

**ZONING CODE SUMMARY**

PROJECT NAME: 2015 MOODY LAKE REZONING UPDATE  
 PETITIONER NAME: MOODY LAKE OFFICE PARK DEVELOPMENT LIMITED PARTNERSHIP  
 PHONE: (704) 295-4005  
 PLANS PREPARED BY: KIMLEY-HORN AND ASSOCIATES, INC.  
 PHONE: (704) 333-5131  
 TAX PARCEL ID: PORTION OF 201-451-05  
 EXISTING ZONING: RP (CD)  
 PROPOSED ZONING: MUDD-O AND MUDD-O SPA  
 PROPOSED BUILDING HEIGHT: PER ORDINANCE  
 PROPOSED USE: SEE DEVELOPMENT STANDARDS  
 SITE AREA: ±19.20 ACRES

**Kimley»Horn**  
 2000 SOUTH BOULEVARD  
 SUITE 440  
 CHARLOTTE,  
 NORTH CAROLINA 28203  
 PHONE: (704) 333-5131  
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NO.	DATE	REVISIONS
1	05-15-15	REVISED PER CITY COMMENTS
2	07-31-15	REVISED TO MUDD-O ZONING

CLIENT:  
 MOODY LAKE OFFICE PARK  
 DEVELOPMENT LIMITED PARTNERSHIP  
 5950 FAIRVIEW ROAD, STE 800  
 CHARLOTTE, NORTH CAROLINA 28210

PROJECT:  
 2015 MOODY LAKE REZONING UPDATE  
 CITY OF CHARLOTTE,  
 MECKLENBURG COUNTY,  
 NORTH CAROLINA  
 REZONING PETITION NO. 2015-066

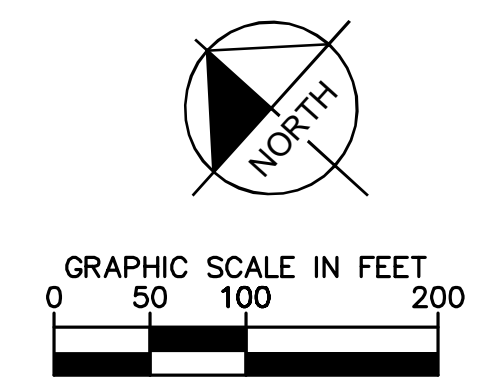
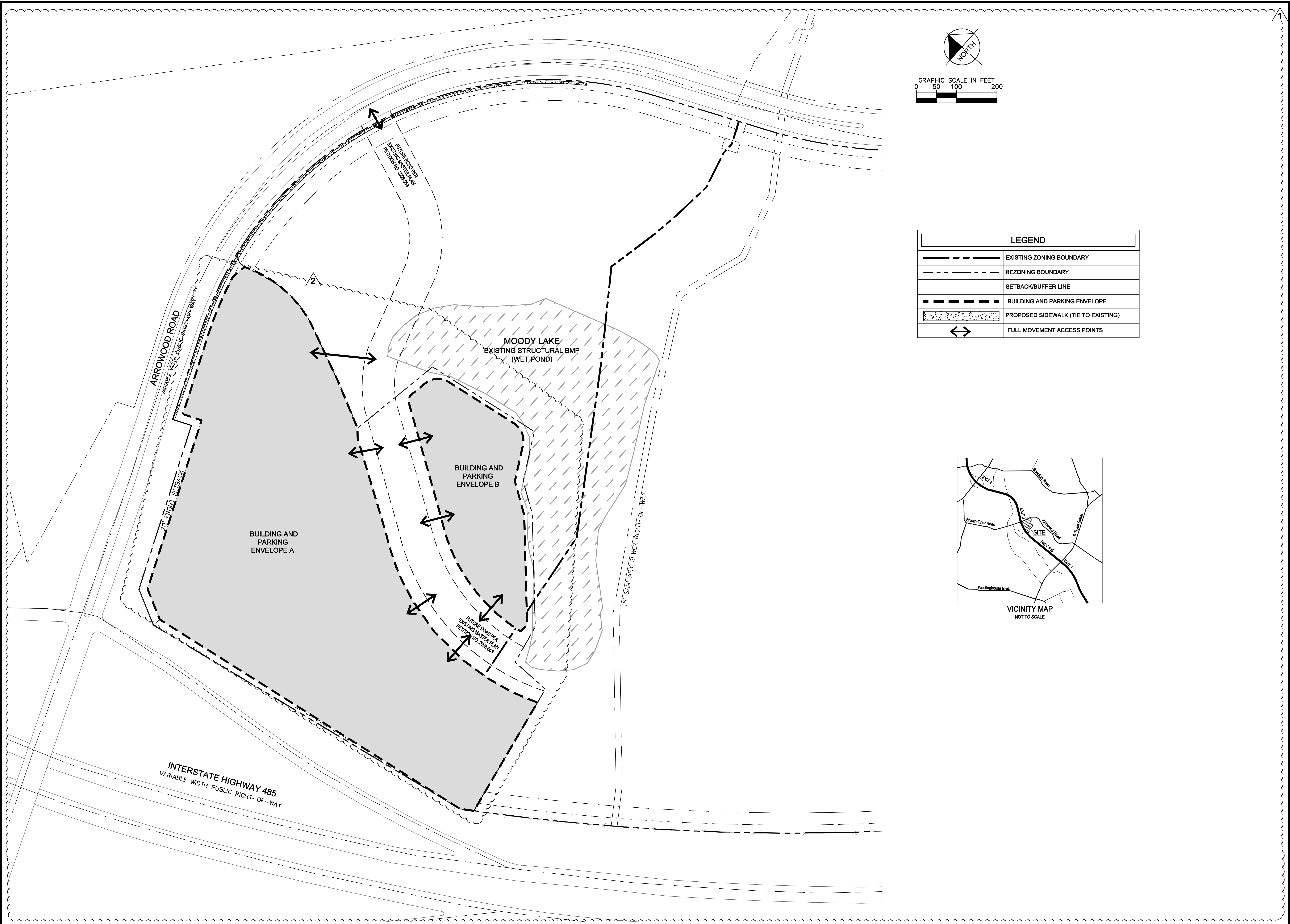
TITLE:  
**REZONING BOUNDARY**

DESIGNED BY: ME  
 DRAWN BY: NJM  
 CHECKED BY: ME  
 DATE: 03-20-2015  
 PROJECT#: 015272032

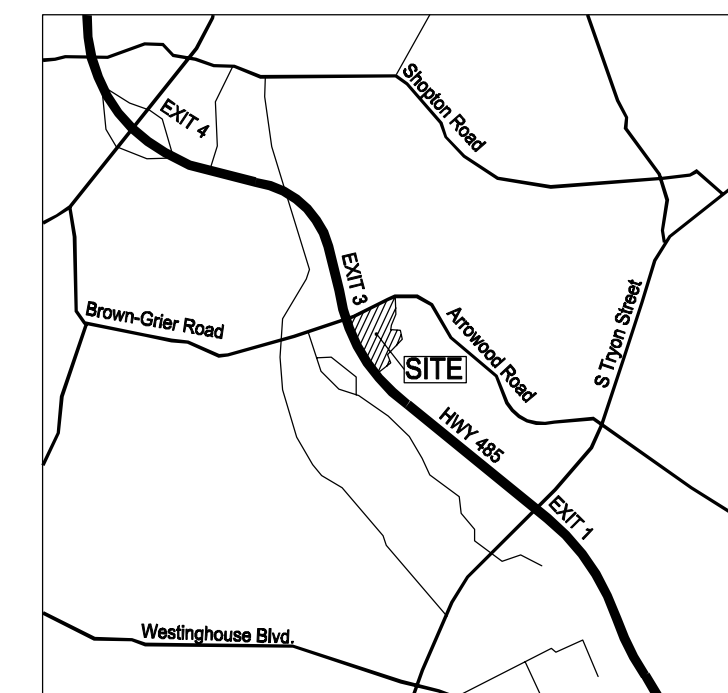
**RZ-1**

July 31, 2015 - 1:50pm By: Patrice Ferenzi

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LEGEND	
	EXISTING ZONING BOUNDARY
	REZONING BOUNDARY
	SETBACK/BUFFER LINE
	BUILDING AND PARKING ENVELOPE
	PROPOSED SIDEWALK (TIE TO EXISTING)
	FULL MOVEMENT ACCESS POINTS



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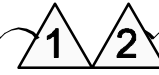
TITLE:  
**REZONING SITE PLAN**

DESIGNED BY: ME  
 DRAWN BY: NJM  
 CHECKED BY: ME  
 DATE: 03-20-2015  
 PROJECT#: 015272032

**RZ-2**

DEVELOPMENT STANDARDS

July 30, 2015



GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Moody Lake Office Park Development Limited Partnership...
B. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance...
C. The alignment of the internal public street providing vehicular access into the Site from West Arrowwood Road that is designated as a "future road" on the Rezoning Plan...
D. For entitlement purposes, the Site is divided into two building and parking envelopes designated as Building and Parking Envelope A ("Envelope A") and Building and Parking Envelope B ("Envelope B")...
E. The Site shall be considered to be a planned/unified development. Therefore, side and rear yards, buffers, building height separation requirements and other zoning standards shall not be required internally between improvements and uses on the Site...
F. The parcel of land that comprises the Site may be subdivided at the option of the Petitioner.
G. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance.
H. Although the Site shall be considered to be a planned/unified development, Envelope A and Envelope B shall be independent parcels for entitlement purposes and to the extent that Envelope A and Envelope B are ultimately in separate ownership...

OPTIONAL PROVISIONS

The following optional provisions shall apply to the development of the Site:

- A. Parking and maneuvering space may be located between the buildings and structures located on the Site and the required setbacks from all adjacent public and private streets.
B. A deviation from Section 9.8504 of the Ordinance to allow signs, bulletin boards, kiosks and similar structures that provide information for commercial activities on the Site.
C. In addition to the signage standards permitted under section 9.8506(2)(c) of the Ordinance, Petitioner shall be allowed to construct one monument style building identification sign for each of the buildings to be developed on the Site.
D. In addition to all other signs permitted under the Ordinance, the eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment to be located within Envelope A shall be allowed to have wall signs on the front elevation of the building with a total maximum sign surface area of 1,000 square feet...

PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. Envelope A
1. Subject to the development limitations set out in paragraphs 2 through 5 below, that portion of the Site designated as Building and Parking Envelope A on the Rezoning Plan may be devoted only to the following use and to any incidental or accessory uses associated therewith that are permitted under the Ordinance in the MUDD zoning district:
(a) An eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment.
3. The outdoor entertainment component of this use shall include a golfing activity or golfing game of skill whereby individuals hit golf balls from the building described in paragraph 4 below onto an adjacent outdoor field.
4. The eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment shall be limited to a complex that is comprised of a building that may contain, among other uses, eating, drinking and entertainment establishments (Type 1 and Type 2), recreational facilities, retail uses, lounges, meeting and banquet facilities, covered bays for tee boxes and other accessory and related uses, and an outdoor field utilized in connection with the golfing activity or golfing game of skill.
5. The maximum gross floor area of the building devoted to the eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment shall be 75,000 square feet.
6. The Zoning Administrator has issued a written determination that provides that the eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment use described above is a permitted use in the MUDD zoning district.
B. Envelope B
1. Subject to the development limitations set out below, the buildings to be located within that portion of the Site designated as Building and Parking Envelope B on the Rezoning Plan may be devoted to any non-residential use or uses allowed by right or under prescribed conditions in the MUDD zoning district, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the MUDD zoning district.
2. Envelope B may be developed with (i) up to 220,000 square feet of gross floor area devoted to any non-residential use or uses allowed by right or under prescribed conditions in the MUDD zoning district and (ii) up to 150 hotel rooms.
3. Notwithstanding the terms of paragraph 2 above, of the allowed 220,000 square feet of gross floor area that may be devoted to non-residential uses, a maximum of 15,000 square feet may be devoted to retail sales and eating, drinking and entertainment establishments (Type 1 and Type 2).
4. Restaurants with accessory drive through windows shall not be permitted on the Site.
C. Definition of "Gross Floor Area"
1. For purposes of the development limitations set out above and the development standards in general, the term "gross floor area" shall mean and refer to the sum of the gross horizontal areas of each floor of a principal building on the Site measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall exclude any surface or structured parking facilities, areas used for building and equipment access (such as stairs, elevator shafts, vestibules, roof top equipment rooms and maintenance crawl spaces), all loading dock areas (open or enclosed), outdoor coolers and outdoor dining areas whether on the roof of the building(s) or at street level.
Parking for outdoor dining areas will be provided as required by the Ordinance.

TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
B. Vehicular and bicycle parking shall be provided to serve the uses on the Site in accordance with the requirements of the Ordinance.
C. The alignment of the internal vehicular circulation areas and the driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.
D. The alignment of the internal public street providing vehicular access into the Site from West Arrowwood Road that is designated as a "future road" on the Rezoning Plan may be modified to accommodate the final locations of buildings and other improvements constructed on the Site provided that the internal public street maintains the point of connection to West Arrowwood Road and the point of terminus depicted on the Rezoning Plan.
E. Sidewalk connections to the adjoining public streets shall be provided as required by the Ordinance.
F. Petitioner shall construct a left-turn lane on westbound West Arrowwood Road at the vehicular entrance into the Site, and this left-turn lane shall have a minimum storage of 150 feet.
G. In the event that the internal public street to be constructed on the Site as generally depicted on the Rezoning Plan is connected to the proposed Whitehall Corporate Center Drive on the opposite side of the existing stream, Petitioner agrees to provide an updated Transportation Technical Memorandum to evaluate the adequacy of the infrastructure that will be constructed at the intersection of West Arrowwood Road and this internal public street.

STREETSCAPE/LANDSCAPING/SCREENING

- A. Landscaping will meet or exceed the requirements of the Ordinance.
B. Petitioner shall install a 20 foot wide landscaped area along the Site's frontage on Interstate 485 as depicted on the Rezoning Plan. Trees and shrubs shall be installed within this 20 foot wide landscaped area at the rate of 5 trees and 20 shrubs per 100 feet.
C. All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
D. Dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side. Alternatively, such facilities may be located within or under the structures proposed to be constructed on the Site.

ENVIRONMENTAL FEATURES

- A. Development of the Site shall be in compliance with the Charlotte City Council approved and adopted Post Construction Controls Ordinance. The Petitioner will utilize the existing structural BMP for the storm water management requirements of this proposed development, and the Petitioner shall submit documentation with the plans submitted for permitting confirming that proper easements have been established per City standards and that the pond is properly designed and constructed to manage storm water runoff from the parcels served by the pond.
B. Development of the Site shall comply with the City of Charlotte Tree Ordinance.

SIGNS

- A. Subject to the optional provisions set out in these Development Standards, all signs installed on the Site shall comply with the requirements of the Ordinance.
B. In addition to the signage standards permitted under section 9.8506(2)(c) of the Ordinance, Petitioner shall be allowed to construct one monument style building identification sign for each of the buildings to be developed on the Site.
C. In addition to all other signs permitted under the Ordinance, the eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment to be located within Envelope A shall be allowed to have wall signs on the front elevation of the building with a total maximum sign surface area of 1,000 square feet, and wall signs on each side elevation of the building with a total maximum sign surface area of 380 square feet.
D. Signs, bulletin boards, kiosks and similar structures that provide information for commercial activities on the Site shall be permitted.

LIGHTING

- A. All freestanding lighting fixtures installed on the Site (excluding street lights) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
B. The maximum height of any freestanding lighting fixture installed on the Site shall be 30 feet.
C. Any lighting fixtures attached to the structures to be constructed on the Site shall be decorative, capped and downwardly directed.
D. The provisions of paragraphs A through C above shall not apply to the exterior lights utilized to illuminate the outdoor field associated with the golfing activity or golfing game of skill that is a portion of the outdoor entertainment use.
E. Pursuant to Section 12.108(5) of the Ordinance, the exterior lights and the associated poles utilized to illuminate the outdoor field associated with the golfing activity or golfing game of skill that is a portion of the outdoor entertainment use may exceed the maximum height allowed in the MUDD zoning district. Additionally, the protective netting associated with this use may exceed the maximum height allowed in the MUDD zoning district pursuant to Section 12.108(5) of the Ordinance.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

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SUITE 440
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NORTH CAROLINA 28203
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Table with 3 columns: NO., DATE, REVISIONS. Row 1: 1, 05-15-15, REVISED PER CITY COMMENTS. Row 2: 2, 07-31-15, REVISED TO MUDD ZONING.

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MOODY LAKE OFFICE PARK
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PROJECT:
2015 MOODY LAKE REZONING UPDATE
CITY OF CHARLOTTE,
MECKLENBURG COUNTY,
NORTH CAROLINA
REZONING PETITION NO. 2015-066

TITLE:
TECHNICAL DATA SHEET

DESIGNED BY: ME
DRAWN BY: NJM
CHECKED BY: ME
DATE: 03-20-2015
PROJECT#: 015272032

RZ-3