

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

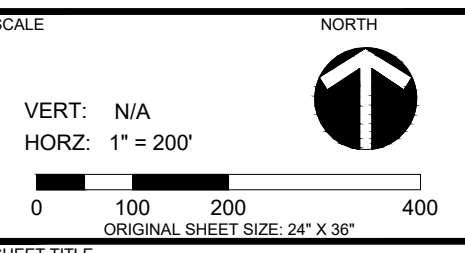
REZONING PETITION 2021-033

LANDDESIGN PROJ# 1020131

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

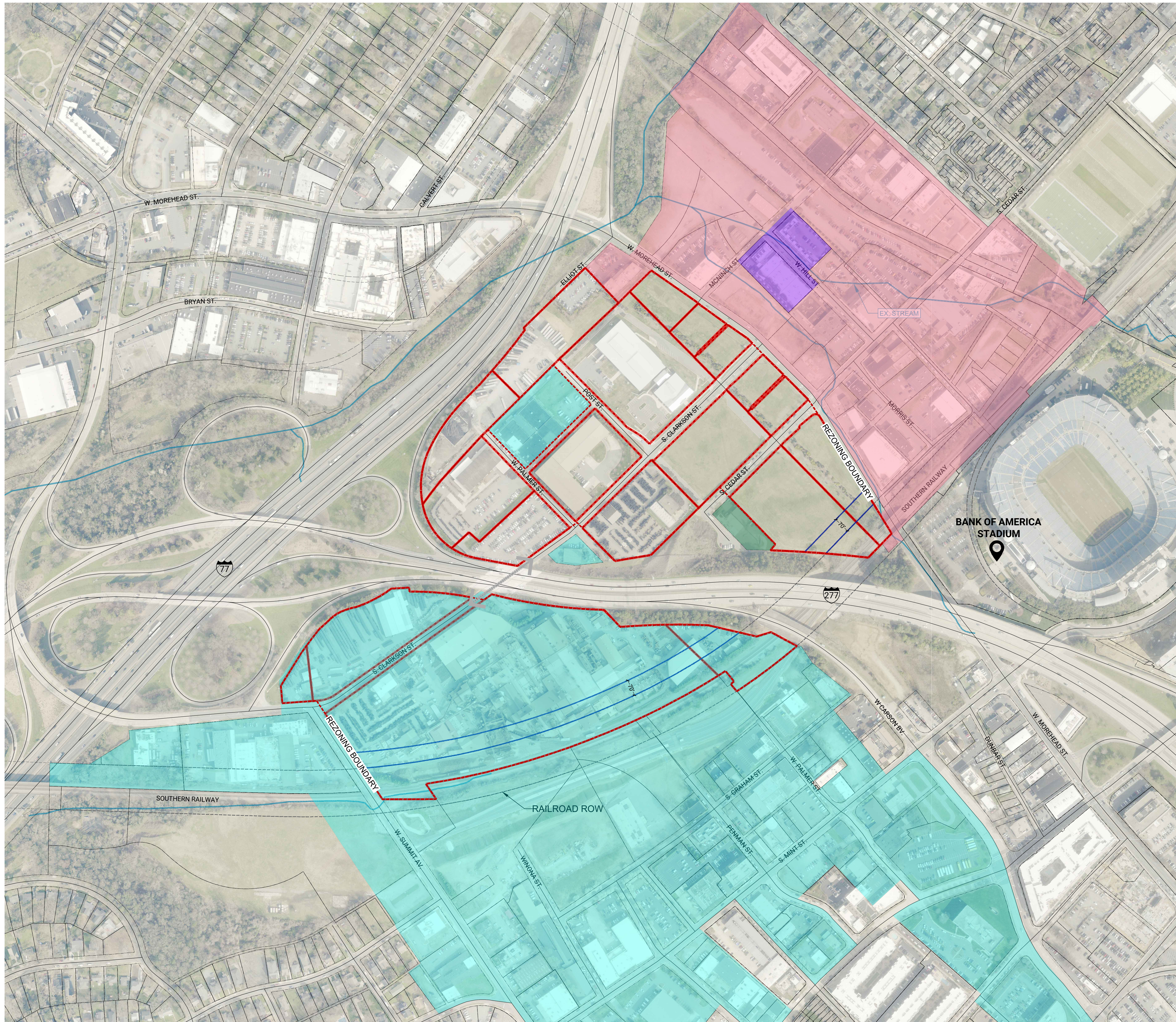
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TECHNICAL DATA SHEET

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

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CHARLOTTE PIPE FOUNDRY

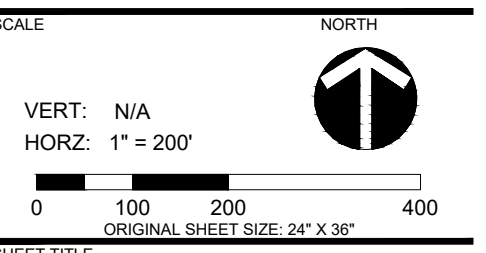
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ADJACENT PARCEL ZONING DATA

SHEET NUMBER: **RZ-1.1**

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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VI. Open Space Commitment

The Petitioner commits to provide a minimum of two (2) acres of open space areas throughout the Site but expects that a greater amount will be provided in accordance with UMUD requirements. Petitioner commits that a minimum of one (1) acre of the open space areas shall be publicly accessible in perpetuity. Per Optional Provision III.c., the open space area requirements may be satisfied by aggregating the requirements for individual lots or buildings and providing open space anywhere within the Site.

a. For the purposes of this open space requirement, open space shall have the meaning as ascribed to such term in the Ordinance but for the further clarification that it shall include passive and active open space such as parks, athletic fields, nature trails, bike/scooter paths, internal walkways, food court areas, outdoor dining areas, greenways, buffers, gathering places, amphitheaters, outdoor performance spaces, preserves, plazas, wildlife hubs and habitats, and other similar open and unobstructed areas of land.

VII. Environmental Features:

a. The Petitioner shall comply with the Post Construction Stormwater Ordinance, which may be satisfied cumulatively across the Site rather than parcel by parcel within the Site.

b. The Petitioner shall comply with the Tree Ordinance, which may be satisfied cumulatively across the Site rather than parcel by parcel within the Site.

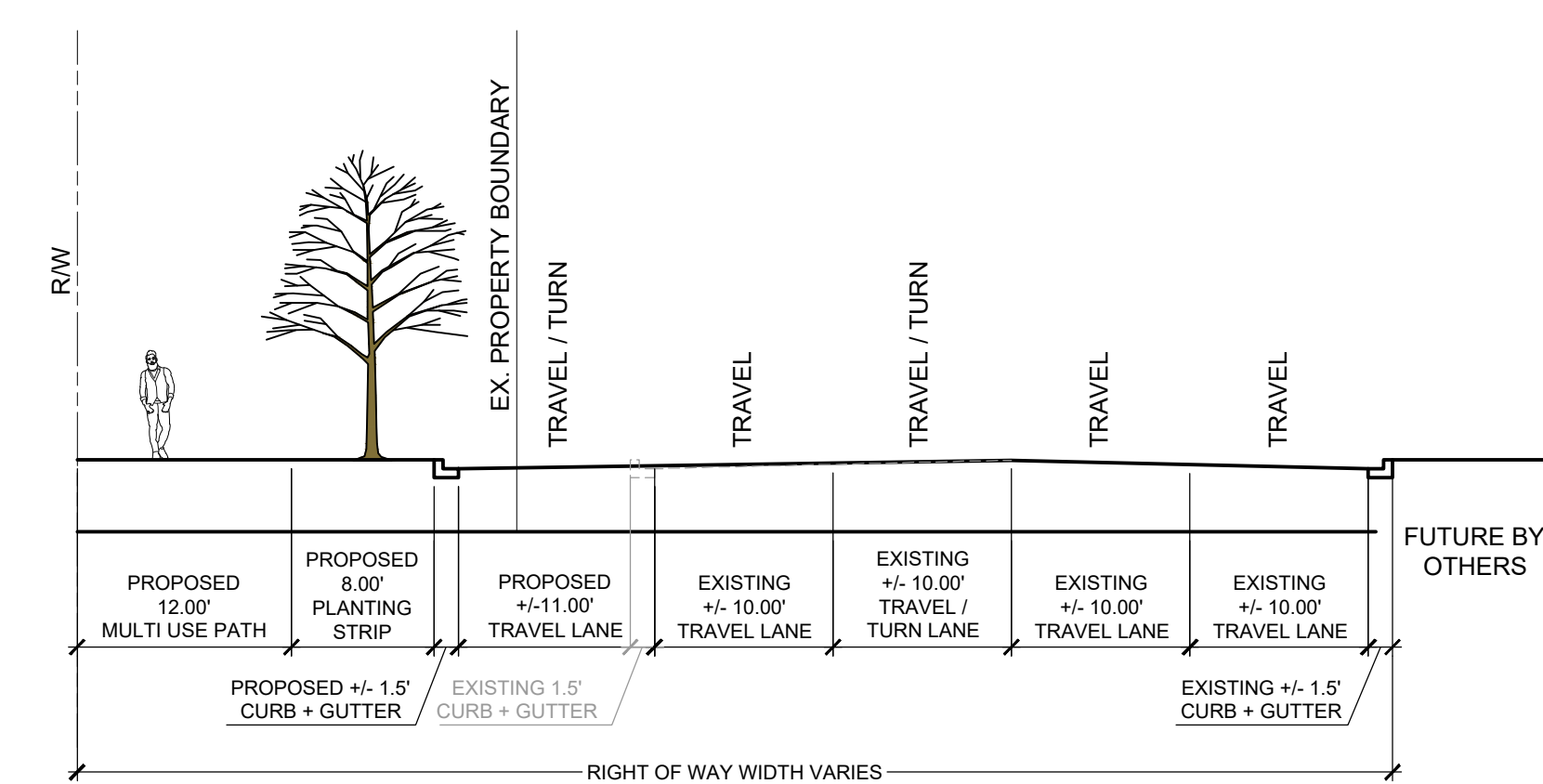
VIII. Binding Effect of the Rezoning Application and Definitions:

a. 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 assigns.

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

c. The term "CATS" as referenced herein shall be understood to also include a successor regional transportation authority if applicable.

W MOREHEAD STREET PROPOSED SECTION



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

KEY MAP

SCALE

NOT FOR CONSTRUCTION

**CHARLOTTE PIPE
FOUNDRY**

REZONING PETITION 2021-033

LANDDESIGN PROJ.# 1020131

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

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

SCALE: NORTH

VERT: N/A
HORZ:

ORIGINAL SHEET SIZE: 24" X 36"

SHEET TITLE

DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-2.1