

DEVELOPMENT STANDARDS MYERS PARK PRESBYTERIAN CHURCH- WEST & EAST CAMPUSES

1. GENERAL PROVISIONS
Except as otherwise provided under the MUDD-O Optional provisions set forth below under Section 6 and unless more stringent standards are established by the Site Rezoning Plan (Sheet RZ 1.0), West Campus Rezoning Plan (Sheet RZ-2.0), East Campus Rezoning Plan (Sheet RZ-3.0) or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the MUDD zoning district shall be followed in connection with development taking place on this approximately 9.02 acre site located on both sides of Providence Road (the East Campus and the West Campus) at Oxford Place (the "Site"), which Site is more particularly depicted on the Rezoning Plan.

The development plan depicted on the Rezoning Plan is intended to reflect the arrangement of proposed uses on the Site. However, the final configurations, placements and sizes of the individual Site elements may be altered or modified within the limits prescribed by the Ordinance and the standards established by the Rezoning Plan and these Development Standards during design development and construction phases so long as the maximum parking and building envelope lines established on the Rezoning Plan are not violated and the proposed alterations or modifications do not exceed the parameters established under these Development Standards and the Ordinance. Driveway and parking layouts may be modified to accommodate final building locations.

For purposes of the preceding paragraph, any alterations or modifications which substantially alter the character of the development, as well as any changes which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections (1) or (2) of Section 6.207 of the Ordinance, as applicable.

2. PERMITTED USES/MAXIMUM GROSS BUILDING AREA

(a) The Site may only be devoted to church purposes and uses ancillary, accessory or incidental thereto.
(b) Existing square footage and newly developed square footage on the West Campus may not exceed, in the aggregate, 210,000 square feet of gross floor area and development on the East Campus may not exceed, in the aggregate, 80,000 square feet of gross floor area.

(c) For purposes of the development limitations set forth in this Section 2, the term "gross floor area" shall mean and refer to the sum of the gross horizontal areas of each floor of a principal building and any accessory buildings or structures on the Site, measured from the outside of the exterior walls; provided, however, such term shall exclude any surface parking facilities or related access areas and areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl spaces).

(d) All off-street parking spaces provided on the Site must be a grade level. No structured or deck parking will be allowed.

3. GRANDFATHER PROVISIONS

During various phases of the development and redevelopment process, it is the intention of the Petitioner to retain and preserve any and all grandfathering rights under the Ordinance with respect to all structures, streets, sidewalks, driveways, parking areas, and other improvements currently in place on the Site (which are not removed to accommodate the particular development or redevelopment phase involved or any commitment made in these Development Standards).

4. SETBACKS, SIDE YARDS AND REAR YARDS

All new buildings and new parking areas constructed on the Site will satisfy or exceed the setback, side yard and rear yard requirements established under the Ordinance for the MUDD zoning district as more particularly depicted on the Rezoning Plan. The development plan depicted on the Rezoning Plan shall be viewed as a unified development plan. Therefore, interior yards will not be required between buildings located on the Site.

5. ARCHITECTURAL COMMITMENTS

a. Newly constructed buildings on the Site shall conform to the following standards:

(i) A maximum height of 45 feet to the average roof line, exclusive of towers and steeples.
(ii) Architectural details on new buildings constructed on the East Campus and the West Campus shall complement the materials, scale, massing and proportions of existing buildings on the West Campus. The primary building materials used on the exterior elevations of new buildings shall consist of a combination of one or more of the following materials: stone, brick and/or hard coat stucco.

(iii) The 3D Rendering of the Oxford Place West Campus oriented building and the 3D Rendering of the East Campus Providence Road oriented building depicted on Sheet RZ-4.0 establish the general conceptual and architectural character of the new building and proposed additions on the West and East Campuses. The Petitioner reserves the right to modify colors, textures, materials, roof lines and/or building scale as long as the modifications are consistent with the provisions of subparagraph (ii) of this Section 5.

(iv) HVAC equipment serving new buildings constructed on the East Campus shall be located inside buildings to the extent practical and feasible and where exterior mechanical equipment is required it shall be screened from view by occupants within adjoining residences.

(v) HVAC equipment serving new buildings constructed on the West Campus shall be located inside buildings to the extent practical and feasible and where exterior mechanical equipment is required it shall be screened from view at ground level from abutting properties.

b. A portion of the West Campus fronts on Queens Road. There is currently existing on this portion of the West Campus a building known as 1535 Queens Road and also known as the Cornerstone Building. There is a residence known as 1543 Queens Road situated at the northeast corner of the intersection between Queens Road and Oxford Place which adjoins the Cornerstone Building to the south. The Petitioner agrees that neither the Cornerstone Building nor any building which might replace it at some time in the future may exceed two stories above grade and that any such building must at all times be residential in appearance and compatible with other residential homes in Myers Park.

6. MUDD-OPTIONAL PROVISIONS

The Petitioner reserves the right through the MUDD-Optional process to seek deviations from the strict application of the Ordinance as it applies to detached signage, parking and maneuvering areas as follows:

a. Identification signage may be installed in the general locations identified on the Rezoning Plan. The dimensions of the identification signage shall conform to Section 9.8506(c).

b. The amount of required off-street parking for the Site shall conform to Table 12.202 of the Ordinance (one space per four seats in the Petitioner's main Sanctuary which contains 960 seats).

c. Existing non-conforming sidewalks on the West Campus may remain on the Site.

7. SCREENING, LANDSCAPED AREAS AND DUMPSTERS

a. Newly installed screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.

b. All newly installed landscaping on the Site will meet or exceed the requirements of the Ordinance.

c. Any dumpster located on the Site that is visible from a public street or at ground level from an abutting property will be screened from view by a solid-enclosure with gates. If one or more sides of a dumpster area adjoin a rear wall of a building, the rear wall may be substituted for the fence along each such side. The dumpster area serving the development on the East Campus will be located within the area generally depicted on Sheet RZ-3.0.

d. Dumpster pick ups will take place on week days (Monday through Friday) and may begin no earlier than 7 A.M. and end no later than 7 P.M.

e. The areas depicted on the Rezoning Plan as green areas will be preserved permanently as open space.

8. BUFFER AREAS

a. Buffer areas shall be provided on the Site in the general areas depicted or specified on the Rezoning Plan. If an existing tree located within a buffer area or a tree save area dies or must be removed for safety reasons due to disease or damage caused by acts of God, it will be replaced with another tree.

b. A brick screen wall which is 8 feet in height with brick piers shall be installed within the buffer area of the East Campus at least 18 feet inside its eastern edge which runs along the alignment of the design generally depicted on Sheet RZ-3.0 of the Rezoning Plan. The design of the brick screen wall shall be as shown on the design which separates the northern property line of the East Campus and Tax Parcel No. 155-101-57 shall be located a minimum of 8 feet from the shared property line, as generally depicted on Sheet RZ-3.0. In lieu of brick, the Petitioner reserves the right to face w/ stucco that side of the screen wall facing the petitioner's property. However, the elevation of the wall facing all neighboring parcels must be brick.

c. A brick screen wall which is 8 feet in height with brick piers shall be installed within the buffer area of the East Campus approximately 12 feet inside its southern edge along the alignment and with the design generally depicted on Sheet RZ-3.0 of the Rezoning Plan. In lieu of brick, the Petitioner reserves the right to face with stucco that side of the screen wall facing the Petitioner's property. However, the elevation of the wall facing the neighboring parcel must be brick.

d. The brick screen wall to be installed on the East Campus near its eastern edge will include a gate with secured access in order to allow pedestrian access to and from the East Campus by members of the Petitioner and other employees. The gate will be located within an area which conveniently serves the owners of Tax Parcels No. 155-101-54 as generally depicted on the Rezoning Plan.

e. The Petitioner agrees to install the brick walls and landscaping within the buffers for the East campus as required by Paragraphs (b) and (c) of this Section 8 during the grading phase of construction activities on that campus in order to reduce the impact on neighboring properties and extend the growth period of new plantings, and to pursue construction in a good workman-like manner to completion.

f. The Petitioner agrees to demolish and remove the existing brick wall and foliage located along the rear property line of Tax Parcel No. 155-101-57 and to correct any grading issues associated with the removal of this wall if notified in writing by the owners of Tax Parcel No. 155-101-57 within twelve (12) months following completion of the brick screen wall to be constructed within the buffer area along the eastern edge of the East Campus and if the owners provide permission to do so along with any necessary temporary construction easements over the owner's property.

8. (CONT.)

a. The Petitioner agrees to maintain the brick screen walls to be installed within the buffer areas along the eastern and southern edges of the East Campus and to maintain the trees on the portion of the East Campus lying east and south of the brick screen walls. The maintenance of these trees will include pruning the trees and removal of diseased or damaged trees.

b. The Petitioner agrees to enter into non-exclusive reciprocal easements with each of the owners of Tax Parcel Nos. 155-101-52, 155-101-53, 155-101-54, 155-101-55, 155-101-56 and 155-101-57 willing to do so under which:

1. The owner(s) and their invitees and licensees are granted the rights to use and maintain that part of the buffer area along the eastern edge of the East Campus which lies east of the brick screen wall to be built along that eastern edge, subject to the Petitioner's obligation to maintain any trees within that part of the buffer area.

2. Each of the owner(s) of these abutting parcels and other individuals authorized by them are granted the rights to gain access to that part of the grounds of the East Campus lying west of the brick screen wall and to Providence Road beyond by way of the secured access gate; and

3. The Petitioner is granted the right to access these abutting parcels for the purpose of maintaining the brick screen wall and any existing trees or any additional trees planted by the Petitioner within the buffer area along the eastern edge of the East Campus which lie east of the brick screen wall.

9. TREE ORDINANCE

New development on the Site shall comply with the City of Charlotte Tree Ordinance.

10. SIDEWALKS/STREETSCAPE

(a) An 8 foot planting strip and a 6 foot sidewalk shall be installed along the portion of the East Campus which immediately abuts Providence Road as a part of the first phase of development of the East Campus, if such installation will cause no damage to existing trees. If installation would cause damage to existing trees, the existing sidewalk will remain.

(b) The existing planting strip and sidewalk along Providence Road abutting the West Campus will remain.

11. LIGHTING

(a) The maximum height of any newly installed freestanding light fixture placed on the Site (other than street lights on public rights-of-way) including its base, shall not exceed 20 feet.

(b) All newly installed freestanding light fixtures will be fully capped or shielded, or fully installed freestanding light fixtures will be fully cut off light fixtures which are shielded from and directed away from adjacent residential properties. Petitioner shall install light fixtures to ensure that zero footcandles cross the property lines adjacent to residential parcels bordering the East Campus to the north, east, and south.

(c) No freestanding light fixtures installed on the East Campus may be located any closer to the northern residential boundary, the eastern property line and the southern property line of that Campus than 30 feet.

(d) No new wall pack light fixtures will be installed on any buildings located on the Site.

12. ACCESS POINTS

(a) Access points serving the Site will be as generally depicted on the Rezoning Plan.

(b) The placement and configuration of each vehicular access point are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the City of Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").

13. STORM WATER MANAGEMENT/WATER QUALITY

The Petitioner shall have the receiving storm water system(s) analyzed to ensure that it will not be taken out of standard due to the development. If it is found that development will cause the storm drainage system(s) to be taken out of standard, the Petitioner shall provide alternate methods to prevent this from occurring.

b. Storm water runoff from the East Campus of the Site will be managed in accordance with the applicable City regulations, including satisfaction of the following standards:

- The storm water detention facility on the East Campus will be located underground.

- For projects with defined watersheds greater than 24% built-upon area, construct water quality best management practices (BMPs) to achieve 85% Total Suspended Solid (TSS) removal for the entire watershed. BMPs shall be designed and constructed in accordance with the Mecklenburg County BMP Design Manual, July 2007 or North Carolina Division of Water Quality Storm Water Best Management Practices Manual, July 2007. (Design Standards shall be met according to the City of Charlotte Best Management Practices Manual, when available). Use of Low Impact Development (LID) techniques is optional.

- For projects with defined watersheds greater than 24% built-upon area, control the entire volume for the 1-year, 24-hour storm. Runoff volume drawdown time shall be a minimum of 24 hours, but not more than 120 hours.

- For projects with greater than 24% built-upon area, control the peak to match the predevelopment runoff rates for the 10-year storm and perform a downstream flow analysis to determine whether additional peak control is needed and if so, for what level of storm frequency, or if a downstream analysis is not performed, control the peak for the 10-year and 25-year, 6-hour storms.

- For projects with less than or equal to 24% built-upon area, but greater than one acre of disturbed area, control the peak to match the predevelopment runoff rates for the 2-year and 10-year, 6-hour storms.

14. LOCATION OF CHURCH VEHICLE PARKING

Parking of church-owned vehicles on the East Campus may not take place any closer to its northern residential boundary, the eastern property line and the southern property line than 30 feet.

15. BURIAL OF EXISTING OVERHEAD ELECTRIC, PHONE AND CABLE LINES

Provided necessary easements and approvals to do so are given by the utilities and owners involved, the existing overhead electric, phone and cable lines currently located along or near the eastern property line of the East Campus including Tax Parcel Nos. 155-101-52, 155-101-53, 155-101-54, 155-101-55, 155-101-56 and 155-101-57 will be buried underground by the Petitioner at its expense along the alignment generally depicted on the Rezoning Plan. This burial shall be completed (or a bond ensuring its completion in favor of all the adjoining residential property owners shall be posted with the Planning Commission office) prior to the issuance of any certificates of occupancy for buildings located on the East Campus.

Duke Power will not allow this line to be buried unless the owner of Tax Parcel No. 155-101-52 allows the power lines servicing the residence on this parcel to be buried. Consequently, this commitment is further conditioned upon the owner of that parcel providing Duke Power with the necessary consent and/or easement. The specific size of the gate with secured access mentioned in Paragraph (d) of Section 8 shall be determined in coordination with the involved utilities so that required maintenance to the relocated lines and/or ground-mounted transformers are not compromised.

16. FIRE PROTECTION

Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshal's specifications. Plans for each new building on the Site will be submitted to the Fire Marshal's office for approval before the construction of that building commences.

17. BICYCLE PARKING

Subject to the grandfathering provision of Section 3 above, bicycle parking shall be provided in accordance with the Ordinance for new building construction.

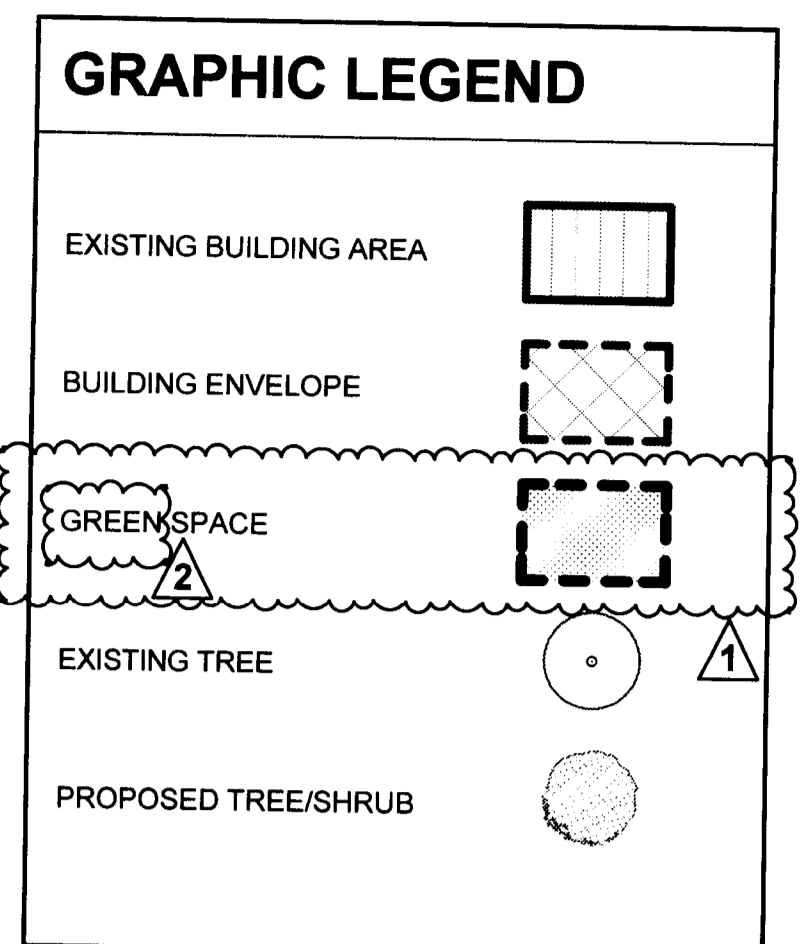
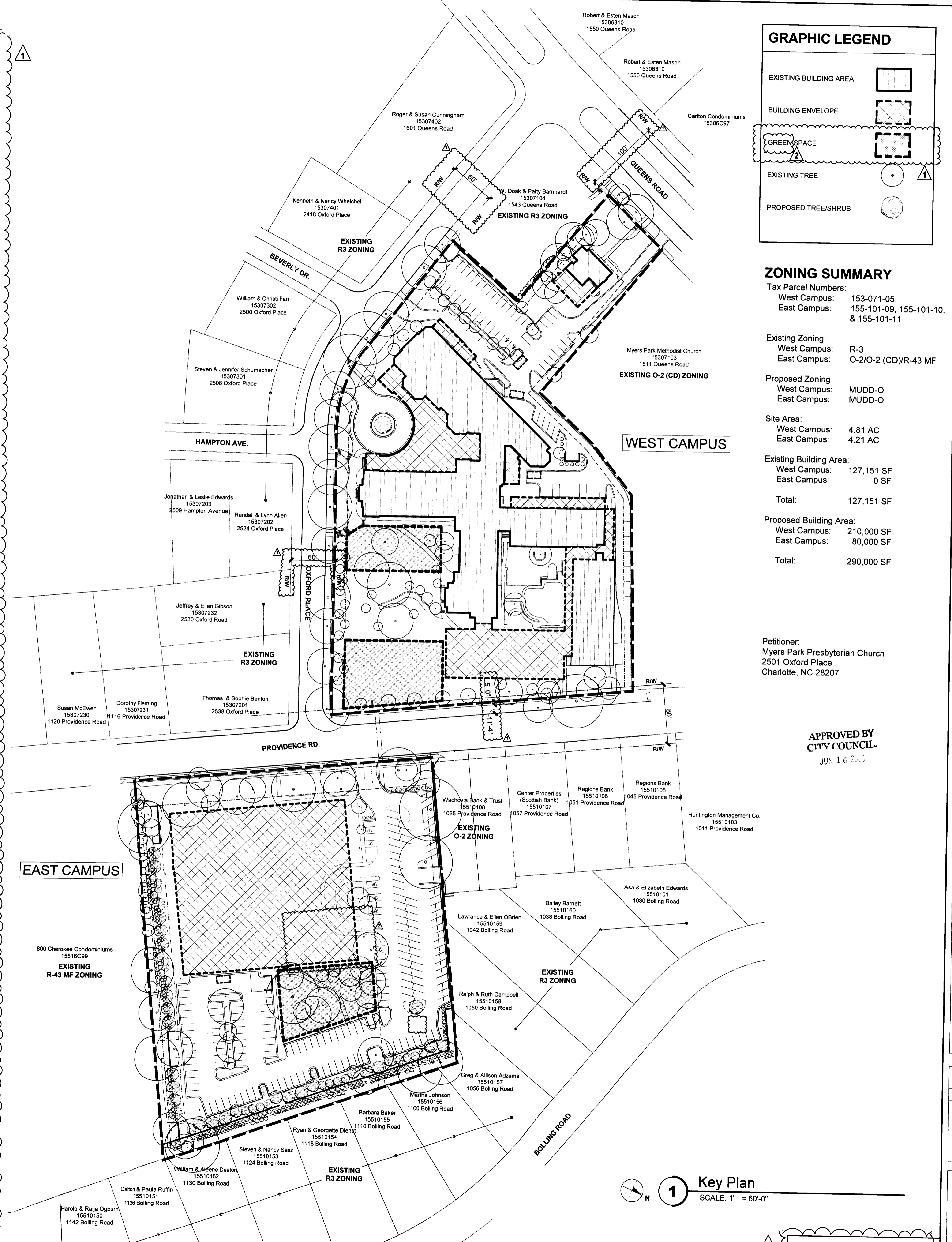
18. AMENDMENTS TO THE REZONING PLAN

Future amendments to the Rezoning Plan and 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.

19. BINDING EFFECT OF THE REZONING APPLICATION

If this Rezoning Petition is approved, all conditions applicable to the 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 the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

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



ZONING SUMMARY

Tax Parcel Numbers:
West Campus: 153-071-05
East Campus: 155-101-09, 155-101-10, & 155-101-11

Existing Zoning:
West Campus: R-3
East Campus: O-2/O-2 (CD)/R-43 MF

Proposed Zoning
West Campus: MUDD-O
East Campus: MUDD-O

Site Area:
West Campus: 4.81 AC
East Campus: 4.21 AC

Existing Building Area:
West Campus: 127,151 SF
East Campus: 0 SF

Total: 127,151 SF

Proposed Building Area:
West Campus: 210,000 SF
East Campus: 80,000 SF

Total: 290,000 SF

Petitioner:
Myers Park Presbyterian Church
2501 Oxford Place
Charlotte, NC 28207

APPROVED BY
CITY COUNCIL
JUN 16 2011

NO.	DATE	BY	CHK	DESCRIPTION
1	04.07.08	CDH	CDH	RESPONSE TO CITY STAFF AND NEIGHBORHOOD COMMENTS
2	04.14.08	CDH	CDH	OWNER REVISIONS/STAFF COMMENTS
3	05.22.08	CDH	CDH	OWNER REVISIONS/NEIGHBORHOOD COMMENTS
4	06.13.08	CDH	CDH	CITY STAFF COMMENTS

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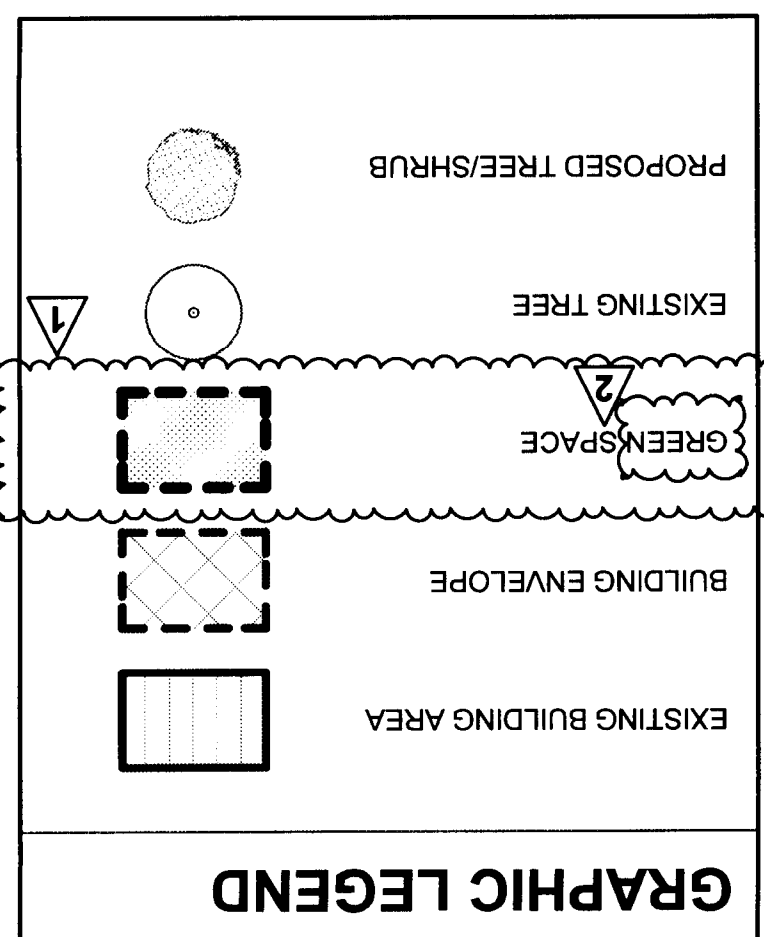
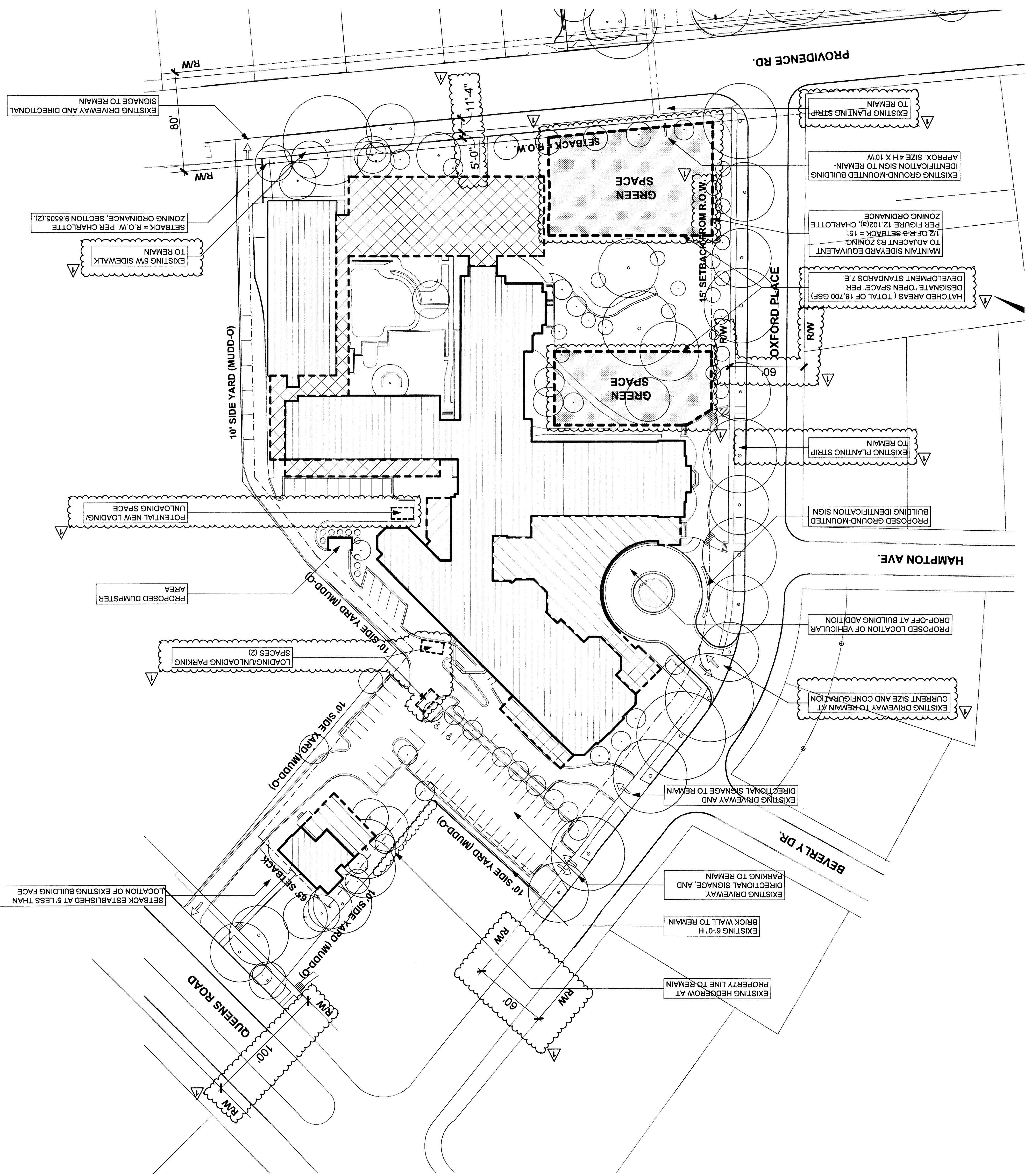
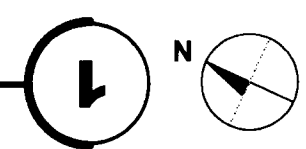
01-28-08
AS NOTED

ZONING SUMMARY
KEY PLAN
DEV. STANDARDS

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RZ1.0
1 OF 4

FOR PUBLIC HEARING
REZONING PETITION #2008-65



REVISIONS

NO.	DATE	BY	CHK	DESCRIPTION
1	04 07 08	CDH	CDH	RESPONSE TO CITY STAFF AND NEIGHBORHOOD COMMENTS
2	04 14 08	CDH	CDH	OWNER REVISIONS/STAFF COMMENTS

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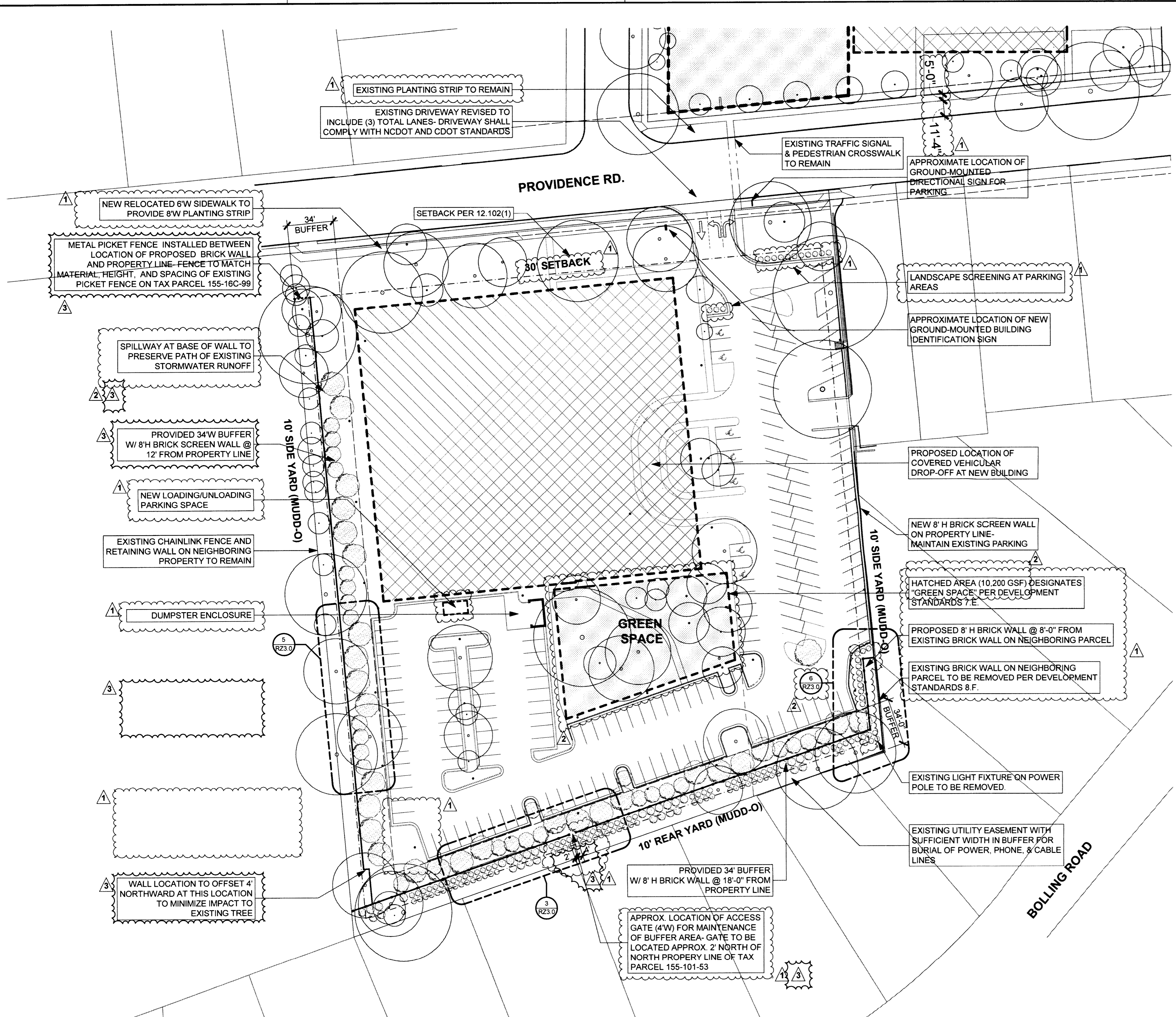
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WEST CAMPUS
SITE PLAN

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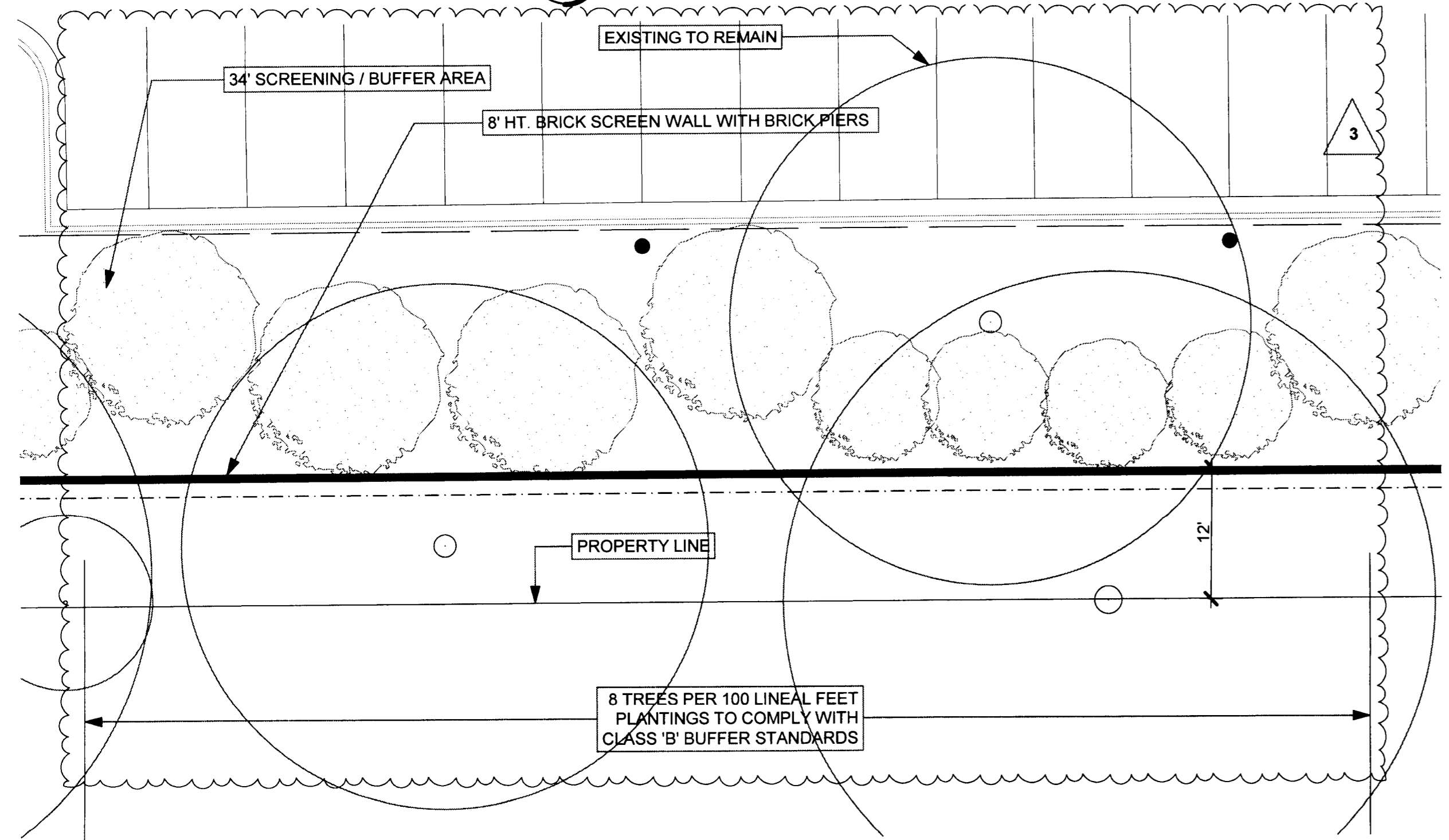
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RZ2.0
2 OF 4

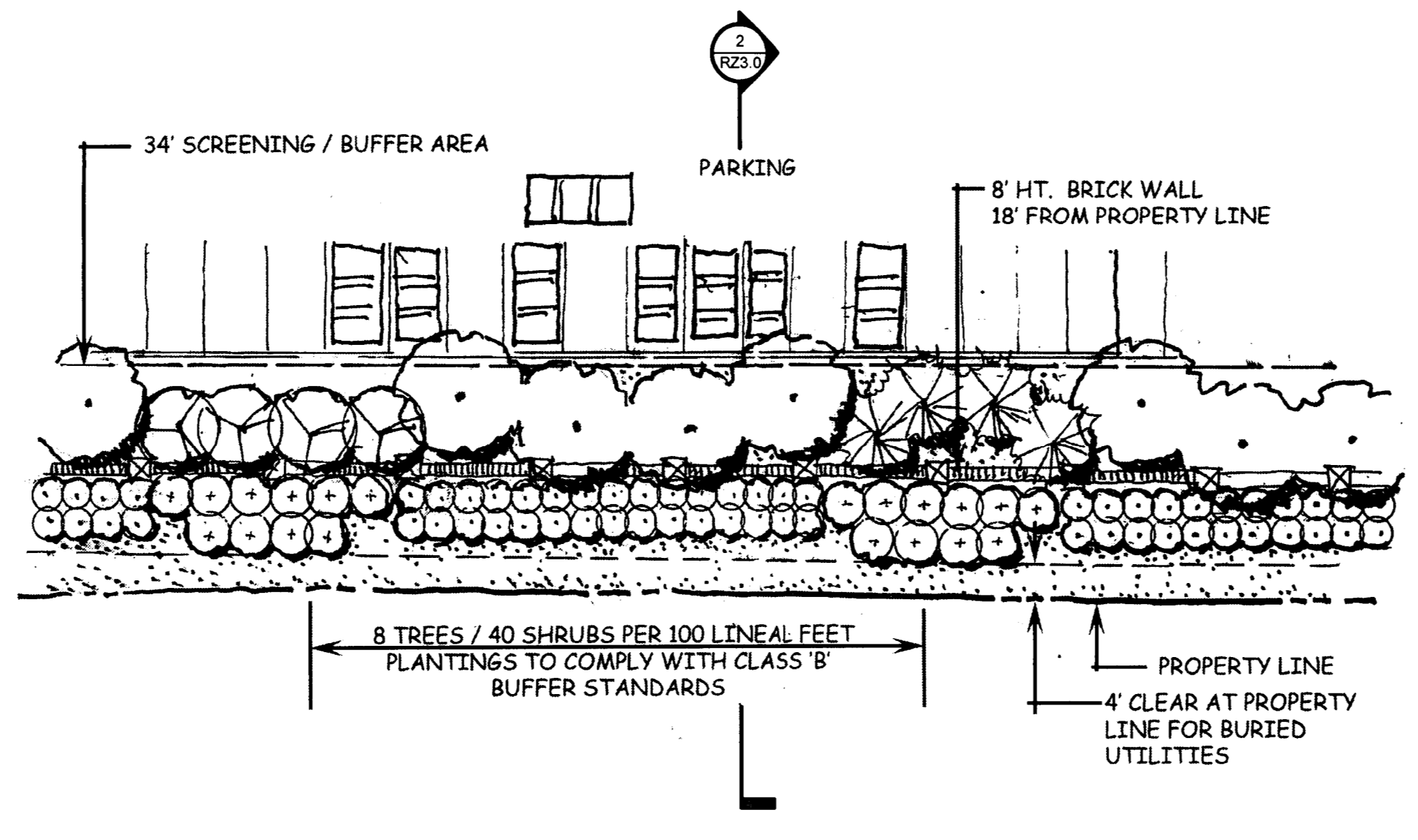
FOR PUBLIC HEARING #2008-65
REZONING PETITION



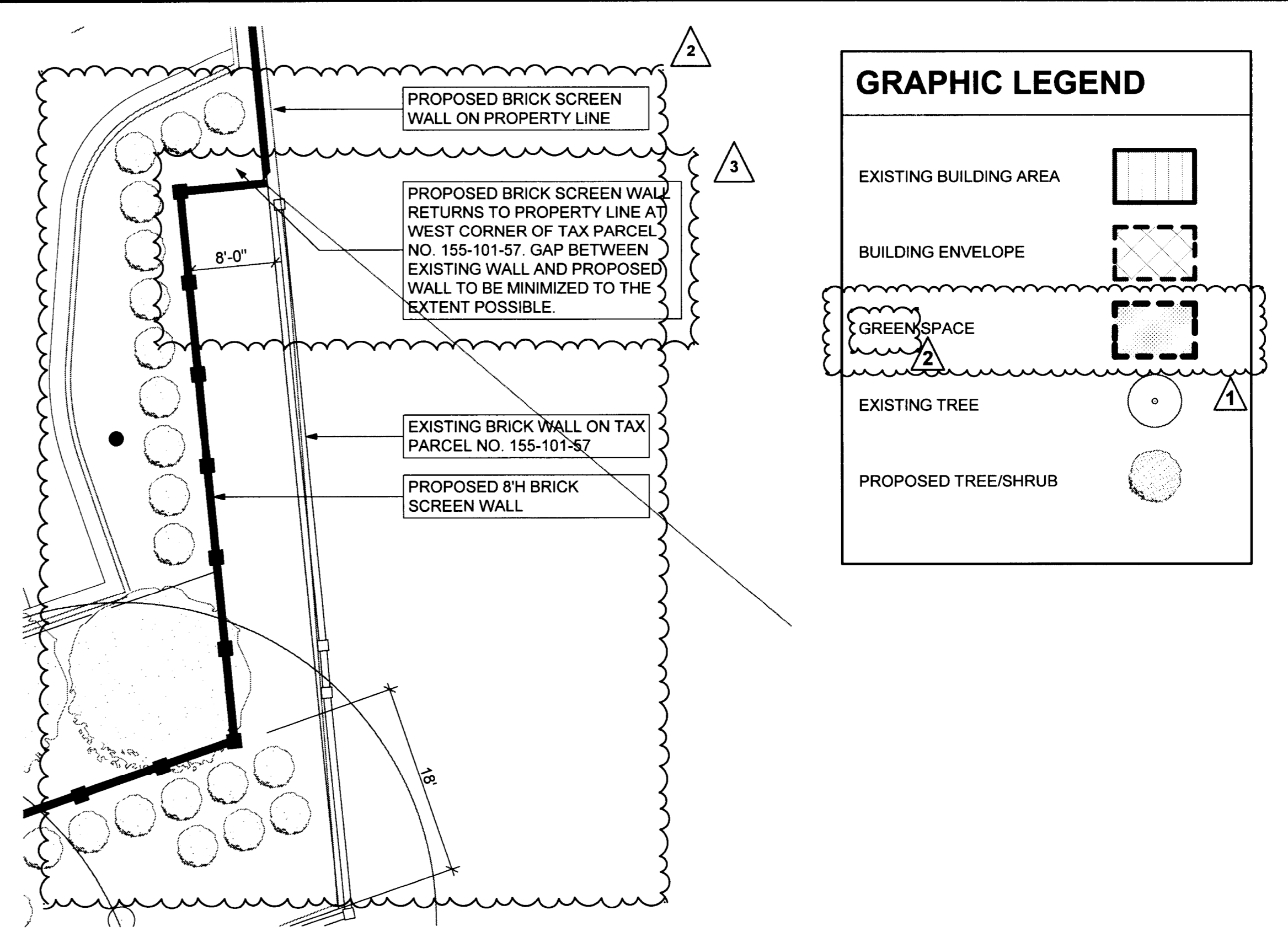
4 EAST CAMPUS PLAN
SCALE: 1" = 40'-0"



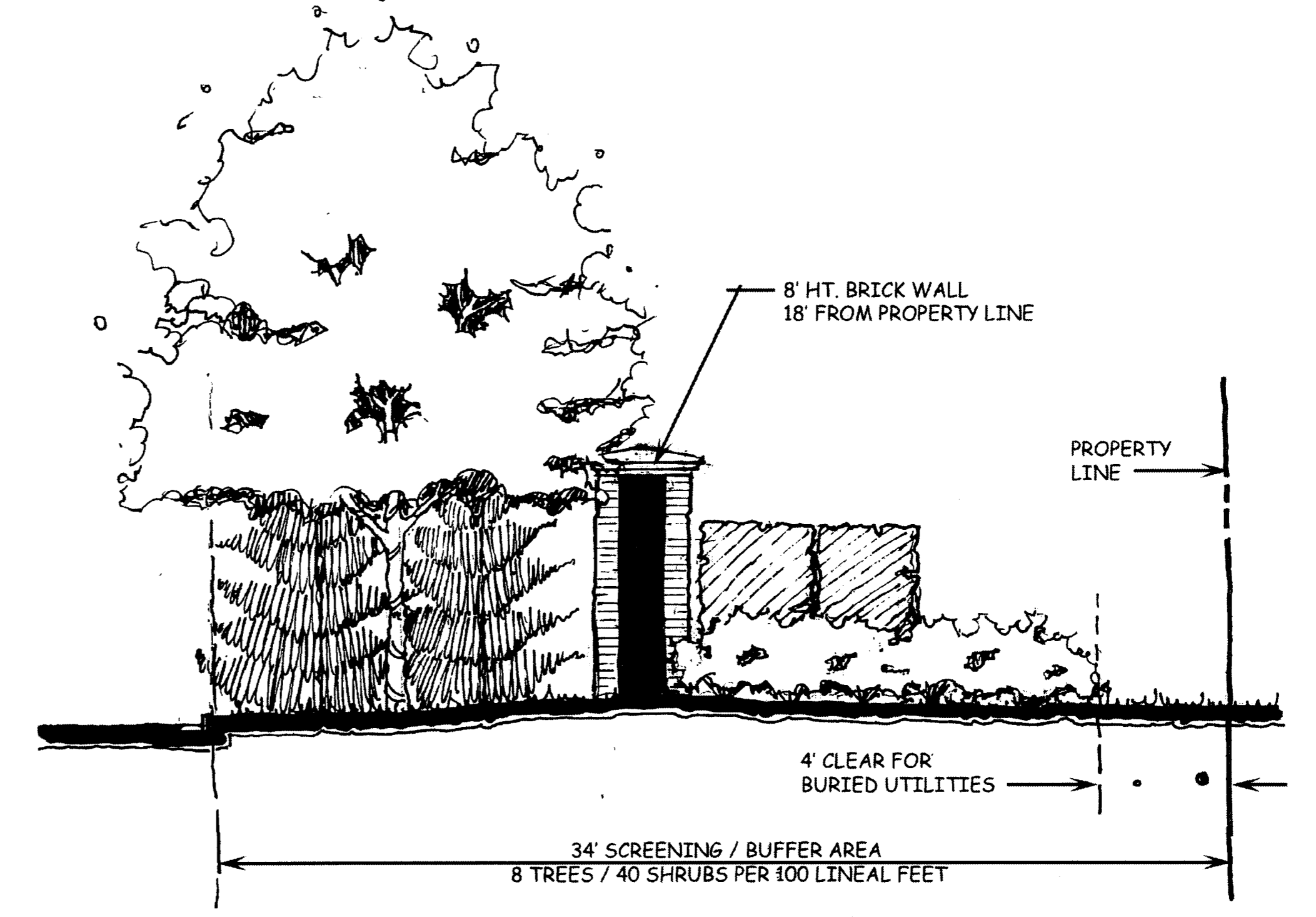
5 SOUTH PROPERTY LINE PLAN.jpg
SCALE: 1" = 10'



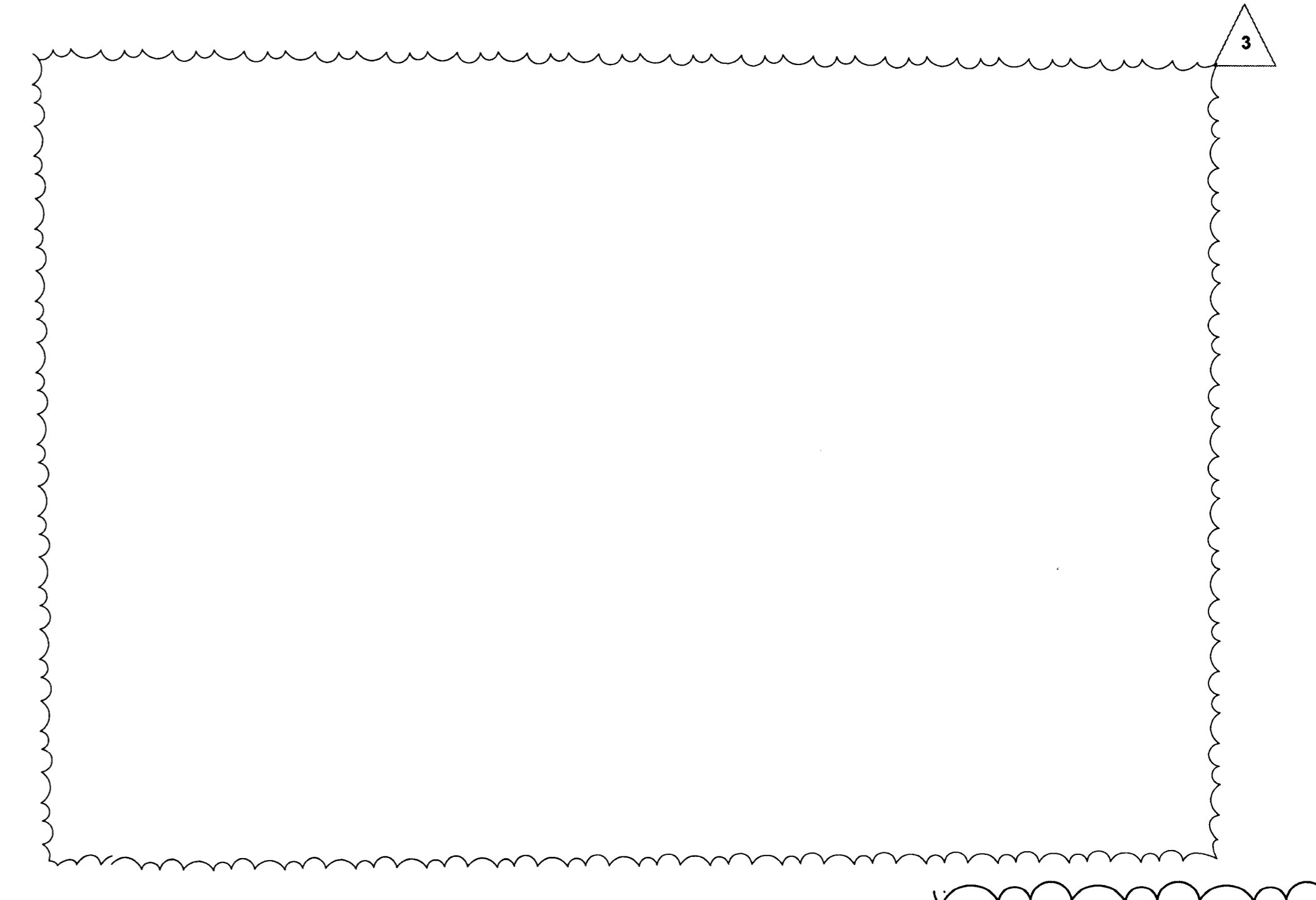
3 EAST PROPERTY LINE PLAN.j
SCALE: 1:1



6 ENLARGED PLAN- EAST CAMPUS
SCALE: 1" = 10'-0"



2 EAST PROPERTY LINE SECTION.jpg
SCALE: 1:1



1 SOUTH PROPERTY LINE SECTION.jp
SCALE: 1:1

GRAPHIC LEGEND

EXISTING BUILDING AREA	[Symbol]
BUILDING ENVELOPE	[Symbol]
GREEN SPACE	[Symbol]
EXISTING TREE	[Symbol]
PROPOSED TREE/SHRUB	[Symbol]

NO.	DATE	BY	CHK	DESCRIPTION
1	04.07.08	CDH	CDH	RESPONSE TO CITY STAFF AND NEIGHBORHOOD COMMENTS
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01-28-08
AS NOTED
EAST CAMPUS
SITE PLAN
BUFFER INFO.

<9527.06>
RZ3.0
3 OF 4

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REZONING PETITION #2008-65