 1. The dedication of corridor right-of-way by Petitioner, which, if this occurs, the Petitioner shall be entitled to all permitted commercial and/or residential uses in the UMUD zoning district, limited only by the constraints of the UMUD Ordinance; or

- 2. The adoption of a Full Funding Grant Agreement, and/or operational light rail service, which, if this occurs, the Petitioner shall be entitled to the full amount of development permitted under the UMUD zoning district, limited only by the constraints of the UMUD Ordinance.

ii. A combination of two or more of the following improvements (for example):

- 1. Operational bus rapid transit service to the Site;
- 2. Major capacity, operational and/or reconfiguration improvements to West Morehead Street and/or the I-77/I-277 interchange;
- 3. New local street network connections and/or intersection improvements; and/or
- 4. Future technological mobility advancements that reduce vehicle trips (such as micro/shared mobility service and/or autonomous vehicles).

e. **Right-of-Way Acquisition.** It is understood that some of the public roadway improvements required herein to be completed by the Petitioner may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts, as specified and administered by the City of Charlotte right-of-way acquisition process as administered by the City of Charlotte Department of General Services or the North Carolina Department of Transportation (NCDOT), the Petitioner, or assigns (or third parties), are unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, NCDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body may agree to proceed with acquisition of any such land. In such event, Petitioners, or assigns (or third parties), shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings.

f. **Reservation and Dedication of CATS Right-of-Way.**

- 1. **Right-of-Way Reservation Area Provisions.** The Petitioner shall reserve, for the sole benefit of the City of Charlotte, or the Charlotte Area Transit Agency or a successor entity such as a regional transit authority (collectively referred to as "CATS") the area (the "Reservation Area") that is identified on the Rezoning Plan as the "Light Rail Conceptual Right-of-Way Reservation," which follows parallel to the heavy rail alignment but, subject to written City/CATS approval, may slightly deviate from this area. The Reservation Area shall not extend more than one hundred (100) feet from the heavy rail right-of-way, as generally depicted on the Rezoning Plan.

a. **Reservation Area Time Period.** The petitioner shall maintain reservation of this area in perpetuity (except as provided in the reversion language in

subsection V.f.1.e. and further subject to the limitations in subsection V.f.1.c. below).

- b. The Reservation Area shall not exceed seventy (70) feet in width. At the time of the dedication of a portion of the Reserved Area, Petitioner and CATS will agree on the final determination of the area to be dedicated and CATS will provide commercially reasonable evidence as to why they are seeking the land area desired (not to exceed 70' in width at any point along the corridor). Petitioner agrees to act in good faith in reviewing such evidence and both parties pledge to act in good faith in settling on the final dedication area.

- c. Only the following construction, installation, and development activities are allowed within the Reservation Area, and no others: a passenger service rail line with at least one stop adjacent to a portion of the Petitioner's property, grading and the installation and maintenance of pavement, driveways, sidewalks, surface parking areas for bicycle, scooter or similar vehicles but excluding automobiles and trucks, landscaping, and comparable non-vertical improvements. For clarification only, none of the following may be placed, developed, constructed, installed, or maintained anywhere within the Reservation Area: (1) buildings or other vertical structures, (2) utility lines or facilities other than overhead lines exclusively serving passenger rail vehicles, (3) detention facilities, or (4) Wi-Fi, telecommunication or similar antennas or transmission devices for use by third parties to provide services to customers.

- d. Nothing (including, by example only, any pavement, driveways, sidewalks, surface parking areas, landscaping, or other non-vertical improvements) may be placed, developed, constructed, installed, or maintained anywhere within the Reservation Area that, if the same is ever removed, would cause the Site or any part of it at the time of its installation to have violated any applicable law, ordinance, or regulation, including by example only any zoning or land use regulation or any provision of the approved Rezoning Plan.

- e. If any portion of the Reservation Area is removed by CATS or the Metropolitan Transit Commission (the Metropolitan Transit Commission and, as applicable, any successor organizations to it are the "MTC") from the MTC's adopted plans and is not, within ninety (90) days, restored to an MTC transit plan, the requirements of this Section V shall cease applying to that portion of the Reservation Area, and this shall be documented by an administrative amendment to the Rezoning Plan. If the property has already been dedicated, then the deed or plat associated with such dedication shall contain reversion language such that the Petitioner, or its successor by assignment of this reversion right, shall have a right to take possession of the land for no consideration.

2. **Right-of-Way Dedication.**

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- a. The Petitioner shall permanently, irrevocably, and unconditionally (except for any portion of the Reservation Area to which the requirements of this Section V.f. do not apply per operation of the reversion clause contained in subsection V.f.1.e., above), dedicate the Reservation Area (except for any portion of it that has been released by the City under Section V.f.1.b.) to CATS, without being owed any damages or compensation by the City, upon the occurrence of either of the following:

- i. The Petitioner notifying the City (including by notifying the Director of CATS or, if CATS no longer exists, the director of the successor agency or entity that provides public transit services for the City) in writing that the Petitioner seeks to dedicate all or a portion of the Reservation Area, and the City agreeing to accept dedication of a portion of the Reservation Area; or

- ii. Upon CATS securing sufficient funding – through a full funding grant agreement from the Federal Transit Administration (FTA) or any other funding source or combination of sources – to commence construction of a light rail project on the Site, as well as CATS obtaining, to the extent applicable, any other approvals from the FTA and State agencies necessary for CATS to begin developing that light rail project.

- b. If the Reservation Area is dedicated to the City under this Section, at the Petitioner's request, CATS shall continue good-faith discussions with the Petitioner regarding the aesthetics of the light rail's alignment through the Site, but CATS agrees such aesthetics will be consistent with at least the standards in place in 2021 related to the portions of the Blue Line through the South End and CBD areas and will at least maintain that aesthetics. Petitioner reserves the non-exclusive right to have, by example, "Iron District" branding (or other similar branding reflecting the historical significance of the area) at the station which will likely include some art elements that are mutually agreed to that reflect the history of the site as a foundry for Charlotte Pipe.

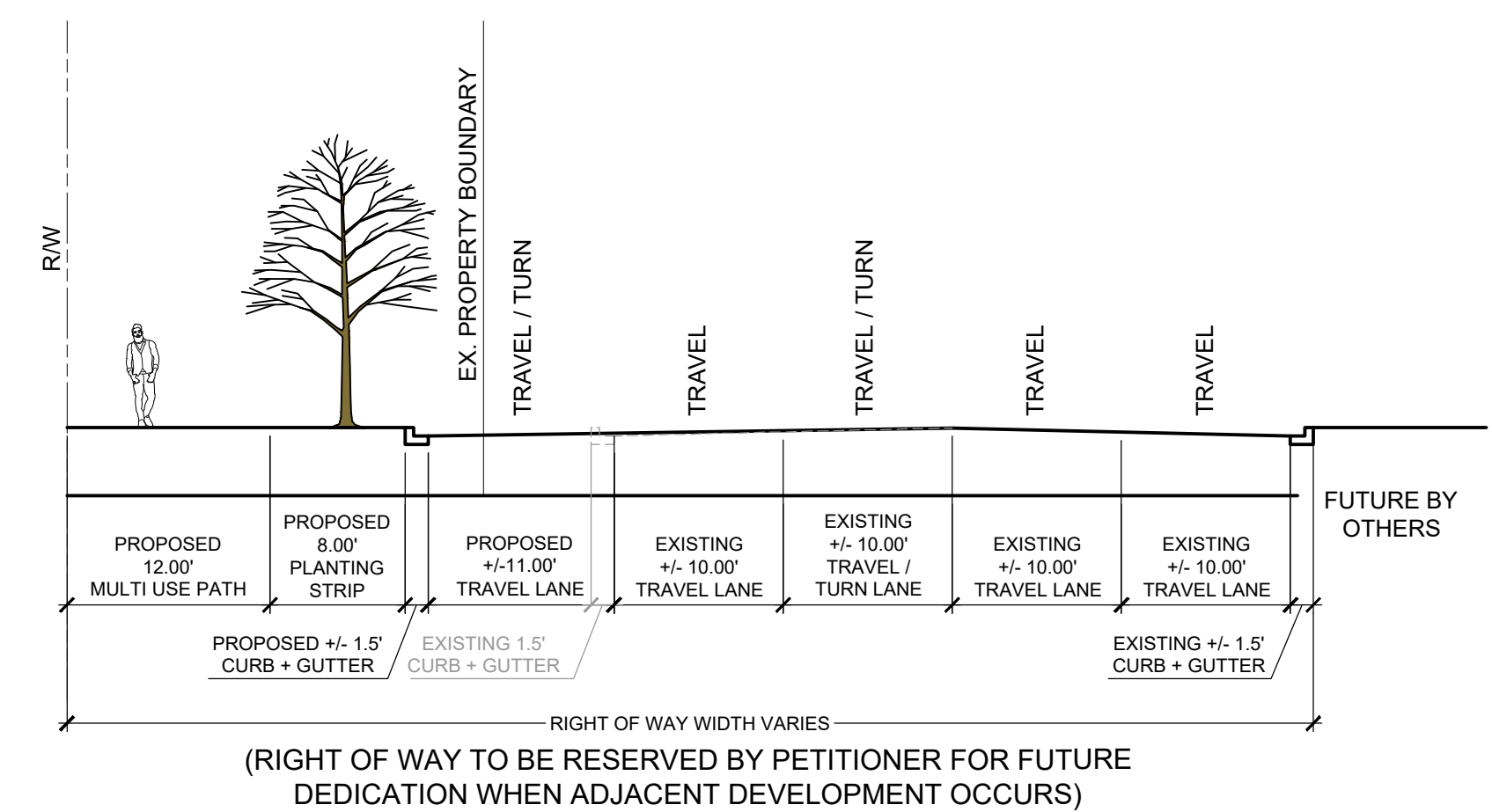
g. **Substantial Completion.** Reference to substantial completion for certain improvements as set forth herein shall mean completion of the improvements in accordance with the standards set forth in this Section V provided, however, in the event certain non-essential transportation improvements (as reasonably determined by CDOT/NCDOT, as required) are not completed at the time that the Petitioner(s) seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT/NCDOT, as required, will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner(s) 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.

- h. The Site will comply with the Subdivision Ordinance.

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**W MOREHEAD STREET PROPOSED SECTION**



NOTE: STREETScape IMPROVEMENTS MAY BE ADJUSTED BASED ON EXISTING BUILDING CONFLICTS, TO BE DETERMINED DURING LAND DEVELOPMENT PERMITTING.