





DEVELOPMENT STANDARDS March 23, 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 (the "Petitioner") to accommodate the development of a multi-use business park that could contain office, medical office, hotel and other uses, as well as an optional commercial outdoor amusement use on that approximately 19.21 acre site located on the southeast quadrant of the I-485 and West Arrowood Road interchange, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). 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 (the "Ordinance"). The regulations established under the Ordinance for the B-2 zoning district shall govern the development and use of the Site. C. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the D. Parking layouts and driveways may be modified to accommodate the final building locations. Sidewalks generally depicted on the Rezoning Plan are intended to reflect the general pedestrian circulation for development on the Site but the specific locations of such sidewalks may be subject to variations that do not materially change the design intent generally depicted on the Rezoning Plan. E. This Rezoning Plan allows two development alternatives for the Site, designated as "Development Alternative 1" and "Development Alternative 2". The approval of this Rezoning Petition by the Charlotte City Council will constitute the approval of both development alternatives. As more particularly depicted on the Rezoning Plan and described below, Development Alternative 1 contemplates the development of a multi-use business park that could contain a commercial outdoor amusement use (as described below), up to one principal building that could contain a hotel use, and non-structured parking facilities. Development Alternative 2 contemplates the development of a multi-use business park that could contain up to four principal buildings that could be devoted to any use or uses set out below under Permitted Uses (excluding a commercial outdoor amusement use) and non-structured parking facilities. F. 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. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance. PERMITTED USES A. The Site may be devoted only to the following uses that are allowed by right or under prescribed conditions in the B-2 zoning district, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the B-2 zoning district: (1) Amusement, commercial, outdoor (as limited below under Development Limitations); (2) Automotive service stations, including minor adjustments, repairs and lubrication; (3) Bakeries, retail: (4) Barber and beauty shops; (5) Clinics, medical, dental and optical; (6) Cultural facilities; (7) Financial institutions; (8) Florist, retail; (9) Government buildings; (10) Hotel; (11) Indoor recreation; (12) Jewelers, retail; (13) Jewelers, wholesale; (14) Laboratories, dental, medical and optical (15) Laboratories within an enclosed building for applied and basic research; (16) Neighborhood food and beverage service; (17) Offices; (18) Post offices; (19) Printing and publishing up to 100,000 square feet; (20) Radio and television stations and/or offices; (21) Repair or servicing of any article, within an enclosed building, the sale of which is permitted in the district; (22) Eating, drinking and entertainment establishments (Type 1), and eating, drinking and entertainment establishments (Type 2) subject to the applicable regulations of Section 12.546 of the Ordinance; (23) Retail establishments and business, personal and recreation services; (24) Showrooms; (25) Vocational schools within an enclosed building; (26) Outdoor recreation; and (27) Radio, telephone, cellular telephone and television masts, towers, antennae and similar structures. B. Notwithstanding anything contained herein to the contrary, restaurants with drive-in service shall not be permitted on the Site. C. Notwithstanding anything contained herein to the contrary, restaurants with accessory drive through windows shall not be permitted on the Site. DEVELOPMENT LIMITATIONS **Development Alternative 1** A. The commercial outdoor amusement use shall be limited to a golf entertainment complex that is comprised of a building that contains, among other things, eating, drinking and entertainment establishments (Type 1 and Type 2), recreational facilities, a retail store, lounges, covered bays for tee boxes and accessory uses, and may contain meeting and banquet facilities, and an outdoor field utilized as a driving range. The maximum gross floor area of the building devoted to this commercial outdoor amusement use shall be 75,000 square feet. The area of the outdoor field shall not be considered and counted towards the maximum 75,000 square feet of gross floor area. B. A maximum of 150 hotel rooms may be located on the Site. C. Areas devoted to surface parking, outdoor dining and seating, and courtyards and plazas shall not be counted towards the maximum allowed gross floor area, however, outdoor dining areas shall be considered when determining the amount of required off-street parking for the Site. **Development Alternative 2** A. Excluding the hotel use described below, a maximum of 250,000 square feet of gross floor area may be developed on the Site, of which a maximum of 10,000 square feet of gross floor area may be devoted to retail and service uses. B. A maximum of 150 hotel rooms may be located on the Site. C. Areas devoted to surface parking, outdoor dining and seating, and courtyards and plazas shall not be counted towards the maximum allowed gross floor area, however, outdoor dining areas shall be considered when determining the amount of required off-street parking for the Site. 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. Off-street vehicular parking shall meet the minimum 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. Sidewalk connections to the adjoining public streets shall be provided as generally depicted on the Rezoning Plan. STREETSCAPE/LANDSCAPING/SCREENING A. Landscaping will meet or exceed the requirements of the Ordinance. B. All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade. C. 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. All signs installed on the Site shall comply with the requirements of the Ordinance. A. All exterior lights installed on the Site shall be full cut-off type lighting, excluding lower, decorative lighting that may be installed along driveways, sidewalks and B. The provisions of paragraph A above shall not apply to the exterior lights utilized to illuminate the outfield associated with the commercial outdoor amusement use allowed under Development Alternative 1. 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.

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.

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