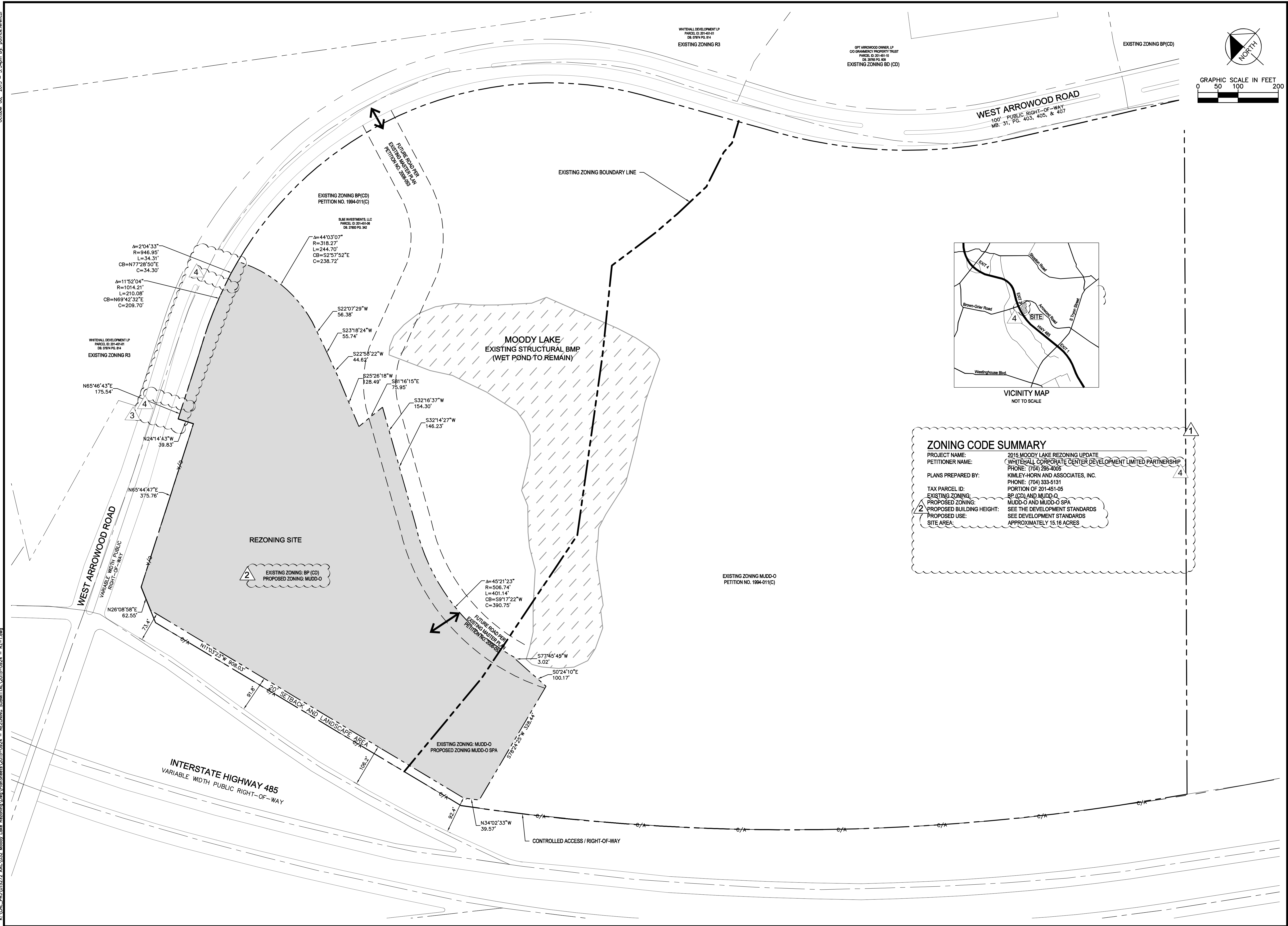


October 08, 2015 - 5:54pm By: patricia.fernandez

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**ZONING CODE SUMMARY**

PROJECT NAME: 2015 MOODY LAKE REZONING UPDATE  
 PETITIONER NAME: WHITEHALL CORPORATE CENTER 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: BP (CD) AND MUDD-O  
 PROPOSED ZONING: MUDD-O AND MUDD-O SPA  
 PROPOSED BUILDING HEIGHT: SEE THE DEVELOPMENT STANDARDS  
 PROPOSED USE: SEE DEVELOPMENT STANDARDS  
 SITE AREA: APPROXIMATELY 15.16 ACRES

**Kimley»Horn**  
 200 SOUTH TRYON ST  
 SUITE 200  
 CHARLOTTE,  
 NORTH CAROLINA 28202  
 PHONE: (704) 333-5131  
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NO.	DATE	REVISIONS
1	05-15-15	REVISED PER CITY COMMENTS
2	08-21-15	REVISED TO MUDD-O REZONING
3	09-24-15	REVISED PER CITY COMMENTS
4	10-09-15	REVISED PER CITY COMMENTS

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**



DEVELOPMENT STANDARDS

October 9, 2015

GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Whitehall Corporate Center Development Limited Partnership (the "Petitioner") to accommodate an eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment uses on that approximately 15.16 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"). Subject to the optional provisions set out below, the regulations established under the Ordinance for the MUDD zoning district shall govern the development and use of the Site.
C. The alignment of the internal public street providing vehicular access into the Site from West Arrowood Road that is designated as a "future road" on the Rezoning Plan may be modified to accommodate the final locations of the building and other improvements to be constructed on the Site provided that this internal public street maintains the point of connection to West Arrowood Road and the point of terminus generally depicted on the Rezoning Plan, and meets the requirements of the subdivision ordinance.
D. 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.

OPTIONAL PROVISIONS

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

- A. Parking and maneuvering space may be located between the building and structures located on the Site and the required setbacks from adjacent public and private streets as generally depicted on the Rezoning Plan.
B. 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 uses to be located on the Site shall be allowed to have signage on the building as follows:
(1) On the front elevation of the building, a sign installed on top of a canopy type structure located generally at the entrance into the building with a maximum sign face area of 110 square feet.
(2) Signs and/or logos that are designed and constructed so that they are integrated into the building architecture (e.g. recessed or built into the building walls) (the "Integrated Signs"). The total allowed maximum sign surface area of the Integrated Signs shall be 1,270 square feet. The allowed sign surface area of the Integrated Signs may be allocated to one Integrated Sign or to more than one Integrated Sign, and the Integrated Signs may be located on one or more building elevations.
C. To ensure that golf balls are not hit beyond the boundaries of the outdoor field utilized in connection with the golfing activity or golfing game of skill associated with the eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment uses to be located on the Site, netting and support poles shall be installed around the perimeter of the outdoor field. The maximum permitted height of the netting and support poles shall be 70 feet.
D. The setback from the I-485 right of way (the ramp) shall be 20 feet and it shall be measured from the right of way line since there is no back of curb located along the I-485 right of way (the ramp).
E. The setback along that portion of the Site adjacent to the controlled access area for West Arrowood Road shall be the right of way line.
F. As noted herein, Petitioner shall install recessed, on-street parking along the Site's frontage on the internal public street in appropriate areas. The on-street parking shall be recessed into portions of the planting strip and shall be in lieu of the relevant portions of the planting strip. The setback along the internal public street shall be measured from the back of curb of the travel lane, not the back of curb of the on-street, recessed parking, as depicted on the Rezoning Plan. The site must meet the street tree requirements.
G. The existing 14 foot planting strip and 5 foot sidewalk located along that portion of West Arrowood Road that abuts the Site and is east of the controlled access area for West Arrowood Road shall remain in place.
H. Petitioner shall not be required to install a planting strip and a sidewalk along that portion of West Arrowood Road that is located within the controlled access area and adjacent to the Site or on that portion of the Site that abuts such controlled access area.
I. A planting strip and a sidewalk shall not be required to be installed along the Site's frontage on the I-485 right of way (the ramp).
J. Parking areas located on those portions of the Site that are adjacent to the controlled access area on West Arrowood Road shall not be required to meet the screening requirements of the Ordinance due to the distance of such parking areas from West Arrowood Road and the topography. Therefore, screening shall not be required to be installed along that portion of the Site's boundary line that is adjacent to the controlled access area on West Arrowood Road.
K. The building to be constructed on the Site shall not be required to comply with the applicable provisions of Sections 9.8506(2)(a), 9.8506(2)(f) and 9.8506(2)(h) of the Ordinance so as to allow the construction of the building as generally depicted on the conceptual architectural elevations attached to the Rezoning Plan.

PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. Subject to the limitations set out in paragraphs B through E below, the Site may be devoted only to an eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment uses and to any incidental or accessory uses associated therewith that are permitted under the Ordinance in the MUDD zoning district.
B. An eating, drinking and entertainment establishment (Type 2) shall be subject to the applicable regulations of Section 12.546 of the Ordinance.
C. The outdoor entertainment components of this use may include, among other things, a golfing activity or golfing game of skill whereby individuals hit golf balls from the building described in paragraph D below onto an adjacent outdoor field, and live music.
D. The eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment uses 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/or Type 2), recreational facilities, retail uses, lounges, meeting and banquet facilities, covered bays for tee boxes and an outdoor field utilized in connection with the golfing activity or golfing game of skill, other accessory and related uses and accessory parking.
E. 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 uses 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.
F. The Zoning Administrator has issued a written determination dated August 5, 2015 that provides that the eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment uses described above is a permitted use in the MUDD zoning district.

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. Subject to Section 6.207 of the Ordinance, the alignment of the internal vehicular circulation areas and the driveways may be modified 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.
C. The alignment of the internal public street providing vehicular access into the Site from West Arrowood Road that is designated as a "future road" on the Rezoning Plan may be modified to accommodate the final locations of the building and other improvements to be constructed on the Site provided that the internal public street maintains the point of connection to West Arrowood Road and the point of terminus depicted on the Rezoning Plan, and meets the requirements of the subdivision ordinance.
D. Sidewalk connections to the adjoining public streets shall be provided as required by the Ordinance.
E. Petitioner shall construct a left-turn lane on westbound West Arrowood Road at the vehicular entrance into the Site, and this left-turn lane shall have a minimum storage of 150 feet.
F. 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 Arrowood Road and this internal public street.
G. Petitioner shall install recessed, on-street parking along the Site's frontage on the internal public street in appropriate areas in accordance with the cross section set out on the Rezoning Plan.

ARCHITECTURAL STANDARDS

- A. The maximum height of the building to be constructed on the Site shall be devoted to an eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment uses shall be 30 feet.
B. Set out on Sheet RZ-3 are conceptual architectural renderings of the front, side and rear elevations of the building to be constructed on the Site that are intended to depict the general conceptual architectural style and character of the front, side and rear elevations of the building. Accordingly, the front, side and rear elevations of the building to be constructed on the Site shall be designed and constructed so that such elevations are substantially similar in appearance to the relevant conceptual architectural renderings. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style and character shall be permitted.

STREETSCAPE/LANDSCAPING/SCREENING

- A. Petitioner shall install a 20 foot wide landscaped area along the Site's frontage on the I-485 right of way (the ramp) as depicted on the Rezoning Plan. This 20 foot wide landscaped area shall be measured from the right of way line. 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.
B. The 30 foot setback from the back of the existing curb established on that portion of the Site that abuts West Arrowood Road and is more particularly depicted on the Rezoning Plan shall be comprised of the existing 14 foot planting strip, the existing 5 foot sidewalk and an 11 foot landscaped area. Trees and shrubs shall be installed within this 11 foot landscaped area at the rate of 5 trees and 20 shrubs per 100 feet.
C. An 8 foot planting strip and an 8 foot sidewalk shall be installed along the Site's frontage on the internal public street as depicted on the Rezoning Plan. South of the building to be constructed on the Site, a 10 foot landscaped area shall be installed behind the 8 foot sidewalk as more particularly depicted on the Rezoning Plan, and trees and shrubs shall be installed within this 10 foot landscaped area at the rate of 5 trees and 20 shrubs per 100 feet.

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.

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. The locations of the signs installed on the building to be constructed on the Site may vary from the sign locations depicted on the attached conceptual architectural renderings.

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, including its base, shall be 25 feet.
C. Excluding 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 eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment uses, any lighting fixtures attached to the building to be constructed on the Site shall be decorative, capped and downwardly directed.
D. Exterior lighting fixtures may be attached to any portions of the building to be constructed on the Site to illuminate the outdoor field associated with the golfing activity or golfing game of skill that is a portion of the eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment uses. Any such exterior lighting fixtures must meet the foot-candle standard set out in paragraph E below.
E. Exterior lighting installed on the Site, including the exterior lighting utilized to illuminate the outdoor field associated with the golfing activity or golfing game of skill that is a portion of the eating, drinking and entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment uses, shall be designed and maintained to ensure that illumination from these exterior light fixtures shall not exceed 0.2 foot-candles when measured at the Site's boundary lines.

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.

1 3

2

4

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SUITE 200
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NORTH CAROLINA 28202
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Table with 2 columns: NO., DATE

Table with 2 columns: NO., DATE

Table with 4 columns: NO., DATE, REVISIONS, COMMENTS

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:
TECHNICAL DATA SHEET

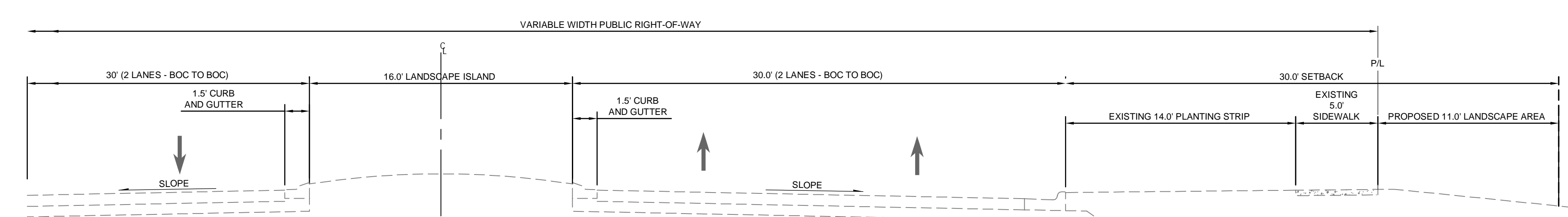
DESIGNED BY: ME
DRAWN BY: NJM
CHECKED BY: ME
DATE: 03-20-2015
PROJECT#: 015272032

RZ-3

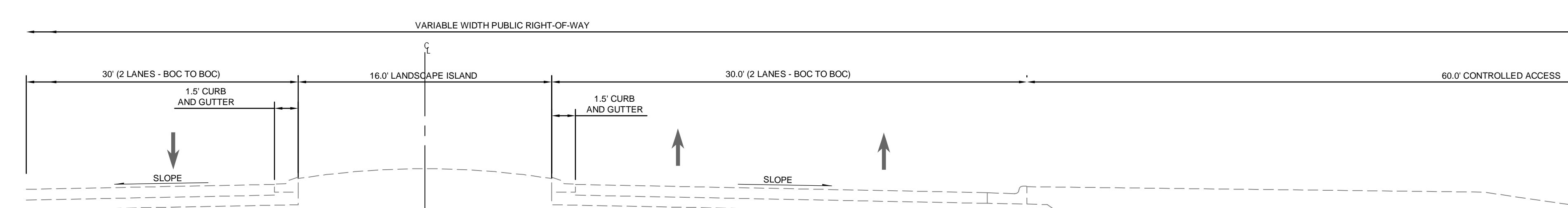


October 09, 2015 - 1:15pm By: Matt Edwards

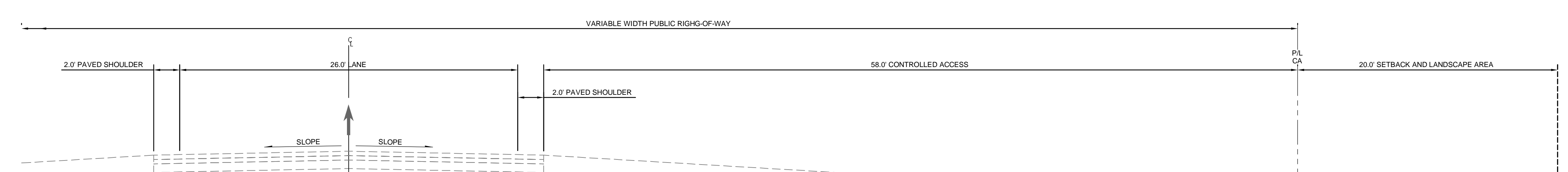
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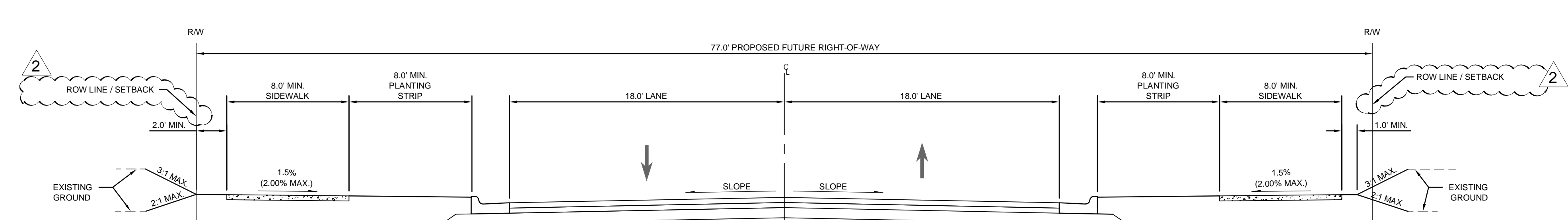
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SCALE: 1" = 5'



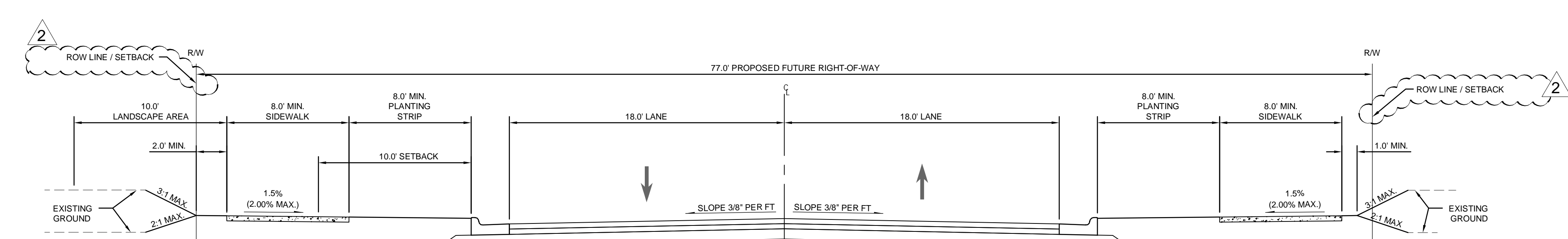
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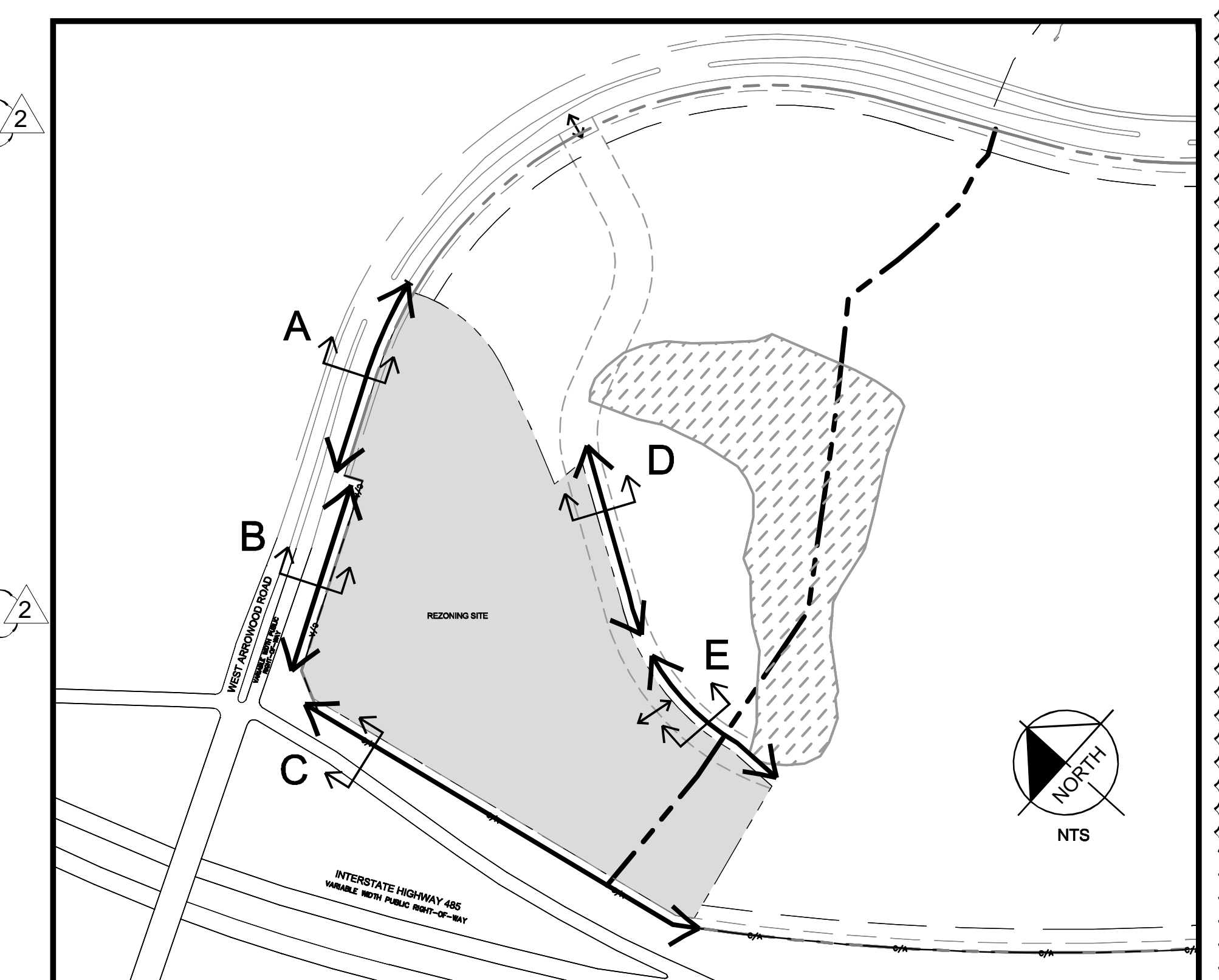
**TYPICAL SECTION C - I-485 OFF RAMP**  
SCALE: 1" = 5'



**TYPICAL SECTION D - FUTURE ROAD**  
SCALE: 1" = 5'



**TYPICAL SECTION E - FUTURE ROAD**  
SCALE: 1" = 5'



**KEY MAP**

**LEGEND**

- P/L PROPERTY LINE
- C/A NCDOT CONTROLLED ACCESS
- R/W RIGHT-OF-WAY

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NO.	DATE	REVISIONS
1	09-24-15	REVISED PER CITY COMMENTS
2	10-09-15	REVISED PER CITY COMMENTS

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

PROJECT:  
2015 MOODY LAKE REZONING UPDATE  
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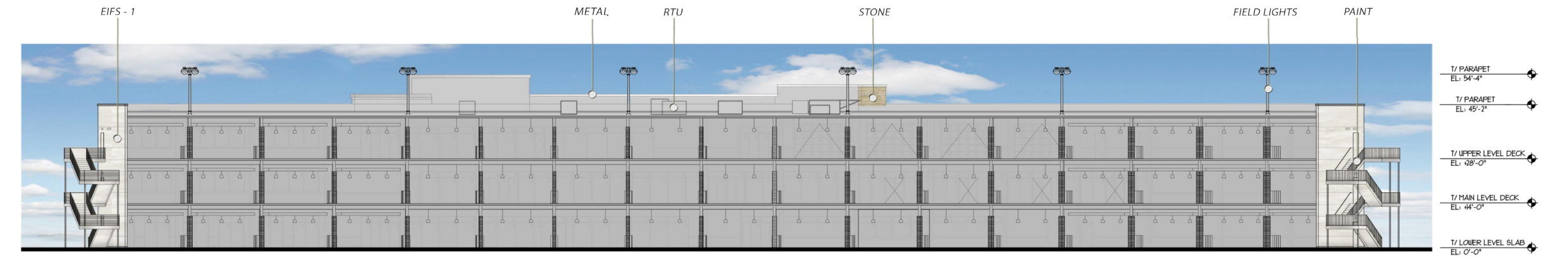
TITLE:  
**TYPICAL CROSS SECTIONS**

DESIGNED BY: ME  
DRAWN BY: NJM  
CHECKED BY: ME  
DATE: 03-20-2015  
PROJECT#: 015272032  
**RZ-4**

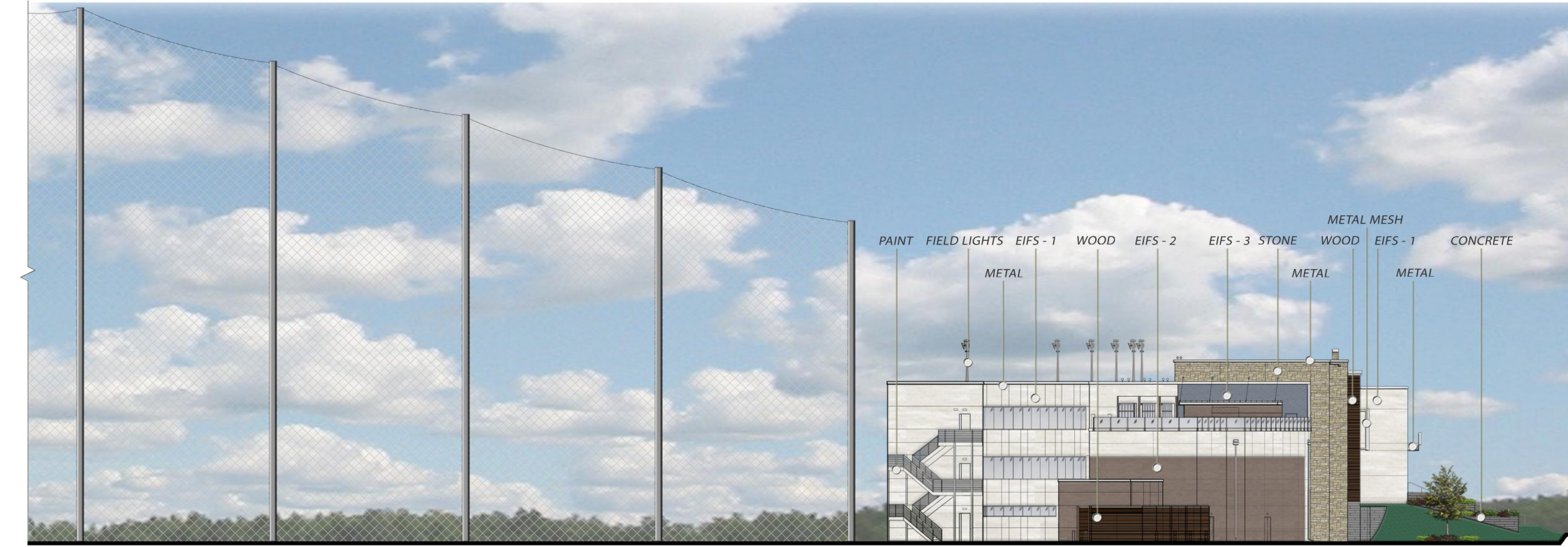




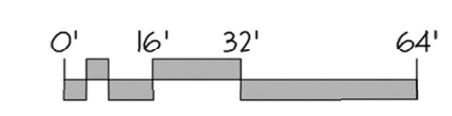
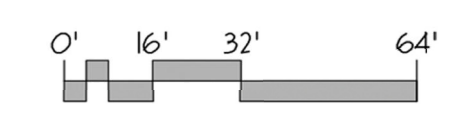
FRONT ELEVATION



REAR ELEVATION



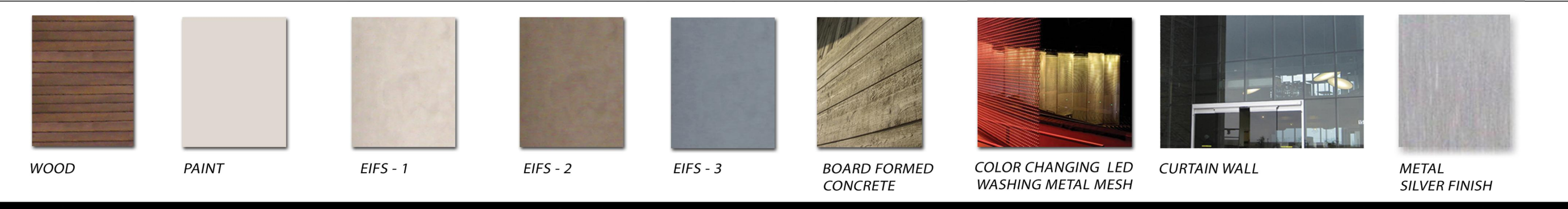
LEFT ELEVATION



EXTERIOR FINISHES



EXTERIOR FINISHES



**Aria Group Architects, Inc.**  
 ARCHITECTURE • PLANNING • INTERIOR DESIGN

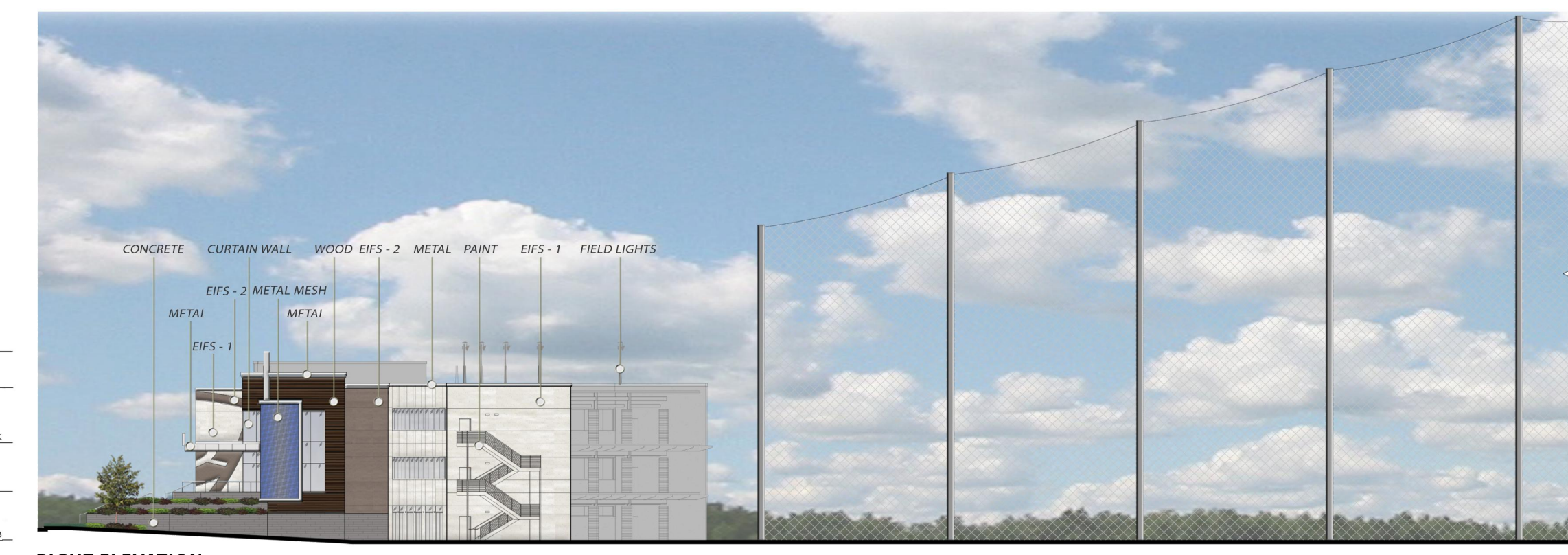
**TOPGOLF**

BUILDING ELEVATIONS

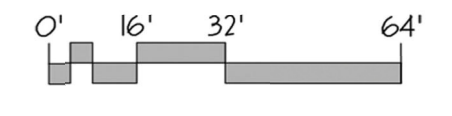
**Aria Group Architects, Inc.**  
 ARCHITECTURE • PLANNING • INTERIOR DESIGN

**TOPGOLF**

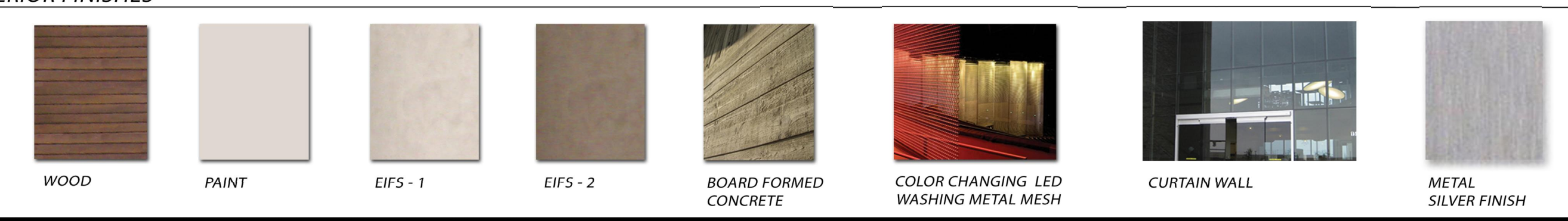
BUILDING ELEVATIONS



RIGHT ELEVATION



EXTERIOR FINISHES



**Aria Group Architects, Inc.**  
 ARCHITECTURE • PLANNING • INTERIOR DESIGN

**TOPGOLF**

BUILDING ELEVATIONS

NO.	DATE	REVISIONS
1	09-24-15	REVISED PER CITY COMMENTS

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

TITLE:  
**BUILDING ELEVATIONS**

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

RZ-5